

City of Lubbock, Texas
Regular City Council Meeting
May 14, 2024

Tray Payne, Mayor
Shelia Patterson Harris, Mayor Pro Tem, District 2
Christy Martinez-Garcia, Councilwoman, District 1
Mark W. McBrayer, Councilman, District 3
Steve Massengale, Councilman, District 4
Dr. Jennifer Wilson, Councilwoman, District 5
Latrelle Joy, Councilwoman, District 6



W. Jarrett Atkinson, City Manager
Mitchell Satterwhite, Interim City Attorney
Courtney Paz, 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 (806)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.

2:00 p.m. - City Council convenes in City Council Chambers and immediately recesses into Executive Session.

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. Original Town Lubbock, Block 71, Lots 11-14 & 18-19

1. 1. 2. Sections 4, 9, 11, 14, 18, 20, 21, and 24, Block S, Lubbock County, Texas

1. 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.

1. 2. 1. Original Town Lubbock, Block 71, Lots 11-14 & 18-19

1. 2. 2. Sections 4, 9, 11, 14, 18, 20, 21, and 24, Block S, Lubbock County, Texas

1. 3. Hold an executive session in accordance with the Texas Government Code, Section 551.074, to discuss personnel matters, the appointment, employment, evaluation or reassignment of the following:
 1. 3. 1. City Attorney

Adjourn from Executive Session

2:30 p.m. - City Council reconvenes in Work Session in City Council Chambers.

2. Hear and discuss presentations regarding the following and provide guidance to staff as appropriate.
 2. 1. Recognition of the 2024 Graduates of Lubbock 101
 2. 2. Recognition of Interim Police Chief Gregory W. Rushin

3:00 p.m. - City Council continues in Open Session in City Council Chambers.

3. **Ceremonial Items**
 3. 1. Invocation
 3. 2. Pledges of Allegiance

Call to Order

4. **Citizen Comments - According to Lubbock City Council Rules, any citizen wishing to appear in-person 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 3:00 p.m. on May 14, 2024. Citizen Comments provide an opportunity for citizens to make comments and express a position on agenda items.**
5. **Minutes**

5. 1. March 19, 2024 Special City Council Meeting - Joint County Commissioner's Court
March 19, 2024 Special City Council Meeting - Electric Utility Board
April 9, 2024 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. 2024-00060, Amendment 26, amending the FY 2023-24 Budget for municipal purposes respecting the Airport Capital Project Fund and Customer Facility Charge (CFC) Fund; providing for filing; and providing for a savings clause.
6. 2. **Budget Ordinance Amendment 2nd Reading - Finance:** Consider Budget Ordinance No. 2024-00061, Amendment 28, amending the FY 2023-24 Budget for municipal purposes respecting the General Fund and General Capital Projects Fund; providing for filing; and providing for a savings clause.
6. 3. **Budget Ordinance Amendment 1st Reading - Finance:** Consider Budget Ordinance Amendment 23, amending the FY 2023-24 Budget for municipal purposes respecting the General Facilities System Improvements Capital Project Fund; providing for filing; and providing for a savings clause.
6. 4. **Budget Ordinance Amendment 1st Reading - Finance:** Consider Budget Ordinance Amendment 29, amending the FY 2023-24 Budget for municipal purposes respecting the Park Capital Project Fund; providing for filing; and providing for a savings clause.
6. 5. **Budget Ordinance Amendment 1st Reading - Finance:** Consider Budget Ordinance Amendment 30, amending the FY 2023-24 Budget for municipal purposes respecting the Lake Alan Henry Operating Fund; providing for filing; and providing for a savings clause.
6. 6. **Ordinance 1st Reading - Right-of-Way:** Consider an ordinance abandoning and closing portions of an Alley Right-of-Way abutting, Block 11, Country Club Addition, an addition to the City of Lubbock, Lubbock County, Texas, and located on the east side of North Avenue Q, south of Itasca Street.
6. 7. **Resolution - Right-of-Way:** Consider a resolution authorizing the Mayor to accept, for and on behalf of the City of Lubbock, one (1) Street, Public Use, and Right-of-Way Dedication Deed, and all related documents, for a 0.14-acre Right-of-Way in connection with certain real property located in Section 38, Block AK, of the GC & SF R.R. Co. Survey, Lubbock County, Texas, on the east side of Upland Avenue, south of 43rd Drive, to be utilized for the Upland 34th Street to 50th Street Roadway Project.

6. 8. **Resolution - Right-of-Way:** Consider a resolution authorizing the Mayor to accept, for and on behalf of the City of Lubbock, one (1) Street, Public Use, and Right-of-Way Dedication Deed, and all related documents, for a 0.02- acre Right-of-Way in connection with certain real property located in Section 38, Block AK, of the GC & SF R.R. Co. Survey, Lubbock County, Texas, on the east side of Upland Avenue, south of 43rd Drive, south of Parcel 14, to be utilized for the Upland 34th Street to 50th Street Roadway Project.
6. 9. **Resolution - Right-of-Way:** Consider a resolution authorizing the Mayor to accept, for and on behalf of the City of Lubbock, one (1) Street, Use, and Right-of-Way Deed, and all related documents, in connection with certain real property (Parcel 2) located in Section 39, Block AK, of the GC & SF R.R. Co. Survey, Lubbock County, Texas, on the west side of Upland Avenue, north of 35th Street, to be utilized for the Upland Avenue Project.
6. 10. **Resolution - Right-of-Way:** Consider a resolution authorizing the Mayor to accept, for and on behalf of the City of Lubbock, one (1) Street, Use, and Right-of-Way Deed, and all related documents, in connection with certain real property (Parcel 6) located in Section 39, Block AK, of the GC & SF R.R. Co. Survey, Lubbock County, Texas, on the west side of Upland Avenue, north of 37th Street, to be utilized for the Upland Avenue Project.
6. 11. **Resolution - Right-of-Way:** Consider a resolution authorizing the Mayor to accept, for and on behalf of the City of Lubbock, one (1) Street, Use, and Right-of-Way Deed, and all related documents, in connection with certain real property (Parcel 7) located in Section 39, Block AK, of the GC & SF R.R. Co. Survey, Lubbock County, Texas, on the west side of Upland Avenue, across from 37th Street, to be utilized for the Upland Avenue Project.
6. 12. **Resolution - Right-of-Way:** Consider a resolution authorizing the Mayor to accept, for and on behalf of the City of Lubbock, one (1) Street, Use, and Right-of-Way Deed, and all related documents, in connection with certain real property (Parcel 1) located in the west half (W/2) of Section 7, Block JS, Lubbock County Texas, on the east side of Milwaukee Avenue, south of Marshall Street, and north of Kemper Street, to be utilized for the Milwaukee Avenue Project.
6. 13. **Resolution - Right-of-Way:** Consider a resolution authorizing the Mayor to execute a Water Line Easement Agreement, and all related documents, by and between the City of Lubbock and FADEV, LLC, for the Water Line Relocation Project on the north side of Loop 88 Right-of-Way, between Iola Avenue and Frankford Avenue.
6. 14. **Resolution - Right-of-Way:** Consider a resolution authorizing the Mayor to execute a Water Line Easement Agreement, and all related documents, by and between the City of Lubbock and SWLLD, LLC, for the Water Line Relocation Project on the north side of Loop 88 Right-of-Way, between Iola Avenue and Frankford Avenue.

6. 15. **Resolutions - Right-of-Way:** Consider two resolutions authorizing the Mayor to execute a Water Line Easement Agreement, and accept a Water Line Easement Deed, and all related documents, by and between the City of Lubbock and David and Sara Giesbrecht, regarding the Water Line Relocation Project on the north side of the Loop 88 Right-of-Way, between Iola Avenue and Frankford Avenue.
6. 16. **Ordinance 2nd Reading - Engineering:** Consider No. 2024-O0068, amending the City of Lubbock Code of Ordinances, Chapter 41, "IMPACT FEES," Article 41.01 to add a definition and Article 41.05 to clarify a provision for certain projects exempt from impact fees.
6. 17. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Contract 17968, with South Plains Electric Cooperative, Inc. for a Memorandum of Understanding, to move and relocate utility poles in preparation for 146th Street, Quaker to Indiana -22B Capital Improvements Project.
6. 18. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Public Works Contract 17996, with Rink's Lease Service, Inc., for Sewer Line Change Out at Park Tower Apartment Complex, along Avenue P, 27th Street, and in the alley south of Park Tower.
6. 19. **Resolution - Facilities Management:** Consider a resolution authorizing the Mayor to execute Amendment No. 1 to Contract 16482, with Henthorn Commercial Construction, LLC, for services related to the construction of the Public Health Facility Renovation.
6. 20. **Resolution - Public Works Wastewater Utilities:** Consider a resolution authorizing the Mayor to execute Contract 17933, with Midwest Laboratories, for the analysis of soil samples for the Lubbock Land Application Site and the Hancock Land Application Site.
6. 21. **Resolution - Public Works Wastewater Utilities:** Consider a resolution authorizing the Mayor to execute Contract 17891, with 2 C Cattle, LLC, for grazing of the Hancock Land Application Site.
6. 22. **Ordinance 2nd Reading - Traffic Operations:** Consider Ordinance No. 2024-O0062, amending Section 20.05.103 of the City of Lubbock Code of Ordinances, with regard to the establishment of school zones and speed limits.
6. 23. **Resolution - Aviation:** Consider a resolution authorizing the Mayor to execute Amendment No. 17 to Contract 15200, with RS&H, Inc., for professional architectural and engineering services for the Lubbock (LBB) 2nd Floor Renovations at Lubbock Preston Smith International Airport.

6. 24. **Resolution - Human Resources:** Consider a resolution authorizing the Mayor to execute Contract 18103, a Professional Services Agreement, with Dr. Vanessa Coca-Lyle, for providing psychological examinations for pre-employment and/or licensing purposes.
6. 25. **Resolution - Police:** Consider a resolution authorizing the Mayor of the City of Lubbock, and/or his designee, to execute a Memorandum of Understanding, and all related documents, between the United States Department of Homeland Security, Homeland Security Investigations (HSI) and the City of Lubbock on behalf of the Lubbock Police Department, regarding the effective enforcement of the laws relating to HSI jurisdiction.
6. 26. **Resolution - Police:** Consider a resolution authorizing the Mayor to execute Purchase Order 10027427, with Tyler Technologies, for the purchase of eCitation Software and printers for the Lubbock Police Department to issue parking citations and warnings.
6. 27. **Resolution - Municipal Court:** Consider a resolution appointing one or more qualified persons to serve as magistrates and temporary substitute judges in the City of Lubbock Municipal Court of Record.
6. 28. **Resolution - City Manager:** Consider a resolution authorizing the Mayor to execute a Real Estate Sales Contract between the City of Lubbock and 812 Texas Ave, LLC, for the sale of property described as Lots Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Eighteen (18), and Nineteen (19), Original Town of Lubbock, Block 71, located within Section 1, Block O, Lubbock County, Texas, at 804, 806, and 820 Texas Avenue.
6. 29. **Resolution - City Manager:** Consider a resolution appointing Neal Barron as Interim Police Chief.
6. 30. **Ordinance 2nd Reading - Planning (District 1):** Consider Ordinance No. 2024-O0063, for Zone Case 3499, a request of Autrey Engineering, LLC for Alliance Credit Union, for a zone change from Neighborhood Commercial District (NC) to Auto-Urban Commercial District (AC), at 2202 and 2206 34th Street, located north of 34th Street and west of Avenue V, Highland Park Addition, Block 12, Lots 18, 19, and 20.
6. 31. **Ordinance 2nd Reading - Planning (District 1):** Consider Ordinance No. 2024-O0064, for Zone Case 3500, a request of Hugo Reed and Associates, Inc. for PLANT-AS-DNPS-003-1, LLC, for a zone change from Low Density Single-Family District (SF-2) to Residential Estates District (RE), at 4901, 5002, 5004, and 5401 East Erskine Street, located southeast of East Highway 62, north and south of East Erskine Street, and north of Acuff Road, on 693.3 acres of unplatted land out of Block A, Sections 23 and 26.
6. 32. **Ordinance 2nd Reading - Planning (District 6):** Consider Ordinance No. 2024-O0067, for Zone Case 3181-C, a request of Delta Land Surveying and Engineering for Juan Miguel Hernandez, for a zone change from Office District (OF) to Neighborhood Commercial District (NC), generally located west of North Frankford Avenue and south of Kemper Street, on 3.572 acres of unplatted land out of Block JS, Section 7.

6. 33. **Ordinance 2nd Reading - Planning (District 2):** Consider Ordinance No. 2024-O0066, for Zone Case 3501, a request of VIA Real Estate, LLC, for the Estate of Charles E. Prater, for a zone change from Low Density Single-Family District (SF-2) to Heavy Commercial District (HC), at 11311 University Avenue, located east of University Avenue and north of 114th Street, on 7.145 acres of unplatted land out of Block E, Section 10.
6. 34. **Ordinance 2nd Reading - Planning (District 2):** Consider Ordinance No. 2024-O0065, for Zone Case 0769-B, a request of 3R & P Holdings, LLC, for a zone change from Low Density Single-Family District (SF-2) to Heavy Commercial District (HC), at 1611 82nd Street, located south of 82nd Street and west of Avenue P, on 3.053 acres of unplatted land out of Block E, Section 9.
7. **Regular Agenda**
7. 1. **Resolution - City Council:** Consider and take action on the appointment of Matt Wade to the position of City Attorney for the City of Lubbock, and authorize the Mayor to execute a Severance Agreement between Matt Wade and the City of Lubbock.
7. 2. **Resolution - City Manager:** Consider and take action to ratify and confirm the appointment of Seth Herman as Police Chief for the City of Lubbock
7. 3. **Resolution - City Manager:** Consider and take action on a Binding Term Sheet for the purchase of approximately 1,471 acres of real property located in Sections 4, 9, 11, 14, 18, 20, 21, and 24, Block S, Lubbock County, Texas, for the purpose of developing a future water supply for the City of Lubbock.
7. 4. **Resolution - City Secretary:** Consider a resolution canvassing the returns and declaring the result of the City of Lubbock Special Election held on May 4, 2024, pertaining to a citizen-led proposition to adopt an ordinance.
7. 5. **Resolution - City Secretary:** Consider a resolution canvassing the returns and declaring the results of the City of Lubbock General Election held on May 4, 2024, and ordering a Runoff Election.
7. 6. **Recognition of outgoing Councilmember Latrelle Joy**

Adjourn Regular City Council Meeting