

**CITY OF LUBBOCK
REGULAR CITY COUNCIL MEETING
November 4, 2010
7:30 A. M.**

The City Council of the City of Lubbock, Texas met in regular session on the 4th of November, 2010, in City Council Chambers, City Hall, 1625 13th Street, Lubbock, Texas at 7:30 a. m.

7:32 A.M. CITY COUNCIL CONVENED

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

Present: Mayor Tom Martin (arrived in Executive Session); 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:*

- *Citizen Comments; 3.1-3.2; 4.1; 5.1-5.13; and 6.1.*

1. CITIZEN COMMENTS

- James Loomis appeared before Council to discuss new screening procedures at the airport.

7:35 A.M. CITY COUNCIL RECESSED INTO EXECUTIVE

2. EXECUTIVE SESSION

- 2.1. 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.

- 2.1.1 Police**
 - 2.1.2 Right-of-Way**
 - 2.1.3 Risk Management**
 - 2.1.4 Water Utility**
- 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.**
 - 2.2.1 Right-of-Way**
 - 2.2.2 Water Utility**
- 2.3. Hold an executive session in accordance with V.T.C.A. Government Code, Section 551.074 (a)(1), to discuss personnel matters and take appropriate action.**
 - 2.3.1 City Attorney**
 - 2.3.2 City Manager**
 - 2.3.3 City Secretary**
- 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 business plans, agreements, asset purchase agreements, 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**
- 2.5. Hold an executive session in accordance with V.T.C.A. Government Code, Section 551.074(a)(1), to discuss personnel matters regarding duties, responsibilities, and/or appointments to the Electric Utility Board.**

9:25 A.M. CITY COUNCIL RECONVENED
Council Chambers

3. PROCLAMATIONS AND PRESENTATIONS

3.1. Invocation by Pastor Brian Dupre, Redeemer Lutheran Church

Pastor Brian Dupre, Redeemer Lutheran Church, led the invocation.

3.2. Pledges of Allegiance

Pledges of Allegiance were given in unison by those in the City Council Chambers to the United States flag and the Texas flag.

4. MINUTES

4.1. October 14, 2010, Regular City Council Meeting

Motion was made by Mayor Pro Tem Price, seconded by Council Member Gibson, to approve the October 14, 2010 Regular City Council minutes. Motion carried: 7 Ayes, 0 Nays.

5. CONSENT AGENDA

Motion was made by Council Member Gibson, seconded by Council Member Klein, to approve items 5.1-5.13. Motion carried: 7 Ayes, 0 Nays.

5.1. Resolution - Finance: Resolution No. 2010-R0556 authorizing the Mayor to execute a Notice of Acknowledgment of Assignment and Sale with Banc of America Public Capital Corp for rights, title, and interest into and under Appendix 8872-223, Part 1 Equipment List in the amount of \$3,659,070.85 and Part 2 Payment Schedule to the Master Lease Agreement to Wells Fargo Equipment Finance, Inc.

5.2. Ordinance 2nd Reading – Right-of-Way: Ordinance 2010-O0086 abandoning and closing portions of North Brentwood Avenue and a portion of 1st Street located in Section 1, Block J-S Lubbock County, Texas, 5402 1st Street.

5.3. Contract Resolution - Right-of-Way: Resolution No. 2010-R0557 authorizing the Mayor to execute Contract 9842 with Jason Manley for the acquisition of Lot 35, Lakewood Estate Addition to the City of Lubbock, Lubbock County, Texas, 9801 Hope Avenue.

5.4. Contract Resolution - Right-of-Way: Resolution No. 2010-R0558 authorizing the Mayor to execute Contract 9838 with Wendell D. Dixon for the purchase of a permanent 55-foot wide easement for the construction of the Lake Alan Henry Treated Waterline Project.

5.5. Contract Resolution – Water Utility: Resolution No. 2010-R0559 authorizing the Mayor to execute Contract 9762 with Riley Industrial Service for the exterior rehabilitation of a six million gallon ground storage tank at the North Water Treatment Plant, BID 10-116-FO.

- 5.6. Ordinance 2nd Reading - Planning: Ordinance 2010-O0082 Zone Case 3142 (4401, 4402, 4403, 4405, and 4407 20th Street; 4401, 4406, 4408, 4409, 4410, 4412, and 4414 21st Street; 4406, 4408, and 4410 22nd Street): request from Q19 Holdings for a zoning change from Family Apartment District (A-1) to Interstate Highway Commercial District (IHC) Specific Use (reduced setback) on Lots 5 through 29, Alexander Land Addition.**
- 5.7. Ordinance 2nd Reading - Planning: Ordinance 2010-O0083 Zone Case No. 1320-B (1111 West Loop 289): request of Conterra Ultra Broadband (for Region 17 Education Service Center) for a zoning change from Commercial District (C-4) to C-4 Specific Use for a 130 foot tall communications tower on Middle Part of Tract C, K-Mart Plaza Addition.**
- 5.8. Ordinance 2nd Reading - Planning: Ordinance 2010-O0084 Zone Case No. 1720-F (5759 34th Street): request of Jim Stewart (for Texas Star Ice House) for a zoning change from General Retail District (C-3) to C-3 Specific Use (ice vending machine) on the east 72 feet of Lot 1, Village West Addition.**
- 5.9. Ordinance 2nd Reading - Planning: Ordinance 2010-O0085 Zone Case No. 3141 (6302 114th Street): request of Hugo Reed & Associates, Inc., (for CKG Architects) for a zoning change from Transitional (T) to High Density Apartment District (A-2) (church and church related uses) on 5 acres of unplatted land out of Block AK, Section 21.**
- 5.10. Contract Resolution - Information Technology: Resolution No. 2010-R0560 authorizing the Mayor to execute purchase order Contract 1420008 with Mobility IT for 496 wireless data cards and communication service plans for Lubbock Power & Light, Public Safety, Solid Waste, and Water Utility.**
- 5.11. Contract Resolution - Information Technology: Resolution No. 2010-R0561 authorizing the Mayor to execute purchase order Contract 33000048 with Insight Software.com, Inc., for the purchase of report-writing software to supplement the City's Enterprise One Financial System.**
- 5.12. Contract Resolution - Fleet: Resolution No. 2010-R0562 authorizing the Mayor to execute Contract 9840 with D&H Petroleum & Environmental Services to replace fuel dispensers at the Municipal Hill Fuel Site, RFP 10-120-RH.**
- 5.13. Contract Amendment Resolution - Citibus: Resolution No. 2010-R0563 authorizing the Mayor execute Amendment 2 to Medical Transportation Services Agreement 529-08-0196-00016F with the Texas Health and Human Services Commission; extending the term of the agreement an additional 18 months.**

6. REGULAR AGENDA

6.1. Board Appointments - City Secretary: Consider two appointments to the Appointments Advisory Board, and four appointments to the Electric Utility Board.

Appointments Advisory Board: Motion was made by Mayor Pro Tem Price, seconded by Council Member Klein, to appoint Margaret Hite to the Mayor's position, and appoint Sherril Skibell to the District 6 position. Motion carried: 7 Ayes, 0 Nays.

Electric Utility Board: Nominations for the Electric Utility Board were George Carpenter, Virgil Johnson, Emilio Abeyta, Glen Robertson, Carroll McDonald, and Connie Wharton.

Votes were taken as follows:

George Carpenter: 6 Ayes (Mayor Pro Tem Price and Council Members Gibson, Klein, Gilbreath, Beane, and Hernandez)

Virgil Johnson: 5 Ayes (Mayor Martin, Mayor Pro Tem Price, and Council Members Gibson, Klein, and Hernandez)

Emilio Abeyta: 5 Ayes (Mayor Pro Tem Price and Council Members Gibson, Klein, Beane, and Hernandez)

Glen Robertson: 6 Ayes (Mayor Martin, Mayor Pro Tem Price, and Council Members Gibson, Klein, Gilbreath, Beane, and Hernandez)

Carroll McDonald: 3 Ayes (Mayor Martin and Council Members Gilbreath and Beane)

Connie Wharton: 2 Ayes (Mayor Martin and Council Member Gilbreath)

Motion was made by Mayor Pro Tem Price, seconded by Council Member Klein, to appoint George Carpenter, Virgil Johnson, Emilio Abeyta, and Glen Robertson to the Electric Utility Board. Motion carried: 7 Ayes, 0 Nays.

9:30 A.M. CITY COUNCIL RECESSED INTO EXECUTIVE

9:58 A.M. CITY COUNCIL RECONVENED

Council Chambers

9:58 A.M. CITY COUNCIL ADJOURNED

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

The November 4, 2010 Regular City Council Meeting minutes were approved by the City Council on the 2nd day of December, 2010.

TOM MARTIN, MAYOR

ATTEST:

Rebecca Garza, City Secretary