

**City of Lubbock, Texas**  
**Regular City Council Meeting**  
**Thursday, March 28, 2013**

Glen C. Robertson, Mayor  
Karen Gibson, Mayor Pro Tem, District 5  
Victor Hernandez, Councilman, District 1  
Floyd Price, Councilman, District 2  
Todd R. Klein, Councilman, District 3  
Jim Gerlt, Councilman, District 4  
Latrell Joy, Councilwoman, District 6



Lee Ann Dumbauld, City Manager  
Sam Medina, City Attorney  
Rebecca Garza, City Secretary

<http://www.mylubbock.us>

City Council Chambers, 1625 13th Street, Lubbock, Texas

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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 775-2025 or write to Post Office Box 2000, Lubbock, Texas 79457 at least 48 hours in advance of the meeting.

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

**3:00 p.m. -- City Council convenes in open session, and recesses into executive session to consider items 1.-1.5.**

**6:15 p.m. -- City Council reconvenes in open session to consider items 2.-7.1.**

1. **Executive Session**

1. 1. Hold an executive session in accordance with Vernon's Texas Codes Annotated (V.T.C.A.) Government Code, Section 551.071, to discuss pending or contemplated litigation or settlement agreement, and hold a consultation with attorney.
  1. 1. 1. Omni Building located at 1208 14th Street.
  1. 1. 2. Godeke Library located at 6601 Slide Road.
  1. 1. 3. Concerning the bylaws and the articles of incorporation of Lubbock Economic Development Alliance and Market Lubbock Development Corporation and the proposed amendments thereof.
  1. 1. 4. Lone Star Dirt & Paving, Inc.
1. 2. Hold an executive session in accordance with V.T.C.A. Government Code, Section 551.072, to deliberate the purchase, exchange, lease, or value of real property.
  1. 2. 1. Omni Building located at 1208 14th Street.
  1. 2. 2. Godeke Library located at 6601 Slide Road.
  1. 2. 3. Police Department Headquarters.
1. 3. Hold an executive session in accordance with V.T.C.A. Government Code, Section 551.074 (a)(1), to discuss personnel matters and take appropriate action.

- 1.3. 1. City Attorney
- 1.3. 2. City Manager
- 1.3. 3. City Secretary

1.4. Hold an executive session in accordance to V.T.C.A. Government Code, Section 551.074 (a), to discuss personnel matters regarding the duties, responsibilities, and/or appointments to the Central Business District Tax Increment Finance Reinvestment Zone Board of Directors, Urban Design & Historic Preservation Commission, and Urban Renewal & Neighborhood Redevelopment Commission.

2. **Proclamations and Presentations**

- 2.1. Invocation by Senior Pastor Phil McClendon, The Springs Fellowship Church.
- 2.2. Pledges of Allegiance.
- 2.3. Presentation of a special recognition to the Lubbock Christian High School Boys and Girls Basketball teams for winning the Texas Association of Private and Parochial Schools 3-A State Championship.
- 2.4. Presentation of a special recognition recognizing the 2013 Lubbock Arts Festival.
- 2.5. Presentation of a special recognition commemorating the 2013 Colon Cancer Prevention and Awareness Campaign Kickoff.
- 2.6. Presentation of a special recognition for Spinal Bifida Awareness.
- 2.7. Presentation of special recognition to the South Plains Coalition for Child Abuse Prevention for "Lubbock Goes Blue for our Children Day" on April 4, 2013.
- 2.8. Presentation of a special recognition for Parkinson's Disease Awareness Month in April.

2.9. **Community Development Services Board:**  
Raquel Gonzales  
Francisco Gutierrez  
Sunshine Stanek

**Electric Utility Board:**  
Dwight McDonald

**Keep Lubbock Beautiful Advisory Committee:**  
David Arbecia  
Suzanne King  
Curtis Langford  
Barbara Robertson

3. **Citizen Comments - Any citizen wishing to appear before any regular meeting of the City Council shall advise the City Manager's office of that fact no later than seven calendar days before the meeting at which the citizen wishes to appear. Any citizen wishing to so appear shall inform the City Manager's office, in writing, of the subject of the appearance. The subject matter shall be sufficiently detailed as to inform the City Council and the public of its nature. Such notice shall contain the name and address of the requestor. The appearance of any citizen giving such notice to the City Manager's office shall take precedence in addressing the City Council during the Citizen Comments period. Any citizen failing to advise the City Manager's office of his/her wish to appear before the City Council as hereinabove set forth shall, time permitting, be permitted to address the City Council after those having given notice. In accordance with the Texas Open Meetings Act, the City Council may not take action on public matters during Citizen Comments.**

3. 1. Andrea Garcia will appear before the City Council to discuss Dixie Little League.

4. **Minutes**

4. 1. January 28, 2013 Special City Council Meeting (LEDA)  
February 28, 2013 Regular City Council Meeting  
March 5, 2013 Special City Council Meeting

5. **Consent Agenda - Items considered to be routine and 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. Page 39 **Budget Ordinance Amendment 2nd Reading - Finance:** Consider Budget Ordinance 2013-00031 Amendment 17 amending the FY 2012-13 Budget respecting the General Fund to provide funding for North and East Lubbock Community Development Corporation; increasing the sales tax revenue estimate; providing for filing; and providing for a savings clause.

5. 1. 1. Page 42 **Resolution - Finance:** Consider a resolution authorizing the Mayor to execute a grant management agreement, and all related documents, by and between the City and North and East Lubbock Community Development Corporation (NELCDC), for community and economic development services.

5. 2. Page 53 **Budget Ordinance Amendment 1st Reading - Finance:** Consider Budget Ordinance Amendment 18 amending the adopted FY 2012-13 Budget respecting the Grant Fund to accept and appropriate additional funding from the Texas Department of State Health Services (DSHS) for the Regional and Local Services Section/Local Public Health System (RLSS/LPHS) Grant; respecting the Capital Program to establish Capital Improvement Project 8583, Milwaukee Bridges: Marsha Sharp Freeway and Spur 327; providing for filing; and providing for a savings clause.

5. 3. Page 57 **Budget Ordinance Amendment 1st Reading - Finance:** Consider Budget Ordinance Amendment 19 amending the adopted FY 2012-13 Budget respecting the Lubbock Power and Light (LP&L) Fund to amend the LP&L Operating Budget for Electric Production Maintenance.

5. 4. Page 64 **Contract Resolution – Public Works Engineering:** Consider a resolution authorizing the Mayor to execute contract 11178 with MH Civil Constructors, Inc. for the Lake Alan Henry (LAH) Wildlife Mitigation Area (WMA) Water Distribution Project, BID 13-11178-DG.
5. 5. Page 72 **Contract Resolution – Water Utilities:** Consider a resolution authorizing the Mayor to execute Change Order 1 to contract 10839 with Allen Butler Construction, Inc. to re-route a water line and two electrical lines servicing the Lake Alan Henry (LAH) Maintenance Complex.
5. 6. Page 84 **Contract Resolution - Stormwater Engineering:** Consider a resolution authorizing the Mayor to execute contract 11132 with MH Civil Constructors, Inc., for the Concrete Drainage Channel Repairs Project, RFP 13-11132-MA.
5. 7. Page 99 **Contract Resolution - Public Works Traffic Engineering:** Consider a resolution authorizing the Mayor to execute purchase order contract 10007893 with Pelco Structural, LLC for traffic signal mast arm assemblies.
5. 8. Page 108 **Ordinance 1st Reading – Right-of-Way:** Consider an ordinance abandoning and closing a portion of 66th Street east of Milwaukee Avenue.
5. 9. Page 113 **Resolution - Right-of-Way:** Consider a resolution authorizing the Mayor to execute a Street Use License with Panda Express, Inc., c/o Panda Restaurant Group, Inc., for the use of a portion of a dedicated street to allow additional parking for the construction of the new Panda Express, 313 University Avenue.
5. 10. Page 121 **Ordinance 2nd Reading – Right-of-Way:** Consider Ordinance 2013-O0029 abandoning and closing a 20-foot underground utility easement located in Block AK Section 42, Lubbock County, adjacent to Tract A, Alcove Park Addition, 32nd and Yuma Avenue.
5. 11. Page 126 **Ordinance 2nd Reading – Right-of-Way:** Consider Ordinance 2013-O0030 abandoning and closing a Lubbock Power & Light (LP&L) switching enclosure easement located in the southeast corner of Tract A, Clayton Homes Addition, 2318 North University Avenue.
5. 12. Page 130 **Contract Resolution - Purchasing and Contract Management:** Consider a resolution authorizing the Mayor to execute contract 11146 with Baker Office Products for office furniture annual pricing, BID 13-11146-DT.
5. 13. Page 141 **Contract Resolution - Fleet:** Consider a resolution authorizing the Mayor to execute purchase order contract 31014234 with McGavock Auto Group for three mid-size pickups for the Police Patrol Department, BID 13-11075-DG.
5. 14. Page 148 **Contract Resolution - Fleet:** Consider a resolution authorizing the Mayor to execute purchase order contract 31014235 with Grande Ford Truck Sales, Inc. for a telescopic aerial truck with material handler and utility bed for Traffic Operations.
5. 15. Page 160 **Contract Resolution - Fleet:** Consider a resolution authorizing the Mayor to execute purchase order contract 25100370 with John Deere Company for a tractor and rotary cutter for Aviation.

5. 16. Page 166 **Contract Resolution - Fire:** Consider a resolution authorizing the Mayor to execute purchase order contract 10008075 with DACO Fire Safety Equipment for carbon fiber SCBA cylinders.
5. 17. Page 171 **Ordinance 2nd Reading - Planning:** Ordinance 2013-O0032. Consider a request for Zone Case 3200, a request of Felipe Rodriguez for a zoning change from C-3 to C-4 limited to a dance hall and all C-3 uses on the northwest half of Lot 14, and Lots 15 through 18, Block 1, Burlson Osborn Heights Addition (2841 and 2837 Clovis Road).
5. 18. Page 180 **Resolution - Lubbock Metropolitan Planning Organization:** Consider a resolution authorizing the Mayor to sign an Acceptance of Designated Recipient Status and Certifying Legal Capacity of Designated Recipient.
6. **Regular Agenda**
6. 1. Page 187 **Public Hearing 6:30 p.m. - Planning:** Consider a request for Zone Case 3203, a request of Todd Leake for a zoning change from T to M-1 limited to the wholesale of trees and shrubs and a holding yard on 3.4 acres of unplatted land out of Block E-2, Section 21 (north of 125th Street between Indiana Avenue and Flint Avenue) and consider an ordinance.
6. 2. Page 196 **Public Hearing 6:30 p.m. - Planning:** Consider a request for Zone Case 2224-E, a request of Quattro Lubbock, LLC for a zoning change from C-2A Specific Use to C-2 on Tract D-2-A, Western Meadows Addition (5605 Slide Road) and consider an ordinance.
6. 3. Page 204 **Resolution - Finance:** Consider a resolution accepting the City of Lubbock Comprehensive Annual Financial Report (CAFR) for fiscal year ended September 30, 2012.
6. 4. Page 206 **Resolution - City Council:** Consider a resolution approving the Amended and Restated Bylaws of Lubbock Economic Development Alliance, Inc. and discuss any further amendments for revisions to the Bylaws or Articles of Incorporation of Market Lubbock Economic Development Corporation.
6. 5. Page 229 **Board Appointments - City Secretary:** Consider two appointments to the Animal Services Advisory Board, five appointments to the Board of Health, one appointment to the Central Business District TIF Reinvestment Zone Board of Directors, one appointment to the Urban Design & Historic Preservation Commission, and one appointment to the Urban Renewal & Neighborhood Redevelopment Commission.
7. **Work Session/Business Agenda - Items for presentations and discussions on such issues that may require more in-depth consideration of the City Council than Regular Agenda items. Action may be taken on a Work Session/Business Agenda item posting if the item indicates to the public the action to be taken.**
7. 1. Discuss the manner and means of conducting employee evaluations of the City Manager, City Attorney and City Secretary, including but not limited to; forms to be used, timeline for evaluations to be conducted, directives to the City Manager, City Attorney and City Secretary, timelines for directives to be completed, City policies related to employee evaluations, and the prospect of retaining the services of a professional consultant for assistance in the completion thereof.