

City of Lubbock, Texas
Regular City Council Meeting
June 11, 2024

Tray Payne, Mayor
Shelia Patterson Harris, Mayor Pro Tem, District 2
Christy Martinez-Garcia, Councilwoman, District 1
David Glasheen, Councilman, District 3
Brayden Rose, Councilman, District 4
Dr. Jennifer Wilson, Councilwoman, District 5
Tim Collins, Councilman, District 6



W. Jarrett Atkinson, City Manager
Matt Wade, 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.

A quorum of the City Council will be physically present in City Council Chambers located in Citizens Tower, 1314 Avenue K, Lubbock, Texas, as it is the intent of the City Council to have a quorum physically present at this location. One or more members of the City Council, however, may participate in the meeting by video-conference call as permitted under Section 551.127 of the Texas Government Code.

1:00 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. Chapter 43 of the Texas Local Government Code

1. 1. 2. Chapter 211 of the Texas Local Government Code

1. 2. 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 Building Board of Appeals, Canadian River Municipal Water Authority Board of Directors, and the Permit & License Appeal Board.

Adjourn from Executive Session

2:00 p.m. - 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 2:00 p.m. on June 11, 2024. Citizen Comments provide an opportunity for citizens to make comments and express a position on agenda items.**

4. Minutes

- 4. 1. April 16, 2024 Special City Council Meeting - Electric Utility Board
May 14, 2024 Regular City Council Meeting
May 14, 2024 Special City Council Meeting - Swearing-In Ceremony

- 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. 2024-O0069, 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.

- 5. 2. **Budget Ordinance Amendment 2nd Reading - Finance:** Consider Budget Ordinance No. 2024-O0073, Amendment 31, amending the FY 2023-24 Budget for municipal purposes respecting the General Fund, specifically the Health Department Fund; providing for filing; and providing for a savings clause.

- 5. 3. **Budget Ordinance Amendment 2nd Reading - Finance:** Consider Budget Ordinance No. 2024-O0074, Amendment 32, amending the FY 2023-24 Budget for municipal purposes respecting the Parks Capital Project Fund; providing for filing; and providing for a savings clause.

5. 4. **Budget Ordinance Amendment 2nd Reading - Finance:** Consider Budget Ordinance No. 2024-O0075, Amendment 33, amending the FY 2023-24 Budget for municipal purposes respecting the Grant Fund, specifically the Health Department Fund; providing for filing; and providing for a savings clause.

5. 4. 1. **Resolution - Public Health Services:** Consider a resolution authorizing the Mayor to execute Amendment No. 7 to the Department of State Health Services Contract No. HHS000077800035, and all related documents, under the HIV Prevention Services Grant, by and between the City of Lubbock, and the State of Texas Department of State Health Services, for services related to HIV prevention and treatment.

5. 5. **Budget Ordinance Amendment 1st Reading - Finance:** Consider Budget Ordinance Amendment 34, amending the FY 2023-24 Budget for municipal purposes respecting the Grant Fund; providing for filing; and providing for a savings clause.

5. 6. **Resolution - Finance:** Consider a resolution authorizing the Mayor to enter into a professional services agreement with JP Morgan Securities, for investment management services.

5. 7. **Resolution - Finance:** Consider a resolution designating authorized representatives on the City's accounts with the Texas Local Government Investment Pool.

5. 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 deed, and all related documents, in connection with certain real property located in Section 38, Block AK, of the GC R.R. Co. Survey, Lubbock County, Texas, on the east side of Upland Avenue, near 45th Street, to be utilized for the Upland Avenue Project.

5. 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, public use, and right-of-way deed, and all related documents, in connection with certain real property located in Section 38, Block AK, of the GC R.R. Co. Survey, Lubbock County, Texas, at the northeast corner of Upland Avenue and 50th Street, to be utilized for the Upland Avenue Project.

5. 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, public use, and right-of-way deed, and all related documents, in connection with certain real property located in Section 35, Block AK, of the GC R.R. Co. Survey, Lubbock County, Texas, at the southeast corner of Upland Avenue and 50th Street, to be utilized for the Upland Avenue Project.

5. 11. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Amendment No. 1 to Professional Services Agreement Contract 17130, with Kimley-Horn and Associates, Inc., for engineering services for the reconstruction of 34th Street from Upland Avenue to Milwaukee Avenue.

5. 12. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Professional Services Agreement Contract 18087, with Freese and Nichols, Inc., for engineering services for water reclamation electrical replacement and monitoring.
5. 13. **Ordinance 2nd Reading - Public Works Water:** Consider Ordinance No. 2024-O0076, amending Article 22.08 of the City of Lubbock Code of Ordinances, in response to the regulatory requirement to update the Water Use Management Plan every five years.
5. 14. **Resolution - Public Works Water Utilities:** Consider a resolution authorizing the Mayor to execute Contract 17642, with Freese and Nichols, Inc., for professional engineering services related to the Wastewater Collection System Master Plan Update.
5. 15. **Resolution - Public Works Solid Waste:** Consider a resolution authorizing the Mayor to execute a Letter of Engagement, and related documents, with Lloyd Gosselink Rochelle & Townsend P.C., for professional services related to the permitting or registration for the future City of Lubbock Transfer Station Facility.
5. 16. **Resolution - Public Health Services:** Consider a resolution authorizing the Mayor to execute, Amendment No. 1 to the Department of State Health Services Contract No. HHS001310400001, and all related documents, under the Center for Health Emergency Preparedness & Response (CHEPR) Grant Program, by and between the City of Lubbock, and the State of Texas Department of State Health Services (DSHS), for training the public health workforce and strengthening public health infrastructure and systems.
5. 17. **Resolution - Public Health Services:** Consider a resolution authorizing the Mayor to execute Amendment No. 1 to the Department of State Health Services Contract No. HHS001324900033, and all related documents, under the Centers for Disease Control Preventive Health and Health Services Block Grant, by and between the City of Lubbock, and the State of Texas Department of State Health Services, to support core public health services and to fund a portion of the salary of the Public Health Director.
5. 18. **Resolution - Public Health Services:** Consider a resolution authorizing the Mayor to execute an interlocal agreement entitled "Lubbock County Medical Indigent Program Provider Agreement", and any associated documents, by and between the City of Lubbock and the Lubbock County Hospital District, d/b/a University Medical Center Health Systems, to cooperate to provide certain public health services for indigent residents of Lubbock County.
5. 19. **Resolution - Business Development:** Consider a resolution authorizing a Downtown Grant Program (Facade) expenditure of Market Lubbock, Inc., to be provided to J & W Plumbing Heating & A/C, located at 1012 17th Street, pursuant to Article IV, Section 5, of the Amended and Restated Bylaws of the Market Lubbock Development Corporation.

5. 20. **Ordinance 2nd Reading - Planning (District 1):** Consider Ordinance No. 2024-O0079, for Zone Case 3224-A, a request of Lone Star Suds, LLC for Centric Capital Partners, Inc., for a zone change from Neighborhood Commercial District (NC) and Auto-Urban Commercial District (AC) to Auto-Urban Commercial District (AC), at 2401 19th Street, located south of 19th Street and west of Avenue X, Ellwood Place Addition, Block 1, the east 140 feet of Lot 1.

5. 21. **Ordinance 2nd Reading - Planning (District 1):** Consider Ordinance No. 2024-O0080, for Zone Case 3503, a request of Westar Commercial Realty for Steven F. Burleson, for a zone change from Low Density Single-Family District (SF-2) to Heavy Commercial District (HC), at 4505 North Interstate 27, located west of North Interstate 27, and north of Regis Street, Teal Addition, Lot 2.

5. 22. **Ordinance 2nd Reading - Planning (District 1):** Consider Ordinance No. 2024-O0081, for Zone Case 3504, a request of R Rios Enterprises 806, LLC for 5 Berg Holdings, LLC, for a zone change from Low Density Single-Family District (SF-2) to Heavy Commercial District (HC), at 2416, 2406, 2402 Erskine Street and 2407 Grinnell Street, located east of North University Avenue and north of Erskine Street, the north 480 feet of Tull Addition, Block 1, and approximately 3.3 acres of unplatte land out of Block A, Section 16.

5. 23. **Ordinance 2nd Reading - Planning (District 3):** Consider Ordinance No. 2024-O0082, for Zone Case 1112-F, a request of Clovis Sign Service for Southwest Convenience Stores, for a zone change from Low Density Single-Family District (SF-2) to Auto-Urban Commercial District (AC), at 5002 Quaker Avenue, located south of 50th Street and west of Quaker Avenue, Sylvan Dell Heights Addition, Block 1, Lot 1-A.

5. 24. **Ordinance 2nd Reading - Planning (District 4):** Consider Ordinance No. 2024-O0083, for Zone Case 2925-A, a request of AMD Engineering, LLC for Diocese of Lubbock, for a zone change from High Density Residential District (HDR) to Neighborhood Commercial District (NC), generally located north of 111th Street and east of Indiana Avenue, on 4.22 acres of land out of John the Baptist Addition, Tract A.

5. 25. **Ordinance 2nd Reading - Planning (District 5):** Consider Ordinance No. 2024-O0084, for Zone Case 3502, a request of Hub City Main Street Investments, LLC, for a zone change from Low Density Single-Family (SF-2) to Heavy Commercial District (HC), at 6708 66th Street, located west of Norwich Avenue and north of 66th Street, Zephyr Addition, Tract A, and approximately 0.56 acres of unplatte land out of Block AK, Section 35.

5. 26. **Ordinance 2nd Reading - Planning (District 5):** Consider Ordinance No. 2024-O0085, for Zone Case 2933-I, a request of Steen Realty Group at Keller Williams Realty for Terra Firma Acquisitions, LLC, for a zone change from Low Density Single-Family District (SF-2) and High Density Residential District (HDR) to Office District (OF) and Auto-Urban Commercial District (AC), at 9102 and 9602 Milwaukee Avenue, located south of 94th Street, west of Milwaukee Avenue, and north of 98th Street on 26.6 acres of unplatte land out of Block AK, Section 27.

5. 27. **Ordinance 2nd Reading - Planning (District 6):** Consider Ordinance No. 2024-O0086, for Zone Case 1893-FF, a request of Delta Land Surveying for Wag 2.0, LLC, for a zone change from Medium Density Residential District (MDR) to Low Density Single-Family District (SF-2), generally located west of Homestead Avenue and north and south of 3rd Street on approximately 2.07 acres of unplatteed land out of Block JS, Section 2.

5. 28. **Ordinance 2nd Reading - Planning (District 6):** Consider Ordinance No. 2024-O0087, a request for Zone Case 2538-LL, a request of OJD Engineering, LLC for YATESIIBY LC, for a zone change from Low Density Single-Family District (SF-2) to Heavy Commercial District (HC), at 7502 and 7446 19th Street, located north of 19th Street and west of Wausau Avenue, Furgeson Tracts Addition, Lot 1 and approximately 2.545 acres of unplatteed land out of Block D6, Section 1.

5. 29. **Resolution - City Council:** Consider a resolution authorizing and directing the City Manager to take the appropriate and necessary action to implement this policy, ensuring that all American Rescue Plan Act (ARPA) funding not previously allocated, and to be expended after December 31, 2024, be allocated to the West Lubbock Water System Expansion Project.

6. **Regular Agenda**

6. 1. **Ordinance 2nd Reading - Planning (District 1):** Consider Ordinance No. 2024-O0088, for Zone Case 2016-E, a request of Parkhill for Thomas Kenneth Abraham, for a zone change from Medium Density Residential District (MDR) to High Density Residential District (HDR), at 2401 through 2413 14th Street and 2402 through 2416 15th Street, located east of University Avenue and south of 14th Street, Overton Addition, Block 102, Lots 1 through 7, Lots 17 through 24, the portion of alley between Lots 1 through 7, and Lots 18 through 24.

6. 2. **Resolution - Planning:** Consider a resolution establishing the City of Lubbock's intent to annex an area of land generally described as 374.74 acres south of 146th Street and east of Frankford Avenue, into Lubbock's corporate limits, and execute a Municipal Services Agreement with the Highland Oaks Homeowner's Association, for the requested annexation.