

City of Lubbock, Texas
Regular City Council Meeting
Tuesday, January 28, 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, 1625 13th Street, 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.

1:00 p.m. - City Council convenes in Work Session in Committee Room 103 in City Hall.

1. Hear and discuss presentations regarding the following and provide guidance to staff as appropriate.
 1. 1. Development Master Plan Update - Overland Partners Staff and Downtown Master Developer
 1. 2. Tornado Memorial Project Update

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

2. **Executive Session**
 2. 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.
 2. 1. 1. Game Rooms Update
 2. 1. 2. Residential Group Homes Update

2. 1. 3. City Council Policy and Procedure for Boards, Commissions, and Committees
2. 2. Hold an executive session in accordance with V.T.C.A. Government Code § 551.071, seeking the advice of its legal counsel about pending or contemplated litigation or settlement offers and hold a consultation with the attorney on matters in which the duty of the attorney to the Electric Utility Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with Chapter 551 of the Texas Government Code: Real property acquisitions and processes.
2. 3. Hold an executive session in accordance with V.T.C.A. Government Code § 551.072, to deliberate the purchase, exchange, lease, and value of real property, regarding Lubbock Power & Light transmission and distribution easements. (Electric Utility Easements).
2. 4. 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 Electric Utility Board.

Adjourn from Executive Session

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

3. Ceremonial Items

3. 1. Invocation
3. 2. Pledges of Allegiance
3. 3. Proclamations and Presentations
 3. 3. 1. Special Acknowledgement of Community Support Regarding the January 11, 2020 Tragedy
 3. 3. 2. Presentation of a Special Recognition to Voice of Hope: Rape Crisis Center in support of National Slavery and Human Trafficking Prevention Month in Lubbock
 3. 3. 3. Presentation of a Special Recognition in appreciation of Jennifer Walker, City of Lubbock Parks and Recreation Aquatics and Specialty Programs Coordinator, for her quick response in an emergency situation involving a 16-month-old baby
 3. 3. 4. Presentation of a Special Recognition in support of the American Heart Association's "Go Red for Women" event.

- 3. 3. 5. Recognition of the City of Lubbock Public Information Department for receipt of the 2019 Honorable Mention award from the Texas Association of Telecommunications Officers and Advisors (TATO), for the LBKAlert 'Do We Have a Plan' Public Service Announcement
- 3. 3. 6. Recognition of the City of Lubbock Planning Department for receipt of the 2019 Richard R. Lillie Planning Excellence Recognition Program from the American Planning Association (APA)

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, shall complete the sign-up form provided at the meeting, no later than 5:00 p.m.**
- 5. **Minutes**
 - 5. 1. December 17, 2019 Regular City Council Meeting
January 8, 2020 Special City Council Meeting - Market Lubbock, Inc.
- 6. **Consent Agenda - Items considered to be routine and 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 Amendment Ordinance 2nd Reading - Finance:** Consider Budget Ordinance No. 2020-O0002, Amendment 12, amending the FY 2019-20 Budget for municipal purposes respecting the Capital Fund to amend Capital Improvement Project 8623 - Water System Vulnerability Assessment, and appropriate funding; providing for filing; and providing for a savings clause.
 - 6. 1. 1. **Resolution - Public Works Water Utilities:** Consider a resolution authorizing the Mayor to execute Amendment No. 1 to Professional Services Contract 13863, with Garver, LLC., to update the City's water system Vulnerability Assessment (VA), as required by the U.S. Environmental Protection Agency (EPA).
 - 6. 2. **Ordinance 2nd Reading - Right-of-Way:** Consider Ordinance No. 2020-O0003, abandoning and closing a portion of 36th Street west of Avenue Q and north of Lot 3, McNeill Heights, Section 10, Block B, and abandoning and closing a portion of the alley located on Tracts 9 and 10, Stubbs Subdivision, City of Lubbock, Lubbock County, Texas, at 3602 Avenue Q.

6. 3. **Ordinance 2nd Reading - Right-of-Way:** Consider Ordinance No. 2020-O0004, abandoning and closing a portion of a 20-foot wide alley located adjacent to and contiguous with Lot 5 and Lot 20, Block 138, Original Town of Lubbock County, Texas, at 511 Broadway.
6. 4. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Amendment No. 1 to Professional Services Contract 12924, with Hugo Reed and Associates, Inc., for the Federal Emergency Management Agency (FEMA) Restudy of System D.
6. 5. **Resolution - Public Works Streets:** Consider a resolution authorizing the Mayor to execute Contract 15077, with Ti-Zack Concrete, Inc., for the 2020 Concrete Repair and Patching Project.
6. 6. **Resolution - Public Works Streets:** Consider a resolution authorizing the Mayor to execute Contract 15076, with Lone Star Dirt and Paving, Ltd., for the 2020 Asphalt Patching and Repair Project.
6. 7. **Resolutions - Community Development:** Consider seven resolutions authorizing the Mayor to execute Community Development funding contracts and all related documents between the City of Lubbock and Community Development Block Grant (CDBG) sub-recipients: Big Brothers Big Sisters, CASA of the South Plains, Community Health Center, Communities in Schools, Lubbock Children's Health Clinic, YWCA of Lubbock, and the Children's Advocacy Center.
6. 8. **Resolution - Human Resources:** Consider a resolution authorizing the Mayor to execute a Professional Services Agreement between the City of Lubbock and Lynn Law, P.C., to provide legal services to the City of Lubbock regarding the indefinite suspension appeals filed by Christopher Hennesley.
6. 9. **Resolution - Public Transit Services:** Consider a resolution authorizing the Mayor to execute Contract 14976, with Jasperwood Fire Extinguishers, for fire suppression systems certification and repair, for Citibus.
6. 10. **Resolution - Facilities Management:** Consider a resolution authorizing the Mayor to execute Dedication Deeds for Streets and Alleys, and associated Easements located in Section 1, Block AK, Lubbock County, Texas, 14005 Indiana Avenue.
6. 11. **Resolution - Facilities Management:** Consider a resolution authorizing the Mayor to execute Contract 15083, with Lydick Hooks Roofing Inc., for roof replacement at Fire Station 15 located at 8002 Venita Avenue.

6. 12. **Resolution - Fleet Services:** Consider a resolution authorizing the Mayor to execute Purchase Order 31050255, with Jim Bass Ford, for the purchase of two Midsize SUVs, for Police Investigations, and two Midsize SUVs, for Water Conservation and Education.
6. 13. **Resolution - Fleet Services:** Consider a resolution authorizing the Mayor to execute Purchase Order 31049890, with EZ-Liner, for the purchase of a Model TS-AL 500 Paint Striping Truck, for Traffic Operations.
6. 14. **Resolution - Fleet Services:** Consider a resolution authorizing the Mayor to execute Purchase Order 31049969, with DACO, for the purchase of four Rosenbauer 1250 GPM custom pumper fire trucks, for Fire Suppression.
6. 15. **Resolutions - Fleet Services:** Consider a resolution authorizing the Mayor to execute Purchase Order 31050343, with Grapevine DCJ, LLC, for the purchase of ten Pickup Trucks, for six departments, and a resolution authorizing the Mayor to execute Purchase Order 31050341, with Jim Bass Ford, for the purchase of nine Pickup Trucks, for three departments.
6. 16. **Ordinance 1st Reading - City Secretary:** Consider an ordinance ordering the 2020 Regular Municipal Election of the City of Lubbock to be held May 2, 2020.
6. 17. **Resolution - City Secretary:** Consider a resolution adopting a voting system for use in any one or more elections ordered by the City of Lubbock at all Early Voting and Election Day polling locations in Lubbock County.
6. 18. **Resolution - City Secretary:** Consider a resolution authorizing a joint election with other eligible governmental units in Lubbock County, and authorizing the Mayor to execute a contract for services with Lubbock County and the eligible governmental units for said joint election(s), through December 31, 2020.
6. 19. **Resolution - Lubbock Power & Light:** Consider a resolution delegating certain authority to the Director of Electric Utilities ("Director") to make offers on, contract for, and close transactions for temporary construction easements needed for the Lubbock Power & Light ("LP&L") 115kV Program transmission and substation projects, to include, without limitation, Holly Substation Rebuild, Oliver Substation Rebuild, and Co-op Autotransformer, along with Holly-Southeast, Holly-Slaton, Northwest to Mackenzie, and Southeast-Oliver 69/115kV Line Rebuild Projects ("Projects").
7. **Regular Agenda**
 7. 1. **Public Hearing - Planning:** Discuss and take appropriate action on an ordinance amending Chapter 40 "Zoning" of the Code of Ordinances of the City of Lubbock, Texas, by amending the minimum yard requirements for the Two-Family (R-2) Zoning District.

7. 2. **Public Hearing - Planning:** Discuss and take appropriate action on an ordinance amending Chapter 40 “Zoning” of the Code of Ordinances of the City of Lubbock, Texas to allow contextual setbacks in the Single-Family (R-1), Reduced Setback Single-Family (R-1A), and Two-Family (R-2) Districts.
7. 3. **Public Hearing - Planning:** Consider a request for Zone Case 3373-A, a request of Hugo Reed and Associates, for Michael Postar, for a Specific Use on property zoned General Retail (C-3) for a self-storage facility at 6526 Erskine Street, located at the northwest corner of Erskine Street and North Milwaukee Avenue, on 4.5 acres of unplatted land out of Block JS, Section 8, and consider an ordinance.
7. 4. **Public Hearing - Planning:** Consider a request for Zone Case 3403, a request of SKG Engineering, for Robert Bryer, for a Specific Use for a Travel Trailer Park and Mobile Home Park in Single-Family Residential (R-1) at 412 Simmons Street, located north of Simmons Street and west of North Interstate 27, on 12.04 acres of unplatted land out of Block A, Section 9, and consider an ordinance.
7. 5. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2020-O0005, for Zone Case 0644-A, a request of 3D Land Development, for Elias Tapia, for a zone change to Heavy Manufacturing (M-1) from Two-Family Residential (R-2), located generally south of East 46th Street and east of Avenue A, in Suburban Homes Addition, Block 40, Tracts A1, A2, and B, and Block 41, Tracts B, C1, C2, C3, and C5, the south 50 feet of the north 330 feet of the east half of the west half (Tract C4), the south 64 feet of the north 448 feet of the east half of the west half (Tract D), and the south 64 feet of the north 512 feet of the east half of the west half (Tract E).
7. 6. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2020-O0006, for Zone Case 2011-G, a request of AMD Engineering, LLC, for Tech Village North, LLC, for a zone change to High Density Apartment (A-2) from Light Manufacturing (M-1) at 4501 Milwaukee Avenue, located north of 50th Street and east of Milwaukee Avenue, on 1.413 acres of Tract A-1, City View Campus Addition, and 13.127 acres of unplatted land out of Block AK, Section 37.
7. 7. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2020-O0009, for Zone Case 2860-A, a request of the City of Lubbock, for a zone change to Single-Family Residential (R-1) from Single-Family Residential (R-1) Specific Use for Manufactured, Modular and Site Built Homes at the subdivision south of East Broadway and east of Guava Avenue, on Blocks 1-8, Lots 1-20 Each Block, Sun Lawn Addition; Lots 1-56, Kelley Addition; Lots 1-19, Harlandale Addition; Block 7, Lots 1-24, EC Murray Addition; Lots 1-24, Farris Colbert Addition; Lots 1-20, Buenas Casas Addition; and Block 1, Lots 1,2,3,5,6, Tracts 1-A, C,C-1, Block 4, Lots 1-8, Tracts A, B, E, Block 6A, Lots 1-12, Block 6B, Lots 1-12, Rix Addition.

7. 8. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2020-O0007, for Zone Case 3303-B, a request of the City of Lubbock, for a zone change to Reduced Setback Single-Family Residential (R-1A) from Single-Family Residential (R-1) Specific Use, located south of 114th Street and east of Frankford Avenue, on approximately 70 acres of land out of Block E-2, Section 24, including Lots 1 through 68, Stonewood Estates Addition.
7. 9. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2020-O0008, for Zone Case 3399, a request of Erich Hardt, for Lubbock Wrecker Service, Inc., for a Specific Use on property zoned Heavy Manufacturing (M-2), for a digital billboard, at 3213 East Slaton Road, located south of Southeast Loop 289 and west of Olive Avenue, on Boswell Addition, Lot 2, 5.5 acres of unplatted land out of Block S, Section 3, and 6.534 acres of unplatted land out of Block S, Section 4.
7. 10. **Ordinance 1st Reading - Planning:** Consider an ordinance, for Zone Case 3404, a request of Abacus Engineering, for John Boling, for a zone change to Single-Family Residential (R-1) from Transition (T) at 6702 130th Street, located west of Milwaukee Avenue and north of 130th Street, on 3.054 acres of unplatted land out of Block AK, Section 19.
7. 11. **Ordinance 1st Reading - Planning:** Consider an ordinance for Zone Case 3404-A, a request of Abacus Engineering, for John Boling, for a zone change to Interstate Highway Commercial (IHC) from Transition (T), at 6702 130th Street, located west of Milwaukee Avenue and north of 130th Street, on 3.660 acres of unplatted land out of Block AK, Section 19.
7. 12. **Ordinance 1st Reading - Building Safety:** Consider an ordinance amending Article 28.09 of the City of Lubbock Code of Ordinances with regard to the adoption of the 2015 International Building Code governing the construction, maintenance and repair of buildings other than one and two family dwellings.
7. 13. **Ordinance 1st Reading - Building Safety:** Consider an ordinance amending Article 28.10 of the City of Lubbock Code of Ordinances with regard to the adoption of the 2015 International Plumbing Code governing the installation, maintenance and repair of plumbing systems within buildings.
7. 14. **Ordinance 1st Reading - Building Safety:** Consider an ordinance amending Chapter 28 of the City of Lubbock Code of Ordinances with regard to the adoption of the 2015 International Mechanical Code governing the installation, maintenance and repair of mechanical systems within buildings.
7. 15. **Ordinance 1st Reading - Building Safety:** Consider an ordinance amending Chapter 28 of the City of Lubbock Code of Ordinances with regard to the adoption of the 2015 International Energy Conservation Code governing the construction, maintenance, and repair of buildings, as well as the installation of lighting, mechanical, service water heating, and various energy-using systems.

7. 16. **Ordinance 1st Reading - Building Safety:** Consider an ordinance amending Article 28.12 of the City of Lubbock Code of Ordinances with regard to the adoption of the 2014 National Electrical Code governing the construction, installation, maintenance and repair of electrical wiring, equipment and systems within buildings and premises.
7. 17. **Resolution - Finance:** Consider a resolution approving the Lubbock Business Park Tax Increment Financing Reinvestment Zone Annual Report for October 1, 2018 through September 30, 2019.
7. 18. **Resolution - Finance:** Consider a resolution approving the Central Business District Tax Increment Financing Reinvestment Zone Annual Report for October 1, 2018 through September 30, 2019.
7. 19. **Ordinance 1st Reading - Municipal Court:** Consider an amendment to Section 1.07 of the City Ordinance giving the Municipal Court Judge exclusive authority to appoint, supervise, and remove court personnel in accordance with the City of Lubbock Employee Policy Manual.
7. 20. **Resolution - Lubbock Power & Light:** Consider a resolution authorizing the initiation of an action to condemn an Electric Utility Easement (herein so called), encumbering 0.1871 acres of real property, owned by the Phillips Family Trust, with trustee Tonda Morriss, being a portion of Lot 3, Clovis Road Addition to the City of Lubbock, Lubbock County, Texas, according to the map, plat, and/or dedication deed thereof recorded in Volume 1047, Page 548, Deed Records of Lubbock County, Texas, and located at approximately the southwest corner of Clovis Road and Ursuline Street, with such action to condemn for public use related to the Lubbock Power & Light Northwest Substation to Mackenzie Substation Transmission and Distribution Project ("Project"). IN ACCORDANCE WITH CHAPTER 2206 OF THE TEXAS GOVERNMENT CODE, NOTICE IS HEREIN PROVIDED THAT THE CITY COUNCIL WILL CONSIDER THE USE OF EMINENT DOMAIN TO CONDEMN THE ELECTRIC UTILITY EASEMENT FOR PUBLIC USE RELATED TO THE PROJECT.