

City of Lubbock, Texas
Regular City Council Meeting
Tuesday, October 13, 2020

Daniel M. Pope, Mayor
Jeff Griffith, Mayor Pro Tem, District 3
Juan A. Chadis, Councilman, District 1
Shelia Patterson Harris, Councilwoman, District 2
Steve Massengale, Councilman, District 4
Randy Christian, Councilman, District 5
Latrell Joy, Councilwoman, District 6

W. Jarrett Atkinson, City Manager
Chad Weaver, City Attorney
Rebecca Garza, City Secretary



<http://www.mylubbock.us>

City Council Chambers, Citizens Tower, 1314 Avenue K, Lubbock, Texas

City of Lubbock City Council Meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary's Office at 775-2061 or write to Post Office Box 2000, Lubbock, Texas 79457 at least 48 hours in advance of the meeting.

Note: On occasion the City Council may consider agenda items out of order.

Pursuant to the Executive Orders of Governor Abbott, and other authority provided by the Texas Attorney General, the City Council will convene in-person and via video and/or teleconference.

1:00 p.m. - City Council convenes in Open Session, and recesses into Executive Session to consider Items 1.-1.3.

1. Executive Session

1. 1. Hold an executive session in accordance with Texas Government Code, Section 551.071, with legal counsel for advice about pending or contemplated litigation or settlement agreement and on matters in which the duty of the attorney under the Texas Disciplinary Rules of Professional Conduct conflicts with Chapter 551.

1. 1. 1. Cause No. 14-19-00060-CV- *Beck Steel, et. al. v. City of Lubbock, et. al*

1. 1. 2. Cause No. 07-19-00069-CV- *Charles Jeffrey Kirk and Wife Christy De Ann Kirk v. City of Lubbock*

1. 1. 3. Ordinance regarding Sanctuary City for the Unborn

1. 1. 4. Chapter 1, Article IV of the Lubbock City Charter

1. 2. Hold an executive session in accordance with Texas Government Code 551.074, to discuss personnel matters, regarding the duties, responsibilities, and/or appointments to the Building Board of Appeals, Electric Utility Board, LECD Board of Managers, and the Planning and Zoning Commission.
1. 3. Hold an executive session in accordance with Texas Government Code, Section 551.087, to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; and to deliberate the offer of a financial or other incentive to a business prospect described herein above.

Adjourn from Executive Session

4:00 p.m. - Approximately - Following completion of the Executive Session, the City Council will reconvene in City Council Chambers in Work Session regarding items for presentation and discussion on such issues that may require in-depth consideration by the City Council. No action will be taken by the City Council in Work Session. It is anticipated that the Work Session will begin at 4:00 p.m., however, this is an approximation, and the City Council may begin the Work Session earlier or later, depending on when the Executive Session is complete.

2. Hear and discuss presentations regarding the following and provide guidance to staff as appropriate.
2. 1. Frenship Independent School District Presentation on Bond Proposal
2. 2. Presentation of "5-5-5 Slow Down, Move Over" Safety Initiative

4:30 p.m. - At the completion of the Work Session, the City Council will begin the Regular Session.

3. Ceremonial Items

3. 1. Invocation
3. 2. Pledges of Allegiance
3. 3. Proclamations and Presentations
3. 3. 1. Presentation of a Special Recognition in support of National Arts and Humanities Month

3. 3. 2. Presentation of a Special Recognition in support of "5-5-5 Slow Down, Move Over" awareness to keep our first responders safe on the road while they are working traffic accidents

Call to Order

4. **Citizen Comments - According to Lubbock City Council Rules, any citizen wishing to appear before a regular meeting of the City Council, regarding any matter posted on the City Council Agenda below, shall complete the sign-up form provided at the meeting, no later than 5:00 p.m.**
5. **Minutes**
 5. 1. August 18, 2020 Special City Council - Electric Utility Board
September 2, 2020 Special City Council Meeting - Budget
September 8, 2020 Regular City Council Meeting
6. **Consent Agenda - Items considered to be routine are enacted by one motion without separate discussion. If the City Council desires to discuss an item, the item is removed from the Consent Agenda and considered separately.**
 6. 1. **Budget Ordinance Amendment 2nd Reading - Finance:** Consider Budget Ordinance No. 2020-O0126, Amendment 1, amending the FY 2020-21 Budget for municipal purposes respecting the Grant Fund to accept and appropriate funding from the U.S. Department of Justice; providing for filing; and providing for a savings clause.
 6. 2. **Budget Ordinance Amendment 1st Reading - Finance:** Consider Budget Ordinance Amendment 2, amending the FY 2020-21 Budget for municipal purposes respecting the Grant Fund to accept and appropriate funding from the Texas Department of Transportation for the Selective Traffic Enforcement Program (STEP) - Click it or Ticket Grant; providing for filing; and providing for a savings clause.
 6. 3. **Resolution - Risk Management:** Consider a resolution authorizing the Mayor to execute on behalf of the City of Lubbock, a Compromise Settlement Agreement and Release of all Claims, in Cause No. 2019-534,498, *Delfine Mazamuto & Anastasio Madrid v. the City of Lubbock*, and all related documents.
 6. 4. **Ordinance 2nd Reading - Right-of-Way:** Consider Ordinance No. 2020-O0127, abandoning and closing a portion of a water and sewer line easement located in Block 1, Lubbock Christian College Addition, Lubbock County, Texas, 5501 22nd Street.

6. 5. **Ordinance 1st Reading - Right-of-Way:** Consider an ordinance abandoning and closing a drainage easement located on Lots 128 and 149, Meadows South Addition, Lubbock County, Texas, as recorded as Tract II in Volume 5838, Page 301, of the Official Public Records of Lubbock County, Texas, 5501 and 5502 100th Street.
6. 6. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Contract 15402, with L.A. Fuller and Sons Construction, LTD., for construction services associated with the Police Crime Lab/Warehouse Water Improvements.
6. 7. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Change Order No. 1 to Contract 15243, with Garney Construction, for additional field services related to the demolition of Pump Station No. 7 and Water Line Replacement.
6. 8. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Amendment No. 1 to Contract 14121, with Freese and Nichols, Inc. (FNI), for additional engineering services related to the demolition of Pump Station No. 7, Lowhead B Pump Station, and the Reese Pipeline Project.
6. 9. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Amendment No. 1 to Contract 14395, with Freese and Nichols, Inc. (FNI), for providing professional services during the construction phase of Low Head C Pump Station and Supply Line Projects.
6. 10. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Contract 15431, with Archer Western Construction, LLC, for construction services associated with the Low Head C Pump Station Project.
6. 11. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Contract 15511, with Carollo Engineers, Inc., for providing professional services during the construction of the Southeast Water Reclamation Plant (SEWRP), Plant 3 Improvements Project.
6. 12. **Resolution - Wastewater:** Consider a resolution authorizing the Mayor to execute Contract 15488, with Wunderlich-Malec (WM), for the Supervisory Control and Data Acquisition (SCADA) programming, for the Southeast Water Reclamation Plant (SEWRP) Plant 3 Improvements Project.
6. 13. **Resolution - Public Works:** Consider a resolution endorsing a joint partnership between Lubbock County and the City of Lubbock, as funding becomes available, for a future project to repave North University Avenue between the Marsha Sharp Freeway (US 82) and the Clovis Highway (US 84).

6. 14. **Resolution - Public Works:** Consider a resolution authorizing the Mayor to execute Contract 15469, with West Texas Paving, Inc., for mill and relay paving repairs at various locations in the City.
6. 15. **Resolution - Solid Waste:** Consider a resolution authorizing the Mayor to execute Contract 15330, with Jarvis Metals Recycling, Inc., for the sale of scrap metals.
6. 16. **Resolution - Aviation:** Consider a resolution approving and ratifying the actions of the City Manager and his designee, with respect to a Grant Agreement by and between the City of Lubbock and the United States of America, acting through the Federal Aviation Administration (FAA), for a runway rehabilitation project at Lubbock Preston Smith International Airport (LPSIA).
6. 17. **Resolution - Police:** Consider a resolution authorizing the Mayor to execute the FY 2019-20 Local Administrative Agreement between the constituent agencies of the Lubbock Metropolitan Special Crimes Unit (LMSCU).
6. 18. **Ordinance 2nd Reading - City Secretary:** Consider Ordinance No. 2020-00133, amending Chapter 8, Article 8.04, of the Code of Ordinances of the City of Lubbock, Texas, with regard to coin-operated machines; providing a penalty; providing a savings clause; and providing for publication.

7. **Regular Agenda**

7. 1. **Board Appointments - City Secretary:** Consider appointments to the Airport Board, Building Board of Appeals, Health/Educational Facilities Development Corporation Board, Keep Lubbock Beautiful Advisory Committee, Lubbock Economic Development Alliance Board of Directors, LECD Board of Managers, Market Lubbock Economic Development Corporation Board of Directors, Model Codes & Construction Advisory Board, Museum & Art Standing Sub-Committee and the Planning and Zoning Commission.
7. 2. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2020-00128, for Zone Case 0777-A, a request of Hugo Reed and Associates, Inc. for Prudential Enterprises, LLC, for a zone change to Two-Family District (R-2) from Heavy Manufacturing District (M-2) at 4105 East 61st Street, located north of East 61st Street and west of Peach Avenue, Yellow House Canyon Addition, Lot 289.
7. 3. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2020-00129, for Zone Case 3054-D, a request of Hugo Reed and Associates, Inc. for James Morgan, Ltd, for a zone change to Light Manufacturing District (M-1), from Interstate Highway Commercial District (IHC), at 12301 and 12305 Indiana Avenue, located on the east side of Indiana Avenue, south of 122nd Street, Huntington Business Park Addition, the east 150 feet of Lot 6, and the east 150 feet of Lot 7.

7. 4. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2020-00130, for Zone Case 3298-B, a request of Hugo Reed and Associates, Inc. for Ford Development, for a zone change to Two Family District (R-2) from Single Family Specific Use District (R-1 SU) at 13914 Indiana Avenue, located north of 146th Street and east of Memphis Avenue on 1.1 acres of unplatted land out of Block AK Section 4.
7. 5. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2020-00131, for Zone Case 3308-B, a request of AMD Engineering, LLC for Wooded Forest, LLC, for a zone change to Single Family District (R-1) and Two Family District (R-2) from Single Family Specific Use District (R-1 SU), Two Family Specific Use District (R-2 SU) and Industrial Park District, located north of 26th Street and east of Upland Avenue, on 23.48 acres of unplatted land out of Block AK, Section 43.
7. 6. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2020-00132, for Zone Case 3418, a request of AMD Engineering, LLC for Lincoln Frankford Group, LLC, for a zone change to Two-Family District (R-2) from Single-Family District (R-1), generally located south of Lehigh Street and west of Chicago Avenue, on 19.84 acres of unplatted land out of Block JS, Section 6.
7. 7. **Ordinance 1st Reading - Engineering:** Consider an ordinance amending Title II Buildings; Development; Property Maintenance, of the City of Lubbock Code of Ordinances, by adding Chapter 41, Impact Fees; Establishing water, wastewater, and roadway impact fees per service unit; Establishing procedures for the assessment, collection, computation, expenditure, refund and general administration of impact fees; Providing for the establishment of accounts for impact fees; Establishing an appeal procedure; and Establishing an effective date.
7. 8. **Resolution - Planning:** Consider a resolution authorizing the Mayor to execute a Dedication Deed, associated Easements, and all related documents, in connection with property described as Tracts A - D, X-FAB Addition, Lubbock County, Texas, at the northwest corner of North Loop 289 and North University Avenue.
7. 9. **Resolution - Planning:** Consider a resolution authorizing the Mayor to execute a Dedication Deed, associated Easements, and all related documents, in connection with property described as Tract A, Dunbar Station Addition, Lubbock County, Texas, south of 19th Street and east of East Loop 289.
7. 10. **Resolution - Planning:** Consider a resolution approving and granting a variance from the applicable 300-foot minimum distance provisions of the City of Lubbock Ordinance No. 2009-O0060, at 2828 Marsha Sharp Freeway, for an alcoholic beverage permit for Hampton Inn & Suites.
7. 11. **Resolution - Planning:** Consider a resolution approving and granting a variance from the applicable 300-foot minimum distance provisions of the City of Lubbock Ordinance No. 2009-O0060, at 301 North University Avenue, for an alcoholic beverage permit for One Stop.

