

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF LUFKIN, TEXAS HELD ON THE 1ST DAY OF SEPTEMBER, 2009**

On the 1st day of September, 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	Deputy City Manager
Robert Flournoy	City Attorney
Renee Thompson	City Secretary
Rodney Ivy	Human Resource Director
Doug Wood	Finance Director
Dorothy Wilson	Planning Director
Steve Floyd	Public Works Director
Barbara Thompson	Main Street Director
Jim Wehmeier	Economic Development Director
Dale Allred	Inspection Services Director
Sid Munlin	IT Director
Chuck Walker	Public Utilities Director
Robbin Crawford	Senior Accountant

being present, when the following business was transacted:

1. The meeting was opened with prayer by Pastor Joel Rodriguez, Lufkin First Assembly of God.
2. Mayor Jack Gorden welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of the Regular Meeting of August 18, 2009, were approved 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 GRANTING A SPECIAL USE PERMIT FOR AN EATING ESTABLISHMENT WITH A DRIVE-THRU IN A NEIGHBORHOOD RETAIL ZONING DISTRICT ON CERTAIN LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF LUFKIN, TEXAS, DESCRIBED AS A PORTION OF BJL LLC PROPERTIES SUBDIVISION, LOT 1, MORE COMMONLY KNOWN AS 514 WEST FRANK STREET AND 302 NORTH RAGUET 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 eating establishment with a drive-thru in a Neighborhood Retail Zoning District on certain land within the corporate limits of the City of Lufkin, Texas, described as a portion of BJL LLC Properties Subdivision, Lot 1, more

commonly known as 514 West Frank Street and 302 North Raguet and authorizing the City Planner to make such changes on the Official Map.

City Manager Paul Parker stated that this was the Second Reading of the zone change request, and that he would answer any questions that the City Council had concerning the item. City Manager Parker added that a Special Use Permit for a drive-through was being requested for a coffee house that was currently under construction. City Manager Parker stated that the Planning and Zoning Commission and Staff recommended that the Council approve the Special Use Permit

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 granting a Special Use Permit for an eating establishment with a drive-thru in a Neighborhood Retail Zoning District on certain land within the corporate limits of the City of Lufkin, Texas, described as a portion of BJL LLC Properties Subdivision, Lot 1, more commonly known as 514 West Frank Street and 302 North Raguet 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. SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, - TABLED - BEING ORDINANCE 3368, TO ADD LANDSCAPE REQUIREMENTS; DELETE CURRENT LANDSCAPING; REPEALING CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was the Second Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, being Ordinance 3368, to add landscape requirements; delete current landscaping; repealing conflicting provisions; and providing an effective date.

City Manager Paul Parker stated that this agenda item was also a Second Reading, and that he would not go into detail regarding the previous meetings and the information that was passed on as far as content. City Manager Parker added that the Ordinance was one (1) of many developmental ordinances that originated in March 2007, and that the Council had previously reviewed several drafts of the Ordinance and then sought public comments. City Manager Parker explained that the Public Hearings were held, and then an Ordinance was brought before the Planning and Zoning Commission. City Manager Parker stated that the Planning and Zoning Commission held two (2) meetings concerning the “Landscape Ordinance”, and then recommended that the City Council deny the request. City Manager Parker added that the Ordinance then came before the City Council. City Manager Parker explained that at the last Council Meeting, the Ordinance was considered to be a “stand alone” Ordinance by the way it was structured, and that it was determined that it would only take a simple majority vote to pass on the First Reading. City Manager Parker stated that the vote was taken and the Ordinance passed by a four (4) to three (3) vote.

City Manager Parker stated that after the September 1, 2009, Council Meeting, Staff met with the City’s Legal Office and discussed the Ordinance in more detail. City Manager Parker explained that a very credible argument could be made that since the existing Landscape Ordinance was within the Zoning Ordinance, the majority vote rule would apply. City Manager Parker added that by erring on the side of being overly cautious on the interpretation, and by not trying to debate which voting rule applied, the Staff determined that vote would require a three-fourths (3/4) or majority vote for a positive approval of the Landscape Ordinance. City Manager Parker stated that at the last meeting, several members of the City Council recommended that a committee be formed to refurbish the Landscape Ordinance and make it more Lufkin specific, fine tune it, and make it more palatable to the development of Lufkin. City Manager Parker added that once this was done, the Ordinance

could then be brought back through the Public Hearing process, and then to the City Council for a final decision. City Manager Parker stated that Staff was recommending that the Council table the item, and appoint a committee to review the Ordinance. City Manager Parker added that Staff also suggested that the committee review the Tree Preservation Ordinance, and consider combining the Landscape Ordinance with the Tree Preservation Ordinance. City Manager Parker stated that intent of the committee should be to bring back an ordinance that, if adopted, would be suitable for the Lufkin Development Program. City Manager Parker added that the committee should not argue the need for a Landscape Ordinance, but in essence should assume that the Council would make that determination. City Manager Parker explained that the committee should provide guidance and redressing so that the Ordinance would be palatable to development in Lufkin, to enhance the aesthetic values in Lufkin and to protect the development interest in the area. City Manager Parker added that an Ordinance of that nature could be formulated, but that it would take some time to revamp the Ordinance. City Manager Parker reiterated that Staff recommended that the Council appoint a committee for the purpose of reviewing the Landscape Ordinance and the Tree Preservation Ordinance.

There was considerable discussion among the Mayor, Council and Staff.

Councilmember Phil Medford moved to table the Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, being Ordinance 3368, to add landscape requirements; delete current landscaping; repealing conflicting provisions; and providing an effective date. Councilmember Robert Shankle seconded the motion. A unanimous affirmative vote was recorded.

Councilmember Rufus Duncan moved to appoint an “ad hoc” committee that would be approved by a consensus of the City Council, to study and review the Landscape Ordinance and Tree Preservation Ordinance. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

6. FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, - TABLED - BEING ORDINANCE NO. 3368, BY AMENDING ARTICLE XXI “SUPPLEMENTAL DEVELOPMENT REGULATIONS” TO CREATE A SECTION ENTITLED “HISTORIC DISTRICT OVERLAY”, CREATING A HISTORIC PRESERVATION COMMISSION, PROVIDING FOR THE DESIGNATION OF A HISTORIC DISTRICT OVERLAY, CREATING THE REQUIREMENTS FOR OBTAINING A CERTIFICATE OF APPROPRIATENESS OR DEMOLITION PERMIT, PROVIDING FOR THE ENFORCEMENT OF THE ORDINANCE AND PENALTIES; REPEALING CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was the First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, being Ordinance No. 3368, by amending Article XXI “Supplemental Development Regulations” to create a section entitled “Historic District Overlay”, creating a Historic Preservation Commission, providing for the designation of a Historic District Overlay, creating the requirements for obtaining a Certificate of Appropriateness or demolition permit, providing for the enforcement of the Ordinance and penalties; repealing conflicting provisions; and providing an effective date. Mayor Gorden suggested that the item also be tabled to determine how the committee which would be reviewing the Landscape and Tree Preservation Ordinances would work.

Mayor Gorden and Council discussed whether the Ordinance should be tabled until a later date.

Councilmember Don Langston moved to table the First Reading of the Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, being Ordinance No. 3368, by amending Article XXI “Supplemental Development Regulations” to create a section entitled “Historic District Overlay”, creating a Historic Preservation Commission, providing for the designation of a Historic District Overlay, creating the requirements for obtaining a Certificate of

Appropriateness or demolition permit, providing for the enforcement of the Ordinance and penalties; repealing conflicting provisions; and providing an effective date. Councilmember Phil Medford seconded the motion. A unanimous affirmative vote was recorded.

7. PRESENTATION BY LAISA STEED, DIRECTOR AND ERIN MOORE THIEBERT, PRESIDENT CONCERNING THE FIRST STREET ARTS CENTER

Mayor Jack Gorden stated that the next item for consideration was a presentation by Laisa Steed, Director and Erin Moore Thiebert, President concerning the First Street Arts Center.

President of the Board of Directors for the First Street Arts Center Erin Moore Thiebert thanked the Mayor and Council for the opportunity to address them. Ms. Thiebert added that the First Street Arts Center was indebted to the City of Lufkin for its support and budget allocations. Ms. Thiebert explained that the funds were used to accomplish many amazing things at the Center.

Ms. Thiebert then introduced the new Director Laisa Steed, who was an event planning and marketing specialist. Ms. Thiebert then explained how the First Street Arts Center used the money that was allocated to them. Ms. Thiebert stated that the Center had acquired additional space, and explained the many uses of the added space such as live music events, art classes, dedicated food and beverage service space, additional storage, additional gallery walls, and added that it was on the highly visible corner of Lufkin and First Streets.

Ms. Thiebert stated that the main gallery space was also very busy by hosting monthly and bi-monthly exhibitions, which were usually accompanied by a nice reception of wine and cheese. Ms. Thiebert added that the artists usually attended the events along with members of the local community. Ms. Thiebert pointed out that the events were frequently free to the public.

Ms. Thiebert explained that the First Street Arts Center rarely asked for a fee to attend an event, but subsisted off of small submission fees from the artists, donations, grants, yearly membership fees, and fundraisers. Ms. Thiebert added that the First Street Arts Center existed solely to provide halls, walls, and stages for artists, writers, and musicians to showcase their talents, which would otherwise have been unavailable to the public, without this dedicated staffed venue.

Ms. Thiebert explained the importance of the “Arts” in the Lufkin area. Ms. Thiebert then invited the City of Lufkin to participate in the upcoming celebration of the First Street Arts Center, by adding the lighting of the Pines Theater to their celebration on October 24, 2009. Ms. Thiebert added that the Arts Center and the Pines Theater complimented each other so well. Ms. Thiebert stated that the Arts Center would be inviting members of the community to come out for an evening of food, live music, culinary arts display, silent auction, and a sneak peek of the Theater and the lighting of the sign. Ms. Thiebert explained that by adding the lighting of the Theater’s sign, the Center expected a huge turnout and wanted to make the event memorable. Ms. Thiebert stated that the Center had already received a lot of community support and that the Center would have assistance in producing the event through donations, ticket sales, silent auction, and a request of the City of Lufkin for financial support. Ms. Thiebert stated that First Street Arts Center was formally requesting assistance of the City of Lufkin for the revitalization of Downtown Lufkin, and its rich history as a destination for local entertainment and commerce, and by providing the First Street Arts Center discretionary funding in the amount of five thousand dollars (\$5,000), to help allay the cost of producing the event. Ms. Thiebert added that the First Street Arts Center felt that they served as an anchor to the revitalization of Downtown, but that they needed the City’s support to continue. Ms. Thiebert thanked the City Council for their help in the past and for the opportunity to make their presentation, and that she would be happy to answer any questions from the Council.

There was discussion among the Council regarding the First Street Arts Center and the upcoming event and request for funding. City Manager Parker stated that the action item would have to be put on a future agenda if the Council chose to appropriate the funding.

8. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, - APPROVED - BY CHANGING THE ZONING DESIGNATION ON LAND DESCRIBED AS A PORTION OF THE P. C. ABNEY SURVEY, ABSTRACT 70, TRACT 18, COMPRISED OF 6.376 ACRES, ALSO KNOWN AS 2301 EAST DENMAN, A “RESIDENTIAL LARGE SINGLE FAMILY DWELLING AND COMMERCIAL ZONING DISTRICT” TO A “COMMERCIAL 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 First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning designation on land described as a portion of the P. C. Abney Survey, Abstract 70, Tract 18, comprised of 6.376 acres, also known as 2301 East Denman, a “Residential Large Single Family Dwelling and Commercial Zoning District” to a “Commercial Zoning District” and authorizing the City Planner to make such changes on the Official Map.

City Manager Paul Parker stated that property was part of the Ritter Lumber Company, and that part of the property was zoned “Residential Large Single Family Dwelling”. City Manager Parker explained that the property owner was requesting to zone the entire site as “Commercial”, to allow them to do some expansion and reworking of their facility. City Manager Parker added that the Planning and Zoning Commission and Staff both recommended that the Council approve the zone change.

There was some discussion among the Council concerning the request.

Mayor Gorden opened the Public Hearing 5:39 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 5:40 p.m.

Councilmember Don Langston moved to approve the First Reading of the Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning designation on land described as a portion of the P. C. Abney Survey, Abstract 70, Tract 18, comprised of 6.376 acres, also known as 2301 East Denman, a “Residential Large Single Family Dwelling and Commercial Zoning District” to a “Commercial Zoning District” and authorizing the City Planner to make such changes on the Official Map. Councilmember Robert Shankle seconded the motion. A unanimous affirmative vote was recorded.

9. FIRST READING OF AN APPROPRIATIONS ORDINANCE ADOPTING A BUDGET – APPROVED - FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010

Mayor Jack Gorden stated that the next item for consideration was the First Reading of an Appropriations Ordinance adopting a budget for the fiscal year beginning October 1, 2009, and ending September 30, 2010.

City Manager Paul Parker stated that the City Council had previously discussed the budget on several different occasions. City Manager Parker stated that the budget was built on the City of Lufkin adopting the effective tax rate. City Manager Parker added that the existing tax rate was \$0.5554 per \$100 valuation, and that the effective tax rate was \$0.5338 per \$100 valuation. City Manager Parker explained that there would actually be a drop in the tax rate for the City of Lufkin. City Manager Parker stated that any individuals that did not increase valuations on their property would see a reduction in their current taxes. City Manager Parker stated that the Council had also determined to not increase the cost of Solid Waste services. City Manager Parker added that a six percent (6%) increase for the Water and Sewer Rates was built in to offset the purchase of the Abitibi water rights. City Manager Parker added that the Abitibi purchase would set the City of Lufkin up for water needs for the foreseeable future and would make the City of Lufkin the envy of most cities by providing ample water to its citizens, as well as industrial needs for the future expansion and growth of the community. City Manager Parker stated that the proposed Budget would have a deficit if the revenue projections were correct. City Manager Parker added that those funds

would come from the Fund Balance, if this occurred. City Manager Parker explained that the proposed budget projected that if expenditures exceeded the revenues, the budget would have a deficit of five hundred twenty thousand seven hundred fifty-seven dollars (\$520,757). City Manager Parker added that the City did have an ample Fund Balance so that the savings in the tax rate could be passed back to the citizens of Lufkin. City Manager Parker stated that Staff stood ready to answer any questions the Council had regarding the Budget.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Rufus Duncan moved to approve the First Reading of the Appropriations Ordinance adopting a budget for the fiscal year beginning October 1, 2009, and ending September 30, 2010. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

10. FIRST READING OF AN ORDINANCE AMENDING CHAPTER 51.111 OF THE CODE OF ORDINANCES OF THE CITY OF LUFKIN, TEXAS; - APPROVED - MAKING CERTAIN CHANGES IN THE SEWER RATES; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was the First Reading of an Ordinance amending Chapter 51.111 of the Code of Ordinances of the City of Lufkin, Texas; making certain changes in the sewer rates; repealing all Ordinances in conflict therewith; and providing an effective date.

City Manager Paul Parker stated that items ten (10) and eleven (11) represented a six percent (6%) increase in water and sewer rates for the next four (4) years. City Manager Parker explained that the increase was to advertise the fifteen million dollars (\$15,000,000) in obligation bonds that was used to purchase the water rights from Abitibi. City Manager Parker stated that the City Council was able to take proactive steps to purchase thirty-one million dollars (\$31,000,000) worth of rights, as well as land, lake and water wells and improvements for the future of the City of Lufkin. City Manager Parker stated that price came with the purchase, but that the Council tried to minimize the impact on the Lufkin residents by taking nine hundred ninety-eight thousand ninety-two dollars (\$998,092) from the Water and Sewer Fund Reserve. City Manager Parker stated that the City of Lufkin had previously had a study done of the water and sewer rates, which suggested a twenty-five percent (25%) increase in rates over a three (3) year period. City Manager Parker explained that the Council was concerned about the impact that this would have on the Lufkin residents and their ability to pay those rates, especially in the recent economic downturn. City Manager Parker stated that the Council then chose to take money from the Water and Sewer Fund Reserve in the upcoming year, and would have to take money in the third year to balance this, as well as spread the increase over a four (4) year period instead of a three (3) year period. City Manager Parker stated that this reflected the City Council's attitude, by trying to take care of the City of Lufkin for the long term water needs and yet minimize the impact on the residents in paying for the water needs. City Manager Parker added that if the City was fortunate, in the four (4) year span, the City would see a large growth of industrial users. City Manager Parker stated that the rate increase could then possibly be minimized even more. City Manager Parker stated that Staff recommended that Council approve the Water and Sewer Ordinances, increasing the rate by six percent (6%) for a four (4) year period.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Lynn Torres moved to approve the First Reading of the Ordinance amending Chapter 51.111 of the Code of Ordinances of the City of Lufkin, Texas; making certain changes in the sewer rates; repealing all Ordinances in conflict therewith; and providing an effective date. Councilmember Robert Shankle seconded the motion. A unanimous affirmative vote was recorded.

11. FIRST READING OF AN ORDINANCE AMENDING CHAPTER 52.15.(A), (1), (2), (3), (B), (1), (2), (3), (C), (1), (2), (3), (D), (1), (2) AND (E) OF THE CODE OF ORDINANCES OF THE CITY OF LUFKIN, TEXAS; - APPROVED - MAKING A CHANGE IN THE

RESIDENTIAL, COMMERCIAL, IRRIGATION; INDUSTRIAL AND WHOLESALE WATER RATES; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Mayor Jack Gorden stated that the next item for consideration was the First Reading of an Ordinance amending Chapter 52.15, (a), (1), (2), (3), (b), (1), (2), (3), (c), (1), (2), (3), (d), (1), (2) and (e) of the Code of Ordinances of the City of Lufkin, Texas; making a change in the residential, commercial, irrigation; industrial and wholesale water rates; repealing all Ordinances in conflict therewith; and providing an effective date.

City Manager Paul Parker stated that in addition to his previous comments, the Ordinance included regulations on tampering.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Phil Medford moved to approve the First Reading of the Ordinance amending Chapter 52.15, (a), (1), (2), (3), (b), (1), (2), (3), (c), (1), (2), (3), (d), (1), (2) and (e) of the Code of Ordinances of the City of Lufkin, Texas; making a change in the residential, commercial, irrigation; industrial and wholesale water rates; repealing all Ordinances in conflict therewith; and providing an effective date. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

12. FIRST READING OF AN ORDINANCE LEVYING TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF LUFKIN - APPROVED - AND PROVIDING FOR THE DEBT SERVICE FUND FOR THE FISCAL YEAR 2010 AND APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE

Mayor Jack Gorden stated that the next item for consideration was the First Reading of an Ordinance levying taxes for the use and support of the municipal government of the City of Lufkin and providing for the Debt Service Fund for the fiscal year 2010 and apportioning each levy for the specific purpose.

City Manager Paul Parker stated that State Law required that the City pass the budget before passing the tax rate that supported it. City Manager Parker added that the budget and tax rate were based on the Council's direction. City Manager Parker stated that the tax rate was the effective tax rate of \$0.5338 per \$100 valuation, which was a reduction in the existing tax rate, which was \$0.5554 per \$100 valuation. City Manager Parker explained that the proposed General Fund budget, that was before the Council, was twenty-nine million five hundred eighteen thousand two hundred eight dollars (\$29,518,208) of expenditures, and the revenue was projected at twenty-eight million nine hundred ninety-seven thousand four hundred fifty-one dollars (\$28,997,451), which came to a deficit of five hundred twenty thousand seven hundred fifty-seven dollars (\$520,757). City Manager Parker stated that traditionally departments under spent their budgets, and revenues exceeded the budget. City Manager Parker added that he felt very confident that even though the proposed budget showed a deficit, there would be a balanced budget by the end of the year, without drawing on reserves, unless there was a significant decline in sales tax. City Manager Parker pointed out that the City of Lufkin had ample reserves, if needed. City Manager Parker stated that the City Council had showed both prudence and compassion to ensure the residents of Lufkin that the City was trying to provide quality services and continue levels of service, and yet at the same time reduce the tax rate. City Manager Parker explained that the packet contained the exact language that the State required in making a motion concerning the Tax Ordinance and requested that the Council use that exact language in making their motion.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Don Langston stated "This year's proposed tax rate does not exceed the effective tax rate. I move that we adopt the Tax Rate Ordinance adopting the effective tax rate of \$0.5338/100 dollars of valuation." Councilmember Phil Medford seconded the motion. A unanimous affirmative vote was recorded.

13. REIMBURSEMENT OF FUNDS FOR THE 2008 BULLETPROOF VEST PARTNERSHIP GRANT - APPROVED - FOR THE POLICE DEPARTMENT

Mayor Jack Gorden stated that the next item for consideration was the reimbursement of funds for the 2008 Bulletproof Vest Partnership Grant for the Police Department.

City Manager Paul Parker stated that the Police Department budgeted for the purchase of bullet proof vests in the amount of nineteen thousand thirteen dollars and four cents (\$19,013.04). City Manager Parker added that the Department of Justice had offered the fifty percent (50%) matching funds reimbursement of that expenditure. City Manager Parker explained that the matching funds were allocated in the current budget; therefore no additional funding was required. City Manager Parker then recommended that the Council accept the return of local tax dollars to the City of Lufkin, in the amount of nineteen thousand thirteen dollars and four cents (\$19,013.04), from the Department of Justice.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Lynn Torres moved to approve the reimbursement of funds for the 2008 Bulletproof Vest Partnership Grant for the Police Department. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

14. FY2009 FEDERAL RECOVERY ACT JUSTICE ASSISTANCE GRANT-APPROVED - 2009 SB-B9-2009

Mayor Jack Gorden stated that the next item for consideration was the FY2009 Federal Recovery Act Justice Assistance Grant 2009 SB-B9-2009.

City Manager Paul Parker stated that the Police Department had received another grant. City Manager Parker added that this grant was in the amount of ninety-eight thousand seven hundred fifty dollars (\$98,750). City Manager Parker stated that included in the Council's packets was an attachment from Lieutenant Charlie Graham, indicating how the department wanted to utilize the funds. City Manager Parker explained that the funds would be used for equipment and training. City Manager Parker added that the grant required no match. City Manager Parker stated that Staff recommended that Council accept the Justice Assistance Grant in the amount of ninety-eight thousand seven hundred fifty dollars (\$98,750).

Mayor Gorden asked for questions or comments from the Council.

Councilmember R. L. Kuykendall moved to approve the FY2009 Federal Recovery Act Justice Assistance Grant 2009 SB-B9-2009. Councilmember Robert Shankle seconded the motion. A unanimous affirmative vote was recorded.

Mayor Gorden stated that the Council appreciated the work involved in securing the grants for the City.

15. PRESENTATION BY BILL CAMERON AND SID MUNLIN CONCERNING THE CHANNEL 15/CITY WEBSITE

Mayor Jack Gorden stated that the next item for consideration was a Presentation by Bill Cameron and Sid Munlin concerning the Channel 15/City Website.

City Manager Paul Parker stated that over the past couple of years the City of Lufkin had made many changes to Channel 15 and the City Website. City Manager Parker added that Staff occasionally forgot to make the Council fully aware of services that were provided through the television channel and the website. City Manager Parker stated that Lufkin was extremely blessed to have such a technology rich City. City Manager Parker added that the City's website received many compliments and accolades, and that Staff wanted to take some time to update the Council, and to also use Channel 15 as a opportunity to tell the citizens of Lufkin about all of the services that the City provided.

IT Director Sid Munlin and Webmaster Bill Cameron then explained the changes and revisions that had been made on the City of Lufkin website and on Channel 15.

Mayor Gorden asked for questions or comments from the Council.

16. Mayor Jack Gorden recessed the Regular Session at 6:30 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 6:35 p.m.

17. **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.

Mayor Gorden reminded the Council that Friday, September 4, 2009, was the First Friday Luncheon and that the Small Business of the Year would be awarded at that event.

18. There being no further business for consideration, the meeting adjourned at 6:37 p.m.


Renee Thompson – City Secretary


Jack Gorden, Mayor