

**CITY OF LUBBOCK  
SPECIAL CITY COUNCIL MEETING  
January 24, 2007  
8:30 A. M.**

The City Council of the City of Lubbock, Texas met in regular session on the 24th day of January, 2007, in Training Room L01, City Hall, 1625 13th Street, Lubbock, Texas at 8:30 A. M.

**8:45 A.M. CITY COUNCIL CONVENED**  
Training Room L01, 1625 13th Street, Lubbock, Texas

Council Member Boren called the meeting to order.

**Present:** Mayor Pro Tem Jim Gilbreath; Council Member Gary O. Boren; Council Member Phyllis Jones; Council Member John Leonard; Council Member Floyd Price; Tom Adams, Richard Casner, First Assistant City Attorney; Rebecca Garza, City Secretary

Mayor Pro Tem Gilbreath arrived at 8:50 a.m.

**Absent:** Mayor David A. Miller and Council Member Linda DeLeon

1. **EXECUTIVE SESSION** was considered following Item 2.

2. **REGULAR AGENDA**

2.1 **Participation in Lubbock Water Advisory Commission Meeting – Water Utilities:** Attend and participate in discussions during the meeting of the Lubbock Water Advisory Commission (the “Commission”) in which the Commission will consider the following matters:

This was a meeting of the Water Advisory Commission. A quorum of Council members attended and participated in discussions during the meeting in which the Lubbock Water Advisory Commission considered and discussed the following topics, as shown in Attachment A, Minutes of the Lubbock Water Advisory Commission.

1. **EXECUTIVE SESSION**

Mayor Pro Tem Gilbreath stated: “City Council will hold an Executive Session today for the purpose of consulting with the City Staff with respect to the purchase, exchange, lease, or value of real property, as provided by Subchapter D of Chapter 551 of the Government Code, the Open Meetings Law.”

1.1. **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 (Water Utilities).**

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**9:40 A. M. CITY COUNCIL RECESSED TO EXECUTIVE SESSION  
Training Room L01**

**All council members were present, except Mayor Miller and Council  
Member DeLeon**

**11:25 A.M. CITY COUNCIL RECONVENED**

**11:25 A.M. COUNCIL ADJOURNED**

There being no further business to come before Council, Mayor Pro Tem  
Gilbreath adjourned the meeting.

**ATTACHMENT A**

**Lubbock Water Advisory Commission  
Minutes of Meeting**

Wednesday, January 24, 2007 at 8: 30 AM  
City Hall, Training Room L01  
1625 13<sup>th</sup> Street, Lubbock, TX

**1) Welcome – Call to order and attendance.**

**LWAC:** H.P. “Bo” Brown, Jr., L.E. Anderson, Jim Conkwright, Jim Collins and Abel Castro.

**City Staff:** Thomas Adams, Richard Casner, Wood Franklin, Mary Gonzales, Gaylyn Chapman, Bruce Blalack, Becky Garza, Jane McDaniel and Brandy Bass.

**City Council:** Mayor David A. Miller, Floyd Price, John W. Leonard III, Phyllis Jones, Gary Boren, and Jim Gilbreath.

**Others:** John Kelley and John Hamilton with Parkhill, Smith & Cooper, Inc., Dale Cherry and David Timmerman with Black & Veatch, David Dunn with HDR Engineering, Inc., Rusty Gibson with Freese and Nichols, Inc., Paige Bryant with High Plains Research, and Elliott Blackburn with the Lubbock Avalanche-Journal.

**Absent:** Mike Liner, Ronald Phillips, John Abernathy and Suzie Baker.

Chairman Brown called the meeting to order. Councilman Boren said the City Council is opening up the meeting here today to consider water issues and there is a quorum present.

**3) Consider Minutes from previous Lubbock Water Advisory Commission Meetings.**

Chairman Brown began with the review of all four sets of previous minutes which included: November 1, 2006, November 8, 2006, November 16, 2006 and January 8, 2007. He asked for any additions or corrections and none being voiced he asked if there was a motion to approve the minutes as printed and distributed to the Commissioners Thursday, January 18, 2007. Jim Conkwright made the motion to approve the minutes from the previous meetings of the Water Commission and L.E. seconded the motion. The minutes were unanimously approved.

**5) Consider items that are administrative or proposed for the City Council Agenda for consideration.**

Tom Adams was asked to begin addressing the action items under the agenda item 5 for administrative items and items ready to be submitted to the City Council for consideration.

**5) a. Water and Sewer Rate Ordinances and Final Report** - Tom provided a report to the Water Commission on the progress with the water and sewer rates that were now being considered by the City Council. Copies of the final report from the consultant and the draft ordinances for the water and sewer rate changes were included in the Water Commission agenda binder. As discussed previously, the new rates incorporated a cost of service study as well as a change to an increasing Block rate structure to encourage greater levels of conservation. The recommendations are revenue neutral for the City.

Tom reviewed the history of water rates and indicated that a cost of service study had not been completed for about 15 years, and that the City had changed from a decreasing Block rate to a uniform rate in 1991 and now proposes an increasing Block rate to encourage greater conservation.

Tom reported that Council was considering a few changes as a result of feedback from citizens and businesses through the City Council. Some of those changes included:

1. Changing the Block 1 Average Winter Consumption (AWC) volume by using the months of September through February, rather than using only the months of November, December, January and February in the AWC.
2. Changing the Block 2 residential volume from 25,000 gallons to 40,000 gallons.
3. Reducing the Block 3 rate from the \$4.50 range down to the \$3.50 range so that it was not quite so punitive to begin with.

He also reported that there is a need for a formal policy for water adjustments when a water meter reading or use dispute arises, or when there is a question on the amount allowed in the AWC. He indicated that staff members are working on a draft for language to assist with these recommendations.

Councilmen Leonard and Gilbreath both spoke in favor of the changes. They mentioned that additional steps could be taken in the future as the need arises, and that the recommended changes would be a more reasonable starting point.

Councilman Price expressed concern that the water meters were not being read each month. He indicated that if a meter is not read, and an average is used, then the bill should indicate that it is an average and not an actual reading from the meter. He cited his own meter as an example of one that appears to have not been read in a long time. Tom reported that it is the policy of LP&L to read all meters every month. The City pays LP&L for these services. He indicated that there may be an occasional problem at the meter site, or a personnel issue that may lead to some meters not being read, but generally a high percentage of meters are read each month. Tom also reported that the meter readers don't enter the use amount. Instead they have to enter a reading, and the previous reading is not given to them. Any high or low readings end up on a reread list.

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L.E. asked if the City would obtain a better average by selecting Mar/April and Dec/Jan and use these months to average rather than just averaging the winter months. Tom indicated that Block 1 volume as represented by the AWC is supposed to represent water that is essential to our lives like water for drinking, bathing, washing clothes, cooking, etc. This water should be at the lowest cost in the system. Block 2 volume would be at a little higher rate for outside watering and other uses. Block 3 would be considered excessive. The winter use average or AWC is the best measurement of essential water use.

Chairman Brown asked about the sewer rate. Tom reported that the sewer rate was proposed as recommended by the consultant.

Tom also reported on a few of the wholesale contracts. The New Deal contract is only for delivery of water. The water is owned by the City of Slaton and Slaton pays for the treatment of the water. Lubbock just delivers the water through its water distribution system. Ransom and Buffalo Springs have a unique rate by contract because the City impacted their groundwater supplies with the Lubbock Land Application Site. He indicated that it doesn't make sense to charge these contract customers at the 3<sup>rd</sup> tier rate when they're following the contract. If they exceed the contract amount, then they should be charged at the Block 3 rate. Tom reported that other wholesale customers would be paying the commercial rate. Councilman Gilbreath asked if this is a take or pay contract. Tom replied no. Chairman Brown asked if there were a delivery contract with the City of Littlefield. Richard Casner said there is an existing contract.

Chairman Brown and Jim Collins asked about the LISD rate. Tom reported that the City Council was continuing in discussions with LISD on the water rate issue.

**5) b. Marsha Sharp Freeway** – Tom Adams reported that this is a follow up item for information only, and that the bid for the work had been taken to Council for approval. He asked if there were any questions about the project to relocate water lines ahead of highway construction work.

#### **6) Consider Preliminary Engineering for Lake Alan Henry**

Chairman Brown asked the group to move ahead and consider the preliminary engineering report update for Lake Alan Henry. The report by Parkhill, Smith and Cooper would be divided into two parts, with the first part being an open session item, and the second part being an executive session item for consideration of property and right-of-way.

John Kelley, an engineer with Parkhill, Smith and Cooper gave a report and update on the Preliminary Engineering project. He began by acknowledging that his firm was working in association with Black and Veatch and Freese and Nichols on the project. He recognized David Timmerman (B&V) and Rusty Gibson (F&N) who were playing a major role in working on the project.

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John identified the project's objectives as follows: (1) completion of the engineering work in a timely manner, (2) optimal route selection for the water transmission line, (3) pump station and water treatment plant siting, (4) analysis for finished water quality, and (5) detailed project cost estimates. He identified a number of critical project components, including cost effective transmission system (pumping locations/plants), flexible (modular) water treatment process, timeliness of easement and land acquisition, compliance with permitting, environmental, and archeological regulations.

He then gave a brief overview of the existing and proposed water supply systems. He mentioned the challenges with the loss of yield at Lake Meredith and the development of the Roberts County well field as part of the CRMWA system. He mentioned the Bailey County Well Field and the challenges that would be faced by the city as this resource is depleted over time. He then added to this overall system the proposed Lake Alan Henry water source from the South Fork and how it could benefit the City's water supply system. Also the potential for the Post Reservoir was mentioned in order to capture and use natural and developed water sources in the North Fork. He also mentioned the need for a new water treatment plant and terminal storage facility. He also indicated that plans would need to be developed on how the new system would interact with the City's existing water distribution system.

John presented graphs on the growing water demand for the City of Lubbock which showed water demand growing from about 48,000 acre feet to 78,000 acre feet by 2040 based upon the growth factors being used in the City's water supply plan. He also mentioned that 16,000 acre feet of annual yield was used in the planning process for the Lake Alan Henry water supply. This amount is lower than the estimated firm yield of 22,500 acre feet.

He also reported that the planning process includes a number of area communities that might benefit from regional planning for water supplies. These cities and water supply entities include Post, Crosbyton, Ralls, and Spur (part of the White River Municipal Water District), and Slaton, Wilson, Wolfforth and the Lake Alan Henry Water Supply District.

John also reported on the option that had been identified previously about providing water to some CRMWA member cities and keeping more CRMWA water in Lubbock. These cities included O'Donnell, Tahoka and Lamesa. The cost of linking the water transmission lines might limit this alternative's beneficial impact. Jim Collins asked about why those cities would be considered. John explained that they are members of CRMWA that could be served if the Lake Alan Henry system was connected to the CRMWA system.

He reported that there were three primary route alternatives. These include the following:

- Most direct route.
- A route that follows the highway right-of-way.
- A route that would easily accommodate the Post Reservoir site.

John also indicated that with the routes, there are three supply options to consider as part of the planning process. These include:

- 1) Assume Lake Alan Henry is the only supply source, and design the pipe size and water transmission system with the capacity of this source only.
- 2) Consider the option of adding a second source, possibly from a Post Reservoir, and increasing the pipe size and transmission system capacity from Post to Lubbock to accommodate both Lake Alan Henry and the second source.
- 3) Consider the option of adding a second source, possible from a Post Reservoir, and adding a second pipeline in the future to accommodate the additional supply from the second source. He indicated that since the second source may not be developed for 30 to 40 years, it might make sense to build a second pipeline at a later date rather than paying for excess pipeline capacity now.

He then discussed some of the main considerations in choosing the best route. He indicated that the matrix factors going into route selection process include construction, real estate, plan acquisition cost, differences between easements and right-of-ways, and those considerations over various routes, life cycle cost, environmental impacts, schedule ramification. He stated that it is not just a cost issue and that other factors also need to be considered. Life cycle costs are very important and include the size of pipeline, associated pumping costs over the life of the project, flow variations within that pipeline over the life of the project anticipating low flows at the start of the project increasing to higher flows as water needs develop, the number and type of pump station locations. This will lend itself to those kinds of considerations, primarily from the standpoint to reduce cost. The way that can be done is by designing a pipeline and initial pump stations such that future water needs can be met with the existing system and addition of a new pump station, so all the pumps do not necessarily have to be built at the present time. That would serve the purposes for 20, 25 or 30 years and then in the event that an additional supply needed to be made through that pipeline and actually was available out of LAH that additional pump station could be constructed at that time and bring the system on up to capacity. Some aspects of the project can be constructed as water flows increase over time.

John indicated that the project is on schedule and into the preliminary engineering phase of this and anticipate again with the activities that will be decided over the next few months that environmental permitting could be initiated and that the initial permitting and land acquisition processes could stay on schedule and to occur on or about the first of next year. The pipeline itself following the results of preliminary engineering study and acceptance of that, then the would be design initiated and construction anticipated to take place in possible 18-20 months for this size and type of pipeline and then the operational testing period. The water treatment plant will follow that after we receive additional quality data of LAH and other considerations. That construction will lag just from physical standpoint will take longer than the construction of the pipeline but nevertheless we're still targeting the timeframe to be completed by 2012 as long as each step in the

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process continues in a timely manner. He indicated that this concludes the presentation of the general information.

Councilman Boren asked if John felt the project goal of completion in six years is still feasible. John indicated yes. Council member Jones asked about how many million gallons per day the project could deliver to Lubbock, and how that relates to Lake Alan's annual planning yield of 16,000 acre feet of water. John indicated that the two numbers are different, and reported that a pumping capacity of 25 million gallons per day is under consideration as part of the plan. Inclusion of the additional communities might require 5 mgd of capacity.

Tom commented that sizing the line is important and that one of the agenda items is the volumetric study completed by the Texas Water Development Board that decreases the storage capacity in Lake Alan Henry by about 18%. This will impact the yield of the lake. The 16,000 acre feet now used as the annual planning yield may prove to be the new firm yield. David Dunn with HDR is working on a project to update the estimated yield from Lake Alan Henry.

Councilman Gilbreath asked whether the sizing of terminal storage capacity is related to these issues. John said yes, and that it should be considered as part of the project. Tom indicated that the need for a second terminal storage facility at the current water treatment facility was discussed, but now this should be planned to be located adjacent to the proposed new water treatment facility that would serve water from Lake Alan Henry. Councilman Boren expressed concern about whether the same thing that is happening to Lake Meredith could happen to Lake Alan Henry, and whether the expenditure of \$200 million was advisable knowing the impact of drought process because surface lakes are becoming rare and this is a heavy financial burden.

Chairman Brown called for an executive session including David Dunn from HDR for the purpose of discussing property and right-of-way issues. The time was approximately 11:30 a.m. At approximately 1:15 p.m. the Water Commission returned to open session.

#### **5) Continue with Administrative items and items going before the City Council.**

**Item D** – Tom reported to the Water Commission on the emergency improvements at the Southeast Water Reclamation Plant. Some of the screw pumps at the plant head works have failed, and instead of replacing them with parts from Europe, staff is replacing them with submersible pumps that can be provided and maintained locally. Tom also reported that a bid is now pending for improvements to the solids handling equipment.

**Item E** – He reported on the area developments and related water and sewer system improvements. These are now approved by staff, but they are presented to the Commission in case there are any questions.

**Item F** – Tom reported that the Water Commission had seen this ordinance before, and that some changes had been made. Staff was working on the ordinance to mirror the state

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regulations as closely as possible. Tom indicated that there is a question about what is required, and whether enforcement is necessary if there is a potential for contamination, or if there is a potential for a cross connection. The state is now enforcing the regulations with the understanding that it is the potential for a cross connection.

Gaylyn indicated that the ordinance was adopted by the City Council previously, and that we are now just considering minor changes to the original ordinance. She discussed an example of a potential for a cross connection. She indicated that the state would enforce the regulations if the City did not, and that the enforcement action may involve the City as well as the customer in question. Councilman Leonard expressed a desire to be reasonable in enforcement. Gaylyn said each property must be assessed individually.

Tom said the City's choices were to enforce the regulations as the state interprets them, or to challenge the Texas Commission on Environmental Quality's interpretation.

**Item G** – Tom reported that this is a continuation of an agreement with Agri-Waste Technology. Council approved an agreement previously, and the agreement includes a provision for an extension by the City Manager. Staff members recommend the extension of the agreement. The firm helps the City manage the land application sites in order to keep additional nitrates from reaching ground water.

**Item H** – He reported that lab services are necessary in part to handle the increased work load of testing Lake Alan Henry water quality as part of the Preliminary Engineering for the Lake Alan Henry project.

**Item I** – Tom reported that this item for the purchase of particle counters was approved once before, but was re-bid, and that it will be going before Council once again. The particle counters are necessary as part of the water treatment and quality effort.

**Item J** – Wood Franklin reported on progress with the Park Well Water Irrigation Project. He indicated that the bid for Phase II would be presented to the City Council at the next meeting, and that Phase I would be complete in March. He discussed the proposed bid and said that it came in better than was expected, and with reductions in costs by LP&L for electrical service, we would be able to complete Phase I and Phase II under budget.

He also reported that Craig Wallace, a local contractor, was the low bid on the project and would be recommended to Council. He reported that the driller was Acosta Drilling and the City had questioned the quality of their work previously when a well did not produce much water. Wood reported that the City's specifications would regulate and test the drilling fluid in order to not seal off the formation, and that a licensed driller would be required on site. He also reported that High Plains Drilling's bid was substantially higher, and would limit the number of parks that could be completed.

The Water Commission committee recommended approval of the administrative items as no quorum was present at the time.

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### **13) Administrative Report**

The Commission briefly considered the administrative report. There were no questions.

Chairman Brown asked about the status of the company that was cleaning 55 gallon drums. Staff would have to get back and report on that item.

Chairman Brown also reported that CRMWA voted to go ahead with Amarillo on the trade of groundwater rights in order to consolidate the holdings of both entities. Jim Collins said he expects this to be done by February 15, 2007. Jim Collins added that Brownfield had asked to sell some of their water to Meadow.

There being no further business, the meeting was adjourned at approximately 1:40 p.m.

#### **Approved:**

/s/ H.P. "Bo" Brown, Jr.  
H.P. "Bo" Brown, Jr., Chairman

/s/ Thomas L. Adams  
Thomas L. Adams, Deputy City Manager/Water Utilities Director