MINUTES OF CALLED MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS HELD ON THE 21ST DAY OF SEPTEMBER, 1992 AT 12 NOON

On the 21st day of September, 1992 at 12 noon, the City Commission of the City of Lufkin, Texas, convened in a Called Meeting in the Council Chambers of City Hall with the following members thereof, to wit:

Louis Bronaugh	Mayor
Percy Simond, Jr.	Commissioner, Ward No. 1
Don E. Boyd	Commissioner, Ward No. 2
Larry Kegler	Commissioner, Ward No. 3
Bob Bowman	Commissioner, Ward No. 4
Tucker Weems	Commissioner, Ward No. 6

being present, and

Jack Gorden	Commissioner, Ward No. 5

being absent when the following business was transacted.

1. Meeting was called to order by Mayor Louis Bronaugh.

2. **COLLECTION OF MUNICIPAL COURT WARRANTS**

Mayor Bronaugh stated that the first item for consideration was contracting collection of Municipal Court warrants.

Commissioner Boyd stated that the information provided in the Commissioner's packet reflects that the Capital Assistance Group would guarantee collection of $48,000 of the $361,470.50 outstanding warrants for an upfront cost of $12,000. Commissioner Boyd stated that two years ago another group (Transworld) contracted with the City and did not do a very effective job. Commissioner Boyd stated that one of the gentlemen (Kenny Hensmeier), who is now representing the Capital Assistance Group, was a part of the Transworld organization. City Manager Maclin stated that Mr. Hensmeier was an employee of Transworld, but is the owner of the Capital Assistance Group. City Manager Maclin stated that Mr. Hensmeier opened his own business because he felt that he had some more innovative ways to produce positive results in collections.

City Manager Maclin stated in the contractual arrangement with CAP, that after six months if they have not collected and given the City the $48,000, he will return the $12,000.

Commissioner Boyd stated that, in his opinion, a Police Officer on light duty or the parking attendants could write letters and make phone calls, which would not cost the City anything. City Manager Maclin stated that employees of a firm such as CAP, have access to DPS files to help update address changes. City Manager Maclin stated that by contracting with an organization such as CAP, the City is getting the benefit of economies of scale by being able to take advantage of the technology and the sources that they have that are pooled together to serve several other cities rather than the City having to go to the expense to provide those resources here in Lufkin.

Asst. City Manager of Finance Darryl Mayfield, stated that in looking at the four proposals the City had, CAP is the only one who guaranteed an amount for collections even though they have a front-end cost. Mr. Mayfield stated that in the analysis that has been provided in the packet, staff is able to show where warrants that are outstanding between 30 and 120 days, even if they only do 50% of the collection, they should get back $31,000. Mr. Mayfield stated that it is highly likely that they will return to the City more than the $48,000 they have guaranteed.

Commissioner Kegler stated that, in his opinion, it would add more credibility to the Police Department as the law enforcement if they were collecting the outstanding warrants rather than a collection agency. City Manager Maclin stated that most cities the size of Lufkin do not have a warrant officer because it is not cost effective to do so.

City Attorney Bob Flournoy stated the Capital Assistance Group contracts with the cities of Ft. Worth, Austin and Arlington for their outstanding warrant collections.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Larry Kegler that the City not contract with the Capital Assistance Group for collection of outstanding warrants. The following vote was recorded:

Aye: Commissioners Boyd, Kegler, and Simond

Motion failed for lack of four affirmative votes.

Motion was made by Commissioner Tucker Weems and seconded by Commissioner Bob Bowman to approve the contract with the Capital Assistance Group for a one-year contract, approved by the City Attorney, for collection of outstanding warrants with the condition that the City Commission receive a monthly report as to the status of the collections. The following vote was recorded:

Aye: Commissioners Weems, Bowman and Mayor Bronaugh

Motion failed for lack of four affirmative votes.

In response to question by Commissioner Boyd, City Attorney Flournoy stated that in the City's Charter to abstain from voting is considered an affirmative vote.

Commissioner Bowman suggested that the City Manager study the situation further and come back to the Commission with another recommendation.

3. **IMPROVEMENTS - APPROVED - WASTE WATER TREATMENT PLANT - TEXAS WATER COMMISSION**

Mayor Bronaugh stated that the next item for consideration was improvements to the Waste Water Treatment facility due to changes in the City's permit as required by the Texas Water Commission.

City Manager Maclin stated that last spring staff brought to the City Commission some proposals and considerations regarding the potential need for expansion of the Waste Water Treatment facility on Southwood. City Manager Maclin stated that different alternatives were looked at in an effort to find the best economies of scale as far as potential expansion, need for expansion and projected growth. Of primary consideration was the maximum daily operation capacity. The plant had a rating with its current permit of 7.1 million gallons per day. City Manager Maclin stated that staff felt that with some assistance from an engineering firm, we could request re-rating of the City's permit from 7.1 MGD up to 9.3 MGD without major revisions to the plant. A permit request was submitted and the City did receive a tentative affirmative response to re-rate the plant from 7.1 MGD to 9.3 MGD, but the Water Commission has lowered the BOD and TSS from 20 to 10 and 20 to 15. This puts the City at a more stringent, more quality effluent to discharge into the creek. City Manager Maclin stated that in the packet was a letter from the Asst. City Manager of Public Works Ron Wesch, a letter from Bobby Mott, and then an executive summary letter from Wayne Stolz of EGA summarizing what the situation is and what the change is that the State is now imposing on the City by issuing a permit that has a higher MGD rating but also lower, more stringent requirements as to the quality of the effluent. City Manager Maclin stated that in light of the fact that the

City has the bond issue coming up, and now that there are new, lower requirements for BOD and TSS, staff felt like we would have to make some additional improvements by adding a clarifier to help maintain and keep within the permited limits for the TSS. City Manager Maclin stated that it would be logical and appropriate to include the improvements in the bond issue to avoid another issuance cost at a later date.

Keith Wright, representing EGA, stated that reducing the TSS from 20 to 15 is being done Statewide and is not just a requirement for the City of Lufkin. Mr. Wright stated that in order to increase the sludge levels to maintain the ammonia limit, the plant will have to have another clarifier.

City Manager Maclin stated that he is requesting the City Commission to consider, in addition to the $6 million in the water improvements, that $590,000 be added to cover the cost of building a new clarifier at the plant. City Manager Maclin stated that if the Commission approves, staff will instruct Mike Byrd, the City's bond counsel, to include these improvements in the bond issue coming up.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Larry Kegler to approve the City Manager's recommendation to include the clarifier in the bond issue for improvements to the Waste Water Treatment plant. A unanimous affirmative vote was recorded.

4. **EXECUTIVE SESSION**

Mayor Bronaugh recessed regular session at 12:59 p.m. to enter into Executive Session. Regular session was reconvened at 1:50 p.m. Mayor Bronaugh stated that the Commission had discussed personnel, legal matters and appointments to Boards and Committees.

5. APPOINTMENTS - APPROVED - BOND ELECTION COMMITTEE

Motion was made by Commissioner Don Boyd and seconded by Commissioner Larry Kegler that the following individuals be appointed to serve on the Bond Election Committee: Oscar Kennedy, Jr., Ed Glover, Lacy Chimney, Bobbie Whitehead, Ella Austin, Johnny Ross, Rev. N. C. Simmons, Jerry Highnote, Don Duran, Bill Moreau, Philip Goodwin, Henry Holubec, Woody Gann, Melvin Todd. A unanimous affirmative vote was recorded.

City Manager Maclin stated that Commissioner Gorden will submit his two names at the October 6th meeting.

6. COMMENTS

City Manager Maclin reminded the City Commission of the DETCOG meeting Thursday in Woodville, and the DEDA meeting Friday in Crockett.

Commissioner Simond suggested putting the collection of outstanding warrants for consideration on the October 6th agenda.

7. There being no further business for consideration, meeting adjourned at 1:55 p.m.

Louis A. Bronaugh

Louis A. Bronaugh - Mayor

ATTEST:

Atha Stokes

Atha Stokes - City Secretary