

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
LUFKIN, TEXAS HELD ON THE 6TH DAY OF JUNE, 2023.**

On the 6th day of June, 2023, 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:

Mark Hicks	Mayor
Robert Shankle	Mayor Pro Tem
Guessippina Bonner	Councilmember, Ward No. 1
Brent Watkins	Councilmember, Ward No. 3
Wes Suiter	Councilmember, Ward No. 4
Rocky Thigpen	Councilmember, Ward No. 5
Adam Lowther	Councilmember, Ward No. 6
Kevin Gee	City Manager
Gerald Williamson	Assistant City Manager
Kara Andrepont	City Secretary
David Thomas	Police Chief
Buddy Cross	Assistant Police Chief
Jesse Moody	Fire Chief
Belinda Melancon	Finance Director
Eddie Aguilar	Engineering Services Director
Scott Rayburn	Planning Director

being present; and

Kristi Skillern	City Attorney
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being absent when the following business was transacted.

INVOCATION – The meeting was opened with prayer by Raymond Vann, Jr.

PUBLIC COMMENT – Mayor Mark Hicks opened the meeting for public comment on any posted agenda item at 5:01 p.m. There being no one who wished to speak; Mayor Hicks closed the public comment period.

CONSENT AGENDA

1. **MINUTES OF THE SPECIAL CALLED MEETING OF MAY 15TH, 2023 - APPROVED.**
2. **AWARD OF BID TO DUPLICHAIR CONTRACTORS, LLC FOR ELECTRICAL EQUIPMENT REPLACEMENT PROJECT AT THE WASTEWATER TREATMENT PLANT PUMP ROOM AND SOLIDS HANDLING BUILDING – APPROVED.**
3. **AWARD OF BID TO DUPLICHAIR CONTRACTORS, LLC FOR ELECTRICAL EQUIPMENT REPLACEMENT PROJECT AT THE WASTEWATER TREATMENT PLANT CHLORINE/BLOWER BUILDING AND THE WATER TREATMENT PLANTS NO. 1 AND 2 – APPROVED.**
4. **AWARD OF BID TO KC PROPERTY MANAGEMENT, LLC FOR REPLACING A SECTION OF A 42” MAIN SEWER TRUNK LINE – APPROVED.**
5. **FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2022 – 2023 OPERATING BUDGET (BUDGET AMENDMENT NO. 11) APPROPRIATING THE FUNDING FOR ARPA PROJECTS – APPROVED.**

Councilmember Robert Shankle moved to approve all items on the Consent Agenda as presented. Councilmember Wes Suiter seconded the motion and a unanimous vote to approve was recorded.

BUSINESS AGENDA

6. OATH OF OFFICE TO INCOMING WARD NO. 5 COUNCILMEMBER.

District Judge Bob Inselmann issued the Oath of Office to Councilmember Rocky Thigpen.

7. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE CHANGING THE ZONING TO LOCAL BUSINESS ON PROPERTY ADDRESSED AS 701 AND 709 MOORE AVENUE – APPROVED.

City Manager Kevin Gee stated the applicant, Austin Holcomb, had requested a zone change from “Residential Medium” to “Local Business” for 701 and 709 Moore Avenue. City Manager Gee furthered the properties were 0.55 acres with 701 Moore Avenue being occupied by a small single-family home and 709 Moore Avenue being undeveloped. City Manager Gee stated the purpose of the zone change was for the owner to have flexibility to develop lots with residential or commercial uses. City Manager Gee highlighted the location of the property and surrounding uses. City Manager Gee furthered Staff found the proposed zone change consistent with the current existing area uses as well as the current “Mixed Use” future land use classification. City Manager Gee stated the request was unanimously recommended for approval by the Planning and Zoning Commission during the meeting of May 8, 2023.

City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider approval on Second Reading of an Ordinance changing the zoning to “Commercial” on 701 and 709 Moore Avenue.

Mayor Hicks opened the Public Hearing at 5:05 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and requested comments from the City Council.

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

8. SECOND READING OF AN ORDINANCE PROVIDING FOR THE SALE OF AN UNUSED, UNIMPROVED PORTION OF RIGHT-OF-WAY (0.248 ACRE NEAR SECOND STREET AND LAUREL AVENUE TO THE ABUTTING PROPERTY OWNER – APPROVED.

City Manager Kevin Gee stated Engineering Services had received a request from Melvin and Silvia Walker to purchase an unused portion of primarily non-improved right-of-way near North Second Street and Laurel Avenue which contained no City utilities. City Manager Gee furthered the property had been determined appropriate for sale and all steps required by Chapter 272 of the Local Government Code had been followed. City Manager Gee stated Staff had requested Council approve the conveyance of a fifty (50)-foot-wide portion of North Second Street (0.248 acres) within the City of Lufkin Addition for the total sum of eight thousand two hundred and eighty dollars (\$8,280). City Manager Gee furthered the price included the appraised value for the right-of-way, the appraisal cost, and the filing fee. City Manager Gee stated per Chapter 272 of the Local Government Code, the abutting property owner was notified and given the opportunity to purchase an equal corresponding section of the non-improved right-of-way.

City Manager Gee concluded Staff recommended City Council approve the Second Reading of an Ordinance providing for the sale of a portion of right-of-way located near North Second Street and Laurel Avenue to Melvin and Silvia Walker.

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

9. FIRST READING OF AN ORDINANCE GRANTING A FRANCHISE AGREEMENT TO CENTERPOINT ENERGY RESOURCES CORPORATION – APPROVED.

City Manager Kevin Gee stated with the enactment of the Public Utility Regulatory Act (PURA) and the Gas Utility Regulatory Act (GURA), cities had original jurisdiction over the utility rates within their city limits; however, actual rate-making authority for gas utility services lies with the Railroad Commission (“RRC”) in Austin, Texas. City Manager Gee stated the City of Lufkin believed it was in the best interests of the citizens to renew its franchise fee agreement with CenterPoint for the

continuation of gas utility services. City Manager Gee furthered in the past the City of Lufkin had challenged every rate increase, along with a group of other cities in Texas, resulting in increased time and expense for the City. City Manager Gee stated the final decision for rate increases and rate-making for gas utility companies was made in Austin and not at the local level. City Manager Gee explained in exchange for a waiver of its jurisdiction to contest rate increases, the City of Lufkin had negotiated a higher franchise percentage of five percent (5%) and would be receiving an additional percentage from miscellaneous fees to enter into a new agreement with CenterPoint. City Manager Gee stated the new percentage from franchise fees as well as other miscellaneous fees would result in increased revenue to the City of an additional \$91,052.47 from the prior agreement. City Manager Gee furthered Staff believed the benefit to the citizens for the increased fees outweighs retaining jurisdiction to contest increases; since, the decision for increases is made in Austin; regardless of whether the City contests the rates or not.

City Manager Gee concluded Staff recommended City Council consider approval on First Reading of an Ordinance granting a franchise fee agreement to CenterPoint Energy, which includes a waiver of jurisdiction, for the transportation, delivery, sale and distribution of natural gas within the City of Lufkin.

Councilmember Wes Suiter asked what the current franchise percentage was for the City of Lufkin. Councilmember Brent Watkins asked if this would be a permanent waiver and if there was a limitation to the amount CenterPoint could increase rates during that time. Councilmember Guessippina Bonner asked if the franchise percentage fee could be increased. City Manager Gee addressed the questions and discussion ensued.

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

10. FIRST READING OF AN ORDINANCE PROVIDING FOR A GENERAL RESIDENTIAL HOMESTEAD EXEMPTION FOR PRIMARY RESIDENCES OF ALL CITIZENS; AND PROVIDING FOR AN AD VALOREM TAX EXEMPTION FOR ALL PERSONS SIXTY-FIVE (65) YEARS OF AGE OR OLDER AND DISABLED PERSONS - APPROVED.

City Manager Kevin Gee stated after much research, Staff had determined that the provision of a residential homestead exemption and an ad valorem tax exemption for all disabled residents and those over the age of sixty-five (65) would be advantageous to our citizens. City Manager Gee furthered the exemption would greatly help to defray the costs of home ownership for our residents. City Manager Gee stated the annual residential homestead exemption was proposed at ten percent (10%) of the homestead's assessed value, with a minimum exemption of five thousand dollars (\$5,000), to all qualified homeowners subject to the City's property tax pursuant to the laws of the State regulating the assessment of ad valorem taxes. City Manager Gee furthered the exemption would be in place for the 2023 tax roll and future rolls unless repealed by City Council. City Manager Gee stated additionally, those residents who were disabled or over the age of sixty-five (65), would also be granted a twenty thousand dollars (\$20,000) exemption.

City Manager Gee concluded Staff recommended City Council approve the First Reading of an Ordinance providing for the homestead exemption for all residents and the ad valorem tax exemption for elderly and disabled residents.

Councilmember Guessippina Bonner asked how long the approved Ordinance would be in effect and if it would be permanent. Discussion ensued.

Councilmember Rocky Thigpen moved to approve the Ordinance as presented. Councilmember Adam Lowther seconded the motion and a unanimous vote to approve was recorded.

There being no further business, Mayor Mark Hicks adjourned the meeting at 5:24 p.m.




Mark Hicks, Mayor

ATTEST:


Kara Andrepont, City Secretary