

**CITY OF LUBBOCK
REGULAR CITY COUNCIL MEETING
FEBRUARY 6, 2007
7:30 A. M.**

The City Council of the City of Lubbock, Texas met in regular session on the 6th day of February, 2007, 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 David A. Miller, Mayor Pro Tem Jim Gilbreath, Council Member Gary O. Boren, Council Member Linda DeLeon, Council Member Phyllis Jones, Council Member Floyd Price

Absent: Council Member John Leonard

1. CITIZEN COMMENTS

- 1.1. The family of Jay Lester will appear before the City Council to formally thank City Council and the City of Lubbock for all their support and help.

This item was deleted.

2. EXECUTIVE SESSION

Mayor Miller 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; and competitive matters of the public power utility, 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 Conference Room

All council members were present.

- 2.1. Hold an executive session in accordance with V.T.C.A. Government Code, Section 551.071, to discuss pending or contemplated litigation or settlement agreement, and hold a consultation with attorney (Finance, Police, Right-of-Way, Solid Waste, Water Utilities).
- 2.2. 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 (Overton, Right-of-Way, Visitors Center, Water Utilities).

- 2.3. **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.**
- 2.4. **Hold an executive session in accordance with V.T.C.A. Government Code, Section 551.086, on the following competitive matters (Electric Utilities):**
 - 2.4.1 **to deliberate, vote and take final action on electric rates of Lubbock Power and Light;**
 - 2.4.2 **to discuss, vote and take final action on a competitive matter regarding operation, financial and capital statements and budgets, revenue and expense projections, strategic and business plans and studies of Lubbock Power and Light;**
 - 2.4.3 **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.**

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

Present: Mayor David A. Miller; Mayor Pro Tem Jim Gilbreath; Council Member Gary O. Boren; Council Member Linda DeLeon; Council Member Phyllis Jones; Council Member John Leonard; Council Member Floyd Price; Lee Ann Dumbauld, City Manager; Anita Burgess, City Attorney; and Rebecca Garza, City Secretary

Absent: No one

Mayor Miller reconvened the meeting at 9:35 a.m.

3. PROCLAMATIONS AND PRESENTATIONS

Note: Items are listed in the order they were considered.

3.2. Invocation by Pastor T.L. Garrett, Trinity Church.

3.1. Pledge of Allegiance to the Flags.

Pledge of Allegiance was given in unison by those in the City Council Chambers to both the United States flag and the Texas flag.

3.3. Presentation of a special recognition honoring David Swissler on his induction to the United Soccer Leagues Hall of Fame.

Mayor Miller presented special recognition to David Swissler for being inducted into the United Soccer Leagues Hall of Fame. Swissler graduated from Monterey High School in 1983 and was a member of the Lubbock Lasers, a semi-professional indoor soccer league.

3.4. Presentation of a special recognition commemorating 2007 as Colon Cancer Prevention and Awareness Year.

Dr. Davor Vugrin and members of the Task Force joined Mayor Miller as he presented special recognition to commemorate 2007 as Colon Cancer Prevention and Awareness Year. Dr. Vugrin gave comments and then issued certificates of appreciation to Mayor Miller and City Council to recognize their outstanding role in promoting health and well-being for Lubbock citizens.

3.5. Presentation of a special recognition honoring Lubbock native Gene Malone Hildreth for her dedicated service to the community as a volunteer for the American Red Cross and YWCA swimming program.

Mayor Miller invited Gene Malone Hildreth and her daughter, Valerie Werker, to join him as he presented special recognition to honor Ms. Hildreth for her dedicated service to the community as a volunteer for the American Red Cross and YWCA swimming program. Ms. Werker gave comments and thanked the Mayor for the recognition. Ron Holihan, Director of the LISD Pete Regas Aquatic Center, gave comments and thanked Ms. Hildreth for her dedication and hard work.

3.6. Presentation of a special recognition honoring the City of Lubbock Community Development Department as a recipient of the 2007 Audrey Nelson Community Development Achievement Award.

Nancy Haney, Executive Director of Community Development; Bill Howerton, Director of Community Development; Brad Reed, Building Construction Inspector for Community Development; Corey O'Guinn, Community Coordinator for World Changers; and Peter Laverty, member of the Community Development and Services Board, all joined Mayor Miller as he presented special recognition to honor the City of Lubbock Community Development Department for receiving the 2007 Audrey Nelson Community Development Achievement Award. Mr. O'Guinn gave comments.

3.7. Proclamation declaring Sunday, February 18, 2007, as the day to commence praying for the Lubbock community during the year 2007.

Steve Doles of Pray Lubbock joined Mayor Miller as he declared Sunday, February 18, 2007, as the day to commence praying for the Lubbock community during 2007. Doles gave comments.

4. MINUTES

4.1. Approval of Prior Meeting Minutes: Regular City Council Meeting, January 12, 2007

Motion was made by Council Member Jones, seconded by Council Member Price to approve the minutes of the Regular City Council Meeting of January 12, 2007 as recommended by staff. Motion carried: 7 Ayes, 0 Nays.

5. CONSENT AGENDA (Items 5.1-5.2, 5.4, 5.8-5.11, 5.14-5.15, 5.17)

Motion was made by Council Member Price, seconded by Council Member DeLeon to approve Items 5.1-5.2, 5.4, 5.8-5.11, 5.14-5.15, 5.17 on consent agenda as recommended by staff. Motion carried: 7 Ayes, 0 Nays.

5.1. Budget Amendment Ordinance 2nd Reading - Finance: Ordinance No. 2007-O0013 Consider budget ordinance Amendment No. 6 amending the FY 2006-07 budget respecting the General Fund, Special Revenue Fund (Community Development), Grant Fund, and Capital Improvement Program.

1. Amend Capital Improvement Project #90379, Signal System Communications, which is the first phase of the Intelligent Traffic System (ITS) capital project from the 2004 bond election. TxDOT is providing an additional \$190,886 for construction costs through an advance funding agreement as a partner with the City in the ITS program. This funding, along with a \$34,000 transfer from the second phase of the project (CIP project #91100, Signal Communication Phase 2), will provide a total appropriation of \$374,886. The transfer of funds is necessary to purchase splicing equipment needed for both phases of the project. This equipment was not eligible for TxDOT funding. This budget amendment makes the necessary appropriations and transfers to amend this project.
2. Amend Capital Improvement Project #91100, Signal System Communications Phase 2, which is the second phase of the Intelligent Traffic System (ITS) capital project from the 2004 bond election. As part of the advance funding agreement, TxDOT is funding \$171,008 of construction costs with the City as a partner in the ITS program. The additional funding and the transfer shown in Item 1, increases the total appropriation for this project to \$382,101. This budget amendment makes the necessary appropriations to amend this project.
3. Establish a new Capital Improvement Project Traffic Signals – Marsha Sharp 3-B and appropriate \$99,591 from a TxDOT advance funding agreement, with estimated revenues increased accordingly. TxDOT will pay the full cost for the City to furnish traffic signal equipment for temporary and permanent traffic signals between Chicago and Salem during the construction of Marsha Sharp Freeway Phase 3-B.
4. Amend Capital Improvement Program Project #91074, North Overton TIF Public Facilities, by appropriating an additional \$3 million of FY 2007 Taxable Bonds, the total appropriation for the project will be \$11.4 million. A Master Development Agreement with Garfield Traub Development, LLC was approved at the January 12, 2007, City Council meeting that incorporated the larger size and design of the conference/civic center located in Overton Park.

5. On June 8, 2006, City Council approved a \$233,712 allocation from the City's Community Development Block Grant program for a Property Maintenance Inspection program through the Codes Enforcement Department. This program focuses on CDBG eligible areas and provides heightened codes inspections and enforcement. The original allocation funded four inspectors. After a review of the budgeted and available funds, staff is requesting an additional inspector position. The estimated cost of the additional position is \$38,164. This budget amendment authorizes the additional grant funded full-time position in Codes Enforcement.
6. Accept and appropriate a \$520,994 grant from Texas Department of Housing and Community Affairs for the Comprehensive Energy Assistance Program (CEAP) an energy assistance program. This grant will fund programs to assist low-income persons and families with energy assistance and energy efficiency.
7. Accept and appropriate a \$390,000 grant from Texas Department of Housing and Community Affairs for the Community Services Block Grant (CSBG). The grant will fund programs to assist low-income persons and families with self-sufficiency, information, and referral.
8. Amend Capital Improvement Project 90406, Visitors Information Center, by appropriating an additional \$1 million for a total project appropriation of \$1.31 million. The funding sources for this project will be composed of \$70,000 of Hotel/Motel Funds, which have been previously expended, and \$1.24 million of Certificates of Obligation, Series 2007, with annual debt payments funded from hotel/motel tax revenues. The additional appropriation will be used to purchase property for a future Visitors Information Center and any demolition, asbestos abatement, or related costs.

FISCAL IMPACT

Included in item summary.

Staff recommended approval of the second reading of this ordinance.

5.2. Right-of-Way Ordinance 1st Reading - Right-of-Way: Ordinance No. 2007-O0014 abandoning and closing a 10-foot alley located in Section 11, Block S, adjacent to Lot 1, Loop Industrial Addition, alley closure located at 7825 Peach Avenue.

This ordinance abandons and closes a 10-foot alley in Section 11, Block S, adjacent to Lot 1, Loop Industrial Addition, which is located just north of U.S. 84/Slaton Highway and west of Southeast Drive. This tract of land is being replatted into three tracts and this alley is no longer needed. Since the requestor of this closure is not the original dedicator of the alley area being closed, there will be a charge for the alley closure. The total alley area being closed is 9,060.48 square feet and in the re-plat the owner is dedicating 29,324 square

feet of street right-of-way. Therefore, there will not be a charge for this alley closure. All utility companies are in agreement with this alley closure.

FISCAL IMPACT

No fiscal impact is anticipated.

Staff recommended approval of the first reading of this ordinance.

5.3. This item was moved from consent agenda to regular agenda and considered following Item 5.17.

5.4. Approval of Improvements Resolution - Parks and Recreation: Resolution No. 2007-R0043A authorizing Lubbock Memorial Arboretum Foundation, Inc. to construct the Roberta Kershner Davis Memorial Arbor on the grounds of the Arboretum and Botanical Garden in K.N. Clapp Park.

In January 1993, City Council approved an agreement with the Lubbock Memorial Arboretum Foundation, Inc. for the development and maintenance of the Arboretum and Botanical Garden in K.N. Clapp Park located at 46th Street and Avenue U. According to the agreement, the Arboretum shall make no structural improvements without the consent of the City.

The Arboretum Board of Directors has submitted a request to construct an arbor honoring Roberta Kershner Davis. Ms. Davis was very involved in the horticulture industry and an active volunteer at the Arboretum. The arbor, a shady garden shelter, will be constructed of steel and will include rock seating areas. It will be placed over the accessible walking track on the Arboretum grounds. Exhibit A provided in the backup is a depiction of the arbor and Exhibit B is a material list and cost estimate for the structure. The Lubbock Memorial Arboretum Foundation will be responsible for the acquisition of materials and construction of the arbor. The plans have been stamped by a structural engineer and are approved by the Parks and Recreation Park Development staff.

During the January 23, 2007, Parks and Recreation Advisory Board meeting, the Board recommended approval of the construction of the Roberta Kershner Davis Memorial Arbor.

FISCAL IMPACT

The full cost of this project will be funded by the Lubbock Memorial Arboretum Foundation, Inc.

Staff recommended approval of this resolution.

5.5. This item was moved from consent agenda to regular agenda and considered following Item 5.3.

5.6. This item was moved from consent agenda to regular agenda and considered following Item 5.5.

5.7. This item was moved from consent agenda to regular agenda and considered following Item 5.6.

5.8. Contract Resolution - Community Development: Resolution No. 2007-R0044 authorizing the Mayor to execute a Community Development Funding Contract with Lutheran Social Services of the South to provide utility assistance to qualified low-income persons and families through the Comprehensive Energy Assistance Program and the Community Services Block Grant.

Grantee: Lutheran Social Services of the South

Program: Elderly/Disabled and Energy Crisis Utility Assistance Components

Funding Source: 2007 Comprehensive Energy Assistance Program and Community Services Block Grant.

Use of Funds: Provide Utility assistance to qualified low-income persons and families.

Amount: \$214,000 CEAP funds, \$10,505 CSBG funds.

Period of Performance: January 1, 2007, through December 31, 2007.

The Community Development Services Board approved this program.

FISCAL IMPACT

The maximum amount to be allocated from the State Comprehensive Energy Assistance Program and the Community Services Block Grant for this program is \$224,505.

Staff recommended approval of this resolution.

5.9. Contract Resolution - Community Development: Resolution No. 2007-R0045 authorizing the Mayor to execute a Community Development Funding Contract with Catholic Family Services to provide utility assistance to qualified low-income persons and families through the Comprehensive Energy Assistance Program.

Grantee: Catholic Family Services

Program: Co-Pay Utility Assistance

Funding Source: 2007 Comprehensive Energy Assistance Program.

Use of Funds: Provide Utility assistance to qualified low-income persons and families and help them become self-sufficient.

Amount: \$60,000 CEAP funds.

Period of Performance: January 1, 2007, through December 31, 2007.

The Community Development Services Board approved this program.

FISCAL IMPACT

The maximum amount to be allocated from the State Comprehensive Energy Assistance Program for this local program is \$60,000.

Staff recommended approval of this resolution.

- 5.10. Contract Resolution - Community Development: Resolution No. 2007-R0046 authorizing the Mayor to execute a Community Development Funding Contract with Life Run Independent Living Centers to provide utility assistance to qualified low-income persons and families through the Comprehensive Energy Assistance Program.**

Grantee: Life Run Independent Living

Program: Elderly/Disabled Utility Assistance

Funding Source: 2007 Comprehensive Energy Assistance Program

Use of Funds: Provide Utility assistance to qualified low-income persons and families.

Amount: \$61,000 CEAP funds

Period of Performance: January 1, 2007, through December 31, 2007.

The Community Development Services Board approved this program.

FISCAL IMPACT

The maximum amount to be allocated from the State Comprehensive Energy Assistance Program for this local program is \$61,000.

Staff recommended approval of this resolution.

- 5.11. Contract Resolution - Community Development: Resolution No. 2007-R0047 authorizing the Mayor to execute a Community Development Funding Contract with Catholic Family Services to provide assistance to families to transition them out of poverty through the Community Service Block Grant for the Self-Sufficiency Program.**

Grantee: Catholic Family Services

Program: Self-Sufficiency Program

Funding Source: 2007 Community Service Block Grant

Use of Funds: Self-Sufficiency- Provide assistance to families to transition them out of poverty.

Amount: \$72,200 CSBG funds

Period of Performance: January 1, 2007, through December 31, 2007.

The Community Development Services Board approved this program.

FISCAL IMPACT

The maximum amount to be allocated from the State Community Services Block Grant for this program is \$72,200.

Staff recommended approval of this resolution.

- 5.12. **This item was moved from consent agenda to regular agenda and considered following Item 5.7.**
- 5.13. **This item was moved from consent agenda to regular agenda and considered following Item 5.12.**
- 5.14. **Contract Resolution - Parks and Recreation: Resolution No. 2007-R0048 authorizing the Mayor to execute a contract with Community Lawn Care for the application of pre-emergent liquid herbicide, post-emergent liquid herbicide, and liquid fertilizer at various parkland properties, BID-07-007-MA.**

This contract will provide the application of pre-emergent and post-emergent liquid herbicide and the application of liquid fertilizer for various parkland properties during the 2007 season. Each of three applications will cover approximately 1,500 acres. The herbicide applications will control and/or eradicate summer annual and perennial weeds and the fertilizer applications will improve turf health and appearance.

The first application will include a mixture of Simazine 4L pre-emergent liquid herbicide and liquid fertilizer 12-14-4-2 applied from mid-February through the end of March. The second application will include a mixture of Strike 3 Ultra 2 post-emergent liquid herbicide and liquid fertilizer 32-0-0 applied from mid-April through mid-May. The third application will include a mixture of Simazine 4L pre-emergent liquid herbicide and Strike 3 Ultra 2 post-emergent liquid herbicide applied from early September through mid-October.

FISCAL IMPACT

\$316,836 is appropriated for this purpose in the Parks and Recreation Operating Budget, with \$249,315 available.

Staff recommended bid award to the lowest bidder Community Lawn Care of Lubbock, Texas for \$216,555.

- 5.15. **Contract Resolution - Parks and Recreation: Resolution No. 2007-R0049 authorizing the Mayor to execute a contract with Community Lawn Care for the application of granular fertilizer at various parkland properties, BID 07-008-MA.**

This contract will provide three applications of granular fertilizer on various parkland properties for the 2007 season. Each application will cover 1,200 acres of developed parks, Civic Center, libraries, Berl Huffman Complex, Mackenzie ball fields, and fields at McAlister Park. Granular fertilizer will be applied at a rate of 141 pounds per acre. Granular fertilizer analysis is 38-0-0,

4% Sulfur, 3% Iron. The fertilizer blend and application rates are based upon soil analysis performed at various park sites.

The first, second, and third applications will be applied during the months of June, July, and August, respectively.

FISCAL IMPACT

\$225,604 is appropriated for this purpose in the Parks and Recreation Operating Budget, with \$220,665 available.

Staff recommended bid award to the lowest bidder Community Lawn Care of Lubbock, Texas for \$134,100.

5.16. This item was moved from consent agenda to regular agenda and considered following Item 5.13.

5.17. Contract Resolution - Civic Center: Resolution No. 2007-R0050 authorizing the Mayor to execute an agreement with Civic Lubbock, Inc. to administer the Cultural Arts Grant program.

On September 21, 2005, City Council approved a License Agreement with Civic Lubbock, Inc. (CLI) granting CLI a license for all food, beverage and other concession sales including the City Bank Auditorium/Coliseum, Lubbock Memorial Civic Center, Buddy Holly Center, and Silent Wings Museum for a period of eight years. The agreement also specifies that CLI will create the Cultural Arts Grant Review Committee, which will manage funding identified for grants. Funding for the grant program is allocated from 5.71429% of the total hotel/motel tax collected during the previous fiscal year.

This agreement provides for a total of \$194,909, which is 5.71429% of the total hotel/motel tax collected during the fiscal year ended September 30, 2006. The Cultural Arts Grant Review Committee has developed guidelines for the Cultural Arts Grant Program funded by the Hotel Occupancy Tax, which are being presented with the agreement to manage the grant program. Once the agreement and guidelines are approved, the committee will be accepting grant applications and will make recommendations to the Civic Lubbock, Inc. Board. Twice each year, Civic Lubbock, Inc. Board will present grant application recommendations to the City Council. Upon approval by City Council, CLI will begin using the allocated funds for the approved grantees. Civic Lubbock, Inc. will be responsible for monitoring and administering all aspects of the grant program.

FISCAL IMPACT

This agreement will transfer \$194,909 from Hotel Occupancy Taxes in FY 2006-07 to Civic Lubbock, Inc. for the Cultural Arts Program.

Staff recommended approval of this resolution.

6. REGULAR AGENDA

Note: Regular Agenda items and Consent Agenda items moved to Regular Agenda are listed in the order they were addressed (Items 5.3, 5.5-5.7, 5.12-5.13, 5.16, 6.1-6.10).

5.3. Board Appointments - City Secretary: Declare appointments to the Lubbock Housing Authority Board of Directors.

Declare the following appointments to the Lubbock Housing Authority:

Dan Alderson
Pat Colby
Calvin Davis
Dennis Phillips

All members of the Lubbock Housing Authority Board are appointed directly by the Mayor pursuant to Texas Housing Authority Law, (Texas Local Government Code 392.0331), without confirmation from City Council. The Mayor has appointed the above listed individuals.

FISCAL IMPACT

No fiscal impact is anticipated.

Anita Burgess, City Attorney, answered questions from Council as to why this item was included in the agenda. She said the Mayor makes the appointments to this board, but this is a formality to get the information into the records of the city.

Motion was made by Council Member Jones, seconded by Council Member Price to declare the appointment of Dan Alderson, Pat Colby, Calvin Davis, and Dennis Phillips to the Lubbock Housing Authority Board of Directors. Motion carried: 7 Ayes, 0 Nays.

5.5. Interlocal Agreement - Emergency Management: Resolution No. 2007-R0051 authorizing the Mayor to execute an Interlocal Agreement between the City of Lubbock and the City of Ralls regarding use of a flatbed truck to transport the Regional Decontamination Trailer.

The Office of Emergency Management and Homeland Security requests authorization for the City of Lubbock to loan and allow the City of Ralls to use Lubbock's 2001 white Chevy K2500 flatbed truck to transport the regional decontamination trailer when necessary under the 2004 Mutual Aid Agreement for Councils of Government for the South Plains Association of Governments Region.

FISCAL IMPACT

No fiscal impact is anticipated. The City of Ralls will house the vehicle and be responsible for all fuel and maintenance of the vehicle.

Staff recommended approval of this resolution.

Kevin Overstreet, Emergency Operations Center Director; Lee Ann Dumbauld, City Manager; Anita Burgess, City Attorney; Rhea Cooper, Interim Fire Chief; and J. Rhett Parker, Ralls City Administrator, gave comments and answered questions from Council.

Council's discussion was on whether to donate the vehicle, valued at \$10,000, to the City of Ralls or to loan it. Motion was made by Council Member Jones, seconded by Council Member Price to amend the resolution by gifting the vehicle to Ralls. After further discussions, consensus from Council was to go ahead with the original plan of loaning the vehicle. At that time, Council Members Jones and Price withdrew the motion and second.

Motion was then made by Council Member Boren, seconded by Council Member Jones to pass Resolution No. 2006-R0051 as recommended by staff. Motion carried: 7 Ayes, 0 Nays.

5.6. Contract Amendment Resolution - Community Development: Resolution No. 2007-0052 authorizing the Mayor to execute a contract amendment with Texas Department of Housing and Community Affairs for the Community Services Block Grant to provide assistance to reduce poverty, revitalize low-income communities, and empower low-income families and individuals to become self-sufficient.

This contract amendment extends a grant that provides assistance to local communities to reduce poverty, revitalize low-income communities, and empower low-income families and individuals to become self-sufficient.

The source for this contract is a pass-through grant from Texas Department of Housing and Community Affairs (TDHCA) and additional funding in the amount of \$138,651 is added to the contract.

The contract is an electronic signature contract. The contract amendment extends the contract end date from December 31, 2006, to December 31, 2007.

FISCAL IMPACT

The maximum amount to be allocated from the State Community Services Block Grant for this program is \$138,651.

Staff recommended approval of this resolution.

Nancy Haney, Executive Director of Community Development, gave comments and answered questions from Council.

Motion was made by Mayor Pro Tem Gilbreath, seconded by Council Member DeLeon to pass Resolution No. 2006-R0052 as recommended by staff. Motion carried: 7 Ayes, 0 Nays.

5.7. Contract Resolution - Community Development: Resolution No. 2007-R0053 authorizing the Mayor to execute a contract with Texas Department of Housing and Community Affairs for the Comprehensive Energy Assistance Program to fund utility assistance to low-income persons.

This resolution is a renewal of a grant that funds utility assistance to low-income persons and the repair or replacement of inefficient appliances including heating/cooling systems, water heaters, and refrigerators.

Components of the program consist of Elderly/Disabled, Energy Crisis, Co-payment, Heating/Cooling Systems, and Direct Services Support.

The source for this contract is a pass-through grant from Texas Department of Housing and Community Affairs (TDHCA) in the amount of \$520,994.

The contract is an electronic signature contract. The period for performance of this contract is January 1, 2007, through December 31, 2007.

FISCAL IMPACT

The funds used are State funds from the Comprehensive Energy Assistance Program. The maximum to be allocated to this grant is \$520,994.

Staff recommended approval of this resolution.

Bill Howerton, Director of Community Development, and Nancy Haney, Executive Director of Community Development, gave comments and answered questions from Council.

Motion was made by Council Member DeLeon, seconded by Council Member Jones to pass Resolution No. 2006-R0053 as recommended by staff. Motion carried: 7 Ayes, 0 Nays.

5.12. Contract Resolution - Community Development: Resolution No. 2007-R0054 authorizing the Mayor to execute a Community Development Funding Contract with the South Plains Association of Governments to fund 2-1-1 Information and Referral Program to conduct information and referral services for Lubbock County residents, and to produce and update the information and referral guide.

Grantee: South Plains Association of Governments

Program: 2-1-1 Information and Referral Program

Funding Source: 2007 Community Services Block Grant

Use of Funds: The funds will be used to conduct information and referral services for Lubbock County residents and for the production and update of the information and referral guide.

Amount: \$24,244 CSBG funds

Period of Performance: January 1, 2007, through December 31, 2007

This project was approved by the Community Development Services Board and will vote on recommended funding at the January 31, 2007 meeting.

Specific 211 calls will follow SPAG's Policies and Procedures. These procedures are included in the backup information. Pursuant to the procedures, the Information Referral Specialist shall make no referrals to any agency that advocates abortion or any agency that funds or provides abortion as a method of birth control, under any circumstances.

FISCAL IMPACT

The maximum amount to be allocated from the State Community Services Block Grant for this program is \$24,244.

Staff recommended approval of this resolution.

Scott Snider, Assistant City Manager, and Anita Burgess, City Attorney, gave comments and answered questions from Council.

Because of the prior contract agreement between the City of Lubbock and South Plains Association of Governments regarding the 2-1-1 Information and Referral Program not making abortion referrals, and the fact that abortion referrals were given out, Council Member Boren offered an amendment to withhold funding the program until they come compliant.

Motion was made by Mayor Pro Tem Gilbreath, seconded by Council Member Boren to pass Resolution No. 2006-R0054 and to withhold funding until the program is in compliance. Motion carried: 7 Ayes, 0 Nays.

5.13. Contract Resolution - Water Utilities: Resolution No. 2007-R0055 authorizing the Mayor to execute a contract with Craig Wallace Construction for Parks Irrigation System Groundwater Conversion, Phase II Development, RFP 07-702-BM.

This potable water conservation project involves converting irrigation systems from the municipal water system to a groundwater source using 12 irrigation wells in seven City parks. City potable water will be used in the event of well failure to ensure system performance. The following parks will be converted with the corresponding number of wells shown for each park:

Base Bid:

Andrews - 1 well

Hood - 1 well

Huneke - 1 well

McAllister - 1 well

Miller - 3 wells

Option #1 includes adding 3 wells at Higginbotham Park and a deduction for installing 40 linear feet of owner supplied 8 5/8-inch well casing and 70 linear feet of owner supplied 8 5/8-inch well screen.

Option #2 includes adding 2 wells at McCullough Park.

Evaluation criteria published in the RFP included Price - 40%, Resume and References of proposed Job Superintendent - 15%, Insurance Claims and Litigations - 5%, Construction Time - 10%, List of Subcontractors - 10%, and Contractor Phasing Options that may shorten construction time 5%.

The general contractors submitted proposals and were ranked as follows:

Craig Wallace Construction of Lubbock, Texas proposed a base bid of \$664,503.50, \$208,810 for Option #1, and \$192,426 for Option #2 for a total bid price of \$1,065,739.50. The proposed time for completion is 120 days. 435 points.

High Plains Drilling of Abernathy, Texas proposed a base bid of \$771,464.87, \$281,436.99 for Option #1, and \$237,427.37 for Option#2 for a total bid price of \$1,290,329.23. The proposed time for completion is 180 days. 320 points.

The Lubbock Water Advisory Commission recommended contract award to Craig Wallace Construction of Lubbock, Texas for \$1,065,739.56.

FISCAL IMPACT

A total of \$3,500,000 is appropriated with \$1,188,726 available in Capital Improvement Project 90357, Parks Conversion to Groundwater, for this purpose.

Staff supports the recommendation of the Lubbock Water Advisory Commission and recommended contract award to the lowest bidder Craig Wallace Construction of Lubbock, Texas for \$1,065,739.56.

Tom Adams, Deputy City Manager/Water Utilities Director, gave comments and answered questions from Council.

Motion was made by Council Member Leonard, seconded by Mayor Pro Tem Gilbreath to pass Resolution No. 2006-R0055 as recommended by staff. Motion carried: 7 Ayes, 0 Nays.

5.16. Contract Resolution - Police: Resolution No. 2007-R0056 ratifying the purchase of police badges to be reimbursed through individual officer's clothing allowances and authorizing the Mayor to execute a purchase order contract with SymbolArts, LLC.

This is a resolution ratifying the purchase of police badges in the amount of \$32,155.20. Every officer received two new badges and the cost of the badges will be offset from the officers' clothing allowance. These badges were acquired from SymbolArts, LLC. The City tasked the company with designing the new badges with the Lubbock Police Department logo and purchased the badges in a lot, rather than having each officer individually purchase the badges.

FISCAL IMPACT

No fiscal impact. Each officer reimburses the City for the cost of the badges through his/her uniform allowance. The clothing allowance is budgeted for this purpose.

Regular City Council Meeting
February 6, 2007

Staff recommended approval of this resolution.

Dale Holton, Assistant Police Chief, and Lee Ann Dumbauld, City Manager, gave comments and answered questions from Council.

Discussion from Council was that the badges were part of the police officer's uniform, and the cost should not be deducted from the officer's clothing allowance. Council Member DeLeon offered a friendly amendment to "not deduct the cost of the badges from the officer's clothing allowance."

Motion was made by Mayor Pro Tem Gilbreath, seconded by Council Member Leonard to pass Resolution No. 2006-R0056 with an amendment as proposed by Council Member DeLeon to not deduct the cost of the badges from the police officer's clothing allowance. Motion carried: 7 Ayes, 0 Nays.

6.1. Public Hearing 10:00 a.m. - Community Development: Hold a Public Hearing to discuss the recommendations of the Community Development and Services Board for the reallocation of unspent funds from the Community Development Block Grant (CDBG), HOPE 3 Program and HOME Investment Partnership Program (HOME).

Mayor Miller opened the public hearing at 10:43 a. m. No one appeared on behalf of the reallocation of unspent funds. No one appeared in opposition. Mayor Miller closed the hearing at 10:43 a. m.

On January 10, 2007, the Community Development and Services Board met to discuss the reallocation of \$740,000 in unspent funds. The Board voted to approve the following funding recommendations:

Agency	Project	Amount
CDBG Funds:		
Boys and Girls Club	Phea Branch-Facility Renovation	\$25,000
Boys and Girls Club	Optimist Branch-Facility Renovation	90,000
N & E Lubbock CDC	Down Payment and Closing Cost	100,000
City of Lubbock	108 Loan Payment	65,000
City of Lubbock	Emergency Repair	100,000
City of Lubbock	Residential Rehab-HOME	<u>20,000</u>
Total CDBG		400,000
HOPE 3 Funds:		
City of Lubbock	New Construction	<u>240,000</u>
Total HOPE 3		240,000
HOME Funds:		
Community Housing Resource Board	Handicapped Accessible Housing	<u>100,000</u>
Total		100,000
Grand Total		\$740,000

FISCAL IMPACT

The unspent funds are from the Community Development Block Grant (CDBG), HOPE 3 Program and HOME Investment Partnership Program (HOME). The maximum to be allocated to these projects is \$740,000. The HOPE 3 funds will satisfy the federal matching requirements for the HOME Program.

Staff supports the recommendations of the Community Development and Services Board and recommended approval.

6.2. Public Hearing 10:00 a.m. - Zoning: Ordinance No. 2007-O0015 Zone Case No. 515-E (3664 50th Street): Hold a public hearing to consider request of Kathy Rodriguez (for Presto Hail Lifters) for a zoning change from C-4 to C-4 with amended conditions to ordinance 9827 to allow rental of recreational vehicles on Tract 3 of Lot 204 Murryhill Addition (the south 150 feet of the west 150 feet of Lot 204 Murryhill Addition).

Mayor Miller opened the public hearing at 10:44 a. m. No one appeared on behalf of Presto Hail Lifters. Ted Hogan appeared in opposition. Mayor Miller closed the hearing at 10:48 a. m.

The existing ordinance on this tract allows provides for all C-3 uses and one C-4 use with two conditions:

- That it be limited to trailer/truck rentals and all unconditionally permitted C-3 uses (C-3 was the zoning at the time of the request)
- That there shall be no more than two rental units parked between the front of the building and the adjacent streets, and the units shall be parked outside of the vision triangle (the balance of any units on the lot are to be parked behind the building).

Since the December meeting when this case was continued, staff reported additional information to the Planning Commission that may help both the applicant and the adjacent owners if the case is recommended to the City Council. Mr. Hogan, owner of property north (on Memphis) of the former service station, objects to the heavier land use and parking the rental RV units between the building and Memphis. He contends that the units will block vision of his property from 50th Street. If an entire row of units extend to the property line between the building and Memphis, he is accurate. The current building has an approximate 58-foot setback from Memphis, which is greater than the required 43-foot commercial foot setback for any building from an adjacent street. The applicant rents the 30–35 foot self propelled units, and they are as tall as the buildings in the area. One of the proposed conditions proposed below will speak to this issue.

Staff recommended that in lieu of amending the current zoning by adding RV sales, the Commission recommendation to the Council could be to substitute the proposed use and eliminate the rental trailer sales while keeping the current base C-3 district. The trailer rental business was visually more detrimental to the property and vicinity than having only one unit RV parked

immediately adjacent to the building on the Memphis side, with any others parked behind the building behind the Memphis building line.

One irony of the case is that if the owner of the hail dent business drove the unit to work as a mode of transportation, she could park where the unit is proposed to be parked for rent, and even have a “for sale” sign in the window versus the “rent me” sign that is in the window of one of the RV units now. A letter detailing the objectives of the applicant is in backup.

Adjacent land uses include:

N – Commercial
S – Commercial
E – Commercial
W – Commercial

The request, as an amendment to an already existing C-4 parcel with the one permitted C-4 use and all permitted C-3 uses, is not a clear deviation from the Comprehensive Land Use Plan since the original case “broke the ice” with regard to C-4 on a non-regional or State designated street. Amendment for the proposed use and elimination of the trailer rental portion of current permitted use should be primarily discussed with regard to compatibility to the adjacent neighbors. The Planning Commission members expressed concern with regard to “C-4 creep” that the yet to be adopted inner city study recommended against if such rezoning initiates a downward spiral of land uses and increases deterioration in the area. On both 34th Street and 50th Street, there will be future increased pressure for heavier uses – and the staff is of the opinion that it will be “look” of any heavier uses versus the actual zoning that will stabilize, destabilize, or otherwise impact the inner portions of our community.

The applicants have requested to have two to four RV units on the pavement between the building and Memphis, with the balance of any machines stored on the lot to be in the back of the building. The Planning Commission recommendation to the Council noted below would allow only one unit between the building and Memphis.

The Planning Commission recommended the case for approval with the following conditions:

1. The use of the parcel for trailer rental as assigned in Ordinance 9827 is rescinded.
2. One “for rent” RV may be parked on the Memphis side of the business. It will be parked as close to the building as practical. The “rent me” or “for rent” sign in the window of the vehicle does not constitute a “code” sign so long as it is in one of the windows of the RV.
3. Any additional RV units for rent shall be stored in the back of the building, behind the building line (58 feet) on the Memphis side.
4. An amended site plan is included in file Zone Case 515-E.

5. The amended zoning shall continue the existing C-3 permitted uses.
6. The applicant shall propose a landscape plan for consideration and approval by the Council during the second hearing.
7. The existing storage building on the east side of the business shall be removed.

FISCAL IMPACT

No fiscal impact is anticipated.

With the potential to enhance the landscaping on the lot, and the exchange of this C-4 use in lieu of a less desirable use (the rental of U-Haul type trailers approved a number of years ago), as well as attempting to keep 50th Street occupied and productive versus vacant, staff is in agreement with the recommendations of the Planning Commission.

Randy Henson, Director of Planning, gave comments and answered questions from Council. Mayor Pro Tem Gilbreath asked Mr. Henson to see that the proponents be here on the second reading of this ordinance.

Motion was made by Council Member Boren, seconded by Council Member Jones to pass on first reading Ordinance No. 2007-00015 with an amendment to Item 6, that the staff approve the landscaping plan. Motion carried: 7 Ayes, 0 Nays.

6.3. Ordinance Amendment 2nd Reading - Water Utilities: Ordinance No. 2007-00010 Consider an ordinance amending Chapter 28-52 and 28-53 of the Code of Ordinances in regard to water rates.

This item was continued until the February 22, 2007 Regular City Council Meeting.

A Cost of Service study was completed recently for both the water and sewer services in order to establish the appropriate rates to reflect the cost of providing these services. In addition to the cost of service issues, the study also proposed a change to the Average Winter Consumption (AWC) increasing block rate to encourage greater water conservation. This study was completed and results were provided to the Lubbock Water Advisory Commission on November 16, 2006.

The recommended rates are revenue neutral. Increases in rates for budgetary purposes are considered with the annual budget. The changes proposed in this ordinance are revenue neutral and reflect cost of service changes only.

Before 1990, the City had a decreasing block rate. This means that as a customer used more water, the rate per 1,000 gallons dropped for the additional use. In 1991, the City adopted a uniform water rate. Under this plan, the rate per 1,000 gallons used remains unchanged. It is now proposed that the City adopt an increasing block rate plan in order to encourage greater conservation. Under this plan, the rate per 1,000 gallons will increase for the additional use.

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The specific plan proposed is called the AWC plan or Average Winter Consumption plan. Under this plan, the volume of water included in Block 1 for residential use is determined differently for each customer based upon the amount of water used by that customer in November, December, January and February. The volume that can be used in Block 2 for residential customers is 25,000 gallons. Block 3 would be for use over and above Block 1 and Block 2 use.

For commercial, multifamily and public entities, the volume allowed under Block 1 is again determined by the customer's average winter consumption. Block 2, however is not set on a specific use amount like residential. It is set on 150% of the average winter consumption. Block 3 again would be for use over and above the Block 1 and Block 2 volumes.

For irrigation service, there is no Block 1 volume. Single family residential irrigation service would have a Block 2 volume of 25,000 gallons, while non residential service would have a Block 2 based upon 150% of the average winter consumption. Block 3 again would be for use over and above the Block 2 volume.

Under the proposed rates, the monthly base charge would decrease for almost all customers. Residential would decrease by \$4.30 or 38.7% for ¾" water meters. This decrease continues with as much as 52% to 73% reductions in the monthly base charge based upon the size of the meter.

The increasing block rate proposed would be uniform for almost all customers as follows on a per 1,000 gallon basis:

- Block 1 - \$2.06
- Block 2 - \$2.58
- Block 3 - \$4.52

The current uniform rate for residential customers is \$2.03 per 1,000 gallons of water used. Previous multi family rates were \$1.73 per 1,000 gallons while commercial, public, and municipal rates were at \$1.88 per 1,000 gallons. All customers will receive a savings on the monthly base charge, but the cost per 1,000 gallons will decrease to encourage greater conservation.

Customers who use less water will see a water decrease. As an example, a customer at the average of 7,000 gallons would see a 14.8% decrease. A customer with a 25,000 gallon use would see an 8.6% increase. The goal is to encourage all to save water.

FISCAL IMPACT

The recommendation is revenue neutral for the City. There are no proposed increases or decreases in revenues for the Water Fund as a result of this recommended change in water rates.

The Lubbock Water Advisory Commission has reviewed the recommendations and has approved it for consideration by the City Council.

City staff recommended the proposed changes in order for rates to reflect the cost of service.

Motion was made by Mayor Pro Tem Gilbreath, seconded by Council Member Boren to continue this item to the February 22, 2007 Regular City Council Meeting. Motion carried: 6 Ayes, 0 Nays.

Council Member Jones was away from the dais.

6.4. Budget Amendment Ordinance 1st Reading - Finance: Ordinance No. 2007-O0016 Amendment No. 7 amending the FY 2006-07 budget respecting the General Fund and Grant Fund.

1. Accept and appropriate grant from Texas Department of Housing and Community Affairs for the Southwestern Public Service Low-Income Program. Funding will be received in the amount of \$28,804. The grant will fund programs to assist low-income persons and families with weatherizing their homes and installing energy efficiency measures. This is accomplished by funding City programs that address this issue. The grant pays for both programmatic and administration of the funds. The contract will expire December 31, 2007.
2. Authorize one additional grant-funded position in the Health Department. An amendment to the contract with the Texas Department of State Health Services approved at the January 25, 2007 City Council Meeting provided additional funds to implement innovative immunization promotion strategies and funded one full-time "ImmTrac/PICS Outreach Specialist". Activities of this position will be to increase vaccination coverage levels among children 19 through 35 months of age in the Lubbock service area, transition 100% of enrolled Texas Vaccine for Children providers to the Pharmacy Inventory Control System, and present ImmTrac information to providers, schools and other community groups. The amount provided through the contract for this position is \$60,221, which covers salary, benefits, travel and other associated expenses. There will be no financial impact on the General Fund related to this position.

FISCAL IMPACT

Included in item summary.

Staff recommended approval of the first reading of this ordinance.

Jeff Yates, Chief Financial Officer, gave comments and answered questions from Council.

Motion was made by Council Member DeLeon, seconded by Council Member Price to pass on first reading Ordinance No. 2006-O0016 as recommended by staff. Motion carried: 7 Ayes, 0 Nays.

6.5. Acceptance Resolution - Finance: Resolution No. 2007-R0057 accepting the City of Lubbock Comprehensive Annual Financial Report, the Single Audit Report, the State Award Audit, and the Management Letter for FY 2005-06.

Each year, the Accounting Department prepares a Comprehensive Annual Financial Report (CAFR) that is designed to provide the City Council, citizens, representatives of financial institutions, and others with detailed information concerning the financial condition and performance of the City of Lubbock. As a significant component of the preparation of the CAFR, an independent audit firm of certified public accountants performs an audit of the City's general-purpose financial statements and notes.

Kevin Kemp, partner of BKD, LLP will present the results of the audit to the City Council and address any questions the City Council members have about the audit or audit opinion. A final opinion will be presented with the final printed copy of the CAFR. The Audit Committee has reviewed the CAFR.

FISCAL IMPACT

No fiscal impact anticipated.

Staff recommended approval of this resolution.

Jeff Yates, Chief Financial Officer, and Lee Ann Dumbauld, City Manager, gave comments and answered questions from Council. Kevin Kemp, partner with BKD, LLP, gave a report on the audit that was recently done. Kemp also answered questions from Council. Council Member Boren asked that the Central Lubbock Master Plan be added to the CAFR transmittal letter.

Motion was made by Council Member DeLeon, seconded by Council Member Price to pass Resolution No. 2006-R0057 as recommended by staff, with adding the Central Lubbock Master Plan to the CAFR transmittal letter. Motion carried: 7 Ayes, 0 Nays.

6.6. Compensation Resolution - City Council: Resolution No. 2007-R0058 authorizing salaries commensurate with the responsibilities of Assistant City Manager positions for certain City employees.

During the FY 2006-07 budget process, a thorough evaluation of the City's organizational chart was undertaken. During this evaluation, with the consultation of City Council, the organizational structure was changed to include additional Assistant City Manager positions. The organizational chart was adopted on September 13, 2006, as was the Assistant City Manager positions and their promotions increase. In lieu of creating additional positions, the City Manager recommended current department directors be assigned additional departments to supervise. To properly compensate the Assistant City Managers for their promotions, as well as provide compensation commensurate with their additional responsibilities, the following salary adjustments are necessary.

The Airport Director was promoted to the position of Assistant City Manager for Transportation and Public Works in July 2006, and has assumed additional responsibilities for Engineering, Solid Waste, Streets Maintenance, and Traffic Engineering. It is recommended that the Assistant City Manager for Transportation and Public Works be paid an annual salary of \$119,250,

commensurate with his new responsibilities, and that this salary be effective upon adoption of the resolution.

The Human Resources Director was promoted to the position of Assistant City Manager for Community Services in July 2006, and has assumed responsibilities for Parks and Recreation, Cemetery, Libraries, Health Department, Civic Facilities, and Community Development. It is recommended that the Assistant City Manager for Community Services be paid an annual salary of \$115,875, commensurate with his new responsibilities, and that this salary be effective upon adoption of the resolution.

The Director of Business Development was promoted to the position of Assistant City Manager for Development Services, and has assumed additional responsibilities for Downtown Development, GIS and Mapping, Building Inspection, and Planning. It is recommended that the Assistant City Manager for Development Services be paid an annual salary of \$109,125, commensurate with his new responsibilities, and that this salary be effective upon adoption of the resolution.

FISCAL IMPACT

The additional salary cost is included in the adopted FY 2006-07 Operating Budget.

Motion was made by Council Member Price, seconded by Council Member Jones to pass Resolution No. 2006-R0058 as recommended by staff.

Discussion on this item was had. Council Member Price called for the question, which was seconded by Council Member Jones. Vote was taken, which carried: 5 Ayes, 2 Nays. Council Members Boren and Leonard voted Nay.

Vote was then taken on the motion on the floor. Motion carried: 5 Ayes, 2 Nays. Council Members Boren and Leonard voted Nay.

6.7. Contract Resolutions - Parks and Recreation: Resolution No. 2007-R0059; Resolution No. 2007-R0060; Resolution No. 2007-R0061 authorizing the Mayor to execute contracts with Rampy Landscape; West Texas Maintenance; GKC, Inc.; and Cutting Edge for turf maintenance of various right-of-ways, municipal parklands, and the City of Lubbock Cemetery, BID 07-003-MA.

This bid is for turf maintenance of developed and undeveloped parkland, medians, various high profile City properties (libraries, Walk of Fame Plaza, City Bank Auditorium, etc.), right-of-ways, South Loop 289 turnarounds, and the City of Lubbock Cemetery.

This project consists of mowing and trimming on approximately 3,054 acres and 39 linear miles of right of way. The areas for each group are outlined below:

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Group 1 - 502.90 acres
Group 2 - 987.48 acres
Group 3 - 1,379.95 acres
Group 4 - 23.29 acres and 38.74 linear miles of right-of-way.
Group 5 - 160.0 acres
Total 3,053.62 acres

The bid included the following categories:

PARKS AND RECREATION

Group 1:

Class A with 29 cycles of mowing every 5 days - high visibility areas such as Gateway Plaza, the Walk of Fame, Civic Centers, Groves Library, medians, etc.

Class B with 25 cycles of mowing every 7 days - primarily swimming pools, surrounding parks, and ball fields.

Class C with 17 cycles of mowing every 10 days - neighborhood parks generally under 10 acres.

Group 2:

Class C with 17 cycles of mowing every 10 days - neighborhood parks generally over 10 acres.

Group 3:

Class D with 9 cycles of mowing every 21 to 30 days - undeveloped rough mow areas and Canyon Lakes.

Group 4:

Class B with 25 cycles of mowing every 7 days - Broadway Streetscape.

Class C with 17 cycles of mowing every 10 days - South Loop 289 Turnarounds.

Class E with 8 cycles of mowing every 30 days - rights-of-way.

CEMETERY

Group 5:

Class B with 25 cycles of mowing every 7 days.

The term of the contracts is three years with guaranteed pricing.

Staff recommended that City Council reject the bid for Group 2 and direct staff to re-bid turf maintenance for these properties. West Texas Maintenance submitted the only bid for Group 2. The \$514,250 bid for Group 2 is more than a 100 percent price increase when compared to the 2002 contract. The price bid for Group 1 represents only a 2 percent price increase from the 2002 contract, while the bids for Groups 3 and 4 represent a price decrease of 0.28 percent compared to the 2002 contract.

The mowing area for Group 2 is 988 acres consisting generally of the large parks. Staff recommended dividing Group 2 into two groups, Group 2A and Group 2B, and then re-bidding the work. Group 2A will include 497 acres and Group 2B will include 491 acres. Dividing Group 2 into two smaller groups should provide opportunities for additional mowing contractors to bid in order to receive more competitive pricing.

FISCAL IMPACT

\$1,490,192 is appropriated for this purpose in the Parks and Recreation Operating Budget with \$1,262,898 available.

\$145,000 is appropriated for this purpose in the Cemetery Operating Budget with \$134,814 available.

Staff recommended bid award for Groups 1 and 5 to the lowest bidder Rampy Landscape of Lubbock, Texas for \$470,816.40; bid award for Group 3 to the only bidder GKC, Inc. of Lubbock, Texas for \$218,700; bid award for Group 4 to the only bidder Cutting Edge of Lubbock, Texas for \$138,100; and that City Council reject the bid for Group 2 from the only bidder West Texas Maintenance of Lubbock, Texas for \$514,250.

Scott Snider, Assistant City Manager, gave comments and answered questions from Council. City Attorney Anita Burgess pointed out that the recommendation was to reject the bid for Group 2.

Motion was made by Council Member Price, seconded by Council Member DeLeon to pass Resolution No. 2006-R0059; Resolution No. 2006-R0060; and Resolution No. 2007-R0061 as recommended by staff. Motion carried: 7 Ayes, 0 Nays.

6.8. Appoint Chair to North Overton Tax Increment Financing Reinvestment Zone - City Secretary: Appoint Chair to North Overton Tax Increment Financing Reinvestment Zone Board of Directors.

By State statute and ordinance creating 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. Staff recommended reappointing Jack Driskill as Chair.

FISCAL IMPACT

No fiscal impact is anticipated.

Staff recommended reappointing Jack Driskill as Chair.

Motion was made by Council Member DeLeon, seconded by Council Member Price to reappoint Jack Driskill as Chair to the North Overton Tax Increment Financing Reinvestment Zone Board of Directors. Motion carried: 7 Ayes, 0 Nays.

6.9. Appoint Chair for Central Business District Tax Increment Financing Reinvestment Zone - City Secretary: Appoint Chair for Central Business District Tax Increment Financing Reinvestment Zone Board of Directors.

By State statute and ordinance creating 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 staff recommended reappointing him to another term.

FISCAL IMPACT

No fiscal impact is anticipated.

Staff recommended reappointing Merle Blosser as chair.

Motion was made by Council Member DeLeon, seconded by Mayor Pro Tem Gilbreath to reappoint Merle Blosser as Chair for the Central Business District Tax Increment Financing Reinvestment Zone Board of Directors. Motion carried: 7 Ayes, 0 Nays.

6.10. Opposition to House Bill 651 Resolution - City Council: Resolution No. 2007-R0062 outlining the City of Lubbock's opposition to House Bill 651 filed with the 2007 Texas State Legislature relating to the jurisdiction of the Texas Railroad Commission over gas utilities.

House Bill 651 filed with the 2007 Texas State would authorize a gas utility to opt out of municipal jurisdiction over its rates, operations, and services by electing to be subject to the primary jurisdiction of the Texas Railroad Commission.

The resolution is being drafted and will be provided to City Council upon completion.

FISCAL IMPACT

Unknown at this time.

Motion was made by Council Member Leonard, seconded by Mayor Pro Tem Gilbreath to pass Resolution No. 2006-R0062 as recommended by staff. Motion carried: 7 Ayes, 0 Nays.

11:37 A.M. CITY COUNCIL RECESSED

11:47 A.M. CITY COUNCIL RECONVENED

7. WORK SESSION

7.1. Annual Progress Report - Civic Lubbock Inc.: Presentation of Civic Lubbock Inc. Annual Progress Report. Dan Burns, President, Civic Lubbock, Inc.

Dan Burns, President of Civic Lubbock, Inc., gave a presentation on Civic Lubbock, Inc. Annual Progress Report. Areas he covered included the mission statement, background of the corporation, where the primary funding comes from, the local grant program, and Civic Lubbock's primary function. Burns introduced Chevo Morales who is Executive Vice President, and then answered questions from Council.

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7.2. Strategic Plan: Mayor and City Council will discuss the Mayor's Strategic Plan.

Mayor Miller and City Council discussed the draft of the City of Lubbock's Strategic Plan. Discussion was had on the Strategic Goals and Tasks. Council Member DeLeon asked that Council be provided a checklist to monitor the status of Strategic Goals and Tasks that have been accomplished. Miller directed Jeff Yates, Chief Financial Officer, to provide a quarterly scoreboard of where we are based measurable quantifiable results. Mayor Miller asked that the proposed Strategic Plan be put on the February 22, 2007 agenda for adoption.

12:30 P. M. CITY COUNCIL RECESSED TO EXECUTIVE SESSION

2:22 P. M. COUNCIL ADJOURNED

There being no further business to come before Council, Mayor Miller adjourned the meeting.