MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 18th DAY OF JUNE, 2019

On the 18th day of June, 2019 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 F. Brown	Mayor
Mark Hicks	Mayor Pro Tem
Guessippina Bonner	Councilmember, Ward No. 1
Robert Shankle	Councilmember, Ward No. 2
Lynn Torres	Councilmember, Ward No. 3
Rocky Thigpen	Councilmember, Ward No. 5
Sarah Murray	Councilmember, Ward No. 6
Keith Wright	City Manager
Bruce Green	City Attorney
Jason Arnold	Assistant to the City Manager
Kara Andrepont	City Secretary
Rodney Ivy	Human Resource Director
Gerald Williamson	Public Safety Director
Ted Lovett	Fire Chief
Belinda Melancon	Finance Director
Dorothy Wilson	Asst. Director Planning & Zoning
Kevin Gee	Engineering Services Director
Michael Flinn	Parks and Recreation Director
Albert Duffield	Water & Sewer Director
Kent Havard	Solid Waste Director
Bob Samford	Economic Development Director

being present when the following business was transacted.

1. The meeting was opened with prayer by Bishop Oscar Dixon, Jr., Overcomer's Through Faith Ministries.

2. Mayor Bob F. Brown welcomed visitors present.

3. **MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JUNE 4, 2019 – APPROVED**

   Councilmember Lynn Torres moved to approve the minutes of the meeting as presented. Councilmember Guessippina Bonner seconded the motion and a unanimous vote to approve was recorded.

4. **SECOND READING OF AN ORDINANCE AMENDING THE FEE SCHEDULE FOR BUILDING AND INSPECTION FEES IN THE CITY OF LUFKIN CODE OF ORDINANCES – APPROVED**

   City Manager Wright stated that on May 21st, without any prior information being given to municipalities, Governor Greg Abbott signed a bill into law that changed the way cities must calculate their building permit and inspection fees. City Manager Wright furthered that the bill became effective immediately and due to the passage of the legislation, the City could no longer charge for any building permit or collect inspection fees. City Manager Wright furthered that due to the timing of the passing of the legislation Staff had to expedite review and development of the new fee schedule which was included in the Council packet for review. City Manager Wright stated that per the recommendation of City Council the Ordinance had been amended to include the requested change in the cost of tent permits. City Manager Wright furthered that due to the expedited process; there might be a need in the future for adjustments to the fee schedule.

City Manager Wright concluded that Staff recommended City Council consider on Second Reading an Ordinance amending the Fee Schedule for Building and Inspection Fees in the City of Lufkin Code of Ordinances.

Councilmember Lynn Torres moved to approve the Ordinance as presented. Councilmember Guessippina Bonner seconded the motion and a unanimous vote to approve was recorded.

5. **SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2018-2019 OPERATING BUDGET (BUDGET AMENDMENT NO. 21) APPROPRIATING THE FUNDING IN THE AMOUNT OF $1,235 FROM THE DEEP EAST TEXAS REGIONAL ADVISORY COUNCIL (DETRAC) TO THE LUFKIN FIRE DEPARTMENT - APPROVED**

City Manager Wright concluded that Staff recommended City Council accept the funding in the amount of $1,235 from the Deep East Texas Regional Advisory Council (DETRAC) for the Lufkin Fire Department and approve the Second Reading of an Ordinance authorizing an amendment to the 2018–2019 Operating Budget (Budget Amendment No. 21) appropriating the funding.

Councilmember Robert Shankle moved to approve the Ordinance as presented. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

6. **FIRST READING OF AN ORDINANCE PROVIDING FOR THE CLOSURE AND CONVEYANCE OF AN UNDEVELOPED ALLEY NEAR SOUTH GARVAN STREET AND NESBERT ADDITION – APPROVED**

City Manager Wright stated that Engineering Services had received a request from Mr. Francisco Palacio Picaso to purchase an undeveloped surplus alley located near South Garvan Street, adjacent to Mr. Picaso's property. City Manager Wright noted that the fair market price had been determined to be $1,600 which included the value of the property as determined by William J. Lyon & Associates, Inc. as well as the appraisal cost.

City Manager Wright concluded that Staff recommended City Council approve the First Reading of an Ordinance providing for the sale of a undeveloped surplus alley located near South Garvan Street and providing for the City Manager to convey the City's interest to the abutting property owner.

Councilmember Robert Shankle moved to approve the Ordinance as presented. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

7. **RESOLUTION OF THE CITY OF LUFKIN, TEXAS CANCELLING THE JULY 2, 2019 REGULAR CITY COUNCIL MEETING – APPROVED**

City Manager Wright stated that due to the City Council meeting of July 2, 2019 falling during the week of the July 4th City Holiday, Staff requested City Council approve a Resolution cancelling the Regular City Council meeting of July 2, 2019.

Councilmember Robert Shankle moved to approve the Resolution as presented. Councilmember Guessippina Bonner seconded the motion and a unanimous vote to approve was recorded.

8. **ACCEPTANCE OF FUNDING IN THE AMOUNT OF $2,000 FROM THE TEXAS ATTORNEY GENERAL INTERNET CRIMES AGAINST CHILDREN (OAG ICAC) DIVISION FOR THE LUFKIN POLICE DEPARTMENT COMPUTER FORENSICS LAB AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2018-2019 OPERATING BUDGET (BUDGET AMENDMENT NO. 22) APPROPRIATING THE FUNDING - APPROVED**

City Manager Wright stated that the funding would be used to purchase data storage, forensic software and certifications to aid in investigating computer related crimes.

City Manager Wright concluded that Staff recommended City Council accept the funding in the amount up to $2,000 from the Texas Office of Attorney General Internet Crimes Against Children (OAG ICAC) Division and approve the First Reading of an Ordinance authorizing Budget Amendment No. 22 appropriating the funding.

Councilmember Guessippina Bonner moved to approve the Ordinance as presented. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

9. <u>AWARD OF BID IN THE AMOUNT OF $448,705.07 TO CORE & MAIN, LP FOR THE PROCUREMENT OF MATERIAL FOR THE HIGHWAY 69 SOUTH UTILITY EXTENSION PROJECT – APPROVED</u>

City Manager Wright stated that during the Council meeting of January 15, 2019, City Council approved the execution of a contract to provide Water and Sewer services to Angelina Forest Products and Sterling Site Access Solutions located at the "Buck Creek" Plant located on U.S. Highway 69 South. City Manager Wright furthered that Council also approved an Ordinance authorizing Budget Amendment No. 13 which appropriated funding for the project. City Manager Wright stated that Staff had received bids for the procurement of materials for the project, with three (3) bids being received. City Manager Wright furthered that the apparent low bidder was Core & Main, LP in the amount of $448,705.07 which was below the budgeted amount of $479,587. City Manager Wright noted that a copy of the bid tabulation was included in the Council Packet.

City Manager Wright concluded that Staff recommended City Council award a bid in the amount of $448,705.07 for the procurement of materials for the Highway 69 South Utility Extension Project to Core & Main, LP.

Councilmember Guessippina Bonner moved to approve the award of bid as presented. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

10. <u>AWARD OF BID IN THE AMOUNT OF $346,565 TO TERRY BLACK CONSTRUCTION FOR BORING SERVICES FOR THE HIGHWAY 69 SOUTH UTILITY EXTENSION PROJECT – APPROVED</u>

City Manager Wright stated that Item No. 10 was an additional award of bid for the completion of providing Water and Sewer services as detailed in Item No. 9. City Manager Wright furthered that bids were received on boring services, with two (2) bids being submitted. City Manager Wright stated that Terry Black Construction was the successful bidder with an amount of $346,565. City Manager Wright furthered that the contract included services for dry and directional bores for road crossings. City Manager Wright stated that the budget for that portion of the project was $437,400.

City Manager Wright concluded that Staff recommended City Council award a bid in the amount of $346,565 to Terry Black Construction for boring services for the Highway 69 South Utility Extension Project.

Councilmember Guessippina Bonner moved to approve the award of bid to Terry Black Construction as presented. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

11. <u>APPROVAL OF A MUNICIPAL WATER & SEWER SUPPLY CONTRACT WITH ALTA POWER, LLC. – APPROVED</u>

City Manager Wright stated that the Economic Development Staff had been in contact with Alta Power, LLC regarding a contract to provide water and sewer service to their proposed Power Plant which would be located with the City of Lufkin. City Manager Wright furthered that the contract would be for annual water usage of 60 million gallons of untreated water and 12 million gallons of sewer. City Manager Wright stated that the water and sewer volumes were guaranteed regardless of actual usage. City Manager Wright furthered that the contract would be for a period of ten (10) years, with the option for renewal. City Manager Wright explained that the plant, once completed, would significantly increase property tax revenue for the City and other taxing entities. City Manager Wright furthered that the proposed contract along with the rate schedule was attached for Council review.

City Manager Wright concluded that Staff recommended City Council consider approval of a Water and Sewer Service Contract with Alta Power, LLC.

Councilmember Guessippina Bonner moved to approve the contract as presented. Councilmember Sarah Murray seconded the motion and unanimous vote to approve was recorded.

12. APPOINTMENTS TO VARIOUS CITY OF LUFKIN BOARDS – APPROVED

City Manager Wright stated that the applications for the various board appointments and reappointments were attached with the City Council's packets. City Manager Wright furthered that the City Council would be reviewing and considering each application individually.

a) City Manager Wright stated that Mike Jones had agreed to once again serve on the Civil Service Commission.

   City Manager Wright furthered that Staff recommended Mike Jones be approved for reappointment.

   Councilmember Sarah Murray noted that Mike Jones was actually a resident of Ward 5 and not Ward 6 as was noted on the list.

   Councilmember Robert Shankle moved that Mike Jones be reappointed. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

b) City Manager Wright stated that Danny Hayes, Ryan Moore and Billy Weisinger had each agreed to continue serving on the Construction Board of Adjustment & Appeals. City Manager Wright noted that Howard Anderson had also submitted an application but did not meet the criteria for the positions open.

   City Manager Wright concluded that Staff recommended reappointing the current members.

   Councilmember Lynn Torres moved to reappoint Danny Hayes, Ryan Moore and Billy Weisinger to the Construction Board of Adjustment & Appeals. Councilmember Rocky Thigpen seconded the motion and a unanimous vote to approve was recorded.

c) City Manager Wright stated that for the 4B Economic Development Board, Bob Brown, Phil Medford, Jeff Todd and Andra Self had each agreed to once again serve. City Manager Wright furthered that no other applications had been received.

   Councilmember Lynn Torres moved to reappoint Bob Brown, Phil Medford, Jeff Todd and Andra Self to the 4B Economic Development Board. Councilmember Mark Hicks seconded the motion and a unanimous vote to approve was recorded.

d) City Manager Wright stated that all four (4) members of the DETCOG Board of Directors had agreed to once again serve.

   Councilmember Rocky Thigpen moved to reappoint Mayor Bob Brown, Councilmember Robert Shankle, Councilmember Guessippina Bonner and Councilmember Lynn Torres. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

e) City Manager Wright stated that there were four (4) openings on the Lufkin Convention and Visitor's Bureau Board. City Manager Wright furthered that Board Members Adam Lowther, Chad Roberts and Victor Patel had submitted applications for reappointment. City Manager Wright stated that Board Member Philip Harbuck had resigned due to relocation. City Manager Wright furthered that Amanda Crocker had submitted an application for consideration, but currently serves on the HOT Funds Advisory Board which would create a conflict of interest.

   City Manager Wright concluded that Staff recommended reappointing the three members and leaving Philip Harbuck's position vacant until another application was received.

   Councilmember Mark Hicks stated that he had spoken with Adam Harbuck and he had submitted an application but had not yet been received by Staff.

   Councilmember Robert Shankle moved to reappoint Adam Lowther, Chad Roberts and Victor Patel and to postpone filling the remaining position until another application was received. Councilmember Mark Hicks seconded the motion and a unanimous vote to approve was recorded.

f) City Manager Wright stated that Board Member Roy Reyes had submitted an application for reappointment.

   Councilmember Lynn Torres moved to reappoint Roy Reyes to the Parks and Recreation Advisory Board. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

g) City Manager Wright stated that Board Members Kevin Cota and Malcolm Deason had submitted applications for reappointment.

   Councilmember Guessippina Bonner asked that there be an effort made to ensure citywide representation within each Board for future appointments.

   Councilmember Lynn Torres moved to approve the reappointment of Kevin Cota and Malcolm Deason. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

h) City Manager Wright stated that Ronald Davis had not responded to Staff efforts to seek his reappointment. City Manager Wright furthered that Staff had received an application from Howard Anderson and recommended that he be appointed.

   Councilmember Lynn Torres moved to approve the appointment of Howard Anderson to the Taxi Cab Committee. Councilmember Guessippina Bonner seconded the motion and unanimous vote to approve was recorded.

i) City Manager Wright stated that there were four (4) positions open on the Tree Board. City Manager Wright furthered that Joe Pace had resigned and John Courtenay was deceased. City Manager Wright stated that Janie Slack and Janet Clarke had both expressed interest in continuing to serve on the board. City Manager Wright furthered that District Forester, Jordan Herrin and Howard Anderson had also submitted applications for consideration. City Manager Wright stated that Howard Anderson could serve on both the Taxi Cab Board and the Tree Board without it being a conflict of interest.

   City Manager Wright concluded that Staff recommended Janie Slack and Janet Clarke for reappointment and that Jordan Herrin and Howard Anderson be appointed to the Tree Board.

   Councilmember Guessippina Bonner moved to approve the reappointment of Janie Slack and Janet Clarke and the appointment of Jordan Herrin and Howard Anderson.

Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

j) City Manager Wright stated that board members Rudy Flores, Kristy Bice and Wilkins Lopez had each submitted applications for reappointment.

Councilmember Robert Shankle moved to reappoint Rudy Flores, Kristy Bice and Wilkins Lopez. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

13. CITY MANAGER REPORT

City Manager Wright reviewed the Financial Status Report, General Fund Revenues. City Manager Wright noted that recycling revenues were down since the first half of the Fiscal Year. City Manager Wright offered to answer any questions. There were none.

14. ITEMS OF COMMUNITY INTEREST FROM MAYOR, CITY COUNCILMEMBERS AND STAFF

City Manager Wright highlighted events and upcoming meetings on the Calendar. Councilmember Guessippina Bonner commended Staff for their efforts towards the annual Juneteenth Celebration at Brandon Park. Councilmember Bonner stated that the Parks and Recreation Department, Albert Duffield, Water and Sewer Director, and the Police and Fire Department went above and beyond to help and their efforts were greatly appreciated.

15. There being no further business for consideration, the meeting adjourned at 5:26 p.m.

Bob F. Brown, Mayor

ATTEST:

Kara Andrepont, City Secretary

THE CITY OF LUFKIN TEXAS