

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF LUFKIN, TEXAS HELD ON THE 15TH DAY OF JUNE, 2010**

On the 15th day of June, 2010, 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.
Don Langston
Victor Travis
Robert Shankle
Lynn Torres
Rufus Duncan
Phil Medford
Paul L. Parker
Keith Wright
Bruce Green
Renee Thompson
Rodney Ivy
Scott Marcotte
Gerald Williamson
Danny Kistner
Duane Freeman
Doug Wood
Dorothy Wilson
Steve Floyd
Steve Poskey
Barbara Thompson
Jim Wehmeier
Chuck Walker

Mayor
Mayor Pro-Tem
Councilmember, Ward No. 1
Councilmember, Ward No. 2
Councilmember, Ward No. 3
Councilmember, Ward No. 5
Councilmember, Ward No. 6
City Manager
Deputy City Manager
City Attorney
City Secretary
Human Resource Director
Police Chief
Asst. Police Chief
Fire Chief
Asst. Fire Chief
Finance Director
Planning Director
Public Works Director
Street Department, Superintendent
Main Street Director
Economic Development Director
Public Utilities 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, were approved on a motion by Councilmember Lynn Torres, and seconded by Councilmember Robert Shankle. 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 A RESTAURANT WITH A PRIVATE CLUB WITHIN A LOCAL BUSINESS ZONING DISTRICT ON CERTAIN TRACTS OR PARCELS OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF LUFKIN, TEXAS, DESCRIBED AS LOT 3 OF THE GARDEN DISTRICT SHOPPING VILLAGE PHASE IV REVISED SUBDIVISION 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 a Restaurant with a Private Club within a Local Business Zoning District on certain tracts or parcels of land within the corporate limits of the

City of Lufkin, Texas, described as Lot 3 of the Garden District Shopping Village Phase IV Revised Subdivision 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 Special Use Permit request, and was for a Buffalo Wild Wings Restaurant. City Manager Parker added that the restaurant would have an approximate building area of seven thousand one hundred ninety-four (7,194) square feet. City Manager Parker stated that the purpose of the request was to allow the restaurant to serve alcoholic beverages, along with the food products.

Mayor Gorden opened the Public Hearing 5:11 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 5:12 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 a Restaurant with a Private Club within a Local Business Zoning District on certain tracts or parcels of land within the corporate limits of the City of Lufkin, Texas, described as Lot 3 of the Garden District Shopping Village Phase IV Revised Subdivision 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.

NEW BUSINESS:

5. CANVASS OF 2010 GENERAL RUNOFF ELECTION FOR THE CITY OF LUFKIN AND A RESOLUTION DECLARING THE RESULTS OF THE CITY OF LUFKIN RUNOFF ELECTION – APPROVED - OF JUNE 12, 2010

Mayor Jack Gorden stated that the next item for consideration was the Canvass of the 2010 General Runoff Election for the City of Lufkin and a Resolution declaring the results of the City of Lufkin Runoff Election of June 12, 2010.

City Manager Paul Parker called on City Secretary Renee Thompson to read the results of the Runoff Election, held on June 12, 2010.

City Secretary Renee Thompson stated that the City of Lufkin General Runoff Election was called for June 12, 2010, for the purpose of electing a member to the City Council. City Secretary Thompson added that there were no propositions on the ballot, no person made a declaration of write-in candidacy, and two (2) candidates were on the ballot for election to office.

City Secretary Thompson stated that the City of Lufkin City Council resolved and ordered that a General Election be held at the Lufkin ISD Administration Building on June 12, 2010, for the purpose of electing a Councilmember for Ward No. 1. City Secretary Thompson added that Early Voting for the election was conducted each weekday, June 1, 4, 7, and 8, 2010, from 8:00 a.m. to 5:00 p.m., and June 2 & 3, 2010, from 7:00 a.m. to 7:00 p.m. in the City Hall atrium, with LaFrancis Kelley serving as Early Voting judge. City Secretary Thompson stated that results of the election were as follows:

In Early Voting, paper ballots the following votes were cast: R. L. Kuykendall – four (4) votes, Victor L. Travis – ten (10) votes. City Secretary Thompson added that in Early Voting, electronic, the following votes were cast: R. L. Kuykendall – thirty (30) votes, Victor L. Travis – thirty-seven (37) votes. City Secretary Thompson stated that the Early Voting Total votes cast were: R. L. Kuykendall – thirty-four (34) votes, Victor L. Travis – forty-seven (47) votes. City Secretary Thompson added that on Election Day, paper ballots, the following votes were cast: R. L. Kuykendall – two (2) votes, Victor L. Travis – zero (0) votes. City Secretary Thompson stated that on Election Day, electronic the following votes were cast: R. L. Kuykendall – forty-four (44) votes, Victor L. Travis – forty-one (41) votes. City Secretary Thompson stated that the Election Day Total votes cast were: R. L. Kuykendall – forty-six (46) votes, Victor L. Travis – forty-one (41) votes. City Secretary

Thompson stated that the total votes cast for the City of Lufkin General Runoff Election 2010 were: R. L. Kuykendall – eighty (80) votes, Victor L. Travis – eighty-eight (88) votes. City Secretary Thompson stated that the apparent winner was Victor L. Travis.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Lynn Torres moved to approve the Canvass of 2010 General Runoff Election for the City of Lufkin and the Resolution declaring the results of the City of Lufkin Runoff Election of June 12, 2010. Councilmember Robert Shankle seconded the motion. A unanimous affirmative vote was recorded.

**6. ADMINISTER OATH OF OFFICE TO NEWLY ELECTED COUNCILMEMBER,
(HONORABLE PAUL WHITE, JUDGE 159TH DISTRICT COURT)**

Mayor Jack Gorden stated that the next item for consideration was to administer the Oath of Office to the newly elected Councilmember by Honorable Paul White, Judge 159th District Court)

Honorable Paul White, Judge 159th District Court, administered the Oath of Office to Councilmember Victor L. Travis. Mayor Gorden welcomed Councilmember Travis and stated that Councilmember Travis' Ward had a long tradition of excellence and that the Council looked forward to working with Councilmember Travis.

Councilmember Victor Travis then thanked his supporters and those wishing him well. Councilmember Travis added that they would do a great job for the City and for the Ward, and that he was looking forward to the next three (3) years.

**7. DONATION OF FOUR (4) LIFEPAK 15- MODEL 045 DEFIBRILLATORS FROM
WOODLAND HEIGHTS MEDICAL CENTER, IN THE AMOUNT OF ONE
HUNDRED THIRTEEN THOUSAND EIGHT HUNDRED NINETY-ONE DOLLARS
(\$113,891), AND A RESOLUTION AUTHORIZING AN AMENDMENT TO THE
2009/2010 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 a donation of four (4) LifePak 15- Model 045 Defibrillators from Woodland Heights Medical Center, in the amount of one hundred thirteen thousand eight hundred ninety-one dollars (\$113,891), and a Resolution authorizing an Amendment to the 2009/2010 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 acknowledged the representatives from Woodland Heights and thanked them. City Manager Parker added that he would turn the floor over to the representatives for a few words from Woodland Heights, after he gave a brief explanation. City Manager Parker explained that Woodland Heights had generously come forth and worked with the City of Lufkin Fire Department for some time in trying to see how the quality of life could be improved in Lufkin. City Manager Parker stated that one (1) major area was a donation of four (4) 12-lead EKG monitor/defibrillators for the Lufkin Fire Department. City Manager Parker added that Fire Chief Danny Kistner was present, along with other Fire Department Staff members who could explain the details of what that did, but that in laymen's terms it meant that the citizens of Lufkin and the surrounding area could be treated quicker and more efficiently with the technology. City Manager Parker stated that the paramedics would be able to put information into the hospital whenever a person had cardiac problems at a faster rate, enabling the doctor's teams to be assembled, or to assist them in advising the paramedics on treatment more efficiently. City Manager Parker explained that this enhanced the probability of people's lives being saved through the use of the devices. City Manager Parker stated that the proposal was a sixty (60) month lease for the purchase of the equipment. City Manager Parker added that the total lease amount, over five (5) years or sixty (60) months, was one hundred thirteen thousand eight hundred ninety-one dollars (\$113,891). City Manager Parker stated that the City of Lufkin would enter into the lease agreement, and Woodland Heights Medical Center had agreed to reimburse the City for the

cost on an annual basis. City Manager Parker stated that Staff was pleased to recommend that the Council accept the four (4) LifePak 15 Model 045 Defibrillators from Woodland Heights Medical Center, and the Budget Amendment which would provide the funding for the remainder of the year, and the authorization to enter into the sixty (60) month lease. City Manager Parker then asked Casey Robertson and Dan Jacobs to speak to the Council regarding the donation.

Mr. Casey Robertson stated that City Manager Parker did an excellent job of explaining the proposal. Mr. Robertson and Mr. Jacobs then spoke concerning the donation of the defibrillators.

Mayor Gorden asked for questions or comments from the Council. There was discussion among the Council, City Manager and Staff regarding the proposal and the equipment. City Manager Paul Parker then thanked EMS Coordinator Captain Jimmy Ragsdale, and all of the Fire Department Staff for their work on the proposal. City Manager Parker pointed out that Captain Ragsdale had diligently worked on the proposal for quite some time, thanked him for his outstanding service in trying to get the proposal through, and for his continuous efforts. City Manager Parker again recommended that the Council accept the sixty (60) month lease and the Budget Amendment, which would provide funding for the balance of the fiscal year. City Manager Parker added that this was with the understanding that Woodland Heights would reimburse the City for the full cost of the lease.

Councilmember Don Langston moved to approve the donation of four (4) LifePak 15- Model 045 Defibrillators from Woodland Heights Medical Center, in the amount of one hundred thirteen thousand eight hundred ninety-one dollars (\$113,891), and a Resolution authorizing an Amendment to the 2009/2010 Operating Budget (Budget Amendment No. 28), providing for the supplemental appropriation of funds in the General Fund; and providing an effective date. Councilmember Phil Medford seconded the motion. A unanimous affirmative vote was recorded.

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 LOCATED AT 503 LARGENT STREET AND DESCRIBED AS BEING A .451 ACRE PARCEL OF THE 0005 J. A. BONTON SURVEY, TRACT 202.1, ANGELINA COUNTY, TEXAS, A “RESIDENTIAL 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 First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning designation on land located at 503 Largent Street and described as being a .451 acre parcel of the 0005 J. A. Bonton Survey, Tract 202.1, Angelina County, Texas, a “Residential 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 the Carlton Lewis Family Limited Partnership, through their agent Joe Rich of Bancorp South, was requesting a zone change from “Residential Large Single Family Dwelling” to a zoning classification of “Local Business”, on property more commonly known as 503 Largent Street. City Manager Parker added that the owner was planning to use the property for a financial institution, with the possibility of a bank with a drive up window service. City Manager Parker stated that the property to the north, south and east of the subject property was zoned “Local Business”, and property to the west was zoned “Residential Large Single Family Dwelling”. City Manager Parker explained that the City of Lufkin Planning Staff and the Planning and Zoning Commission unanimously recommended the zone change to the City Council.

Mayor Gorden opened the Public Hearing 5:29 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 5:30 p.m.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Rufus Duncan moved to approve First Reading of the Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning designation on land located at 503 Largent Street and described as being a .451 acre parcel of the 0005 J. A. Bonton Survey, Tract 202.1, Angelina County, Texas, a “Residential 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.

9. ENGINEERING AGREEMENT FOR THE RECONSTRUCTION OF SAYERS STREET, TO KSA ENGINEERING, – APPROVED - IN THE AMOUNT OF ONE HUNDRED FORTY-FOUR THOUSAND FIVE HUNDRED THIRTY DOLLARS (\$144,530)

Mayor Jack Gorden stated that the next item for consideration was an engineering agreement for the reconstruction of Sayers Street, to KSA Engineering, in the amount of one hundred forty-four thousand five hundred thirty dollars (\$144,530).

City Manager Paul Parker stated that this was one (1) of the project identified in the upcoming 2010/2011 Capital Improvement Program, with the anticipation of the selling of the bonds. City Manager Parker added that the City was ready to go forth with the project and would be ready to bid it in a timely manner. City Manager Parker stated that the proposal before the Council was for the design of Sayers Street from Abney to Lakeview, and from Lakeview to Kurth Drive. City Manager Parker explained that the proposal included Surveying, Preliminary Design, Final Design Phase, Bidding/Negotiating Phase, Construction Phase and Final Inspection. City Manager Parker added that the proposal was broken down to one hundred twenty-three thousand dollars (\$123,000) for engineering services, and twenty-one thousand five hundred thirty dollars (\$21,530) for surveying services. City Manager Parker stated that Staff submitted the request for proposals and had chosen to recommend that the Council award the bid to KSA Engineers, Inc. for a total of one hundred forty-four thousand five hundred thirty dollars (\$144,530). City Manager Parker stated that initial funding would be reimbursed to the General Fund, once Bond proceeds were received. City Manager Parker added that Staff recommended that Council authorize a contract with KSA Engineers, Inc. to perform the surveying and design for the reconstruction of Sayers Street, in the total amount of one hundred forty-four thousand five hundred thirty dollars (\$144,530), including twenty-one thousand five hundred thirty dollars (\$21,530) for surveying, and one hundred twenty-three thousand dollars (\$123,000) for engineering related services.

Mayor Gorden asked for questions or comments from the Council. There was some discussion among the City Council, City Manager and Staff.

Councilmember Robert Shankle moved to approve the engineering agreement for the reconstruction of Sayers Street to KSA Engineering, in the amount of one hundred forty-four thousand five hundred thirty dollars (\$144,530). Councilmember Phil Medford seconded the motion. A unanimous affirmative vote was recorded.

10. ENGINEERING CONTRACT FOR THE RECONSTRUCTION OF FULLER SPRINGS DRIVE TO EVERETT GRIFFITH, JR. AND ASSOCIATES, – APPROVED - IN THE AMOUNT OF ONE HUNDRED NINETY THOUSAND SEVEN HUNDRED DOLLARS (\$190,700)

Mayor Jack Gorden stated that the next item for consideration was an engineering contract for the reconstruction of Fuller Springs Drive to Everett Griffith, Jr. and Associates, in the amount of one hundred ninety thousand seven hundred dollars (\$190,700).

City Manager Paul Parker stated that this project was in the anticipated October Bond Program. City Manager Parker added that the Fuller Springs Drive Project was going to be a more difficult project, because of the coordination with the school traffic and the staging of the project. City Manager Parker stated that the Staff had selected Everett Griffith, Jr. and Associates, through the Request for Proposals to recommend to the Council, in the amount of one hundred sixty-eight thousand four hundred dollars (\$168,400) for engineering, and

twenty-two thousand three hundred dollars (\$22,300), for the design and the reconstruction of the street. City Manager Parker stated that the work elements of the engineering included Surveying, Preliminary Design, Final Design Phase, Bidding/Negotiating Phase, Construction Phase and Final Inspection. City Manager Parker added that Staff recommended that the City Council enter into a contract with Everett Griffith, Jr. and Associates, to perform the surveying, in the amount of twenty-two thousand three hundred dollars (\$22,300), and the engineering related services in the amount of one hundred sixty-eight thousand four hundred dollars (\$168,400), for a total cost of one hundred ninety thousand seven hundred dollars (\$190,700).

Mayor Gorden asked for questions or comments from the Council. There was discussion among Council, Staff and the City Manager concerning the item.

Councilmember Don Langston moved to approve the engineering contract for the reconstruction of Fuller Springs Drive to Everett Griffith, Jr. and Associates, in the amount of one hundred ninety thousand seven hundred dollars (\$190,700). Councilmember Robert Shankle seconded the motion. A unanimous affirmative vote was recorded.

11. ADDENDUM – APPROVED - TO EXISTING AGREEMENT WITH AMERICAN TRAFFIC SOLUTIONS

Mayor Jack Gorden stated that the next item for consideration was an addendum to the existing agreement with American Traffic Solutions.

City Manager Paul Parker stated that recently American Traffic Solutions (ATS) bought out the interest of Traffipax. City Manager Parker explained that Traffipax was the City's photo enforcement contract provider. City Manager Parker stated that ATS assumed the contract as it was, and the City had only completed two (2) years of the five (5) year contract. City Manager Parker added that ATS anticipated revamping the intersections by using more up to date video equipment than the City currently was using. City Manager Parker explained that an advantage of that was that one (1) of the features would be that people who received citations could log on with a number and look at ten (10) to twelve (12) seconds of video of their infraction. City Manager Parker stated that Staff anticipated that this would provide the City with more information, and would cut down on the number of appeals. City Manager Parker explained that one (1) thing that ATS had requested was for the existing contract to be extended to a new five (5) year period, to allow ATS to recoup their cost. City Manager Parker added that ATS also agreed to install additional intersections, once the Council approved this agreement. City Manager Parker stated that Staff would return to the Council before any additional intersections were added, and that the Police Department was studying the intersections where there was high accident rates. City Manager Parker added that the intersections which currently had the photo equipment had shown a drastic reduction in accidents, and were working from that standpoint. City Manager Parker stated that Staff recommended that the Council extend the contract for an additional five (5) years, with a five (5) year mutual option. City Manager Parker added that the City of Lufkin had one (1) of the most financially advantageous agreements in the State over cost sharing on the revenue from the photo enforcement system. City Manager Parker explained that ATS agreed readily to maintain the existing relationship with the City from a financial standpoint.

Mayor Gorden asked for questions or comments from the Council. There was discussion among the Council and the City Manager concerning the item.

Councilmember Rufus Duncan moved to approve the addendum to the existing agreement with American Traffic Solutions. Councilmember Phil Medford seconded the motion. A unanimous affirmative vote was recorded.

12. PURCHASE OF A NEW 1250 CUSTOM PIERCE ARROW XT TRIPLE COMBINATION PUMPER – APPROVED - FOR THE FIRE DEPARTMENT FROM MARTIN APPARATUS, IN THE AMOUNT OF FOUR HUNDRED SEVENTY-ONE THOUSAND TWO HUNDRED SEVENTY-THREE DOLLARS AND EIGHTY-FIVE CENTS (\$471,273.85)

Mayor Jack Gorden stated that the next item for consideration was the purchase of a new 1250 Custom Pierce Arrow XT Triple Combination Pumper for the Fire Department from Martin Apparatus, in the amount of four hundred seventy-one thousand two hundred seventy-three dollars and eighty-five cents (\$471,273.85).

City Manager Paul Parker stated that earlier in the year the City purchased an identical pumper through the Amortization Fund. City Manager Parker added that in the upcoming Bond Program the pumper was one (1) of the pieces of equipment that the Council had authorized. City Manager Parker stated that if the pumper was quickly ordered, the City could get an engine identical to the one (1) recently purchased, which was a 1250 Custom Pierce Arrow XT Combination Pumper, equipped with a Cummins diesel engine and a compressed air foam system. City Manager Parker explained that the pumper could be purchased prior to the new federal requirements for diesel control and emissions, which would save the City several thousand dollars on the purchase price, and also save the City money on annual maintenance and operation of the equipment. City Manager Parker stated that the delivery schedule for the equipment was six (6) to nine (9) months, and was one (1) reason that Staff anticipated that the City should go forth with the purchase of the equipment at the present time. City Manager Parker stated that because these were specialty items, at the last purchase the City was required to pay half of the price at the initial order. City Manager Parker added that this would be reimbursed to the City, once the bond proceeds were obtained. City Manager Parker recommended that the Council authorize Staff to go forth with the purchase of the new 1250 Custom Pierce Arrow Pumper.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Lynn Torres moved to approve the purchase of a new 1250 Custom Pierce Arrow XT Triple Combination Pumper for the Fire Department from Martin Apparatus, in the amount of four hundred seventy-one thousand two hundred seventy-three dollars and eighty-five cents (\$471,273.85). Councilmember Robert Shankle seconded the motion. A unanimous affirmative vote was recorded.

13. PURCHASE OF A TYMCO STREET SWEEPER – APPROVED - FROM IDS EQUIPMENT THROUGH AN H-GAC QUOTE, IN THE AMOUNT OF ONE HUNDRED SEVENTY-FIVE THOUSAND FOUR HUNDRED FORTY-FIVE DOLLARS (\$175,445)

Mayor Jack Gorden stated that the next item for consideration was the purchase of a TYMCO Street Sweeper from IDS Equipment through an H-GAC quote, in the amount of one hundred seventy-five thousand four hundred forty-five dollars (\$175,445).

City Manager Paul Parker stated one of the pieces of equipment in the amortization program that was scheduled for replacement next year was one (1) of the City's street sweepers. City Manager Parker added that part of the decision to come forth at the present time to recommend the purchase be moved from the Fiscal Year 2011 Budget to the Fiscal Year 2010 Budget was the the diesel requirements, and the saving of approximately eight thousand dollars (\$8,000) in the purchase price. City Manager Parker explained that another reason was that there was a tremendous amount of down time with the equipment, due to the high maintenance cost. City Manager Parker stated that the 2003 Model that was on the street every day had recently had an immense amount of maintenance. City Manager Parker added that Staff recommended that Council authorize Staff to go forth with the purchase. City Manager Parker explained that the funds were already in the Amortization Fund, but that Staff needed the Council's authorization to move into the current year's purchase.

Mayor Gorden asked for questions or comments from the Council. There was discussion among the Council, City Manager and Staff regarding the purchase of the sweeper.

Councilmember Phil Medford moved to approve the purchase of a TYMCO Street Sweeper from IDS Equipment through an H-GAC quote, in the amount of one hundred seventy-five thousand four hundred forty-five dollars (\$175,445). Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

14. FINAL CONVEYANCE OF PROPERTY – APPROVED - BETWEEN THE CITY OF LUFKIN AND JAMES RICHARD YOUNGBLOOD

Mayor Jack Gorden stated that the next item for consideration was the final conveyance of property between the City of Lufkin and James Richard Youngblood.

City Manager Paul Parker stated that three (3) years earlier, the City was required by the Texas Department of Transportation (TxDOT) to move the utilities in preparation for the Highway 59 South Street Improvement Projects. City Manager Parker added that the City had to obtain additional easements, in many areas, to move the water and sewer lines out of TxDOT right-of-way. City Manager Parker stated that Mr. Youngblood had property located at the intersection of Tulane and the frontage road (or Loop 287). City Manager Parker stated at that time, City Staff knew the realignment of Tulane would leave the City some additional property, but did not know the extent of it. City Manager Parker added that the City Staff did know that the City needed an easement from Mr. Youngblood for the 0.15 acres to relocate the utilities. City Manager Parker explained that Staff had the property appraised by Mr. Jake Lyons. City Manager Parker stated that the appraised value at that time for the easement was eighty-two thousand three hundred twenty-nine dollars (\$82,329), which the City offered to Mr. Youngblood. City Manager Parker added that Mr. Youngblood countered with a proposal that whatever residual property was left after the realignment could be deeded to him and he would allow the City to go forth with the easement. City Manager Parker stated that the residual property came out to be 0.252 acres of right-of-way. City Manager Parker explained that the agreement would finalize the transfer of 0.252 acres of right-of-way to Mr. James Richard Youngblood, in return for the easement he provided to the City of Lufkin whenever the City relocated the utilities three (3) years ago.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Rufus Duncan moved to approve the final conveyance of property between the City of Lufkin and James Richard Youngblood. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

15. CITY MANAGER'S REPORT

Mayor Jack Gorden stated that the next item for consideration was a report from City Manager Paul Parker.

City Manager Paul Parker stated that he would briefly highlight the Financial Report, unless there were questions from the City Council. City Manager Parker added that at the upcoming Budget Retreat on Monday, June 21, 2010, the Council would go through considerable detail regarding the financials of the City. City Manager Parker stated that the Sales Tax, for the twelfth (12th) month in a row, continued to be down. City Manager Parker added that the Sales Tax was down a little over ten percent (10%), but that the City had received an audit adjustment of approximately ninety thousand dollars (\$90,000) the previous year. City Manager Parker explained that audit adjustment was additional revenue, and that historically speaking, the Sales Tax was almost flat or maybe down about one percent (1%). City Manager Parker stated that the City had lost revenue, but that it was not as bleak as saying that the City was down over ten percent (10%). City Manager Parker added that the remainder of the Ad Valorem Taxes appeared to be on target. City Manager Parker explained that revenue items, such as license and permits, were also down, and that the General Fund was still not meeting revenue expectations. City Manager Parker stated that Staff had been holding the expenditures down, but the City was still down in revenue about two million to two million one hundred thousand dollars (\$2,000,000 - \$2,100,000), as compared to previous years.

City Manager Parker stated that the Water Fund was down slightly, but was subject to change based on the weather. City Manager Parker explained that with the May 2010 dry spell, water sales went up, but rain during the last week had driven the water sales back down again. City Manager Parker stated that the water sales in the commercial and industrial areas were not as susceptible to heat and temperature changes, but had slight decreases due to the closing of Citation. City Manager Parker stated that the Solid Waste Fund was looking good, and that he would go into further detail at the Budget Retreat on Monday.

City Manager Parker stated that the Project Status Report was before the Council, and that if any of the Council had a question over a particular project he would be happy to answer it. City Manager Parker added that the repairs at Kit McConnico Park were going along well. City Manager Parker then asked Deputy City Manager Keith Wright to give an update on the work taking place. Deputy City Manager Wright stated that the crews were out at Kit McConnico and were beginning the form work on the restroom facility. Deputy City Manager Wright added that there was a thirty-two (32) team tournament that would be taking place at Kit McConnico in the upcoming weekend. Deputy City Manager Wright stated that there were many reservations in Lufkin hotels due to the tournament, but that the work would resume the week following the games. City Manager Parker stated that there were teams from all over the State coming to Lufkin for the tournament, and that most of them would stay in the Lufkin hotels. City Manager Parker added that Mike Akridge and the Parks and Recreation Staff did a great job in promoting the tournaments. City Manager Parker stated that this concluded the Project Status Report.

City Manager Parker stated that there had been quite a few fatalities in the City of Lufkin during the last year resulting from vehicle accidents. City Manager Parker added that this had been a major concern of the Police Department, along with the number of accidents and the magnitude and severity of them. City Manager Parker stated that Police Chief Scott Marcotte and his Staff had come up with some excellent ideas about how to alleviate some of the problem. City Manager Parker explained that part of this would be through an initiative program where some of the Forfeiture Funds would be used for overtime and intense work at intersections in the City. City Manager Parker added that the goal was to publicize where the officers would be working. City Manager Parker stated that the goal was not to give traffic tickets, but to save lives. City Manager Parker added that the City wanted to get the information out on where the officers were working so that visitors and citizens in Lufkin would slow down and avoid receiving a ticket.

Police Chief Scott Marcotte then spoke on the Traffic Crash Reduction Initiative. Chief Marcotte then explained the three (3) components of the Traffic Crash Reduction Initiative, which were the education component, engineering component and enforcement component, along with statistics concerning traffic crashes.

Police Chief Marcotte also spoke concerning the towing of vehicles that did not have insurance, and asked the Council to consider beginning the policy of impoundment of vehicles for no insurance.

13. Mayor Jack Gorden recessed the Regular Session at 6:12 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 6:50 p.m.

14. 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.

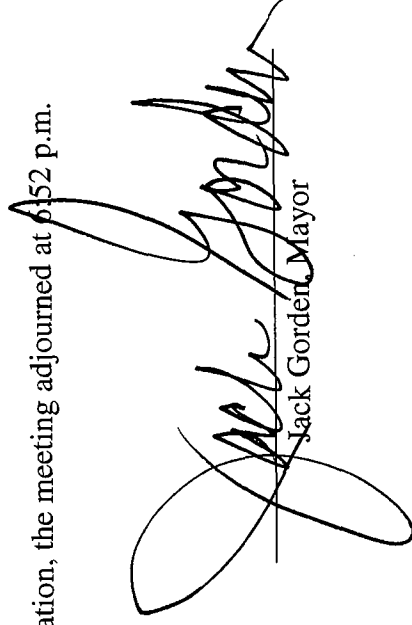
Mayor Gorden stated that the Lufkin Convention and Visitors Bureau Meeting would be held on Thursday, June 17, 2010, at 2:00 p.m. at the Chamber of Commerce Office. Mayor

Gorden added that the Annual Council Budget Review Meeting would be held on Monday, June 21, 2010, at 12:00 Noon at the Lufkin City Hall, with lunch being held in Room 202, and the meeting immediately after in Room 102. Mayor Gorden reminded everyone that the Annual Independence Day Celebration would take place on July 4, 2010 at Ellen Trout Zoo. Mayor Gorden added that the TML Region 16 Quarterly Meeting would be held in Dayton, Texas on Thursday, July 15, 2010 at 6:00 p.m. Mayor Gorden stated that he planned to attend, and that there was supposed to be a really good speaker for that meeting.

15. There being no further business for consideration, the meeting adjourned at 6:52 p.m.



Renee Thompson – City Secretary



Jack Gorden, Mayor