

MINUTES OF SPECIAL MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 13TH DAY OF JUNE, 1974, AT 12:00 P. M.

On the 13th day of June, 1974, the City Commission of the City of Lufkin, Texas, convened in special meeting in the Council Room at City Hall with the following members thereof, to-wit:

Pitser H. Garrison	Mayor
R. A. Brookshire	Commissioner, Ward No. 1
Pat Foley	Commissioner, Ward No. 2
Joe E. Rich	Commissioner, Ward No. 3
E. C. Wareing	Commissioner, Ward No. 4
W. O. Ricks, Jr.	Commissioner at Large, Place A
E. G. Pittman	Commissioner at Large, Place B
Harvey Westerholm	City Manager
Robert L. Flournoy	City Attorney
Roger G. Johnson	City Secretary

being present, constituting a quorum, when the following business was transacted:

1. Meeting opened with prayer by Harvey Westerholm.
2. Lufkin Civic Center-Approval of Bids-Herman Bennett Company

Mayor Garrison called on Mr. Jerry Hill of Hill, Weiner, Morgan & O'Neal Architectural Firm, to comment regarding his recommendations for changes and alterations in the construction and furnishing of the Civic Center. Mr. Hill reviewed an extensive list of recommendations for alterations in the proposed furnishings for the Civic Center and stated that a savings of \$3,945 could be experienced by selecting a fixed stage in lieu of the mobile stage as previously considered. Mr. Hill recommended members of the Commission consider the mobile stage due to its versatility.

It was the opinion of the Commission that all possible modifications and alternatives concerning furnishings and construction be discussed prior to final decision regarding each item. Considerable discussion then developed regarding each particular item as proposed for consideration by Mr. Hill and items were approved accordingly.

Members of Commission discussed telescopic seating and Mr. Hill recommended consideration be given to allow a wood base with carpet for a savings of \$26,000. Comm. R. A. Brookshire made motion that Mr. Hill's recommendation be accepted in accordance with savings as explained and Vaughn Associates be awarded bid for same in the amount of \$84,147. Motion was seconded by Comm. Pat Foley and the following vote was recorded:

Voting Aye: Mayor Garrison, Comms. R. A. Brookshire, Pat Foley, E. C. Wareing and E. G. Pittman

Voting Nay: Comms. Joe E. Rich and W. O. Ricks, Jr.

Mayor Garrison declared motion was approved by majority vote of five to two.

In regard to purchase of tables, members of Commission were of the opinion that bid regarding same should be re-submitted and Comm. W. O. Ricks, Jr., made motion to reject bids regarding furnishing of tables for Civic Center for reconsideration at a later date. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

Mr. Hill stated that sound equipment as specified for Civic Center was designed for a low band frequency and could be modified to include only one mixer system for a savings to the City of \$1,304.21. A brief discussion also prevailed regarding purchase of kitchen equipment and stage curtains, and members of Commission

were in agreement that low bids should be accepted as received for kitchen and sound equipment to include stage curtains. Comm. E. C. Wareing then made motion that low bids received from the following companies in amounts as stated be awarded:

Audio-Video Designs	Sound Equipment	\$20,350
Southern Metal Manufacturing	Kitchen Equipment	\$19,895
Oklahoma Scenic Company	Stage Curtains	\$ 4,896

Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

Considerable discussion developed regarding the purchase of tables and it was the general opinion of the Commission that new bids should be considered. Comm. E. G. Pittman then made motion that bids received for tables be declined and re-advertised at a later date. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

Members of Commission asked Mr. Hill a number of questions regarding the purchase of a mobile stage and Mr. Hill recommended the purchase of same in initial discussion. Comm. E. C. Wareing then made motion that American Seating Company be awarded low bid for mobile stage in the amount of \$14,995. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

Concerning the purchase of chairs, members of Commission were in agreement that 1,500 additional chairs should be purchased at a deduction of \$20,142.20. Following a brief discussion, Comm. Pat Foley made motion that Vaughn Associates be awarded bid in the amount of \$28,900 to include deduction as stated for the purchase of 1,500 chairs. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

Members of Commission resumed discussion of general contract and alternates upon arrival of Mr. Carl Worley, Chief Estimator for the Herman Bennett Company, and representatives for low bidder on the construction of the Civic Center. Mr. Worley was briefed on earlier discussion regarding various recommendations by Mr. Hill involving alterations of Civic Center. Members of Commission extensively reviewed alteration proposals submitted by Mr. Hill and attached hereto to be considered for approval. Comm. Pat Foley made motion that Item Nos. 3a, 4, 5, 6, 7, 11, 14 and 15 on recommendation sheet submitted by Hill, Weiner, Morgan & O'Neal Architectural Firm be approved to allow a considerable savings as recommended. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

Comm. Pat Foley made motion that Item No. 9 of building alterations sheet prepared by Mr. Hill be declined and remain a part of contract price. Motion was seconded by Comm. E. G. Pittman and the following vote was recorded:

Voting Aye: Mayor Garrison, Comms. Pat Foley, Joe E. Rich and E. G. Pittman
Voting Nay: Comms. R. A. Brookshire, E. C. Wareing and W. O. Ricks, Jr.

Mayor Garrison declared motion approved by majority vote of four to three.

Comm. Pat Foley made motion that alteration No. 5 of list submitted by Mr. Hill be approved with the provision that the contractor allow a minimum of \$4,000 to \$5,000 deduction with the further condition that this item not be approved if same could not be received. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

Considerable discussion developed regarding additional architectural alterations recommended by Mr. Hill in Item Nos. 5, 7, 14 and 15. Mr. Hill recommended that Item Nos. 5 and 7 of Civic Center alteration list regarding architectural changes were still in question and could be completed by a change order in the future if necessary. Mr. Worley indicated a revision on Item 14 of this same list amounting to a total of \$30,000 and Item 15 in the amount of \$12,000. Following a brief discussion, Comm. E. C. Wareing made motion that Items 14 and 15 be approved as stated. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded. Comm. Joe E. Rich made motion that Items 5 and 7 be submitted to negotiation of a price change or reinstatement of the original specifications. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded. Comm. E. G. Pittman made motion that building alterations Item 3, elimination of two walls, be approved for a savings of \$17,500. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded. Comm. W. O. Ricks, Jr., made motion that Item 4, addition of terrazzo floor vs carpet by adding an additional \$9,700 be approved. Motion was seconded by Comm. Joe E. Rich and the following vote was recorded:

Voting Aye: Mayor Garrison, Comms. Joe E. Rich, E. C. Wareing,
W. O. Ricks, Jr., and E. G. Pittman
Voting Nay: Comms. R. A. Brookshire and Pat Foley

Mayor Garrison declared motion approved by majority vote of five to two.

Regarding alternate No. 5 of contract submitted by Herman Bennett Company, Comm. R. A. Brookshire made motion that same be approved at a deduction to the City of \$4,800 for all electrical heating. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

Considerable discussion developed regarding alternate No. 2, allowing parking lot to be constructed by City, as submitted by Herman Bennett Company. Comm. Joe E. Rich made motion that alternate No. 2 in the amount of \$68,000 deduction, be rejected. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

Comm. R. A. Brookshire made motion that asphalt base be used for parking lot in lieu of concrete and alternate No. 1 be rejected for a savings to the City of \$48,500. Motion was seconded by Comm. Pat Foley and the following vote was recorded:

Voting Aye: Mayor Garrison, Comms. R. A. Brookshire, Pat Foley,
E. C. Wareing, W. O. Ricks, Jr., and E. G. Pittman
Voting Nay: Comm. Joe E. Rich

Mayor Garrison declared motion approved by majority vote of six to one.

Comm. Pat Foley made motion to accept low bid submitted by Herman Bennett Company in the amount of \$1,435,900 for construction of the Civic Center with adjusted amounts in accordance with approved building construction alternates 3, 4 and 5 and paragraphs 3a, 4, 5, 6, 7, 11, 14 and 15 of architectural recommendations as previously stated and approved. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

The tabulation of estimates regarding Civic Center purchase was completed and attached hereto, and a brief discussion developed regarding additional finances which had been estimated to be approximately \$300,000 beyond estimated cost. City Manager Westerholm recommended that Certificates of Obligation and surplus funds be considered for additional financing of Civic Center project. City Manager Westerholm further suggested that

the Finance Director and City Attorney consider the market and sale of Certificates of Obligation if possible in order to save a fee for this work which had been estimated to be approximately \$4,000. Members of Commission preferred that the finances should be handled by our Fiscal Agent.

3. Stephens Contracting Company-Amendment to Change Order #6

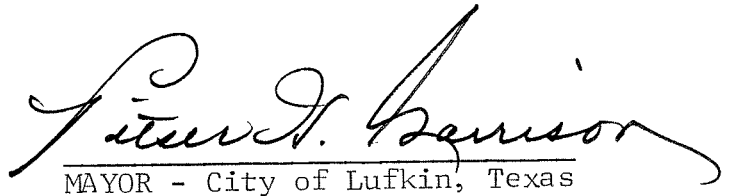
City Manager Westerholm explained that Change Order #6 by Stephens Contracting Company had been amended and suggested that members of Commission consider a further amendment also to except the Northeast Lift Station #2 from the 120 calendar day time extension. Comm. W. O. Ricks, Jr., made motion that Change Order #6 by Stephens Contracting Company be further amended to also except the Northeast Lift Station #2 from the 120 calendar day time extension. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

4. Parking Ticket Ordinance - Disc.

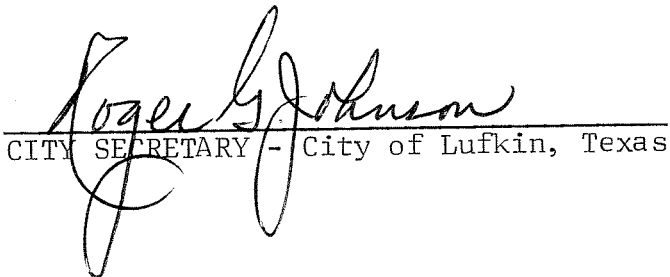
City Attorney Flournoy stated that members of Commission should consider proposed parking ticket ordinance at next regular meeting and distributed copies of same to members of Commission. City Attorney Flournoy further stated that he had recently discussed this proposed ordinance with Austin officials who recommended same. City Attorney Flournoy stated that by approving new ordinance, prima facie cases could be established against owners of vehicles who had received tickets on parking meter violations.

5. Adjournment

There being no further business for consideration, meeting was adjourned at 3:10 P. M.


MAYOR - City of Lufkin, Texas

ATTEST:


CITY SECRETARY - City of Lufkin, Texas

LUFKIN CIVIC CENTER - Projected Figures - June 14, 1974:

Civic Center bids accepted by City Commission on June 13, 1974.

General Contract.....	\$1,527,000.00
Less Adjustments (see attached Exhibit A).....	78,500.00
Less Alternate #3 (elimination of 2 walls).....	17,500.00
Add terrazzo floor versus carpet.....	9,700.00
Less Alternate #5 (all-electric heating).....	<u>4,800.00</u>
Net Contract Cost for Building.....	\$1,435,900.00

Add furnishings:

Mobile Stage.....	14,995.00
Tables (to be negotiated later).....	-0-
Chairs (1500) (\$49,042.20 less deduction of \$20,142.20)	28,900.00
Seating (\$110,147 less deduction of \$26,000).....	84,147.00
Sound Equipment.....	20,350.00
Kitchen Equipment.....	19,895.00
Stage Curtains.....	<u>4,896.00</u>
Balance After Additions.....	\$1,609,083.00
Estimates Architect's Fee (7%).....	<u>112,635.81</u>
Total Projected Cost.....	\$1,721,718.81
Less Balance on Hand.....	<u>1,333,956.09</u>
BALANCE TO BE FINANCED THROUGH SURPLUS FUNDS AND ISSUANCE OF CERTIFICATES OF OBLIGATION.....	\$ 387,762.72