

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF  
LUFKIN, TEXAS HELD ON THE 2<sup>nd</sup> DAY OF APRIL, 2013.**

On the 2<sup>ND</sup> day of April, 2013, 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:

Bob Brown	Mayor
Don Langston	Mayor Pro-Tem
Victor Travis	Councilmember, Ward No. 1
Robert Shankle	Councilmember, Ward No. 2
Lynn Torres	Councilmember, Ward No. 3
Rufus Duncan	Councilmember, Ward No. 5
Sarah Murray	Councilmember, Ward No. 6
Paul L. Parker	City Manager
Keith Wright	Deputy City Manager
Bruce Green	City Attorney
Kara Atwood	City Secretary
Denise Myers	Human Resources
Scott Marcotte	Police Chief
Gerald Williamson	Assistant Police Chief
Ted Lovett	Fire Chief
Belinda Southern	Finance Director
Dorothy Wilson	Planning Director
Steve Floyd	Public Works Director
Chuck Walker	Public Utilities Director
Steve Poskey	Street Department Director
Barbara Thompson	Main Street Director
Mike Akridge	Parks & Recreation Director
Dale Allred	Inspection Services Director

being present when the following business was transacted.

1. The meeting was opened with prayer by Pastor Brian Wiggins, First Presbyterian Church, P.C.U.S.A.
2. Mayor Bob Brown welcomed visitors present.

**APPROVAL OF MINUTES**

3. Minutes of the Work Session and Regular Meeting of March 19<sup>th</sup>, 2013 were approved on a motion by Councilmember Lynn Torres and seconded by Councilmember Sarah Murray. A unanimous affirmative vote was recorded to approve the minutes as presented.
4. **PRESENTATION OF TREE CITY USA CERTIFICATION TO THE CITY OF LUFKIN BY TODD NIGHTINGALE, TEXAS FOREST SERVICE, DISTRICT FORESTER.**

Mayor Bob Brown stated the next item was a presentation of the Tree City USA certification to the City of Lufkin by Todd Nightingale, District Forester with the Texas Forest Service.

District Forester Todd Nightingale stated he was honored to present the City of Lufkin with the Tree City USA certification. Mr. Nightingale continued that this was the twenty-third (23<sup>rd</sup>) year the City of Lufkin had received this certification. Mr. Nightingale highlighted the requirements for the certification and stated that the City should be proud of this accomplishment. Mr. Nightingale concluded his presentation by thanking the partners who assisted with accomplishing this achievement which included the City of Lufkin, the Tree Board, Angelina Beautiful Clean, Campbell Timber Management and the Texas A&M Forest Service. Mr. Nightingale then presented the Tree City USA flag to Mayor Brown. Mayor Brown thanked Angelina Beautiful Clean Director Amanda Anderson for her efforts and recognized the members of the City of Lufkin Tree Board for their service to the community.

**OLD BUSINESS:**

**5. SECOND READING OF AN ORDINANCE DECLARING UNOPPOSED CANDIDATE IN THE MAY 11, 2013 GENERAL CITY ELECTION, ELECTED TO OFFICE; CANCELING THE ELECTION FOR COUNCILMEMBER WARD NUMBER THREE (3); PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE – APPROVED.**

Mayor Bob Brown moved to Item No. 5; consider on Second Reading an Ordinance declaring unopposed candidate in the May 11, 2013 General City Election, elected to office; canceling the election for Councilmember Ward Number Three (3); providing a severability clause; and providing an effective date.

Deputy City Manager Keith Wright stated that Staff recommended City Council approve on Second Reading the Ordinance cancelling the May 11, 2013 Election for a Councilmember for Ward No. Three (3) and declare Councilmember Lynn Torres elected to office as the Councilmember for Ward No. Three (3).

Councilmember Don Langston moved to approve the second reading of an Ordinance declaring unopposed candidate in the May 11, 2013 General City Election, elected to office; canceling the election for Councilmember Ward Number Three (3); providing a severability clause; and providing an effective date. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

**NEW BUSINESS:**

**6. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BY REMOVING THE SPECIAL USE PERMIT, ORDINANCE #4164 AND CHANGING THE ZONING DESIGNATION FROM “NEIGHBORHOOD RETAIL” TO “LOCAL BUSINESS” FOR A .724 ACRE PROPERTY DESCRIBED AS 3208 BLJ LLC ADDN., BLOCK 1, LOT 1 AND MORE COMMONLY KNOWN AS 514 WEST FRANK AVENUE – APPROVED.**

Mayor Bob Brown stated the next item on the agenda was to conduct a Public Hearing and consider on First Reading an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by removing the Special Use Permit, Ordinance #4164 and changing the zoning designation from “Neighborhood Retail” to “Local Business” for a .724 acre property described as 3208 BLJ LLC ADDN., Block 1, Lot 1 and more commonly known as 514 West Frank Avenue.

Deputy City Manager Keith Wright stated that the T.L.L. Temple Foundation had requested a zone change from a “Neighborhood Retail” zoning district to a “Local Business” zoning district at 514 West Frank Avenue. Deputy City Manager Wright stated that the Foundation planned to use this site as the location for a new building for the Alcohol and Drug Abuse Council. Deputy City Manager Wright continued that the current zoning restricted the allowed size of a building to three thousand (3,000) square feet and the proposed project was estimated to be approximately four thousand six hundred (4,600) square feet. Deputy City Manager Wright continued that the Foundation requested the zone change to be able to construct a larger facility.

Deputy City Manager Wright continued that properties to the north and south of the subject property were zoned “Neighborhood Retail” as was the property on the southeast corner of the site, and the properties to the east of and west of the site were zoned “Local Business”.

Deputy City Manager Wright stated that the property currently had a Special Use Permit for an eating establishment with a drive-thru and Staff recommended that the Special Use Permit be withdrawn from the property. Deputy City Manager Wright concluded that both Planning Staff and the Planning & Zoning Commission recommended approval of this request.

Mayor Brown opened the Public Hearing at 5:08 p.m. and asked anyone who wished to speak regarding the item to please step forward. There being no one who wished to speak, Mayor Brown closed the Public Hearing and asked for comments or questions from the City Council.

Councilmember Don Langston moved to approve the First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by removing the Special Use Permit, Ordinance #4164 and changing the zoning designation from “Neighborhood Retail” to “Local Business” for a

.724 acre property described as 3208 BLJ LLC ADDN., Block 1, Lot 1 and more commonly known as 514 West Frank Avenue. Councilmember Lynn Torres seconded the motion and a unanimous vote to approve was recorded.

**7. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BY GRANTING A SPECIAL USE PERMIT FOR A COMMUNICATION TOWER WITHIN A “LOCAL BUSINESS” ZONING DISTRICT FOR A 1600 SQUARE FOOT LEASE AREA ON PROPERTY DESCRIBED AS DUBOSE SUBD., BLOCK 1, LOT 1, AND MORE COMMONLY KNOWN AS 5500 SOUTH FIRST STREET – APPROVED.**

Mayor Bob Brown stated the next item was to conduct a Public Hearing and consider on First Reading an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a Special Use Permit for a communication tower within a “Local Business” zoning district for a 1600 square foot lease area on property described as Dubose Subd., Block 1, Lot 1, and more commonly known as 5500 South First Street.

Deputy City Manager Keith Wright stated the applicant, Mr. Josean Perez of Proteus Services LLC, requested a Special Use Permit for a Telecommunications Tower at 5500 South First Street. Deputy City Manager Wright continued that the property, owned by Seven D. Farms, Inc., was the location of Lufkin Power Sports. Deputy City Manager Wright furthered that the purpose of the request was for the placement of a one hundred seventy foot (170’) monopole tower for Verizon Wireless to be located on a 40’x40’ leased area on the rear of the property.

Deputy City Manager Wright continued that the subject property had a “Local Business” zoning designation, as did the properties to the north and south. Deputy City Manager Wright stated that the property located east, across South First Street, along with the property to the west was zoned “Agriculture”. Deputy City Manager Wright furthered that the site was located on the southern end of Lufkin, next to a self-storage facility and the majority of the surrounding area was made up of large, tree covered, open lots. Deputy City Manager Wright stated that there were single family residences located on the west side of the property, along F.M. 324/Southwood Drive. Deputy City Manager Wright stated the Garden of Memories Cemetery lied northeast of the property, approximately three hundred forty feet (340’) away across South First Street.

Deputy City Manager Wright furthered that the proposed site would be accessed by the existing drive for Lufkin Power Sports and shouldn’t impact existing parking or traffic flow and would also be fully enclosed by a fence with a single access. Deputy City Manager Wright stated the Planning Department did not anticipate any noticeable impact to land usage that would be caused by the granting of the requested Special Use Permit at this location. Deputy City Manager Wright concluded that both the Planning Staff and the Planning & Zoning Commission recommended approval of this request.

Mayor Brown opened the Public Hearing at 5:12 p.m. and asked anyone who wished to speak regarding the item to please step forward. There being no one who wished to speak, Mayor Brown closed the Public Hearing and asked for comments or questions from the City Council.

Councilmember Victor Travis moved to approve the First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a Special Use Permit for a communication tower within a “Local Business” zoning district for a 1600 square foot lease area on property described as Dubose Subd., Block 1, Lot 1, and more commonly known as 5500 South First Street. Councilmember Don Langston seconded the motion and a unanimous vote to approve was recorded.

**8. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE REPEALING PENAL ORDINANCE 406 OF CODE OF ORDINANCES, RELATING TO SMOKING, CONTAINING FINDINGS, ADOPTING COMPREHENSIVE REGULATIONS OF SMOKING IN PUBLIC PLACES, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE – APPROVED.**

Mayor Bob Brown stated the next item was to conduct a Public Hearing and consider on First Reading an Ordinance repealing Penal Ordinance 406 of Code of Ordinances, relating to smoking, containing findings, adopting comprehensive regulations of smoking in public places, providing for severability, and providing for an effective date.

Deputy City Manager Keith Wright stated that during the Council Work Session held March 19<sup>th</sup>, City Council discussed the model Smoke Free Lufkin Ordinance. Deputy City Manager Wright listed the requested changes that had been made to the proposed Ordinance.

- Section 7 (Exceptions) now provided for ten percent (10%) of hotel/motel rooms to be designated as smoking.
- Section 10 provided for a reasonable distance of twenty-five feet (25') from entrances, etc.
- A designated smoking area for outdoor employees had been added to Section 11.1.
- The "non-retaliation" provision had been removed from Section 14.1.
- Section 16 had been modified to allow only for a \$100.00 fine.
- Section 16.3 was objected to by Councilman Langston but no alternative wording had been suggested.
- Sections 17 and 18 had been deleted.

Mayor Brown opened the Public Hearing at 5:14 p.m. and asked anyone who wished to speak regarding the item to please step forward. Mrs. Yana Ogletree, representing Memorial Health System of East Texas, spoke in favor of the Ordinance and explained the positive impacts from Memorial Hospital making its campus and properties smoke free in 2007. Mrs. Ogletree stated that there was very little opposition to the change. Drug Free All Star Ryan Dempsey spoke in favor of the Ordinance and stated it was an important step in the right direction for the City and stated the harmful effects of second hand smoke and the personal effect smoking has had on his family. Mrs. Carol Bradley, a volunteer with the Angelina Heart Alliance, encouraged City Council to pass the Ordinance and stated the effects of smoking and second hand smoke on the heart. Mrs. Sharon Shaw, Administrator for the Angelina County and Cities Health District, spoke in favor of the Ordinance and gave examples of how smoking affects health and medical costs. Mrs. Shaw stated that East Texas had high numbers of strokes, heart attacks, diabetes and lung diseases compared to other areas of the State. Drug Free All Star Max Iguess spoke in favor of the Ordinance and highlighted the high cost of medical care related to smoking and requested that City Council pass the Ordinance. Kenny Douglas, a Nacogdoches resident, and a member of the Texas State Advocacy Committee of the American Heart Association, spoke in favor of the Ordinance and relayed more information of the health risks of smoking and second hand smoke. Mrs. Douglas requested the Ordinance be passed without the amendment to allow for a designated smoking area for employees. Mr. Bill Pate, owner of Bill's Gun Trader, spoke against the Ordinance, and stated that his business was a designated smoking business, and he had a number of patrons who frequented his business for that reason. Mr. Pate continued that the issue was a matter of choice; those who did not wish to come in his business because of the smoking did not have to. Mr. Pate requested that an exception be included to allow for a business to continue to be designated as a smoking establishment and questioned who would enforce the Ordinance. Mr. Pate stated it should not be the responsibility of the Lufkin Police Department because they had more important things to take care of. Mr. Michael Parker, resident of 1307 Allendale, stated that he did not like smoking; however, he felt that was a personal choice. Mr. Parker encouraged City Council to have the Ordinance approved by the voters of the City and address the issues that the Ordinance would cause business owners. Mrs. Michelle Ross, KSWP Radio and a volunteer for The Coalition, spoke for the Ordinance and stated a Smoke Free Lufkin would make the community proud. Dr. Sid Roberts, spoke in favor of the Ordinance and also asked that City Council not include an exemption to allow "grandfathering" of existing designated smoking businesses.

There being no one further who wished to speak, Mayor Brown closed the Public Hearing and asked for comments or questions from the City Council.

Councilmember Don Langston addressed Section 16.3 and asked City Attorney Bruce Green for clarification of what businesses and/or licenses the City issues. City Attorney Bruce Green stated the City licensed taxi services and establishments that served alcohol, and the Section could be omitted should the City Council desire. Councilmember Langston stated he did not see the need for Section 16.3 to be included. City Attorney Green stated it was not an obligatory requirement; it would be at the discretion of the City Council. Councilmember Langston stated that if smokers were less offensive with their habits, this Ordinance would not be necessary. Councilmember Langston did not dispute the evidence of the health effects of smoking and did not like the habit. Councilmember Langston stated that however, the Federal Government did not ban smoking and the Environmental Protection Agency (EPA) disputed the effects of second hand smoke with the Surgeon General. Councilmember Langston continued that the issue was a lack of personal responsibility and that the City of Lufkin now had to deal with the issue. Councilmember Langston furthered that it should be a business choice, whether the designation be smoking or non-smoking and did not want to punish a business that clearly posted the smoking designation on the door.

Councilmember Langston stated this was the only area in the Ordinance that needed adjustment and the Ordinance needed a “grandfather” clause to deal with existing businesses in order to not create any undue hardship on an existing business. Councilmember Langston stated he did not want anyone’s personal freedoms to be affected. Councilmember Victor Travis stated that if a “grandfather” clause was included, then the City would be right back where it started, and the City needed to move forward with the Ordinance.

Councilmember Victor Travis moved to approve the First Reading of an Ordinance repealing Penal Ordinance 406 of Code of Ordinances, relating to smoking, containing findings, adopting comprehensive regulations of smoking in public places, providing for severability, and providing for an effective date. Councilmember Robert Shankle questioned whether the motion included the “grandfather” provision for existing smoking businesses. Councilmember Travis stated that he moved to approve the Ordinance without that provision. Councilmember Don Langston questioned whether the motion included the deletion of Section 16.3 as previously discussed. Mayor Brown then read Section 16.3. Councilmember Lynn Torres stated the Section merely provided added enforcement if there were compliance issues and did not feel it was necessary. Councilmember Langston stated that he felt it was redundant wording. Councilmember Torres asked if it could be omitted. City Attorney Green stated that it could be omitted by being included in the motion. Councilmember Travis clarified his motion to include the deletion of Section 16.3 from the Ordinance. Councilmember Don Langston seconded the motion and a unanimous vote to approve was recorded.

**9. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE PROVIDING FOR THE CLOSURE OF THE FOLLOWING STREET SEGMENT, TO WIT: A CERTAIN PORTION OF E. KERR AVENUE BOUNDED BY HOMER BOULEVARD AND MONTROSE STREET IN THE CITY OF LUFKIN; PROVIDING FOR THE TERMS AND CONDITIONS OF ABANDONMENT, VACATION AND CLOSURE; AND PROVIDING FOR THE CITY MANAGER TO EXECUTE A QUIT CLAIM DEED TO THE ABUTTING PROPERTY OWNER – APPROVED.**

Mayor Brown moved to Item No. 9 – Conduct a Public Hearing and consider on First Reading an Ordinance providing for the closure of the following street segment, to wit: a certain portion of E. Kerr Avenue bounded by Homer Boulevard and Montrose Street in the City of Lufkin; providing for the terms and conditions of abandonment, vacation and closure; and providing for the City Manager to execute a quit claim deed to the abutting property owner.

Deputy City Manager Keith Wright stated that the City of Lufkin was recently approached by Calvary Baptist Church requesting the closure of Kerr Street between Montrose and Homer. Deputy City Manager Wright continued that currently the main facility of the Church was located on one side of Kerr Street, and a multi-purpose building on the other; with a covered canopy that crossed the road and connected the two buildings. Deputy City Manager Wright stated that although the church has pedestrian crossing signs on both sides, there were still vehicles that traveled through the area at unsafe speeds; and due to this safety issue, the Church requested the City close the street and allow the Church to purchase the property.

Deputy City Manager Wright furthered that City Staff had performed a traffic study on the location which suggested very low traffic volume within a twenty-four (24) hour period and neither the Lufkin Fire Department nor Lufkin Police Department had an issue with the proposed street closure. Deputy City Manager Wright stated that City Attorney Bruce Green had researched the legality of the closure and sale and stated the Street could be closed and sold to the abutting property owner; however, City Attorney Green recommended that the City hold a Public Hearing prior to the closure to ensure there was no public objection.

Deputy City Manager Wright stated that per City Policy, the Street was appraised by William J. Lyon’s & Associates in the amount of seven thousand four hundred ten dollars (\$7,410). Deputy City Manager Wright furthered that should City Council approve the closure and sale, the portion of Kerr Street between Homer and Montrose would be sold to Calvary Baptist for seven thousand four hundred ten dollars (\$7,410), plus the cost of the appraisal, for a total purchase price of seven thousand seven hundred ninety dollars (\$7,790). Deputy City Manager Wright concluded that Staff recommended City Council approve an Ordinance closing a portion of Kerr Street between Homer and Montrose and authorize the sale of the portion of the street to Calvary Baptist Church in the amount of seven thousand seven hundred ninety dollars (\$7,790).

Mayor Brown opened the Public Hearing at 5:54 p.m. and asked anyone who wished to speak regarding the item to please step forward. There being no one who wished to speak, Mayor Brown closed the Public Hearing and asked for comments or questions from the City Council.

Councilmember Victor Travis stated that since the Church owned the entire block and there was no apparent opposition, he would move to approve the First Reading of an Ordinance providing for the closure of the following street segment, to wit: a certain portion of E. Kerr Avenue bounded by Homer Boulevard and Montrose Street in the City of Lufkin; providing for the terms and conditions of abandonment, vacation and closure; and providing for the City Manager to execute a quit claim deed to the abutting property owner. Councilmember Don Langston seconded the motion and a unanimous vote to approve was recorded.

**10. INCENTIVE OFFER FOR PROJECT MARYVALE (QUAD/GRAPHICS, INC.) – APPROVED.**

Mayor Bob Brown stated the next item for consideration was approval of an incentive offer for Project Maryvale (Quad/Graphics, Inc.).

Deputy City Manager Keith Wright stated the City had received a request from Scott Smith, from the Office of Governor Rick Perry, Economic Development & Tourism Department to provide a Request for Proposals (RFP) for incentives to Project Maryvale (Quad/Graphics, Inc.). Deputy City Manager Wright continued that the City received an application for job creation incentives and tax abatement from Quad/Graphics, Inc. on February 28, 2013, which stated that Quad/Graphics, Inc. was considering the expansion of the local press line which included a four million two hundred thousand dollar (\$4,200,000) investment plus the creation of twenty-nine (29) jobs. Deputy City Manager Wright stated this would also retain approximately one hundred eighty (180) existing jobs. Deputy City Manager Wright stated that it was an excellent opportunity to improve an existing industry in the community. Deputy City Manager Wright stated that under the 2013-2014 Tax Abatement Guidelines the proposed project would qualify for (six) 6-year property tax abatement for new value, and a proposed three thousand dollar (\$3,000) per job cash incentive for a total of eighty-seven thousand dollars (\$87,000). Deputy City Manager Wright continued that a schedule of benchmarks was included that must be met in order to receive the abatements and incentives. Deputy City Manager Wright concluded that Staff and the 4B Corporation recommended approval of the incentives as proposed for Project Maryvale. Councilmember Victor Travis questioned the time line of the benchmark schedule. Deputy City Manager Wright outlined the first two (2) years of benchmark requirements. Councilmember Don Langston asked if this agreement was under the recently adopted Tax Abatement Guidelines. Deputy City Manager Wright answered that this agreement was under the recent guidelines.

Councilmember Victor Travis stated that since these incentives were for an established business and were under the new Tax Abatement Guidelines, he would move to approve an incentive offer for Project Maryvale (Quad Graphics, Inc.). Councilmember Don Langston seconded the motion and a unanimous vote to approve was recorded.

**11. JOINT ELECTION AGREEMENT BETWEEN THE CITY OF LUFKIN AND LUFKIN INDEPENDENT SCHOOL DISTRICT FOR THE PURPOSE OF CONDUCTING THE CITY'S GENERAL ELECTION AND THE DISTRICT'S TRUSTEE ELECTION ON MAY 11, 2013 – APPROVED.**

Mayor Bob Brown stated that Item No. 11 was the consideration of a Joint Election Agreement between the City of Lufkin and Lufkin Independent School District for the purpose of conducting the City's General Election and the District's Trustee Election on May 11, 2013.

Deputy City Manager Wright stated that the City of Lufkin and the Lufkin Independent School District would hold a joint election on May 11, 2013 for the election of a Councilmember for Ward No. One (1) and the election of Lufkin Independent School District Board Trustees. Deputy City Manager Wright stated that this agreement simply outlined the procedures for the conduct of a joint election between the two entities and Staff recommended approval of the agreement.

Councilmember Victor Travis moved to approve a Joint Election Agreement between the City of Lufkin and Lufkin Independent School District for the purpose of conducting the City's General Election and the District's Trustee Election on May 11, 2013. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

**12. ACCEPTANCE OF A DONATION IN THE AMOUNT OF THREE THOUSAND DOLLARS (\$3,000) FROM THE LUFKIN CONVENTION & VISITORS BUREAU TO PARKS & RECREATION FOR THE SPONSORSHIP OF A SOFTBALL TOURNAMENT AND A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2012/2013 OPERATING BUDGET (BUDGET AMENDMENT NO. 13), PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE SPECIAL RECREATION FUND; AND PROVIDING AN EFFECTIVE DATE – APPROVED.**

Mayor Bob Brown stated the next item was to consider acceptance of a donation in the amount of three thousand dollars (\$3,000) from the Lufkin Convention & Visitors Bureau to Parks & Recreation for the sponsorship of a Softball Tournament and consider a Resolution authorizing an Amendment to the 2012/2013 Operating Budget (Budget Amendment No. 13), providing for the supplemental appropriation of funds in the Special Recreation Fund; and providing an effective date.

Deputy City Manager Keith Wright stated that he wished to thank the Lufkin Convention & Visitors Bureau for the donation of the funds the Parks and Recreation to assist with hosting a fast pitch softball tournament. Deputy City Manager Wright continued that tournaments brought a lot of people to Lufkin and put a number of “heads in beds” in our community. Deputy City Manager Wright furthered that the Lufkin Convention & Visitors Bureau had donated three thousand dollars (\$3,000) to the Lufkin Parks and Recreation Department for the purchase of awards for a fast pitch softball tournament to be hosted in Lufkin. Deputy City Manager Wright stated that Staff recommended City Council accept the donation and approve Budget Amendment No. 13, which appropriated the funding from this donation.

Councilmember Lynn Torres moved to approve the acceptance of a donation in the amount of three thousand dollars (\$3,000) from the Lufkin Convention & Visitors Bureau to Parks & Recreation for the sponsorship of a Softball Tournament and a Resolution authorizing an Amendment to the 2012/2013 Operating Budget (Budget Amendment No. 13), providing for the supplemental appropriation of funds in the Special Recreation Fund; and providing an effective date. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

**13. RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2012/2013 OPERATING BUDGET (BUDGET AMENDMENT NO. 12), PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL FUND, WATER/WASTEWATER FUND, SOLID WASTE FUND, AND THE GROUP HEALTH INSURANCE FUND FOR ACTIVE EMPLOYEES; AND PROVIDING AN EFFECTIVE DATE - APPROVED.**

Mayor Bob Brown stated the next agenda item was to consider a Resolution authorizing an Amendment to the 2012/2013 Operating Budget (Budget Amendment No. 12), providing for the supplemental appropriation of funds in the General Fund, Water/Wastewater Fund, Solid Waste Fund, and the Group Health Insurance Fund for active employees; and providing an effective date.

Deputy City Manager Keith Wright stated this Resolution had been previously discussed in the Council Work Session and addressed the projected shortfall in the Employee Health Insurance Fund. Deputy City Manager Wright stated that an equal amount of funding would be allocated from the three (3) major funds: Solid Waste, Water and Wastewater Fund and the General Fund in order to make the Health Insurance Fund solvent for the remaining year. Deputy City Manager Wright stated that Staff recommended approval of Budget Amendment No. 12. Councilmember Rufus Duncan questioned whether this allocation would provide for any surplus in the Health Fund at the end of the year. Deputy City Manager Wright stated that hopefully there would be a small surplus; however, the main issue was to address the needed changes for the upcoming year. Councilmember Victor Travis questioned whether Staff was currently looking for a new third party administrator. Deputy City Manager Wright stated that the requests for proposals had been distributed, but the deadline to receive responses had not expired.

Councilmember Victor Travis moved to approve a Resolution authorizing an Amendment to the 2012/2013 Operating Budget (Budget Amendment No. 12), providing for the supplemental appropriation of funds in the General Fund, Water/Wastewater Fund, Solid Waste Fund, and the Group Health Insurance Fund for active employees; and providing an effective date. Councilmember Rufus Duncan seconded the motion and a unanimous vote to approve was recorded.

Councilmember Don Langston stated that the work was just beginning; that significant changes were needed in the Health Insurance Plan.

**14. EXECUTIVE SESSION:**

Mayor Bob Brown stated there was not a need for City Council to enter into Executive Session.

**15. 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 Bob Brown recognized Angelina College Professor Olivia Wilson and her government class students. Deputy City Manager Keith Wright highlighted upcoming events on the calendar including the First Friday Luncheon, Planning & Zoning Commission Meeting and the Partnership Board Meeting. Deputy City Manager Wright stated that City Manager Paul Parker would be back in the office on Monday and would resume his regular meetings with City Council members. Deputy City Manager Wright also reminded City Council of the Downtown Hoedown and the upcoming concert at the Pines Theater. Mayor Brown reminded City Council of the opening ceremonies for the youth baseball program on Saturday. Councilmember Don Langston asked how many youth were enrolled in the program. Parks and Recreation Director Mike Akridge stated that there were six hundred thirty-nine (639) youth currently enrolled.

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



Bob F. Brown, Mayor



Kara Atwood, City Secretary

SEAL