

**CITY OF LUBBOCK
SPECIAL CITY COUNCIL MEETING
June 18, 2010
7:00 A. M.**

The City Council of the City of Lubbock, Texas met in regular session on the 18th day of June, 2010, in City Council Chambers, City Hall, 1625 13th Street, Lubbock, Texas at 7:00 a. m.

7:04 A.M. CITY COUNCIL CONVENED

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

Present: Mayor Tom Martin, Mayor Pro Tem Jim Gilbreath, Council Member Paul R. Beane, Council Member Linda DeLeon, Council Member Karen Gibson, Council Member Todd R. Klein, and Council Member Floyd Price.

Absent: No one.

7:05 A.M. CITY COUNCIL RECESSED INTO EXECUTIVE

1. EXECUTIVE SESSION

1.1. Hold an executive session in accordance with Vernon's Texas Codes Annotated (V.T.C.A.) Government Code, Section 551.071, to discuss pending or contemplated litigation or settlement agreement, and hold a consultation with attorney.

1.1.1 Health Benefits

8:15 A.M. CITY COUNCIL RECONVENED

Council Chambers

2. REGULAR AGENDA

- 2.1. Resolution - City Attorney: Resolution No. 2010-R0278 providing legal representation to David Miller, former mayor of the City of Lubbock, for the purposes of prosecuting his counterclaims and other applicable causes of action against ICON Benefit Administrators II, L.P. and American Administrative Group, Inc., including the City's subrogation interests in connection with ICON Benefit Administrators II, L.P. and American Administrative Group, Inc. v. Joella Mullin, Stanley Self, Andrea Davenport, Lee Ann Dumbauld, Scott Snider, Leisa Hutcheson, and Unknown Others, Cause No. CC-08-01067-B, in the County Court at Law No. 2, Dallas County, Texas.**

Mike Byrd, Byrd and Associates, gave comments and answered questions from Council.

Motion was made by Council Member Klein, seconded by Council Member DeLeon, to approve Resolution No. 2010-R0278. Motion carried: 5 Ayes, 1 Nay. Council Member Beane voted nay. Mayor Martin recused.

8:30 A.M. CITY COUNCIL RECESSED

8:34 A.M. CITY COUNCIL RECONVENED

Council Chambers

- 2.2. Resolution - City Attorney: Resolution No. 2010-R0279 providing legal representation to Lee Ann Dumbauld, employee of the City of Lubbock, for the purposes of prosecuting her counterclaims and other applicable causes of action against ICON Benefit Administrators II, L.P. and American Administrative Group, Inc., including the City's subrogation interests in connection with ICON Benefit Administrators II, L.P. and American Administrative Group, Inc. v. Joella Mullin, Stanley Self, Andrea Davenport, Lee Ann Dumbauld, Scott Snider, Leisa Hutcheson, and Unknown Others, Cause No. CC-08-01067-B, in the County Court at Law No. 2, Dallas County, Texas.**

Motion was made by Council Member Klein, seconded by Council Member Price, to approve Resolution No. 2010-R0279. Motion carried: 6 Ayes, 1 Nay. Council Member Beane voted nay.

- 2.3. Resolution - City Attorney: Resolution No. 2010-R0280 providing legal representation to Leisa Hutcheson, employee of the City of Lubbock, for the purposes of prosecuting her counterclaims and other applicable causes of action against ICON Benefit Administrators II, L.P. and American Administrative Group, Inc., including the City's subrogation interests in connection with ICON Benefit Administrators II, L.P. and American Administrative Group, Inc. v. Joella Mullin, Stanley Self, Andrea Davenport, Lee Ann Dumbauld, Scott Snider, Leisa Hutcheson, and Unknown Others, Cause No. CC-08-01067-B, in the County Court at Law No. 2, Dallas County, Texas.**

Motion was made by Council Member Klein, seconded by Council Member Price, to approve Resolution No. 2010-R0280. Motion carried: 6 Ayes, 1 Nay. Council Member Beane voted nay.

- 2.4. Resolution - City Attorney: Resolution No. 2010-R0281 providing legal representation to Scott Snider, employee of the City of Lubbock, for the purposes of prosecuting his counterclaims and other applicable causes of action against ICON Benefit Administrators II, L.P. and American Administrative Group, Inc., including the City's subrogation interests in connection with ICON Benefit Administrators II, L.P. and American Administrative Group, Inc. v. Joella Mullin, Stanley Self, Andrea Davenport, Lee Ann Dumbauld, Scott Snider, Leisa Hutcheson, and Unknown Others, Cause No. CC-08-01067-B, in the County Court at Law No. 2, Dallas County, Texas.**

Motion was made by Council Member Klein, seconded by Council Member Price, to approve Resolution No. 2010-R0280. Motion carried: 6 Ayes, 1 Nay. Council Member Beane voted nay.

- 2.5. Election Resolution - City Secretary: Consider a resolution to canvass the vote and declare the results of the Special Runoff Election held June 12, 2010, for the election of City Council member, District 1.**

Rebecca Garza, City Secretary, read the results received from the 2010 Runoff Election. Victor Hernandez received the majority of the votes in the runoff election; therefore, was declared elected to the District 1 City Council seat. Ms. Garza recommended to the Council to accept these results.

Motion was made by Council Member Klein, seconded by Council Member Price, to approve Resolution No. 2010-R0282. Motion carried: 7 Ayes, 0 Nays.

8:41 A.M. CITY COUNCIL RECESSED

9:09 A.M. CITY COUNCIL RECONVENED

3. PROCLAMATIONS AND PRESENTATIONS

3.1. Invocation

Father Rene Perez, St. Theresa Catholic Church, led the invocation.

3.2. Pledges of Allegiance

This item was not addressed.

3.3. 9:00 a.m. - Swearing-In Ceremony - City Council: Administer Oath of Office to newly elected Council Member, District 1.

Mayor Martin gave comments on outgoing City Council Member Linda DeLeon and presented her with a gift from Council and members of City Staff.

Outgoing Council Member Linda DeLeon gave thanks to everyone who supported her throughout her 24 years of service.

Council Member, District 1 - Mayor Martin presented Mr. Hernandez with a certificate that certified his election. Victor Hernandez was sworn in by Judge Ruben Reyes of the 72nd Judicial District Court. Mr. Hernandez gave remarks and extended his appreciation to everyone involved with his campaign.

9:29 A. M. COUNCIL ADJOURNED

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