

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF LUFKIN, TEXAS HELD ON THE 3RD DAY OF JANUARY, 2006**

On the 3rd day of January, 2006, the City Council of the City of Lufkin, Texas convened in a Regular Meeting in the Council Chambers of City Hall with the following members, thereof to wit:

Louis Bronaugh	Mayor
Rose Faine Boyd	Mayor pro tem
R. L. Kuykendall	Councilmember, Ward No. 1
Lynn Torres	Councilmember, Ward No. 3
Don Langston	Councilmember, Ward No. 4
Jack Gorden, Jr.	Councilmember, Ward No. 5
Paul L. Parker	City Manager
Renee Thompson	City Secretary
Robert Flournoy	City Attorney
Keith Wright	Asst. City Manager/Public Works
Kenneth Williams	Asst. City Manager/Administrative Services
David Koonce	Human Resource Director
Larry Brazil	Police Chief
Scott Marcotte	Asst. Police Chief
Dorothy Wilson	Planning Director
Jim Wehmeier	Economic Development Director
Barbara Thompson	Main Street Director
Craig Waskow	System Manager, Cox Communications

being present, when the following business was transacted:

1. The meeting was opened with prayer by Reverend Kathy Barnes, First Christian Church.
2. Mayor Louis Bronaugh welcomed visitors present.
3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting on December 20, 2005 were approved on a motion by Councilmember Lynn Torres, and seconded by Councilmember Rose Faine Boyd. A unanimous affirmative vote was recorded.

OLD BUSINESS:

4. **SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, - APPROVED - BEING ORDINANCE NO. 3368, BY AMENDING ARTICLE XIX "SCHEDULE OF PERMITTED USES" AS IT RELATES TO PARKING RATIO; REPEALING CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE**

Mayor Louis Bronaugh stated that the next item for consideration was the Second Reading of the Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, being Ordinance No. 3368, by amending Article XIX "Schedule of Permitted Uses" as it relates to parking ratio; repealing conflicting provisions; and providing an effective date. City Manager Paul Parker reminded Council that this was a revised parking ratio that Staff hopes will be more friendly to development within the City of Lufkin.

Mayor Bronaugh then asked if there was anyone in the audience that wished to speak for or against this Ordinance. There was none.

Councilmember Rose Faine Boyd moved to approve the Second Reading of the Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, being Ordinance No. 3368, by amending Article XIX "Schedule of Permitted Uses" as it

relates to parking ratio; repealing conflicting provisions; and providing an effective date. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

5. **SECOND READING OF AN ORDINANCE WHICH SHALL CONSTITUTE AN ORDER BY THE CITY OF LUFKIN, TEXAS ("CITY") – APPROVED - TO REQUIRE CENTERPOINT ENERGY ENTEX ("ENTEX") TO CEASE AND DESIST FROM CHARGING ILLEGAL AND UNLAWFUL RATES AND REQUIRING REFUNDS; TO REQUIRE THE FILING OF A REPORT WITH REGARD TO COSTS EXPENDED BY ENTEX IN CONNECTION WITH THE APPEAL OF ORDINANCE NO. 3785; MAKING FINDINGS WITH REGARD TO THIS ORDER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; AND DECLARING AN EFFECTIVE DATE**

Mayor Louis Bronaugh stated that the next item for consideration was the Second Reading of the Ordinance which shall constitute an Order by the City of Lufkin, Texas ("City") to require CenterPoint Energy Entex ("Entex") to cease and desist from charging illegal and unlawful rates and requiring refunds; to require the filing of a report with regard to costs expended by Entex in connection with the Appeal of Ordinance No. 3785; making findings with regard to this order; finding and determining that the meeting at which this Ordinance was passed was in accordance with the requirements of the Texas Open Meetings Act; and declaring an effective date. City Manager Paul Parker had no additional comments.

Councilmember R. L. Kuykendall moved to approve the Second Reading of the Ordinance which shall constitute an Order by the City of Lufkin, Texas ("City") to require CenterPoint Energy Entex ("Entex") to cease and desist from charging illegal and unlawful rates and requiring refunds; to require the filing of a report with regard to costs expended by Entex in connection with the Appeal of Ordinance No. 3785; making findings with regard to this order; finding and determining that the meeting at which this Ordinance was passed was in accordance with the requirements of the Texas Open Meetings Act; and declaring an effective date. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

6. **RESOLUTION OF THE CITY OF LUFKIN, TEXAS – APPROVED - APPROVING THE ASSIGNMENT OF THE CABLE TELEVISION FRANCHISE**

Mayor Louis Bronaugh stated that the next item for consideration was a Resolution of the City of Lufkin, Texas approving the assignment of the Cable Television Franchise. City Manager Paul Parker stated that TCA Cable Partners, which is Cox Communications, Inc., owns, operates, and maintains the cable system in Lufkin. City Manager Parker added that Cox Communications, Inc. had entered into an Asset Purchase Agreement with Cebridge Acquisition Co. LLC in which, among other things, the Franchise proposes to sell and assign Cebridge Acquisition Co. LLC certain assets, including the Franchise. City Manager Parker explained that this gives the right to the City of Lufkin to transfer the name from TCA Cable Partners (Cox Communications, Inc.) to Cebridge Acquisition Co. LLC. City Manager Parker stated that Staff recommended that Council approve the Resolution assigning the cable television franchise to Cebridge Acquisition Co. LLC.

There was discussion among the Mayor and City Council Members concerning the Resolution assigning the cable television franchise.

Craig Waskow, System Manager for Cox Communications thanked the Council for their consideration and stated that he was present to answer any questions that the Council might have.

There was further discussion among the Mayor and City Council Members

concerning the cable television franchise.

Councilmember Lynn Torres moved to approve the Resolution of the City of Lufkin, Texas approving the assignment of the Cable Television Franchise. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

7. **RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2005/2006 OPERATING BUDGET (BUDGET AMENDMENT NO. 5), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL FUND; AND PROVIDING AN EFFECTIVE DATE**

Mayor Louis Bronaugh stated that the next item for consideration was a Resolution authorizing an Amendment to the 2005/2006 Operating Budget (Budget Amendment No. 5), providing for the supplemental appropriation of funds in the General Fund; and providing an effective date. City Manager Paul Parker stated that the City of Lufkin recently received a check from Deep East Texas Council of Governments, at the end of their budget year, for additional funding made available to the City of Lufkin to purchase consoles for the Police Department dispatch area, once the pending remodeling has been completed. City Manager Parker added that the check was for forty-nine thousand eight hundred forty-four dollars (\$49,844) to purchase four workstations. City Manager Parker stated that Staff recommended that Council accept the DETCOG reimbursement in the amount of forty-nine thousand eight hundred forty-four dollars (\$49,844) to the City of Lufkin.

There was discussion among the Mayor and City Council Members concerning the DETCOG reimbursement.


Councilmember Lynn Torres moved to approve the Resolution authorizing an Amendment to the 2005/2006 Operating Budget (Budget Amendment No. 5), providing for the supplemental appropriation of funds in the General Fund; and providing an effective date. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

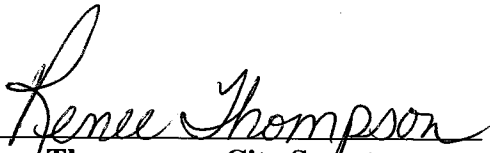
8. Mayor Louis Bronaugh recessed the Regular Session at 5:18 p.m. to enter into Executive Session.

EXECUTIVE SESSION: In accordance with the Texas Government Code Section 551.071 (2) Consultation with City Attorney on any Regular Session Agenda item requiring confidential, attorney/client advices necessitated by the deliberation or discussion of said items (as needed), and real estate, appointment to boards and personnel may be discussed.

Mayor Louis Bronaugh reconvened the Regular Session at 5:41 p.m.

9. City Manager Paul Parker noted that Council had their Calendar of Events.
10. There being no further business for consideration, the meeting adjourned at 5:42 p.m.


Louis A. Bronaugh - Mayor


Renee Thompson - City Secretary