

THE LEVELLAND CITY COUNCIL MET IN REGULAR SESSION ON MONDAY, THE 9th OF AUGUST 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 Council Member Mary Engledow.

Statements by Citizens:

There was one statement by a citizen thanking City Council for their representation and thanking City employees for their hard work

FIRST ITEM OF BUSINESS:

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.

Motion by Breann Buxkemper

Seconded by Michael Stueart

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.

Motion carried unanimously.

SECOND ITEM OF BUSINESS:

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, staff recommendation for the FY 2021-2022 tax rate is that you adopt the No-New-Revenue Tax Rate which is \$0.6404180.

Motion by Breann Buxkemper

Seconded by Mary Engledow

Propose a tax rate of \$0.610 for Fiscal Year 2021/2022

Buxkemper, Myatt and Engledow voted FOR

Stueart voted AGAINST

Motion carried

THIRD ITEM OF BUSINESS:

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

No Council Action Taken

FOURTH ITEM OF BUSINESS:

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.

Motion by Breann Buxkemper

Seconded by Michael Stueart

To allocate \$8,000 for the Levelland Main Street Façade Grant Program.

Motion carried unanimously.

FIFTH 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. 2021-35.

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.

Motion by Breann Buxkemper

Seconded by Jim Myatt

To approve Resolution No. 2021-35 extending the local disaster declaration.

Motion carried unanimously.

SIXTH ITEM OF BUSINESS:

Consider and take necessary action on a resale property request for 1306 10th Street, Levelland, TX.

Motion by Michael Stueart

Seconded by Mary Engledow

To table this issue until a later date

Motion carried unanimously.

SEVENTH ITEM OF BUSINESS:

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.

Motion by Breann Buxkemper

Seconded by Jim Myatt

To Approve Ordinance No. 1056 approving the negotiated rate settlement with Atmos West Texas on a first reading.

Motion carried unanimously.

EIGHTH ITEM OF BUSINESS:

Consider and take necessary action to authorize staff to dispose of surplus vehicles.

The City of Levelland, and in particular the Levelland Police Department, has a few surplus vehicles in the yard by the City Shop. Due to the July 15th incident, some of those vehicles have been in use while PD vehicles are repaired. Once staff has a good read on which vehicles will be saved for “spares” and which vehicles are cleared to be auctioned, Staff would like to begin the process of selling those vehicles.

Motion by Breann Buxkemper

Seconded by Michael Stueart

To authorize staff to dispose of surplus vehicles

Motion carried unanimously.

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).

TENTH ITEM OF BUSINESS:

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.

Mayor Pinner declared Council to be in Executive Session at 7:40p.m. She returned Council to regular session at 9:12p.m.

ELEVENTH ITEM OF BUSINESS:

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

City Manager, Erik Rejino, submitted his resignation to Council on July 28, 2021 and will be effective October 1, 2021.

Motion by Breann Buxkemper

Seconded by Jim Myatt

To accept the resignation of City Manager, Erik Rejino

Motion carried unanimously.

TWELTH ITEM OF BUSINESS:

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.

Council has requested information on three executive search firms. Meanwhile, Jose Cavazos was named Interim City Manager effective August 24, 2021.

Motion by Breann Buxkemper
Seconded by Jim Myatt
To accept the resignation of City Manager, Erik Rejino
Motion carried unanimously.

There being no further business the meeting was adjourned at 9:14pm.

Respectfully Submitted,

Andréa Corley, City Secretary