

**CITY OF LUBBOCK**  
**REGULAR CITY COUNCIL MEETING**  
**September 2, 2010**  
**7:30 A. M.**

The City Council of the City of Lubbock, Texas met in special session on the 2nd of September, 2010, in City Council Chambers, City Hall, 1625 13th Street, Lubbock, Texas at 7:30 a. m.

**7:31 A.M. CITY COUNCIL CONVENED**

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

**Present:** Mayor Tom Martin; Mayor Pro Tem Floyd Price; Council Member Paul R. Beane; Council Member Karen Gibson; Council Member Jim Gilbreath; Council Member Victor Hernandez; Council Member Todd R. Klein; Lee Ann Dumbauld, City Manager; Rebecca Garza, City Secretary; and Sam Medina, City Attorney.

**Absent:** No one.

*Note: City Council addressed agenda items in the following order:*

- 2.1-2.2; 2.5-2.7; 2.3-2.4

**2. REGULAR AGENDA**

**2.1. Public Hearing 7:30 a.m. - Finance: Hold a public hearing on the Proposed FY 2010-11 Operating Budget and Capital Program.**

Mayor Martin opened the public hearing at 7:32 a.m.

Mikel Ward, Christopher Starcher, and John Osborne, President of LEDA and Market Lubbock, Inc., appeared before Council to speak on the proposed operating budget and the proposed tax rate increase.

Mayor Martin closed the public hearing at 7:54 a.m.

**2.2. Public Hearing 7:30 a.m. - Finance: Hold a public hearing on a proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 6.33% (percentage by which the proposed tax rate exceeds the effective tax rate calculated under Chapter 26, Tax Code).**

Mayor Martin opened the public hearing at 7:32 a.m.

Mikel Ward, Christopher Starcher, and John Osborne, President of LEDA and Market Lubbock, Inc., appeared before Council to speak on the proposed operating budget and the proposed tax rate increase.

Mayor Martin closed the public hearing at 7:54 a.m.

**7:55 A.M. CITY COUNCIL RECESSED INTO EXECUTIVE SESSION**

**1. EXECUTIVE SESSION**

**1.1. Hold an executive session in accordance with V.T.C.A. Government Code, Section 551.086, on the following competitive matters (Electric Utilities):**

**1.1.1 to deliberate, vote and take final action on electric rates of Lubbock Power and Light;**

**1.1.2 to discuss, vote and take final action on a competitive matter regarding operation, financial and capital statements and budgets, revenue and expense projections, strategic business plans, agreements, asset purchase agreements, and studies of Lubbock Power and Light; and**

**1.1.3 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.**

**8:40 A.M. CITY COUNCIL RECONVENED**

**Council Chambers**

**2. REGULAR AGENDA (Continued)**

**2.5. Resolution - Finance: Resolution No. 2010-R0420 calling for redemption certain outstanding electric system revenue bonds and authorizing the payment thereof.**

Andy Burcham, Chief Financial Officer, gave comments and answered questions from Council.

Motion was made by Council Member Gilbreath, seconded by Council Member Beane, to approve Resolution No. 2010-R0420. Motion carried: 7 Ayes, 0 Nays.

- 2.6. Ordinance 2nd Reading – Right-of-Way: Ordinance 2010-O0065 Consider an ordinance abandoning and closing a portion of a 15-foot wide alley, Lot 1A, in Roles Acres Addition, 2400 Quaker Avenue.**

Motion was made by Council Member Beane, seconded by Council Member Klein, to approve Ordinance No. 2010-O0065. Motion carried: 7 Ayes, 0 Nays.

- 2.7. Resolution - Business Development: Resolution No. 2010-R0421 accepting an Annual Service Plan Update and Amendments to the Service and Assessment Plan for the Vintage Township Public Improvement District; setting a date for a public hearing; authorizing the publication of notice; and enacting other provisions related thereto.**

Motion was made by Council Member Klein, seconded by Mayor Pro Tem Price, to approve Resolution No. 2010-R0421. Motion carried: 7 Ayes, 0 Nays.

**8:44 A.M. CITY COUNCIL RECESSED INTO EXECUTIVE**

**9:47 A.M. CITY COUNCIL RECONVENED**

**Council Chambers**

- 2.3. Budget Adoption Ordinance 1st Reading - Finance: Ordinance No. 2010-O0070 adopting the FY 2010-11 Operating Budget and Capital Program; amending Chapter 23 of the Code of Ordinances of the City of Lubbock, Texas, by amending subsections 23-21(b) and 23-66(a) by revising solid waste collection rates as contained therein; amending Chapter 28 of the Code of Ordinances of the City of Lubbock, Texas, by amending sections 28-52 and 28-53 by revising water rates as contained therein; and establishing an affordability program for certain residential customers; amending Chapter 28 of the Code of Ordinances of the City of Lubbock by amending subsections 28-86(a) and 28-86(b) by revising wastewater rates as contained therein; providing for applicable effective dates; and providing a savings clause and providing for publication.**

Andy Burcham, Chief Financial Officer, gave comments and answered questions from Council.

Motion was made by Council Member Klein, seconded by Council Member Gilbreath, to approve Ordinance No. 2010-O0070 with the following changes to the Fiscal year 2010-11 Proposed Operating Budget and Capital Program, related to the General Fund:

- Decrease revenues by reducing the proposed property tax rate for operations and maintenance from 35.688 cents to 33.240 cents, for a total revenue reduction of \$2,587,483.

- Amend Section 26 of this ordinance by increasing revenues, related to higher certified values, by \$573,872 rather than \$614,609 as originally incorporated into the ordinance due to the reduction in the operations and maintenance tax rate.
- Decrease expenditures by eliminating the cost of street lighting, totaling \$2,907,491.
- Decrease expenditures by increasing the estimated attrition savings from \$2 million to \$2,352,606, for a reduction totaling \$352,606.
- Reduce the transfer to the Capital Program in the amount of \$1,650,000 as follows:
  1. Reduce the transfer for the City Facilities Major Improvements Project by \$500,000, and rename the project “Facility Maintenance Fund”.
  2. Reduce the transfer for the Redistricting Coordination Project by \$100,000 for a revised total project cost of \$100,000.
  3. Eliminate the City Hall Improvements Project, totaling \$450,000.
  4. Eliminate the Clapp Swimming Pool Maintenance and Improvements Project, totaling \$600,000.
- Increase expenditures in the General Fund by implementing the Fire Pay Plan, the Police Chief’s pay plan recommendation, and a 3% merit increase for other employees of the City, LP&L, Market Lubbock Inc., and Lubbock Economic Development Alliance, effective January 1, 2011. The increased expenditures in the General Fund for these pay increases total \$2,896,486.

Also included in the amendment were the following changes to the Electric Fund:

- Decrease revenues by eliminating the payment of electricity for City street lights, totaling \$1,832,778.
- Eliminate the transfer from the General Fund for Street Lighting by \$1,074,713.
- Increase the transfer to the General Fund for a Payment in Lieu of Property Taxes, totaling \$1,463,323.

Motion carried: 5 Ayes, 2 Nays. Mayor Martin and Council Member Beane voted nay.

**2.4. Tax Levy Ordinance 1st Reading - Finance: Ordinance No. 2010-O0071 setting the tax rate and levying a tax upon all property subject to taxation within the City of Lubbock for 2010.**

Andy Burcham, Chief Financial Officer, gave comments and answered questions from Council.

Motion was made by Council Member Klein, seconded by Council Member Gilbreath, to approve Ordinance No. 2010-O0071 with an amendment to Section 1 of the Ordinance to read as follows:

- THAT there shall be levied and assessed upon all property subject to taxation within the city of Lubbock, Texas for the year 2010 the sum of \$0.45617 per One Hundred and No/100s Dollars (\$100.00) valuation thereof and the same shall be applied to the various funds in the following manner:
  - \$0.09377 per \$100 valuation to the Interest and Sinking Fund
  - \$0.33240 per \$100 valuation to the General Fund; and
  - \$0.03000 per \$100 valuation to the Economic Development Fund

Motion carried: 6 Ayes, 1 Nay. Council Member Beane voted nay.

**10:30 A.M. CITY COUNCIL ADJOURNED**

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