

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF  
LUFKIN, TEXAS HELD ON THE 2<sup>ND</sup> DAY OF MARCH, 2021**

On the 2<sup>nd</sup> day of March, 2021 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  
Mark Hicks  
Guessippina Bonner  
Robert Shankle  
Lynn Torres  
Rocky Thigpen  
Trent Burfine  
Bruce Green  
Erika Neill  
Jason Arnold  
Gerald Williamson  
Kara Andrepont  
Rodney Ivy  
David Thomas  
Buddy Cross  
Jesse Moody  
Belinda Melancon  
Kevin Gee  
Calvin Toups  
Rudy Flores  
Albert Duffield  
Rick Smith  
Scott Feaster  
Kent Havard  
Bob Samford  
Jessica Leyva

Mayor  
Mayor Pro Tem  
Councilmember, Ward No. 1  
Councilmember, Ward No. 2  
Councilmember, Ward No. 3  
Councilmember, Ward No. 5  
Councilmember, Ward No. 6  
City Manager  
City Attorney  
Assistant City Manager – Public Works  
Assistant City Manager – Admin/Public Safety  
City Secretary  
Human Resource Director  
Police Chief  
Assistant Police Chief  
Fire Chief  
Finance Director  
Engineering Services Director  
Building Official  
Parks and Recreation Director  
Water & Sewer Director  
Fleet Maintenance Director  
IT Director  
Solid Waste Director  
Economic Development Director  
Utility Collections

being present when the following business was transacted.

**INVOCATION** – The meeting was opened with prayer by City Attorney Erika Neill.

**PUBLIC COMMENT** – Mayor Brown opened the meeting for Public Comment on any posted agenda item at 5:02 p.m. Mr. Stephen Pinkney spoke in support of Item No. 8 regarding the Tax Abatement Agreement with Jefferson Enterprise Energy, LLC. Ms. Benita Bennett spoke in support of Item No. 2 regarding the creation of a Teen Court. Mr. Darron Smith with MVAH Partners, LLC spoke in support of Item No. 4 regarding development of an affordable multi-family dwelling project. There being no one else who wished to speak, Mayor Brown closed the Public Comment portion of the meeting.

Mayor Brown recognized Ms. Jess Huff with the Lufkin Daily News and presented to her a letter of appreciation for helping to organize assistance to the community during the winter storm. Mayor Brown also presented a Proclamation for the Imperial Plumbing Company of Springville, Utah recognizing their assistance to the Lufkin community after the storm.

**CONSENT AGENDA**

**1. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD FEBRUARY 2, 2021 – APPROVED.**

Councilmember Lynn Torres moved to approve all items on the Consent Agenda as presented. Councilmember Guessippina Bonner seconded the motion and a unanimous vote to approve was recorded.

**BUSINESS AGENDA**

**2. PUBLIC HEARING AND RESOLUTION AUTHORIZING AN APPLICATION FOR A JUVENILE JUSTICE AND TRUANCY PREVENTION GRANT FOR THE CREATION OF A TEEN COURT – APPROVED**

City Manager Bruce Green stated the Municipal Court had requested authorization for submission of a grant application to the State of Texas, FY2022 State Criminal Justice Planning Funds – Juvenile Justice and Truancy Prevention Grant Program in an amount up to \$60,000.00. City Manager Green furthered the funds would be used to establish a Teen Court in the City of Lufkin. City Manager Green explained the grant funds would be used to pay salary and benefits for a Juvenile Case Manager, pay the presiding Judge, purchase equipment, office supplies and materials, training, travel per diem and other expenses associated with the Teen Court. City Manager Green furthered that no matching funds were required for the grant. City Manager Green stated this would require an opportunity for public comment and a Resolution authorizing submission of the application. City Manager Green concluded Staff recommended City Council conduct a Public Hearing and approve a Resolution authorizing an application for a Juvenile Justice and Truancy Prevention Grant for the creation of a Teen Court.

Mayor Brown opened the Public Hearing at 5:10 p.m. There being no one who wished to speak, Mayor Brown closed the Public Hearing and moved to comments from the City Council. There were none.

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

**3. RESOLUTION SUPPORTING ROYAL GARDENS LUFKIN, LLC, IN ITS APPLICATION FOR DEVELOPMENT OF AN AFFORDABLE MULTI-FAMILY DWELLING PROJECT – APPROVED.**

City Manager Bruce Green stated Royal Gardens Lufkin had applied for housing tax credits through the Texas Department of Housing and Community Affairs (TDHCA) for construction of an affordable family housing development. City Manager Green furthered the proposed development was to be located on a tract of land located at 110 Harmony Hill Drive. City Manager Green highlighted the location of the proposed development on the corresponding map and stated it would consist of one three-story structure. City Manager Green stated the tax credit application scoring criteria included points for City support for the endeavor in the form of a Resolution of Support and a minimum \$250 in incentives or fee waivers. City Manager Green concluded Staff recommended City Council approve a Resolution supporting Royal Gardens Lufkin, LLC, in it's application for development of an affordable multi-family dwelling project.

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

**4. RESOLUTION SUPPORTING MVAH PARTNERS, LLC, IN ITS APPLICATION FOR DEVELOPMENT OF AN AFFORDABLE MULTI-FAMILY DWELLING PROJECT – APPROVED.**

City Manager Bruce Green stated an application had been submitted by MVAH Partners, LLC for housing tax credits through the Texas Department of Housing and Community Affairs (TDHCA) for construction of an affordable senior housing development to be called Reserve at Lufkin. City Manager Green furthered the proposed development was to be located on a tract of land located at 2106 Tulane Drive. City Manager Green highlighted the location of the proposed development on the corresponding map and stated it would consist of one three-story structure. City Manager Green stated the tax credit application scoring criteria included points for City support for the endeavor in the form of a Resolution of Support and a minimum \$250 in incentives or fee waivers. City Manager Green concluded Staff recommended City Council approve a Resolution supporting MVAH Partners, LLC, in its application for development of an affordable multi-family dwelling project.

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

**5. ACCEPTANCE OF DONATIONS IN THE AMOUNT OF \$5,025 FOR THE CITY OF LUFKIN ANIMAL SERVICES VETTING FUND AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020-2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 9) APPROPRIATING THE FUNDING – APPROVED.**

City Manager Bruce Green stated the Animal Services Department had received numerous donations from private citizens totaling \$5,025 for the Department's vetting fund, which was used to treat medical conditions of animals entering the shelter. City Manager Green furthered the donations were in response to recent media coverage regarding the importance of the fund and its impact on the lives of homeless animals. City Manager Green concluded Staff recommended City Council accept the

donations and approve an Ordinance authorizing Budget Amendment No. 9 appropriating the funding into the Animal Services vetting fund.

Councilmember Mark Hicks moved to accept the donations and approve the Ordinance as presented. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

**6. LEASE AGREEMENT BETWEEN CITY OF LUFKIN AND THE MUSEUM OF EAST TEXAS – APPROVED.**

City Manager Bruce Green stated the Lease Agreement was between the City of Lufkin and the Museum of East Texas and would amend the existing lease. City Manager Green furthered the City owned the property and buildings on which the Museum of East Texas operated. City Manager Green furthered the proposed lease would clear up a few operational matters and extend the long-term lease. City Manager Green noted the Museum of East Texas was a public purpose and the lease did not include payment for rent. City Manager Green furthered the amended lease clarified responsibility for utilities, internet service, etc. and would otherwise remain as the previous lease with the Museum of East Texas. City Manager Green concluded Staff recommended City Council approve the lease agreement as presented.

Councilmember Mark Hicks moved to approve the lease agreement as presented. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

**7. MODIFICATONS TO AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT AND TAX ABATEMENT AGREEMENT WITH GATTEFOSSÉ USA – APPROVED.**

City Manager Bruce Green stated on December 22, 2020, the Lufkin Economic Development Corporation had announced approval of an economic development incentive offer to Gattefossé USA, a North American affiliate of Gattefossé, a French corporation. City Manager Green furthered on January 19<sup>th</sup>, City Council had approved an Economic Development Incentive and Tax Abatement Agreement with Gattefossé. City Manager Green explained the agreement provided for a capital investment of \$30 million dollars and creation of at least ten (10) new full-time employees with the possibility for up to fifty (50) positions. City Manager Green stated Gattefossé now requested to reduce the capital investment to \$20 million dollars due to the original amount including costs that were not capital qualified, such as salaries, travel, etc. and all other of the provisions of the agreements would remain unchanged. City Manager Green concluded Staff recommended City Council approve the modified Economic Development Incentive Agreement and Tax Abatement Agreement with Gattefossé USA.

Councilmember Mark Hicks moved to approve the agreements as presented. Councilmember Lynn Torres seconded the motion and a unanimous vote to approve was recorded.

**8. TAX ABATEMENT AGREEMENT WITH JEFFERSON ENTERPRISE ENERGY, LLC – APPROVED.**

City Manager Bruce Green stated Jefferson Enterprise Energy, LLC, owner of the Aspen Power Plant on Sellers Street, had applied for a ten-year tax abatement for the plant. City Manager Green furthered the company planned to invest \$150 million dollars for the construction of a pulp mill, improvements to the existing plant as well as construct a sodium chlorate plant. City Manager Green stated the tax abatement agreement provided for a ten-year abatement beginning in 2024 and the agreement had been included in the Council's packet for review. City Manager Green noted the item was withdrawn from the January 19, 2021 Council Agenda in order to hold community meetings regarding the proposed project. City Manager Green concluded Staff recommended City Council approve a Tax Abatement Agreement with Jefferson Enterprise Energy, LLC.

Councilmember Robert Shankle moved to approve the agreement as submitted. Councilmember Mark Hicks seconded the motion and a unanimous vote to approve was recorded.

**9. RAW WATER PURCHASE AGREEMENT WITH BRAHMA SERVICES, II, LLC. – APPROVED.**

City Manager Bruce Green stated the City had been approached about selling water from Kurth Lake for use in the oil and gas industry, specifically to Brahma Services II, LLC. City Manager Green furthered the City of Lufkin owned water rights of 19,000 acre-feet in the Angelina River and storage



rights of 16,200 acre-feet in Kurth Lake. City Manager Green noted the current use of the water was solely for recreational fishing and long-range planning included the reservoir as storage for a surface water treatment system; however, current groundwater availability was sufficient for the foreseeable future. City Manager Green stated there would be no impact on the City's production of treated water. City Manager Green furthered the complete agreement had been included for review in the Council packet. City Manager Green concluded Staff recommended City Council consider approval of a Raw Water Purchase Agreement with Brahma Services, II, LLC.

Councilmember Guessippina Bonner asked the length of the agreement and if it could be terminated by either party. Councilmember Bonner also expressed concern regarding any environmental impact and if there had been discussion about this issue. Discussion ensued.

Councilmember Mark Hicks moved to approve the agreement as submitted. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

**10. FINANCIAL STATUS REPORT**

City Manager Bruce Green reviewed the current financial status report and offered to answer any questions. There were none.

Mayor Bob Brown thanked all the City employees for their hard work during the winter storm of the previous weeks.

There being no further business, Mayor Bob Brown adjourned the meeting at 5:35 p.m.



  
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Bob F. Brown, Mayor

ATTEST:

  
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Kara Andrepont, City Secretary