

CITY OF LEVELLAND, TEXAS
LEVELLAND CITY COUNCIL REGULAR MEETING
MONDAY AUGUST 9, 2021 6:00 PM
CITY HALL, R.O. DENNIS COUNCIL CHAMBERS, 1709 AVENUE H

NOTICE OF MEETING BY VIDEO/TELEPHONE CONFERENCE

In accordance with order of the Office of the Governor issued March 16, 2020, the City Council of the City of Levelland will conduct this Regular Meeting in the R.O. Dennis City Council Chambers, located at 1709 Avenue H, Levelland, Texas. While members of the City Council plan to participate in this meeting in person, one or more members of the City Council may participate in this meeting remotely through video conference providing for two-way video and audio communication for each member of the City Council.

This Notice and Meeting Agenda are posted online at <https://www.levellandtexas.org/agendapackets>.

The meeting will be live streamed via Facebook at the following link <https://www.facebook.com/levellandtexas>.

This meeting will be recorded and the recording will be available to the public in accordance with the Open Meetings Act upon written request.

AGENDA

- ❖ Pledge of Allegiance and Prayer
- ❖ Statements by Citizens

1. Consider and take necessary action to approve the minutes of the July 26, 2021 special meeting, the July 26, 2021 regular meeting, the July 27, 2021 special meeting and the August 2, 2021 special meeting.
2. Consider and take necessary action to propose a tax rate for Fiscal Year 2021-2022.
3. Hold a budget work session for Fiscal Year 2021/2022 Budget.
4. Consider and take necessary action to allocate funding for the Levelland Main Street Façade Grant Program.
5. 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. 2021-35.
6. Consider and take necessary action on a resale property request for 1306 10th Street, Levelland, TX.
7. Consider and take necessary action on Ordinance No. 1056 approving a negotiated settlement with Atmos West Texas on a first reading.
8. Consider and take necessary action to authorize staff to dispose of surplus vehicles.
9. 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, (Hockley County Contractual Arrangements).
10. Convene into executive session in accordance with Texas Government Code §551.074 to deliberate the appointment, employment, evaluation, duties, discipline, or dismissal of a public officer or employee: City Manager.
11. Consider and take necessary action to accept the resignation of City Manager Erik Rejino.
12. Consider and take necessary action regarding the appointment of a city manager including but not limited to appointing an interim city manager, adopting procedures for soliciting job applicants and authorizing the mayor to negotiate and execute any related agreements thereto.

Adjournment.

CERTIFICATION

DATED THIS THE 6th DAY OF AUGUST, 2021

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Levelland Texas is a true and correct copy of said notice that has been posted on the bulletin board of the City Hall of the City of Levelland, Texas, a place convenient and readily accessible to the general public at all times, and said notice was posted on August 6, 2021, by 5:00 PM and remained so posted continuously for at least 72 hours preceding the scheduled time of such meeting.

Andréa Corley, City Secretary

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the bulletin board of City Hall on _____ day of _____, 2021.

Andréa Corley, City Secretary

The City Council Chamber is wheelchair accessible. Requests for any special accommodations must be made 48 hours prior to the meeting. Please contact Andréa Corley at 894-0113.

THE LEVELLAND CITY COUNCIL MET IN A SPECIAL JOINT MEETING OF THE LEVELLAND CITY COUNCIL AND THE HOCKLEY COUNTY COMMISSIONERS ON MONDAY, THE 26th OF JULY 2021, AT 9:00AM IN 286TH DISTRICT COURT ROOM, 802 HOUSTON STREET, LEVELLAND, TEXAS, 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	Absent
Erik Rejino	City Manager	Present
Andréa Corley	City Secretary	Present

Hockley County Judge, Sharla Baldrige called the County Commissioner meeting to order at 9:01am. Mayor Barbra Pinner called the Levelland City Council meeting to order at 9:01am. The Pledge was led by Mayor Barbra Pinner and the Invocation was given by County Commissioner Alan Wisdom

Statements by Citizens:

There were multiple statements by citizens. The format for Public Comment was less formal, with citizens speaking and asking questions from their seats throughout the City/County discussion.

FIRST ITEM OF BUSINESS:

Discussion with Hockley County Commissioners' Court concerning fire suppression services in the County and any related agreement thereto including other agreements between the parties.

Background

The City of Levelland and Hockley County have a Fire Service Agreement that has been in place for well over ten years. We are nearing the end of the current two-year agreement which expires on September 30th of this year.

Accordingly, the City Council appointed a committee of two City Council members to work with City staff and review the agreement. The two Council members are Mayor Pinner and Mayor Pro Tem Buxkemper. At this time, in order to enter into a new agreement beginning October 1, 2021, the committee requested the following changes to the agreement with the County which I presented recently at one of the County's budget work sessions.

The proposed new terms were as follows:

- \$200,000 for first 200 runs (currently \$175,000)
- \$800 per run after first 200 runs with a cap of \$20,000 (currently \$650 per run)

The amounts in the prior agreement were as follows:

- \$120,000 for first 200 runs
- \$600 per run after first 200 runs with a cap of \$20,000

Based on a phone survey conducted by the City, the new amounts proposed to the County would put the funding in the agreement more in line with the funding other cities receive for similar arrangements. Also, while this agreement would put us more in line with other cities, it is still only a small percentage (approximately 16%) of the overall fire department budget, which is approximately \$1.35 million.

In visiting with individual Council Members, we have some additional scenarios regarding business terms that staff will be prepared to discuss if Council chooses to in addition to the scenario presented above.

Below is a summary of several other items Council may want to consider as you consider action on the fire service agreement.

County Fire Runs: Staff has reviewed the fire department runs in the County and found that for Fiscal Year 2019/2020 nearly 46 percent of the total calls were in the County and nearly 60 percent of the personnel hours on responding to incidents were in the County (see details below). There are a few things to keep in mind when considering personnel hours. The personnel hours utilized on fire runs are a very small percentage of overall personnel hours. There are many services that the Fire Department provides that go above and beyond a traditional fire run or emergency run. The department spends time conducting arson investigations, assists the Building Inspections Department in evaluating plans for new buildings and assists with assessing structures that may be substandard and in violation of fire codes. In addition, they participate in a number of fire prevention efforts throughout the year. They also participate in community outreach efforts when opportunities arise and as time allows. When it comes to these types of services the City is the primary entity that benefits from these as these services do not normally extend out in to the County. Below is a summary of the emergency calls for Fiscal Year 2019/2020 and a summary of the year to date for the current fiscal year.

2019-2020 Fire Runs 10/01-09/30					
	COUNTY	CITY	TOTAL	COUNTY %	CITY %
# of Calls	174	207	381	45.67%	54%
# of Personnel Hours	1160.95	792.33	1953.28	59.44%	40.56%

2019-2020	CITY CALLS	COUNTY CALLS	TOTAL	CITY %	COUNTY %
TRUCK COMMAND 1	31	32	63	49%	51%
TRUCK COMMAND 2	115	126	241	48%	52%
TANKER 3	14	11	25	56%	44%
RESCUE 4	20	21	41	49%	51%
ENGINE 6(RESERVE)	3	2	5	60%	40%
ENGINE 7	19	5	24	79%	21%
ENGINE 8	69	20	89	78%	22%
TANKER 9	6	33	39	15%	85%
BRUSH 10	1	5	6	17%	83%
SQUAD 11	50	18	68	74%	26%
BRUSH 12	3	24	27	11%	89%
FOAM 13	8	2	10	80%	20%
BRUSH 14	59	128	187	32%	68%

10/01/2020- 07/06/2021					
TRUCK	CITY CALLS	COUNTY CALLS	TOTAL	CITY %	COUNTY %
COMMAND 1	29	21	50	58%	42%
COMMAND 2	97	82	179	54%	46%
TANKER 3	9	5	14	64%	36%
RESCUE 4	8	11	19	42%	58%
ENGINE 6(RESERVE)	0	1	1	0%	100%
ENGINE 7	2	5	7	29%	71%
ENGINE 8	84	21	105	80%	20%

TANKER 9	0	31	31	0%	100%
BRUSH 10	3	4	7	43%	57%
SQUAD 11	34	12	46	74%	26%
BRUSH 12	0	11	11	0%	100%
FOAM 13	3	0	3	100%	0%
BRUSH 14	43	76	119	36%	64%

2020-2021 Fire Runs 10/01-07/06					
	COUNTY	CITY	TOTAL	COUNTY %	CITY %
# of Calls	117	165	282	41.49%	59%
# of Personnel Hours	884.32	500.53	1384.85	63.86%	36.14%

Fire Department Budget: We have also assessed what a City-Only fire department would provide in savings. In order to provide adequate fire protection and maintain current ISO ratings for the City, only two pieces of apparatus could be eliminated along with some of the overtime costs for a total of \$60,000 in estimated savings of the \$1.3 million budget.

Fire Department Budget:	\$1.35million
Annual Savings in Overtime:	\$25,000
Annual Savings from Grass Truck (\$300,000 over 15 years)	\$20,000
<u>Annual Savings from Tanker Truck (\$300,000 over 20 years)</u>	<u>\$15,000</u>
Estimated City-Only Fire Department Budget:	\$1.24 million

The numbers above do not take into account the extended life of Fire Department equipment based on fewer runs if the Fire Department was to only run in the City. The extended life of the equipment would likely provide significant savings to the City.

AGENCY NAME	10/01/2019 THRU 09/30/2020	10/01/2020 THRU 06/30/2021
Total Calls for Service		
All Agencies Totals	24691	26771
Levelland Police Department	15868	16647

Hockley County Sheriff's Department	4945	6978
Levelland Fire Department	1031	655
Covenant - Levelland EMS	2847	2491
Agency Response to MVA		
All Agencies Totals	773	602
Levelland Police Department	356	272
Hockley County Sheriff's Department	224	193
Levelland Fire Department	55	37
Covenant - Levelland EMS	138	102

Dispatch/Communications Budget: We have reviewed the 911 dispatch and communications service as this is also a countywide service provided by the City. The current dispatch budget is approximately \$450,000. We determined that if the City operated a City-Only run dispatch service there would be no savings as we would still need to have all of the capabilities and the same number of dispatchers on duty at all times. Below is a summary of the calls for service, with the Levelland Police Department and Fire Department making up the majority of the calls. It is also important to note that there was an agreement signed in 1982 by the City and the County which references that the City shall operate County-wide dispatch service and the County shall operate the jail facility. The agreement expires in 2032.

Jail Service: The annual jail budget is estimated at \$1.4 million which was discovered during the last renegotiations with the County on the fire service agreement. As with the dispatch service, it is also important to note that there was an agreement signed in 1982 by the City and the County which references that the County shall operate the jail. The agreement expires in 2032. However, the operations of jail services per state statute is the primary responsibility of the County.

Law Enforcement Center: The city pays an annual lease payment of \$2,500 per year for use of the dispatch center in addition to all city utilities for the law enforcement center and the jail which equates to approximately \$18,000 per year. This too is part of the 50 year agreement referenced above.

Emergency Management: In 2016, the City and County entered into a joint agreement to partner on providing countywide emergency management services on a full-time basis. The agreement calls for the hiring of an Emergency Management Coordinator by the City of Levelland to provide emergency management services to the entire County. The operating budget is approximately \$120,000 in which the City and County share equally.

City Landfill: Landfill tipping fees are waived for County residents and are covered by the \$25,000 payment the County makes to the City for use of the landfill. The alternative to this arrangement would be to charge each County resident a landfill tipping fee each time they use the landfill. After reviewing the tonnage, the landfill tipping fee would generate less than the \$25,000 payment from the County.

Airport: City and County jointly own the Levelland Municipal Airport. The airport at this time between the operating revenue, oil royalties, and state and federal funding is self-sustaining operationally and for capital improvements. No subsidy is provided by either the City or County nor has a subsidy been provided in over eight (8) years. It is important to note that the majority of the staff support including grants administration, capital projects, working with the Airport Advisory Board, and mowing falls on City staff.

Library: The County operates a library with budget of over \$200,000. The City makes no contribution towards the library. In many cities, the library is strictly a City-operated service.

Ambulance: The City and County subsidize Covenant Hospital equally in the amount of approximately \$70,000 each year to provide ambulance service Countywide. The \$70,000 subsidy is significantly less than most cities pay for ambulance service according to a survey that was conducted earlier this year.

Other Relationships: We have also reviewed other relationships with the County including the Hospital, Mallet Event Center, and Juvenile Probation Services. Being that these are Countywide services City of Levelland taxpayers are already helping pay for these services as they are also Hockley County taxpayers.

The County expressed concern with the current plan, which included \$175,000 for up to 200 runs, with additional expense for more than 200 runs. The consensus between both entities was that the City of Levelland would calculate a “cost per run” for all calls and the City and County would continue discussions after that time.

No Council Action Taken

There being no further business the meeting was adjourned at 10:45am.

Respectfully Submitted,

Andréa Corley, City Secretary

THE LEVELLAND CITY COUNCIL MET IN REGULAR SESSION ON MONDAY, THE 26th OF JULY 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 Mayor Pro Tem Breann Buxkemper

Statements by Citizens:

There were no statements by citizens

FIRST ITEM OF BUSINESS:

Consider and take necessary action to approve the minutes of the July 12, 2021 regular meeting, the July 13 special meeting, and the July 19, 2021 special meeting.

Motion by Breann Buxkemper

Seconded by Mary Engledow

To approve the minutes of the July 12, 2021 regular meeting, the July 13 special meeting, and the July 19, 2021 special meeting.

Motion carried unanimously.

SECOND ITEM OF BUSINESS:

Consider and take necessary action on an event application for the Levelland Main Street 1st Saturday Shop the Square Sidewalk Sale and Here's the Scoop Event.

The Downtown Merchants along with the Levelland Main Street Program have held 1st Saturday Shop the Square Events in May, June and July. The August 7th event will be the 4th and final one held this summer. The event is slated to bring many of our community partners together including: the Levelland Main Street, The Downtown Business Association & its merchants, Voices Coalition, the Levelland Chamber, KLVT Radio, food trucks, live music, Levelland ISD, the City of Levelland, and the Wallace Theater. 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 downtown with street closures. We believe this can create a much needed community #ComeTogether event where we can show our support for one of our officers shot during the July 15th stand-off, give citizens a chance to share this experience while supporting one of their own. We plan to have a moment of silence for Sgt Josh Bartlett, a collection for Sgt Shawn Wilson and his family and enjoy the freedom to come together in Levelland, America...the land of the free because of the brave.

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.

Also as in prior events, in order to hold the event, the City and TxDOT will need to temporarily close several streets. When events are held downtown, we normally have to 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 so in order to close them the State requires that the City approve an agreement for the temporary closure of state right of way. The agreement simply states the requirements the City has when closing down a State highway.

Motion by Michael Stueart

Seconded by Breann Buxkemper

To approve the event application for the Levelland Main Street 1st Saturday Shop & Scoop/Blue & You

Buxkemper, Stueart and Engledow voted YES

Myatt voted NO

Motion carried

THIRD ITEM OF BUSINESS:

Consider and take necessary action on Resolution No. 2021-34 approving an agreement with the Texas Department of Transportation regarding the closing of two blocks of state highway for the Levelland Main Street 1st Saturday Shop the Square Sidewalk Sale and Here's the Scoop Event.

Agenda Memo information for this item is detailed in the SECOND ITEM OF BUSINESS.

Motion by Mary Engledow

Seconded by Michael Stueart

To approve Resolution No. 2021-34 approving an agreement with the Texas Department of Transportation regarding the closing of two blocks of state highway for the Levelland 1st Saturday Shop & Scoop/Blue & You Event

Motion carried unanimously.

FOURTH ITEM OF BUSINESS:

Consider and take necessary action to amend the Levelland Main Street Bylaws.

The Levelland Main Street Program would like to recommend to City Council the revision of the Main Street bylaws. The revisions include Article II, paragraph two; correction in grammar striking of a comma, and more importantly the striking of the phrase “of less than one (1) year.”

The striking of the afore mentioned phrase effects several of our current board members serving out the term of another, that ends in September of 2021. Because of the wording “of less than one year” it would cause these current board members to have to come off the board for at least one year before serving a full term. It is the board’s desire to keep these members on for a full term. This change will allow these board members to serve one full term.

“Members shall serve three (3) year terms. Terms shall begin October 1 and end September 30. Past Members may be re-appointed but may not serve consecutive terms. However, a member appointed to serve out an unexpired term ~~of less than one (1) year~~ may be immediately re-appointed to that term.”

Motion by Mary Engledow

Seconded by Breann Buxkemper

To approve the revisions to the Main Street Advisory Board bylaws as recommended by the Main Street Program.

Motion carried unanimously.

FIFTH ITEM OF BUSINESS:

Consider and take necessary action on an interlocal agreement between the City of Levelland and the South Plains Association of Governments to provide 911 Public Safety Answering Point Services.

The South Plains Association of Governments (SPAG) is classified as a regional planning commission and as a political subdivision of the State. SPAG provides many services to its member cities including Regional 911 services which include address assignment, training, public education, and planning. SPAG has developed a Strategic Plan to establish and operate 911 service in the region and the Commission on State Emergency Communications (Commission) has approved the current strategic plan.

The contract between SPAG and the Commission requires SPAG to execute interlocal agreements each year with local governments relating to the planning, development, operation,

and provision of 911 service, the use of wireline and wireless 911 fees, 911 funds, and adherence to applicable laws related to 911.

In the interlocal agreement the City agrees to operate and maintain 911 services at the communications center and to provide that service 24 hours per day, seven days per week, and to work with SPAG in providing and maintaining suitable Public Safety Answering Points space meeting all technical requirements set by the Commission on. As you may recall, as a result of this partnership, SPAG was able to secure funding for the new consoles for the new communications center which saved the City over \$40,000. SPAG was also responsible for ensuring that all 911 equipment was up and operational at the communications center when we moved in.

Motion by Breann Buxkemper

Seconded by Jim Myatt

To approve an interlocal agreement between the City of Levelland and the South Plains Association of Governments to provide 911 Public Safety Answering Point Services.

Motion carried unanimously.

SIXTH ITEM OF BUSINESS:

Consider and take necessary action to issue a request for proposals for a Pickup Truck in the Levelland Street Department.

As you know the Street Department is requesting a new pickup in next year's fiscal year budget to replace a 2005 ¾ ton flat-bed pickup with approximately 140,000 miles. This particular pickup is currently experiencing issues, including issues with the rod bearings. The discussion in the last budget work session by Council was to consider issuing a Request for Proposals before the fiscal year ended due to the extended wait times for vehicles.

Motion by Breann Buxkemper

Seconded by Jim Myatt

To authorize staff to issue a request for proposals for a Pickup Truck in the Levelland Street Department.

Motion carried unanimously.

SEVENTH ITEM OF BUSINESS:

Consider and take necessary action on the quarterly investment report for the quarter ending on June 30, 2021.

Attached for your review and acceptance is the regular investment report for the quarter ended June 30, 2021. In accordance with the guidelines and strategies set forth in the City's Investment Policy, the Public Funds Investment Act and the Public Funds Collateral Act, only funds that are not needed for immediate use are invested.

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 remain low for both short-term pooled investments and certificates of deposit. The City earns .65% on depository demand monies, which is higher than what we can earn when compared to investment pools or CD options. Interest earned this quarter was \$24,164.98, which is an increase of \$3,579.50 from the previous quarter. We continue to evaluate investment options as the market improves.

Motion by Breann Buxkemper

Seconded by Michael Stueart

To approve the Quarterly Investment Report for the quarter ending June 30, 2021

Motion carried unanimously.

EIGHTH ITEM OF BUSINESS:

Discussion and necessary action regarding board appointments to the following boards and commissions.

- *Levelland Economic Development Corporation.*
- *Levelland Community Development Corporation.*
- *Tax Increment Reinvestment Zone No. 1.*
- *Tax Increment Reinvestment Zone No. 2.*
- *Planning and Zoning Commission.*
- *Zoning Board of Adjustment.*
- *Housing Standards Commission.*
- *Canadian River Municipal Water Authority*
- *Airport Advisory Board*
- *Cemetery Advisory Board*
- *Levelland Housing Authority*

We have several board vacancies and expiring terms on various City boards. Below is a description of each of the boards as well as a list of the current board members and terms. You will notice there are a few existing vacancies. We are also in the process of determining which of the board members that have expiring terms are interested in continuing to serve. At the meeting on Monday Council can discuss the process you would like to move forward with to fill any vacancies. By then we should also have a better idea of which board members with expiring terms are interested in continuing to serve and which ones are not.

Levelland Economic Development Corporation

The Levelland Economic Development Corporation (LEDC) board consists of a five member board appointed by the City Council. The LEDC provides direction, planning, and oversight of funds collected by the Economic Development Sales Tax. The purpose of the corporation is to develop, and as necessary update and modify, strategies and plans to implement the purposes of the corporation; to efficiently and without unnecessary duplication utilize local resources to effect its purposes; and to see to the efficient use of its available revenues to further economic development in Levelland. Board members and terms are as follows:

<u>Board Member</u>	<u>Term Expires</u>
Tushar Bhakta	2023
Elgin Conner	2021
Sham Myatt	2021
Jody Rose	2022
Rob Blair	2022

Levelland Community Development Corporation

The Community Development Corporation (LCDC) board consists of a seven member board appointed by the City Council. Each board member serves 2-year staggered terms. The LCDC has been tasked with developing the Levelland-Oxy Sports Complex, a multi-purpose youth sports complex, as well as making improvements in the overall park and recreation system in Levelland. Board members and terms are as follows:

<u>Board Member</u>	<u>Term Expires</u>
Barry Royal	2022
Bruce White	2022
Tushar Bhakta	2022
Bobby Neal	2022
Michael Wiest	2021
Frankie Ruiz	2021
Kelly Read	2021

Tax Increment Reinvestment Zone Board No. 1

The City has created two Tax Increment Financing Reinvestment Zones (TIF), each governed by a separate board. TIF #1 was created in 2006 to encourage housing development, and is governed by a seven member board, four of which are local citizens appointed by the City Council. Board members and terms are as follows:

<u>Board Member</u>	<u>Term Expires</u>
---------------------	---------------------

Russell Vest	2022		
Ty Gregory	2022		
Sham Myatt	2021		
Todd Paxton	2021		
Sharla Baldrige	County		Representative
Jason Coleman	Water	District	Representative
Mary Engledow	City Representative		

Tax Increment Reinvestment Zone No. 2

TIF #2 is charged with assisting in the development of the Levelland Industrial Rail Park and is governed by a board of five, two of whom are local citizens appointed by the City Council. The board meets as needed. Board members and terms are as follows:

<u>Board Member</u>	<u>Term Expires</u>		
Todd Paxton	2022		
Sham Myatt	2021		
Sharla Baldrige	County		Representative
Jason Coleman	Water	District	Representative
Mary Engledow	City Representative		

Planning and Zoning Commission

The purpose of the Planning and Zoning Commission is to make recommendations to the City Council for the adoption of and amendments to the Levelland Zoning Ordinance, to exercise control over the platting and subdivision of land within the City limits and within the extraterritorial area, to formulate and to recommend a comprehensive plan for the City and extraterritorial area. Board members and terms are as follows:

<u>Board Member</u>	<u>Term Expires</u>
Vacant	2022
Kayla Neuhaus	2022
Roger Lindsey	2022
Dallas Pena	2022
Butch Wade	2021
Devin Sonnenburg (2 nd Alternate)	2021
Pete Cunningham (1 st Alternate)	2021

Zoning Board of Adjustment

The Zoning Board of Adjustment considers variances and special uses to the zoning ordinance and building codes, and hears appeals regarding land use decisions made by the Building Official. Board members and terms are as follows:

<u>Board Member</u>	<u>Term Expires</u>
Jim Mara	2022
Pete Cunningham	2022
Donny Barry (1 st Alternate)	2022
Butch Wade	2021
Diane Lane	2021

Ray Scrifes	2021
Tim Cook (2 nd Alternate)	2021

Housing Standards Commission

The Housing Standards Commission provides for inspection and enforcement of uninhabitable and dangerous dwellings and buildings, declaring as unfit for human occupation and violations as recommended by the Building Inspector. Board members and terms are as follows:

<u>Board Member</u>	<u>Term Expires</u>
Michael Stueart	2022
Amber Hinson	2022
Diane Lane	2021
Kris Phillips	2021
Kayla Neuhaus	2021

Canadian River Municipal Water Authority

The Canadian River Municipal Water Authority (CRMWA) was created in 1953 by the Texas Legislature and is the authority that created and owns Lake Meredith. Eleven cities are members of this authority and each appoints representatives to the CRMWA governing board based upon city population. The Levelland City Council appoints two Levelland citizens to serve on the CRMWA board. The purpose of the board is to store, control, conserve, protect, distribute and utilize storm and flood waters and unappropriated flow of the Canadian River and its tributaries, as well as groundwater owned by the authority, to the authority's member cities. This board meets in regular quarterly meetings and other special meetings as needed. Levelland gets about half of its water from CRMWA.

<u>Board Member</u>	<u>Term Expires</u>
Buddy Moore	2022
Richard Ellis	2021

Airport Advisory Board

The Airport Advisory Board is composed of 5 citizens appointed jointly by the City Council and Hockley County Commissioners to serve two-year terms. The board is responsible for advising and making recommendations to the City Council and County Commissioners in areas of planning, development, construction, enlargement, improvement, maintenance, equipment, operation, protection, and policing of the Levelland Municipal Airport which is owned and controlled jointly by the City of Levelland and Hockley County. The board meets on an as needed basis, usually once or twice yearly.

<u>Board Member</u>
Mary Engledow
Alan Wisdom
David Barnes
Derek Dunn
Vacant

Cemetery Advisory Board

The Cemetery Advisory Board is composed of five members appointed by the City Council. The purpose of the Cemetery Advisory Board is to provide advice and recommendations to City staff and

the City Council regarding Cemetery operations, rules and policies of the Cemetery. This group meets as needed, usually about three times a year.

Board Member

Vacant

Mary Shakespeare

Karen Pence

Ryan Bean

George Trejo

Levelland Housing Authority

The Levelland Housing Authority Board consists of five members appointed by the Mayor for two year terms. The purpose of this board is to oversee the Levelland Housing Authority (LHA) and assure that there are safe and sanitary dwelling accommodations for families of low income. The LHA operates public housing units funded through the U.S. Department of Housing and Urban Development.

<u>Board Member</u>	<u>Term Expires</u>
Butch Wade	2022
Lisa Hanna	2022
Micki R. Lotz	2022
Jody Rose	2021
Cindy Terzenbach	2021

No Council Action Taken. By consensus, council agreed to advertise and seek out board appointments by utilizing tools like volunteer applications and Letters of Intent to Serve

NINTH 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, (Hockley County Contractual Arrangements).

Mayor Pinner declared Council to be in Executive Session at 6:31p.m. She returned Council to regular session at 7:33p.m.

TENTH ITEM OF BUSINESS:

Consider and take necessary action on a Fire Service Agreement with Hockley County to provide fire suppression in the county.

No Council Action Taken.

ELEVENTH ITEM OF BUSINESS:

Hold a budget work session for Fiscal Year 2021/2022 Budget

No Council Action Taken.

There being no further business the meeting was adjourned at 9:19pm.

Respectfully Submitted,

Andréa Corley, City Secretary

THE LEVELLAND CITY COUNCIL MET IN A SPECIAL MEETING ON TUESDAY, THE 27th OF JULY 2021, AT LEVELLAND CITY HALL, MEETING ROOM #1, 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	Absent
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 no statements by citizens

FIRST ITEM OF BUSINESS:

Hold a budget work session for Fiscal Year 2021/2022 Budget

City Manager Erik Rejino continued with an overview of the proposed budget. Concentration was on funds other than the General Fund. (Enterprise Fund, etc.)

No Council Action Required

There being no further business the meeting was adjourned.

Respectfully Submitted,

Andréa Corley, City Secretary

THE LEVELLAND CITY COUNCIL MET IN A SPECIAL MEETING ON MONDAY, THE 2nd OF AUGUST 2021, AT LEVELLAND CITY HALL, MEETING ROOM #1, 1709 AVENUE H, WITH THE FOLLOWING MEMBERS PRESENT:

Barbra Pinner	Honorable Mayor	Absent
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	Absent
Erik Rejino	City Manager	Present
Andréa Corley	City Secretary	Present

The Pledge was led by Mayor Pro Tem Breann Buxkemper and the Invocation was given by Council Member Mary Engledow

Statements by Citizens:

There were no statements by citizens

FIRST ITEM OF BUSINESS:

Hold a budget work session for Fiscal Year 2021/2022 Budget

City Manager Erik Rejino continued with an overview of the proposed budget. Concentration was on the LEDC budget and follow-up questions on the General Fund (particularly dept. head car allowances, dept. head salaries, dept. head merit raises and COLA).

There was a discussion on the tax rate, as the tax rate ceiling will be set at the next meeting.

No Council Action Required

There being no further business the meeting was adjourned at 8:15pm.

Respectfully Submitted,

Andréa Corley, City Secretary

AGENDA MEMORANDUM ITEM #2

TO: Honorable Mayor and City Council

FROM: Erik Rejino

DATE: August 5, 2021

ITEM: Consider and take necessary action to propose a tax rate for Fiscal Year 2021-2022.

One of the first official steps in setting a tax rate for next year is for the Council to propose a tax rate. Proposing a tax rate initiates a process that can potentially include one required legal notice and one public hearing before the tax rate can be officially adopted. Council is not locked in to adopting the proposed tax rate. Council will have the option to adopt a lower tax rate without any change in the process when it adopts a final tax rate in September. However, Council cannot adopt a rate higher than the proposed rate without starting the entire adoption process over per State law. Council is scheduled to adopt the tax rate on September 13th.

The following definitions and explanations are from the tax code.

No-New-Revenue Tax Rate (formerly the effective tax rate): The no-new-revenue tax rate is the rate that would produce the same amount of taxes this year if applied to the same properties that were taxed last year.

- \$0.6404180 (FY 2021-2022)

Voter-Approval Tax Rate (formerly the roll-back rate): The voter-approval tax rate would produce 3 ½ percent more tax revenue than was produced last year. If a taxing entity adopts a tax rate greater than the voter-approval tax rate, the tax rate must be approved by the voters by holding an election. However, for municipalities under 30,000 in population the voter-approval tax rate is the highest tax rate that may be adopted without holding an election to seek voter approval of the rate unless the de minimis tax rate exceeds the voter-approval tax rate.

- \$0.813604 (FY 2021-2022)

De Minimis Tax Rate (new): The de minimis tax rate applies to municipalities with a population of less than 30,000. The de minimis rate is the rate equal to the sum of the no-new revenue maintenance and operations rate, the rate that will raise \$500,000 more in revenue, and the current debt rate.

- \$0.892158 (FY 2021-2022)

The tax rate in this year's current budget is \$0.645 which is distributed to the General Fund, the Cemetery Fund, and the Interest and Redemption Fund for debt service. As we discussed during the budget process, we have built the proposed budget for fiscal year 2021-2022 with no tax increase. Accordingly my recommendation for the FY 2021-2022 tax rate is that you adopt the No-New-Revenue Tax Rate which is \$0.6404180.

Recommendation - Propose a tax rate of \$0.6404180 for Fiscal Year 2021/2022.

AGENDA MEMORANDUM – ITEM #4

TO: Honorable Mayor and City Council

FROM: Tania Moody

DATE: August 5, 2021

ITEM: Consider and take necessary action to allocate funding for the Levelland Main Street Façade Grant Program.

The City of Levelland established the Sign and Paint Grant program in the first years of the Levelland Main Street Program as an incentive for downtown property and business owners to maintain their downtown buildings. The grant originally started at \$150 for signage and or paint. The total amount allotted for the fund at that time was \$2000. Of the original \$2000 only \$1,150 was used through last year. The feedback from businesses over the years was that the process to receive the funds is not worth the amount awarded. The amount was increased in the past a few times at the discretion of the Main Street Board to try and compensate for inflation and to make it more worthwhile but the program continued not to be utilized until last year when the City Council overhauled the program at the recommendation of the Main Street Advisory Board.

In August of this year Council approved the establishment of the Levelland Main Street Façade Grant Program under the City's Chapter 380 Program. The new program was in essence an expansion of the Sign and Paint Grant Program. The Main Street Façade Grant Program expanded the scope of allowable projects and the amount of the grant. In order to spur the program Council allocated \$8,000 in addition to the remaining \$850 for a total of \$8,850 towards the program from the Chapter 380 grant program set up for Main Street in 2019. Shortly after the allocation of funds the Main Street Program began accepting applications for the program and within a few months had several applications. Accordingly Council approved the projects below for the following downtown businesses.

1. Kim Price, Billy Price Furniture Mini Mall – they would like to clean up and repaint their already painted brick on their building and the awning and legs for the awning.
2. Bill Ashley, State Farm Ins. – Replace existing glass front and upgrade with glass that is up to code.
3. Meleta Atchison, Atchison's Jewelry – Repair awning that was vandalized.
4. Phil & Anna Ricker, Old Nock's Print Shop building – repair and repaint masonry and canopy, replace storefront frames and glass and door.
5. Phil & Anna Ricker, Paw & Order Grooming – repair stucco, repair masonry surfaces and repaint façade.

These projects are either nearing completion or have already been completed. At this time there are several businesses inquiring about the program. The Levelland Main Street Board recently met and is recommending that the City Council allocate an additional \$8,000 from the Main Street Grant fund set up in 2019 to fund up to four more grants for downtown businesses. Keep in mind, each business must match the grant dollar for dollar as reflected in the guidelines. Also, while we are requesting that you allocate the funds, all application submitted for funding will come before the Council for a final decision.

Following this memo you will find the program guidelines approved by Council last year.

Levelland Strategic Plan 2026, Job Creation: This program will support local businesses and will encourage new capital investment on downtown buildings.

Recommendation: Allocate \$8,000 for the Levelland Main Street Façade Grant Program.



Façade Grant Program

PURPOSE:

This program is intended to promote the economic vitality of Levelland's historic central business district/Main Street Program Area by providing matching grants for eligible projects designed to improve the commercial buildings in the historic downtown.

AMOUNT:

The grant consists of a one-dollar to one-dollar match up to \$2000.

Grants will be administered as reimbursements once approved projects have been completed as agreed and detailed itemized receipts are shown for work completed.

Submittal of an application does not ensure funding.

Funding is limited.

ELIGIBILITY:

Façade grants focus on the exterior work of storefronts (visible to the public) on commercial buildings and upper story residential buildings in the downtown district. Examples of such improvements (but not limited to) are awnings, window rehabilitation, brick repair, exterior paint, and signage.

The Levelland Main Street Façade Grant Program is set up as a single payment reimbursement to property owners per building/business, and in some situations, tenants located within the Levelland Main Street Area. Tenants must provide written consent from the property owner to be considered for a grant. Property owners must show proof of ownership to be considered.

Applicants are encouraged to promote historic preservation, energy efficiency, and accessibility standards in designing improvements, to the extent that they are financially feasible or required by law. All improvements must conform to applicable city building codes, zoning ordinances, local, and state laws and to the design guidelines adopted for the area and approved by City staff and the Main Street Advisory Board. Façade improvements to properties are strongly encouraged to be completed in accordance with the historical integrity of the building. *Funding preference may be given to Applicants who request and consider direction from the Texas Main Street Design Staff during the application process.* Services provided by the Texas Main Street Design Staff are complimentary to all businesses within the Main Street Area and require no costs or obligations on the part of the Applicant. The Main Street Manager will work closely with the Applicant during this process in the event the Applicant wishes to receive these services.

If awarded a façade reimbursement grant, any deviation from the approved grant project may result in the total or partial withdraw of the grant. In addition, a Main Street Façade Grant Sign shall be displayed in the recipient's storefront window for a minimum of (1) month to publicly publicize the grant program.

PROJECTS NOT ELIGIBLE FOR GRANT FUNDING: The following items are not eligible for façade grant funding:

- Roofing, Plumbing, Interior non-permanent cosmetic such as paint and flooring
- Temporary Signage such as banners, etc.
- Items not part of the buildings structure such as landscaping, driveways, parking, and temporary or removable items such as furniture and appurtenances.
- New Construction Projects
- No grants shall be awarded for work that has already been done or for work that is covered by insurance.

Levelland Main Street Façade Grant Program



APPLICATION PERIOD:

The grant application period will be set by the Main Street Advisory Board once annually. Applicants will have 6-weeks to complete and submit an application from the date set for applications to open. Applications will be reviewed by the Main Street Advisory Board and finalists will be submitted to City Council for final approval and awards. Dates will be announced annually updated accordingly.

PROJECT TIMELINE:

Grant awardees will have up to one-year from the date of approval for the project completion. Failure to complete the project within the set timeframe could result in removal of the grant approval and awarding the grant to another project. A six-month extension may be possible if requested due to extenuating circumstances, subject to approval by the Levelland City Council.

APPLICATION PROCEDURES:

1. *Determine eligibility.* Discuss project plans with the Main Street Manager and obtain a Main Street Façade Grant application. *Optional Resource:* Set up an appointment for free assistance in selecting paint, fabrics, color schemes, and sign materials for building façade through the Texas Main Street Design Staff. Obtain an Application from the Main Street Manager.
2. *Complete the Main Street Façade Grant Application and sign the agreement form.* In addition, obtain itemized work estimates on all project work from qualified and/or licensed contractors and/or project architects.
 - (a) *Submit completed application to Main Street Office.* Attach supplemental materials to the application, which shall include original itemized work estimates, color samples, drawings/renderings, and example sign material of the proposed work. Only applications that have been properly and fully completed and which contain all of the information required within the application or as requested by the Main Street Manager will be considered and scheduled to present to the Main Street Advisory Board/Executive Committee.
3. *Approval Process.* The approval process will include:
 - (a) All façade grant projects must meet current building standards and codes, as well as building permit requirements.
 - (b) Schedule an appointment with the Main Street Advisory Board or Executive Committee for a short 10-minute presentation. This presentation must be approximately 10 minutes in length (allowing 5 minutes for Q & A with the board/committee). The presentation must provide a detailed explanation of the project, including photos, drawings, paint colors/samples, sign colors, shape, proposed placement, materials, etc.
 - (c) Construction quotes/bids are required for the review of the application. Local contractors are encouraged if the cost is within 20% of the out-of-town bid. All construction bids submitted by a grant applicant must be current and dated no earlier than ninety (90) days prior to the application request.
 - (d) The Main Street Advisory Board/Executive Committee will review applications and submit finalists based on available funding for final approval to the Levelland City Council. The Main Street Manager will inform applicants of determination in writing via email. Work on projects must not begin before determination and/or approval by the Levelland City Council.
 - (e) **Applicants who receive grant approval will have one-year for completion of work from the date of written approval from the Main Street Manager. All work must be completed and receipts submitted to the Main Street Manager within this time timeframe. Applicants are subject to disqualification of grant funding if these requirements are not met.** Larger construction projects may file for a deadline extension and are subject to the approval of the Main Street Advisory Board and the

Levelland Main Street Façade Grant Program



Levelland City Council.

(f) As a condition of this grant application and in consideration of the opportunity to apply for a grant, the applicant consents and shall allow the Main Street Advisory Board to request City of Levelland inspections to determine the grant, if awarded, shall not be used for construction to any building that is not in compliance with the City Municipal Codes and Ordinances.

(g) No applicant maintains a right to receive grant funds. The Main Street Advisory Board shall consider any application within its discretionary authority to determine what grant amount would be in the best interest of the grant program with final approval from the Levelland City Council. The review criteria may include but shall not be limited to compatible architectural design of historical downtown buildings, streetscape objectives, and the overall redevelopment of the downtown district.

(h) The applicant is required to obtain all City of Levelland permits required prior to the start of construction.

(i) No applicant or representative shall be entitled to receive grant approval on the same property within one (1) year from the date of a previous grant that was awarded.

4. *Reimbursement.* When the entire project has been completed satisfactorily reviewed, the applicant shall present the Main Street Manager with copies of all paid invoices, including cancelled checks and/or credit card receipts, for a single payment reimbursement of the approved funding.

AGENDA MEMORANDUM - ITEM #5

TO: Honorable Mayor and City Council

FROM: Erik Rejino

DATE: August 5, 2021

ITEM: 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. 2021-35.

Last month, Council extended the local COVID order and at this time the local order will be expiring. Governor Abbott has issued additional orders and those orders are reflected in the proposed resolution extending our local order. 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 increase in COVID cases and the COVID-19 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.

Following this memo you will find a copy of the resolution extending the local order along with a summary of our current COVID numbers.

Recommendation: Approve Resolution No. 2021-35 extending the local disaster declaration.

RESOLUTION NO. 2021-35

**CITY OF LEVELLAND, TEXAS
DECLARATION OF LOCAL DISASTER EXTENSION TO SEPTEMBER 8, 2021**

WHEREAS, a novel coronavirus (COVID-19) has been recognized globally as a contagious respiratory virus; and

WHEREAS, COVID-19 continues to spread and to pose an increasing, imminent threat of disaster throughout City of Levelland and beyond; and

WHEREAS, on March 19, 2020, the Mayor of the City of Levelland, Barbra Pinner, declared a local state of disaster for public health emergency pursuant to Section 418.108(a) of the Texas Government Code, based upon the need for extraordinary measures to contain COVID-19 and to prevent its spread throughout the City of Levelland with such declaration being extended by the City Council Resolution Nos. 2020-09, 2020-14, 2020-16, 2020-21, 2020-22, 2020-23, 2020-24, 2020-28, 2020-36, 2020-39, 2020-44, 2020-48, 2020-51, 2020-54, 2021-02, 2021-09, 2021-17, 2021-18; 2021-19; 2021-25; 2021-30; and 2021-33; and

WHEREAS, on March 2, 2021, the Governor of the State of Texas issued Executive Order GA-34, superseding Executive Order GA-32, further expanding the reopening of businesses, activities, nursing homes and related facilities, and services throughout most of Texas; and

WHEREAS, the Governor of the State of Texas has stated that there has been a steady decline in hospitalizations and the rate of new COVID-19 cases due to the millions of Texans who have voluntarily been vaccinated, including many within the City of Levelland, the natural immunity of many within the community, improved medical treatments for COVID-19 patients, abundant supplies of testing and personal protective equipment, and Texans' adherence to safe practices like social distancing, hand sanitizing, and use of face coverings; and

WHEREAS, on July 30, 2021, the Governor of the State of Texas renewed his state-wide disaster proclamation for an additional thirty (30) days, certifying that COVID-19 poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, the Trauma Service Area B, which includes Hockley County, is not considered an area of high hospitalization and the hospitalization rates have consistently been below the fifteen percent (15%) high hospitalization rate threshold but have seen increases in the past month; and

WHEREAS, on July 29, 2021, the Governor of the State of Texas issued Executive Order GA-38 further clarifying that no local governmental entity, including municipalities, can mandate anyone to wear a face covering or obtain the COVID-19 vaccine; and

WHEREAS, in areas where the COVID-19 transmission rate is high, individuals are encouraged to follow safe practices such as wearing face coverings over the nose and mouth when social distancing is impossible or impractical; and

WHEREAS, the City of Levelland Declaration of Local Disaster as adopted by City Council Resolution No. 2021-33 is scheduled to expire at 11:59 p.m. on August 9, 2021; and

WHEREAS, the City of Levelland, in an effort to continue to combat the spread of COVID-19 and to continue to support the improvement of local economic conditions while still maintaining the ability to protect against COVID-19 and pursuant to Texas Government Code §418.108, the City Council believes it to be in the best interest of the City and its citizens, in order to protect and preserve the public health, safety and welfare, to continue the extension of the Declaration of Local Disaster, and adopt the measures outlined herein;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEVELLAND, TEXAS, THAT:

SECTION 1. The recitals outlined above are found to be true and correct and are incorporated as if fully set forth herein.

SECTION 2. All terms and conditions of the Governor's Executive Order GA-34, as adopted by Resolution 2021-19, and Executive Order GA-38, is hereby adopted and the Mayoral Declaration of Local Disaster initially signed and executed by the Mayor on March 19, 2020 and extended by the City Council by successive resolution is renewed and extended to the extent it does not directly conflict with this resolution.

SECTION 3. Pursuant to §418.108(c) of the Texas Government Code, this Resolution shall be given prompt and general publicity and shall be filed promptly with the City Secretary of the City of Levelland.

SECTION 4. In accordance with Texas Government Code § 418.173, this Resolution is being issued in accordance with the City of Levelland's Emergency Management Plan.

SECTION 5. This Resolution shall go into effect immediately upon approval and continue until 11:59 p.m., Wednesday, September 8, 2021, unless renewed, extended, amended or cancelled by the Mayor or City Council of the City of Levelland.

SECTION 6. This Resolution and order authorizes the Mayor, pursuant to applicable provisions of Texas Government Code Chapter 418 and Texas Health and Safety Code §122.006, on behalf of the City of Levelland, to take any actions necessary to promote health and suppress the virus, including the quarantine of persons and occupied structures, examining and regulating hospitals, regulating ingress and egress from the City, regulating ingress and egress to occupied structures, establishment of quarantine stations, emergency hospitals, and other hospitals, enforcing applicable orders issued by the Hockley County Judge, the Governor of the State of Texas or the Texas Department of State Health Services related to suppressing the COVID-19 virus, and insuring compliance for those who do not comply with the City's rules and directives.

SECTION 7. To the extent permitted by law, any local ordinance or administrative rule prescribing the procedures for conduct of City business or any local ordinance or administrative rule that would in any way prevent, hinder, or delay necessary action in coping with this disaster, including any local ordinance or administrative rule regarding contracting or procurement which would impede the City's emergency response necessary to cope with this declared disaster, are hereby suspended, but only for the duration of this declared local disaster and only for that limited purpose.

SECTION 8. The Mayor may comport and amend this Resolution and any subsequent order to be consistent with any applicable executive order that may be issued by the Governor of the State of Texas.

SECTION 9. The Mayor is authorized to use all available resources of the City of Levelland reasonably necessary to comply with this resolution.

Passed and approved this 9th day of August, 2021.

Barbra Pinner
Mayor

ATTEST:

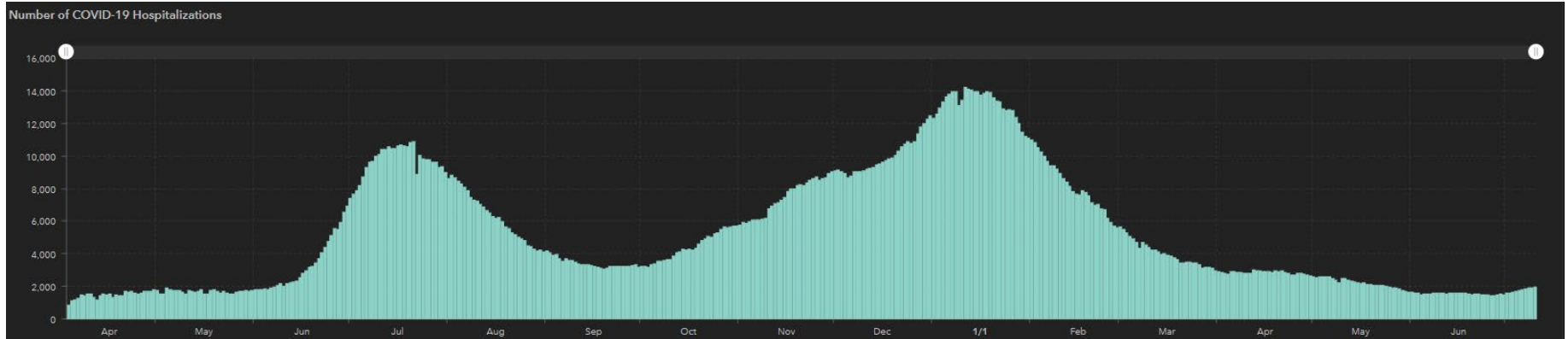
Andréa Corley, City Secretary

Case Summary: July 11

Aug. 4

- Total Cases: 2662 2767
- Recovered: 3012 3100
- Deaths: 104 106
- Active Cases: 16 66
- Probable Cases: 483 520

07/11/2021



Lab Confirmed COVID-19 Patients

1,961

Currently in Texas Hospitals

Total Staffed Hospital Beds

67,367

Available Hospital Beds

10,944

Available ICU Beds

854

Available Ventilators

7,433

Total Staffed Inpatient Beds

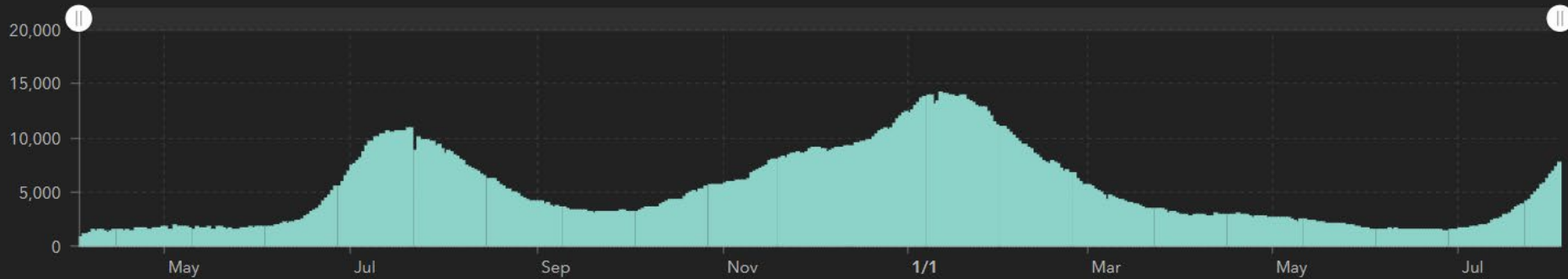
61,450



COVID-19
CORONAVIRUS DISEASE 2019

08/04/2021

Number of COVID-19 Hospitalizations



Lab Confirmed COVID-19 Patients

7,685

Currently in Texas Hospitals

Total Staffed Hospital Beds

64,732

Available Hospital Beds

8,554

Available ICU Beds

497

Available Ventilators

7,087

Total Staffed Inpatient Beds

60,323



TEXAS
Health and Human
Services

Texas Department of State
Health Services

COVID-19
CORONAVIRUS DISEASE 2019

July 11, 2021

Trauma Service Area B

2020 Population Estimate - 513,580

Total Staffed Hospital Beds - 1,551

Available Hospital Beds - 348

Available ICU Beds - 21

Available Ventilators - 241

Lab-Confirmed COVID-19 Patients Currently In Hospital
- 36

Total Hospitalizations - 1,086

Total Staffed Inpatient Beds - 1,434

August 4, 2021

Trauma Service Area B

2020 Population Estimate

- **513,580**

Total Staffed Hospital Beds -

1,417

Available Hospital Beds - **229**

Available ICU Beds - **17**

Available Ventilators - **228**

Lab-Confirmed COVID-19

Patients Currently In Hospital

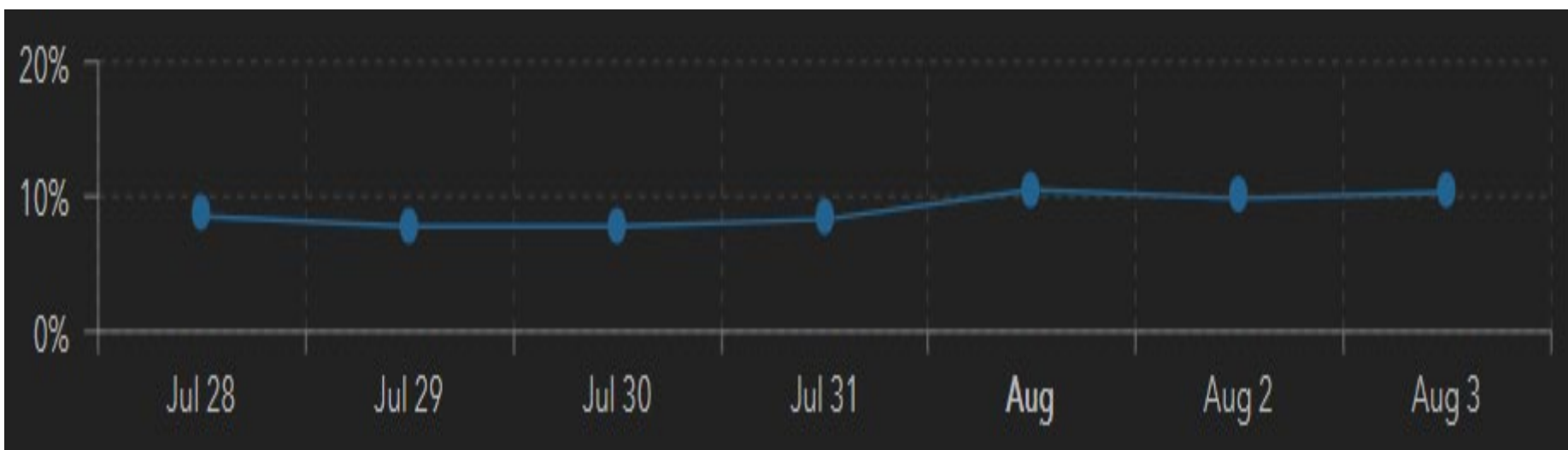
- **146**

Total Hospitalizations - **1,074**

Total Staffed Inpatient Beds

- **1,303**

Date:	COVID-19 Hospitalizations
<i>7/28/2021</i>	8.51%
<i>7/29/2021</i>	7.77%
<i>7/30/2021</i>	7.78%
<i>7/31/2021</i>	8.29%
<i>8/1/2021</i>	10.49%
<i>8/2/2021</i>	10.58%
<i>8/3/2021</i>	10.30%



% of Population Vaccinated as of August 4th

State of Texas

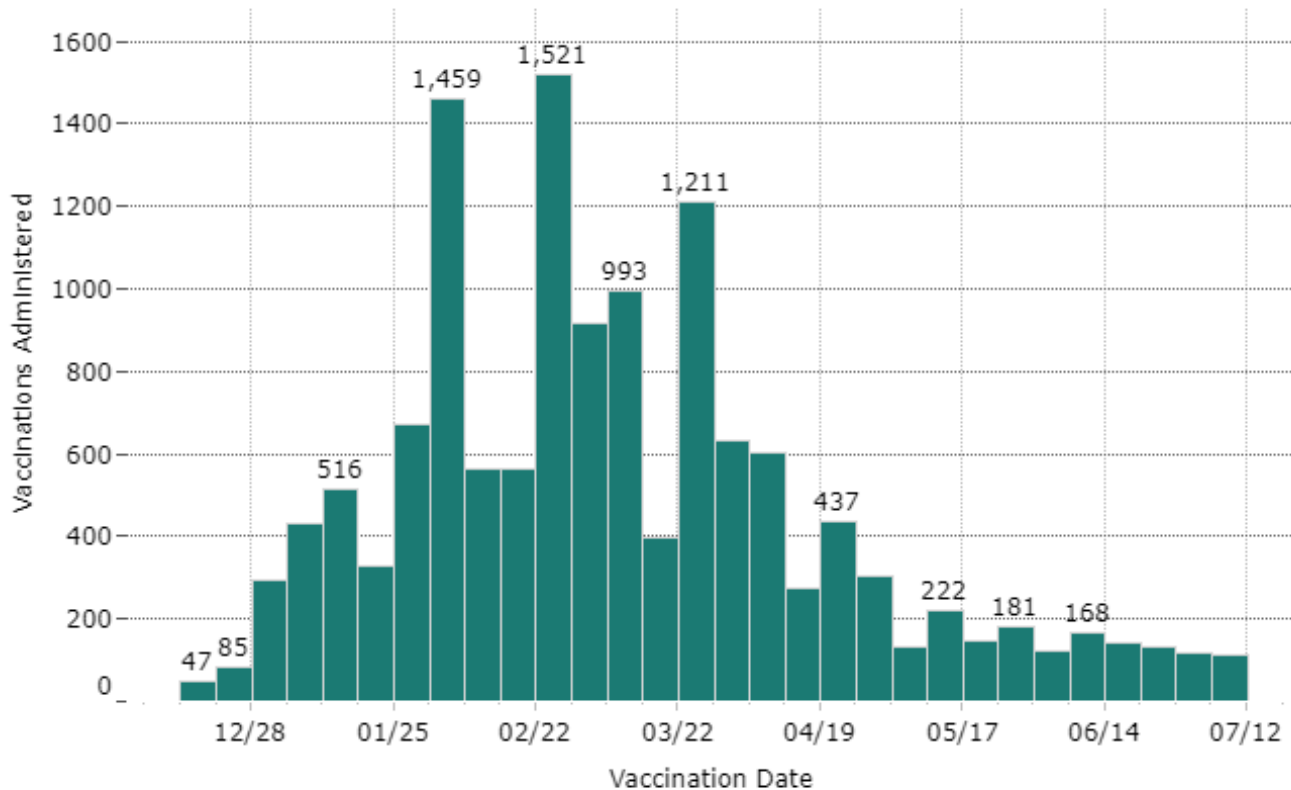
- Percent of Population 12+ Vaccinated With At Least One Dose
 - **62.58%**
- Percent of Population 12+ Fully Vaccinated
 - **53.07%**

Hockley County

- Percent of Population 12+ Vaccinated with At Least One Dose
 - **43.32%**
- Percent of Population 12+ Fully Vaccinated
 - **37.26%**

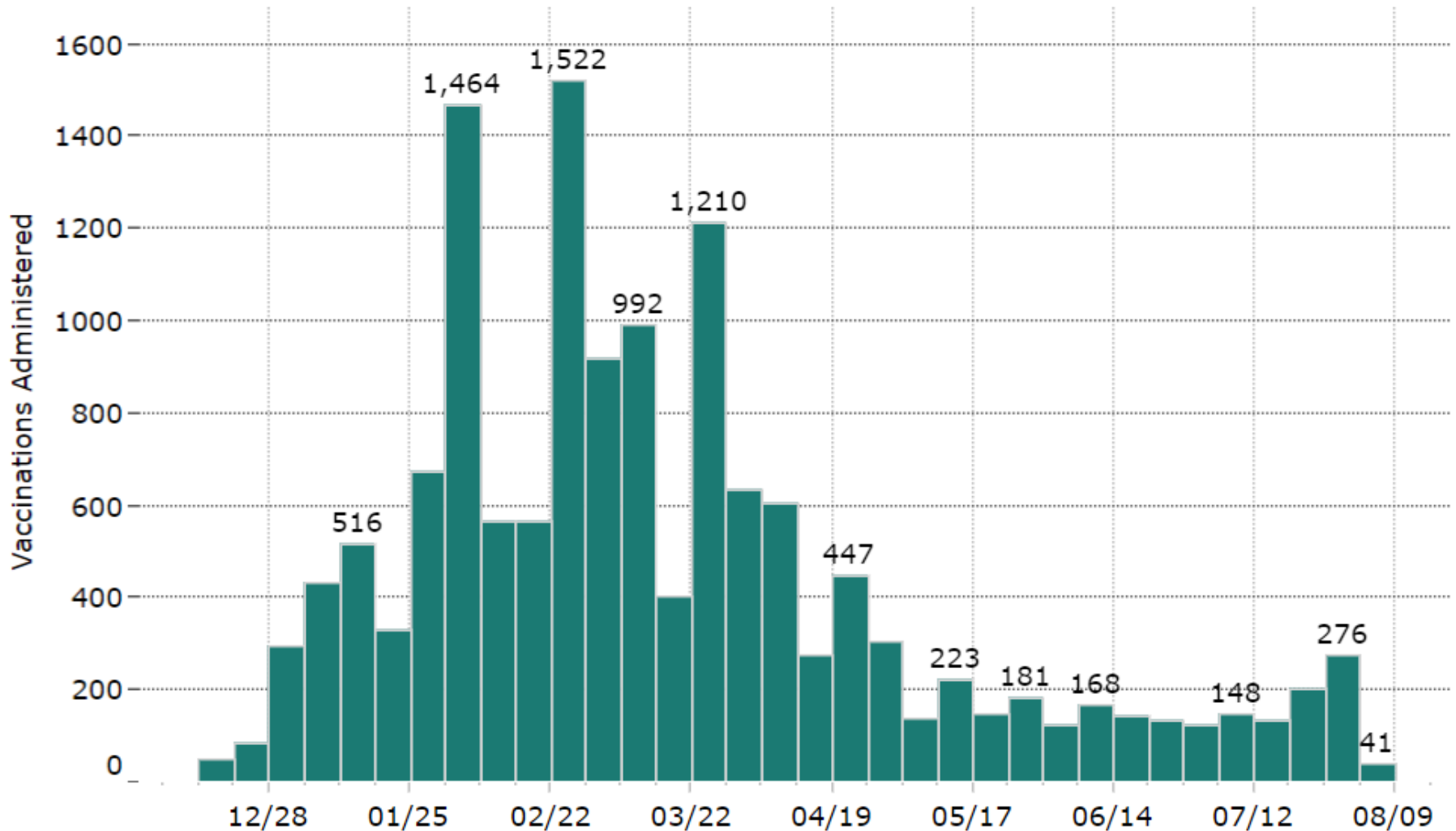
13,723 Doses Administered Through July 12th

Vaccinations by Week in Hockley County



14,451 Doses Administered Through August 4th

Vaccinations by Week in Hockley County



AGENDA MEMORANDUM ITEM #6

TO: Honorable Mayor and City Council

FROM: Andréa Corley

DATE: 8/5/2021

ITEM: Consider and take necessary action on a resale property request for 1306 10th St

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

Southside (Lev) Block 153, Lot 3 E/2 & Lot 4, also known as 1306 10th St, Levelland, Texas

Bidder	Purchase Price (Taxes Owed)	Offer Price	Forgiveness Price
Cantu	3,570.79	500.00	3,070.79

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.

Recommendation: Approve bid for resale property located at 1306 10th St, Levelland, TX.

AGENDA MEMORANDUM – ITEM #7

TO: Honorable Mayor and City Council

FROM: Erik Rejino

DATE: August 6, 2021

ITEM: Consider and take necessary action on Ordinance No. 1056 approving a negotiated settlement with Atmos West Texas on a first reading.

The City along with other cities served by Atmos Energy Corp, West Texas Division, (Atmos West Texas) is a member of the West Texas Cities Steering Committee (WTC Cities). Earlier this year in April Atmos West Texas submitted a rate increase request of \$903,390 system-wide. The WTC Cities collectively engaged Lloyd Gosselink Rochelle & Townsend, P.C., which is the firm that has worked for the cities in analyzing Atmos rate filings over the past several years.

At this time, after working with legal counsel and rate consultants, Atmos has agreed to a settlement that will increase rates by \$152,000 annually within the Cities. In addition, they agreed to delay the increase from October 1 until December 1 saving consumers an additional \$25,000. The impact to the average customer is estimated at \$0.07 per month.

Following this memo you will find a copy of the proposed ordinance that Council adopted on a first reading at the last meeting. In addition you will find a report from legal counsel outlining the details of the proposed settlement.

Recommendation - Approve Ordinance No. 1051 approving the negotiated rate settlement with Atmos West Texas on a first reading.

July 22, 2021

STAFF REPORT

BACKGROUND AND SUMMARY

The City, along with 66 other West Texas cities served by Atmos Energy Corporation, West Texas Division (“Atmos West Texas” or “Company”), is a member of Cities Served by Atmos West Texas (“Cities”). In 2007, the Cities and Atmos West Texas settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism (“RRM”), as a substitute for future filings under the GRIP statute.

Since 2007, there have been several modifications to the original RRM Tariff. The most recent iteration of an RRM Tariff was reflected in an ordinance adopted by Cities in 2018. On or about April 1, 2021, the Company filed a rate request pursuant to the RRM Tariff adopted by Cities. The Company claimed that its cost of service in a test year ending December 31, 2020, entitled it to additional revenues system-wide of \$1.8 million.

Application of the standards set forth in the Cities’ RRM Tariff reduces the Company’s request for additional revenues from Cities to \$1.2 million. After a review of Cities’ consultants’ report and negotiations with Cities’ Executive Committee, Atmos agreed to a rate increase of \$152,000 plus revenue related taxes within the Cities, with an Effective Date of December 1, 2021. That Effective Date reflects two months’ delay beyond the October 1 date specified in your RRM Ordinance, which saves approximately \$25,000 off the rates designed to yield \$152,000 annually.

PROOF OF REVENUES

Atmos generated proof of revenues associated with the Resolution and attached rate tariffs. That proof is attached as Attachment 1 to this Staff Report. Cities' consultants have confirmed the accuracy of the proof.

BILL IMPACT

The impact of this increase in revenues to an average residential customer's bill is an increase of approximately \$0.07 per month. A bill impact estimate for each customer class is attached as Attachment 2. Comparison of the new rates to rates in effect for areas not under the RRM process reveals that settling Cities will maintain an economic monthly advantage over rates in effect in Amarillo, Lubbock, and Environs. See Attachment 3.

CITIES' OBJECTION TO THE SECTION 104.301 GRIP PROCESS

Cities strongly opposed the GRIP process because it constitutes piecemeal ratemaking by ignoring declining expenses and increasing revenues and rewarding the Company for increasing capital investment. The GRIP process does not allow any review of the reasonableness of capital investment and does not allow cities to participate in the Railroad Commission's review of annual GRIP filings or allow Cities to recover their rate case expenses. The Railroad Commission undertakes a mere administrative review of GRIP filings (instead of a full hearing), and rate increases go into effect without any material adjustments. In the Executive Committee's view, the GRIP process unfairly raises customers' rates without any regulatory oversight. In contrast, the RRM process has allowed for a more comprehensive rate review and annual evaluation of expenses and revenues, as well as capital investment.

EXPLANATION OF "BE IT RESOLVED" PARAGRAPHS

1. This section approves all findings in the Resolution.

2. This section adopts the attached RRM rate tariffs and finds the adoption of the new rates to be just, reasonable, and in the public interest.
3. This section finds that existing rates are unreasonable. Such finding is a necessary predicate to establishment of new rates. The new tariffs will permit Atmos West Texas to recover an additional \$152,000 over a 12-month period, but the new rates should only be effective for 10 months.
4. This section approves an exhibit that establishes a benchmark for pensions and retiree medical benefits to be used in future rate settings.
5. This section approves an exhibit to be used in future rate cases regarding recovery of regulatory liabilities, such as excess deferred income taxes.
6. This section requires the Company to reimburse the City for expenses associated with adoption of the Resolution.
7. This section repeals any resolution or ordinance that is inconsistent with this Resolution.
8. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.
9. This section is a savings clause, which provides that if any section is later found to be unconstitutional or invalid, that finding shall not affect, impair, or invalidate the remaining provisions of this Resolution. This section further directs that the remaining provisions of the Resolution are to be interpreted as if the offending section or clause never existed.
10. This section provides for an effective date upon passage.
11. This section directs that a copy of the signed Resolution be sent to a representative of the Company and legal counsel for the Executive Committee.

ORDINANCE NO. 1056

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEVELLAND, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE EXECUTIVE COMMITTEE OF CITIES SERVED BY ATMOS WEST TEXAS (“CITIES”) AND ATMOS ENERGY CORP., WEST TEXAS DIVISION REGARDING THE COMPANY’S 2021 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE CITIES’ REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE CITIES’ LEGAL COUNSEL.

WHEREAS, the City of Levelland, Texas (“City”) is a gas utility customer of Atmos Energy Corp., West Texas Division (“Atmos West Texas” or “Company”), and a regulatory authority with an interest in the rates and charges of Atmos West Texas; and

WHEREAS, the City is a member of Cities Served by Atmos West Texas (“Cities”), a coalition of similarly-situated cities served by Atmos West Texas that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos West Texas service area; and

WHEREAS, Cities and the Company worked collaboratively to develop a new Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by the

ORDINANCE NO. 1056

Legislature, and that will establish rates for Cities based on the system-wide cost of serving the Atmos West Texas service area; and

WHEREAS, the RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about April 1, 2021, Atmos West Texas filed its 2021 RRM rate request with Cities based on a test year ending December 31, 2020; and

WHEREAS, Cities coordinated its review of the Atmos West Texas 2021 RRM filing through its Executive Committee, assisted by Cities' attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, the Executive Committee, as well as Cities' counsel and consultants, recommends that Cities approve an increase in base rates for Atmos West Texas of \$152,000 with an Effective Date of December 1, 2021; and

WHEREAS, the attached tariffs (Exhibit A) implementing new rates are consistent with the recommendation of the Cities' Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Exhibit B) and

WHEREAS, the settlement agreement establishes an amortization schedule for regulatory liability (Exhibit C); and

WHEREAS, the RRM Tariff contemplates reimbursement of Cities' reasonable expenses associated with RRM applications;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEVELLAND, TEXAS:

Section 1. That the findings set forth in this Ordinance are hereby in all things approved.

Section 2. That, without prejudice to future litigation of any issue identified by Cities, the City Council finds that the settled amount of an increase in revenues of \$152,000 for Cities represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos West Texas within the municipal limits arising from Atmos West Texas' 2021 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

Section 3. That the existing rates for natural gas service provided by Atmos West Texas are unreasonable. The new tariffs, attached hereto and incorporated herein as Exhibit A, are just and reasonable, and are designed to allow Atmos West Texas to recover annually an additional \$152,000 in revenue from customers in Cities, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

Section 4. That the ratemaking treatment for pensions and retiree medical benefits in Atmos West Texas' next RRM filing shall be as set forth on Exhibit B, attached hereto and incorporated herein.

Section 5. That subject to any future settlement or decision regarding the balance of Excess Deferred Income Tax to be refunded to ratepayers, the amortization of regulatory liability shall be consistent with the schedule found in Exhibit C, attached hereto and incorporated herein.

Section 6. That Atmos West Texas shall reimburse the reasonable ratemaking expenses of the Cities in processing the Company's 2021 RRM filing.

Section 7. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.

ORDINANCE NO. 1056

Section 8. That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 9. That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

Section 10. That consistent with the City Ordinance that established the RRM process, this Ordinance shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after December 1, 2021.

Section 11. That a copy of this Ordinance shall be sent to Atmos West Texas, care of Philip Littlejohn, Vice President of Rates and Regulatory Affairs, West Texas Division, 6606 66th Street, Lubbock, Texas 79424, and Thomas Brocato, General Counsel to Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED this _____ day of _____, 2021.

Barbra Pinner, Mayor

ATTEST:

APPROVED AS TO FORM:

Andréa Corley, City Secretary

Matthew L. Wade, City Attorney

AGENDA MEMORANDUM ITEMS #9

TO: Honorable Mayor and City Council

FROM: Erik Rejino

DATE: August 6, 2021

ITEM: 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 (Hockley County Contractual Arrangements).

This item will allow us to continue discussions related to the fire service agreement and other contractual arrangements with the County.

AGENDA MEMORANDUM ITEMS #10, #11, & #12

TO: Honorable Mayor and City Council

FROM: Erik Rejino

DATE: August 6, 2021

ITEM: Convene into executive session in accordance with Texas Government Code §551.074 to deliberate the appointment, employment, evaluation, duties, discipline, or dismissal of a public officer or employee: City Manager.

Consider and take necessary action to accept the resignation of City Manager Erik Rejino.

Consider and take necessary action regarding the appointment of a city manager including but not limited to appointing an interim city manager, adopting procedures for soliciting job applicants and authorizing the mayor to negotiate and execute any related agreements thereto.

We have placed the executive session item on the agenda to allow Council to begin discussions regarding my replacement. Council may discuss interim plans and long-term plans. Following the executive session, I will ask that you formally accept my resignation with my last day with the City being October 1st as per my resignation letter issued on August 2nd. That allows me 60 days to see some projects through and allows for time to transition other city projects and business to ensure continuity of operations.

The last action item on the agenda will allow Council to take any action you see fit in the event you are ready to take action related to appointing an Interim City Manager and/or moving forward with the recruitment process to find a City Manager.