

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF  
LUFKIN, TEXAS, HELD ON THE  
4<sup>th</sup> OF NOVEMBER 2003**

On the 4<sup>th</sup> day of November 2003 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
Jack Gorden, Jr.	Mayor pro tem
R. L. Kuykendall	Councilmember, Ward No. 1
Rose Faine Boyd	Councilmember, Ward No. 2
Don Langston	Councilmember, Ward No. 4
Dennis Robertson	Councilmember, Ward No. 6
C. G. Maclin	City Manager
Atha Martin	City Secretary
Bob Flournoy	City Attorney
Keith Wright	City Engineer
David Koonce	Director of Human Resources
Kenneth Williams	Director of Public Works
Stephen Abraham	Director of Planning

being present, and

Lynn Torres	Councilmember, Ward No. 3
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being absent when the following business was transacted.

1. Meeting was opened with prayer by Rev. Roy Stephens, Jr., Pastor, Herty Baptist Church.
2. Mayor Bronaugh welcomed visitors present. Mayor Bronaugh invited Officer J. B. Smith to give a brief history of the Police Explorers Post and the work that they have done. Officer Smith stated that the Lufkin Police Department restarted its Explorer Post on June 8, 1999 and since that time they have had 30 kids come through the Post and go on to college. Officer Smith stated that the Explorer program is a career development program designed to allow young men and women who believe that they are interested in law enforcement to find out more about it. Officer Smith stated that it is a mentoring program as well. Officer Smith stated that for this the Police Department gets thousands and thousands of hours of community service out of these young men and women. Officer Smith stated that you must be 14 and graduated the eighth grade or 15-21 years of age. Officer Smith stated that the Post at this time ranges in age from 14 to 20. Officer Smith stated that Stephen McDonald who is 20 years old is about to leave the Post and go onto the Police Academy this following year. Officer Smith stated that the Explorers help with everything from crime scene searches to parades. Officer Smith stated that the Explorers present tonight are: Captain Brian Tomez, Lt. Stephen McDonald, Sgt. Wendy Watson, Explorers Cindy Walker, Whitney Weeks, and Daniel Melton.

Mayor Bronaugh presented a Certificate of Appreciation to Lt. Stephen McDonald and Captain Brian Tomez.

Mayor Bronaugh commended Officer Smith and Officer Burfine on their efforts in working with the Police Explorers.

3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting of October 21, 2003 were approved on a motion by Councilmember R. L. Kuykendall and seconded by Councilmember Dennis Robertson. A unanimous affirmative vote was recorded.

4. **ORDINANCE – APPROVED – SECOND READING – SPEED ZONES – U S HIGHWAY 59 SOUTH**

Mayor Bronaugh stated that the next item for consideration was an Ordinance setting the speed zones for U. S. Highway 59 South.

City Manager Maclin stated that one of the things that was discussed at last meeting was the fact that we would be requesting TxDOT to conduct a study from FM 819 north to the Loop. Mr. Maclin stated that once we contacted Mr. Bickley, the Traffic Engineer with TxDOT, he had actually already requested that study, and that study has been completed. Mr. Maclin stated that there are some issues within that study that he is working with TxDOT in Austin to try obtain a consistent speed limit which was the desire of Council once we got from the traffic light at FM 819 into town. Mr. Maclin stated that instead of it taking from eight to nine months, we might be able to have it resolved within the next two months. Mr. Maclin stated that as soon as Mr. Bickley gets that response back from Austin staff will be bringing it back to Council in the form of an Ordinance for further consideration.

Motion was made by Councilmember Rose Faine Boyd and seconded by Councilmember R. L. Kuykendall that Ordinance setting the speed zones for U. S. Highway 59 South be approved on Second Reading as presented. A unanimous affirmative vote was recorded.

5. **ORDINANCE – APPROVED – SECOND READING – STREET CLOSING – MOORE AVENUE – MEMORIAL MEDICAL CENTER OF EAST TEXAS**

Mayor Bronaugh stated that the next item for consideration is Second Reading of an Ordinance closing and vacating a portion of Moore Avenue.

City Manager Maclin stated that the property description and the field notes were included in the Council packet.

Motion was made by Councilmember Jack Gorden, Jr. and seconded by Councilmember Don Langston that Ordinance closing a portion of Moore Street as requested by Memorial Medical Center of East Texas be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

6. **ORDINANCE – APPROVED – FIRST READING – ECONOMIC DEVELOPMENT SALES TAX ELECTION**

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance calling for an Economic Development Sales Tax election.

City Manager Maclin stated that included in the Council packet is the Ordinance as prepared by the City Attorney, adding in the election date, and polling locations from the City Secretary. Mr. Maclin stated that there is also a copy of the proposed ballot. Mr. Maclin stated that the proposed ballot on Second Reading will also include the Spanish translation, which we did not have available for First Reading.

Mr. Maclin stated that this represents the discussion we have been having for the past couple of months about the opportunity to take to the voters an economic development sales tax election for 4B under the State law. Mr. Maclin stated that there are two items on the ballot – the first item would be the provision of repealing 1/8<sup>th</sup> of 1% of sales tax used previously by the City of Lufkin to reduce the ad valorem rate, and the second item would be the adoption of Section 4B of the Use and Sales Tax at 1/8<sup>th</sup> of a cent as described in accordance with State Law, and then lists all of the items that are eligible according to State Law. Mr. Maclin stated that this wording was provided to

staff by the Attorney General's office. Mr. Maclin stated that when Mr. Bearden was here a few weeks ago and made his presentation he provided staff with that documentation from the Attorney General's office.

Mr. Maclin stated that tonight staff is seeking Council's consideration to call for this election that will be held on February 7<sup>th</sup>. Mr. Maclin stated that the polls will be open from 7 a.m. until 7 p. m. on election day and early voting will begin Wednesday, January 21, 2004.

Councilmember Robertson asked what would happen if the first item on the agenda passes and the second item fails and we lose that \$700,000 out of the City budget would there be a period of time before we can take it back to the voters? Mr. Maclin stated that if item one passes and item two fails, then you could come back at the next election time frame and present it to the voters again with just one item on the ballot, the implementation of 4B. Mr. Maclin stated that at that point you wouldn't need the first item since you have the 1/8<sup>th</sup> of a cent under the cap as determined by the State of Texas. Mr. Maclin stated that in essence what it would do is in theory at least is make it less complicated if we take it back to the voters again, particularly if it was a very close election. Mr. Maclin stated that his presumption would be if item one passes and item two fails it would be by a very slim, narrow margin and would probably represent some misunderstanding by the public. Mr. Maclin stated that it would give us the opportunity to go back to the public with the space under the cap and have a second election.

Councilmember Boyd asked how soon we could do that. City Manager Maclin stated that he would assume that it would be at the next regular election, May 15<sup>th</sup>. Councilmember Gorden stated that he vaguely remembered it being twelve months. Councilmember Gorden stated that there have been some good questions raised about the election by the public and the newspaper. Councilmember Gorden stated he continues to get an idea that there is a little bit of confusion about there actually being a tax increase to do this and he hoped that staff could clarify that and make sure, as far as information goes, that the public understands that there would be no tax increase to implement this.

Councilmember Langston stated that, in his opinion, it is a very valid question of what would happen if we repeal the 1/8<sup>th</sup> cent. Councilmember Langston stated that the 1/8<sup>th</sup> cent is an opportunity for the public to offset the ad valorem rate and would hope that that is recognized in the process. Councilmember Langston stated that in essence by repealing that portion and approving the other there is basically a net-net effect. Councilmember Langston stated that obviously if we repeal the first part, then that just exposes us as a tax-paying public to off-setting that future loss by an ad valorem increase. Councilmember Langston stated that the real question that has to be answered for the public, and the public will ask this question many times, is what is the net effect, and will it raise my taxes, and the answer is "no, it is not going to raise your taxes". Councilmember Langston stated that hopefully that message can be resonated.

Councilmember Robertson stated that Council is banking on the fact that the voters would rescind that vote that we will take in February and put that 1/8<sup>th</sup> cent on for economic development. Councilmember Robertson stated that that might not happen and the City would be out the 1/8<sup>th</sup> cent and the City doesn't have the \$700,000 - \$1 million in the General Fund to run the City programs that we have now.

Mr. Maclin stated that in the six other cases according to Mr. Bearden that you had a repeal of existing sales tax in order to have room under the cap for an economic development tax that has never happened – where item one passed and item two failed. Mr. Maclin stated that Mr. Bearden told him that it could happen but it has not happened thus far.

Councilmember Gorden stated that it seems like if the public has all the information they need about the economic development sales tax and they understand the vote for one and not the other essentially would be a tax increase on them somehow.

Councilmember Kuykendall asked if this type of situation could be explained to the citizens in any Public Hearings the City will hold. Mr. Maclin stated that yes, it could be and that in any of the service club presentations and the information on the web site that this will be clearly enunciated.

Councilmember Robertson stated that he still had some concerns and if we don't get the information out how will we make up the difference in the same services we are providing for the citizens by putting this over into an economic development fund in short term and that maybe long term but in present net value of economic calculation he is not sure how that weighs out for him. Councilmember Robertson stated that he was not sure that he saw that helping to fix some of those things that the General Fund budget can fix in his ward that need to be done right now. Councilmember Robertson stated that based on the calculations for the benefits of the EDST, we might come out even in the next ten years. Councilmember Robertson stated that he was looking for things to happen now and he doesn't see the EDST fixing those infrastructure things that he would like to see happen now.

Mr. Maclin stated that the thing that helps fix infrastructure things is growth, sales tax receipts and property values, that is the only way that can happen so you have additional funds to spend that you haven't had in the past. Mr. Maclin stated that you have additional funds for bonded indebtedness, for long time capital improvements for infrastructure. Mr. Maclin stated that the economic development program, based on everyone staff has talked to including the 513 cities who have approved the economic development sales tax, believe that the way to accomplish that is by being competitive in creating new jobs and when you create new jobs you add new dollars to the community that then new sales tax will follow because the retailers will come if there are new expendable dollars available in the community. Mr. Maclin stated that the way that the City has done things in the past decade have been through growth and sales tax and property values. Mr. Maclin stated that the City has had the most aggressive capital improvements program in the last eight years that it has had in the history of the City. Mr. Maclin stated that we have reached the point now where we see that in order to continue that and to be competitive with other cities in the State of Texas we have to have a vehicle and the vehicle as designated by State law is the economic development sales tax.

Motion was made by Councilmember Don Langston and seconded by Councilmember R. L. Kuykendall that Ordinance calling for an Economic Development Sales Tax election be approved on First Reading as presented.

The following vote was recorded:

Aye: Councilmembers Langston, Kuykendall, Gorden, Boyd, Mayor Bronaugh

Nay: Councilmember Robertson

Motion carried with a 5 – 1 vote.

#### **7. TAX ABATEMENT – APPROVED – AMERICAN ECHEM, INC. – 1912 KURTH DRIVE**

Mayor Bronaugh stated that the next item for consideration was the request of American eChem, Inc. for approval of a tax abatement agreement for a new facility to be located at 1912 Kurth Drive.

City Manager Maclin stated that included in the Council packet is a memorandum of explanation from the Director of Planning, a copy of the application for Tax Abatement, the location site plan, and some other building elevation site plans. Mr. Maclin stated that there is also a copy of the Tax Abatement Policy Statement.

Mr. Maclin stated that this company does not meet the threshold under Policy "A", but could meet it under Policy "B". Mr. Maclin stated that on the second page if the tax abatement is approved under Policy "B", it is only 50% per year for the first three years, 37% for year four, 25% for year five, 12% for year six and 5% for year seven. Mr. Maclin stated that this is about half of what the Abatement Policy is under Policy "A".

Mr. Maclin stated that Policy "A" however requires a minimum of 10 new jobs and eChem does not meet that minimum so they would have to apply under Policy "B".

Mr. Maclin stated that this is a company based out of Leeds, England that manufactures a chemical additive that is used by folks in the petroleum industry and have customers in the Gulf Coast area and would like to have a presence here in Texas. Mr. Maclin stated that staff feels like this is the kind of company that would be a great addition to diversify our economy here in Lufkin and Angelina County and would like to recommend Council's consideration for approval of this application.

Bill Wellborn, Executive Director of the Economic Development Partnership, stated that it was his great pleasure to bring to Council another manufacturing project for their consideration this evening. Mr. Wellborn stated that the Economic Development Partnership urges Council's favorable consideration of this project for several reasons: American eChem proposes to manufacture a chemical product in Lufkin which will bring new wealth and dollars into our community. Mr. Wellborn stated that American eChem will invest somewhere in the range of \$3 million in land, buildings and equipment in Lufkin. Mr. Wellborn stated that the project will have a minimal environmental impact on the community and the primary raw material used in the manufacturing process is vegetable oil derivatives in minimal emissions will flow from the process into the environment. Mr. Wellborn stated that the plant will operate under the perimeters of the EPA and TCEQ. Mr. Wellborn stated that American eChem while employing a small labor force initially is great expansion potential here based on the acceptance of the product by one of the foremost petro-chemical companies in the world and other likely customers in the surrounding four-state area. Mr. Wellborn stated that American eChem proposes to build their new 10,800 SF plant in a historically underdeveloped area of Lufkin with high unemployment rates. It is an area targeted by the City of Lufkin and by this City Council for redevelopment. Mr. Wellborn stated that American eChem represents the third international company that has chosen Lufkin, Texas in the last five or six years. Mr. Wellborn stated that these new international companies give Lufkin a highly desirable and diverse economic flavor that should bode well for subsequent new foreign investment down the road. Mr. Wellborn stated that several on the Council have met with the leadership of the company and feel they will be a credit to Lufkin and Angelina County and will sing the praises of East Texas in Leeds, England and beyond.

Mr. Wellborn stated that on behalf of the partnership he would like to thank everyone who had helped in the sales effort. Mr. Wellborn stated that Mr. Bernard Highlands, the President of US operations, could not be present tonight but will be here for a formal news conference next Monday in the Mayor's office. Mr. Wellborn stated that representing eChem tonight is Mr. Jeff Chance of the Zelesky Law Firm.

Motion was made by Councilmember Dennis Robertson and seconded by Councilmember R. L. Kuykendall that Tax Abatement Agreement for American eChem, Inc. located at 1912 Kurth Drive be approved as presented. A unanimous affirmative vote was recorded.

## **8. AMENDMENT – APPROVED – SUBDIVISION ORDINANCE**

Mayor Bronaugh stated that the next item for consideration was an Amendment to the Subdivision Ordinance.

City Manager Maclin stated that at the Council meeting two weeks ago staff brought for consideration an upgrade in a sanitary sewer pipe and it was approved to provide for only the cost of the increase in the pipe. Mr. Maclin stated that the practice of the City in the past had been similar or identical to what is in the Ordinance for water, which is that the City would approve any increase in cost, that could be cost and labor and other related increases in the cost from upsizing, in this case a sewer pipe from 8" to 18". Mr. Maclin stated that staff is seeking Council's consideration since this provides an unfair burden on the developer because the project staff is asking to be upgraded is for the benefit of residents and businesses north and east of this project that would not be required as a part of the development process because an 8" line would meet their needs. Mr. Maclin stated that staff is asking Council, since before his tenure as City Manager, this was the practice of the Council; it has not been utilized very often but for

purposes of consistency staff would like to suggest that Council consider amending the Subdivision Ordinance so that the cost relating to sewer is the same program and reimbursement as the cost for water lines, which has been the practice of the City for several years.

Councilmember Robertson asked if there were several places within the City that by adding larger lines we could solve some backup problems. Mr. Maclin stated that we see this both in water and sewer from time to time when there is a location where there is a development that we can take advantage of the fact that they are installing new additional line and we have had issues that develop over a period of anywhere from 15 to 50 years. Mr. Maclin stated that each and every time we have a development staff looks at those items to find ways to improve quality of service to the contiguous and adjoining neighbors. Mr. Maclin stated that it has been a practice of the City for the past several years to review each and every one of these so that if there is an opportunity to meet the needs of the future at a very economical cost of service at the time, then staff takes advantage of those opportunities.

Councilmember Robertson stated that Mr. Wright had stated at the last meeting that this should relieve some of the problems over on Cordelia and in that area. Mr. Wright stated that the City would have to extend the line from the new street down Ellis to tie it into the existing line system. Mr. Wright stated that staff will be coming back to Council with a materials bid for that project and the City forces will be doing the work.

Councilmember Langston stated that in light of the fact that he is very proud to say this on behalf of City staff, there has been a tremendous move with staff that we haven't always seen as citizens in past instances where they try to be very fair in the way they apply the various Ordinances that the City has. Councilmember Langston stated that discussed at the last meeting was an Ordinance that really was inconsistent with other parts of the Ordinance and in light of that, since he was the one that brought it to everyone's attention, he wanted to be sure that everyone understands that he thinks that this is the fair thing to do, and that is to pass this Ordinance correction tonight. Councilmember Langston stated that he views it as a correction to the Ordinance. Councilmember Langston stated that the City Manager has said it has certainly been interpreted and applied this way in the past and he sees no reason not to continue to do that. Councilmember Langston stated that to him this is a "housekeeping" measure.

Motion was made by Councilmember Rose Faine Boyd and seconded by Councilmember Dennis Robertson that Amendment to the Subdivision Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

9. **FURTHER DISCUSSION OF BIDS – APPROVED – SEWER LINE – GASLIGHT MEDICAL PLAZA COMPLEX**

Mayor Bronaugh stated that the next item was further consideration of bids and cost difference for upgrading an 8" sewer line to an 18" line at the Gaslight Medical Plaza complex.

City Manager Maclin stated that this will go back to the issue that was discussed at the last meeting. Mr. Maclin stated that there is information in the Council packet and there is some additional information of the schedule of breakout of the cost relating to this project in a handout on the Council table. Mr. Maclin stated that there is actually three items related to provide the necessary upgrade in this pipe to have the benefit to the residents on Cordelia and Broadmoor and other cases east and north of Gaslight. Mr. Maclin stated that the City would have to lay 259' of additional 18" sewer main going back up Ellis as the City Engineer mentioned a moment ago. Mr. Maclin stated that that has nothing to do with the development but is something that the City has to do in order to tie it in. Mr. Maclin stated that then there are two items, one for the cost of the materials to go from 8" to 18" for 924', and then the cost for the labor increase from 8" to 18" for 924'. Mr. Maclin stated that on page 2 is the breakout for the \$26,143 which was the cost by the bids from the developer. Mr. Maclin stated that the City Engineer is indicating that \$26,143 if done by the City could be done less expensively by virtue of the fact that we would not have the labor and bonding and other costs that the contractor would have. Mr. Maclin stated that the other two items would be those performed by the developer. Mr. Maclin stated that if the Council

would like the City to lay that extra 259' then we can cut that \$26,143 to just under \$15,000. Mr. Wright stated that the City's cost is on the last sheet for what the City is projecting for the 259' - \$14,390. Mr. Wright stated that the cost to the City for the development would then be the \$15,325 plus the \$15,280, approximately \$30,500. Mr. Maclin stated that would reflect then the new amendment to the Subdivision Ordinance that was just approved. Mr. Wright stated that there were three bids taken for the Alternate – B & J Construction - \$56,750; Kingham Construction - \$86,520; and, Loggins - \$53,200. Mr. Wright stated that between Loggins and B & J Construction staff felt like they were fairly close but the City can do it cheaper. Mr. Wright stated that the City would have to coordinate with the construction that is taking place during the process.

Councilmember Gorden asked if the City would have to delay other projects to accomplish this. Mr. Wright stated that the City forces would have to pull off of other projects to do this work, but the 259' can be done within four or five days. Mr. Wright stated that it would not be a significant delay on any other projects. Mr. Wright stated that the advantage of allowing the contractors do this work is the coordination in the construction (building the road, clearing, grade work, compaction, etc.).

Councilmember Gorden asked if any of the projects the city would be pulling off of would be related to the street construction that is going on in various areas of the City. Mr. Wright stated that one of the projects might be Kit McConnico Park and then the I & I study for sewer rehab would be another that might be affected. Mr. Wright stated that the City has a couple of crews that are used for new construction and one of those would have to be implemented on this line.

Mr. Wright stated that he had spoken with the engineer for the project and he felt like the City could do the coordination, and he would recommend based on what we are seeing that the City staff do the construction, pay the difference for the 924' for labor and materials, and coordinate with the contractor, B & J Construction, to do the 259'.

Motion was made by Councilmember Jack Gorden, Jr. and seconded by Councilmember Don Langston to award the bid of B & J Construction in the amount of \$15,325.65 (cost of materials increase from 8" to 18" for 924'), and \$15,280.98 (labor cost for increase from 8" to 18" for 924'), and that the City install the 259' at a cost of \$14,390. A unanimous affirmative vote was recorded.

#### **10. COOPERATIVE AGREEMENT – APPROVED – ANGELINA CITIES/COUNTY HEALTH DISTRICT**

Mayor Bronaugh stated that the next item for consideration was the renewal of the Cooperative Agreement between the City of Lufkin and the Angelina Cities/County Health District.

City Manager Maclin stated that included in the Council packet is a new cooperative agreement as the old one is expiring. Mr. Maclin stated that there are no significant changes in the policy. Mr. Maclin stated that Sharon Shaw, Director of the Angelina Cities/County Health District is present at tonight's meeting.

Sharon Shaw stated that she wanted to come and let the Council know how appreciative the Health District is for the City's support and the Cooperative Agreement which provides monies towards their public health projects in the County.

Ms. Shaw stated that they are now charged by the Homeland Security Department to offer public health preparedness.

In response to question by Councilmember Gorden, Ms. Shaw stated that funding was cut this year in almost all the programs.

Motion was made by Councilmember Rose Faine Boyd and seconded by Councilmember Dennis Robertson that the Cooperative Agreement renewal between the City of Lufkin and the Angelina Cities/County Health District be approved as presented. A unanimous affirmative vote was recorded.

**11. BIDS – APPROVED – ELLEN TROUT ZOO RESTROOM PAVILION – ALLEN LOGGINS & SONS**

Mayor Bronaugh stated that the next item for consideration was bids for the Ellen Trout Zoo restroom pavilion.

City Manager Maclin stated that included in the Council packet is a bid tabulation for this project. Mr. Maclin stated that this will be located on the east end of the Zoo adjacent to the hippopotamus exhibit.

Mr. Maclin stated that staff recommendation is the bid of Allen Loggins & Sons in the amount of \$93,000.

Motion was made by Councilmember Don Langston and seconded by Councilmember Jack Gorden, Jr. that the bid of Allen Loggins & Sons in the amount of \$93,000 for a restroom pavilion at the Ellen Trout Zoo be approved as submitted. A unanimous affirmative vote was recorded.

**12. EXECUTIVE SESSION**

Mayor Bronaugh recessed Regular Session at 5:50 p.m. to enter into Executive Session. Regular Session reconvened at 7:08 p.m. and Mayor Bronaugh stated that contracts and leases and attorney/client matters had been discussed.

**13. ADDENDUM – APPROVED - AGREEMENT WITH BOYS & GIRLS CLUB**

City Manager Maclin stated that there are two items for consideration and the first one is called a Contract of Lease and the second one is called an Agreement With the Boys & Girls Club. Mr. Maclin stated that for several months now the City has been in negotiations with the Boys & Girls Club about the potential acquisition or lease of the City's property that we obtained from the LISD adjacent to their Boys & Girls Club and the old Junior High West. Mr. Maclin stated that they have a desire to develop an indoor swimming pool somewhat similar to the facility that was developed in Nacogdoches about a year and a half ago. Mr. Maclin stated that they also have potential for long range plans that would include a gymnastics facility, but they needed additional space adjacent to and in this case due north of their current Boys & Girls Club facility. Mr. Maclin stated that the City owned 1 ½ acres in the old gymnasium and the old cafeteria. Mr. Maclin stated that tonight Council has for their consideration a lease agreement and the contract of lease would provide for a 25 year lease with an option for renewal of 25 years for the entire 1 ½ acres of property that the City owns north of the Boys & Girls Club current facility.

Mr. Maclin stated that also for consideration is an agreement with the Boys & Girls Club of Lufkin that would be an agreement for use of a new indoor swimming pool to be available to the public for designated hours twelve months out of the year. Mr. Maclin stated that the hours designated in the summer months are longer than the hours designated in the school year months where the public would be able to come and take advantage of these facilities. Mr. Maclin stated staff is asking Council's consideration tonight to consider approval of the Contract of Lease and the Agreement With the Boys & Girls Club of Lufkin. Mr. Maclin stated that it is staff's opinion that this will be a win-win situation where the Boys & Girl's Club will have the opportunity to expand their facilities and their services provided to the Boys & Girl's Club participants and then the citizens of Lufkin will benefit by having an indoor pool available to the public, which currently does not exist in Lufkin except through private clubs. Mr. Maclin stated that it would also give an opportunity for this property to be utilized for the benefit of our citizens.

Mr. Maclin stated that this agreement with the Boys & Girls Club would be for \$35,000 per year, which would give the responsibility of all the maintenance operations, lifeguards, etc. to the Boys & Girl's Club because they would be operating this facility 12 months out of the year. Mr. Maclin stated that as a result of paying this \$35,000 we would have designated hours that the public would be able to use these facilities for recreational purposes.



Motion was made by Councilmember Rose Faine Boyd and seconded by Councilmember R. L. Kuykendall that the Contract of Lease for the Boys and Girls Club be approved as presented. A unanimous affirmative vote was recorded.

Motion was made by Councilmember Dennis Robertson and seconded by Councilmember Rose Faine Boyd that the Agreement with the Boys and Girls Club of Lufkin (a five year contract at a cost of \$35,000 per year paid in quarterly installments) be approved as presented. A unanimous affirmative vote was recorded.

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

City Manager Maclin stated that this Friday is the First Friday luncheon and the General Manager of Abitibi will be the speaker.

City Manager Maclin stated that Saturday, November 8<sup>th</sup> will be the first Veterans Day Parade in Lufkin.

City Manager Maclin stated that on Tuesday, November 11<sup>th</sup> will be the official Veteran's Day holiday for the City.

City Manager Maclin stated that November 13<sup>th</sup> will be the Leadership Lufkin City Government day. Councilmembers will meet at Kurth Memorial Library for lunch at 11:45 a.m. and then visit with Leadership Lufkin Class.

City Manager Maclin stated that on November 14<sup>th</sup> the DETDA meeting will be held in Crown Colony at 10:00 a.m. Mr. Maclin stated that they are having their meeting in conjunction with the Texans Against Lawsuits Abuse Program at 11 a.m.

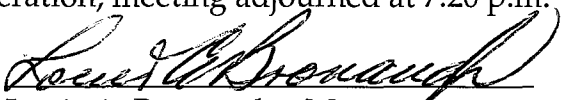
City Manager Maclin stated that Thursday, November 20<sup>th</sup> there will be a meeting with the Executive Director of the San Antonio Regional Mobility Coalition.

City Manager Maclin stated that he would seek Council's input on a workshop on December 3<sup>rd</sup> or 4<sup>th</sup>, with the Lower Neches Valley Authority (LNVA) representatives Robert Stroeder, (Executive Director), and Scott Hall, (Chief Engineer) to further discuss issues relating to the Sam Rayburn lake project. Mr. Maclin stated that they have some opportunities with State funding for low interest, no interest grants using the disadvantaged community. Mr. Maclin stated that they want to make the City aware of some opportunities for, in essence what would buy down the threshold of costs to the Lufkin citizen by participating with them in a regional approach. Mr. Maclin stated that the reason for the timing of this is that there will be a grant application deadline that is due in January if we want to participate. Mr. Maclin stated that there is a fail-safe where up until the time the bonds are issued you can still bail out. Mr. Maclin stated that you are not locked in just because you submit a grant application. Mr. Maclin stated that if the City is going to submit a grant application to take advantage of some of these disadvantage community funds that could mean anywhere from \$3 to \$5 million towards the project that we wouldn't have to pay for, we would have to meet the January 10<sup>th</sup> deadline. Mr. Maclin stated that we haven't talked about Rayburn in a while. Mr. Maclin stated that staff feels like we have completed our water rights acquisition/transition and have those fully secured in the name of the City in the not to distant future. Mr. Maclin stated that he had talked to them today and feels like they have a game plan for implementation of that within the next 60 days. Mr. Maclin stated that it will require a joint resolution signed by the City and the LNVA Board.

City Attorney Flournoy stated that he recently had an opportunity to experience and review the operations of the City's Emergency Medical Training folks Saturday a week ago and was so impressed with the compassion and professional way in which they did their job. Mr. Flournoy stated that he has a greater appreciation of these City employees and felt like it needed to be said publicly.

Mr. Maclin stated that he left a press release from the Government Finance Officers Assn. on the Council table, which was also provided to the Lufkin Daily News. Mr. Maclin stated that there will be a formal presentation and a Certificate of Achievement in Financial Reporting at the next meeting.

14. There being no further business for consideration, meeting adjourned at 7:20 p.m.

  
Louis A. Bronaugh – Mayor

ATTEST  
  
Atha Martin – City Secretary