

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF LUFKIN, TEXAS HELD ON THE 19TH DAY OF APRIL, 2011**

On the 19th day of April, 2011, 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:

Jack Gorden, Jr.
Victor Travis
Robert Shankle
Lynn Torres
Rufus Duncan
Phil Medford
Paul L. Parker
Keith Wright
Bruce Green
Renee Thompson
Rodney Ivy
Scott Marcotte
Gerald Williamson
Danny Kistner
Belinda Southern
Trent Cantrell
Steve Floyd
Steve Poskey
Mike Akridge
Jason Arnold
Barbara Thompson
Jim Wehmeier
Dale Allred
Chuck Walker
Robbin Crawford
Sharon Shaw

Mayor
Councilmember, Ward No. 1
Councilmember, Ward No. 2
Councilmember, Ward No. 3
Councilmember, Ward No. 5
Councilmember, Ward No. 6
City Manager
Deputy City Manager
City Attorney
City Secretary
Human Resource Director
Police Chief
Asst. Police Chief
Fire Chief
Finance Director
Planner
Public Works Director
Street Department, Superintendent
Parks & Leisure Services Director
Parks & Leisure Services Asst. Director
Main Street Director
Economic Development Director
Inspection Services Director
Public Utilities Director
Senior Accountant
Angelina County & Cities Health District

being present, and

Don Langston

Mayor Pro-Tem

being absent, when the following business was transacted:

1. The meeting was opened with prayer by Minister Moses Hall, Jr., Central Church of Christ.
2. Mayor Jack Gorden welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of the Regular Meeting of April 5, 2011, were approved on a motion by Councilmember Lynn Torres, and seconded by Councilmember Robert Shankle. A unanimous affirmative vote was recorded.

OLD BUSINESS:

4. SECOND READING OF AN ORDINANCE DECLARING UNOPPOSED CANDIDATE IN THE MAY 14, 2011, GENERAL CITY ELECTION, ELECTED TO OFFICE; - APPROVED - CANCELING THE ELECTION FOR COUNCILMEMBER WARD NUMBER FIVE (5); PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was the Second Reading of an Ordinance declaring unopposed candidate in the May 14, 2011, General City Election, elected to office; canceling the election for Councilmember Ward Number Five (5); providing a severability clause; and providing an effective date.

Councilmember Lynn Torres moved to approve the Second Reading of the Ordinance declaring unopposed candidate in the May 14, 2011, General City Election, elected to office; canceling the election for Councilmember Ward Number Five (5); providing a severability clause; and providing an effective date. Councilmember Phil Medford seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

5. PRESENTATION FROM SHARON SHAW, ANGELINA COUNTY CITIES HEALTH DISTRICT REGARDING MY-PAC

Mayor Jack Gorden stated that the next item for consideration was a presentation from Sharon Shaw, Angelina County Cities Health District regarding my-PAC.

Sharon Shaw, with the Angelina County Cities Health District then gave a presentation regarding my-PAC. Ms. Shaw furnished the City Council with a my-PAC brochure and a my-PAC facts sheet. Mr. Shaw explained that my-PAC was a school based health center located at Lufkin Middle School. Ms. Shaw added that a school based health center was a safe, easily accessible location on a school campus where students could go for comprehensive, preventative and primary health care services.

Ms. Shaw explained the services provided by my-PAC, gave information regarding my-PAC's history and staff, explained how my-PAC worked, gave the hours of operation, cost, and what needed to be done for my-PAC to be able to continue at Lufkin Independent School District. Ms. Shaw then asked the City Council if they had any questions regarding my-PAC. There was some discussion among the City Council regarding the program and funds needed for my-PAC to continue.

Mayor Gorden asked for questions or comments from the Council and then thanked Ms. Shaw for the job she did at the Local Health District. Mayor Gorden added that the Angelina County Cities Health District was one of the best in the State of Texas.

6. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, - APPROVED - BY CHANGING THE ZONING DESIGNATION OF CERTAIN TRACTS OR PARCELS OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF LUFKIN, TEXAS LOCATED AT THE SOUTHEAST CORNER OF ELLIS AVENUE AND GASLIGHT MEDICAL PARKWAY, ALSO KNOWN AS 1514 ELLIS AVENUE AND BEING A PARCEL MEASURING APPROXIMATELY 1.837 ACRES OF LAND OF THE 0005 BONTON J. A. SURVEY, TRACT 92, ANGELINA COUNTY FROM AN "APARTMENT" ZONING DISTRICT TO A "LOCAL BUSINESS" ZONING DISTRICT AND AUTHORIZING THE CITY PLANNER TO MAKE SUCH CHANGES ON THE OFFICIAL MAP

Mayor Jack Gorden stated that the next item for consideration was a Public Hearing and First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning designation of certain tracts or parcels of land within the corporate limits of the City of Lufkin, Texas located at the southeast corner of Ellis Avenue and Gaslight Medical Parkway, also known as 1514 Ellis Avenue and being a parcel measuring approximately 1.837 acres of land of the 0005 Bonton J. A. Survey, Tract 92, Angelina County from an "Apartment" Zoning District to a "Local Business" Zoning District and authorizing the City Planner to make such changes on the Official Map.

City Manager Paul Parker stated that the owners, Angelina Surgical Properties, LLC, through its agent Jean Hester, was requesting a zone change from "Apartment" to a zoning classification of "Local Business" on property located on the southeast corner of Ellis Avenue and Gaslight Medical Parkway, commonly known as 1514 Ellis Avenue. City Manager Parker stated that it was a former assisted living facility, which had since been removed. City Manager Parker added that the current owners planned to utilize the property for clinic purposes and doctor's offices. City Manager Parker stated that the properties in the area were a mixture of usages from residential to office to commercial. City Manager Parker added that the Lufkin Comprehensive Plan Future Land Use Map recommended "Office" uses for the property, as well as the property to the east and south. City Manager Parker stated that based on the location in an area that had a multitude of professional uses and medical uses, and its proximity to several major arterial roads, the Planning and Zoning Commission and Planning Staff recommended approval of the zone change.

Mayor Gorden opened the Public Hearing at 5:29 p.m. and asked anyone who wished to speak on the item to please step forward. There appearing to be no one who wished to speak, Mayor Gorden closed the Public Hearing at 5:30 p.m.

Mayor Gorden asked for questions or comments from the Council. There were none.

Councilmember Rufus Duncan moved to approve the First Reading of the Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning designation of certain tracts or parcels of land within the corporate limits of the City of

Lufkin, Texas located at the southeast corner of Ellis Avenue and Gaslight Medical Parkway, also known as 1514 Ellis Avenue and being a parcel measuring approximately 1.837 acres of land of the 0005 Bonton J. A. Survey, Tract 92, Angelina County from an “Apartment” Zoning District to a “Local Business” Zoning District and authorizing the City Planner to make such changes on the Official Map. Councilmember Victor Travis seconded the motion. A unanimous affirmative vote was recorded.

7. ACCEPTANCE OF A DONATION FROM THE LUFKIN YOUTH SOFTBALL ASSOCIATION (LYSA) – ACCEPTED - IN THE AMOUNT OF FOURTEEN THOUSAND SIX HUNDRED FIFTY-FIVE DOLLARS (\$14,655) FOR IMPROVEMENTS AT MORRIS FRANK PARK SOFTBALL COMPLEX AND TO APPROVE A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2010/2011 OPERATING BUDGET (BUDGET AMENDMENT NO. 28), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE SPECIAL RECREATION FUND; AND PROVIDING AN EFFECTIVE DATE.

Mayor Jack Gorden stated that the next item for consideration was the acceptance of a donation from the Lufkin Youth Softball Association (LYSA) in the amount of fourteen thousand six hundred fifty-five dollars (\$14,655) for improvements at Morris Frank Park Softball Complex and to approve a Resolution authorizing an amendment to the 2010/2011 Operating Budget (Budget Amendment No. 28), providing for the supplemental appropriation of funds in the Special Recreation Fund; and providing an effective date.

City Manager Paul Parker stated that the Lufkin Youth Softball Association (LYSA) dissolved their 501C 3 status and ceased operations at Morris Frank Park Softball facility. City Manager Parker explained that the responsibility for the softball league was now handled by the City of Lufkin Parks and Recreation Department. City Manager Parker stated that whenever LYSA had the 501C 3 status they had a bank balance of fourteen thousand six hundred fifty-five dollars (\$14,655). City Manager Parker explained that since the league was no longer in existence they were donating the funds to the City of Lufkin for use, with the stipulation that the money be used for improvements to the girls’ softball program. City Manager Parker stated that Staff was requesting that the Council accept the donation of fourteen thousand six hundred fifty-five dollars (\$14,655) from the Lufkin Youth Softball Association (LYSA) for improvements to the Morris Frank Softball Complex and furthermore approve the expenditures of these funds for signage, irrigation, landscaping and new sod.

Mayor Gorden asked for questions or comments from the Council. There were none.

Councilmember Lynn Torres moved to accept a donation from the Lufkin Youth Softball Association (LYSA) in the amount of fourteen thousand six hundred fifty-five dollars (\$14,655) for improvements at Morris Frank Park Softball Complex and to approve a Resolution authorizing an amendment to the 2010/2011 Operating Budget (Budget Amendment No. 28), providing for the supplemental appropriation of funds in the Special Recreation Fund; and providing an effective date. Councilmember Robert Shankle seconded the motion. A unanimous affirmative vote was recorded.

8. REVISED AGREEMENT - APPROVED - BETWEEN THE CITY OF LUFKIN AND THE LUFKIN YOUTH BASEBALL ASSOCIATION (LYBA)

Mayor Jack Gorden stated that the next item for consideration was a Revised Agreement between the City of Lufkin and the Lufkin Youth Baseball Association (LYBA).

City Manager Paul Parker stated that on March 22, 2011, the City of Lufkin discussed the high electrical usage associated with the Morris Frank Park Baseball Field Complex. City Manager Parker added that at that time the City was under the impression that the entire operation was related to Youth Baseball. City Manager Parker stated that after meeting with Oncor Electric and City Staff, and by doing further detailed diligence, it was determined that the High School Baseball Complex, as well as the parking lot, was intermingled in the electrical usage. City Manager Parker explained that since neither was metered there was no way to determine the actual usage of the Youth Baseball versus the High School Baseball versus the parking lot.

City Manager Parker stated that City Staff had recently met with the Lufkin Youth Baseball Association (LYBA) on more than one (1) occasion to try to find ways to minimize the electrical usage. City Manager Parker added that among the decisions that were made were to meter the High School Baseball Field and repair a key switch to the parking lot lights so that the parking lots would not be continuously lit. City Manager Parker stated that another discovery was that electrical costs were very high in December, January and February of each year when there was no usage. City Manager Parker explained that the reason was that the City was paying a high demand meter charge, because all of the lights were being turned on at one (1) time. City Manager Parker added that this caused a peak electrical demand and the City was actually paying for the peak demand. City Manager Parker stated that the City was installing some controls to assist in preventing that problem, now that it has been brought to the attention of the City and LYBA. City Manager Parker added that LYBA was very diligently working on having fields turned on one (1) at a time and as needed. City Manager Parker stated that this would help prevent a spike in the electrical usage.

City Manager Parker stated that included in the packet was a letter from the LYBA that explained that they were making a very conscious effort to assist the City in that area, as well as several other areas that they could do. City Manager Parker stated that a better working relationship had been established between the City and the Lufkin Youth Baseball Association, and that more open communication was a result of the meetings. City Manager Parker stated that the City wanted to assist the LYBA to find ways that the two (2) could work closer together. City Manager Parker stated that the Council had asked if a control could be installed at the complex that was similar to the one (1) being used at Kit McConnico Park. City Manager Parker explained that the controls enabled the lights to be operated electronically from an individual's computer or cell phone. City Manager Parker added that this was feasible, and that staff had gotten a quote for the installation in the amount of sixteen thousand dollars (\$16,000). City Manager Parker explained that the funds were not currently in the budget, but the system could be installed if the City Council so desired. City Manager Parker added that a Budget Amendment would have to be brought back to the Council at a later date if the Council chose to have the system installed. City Manager Parker concluded that the recommendation to the City Council was that the twenty thousand dollar (\$20,000) electrical usage ceiling, which was in the previous Park Usage Agreement with the Lufkin

Youth Baseball Association, would be eliminated, with the stipulation that the City of Lufkin continued to work with the LYBA. City Manager Parker added that the LYBA had shown good faith efforts to work with the City to minimize the electrical costs.

City Manager Parker stated that whenever the City and the Lufkin Independent School district did the original land swap years ago the agreement was that the High School would pay the electrical cost on the High School Boys Baseball Field and the two (2) Softball Complexes at Morris Frank Park, along with water and other utilities for the months of February, March, April and May each year. City Manager Parker added that the City of Lufkin would pay for the electrical cost for the balance of the year. City Manager Parker stated that during the coming year, once the meters were in place, the City would bill for the actual usage. City Manager Parker explained that because the City of Lufkin had a three thousand dollar (\$3,000) standing arrangement with the LISD, the school would be responsible for three thousand dollars (\$3,000) for the current year and would be billed by the City in that manner. City Manager Parker reiterated that LISD would be billed on actual usage during the coming year. City Manager Parker stated that he would answer any questions that the Council had regarding the item, and that the major change in the agreement was eliminating the twenty thousand dollar (\$20,000) limit.

Mayor Jack Gorden then recognized that Lufkin Youth Baseball Association representatives Judy Maddux, W. A. Dempsey and Keith Jones were present at the meeting and thanked them for working with the City of Lufkin and its staff to remedy the electrical concerns. Mayor Gorden added that it sounded like all parties worked together to resolve the situation and to save money to keep the youth playing baseball. Mr. W. A. Dempsey then thanked Mayor, Council and City Manager for their assistance and for working with the Lufkin Youth Baseball Association. Mr. Dempsey added that working with Parks and Recreation Director Mike Akridge would be a pleasure. Mayor Gorden stated that LYBA had a long history in the City of Lufkin of creating quality baseball, and thanked them for the volunteer time they put into the program. Mayor Gorden asked for questions or comments from the Council. There were none.

Councilmember Phil Medford moved to approve the Revised Agreement between the City of Lufkin and the Lufkin Youth Baseball Association (LYBA). Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

9. RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE, FILE AND PROSECUTE WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AN APPLICATION FOR AMENDMENT TO CERTIFICATE OF ADJUDICATION NO. 06-4393 - APPROVED - TO ADD MUNICIPAL AND MINING USES AS AUTHORIZED PURPOSES AND SPECIFY THE PLACE OF USE OF THE MUNICIPAL, INDUSTRIAL AND MINING WATER

Mayor Jack Gorden stated that the next item for consideration was a Resolution authorizing the City Manager to prepare, file and prosecute with the Texas Commission on Environmental Quality an application for amendment to Certificate of Adjudication No. 06-4393 to add Municipal and Mining Uses as authorized purposes and specify the place of use of the Municipal, Industrial and Mining Water.

City Manager Paul Parker stated that the City of Lufkin had recently entered into an agreement with the Angelina-Neches River Authority (ANRA) to market part of the City's water at Kurth Lake. City Manager Parker added that the City of Lufkin had negotiated that "Industrial Use" could be changed to "Municipal Use" at Kurth Lake when the City settled with other cities on the Sam Rayburn water rights. City Manager Parker explained that whenever the City of Lufkin purchased Kurth Lake the water rights were for "Industrial Use", under the Texas Law. City Manager Parker stated that the City of Lufkin had an agreement in place that no one would protest the "Municipal Use", and that the City also wanted to add "Mining Use", because a lot of the market for the water would be related to fracking operations of wells, which was classified as a "Mining Use". City Manager Parker stated that this would give the City Manager Paul Parker the right to apply, on behalf of the City of Lufkin, for the amendment to the Certificate of Adjudication.

Mayor Gorden asked for questions or comments from the Council. There were none.

Councilmember Phil Medford moved to approve the Resolution authorizing the City Manager to prepare, file and prosecute with the Texas Commission on Environmental Quality an application for amendment to Certificate of Adjudication No. 06-4393 to add Municipal and Mining Uses as authorized purposes and specify the place of use of the Municipal, Industrial and Mining Water. Councilmember Rufus Duncan seconded the motion. A unanimous affirmative vote was recorded.

10. PURCHASE OF THIRTEEN (13) PANASONIC TOUGHBOOK LAPTOPS, THIRTEEN (13) PANASONIC ARBITRATORS, ASSOCIATED MAINTENANCE, INSTALLATION, HARDWARE, SOFTWARE, WARRANTY OF EQUIPMENT AND THE COST TO UPGRADE THE REMAINING PATROL FLEET TO THE LATEST ARBITRATOR VERSION – APPROVED - IN THE AMOUNT OF ONE HUNDRED FIFTY-TWO THOUSAND SEVEN HUNDRED THREE DOLLARS AND FORTY-TWO CENTS (\$152,703.42) FROM THE STATE DEPARTMENT OF INFORMATION RESOURCES (DIR)

Mayor Jack Gorden stated that the next item for consideration was the purchase of thirteen (13) Panasonic Toughbook Laptops, thirteen (13) Panasonic Arbitrators, associated maintenance, installation, hardware, software, warranty of equipment and the cost to upgrade the remaining patrol fleet to the latest Arbitrator version in the amount of one hundred fifty-two thousand seven hundred three dollars and forty-two cents (\$152,703.42) from the State Department of Information Resources (DIR).

City Manager Paul Parker stated that at the last City Council Meeting the City purchased the thirteen (13) patrol Tahoe units and discussed the fact that the units would have to be outfitted with Toughbooks and new Arbitrator Systems. City Manager Parker added that the majority of the cost in the item was related to the thirteen (13) new patrol cars, but the software would not be supported on the arbitrators in all of the other units. City Manager Parker explained that this would mean that the City would have to upgrade to the newest version of the arbitrators.

City Manager Parker stated that the arbitrators did the communication filming of all citizen contacts and of the lapel mikes, and it was important that the City of Lufkin had them for a

lot of different reasons. City Manager Parker explained that the City of Lufkin was mandated to report on profiling, but the arbitrators were primarily used to show that City of Lufkin Police Officers acted appropriately whenever complaints were received by the City that an officer was abusive. City Manager Parker stated that whenever people realized that incidents were being filmed and that there were microphones being used; many problems were solved related to those types of complaints. City Manager Parker added that the recording system was used for many types of situations, such as documenting arrests.

City Manager Parker stated that Staff recommended that the Council authorize the purchase of equipment necessary for the new units and upgrade of the arbitrators in the amount of one hundred fifty-two thousand seven hundred three dollars and forty-two cents (\$152,703.42) from the State Department of Information Resources (DIR). City Manager Parker added that the DIR was similar to the BuyBoard, or state bid process.

Mayor Gorden asked for questions or comments from the Council. There were none.

Councilmember Lynn Torres moved to approve the purchase of thirteen (13) Panasonic Toughbook Laptops, thirteen (13) Panasonic Arbitrators, associated maintenance, installation, hardware, software, warranty of equipment and the cost to upgrade the remaining patrol fleet to the latest Arbitrator version in the amount of one hundred fifty-two thousand seven hundred three dollars and forty-two cents (\$152,703.42) from the State Department of Information Resources (DIR). Councilmember Robert Shankle seconded the motion. A unanimous affirmative vote was recorded.

11. CITY MANAGER'S REPORT

Mayor Jack Gorden stated that the next item for consideration was a report from City Manager Paul Parker.

City Manager Paul Parker stated that the General Fund revenue and expenditures were at the mid-year point in the budget cycle. City Manager Parker added that the budget process for the coming year would begin in May. City Manager Parker stated that the City's Sales Tax reflected five (5) months in the budget cycle, and that the City was above the projected budgeted amount. City Manager Parker added that revenues for the City of Lufkin were looking good at the present time. City Manager Parker stated that the City had collected ninety-one percent (91%) of the Ad Valorem Tax, which was on target for the year. City Manager Parker added that the majority of the taxes came in during the first six (6) months. City Manager Parker stated that expenditures were in line with the budget projections. City Manager Parker added that with fifty percent (50%) of the year gone he wanted the Council to note how close the expenditures were to the budget projections. City Manager Parker explained that Staff had really tightened down on the budget during the last few years. City Manager Parker stated that the City used to have more and more carried over, but now the City now was closer each year to the budget projections. City Manager Parker explained that Department Heads were turning in very tight budgets. City Manager Parker stated that one (1) area that would be a problem at mid-year would be the budget for fuel. City Manager Parker explained that Staff had budgeted fuel at two dollars and sixty-five cents (\$2.65) during the previous year, and fuel was approximately three dollars and ten cents (\$3.10) at the present time. City Manager Parker stated that the fuel farms had been very successful for the City, but fuel had gone up in price quicker and higher than was anticipated. City Manager Parker stated that he would answer any questions that the Council had regarding

the Financial Status Report. City Manager Parker stated that he would highlight the major funds for the City of Lufkin. City Manager Parker stated that Water and Sewer Revenues appeared to be below projections, but three (3) weeks of each year cycle ran into the coming year. City Manager Parker added that the City sold most of its water during the summer months. City Manager Parker stated that water usage was running well above normal at the present time, due to the drought. City Manager Parker stated that the City could actually use rain at the present time, because even though the City was in the business of selling water, the City was also in the business of fighting fires. City Manager Parker concluded that the City was in good shape in the revenue area and that the expenditures were close to the fifty percent (50%) mark in other categories. City Manager Parker stated that he also wanted to highlight the Solid Waste Fund. City Manager Parker stated that due to the three (3) week delay in billing, the Solid Waste Fund appeared to be on course for the year. City Manager Parker added that the Council had the remaining accounts information in their packets and that he would answer any questions that the Council had regarding the Financial Status Report.

City Manager Parker stated that there were a few projects to highlight to the Council. City Manager Parker added that the City was getting very close to the final design on the Civic Center that was to be submitted to the State. City Manager Parker stated that hopefully within the next week the designs would be complete and could be submitted to the State for final approval. City Manager Parker reminded the Council that this was a joint City/County Project. City Manager Parker added that the funding went through the County, and that the County had recently awarded a contract to Langston Construction for the parking lot improvements, and that the project should begin soon. City Manager Parker stated that the City was continuing with plans for the Fuller Springs Project. City Manager Parker added that the pre-construction conference was held earlier in the week. City Manager Parker explained that the impetus of that program was trying to get the portion in front of the school completed during the summer. City Manager Parker stated that City Engineer/Public Utility Director Chuck Walker had been working with the contractor to complete a portion of the project, so that a second entrance could be constructed without interfering with all of the traffic. City Manager Parker stated that the project would be a very difficult job, due to having to deal with a lot of traffic, but once the project was complete it would be a nice. City Manager Parker stated that the Sayers Street Project was going well and that the Zoo Circle Project was basically complete. City Manager Parker added that Staff was proceeding with numerous other projects at the current time. City Manager Parker stated that he would answer any questions that the Council had regarding the Project Status Report.

City Manager Parker stated that the last item in the City Manager Report that he wanted to highlight was the Redistricting Report. City Manager Parker stated that he, City Attorney Bruce Green and City Planning Director Dorothy Wilson attended a conference on redistricting. City Manager Parker added that most cities and counties were contracting out their redistricting. City Manager Parker stated that the City of Lufkin Staff felt confident that it could be done “in house”, with the proper software. City Manager Parker added that a five thousand dollar (\$5,000) investment in software would give the City’s internal staff the capability to do the redistricting. City Manager Parker explained that by using internal staff the City would have more of a feel of the real needs of the community and the City. City Manager Parker stated that he wanted to highlight several items regarding the redistricting, and the strategy that would be used. City Manager Parker stated that the Council had a list before them giving the breakdown of the wards by population, race and voting age. City Manager Parker added that the largest ward was Councilmember Don Langston’s Ward Four (4). City Manager Parker explained that the ideal ward would have approximately five thousand eight hundred forty-four (5,844) people in it. City Manager Parker added that this would be determined by dividing the population of

Lufkin by six (6). City Manager Parker stated that each ward would not match that ideal number. City Manager Parker explained that the City could have a ten percent (10%) variance regarding the number of people in each ward. City Manager Parker added that Staff would work to get much closer than the variance allowed. City Manager Parker stated that there were six thousand one hundred sixty-one (6,161) people in Councilmember Lynn Torres' Ward Three (3). City Manager Parker stated that this was above the guideline of five thousand eight hundred forty-four (5,844) people. City Manager Parker furthered that there were seven thousand seventy-seven (7,077) people in Councilmember Don Langston's Ward Four (4), and that it was well above the guideline. City Manager Parker added that those wards would have to be reduced in size slightly. City Manager Parker stated that five thousand six hundred thirty-two (5,632) people were in Councilmember Robert Shankle's Ward Two (2), and that this was close to the population guideline. City Manager Parker added that Councilmember Rufus Duncan's Ward Five (5) was also close, and would need very little shifting. City Manager Parker stated that Councilmember Victor Travis' Ward One (1) would need the most adjustments as it was below the population guidelines by the largest margin. City Manager Parker stated that none of the wards had huge discrepancies when compared to the population guidelines, and that the redistricting could be done with minimum impact to the neighborhoods. City Manager Parker explained that the Department of Justice had to give the final approval of the City of Lufkin's Wards. City Manager Parker added that there were several items that the City should be cautious of. City Manager Parker stated that Ward One (1), by a previous court case, had to be a minority ward, and that to constitute a minority ward, there had to be a reasonable expectation that a minority could be elected. City Manager Parker stated that the reasonable expectation had been generally looked at as well above fifty percent (50%), due to voting patterns of Anglos versus African Americans and Hispanics. City Manager Parker added that traditionally Anglos had a higher vote. City Manager Parker explained that to be a minority ward, the ward could not be just 50.1%. City Manager Parker stated that the percentage would have to be closer to a sixty percent (60%) makeup to insure a reasonable expectation that a minority could be elected. City Manager Parker stated that when looking at other numbers regarding African Americans and Hispanics, which were the primary minority races within the City of Lufkin, it could be seen that there were very heavy populations of minorities in Wards One (1), Two (2) and Three (3). City Manager Parker added that the other wards had a significant number of minorities in them also. City Manager Parker stated that another criteria that the Department of Justice looked at regarding the redistricting process was what was constituted as the neighborhoods. City Manager Parker explained that neighborhoods should not be broken up during the redistricting process, even though they might not have all of the the same ethnicity. City Manager Parker stated that the neighborhoods might be of the same voting makeup, economic structure and social structure, and that all of those factors had to come into play. City Manager Parker stated that the locations of the homes of all of the existing Council Members, and all of the candidates for the Councilmember Ward Six (6) position, were shown on the map given to the City Council. City Manager Parker stated that several of the Ward Six (6) candidates were located on the fringe of that ward. City Manager Parker stated that this could cause some dilemma during the redistricting process. City Manager Parker added that the goal of the City going into the process was to maintain the Council Members in their own wards. City Manager Parker stated that these were not all, but were several of the factors going into the redistricting process. City Manager Parker stated that Staff had been researching software and felt that the City had identified the best software that would break down the extensive information. City Manager Parker stated that all of the existing lots had to be tied to the existing boundaries, and then any proposed map changes would be done. City Manager Parker stated that Staff was recommending that a citizen committee be appointed to assist Staff in creating option maps for the City Council. City Manager Parker added that the ultimate authority would lie with the City Council, and that all

Staff would only make recommendations. City Manager Parker stated that the City wanted more people that were involved and had the same general consensus. City Manager Parker explained that the City was striving to make sure that there was equal representation throughout the community. City Manager Parker stated that the next item would be for Staff to bring a Resolution to the Council outlining a tentative time table and authorization to begin the process. City Manager Parker stated that he, City Attorney Green and City Planning Director Wilson wanted to have the process completed and submitted to the Department of Justice by the end of the fiscal year. City Manager Parker added that this might be a little ambitious, but that the Department of Justice might take three (3) to four (4) months to give their approval. City Manager Parker explained that the Department of Justice had several states and several cities to handle at the same time. City Manager Parker stated that the City of Lufkin had to have the Department of Justice approval by ninety (90) days prior to the next election. City Manager Parker added that the City would have to back up ninety (90) days from May 2012, so that the redistricting could go into effect before the election for the City. City Manager Parker stated that if the City sent the submission by October 2011, and received it back by January 2012, the City would be ready for candidates to declare their candidacy and file for candidacy in the next City election. City Manager Parker explained that this would allow a citizen to know if they lived in the ward that they were filing to be a candidate of for the Councilmember position. City Manager Parker stated that Staff was asking the Council to begin thinking about individuals and names for the advisory group to work with the City Staff.

Mayor Gorden asked City Manager Parker how many people that he recommended to be on the advisory committee. City Manager Parker stated that he would leave that decision to the City Council, but would not make it too large. City Manager Parker added that he thought that the Council would want to make it more representative of the citizens, rather than large. City Manager Parker stated that there were certain groups that should automatically have a seat at the table. City Manager Parker added that obviously the Hispanic race and African American race would have to be represented. City Manager Parker stated that it was also the option of the Council whether they wanted one (1) or two (2) Council Members on the committee. City Manager Parker stated that obviously the City Staff would be doing most of the computer related work. City Manager Parker added that if the process worked correctly, and was set up correctly, then the software would calculate areas as it went. City Manager Parker explained that maps could be manipulated to get the breakdowns needed. City Manager Parker stated that the process would be a challenge, but there would be massive shifts needed. City Manager Parker then explained some ways the boundaries of the wards could be shifted. City Manager Parker stated that Staff was bringing the report to give the City Council time to begin thinking about the process.

City Attorney Bruce Green stated that from a legal perspective there were four (4) things that had to be done. City Attorney Green added that the actual law that governed the redistricting was the United States Constitution, Federal Statutes, State Statutes and a United States Supreme Court case called "Shaw versus Reno". City Attorney Green stated that it addressed the question concerning "one person, one vote". City Attorney explained that as the numbers were looked at the City just needed to make sure that the "one person, one vote" was retained. City Attorney Green stated that there was also a presumption in favor of incumbency in the various wards. City Attorney Green added that the City would be considering all of those things, and as the City Manager indicated, there was a pretty ambitious timeline set, but that Staff felt that it was a timeline that could be accomplished, because it was being done "in house". City Attorney Green added that Staff anticipated being efficient with the process, and would be successful in getting the submission in to the Department of Justice.

Mayor Gorden asked if the Council would be proceeding with the process at the next Council Meeting. City Manager Parker stated that this was the plan, and that Staff would be asking for direction on the number of people, or names of people that should serve on the Redistricting Review Committee. City Manager Parker added that Staff would place the appointment of a standing committee, along with a Resolution, on the next Council agenda. Mayor Gorden stated that the City had historically used an outside consulting company to do the redistricting process, and appreciated the fact that the City Staff was willing to take it on. Mayor Gorden then asked the Council if they had any other thoughts or suggestions on the matter. There were none.

12. PRESENTATION BY PUBLIC WORKS DIRECTOR STEVE FLOYD REGARDING SOLID WASTE, RECYCLING AND FLEET MAINTENANCE DEPARTMENTS

Mayor Jack Gorden stated that the next item for consideration was a presentation by Public Works Director Steve Floyd regarding Solid Waste, Recycling and Fleet Maintenance Departments. Mayor Gorden added that City Manager Parker had started the City Council on a path of hearing reports on the major areas of the City and that it had been very enlightening.

Director of Public Works Steve Floyd stated that he was coming to the Council that night as Director of Solid Waste, Recycling and Fleet Maintenance. Mr. Floyd then thanked Deputy City Manager Keith Wright, City Manager Paul Parker and the Mayor and Council for the opportunity to update the Council on some programs of a few of the departments in the City of Lufkin. Mr. Floyd explained that he would be updating the Council on some of the programs discussed at the City Budget Workshop of 2007.

Mr. Floyd stated that the programs were: Residential Recycling, Residential Cart Upgrade, Commercial Dumpsters, Special Collection Work Orders, the "Litter Critter" Residential Dumpster Program, the Litter Ordinance, the "Purple Pride" Campaign, Fleet Maintenance activity, and some special events.

Mr. Floyd then gave an update on the Fleet Maintenance Department. Mr. Floyd gave information regarding personnel, update of equipment, and "in house" repairs. Mr. Floyd explained that he had been involved in Fleet Maintenance, in one (1) way or another, during the twenty-five (25) years that he had been employed in municipal service. Mr. Floyd complimented the City of Lufkin on the Vehicle and Equipment Amortization Fund, and added that it was one (1) of the best programs that he had ever seen. Mr. Floyd added that the City of Lufkin was now realizing the effects of the program. Mr. Floyd explained the process that was followed by utilizing the Amortization Fund. Mr. Floyd stated that another beneficial project was the installation of the City owned fueling facility. Mr. Floyd gave information regarding the facility, and explained the benefits it.

Mr. Floyd stated that most people did not think much about the services provided by the Solid Waste Department. Mr. Floyd added that people put their carts out before they left for work, came home that afternoon, the cart would be empty and they rolled it back into the garage. Mr. Floyd explained that if Solid Waste did not do their job it wouldn't take long to show up. Mr. Floyd gave statistics regarding Solid Waste's number of customers, number of tons of garbage collected per week, number of trucks that were collecting solid waste, residential recycling and commercial dumpsters. Mr. Floyd gave information concerning the routes of the Solid Waste trucks and rates. Mr. Floyd explained the programs utilized by the Solid Waste Department such

as the Commercial Dumpster Program, “Go Green, Get Blue” Campaign, the Residential Cart Upgrade Program, the “Purple Pride” Campaign, Special Collections, the Work Order System and the “Litter Critter” Residential Dumpster Program. Mr. Floyd stated that several special events were hosted each year by the Solid Waste and Recycling Departments, such as the “Tire Day, the “E Waste or Electronic Waste Day” and the “Annual Household Hazardous Waste Collection Day”. Mr. Floyd stated that it was important to continue to host and participate in the special events. Mr. Floyd added that by doing this, it helped debris from being dumped illegally and that the programs were very good and that he hoped that the City would continue to keep them going. Mr. Floyd stated that this concluded his presentation. Mr. Floyd thanked the City for allowing him to be a part of the City of Lufkin, and that he enjoyed what he did. Mr. Floyd added that he appreciated the support he received from Deputy City Manager Keith Wright, City Manager Paul Parker and the City Council. Mr. Floyd stated that many programs and projects had been accomplished, but that not one (1) of them had been done by he alone. Mr. Floyd stated that he had very good staff in all of the departments that he oversaw. Mr. Floyd stated that he would answer any questions that the Council had regarding his report.

13. Mayor Jack Gorden stated that there was no need for an Executive Session that evening.

14. DISCUSSION OF ITEMS OF COMMUNITY INTEREST, INCLUDING EXPRESSIONS OF THANKS, CONGRATULATIONS OR CONDOLENCE; INFORMATION REGARDING HOLIDAY SCHEDULES; HONORARY RECOGNITIONS OF CITY OFFICIALS, EMPLOYEES OR OTHER CITIZENS; REMINDERS ABOUT UPCOMING EVENTS SPONSORED BY THE CITY OR OTHER ENTITY THAT IS SCHEDULED TO BE ATTENDED BY CITY OFFICIALS OR EMPLOYEES; AND ANNOUNCEMENTS INVOLVING IMMINENT THREATS TO THE PUBLIC HEALTH AND SAFETY OF THE CITY

Mayor Gorden stated that the next item for consideration was the discussion of items of community interest, including expressions of thanks, congratulations or condolence; information regarding holiday schedules; honorary recognitions of City officials, employees or other citizens; reminders about upcoming events sponsored by the City or other entity that is scheduled to be attended by City officials or employees; and announcements involving imminent threats to the public health and safety of the City.

City Manager Paul Parker stated that there would be a Firemen’s Pension Board Meeting on Thursday, April 21, 2011, at 9:00 a.m. at the Lufkin City Hall, Room 102. City Manager Parker added that there would also be a meeting of the Lufkin Convention and Visitors Bureau on Thursday, April 21, 2011, at 3:00 p.m. at the Chamber of Commerce. City Manager Parker stated that the City of Lufkin offices would be closed on Friday, April 22, 2011, for “Good Friday”. City Manager Parker added that the Angelina County Benefit Rodeo would take place on Wednesday, April 27 through Saturday, April 30, 2011 at the George H. Henderson, Jr. Exposition Center. City Manager Parker stated that there would be a TML Region XVI Meeting in Nacogdoches on Thursday, April 28, 2011, if any of the Council were interested in attending. City Manager Parker added that event began at 6:30 p.m., with the dinner following at 7:00 p.m. and then the meeting. City Manager Parker stated that the remainder of the items were routine meetings and were on the calendar. City Manager Parker stated that the Annual Expo Party would be held on Wednesday, May 11, 2011.

Mayor Gorden then thanked the people that put on the “Zoo Brew” that took place on Saturday and also thanked Barbara Thompson for her hard work on the “Downtown Hoedown”, and added that it was another great and successful event.

15. There being no further business for consideration, the meeting adjourned at 6:24 p.m.

Jack Gorden, Mayor

Renee Thompson – City Secretary