

**CITY OF LUBBOCK  
REGULAR CITY COUNCIL MEETING  
March 24, 2005  
7:30 A. M.**

The City Council of the City of Lubbock, Texas met in regular session on the 24th day of March, 2005, in the City Council Chambers, first floor, City Hall, 1625 13th Street, Lubbock, Texas at 7:30 A. M.

**7:30 A. M. CITY COUNCIL CONVENED**  
City Council Chambers, 1625 13th Street, Lubbock, Texas

**Present:** Mayor Pro Tem Tom Martin, Council Member Gary O. Boren, Council Member Linda DeLeon, Council Member Jim Gilbreath, Council Member Phyllis Jones, Council Member Floyd Price

**Absent:** Mayor Marc McDougal

**CITIZEN COMMENTS**

There were no citizens who expressed comments to the Council.

**EXECUTIVE SESSION**

Mayor Pro Tem Martin stated: "City Council will hold an Executive Session today for the purpose of consulting with the City Staff with respect to pending or contemplated litigation; the purchase, exchange, lease, or value of real property; personnel matters; competitive matters of the public power utility; commercial or financial information from an economic development business prospect seeking to locate, stay, or expand in or near Lubbock as provided by Subchapter D of Chapter 551 of the Government Code, the Open Meetings Law."

**7:31 A. M. CITY COUNCIL RECESSED TO EXECUTIVE SESSION**  
City Council/City Manager's Conference Room

All council members were present.

- (1) Hold an executive session in accordance with V.T.C.A. Government Code, Section 551.071(1)(A), to discuss pending or contemplated litigation (Cemetery; Overton; Planning and Transportation; Water Utilities).
- (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 (Airport; Overton).

- (3.) **Hold an executive session in accordance with V.T.C.A. Government Code, Section 551.074(a)(1), to discuss personnel matters (City Attorney; City Manager; City Secretary) and take appropriate action.**
- (4.) **Hold an executive session in accordance with V.T.C.A. Government Code, Section 551.074(a)(1), to discuss personnel matters regarding duties, responsibilities, and/or appointments to:**
- Neighborhood Redevelopment Commission  
Water Board of Appeals**
- (5.) **Hold an executive session in accordance with V.T.C.A. Government Code, Section 551.086, on the following competitive matters (Electric Utilities):**
- to deliberate, vote and take final action on electric rates of Lubbock Power and Light;**
- to discuss, vote and take action on a competitive matter regarding operation and capital statements and budgets, audits, revenue and expense projections, strategic and business plans and studies of Lubbock Power and Light;**
- to discuss and deliberate a competitive matter regarding the strategies, goals, funding and strategic purpose of the City of Lubbock's relationship with and membership in the West Texas Municipal Power Agency.**
- (5A.) **Hold an executive session in accordance with V.T.C.A. 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 (Airport).**

**9:35 A. M. CITY COUNCIL REGULAR MEETING RECONVENED  
City Council Chambers**

**Present: Mayor Pro Tem Tom Martin; Council Member Linda DeLeon; Council Member Jim Gilbreath; Council Member Phyllis Jones; Council Member Floyd Price; Lou Fox, City Manager; Anita Burgess, City Attorney; and Rebecca Garza, City Secretary**

**Absent: Mayor Marc McDougal and Council Member Boren**

**Mayor Pro Tem Martin called the meeting to order at 9:35 A. M.**

- ( 6.) Invocation by Pastor Paul Cunningham, Senior Pastor, Westminster Presbyterian Church.**
- ( 7.) Pledge of Allegiance was given in unison by those in the City Council Chambers to both the United States flag and the Texas flag.**

**BOARD APPOINTMENTS RECOGNITION**

North Overton Tax Increment Financing  
Receiving: Stan Mayfield  
Park & Recreation Board  
Receiving: Olga Riojas-Aguero

**CITIZEN APPEARANCES**

- ( 8.) Presentation of a proclamation to the American Business Club Rodeo.**

Mayor Pro Tem Martin read a proclamation from Mayor Marc McDougal proclaiming March 31st - April 2, 2005 as American Business Club Rodeo Days in Lubbock and asks that every citizen recognize the efforts that support our young people and improve the lives of all. Coby Wright, 2005 ABC Rodeo Chairman, Chelsi S. Dickerson, 2005 ABC Rodeo Queen, and Tatum C. Cagle, 2005 ABC Rodeo Princess, accepted the presentation.

- ( 9.) Presentation of an employee recognition to Lubbock Police Officer Christopher Hennsley.**

City Manager Lou Fox and Council Member Floyd Price joined Mayor Pro Tem Martin as he presented a special recognition to Lubbock Police Officer Christopher Hennsley for a job well done assisting and protecting the residents of Lubbock.

- (10.) Presentation of a proclamation to the Community Development Block Grant Program designating the week of March 21-24, 2005 as Community Development Week.**

Mayor Pro Tem Martin read the proclamation from Mayor Marc McDougal, designating March 21-24, 2005 as Community Development Week in Lubbock and asked every citizen to recognize the essential services provided by the Community Development Block Grant Program. Nancy Haney, Community Development Director, received the presentation and explained the Block Grant Program. She also recognized the staff of the City of Lubbock's Community Development Department.

**(11.) Presentation of a proclamation designating April 10-16, 2005 as National Public Safety Telecommunications Week.**

Mayor Pro Tem Martin explained a portion of the history of the City of Lubbock's telecommunication system. He then read a proclamation from Mayor Marc McDougal, designating April 10-16, 2005 as Public Safety Telecommunicators Week and encouraged all citizens to recognize all of our local telecommunicators for their dedication to our community and diligent service to their noble profession. Members of the City of Lubbock's Telecommunications Department present were Sheri Sanderson, Melissa Orosco, Christy Hennesley, Dawn Watkins, Kanna Jones, Cindy Al-Zeyadi, Ingrid Johnson, Lana Ford, and Jason Hinchliffe.

**(12.) Presentation of a special recognition regarding the 6th Annual Cesar Chavez Day.**

Mayor Pro Tem Martin read a special recognition from Mayor Marc McDougal honoring Cesar Chavez, born March 31, 1927, a prominent and successful leader of the Civil Rights Movement, a human rights advocate and labor organizer. Celebration of the 6<sup>th</sup> Annual Cesar Chavez Day, April 2, 2005, will include an Honor March from the Memorial Circle on Texas Tech Campus to Stumpy Hamilton Park and a "Get Out the Vote" rally with food, drinks, music, and fun. Accepting the presentation were Council Member Linda DeLeon, Daniel Sanchez, Maria Strong, Davita Dorrow, and Lisa Zerrata. Members of the Community of Hispanic American Professionals (CHAP) present were Margie Olivarez, John Ortiz, and Richard Alamanza.

**CONSENT AGENDA (Items No. 13-17, 19-23, 25-28, 31-33, and 35 )**

Motion was made by Council Member Jones, seconded by Council Member Price to approve Items 13-17, 19-23, 25-28, 31-33, and 35 on consent agenda as recommended by staff. Motion carried: 5 Yeas, 0 Nays.

- (13.) Approval of Minutes:**
- February 24, 2005**
  - Regular City Council Meeting**
  - March 4, 2005**
  - Regular City Council Meeting**
  - March 4, 2005**
  - Special City Council Meeting**
  - March 7, 2005**
  - Special City Council Meeting**

**March 8, 2005  
Special City Council Meeting**

- (14.) **ORDINANCE NO. 2005-O0030—Annexation of an area bounded by Ursuline Street, North Frankford Avenue, Clovis Highway, and North Quaker Avenue (Planning) (Councilwoman DeLeon away from the dais) (second and final reading).**
- (15.) **ORDINANCE NO. 2005-O0031—Amending the FY 2004-2005 Budget (Amendment #7) (second and final reading).**

**FISCAL IMPACT:**

1. Adopt re-evaluated Capital Improvement Program budget:

At the February 24, 2005 City Council meeting Jeff Yates, Director of Fiscal Policy and Strategic Planning, presented re-evaluated Capital Improvement Program (CIP) budgets for several funds. Input from City Council was received and incorporated into this CIP budget.

2. Authorize funding for enhancements in the Codes Enforcement Office:

The Codes Enforcement Office will staff a Code Enforcement Manager position. This position is much needed due to the priority City Council and the citizens of Lubbock are placing on codes enforcement. Funding for this position with benefits for the remainder of this fiscal year is \$45,000. At the direction of City Council at the February 24, 2005 City Council meeting, funding is also added to assist with a more aggressive weeds program - \$47,600 is being added to fund temporary help and \$150,000 is being added to fund weed mowing. Funding for enhancements to this program is coming from the Solid Waste Fund fund balance.

3. Eliminate Health Fee Revenue Fund and move both revenue and expenditures into the General Fund:

Revenue received from many of the services provided at the Health Department was going into a special fund. Likewise, expenditures for providing the services were also in this special fund. These activities should be accounted for in the General Fund. There is currently \$359,512.55 in the Health Fees Fund. All revenue will be moved into the General Fund. Expenditures in the Health Department cost center will be increased by \$353,606.71.

A brief description of the expenditures follows. The remaining \$5,905.84 will go into the General Fund fund balance.

Salary and Benefits	\$ 70,906.71
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Regular City Council Meeting  
March 24, 2005

Supplies	\$ 87,000.00
Utilities/Training	\$ 20,700.00
Computer Equipment/	
Building Improvements	\$175,000.00
General Fund fund balance	<u>\$ 5,906.00</u>
TOTAL	\$359,512.55

Any additional revenue received after this date will be moved into the General Fund and this special fund will be closed permanently.

4. Authorize ten additional full-time Police Officer positions:

Complying with the goal of two officers for every 1,000 people will require additional authorized positions. The request at this time is to authorize ten additional full-time positions. This will bring the number of authorized police personnel to 335. The funding for the ten additional full-time positions will be requested if needed through the course of the fiscal year. Any savings identified within the existing budget will be used first.

5. Accept and appropriate a grant from the U. S. Geological Survey (USGS), U.S. Department of Interior to fund additional digital orthophotography in Lubbock and surrounding counties:

Funding will be received in the amount of \$25,000. The USGS, U.S. Department of Interior contacted the Planning Department and offered to fund additional digital orthophotography for portions of Lubbock County. The photography will be done to USGS specifications and based on USGS quad maps.

The grant provides citizens services without negatively impacting the General Fund.

Staff recommended approval of the second reading of the ordinance amending the budget for FY 2004-2005.

- (16.) **Ordinance No. 2005-00035 abandoning and closing a temporary drainage easement located in Section 21, Block AK, Lubbock County, Texas (west of Frankford Avenue, north of 114th Street) (*Right-of-Way*) (*first reading*).**

This ordinance abandons and closes a 52-foot wide drainage easement located north of 114th Street and approximately 513 feet west of Frankford Avenue in Section 21, Block AK. This easement was dedicated in Volume 9522, Page 280 as part of the plat for Lots 47-95, Fountain Hills Addition. The plat is being vacated and this drainage easement is no longer needed.

**FISCAL IMPACT:**

None.

The Right-of-Way Department recommended approval of the first reading of this ordinance.

- (17.) **Ordinance No. 2005-O0036 abandoning and closing a 5-foot Lubbock Power and Light underground utility easement located in Lot S, Time's Square Addition to the City of Lubbock (2809 74th Street) (Right-of-Way) (first reading).**

This ordinance abandons and closes a 5-foot Lubbock Power and Light underground utility easement located along the east 5 feet of Lot S, Time's Square Addition. This easement was dedicated by plat in Volume 1833, Page 732 of the real property records of Lubbock County and is located just east of Elgin Avenue on the south side of 74th Street. Lubbock Power and Light no longer needs this easement and the owner has requested it be closed.

**FISCAL IMPACT:**

None.

The Right-of-Way Department recommended approval of the first reading of this ordinance.

**The next item considered was Item 19.**

- (18.) **Ordinance No. 2005-O0037 creating a Junk Vehicle Compliance Board and amending Section 16-376 of the Code of Ordinances to allow the public hearings regarding removal of junk vehicles to be heard by this Board (Police/Codes Enforcement) (first reading).**

**This item was moved from consent agenda to regular agenda and considered following Item 35.**

Creation of this Board will expedite the removal of junk vehicles and remove this responsibility from the Zoning Board of Adjustment.

**FISCAL IMPACT:**

None.

The Police and Codes Enforcement Departments recommended passage of this ordinance.

Tom Mann, Assistant Police Chief, gave comments on the need to have a special Board to handle the issues of junk vehicles.

Motion was made by Council Member Jones, seconded by Council Member Price to pass on first reading Ordinance No. 2005-00037 as recommended by staff. Motion carried: 5 Yeas, 0 Nays.

**The next item considered was Item 24.**

- (19.) **Resolution No. 2005-R0118 authorizing the Mayor to execute a contract of sale with General Steel Warehouse, Inc. for a 2.978-acre tract of land at the northwest corner of North Indiana Avenue and Clovis Highway-US 84 (3402 Clovis Road) (*Right-of-Way*).**

**This item was considered following Item 17.**

This resolution authorizes the Mayor to execute a contract of sale with General Steel Warehouse, Inc. for a 2.978-acre tract of land north of Clovis Highway between North Indiana Avenue and North Loop 289. This acreage was acquired by the City in 1926 for the Water Utilities Department and is no longer needed. This tract of land was recently placed up for public bid through the Purchasing Department through bid #05-005/BM and General Steel was the successful bidder at \$14,100.

**FISCAL IMPACT:**

Revenue for the City of \$14,100.

The Right-of-Way Department recommended approval of this contract of sale with General Steel Warehouse, Inc.

- (20.) **Resolution No. 2005-R0119 authorizing the Right-of-Way Department to make an offer to First AG Credit, FCS for a 3,848 square foot tract of land out of Tract B, Newman Addition and out of a tract of land out of Section 28, Block E-2, Lubbock County (5701 50th Street) (*Right-of-Way*).**

The City is in the process of acquiring right-of-way for the 50th Street widening project from Slide Road westward to Loop 289. This resolution authorizes the Right-of-Way Department to make an offer to First AG

Credit, FCS for a parcel for this project. This parcel is located on the south side of 50th Street, just west of Elkhart Avenue. Tommy Cantrell, M.A.I., is the appraiser for this project and appraised this 3,848 square foot tract of land at \$8.50 per square foot for a value of \$32,708, improvements taken of \$6,704, and damages to the remainder of \$160,588 for a total appraised value of \$200,000 which is the offer recommended to First AG Credit, FCS. Damages are a result of the proximity of the new right-of-way line to the front of the building, the loss of parking spaces, and construction of new parking spaces to the west of the building on unplatted land First AG Credit owns. This resolution also authorizes the City to institute condemnation proceedings to acquire this property if the offer is refused.

**FISCAL IMPACT:**

Expense to the City of \$200,000 from account #915-9146-9280-40000 (Street Capital Projects).

The Right-of-Way Department recommended approval of the offer to First AG Credit, FCS.

- (21.) **Resolution No. 2005-R0120 authorizing the Right-of-Way Department to make an offer to Robert R. Masten d/b/a Wings and Things, and wife Laura Masten a/k/a Laura N. Masten, for a 408 square foot tract of land out of Lots 12, 13, and 14, Axe-Henderson Addition to the City of Lubbock (5307 50th Street) (*Right-of-Way*).**

The City is in the process of acquiring right-of-way for the 50th Street widening project from Slide Road westward to Loop 289. This resolution authorizes the Right-of-Way Department to make an offer to the Masten family for a parcel for this project. This parcel is located on the south side of 50th Street, just east of Bangor Avenue. Tommy Cantrell, M.A.I., is the appraiser for this project and appraised this 408 square foot tract of land at \$8.70 per square foot for a value of \$3,550, improvements taken of \$510, and damages to the remainder of \$17,940 for a total appraised value of \$22,000 which is the recommended offer to the Mastens. This resolution also authorizes the City to institute condemnation proceedings to acquire this property if the offer is refused.

**FISCAL IMPACT:**

Expense to the City of \$22,000 from account #915-9146-9280-40000 (Street Capital Projects).

The Right-of-Way Department recommended approval of the offer to Robert R. Masten d/b/a Wings and Things, and wife Laura Masten, a/k/a Laura N. Masten.

**(22.) Resolution No. 2005-R0121 authorizing the Mayor to execute agreements with certain property owners on the south side of 98th Street from Bangor to Iola Avenues (*Street Drainage/Engineering*).**

A portion of the street widening project of 98th Street from Slide Road to Frankford Avenue will involve excavation and re-compaction of an existing utility ditch. The utility trench will be mitigated from Slide Road to Iola Avenue. This excavation will likely affect private improvements on the south side of 98th Street.

In an effort to protect the abutting homes during construction, and reconstruct any affected private improvements, staff has requested the property owners sign an agreement authorizing the City to access their property for the following purposes:

1. Drill 2 soil bores to evaluate subsurface stability of the house,
2. Perform an interior and exterior video survey of the house, and
3. Replace any fences, irrigation, landscaping, and other improvements affected by the construction.

This resolution authorizes the Mayor to execute an agreement with three abutting property owners:

1. Bonnie Jackson,
2. Klaus Scholz, and
3. Robert and Brenda Langehennig.

**FISCAL IMPACT:**

The costs associated with the work described by the subject agreements are included in the capital project for widening 98th Street from Slide Road to Frankford Avenue.

Staff recommended approval of this resolution.

**(23.) Resolution No. 2005-R0122 authorizing the Mayor to execute Amendment No. 4 to the agreement for engineering services with Parkhill, Smith & Cooper, Inc. on the Milwaukee Paving Project from 34th to 98th Streets (*Street Drainage/Engineering*).**

Amendment No. 4 to the agreement for engineering services with Parkhill, Smith & Cooper, Inc. (PSC) for the Milwaukee Avenue paving Improvement Project from 34th to 98th Streets includes:

1. Additional traffic signal design services, and
2. Bid and construction phase services to be performed by the Engineer (PSC), including services of Resident Project Representatives (RPR) for continuous on-site representation during construction.

The original agreement included the preparation of a preliminary report, schematics, cost estimates, a life cycle cost analysis of paving alternatives, and cost distribution alternatives of abutting land owners.

Amendment No. 1 added the detailed design and surveying services to the agreement.

Amendment No. 2 added certain geotechnical investigations to the Agreement.

Amendment No. 3 revised the provisions for Termination and Stop Orders, specifically the Stop Work Order date of the agreement unless otherwise notified by the City.

**FISCAL IMPACT:**

Amendment No. 4 will add an additional \$481,490 to the Engineering Services Agreement resulting in a total amount for Engineering Services of \$1,602,043. Currently, the capital project for Milwaukee Avenue has a budget amount of \$15,115,000 with an available balance amount of \$14,740,445. Bids are scheduled for construction for April 21, 2005. After bids are received, Council may decide to revise the budget amount. Approximately \$4.2 million of the total project cost (currently estimated at \$18.3 million) is expected to be paid by abutting landowners.

The Street/Drainage Engineering Department recommended approval of this resolution.

**The next item considered was Item 25.**

- (24.) **Resolution No. 2005-R0131 expressing the intent to pave 98th Street from Slide Road to Frankford Avenue on an assessment paving program (*Streets and Paving*).**

**This item was moved from consent agenda to regular agenda and considered following Item 18.**

This resolution is the third of five resolutions required to initiate an assessment-paving program. The proposed paving improvements are as follows:

98th Street from FM 1730 (Slide Road) to Frankford Avenue

This resolution will be filed in the Real Property Records of Lubbock County, and serves to notify anyone doing title research that an assessment on the affected properties is in progress.

**FISCAL IMPACT:**

None.

Staff recommended approval of this resolution.

Motion was made by Council Member Jones, seconded by Council Member Price to pass Resolution No. 2005-R0131 as recommended by staff. Motion carried: 4 Yeas, 0 Nays.

Council Member Gilbreath recused on this item.

**The next item considered was Item 29.**

- (25.) **Resolution No. 2005-R0123 authorizing acceptance of sanitary sewer improvements for Lot 1, The Preserve at Prairie Pointe Addition to the City of Lubbock, Lubbock County, Texas, between 82nd and 98th Streets, and between Avenues P and U (*Water Utilities*).**

**This item was considered following Item 23.**

This is a routine acceptance of sanitary sewer improvements constructed in accordance with the subdivision regulations. The total cost of the improvements is \$375,688.73 and has a value of \$372,000.00 as determined by the unit prices established by said Chapter 28. Cash paid to the City is \$3,688.73 that includes \$0.00 as adjacent mains. The developer, Lubbock Housing Authority, will receive a refund of \$230,080.00 in accordance with Chapter 28, of the Code of Ordinances of the City of Lubbock. There is no refund deposit.

The subdivision is located between 82nd and 98th Streets, and between Avenues P and U.

**FISCAL IMPACT:**

This a routine transfer of ownership of water and sewer lines installed in new subdivisions, from the Developer to the City. The value of the system is added to the City and there are no expenditures involved in accepting ownership.

When accepted, the system will produce revenue for the City through the sale of water and sewer services to the public.

Staff recommended acceptance of the improvements.

- (26.) **Resolution No. 2005-R0124 authorizing the Mayor to execute an agreement by and between the City, a home rule Municipal Corporation, and Deere & Company, a Delaware corporation, for the temporary use of City property for public purposes (*Land Application*).**

The purpose of this agreement is to allow Deere & Company temporary use of the Morton building located at the Lubbock Land Application Site to demonstrate and educate persons regarding agricultural equipment. This activity will not only benefit the City but also will also provide a public purpose in that the attendees of the educational activities will purchase lodging and meals in the City and be educated on the land application activities of the City.

**FISCAL IMPACT:**

Advertising for this event was conducted through the Dealers and Leadership Program and is expected to draw 150 farmers and dealers from surrounding areas in Texas, as well as City of Lubbock staff. For this two-day event attendees will be utilizing amenities provided by our community for food and lodging.

Staff recommended approval of this resolution.

- (27.) **Resolution No. 2005-R0125 giving notice to the presiding officers of each governing body of each taxing unit having jurisdiction in assessing tax rates on property located at 201 East Municipal Drive of the intent of the City to execute an amendment to the Tax Abatement Agreement, and all related documents, with Purina Mills, LLC; and authorizing the Mayor to execute an amendment to the Tax Abatement Agreement with Purina Mills, LLC seven days after the notice has been delivered by the City Secretary (*Business Development*).**

Purina Mills has an existing tax abatement agreement with the City that was executed on April 10, 1997. This resolution amends the existing contract to conform to the current tax abatement guidelines as amended on December 16, 2004 by City Council. Copies of the amendment and existing contract have been included in the backup documents.

**FISCAL IMPACT:**

No change.

Staff recommended approval of this resolution.

- (28.) **Resolution No. 2005-R0126 authorizing the reimbursement of costs associated with the purchase of equipment from the proceeds of a tax-exempt master lease-purchase obligation (*Finance*).**

On December 16, 2004 the City Council approved and entered into a Master Lease-Purchase Agreement with Frost National Bank. The Master Lease-Purchase Agreement provides funding to finance the City's general equipment needs. The agreement is a financial instrument that enables the City to use annual tax revenue streams to make payments for essential use equipment at lower, tax-exempt interest rates. Under this agreement the City will finance various pieces of equipment acquired at different times over the term of the agreement.

As these items are received at various times, with multiple payment term requirements by each vendor, the City needs a way to streamline the payment process for these items. Upon passage of this resolution, the City will pay each vendor as each invoice comes due. Following payment of these invoices, the City will submit a request to Frost National Bank for reimbursement of those expenses.

Due to the tax-exempt status of this financing arrangement, the City must adopt a reimbursement resolution in order to request reimbursement from Frost National Bank for these expenditures.

**FISCAL IMPACT:**

This resolution allows reimbursement of authorized costs incurred in advance of the issuance of master lease-purchase financing in order that the equipment may be purchased within prescribed timeframes. The reimbursement of costs associated with the property will not exceed \$11.5 million.

Staff recommended approval of this resolution.

**The next item considered was Item 31.**

- (29.) **Resolution No. 2005-R0132 waiving the right of the City to apply for a Juvenile Accountability Incentive Block Grant and designating Lubbock County as the recipient of the funds (*Police*).**

**This item was moved from consent agenda to regular agenda and considered following Item 24.**

The Governor's Criminal Justice Division is preparing to award the Juvenile Accountability Incentive Block Grant funding to the City in the amount of \$14,043 with a cash match of \$1,560 for fiscal year 2005-2006. Lubbock County is eligible for \$16,464, with a 10% cash match.

The City has waived its right to these State juvenile grant funds for the past several years in order to increase the amount of funding from this grant for the Lubbock County Juvenile Justice Center. Lubbock County pays the City's portion of the local match required by the grant.

Lieutenant Jerry Brewer with the Lubbock Police Department will be receiving quarterly reports from the Lubbock County Juvenile Justice Center in order to monitor this grant. Les Brown, Lubbock County Juvenile Justice Center Director, will be the individual responsible for expenditure of the funds on behalf of Lubbock County.

**FISCAL IMPACT:**

The City is waiving receipt of \$14,043 in funding. This funding is currently not budgeted in the 2004-2005 budget. However, these funds will be used for juvenile justice purposes by Lubbock County at the Lubbock County Juvenile Justice Center.

Staff recommended approval of this resolution.

Council Member DeLeon asked that this item be pulled so that the citizens of Lubbock realize the partnership between the City of Lubbock and other entities.

Assistant Police Chief Tom Mann introduced Les Brown, Lubbock County Juvenile Justice Center Director, who gave comments on the programs that this funding has helped.

Motion was made by Council Member DeLeon, seconded by Council Member Price to pass Resolution No. 2005-R0132 as recommended by staff. Motion carried: 5 Yeas, 0 Nays.

- (30.) Resolution No. 2005-R0133 authorizing the Mayor to execute an Economic Development Initiative-Special Projects application, and all related documents, between the City and the U. S. Housing and Urban Development Department for the capital needs for the Mackenzie Park Amphitheater (*Parks and Recreation*).**

**This item was moved from consent agenda to regular agenda and considered following Item 29.**

The Department of Housing and Urban Development has given preliminary approval for a \$447,075 allocation for capital needs for the Mackenzie Park Amphitheater. The City's Parks and Recreation Department will be the Grantee.

Congress allocated these funds for the Mackenzie Park Amphitheater. This application is a follow up to the allocation in order to draw down the funds. These funds will be used for partial funding for the construction of the amphitheater.

**FISCAL IMPACT:**

The funding amount from the U.S. Department of Housing and Urban Development is \$447,075. This is the funding source for the capital project.

Staff recommended approval of this resolution.

Mayor Pro Tem Martin requested this item be pulled to express his concerns of unresolved issues. He also requested documentation including copies of agenda item back-up, tapes from the City Council meeting, and all representations made to this Council regarding the "screening wall".

Randy Truesdell, Director of Community Services, gave comments and answered questions from Council. He expressed the significance of getting this resolution passed because of the HUD application deadline.

City Manager Lou Fox explained that meetings will be held with the South Plains Fair Board next week.

Council Member Gilbreath requested an agenda item be placed on next City Council Meeting regarding the wall being completed. He also requested the City Council meeting tapes from 1999 on the original intent of the wall.

Motion was made by Council Member Jones, seconded by Council Member Price to pass Resolution No. 2005-R0133 as recommended by staff. Motion carried: 4 Yeas, 1 Nay. Mayor Pro Tem Martin voted Nay.

**The next item considered was Item 34.**

**(31.) Resolution No. 2005-R0127 for City Park Maintenance – Litter Pick-up and Disposal (*Parks and Recreation*).**

**This item was considered following Item 28.**

This contract with TIBH Industries of Austin, Texas and Marian Moss Enterprises of Lubbock, Texas will provide litter pick-up and disposal at 78 City parks.

TIBH Industries helps provide employment through the Texas State Use Purchase Plus Program for Texans with blindness and/or other disabilities. TIBH Industries markets excellent products and services of these exceptional Texans and serves as the interface between community rehabilitation centers and the purchasing systems of the state, cities, school districts, counties, and all other political subdivisions.

The contract term is from March 2005 through December 2005 with an option to renew annually for up to two one-year terms.

**FISCAL IMPACT:**

A total of \$1,012,362 was appropriated with \$909,634 available in Project Number 5221.8314 (Privatization) for this purpose.

Award contract to TIBH Industries of Austin, Texas and Marian Moss Enterprises of Lubbock, Texas, for \$86,670.59.

**(32.) Resolution No. 2005-R0128 - Bid #05-007/MA—Consider one resolution for Paper – Six Month Pricing (*Print Shop*).**

This bid establishes six month pricing for the purchase of paper used by the Print Shop and other City departments for printing and copying.

Twenty-six local businesses were notified of the Invitation to Bid.

**FISCAL IMPACT:**

A total of \$820,538 was appropriated with \$720,310 available in Project Number 3524 (Office Supplies) for this purpose.

Award bid to Unisource Worldwide of Lubbock, Texas for \$32,411.65 and Olmsted-Kirk Paper Company of Lubbock, Texas for \$574.20.

**(33.) Resolution No. 2005-R0129 - Bid #05-009/RW—Consider one resolution for Street Marker Blanks (*Traffic Engineering*).**

This bid is for the purchase of street marker blanks used by Traffic Operations for the nine-inch Street Marker Upgrade Project. These items are necessary to upgrade the current street name markers from 6” to 9” as mandated by the federal government and will improve street marker

visibility as requested by City Council. Traffic Operations will place these items throughout the city.

Sixty-six local businesses were notified of the Invitation to Bid.

**FISCAL IMPACT:**

A total of \$348,500 was appropriated with \$89,868 available in Project Number 90162 (Nine-Inch Street Marker Upgrade Project) for this purpose.

Award bid to Osburn Associates, Inc. of Cleburne, Texas, for \$60,465.

**The next item considered was Item 35.**

- (34.) **Resolution No. 2005-R0134 - Bid #05-012/MA—Consider one resolution for Pre-Cast Concrete Restroom (*Parks and Recreation*).**

**This item was moved from consent agenda to regular agenda and considered following Item 30.**

This bid is for the purchase of a pre-built concrete restroom facility for installation at the Dirk West Athletic Complex in Mackenzie Park. The existing restrooms are in poor condition and do not meet standards required by the Americans with Disabilities Act (ADA). This restroom will be delivered on site and will meet ADA standards.

Thirty-five local businesses were notified of the Invitation to Bid.

**FISCAL IMPACT:**

A total of \$100,000 was appropriated with \$100,000 available in Project Number 90392 (Mackenzie Park Softball Renovations 2005) for this purpose.

Award bid to Concrete Modular Systems, Inc. of Tarpon Springs, Florida for \$49,966.87.

Victor Kilman, Purchasing Manager, gave comments.

Randy Truesdell, Director of Community Services, explained the meaning of a pre-cast concrete restroom.

Motion was made by Council Member Price, seconded by Council Member DeLeon to pass Resolution No. 2005-R0134 as recommended by staff. Motion carried: 5 Yeas, 0 Nays.

**The next items considered were Items 40-44.**

**(35.) Resolution No. 2005-R0130 - RFP #05-006/RW—Consider one resolution for Advertising and Marketing Services (*Public Information*).**

**This item was considered following Item 33.**

This contract provides an advertising and marketing agency to assist City departments with advertising and marketing needs that cannot be met by the Public Information Office. Services include marketing campaigns, brochures and other print production, media buys, and video production. The Public Information Office does not have the resources to provide agency services to departments. Those departments that have budgets for services use the agency under contract.

Four full service advertising/marketing firms submitted proposals to the City for advertising and marketing services for the organization. Four firms submitted proposals and were ranked as follows:

- The Thomas Agency of Lubbock, Texas 1,720 points
- Randy Christian and Partners of Lubbock, Texas 1,690 points
- The Price Group of Lubbock, Texas 1,070 points
- OnMessage of Addison, Texas 290 points

A Selection Committee was chosen by the Public Information and Marketing Manager, serving as the contract manager for this contract. The Committee included three City staff members, who use the agency under contract, and Renee Underwood, Director of Advertising for United Supermarkets.

The Evaluation Committee used the basic evaluation methods in the Evaluation Procedures for Competitive Negotiation for Professional & Non-Professional Services of the City Purchasing Department.

The evaluation criteria in the RFP included: 1) creative direction 40%, 2) hourly rate 40%, 3) billing methods 10%, and 4) examples of print and video work 10%. Each Committee member reviewed and rated each proposal individually and again following Committee discussion.

Each member submitted rating outlines after studying each proposal. Examples of print work were examined and TV spots and special videos were viewed.

Twenty-eight local businesses were notified of the Invitation to Bid.

**FISCAL IMPACT:**

A total of \$107,000 was appropriated with \$107,000 available in Project Numbers 4473 (Community Development), 4523 (Traffic Engineering), 6111 (Public Works), 6113 (Public Works), and 5511 (Public Works) for this purpose.

Award contract to The Thomas Agency of Lubbock, Texas for \$107,000.

**The next item considered was Item 18.**

**PUBLIC HEARINGS**

**10:30 A.M. Zoning**

**Items 36-38 were considered following Item 44.**

- (36.) Ordinance No. 2005-O0039 - ZONE CASE NO. 3032 (north of Erskine Street and east of North Milwaukee Avenue): Hold a public hearing to consider the request of Mark G. Anderson (for Wilshire Estates, LLP) for a zoning change from T to R-1 Specific Use for town homes, garden homes, and reduced setbacks on 51.3 acres of unplatted land out of Section 7, Block JS. (first reading).**

Mayor Pro Tem Martin opened the public hearing at 10:30 a. m. No one appeared on behalf of Wilshire Estates, LLP. No one appeared in opposition. Mayor Pro Tem Martin closed the hearing at 10:31 a. m.

The request is a follow-up of a recent case on the south 600 feet of the parcel; this land is now in the City limits and eligible for zoning. The subdivision is proposed as a retirement community and will be developed with private drives versus public streets. That option will allow restricted access.

Adjacent land uses are vacant in all four directions.

The applicant will develop three types of homes within the subdivision:

- Bay Home is similar to a house in a traditional neighborhood where the parking and service is in the rear and a front porch defines the front. The main difference from a house and a Bay Home is that the Bay Home is maintenance free on a condominium type lot. The home structure is owned and the land is common. This allows a break from the strict street/lot relationship typical in single-family platting. The clustering of open space with walks that connect porches instead of streets is typically similar in shape as a "bay" inlet of water, thus the name "Bay Home". The homes are

staggered to allow a panoramic view from the front rooms of the home. These front rooms are living areas. A kitchen is placed as a focal point of this living area. The front porch is visible from the kitchen and living areas, and side windows are placed to take advantage of the panoramic views of the common area.

- A secondary side entrance (similar to a zero lot line home) connects the rear loaded parking areas with the living area as an alternate entry point.
- A town home with a common wall.

The proposal is to provide a Specific Use Permit that will allow the developer to disperse the three types of homes within the subdivision. With all of the home styles simply a variation of “single family”, and the fact that the project is master-planned, staff recommended that the three styles be approved with regard to location at the discretion of the developer.

One letter of opposition does illustrate that this subdivision will create the need to upgrade either or both Erskine Street west of Frankford Avenue and Milwaukee Avenue north of 4th Street in the near future. Both streets are now two-lane strip paved, but are targeted on the thoroughfare as “T-2” (seven lane thoroughfares).

The Planning Commission recommended the request with the following conditions:

1. The three types of housing plans (bay home, zero lot line home, and town home) may be dispersed throughout the community at the discretion of the developer.
2. Coverage on individual lots located within common areas may be 100%.
3. Setback and coverage of non-common area lots shall meet the development standards for garden homes (zero lot line) or town homes (row housing) in Section 29-24(c)(2).
4. Each lot shall have two off street paved parking spaces, exclusive of the garage.

**FISCAL IMPACT:**

Not applicable.

Staff supports the Planning Commission recommendation.

Motion was made by Council Member DeLeon, seconded by Council Member Price to pass on first reading Ordinance No. 2005-00039 as recommended by staff. Motion carried: 5 Yeas, 0 Nays.

- (37.) **ZONE CASE NO. 2573-G (north of Auburn Street and west of North Winston Avenue): Hold a public hearing to consider the request of Ken Flagg and Sid Shavor (for I. C. S. Investment Group, LLP) for a zoning change from C-3 to AM Specific Use for a hotel on 3 acres of unplatted land out of Section 22, Block A. (first reading).**

**This item was continued until April 14, 2005.**

Mayor Pro Tem Martin opened the public hearing at 10:30 a. m. No one appeared on behalf of I. C. S. Investment Group, LLP. No one appeared in opposition. Mayor Pro Tem Martin closed the hearing at 10:31 a. m.

The proposal would facilitate a motel on a parcel west of the recently developed Heart Hospital, North Star facilities and a student apartment complex. The site is located approximately 500 feet from the Loop 289 frontage road.

Adjacent land use:

- North – vacant, zoned commercial
- South – vacant, zoned commercial
- East – zoned A-2, under construction as an apartment complex
- West – vacant, zoned commercial

The project meets the intent of the Comprehensive Land Use Plan recently amended for this area. White motels are a permitted use in C-4; the use is also allowed in the AM District with a Specific Use Permit. Staff requested the latter district be used in lieu of C-4. A “typical” site plan, elevation, and rendering have been provided and are requested to be included within the Specific Use Permit.

The project will not create any traffic not anticipated by the future land uses approved within the current zoning and master plan for the area. The proposal for Slide Road connection under Loop 289 will remain a critical issue for this northwest growth area.

The Planning Commission recommended approval of the request with the following condition:

1. The motel shall adhere to the “typical” site plan, elevation, and rendering approved as Site Plan 2573-G. Minor adjustments may occur as actual plans are presented for permitting.

**FISCAL IMPACT:**

Not applicable.

Staff supports the Planning Commission recommendation.

Motion was made by Council Member DeLeon, seconded by Council Member Price to continue this item until the April 14, 2005 City Council meeting. Motion carried: 5 Yeas, 0 Nays.

- (38.) **Ordinance No. 2005-O0040 - ZONE CASE NO. 3033 (southwest corner of Wausau Avenue and Brownfield Highway - US 62/82): Hold a public hearing to consider the request of Hugo Reed and Associates, Inc. (for White Hatters, LP) for a zoning change from T to IHC on Tracts A, B, and C, West Ridge Commercial Park Addition. (first reading).**

Mayor Pro Tem Martin opened the public hearing at 10:30 a. m. No one appeared on behalf of White Hatters, LP. No one appeared in opposition. Mayor Pro Tem Martin closed the hearing at 10:31 a. m.

The request is for approval of Interstate Commercial on an area adjacent to the Brownfield Highway and west of Wausau Avenue, within the area annexed in 2000.

Adjacent land use:

North – Brownfield Highway

South – vacant, zoned T

East – partially commercial and partially residential, both in place prior to annexation

West – vacant, zoned T

The proposal meets policy as adopted within the Comprehensive Land Use Plan and zoning policies. Development of the parcels should not have a negative impact on the thoroughfare system. No citizens appeared during the Planning Commission meeting.

The Planning Commission recommended approval of the request by City Council.

**FISCAL IMPACT:**

Not applicable.

Staff supports the Planning Commission recommendation.

Randy Henson, Senior Planner, gave comments and explained to Council that there are no conditions on this case.

Motion was made by Council Member DeLeon, seconded by Council Member Price to pass on first reading Ordinance No. 2005-00040 as recommended by staff. Motion carried: 5 Yeas, 0 Nays.

**The next items considered were Items 47-51.**

**ADMINISTRATIVE SERVICES**

**Parks and Recreation**

- (39.) **Consider a resolution authorizing the Lubbock Chamber of Commerce Foundation to construct a memorial in honor of Willie McCool at Henry Huneke Park (*Parks and Recreation*).**

**This item was deleted.**

**CITY SECRETARY**

**Items 40-44 were considered following Item 34.**

- (40.) **Appoint the Chair for the North Overton Tax Increment Financing Reinvestment Zone for calendar year 2005, with the term ending January 1, 2006.**

By State statute and ordinance creating the North Overton TIF, the governing body of the municipality will appoint one member of the Board to serve as Chair for a term of one year. Jack Driskill is currently serving as Chair and has agreed to serve this year.

**FISCAL IMPACT:**

Not applicable.

Staff recommended Jack Driskill be appointed as Chair of the North Overton TIF.

Motion was made by Council Member Gilbreath, seconded by Council Member Price to appoint Jack Driskill as Chair of the North Overton TIF as recommended by staff. Motion carried: 5 Yeas, 0 Nays.

- (41.) **Appoint the Chair for the Central Business District Tax Increment Financing Reinvestment Zone for calendar year 2005, with the term ending January 1, 2006.**

By State statute and ordinance creating the Central Business District TIF, the governing body of the municipality will appoint one member of the Board to serve as Chair for a term of one year. Merle Blosser is currently serving as Chair and has agreed to serve this year.

**FISCAL IMPACT:**

Not applicable.

Staff recommended Merle Blosser be appointed as Chair of the Central Business District TIF.

Motion was made by Council Member Gilbreath, seconded by Council Member Jones to appoint Merle Blosser as Chair of the Central Business District TIF as recommended by staff. Motion carried: 5 Yeas, 0 Nays.

**FINANCE**

- (42.) **Ordinance No. 2005-O0038 amending the FY 2004-2005 Budget (Amendment #8) (first reading).**

**FISCAL IMPACT:**

1. Adopt the re-evaluated Capital Improvement Program budget:

At the March 4th City Council meeting Jeff Yates, Director of Fiscal Policy and Strategic Planning, presented re-evaluated Capital Improvement Program budgets for several funds. Input from City Council was received and incorporated into this CIP budget. The first portion of the revised CIP budget is on this same agenda (2nd reading).

2. Accept and appropriate a grant from the Texas Department of Human Services to fund the Summer Food Service Program:

Funding will be awarded in the amount of \$49,724. Lunch is provided to children during the summer months at several elementary schools as well as community centers.

The grant provides citizen services without negatively impacting the General Fund.

Staff recommended approval of the first reading of the ordinance amending the budget for FY 2004-2005.

Jeff Yates, Director of Financial Policy and Strategic Planning, gave comments.

Motion was made by Council Member DeLeon, seconded by Council Member Jones to pass on first reading Ordinance No. 2005-00038 as recommended by staff. Motion carried: 5 Yeas, 0 Nays.

**(43.) Resolution No. 2005-R0135 - Bid #05-008/RW—Consider one resolution for Traffic Signal Equipment (*Traffic Operations*).**

This bid is for the purchase of traffic signal equipment for high volume intersections to accommodate increased traffic in the west and southwest sections of the city. Equipment includes signal heads, pedestrian signals, and hardware necessary to hang signals.

Items 4 through 6 and 10 through 12 shown on the tab sheet were deleted due to wind research by Texas Tech University that recommended that slotted back plates be used instead. Additionally the City Traffic Engineer in Amarillo recommended that staff use aluminum instead of plastic. Items 34 through 36 shown on the tab sheet were deleted because there is sufficient inventory on hand.

Fifty-eight local businesses were notified of the Invitation to Bid.

**FISCAL IMPACT:**

A total of \$4,340,707 was appropriated with \$365,862 available in Project Number 9296 (Computer System Design) for this purpose.

Award bid to Consolidated Traffic Controls of Arlington, Texas for \$13,396; General Traffic Equipment Corporation of Newburgh, New York for \$9,064; and Paradigm Traffic Systems of Fort Worth, Texas, for \$32,060; and reject bids for items 4 through 6, 10 through 12, and 34 through 36.

Victor Kilman, Purchasing Manager, gave comments and requested Council to reject bids on Items 4-6, 10-12, and 34-36, as shown on the bid tabulations, and approval of all other items (1-3, 7-9, 13-33, and 37-42).

Motion was made by Council Member Gilbreath, seconded by Council Member Price to pass Resolution No. 2005-R0135 as recommended by staff. Motion carried: 5 Yeas, 0 Nays.

**MISCELLANEOUS**

**Water Utilities**

- (44.) **Resolution No. 2005-R0136 amending the contract for consulting services with WaterTexas Development Company L.L.C. and ratifying additional work performed in the sum of \$8,754.93 (*Water Utilities*).**

The City Council entered into an original contract dated March 5, 2003 by Resolution No. 2003-R0113, with WaterTexas for consulting services to evaluate and make recommendations on how the City can optimize existing and potential water supplies. Resolution 2003-R0113 was amended August 28, 2003 by Resolution 2003-R0353 to change the contract's original scope of work for WaterTexas. A second amendment was executed per Resolution No. 2004-R0055 on February 5, 2004 for additional services performed.

This third amendment ratifies the attached work performed by WaterTexas and authorizes payment of same with regard to additional work and presentations. The invoice for said work is attached to the resolution for approval by City Council.

**FISCAL IMPACT:**

The invoice for this third amendment is a total of \$8,754.93.

Staff recommended approval of this resolution.

Anita Burgess, City Attorney, stated for the record that Ches Carthel, Chief Engineer, did speak with Cody Sowen with WaterTexas to do an audit on the bill. Carthel also acknowledged that this is money due after an audit was performed on the contract.

Motion was made by Council Member DeLeon, seconded by Council Member Price to pass Resolution No. 2005-R0136 as recommended by staff. Motion carried: 4 Yeas, 0 Nays.

Council Member Gilbreath recused on this item.

**The next items considered were Item 36-38.**

- (45.) **Consider a resolution authorizing the Mayor to execute an amendment to the agreement with Lynn Sherman for professional services, and acknowledging the assignment of the legislative consulting contract to Winstead Consulting Group, LLC and authorizing additional services related to the protection of the City of Lubbock's current and future water resources (*Water Utilities*).**

**This item was deleted.**

- (46.) **Consider a resolution authorizing the Mayor to execute an agreement with Winstead Sechrest & Minick PC for legal services related to the consulting services being provided by Winstead Consulting Group, LLC for the protection of the City of Lubbock's current and future water resources (*Water Utilities*).**

**This item was deleted.**

### **BOARD APPOINTMENTS**

**Items 47-51 were considered following Item 38.**

- (47.) **Consider one appointment to the Neighborhood Redevelopment Commission.**

Motion was made by Council Member DeLeon, seconded by Council Member Price to reappoint Elizabeth Sisco to the Neighborhood Redevelopment Commission. Motion carried: 5 Yeas, 0 Nays.

- (48.) **Consider three appointments to the Water Board of Appeals.**

Motion was made by Council Member DeLeon, seconded by Council Member Price to appoint Ron Bales, Andy Cates, and Russ Plowman to the Water Board of Appeals. Motion carried: 5 Yeas, 0 Nays.

- (49.) **Consider four appointments to the Animal Shelter Advisory Committee.**

Motion was made by Council Member DeLeon, seconded by Council Member Price to reappoint Tommy Camden and Dr. Larry Farley, and to appoint Fred Sanderson and Pastor Billy Moton to the Animal Shelter Advisory Committee. Motion carried: 5 Yeas, 0 Nays.

- (50.) **Consider one appointment to the Community Relations Task Force.**

Motion was made by Council Member DeLeon, seconded by Council Member Price to appoint Rachel Clark to the Community Relations Task Force. Motion carried: 5 Yeas, 0 Nays.

**(51.) Consider six appointments to the Keep Lubbock Beautiful Advisory Committee.**

Motion was made by Council Member DeLeon, seconded by Council Member Price to reappoint Rick Gilbert, April Howell, and Kim Cappillino, and to appoint Penny Mason, James Leatherwood, and Alex Torres to the Keep Lubbock Beautiful Advisory Committee. Motion carried: 5 Yeas, 0 Nays.

**10:38 A. M. CITY COUNCIL RECESSED**

**10:58 A. M. CITY COUNCIL WORK SESSION CONVENED  
Committee Room 103**

**All Council Members were present except for Mayor McDougal and Council Member Boren.**

**(52.) Presentation of the revised Capital Improvement Program.**

In order to better provide to City Council the availability of funds and needs of the City and organization, the Capital Improvement Program is being restructured. City Council received information on the remainder of the CIP during the presentation.

A realigned and updated Capital Improvement Program will be completed following input from City Council. The revised CIP budget will be brought to Council for adoption in two readings of a budget ordinance in April.

Jeff Yates, Director of Fiscal Policy and Strategic Planning, gave a presentation on the proposed Capital Improvement Program for the Permanent Street Maintenance, Gateway Streets, Traffic Control Systems, Street Capital, and Storm Drainage Funds. The presentation included the long-term financial models for each fund. He also answered questions from Council.

Larry Hertel, City Engineer, and Marsha Reed, Civil Engineer, assisted Jeff Yates in answering questions from Council.

Council Member Gilbreath requested the 98th Street Project be kept separate from the Gateway Streets Fund for monitoring purposes.

Mayor Pro Tem Martin agreed the 98th Street Project should be moved from the Gateway Street Funds Project back to the Streets Capital Project for accounting purposes. He also requested that in the next week or two, Council should sit down with Jeff and take a look at the different projects.

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Consensus was to keep Project No. 90343 (Playa Lake Turf Project) open and money available until there is a plan for getting something done.

Mayor Pro-Tem Martin commented he noticed the Street Lighting Fund is now part of General Fund. He asked Yates to check on the status of the thoroughfare lighting on Milwaukee Avenue before the next Capital Improvements Program briefing.

**11:37 A. M. CITY COUNCIL RECESSED TO EXECUTIVE SESSION**

**12:37 P. M. COUNCIL ADJOURNED**

There being no further business to come before Council, Council Member Price adjourned the meeting.