

City of Lubbock, Texas
Regular City Council Meeting
January 14, 2025

Mark W. McBrayer, Mayor
Christy Martinez-Garcia, Mayor Pro Tem, District 1
Gordon Harris, Councilman, District 2
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.

Executive Session Disclosure Statement: The City Council reserves the right to adjourn into executive session at any time during the course of the meeting to discuss any item listed on this agenda as authorized by Chapter 551 of the Texas Government Code, including but not necessarily limited to §551.071 (Consultation with Attorney), §551.072 (Deliberations regarding Real Property), §551.073 (Deliberations regarding Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations regarding Security Devices), §551.086 (Public Power Utilities: Competitive Matters), §551.087 (Deliberations regarding Economic Development Negotiations).

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.

Note: On occasion the City Council may consider agenda items out of order.

11:00 a.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. Council Briefing/Training Regarding Meet and Confer

1. 1. 2. Lubbock Reese Redevelopment Authority

1. 1. 3. 66th Street Project - I-27 to Ash Avenue

1. 1. 4. Milwaukee Street Bond Project - 4th Street to North City Limits
1. 1. 5. Upland Avenue Project - 66th Street to 82nd Street
1. 1. 6. Information Resource Technology Utilization and Assets
1. 1. 7. Central Business District
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. Lubbock Reese Redevelopment Authority
 1. 2. 2. 66th Street Project - I-27 to Ash Avenue
 1. 2. 3. Milwaukee Street Bond Project - 4th Street to North City Limits
 1. 2. 4. Upland Avenue Project - 66th Street to 82nd Street
 1. 2. 5. Central Business District
1. 3. 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 Central Business District Tax Increment Financing Reinvestment Zone Board of Directors, Lubbock Business Park Tax Increment Financing Reinvestment Zone Board of Directors, North Overton Tax Increment Financing Reinvestment Zone Board of Directors, Urban Design & Historic Preservation Commission, and the Zoning Board of Adjustment.
1. 4. Hold an executive session in accordance with Texas Government Code, Section 551.087, to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations or to deliberate an offer of a financial or other incentive to such business prospect.
 1. 4. 1. Central Business District
1. 5. Hold an executive session in accordance with Texas Government Code Section 551.089 to discuss or deliberate regarding security devices and/or security audits.

1. 5. 1. Information Resource Technology Utilization and Assets

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 January 14, 2025. Citizen Comments provide an opportunity for citizens to make comments and express a position on agenda items.**
4. **Minutes**
 4. 1. December 3, 2024 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. 2024-00156, Amendment 5, amending the FY 2024-25 Budget for municipal purposes respecting the General Fund by establishing Cost Center 5901, West Texas State Veterans Cemetery; providing for filing; and providing for a savings clause.
 5. 2. **Budget Ordinance Amendment 1st Reading - Finance:** Consider Budget Ordinance Amendment 7, amending the FY 2024-25 Budget for municipal purposes respecting the Abandoned Vehicle Fund; providing for filing; and providing for a savings clause.

5. 3. **Budget Ordinance Amendment 1st Reading - Finance:** Consider Budget Ordinance Amendment 9, amending the FY 2024-25 Budget for municipal purposes respecting the Water/Wastewater Fund; providing for filing; and providing for a savings clause.
5. 4. **Budget Ordinance Amendment 1st Reading - Finance:** Consider Budget Ordinance Amendment 10, amending the FY 2024-25 Budget for municipal purposes respecting the North Point Public Improvement District Fund; providing for filing; and providing for a savings clause.
5. 4. 1. **Ordinance - Finance:** Consider an ordinance amending Ordinance No. 2024-O0126, EXHIBIT "B", the 2024 Service and Assessment Plan for the North Point Public Improvement District by including additional funding for public improvements; providing a savings clause; and providing for publication.
5. 5. **Ordinance 1st Reading - Finance:** Consider an ordinance granting Southwestern Public Service (SPS) D/B/A Excel Energy the Right To Conduct Business effective January 28, 2025, or thirty (30) days from the last publication of this ordinance, whichever occurs later. The term of this franchise granted to SPS shall be for twenty (20) years from the date the franchise becomes effective. As compensation and rental for the use of the streets, alleys and public ways of the City in the conduct of its business under this franchise, SPS will pay the City each year of the life of this franchise, beginning February 1, 2025, a sum of money equal to five percent (5%) of the annual gross receipts of SPS from its retail electric lighting and power sales for consumption within the corporate limits of the City.
5. 6. **Ordinance 2nd Reading - Right-of-Way:** Consider Ordinance No. 2024-O0157, abandoning and closing portions of a private utility easement located south of 48th Street, between Avenue P and Avenue Q, in the Wayland Edward Addition to the City of Lubbock, Lubbock County, Texas.
5. 7. **Ordinance 1st Reading - Right-of-Way:** Consider an ordinance abandoning and closing portions of a public right-of-way located in Section 13, Block E-2 in Lubbock County, Texas, in the High Plains Subdivision south of 82nd Street, and east of Elgin Avenue.
5. 8. **Ordinance 1st Reading - Right-of-Way:** Consider an ordinance abandoning and closing part of a drainage easement and an underground utility easement located in Section 22, Block E2, Lubbock County, Texas, east of Quaker Avenue and north of 122nd Street.
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 Block 21, Lots 11 & 12 of the Martin – Ameen Addition, Lubbock County, Texas (Parcel 2), to be utilized for the 82nd Street and Martin Luther King, Jr. Boulevard Project, which is a portion of the 2022 Street Bond 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 7, Block E, of the GC & SF R.R. Co. Survey, Lubbock County, Texas, (Parcel 23), to be utilized for the 82nd Street and Martin Luther King, Jr. Boulevard Project, which is a portion of the 2022 Street Bond Project.
5. 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, Public Use, and Right-of-Way Deed, and all related documents, in connection with certain real property located in Section 7, Block E, of the GC & SF R.R. Co. Survey, Lubbock County, Texas, (Parcel 29), to be utilized for the 82nd Street and Martin Luther King, Jr. Boulevard Project, which is a portion of the 2022 Street Bond Project.
5. 12. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Contract 18588, with Freese and Nichols, Inc., for design services associated with the Capital Improvements Project 92896, Broadway, from Avenue Q to Avenue E, which is a portion of the 2024 Street Bond Project.
5. 13. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Amendment No. 1 to Professional Services Agreement Contract No. 17088, and related documents, with Lockwood, Andrews & Newnam, Inc., for engineering services for the reconstruction of portions of 82nd Street and Martin Luther King, Jr. Boulevard, which is a portion of the 2022 Street Bond Project.
5. 14. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Public Works Contract 18390, and all related documents, with Acme Electric, for the Southeast Water Reclamation Plant 480V MCC-100 early procurement.
5. 15. **Resolution - Public Works Water Utilities:** Consider a resolution authorizing the Mayor to execute Purchase Order 22105402, with Itron, Inc., for services to replace or install endpoints or cables in the water advanced metering infrastructure system.
5. 16. **Resolution - Public Works Water Utilities:** Consider a resolution authorizing the Mayor to execute Contract 18284, with Chapman Marine, Inc., to provide sluice gate repair services on the intake structure located at Lake Alan Henry.
5. 17. **Ordinance 1st Reading - Traffic Operations:** Consider an ordinance amending Section 20.05.102 of the City of Lubbock Code of Ordinances, with regard to the establishment of speed limits.

5. 18. **Resolution - Public Health Services:** Consider a resolution authorizing the Mayor to execute Amendment No. 2 to FDP Subaward Agreement UTAUS-SUB00001039AM2, and all related documents, under the Health and Human Services Commission's Substance Abuse Innovative Healing Center Project Grant Program, by and between the City of Lubbock and the University of Texas at Austin, to amend and modify the agreement regarding the Substance Abuse Innovative Healing Centered Projects Program.
5. 19. **Ordinance 2nd Reading - Community Development:** Consider Ordinance No. 2024-O0158, amending Article 2.03, Division 2, of the City of Lubbock Code of Ordinances, regarding the duties and responsibilities of the Community Development & Services Board.
5. 20. **Resolution - Community Development:** Consider a resolution authorizing the Mayor to execute Amendment No. 1 to Emergency Solutions Grant Funding Agreement 18276, and all related documents, between the City of Lubbock and Family Promise of Lubbock, Inc., for homeless prevention and rapid rehousing for homeless individuals and families in Lubbock.
5. 21. **Resolution - Community Development:** Consider a resolution authorizing the Mayor to execute Amendment No. 1 to Community Development Funding Contract 17849, and all related documents, with Lutheran Social Services of the South, Inc., to provide utility assistance to qualified low-income persons and families, through the Comprehensive Energy Assistance Program administered by the Texas Department of Housing and Community Affairs.
5. 22. **Resolution - Aviation:** Consider a resolution authorizing the Mayor to execute Amendment No. 10 to Contract 15310, with Parkhill, for professional architectural/engineering services for Passenger Boarding Bridge Replacement at Lubbock Preston Smith International Airport.
5. 23. **Resolution - Aviation:** Consider a resolution authorizing the Mayor to execute Job Order Contract 18546, with JK Dennard Construction LLC, for Weather Proofing of the Exterior Building of the Consolidated Rental Car Facility at Lubbock Preston Smith International Airport.
5. 24. **Resolution - Aviation:** Consider a resolution authorizing the Mayor to execute Job Order Contract 18564, with JK Dennard Construction, LLC, for the Freight Road and Parking Improvements at Lubbock Preston Smith International Airport.
5. 25. **Resolution - Aviation:** Consider a resolution authorizing the Mayor to execute Contract 18464, with O'Keeffe Shahmoradi Strategies, for Federal Lobbying Services - Department of Aviation at Lubbock Preston Smith International Airport.

5. 26. **Resolution - Public Transit Services:** Consider a resolution authorizing the Mayor to execute Service Contract 18199, with HCAA Medical Group dba OccMed Associates, LP., for the Department of Transportation/Federal Transportation Drug and Alcohol Testing Program for Citibus.
5. 27. **Resolution - Human Resources:** Consider a resolution authorizing the Mayor to execute Contract 18415, and related documents, with Retirement Plan Advisors, LLC, for 457(b) Plan Investment Advisory Services.
5. 28. **Resolution - Business Development:** Consider a resolution approving a Downtown Grant Program (Facade) expenditure of Market Lubbock, Inc., to be provided to Broadway & F, LLC, located at 708 13th Street, pursuant to Article IV, Section 5, of the Amended and Restated Bylaws of the Market Lubbock Development Corporation.
5. 29. **Resolution - Business Development:** Consider a resolution approving a Downtown Grant Program (Permittable) expenditure of Market Lubbock, Inc., to be provided to Broadway & F, LLC, located at 708 13th Street, pursuant to Article IV, Section 5, of the Amended and Restated Bylaws of the Market Lubbock Development Corporation.
5. 30. **Resolution - Business Development:** Consider a resolution authorizing a Commercial Revitalization Grant Program (Facade) expenditure of Market Lubbock, Inc., to be provided to West Texas Services, Inc., dba Tom's Tree Place, located at 5104 34th Street, pursuant to Article IV, Section 5, of the Amended and Restated Bylaws of the Market Lubbock Development Corporation.
5. 31. **Resolution - Business Development:** Consider a resolution authorizing a Commercial Revitalization Grant Program (Permittable) expenditure of Market Lubbock, Inc., to be provided to West Texas Services, Inc., dba Tom's Tree Place, located at 5104 34th Street, pursuant to Article IV, Section 5, of the Amended and Restated Bylaws of the Market Lubbock Development Corporation.
5. 32. **Resolution - Business Development:** Consider a resolution approving a Downtown Grant Program (Facade) expenditure of Market Lubbock, Inc., to be provided to King Law, P.C., located at 1511 Avenue M, pursuant to Article IV, Section 5, of the Amended and Restated Bylaws of the Market Lubbock Development Corporation.
5. 33. **Resolution - Business Development:** Consider a resolution approving a Downtown Grant Program (Permittable) expenditure of Market Lubbock, Inc., to be provided to King Law, P.C., located at 1511 Avenue M, pursuant to Article IV, Section 5, of the Amended and Restated Bylaws of the Market Lubbock Development Corporation.
5. 34. **Resolution - Business Development:** Consider a resolution accepting a Warranty Deed, on behalf of the North Point Public Improvement District, by MM Holdsworth NWP, LLC, granted to the City of Lubbock, for real property located in tracts within the North Point PID, as described in the Warranty Deed exhibits.

5. 35. **Resolution - Parks and Recreation:** Consider a resolution authorizing the Mayor to execute Contract 18344, with Gorman Outdoor, Inc., for landscape maintenance services for the City of Lubbock parks and cemetery facilities.
5. 36. **Resolution - Police:** Consider a resolution authorizing the Mayor to execute Purchase Order 10027951, with Z Bar Supply Company, LLC, for night vision equipment for the Lubbock Police Department.
5. 37. **Resolution - Lubbock Fire Rescue:** Consider a resolution authorizing the Mayor to execute Service Contract 18262, with IIA Lifting Services, Inc., for Aerial Ladder Testing.
5. 38. **Resolution - Lubbock Fire Rescue:** Consider a resolution authorizing the Mayor to execute Purchase Order 10028081, with NAFECO, for structural firefighting protective equipment, for Lubbock Fire Rescue.
5. 39. **Resolution - City Manager:** Consider a resolution suspending the effective date of the proposed rate increase for Atmos Energy, from December 21, 2024, to March 21, 2025, approving the City's participation in the alliance of Atmos Texas Municipalities and retaining the law firm of Herrera Law & Associates to represent the City's interest in matters related to Atmos Energy's rate case before the City and Atmos Energy's application at the Railroad Commission of Texas; intervene in the proceedings at the Railroad Commission; and in appeals should such proceedings develop. A ninety-day suspension of the proposed rates will allow City staff and outside counsel to review and negotiate the requested rate increase.
5. 40. **Resolution - City Manager:** Consider a resolution ratifying the Letter of Engagement for Professional Legal Services by and between the City of Lubbock and Denton Navarro Rodriguez Bernal Santee & Zech, P.C.
5. 41. **Resolution - City Manager:** Consider a resolution for the City Council to cast votes for candidates to the Ports-to-Plains Trade Corridor Coalition Board of Directors.
5. 42. **Resolution - City Manager:** Consider a resolution authorizing the Mayor or his designee, to enter into an economic development program and development agreement, pursuant to Texas Local Government Code Chapter 380 with Lubbock Experience Inc., to provide asset review and feasibility assessment related to the Lubbock Memorial Civic Center.
6. **Regular Agenda**

6. 1. **Public Hearing - Planning:** Hold a public hearing in accordance with Section 43.0697(c)(3) of the Texas Local Government Code, regarding the City of Lubbock's intent to annex an area of land consisting of approximately 374.74 acres of real property commonly known as the Highland Oaks Subdivision, located within an area located south of 146th Street (F.M. 7500), east of Frankford Avenue, north of Woodrow Road (F.M. 7600), and west of Slide Road (F.M. Road 1730), into Lubbock's corporate limits, and consider an ordinance.
6. 2. **Public Hearing - Planning (District 2):** Consider a request for Zone Case 828-A, a request of Brady & Hamilton, LLP for Jarvis Metals Recycling, Inc., for a zone change from General Industrial District (GI) and Light Industrial District (LI), to General Industrial District (GI) with a Specific Use for a Junkyard, Salvage Yard, and Wrecking Yard, at 7825 Olive Avenue, and 4125 and 4127 East Slaton Road, located north of East Slaton Road and east of Olive Avenue, Loop Industrial Addition, Lots 1-A, 1-B, and 1-C, and consider an ordinance.
6. 3. **Public Hearing - Planning (District 5):** Consider a request for Zone Case 2882-B, a request of David Mobley for SLDEV, LLC, for a zone change from Heavy Commercial District (HC) to Heavy Commercial District (HC) Specific Use for a smoke shop, at 7611 82nd Street, located south of 82nd Street Street and west of Xenia Avenue, Cambridge Commercial Park Addition, Tract A-2, and consider an ordinance.
6. 4. **Public Hearing - Planning (District 5):** Consider a request for Zone Case 3512, a request of Parkhill for Jan Humphries Campbell, for a zone change from Low Density Single-Family District (SF-2) to Heavy Commercial District (HC), generally located at the southwest corner of 130th Street and Milwaukee Avenue, on approximately 34.78 acres of unplatted land out of Block AK, Section 12, and consider an ordinance.
6. 5. **Public Hearing - Planning (District 5):** Consider a request for Zone Case 3514, a request of AMD Engineering, LLC, for Paracako, LLC, for a zone change from Low Density Single-Family District (SF-2) to Heavy Commercial District (HC), at 12004 Frankford Avenue, located west of Frankford Avenue and south of 119th Street, on approximately 1.72 acres of unplatted land out of Block AK, Section 20, and consider an ordinance.
6. 6. **Public Hearing - Planning (District 6):** Consider a request for Zone Case 2538-NN, a request of Olga Agundiz, for a zone change from Low Density Single-Family District (SF-2) to Low Density Single-Family District (SF-2) Specific Use for a Manufactured Home Subdivision, at 8605 #2 6th Street, located east of Inler Avenue and south of 6th Street, on approximately 0.692 acres of unplatted land out of Block D-6, Section 2, and consider an ordinance.
6. 7. **Public Hearing - Planning (District 6):** Consider a request for Zone Case 2627-J, a request of David Mobley for Julie McMahan, for a zone change from Heavy Commercial District (HC) to Heavy Commercial District (HC) Specific Use for a smoke shop, at 6319 19th Street, located south of 19th Street and east of La Salle Avenue, West End Place Annex Addition, Block 2, Lots 5 and 6, and consider an ordinance.

6. 8. **Public Hearing - Planning (District 6):** Consider a request for Zone Case 3509, a request of AMD Engineering, LLC for Lonnie and Vickie Slape, for a zone change from Low Density Single-Family District (SF-2) to Neighborhood Commercial District (NC) and Heavy Commercial District (HC), at 3002 North Frankford Avenue, located east of North Frankford Avenue and north of Ursuline Street, on 14.80 acres of unplatted land out of Block JS, Section 11, and consider an ordinance.
6. 9. **Public Hearing - Planning (District 6):** Consider a request for Zone Case 3255-B, a request of West Texas Engineering, LLC for G4 Assets, LLC, for a zone change from Light Industrial District (LI) to Auto-Urban Commercial District (AC), at 7602 34th Street, located north of 34th Street and west of Winfield Avenue, on approximately 3.57 acres of unplatted land out of Block AK, Section 42, and consider an ordinance.
6. 10. **Public Hearing - Planning (District 6):** Consider a request for Zone Case 3513, a request of Tyson Rowin and Dan Williams for Quatro Locos, LLC, for a zone change from Low Density Single-Family District (SF-2) to Auto-Urban Commercial District (AC), at 5909 4th Street, located west of Fulton Avenue and south of 4th Street, Isham Tubbs Estate Addition, the North Part of Tract 4, and consider an ordinance.
6. 11. **Ordinance 1st Reading - Building Safety:** Consider an ordinance amending Article 28.14 of the City of Lubbock Code of Ordinances, with a revision to the adopted appendices regarding the International Residential Code.
6. 12. **Resolution - Public Health Services:** Consider a resolution accepting the recommended Community Health Improvement Plan and the associated findings of the Community Health Needs Assessment.
6. 13. **Budget Ordinance Amendment 1st Reading - Finance:** Consider Budget Ordinance Amendment 11, amending the FY 2024-25 Budget for municipal purposes respecting the General Fund in connection with the Animal Control Cost Center; providing for filing; and providing for a savings clause.
6. 14. **Ordinance 1st Reading - Lubbock Animal Services:** Consider an Ordinance amending Chapter 4 "Animals" of the City of Lubbock Code of Ordinances Article 4.01.006 , "Number of Dogs or Cats at Residences; Multipet Permit". Adding Article 4.01.06 requiring a breeding permit for breeding of dogs or cats; modifying Article 4.01.06 Pertaining to the Amount of Liability Insurance Required to keep a Dangerous Dog; Providing a Penalty Clause; Providing a Savings Clause; and Providing for Publication.