

CITY OF LUBBOCK
REGULAR CITY COUNCIL MEETING
May 30, 2012
7:30 A. M.

The City Council of the City of Lubbock, Texas met in regular session on the 30th of May, 2012, in City Council Chambers, City Hall, 1625 13th Street, Lubbock, Texas at 7:30 a. m.

7:34 A.M. CITY COUNCIL CONVENED
City Council Chambers, 1625 13th Street, Lubbock, Texas

Present: Mayor Glen C. Robertson; Mayor Pro Tem Floyd Price; Council Member Paul R. Beane; Council Member Karen Gibson; Council Member Victor Hernandez; Council Member Latrelle Joy; Council Member Todd R. Klein; City Manager Lee Ann Dumbauld; City Secretary Rebecca Garza; City Attorney Sam Medina

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

- *Citizen Comments (1.1-1.5); 6.9 (reconsidered following item 6.8); Citizen Comments (1.6-1.8); 6.10; Sign-ups (1.9); Executive Session; 3.1-3.3; 4.1; 5.1-5.1.1; 5.3-5.4; 5.6; 5.8-5.9; 5.13-5.17; 5.19-5.20; 5.24-5.27; 5.30-5.31; 5.33; 5.2; 5.5; 5.7; 5.10-5.12; 5.18; 5.21-5.23; 5.28-5.29; 5.32; 5.34; 6.1-6.6; 7.1; 6.7-6.9; and 7.4.*
- *Item 6.10 was postponed to the June 7, 2012 City Council meeting.*
- *No action was taken on item 6.7.*
- *Items 7.2, 7.3, 7.5 and 7.6 were deleted.*

1. Citizen Comments - Any citizen wishing to appear before any regular meeting of the City Council shall advise the City Manager's office of that fact no later than seven calendar days before the meeting at which the citizen wishes to appear. Any citizen wishing to so appear shall inform the City Manager's office, in writing, of the subject of the appearance. The subject matter shall be sufficiently detailed as to inform the City Council and the public of its nature. Such notice shall contain the name and address of the requestor. The appearance of any citizen giving such notice to the City Manager's office shall take precedence in addressing the City Council during the Citizen Comments period. Any citizen failing to advise the City Manager's office of his/her wish to appear before the City Council as hereinabove set forth shall, time permitting, be permitted to address the City Council after those having given notice. In accordance with the Texas Open Meetings Act, the City Council may not take action on public matters during Citizen Comments.

1. 1. Robert C. Lee will appear before the City Council to discuss the demolition of the City Auction Building.

Robert C. Lee appeared before City Council to discuss the demolition and possible refurbishing of the City Auction Building.

1. 2. Michael Conkling will appear before the City Council to discuss the demolition of the City Auction Building.

Mr. Conkling did not appear.

1. 3. Leopoldo A. Quirino will appear before City Council to discuss renaming a portion of Atzlan Park commonly referred to as "The Arroyo."

Mr. Quirino did not appear.

1. 4. Frank Gutierrez will appear before the City Council to discuss renaming a portion of Atzlan Park commonly referred to as "The Arroyo."

Frank Gutierrez appeared before Council to give a presentation about Carlos Quirino, Sr. and discuss the renaming of a portion of Atzlan Park.

1. 5. Carlos Quirino, Jr. will appear before the City Council to discuss renaming a portion of Atzlan Park commonly referred to as "The Arroyo."

Carlos Quirino, Jr. appeared before Council to discuss the renaming of a portion of Atzlan Park in memory of his father Carlos A. Quirino, Sr.

1. 6. Bill Curnow will appear before the City Council to discuss a proposed dog park at Stumpy Hamilton Park.

Bill Curnow appeared before Council to speak in favor of the proposed dog park at Stumpy Hamilton Park.

1. 7. Le Earl Bryant will appear before the City Council to discuss a proposed dog park at Stumpy Hamilton Park.

Le Earl Bryant appeared before Council to speak in opposition to the proposed dog park at Stumpy Hamilton Park.

1. 8. Johnny Rosa will appear before the City Council to discuss a proposed dog park at Stumpy Hamilton Park.

Johnny Rosa appeared before Council to speak in opposition of the proposed dog park at Stumpy Hamilton Park.

1. 9. **Sign-ups:**

Ysidro Gutierrez appeared before Council to speak in favor of televising Electric Utility Board meetings.

2. **Executive Session**

The meeting was called into a closed public session at 8:40 a.m. under the provisions of Section 551, Texas Government Code. The meeting was called back into public session at 9:33 a.m.

Council recessed into Executive Session again at 12:24 p.m. and reconvened in open session at 2:42 p.m.

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. Willie Williams v. Curtis Fish, Individually and as an Officer of the Lubbock Police Department, Civil Action No. 5-11CV0215-C, in the United States District Court for the Northern District of Texas, Lubbock Division.
2. 1. 2. Martha Ellerbrook v. City of Lubbock, No. 11-10058, In The United States Court of Appeals For The Fifth Circuit, Appeal from the United States District Court for the Northern District of Texas USDC No. 5:09-CV-144.
2. 1. 3. Property located at 1206 14th Street, Lubbock, Texas, also known as the Omni Building.
2. 1. 4. Republic Power Partners, L.P., v. WTMPA and the City of Lubbock, Cause No. 2012-501169 in the 237th District Court of Lubbock County, Texas.
2. 1. 5. Statement of Intent filed by Atmos Energy Corporation on February 7, 2012, to increase gas utility rates within the incorporated areas serviced by Atmos Energy Corporation, West Texas.
2. 1. 6. Provisions in the HealthSmart (AAG) contracts and other documents related to University Medical Center and Covenant Health System.
2. 1. 7. Hotel Franchise Tax Delinquencies
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. Concerning a Public Health building.
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. 2. 1. Assignment of City Council support staff.
2. 3. 3. City Secretary
2. 3. 3. 1. Assignment of City Council support staff.
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 discuss, vote, and take final action on customer billing and electric power pricing
2. 4. 2. to discuss and deliberate plans, studies, proposals, and analyses for system improvements and risk management information and related strategies
2. 4. 3. to discuss and deliberate bidding and pricing information for purchased power, generation and fuel, purchased power agreements, and related services and strategies

2. 5. Hold an executive session in accordance with Vernon's Texas Codes Annotated (V.T.C.A.) Government Code, Section 551.071 (2), to discuss legal issues and render advice in attorney/client consultation with attorney.

2. 6. Hold an executive session in accordance with V.T.C.A. Government Code, Section 551.074(a), to discuss personnel matters regarding the duties, responsibilities, and/or appointments to the Electric Utility Board.

3. **Proclamations and Presentations**

3. 1. Invocation by Senior Pastor Aaron Denson, Bethany Baptist Church

Senior Pastor Aaron Denson, Bethany Baptist Church, led the invocation.

3. 2. Pledges of Allegiance

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

3. 3. Board Recognitions:

Animal Services Advisory Committee

Brenda Bobo (unable to attend)

Kathy Crouch

Diana Dowd

Community Development & Services Board

Jaime Garcia (unable to attend)

Bill McNamara (unable to attend)

Junked Vehicle Compliance Board

Jimmy Cantrell

Park & Recreation Board

John Cervantez

Karen Pitcock

David Vasquez (unable to attend)

Urban Design & Historic Preservation Commission

Bill Mueller

Libraries Board

Lynne Strickland (unable to attend)

4. **Minutes**

4. 1. April 23, 2012, Special City Council Meeting
April 26, 2012, Regular City Council Meeting
May 3, 2012, Regular City Council Meeting

Motion by Council Member Karen Gibson, seconded by Council Member Paul R. Beane to approve the April 23, 2012 Special City Council minutes, the April 26, 2012 Regular City Council minutes, and the May 3, 2012 Regular City Council minutes.

Vote: 7 - 0 Motion carried

5. **Consent Agenda - Items considered to be routine and enacted by one motion without separate discussion. If the City Council desires to discuss an item, the item is removed from the Consent Agenda and considered separately.**

Motion by Council Member Todd R. Klein, seconded by Mayor Pro Tem Floyd Price to approve items 5.1-5.1.1, 5.3-5.4, 5.6; 5.8-5.9; 5.13-5.17; 5.19-5.20; 5.24-5.27; 5.30-5.31; and 5.33.

Vote: 7 - 0 Motion carried

5. 1. **Budget Ordinance Amendment 2nd Reading - Finance :** Ordinance 2012-O0048, Amendment 15, amending the Adopted FY 2011-12 Budget respecting the Grant Fund to accept and appropriate funding from the Texas Department of Transportation (TxDOT) for the Click-It or Ticket Selective Traffic Enforcement Program (STEP).

5. 1. 1. **Contract Resolution - Police :** Resolution No. 2012-R0191 authorizing the Mayor to execute a grant agreement with TxDOT for the Click-It or Ticket STEP.

5. 2. **Budget Ordinance Amendment 1st Reading - Finance: Ordinance No. 2012-O0050, Amendment 16, amending the Adopted FY 2011-12 Budget respecting the Grant Fund to accept and appropriate additional funding from the Texas Department of State Health Services (DSHS) for the Public Health Emergency Preparedness (PHEP) – PPCPS/Hazards Grant, Grant No. 81086; accept and appropriate additional funding from the Texas DSHS for the Regional and Local Services Section (RLSS) - Local Public Health System (LPHS) Grant, Grant No. 81090; accept and appropriate additional funding from the Dallas Police Department for the Internet Crimes Against Children (ICAC) Task Force, Grant No. 86058; and reduce funding from the Texas Department of Housing and Community Affairs (TDHCA) for the American Recovery and Reinvestment Act (ARRA) - Weatherization Assistance Program (WAP).**

Bill Howerton, Community Development Director/Citibus Liaison, gave comments and answered questions from Council.

Motion by Council Member Paul R. Beane, seconded by Mayor Pro Tem Floyd Price to approve Ordinance No. 2012-O0050.

Vote: 7 - 0 Motion carried

5. 3. **Contract Resolution - Finance :** Resolution No. 2012-R0192 authorizing the Mayor to execute an agreement with Racer Classic Car Wash regarding the funding and construction of public improvements in Phase One, Project 92254E, of the Project Plan for the North Overton Tax Increment Finance Reinvestment Zone (TIF).

5. 4. **Ordinance 1st Reading – Right-of-Way :** Ordinance No. 2012-O0049 abandoning and closing a drainage easement, located in Block E-2, Section 16, Lubbock County, Texas, 100th Street and Richmond Avenue.

5. 5. **Dedicatory Certificate Resolution - Right-of-Way :** Resolution No. 2012-R0214 authorizing the Mayor to execute a Dedicatory Certificate in connection with the platting of Tract B, Day Estates Addition to the City of Lubbock, Lubbock County, 5826 98th Street.

Motion by Council Member Paul R. Beane, seconded by Mayor Pro Tem Floyd Price to approve Resolution No. 2012-R0214.

Vote: 7 - 0 Motion carried

5. 6. Contract Resolution - Right-of-Way : Resolution No. 2012-R0193 authorizing the Mayor to execute Contract 10768 with Chris Bednarz to farm 40 acres out of the west half of Section 72, Block S, Lubbock County, Texas, 5114 East FM 1585.

5. 7. Contract Resolution – Public Works Engineering : Resolutino No. 2012-R0215 authorizing the Mayor to reject bids for the rehabilitation of an existing sanitary sewer pipeline in the downtown area - Broadway Crossing, BID 12-10634-CI.

Marsha Reed, Chief Operating Officer, gave comments and answered questions from Council.

Motion by Council Member Todd R. Klein, seconded by Mayor Pro Tem Floyd Price to approve Resolution No. 2012-R0215.

Vote: 7 - 0 Motion carried

5. 8. Contract Resolution - Public Works Water Treatment: Resolution No.'s 2012-R0194, 2012-R0195, and 2012-R0196 authorizing the Mayor to execute Contract 10638 with Hydro Plus, Ltd.; Contract 10638-1 with DPC Industries, Inc.; and Contract 10638-2 with Altivia Corporation for water treatment and maintenance chemicals for the South Water Treatment Plant, BID 12-10638-CI.

5. 9. Contract Resolution - Public Works Water Treatment: Resolution No. 2012-R0197 authorizing the Mayor to execute purchase order Contract 22101548 with Gicon Pumps & Equipment for a vertical turbine water pump and a 250 horsepower induction motor for the Bailey County Well Field booster pumping station.

5. 10. Contract Resolution - Public Works Water Treatment : Resolution No. 2012-R0216 authorizing the Mayor to execute Contract 10600 with Pevey Lawn & Landscape for landscape maintenance services for various water treatment facilities, BID 12-10600-CI.

Marsha Reed, Chief Operating Officer; Marta Alvarez, Director of Purchasing and Contract Management; and Scott Snider, Assistant City Manager, gave comments and answered questions from Council.

Motion by Council Member Todd R. Klein, seconded by Mayor Pro Tem Floyd Price to approve Resolution No. 2012-R0216.

Vote: 7 - 0 Motion carried

5. 11. Contract Resolution - Public Works Water Treatment: Resolution No. 2012-R0217 authorizing the Mayor to execute purchase order Contract 22101535 with Lubbock Electric Company to ratify the emergency purchase of a 500 horsepower induction motor for the Lowhead B water pumping station.

Marsha Reed, Chief Operating Officer, gave comments and answered questions from Council.

Motion by Council Member Todd R. Klein, seconded by Mayor Pro Tem Floyd Price to approve Resolution No. 2012-R0217.

Vote: 7 - 0 Motion carried

5. 12. **Contract Resolution – Public Works Water Treatment** :Resolution No. 2012-R0218 authorizing the Mayor to execute purchase order Contract 22300020 with Western Industrial Supply, Inc., for a Tapping/Insert-a-Valve Machine, BID 12-10499-CI.

Marsha Reed, Chief Operating Officer, gave comments and answered questions from Council.

Motion by Council Member Todd R. Klein, seconded by Council Member Paul R. Beane to approve Resolution No. 2012-R0218.

Vote: 7 - 0 Motion carried

5. 13. **Contract Resolution - Public Works Traffic Engineering:** Resolution No. 2012-R0198 authorizing the Mayor to execute purchase order Contract 10005524 with Graybar Electric Company for fiber optic cable.
5. 14. **Contract Resolution - Public Works Traffic Engineering:** Resolution No. 2012-R0199 authorizing the Mayor to execute unit price Contract 10498 with Advanced Communications USA, Inc., for the installation of fiber optic cable for traffic signal upgrades, BID 12-10498-RH.
5. 15. **Contract Resolution - Public Works Traffic Engineering** : Resolution No. 2012-R0200 authorizing the Mayor to execute purchase order Contract 93000025 with Texas Highway Products, LTD, for traffic signal conflict monitors.
5. 16. **Contract Amendment Resolution - Community Development** : Resolution No. 2012-R0201 authorizing the Mayor to execute Amendment 1 to a Community Development Funding Contract No. 10590 with the Fiestas Del Llano, Inc., for the Public Facility Renovation Project.
5. 17. **Contract Resolution - Community Development** : Resolution No. 2012-R0202 authorizing the Mayor to execute Contract No. 10809, a Community Development Funding Contract with Lyons Chapel Baptist Church for a Demolition and Clearance Project.
5. 18. **Resolution - Community Deveopment** : Resolution No. 2012-R0219 calling a public hearing proposing an amendment to the Urban Renewal Plan Area 23 to revise the existing Urban Renewal Land Use Plan from R-1 (Single-Family District) to IHC (Interstate Highway Commercial District) Specific Use in the 300 Block of Vernon Avenue and Avenue V, legally described as Lots 5 through 20, Block 11, Green Hankins Addition, to the City of Lubbock, Lubbock County, Texas.

Bill Howerton, Community Development Director/Citibus Liaison; and Randy Henson, Planning Director, gave comments and answered questions from Council.

Motion by Council Member Todd R. Klein, seconded by Mayor Pro Tem Floyd Price to approve Resolution No. 2012-R0219.

Vote: 7 - 0 Motion carried

5. 19. **Contract Resolution - Citibus** : Resolution No. 2012-R0203 authorizing the Mayor to execute Contract 10392 with Stewart and Stevenson for transit bus filters, BID 12-10392-DG.
5. 20. **Contract Resolution - Citibus** : Resolution No.'s 2012-R0204 and 2012-R0205 authorizing the Mayor to execute Contract 10523 with Stewart and Stevenson and Contract 10523-1 with Texas Enterprises, Inc., dba United Oil and Grease, for motor oil and other lubricants, BID 12-10523-DG.
5. 21. **Contract Resolution - Citibus** : Resolution No.'s 2012-R0220, 2012-R0221, and 2012-R0222 authorizing the Mayor to execute Contract 10381 with Bill Williams Tire, Contract 10381-1 with Southern Tire Mart, and Contract 10381-2 with McWhorters for bus tires, BID 12-10381-DG.

Bill Howerton, Community Development Director/Citibus Liaison; and Lee Ann Dumbauld, City Manager, gave comments and answered questions from Council.

Motion by Council Member Todd R. Klein, seconded by Mayor Pro Tem Floyd Price to approve Resolution No.'s 2012-R0220, 2012-R0221, and 2012-R0222.

Vote: 7 - 0 Motion carried

5. 22. **Contract Resolution - Risk Management** : Resolution No. 2012-R0223 authorizing the City Manager to execute Contract 10801 with Wells Fargo Insurance Service by and through their local representative, Sanford and Tatum Insurance Agency, for property and casualty brokerage services.

Motion by Mayor Pro Tem Floyd Price, seconded by Council Member Todd R. Klein to approve Resolution No. 2012-R0223.

Vote: 6 - 1 Motion carried

NAY: Council Member Paul R. Beane

5. 23. **Contract Resolution - Parks and Recreation** : Resolution No. 2012-R0224 authorizing the Mayor to execute purchase order Contract 22300024 with InSite Amenities for Lake Alan Henry recreation area improvements.

Randy Truesdell, Director of Parks and Recreation, gave comments and answered questions from Council.

Motion by Mayor Pro Tem Floyd Price, seconded by Council Member Latrelle Joy to approve Resolution No. 2012-R0224.

Vote: 6 - 1 Motion carried

NAY: Mayor Glen C. Robertson

5. 24. **Contract Resolution - Solid Waste** : Resolution No. 2012-R0206 authorizing the Mayor to execute unit price Contract 10659 with S&H Metal Works for slant side-loading refuse containers, BID 12-10659-CI.

5. 25. **Contract Resolution - Solid Waste** : Resolution No. 2012-R0207 authorizing the Mayor to execute Contract 10660 with Ace Golf Netting, LP, for Phase 3 in the construction of outer litter barrier fence at the West Texas Region Disposal Facility, BID 12-10660-RH.

5. 26. **Resolution - Solid Waste** : Resolution No. 2012-R0208 authorizing the filing of a grant application with the South Plains Association of Governments (SPAG) for a regional Solid Waste Grants Program to purchase used oil and antifreeze containers, used oil filter receptacles, and heavy duty rectangular roll-off containers.
5. 27. **Contract Resolution - Fleet Services** : Resolution No. 2012-R0209 authorizing the Mayor to execute purchase order Contract 31010219 with Sam Pack's Five Star Ford for sport utility vehicles.
5. 28. **Contract Resolution - Fleet Services** : Resolution No.'s 2012-R0225, 2012-R0226, and 2012-R0227 authorizing the Mayor to execute Contract 10607 with Xstream Autoclean, Contract 10607-1 with Racer Classic Car Wash, and Contract 10607-2 with Quick Quack Car Wash for vehicle washing services, RFP 12-10607-CI.

Leslie Cox, Director of Telecom and Fleet Operations Information Technology; and Lee Ann Dumbauld, City Manager, gave comments and answered questions from Council.

Motion by Council Member Todd R. Klein, seconded by Mayor Pro Tem Floyd Price to approve Resolution No.'s 2012-R0225, 2012-R0226, and 2012-R0227.

Vote: 7 - 0 Motion carried

5. 29. **Contract Resolution - Public Works Wastewater** : Resolution No. 2012-R0228 authorizing the Mayor to execute purchase order Contract 23101523 with Massey Irrigation for six center pivot replacements for the Land Application Sites, BID 12-10661-CI.

Motion by Mayor Pro Tem Floyd Price, seconded by Council Member Todd R. Klein to approve Resolution No. 2012-R0228.

Vote: 7 - 0 Motion carried

5. 30. **Contract Amendment Resolution – Telecommunications** : Resolution No.'s 2012-R0210 and 2012-R0211 authorizing the Mayor to execute Amendment 5 for purchase order Contract 33000251 with AT&T Global Services and Amendment 6 for purchase order Contract 33000252 with AT&T Global Services for Municipal Hill and Municipal Square telephone and voicemail systems upgrades.

5. 31. **Resolution - Information Technology** : Resolution No. 2012-R0212 authorizing the Mayor to reject all bids for the purchase of HP hard drives, BID 12-10501-DT.

5. 32. **Contract Resolution - Radio Shop** : Resolution No. 2012-R0229 authorizing the Mayor to execute purchase order Contract 14200012 with Digital Safety Technologies for 50 digital video recorders to be installed in police patrol vehicles.

Roger Ellis, Police Chief, gave comments and answered questions from Council.

Motion by Council Member Todd R. Klein, seconded by Council Member Latrelle Joy to approve Resolution No. 2012-R0229.

Vote: 7 - 0 Motion carried

5. 33. **Contract Resolution - Airport** : Resolution No. 2012-R0213 authorizing the Mayor to execute purchase order Contract 25100294 with Office Wise Furniture and Supply for airport terminal seating at Lubbock Preston Smith International Airport (LPSIA).
5. 34. **Contract Resolution - Police** : Resolution No. 2012-R0230 authorizing the Mayor to execute an Interlocal Agreement with Lubbock County for use of the Lubbock Police Department Firing Range facilities.

Roger Ellis, Police Chief, gave comments and answered questions from Council.

Motion by Council Member Latrelle Joy, seconded by Council Member Todd R. Klein to approve Resolution No. 2012-R0230.

Vote: 5 - 1 Motion carried

NAY: Council Member Paul R. Beane

Other: Mayor Pro Tem Floyd Price (RECUSE)

6. **Regular Agenda**

6. 1. **Public Hearing 9:30 a.m. – Planning** : Ordinance No. 2012-O0051, Zone Case 2374-F: request of Hugo Reed and Associates, Inc., (for BBM Capital) for a zoning change from A-1 (Family Apartment District) to IHC (Interstate Commercial District), limited to recreational vehicle sales and service, an extension of camper coach sales and services, on 2.04 acres of unplatted land out of Block E, Section 4 (south of South Loop 289 and east of Avenue S), and to consider an ordinance.

Randy Henson, Planning Director, gave comments and answered questions from Council.

Mayor Robertson opened the public hearing at 10:40 a.m.

Terry Holeman, Director of Development Services with Hugo, Reed, & Associates, appeared to speak in favor.

No one appeared to speak in opposition.

Mayor Robertson closed the public hearing at 10:42 a.m.

Motion by Mayor Pro Tem Floyd Price, seconded by Council Member Paul R. Beane to approve Ordinance No. 2012-O0051.

Vote: 6 - 0 Motion carried

Other: Council Member Todd R. Klein (RECUSE)

6. 2. **Public Hearing 9:30 a.m. – Planning** : Ordinance No. 2012-O0052, Zone Case 2895-H: request of AMD Engineering, LLC, (for Lubbock Land Company) for a zoning change from R-1 (Single-Family District) Specific Use for single family with a reduced setback to R-1 Specific Use for garden homes with an 18-inch rear setback for non-rear facing garages on 2.67 acres of unplatted land out of Blocks A-K, Section 28 (89th Street west of Kewanee Avenue), and to consider an ordinance.

Andrew Paxton, Senior Planner, gave comments and answered questions from Council.

Mayor Robertson opened the public hearing at 10:43 a.m.

No one appeared to speak in favor or opposition.

Mayor Robertson closed the public hearing at 10:43 a.m.

Motion by Council Member Paul R. Beane, seconded by Council Member Latrelle Joy to approve Ordinance No. 2012-O0052.

Vote: 7 - 0 Motion carried

- 6. 3. Public Hearing 9:30 a.m. – Planning :** Ordinance No. 2012-O0053, Zone Case 3047-C: request of AMD Engineering, LLC, (for Oakmont Estates Investments of Lubbock) for a zoning change from R-1 (Single-Family District) Specific Use for Vintage Township to R-1 Specific Use for garden homes with a reduced setback for corner lots and an 18-inch rear setback for non-rear-facing garages on 2.94 acres of unplatted land (proposed lots 1-11 Oakmont Addition); 139.16 acres of unplatted land, with a reduced 20-foot front setback and a 5-foot side setback on corner lots; and a reduced rear setback of 18 inches for non-rear-facing garages out of Block E-2, Section 23 (south of 114th Street and east of Quaker Avenue), and to consider an ordinance.

Andrew Paxton, Senior Planner, gave comments and answered questions from Council.

Mayor Robertson opened the public hearing at 10:45 a.m.

No one appeared to speak in favor or opposition.

Mayor Robertson closed the public hearing at 10:45 a.m.

Motion by Mayor Pro Tem Floyd Price, seconded by Council Member Todd R. Klein to approve Ordinance No. 2012-O0053.

Vote: 7 - 0 Motion carried

- 6. 4. Public Hearing 9:30 a.m. – Planning :** Ordinance No. 2012-O0054, Zone Case 2995-O: request of AMD Engineering, LLC, (for George McMahan Development, LLC) for a zoning change from R-1 (Single-Family District) and R-2 (Two-Family District) Specific Use for reduced front setback to R-2 Specific Use for duplex lots with a reduced 20-foot front setback and a 5-foot setback on corner lots on 3.95 acres of unplatted land out of Block AK, Section 30 (north of 68th Street and west of Oakridge Avenue), and to consider an ordinance.

Matthew Perkins, Planning and Zoning Manager, gave comments and answered questions from Council.

Mayor Robertson opened the public hearing at 10:48 a.m.

No one appeared to speak in favor or opposition.

Mayor Robertson closed the public hearing at 10:48 a.m.

Motion by Council Member Latrelle Joy, seconded by Mayor Pro Tem Floyd Price to approve Ordinance No. 2012-O0054.

Vote: 7 - 0 Motion carried

- 6. 5. Ordinance 2nd Reading – Planning :** Ordinance No. 2012-O0042, Zone Case 3003-B: (south of 98th Street and west of Justice Avenue): request of Hugo Reed and Associates, Inc., (for Carl Mortensen) for zoning change from R-1 (Single-Family District) to GO (Garden Office District) on 2.6 acres of unplatted land out of Block AK, Section 21.

Randy Henson, Planning Director, gave comments and answered questions from Council.

Motion by Council Member Karen Gibson, seconded by Council Member Todd R. Klein to approve Ordinance No. 2012-O0042 with the following amendment:

- THAT the east property line shall have an eight (8) foot solid screening fence with a fifteen (15) foot setback from the 98th Street right-of-way line.
- THAT on the east property line, trees with a minimum of twelve (12) foot of height shall be planted on thirty (30) foot centers.

Vote: 7 - 0 Motion carried

- 6. 6. Ordinance 2nd Reading – Planning :** Ordinance No. 2012-O0046, Zone Case 3043-B (east of Quaker Avenue and south of 103rd Street): request of Hugo Reed and Associates, Inc., (for James Morgan, Ltd.) for a zoning change from R-1 (Single-Family District) Specific Use and R-2 (Two-Family District) to R-1 Specific Use for reduced setbacks and R-1 Specific Use for garden homes on 28.4 acres of unplatted land out of Block E-2, Section 17.

Randy Henson, Planning Director, gave comments and answered questions from Council.

Motion by Council Member Todd R. Klein, seconded by Mayor Pro Tem Floyd Price to approve Ordinance No. 2012-O0046 with the following amendment:

- Area 1 - The "Standard" Home Area:
 1. THAT the homes shall have a minimum twenty (20) foot front setback.
 2. THAT the homes shall have a minimum five (5)foot front setback for cul de sac lots.
 3. THAT the homes on corner lots may have a five (5) foot side setback.
 4. THAT homes with a "third" garage that do not access directly from the alley may have a "zero" rear setback.
- Area 2 - Garden Homes
 1. THAT the zone change be limited to garden home construction.

Vote: 7 - 0 Motion carried

- 6. 7. Resolution - Lubbock Power & Light :** Consider an order and resolution amending the current rate and tariff structure of Lubbock Power & Light, the City of Lubbock's municipally owned electric utility, as originally passed via Resolution No. 2007-R0227 (as amended) applicable to all rate classes except Rate 16U, to be effective July 1, 2012.

Mike Davis, Chair of the Electric Utility Board, gave a presentation on the current rate and tariff structure of Lubbock Power & Light (LP&L). Lee Ann Dumbauld, City Manager; Don Cullon, Director of System Planning for LP&L; Matt Wade, General Counsel for LP&L; and Gary Zheng, Chief Executive Officer for LP&L, gave comments and answered questions from Council.

No action was taken on this item.

- 6. 8. Ordinance 1st Reading - Building Inspection :** Ordinance No. 2012-O0055 adopting the 2009 International Building Code governing the construction, rehabilitation, and repair of non-residential buildings.

Steve O'Neal, Chief Building Official, gave comments and answered questions from Council.

Motion by Council Member Victor Hernandez, seconded by Council Member Paul R. Beane to approve Ordinance No. 2012-O0055.

Vote: 7 - 0 Motion carried

- 6. 9. Resolution - Parks and Recreation :** Resolution No. 2012-R0190 naming an area of Aztlan Park located at 1st Street and I-27, commonly referred to as "The Arroyo," to memorialize Carlos A. Quirino Sr. as recommended by the Parks and Recreation Advisory Board (PRAB).

Motion by Council Member Todd R. Klein, seconded by Mayor Pro Tem Floyd Price to address item 6.9 during the Citizen Comment period.

Vote: 7 - 0 Motion carried

Motion by Council Member Victor Hernandez, seconded by Council Member Latrelle Joy to approve Resolution No. 2012-R0190.

Vote: 7 - 0 Motion carried

Motion by Council Member Victor Hernandez, seconded by Mayor Pro Tem Floyd Price to reconsider item 6.9.

Vote: 7 - 0 Motion carried

Motion by Council Member Victor Hernandez, seconded by Mayor Pro Tem Floyd Price to approve Resolution No. 2012-R0190 with the following amendment:

- to name the park the "Carlos A. Quirino, Sr. Memorial Arroyo and Esplanade."

Vote: 7 - 0 Motion carried

- 6. 10. Resolution - City Council:** Consider a resolution designating the southernmost portion of Stumpy Hamilton Park as a dog park area, contingent upon securing private funding and/or donations.

Motion by Council Member Todd R. Klein, seconded by Council Member Victor Hernandez to address item 6.10 in the Citizen Comment period.

Vote: 7 - 0 Motion carried

Motion by Council Member Todd R. Klein, seconded by Mayor Pro Tem Floyd Price to postpone item 6.10 to the June 7, 2012 Regular City Council meeting.

Vote: 7 - 0 Motion carried

- 6. 11. Board Appointments - City Secretary :** Consider one appointment to the Appointments Advisory Board, two appointments to the Audit & Investment Committee, three appointments to the Board of Health, one appointment to the Electric Utility Board, two appointments to the Keep Lubbock Beautiful Advisory Committee, and two appointments to the Public Transit Advisory Board.

Rebecca Garza, City Secretary, answered questions from Council.

Appointments Advisory Board: This item was deleted.

Audit & Investment Committee: Motion by Council Member Victor Hernandez, seconded by Council Member Todd R. Klein, to reappoint Larry Allen and Rick Trice.

Vote: 7 - 0 Motion carried

Board of Health: Motion by Council Member Victor Hernandez, seconded by Mayor Pro Tem Floyd Price, to reappoint Kae Hentges, Steven Presley, and Ted Reid.

Vote: 7 - 0 Motion carried

Electric Utility Board: Motion by Council Member Paul R. Beane, seconded by Council Member Todd R. Klein, to appoint Clayton Isom.

Vote: 7 - 0 Motion carried

Keep Lubbock Beautiful Advisory Committee: This item was deleted.

Public Transit Advisory Board: Motion by Mayor Pro Tem Floyd Price, seconded by Council Member Latrelle Joy, to reappoint Bryan Bennett and Jay Jacobus.

Vote: 7 - 0 Motion carried

- 7. Work Session/Business Agenda - Items for presentations and discussions on such issues that may require more in-depth consideration of the City Council than Regular Agenda items. Action may be taken on a Work Session/Business Agenda item if posting of the item indicates to the public the action to be taken.**

- 7. 1.** Discuss recommendations of the Model Codes and Construction Advisory Board regarding storm water billing.

Cyril Reasoner, Chair of the Model Codes and Construction Advisory Board, gave a presentation on storm water billing.

Marsha Reed, Chief Operating Officer; and Lee Ann Dumbauld, City Manager gave comments and answered questions from Council.

- 7. 2.** Discuss the Statement of Intent filed by Atmos Energy Corporation on February 7, 2012, increasing gas utility rates within the incorporated areas serviced by Atmos Energy Corporation, West Texas.

This item was deleted.

- 7. 3.** Discuss the City Council meeting times and take appropriate action including the scheduling of an initial planning meeting.

This item was deleted.

7. 4. Discuss City Council rules and procedures and take appropriate action concerning their review and appropriate changes.

City Council discussed rules and procedures and gave the City Attorney direction concerning review of and changes to the rules and procedures.

7. 5. Discuss the feasibility of recording the City boards and commissions meetings and take appropriate action.

This item was deleted.

7. 6. Discuss FY 2012-13 Operating Budget and Capital Program schedule and discuss all funds and operations of the City.

This item was deleted.

4:15 P.M. CITY COUNCIL ADJOURNED

Motion by Council Member Todd R. Klein, seconded by Mayor Pro Tem Floyd Price to adjourn the meeting.

Vote: 7 - 0 Motion carried

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

GLEN C. ROBERTSON, MAYOR

ATTEST:

Rebecca Garza, City Secretary