

CITY OF LUBBOCK
REGULAR CITY COUNCIL MEETING
November 8, 2012
3:00 P. M.

The City Council of the City of Lubbock, Texas met in regular session on the 8th of November, 2012, in City Council Chambers, City Hall, 1625 13th Street, Lubbock, Texas at 3:00 p. m.

3:00 P.M. CITY COUNCIL CONVENED
City Council Chambers, 1625 13th Street, Lubbock, Texas

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

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

- *Executive Session; 2.1-2.6; Citizen Comments (3.1-3.3); Sign-ups (3.4); 4.1; 5.4-5.9; 5.11-5.23; 5.25-5.33; 5.1; 5.3; 5.10; 5.24; 5.34; 6.3-6.10; and 7.1-7.2.*
- *Items 5.2; and 6.1-6.2 were deleted.*

1. Executive Session

The meeting was called into a closed public session at 3:00 p.m. under the provisions of Section 551, Texas Government Code. City Council reconvened in open session at 6:15 p.m.

- 1. 1.** 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.
- 1. 2.** 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. 2. 1.** Application by City of Lubbock for Amendment to Water Use Permit No. 3985A, SOAH Docket No. 582-11-3522, TCEQ Docket No. 2010-0837-WR.
 - 1. 2. 2.** City of Lubbock Water Rights Permit, TCEQ Permit 5921.
 - 1. 2. 3.** Lake Alan Henry Water Rights Permit, TCEQ Permit 4146.
 - 1. 2. 4.** In the Matter of the City of Lubbock; Permit No. WQ0010353002 RN101609949, before the Texas Commission on Environmental Quality, Docket No. 2012-1903-MWD-E.
 - 1. 2. 5.** Civil Action No. 5-12-CV-158-C, Ras Lynn Thompson v. William Clayton Trotter, et. al in the United States District Court, Northern District of Texas, Lubbock Division.

1. 2. 6. Robert E. Campbell, Maria-Joaquina Womack and Aurora Joy Campbell-Ortega v. Clinton Lewis and Jeffery Steven Simpson, Both in their individual and official Capacities as Police Officers for the City of Lubbock, Texas, and City of Lubbock. Civil No. 5:11-CV-00116-C; United States District Court, Northern District of Texas, Lubbock Division.
1. 3. Hold an executive session in accordance with V.T.C.A. Government Code, Section 551.074, to discuss personnel matters and take appropriate action.
1. 3. 1. City Attorney
1. 3. 2. City Manager
1. 3. 3. City Secretary
1. 3. 4. Presiding Judge of the Municipal Court
1. 4. 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.
1. 4. 1. Mineral interests in connection with the land upon which the South Water Treatment Plant is located (5114 East FM1585).
1. 4. 2. Discussion of potential transfer of City owned property generally situated north of the Mahon Library and east of the Lubbock Memorial Civic Center, which is more specifically described as portions of lots two and three of block two of the Memorial Center Addition to the City of Lubbock, Texas.

**6:15 P.M. CITY COUNCIL RECONVENED
Council Chambers**

2. Proclamations and Presentations

2. 1. Invocation by Minister Tyrone Dubose, Manhattan Heights Church.

Minister Tyrone Dubose, Manhattan Heights Church, led the invocation.

2. 2. Pledges of Allegiance.

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

2. 3. Presentation of special recognitions honoring the Veterans who attended the Washington, D.C. Honor Flight.

Mayor Glen C. Robertson presented a special recognition honoring the Veterans who attended the Washington, D.C. Honor Flight. Veterans, spouses, and volunteers of the trip appeared to accept the recognition. Jan Davis gave thanks to the Mayor for his help on the trip and his continued support.

2. 4. Presentation of a special recognition designating November 10, 2012, as Cannon Air Force Day in Lubbock, honoring the men and women stationed at Cannon Air Force Base.

Mayor Glen C. Robertson along with Council Member Jim Gerlt presented a special recognition designating November 10, 2012, as Cannon Air Force Day in Lubbock. Accepting the recognition were: Danny Koch, Chairman of Committee for Champions; Gerald Meyers, Texas Tech University Athletic Director Emeritus; Steve Uryasz, Texas Tech Senior Associate Athletics Director - External Operations & Development; and Dr. Heather West, Committee for Champions Member. Mr. Koch spoke about the importance of Cannon Air Force Day for the Pilots as well as for the Lubbock community.

2. 5. Presentation of a special recognition for Spina Bifida Awareness.

Mayor Glen C. Robertson along with Council Member Todd R. Klein, presented special recognition for Spina Bifida Awareness. Jayla Ward accepted the recognition and gave comments on Spina Bifida.

2. 6. Presentation of a special recognition to Lee Ann Dumbauld, City Manager, as the recipient of the Certificate of Achievement for Excellence in Financial Reporting.

Mayor Glen C. Robertson presented a special recognition to Lee Ann Dumbauld, City Manager, as the recipient of the Certificate of Achievement for Excellence in Financial Reporting. Pam Moon, Director of Finance, gave comments and introduced staff in attendance including: Brack Bullock, Accounting Supervisor; Linda Cuellar, Accounting Supervisor; Deborah Hansard, Senior Accountant; Zane Graham, Grant Accountant; and Nitra Barnes, Citibus Accounting Manager. Ms. Dumbauld gave thanks to Pam Moon for her 7 years of service to the City.

3. **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.**

3. 1. Gretchen Scott will appear before the City Council to discuss the proposed 50th Street site for the Godeke Library.

Gretchen Scott appeared before Council to speak in opposition to the proposed 50th Street site for the Godeke Library.

3. 2. Lynne Strickland will appear before the City Council to discuss the proposed 50th Street site for the Godeke Library.

Lynne Strickland appeared before Council to speak in opposition to the proposed 50th Street site for the Godeke Library.

3. 3. John Wilkerson will appear before City Council to discuss executive and administrative staff of the City.

John Wilkerson appeared before Council to speak in opposition to additional City Council Staff.

3. 4. **Sign-ups:**

- Debbie Bartholomew appeared before Council to discuss issues regarding her deceased mother.
- Tim Winders, Heidi Thompson, and LeEarl Bryant appeared before Council to speak in opposition of the proposed 50th Street site for Godeke Library.
- Amanda Cargile and Lee Gunn appeared before Council to speak in opposition of the proposed 50th Street site for Godeke Library and to speak in favor of banning texting while driving.
- Armando Gonzales and Naida Gonzales appeared before Council to speak in favor of the proposed location of a Dollar General Store at 4011 East 4th Street.
- Larry Morgan appeared before Council to speak in favor of banning texting while driving.
- Victor Robertson appeared before Council to give thanks for the response to crime in his neighborhood.
- Maurice Stanley appeared before Council to discuss various budget issues.
- Burley Owen appeared before Council to discuss the budget and administrative staff to the City.

4. **Minutes**

4. 1. September 18, 2012 Special City Council Meeting (EUB)
September 26, 2012 Special City Council Meeting (LWAC)
October 11, 2012 Regular City Council Meeting
October 18, 2012 Special City Council Meeting (Imagine Lubbock Together)

Motion by Council Member Floyd Price, seconded by Council Member Todd R. Klein to approve the September 18, 2012 Special City Council (EUB) minutes; the September 26, 2012 Special City Council (LWAC) minutes; the October 11, 2012 Regular City Council minutes; and the October 18, 2012 Special City Council (Imagine Lubbock Together) 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 Karen Gibson to approve items 5.4-5.9; 5.11-5.23; and 5.25-5.33.

Vote: 7 - 0 Motion carried

5. 1. **Resolution - Finance** : Resolution No. 2012-R0439 authorizing refunding of Canadian River Municipal Water Authority Contract Revenue Bonds, Series 2005 (conjunctive use groundwater supply project.)

Lee Ann Dumbauld, City Manager; and Pam Moon, Director of Finance, gave comments and answered questions from Council.

Motion by Mayor Pro Tem Karen Gibson, seconded by Council Member Floyd Price to approve Resolution No. 2012-R0439.

Vote: 6 - 1 Motion carried

NAY: Council Member Victor Hernandez

5. 2. **Resolution - Finance** : Consider a resolution authorizing the City Manager to cause publication of the public hearing on the proposed designation of a Reinvestment Zone and to deliver the Notice of Intent.

This item was deleted.

5. 3. **Budget Ordinance Amendment 1st Reading – Finance:** Ordinance No. 2012-O0127, Amendment 9, amending the Adopted FY 2012-13 Budget respecting the General Fund, Fund 100, and respecting the Donations Fund, Fund 148.

Mike Kemp, Fire Chief; and Lee Ann Dumbauld, City Manager, gave comments and answered questions from Council.

Motion by Mayor Pro Tem Karen Gibson, seconded by Council Member Todd R. Klein to approve Ordinance No. 2012-O0127.

Vote: 7 - 0 Motion carried

5. 4. **Budget Ordinance Amendment 2nd Reading - Finance:** Ordinance 2012-O0121, Amendment 5, amending the Adopted FY 2012-13 Budget respecting the Grant Fund to accept and appropriate funding from the South Plains Association of Governments (SPAG) for the 2012-13 Regional Solid Waste Grants Program; accept and appropriate funding from the Texas Department of Transportation (TxDOT) for the Teaching Kids to Be Street Smart Grant.

5. 4. 1. **Resolution - Solid Waste** : Resolution No. 2012-R0415 authorizing the Mayor to execute Contract 11031 and all related documents with South Plains Association of Governments (SPAG) related to the FY 2012-13 Solid Waste Implementation Project and Contract 582-12-10162.

5. 4. 2. **Resolution - Parks and Recreation** : Resolution No. 2012-R0416 authorizing the Mayor to execute contract 10997 an agreement with the Texas Department of Transportation (TxDOT) for the Texas Traffic Safety Program “Teaching Kids to Be Street Smart” grant for bicycle, car, pedestrian and other safety related programs at Safety City.

5. 5. **Budget Ordinance Amendment 2nd Reading - Finance:** Ordinance 2012-O0126, Amendment 6, amending the Adopted FY 2012-13 Budget respecting the Capital Program to amend Capital Improvement Project 92215, Slide Road from Marshall to U.S. Highway 84.

5. 6. **Contract Amendment Resolution – Public Works Engineering** : Resolution No. 2012-R0417 approving the Downtown Public Improvements Design Standards for the property included in the Central Business District Tax Increment Financing Reinvestment Zone.

5. 7. **Contract Amendment Resolution – Public Works Engineering** : Resolution No. 2012-R0418 for support of the nomination of north University Avenue from U.S. 82 (Marsha Sharp Freeway) to U.S. 84 (Clovis Highway) for the Texas Department of Transportation’s Transportation Enhancement Program and authorizing the Mayor to sign any supporting documentation for the nomination package.

5. 8. **Contract Resolution - Public Works Engineering:** Resolution No. 2012-R0419 authorizing the Mayor to execute unit price Contract 10841 with Advanced Communications USA, Inc., for the construction of new 6 inch and 8 inch water mains and abandonment of existing 2 inch water mains in central Lubbock, Bid 12-10841-CI.
5. 9. **Contract Resolution - Public Works Engineering:** Resolution No. 2012-R0420 authorizing the Mayor to execute unit price Contract 10872 with West Texas Paving, Inc., for the construction of site improvements for the Sanitary Sewer Lift Station No. 54, BID 12-10872-DG.
5. 10. **Contract Resolution - Public Works Engineering:** Resolution No. 2012-R0440 authorizing the Mayor to execute Professional Services Contract 10505 with Freese and Nichols, Inc., for preliminary design of the Lake Alan Henry intake structure.

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

Motion by Council Member Todd R. Klein, seconded by Council Member Floyd Price to approve Resolution No. 2012-R0440.

Vote: 7 - 0 Motion carried

5. 11. **Contract Resolution – Water Resources:** Resolution No. 2012-R0421 authorizing the Mayor to amend Contract 9513 with Hardin & Associates Consulting, LLC, to continue to provide consulting and inspection services related to the backflow prevention and cross-connection control program.
5. 12. **Contract Resolution - Traffic Engineering:** Resolution No. 2012-R0422 authorizing the Mayor to execute Contract 10452, Supplemental Agreement No. 7, to an interlocal agreement with the Texas Department of Transportation (TxDOT) for the operations and maintenance of traffic signals.
5. 13. **Ordinance Amendment 2nd Reading - Public Works Traffic Engineering :** Ordinance 2012-O0122 amending Section 20.05.102 of the Code of Ordinances of the City of Lubbock, with regard to the establishment of speed limits.
5. 14. **Lease Agreement Resolution - Right-of-Way :** Resolution No. 2012-R0423 authorizing the Mayor to execute a parking lot lease with Cast Iron Grill, for the use of a City parking lot, at 1801 Crickets Avenue.
5. 15. **Resolution - Lubbock Metropolitan Planning Organization :** Resolution No. 2012-R0424 authorizing the Mayor to sign a Memorandum of Understanding between the City of Lubbock and the Lubbock Metropolitan Planning Organization (LMPO) regarding roles and responsibilities of the parties with regard to developing transportation plans and programs for the Lubbock Urbanized Area.
5. 16. **Resolution - Lubbock Metropolitan Planning Organization :** Resolution No. 2012-R0425 authorizing the Mayor to sign a Memorandum of Agreement between the City of Lubbock, Lubbock Metropolitan Planning Organization (LMPO), and the Texas Department of Transportation (TxDOT) regarding roles and responsibilities of the parties with regard to carrying out the metropolitan planning process for public transportation within the Lubbock Metropolitan Planning Area.
5. 17. **Contract Resolution - Fleet:** Resolution No. 2012-R0426 authorizing the Mayor to execute purchase order Contract 31012401 with Kinloch Equipment and Supply, Inc., for a street sweeper for the Storm Water Street Cleaning Department.

5. 18. **Contract Resolution - Fleet:** Resolution No. 2012-R0427 authorizing the Mayor to execute purchase order contract 31012402 with Tymco for a street sweeper for the Storm Water Street Cleaning Department.
5. 19. **Contract Resolution - Fleet:** Resolution No. 2012-R0428 authorizing the Mayor to execute purchase order Contract 31012410 with Associated Supply Company, Inc. for six backhoe loaders for the Parks Maintenance, Public Works Streets, and Public Works Water Departments.
5. 20. **Contract Resolution - Fleet:** Resolution No. 2012-R0429 authorizing the Mayor to execute purchase order Contract 31012603 with Scoggin-Dickey Chevrolet-Buick for fifty-one (51) Sport Utility Police Pursuit Vehicles for Police Patrol, BID 13-10970-RH.
5. 21. **Contract Resolution - Fleet:** Resolution No. 2012-R0430 authorizing the Mayor to execute purchase order Contract 31012598 with John Wright Associates, Inc., for the purchase of rear view mirror radars for 2013 Chevrolet Tahoe Defender vehicles for the Police Patrol Division.
5. 22. **Contract Resolution - Fleet:** Resolution No. 2012-R0431 authorizing the Mayor to execute purchase order Contract 31012618 with Digital Safety Technologies for the purchase of Patrol digital video recorders (DVR's) for the 2013 Chevrolet Tahoe Defender vehicles for the Police Patrol Division.
5. 23. **Contract Resolution - Fleet:** Resolution No. 2012-R0432 authorizing the Mayor to execute purchase order Contract 31012605 with Siddons Martin Emergency Group for headlight and tail light flashers, gun racks, and light bars for the 2013 Chevrolet Tahoe Defender vehicles for the Police Patrol Division.
5. 24. **Contract Resolution - Health Department:** Resolution No. 2012-R0441 authorizing the Mayor to execute a lump sum price contract 10833 with L. Howard Construction, Inc. for the relocation of a 475 kW Kohler generator from 1902 Texas Ave. to the Reese Technology Center, Building 555, 1207 Gilbert Drive, and to re-commission the generator, BID 12-10833-CI.

Scott Snider, Assistant City Manager; 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 Karen Gibson to approve Resolution No. 2012-R0441.

Vote: 7 - 0 Motion carried

5. 25. **Contract Resolution - Facilities :** Resolution No. 2012-R0433 authorizing the Mayor to execute Job Order Contract 13-10937-JOC with Minnix Commercial Partners, Ltd., of Lubbock, Texas, for the Municipal Square North Parking Lot Construction.
5. 26. **Contract Resolution - Facilities :** Resolution No. 2012-R0434 authorizing the Mayor to execute Job Order Contract 13-10939-JOC with Minnix Commercial Partners, Ltd., of Lubbock, Texas, for the Police Department Sally Port Roll Up Door Replacement.
5. 27. **Contract Resolution - Radio Shop:** Resolution No. 2012-R0435 authorizing the Mayor to execute Contract 11014 with Dailey Wells Communications, Inc. for annual pricing of radio parts, equipment, and programming licenses.

- 5. 28. **Resolution - Benefits** : Resolution No. 2012-R0436 authorizing the City Manager to approve purchase to specific stop loss insurance coverage from HM Life Insurance Company for the City's health program.
- 5. 29. **Resoluion - Benefits** : Resolution No. 2012-R0437 authorizing the City Manager to purchase transplant insurance coverage from AIG Benefit Solutions.
- 5. 30. **Resolution - Planning** : Resolution No. 2012-R0438 authorizing the Mayor to execute a renewal of the Certification Agreement between the Texas Historical Commission and the City of Lubbock for participation in the Certified Local Government Program.
- 5. 31. **Ordinance 2nd Reading - Planning** : Ordinance 2012-00123, Zone Case 3126-A: request of Hugo Reed and Associates, on behalf of Prestwick, LLC, for a zoning change from GO and T to IHI on 8.3 acres of unplatted land, out of Block AK, Section 20, approximately the 6100 Block of 130th Street.
- 5. 32. **Ordinance 2nd Reading - Planning** : Ordinance 2012-00124, Zone Case 2104-I: request of JDMA (for Rick's Tire Warehouse) for a zoning change from C-2 to C-3 for a tire and wheel shop on Lots D-3 through D-5, Woodland Park Addition, 7819 Slide Road.
- 5. 33. **Ordinance 2nd Reading - Planning** : Ordinance 2012-00125, Zone Case 3081-A: request of Zach Sawyer, on behalf of Clayton Isom, for a zoning change from GO to A-2 Specific Use for apartments on Lots 1 and 2, Block 120, Overton Addition, 1801 Main Street.
- 5. 34. **Contract Resolution - Police:** Resolution No. 2012-R0442 authorizing the Mayor to execute contract 11016 with Garza County, an Interlocal Agreement and the third amendment for Lake Alan Henry Law Enforcement Services.

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

Motion by Council Member Todd R. Klein, seconded by Mayor Pro Tem Karen Gibson to approve Resolution No. 2012-R0442.

Vote: 7 - 0 Motion carried

6. **Regular Agenda**

- 6. 1. **Continued Public Hearing 6:30 p.m. - Planning** : Zone Case 3189 Hold a public hearing to consider the request of West Texas Engineering, LLC, on behalf of RSBR Investments, LLC, for a zoning change from R-1 to C-3 for a Dollar General store on Lot 1, Block 1, Morning View Addition, 4011 East 4th Street, and to consider an ordinance.

This item was deleted.

- 6. 2. **Continued Public Hearing 6:30 p.m. - Planning** : Zone Case 3191 Hold a public hearing to consider the request of West Texas Engineering, LLC, on behalf of RSBR Investments, LLC, for a zoning change from R-1 to C-3 Specific Use for a Dollar General store on Lot 2, Block 1, Morning View Addition, 4011 East 4th Street, and consider an ordinance.

This item was deleted.

- 6. 3. Public Hearing 6:30 p.m. - Planning :** Ordinance No. 2012-00128, Zone Case 3192: request of Michael Diaz for a zoning change from C-2 & C-3 to C-4 limited to a tattoo studio and all C-2 permitted uses on Lot 9 and the west 48.5 feet of Lot 8, Block 1, Highland Place Addition (4025 34th Street) and consider an ordinance.

Mayor Robertson opened the public hearing at 8:34 p.m.

No one appeared to speak in favor or opposition.

Mayor Robertson closed the public hearing at 8:34 p.m.

Motion by Council Member Floyd Price, seconded by Mayor Pro Tem Karen Gibson to approve Ordinance No. 2012-00128.

Vote: 7 - 0 Motion carried

- 6. 4. Budget Ordinance Amendment 1st Reading - Mayor :** Consider Budget Ordinance Amendment 7 amending the Adopted FY 2012-13 Budget respecting the General Fund by eliminating one position from City Council Office.

This item failed.

Motion by Mayor Pro Tem Karen Gibson, seconded by Council Member Jim Gerlt to approve item 6.4.

Vote: 3 - 4 Failed

NAY: Council Member Victor Hernandez
Council Member Latrelle Joy
Council Member Todd R. Klein
Council Member Floyd Price

- 6. 5. Ordinance Amendment 1st Reading- City Secretary :** Ordinance No. 2012-00129 amending Chapter 2 of the Code of Ordinances of the City of Lubbock, Texas, with regard to duties of the City Secretary of the City of Lubbock; providing a savings clause; and providing for publication.

Motion by Council Member Todd R. Klein, seconded by Council Member Floyd Price to approve Ordinance No. 2012-00129.

Vote: 6 - 1 Motion carried

NAY: Mayor Glen C. Robertson

- 6. 6. Budget Ordinance Amendment 1st Reading – City Council :** Ordinance No. 2012-00130, Amendment 8, amending the Adopted FY 2012-13 Budget respecting the General Fund by transferring three positions from City Council Office to City Secretary's Office; amending the payroll and benefits in the City Council Office; and amending the payroll and benefits in the City Secretary's Office.

Motion by Council Member Todd R. Klein, seconded by Council Member Floyd Price to approve Ordinance No. 2012-00130.

Vote: 5 - 2 Motion carried

NAY: Mayor Glen C. Robertson
Mayor Pro Tem Karen Gibson

- 6. 7. Deputy Staff Pay Raise - City Secretary** : Consider and take action on the City Secretary's request concerning a pay raise, pay grade, and beginning date of the raise for the Deputy City Secretary pursuant to Ordinance No. 2012-00118.

Motion by Council Member Todd R. Klein, seconded by Council Member Floyd Price to approve item 6.7 as per briefing and discussion in Executive Session on October 25, 2012, to reclassify the Deputy City Secretary position to Grade 623 and increase Thomas Harris' salary to \$81,101.28 effective May 19, 2012.

Vote: 5 - 2 Motion carried

NAY: Mayor Glen C. Robertson
Mayor Pro Tem Karen Gibson

- 6. 8. Resolution - City Manager** : Resolution No. 2012-R0444 authorizing the Mayor to transfer the property located north of the Mahon Library and east of the Lubbock Memorial Civic Center, which is more specifically described as portions of lots two and three of block two of the Memorial Center Addition to the City of Lubbock, Texas to Ballet Lubbock.

Nicholas Dragga, Executive Director of Ballet Lubbock, gave comments and answered questions from Council.

Motion by Council Member Todd R. Klein, seconded by Council Member Floyd Price to approve Resolution No. 2012-R0444.

Vote: 7 - 0 Motion carried

- 6. 9. Board Appointments - City Secretary** : Consider one appointment to the Appointments Advisory Board, and four appointments to the Electric Utility Board.

Appointments Advisory Board: Motion by Council Member Floyd Price, seconded by Council Member Todd R. Klein, to reappoint Dr. John Bowen.

Vote: 7 - 0 Motion carried

Electric Utility Board: Motion by Council Member Todd R. Klein, seconded by Council Member Floyd Price, to postpone the appointments to the November 29, 2012 Regular City Council Meeting.

Vote: 7 - 0 Motion carried

- 6. 10. Resolution - Municipal Court** : Resolution No. 2012-R0445 authorizing the Mayor to review and adjust the salary of the Presiding Judge of the Municipal Court of record annually as part of the City budget process.

Motion by Council Member Todd R. Klein, seconded by Council Member Floyd Price to approve Resolution No. 2012-R0445 with the following amendments:

- to strike "for the FY 2010-11 budget year" and insert "for the FY 2012-13 budget year" and
- to insert \$155,000 in Section 1.

Vote: 4 - 3 Motion carried

NAY: Mayor Glen C. Robertson
Mayor Pro Tem Karen Gibson
Council Member Jim Gerlt

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 posting if the item indicates to the public the action to be taken.

7. 1. Discussion of current and proposed activities and locations of City of Lubbock main and branch libraries.

City Council participated in a discussion of current and proposed activities and locations of City of Lubbock main and branch libraries. Laura Heinz, Library Board member, appeared to give information regarding library locations and spoke in opposition of the proposed 50th Street site for Godeke Library.

7. 2. Discussion and consideration of the use of wireless communication devices while operating a motor vehicle within the City limits.

City Council participated in discussion regarding the use of wireless communication devices while operating a motor vehicle within the City limits as presented by Council Member Jim Gerlt.

10:08 P.M. CITY COUNCIL ADJOURNED

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

GLEN C. ROBERTSON, MAYOR

ATTEST:

Rebecca Garza, City Secretary