

Called Special Meeting of the City Council
City of Lubbock, Texas
Meeting Agenda
May 27, 2021 at 12:00 P.M.

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



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

<http://www.ci.lubbock.tx.us>

Citizens Tower
1314 Avenue K, City Council Chambers, Lubbock, Texas (In-Person)
& 2nd Floor Conference Rooms 201A and 201B (Executive Session)

or

The Public may also listen to the meeting by calling any of the following numbers:
(346)248-7799; (669)900-9128; (253)215-8782; (301)715-8592; (312)626-6799; (646)558-8656
Toll Free at the following: (877)853-5247; (888)788-0099

or

Webinar Link: <https://zoom.us/j/91256958281>; **Webinar ID:** 912 5695 8281; **Password:** 054108

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.

12:00 p.m. - City Council convenes in open session in City Council Chambers, Citizens Tower, 1314 Avenue K, Lubbock, Texas, and via video conference and teleconference.

Pursuant to Executive Order of Governor Abbott, the City Council and the Electric Utility Board will convene in person and via video and/or teleconference.

Participation in the Electric Utility Board Meeting: City Council will attend and participate in discussions, and take action, as necessary, during the meeting of the Electric Utility Board, in which the Board will consider the following matters:

1. PUBLIC COMMENT

- 1. 1.** This period, of up to thirty minutes, is dedicated to public comment. Each member of the public will have three minutes to speak. Any member of the public that requires the assistance of a translator will have six minutes to speak. Comments must be limited to only those items posted on the Electric Utility Board agenda. Any member of the public wishing to speak shall sign up on the public comment sheet on the day of the Electric Utility Board Meeting. The Electric Utility Board shall follow the order of persons wishing to speak as listed on the sign-up sheet. If everyone who signed up to speak has been given an opportunity to speak and the thirty minutes designated for public comment has not been exhausted, the Electric Utility Board may, at its discretion, open the floor to anyone else wishing to address the Electric Utility Board, subject to all the same procedures and guidelines.

1. 2. Alternatively, any member of the public wishing to address the Electric Utility Board, regarding any matter posted on the Electric Utility Board Agenda, may submit a public comment by email at lpcitizencomments@mylubbock.us beginning at the time this agenda is publicly posted and no later than 10:00 a.m. on May 27, 2021. Each comment will be read aloud for a period of time not to exceed three minutes, in accordance with the practices and procedures of the Electric Utility Board.

2. **EXECUTIVE SESSION**

2. 1. Hold an executive session in accordance with V.T.C.A. Government Code § 551.086, to discuss and deliberate, on the following competitive matters of Lubbock Power & Light, reasonably related to the following categories:

2. 1. 1. Generation unit specific and portfolio fixed and variable costs, including forecasts of those costs, capital improvement plans for generation units, and generation unit operating characteristics and outage scheduling.

2. 1. 2. Bidding and pricing information for purchased power, generation and fuel, and Electric Reliability Council of Texas bids, prices, offers, and related services and strategies.

2. 1. 3. Effective fuel and purchased power agreements and fuel transportation arrangements and contracts.

2. 1. 3. 1. Discuss and deliberate purchased power matters.

2. 1. 4. Risk management information, contracts, and strategies, including fuel hedging and storage.

2. 1. 5. Plans, studies, proposals, and analyses for system improvements, additions, or sales (other than transmission and distribution system improvements inside the service area for which the public power utility is the sole certificated retail provider).

2. 1. 6. Customer billing, contract, and usage information, electric power pricing information, system load characteristics, and electric power marketing analyses and strategies.

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: (i) legal issues regarding contract(s) herein listed on the agenda; (ii) power purchase agreements; (iii) legal issues regarding customer choice and Texas Utilities Code, Chapter 40; (iv) Federal Energy Regulatory Commission, Docket Nos. ER16-1341, EL17-2, and EL18-9, related to SPP attachment Z2; and (v) legal advice and counsel regarding matters identified in Section 2.1-2.1.6 of this Agenda.

12:30 p.m. – Approximately - Following completion of the Executive Session, the Electric Utility Board will reconvene in open session to discuss the items listed below. It is anticipated that the open session will begin at 12:30 p.m. However, this is an approximation and the Board may begin the open session earlier or later depending on when the Executive Session is complete.

3. REGULAR SESSION

- 3. 1.** The Board will consider a resolution authorizing and directing the Director of Electric Utilities to execute and file, for and on behalf of the City of Lubbock, acting by and through Lubbock Power & Light (“LP&L”), all pleadings, reports, studies or other filings at the Electric Reliability Council of Texas (“ERCOT”) and/or the Public Utility Commission of Texas (“PUC”) toward migration of the remaining portion of LP&L’s load to ERCOT, and to present testimony and otherwise provide support before ERCOT and/or the PUC related to same.
- 3. 2.** The Board will consider a resolution authorizing the Chairman of the Electric Utility Board to execute that certain Settlement Agreement by and between the City of Lubbock, acting by and through Lubbock Power & Light, and Southwestern Public Service Company, a New Mexico Corporation, regarding that certain Master Power Purchase and Sale Agreement (“Master Agreement”) dated as of November 12, 2009, and that certain Transaction Agreement of the same date entered into under the Master Agreement (the “Transaction Agreement”, and together with the Master Agreement and any other transactions entered into under the Master Agreement, the “PPA”), providing for an early termination of the PPA.
- 3. 3.** The Board will consider a resolution authorizing the Director of Electric Utilities, or his designee, to execute that certain Supplement to Engagement Letter regarding the transfer of the unaffected load to the Electric Reliability Council of Texas by and between the City of Lubbock, acting by and through Lubbock Power & Light, and Lloyd Gosselink Rochelle & Townsend, P.C.