MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 7TH DAY OF JULY, 2009

On the 7th day of July, 2009, 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:

Jack Gorden, Jr.	Mayor
Don Langston	Mayor Pro-Tem
R. L. Kuykendall	Councilmember, Ward No. 1
Robert Shankle	Councilmember, Ward No. 2
Lynn Torres	Councilmember, Ward No. 3
Rufus Duncan	Councilmember, Ward No. 5
Phil Medford	Councilmember, Ward No. 6
Paul L. Parker	City Manager
Keith Wright	Asst. City Manager
Robert Flournoy	City Attorney
Bruce Green	Asst. City Attorney
Renee Thompson	City Secretary
Rodney Ivy	Human Resource Director
Scott Marcotte	Asst. Police Chief
Duane Freeman	Asst. Fire Chief
Doug Wood	Finance Director
Dorothy Wilson	Planning Director
Steve Poskey	Street Department, Superintendent
Steve Floyd	Public Works Director
Don Hannabas	Parks & Recreation Director
Barbara Thompson	Main Street Director
Jim Wehmeier	Economic Development Director
Dale Allred	Inspection Services Director
Chuck Walker	Public Utilities Director
Debbie Fitzgerald	Water & Sewer Director
Gorden Henley	Ellen Trout Zoo Director

being present, when the following business was transacted:

1. The meeting was opened with prayer by Deputy City Manager Keith Wright.

2. Mayor Jack Gorden welcomed visitors present.

3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting of June 16, 2009, were approved as corrected on a motion by Councilmember Lynn Torres, and seconded by Councilmember R. L. Kuykendall. A unanimous affirmative vote was recorded.

OLD BUSINESS:

4. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, - APPROVED - BY CHANGING THE ZONING DESIGNATION ON LAND DESCRIBED AS LOT 2, BLOCK 8, OF THE TANGLEBRIAR ADDITION, ALSO KNOWN AS 1503 SOUTH JOHN REDDITT, A "LARGE SINGLE-FAMILY DWELLING" ZONING DISTRICT TO A "LOCAL BUSINESS" ZONING DISTRICT AND AUTHORIZING THE CITY PLANNER TO MAKE SUCH CHANGES ON THE OFFICIAL MAP**

Mayor Jack Gorden stated that the next item for consideration was a Public Hearing and Second Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning designation on land described as Lot 2, Block 8, of the Tanglebriar Addition, also known as 1503 South John Redditt, a "Large Single-Family

Dwelling" Zoning District to a "Local Business" Zoning District and authorizing the City Planner to make such changes on the Official Map.

City Manager Paul Parker stated that both the Staff and the Planning and Zoning Commission recommended approval of the zone change request from "Residential Large Single Family Dwelling" to a zoning classification of "Local Business" on the property located at 1503 South John Redditt Drive. City Manager Parker added that the City Council had approved the request on the First Reading at the last Council meeting, and that he would answer any questions the Council had concerning the request.

Mayor Jack Gorden asked if the property was being used for a new office for Mr. Chad Morgan. City Manager Parker stated that it was the intended use of the property.

Mayor Gorden opened the Public Hearing 5:07 p.m. and asked anyone who wished to speak on the item to please step forward. There appearing to be no one who wished to speak, Mayor Gorden closed the Public Hearing at 5:08 p.m.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Don Langston moved to approve the Second Reading of the Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning designation on land described as Lot 2, Block 8, of the Tanglebriar Addition, also known as 1503 South John Redditt, a "Large Single-Family Dwelling" Zoning District to a "Local Business" Zoning District and authorizing the City Planner to make such changes on the Official Map. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

5. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, - APPROVED - BY GRANTING A "SPECIAL USE PERMIT" FOR AN INDOOR COMMERCIAL RECREATION AND ENTERTAINMENT FACILITY AND FOR COMMERCIAL AMUSEMENT IN A "CENTRAL BUSINESS" ZONING DISTRICT ON CERTAIN LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF LUFKIN, TEXAS, DESCRIBED AS BLOCK 18, LOT 6, OF THE CITY OF LUFKIN, MORE COMMONLY KNOWN AS A PORTION OF 212 EAST BURKE STREET AND AUTHORIZING THE CITY PLANNER TO MAKE SUCH CHANGES ON THE OFFICIAL MAP**

Mayor Jack Gorden stated that the next item for consideration was a Public Hearing and Second Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a "Special Use Permit" for an indoor commercial recreation and entertainment facility and for commercial amusement in a "Central Business" Zoning District on certain land within the corporate limits of the City of Lufkin, Texas, described as Block 18, Lot 6, of the City of Lufkin, more commonly known as a portion of 212 East Burke Street and authorizing the City Planner to make such changes on the Official Map.

City Manager Paul Parker stated that Mr. Kory Otteson was requesting to use the property located at 212 East Burke for a family entertainment center. City Manager Parker then asked Planning Director Dorothy Wilson to approach the podium to clarify the intended use for the property, and to make it clear what could and could not occur under the "Special Use Permit".

Planning Director Dorothy Wilson stated that the uses approved under a "Special Use Permit" were uses above and beyond the regular zoning for that district and could be limited by the City Council. Ms. Wilson added that the proposed "Special Use Permit" was for the business located at 212 East Burke, and the use that was applied for was an "Arcade". Ms. Wilson stated that she would like the Council to put in a condition that the permit would have to stay as "Arcade", and that the owner would have to return to the City Council for approval of any other requested uses under the "Special Use Permit", such as alcohol sales or any other types of uses.

Mayor Gorden opened the Public Hearing 5:10 p.m. and asked anyone who wished to speak on the item to please step forward. There appearing to be no one who wished to speak, Mayor Gorden closed the Public Hearing at 5:11 p.m.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Phil Medford asked if the Council had the ability to insert language into the motion that clarified that the application was being approved only for use as an "Arcade". Ms. Wilson stated that Councilmember Medford was correct, and that the section in the Ordinance for zoning in a "Special Use Permit" stated that the City Council could place additional restrictions on the permit.

Councilmember Don Langston stated that he had read in the Planning and Zoning Commission Minutes that the statement was made that the establishment was to be an arcade, and that he saw no reason not to specify that requirement in the motion.

Councilmember Don Langston moved to approve the Second Reading of the Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a "Special Use Permit" for an indoor commercial recreation and entertainment facility and for commercial amusement in a "Central Business" Zoning District on certain land within the corporate limits of the City of Lufkin, Texas, described as Block 18, Lot 6, of the City of Lufkin, more commonly known as a portion of 212 East Burke Street and authorizing the City Planner to make such changes on the Official Map. Councilmember Langston added that the motion was made based on the requirement that the establishment was for use as a family oriented arcade only, and that no other uses including the sale of alcohol would be permitted. Councilmember Phil Medford seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

6. PRESENTATION BY TONY MOLINE CONCERNING ANGELINA BEAUTIFUL CLEAN

Mayor Jack Gorden stated that the next item was a presentation by Tony Moline concerning Angelina Beautiful Clean.

Executive Director of Angelina Beautiful/Clean Tony Moline introduced the Board of Angelina Beautiful/Clean (AB/C) and asked them to stand. Mr. Moline added that also in attendance was Amanda Anderson, who was the Program Manager for AB/C. Mr. Moline explained that all of them were present in support of AB/C.

Mr. Moline stated that Angelina Beautiful/Clean was celebrating its twenty-fifth (25^{th}) year. Mr. Moline added that AB/C's mission was to educate and empower East Texans to take responsibility for enhancing their community and environment. Mr. Moline stated that this was done through various projects. Mr. Moline explained that AB/C educated over eighteen thousand (18,000) students in Angelina County. Mr. Moline stated that ten thousand (10,000) of those students were from Lufkin. Mr. Moline added that AB/C had programs beginning with kindergarten all the way through twelfth (12^{th}) grade. Mr. Moline explained that the programs were TAKS correlated. Mr. Moline added that the programs were the type that teachers liked because there was not a lot of fluff in them. Mr. Moline then gave examples of the types of programs offered.

Mr. Moline stated that in addition to education, AB/C sponsored litter prevention and clean up. Mr. Moline added that they were held several times a year. Mr. Moline stated that AB/C had Dr. Ockels from the North Texas Illegal Dumping Resource Center came to Lufkin to educate law enforcement officers, including Code Enforcement, Police and Sheriff Departments. Mr. Moline explained that the training taught the officers what to look for regarding illegal dump sites and how to properly write citations for those offenses. Mr. Moline added that most of the citations came from the Texas Water Code.

Mr. Moline stated that AB/C had several "tree plantings" throughout the year. Mr. Moline added that they were held at the Exposition Center. Mr. Moline stated that AB/C teamed up with the Lufkin Regional Recycling Center and Consolidated Communications to hold an annual telephone book recycling in August. Mr. Moline stated that there were more than four (4) tons of phone books recycled each year through program. Mr. Moline stated that AB/C also recycled over one thousand (1,000) Christmas trees each year and ten thousand (10,000) tons of Christmas cards. Mr. Moline explained that the Christmas cards were collected and then often sent to troops overseas.

Mr. Moline stated that AB/C had "clean campus checks". Mr. Moline explained that AB/C went to every campus in Angelina County and judge them based on the amount of litter that was on the ground. Mr. Moline added that AB/C checked to see if there was a recycling program inside the campus. Mr. Moline stated that private schools were included in the program as well. Mr. Moline added that the AB/C Board did all of the judging and came back with a recommendation for a winner, and then AB/C awarded that school a cash prize to implement a new program inside the school. Mr. Moline stated that they had seen everything from new gardens to help the cafeteria to programs to where the school turned off the lights and the students had to find the teachers.

Mr. Moline stated that an Arbor Day Celebration was held at a Lufkin School every year. Mr. Moline added that with the Arbor Day Celebration and the "Tree Give Away", sponsored by the Texas Forest Service, AB/C was able to obtain the "Tree City USA" certification that the City of Lufkin had achieved for several years.

Mr. Moline stated that AB/C had received many awards on the state and national level. Mr. Moline explained that AB/C had won the National Keep America Beautiful First Place Award ten (10) times. Mr. Moline added that AB/C had won the Governor's Community Achievement Award ten (10) times. Mr. Moline stated that AB/C was an award winning organization and that for every dollar donated to AB/C they were able to put twenty-three dollars ($23) back into the community to assist with paying for things, such as replanting trees in the Downtown Area of Lufkin. Mr. Moline added that AB/C would soon partner with the City of Lufkin to accomplish the project.

Mr. Moline stated that AB/C received funds from donations on the City of Lufkin's water bills. Mr. Moline explained that the money was used specifically for "Keep Lufkin Beautiful" projects. Mr. Moline stated that donations could now be made online, and that AB/C Staff was hoping that this would help to generate more revenue. Mr. Moline added that another thing that the money was used for was to maintain the trees along North Timberland Drive. Mr. Moline stated that there were medians and esplanades throughout Lufkin that were maintained by AB/C.

Mr. Moline then asked the Council if they had any questions regarding Angelina Beautiful/Clean.

City Manager Paul Parker stated that there were approximately 15.9% of Lufkin's citizens who made the one dollar ($1) donation on their water bill. City Manager Parker added that better participation would obviously assist Angelina Beautiful/Clean in accomplishing even more projects. City Manager Parker stated that there was approximately 3.7% or approximately five hundred fifty-five (555) people who made their donations online.

City Manager Parker stated that Mr. Moline was representing the first entity to come before the City Council to explain how the funds that the City gave were being utilized. City Manager Parker added that other entities would be making presentations in the near future.

Mr. Moline stated that City Manager Parker had asked AB/C to provide their brochures to give out to customers paying their water bills to explain how the one dollar ($1) donation was being used.

Mayor Gorden thanked Mr. Moline for his presentation, and added that in addition to the report concerning Angelina Beautiful/Clean, the Council wished to thank Mr. Moline, Ms. Anderson, and the AB/C Board for all they did in the Lufkin community.

7. **PUBLIC HEARING AND FIRST READING OF AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF LUFKIN, TEXAS, - APPROVED - AND EXTENDING THE BOUNDARIES OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE**

INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY

Mayor Jack Gorden stated that the next item for consideration was a Public Hearing and First Reading of an Ordinance annexing the hereinafter described territory to the City of Lufkin, Texas, and extending the boundaries of said City so as to include said hereinafter described property within the City limits, and granting to said territory and to all future inhabitants of said property all of the rights and privileges of other citizens and binding said future inhabitants by all of the acts and Ordinances of the said City.

City Manager Paul Parker stated that the annexation was for a 41.113 acre tract on the northeast loop. City Manager Parker added that the owner, David Overdorf, was requesting the annexation to enable him to obtain City of Lufkin services at that property. City Manager Parker stated that this was the First Public Hearing on the expedited process. City Manager Parker stated that Staff and the Planning and Zoning Commission recommended the annexation.

Mayor Gorden opened the Public Hearing 5:27 p.m. and asked anyone who wished to speak on the item to please step forward. There appearing to be no one who wished to speak, Mayor Gorden closed the Public Hearing at 5:28 p.m.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Don Langston moved to approve the First Reading of the Ordinance annexing the hereinafter described territory to the City of Lufkin, Texas, and extending the boundaries of said City so as to include said hereinafter described property within the City limits, and granting to said territory and to all future inhabitants of said property all of the rights and privileges of other citizens and binding said future inhabitants by all of the acts and Ordinances of the said City. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

8. **RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2008/2009 OPERATING BUDGET (BUDGET AMENDMENT NO. 27), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL, HOTEL/MOTEL TAX, SPECIAL RECREATION, ZOO BUILDING, COURT SECURITY/TECHNOLOGY, ANIMAL CONTROL/KURTH GRANT, ECONOMIC DEVELOPMENT, WATER/WASTEWATER, SOLID WASTE & RECYCLING AND AMORTIZATION & REPLACEMENT FUNDS; AND PROVIDING AN EFFECTIVE DATE**

Mayor Jack Gorden stated that the next item for consideration was a Resolution authorizing an Amendment to the 2008/2009 Operating Budget (Budget Amendment No. 27), providing for the supplemental appropriation of funds in the General, Hotel/Motel Tax, Special Recreation, Zoo Building, Court Security/Technology, Animal Control/Kurth Grant, Economic Development, Water/Wastewater, Solid Waste & Recycling and Amortization & Replacement Funds; and providing an effective date.

City Manager Paul Parker stated that the Resolution was what was often referred to as the mid-year budget amendment. City Manager Parker added that as Staff went through the budget process, line items were adjusted in the departments. City Manager Parker stated that in most departments, fuel was the major contributor to the over and under situation. City Manager Parker then explained the revisions that occurred in several Funds. City Manager Parker added that overall the revision removed funding from the line items and placed it back into the Fund Balance to enhance the overall budget for the City of Lufkin. City Manager Parker stated that Staff would answer any questions that the Council had concerning any of the changes. City Manager Parker added that Staff recommended that the Council approve the mid-year Budget Amendment.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Phil Medford moved to approve the Resolution authorizing the Amendment to the 2008/2009 Operating Budget (Budget Amendment No. 27), providing for the supplemental appropriation of funds in the General, Hotel/Motel Tax, Special Recreation, Zoo Building, Court Security/Technology, Animal Control/Kurth Grant, Economic Development, Water/Wastewater, Solid Waste & Recycling and Amortization & Replacement Funds; and providing an effective date. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

9. **AWARD OF BID FOR THE PURCHASE OF A 2009 JOHN DEERE 6330 CAB TRACTOR AND A DIAMOND BOOM MOWER – APPROVED - THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE IN THE AMOUNT OF $78,944.04**

Mayor Jack Gorden stated that the next item for consideration was the award of bid for the purchase of a 2009 John Deere 6330 Cab Tractor and a Diamond Boom Mower through the Texas Local Government Purchasing Cooperative in the amount of $78,944.04.

City Manager Paul Parker stated that the tractor and boom mower was originally planned to be replaced in the 2010 Amortization Schedule. City Manager Parker added that many of the items in the 2009 Amortization Schedule had been postponed because the City could get additional service out of some of the items. City Manager Parker stated that the proposed replacement was due to high maintenance of the current equipment. City Manager Parker added that there was adequate funding in the budget to allow the purchase. City Manager Parker stated that the City received a bid for a Diamond Boom Mower in the amount of thirty-nine thousand two hundred seventy-seven dollars and fifty-six cents ($39,277.56). City Manager Parker added that the City also received a bid for a 2009 John Deere Cab Tractor from Fish and Still in Nacogdoches in the amount of thirty-nine thousand six hundred sixty-six dollars and forty-eight cents ($39,666.48). City Manager Parker stated that the total bid amount for the Diamond Boom Mower and the John Deere Cab Tractor was seventy-eight thousand nine hundred forty-four dollars and four cents ($78,944.04). City Manager Parker added that Staff recommended that the City Council approve the purchase of the boom mower and tractor.

Mayor Jack Gorden inquired if there was eighty-one thousand dollars ($81,000) budgeted for the purchase. City Manager Parker stated that was correct.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Rufus Duncan moved to approve the bid for the purchase of a 2009 John Deere 6330 Cab Tractor and a Diamond Boom Mower through the Texas Local Government Purchasing Cooperative in the amount of $78,944.04. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

10. **AWARD OF BID FOR THE INSTALLATION OF THE SANITARY SEWER COLLECTION SYSTEM – APPROVED - FOR THE US HIGHWAY 69 SOUTH ANNEXED AREA TO DUPLICHAIN CONTRACTORS, LLC IN THE AMOUNT OF $115,144**

Mayor Jack Gorden stated that the next item for consideration was the award of bid for the installation of the Sanitary Sewer Collection System for the US Highway 69 South annexed area to Duplichain Contractors, LLC in the amount of $115,144.

City Manager Paul Parker stated that the City of Lufkin had recently annexed the area around the REO Club located on Highway 69 South. City Manager Parker added that a project was designed to provide sewer and a lift station to the area that would help expand service in the entire general area. City Manager Parker stated that the City of Lufkin recently bid the project for the extension of the sewer line. City Manager Parker added that the apparent low bidder was Duplichain Contractors, LLC in the amount of one hundred fifteen thousand one hundred forty-four dollars ($115,144). City Manager Parker explained that the project provided one thousand six hundred eighty-six (1,686) linear feet of six inch (6") gravity sewer and a four inch (4") force main to serve the newly annexed and surrounding area. City Manager Parker stated that Staff recommended that Council award the bid to Duplichain Contractors, LLC in the amount of one hundred fifteen thousand one hundred forty-four dollars ($115, 144). City Manager Parker stated that the original budget estimate for the project was one hundred fifty-six thousand four hundred fifty dollars ($156,450).

Mayor Gorden asked for questions or comments from the Council.

Councilmember Don Langston moved to approve the bid for the installation of the Sanitary Sewer Collection System for the US Highway 69 South annexed area to Duplichain Contractors, LLC in the amount of $115,144. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

11. AWARD OF BID FOR THE COMPLETION OF THE 2008 TCDP SEWER PROJECT – APPROVED - NEAR MARTIN LUTHER KING DRIVE AND RAGUET STREET TO DUPLICHAIN CONTRACTORS, LLC IN THE AMOUNT OF $197,723.20

Mayor Jack Gorden stated that the next item for consideration was the award of bid for the completion of the 2008 TCDP Sewer Project near Martin Luther King Drive and Raguet Street to Duplichain Contractors, LLC in the amount of $197,723.20.

City Manager Paul Parker stated that the request that was before the Council needed to be modified. City Manager Parker added that he would go through the original and then explain what the modification needed to be. City Manager Parker stated that the City of Lufkin had recently received a grant from Office of Rural Community Affairs (ORCA) in the amount of two hundred fifty thousand dollars ($250,000), with a match from the City of Lufkin in the amount of seventy-three thousand nine hundred twenty dollars ($73,920). City Manager Parker explained that the original grant was for three thousand seven hundred fifty-six (3,756) linear feet of gravity sewer near the Martin Luther King and Raguet Street area. City Manager Parker stated that when the original grant was anticipated approximately two (2) years earlier with ORCA the fuel prices were extremely high, and PVC pipe was bearing the cost of the price increase. City Manager Parker added that the original project included only the initial phase. City Manager Parker stated that whenever it became apparent that the funding from the estimates would allow for additional work the addendum was placed to replace the sewer line that presently ran below Dunbar Primary School. City Manager Parker added that this additional work included one thousand two hundred eighty five (1,285) linear feet of eight inch (8") sewer line and five (5) manholes. City Manager Parker stated that there were eight (8) bidders on the project and that the apparent low bidder for the base bid was Duplichain Contractor, LLC in the amount of one hundred thirty-eight thousand six hundred ninety-eight dollars and twenty cents ($138,698.20). City Manager Parker stated that the addendum bid was in the amount of fifty-nine thousand twenty-five dollars ($59,025) for the line that ran under Dunbar Primary School. City Manager Parker added that he was just informed by the Grant Consultant that in order to meet the ORCA requirements the City Council only needed to vote at the current meeting regarding the original budget, and would have to bring back an addendum at a later meeting. City Manager Parker stated that it had to be done in order to be in compliance with the state. City Manager Parker stated that he wished to modify the request and ask the Council to award a contract in the amount of one hundred thirty-eight thousand six hundred ninety-eight dollars and twenty cents ($138,698.20) for the original scope of service to Duplichain Contractors, LLC.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Phil Medford moved to approve the bid in the amount of one hundred thirty-eight thousand six hundred ninety-eight dollars and twenty cents ($138,698.20) for the original scope of service to Duplichain Contractors, LLC. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

12. AWARD OF BID FOR THE REPLACEMENT OF THE ROOFS AT THE FIRE ADMINISTRATION BUILDING AND FIRE STATION NO. 1 TO CARNEY ROOFING COMPANY, INC. IN THE AMOUNT OF $48,417, AND A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2008/2009 OPERATING BUDGET (BUDGET AMENDMENT NO. 28), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL FUND; AND PROVIDING AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was the award of bid for the replacement of the roofs at the Fire Administration Building and Fire Station No. 1 to Carney Roofing Company, Inc. in the amount of $48,417, and a Resolution authorizing an

Amendment to the 2008/2009 Operating Budget (Budget Amendment No. 28), providing for the supplemental appropriation of funds in the General Fund; and providing an effective date.

City Manager Paul Parker stated that during the course of the preliminary budget preparation the Fire Department requested to replace two (2) roofs that both had severe leaks. City Manager Parker stated that in lieu of waiting to put the project in the next budget, and having to wait several more months for the repairs, that Staff thought it was prudent to bring the project forth to the Council. City Manager Parker added that a question was asked earlier if the roofs were included in another matter that was to be discussed in the CIP. City Manager Parker stated that they were not included in the original estimates for the CIP item. City Manager Parker stated that Staff tried to get several bidders, however only one (1) bid was received. City Manager Parker stated that Carney Roofing Company placed a bid for the replacement of the two (2) roofs. City Manager Parker stated that the bid for the Thermoplastic Polyolefin (TPO) roofs for both buildings was in the amount of forty-eight thousand four hundred seventeen dollars ($48,417), which was approximately six dollars and eighty cents ($6.80) per square foot. City Manager Parker pointed out that the City had recently had a competitive bid for seven dollars and three cents ($7.03) per square foot on the Wastewater Treatment Plant. City Manager Parker stated that Staff believed that even though there was only one (1) bidder the bid amount was good. City Manager Parker stated that Staff recommended that Council award the bid to Carney Roofing Company in the amount of forty-eight thousand four hundred seventeen dollars ($48,417) to replace the roofs at the Central Fire Station and the Fire Administration Building.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Don Langston moved to approve the bid for the replacement of the roofs at the Fire Administration Building and Fire Station No. 1 to Carney Roofing Company, Inc. in the amount of $48,417, and the Resolution authorizing an Amendment to the 2008/2009 Operating Budget (Budget Amendment No. 28), providing for the supplemental appropriation of funds in the General Fund; and providing an effective date. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

13. AWARD OF BID FOR THE COMPLETION OF THE MORRIS FRANK PARK GIRLS SOFTBALL COMPLEX RESTROOM PROJECT – APPROVED - TO COX CONCRETE CONTRACTORS, INC. IN THE AMOUNT OF $123,477

Mayor Jack Gorden stated that the next item for consideration was the award of bid for the completion of the Morris Frank Park Girls Softball Complex Restroom Project to Cox Concrete Contractors, Inc. in the amount of $123,477.

City Manager Paul Parker stated that Council had previously put an item in the budget to repair and expand the restroom facilities at Morris Frank Park Girl's Softball Fields. City Manager Parker stated that the new restrooms were bid with a budget of one hundred fifty thousand dollars ($150,000). City Manager Parker explained that the City received seven (7) bids for the construction of the new restroom facilities. City Manager Parker stated that the apparent low bidder was Cox Concrete Contractors, Inc., in the amount of one hundred twenty-three thousand four hundred seventy-seven dollars ($123,477), and was below the amount budgeted. City Manager Parker stated that Staff recommended that Council award a contract to Cox Concrete Contractors, Inc. in the amount of one hundred twenty-three thousand four hundred seventy-seven dollars ($123,477) for the construction of restroom facilities at the Morris Frank Park Girls Softball Complex.

Councilmember Lynn Torres stated that she thought the number of bids was impressive and that it was one (1) of the first times to see the bids be so close in nature. Councilmember Torres added that usually bids were either very low or very high.

Mayor Gorden asked for questions or comments from the Council.

Councilmember R. L. Kuykendall moved to approve the bid for the completion of the Morris Frank Park Girls Softball Complex Restroom Project to Cox Concrete Contractors, Inc. in the amount of $123,477. Councilmember Phil Medford seconded the motion. A unanimous affirmative vote was recorded.

14. **AUTHORIZE THE LUFKIN FIRE DEPARTMENT TO APPLY FOR THE 2009 AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FIRE STATION CONSTRUCTION GRANT - APPROVED**

Mayor Jack Gorden stated that the next item for consideration was to authorize the Lufkin Fire Department to apply for the 2009 American Recovery and Reinvestment Act (ARRA) Fire Station Construction Grant.

City Manager Paul Parker stated that receiving this grant was possibly a long shot, but was one that Staff felt the City should try to apply for, since it was one hundred percent (100%) funded. City Manager Parker stated that Staff was requesting the Council to authorize the application for the one million three hundred thousand dollar ($1,300,000) grant to replace the fire station at 112 Atkinson Drive. City Manager Parker added that this was the second oldest fire station and was in pretty bad need of some major repairs. City Manager Parker stated that the station was located somewhat close to the Central Fire Station and would serve better to be relocated. City Manager Parker added that the potential of getting a grant that was one hundred percent (100%) funded was well worth the City's efforts to apply for it. City Manager Parker stated that Staff requested the Council's authorization to apply for the grant in the amount of one million three hundred thousand dollars ($1,300,000) to relocate the existing Fire Station No. 3.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Rufus Duncan moved to authorize the Lufkin Fire Department to apply for the 2009 American Recovery and Reinvestment Act (ARRA) Fire Station Construction Grant. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

15. **CONTRACT WITH THE ANGELINA COUNTY CHAMBER OF COMMERCE – APPROVED - FOR THE HOUSING OF THE LUFKIN CONVENTION AND TOURISM BUREAU**

Mayor Jack Gorden stated that the next item for consideration was a contract with the Angelina County Chamber of Commerce for the housing of the Lufkin Convention and Tourism Bureau. Mayor Gorden then recognized Todd Kassaw, Chairman and Jerry Huffman, President of the Lufkin/Angelina County Chamber of Commerce who were present at the Council Meeting.

City Manager Paul Parker stated that after the creation of the Lufkin Convention and Tourism Bureau, one (1) of the questions that was asked was where to locate the Bureau. City Manager Parker added that the previous entity had been located at and associated with the Chamber of Commerce. City Manager Parker stated that a contract was in the Council packet that would extend a working relationship with the Chamber of Commerce and the new Lufkin Convention and Tourism Bureau. City Manager Parker explained that if the Council desired they would endorse the concept and amounts would be allocated for the Administrative Service Agreement. City Manager Parker added that once the Lufkin Convention and Tourism Bureau had its initial meeting and elected its officers, it would enter into the formal contract. City Manager Parker stated that the proposed contract allowed for two thousand dollars ($2,000) per month stipend to the Chamber of Commerce, and then the Chamber would provide office space for a minimum of three (3) people. City Manager Parker added that the Chamber would provide two (2) offices with desks and furniture, as well as meeting rooms and the use of office equipment such as computers. City Manager Parker stated that the Bureau would be responsible for their own bills, such as the telephone bill, computer services, and all ancillary expenses. City Manager Parker stated that overhead such as electrical and gas would be provided by the Chamber. City Manager Parker stated that the employees of the Bureau would receive benefits through the Chamber Pool that would be paid for through the Bureau. City Manager Parker added that initially it would be the way that the Bureau would be set up, but eventually if the Bureau decided to have its own benefits, accounting and location these items would be considered again. City Manager Parker stated that Staff recommended that the Council endorse the Agreement between the Lufkin Convention and Tourism Board and the Angelina County Chamber of Commerce.

Councilmember Don Langston stated that he had read the Agreement from cover to cover and that the Agreement was very generous and was a great opportunity to get the Bureau started and ready to go forward. Mayor Gorden agreed with Councilmember Langston, and added that it was very gracious of the Chamber to agree to carry on the relationship with the City and to assist in getting the Bureau headed in the right direction.

Councilmember Phil Medford asked if the employees of the Bureau were to be classified as Chamber employees in order to receive the benefits, would the Board then lease the employees to the Chamber. City Manager Parker stated that this concern was addressed in Section 1 (a) of the Agreement and that the Bureau employees would be classified as Chamber employees for the benefits only. City Manager Parker added that the Agreement also stated that the classification of Bureau personnel as Chamber employees would in no way usurp the Bureau Board's oversight, approval of program, budget, discipline, hiring and/or firing of the Executive Director or any other staff. Councilmember Medford stated that this was not his concern, but that his concern was that from a labor standpoint the Bureau employees would be Chamber employees, yet they were actually working for the Bureau Board and therefore the Board would pay their salaries. Mayor Gorden stated that the Chamber did this with a number of organizations, such as Angelina Beautiful Clean and the Art Center Downtown. Mayor Gorden added that this was a service that the Chamber provided to the community. City Manager Parker stated that his understanding was that the way it worked with the other organizations was they remitted to the Chamber the salaries and then the salaries issued the check, and was how the employees qualified for the benefits. City Manager Parker stated that this was why the Bureau employees were technically on the books as Chamber employees, but that from a practical standpoint the Board would have the final say on the operational aspects. Councilmember Medford asked if the Board would be leasing the employees and paying the actual cost to the Chamber for the employees. City Manager Parker stated that was correct and would include unemployment benefits to protect the employees.

Todd Kassaw, Chairman of the Lufkin/Angelina County Chamber of Commerce, stated that City Manager Parker had explained the arrangement well, and that the Chamber and City had worked together to make sure that the agreement was set up correctly. Mr. Kassaw added that Councilmember Medford's concerns actually came into play in an hourly employee situation. Mr. Kassaw stated that the Texas Forest Country Partnership, Angelina Arts Alliance, and the Expo Center was under that scenario as well, and seemed to work well. Mr. Kassaw stated that it allowed the personnel to have benefits that the Tourist Board may not be able to acquire or provide. Mayor Gorden thanked Mr. Kassaw for his continued interest in tourism for Lufkin and Angelina County.

Councilmember Lynn Torres stated that it was her understanding that the Agreement was for one (1) year and if the Bureau Board determined that an alternate site was needed then it would be possible. City Manager Parker stated that the Agreement was renewable annually. Councilmember Torres stated that her understanding was that the Agreement would automatically renew unless one (1) of the parties opted out.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Don Langston moved to approve the contract with the Angelina County Chamber of Commerce for the housing of the Lufkin Convention and Tourism Bureau. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

16. LETTER OF UNDERSTANDING BETWEEN THE CITY OF LUFKIN AND STRATEGIC GOVERNMENT RESOURCES TO PROVIDE ASSISTANCE IN THE SEARCH FOR A FIRE CHIEF AND EXECUTIVE DIRECTOR FOR THE LUFKIN CONVENTION AND TOURISM BUREAU AND A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2008/2009 OPERATING BUDGET (BUDGET AMENDMENT NO. 29), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL AND HOTEL/MOTEL TAX FUND; AND PROVIDING AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was a letter of understanding between the City of Lufkin and Strategic Government Resources to provide assistance in the search for a Fire Chief and Executive Director for the Lufkin Convention and Tourism Bureau and a Resolution authorizing an Amendment to the 2008/2009 Operating Budget (Budget Amendment No. 29), providing for the supplemental appropriation of funds in the General and Hotel/Motel Tax Fund; and providing an effective date.

City Manager Paul Parker stated that the City had recently advertised and interviewed for a Fire Chief through traditional methods. City Manager Parker added that the methods were by advertising through the Texas Municipal League websites and Fire Chief Association websites. City Manager Parker explained that the City was unsuccessful in finding the individual that was needed to run the Lufkin Fire Department. City Manager Parker stated that the City was seeking to go to a professional recruitment individual or firm to assist in the search for a Fire Chief. City Manager Parker stated that Council had the original proposal that included the methods of advertising and profiling. City Manager Parker added that the service would provide professional guidance throughout the process, as the service would have many contacts that could be utilized. The service would have tests to perform on individuals and psychological profiles to assist the City in finding a Fire Chief. City Manager Parker stated that the original proposal was for nineteen thousand five hundred dollars ($19,500) plus expenses for the service. City Manager Parker added that several members of the Council had suggested that the City also use the service for finding Executive Director for the Lufkin Convention and Tourism Bureau. City Manager Parker stated that he and Chamber President Jerry Huffman had developed a job description and had begun soliciting in the appropriate magazines and areas that Tourist and Convention experts normally reviewed. City Manager Parker added that he had contacted Ron Holifield, with Strategic Government Resource, and asked if the City could get a discount if the services to find a Fire Chief and Executive Director for the Lufkin Convention and Tourism Bureau were combined. City Manager Parker stated that Mr. Holifield agreed to modify the cost to thirty thousand dollars ($30,000) plus expenses, if both searches were included. City Manager Parker stated that the Budget Amendment before the Council was to allocate the funding and to authorize Strategic Government Resource, Inc. to perform the professional recruitment search for a Fire Chief and Executive Director for the Lufkin Convention and Tourism Bureau. City Manager Parker added that Staff recommended that the Council approve Budget Amendment No. 29.

Councilmember Rufus Duncan asked if the Council had the ability to take the eighteen thousand dollars ($18,000) out of another fund other than the Hotel/Motel Fund. City Manager Parker stated that the funds were not coming from the allocations to the Lufkin Convention and Tourism Bureau, but was coming from the Hotel/Motel Tax Fund Balance.

Councilmember Don Langston stated that he read the proposal and that it was rather impressive. Councilmember Langston asked if a search for a Librarian could be included. City Manager Parker stated that the search for a Librarian may be added later if the City chose to do so.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Don Langston moved to approve the letter of understanding between the City of Lufkin and Strategic Government Resources to provide assistance in the search for a Fire Chief and Executive Director for the Lufkin Convention and Tourism Bureau and a Resolution authorizing an Amendment to the 2008/2009 Operating Budget (Budget Amendment No. 29), providing for the supplemental appropriation of funds in the General and Hotel/Motel Tax Fund; and providing an effective date. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

17. <u>DISCUSSION OF PROPOSED CAPITAL IMPROVEMENT PROGRAM AND RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2008/2009 OPERATING BUDGET (BUDGET AMENDMENT NO. 22), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL, ZOO BUILDING, AND GENERAL CAPITAL FUNDS; AND PROVIDING AN EFFECTIVE DATE</u>

Mayor Jack Gorden stated that the next item for consideration was the discussion of the proposed Capital Improvement Program and a Resolution authorizing an Amendment to the 2008/2009 Operating Budget (Budget Amendment No. 22), providing for the supplemental appropriation of funds in the General, Zoo Building, and General Capital Funds; and providing an effective date.

City Manager Paul Parker stated that in November 2008, the Council formally approved a Capital Improvements Program (CIP) that was a guide for Council and Staff to consider in future years. City Manager Parker added that if the City went forth with the projects they could be accomplished with a "pay as you go" plan or a traditional bond program. City Manager Parker explained that the Council and Staff looked at approximately thirty-nine million dollars ($39,000,000) in projects. City Manager Parker added that a couple of the projects had already been removed and funded, such as the restrooms for the Morris Frank Girls Softball Complex and the maintenance building at Ellen Trout Park and Zoo. City Manager Parker stated that the original conversation was that the City might consider a twenty million dollar to twenty-five million dollar ($20,000,000 - $25,000,000) Bond Program, and even possibly up to a thirty million dollar ($30,000,000) Bond Program over a five (5) to seven (7) year period. City Manager Parker added that obviously the City would not issue all of the bonds at one (1) time, due to the economy and until the funding was on hand to pay for them. City Manager Parker explained that under any of the scenarios the City was not considering raising taxes. City Manager Parker stated that the twenty-five percent (25%) Reserve Fund that the Council had in place was seven million seventy-six thousand six hundred forty-seven dollars ($7,076,647). City Manager Parker added that over the last several years the City had accumulated additional funds in excess of seven million seventy-six thousand six hundred forty-seven dollars ($7,076,647). City Manager Parker explained that these additional funds that were presently in the bank was three million four hundred sixteen thousand three hundred two dollars ($3,416,302) above the twenty-five percent (25%). City Manager Parker stated that because of the budget transfer, that was done earlier in the meeting, Staff anticipated other savings during the course of the year by Department Heads, and by keeping the sales tax at the present level. City Manager Parker added that Staff anticipated that by the end of the year the additional funds would be approximately four million three hundred thousand dollars ($4,300,000). City Manager Parker stated that Staff had previously recommended that the City consider funding several of the projects that were already listed in the CIP by the "pay as you go" method. City Manager Parker explained that the seven (7) projects were the Fire Station No. 1 Upgrade in the amount of three hundred twenty-three thousand six hundred forty-four dollars ($323,644), Kit McConnico Parking Lot Expansion in the amount of one hundred thirty-four thousand nine hundred forty dollars ($134,940), White Oak Drive Bridge Replacement in the amount of one hundred fifty-four thousand four hundred eighty dollars ($154,480), Zoo Circle Drive, which included water line and parking expansion, in the amount of four hundred seventy-two thousand six hundred sixty dollars ($472,660), Denman Avenue Street Reconstruction in the amount of three hundred thirty-eight thousand five hundred sixty dollars ($338,560), Groesbeck Avenue Bridge Replacement in the amount of one hundred ninety-three thousand seven hundred dollars ($193,700), and the Renovation of Locomotive No. 110 in the amount of ninety thousand dollars ($90,000). City Manager Parker added the total for the projects was in the amount of one million seven hundred seven thousand nine hundred eighty-four dollars ($1,707,984). City Manager Parker stated that Staff also recommended that the Council set aside an additional five hundred thousand dollars ($500,000) for the potential renovation of the Pines Theater, with the understanding that the money would not actually be put in a line item to be spent. City Manager Parker added that this money would be put in a reserve until the Council, through its Building Committee and a Citizens Committee, designed and developed a plan for the exact usage of the facility. City Manager Parker explained that at that time the funds would be shifted over with possible additional money that would come from the community for the improvements to the Pines Theater. City Manager Parker stated that if the Council desired to do that it would increase the total request to be placed aside in the amount of two million two hundred seven thousand nine hundred eighty-four dollars ($2,207,984). City Manager Parker added that this would leave a balance of one million two hundred eight thousand three hundred eighteen dollars ($1,208,318) in the Fund Reserve. City Manager Parker stated that the question was asked that if the City desired to use a portion of the one million two hundred eight thousand three hundred eighteen dollars ($1,208,318), could additional projects on the list be done. City Manager Parker added that another question was could the City use money for the Street Overlay Program from the Operational Budget and add another six hundred thousand dollars or seven hundred thousand dollars ($600,000-$700,000) to do more streets. City Manager Parker stated that he had talked to Street Department Superintendent Steve Poskey, and that Mr. Poskey believed that this money could be spent on other streets if the Council chose to include this with the other projects. City Manager Parker stated that there were several projects on the list that could be mixed and matched. City Manager Parker added that Staff recommended that the Council not use all of the additional funding, so that the City could continue the policy of not dipping into the twenty-five percent (25%) reserve, because there were always unexpected projects, such as the fire station roofs, that periodically came up through the year. City Manager Parker stated that Council did have some flexibility. City Manager Parker added that Staff recommended that Council approve the Budget Amendment No. 22.

City Manager Parker stated that it was also pertinent that the Capital Improvements Program (CIP) be discussed. City Manager Parker added that Staff provided the Council with three (3) sheets with several scenarios concerning the CIP. City Manager Parker stated that first sheet gave a summary of funding without issuing any bond debt. City Manager Parker explained that by 2012, the ending fund balance would begin going up rather quickly. City Manager Parker stated that this meant that by 2012, if the City did not issue additional debt, the City would have to consider some type of tax relief or reduction in the debt portion. City Manager Parker stated that the present tax rate was .5554. City Manager Parker explained that of that amount, .2022 was dedicated to debt. City Manager Parker added that in the City's system, debt and operation maintenance had to be in separate accounts. City Manager Parker stated that the next sheet showed that a twenty-five million dollar ($25,000,000) bond program based on two percent (2%) growth in assessed value could be done, and would fund a CIP under the existing tax rate and still utilize the "pay as you go" money. City Manager Parker stated that Staff recommended that the Council consider approving the Budget Amendment No. 22, and then reevaluate the projects in the CIP and determine how the economy was going in the spring 2010, to determine if the City should go into a Certificate of Obligation process to issue additional bonds. City Manager Parker asked the Council to keep in mind that because of the Abitibi Water Project the City had already issued bonds, and if additional bonds were issued the City would probably not be in the bank qualified category that gave the City a lower rate. City Manager Parker added that this was another reason to wait until the coming year to issue more bonds. City Manager Parker stated that Staff recommended that Council approve Budget Amendment No. 22, and also requested that Council instruct the Staff put this back on the agenda in the spring, to update the CIP and to consider potential funding of that plan. City Manager Parker added that if the Council wished to add additional projects there was room to add another seven hundred thousand dollars to eight hundred thousand dollars ($700,000-$800,000) to the existing "pay as you go", without affecting other unexpected projects that might come up.

Mayor Gorden stated that the Council had discussed the CIP a number of times over the last few months and that he thought that this was a great approach to meet immediate needs. Mayor Gorden added that the approach was also very conservative, from a financial standpoint. Mayor Gorden stated that the Council should consider the CIP again in the spring of 2010, when everyone would know more about the national and state economy and certainly the economy of Lufkin.

Councilmember Don Langston stated, that in essence, the City could spend the recommended two million two hundred seven thousand nine hundred eighty-four dollars ($2,207,984), and still be a year out from issuing bonds. Councilmember Langston added that by immediately spending the two million two hundred seven thousand nine hundred eighty-four dollars ($2,207,984), it would leave enough revenue to support bonds without a tax increase. Councilmember Langston stated that a more favorable opportunity would be to a hard look again at the rankings, to determine if the City even needed the amount that was originally discussed. Councilmember Langston added that the City could very easily look at refunding some money on taxes. City Manager Parker stated that it was up to the Council. Councilmember Langston added that this had never been done in the past, and that the City had always found a way to continue spending. Councilmember Langston stated that he had a lot of questions at the last meeting and that City Manager Parker had answered them. Councilmember Langston added that he couldn't say that he agreed with all of the project stats that were presented, and in particular the train project at one hundred thousand dollars ($100,000). Mayor Gorden stated that everyone had a different list prioritizing the projects.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Phil Medford stated that he had some questions regarding the renovation of the Pines Theater. Councilmember Medford stated that the proposal was just to allocate the five hundred thousand dollars ($500,000), and not to approve spending the five hundred thousand dollars ($500,000). Councilmember Medford asked if the objective was to finish the renovation of the exterior, complete the roof repairs, and then stop spending money on the project until the Council had time to consider long term use and involvement of the community, and then go back to those philanthropic organizations who were all in favor of supporting the project when the City agreed to purchase the Pines Theater, and then at that point move forward. City Manager Parker stated that Councilmember Medford was correct and that the only thing that he would add was that in addition to the exterior repairs, the City was also going to do the demolition on the old stage area. City Manager Parker added that the project would stop at that point.

Councilmember Rufus Duncan stated that the City had allocated five hundred thousand dollars so far for repairing the roof, renovating the exterior and getting the facility weatherproofed. Councilmember Duncan asked how much money would be left over from the first five hundred thousand dollars ($500,000).

City Engineer and Public Utilities Director Chuck Walker stated that approximately two hundred fifty thousand dollars to three hundred thousand dollars ($250,000 - $300,000) would be left over after the demolition of the interior, the roof repair and the exterior renovation was complete. Mr. Walker added that the City had gone out for bids on the interior work, and didn't have them back and could not give exact amounts. Deputy City Manager Keith Wright stated that the amount was a little over eleven thousand dollars ($11,000+), and that he had talked with Beauford Chapman earlier that afternoon, and that the City was looking at having approximately two hundred ten thousand dollars to two hundred twenty thousand dollars ($210,000-$220,000).

Councilmember Lynn Torres moved to approve the Resolution authorizing an Amendment to the 2008/2009 Operating Budget (Budget Amendment No. 22), providing for the supplemental appropriation of funds in the General, Zoo Building, and General Capital Funds; and providing an effective date. Councilmember R. L. Kuykendall seconded the motion. The following vote was recorded:

Aye: Mayor Jack Gorden, Council Members R.L. Kuykendall, Phil Medford, Lynn Torres, and Robert Shanklin

Nay: Council Members Don Langston and Rufus Duncan

The motion carried with five (5) affirmative votes.

18. Mayor Jack Gorden recessed the Regular Session at 6:13 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, demolition of buildings, or appointments to boards and personnel may be discussed.

Mayor Jack Gorden reconvened the Regular Session at 6:42 p.m.

19. DISCUSSION OF ITEMS OF COMMUNITY INTEREST, INCLUDING EXPRESSIONS OF THANKS, CONGRATULATIONS OR CONDOLENCE; INFORMATION REGARDING HOLIDAY SCHEDULES; HONORARY RECOGNITIONS OF CITY OFFICIALS, EMPLOYEES OR OTHER CITIZENS; REMINDERS ABOUT UPCOMING EVENTS SPONSORED BY THE CITY OR OTHER ENTITY THAT IS SCHEDULED TO BE ATTENDED BY CITY OFFICIALS OR EMPLOYEES; AND ANNOUNCEMENTS INVOLVING IMMINENT THREATS TO THE PUBLIC HEALTH AND SAFETY OF THE CITY

Mayor Gorden stated that the next item for consideration was the discussion of items of community interest, including expressions of thanks, congratulations or condolence;

information regarding holiday schedules; honorary recognitions of City officials, employees or other citizens; reminders about upcoming events sponsored by the City or other entity that is scheduled to be attended by City officials or employees; and announcements involving imminent threats to the public health and safety of the City.

City Manager Paul Parker reminded the Council about the First Friday Luncheon on Friday, July 10, 2009. City Manager Parker added that the speaker was Senator Robert Nichols and asked everyone to let City Secretary Renee Thompson know if they were going to attend.

20. There being no further business for consideration, the meeting adjourned at 6:44 p.m.

Jack Gorden

Jack Gorden, Mayor

Renee Thompson

Renee Thompson – City Secretary