

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
LUFKIN, TEXAS, HELD ON THE
19TH OF MARCH 2002

On the 19th day of March 2002 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:

Louis A. Bronaugh	Mayor
Dennis Robertson	Mayor pro tem
R. L. Kuykendall	Councilmember, Ward No. 1
Don Boyd	Councilmember, Ward No. 2
Lynn Torres	Councilmember, Ward No. 3
Bob Bowman	Councilmember, Ward No. 4
Jack Gorden, Jr.	Councilmember, Ward No. 5
C. G. Maclin	City Manager
James Hager	Asst. City Manager/Finance
Atha Stokes Martin	City Secretary
Bob Flournoy	City Attorney
Keith Wright	City Engineer
Stephen Abraham	Director of Planning

being present when the following business was transacted.

1. Rev. James Townes, Pastor, New Life Missionary Baptist Church, opened meeting with prayer.
2. Mayor Bronaugh welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of the regular meeting of March 5, 2002 were approved on a motion by Councilmember Don Boyd and seconded by Councilmember Dennis Robertson. A unanimous affirmative vote was recorded.

4. RESOLUTION – APPROVED - CERTIFICATES OF OBLIGATION – CAPITAL IMPROVEMENTS PROGRAM

Mayor Bronaugh stated that the first item for consideration was all matters incident and related to approving and authorizing publication of notice of intention to issue certificates of obligation, including the adoption of a Resolution pertaining thereto.

City Manager Maclin stated that included in the Council packet is a memorandum from the Assistant City Manager that outlines the Certificates of Obligation sale for the Capital Improvements Program that the Council initiated in 1999. Mr. Maclin stated that also included is a listing of water and wastewater projects from the Utility Fund and then a listing for a General Obligation Bond sale in the amount of \$2.2 million that is to fund a portion of the street bond proposal that was approved by the voters last May, specifically for Angelina Street and Abney Street.

City Manager Maclin stated that engineering plans and specifications are nearing completion and staff hopes to be ready to go to bid in early summer. Mr. Maclin stated that included in the Council packet is a Resolution that basically is the first step to the issuance process. Mr. Maclin stated that if Council approves this Resolution tonight, then staff will move forward with establishing meetings with the City's bond rating agencies, Moody's and Standard and Poor's. Mr. Maclin stated that for the first time in the history of the City, the rating agencies would be coming to us. Mr. Maclin stated that in the past the City has always had to go to them in New York. Mr. Maclin stated that we have invited them to come to Lufkin and get a first hand view of our community and we are anticipating that to take place on Tuesday, April 9 and Wednesday, April 10th. Mr. Maclin stated that for the Councilmembers who would like to participate the

meeting would be held in the Office Conference Room. Mr. Maclin stated that Moody's would be on Wednesday and Standard and Poor's would be on Tuesday.

City Manager Maclin stated that this is a unique opportunity for us to put the best foot forward for the City of Lufkin in that the rating agencies evaluation of our community and our financial health is what goes a long way to determining our bond rating which would also determine the interest rate the City pays when we go to the market to issue debt.

City Manager Maclin stated that the sale would be proposed to take place on the second Council meeting in April, which is April 16th. Mr. Maclin stated that the sale would be a total of \$7.5 million in General Obligations for the Capital Improvements Program, with \$1.9 million addition for the utility project improvements and then the \$2.2 million for the street bond improvements for Abney and Angelina Streets.

In response to question by Mayor Bronaugh, Mr. Maclin stated that both meetings with the bond rating agencies would start off with a breakfast meeting. Mr. Maclin stated that then there would be a question and answer period for them to ask staff the normal questions that they ask regarding City financial issues. Mr. Maclin stated that there would be some presentations on the community and quality of life, and then some tours of City Hall and City facilities and Community facilities. Mr. Maclin stated that this would be finished after lunch.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Lynn Torres that Resolution approving and authorizing publication of a notice of intention to issue certificates of obligation be approved as presented. A unanimous affirmative vote was recorded.

5. LIBRARY BOARD OPERATIONAL POLICIES MANUAL – APPROVED

Mayor Bronaugh stated that the next item for consideration was approval of a Library Board operational policies manual.

City Manager Maclin stated that included in the Council packet is a cover letter from the President of Trustees of the Kurth Memorial Library, Walter Borgfeld. Mr. Maclin stated that this information was provided to Council some time back to give them an opportunity to review it. Mr. Maclin stated that the Board and staff have been working on this manual for about 10 months. Mr. Maclin stated that the manual has gone through several drafts and several revisions to be careful to leave no stone unturned. Mr. Maclin stated that Mr. Hannabas had caught a couple of grammatical errors, which will be checked in the final review. Mr. Maclin stated that this policies manual comes to Council as a recommendation for approval from the Board of Trustees of Kurth Memorial Library.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember R. L. Kuykendall that Library Board Operational Policies Manual be approved as presented. A unanimous affirmative vote was recorded.

6. AGREEMENT – TABLED – EXCHANGE OF PROPERTY - LISD

Mayor Bronaugh stated that the next item for consideration was an Agreement for the exchange of property with LISD.

City Manager Maclin stated that at the time the packet was prepared a final agreement had not been reached and still has not been reached. Mr. Maclin stated that there are additional meetings that need to be held before this comes back to the Council. Mr. Maclin stated that he would respectfully request that this be tabled until all of these agreements are finalized and brought back for Council consideration.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Don Boyd that Agreement with LISD for exchange of property be tabled. A unanimous affirmative vote was recorded.

7. REQUEST – APPROVED – EAST TEXAS REGIONAL WATER GROUP REGION I FUNDING

Mayor Bronaugh stated that the next item for consideration was the request for East Texas Regional Water Group Region I funding.

City Manager Maclin stated that included in the Council packet is a letter of request from Angelina County Judge Joe Berry. Mr. Maclin stated that attached to the letter is a listing of allocations of matching fund contributions proposed for the East Texas Regional Water Group Region I funding. Mr. Maclin stated that this list is broken down by municipalities, as well as manufacturing and other businesses. Mr. Maclin stated that the total that they are asking from Angelina County for the regional budget is \$9,951 based on our population that they got from the Texas Water Development Board data, which doesn't necessarily correspond to the population of the Census Bureau. Mr. Maclin stated that they are seeking a total of \$2,941 from the City of Lufkin. Mr. Maclin stated that since this is a new item that wasn't budgeted and we were not aware of this request at the time the budget was prepared last summer, staff would suggest that Council consider taking this from the City Utility Fund reserves as a method of payment for this request.

City Manager Maclin stated that these funds would be used for studies relating to water supplies, aquifers, and other issues as it implies future water needs and use of the region as a whole. Mr. Maclin stated that staff feels like the City needs to do our part to insure that we are able to obtain this information and this is a way we can accomplish it as a group, thereby minimizing the expense to individual entities and pooling our resources as a region.

Councilmember Torres asked if it would cause a problem by the population not being correct. City Manager Maclin stated that it is really more based on the water usage than anything and even if they had the accurate population, it would not change the money very much.

In response to question by Councilmember Gorden, Mr. Maclin stated that all of the entities are requested to contribute. Mr. Maclin stated that he was not aware of any law that requires them to contribute, but in the interest of regional water planning it is appropriate that we participate. Mr. Maclin stated that the County has to pay \$2, 436.

In response to question by Councilmember Robertson, Mr. Maclin stated that the amount the City pays will change based on the projects that they set forth to accomplish and the anticipated cost to retain the consultants necessary to accomplish those projects. Mr. Maclin stated that it will not necessarily be the same fee every year, it may be that we will not have a fee next year or it may be that they have a bigger project that actually even costs more. Mr. Maclin stated that this is not a static request. Mr. Maclin stated that staff would go ahead and budget this amount for next year.

Councilmember Torres asked if the City would be granted representation on this group. City Manager Maclin stated that technically there are two current representatives from Angelina County – one is Dr. Michael Horbutt, a staff member of Temple-Inland, and representing the rural water supplies is Kelly Holcolmb. Mr. Maclin stated that currently there are two people from Angelina County who are on the Board but payment of the money does not guarantee us representation.

Mayor Bronaugh asked how they came up with the formula for the funding. City Manager Maclin stated that there were suggestions from the Texas Water Development Board as to how they came up with this funding. Mr. Maclin stated that each region to some extent determines it's own budget based on the projects they need to accomplish for the benefit of the region. Mr. Maclin stated that some regions are going to spend a lot more money than this, and some will spend less.

In response to question by Councilmember Bowman, Mr. Maclin stated that the funding is a combination of population and water usage, and the biggest factor being water usage.

Councilmember Gorden asked if this fell under the "unfunded mandates" category. City Manager Maclin stated that he would say that it is a State legislation that requests local participation. Mr. Maclin stated that to call it a "mandate" would be a little bit of a reach in that there are no penalties if you do not participate. Mr. Maclin stated that he did not see anything in the legislation that if you do not pay they would penalize you. Mr. Maclin stated that he did not think they had "fine" authority or enforcement authority as a Region I.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember Jack Gorden, Jr. that request for East Texas Regional Water group Region I funding be approved as presented. A unanimous affirmative vote was recorded.

8. BID – TABLED – PICKUP TRUCK – WATER UTILITIES DEPARTMENT

Mayor Bronaugh stated that the next item for consideration was bids for a pickup truck for the Water Utilities Department.

City Manager Maclin stated that staff would like to respectfully request that this also be tabled today. Mr. Maclin stated that staff had received some information after the packet had been prepared that there were additional bids. Mr. Maclin stated that at the time staff did not think they met the bid specifications, but staff requested and are receiving clarification from the bidders that indicate that they will meet the specifications, therefore we would have additional legal bids to consider that will be less than our current low bid. Mr. Maclin stated that staff is requesting that Council table this item and let them bring the clarification bids based on meeting all the specifications and perhaps have a lower bid that might save the City an additional \$2,000 when this bid is awarded.

Motion was made by Councilmember Dennis Robertson and seconded by Councilmember Don Boyd that bid for Pickup Truck to be used in the Water Utilities Department be tabled. A unanimous affirmative vote was recorded.

9. BID – APPROVED – DIRECTIONAL BORING VACUUM SYSTEM – WATER UTILITIES DEPARTMENT – VACMASTERS OF ARVADA, COLORADO

Mayor Bronaugh stated that the next item for consideration was bids for a Directional Boring Vacuum System for the Water Utilities Department.

City Manager Maclin stated that included in the Council packet is a memorandum of explanation from the Purchasing Agent, David Cochran, along with the attached bid tabulation. Mr. Maclin stated that several bids were received and staff is recommending the low bid of Vacmasters of Arvada, Colorado in the amount of \$20,790.

City Manager Maclin stated that this would be a new addition to our equipment that we have not previously had that provides for boring under streets using high pressure water and a vacuum system that vacuums the water and the dirt and sand out as the boring bit with the high pressure water bores the way for the installation of underground lines. Mr. Maclin stated that it is staff's opinion that this would be a very cost effective tool that will help in many cases minimize disruption to neighborhoods, specifically minimizing the need to cut the streets by boring underneath the streets.

In response to question by Councilmember Robertson, Mr. Wright stated that the total distance this machine will bore is 25 feet. Mr. Wright stated that the main thing the machine would be used for is to locate other utilities. Mr. Wright stated that it will allow us to do the work without digging up the yard and damaging it with a backhoe.

In response to question by Councilmember Gorden, Mr. Wright stated that City crews have used this particular machine. Mr. Wright stated that the City borrowed a machine and tested it and feels like it's a good machine and would meet our needs.

In response to question by Councilmember Gorden, Mr. Wright stated that three different companies bid the Vacmaster, and Vacmaster bid directly to the City and that is why the bid was that low.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember Bob Bowman that bid of Vacmasters of Arvada, Colorado in the amount of \$20,790 for a Directional Boring Vacuum System to be used in the Water Utilities Department be approved as submitted. A unanimous affirmative vote was recorded.

12. EXECUTIVE SESSION


Mayor Bronaugh recessed Regular Session at 5:23 p.m. Regular Session reconvened at 6:24 p. m. and Mayor Bronaugh stated that real estate matters and legal matters had been discussed and no decisions were made.

13. CALENDAR NOTATIONS FROM MAYOR, COUNCILMEMBERS, AND CITY MANAGER

City Manager Maclin stated that there would be a joint meeting of the City Council, the Main Street Board and KSA next Tuesday, March 26th. Mr. Maclin stated that lunch would be served at 12 noon in Room 202 and the meeting would follow at 12:30 p.m. in Room 102. Mr. Maclin stated that this would be an opportunity for our architect/engineer KSA to preview with Council the plans and specifications for the sidewalks for the downtown improvements and give Council an opportunity to ask questions and make suggestions.

City Manager Maclin stated that on Thursday, March 28 the DETCOG meeting would be held at Waterwood.

14. There being no further business for consideration, meeting adjourned at 6:25 p.m.


Louis Bronaugh
Mayor

ATTEST:


Atha Stokes Martin - City Secretary