MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 21ST DAY OF JULY, 2009

On the 21st day of July, 2009, 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.	Mayor
Don Langston	Mayor Pro-Tem
R. L. Kuykendall	Councilmember, Ward No. 1
Robert Shankle	Councilmember, Ward No. 2
Rufus Duncan	Councilmember, Ward No. 5
Phil Medford	Councilmember, Ward No. 6
Paul L. Parker	City Manager
Keith Wright	Deputy City Manager
Robert Flournoy	City Attorney
Renee Thompson	City Secretary
Rodney Ivy	Human Resource Director
Scott Marcotte	Asst. Police Chief
Duane Freeman	Interim Fire Chief
Doug Wood	Finance Director
Dorothy Wilson	Planning Director
Steve Floyd	Public Works Director
Barbara Thompson	Main Street Director
Jim Wehmeier	Economic Development Director
Dale Allred	Inspection Services Director
Chuck Walker	Public Utilities Director

being present, and

Lynn Torres	Councilmember, Ward No. 3

being absent, when the following business was transacted:

1. The meeting was opened with prayer by Pastor Nick Sholars, First United Methodist Church.

2. Mayor Jack Gorden welcomed visitors present.

3. **APPROVAL OF MINUTES**

   Minutes of the Regular Meeting of July 7, 2009, were approved on a motion by Councilmember Rufus Duncan, and seconded by Councilmember Don Langston. A unanimous affirmative vote was recorded.

OLD BUSINESS:

4. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF LUFKIN, TEXAS, - APPROVED - AND EXTENDING THE BOUNDARIES OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY**

   Mayor Jack Gorden stated that the next item for consideration was a Public Hearing and Second Reading of an Ordinance annexing the hereinafter described territory to the City of Lufkin, Texas, and extending the boundaries of said City so as to include said hereinafter described property within the City limits, and granting to said territory and to all future inhabitants of said property all of the rights and privileges of other citizens and binding said future inhabitants by all of the acts and Ordinances of the said City.

City Manager Paul Parker stated that there had been a First Reading of the Ordinance at the July 7, 2009, Council Meeting. City Manager Parker added that the proposed property was a little over forty-one (41) acres that the applicant was requesting to be annexed by the City of Lufkin in order to get City services. City Manager Parker stated that the Staff and the Planning and Zoning Commission both recommended that the Council approve the Ordinance annexing the property.

Mayor Gorden opened the Public Hearing 5:04 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 5:05 p.m.

Mayor Gorden asked for questions or comments from the Council. Mayor Gorden added that he had spoken with the applicant and that he intended to put in a really nice RV park on the property. Mayor Gorden stated that the RV park would be a welcome addition to the Lufkin community.

Councilmember Don Langston moved to approve the Second Reading of the Ordinance annexing the hereinafter described territory to the City of Lufkin, Texas, and extending the boundaries of said City so as to include said hereinafter described property within the City limits, and granting to said territory and to all future inhabitants of said property all of the rights and privileges of other citizens and binding said future inhabitants by all of the acts and Ordinances of the said City. Councilmember Robert Shankle seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

5. PRESENTATION BY J. P. MCDONALD CONCERNING THE MUSEUM OF EAST TEXAS

Mayor Jack Gorden stated that the next item for consideration was a presentation by J. P. McDonald concerning the Museum of East Texas.

City Manager Paul Parker stated that during the Budget Retreat the City Council had requested that several of the entities make presentations to the Council concerning the money that they received from the Hotel/Motel Tax Fund. City Manager Parker added that two (2) of the entities would make presentations during the Council Meeting, and that the earlier comment also applied for the presentation that would later be made by Mr. Malcolm Deason concerning the Texas Forestry Museum.

Museum of East Texas Director J. P. McDonald stated that on behalf of President Becka Chance and the Board of Trustees she wanted to thank the Council for their belief in and support of the Museum of East Texas. Ms. McDonald added that the Museum was requesting seven percent (7%) of the Hotel/Motel Tax Revenue, not to exceed fifty-six thousand dollars ($56,000) per year.

Ms. McDonald stated that it had been an interesting year. Ms. McDonald explained that the year ended with a hurricane, and that because of the storm, only had twenty-two thousand six hundred seventy three (22,673) people that signed the book at the Museum. Ms. McDonald added that this was a low year for the Museum due to the economy and the storm. Ms. McDonald stated that the numbers came from people who had signed in and attended functions at the Museum and signed the guest book. Ms. McDonald stated that one hundred twenty-five (125) hotel/motel rooms had been filled as a result of the visitors, and asked the City Council if they had any questions.

Ms. McDonald stated that if there were no questions that she would then like to make her presentation concerning Audubon. Ms. McDonald added that she was happy to announce that John James Audubon was coming to East Texas. Ms. McDonald explained that included in the exhibition was eighty-one (81) hand colored engravings, ten (10) original paintings, six (6) portraits, and twenty-two (22) personal artifacts. Ms. McDonald added that the works were from the collections of the Audubon Museum in Henderson, Kentucky. Ms. McDonald stated that to date, press releases, with high resolution images, had been sent to twenty-eight (28) print publications and twenty-one (21) Audubon Chapters throughout Texas. Ms. McDonald stated that the Council had in their packets a copy of the first press release. Ms.

McDonald added that press packets would be sent to newspaper, radio and television contacts throughout Texas, Louisiana and Arkansas and that information would also be sent to the Texas Conservation Alliance, Big Thicket Association, Nature Conservancy, the Conservation Fund, Sierra Club, Texas Association of Museums and Humanities Texas.

Ms. McDonald stated that information would also be sent to additional birding, conservation and natural science publications, college and university departments of art, history, and science, and regional school districts. Ms. McDonald added that tours for the Lufkin Independent School District were already prescheduled and preplanned, and that the Museum would hold six (6) classes per day for five (5) days a week. Ms. McDonald explained that the Museum would need a lot of friends to volunteer to docent and to act as gallery guards.

Ms. McDonald stated that rack cards and small posters would be sent to Texas Travel Information Centers, and selected Travel Centers in Louisiana and Arkansas, hotels and motels in Lufkin and Nacogdoches, selected Chamber of Commerce in Texas, Louisiana, and Arkansas, and fifty-five (55) museums throughout Texas.

Ms. McDonald stated that 24" X 20" mounted and laminated posters would be placed on easels throughout Lufkin, and several locations in Nacogdoches. Ms. McDonald added that small posters would be distributed to many locations. Ms. McDonald stated that calendars of upcoming events would be forwarded to the Council. Ms. McDonald explained that currently there were ten (10) scheduled birding field trips for beginner or advanced birders, seven (7) lectures and/or book signings, and two (2) Super Saturday events for children and their families. Ms. McDonald stated that there were more of those events in progress. Ms. McDonald added that there were also additional lectures in process, and the Museum was in talks with PBS Master Series to show their documentary on John James Audubon.

Ms. McDonald stated that there was a budget for the exhibit. Ms. McDonald explained the details of the expenditures to the Council. Ms. McDonald showed the Council prototypes of the banners, posters, rack cards, etc. that would be purchased with the funds. Ms. McDonald explained that the Museum of East Texas was requesting the total sum of fourteen thousand eight hundred seventy-six dollars and sixty cents ($14,876.60) from the City of Lufkin, and told the City Council that she would try to answer any questions that they had concerning the exhibit or the request.

Mayor Jack Gorden asked Ms. McDonald if she could give an estimate of how many people that might be drawn to Lufkin. Ms. McDonald stated that the draw would be thousands upon thousands of people to Lufkin. Ms. McDonald stated that she would love to think that the Audubon Exhibit would bring approximately twenty thousand (20,000) people to Lufkin.

Mayor Gorden asked for questions or comments from the Council. Mayor Gorden thanked Ms. McDonald for all that she did for the Museum and the East Texas area. Ms. McDonald then thanked the Council and all of the volunteers at the Museum.

Ms. McDonald stated that the Museum would purchase easels and put posters in places such as the Lufkin City Hall, Woodland Heights Hospital, Memorial Hospital, the hotels, the Downtown Visitor Center in Nacogdoches, the Lufkin/Angelina County Chamber of Commerce, restaurants, banks, and any place that would have a large flow of people through it.

Councilmember Don Langston asked if funds that were being requested for the Museum was an additional request above the allotted percentage of the Hotel/Motel Tax that the City gave to the Museum each year. Ms. McDonald stated that it was an additional request of funds.

Ms. McDonald stated that the Museum had been working on the exhibition for approximately three to four (3-4) years, and that it was hard to believe that it would be in Lufkin very soon. Mayor Gorden stated that it would be phenomenal and thanked Ms. McDonald for her presentation.

Mayor Gorden stated that Councilmember Don Langston's grandchildren Lillie Grace and Luke were in the audience and that he wanted to recognize them and that the Council was happy to have them at the meeting.

City Manager Paul Parker stated that if the Council wanted to take action on the additional request of funds for the Museum of East Texas, the funds would come from the unobligated fund reserve for the Civic Center Fund. City Manager Parker added that Staff would have to put an item on the agenda for a future Council Meeting and that the item would require a budget amendment. City Manager Parker added that the funds would not be taken out of the forty-two percent (42%) earmarked for the Tourism Committee, but would be taken from the fund reserve, if the Council wanted to go forth with the request. City Manager Parker stated that Staff needed direction from the City Council regarding their wishes concerning the request. Mayor Gorden stated that Staff should go forward and put the item on the next Council Meeting agenda. Councilmember Don Langston agreed with the Mayor and stated that the Audubon Exhibit would be a big deal for Lufkin. City Manager Parker stated that the item would be on the agenda for the next Council Meeting for the City Council's consideration.

Ms. McDonald stated that the rack cards would have a statement on them that said that if the card was presented at the Museum, the holder would receive a ten percent (10%) discount on sales at the Museum Gift Shop. Ms. McDonald added that this was a way for the Museum to track where the visitors were coming from. Mayor Gorden thanked Ms. McDonald for her hard work.

6. PRESENTATION BY MALCOLM DEASON CONCERNING THE TEXAS FORESTRY MUSEUM

Mayor Jack Gorden stated that the next item for consideration was a presentation by Malcolm Deason concerning the Texas Forestry Museum.

President of the Board of Trustees for the Texas Forestry Museum Malcolm Deason stated that the Texas Forestry Museum was the only museum of its type in the state of Texas. Mr. Deason added that the Forestry Museum was one (1) of the cornerstone museums in the Lufkin area, and was opened in 1976. Mr. Deason stated that the Forestry Museum was based on what he would consider the founding or cornerstone industry for the area. Mr. Deason stated that he had intended to bring a PowerPoint presentation, or some visual aids to the meeting, but that one (1) of his colleagues had emphasized that the meeting would be really brief and that he should move forward with his presentation.

Mr. Deason stated that the Texas Forestry Museum was a very important piece of the history of the Lufkin community, and that he was very proud to be involved with it. Mr. Deason added that currently, the Forestry Museum had various education programs, and that the 2008 visitors statistics showed that the Forestry Museum had over one thousand eight hundred (1800) visitors and thirty-four (34) school tours. Mr. Deason stated that historically the Forestry Museum's visitation had been based upon bringing in the children to educate them about the value of the forests, and that currently with the green initiatives and eco friendly initiatives, the Forestry Museum was trending more in that direction. Mr. Deason stated that the Hotel/Motel funding was a very important component of the Forestry Museum's operating revenues. Mr. Deason explained that the funds made up sixteen percent (16%) of the annual operating budget. Mr. Deason then thanked the City Council for any consideration given to the Forestry Museum. Mr. Deason stated that they were very aware of the economic difficulties that the nonprofits were currently having, and that he wanted to thank the City Council on behalf of the Board for any consideration given to the Forestry Museum up to that point. Mr. Deason stated that the Forestry Museum's other major funding sources were the Kurth Foundation and the Temple Foundation. Mr. Deason stated that the Forestry Museum was funded approximately thirty-five thousand dollars ($35,000), of which approximately thirty-two thousand dollars ($32,000) was used for salaries of two (2) full time and one (1) part time employees. Mr. Deason added that all of the benefits of the employees were paid out of Hotel/Motel funding. Mr. Deason stated that the Forestry Museum had been unable to produce mail outs for the past two (2) years. Mr. Deason explained that in the past the Forestry Museum had mail outs and brochures that were made available through the Chamber through mass mailings, to heighten people's awareness of the museum, its existence and location. Mr. Deason stated that the Museum had recently been unable to do that due to lack of funding. Mr. Deason added that the Forestry Museum had been approved for approximately forty thousand dollars ($40,000). Mr. Deason stated that his request was not for additional funds, but would request on behalf of the Forestry Museum Board, that the City Council reconsider the cap that had been imposed on the funding. Mr. Deason added that Forestry Museum's request was that whenever things began to go well in Lufkin, and the hotels in the City were generating more revenues, that the Council would consider removing the cap, because the funds were so important to the Forestry Museum's operation. Mr. Deason stated that his research revealed that in 1993, Bob Bowman wrote a letter to the City regarding the disparity in funding between the Museum of East Texas and the Texas Forestry Museum. Mr. Deason added that the Forestry Museum had been operating for thirty-four (34) years, and that the funding was important to sustaining the Museum's Operations.

Mr. Deason stated that the Forestry Museum had recently brought in a new exhibit from Georgia Tech that the Museum planned to have in place by 2010 that related to paper making. Mr. Deason added that the Paper Mill, just east of Lufkin, had been (1) one of the long time industries in Lufkin. Mr. Deason stated that the Forestry Museum looked forward to partnering with the local schools to bring children in and teaching them how the paper making process worked. Mr. Deason stated that the most recent exhibit at the Texas Forestry Museum was called "Animal Secrets", which attributed to the visitor numbers that were mentioned earlier. Mr. Deason stated that he would be glad to answer any questions that the Council had regarding the presentation and the Museum. Mr. Deason thanked the City Council for their consideration up to that point, and that the Museum requested that the Council would reconsider the cap on funding, in anticipation of the City receiving more Hotel/Motel Tax.

Mayor Gorden thanked Mr. Deason, and asked for questions or comments from the Council. Mayor Gorden added that Mr. Deason did a great job, and that the Forestry Museum was a very important part of the community and that the City was proud to have it. Mayor Gorden stated that the City Council would take the request under consideration.

7. **RESOLUTION OF THE CITY OF LUFKIN, TEXAS AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE DEEP EAST TEXAS COUNCIL OF GOVERNMENTS FOR A REGIONAL SOLID WASTE GRANTS PROGRAM GRANT; - APPROVED - AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF LUFKIN IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED, THE CITY OF LUFKIN WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE DEEP EAST TEXAS COUNCIL OF GOVERNMENTS, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND THE STATE OF TEXAS**

Mayor Jack Gorden stated that the next item for consideration was a Resolution of the City of Lufkin, Texas authorizing the filing of a grant application with the Deep East Texas Council of Governments for a Regional Solid Waste Grants Program Grant; authorizing the City Manager to act on behalf of the City of Lufkin in all matters related to the application; and pledging that if a grant is received, the City of Lufkin will comply with the grant requirements of the Deep East Texas Council of Governments , the Texas Commission on Environmental Quality and the State of Texas.

City Manager Paul Parker stated that the City of Lufkin had the opportunity to apply through Deep East Texas Council of Governments for a grant in the amount of twenty-one thousand dollars ($21,000), to be used for personnel service to hand sort recyclables at the Regional Recycling Center. City Manager Parker added that currently the City spent approximately one hundred thousand dollars ($100,000) annually for that purpose. City Manager Parker stated that there would be no additional match or requirement on behalf of the City. City Manager Parker explained that the grant would supplement funds that would be used from the Solid Waste Fund to pay for those fees. City Manager Parker stated that Staff recommended that the City Council allow the Solid Waste and Recycling Department to apply for twenty-one thousand dollars ($21,000), and approve a Resolution authorizing the City Manager to act on behalf of the City of Lufkin in all matters related to the application.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Phil Medford moved to approve the Resolution of the City of Lufkin, Texas authorizing the filing of a grant application with the Deep East Texas Council of Governments for a Regional Solid Waste Grants Program Grant; authorizing the City Manager to act on behalf of the City of Lufkin in all matters related to the application; and pledging that if a grant is received, the City of Lufkin will comply with the grant requirements of the Deep East Texas Council of Governments , the Texas Commission on Environmental Quality and the State of Texas. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

8. **RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2008/2009 OPERATING BUDGET (BUDGET AMENDMENT NO. 30), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE ECONOMIC DEVELOPMENT AND CONVENTION CENTER FUNDS; AND PROVIDING AN EFFECTIVE DATE AND APPROVAL OF A CONVENTION CENTER APPROPRIATION EXPENDITURE**

Mayor Jack Gorden stated that the next item for consideration was a Resolution authorizing an amendment to the 2008/2009 Operating Budget (Budget Amendment No. 30), providing for the supplemental appropriation of funds in the Economic Development and Convention Center Funds; and providing an effective date and approval of a Convention Center appropriation expenditure. Mayor Gorden explained that this was the dispensation of money that the City came into in the past and was related to the possibility of a new Convention or Civic Center.

City Manager Paul Parker stated that the City had previously received a grant in the amount of two hundred ninety-seven thousand dollars ($297,000), for the purpose of studying the feasibility of developing a new Convention Center. City Manager Parker added that a little over two (2) years earlier the City received that initial funding, and at that time the City was looking at property to the south of Lufkin that was commonly known as the Fairchild property. City Manager Parker explained that the City then invested some money in the study of the feasibility of a Convention Center, and then other money related to the potential development of the Fairchild property. City Manager Parker stated that with the recent Ike money that might become available for the shelter and expansion of the existing Civic Center, with a component of that expansion being long term sheltering potential, the likelihood of a new Convention Center was diminished at that time. City Manager Parker stated that the City had accrued thirty-eight thousand nine hundred sixty-six dollars ($38,966) in fees and studies related to the previous location. City Manager Parker added that the 4 B Board approved and Staff was requesting to pay the bills from the Economic Development Fund, instead of the grant since it would no longer be eligible with the feasibility not going forth, in the amount of thirty-eight thousand nine hundred sixty-six dollars ($38,966), as indicated in Budget Amendment No. 30. City Manager Parker added that it was the hope and belief of the City that the grant would be able to co-mingle with other Ike money to be placed on the Civic Center expansion, even though it had not been finally approved at the time.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Don Langston asked why the item would be seen as an Economic Development expenditure. Councilmember Langston added that it seemed that it was something that the City initiated for tourist and convention business, and that he was curious why the City was considering using the Economic Development Fund for the expense. City Manager Parker stated that primarily, the grant money was placed in the Economic Development Fund because that fund was the custodian of it. City Manager Parker added that he understood Councilmember Langston's thought process, and that the expense could come from either the Economic Development Fund or the General Fund, but it was looked at coming from Economic Development from that standpoint.

Councilmember Rufus Duncan moved to approve the Resolution authorizing an amendment to the 2008/2009 Operating Budget (Budget Amendment No. 30), providing for the supplemental appropriation of funds in the Economic Development and Convention Center Funds; and providing an effective date and approval of a Convention Center appropriation expenditure. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

9. **RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2008/2009 OPERATING BUDGET (BUDGET AMENDMENT NO. 31), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE ECONOMIC DEVELOPMENT FUND; AND PROVIDING AN EFFECTIVE DATE,**

AND APPROVAL OF THE FUNDING NEEDED FOR THE U. S. CORP OF ENGINEERS PERMIT FOR THE OVERALL DRAINAGE PLAN AT THE LUFKIN INDUSTRIAL RAIL PARK

Mayor Jack Gorden stated that the next item for consideration was a Resolution authorizing an Amendment to the 2008/2009 Operating Budget (Budget Amendment No. 31), providing for the supplemental appropriation of funds in the Economic Development Fund; and providing an effective date, and approval of the funding needed for the U. S. Corp of Engineers permit for the overall drainage plan at the Lufkin Industrial Rail Park.

City Manager Paul Parker stated that there were two (2) aspects to the item. City Manager Parker explained that one (1) of the aspects was the one hundred fifty-seven (157) acres that the City currently owned, called the Lufkin Industrial Rail Park. City Manager Parker stated that the City needed to have conducted professional service drawings and detail design of detention basin and related drainage in order to receive a Corp of Engineer Permit. City Manager Parker stated that Council was aware that the City also had the potential of Economic Development Administration Grant, and that this was a requirement of that grant, City Manager Parker added that it would also be a requirement under any scenario for development of that Industrial Park, because it would affect the tributaries and would realign some of the drainage area to maximize the usage of the property.

City Manager Parker stated that the second component of the item was the Berg-Oliver portion, which was the Antiquities Study that was related to the Economic Development Administration Grant. City Manager Parker explained that it was a small component of that grant, but was required to be eligible for the Economic Development Administration Grant. City Manager Parker stated that Klotz and Associates had been hired in the past to be the engineers and went through the request for proposals when this was started some time back. City Manager Parker added that Staff recommended to continue using Klotz and Associates for the Corp Permit and related drawings, and to go forth with Berg-Oliver for the Antiquities Permit. City Manager Parker stated that the amount totaled one hundred fifty thousand dollars ($150,000), which was reflected in Budget Amendment No. 31.

Mayor Gorden asked if the funds would come out of the Economic Development Fund. City Manager Parker stated that was correct, and added that the 4B Economic Development Corporation had voted and made the same recommendation, as well as Staff. Mayor Gorden then asked for questions or comments from the Council.

Councilmember Phil Medford moved to approve the Resolution authorizing an Amendment to the 2008/2009 Operating Budget (Budget Amendment No. 31), providing for the supplemental appropriation of funds in the Economic Development Fund; and providing an effective date, and approval of the funding needed for the U. S. Corp of Engineers permit for the overall drainage plan at the Lufkin Industrial Rail Park. Councilmember Robert Shankle seconded the motion. A unanimous affirmative vote was recorded.

10. PUBLIC HEARING AND A RESOLUTION OF THE CITY OF LUFKIN, TEXAS, AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE UNITED STATES DEPARTMENT OF JUSTICE AND THE DEEP EAST TEXAS COUNCIL OF GOVERNMENTS – APPROVED - FOR A SECURE DIGITAL FORENSIC IMAGING SYSTEM FOR MEMORIAL HEALTH SYSTEM OF EAST TEXAS AND WOODLAND HEIGHTS MEDICAL CENTER GRANT IN THE AMOUNT OF $60,000; AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF LUFKIN IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED THE CITY OF LUFKIN WILL COMPLY WITH ALL GRANT REQUIREMENTS

Mayor Jack Gorden stated that the next item for consideration was a Public Hearing and a Resolution of the City of Lufkin, Texas, authorizing the filing of a grant application with the United States Department of Justice and the Deep East Texas Council of Governments for a secure digital forensic imaging system for Memorial Health System of East Texas and Woodland Heights Medical Center Grant in the amount of $60,000; authorizing the City Manager to act on behalf of the City of Lufkin in all matters related to the application; and pledging that if a grant is received the City of Lufkin will comply with all grant requirements.

City Manager Paul Parker stated that the item probably sounded familiar to the Council because the Council had recently had a similar item, but the item had just been for Memorial Hospital. City Manager Parker stated that the City looked at replacing a colposcope for sexual assault cases related to the grant for Memorial Health System. City Manager Parker explained that when the City looked further into the process, it appeared that the same equipment at Woodland Heights Hospital was also in disrepair. City Manager Parker stated that the City Staff decided to come back to the Council to double the request for the grant application. City Manager Parker stated that because a Public Hearing and a Resolution by the Council was required by the Department of Justice, the item was placed back on the agenda. City Manager Parker added that there should first be a Public Hearing related to the request, and then the approval of the Resolution.

Mayor Gorden opened the Public Hearing 5:33 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 5:34 p.m.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Rufus Duncan moved to approve the Resolution of the City of Lufkin, Texas, authorizing the filing of a grant application with the United States Department of Justice and the Deep East Texas Council of Governments for a secure digital forensic imaging system for Memorial Health System of East Texas and Woodland Heights Medical Center Grant in the amount of $60,000; authorizing the City Manager to act on behalf of the City of Lufkin in all matters related to the application; and pledging that if a grant is received the City of Lufkin will comply with all grant requirements. Councilmember Robert Shankle seconded the motion. A unanimous affirmative vote was recorded.

11. <u>CITY MANAGER'S REPORT</u>

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

City Manager Paul Parker stated that because the Council had recently gone through several budget hearings he would only give the highlights. City Manager Parker added that the City was well ahead in Revenue in the General Fund. City Manager Parker stated that the City did have a lower previous month in Sales Tax, but was up a little over four percent (4%) for the budget year. City Manager Parker stated that the City of Lufkin was still in very good shape in comparison to the sister cities around the State. City Manager Parker stated that water sales were down, but that obviously the last two months were very hot and would assist in catching up on water usage and would be reflected in later reports. City Manager Parker stated that water and sewer always fluctuated because of the summer heat, the temperature, and the timeliness of rains. City Manager Parker stated that the City had been having an extremely dry summer up until the current week, and that this would be reflected in future reports, and that would go a long way toward catching up on the water revenues. City Manager Parker added that the revenues were down because of some of the industries closing. City Manager Parker stated that the Solid Waste Fund was slightly below budget, but was very close to the budget projections, and that the remainder of funds were in very good shape. City Manager Parker added that there was nothing that needed to be brought to the attention of the Council as a concern or problem from a revenue standpoint.

City Manager Parker stated that the Council had a detailed list of the projects and that he would answer any questions concerning the finances or any projects that the Council specifically wanted to address.

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

13. <u>APPOINTMENTS – APPROVED - TO BOARDS AND COMMISSIONS</u>

Mayor Jack Gorden stated that the next item for consideration was the appointments to boards and commissions.

Councilmember Don Langston moved to approve the appointments as were submitted to the Boards and Commissions. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

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 Jack 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.

Mayor Gorden stated that there would be a Public Hearing on the City of Lufkin Draft Budget for the Fiscal Year 2010 at the Regular Meeting of the Lufkin City Council, which would be held on Tuesday, August 4, 2009, at 5:00 p.m. at the Lufkin City Hall, Room 102.

City Manager Parker stated that the names on the motion for appointments to the Boards and Commissions should be read into the records. City Manager Parker then read the following appointments into the record:

a. Civil Service Commission – (3 year term) - Jim Meyers
b. Construction Board of Adjustments and Appeals – (3 year term) – Architect Mark Strong, Air Conditioning Contractor Sammy Ferrara, and Commercial Contractor Andrew Moore
c. 4B Economic Development Board – (2 year term) – Bob Brown, Trey Henderson, Jay Shands, and Andra Self
d. Firemen's Relief and Retirement Fund Board of Trustees – (2 year term) – Danny Roper, Citizen Board Member
e. Parks and Recreation Advisory Board – (3 year term) – Richard Joseph, Lela Simmons, and Cathy Todd
f. Planning and Zoning Commission – (3 year term) – Dale Green and Nathan Gann
g. Taxi Cab Committee – (3 year term) – Bennie Moye, Chairman

Mayor Gorden thanked City Manager Parker for getting the names submitted into the record, and added that all of the appointees did a wonderful job and that the Council wanted to thank them for agreeing to continue to serve.

Mayor Gorden reminded everyone that there would be a retirement reception held in honor of Police Chief Larry Brazil on Wednesday, July 29, 2009 from 10:00 a.m. – 12:00 noon, in the Atrium of the Lufkin City Hall. Mayor Gorden encouraged everyone to attend the event.

15. There being no further business for consideration, the meeting adjourned at 5:40 p.m.

Jack Gorden
Jack Gorden, Mayor

Renee Thompson
Renee Thompson – City Secretary