City of Lubbock, Texas
Regular City Council Meeting
Tuesday, January 22, 2019

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
Latrelle Joy, Councilwoman, District 6

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. 2:00 p.m. - The City Council convenes in Work Session in Committee Room 103 in City Hall to consider items for presentation and discussion on such issues that may require more in-depth consideration by the City Council, than Regular Agenda items. Action may be taken on a Work Session item if the item indicates to the public the action to be taken.
   1.1. Hear and discuss a presentation regarding the Stormwater Utility Fund, and provide guidance to staff as appropriate.
   1.2. Discuss status of Plan Lubbock 2040 Implementation Oversight and provide guidance to staff as appropriate.
   1.3. The City Council may discuss:
        1) one or more Consent Agenda items that have been pulled from the Consent Agenda, pursuant to Lubbock City Council Rules; or
        2) any item from the Regular Agenda, except an item that requires a public hearing. All public hearings will be held during consideration of the Regular Agenda. No action will be taken by the City Council during the Work Session.
   1.4. At the completion of the Work Session, City Council convenes in 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. Discussion of City Council Rules

2. 1. 2. Consideration of Judicial Review of DWC #18128999

2. 2. Hold an executive session in accordance with the Texas Government Code, Section 551.072, to deliberate the purchase, exchange, lease, or value of real property.

2. 2. 1. Downtown

2. 2. 2. City of Lubbock Parks System

2. 3. 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 North Overton Tax Increment Financing District Board of Directors, Planning and Zoning Commission, Urban Renewal / Neighborhood Redevelopment Commission, West Texas Municipal Power Agency (WTMPA) Board, and the Zoning Board of Adjustment.

2. 4. Adjourn from Executive Session

3. 4:30 p.m. - City Council reconvenes in Open Session in City Hall Council Chambers

4. Ceremonial Items

4. 1. Invocation by Pastor Dale Mannon, Greenlawn Church of Christ

4. 2. Pledges of Allegiance

5. Call to Order

6. 5:00 p.m. Citizen Comments - According to Lubbock City Council Rules, any citizen wishing to appear before a regular meeting of the City Council, regarding a matter posted on the City Council Agenda, shall complete the sign-up form provided at the meeting, no later than 5:00 p.m.

7. Minutes
8. 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.

8.1. **Budget Amendment Ordinance 2nd Reading - Finance**: Consider Budget Ordinance No. 2019-O0001, Amendment 5, amending the FY 2018-19 Budget for municipal purposes respecting the Lubbock Power and Light Capital Fund to Establish Capital Improvement Project 92608 – Red Raider Substation Distribution Feeders and appropriate funding; providing for filing; and providing for a savings clause.

8.2. **Budget Amendment Ordinance 2nd Reading - Finance**: Consider Budget Ordinance No. 2019-O0002, Amendment 6, amending the FY 2018-19 Budget for municipal purposes respecting the Grant Fund to accept and appropriate additional funding from the Texas Department of Housing and Community Affairs (TDHCA) for the Comprehensive Energy Assistance Program (CEAP); providing for filing; and providing for a savings clause.

8.3. **Budget Amendment Ordinance 1st Reading - Finance**: Consider Budget Ordinance Amendment 7 amending the FY 2018-19 Budget for municipal purposes respecting the Capital Program to amend or establish the following Capital Improvement Projects (CIP): Amend CIP 92561 - 345KV Line Construction - Electric Reliability Council of Texas (ERCOT) Interconnection; Establish CIP 92609 - Abernathy to North Transmission Line; Establish CIP 92610 - Abernathy to Wadsworth Transmission Line; Establish CIP 92611 - Wadsworth to New Oliver to Farmland Transmission Line; Amend CIP 92468 - Autotransformer Mackenzie; Amend CIP 92407 - Autotransformer Southeast; providing for filing; and providing for a savings clause.

8.4. **Resolution - Finance**: Consider a resolution authorizing the publication of a Notice of Intention to Issue City of Lubbock, Texas, Water and Wastewater System Revenue Bonds, and Tax and Water and Wastewater System Surplus Revenue Certificates of Obligation.


8. 8. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Change Order #2 for Contract 13876 with Allen Butler Construction, Inc., for 98th Street Paving Improvements from Upland Avenue to Milwaukee Avenue.

8. 9. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Contract 14354 with Utility Contractors of America, Inc., for the construction of Canyon Lakes Sanitary Sewer Interceptor Rehabilitation Project, Phase 2.

8. 10. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Contract 14453, a Professional Services Agreement, with Lockwood, Andrews & Newnam, Inc. (LAN, Inc.) for Canyon Lakes Sanitary Sewer Interceptor Rehabilitation Project, Phase 2.

8. 11. **Resolution - Water Utilities:** Consider a resolution authorizing the Mayor to execute a contract with Agri-Waste Technology for consulting services for Water/Nitrogen Balance Modeling, and to assess conditions at the Lubbock Land Application Site and the Hancock Land Application Site.

8. 12. **Resolution - Utility and Street Maintenance:** Consider a resolution authorizing the Mayor to execute Contract 14424 with Lone Star Dirt & Paving, Ltd., for the 2019 Street Maintenance Program, Concrete Repair and Replacement Project.

8. 13. **Resolution - Utility and Street Maintenance:** Consider a resolution authorizing the Mayor to execute Contract 14426 with Lone Star Dirt & Paving, Ltd., for the 2019 Street Maintenance Program, Asphalt Repair and Replacement Project.

8. 14. **Resolution - Facilities Management:** Consider a resolution authorizing the Mayor to execute two Real Estate Sales Contracts pursuant to Chapter 311 of the Texas Tax Code, Tax Increment Financing Act, by and between the City of Lubbock (City) and Lubbock Downtown Development Corporation, a Texas Corporation (LDDC), of Lubbock, Texas. Said Contracts will exchange City-owned property described as all of Block Four (4), Memorial Center Addition to the City of Lubbock, Lubbock County, Texas for LDDC-owned property described as all of Block One Hundred and Seventy-Nine (179), Original Town of Lubbock, Lubbock County, Texas.

8. 15. **Resolution - Parks and Recreation:** Consider a resolution authorizing the Mayor to execute Contract 14452 with Turfmaster Irrigation and Landscaping, Inc., for Berl Huffman Soccer Complex irrigation improvements.
8. 16. **Resolution - Economic Development:** Consider a resolution authorizing the Mayor to execute an Interlocal Agreement between the City of Lubbock and the Lubbock Central Appraisal District for the collection of assessments levied on property within the Bell Farms Public Improvement District.

8. 17. **Resolution - Economic Development:** Consider a resolution authorizing the Mayor to execute an agreement between the City of Lubbock and Lubbock Economic Development Alliance (LEDA) regarding the funding of public infrastructure in the Lubbock Business Park.

8. 18. **Ordinance 1st Reading - City Secretary:** Consider an ordinance amending Section 1.02.004 of the Code of Ordinances of the City of Lubbock, Texas, with regard to amending voting precinct boundaries; creating additional and new voting precincts; providing a savings clause; and providing for publication.

9. **Regular Agenda**

9. 1. **Public Hearing - Planning:** Consider a request for Zone Case 2573-Q, a request of AMD Engineering, LLC, for FTB Architects, for a zoning change to High-Density Apartment (A-2) from Single Family Residential (R-1), Apartment Medical (AM), and Interstate Highway Commercial (IHC), on 18.91261 acres of unplatted land out of Block JS, Section 1, 5402 1st Street, 5218 2nd Drive, and 120 North Slide Road, and consider an ordinance.

9. 2. **Public Hearing - Planning:** Consider a request for Zone Case 3369, a request of Jason R. Bush, for Beck Steel, Inc., for a zoning change to Heavy Manufacturing (M-2) from Interstate Highway Industrial (IHI) on Lot 2, Block 6A, Riverlawn Addition, the east part of Lot 1A, Lot 2, Hancock Addition, and Block A, Section 15 AB 85 Tract D14, 401 North Loop 289, and consider an ordinance.

9. 3. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2019-O0007, for Zone Case 2161-K, a request of Wes Hallmark, for the National Veterinary Association, Inc., for Specific Use for Veterinary Clinic, to allow a veterinary clinic to be located on land zoned General Retail (C-3) at 8222 University Avenue, approximately 425 feet north of the intersection of 86th Street and University Avenue, High Plains Addition, Tract A5B4A.

9. 4. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2019-O0008, for Zone Case 2538-E, a request of Chris Berry, for Betenbough Homes, for a zone change to Reduced Setback Single Family Residential (R-1A) from a combination of Single-Family Residential (R-1) and Commercial (C-4) at 2602 Upland Avenue, at the northwest corner of 34th Street and Upland Avenue, 207 acres of unplatted land out of Block AK, Section 42, AB 1264 Tract D1 and Tract D3, Block AK, Section 42, AB 851 Tract C5 and Block AK, Section 42, AB 851 Tract C5B.
9. 5. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2019-O0003, for Zone Case 3033-A, a request of Parkhill, Smith & Cooper, for Westwind Realty, LP, for Specific Use for Hospital, to allow a hospital to be constructed on 90 acres of land zoned Transitional (T) & Interstate Highway Commercial (IHC) at 7620 82nd Street, northwest of the corner of Wausau Avenue and 82nd Street, West Ridge Commercial Park Tracts A-C, and 65 acres of unplatted land out of Block AK, Section 31 AB 243 TR E2A.

9. 6. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2019-O0009, for Zone Case 3274-C, a request of Betenbough Homes for Zone Change to Interstate Highway Commercial (IHC) from a combination of Single-Family Residential (R-1) and Restricted Local Retail (C-2A) at 13201 University, near the southeast corner of 130th Street and University Avenue, 9.38 acres of unplatted land out of Block E Section 16, AB 664, Tract B2 of the NW 1/4.

9. 7. **Ordinance 2nd Reading - Planning:** Consider Ordinance No.2019-O0004, for Zone Case 3363, a request of BND Properties, LLC, for a zone change to Two-Family Residential (R-2) from Multi-Family Residential (R-3) at 301 Avenue T, at the southeast corner of 3rd Street and Avenue T, Roberts & McWhorter Addition, Block 6, Lot 2 and the south 15 feet adjacent.

9. 8. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2019-O0005, for Zone Case 3364, a request of Subodh Patel, for a zone change to Local Retail (C-2) (*applicant and PZC recommended Restricted Local Retail C-2A instead of C-2*) from Transitional (T) at 11806 Slide Road, at the southeast corner of Slide Road and 116th Street, of 3.466 acres of unplatted land out of Block E2, Section 24, AB 1331, East 600’ of Tract B2.

9. 9. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2019-O0010, for Zone Case 3365, a request of Hugo Reed & Associates, Inc., for Michael Postar, for Specific Use for Self-Service Storage, to allow a self-service storage facility to be constructed on 4.9 acres of land zoned General Retail (C-3) at 7101 34th Street, at the southwest corner of Upland Avenue and 34th Street, on unplatted land out of Block AK, Section 38 AB 689 TR 11A & 11A1 Lowery Sub.

9. 10. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2019-O0011, for Zone Case 3367, a request of Charles Bolton, for Bolton Oil Co. LTD for a zone change to Interstate Highway Commercial (IHC) from Transitional (T) at 4514 130th Street, at the northwest corner of Quaker Avenue and 130th Street, 2 acres of unplatted land out of Block E2, Section 23, AB 271 Tract 4A, Valley View ACS.

9. 11. **Ordinance 2nd Reading - Planning:** Consider Ordinance No. 2019-O0006, for Zone Case 3368, a request of Hugo Reed and Associates, Inc., for George Castillo, for a zone change to a combination of Two-Family Residential (R-2) and Family Apartment Residential (A-1) from a combination of Single-Family Residential (R-1) and Commercial (C-4) at 2001-2023 East Main Street and 2109, 2111, 2113, 2115, 2117, 2119, 2121 and 2123 East Broadway, at the northwest and northeast corners of Walnut Avenue and East Main Street, and at the northwest corner of Walnut Avenue and East Broadway, C.D. Elliston Addition, Block 3, Lots 1-12 and 16-24 and Block 3, Lots 1-24.
9.12. **Ordinance 1st Reading - Planning:** Consider an ordinance amending Articles 40.03.2233, 40.03.2243, 40.03.2483, 40.03.2493(a), 40.03.3103, and 40.04.015 of Chapter 40 (Zoning Code) of the Lubbock Code of Ordinances, by reallocating certain land uses among the various existing zoning districts according to intensity of uses, including amendments to C-4, M-1, and Specific Use zoning districts, to provide for the changes to said zoning districts; providing a penalty clause; providing a savings clause; providing a consistency in application clause; and providing for publication.

9.13. **Resolution - Water Resources:** Consider a resolution approving and adopting the 2018 Strategic Water Supply Plan of the City of Lubbock.

9.14. **Board Appointments - City Secretary:** Declare two appointments by the Mayor to the Lubbock Housing Authority Board of Commissioners: Toby Cecil and Brenda Hawkins.

9.15. **Board Appointments - City Secretary:** Consider appointments to the Model Codes and Construction Advisory Board, North Overton Tax Increment Financing District Board of Directors, Urban Renewal / Neighborhood Redevelopment Commission and the Zoning Board of Adjustment.

9.16. **Board Appointment - City Secretary:** Consider one appointment to the West Texas Municipal Power Agency (WTMPA) Board.