

**City of Lubbock, Texas
Regular City Council Meeting
Tuesday, January 12, 2021**

Daniel M. Pope, Mayor
Steve Massengale, Mayor Pro Tem, District 4
Juan A. Chadis, Councilman, District 1
Shelia Patterson Harris, Councilwoman, District 2
Jeff Griffith, Councilman, District 3
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>

**Internet/Video Link: <https://zoom.us/j/99155034826>
or Teleconference Phone #s: U.S.: 1-346-248-7799; +1-669-900-9128; +1-312-626-6799; 1+646-558-8656;
+1-253-215-8782; +1-301-715-8592; Enter ID#: 991 5503 4826 #**

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 via video and/or teleconference.

1:30 p.m. - City Council convenes 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.

1. **Citizen Comments - Any citizen wishing to address the City Council, regarding Item 2.1 in the Work Session, may submit a citizen comment by email at citizencomments@mylubbock.us, no later than 11:30 a.m., on January 12, 2021. Submitted comments must include name and address. Each comment will be read aloud for a period of time not to exceed three minutes pursuant to City Council Rules. Citizen Comments is an opportunity for citizens to make comments and express a position on agenda items. Any comment received that is in the nature of asking a question will be referred to an appropriate member of the City staff for a response.**
2. Hear and discuss presentations regarding the following and provide guidance to staff as appropriate.
 2. 1. Comprehensive Plan Oversight Committee - Annual Report
 2. 2. Police Department 2020 Update and 2021 Operational Changes

2. 3. Unified Development Code Progress Update, Schedule, and Related Items
2. 4. Texas Tech University National Science Foundation Grant Proposal and other issues of mutual interest
2. 5. COVID 19 Update Including Vaccination Program and Financial Matters

At the completion of the Work Session, City Council recesses into Executive Session.

3. Executive Session

3. 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.
 3. 1. 1. Chapter 22: Utilities, and Chapter 30: Lakes, Waterways and Flood Plains of the Lubbock Code of Ordinances
3. 2. Hold an executive session in accordance with Texas Government Code, Section 551.074, to discuss personnel matters, regarding the duties, responsibilities, and/or appointments to the Building Board of Appeals, Community Development and Services Board, Permit and License Appeal Board, Urban Design and Historic Preservation Commission, Urban Renewal/Neighborhood Redevelopment Commission, Water Board of Appeals, and the Zoning Board of Adjustment.
3. 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

4:30 p.m. - City Council reconvenes in Open Session.

4. Ceremonial Items

4. 1. Invocation

4. 2. Pledges of Allegiance

Call to Order

5. **Citizen Comments - Any citizen wishing to address the City Council, regarding any matter posted on the City Council Agenda below, may submit a citizen comment by email at citizencomments@mylubbock.us, no later than 2:00 p.m. on January 12, 2021. Submitted comments must include name and address. Each comment will be read aloud for a period of time not to exceed three minutes pursuant to City Council Rules. Citizen Comments is an opportunity for citizens to make comments and express a position on agenda items. Any comment received that is in the nature of asking a question will be referred to an appropriate member of the City staff for a response.**

Public Hearings – Any person wishing to speak at a posted public hearing (Items 8.3 - 8.9) may do so via Zoom by using the “Raised Hand” feature. When utilizing Zoom through a telephone, press *9 to "raise your hand" and you will be placed in the queue.

6. **Minutes**

6. 1. November 23, 2020 Special City Council Meeting - Covid-19 Update
December 1, 2020 Regular City Council Meeting
December 9, 2020 Special City Council Meeting - Lubbock Economic Development Alliance
December 21, 2020 Special City Council Meeting - Proposed Public Health Facility

7. **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.**

7. 1. **Budget Ordinance Amendment 2nd Reading - Finance:** Consider Budget Ordinance No. 2020-O0160, Amendment 5, amending the FY 2020-21 Budget for municipal purposes respecting the Grant Fund to accept and appropriate funding through Nancy Lieberman Charities from the United States Department of Justice Community Oriented Policing Services (COPS) Office for the Kids & Cops Dream Court Grant; providing for filing; and providing for a savings clause.

7. 1. 1. **Resolution - Parks and Recreation:** Consider a resolution ratifying and accepting the acts of the Director of the Parks and Recreation Department, in executing the Kids and Cops Dream Court Grant Agreement, by and between the City of Lubbock and the Nancy Lieberman Charities, from the United States Department of Justice, Office of Community Oriented Policing Services, for programming at the City's Dream Courts.

7. 2. **Budget Amendment Ordinance 1st Reading - Finance:** Consider Budget Ordinance Amendment 7, amending the FY 2020-21 Budget for municipal purposes respecting the Airport Operating Budget, Airport Capital Fund, Water/Wastewater Operating Budget, and Water/Wastewater Capital Fund to amend Capital Improvement Project (CIP) 8610 Remove and Reseal Concrete Joints; Amend Capital Improvement Project 8616 Terminal Apron Maintenance; amend Capital Improvement Project 92372 Airport Rescue Fire Facility; amend Capital Improvement Project 92444 SEWRP Improvement Plant 3 and appropriate funding; providing for filing; and providing for a savings clause.
7. 3. **Ordinance 2nd Reading - Right-of-Way:** Consider Ordinance No. 2020-00159, abandoning and closing three portions of the Main Street Right-of-Way located north of Tract A-1, VDC Hotel Addition, that was originally dedicated with the plats of Overton Addition and Original Town of Lubbock Addition, Lubbock County, Texas, 1610 Broadway.
7. 4. **Ordinance 1st Reading - Right-of-Way:** Consider an ordinance to abandon and close a 2-foot wide Underground Street Light Easement and ten (10) 6-feet by 6-feet Underground Utility, Pedestal, and Meter Easements located in Vintage Township, Lots 278-285 and Lots 304-308, Lubbock County, Texas.
7. 5. **Ordinance 1st Reading - Right-of-Way:** Consider an ordinance abandoning and closing a portion of East Main Street, Blocks 2 and 3, C.D. Elliston Addition, and a 15-foot wide alley, Block 2, C.D. Elliston Addition.
7. 6. **Resolution - Right-of-Way:** Consider a resolution authorizing the Mayor to execute a Deed Without Warranty, for the sale of a City-owned remnant lot to Tar Heel Holdings LLC, being described as the South Part of Lot 4, Block 8, City View Addition, Lubbock County, Texas, 1613 Vassar Street.
7. 7. **Resolution - Right-of-Way:** Consider a resolution authorizing the Mayor to execute a Street Use License/Groundwater Monitoring Well Permit with the Air Force Civil Engineering Center (AFCEC) to install and maintain two groundwater monitoring wells for collecting water samples.
7. 8. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Contract 15477, with Garney Companies, Inc., for the construction of the Low Head C Supply Line.
7. 9. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Amendment 1 to Contract 15282, with Freese and Nichols, Inc., for providing engineering services for the final design of Downtown Sanitary Sewer Line Improvements Project.
7. 10. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Contract 15530, with MH Civil Constructors, Inc., for sidewalk and accessible ramp improvements at various locations.

7. 11. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Amendment No.1 to Contract 15208, with Freese and Nichols, Inc., for additional engineering services related to the Southeast Water Reclamation Plant Effluent Pump Station #2 Improvements Project.
7. 12. **Resolution - Water Utilities:** Consider a resolution authorizing the Mayor to execute Professional Services Agreement 15688, with HDR Engineering, Inc., for a wastewater land application closure evaluation.
7. 13. **Resolution - Water Utilities:** Consider a resolution authorizing the Mayor to execute Amendment No. 2 to Professional Services Contract 14300, with HDR Engineering, Inc., for professional engineering and geo-sciences services related to groundwater monitoring and remediation at City-owned land application sites.
7. 14. **Resolution - Water Utilities:** Consider a resolution authorizing the Mayor to execute Professional Services Contract 15570 with Agri-Waste Technology for water/nitrogen balance modeling, and cropping consulting related to the Lubbock and Hancock Land Application Sites.
7. 15. **Resolution - Business Development:** Consider a resolution approving a Downtown Grant Program (Facade) expenditure of Market Lubbock, Inc., to be provided to Henthorn, Horton, Kirkland Holdings, LLC., pursuant to Article IV, Section 5 of the Amended and Restated Bylaws of Market Lubbock Development Corporation.
7. 16. **Resolution - Business Development:** Consider a resolution approving a Downtown Grant Program (Permittable) expenditure of Market Lubbock, Inc., to be provided to Henthorn, Horton, Kirkland Holdings, LLC., pursuant to Article IV, Section 5 of the Amended and Restated Bylaws of Market Lubbock Development Corporation.
7. 17. **Resolution - Aviation:** Consider a resolution authorizing the City Manager, or his designee, to execute a Grant Agreement, by and between the City of Lubbock and the United States of America through the Federal Aviation Administration (FAA), in connection with Lubbock Preston Smith International Airport, and related documents, for the Terminal Apron Rehabilitation Project.
7. 18. **Resolution - Facilities Management:** Consider a resolution authorizing the Mayor to execute Amendment No. 6 to Contract 13109, with Lee Lewis Construction, Inc. (LLCI), for Construction Manager at Risk Services at Citizens Tower.
7. 19. **Resolution - Facilities Management:** Consider a resolution authorizing the Mayor to execute Amendment No.1 to Construction Manager at Risk Contract 15202, with Lee Lewis Construction, Inc., for the renovation of an existing 14,535 square-foot space into a Municipal Courts Facility, located at 1319 Avenue L, Lubbock, Lubbock County, Texas.

7. 20. **Resolution - Facilities Management:** Consider a resolution authorizing the Mayor to execute Contract 15578, with Tommy Klein Construction, Inc., for the construction of Lubbock Power & Light GIS Office Addition, located at 404 Municipal Drive.
7. 21. **Resolution - Fleet Services:** Consider a resolution authorizing the Mayor to execute Purchase Order 31056273, with Randall Reed's Prestige Ford, for the purchase of six pickup trucks, and Purchase Order 31056138, with Jim Bass Ford, for the purchase of two pickup trucks.
7. 22. **Resolution - Fleet Services:** Consider a resolution authorizing the Mayor to execute Purchase Order 10023518, with Deere and Company, for the purchase of a John Deere 9009A, Terrain Cut, Rough Mower, to be used for finish mowing of sports grass fields at Berl Huffman Sports Complex.
7. 23. **Resolution - Fleet Services:** Consider a resolution authorizing the Mayor to execute Purchase Order 31056671, with GT Distributors, Inc., for the purchase of emergency lighting and equipment to be installed in fifteen police patrol vehicles.
7. 24. **Resolution - Fleet Services:** Consider a resolution authorizing the Mayor to execute Purchase Order 31056445, with Roberts Truck Center, for the purchase of two 6-yard crew cab dump trucks for the Storm Water Department.
7. 25. **Resolution - Lubbock Power & Light:** Consider two resolutions authorizing the Mayor to execute two Temporary Construction Easements to Oncor Electric Delivery Company, LLC ("Oncor"), to be utilized for temporary working space during Oncor's initial construction of transmission lines and associated equipment over, under, along, to, from, and through land more particularly described in Exhibits A and B to the Temporary Construction Easements, and including certain areas along the following transmission lines: Fiddlewood Switch to Farmland Switch 345kV, including the City of Lubbock's South Water Treatment Plant and the Hancock Land Application Site.
8. **Regular Agenda**
 8. 1. **Board Appointments - City Secretary:** Consider appointments to the Building Board of Appeals, Central Business District Tax Increment Financing Reinvestment Zone Board of Directors, Community Development & Services Board, Comprehensive Plan Oversight Committee, Cultural Arts Grants Review Standing Sub-Committee, Libraries Board, Lubbock Business Park Tax Increment Financing Reinvestment Zone Board of Directors, North Overton Tax Increment Financing Reinvestment Zone Board of Directors, Permit and License Appeal Board, Urban Design & Historic Preservation Commission, Urban Renewal / Neighborhood Redevelopment Commission, Water Board of Appeals, and the Zoning Board of Adjustment.

8. 2. **Board Appointments - City Secretary:** Declare three appointments, made by the Mayor, to the Lubbock Housing Authority Board of Commissioners: Toby Cecil, Vecelia Mann, and Jerry Ramirez.
8. 3. **Public Hearing - Planning:** Consider a request for Zone Case 0355-B, a request of Gary Arthur for Rudy Morin, for a Specific Use for a game room on property zoned Commercial District (C-4) at 1819 East Broadway, located north of East Broadway and west of Teak Avenue, Gearhart Addition, Block 2, Lots 22 and 23, and consider an ordinance.
8. 4. **Public Hearing - Planning:** Consider a request for Zone Case 1112-E, a request of The Brand Tattoo Studio for Omega Health Solutions, LLC, for a zone change to Commercial District (C-4) from Restricted Local Retail District (C-2A) at 4412 50th Street, located on the north side of 50th Street and west of Quaker Avenue, Gordon Heights Addition, the east 40 feet of Lot 110, and consider an ordinance.
8. 5. **Public Hearing - Planning:** Consider a request for Zone Case 2144-A, a request of Keller Outdoor Advertising for Philip and Carol Wolfe Enterprise, for a Specific Use for a billboard on property zoned Light Manufacturing District (M-1) at 5702 Spur 327, located north of Spur 327 and west of West Loop 289, Village Center Addition, Lot 6, and consider an ordinance.
8. 6. **Public Hearing - Planning:** Consider a request for Zone Case 2011-H, a request of Keller Outdoor Advertising for Esplanade at City View, LP, for a Specific Use for a billboard on property zoned Light Manufacturing District (M-1) at 4525 Milwaukee Avenue, located north of 50th Street and east of Milwaukee Avenue, The Esplanade Addition, Tract A, and consider an ordinance.
8. 7. **Public Hearing - Planning:** Consider a request for Zone Case 2538-R, a request of Derek Cooper for the Walter B. Mantooth Estate, for a zone change to Family Apartment District (A-1) from Single-Family District (R-1) at 6801 4th Street, located east of Upland Avenue, south of 4th Street, on 3.094 acres of unplatted land out of Block JS, Section 10, and consider an ordinance.
8. 8. **Public Hearing - Planning:** Consider a request for Zone Case 2995-EE, a request of King Louie's LLC for The Hub Texas, LLC, for a zone change to Commercial District (C-4) with a Specific Use for a bar, from Local Retail District (C-2) at 7604 Milwaukee Avenue, located south of 74th Street and west of Milwaukee Avenue, The Hub Addition, Tract B, and consider an ordinance.
8. 9. **Public Hearing - Planning:** Consider an ordinance amending Chapter 40 "Zoning" of the Code of Ordinances of the City of Lubbock, Texas, with regard to Article 40.03 "Districts" and permitted uses in the "CB-1" West Broadway District in Downtown Lubbock.

8. 10. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2020-00162, for Zone Case 2358-Q, a request of Ronnie Wallace for Betenbough Homes, for a zone change to Two-Family District (R-2) from Single-Family District with Reduced Setbacks (R-1A) at 7502 and 7504 34th Street, located east of Yuma Avenue and north of 34th Street, on 9.534 acres of unplatted land, out of Block AK, Section 42.
8. 11. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2020-00161, for Zone Case 2538-P, a request of SK Architecture Group for Carpet Tech, for a zone change to Commercial District (C-4) from Single-Family District (R-1) Specific Use at 6602 and 6530 19th Street, located north of 19th Street and east of Oakridge Avenue, Terra Estates Addition, Lots 8 and 9.
8. 12. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2020-00163, for Zone Case 3047-Y, a request of AMD Engineering, LLC for Wheelhouse Development, for a zone change to Local Retail District (C-2) from Central Business District, General (CB-3) Specific Use at 4501 114th Street, located south of 114th Street and west of Quaker Avenue on 1.21 acres of unplatted land, out of Block E-2, Section 23.
8. 13. **Resolution - Planning:** Consider a resolution accepting the second Annual Report from the Comprehensive Plan Oversight Committee, regarding the progress and accomplishments of the Plan Lubbock 2040 implementation.
8. 14. **Resolution - Planning:** Consider a resolution authorizing the Mayor to execute an Annexation Agreement with Violet A. McInnes, Sandra K. Carlton, Wyatt Crawford, Melissa E. Crawford, and Landshark Commerical Properties, LLC., for an area of land generally described as approximately 110.438 acres, adjacent to the southern city limits of the City of Lubbock, south of 146th Street and west of University Avenue.
8. 15. **Ordinance Single Reading - Finance:** Consider approval of an ordinance providing for the issuance of City of Lubbock, Texas, Combination Tax and Revenue Certificates of Obligation, in one or more series; levying a tax and pledging surplus water and wastewater system revenues in payment thereof; providing for the award of the sale thereof in accordance with specified parameters; approving an official statement; approving execution of a purchase contract; and enacting other provisions relating thereto.
8. 16. **Ordinance Single Reading - Finance:** Consider approval of an ordinance providing for the issuance of City of Lubbock, Texas, Water and Wastewater system revenue bonds, in one or more series; providing for the award of the sale thereof in accordance with specified parameters; approving an official statement; approving execution of a purchase contract; and enacting other provisions relating thereto.