

City of Lubbock, Texas
Regular City Council Meeting
October 8, 2024

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.

12:30 p.m. - City Council convenes in City Council Chambers in Work Session regarding items for presentation and discussion on such issues that may require in-depth consideration by the City Council. No action will be taken by the City Council in Work Session.

1. Hear and discuss presentations regarding the following and provide guidance to staff as appropriate.
1. 1. Frenship Independent School District Update

At the completion of the Work Session, City Council recesses into Executive Session.

2. **Executive Session**

2. 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.
2. 1. 1. Lake 7
2. 1. 2. Vital Statistics
2. 1. 3. Equal Employment Opportunity Commission Charge 453-2024-01616
2. 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.
2. 2. 1. Lake 7
2. 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 Electric Utility Board, Health/Educational Facilities Development Corporation Board, Lubbock Emergency Communications District Board of Managers, Planning & Zoning Commission, and Zoning Board of Adjustment.

Adjourn from Executive Session

1:30 p.m. - City Council reconvenes 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 1:30 p.m. on October 8, 2024. Citizen Comments provide an opportunity for citizens to make comments and express a position on agenda items.**

5. **Minutes**

5. 1. August 30, 2024 Special City Council Meeting - Electric Utility Board
September 10, 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. **Resolution - Risk Management:** Consider a resolution authorizing the Mayor to execute, for and on behalf of the City of Lubbock, a Compromise Settlement Agreement and Release of All Claims, in a lawsuit involving a motor vehicle collision, by and between the City of Lubbock and Fransisa Reyes (Cause No. DC-2023-CV-0500 – *Fransisa Reyes v. City of Lubbock*).

6. 2. **Ordinance 1st Reading - Right-of-Way:** Consider an ordinance abandoning and closing portions of a private utility easement located in Section 6, Block E-2, Lubbock County, Texas, in the Ranchland Terrace Subdivision, at the northeast corner of 40th Street and Chicago Avenue.

6. 3. **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 one (1) drainage easement, and all related documents, in connection with certain real property located in Section 3, Block JS, Lubbock County, Texas, at the southwest corner of Erskine Street and Milwaukee Avenue, to be utilized for the Erskine Street Project.

6. 4. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Contract 17634, with Freese and Nichols, Inc., for professional engineering services associated with the design of Pump Station 11B at the North Water Treatment Plant.

6. 5. **Resolution - Engineering:** Consider a resolution authorizing the Mayor to execute Contract 18335, with Kimley-Horn and Associates, Inc., for an Impact Fee Report Update, including land use assumptions and capital project plans.

6. 6. **Resolution - Planning:** Consider a resolution authorizing the Mayor to execute Purchasing Order Contract 10027872, with SHI Government Solutions, Inc. for short-term rental permitting, compliance, and Hotel Occupancy Tax collection software utilizing Buy Board Contract 661-22.
6. 7. **Resolution - Public Works Traffic Management:** Consider a resolution authorizing the Mayor to execute Amendment No. 1 to Contract 17858, with AtkinsRealis, for additional engineering services related to the City's Americans with Disabilities Act Transition Plan Sidewalk Gap Analysis Project.
6. 8. **Resolution - Community Development:** Consider a resolution authorizing the Mayor to execute Contract 12871, a Community Development Block Grant Funding Agreement, and all related documents, by and between the City of Lubbock and the U. S. Department of Housing and Urban Development, for the funding of public service activities, non-public service activities, housing, direct delivery of services, and administration.
6. 9. **Resolution - Community Development:** Consider a resolution authorizing the Mayor to execute Contract 12872, an Emergency Solutions Grant Funding Agreement, and all related documents, by and between the City of Lubbock and the U. S. Department of Housing and Urban Development, for the funding of Emergency Shelter, Rapid Re-Housing, Homeless Management Information Systems, and administration.
6. 10. **Resolution - Community Development:** Consider a resolution authorizing the Mayor to execute Contract 12873, a HOME Investment Partnership and Funding Agreement, and all related documents, by and between the City of Lubbock and the U.S. Department of Housing and Urban Development, for the funding of Community Housing Development Organization operations and projects, affordable housing, and administration.
6. 11. **Resolution - Community Development:** Consider a resolution authorizing the Mayor to grant the waiver of Payment in Lieu of Taxes for Fiscal Year 2023, requested by the Lubbock Housing Authority.
6. 12. **Resolution - Aviation:** Consider a resolution authorizing the Mayor to execute Amendment No. 19 to Contract 15200, with RS&H, Inc., for professional architectural and engineering services for Runway Lights Replacement at Lubbock Preston Smith International Airport.
6. 13. **Resolution - Aviation:** Consider a resolution authorizing the Mayor to execute a Fifth Amendment 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.
6. 14. **Resolution - Information Technology:** Consider a resolution authorizing the Mayor to execute Purchase Order 33100052, with Paradigm Traffic Systems, for the purchase of Ruggedcom L3 Switches for the Traffic Signal Network.

6. 15. **Resolution - Fleet Services:** Consider a resolution authorizing the City Manager or his designee, to purchase all approved vehicles and equipment, including their lighting and associated accessories, for Fiscal Year 2024-25, to replace essential assets in various City departments.
6. 16. **Resolution - Police:** Consider a resolution authorizing the Mayor to execute an agreement, by and between the City of Lubbock, the United States Department of Justice, and the United States Drug Enforcement Administration, for participation in the Fiscal Year 2025-High Intensity Drug Trafficking Area Task Force Agreement and any associated documents, including an Asset Sharing Agreement, to disrupt illicit drug traffic in the Lubbock area.
6. 17. **Resolution - Police:** Consider a resolution authorizing the Mayor to execute an agreement, by and between the City of Lubbock, the United States Department of Justice, and the United States Drug Enforcement Administration, for participation in the FY 2025 Program-Funded State and Local Task Force Agreement - Task Force Group (Lubbock) and any associated documents, including an Asset Sharing Agreement, to disrupt illicit drug traffic in the Lubbock area.
6. 18. **Resolution - Police:** Consider a resolution authorizing the Mayor to execute a Memorandum of Understanding with the Children’s Advocacy Center of the South Plains, for coordination of joint investigations involving child abuse.
6. 19. **Resolution - Police:** Consider a resolution authorizing the Mayor to execute a Memorandum of Understanding for Law Enforcement Services, by and between the City of Lubbock and the Lubbock Independent School District, to outline communication and coordination efforts between the department and the agency, according to Texas Education Code, Section 37.081 (g).
6. 20. **Ordinance 2nd Reading - Planning (District 4):** Consider Ordinance No. 2024-00131, for Zone Case 2161-M, a request of HFA for Lubbock Commercial Buildings, for a zone change from Neighborhood Commercial District (NC) to Auto-Urban Commercial District (AC), at 2731 82nd Street, located south of 82nd Street and east of Elgin Avenue, on approximately 1.25 acres of unplatted land out of Block E-2, Section 13.
6. 21. **Ordinance 2nd Reading - Planning (District 4):** Consider Ordinance No. 2024-00132, for Zone Case 3267-A, a request of Spindlebock Properties, LLC for a zone change from Neighborhood Commercial District (NC) to Heavy Commercial District (HC), at 3202, 3204, 3206, 3208, 3210, and 3212 118th Street and 3215, and 3217 116th Street, located between 116th Street and 118th Street and east of Indiana Avenue, Triple C Business Park Addition, Tracts A through H.

7. **Regular Agenda**

7. 1. **Ordinance Single Reading - Finance:** Consider an ordinance providing for the issuance of City of Lubbock, Texas, General Obligation Refunding Bonds, not to exceed \$50,000,000, in one or more series, of current outstanding bond issuances with the refunding candidates being General Obligation Refunding Bonds, Series 2014, Tax and Waterworks System Surplus Revenue Certificates of Obligation, Series 2015, General Obligation Refunding, Series 2015 and General Obligation Refunding Bonds, Taxable Series 2015; levying a tax in payment thereof; providing for the award of the sale thereof in accordance with specified parameters; approving an official statement; approving execution of a purchase contract; and enacting other provisions relating thereto.
7. 2. **Ordinance Single Reading - Finance:** Consider an ordinance providing for the issuance of City of Lubbock, Texas, Water and Wastewater System Revenue Refunding Bonds not to exceed \$65,000,000, in one or more series, of current outstanding bond issuances with the refunding candidates being the General Obligation Refunding Bonds, Series 2014, Tax and Waterworks System Surplus Revenue Certificates of Obligation, Series 2015, and General Obligation Refunding Bonds, Series 2015; providing for the award of the sale thereof in accordance with specified parameters; approving an official statement; approving execution of a purchase contract; and enacting other provisions relating thereto.
7. 3. **Resolution - Finance:** Consider a resolution authorizing the defeasance and redemption of Lubbock Preston Smith International Airport's outstanding General Obligation Refunding Bonds, Series 2019A; approving and authorizing the execution of an escrow agreement; and resolving other matters incident and related thereto.
7. 4. **Resolution - Finance:** Consider a resolution authorizing the redemption of Lubbock Preston Smith International Airport's portion of the 2015 General Obligation Refunding Bonds.
7. 5. **Resolution - Finance:** Consider a resolution expressing intent to finance expenditures to be incurred in the General Fund, Internal Service Fund, Airport fund and Water/Wastewater Fund for various capital projects and equipment approved by the City Council in the Fiscal Year 2024-25 Operating Budget and Capital Program, and to reimburse the City from the proceeds of obligations that will be issued after the expenditure of funds to pay costs of such projects and equipment.
7. 6. **Resolution - Finance:** Consider a resolution authorizing publication of Notice of Intent to issue City of Lubbock, Texas, Water and Wastewater System Revenue Bonds, not to exceed \$66,000,000 for the following projects: Lake 7 Design and Land Acquisition, West Lubbock Water System Expansion, Pump Station 11B, East 50th Street Water Line Extension, Southwest Lubbock Sanitary Sewer Expansion and SEWRP Plant #4 Primary Clarifier Rehabilitation.
7. 7. **Resolution - Lubbock Power & Light:** Consider a resolution authorizing the redemption of the outstanding Series 2015 Electrical Light and Power Systems Revenue Bonds.

7. 8. **Board Appointments - City Secretary:** Consider appointments to the Airport Board, Animal Services Advisory Board, Capital Improvements Advisory Committee, Health/Educational Facilities Development Corporation Board, Keep Lubbock Beautiful Advisory Committee, Lubbock Economic Development Alliance, Inc. Board of Directors, Lubbock Emergency Communications District Board of Managers, Market Lubbock, Inc. Board of Directors, Model Codes & Construction Advisory Board, Planning & Zoning Commission, Veterans Advisory Committee, and the Zoning Board of Adjustment.
7. 9. **Board Appointments - City Secretary:** Consider appointments to the Electric Utility Board.
7. 10. **Ordinance 1st Reading - Planning:** Consider and take action on the City of Lubbock Planning and Zoning Commission's final report of October 3, 2024, to the Lubbock City Council, on proposed amendments to the Unified Development Code (Ordinance No. 2023-O0054) recommended for adoption, limited to the following:
1. Section 39.03.015.e – Ground cover Requirements
 2. Table 39.03.016-2 – Bufferyard Classifications and Division 3.4 Trees, Landscaping, and Buffering
 3. Table 39.03.015-1 Landscape Points System
 4. Section 39.10.002 Definitions
 5. Table 39.03.015-1 Landscape Points System
 6. Section 39.03.019.a.6.B - Installation & Maintenance
 7. Section 39.10.002 - Definitions
 8. Appendix A Plant List and Chapter 39 – Unified Development Code
 9. Section 39.03.019.a.2 – Installation and Maintenance
 10. Section 39.03.016.e.1 – Bufferyard Standards
 11. Section 39.03.014.b General Provisions and Table 39.03.014-1 Required Landscaping Types Summary
 12. Table 39.03.015-1 Landscape Points System
 13. Table 39.03.015-1 Landscape Points System
 14. Section 39.03.016.e.3.B – Parking Bufferyard Standards
 15. Section 39.03.019.e.6 - Installation and Maintenance
 16. Table 39.03.014-1 – Required Landscaping Types Summary
 17. Table 39.03.015-1 – Landscape Points System
 18. Table 39.03.015-1 – Landscape Points System - Other
 19. Section 39.03.016.e.4 – Street Bufferyard
 20. Table 39.03.016-3 – Street Bufferyard Requirements
 21. Section 39.03.016.e.3.A – Parking Bufferyard Standards
 22. Section 39.03.016.e.3.B.i – Parking Bufferyard Standards - Composition
 23. Section 39.03.019.d.6 - Installation and Maintenance
 24. Section 39.03.015 – Development Landscaping
 25. Section 39.03.015 – Development Landscaping
 26. Figure 39.03.015-2 – Illustrative Parking Lot Planting Requirements
 27. Section 39.03.016.d.1 - Composition of Bufferyards
 28. Table 39.03.016-1 – District Bufferyard Standards

7. 11. **Ordinance 1st Reading - Public Works Water Utilities:** Consider an ordinance amending Section 22.03.083 of the City of Lubbock Code of Ordinances, regarding deposit requirements and related exceptions for utility service.

7. 12. **Ordinance 2nd Reading - Wastewater Utility:** Consider Ordinance No. 2024-00133, amending the City of Lubbock Code of Ordinances, Chapter 22, "UTILITIES", to provide for establishing new definitions, delineating sewer line repair and maintenance responsibilities, amending the regulation for City participation for large mains, and repealing certain inapplicable provisions.

7. 13. **Public Hearing - Business Development:** Hold a public hearing for the City Council to consider the creation of a Tax Increment Reinvestment Zone for the North Park development area, whose boundaries include approximately 332.8 acres of land in a portion of the City of Lubbock, Lubbock County, Texas, generally bounded by Erskine Street to the north, North Winston Avenue to the east, West Loop 289 to the south, and Frankford Avenue to the west.