

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

On the 18<sup>th</sup> day of March 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
Lynn Torres	Mayor pro tem
R. L. Kuykendall	Councilmember, Ward No. 1
Rose Faine Boyd	Councilmember, Ward No. 2
Bob Bowman	Councilmember, Ward No. 4
Jack Gorden, Jr.	Councilmember, Ward No. 5
Dennis Robertson	Councilmember, Ward No. 6
C. G. Maclin	City Manager
Atha Martin	City Secretary
Bob Flournoy	City Attorney
Keith Wright	City Engineer
Kenneth Williams	Director of Public Works
Stephen Abraham	Director of Planning

being present when the following business was transacted.

1. Meeting was opened with prayer by Rev. Jack Shelton of First United Methodist Church.

2. Mayor Bronaugh welcomed visitors present. Mayor pro tem Torres welcomed Lufkin High School government students who were satisfying a requirement of their government class by attending the Council meeting.

**3. REPRESENTATIVES OF FEMA AND NASA PRESENTATION**

Mayor Bronaugh stated that on February 1 of this year, history was made in Angelina County. Mayor Bronaugh stated that on that morning, Saturday, February 1<sup>st</sup> FEMA and NASA came to town after the shuttle disaster, and they have made quite an impact on our City. Mayor Bronaugh stated that Scott Wells of FEMA was in the audience and wished to say a few words to the Council.

Scott Wells, a representative of FEMA, stated that he would like to present a plaque to the Mayor, which he stated was a small token of appreciation for all the City of Lufkin has done for this family. Mr. Wells stated that this is a big family with about 6,000 people in an area between Toledo Bend and Corsicana. Mr. Wells stated that there are about 4,000 people from the interagency fire community, about 700 people from EPA, 200 people from NASA and a small contingency from FEMA, probably about 100 folks. Mr. Wells stated that one thing the whole Federal family would remember is the great strength that the communities in East Texas, and particularly the City of Lufkin, gave them (the Federal family) to undergo this great task. Mr. Wells stated that they always say that response operation, and this was a response operation, begins and ends at the local level, and if you don't have a strong capability of first responders of law enforcement and Emergency Management Personnel that are on the ground first to do all those critical things that are needed for public safety, then you will fail, and no matter how good the Federal Government are, they will fail. Mr. Wells stated that the State of Texas and the State of Louisiana are two of the very best at what they do in that area. Mr. Wells stated that there are none better than this community and the communities throughout East Texas for their caring.

Mr. Wells read a plaque as a small token of their appreciation: "This is a Certificate of Appreciation presented to Mayor Louis Bronaugh and the members of the Lufkin City Council for their outstanding contribution of support and service on behalf of the City of

Lufkin to all personnel involved in the disaster response operation for the Columbia Shuttle incident in Lufkin, Texas in 2003.”

Mayor Bronaugh stated that he was accepting the plaque on behalf of the Council and staff of the City of Lufkin. Mayor Bronaugh stated that he was proud of the City staff for reacting on that Saturday morning.

NASA astronaut Dom Goree stated that his main purpose for coming here tonight was to express the same thing that Scott just expressed. Mr. Goree stated that he wanted to express his unbelievable gratitude to the response to an incident that he did not think that any of us would have ever envisioned. Mr. Goree stated that up until February 1<sup>st</sup> he enjoyed his job everyday in his career at NASA; however, since February 1<sup>st</sup> they have met unbelievable, superb people from around the country and none better than the people here in Lufkin. Mr. Goree stated that highlighted by the people who responded at the Civic Center there were Red Cross people there feeding them, and people giving them their homes. Mr. Goree stated that he did not think that they could have done it anywhere else in the country. Mr. Goree stated that maybe it was because we were close to Houston and we all sense a unity with NASA. Mr. Goree stated that they have been attempting to go around to the different camps where the ground troupes are stationed at and trying to express that gratitude over and over because without you, the next space shuttle flight is not going to happen. Mr. Goree stated that he has had the opportunity to fly three times so far and he could guarantee everybody here in this county and the surrounding county that they will be as much a part of a next space shuttle flight as any astronaut or any engineer ever has been. Mr. Goree stated that he certainly appreciates every single piece of debris that has been picked up, every meal that has been offered. Mr. Goree stated that they could not express their gratitude enough for everything the City of Lufkin has done for them. Mr. Goree stated that they might want to put on speed dial the City of Lufkin's phone and the school's phones at the astronaut's office number because they would certainly like to support any and every request you have for us. Mr. Goree stated that if there has ever been a City that was deserving of NASA's follow up attention, this is it. Mr. Goree stated that they were not quite 50% through with their ground search right now. Mr. Goree stated that they are 70% through with their air searches. Mr. Goree stated that they are trying to accomplish a four mile wide ground search with about 10' spacing for almost 200 miles and they are doing 10 miles wide with helicopters. Mr. Goree stated that they are well on the way but they are not there yet – they are still hoping for the critical pieces that will get them to a solution and find them a way back into space quickly, hopefully this fall. Mr. Goree stated that they would be living in the City's back yards for a few more weeks, but maybe by the end of April they will have it in hand and can go home satisfied. Mr. Goree stated that they will go home satisfied with the support the City of Lufkin has given them and look forward to coming back and celebrating that success with the City and watching the next space shuttle flight with the City as their partners.

Mayor Bronaugh stated that the City was proud of Mr. Goree and proud of the organization that he represented. Mayor Bronaugh stated that he was also proud of the East Texas attitude of getting the job done and helping others.

Mayor Bronaugh stated that there were many people across the East Texas area that served as volunteers, but he would like to take this opportunity to publicly recognize and show the City's appreciation for the Walmart Foundation who gave of their time as volunteers. Mayor Bronaugh recognized Mike Hampton from the local Sam's Club and Duke Dotson from the Wal-Mart Super Center. Mayor Bronaugh stated that the City appreciated the assistance of Wal-Mart and Sam's as a community effort to aid with the shuttle recovery project. Mayor Bronaugh stated that the Wal-Mart Foundation exhibited its generosity and benevolence for the East Texas community by providing a \$50,000 grant to be used for providing food and drinks to the many volunteers and workers during the first few weeks of the recovery process. Mayor Bronaugh stated that the City of Lufkin wanted to thank Wal-Mart for their community spirit and charitable support and for the confidence they displayed in the City of Lufkin by awarding this grant. Mayor Bronaugh stated that David Cochran, Director of Purchasing for the City of Lufkin, was providing copies of the financial report today verifying the expenditure of the grant funds, including receipts and proper documentation. Mayor Bronaugh stated that most of the funds were utilized through

the fine support provided by the Salvation Army and the Red Cross. Mr. Hampton stated that Wal-Mart was proud that they could help.

Mayor Bronaugh presented a Certificate of Appreciation to Lee Miller for his diligent efforts to support the massive influx of media. Mayor Bronaugh stated that his unselfish volunteer efforts provided a positive image of Lufkin and East Texas. The plaque stated that a Certificate of Appreciation was presented to Lee Miller for his efforts in media hospitality at the Pitser Garrison Civic Center when the Columbia Space Shuttle went down over East Texas.

#### **4. APPROVAL OF MINUTES**

Minutes of the Regular Meeting of March 4, 2003 were approved on a motion by Councilmember Bob Bowman and seconded by Councilmember Lynn Torres. A unanimous affirmative vote was recorded.

#### **5. ORDINANCE – APPROVED – SECOND READING - ANNUAL REPORT – PLANNING & ZONING COMMISSION – COMPREHENSIVE PLAN**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance requiring an annual report by the Planning & Zoning Commission on the Comprehensive Plan and establishing procedures for amendments to the Comprehensive Plan.

Motion was made by Councilmember Rose Faine Boyd and seconded by Councilmember R. L. Kuykendall that Ordinance requiring an annual report by the Planning & Zoning Commission on the Comprehensive Plan and establishing procedures for amendments to the Comprehensive Plan be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

#### **6. ORDINANCE – APPROVED – SECOND READING – AMENDMENTS TO THE COMPREHENSIVE PLAN**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance adopting amendments to the Comprehensive Plan.

Motion was made by Councilmember Dennis Robertson and seconded by Councilmember R. L. Kuykendall that Ordinance adopting amendments to the Comprehensive Plan be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

#### **7. ORDINANCE – APPROVED – FIRST READING – SPECIAL USE PERMIT – RIDING ACADEMY/COMMERCIAL STABLE – LARGE SINGLE FAMILY DWELLING ZONING DISTRICT – 2401 FORD CHAPEL ROAD – SHARON McCLURE – ELSIE AND BUFORD MADDUX**

Mayor Bronaugh stated that the next item for consideration was the request of Sharon McClure on behalf of Elsie and Buford Maddux to grant a Special Use Permit for a Riding Academy/Commercial Stable within a "Large Single Family Dwelling" zoning district on approximately 9.024 acres of land described as Tracts 5 and 6 out of the J. L. Quinalty Survey (Abstract No. 40) and more commonly known as 2401 Ford Chapel Road.

City Manager Maclin stated that the Planning and Zoning Commission by unanimous vote recommends approval of this Special Use Permit for a riding academy and commercial stable with a maximum number of horses to be limited to eight (8).

Karen Calloway stated that she is the Executive Director of the Ideal Advantage Therapeutic Riding Center. Ms. Calloway stated that they would like to offer services at this time for troubled youth and at-risk elementary aged children, beginning in the summer and upon approval of this request they intend to begin on June 1<sup>st</sup> if there are no problems.

In response to question by Councilmember Torres, Ms. Calloway stated that they have six (6) horses that have been donated at this time and hope to have no more than eight (8) because beyond eight (8) it becomes a financial burden. Ms. Calloway stated that by keeping the numbers low it also keeps the risk and safety issues low as well.

In response to question by Councilmember Kuykendall, Ms. Calloway stated that they hope to be a NARA approved center, which has guidelines for safety and requires a riding instructor that is certified. Ms. Calloway stated that they presently have three applicants, which is a great number for a small center. Ms. Calloway stated that they have a lot of volunteers lined up but have not have a volunteers meeting because this is their first step.

In response to question by Councilmember Robertson, Ms. Calloway stated that this is a day center and they would work with public school children.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember R. L. Kuykendall that the Special Use Permit for a Riding Academy/Commercial Stable within a "Large Single Family Dwelling" zoning district on approximately 9.024 acres of land described as Tracts 5 and 6 out of the J. L. Quinalty Survey (Abstract No. 40) and more commonly known as 2401 Ford Chapel Road be approved on First Reading with the condition that the maximum number of horses kept on the premises be limited to eight. A unanimous affirmative vote was recorded.

#### **8. REVISIONS – APPROVED – SKATEBOARDING ORDINANCE NO. 3217**

Mayor Bronaugh stated that the next item for consideration was revisions to the Skateboarding Ordinance No. 3217.

City Manager Maclin stated that City staff was approached by two or three different entities in the community who have had some problems with issues relating to skateboarding. Mr. Maclin stated that back in 1996 the City Council passed an Ordinance that restricted skateboards in the downtown area of the sidewalks. Mr. Maclin stated that there have been some other areas where some recent problems have occurred.

Lt. Harold Cottle stated that what he is proposing is not an actual change to the Ordinance, it is only the boundaries that the Ordinance encompasses, as he will refer to as a "no skateboarding zone". Lt. Cottle stated that the problem that the Police Department has had is not a new problem but has been around for several years. Lt. Cottle stated that the Police Department had been receiving calls about skateboarders in the downtown area, which resulted in the Ordinance being passed in 1996. Lt. Cottle stated that the enforcement of this Ordinance was so effective that they rarely have any calls within the boundaries that are covered by the current Ordinance. Lt. Cottle stated that the skateboarders, for recreational purposes, have moved outside the boundaries and have begun to cause problems in areas adjacent to downtown. Lt. Cottle stated that in particular they have seen recent incidents of damage at the Museum of East Texas, the Civic Center, and the Kurth Memorial Library. Lt. Cottle stated that he had included a picture of the actual damage from each location in the Council packet. Lt. Cottle stated that damage to the Museum of East Texas in one location had cost \$1,000 to repair. Lt. Cottle stated that damage to the handrails at the Civic Center look as if the damage is limited to scratches on the handrail but there is lighting underneath the handrail and the bouncing and impact of the skateboard actually breaks the lights so that they no longer function. Lt. Cottle stated the skateboarders at the Library have taken one of the tops off of a bench and leaned it up to make a ramp to jump the skateboards.

Lt. Cottle stated that his objective with this Ordinance is to prevent property damage by people riding skateboards and other devices to public and private property in downtown and adjacent areas by expanding the geographic boundaries covered under the Ordinance Section 97-08, thus providing the Lufkin Police Department with a local authority to take the appropriate enforcement action such as a citation or whatever the appropriate action may be against those persons utilizing these devices in the designated areas before additional damage occurs.

Lt. Cottle stated that the boundaries of the current Ordinance include all of the Fire Zone in the downtown area, which will be designated by the green area on the map coming up. Lt. Cottle stated that in addition there is an area just south of the immediate downtown area bounded by First St., Jody St. and Second St. that was specifically named as a "no skateboarding area", and it will be designated as the pink area on the map. Lt. Cottle stated that what he is proposing is to add an area bounded by Polk St. to the north, Angelina St. to the west down to Pershing and including all of Chambers Park property because of concerns of the spray/play, along Pershing St. up to Fenley, east to Third St., back up to Burke and then hooking back into the Fire Zone which will include all of the City Hall property, up Fourth St. and back to Polk at the beginning of the northern boundary. Lt. Cottle stated that this would be designated by the blue area on the map.

In response to question by Councilmember Gorden, Lt. Cottle stated that some of this is residential but the way the Ordinance is worded it only covers sidewalks, plazas, or mall areas of public or private area. Lt. Cottle stated that if someone wanted to skateboard on his or her driveway it would not be covered by the Ordinance.

Councilmember Gorden asked if there were places other than downtown where skateboarders could pursue this sport. Lt. Cottle stated that City parks would be one option, but there is a skating park in a building at Groesbeck and Chestnut just behind the old Albertson's building. Lt. Cottle stated that City parks are not set up for skateboarders but the Ordinance does not exclude skateboarding in the parks.

Councilmember Bowman stated that as he recalls Council struggled with this issue and one aspect of it was could we build a facility that would serve these kids in their pursuit of this sport. Councilmember Bowman asked if liability problems were an issue at that time. Mr. Maclin stated that at that time TML was not willing to provide insurance for skateboard facilities. Mr. Maclin stated that since that time other private facilities have been built in other communities and we do have one in Lufkin. Mr. Maclin stated that skateboards have been around long enough now where the liability is not as big of an issue as it was back in the mid-'90's. Mr. Maclin stated that he is not familiar with too many cities having to pay for damages or injuries caused by skateboard parks. Mr. Maclin stated that maybe it is better today than it was seven years ago.

Councilmember Bowman stated that he was in favor of the proposal that was before Council but he would like staff to do some research to see if we could build a facility or help someone build a facility that might provide these youngsters with a place for skateboarding.

Councilmember Robertson asked if there would be some confusion by the kids who use the skateboards and roller blades if the distinction between the two is not put in the Ordinance, if they would be confused on what is allowable and what isn't. Lt. Cottle stated that the terminology he used was "skateboard" because that is what has caused most of the problems. Lt. Cottle stated that he is not proposing to change the wording of the Ordinance at all, it will still say "skateboards, roller skates, roller blades, or other similar devices", which would cover all of those type recreational instruments. Lt. Cottle stated that the problem is not when the skateboarders are skating on the sidewalks, but when they jump up on the rails and on the walls and rub along them causing the damage. Lt. Cottle stated that the in line skaters and roller blades do this kind of damage but the problem they are having is with skateboarders.

Councilmember Robertson stated that there are a lot of design things that we can do that discourage or prevent this activity from happening, such as putting notches in the railings or little bumps on it so it doesn't make it convenient for them to go up and slide down the railing. Councilmember Robertson stated that this type of activity could easily be discouraged without adding Ordinance on top of Ordinance. Councilmember Robertson stated that, in his opinion, we need an alternative site in some parks where these children do have a place to go. Councilmember Robertson stated that he knew that this would be in competition with the person who owns the skateboard facility, but we need to work with them in trying to provide this opportunity to the kids. Councilmember Robertson stated that he enjoyed watching these kids participate in this activity.

Those speaking for the revisions to the Ordinance were: J. P. McDonald, Director of the Museum of East Texas, Walter Borgfeld, Chairman of the Board of Kurth Memorial Library, Terri Boomer, Director of Kurth Memorial Library, and Renee Thompson, Director of the Pitser Garrison Civic Center. (Mayor Bronaugh stated that he was very proud of Renee Thompson and her staff and their accommodating the FEMA and NASA staffs during the shuttle crisis.)

Lt. Cottle stated that in reference to the age of the people he has seen who are causing most of the problems, these are not 8, 9 or 10 year old kids, most of these are mid-teens to late teens and even to early 20-year old people. Lt. Cottle stated that a group actually drove to the Civic Center, took out their skateboards and then skated up and down the sidewalks.

In response to question by Councilmember Robertson as to whether the City has cited any of these teenagers for damaging City property, Lt. Cottle stated that to be able to file a case for the damage, the Police need to catch them in the act. Lt. Cottle stated that merely engaging in skateboarding inside the zone is a violation, and they can enforce that.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Jack Gorden, Jr. that revisions to the Skateboarding Ordinance No. 3217 be approved as presented. A unanimous affirmative vote was recorded.

#### **9. POWER POINT PRESENTATION OF HOME PROGRAM**

Mayor Bronaugh stated that the next item for consideration was a power point presentation of the HOME Program.

City Manager Maclin stated that staff wanted to give Council an overview of this past year's HOME Program. Beauford Chapman, Director of Inspection Services, stated that he would like to update Council on the most recent successes of the Council's HOME Program, a program that Council has adopted and supports each year.

Kara Atwood, Manager of the HOME Program, stated that the City of Lufkin has participated in the HOME Program since 1991, and since that time over 50 homes within the City limits have been either rehabilitated or reconstructed. Ms. Atwood that this program is funded through TDHCA, the Texas Department of Housing and Community Affairs. Ms. Atwood stated that the way the program works is that applications are accepted and reviewed from homeowners. A grant is applied for through the TDHCA with consultants Gary Traylor & Associates assisting with the procurement. Ms. Atwood stated that the project is placed out to bid to approved contractors and is then awarded and construction begins. Ms. Atwood stated that the applicant qualifications include that the requesting homeowner must be over the age of 62 and/or be disabled, must own their own home, their property taxes must be current and they must meet the income requirements. Ms. Atwood stated that the HOME Program applicant responsibilities are that they must provide for relocation of self and belongings during construction, they must provide utilities during construction, they must sign off on all payment requests from the contractor, and they must chose the interior/exterior colors of their new home.

Ms. Atwood stated that under the 2000 HOME Program the City was awarded a grant in the amount of \$520,000 and used the grant monies to reconstruct 10 homes and rehabilitate one home.

Ms. Atwood stated that the status of the 2000 HOME Program is that all projects have been completed, the final paperwork is being processed and the extension was filed to review setups to obtain remaining funds.

Ms. Atwood stated that under the 2001 HOME Program the City was awarded a grant in the amount of \$520,000 and 11 homes were reconstructed at \$38,500 each, 11 homes were demolished by Richardson Dozer Service at a cost of \$23,000. The construction was done by JW Turner Construction, Tomball, Texas.

Ms. Atwood showed before and after pictures of residences located at 118 Booker, 103 Fairy, 401 South Warren, 817 Cottonbelt, and 205 South Garvan.

Ms. Atwood stated that the status of the 2001 HOME Program is that all homes have been completed, the final paperwork is being completed and the contract ends on March 31, 2003.

Ms. Atwood stated that the 2003 HOME Program application is in the amount of \$500,000 and the consultant is Gary Traylor & Associates with an application deadline of April 3, 2003.

Councilmember Gorden stated that, in his opinion, this is one of the better things that the City deals with and he is proud that the City is a part of this Program. Councilmember Gorden stated that if there are possibilities of getting funds that might be leveraged with other programs, non-City related or a non-profit or even a for-profit builder who is doing affordable homes in Lufkin, he would like to encourage this. Councilmember Gorden stated that he would like for Ms. Atwood to let it be known that she would be willing to work with other organizations on affordable homes for Lufkin. Kenneth Williams, the Director of Public Works, stated that at the next funding cycle staff could look for programs such as Councilmember Gorden has spoken about.

**10. RESOLUTION – APPROVED – SUBMISSION OF AN APPLICATION – TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDS – AUTHORIZING MAYOR AS CITY’S CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE**

Mayor Bronaugh stated that the next item for consideration was a Resolution authorizing submission of an application to the Texas Department of Housing and Community Affairs for Home Investment Partnerships Program Funds; and authorizing the Mayor to act as the City’s Chief Executive Officer and Authorized Representative.

City Manager Maclin stated that this is the next step to apply for the 2003 funds. Mr. Maclin stated that as Ms. Atwood noted in her presentation the deadline is next month. Mr. Maclin stated that staff is seeking in item #10 to apply for the kind of funds that Ms. Atwood just showed in the presentation from the last two years. Mr. Maclin stated that in item #11 the City is applying for another \$500,000 for special needs. Mr. Maclin stated that the special needs is more competitive statewide because there are limited funds. Mr. Maclin stated that the special needs could include people with disabilities, people who have AIDS and have other disabilities that put them in a special needs category definition.

City Manager Maclin stated that unfortunately the TDHCA has learned from the Texas Development Water Board, and they are wanting the City to do a reimbursement and are requiring the City to commit a \$250,000 cash reserve. Mr. Maclin stated that the City’s match would be same that it has been in previous years - \$62,500 in order to get \$500,000 worth of grant funds. Mr. Maclin stated that the cash reserve is to provide the ability for the City to pay the bills and then get reimbursed the same as the City is doing with the Texas Water Development Board’s low interest loan program. Mr. Maclin stated that to stretch their dollars they are asking the City to use our dollars. Mr. Maclin stated that that would not be a problem for the City in that our general fund maintains a minimum 25% operating fund balance or 90 day balance. Mr. Maclin stated that the City would typically have several million dollars in our fund balance as a result of our financial policies.

In response to question by Councilmember Boyd, Mr. Maclin stated that as far as the full \$250,000, that money would not be tied up for that long. Mr. Maclin stated that the City would do draws quarterly or semi-annually.

Councilmember Gorden asked, related to this, that the Council and staff explore the possibility of Lufkin creating it’s own Housing Authority. Mr. Maclin stated that the first thing would be to work with the City Attorney and the legal aspects related to the establishment of a Housing Authority. Mr. Maclin stated that the City of Lufkin has utilized the services of DETCOG for years for Section 8 rental subsidy program and that is one of the primary functions that a Housing Authority provides, but there are other

opportunities for a Housing Authority through the program like Pineywoods Home Team.

Motion was made by Councilmember Rose Faine Boyd and seconded by Councilmember R. L. Kuykendall that Resolution authorizing submission of an application to the Texas Department of Housing and Community Affairs for Home Investment Partnerships Program Funds, and authorizing the Mayor to act as the City's Chief Executive Officer and Authorized Representative be approved as presented. A unanimous affirmative vote was recorded.

11. **RESOLUTION – APPROVED – SUBMISSION OF AN APPLICATION – TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDS (SPECIAL NEEDS) – AUTHORIZING MAYOR AS CITY'S CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE**

Mayor Bronaugh stated that the next item for consideration was a Resolution authorizing submission of an application to the Texas Department of Housing and Community Affairs for Home Investment Partnerships Program Funds (Special Needs); and authorizing the Mayor to act as the City's Chief Executive Officer and Authorized Representative.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Lynn Torres that Resolution authorizing submission of an application to the Texas Department of Housing and Community Affairs for Home Investment Partnerships Program Funds (Special Needs), and authorizing the Mayor to act as the City's Chief Executive Officer and Authorized Representative be approved as presented. A unanimous affirmative vote was recorded.

12. **ASBESTOS WATERLINE REPLACEMENT PROJECTS NO. 1 AND NO. 11 – APPROVED**

Mayor Bronaugh stated that the next item for consideration was acceptance of Asbestos Waterline Replacement Projects No. 1 and No. 11.

City Manager Maclin stated that there is some additional paperwork other than the Resolution that is included in the Council packet. Mr. Maclin stated that on the table is a paper from Schumberg and Polk Consulting Engineer where they are signing off on the project, and a Water Project No. 1 with a spread sheet tabulation, and also a sheet that has the contractor, consulting engineer and the City Engineer signatures indicating that these projects have been completed.

City Manager Maclin stated that staff needs for Council to approve this project today as a part of the process with the Texas Water Development Board for closure.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Rose Faine Boyd that the Asbestos Waterline Replacement Projects No. 1 and No. 11 be accepted as presented. A unanimous affirmative vote was recorded.

13. **BID – APPROVED – PROJECT 6 – WATERLINE REPLACEMENT - DUPLICHAIR CONTRACTORS**

Mayor Bronaugh stated that the next item for consideration was bids for waterline replacement Project #6.

City Manager Maclin stated that this is another one of the City's 15 projects for water line replacement. Mr. Maclin stated that staff was very pleased with the bids and are recommending the bid of Duplichain Contractors in the amount of \$801,511.45. Mr. Maclin stated that this about \$200,000 below engineer's estimates.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember Jack Gorden, Jr. that the bid of Duplichain Contractors in the amount of \$801,511.45



for waterline replacement project #6 be approved as submitted. A unanimous affirmative vote was recorded.

**14. BID – APPROVED – REPLACEMENT OF CARPET – CIVIC CENTER – TAYLOR BROTHERS PAINTING AND FLOORING COMPANY**

Mayor Bronaugh stated that the next item for consideration was bids for replacement of carpet at the Civic Center.

City Manager Maclin stated that basically what staff is seeking from Council today is to approve the bid that staff received from Taylor Brothers Painting and Flooring Company in the amount of \$90,000, which is below the engineer's estimates. Mr. Maclin stated that this does not pick the color. Mr. Maclin stated that what this does today is that it establishes the entity that would install the carpet and the quality and grade of the carpet. Mr. Maclin stated that the committee at the Civic Center, if this bid is approved today, would get with the samples and come back with a recommendation for their color scheme.

Motion was made by Councilmember Jack Gorden, Jr. and seconded by Councilmember Lynn Torres that the bid of Taylor Brothers Painting and Flooring Company in the amount of \$90,000 for replacement carpet at the Civic Center be approved as submitted. A unanimous affirmative vote was recorded.

**15. BID – APPROVED – TWO SIDE LOADER GARBAGE TRUCKS – SOLID WASTE DEPARTMENT – TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE BUYBOARD**

Mayor Bronaugh stated that the next item for consideration is bids for two (2) side loader garbage trucks for the Solid Waste Department.

City Manager Maclin stated that these are replacement units and are the sideloaders that pick up containers at curbside. Mr. Maclin stated that staff is recommending the low bid of the Texas Local Government Purchasing Cooperative Buyboard in the amount of \$281,026 for both units.

Councilmember Robertson asked if the staff was running any analysis on these trucks to be sure the City is getting the utility out of these trucks that we should be getting. Mr. Maclin stated that is one of the benefits of the City's new software. Mr. Maclin stated that in the Fleet Maintenance Department there is staff that is inputting the data where we will be able to go back and actually compare brand names against other brand names, diesel versus gasoline, etc.

Mr. Williams stated that this provides a good tracking mechanism for us with the software.

Motion was made by Councilmember Dennis Robertson and seconded by Councilmember Rose Faine Boyd that the bid of the Texas Local Government Purchasing Cooperative Buyboard in the amount of \$281,026 for two side loader garbage trucks for the Solid Waste Department be approved as submitted. A unanimous affirmative vote was recorded.

**16. BID – APPROVED – ONE REAR LOADER GARBAGE TRUCK – SOLID WASTE DEPARTMENT – TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE BUYBOARD**

Mayor Bronaugh stated that the next item for consideration was bids for one rear loader garbage truck for the Solid Waste Department.

City Manager Maclin stated the staff recommendation is to purchase one rear loader garbage truck through the Texas Local Government Purchasing Cooperative Buyboard in the amount of \$106,627.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Lynn Torres that the bid of Texas Local Government Purchasing Cooperative Buyboard

in the amount of \$106,627 for one rear loader garbage truck for the Solid Waste Department be approved as submitted. A unanimous affirmative vote was recorded.

**17. BID – APPROVED – LITTER CONTRACT – PARKS DEPARTMENT – GOODWILL INDUSTRIES OF CENTRAL EAST TEXAS**

Mayor Bronaugh stated that the next item for consideration was bids for the litter contract for the Parks Department.

City Manager Maclin stated that as we have done for several years now, staff is recommending to award the low bid of Goodwill Industries of Central East Texas in the amount of \$12,444.96.

Motion was made by Councilmember Rose Faine Boyd and seconded by Councilmember Dennis Robertson that the bid of Goodwill Industries of Central East Texas in the amount of \$12,444.96 for the litter contract for the Parks Department be approved as submitted. A unanimous affirmative vote was recorded.

**18. BID – APPROVED – RESURFACING OF TENNIS COURTS – KIWANIS PARK – COURTS N’ STUFF**

Mayor Bronaugh stated that the next item for consideration was bids for resurfacing of tennis courts at Kiwanis Park.

City Manager Maclin stated that staff is recommending the low bid of Courts N’ Stuff in the amount of \$15,546.

In response to question by Councilmember Gorden, Mr. Maclin stated that staff would still need to resurface four more courts at Kiwanis. Mr. Hannabas stated that the City resurfaces the courts every five years on a five year cycle.

In response to question by Councilmember Robertson, Mr. Hannabas stated that staff has an experiment going on at Jones Park. Mr. Hannabas stated that they have overlayed with concrete and stained the concrete and are waiting to see how that does. Mr. Hannabas stated that they would probably just have to keep painting the stripes.

Motion was made by Councilmember Dennis Robertson and seconded by Councilmember Bob Bowman that the bid of Courts N’ Stuff in the amount of \$15,546 for resurfacing of the tennis courts at Kiwanis Park be approved as submitted. A unanimous affirmative vote was recorded.

**19. EXECUTIVE SESSION**

Mayor Bronaugh recessed Regular Session at 6:05 p. m. and Councilmembers entered into Executive Session. Regular Session reconvened at 6:35 p. m. and Mayor Bronaugh stated that Council had discussed the dilapidated houses in the City of Lufkin.

City Attorney Flournoy stated that the Code Enforcement building officials department work diligently trying to remedy dilapidated housing, either to get it restored or removed and we give up trying to get the owners to do anything. Mr. Flournoy stated that we have a number of houses and one commercial building that he would like to recommend the City be given authority to demolish and to charge the cost of the demolition back to the property. The houses are:

1605 Culverhouse (an old mobile home)  
400 Ridge Street  
3 houses located on Edith Street (702, 706 and 708)  
1105 Dunlap  
1701 Higgins  
620 Moore St. (commercial)  
323 Setliff

Motion was made by Councilmember Dennis Robertson and seconded by Councilmember R. L. Kuykendall that the above listed homes and commercial building be approved for demolition as requested by the City Attorney. A unanimous affirmative vote was recorded.

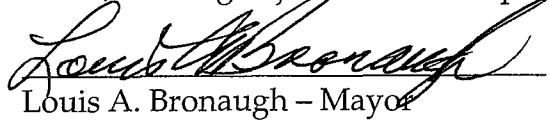
**20. CALENDAR NOTATIONS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER**

City Manager Maclin reminded Councilmembers that the TML Region 16 meeting would be held in Nacogdoches at the Fredonia Inn on Thursday, March 20<sup>th</sup>.

City Manager Maclin stated that on Saturday there would be a dedication of the new facilities at Jones Park. The event will take place between the hours of 10 a.m. and 3 p.m. and the dedication ceremony will take place at 11 a.m.

City Manager Maclin stated that on Thursday, April 10<sup>th</sup> the first TOPIC academy would hold their graduation at the Civic Center. The next academy will start on September 4<sup>th</sup>.

21. There being no further business for consideration, meeting adjourned at 6:40 p.m.

  
Louis A. Bronaugh – Mayor

ATTEST:  
  
\_\_\_\_\_  
Atha Martin – City Secretary