

City of Lubbock, Texas
Regular City Council Meeting
December 13, 2022

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
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, 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.

5:00 p.m. - City Council convenes in City Council Chambers. Upon convening, the City Council 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. Chapter 22 of the Lubbock City Code and Chapter 13 of the Texas Water Code
 1. 1. 2. Approximately 14 acres out of BLK O, Sec 3, AB 24, Park TR North of Parkway Drive
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. Approximately 14 acres out of BLK O, Sec 3, AB 24, Park TR North of Parkway Drive

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 Secretary
1. 4. 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 Health/Educational Facilities Development Corporation, Permit and License Appeal Board, Planning & Zoning Commission, Urban Design & Historic Preservation Commission, Urban Renewal Board/Neighborhood Redevelopment Commission, and the Zoning Board of Adjustment.

Adjourn from Executive Session

Following Executive Session, the City Council reconvenes in Open Session in City Council Chambers.

2. Ceremonial Items

2. 1. Invocation
2. 2. Pledges of Allegiance

Call to Order

3. **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 5:30 p.m. on December 13, 2022. Citizen Comments provide an opportunity for citizens to make comments and express a position on agenda items.**
4. **Minutes**
 4. 1. November 16, 2022 Regular City Council Meeting
5. **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.**

5. 1. **Budget Ordinance Amendment 2nd Reading - Finance:** Consider Budget Ordinance No. 2022-00169, Amendment 5, amending the FY 2022-23 Budget for municipal purposes respecting the Streets Capital Project Fund to establish approved projects from the 2022 Street Bond Election; providing for filing; and providing for a savings clause.
5. 2. **Budget Ordinance Amendment 1st Reading - Finance:** Consider Budget Ordinance Amendment 6, amending the FY 2022-23 Budget for municipal purposes respecting the Grant Fund to accept and appropriate funding from the Texas Department of State Health Services and the Texas Health and Human Services Commission; providing for filing; and providing for a savings clause
5. 3. **Budget Ordinance Amendment 1st Reading - Finance:** Consider Budget Ordinance Amendment 7, amending the FY 2022-23 Budget for municipal purposes respecting the Water/Wastewater Fund; providing for filing; and providing for a savings clause.
5. 4. **Resolution - Finance:** Consider a resolution approving and adopting the 2023 City of Lubbock Investment Policy and Investment Strategy, as reviewed and recommended by the Audit and Investment Committee.
5. 5. **Resolution - Finance:** Consider a resolution authorizing the Mayor to execute a Professional Services Agreement between the City of Lubbock and J.P. Morgan Payments, to provide merchant card services,
5. 6. **Resolution - Finance:** Consider a resolution authorizing the Mayor to execute an amendment to the Grant Management Agreement between the City of Lubbock and Market Lubbock, Inc., dated January 25, 1996.
5. 7. **Resolution - Business Development:** Consider a resolution approving a Downtown Grant Program (Facade) expenditure of Market Lubbock, Inc., to be provided to Q-505, LLC, dba Doubletree Lubbock University Area, located at 505 Avenue Q, pursuant to Article IV, Section 5 of the Amended and Restated Bylaws of the Market Lubbock Development Corporation.
5. 8. **Resolution - Business Development:** Consider a resolution authorizing the Mayor to execute Contract 16677, with Stantec Consulting Services, Inc., for professional services for a Historic District Designation Project.
5. 9. **Ordinance 2nd Reading - Right-of-Way:** Consider Ordinance No. 2022-00170, abandoning and closing a portion of a stormwater storage and drainage easement (V8489 P177), located in Tract D, The Falls at Suncrest Addition, Lubbock County, Texas.

5. 10. **Ordinance 2nd Reading - Right-of-Way:** Consider Ordinance No. 2022-O0171, abandoning and closing a portion of alley right-of-way, located west of Lot 93, Hatton Place Addition, Lubbock County, Texas.
5. 11. **Ordinance 2nd Reading - Right-of-Way:** Consider Ordinance No. 2022-O0172, abandoning and closing an underground utility easement and portions of two drainage easements, located on Tract J, Commons South Addition, Lubbock County, Texas.
5. 12. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Professional Services Agreement No.17031, for professional design services for 98th Street from Alcove Avenue to Upland Avenue, by and between the City of Lubbock and Kimley-Horn and Associates, Inc.
5. 13. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Public Works Contract 16919, Unpaved Road Improvements C.O. Phase 2 Project, by and between the City of Lubbock and Lone Star Dirt & Paving, Ltd.
5. 14. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to reject any and all bids received for the Water Line Change Out Phase 5 project pursuant to ITB -23 -16541- TF.
5. 15. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Contract 16836, with Rink's Lease Service, Inc., for construction services associated with the Annexation Water Lines in the Spanish Bit Ranch subdivision.
5. 16. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Professional Services Agreement No.17040 for professional design services for 34th Street Back-of-Curb design, by and between the City of Lubbock and Parkhill, Inc.
5. 17. **Resolution - Water Utilities:** Consider a resolution authorizing the Mayor to execute Interlocal Wholesale Wastewater Contract 17028, with the Texas Department of Criminal Justice (TDCJ), for continued wastewater services at the John T. Montford Prison Unit.
5. 18. **Resolution - Public Health Services:** Consider a resolution authorizing the Mayor to execute Amendment No. 1 to Department of State Health Services Contract No. HHS001027600001, and all related documents, effective September 1, 2021, by and between the City of Lubbock and the State of Texas Department of State Health Services, to improve or strengthen local public health infrastructure.

5. 19. **Resolution - Public Health Services:** Consider a resolution authorizing the Mayor to execute Amendment No. 7 to the Department of State Health Services Contract No. 537-18-0127-00001, the Public Health Emergency Preparedness Cooperative Agreement, and all related documents, by and between the City of Lubbock and the State of Texas Department of State Health Services, to revise the financial reporting requirements in the Statement of Work.
5. 20. **Resolution - Community Development:** Consider a resolution authorizing the Mayor to execute Community Development Funding Contract 17016 and all related documents, through the Community Development Block Grant (CDBG) administered by the U.S. Department of Housing and Urban Development (HUD), with Catholic Charities, Diocese of Lubbock, to provide Education/Self-sufficient assistance to qualified low to moderate income persons and families.
5. 21. **Resolution - Aviation:** Consider a resolution authorizing the Mayor to execute Amendment No. 3 to Contract 15038, with Webber, LLC, to extend the contract term and rental rate for the land lease agreement at Lubbock Preston Smith International Airport.
5. 22. **Resolution - Parks and Recreation:** Consider a resolution authorizing the Mayor to execute Professional Services Agreement 16679, with Parkhill, for professional architectural and engineering services, for the pickleball facility at McAlister Park.
5. 23. **Resolution - Parks and Recreation:** Consider a resolution authorizing the Mayor to execute five Purchase Orders, with CXT Inc., per Sourcewell Contract 081724-CXT and related documents, to manufacture, transport, deliver, and install five concrete restroom buildings at five City of Lubbock parks.
5. 24. **Resolution - Information Technology:** Consider a resolution authorizing the Mayor to execute Contract 16295, with Central Square Technologies, LLC., for the Public Safety Computer Aided Dispatch (CAD) System and Records Management System (RMS) for Police.
5. 25. **Resolution - Information Technology:** Consider a resolution authorizing the Mayor to execute Agreement 17011, with ESO Solutions, Inc., for the replacement of the current Records Management System (RMS) software for Lubbock Fire Rescue.
5. 26. **Resolution - Information Technology:** Consider a resolution authorizing the Mayor to execute Purchase Order 33100041, with Dell Marketing, LP, for the purchase of server and networking hardware to support the Public Safety Computer Aided Dispatch (CAD) and Records Management System (RMS) replacement project, for Police and Lubbock Fire Rescue.
5. 27. **Resolution - Information Technology:** Consider a resolution authorizing the Mayor to execute Agreement 17015, with Sciens Consulting LLC, for project management services related to the Public Safety Computer Aided Dispatch (CAD) and Records Management System (RMS) replacement project, for Police and Lubbock Fire Rescue.

5. 28. **Resolution - Fleet Services:** Consider a resolution authorizing the Mayor to execute Purchase Order 31070477, with Bruckner Truck Sales, Inc., for the purchase of a Commercial Truck Cab & Chassis with a Dump Body, for the Water Distribution & Maintenance Department.
5. 29. **Resolution - Police:** Consider a resolution authorizing the Mayor of the City of Lubbock to execute, for and on behalf of the City of Lubbock, a Memorandum of Understanding for Law Enforcement Services, by and between the City of Lubbock and the Lubbock Independent School District.
5. 30. **Resolution - City Manager:** Consider a resolution authorizing the Mayor to execute an Agreement Termination and Release terminating the existing Joyland Amusement Park Lease Agreement, Resolution No. 2022-R0179, effective December 31, 2022.
5. 31. **Resolution - City Manager:** Consider a resolution authorizing the Mayor to execute the Joyland Amusement Park Lease Agreement, by and between the City of Lubbock and Joyland Amusement Park, Inc., regarding the lease of certain real property located at Mackenzie Park.
5. 32. **Resolution - City Manager:** Consider a resolution authorizing the Mayor to execute an agreement with Baker Tilly US, LLP, for executive recruitment services.
5. 33. **Resolution - City Manager:** Consider a resolution authorizing the Mayor to execute an Interlocal Wholesale Water Sales Contract by and between the City of Lubbock and the City of Wolfforth for the provision of wholesale water.

6. **Regular Agenda**

6. 1. **Public Hearing - Planning (District 1):** Consider a request for Zone Case 804-C, a request of Keller Williams Realtor for Kenneth Charles Ewings, for a zone change from Single-Family District (R-1) to Two Family District (R-2) at 1411 and 1501 East Kent Street, located north of East Kent Street and west of North Martin Luther King Jr. Boulevard, on 8.45 acres of unplatted land out of Block A, Section 10, and consider an ordinance.
6. 2. **Public Hearing - Planning (District 1):** Consider a request for Zone Case 3475, a request of Hugo Reed and Associates, Inc. for Lubbock Economic Development Alliance, for a zone change from Transition District (T) to Heavy Manufacturing District (M-2), at 1503 East Drew Street, located north of Drew Street and east of Ivory Avenue, on 219.7 acres of unplatted land out of Block D, Sections 37 and 38, and consider an ordinance.

6. 3. **Public Hearing - Planning (District 3):** Consider a request for Zone Case 2418-D, a request of Quorum Shopping Center, for a zone change from Local Retail District (C-2) to Commercial District (C-4), at 5102 60th Street, Unit A, east of Slide Road, north of 60th Street and south of 59th Street, Piedmont Addition, Tract B, and consider an ordinance.
6. 4. **Public Hearing - Planning (District 4):** Consider a request for Zone Case 3274-F, a request of Betenbough Homes, for a zone change from Interstate Highway Commercial District (IHC) to Two-Family District (R-2), at 1601 130th Street, located south of 130th Street and west of Avenue P, on 5.086 acres of unplatted land out of Block E, Section 16, and consider an ordinance.
6. 5. **Public Hearing - Planning (District 4):** Consider a request for Zone Case 3347-A, a request of Tortoise and Hare Land Co. for Windows by Chad, LLC, for a zone change from Transition (T) to Commercial District (C-4) Specific Use for self-storage at 3203 through 3231 118th Street, located south of 118th Street and east of Indiana Avenue, Four Fields Business Park Addition, Tracts A through O, and consider an ordinance.
6. 6. **Public Hearing - Planning (District 5):** Consider a request for Zone Case 1977-H, a request of Seventeen Services, LLC for 7202 Slide LTD, for a zone change from Apartment-Medical District (AM) and Restricted Local Retail District (C-2A) to Local Retail District (C-2), at 7202 Slide Road, located north of 73rd Street and west of Slide Road, South Acres Addition, Tract A, and consider an ordinance.
6. 7. **Public Hearing - Planning (District 5):** Consider a request for Zone Case 2068-A, a request of Vincent Gerard and Associates for Verizon Wireless, for a zone change from High-Density Apartment District (A-2) to High-Density Apartment District (A-2) with a Specific Use for a Telecommunications Tower, at 5812 73rd Street, located north of 73rd Street and west of Frankford Avenue, Stonegate Addition, south 170 feet of Tract B, and consider an ordinance.
6. 8. **Public Hearing - Planning (District 5):** Consider a request for Zone Case 3473, a request of CMS Properties for Denim Sky Capital, LTD and Terra Firma Acquisitions, LLC, for a zone change from Transition District (T) to General Retail District (C-3), at 9802, 9902 and 9908 Milwaukee Avenue, 6511 98th Street and 6514 100th Street, located south of 98th Street and west of Milwaukee Avenue on 6.549 acres of unplatted land out of Block AK, Section 22, and consider an ordinance.
6. 9. **Public Hearing - Planning (District 5):** Consider a request for Zone Case 3474, a request of CMS Properties for Equity Commercial Properties, LTD, for a zone change from Transition District (T) to General Retail District (C-3), at 6425 98th Street, located south of 98th Street and east of Milwaukee Avenue, on 8.315 acres of unplatted land out of Block AK, Section 21, and consider an ordinance.

6. 10. **Public Hearing - Planning (District 6):** Consider a request for Zone Case 1875-F, a request of Vito Lucio, for a zone change from Single-Family District (R-1) and Two-Family District (R-2) to Two-Family District (R-2), at 2102 Norwich Avenue, located north of 22nd Street and west of Norwich Avenue, Ridgewood II Addition, Lot 94-A-2, and consider an ordinance.
6. 11. **Public Hearing - Planning (District 6):** Consider a request for Zone Case 1893-EE, a request of Seventeen Services, LLC for Wag 2.0, LLC, for a zone change from Single-Family District (R-1) and Family Apartment District (A-1) to Two-Family District (R-2), generally located north and south of 3rd Street and west of Huron Avenue, on 2.505 acres of unplatted land out of Block JS, Section 2, and consider an ordinance.
6. 12. **Public Hearing - Planning (District 6):** Consider a request for Zone Case 2931-E, a request of AMD Engineering, LLC for North Loop 289, LTD, for a zone change from Single Family District (R-1) and High-Density Apartment District (A-2) to Two-Family District (R-2), at 223 North Chicago Avenue, located south of Colgate Street and west of North Chicago Avenue, on 32.08 acres of unplatted land out of Block JS, Section 1, and consider an ordinance.
6. 13. **Ordinance 2nd Reading - Planning (District 4):** Consider Ordinance No. 2022-O0173, for a request from Red Canyon Development, LLC, to annex an area of approximately 16.05 acres, adjacent to the southern city limits of the City of Lubbock, north of Woodrow Road and west of Quaker Avenue.
6. 14. **Resolution - Planning:** Consider a resolution authorizing the Mayor to execute Amendment No. 1 to the Municipal Services Agreement with Red Canyon Development, LLC, for the requested annexation of an area of land generally described as 16.05 acres north of Woodrow Road and west of Quaker Avenue, into Lubbock's corporate limits.