

City of Lubbock, Texas
Regular City Council Meeting
Wednesday, July 27, 2011

Tom Martin, Mayor
Floyd Price, Mayor Pro Tem, District 2
Victor Hernandez, Councilman, District 1
Todd R. Klein, Councilman, District 3
Paul R. Beane, Councilman, District 4
Karen Gibson, Councilwoman, District 5
Jim Gilbreath, Councilman, District 6



<http://www.ci.lubbock.tx.us>

Lee Ann Dumbauld, City Manager
Sam Medina, City Attorney
Rebecca Garza, City Secretary

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

City of Lubbock City Council Meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary's Office at 775-2025 or write to Post Office Box 2000, Lubbock, Texas 79457 at least 48 hours in advance of the meeting.

Note: On occasion the City Council may consider agenda items out of order.

7:30 a.m. -- City Council Convenes in Council Chambers

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 Melissa Luna will appear before the City Council to discuss inflatable equipment in City parks.
 - 1.2 Mary Vines will appear before the City Council to discuss inflatable equipment in City parks.
 - 1.3 Alex McAdoo will appear before the City Council to discuss inflatable equipment in City parks.
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 Icon Benefit Administrators II, L.P. American Administrative Group, Inc., and HealthSmart Preferred Care, II, L.P. v. Greg Abbott, Attorney General of Texas, and the City of Lubbock, Case No. D-1-GN-11-001866 in the 345th District Court, Travis County, Texas
 - 2.1.2 Health Benefits: Cause No. CC-08-01067-B in the County Court at Law No. 2 of Dallas County, Texas
 - 2.1.3 Health Benefits: In the matter of arbitration between the City of Lubbock and HealthSmart Holdings, Inc., et al Case No.71-193-Y-00084-08
 - 2.1.4 Ted Parker v. City of Lubbock Case No. 141 241783 09 in the 141st District Court, Tarrant County
 - 2.1.5 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, Case No. 5:11-cv-00116-C
- 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.
- 2.3 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 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

3. Proclamations and Presentations

- 3.1 Invocation by Associate Pastor Chuck Redger, Christian Life Assembly of God
- 3.2 Pledges of Allegiance
- 3.3 Presentation of a special recognition to the Musashino Junior Ambassadors
- 3.4 Board Recognitions -

Zoning Board of Adjustment:
Douglas Naegele
4. Minutes
 - 4.1 June 23, 2011, Regular City Council Meeting
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.
 - 5.1 **Budget Ordinance Amendment 2nd Reading - Finance:** Ordinance 2011-00060 Consider Budget Ordinance Amendment 13 amending the Adopted FY 2010-11 Budget respecting the Grant Fund to accept and appropriate funding from the Texas Department of Housing and Community Affairs (TDHCA) for the Community Services Block Grant (CSBG).
 - 5.1.1 Contract Amendment Resolution - Community Development: Consider a resolution authorizing the Mayor to execute Amendment 3 to Contract 61110001133 with the TDHCA for the CSBG.
 - 5.2 **Contract Resolution - Human Resources:** Consider four resolutions authorizing the Mayor to execute Contract 10034 with itsQuest, Inc.; Contract 10036 with Goodwill Industries of Lubbock, Inc.; Contract 10337 with A.L. Staffing dba Spherion Staffing; and Contract 10338 with Labor Ready Central, Inc., for temporary employment services, RFP 11-10034-DT.
 - 5.3 **Contract Resolution - Human Resources:** Consider two resolutions authorizing the Mayor to execute Contract 10144 with Health Management Systems dba HMS Employer Solutions for medical and dental claims audit and Contract 10334 with Tiber Creek RX for pharmaceutical claims audit, RFP 11-10144-DT.

- 5.4 **Resolution – Human Resources:** Consider a resolution authorizing the Mayor to approve Amendments 10 and 11 to the City of Lubbock Employee Benefit Plan regarding coverages for prosthetic appliances and for tests for the detection of colorectal cancer, respectively.
- 5.5 **Ordinance 2nd Reading - Business Development:** Ordinance 2011-00063 Consider an ordinance reviewing classifications for the methods of assessing special benefits for the services and improvements of property in the North Point Public Improvement District (PID); approving, adopting, and filing with the City Secretary the Assessment Roll; closing the hearing; and levying assessments based on the revised Service Plan for the cost of certain services and/or improvements to be provided in the PID during FY 2011-12.
- 5.6 **Ordinance 2nd Reading – Right-of-Way:** Ordinance 2011-00061 Consider an ordinance abandoning and closing a 10-foot underground waterline easement located in the Southview Two Addition, Lubbock County, Texas, 1601 74th Street.
- 5.7 **Contract Resolution - Right-of-Way:** Consider a resolution authorizing the Mayor to execute Contract 10344 with Marshall L. Fox, for the acquisition of 2.064 acre tract of land and improvements out of Block AK, Section 22, for the widening of Milwaukee Avenue from 94th Street to 104th Street, 10108 Milwaukee Avenue.
- 5.8 **Contract Resolution – Public Works Engineering:** Consider a resolution authorizing the Mayor to execute Change Order 1 to Contract 9355 with Archer Western Contractors, Ltd., for the construction of the Lake Alan Henry Water Supply Project South Water Treatment Plant, Contract F.
- 5.9 **Contract Amendment - Public Works Water Utility:** Consider a resolution authorizing the Mayor to execute Amendment 1 to Contract 10354 with the City of Brownfield, Contract 10355 with the City of Lamesa, Contract 10357 with the City of Levelland, Contract 10356 with the City of O'Donnell, Contract 10353 with the City of Slaton, and Contract 10352 with the City of Tahoka for the treatment of water supplied by the Canadian River Municipal Water Authority (CRMWA).
- 5.10 **Contract Resolution - Public Works Water Utility:** Consider a resolution authorizing the Mayor to execute purchase order Contract 23300006 with Ashbrook Simon-Hartley Operations, LP, for belt filter press repair.

- 5.11 **Contract Resolution - Airport:** Consider a resolution authorizing the Mayor to execute Contract 10343 with SWCA Environmental Consultants for a Wildlife Hazard Assessment at Lubbock Preston Smith International Airport, RFP 10-126-MA.
- 5.12 **Contract Resolution - Civic Centers:** Consider a resolution authorizing the Mayor to execute Contract 10234 with ThyssenKrupp Elevator to replacement the hydraulic piston in the exhibit hall freight elevator at the Lubbock Memorial Civic Center.
- 5.13 **Contract Resolution - Facilities:** Consider a resolution authorizing the Mayor to execute job order Contract 10260 with Minnix Commercial Partners, Ltd., for renovations at nine fire stations and the Fire Administration Office.
- 5.14 **Contract Resolution - Facilities:** Consider a resolution authorizing the Mayor to execute job order Contract 100350 with Talon/LPE for renovations at four fire stations.
- 5.15 **Contract Resolution - Facilities:** Consider a resolution authorizing the Mayor to execute job order Contract 100351 with Minnix Commercial Partners, Ltd., for exterior renovations at the Silent Wings Museum.
- 5.16 **Contract Resolution - Facilities:** Consider a resolution authorizing the Mayor to execute job order Contract 10259 with Minnix Commercial Partners, Ltd., for overhead door replacement at the Fleet Services Building, 302 Municipal Drive.
- 5.17 **Contract Resolution - Fleet Services:** Consider a resolution authorizing the Mayor to execute purchase order Contract 31006602 with Associated Supply Company for a compact track loader for the Streets Department.
- 5.18 **Contract Resolution - Citibus:** Consider a resolution authorizing the Mayor to execute a contract with Texas Tech University for campus bus service.
- 5.19 **Contract Resolution - Emergency Management:** Consider a resolution authorizing the Mayor to execute a Memorandum of Agreement (MOA) with the Department of State Health Services (DSHS) to establish a mechanism for the utilization of local Health Department assets in the event of an emergency or disaster or for training purposes.
- 5.20 **Contract Resolution - Police Department:** Consider a resolution authorizing the Mayor to execute purchase order Contract 14200009 with Mentalix, Inc., for fingerprint software.

- 5.21 **Contract Amendment Resolution - LP&L:** Consider a resolution approving Change Request No. COL-09001-SUP-1 to the Software License and Service Agreement with Ventyx, Inc., upgrading the current version of Banner Software to process and store utility billing and payment information.
 - 5.22 **Ordinance 1st Reading – Codes:** Consider an ordinance amending Chapter 32, Mobile Homes and Travel Trailers, of the Code of Ordinances, providing for the amendment of such code; providing a savings clause; providing a penalty for the violation thereof; providing for publication; and providing when such code and this ordinance shall become effective.
6. Regular Agenda
- 6.1 **Resolution - City Attorney:** Consider a resolution amending certain policies and procedures as set forth in the City of Lubbock Council Rules, Order of Business, and Procedures manual to include "Guidelines for the Retention and Hiring of Outside Legal Counsel."
 - 6.2 **Ordinance 2nd Reading - Parks & Recreation:** Ordinance 2011-O0050 Consider an ordinance amending Chapter 16 of the Code of Ordinances with regard to the regulation and use of inflatable play equipment in City parks.
 - 6.3 **Board Appointments - City Secretary:** Consider one appointment to the Appointments Advisory Board.
 - 6.4 **Resolution - City Attorney:** Consider resolution adopting a redistricting plan and providing direction to the City Attorney.
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 provided posting of the item indicates to the public the action to be taken.