

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF LUFKIN, TEXAS HELD ON THE 21ST DAY OF FEBRUARY, 2006**

On the 21st day of February, 2006, 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:

Louis Bronaugh	Mayor
Rose Faine Boyd	Mayor pro tem
R. L. Kuykendall	Councilmember, Ward No. 1
Lynn Torres	Councilmember, Ward No. 3
Don Langston	Councilmember, Ward No. 4
Jack Gorden, Jr.	Councilmember, Ward No. 5
Phil Medford	Councilmember, Ward No. 6
Paul L. Parker	City Manager
Renee Thompson	City Secretary
Robert Flournoy	City Attorney
Keith Wright	Asst. City Manager/Public Works
Kenneth Williams	Asst. City Manager/Administrative Services
David Koonce	Human Resource Director
Larry Brazil	Police Chief
Scott Marcotte	Assistant Police Chief
Pete Prewitt	Fire Chief
Doug Wood	Finance Director
Beauford Chapman	Inspection Services Director
Barbara Thompson	Main Street Director
J. B. Smith	Lufkin Police Officer
Bill Cameron	City of Lufkin Webmaster
Terry Boomer	Kurth Memorial Library Director
Lynn Winthrop	Recycling Coordinator
Nellie Matthews	Civic Center Director
Jim Wehmeier	Economic Development Director
Scott Rayburn	City Planner
Gary Traylor	Traylor & Associates
George Weick	Assistant Scoutmaster Troop 136
Jacob Tiemann	Troop 136
Kolby LaBrozzi	Troop 136
James Flournoy	
Mark Dunn	
Scott Cooper	
Tommy Deaton	
Mary Read	
David Hicks	
Sandra Knight	

being present, when the following business was transacted:

1. The meeting was opened with prayer by Pastor Mark Hardin, Long Chapel CME Church.
2. Mayor Louis Bronaugh welcomed visitors present. Councilmember Lynn Torres recognized LHS students who were present, satisfying their government class requirement. Mayor Bronaugh also introduced George Weick, Assistant Scoutmaster Troop 136. Mayor Bronaugh recognized that Troop 136 was sponsored by the Lufkin Evening Lions Club. Mayor Bronaugh also recognized that two (2) members of Troop 136 were present and identified them as Jacob Tiemann and Kolby LaBrozzi.
3. Mayor Louis Bronaugh stated that the minutes of the Regular Meeting on February 7, 2006 would be approved at the next Regular Council Meeting that would be held on Monday, March 6, 2006. Mayor Bronaugh pointed out that this meeting was changed from the regular schedule of the first and third Tuesday of each month.

OLD BUSINESS:

4. **SECOND READING OF AN ORDINANCE PROVIDING FOR THE CALLING AND ORDERING OF A GENERAL ELECTION FOR THE CITY OF LUFKIN, TEXAS – APPROVED - TO BE HELD AT SIX POLLING PLACES IN LUFKIN, TEXAS ON MAY 13, 2006 BETWEEN THE HOURS OF 7:00 A. M. AND 7:00 P. M. FOR THE PURPOSE OF ELECTING A MAYOR, A COUNCILMEMBER FOR WARD 2, AND A COUNCILMEMBER FOR WARD 4, FOR THREE YEAR TERMS, A COUNCILMEMBER FOR WARD 5 (UNEXPIRED TERM), AND A COUNCILMEMBER FOR WARD 6 (UNEXPIRED TERM), FOR TWO YEAR TERMS, TO SERVE THE CITY OF LUFKIN, TEXAS;; AND PROVIDING FOR THE NECESSARY NOTICES AND FIXING THE DATE**

Mayor Louis Bronaugh stated that the next item for consideration was the Second Reading of an Ordinance providing for the Calling and Ordering of a General Election for the City of Lufkin, Texas to be held at six polling places in Lufkin, Texas on May 13, 2006 between the hours of 7:00 a. m. and 7:00 p. m. for the purpose of electing a Mayor, a Councilmember for Ward 2, and a Councilmember for Ward 4, for three year terms, a Councilmember for Ward 5 (unexpired term), and a Councilmember for Ward 6 (unexpired term), for two year terms, to serve the City of Lufkin, Texas;; and providing for the necessary notices and fixing the date. City Manager Paul Parker had no comments but stated he would answer any questions the Council had. Mayor Bronaugh noted that the new polling place for Ward Number Six (6) would be the old Abeld's Teacher's Corner at the corner of Ellis and Raguet. Mayor Bronaugh pointed out that this polling place would replace the previous location that was the Lufkin Labor Temple on Ellis Street.

Councilmember Lynn Torres moved to approve Second Reading of an Ordinance providing for the Calling and Ordering of a General Election for the City of Lufkin, Texas to be held at six polling places in Lufkin, Texas on May 13, 2006 between the hours of 7:00 a. m. and 7:00 p. m. for the purpose of electing a Mayor, a Councilmember for Ward 2, and a Councilmember for Ward 4, for three year terms, a Councilmember for Ward 5 (unexpired term), and a Councilmember for Ward 6 (unexpired term), for two year terms, to serve the City of Lufkin, Texas;; and providing for the necessary notices and fixing the date. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

5. **FIRST READING OF AN ORDINANCE OF THE CITY OF LUFKIN, TEXAS, - APPROVED -BEING ORDINANCE NO. 3368, BY AMENDING ARTICLE XIX "SCHEDULE OF PERMITTED USES" AS IT RELATES TO SIGNS AS WELL AS AMENDING ARTICLE XXI "SUPPLEMENTAL DEVELOPMENT REGULATIONS" BY ADDING PROVISIONS CONCERNING SIGNS; REPEALING CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Louis Bronaugh stated that the next item for consideration was the First Reading of an Ordinance of the City of Lufkin, Texas, being Ordinance No. 3368, by amending Article XIX "Schedule of Permitted Uses" as it relates to signs as well as amending Article XXI "Supplemental Development Regulations" by adding provisions concerning signs; repealing conflicting provisions; and providing an effective date. City Manager Paul Parker stated that this was a "non action" item at the last Council meeting to obtain input from the City Council. City Manager Parker stated that the purpose of the ordinance was to determine a way to relocate billboards from the Downtown area to other locations in the City.

City Manager Parker added that the Planning and Zoning Commission's recommendation (Ordinance Draft "A") would allow through a "Special Use Permit", an applicant to relocate specific off-premise signs from the Main Street area within the Central Business District to Heavy Manufacturing, Light Manufacturing, and

Commercial Zoning Districts. City Manager Parker explained that on February 7, 2006, the Council discussed the ordinance and indicated that Ordinance Draft "A" might be broader than what the Council wanted to consider. City Manager Parker added that Staff recommended that Council consider a modification to the Planning and Zoning Commission's recommendation (Ordinance Draft "B"). City Manager Parker stated that Ordinance Draft "B" deleted references to "Commercial Zoning Districts". City Manager Parker added that Map "B" reflected locations for potential billboard relocation.

City Manager Parker reiterated that the recommendation from the Planning and Zoning Commission was Ordinance Draft "A" which would include the "Commercial Zoning District".

There was discussion among the Mayor and City Council Members concerning the Ordinance amending Article XIX "Schedule of Permitted Uses" as it relates to signs as well as amending Article XXI "Supplemental Development Regulations" by adding provisions concerning signs.

Councilmember Phil Medford moved to approve the First Reading of Ordinance Draft "A" of the City of Lufkin, Texas, being Ordinance No. 3368, by amending Article XIX "Schedule of Permitted Uses" as it relates to signs as well as amending Article XXI "Supplemental Development Regulations" by adding provisions concerning signs; repealing conflicting provisions; and providing an effective date. Councilmember Lynn Torres seconded the motion. The following vote was recorded:

Aye: Council Members Medford, Boyd, Torres, Gorden, Kuykendall and Mayor Bronaugh

Nay: Councilmember Langston

The motion carried with six affirmative votes.

6. ENGINEERING PROPOSALS - APPROVED - FOR THE US 59 SOUTH UTILITY RELOCATION AND THE US 59 NORTH AND LOOP 287 UTILITY RELOCATION

Mayor Louis Bronaugh stated that the next item for consideration was the engineering proposals for the US 59 South Utility Relocation and the US 59 North and Loop 287 Utility Relocation. City Manager Paul Parker stated that Staff recently received proposals from several engineering firms to perform engineering design services for the relocation of utilities on U.S. 59. City Manager Parker added that Staff recommended that the utility relocations be awarded to KSA Engineers, Inc. for the west side and to Goodwin-Lasiter, Inc. for the east side. City Manager Parker stated that Staff recently became aware that TXDOT had received Phase 1 funding. City Manager Parker explained that this would result in utility relocations along the improved route. City Manager Parker added that Staff also recommended entering into negotiations with Klotz and Associates to perform a preliminary engineering design for Hwy. 59 North and Loop 287 utility relocation project. City Manager Parker stated that after fees are negotiated with each engineering firm, individual design contracts would be presented to the Mayor and Council for approval.

There was discussion among the City Council Members concerning the engineering proposals for the US 59 South Utility Relocation and the US 59 North and Loop 287 Utility Relocation.

Councilmember Rose Faine Boyd moved to approve the engineering proposals for the US 59 South Utility Relocation and the US 59 North and Loop 287 Utility Relocation. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

7. "INTER-LOCAL AGREEMENT" BETWEEN THE CITY OF LUFKIN, TEXAS AND ANGELINA COUNTY, TEXAS - APPROVED - FOR LANDFILL SERVICE RATES FOR A PERIOD OF FIVE (5) YEARS

Mayor Louis Bronaugh stated that the next item for consideration was the "Inter-Local Agreement" between the City of Lufkin, Texas and Angelina County, Texas for landfill service rates for a period of five (5) years. City Manager Paul Parker stated that the Mayor and Council were aware that Staff had met with representatives from the County on several occasions concerning the charge to the City of Lufkin for solid waste disposal in the Angelina County Landfill. City Manager Parker added that the County had raised the disposal rates by eleven percent (11%) in 2004/2005 and an additional five percent (5%) in 2005/2006 and indicated that there may be additional increases in the future. City Manager Parker stated that the Council was very concerned about the uncertainty of the rate structure in the future and asked the Staff to negotiate with the County for a long-term contract. City Manager Parker explained that the initial request from the City of Lufkin to the County was for a ten (10) year contract based on seventy-five percent (75%) of the Houston Area Consumer Price Index. City Manager Parker added that this would guarantee the County rates would be adjusted accordingly for inflation. City Manager Parker explained that the County countered with a three (3) year contract with a ninety (90) day opt out. City Manager Parker stated that after numerous meetings the County agreed to a five (5) year contract with a guaranteed annual increase equal to seventy-five percent (75%) of the Houston Area Consumer Price Index. City Manager Parker added that the contract also had a one (1) year renewal for each year at the conclusion of the fourth (4th) year of the agreement. City Manager Parker stated that the contract would continue until such time as either the City or County gives notice of intent to terminate by October 1st of any year after the fourth (4th) year of the contract. City Manager Parker added that if no notice was given, the agreement would continue. City Manager Parker stated that on Tuesday, February 14, 2006, the Angelina County Commissioners Court agreed to the terms of this Inter-Local Agreement. City Manager Parker stated that Staff recommended that the Mayor and Council approve the Inter-Local Agreement with Angelina County for landfill services.

There was discussion among the City Council Members concerning the Inter-Local Agreement with Angelina County for landfill services.

Councilmember Jack Gorden moved to approve the "Inter-Local Agreement" between the City of Lufkin, Texas and Angelina County, Texas for landfill service rates for a period of five (5) years. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

8. RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2005/2006 OPERATING BUDGET (BUDGET AMENDMENT NO. 10), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL FUND AND HOTEL/MOTEL TAX FUNDS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Louis Bronaugh stated that the next item for consideration was a Resolution authorizing an Amendment to the 2005/2006 Operating Budget (Budget Amendment No. 10), providing for the supplemental appropriation of funds in the General Fund and Hotel/Motel Tax Funds; and providing an effective date. City Manager Paul Parker stated that Council was aware of recent problems encountered at the Civic Center with the sound equipment. City Manager Parker added that in 2005 the Civic Center purchased equipment to upgrade and improve the system, but the upgrade was not enough to solve all of the problems. City Manager Parker explained that this upgrade would still be utilized, but an additional improved sound system could no longer be postponed and would provide a dependable quality sound system for the Civic Center. City Manager Parker stated that Staff recommended that Council authorize the transfer of funds from the General Fund to the Hotel/Motel Tax Fund in the amount of \$13,000.

Councilmember Lynn Torres moved to approve a Resolution authorizing an Amendment to the 2005/2006 Operating Budget (Budget Amendment No. 10), providing for the supplemental appropriation of funds in the General Fund and Hotel/Motel Tax Funds; and providing an effective date. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

9. RESOLUTION OF THE CITY OF LUFKIN AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEEP EAST TEXAS COUNCIL OF GOVERNMENTS (DETCOG) FOR A SOLID WASTE IMPLEMENTATIONS PROJECTS 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 DETCOG, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND THE STATE OF TEXAS

Mayor Louis Bronaugh stated that the next item for consideration was a Resolution of the City of Lufkin authorizing the filing of an application with the Deep East Texas Council of Governments (DETCOG) for a Solid Waste Implementations Projects 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 DETCOG, the Texas Commission on Environmental Quality and the State of Texas. City Manager Paul Parker stated that this was a Recycling Grant Application to DETCOG in the amount of twenty thousand dollars (\$20,000) with the City pledging five thousand dollars (\$5,000) from the Sanitation Operating Budget and "in-kind" services to match the grant. City Manager Parker added that the grant would:

- (1) Replace the four hundred (400) gallon tank used for the collection of used motor oil at the center's drop-off site; and
- (2) Refurbish the tank's enclosure to include storage of car and small engine batteries, and to better protect the tank and batteries from the elements; the project will consist of adding three metal walls and a metal roof to the structure; and
- (3) Provide education about the City's recycling programs through direct mail, advertising and promotional materials.

City Manager Parker added that the education efforts would focus on explaining proper recycling procedures to residents, particularly in Lufkin's growing Hispanic population. City Manager Parker stated that Staff recommended that Council authorize the application of this grant through the Deep East Texas Council of Governments.

Councilmember Rose Faine Boyd moved to approve a Resolution of the City of Lufkin authorizing the filing of an application with the Deep East Texas Council of Governments (DETCOG) for a Solid Waste Implementations Projects 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 DETCOG, the Texas Commission on Environmental Quality and the State of Texas. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

10. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUFKIN, AUTHORIZING THE SUBMISSION OF A STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM NOMINATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION; - APPROVED - AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM

Mayor Louis Bronaugh stated that the next item for consideration was a Resolution of the City Council of the City of Lufkin, authorizing the Submission of a Statewide Transportation Enhancement Program nomination to the Texas Department of Transportation; and authorizing the Mayor to act as the City's Chief Executive Officer and authorized representative in all matters pertaining to the City's participation in the Statewide Transportation Enhancement Program. City Manager

Paul Parker stated that Assistant City Manager/Public Works/City Manager Keith Wright would have a presentation of the STEP Program.

Mr. Wright stated that in the Council's packet was a memo with a brief explanation of the proposed program. Mr. Wright added that the second page was the Resolution. Mr. Wright pointed out the difference in the amount of the Resolution and the cost estimates. Mr. Wright stated that the difference in the amount was due to some additional fees for grant consulting and an administrative fee from TXDOT. Mr. Wright added that the grant would consist of two (2) components. Mr. Wright explained that one would be taking the locomotive from the Zoo and relocating it to Grace Dunne Richardson Park and the second component would be to extend the Azalea Trail to Chambers Park. Mr. Wright added that this would allow the City to have a trail system that would extend from Kiwanis Park to Chambers Park. Mr. Wright stated that in the future, the City could then extend the trail from Chambers Park along Angelina to Raguet and allow access to the Library and the Downtown area. Mr. Wright added that the next component would be to extend the sidewalks from Denman to the Lufkin Middle School and then tie back into the Azalea Trail. Mr. Wright stated that the total cost of the construction was \$1.3 million and the grant consulting fees and administrative fees would be added to that amount. Mr. Wright added that there was a map included in the packet that showed the proposed trail system. Mr. Wright explained that this was proposed in this manner due to the point system and how they were calculated. Mr. Wright then asked Gary Traylor, Traylor and Associates to present the Statewide Transportation Enhancement Program.

Gary Traylor then went through a PowerPoint presentation to the Council. Mr. Traylor explained that this program could yield one million dollars (\$1,000,000) in grant funds to the City. Mr. Traylor then went through the PowerPoint presentation explaining the STEP Program. Mr. Traylor explained that the STEP Program was a cost reimbursement program that was eighty percent (80%) federal and twenty percent (20%) local. Mr. Traylor explained the funding history of the program. Mr. Traylor added that the City had received \$2.8 million dollars in federal funds from the program. Mr. Traylor stated that it was responsible to note that the City is responsible for all cost overruns. Mr. Traylor then explained the plans for the relocation of the locomotive to Grace Dunne Richardson Park and the extension of the Azalea Trail from Grace Dunne to Chambers Park. Mr. Traylor explained how the project would be evaluated.

Mr. Wright stated that Staff had been in contact with some local foundations and had requested them to consider covering part of the cost of the matching funds. Mr. Wright added that there was some favorable response to the request, but there were no formal commitments. Mr. Wright explained that the City could possibly have to fund the match required for the program. Mr. Wright stated that tying the trail into the existing railroad that runs through downtown would relate back to the moving of the locomotive to Grace Dunne Richardson Park and would enhance the locomotive set up in the park.

There was discussion among the Mayor and City Council Members concerning the Azalea Trail, the proposed sidewalks, and the STEP Program.

Councilmember Lynn Torres moved to approve a Resolution of the City Council of the City of Lufkin, authorizing the Submission of a Statewide Transportation Enhancement Program nomination to the Texas Department of Transportation; and authorizing the Mayor to act as the City's Chief Executive Officer and authorized representative in all matters pertaining to the City's participation in the Statewide Transportation Enhancement Program. Councilmember Jack Gorden seconded the motion. A unanimous affirmative vote was recorded.

11. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE STATE FOR TEMPORARY CLOSURE OF STATE HIGHWAYS - APPROVED - FOR THE 2006 DOWNTOWN HOEDOWN PARADE AND DOWNTOWN HOEDOWN

Mayor Louis Bronaugh stated that the next item for consideration was a Resolution of the City Council of the City of Lufkin, Texas authorizing the City to enter into an agreement with the State for temporary closure of State Highways for the 2006 Downtown Hoedown Parade and Downtown Hoedown. City Manager Paul Parker stated that this was the annual request to TXDOT to close the street for Annual Downtown Hoedown. City Manager Parker added that Staff recommended that Council approve the Resolution authorizing the City to enter into an agreement with the State Department of Transportation for the temporary closure of State Highways for the 2006 Hoedown Parade and Downtown Hoedown Event.

Councilmember Rose Faine Boyd moved to approve a Resolution of the City Council of the City of Lufkin, Texas authorizing the City to enter into an agreement with the State for temporary closure of State Highways for the 2006 Downtown Hoedown Parade and Downtown Hoedown. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

12. BIDS FOR THE AC WATERLINE REPLACEMENT PROJECT #5 - APPROVED - ON LOTUS LANE

Mayor Louis Bronaugh stated that the next item for consideration was bids for the AC Waterline Replacement Project #5 on Lotus Lane. City Manager Paul Parker stated this was another of the City's AC Waterline Projects. City Manager Parker added that the City recently opened bids and the low bid came in at seven hundred thirty-five thousand seventeen dollars and forty cents (\$735,017.40). City Manager Parker stated that the original estimate for the project was seven hundred sixty-six thousand four hundred thirty dollars (\$766,430). City Manager Parker added that Duplichain Contractors was the low bidder and the City had success with the company in the past. City Manager Parker stated that Staff recommended the award of contract for AC Waterline Replacement Project #5 in the amount of seven hundred thirty-five thousand seventeen dollars and forty cents (\$735,017.40).

Councilmember Don Langston moved to approve bids for the AC Waterline Replacement Project #5 on Lotus Lane. Councilmember Jack Gorden seconded the motion. A unanimous affirmative vote was recorded.

13. RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2005/2006 OPERATING BUDGET (BUDGET AMENDMENT NO. 9), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL, WATER/WASTEWATER, SOLID WASTE & RECYCLING, AND EQUIPMENT AMORTIZATION AND REPLACEMENT FUNDS; AND PROVIDING AN EFFECTIVE DATE

Mayor Louis Bronaugh stated that the next item for consideration was a Resolution authorizing an amendment to the 2005/2006 Operating Budget (Budget Amendment No. 9), providing for the supplemental appropriation of funds in the General, Water/Wastewater, Solid Waste & Recycling, and Equipment Amortization and Replacement Funds; and providing an effective date. City Manager Paul Parker stated that as Council was aware from the February 7, 2006 Council Meeting there was extensive discussion of the Replacement Fund Proposal for the replacement of vehicles and equipment. City Manager Parker added that to seed the fund would require a transfer of four hundred twenty-two thousand five hundred forty-four dollars (\$422,544) from the General Fund with an additional one hundred twenty-five thousand dollars (\$125,000) for the purchase of a sweeper for the Street Department for a total of five hundred forty-seven thousand five hundred forty-four dollars (\$547,544) from the General Fund. City Manager Parker stated that it would also require an additional six hundred eighty-six thousand nine hundred nine dollars (\$686,909) from the Solid Waste Depreciation Fund and three hundred eighty-seven thousand seven hundred ninety-one dollars (\$387,791) from the Water and Sewer Depreciation Fund. City Manager Parker explained that the total dollars required to begin the amortization fund would be one million six hundred twenty-two thousand two hundred forty-four dollars (\$1,622,244). City Manager Parker added that this would include a full-time Director of Fleet Services. City Manager Parker stated that

Staff would be willing to answer any questions that Council had on the Amortization Policy or Budget.

Councilmembers expressed their appreciation for the hard work that went into the development of the policy.

Councilmember Don Langston moved to approve a Resolution authorizing an amendment to the 2005/2006 Operating Budget (Budget Amendment No. 9), providing for the supplemental appropriation of funds in the General, Water/Wastewater, Solid Waste & Recycling, and Equipment Amortization and Replacement Funds; and providing an effective date. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

14. AMENDMENT - APPROVED - TO THE CITY OF LUFKIN FINANCIAL POLICY

Mayor Louis Bronaugh stated that the next item for consideration was an Amendment to the City of Lufkin Financial Policy. City Manager Paul Parker stated that this amendment would allow the City to change the language in the current Financial Policy to add the adopted Amortization Policy and Replacement Program into the City of Lufkin Financial Policy.

Councilmember Phil Medford moved to approve an Amendment to the City of Lufkin Financial Policy. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

15. OPEN MEETINGS TRAINING FOR CITY COUNCIL AND CITY STAFF

Mayor Louis Bronaugh stated that the next item was Open Meetings Training for the City Council and Staff. City Manager Paul Parker stated that recent State Law requires that all City Council Members and the Mayor to attend a Texas Open Meetings Act Educational Program. City Manager Parker added that the Texas Attorney General's Office provides an educational CD that meets the requirements under State Law. City Manager Parker stated that upon completion the Council, Mayor and Staff would receive certificates verifying the Texas Open Meetings Training Certification.

- 16.** Mayor Louis Bronaugh stated that the next item for consideration was a report from Paul Parker, City Manager. City Manager Paul Parker stated that Council had in their packets the Lufkin Police Department's Annual Racial Profiling Report. City Manager Parker explained that there was nothing in the report that was unusual or differed from past reports. City Manager Parker added that he or Police Chief Larry Brazil would be happy to answer any questions that Council had concerning the report.

City Manager Parker stated that on the General Revenue Reports and Project Status Reports he would be happy to answer any questions that Council had concerning the report. City Manager Parker added that the City of Lufkin was in good shape in regards to the revenue areas. City Manager Parker stated that the expenditures were holding steady. City Manager Parker added that there was also included in the packet a complete status report on all projects and that he would be happy to answer any questions Council had on any project. City Manager Parker stated that the City is still diligently working on Whitehouse Phase III and do not have the permit for the wetlands. City Manager Parker added that Staff is encouraged by recent meetings with TXDOT that the City may get the permit.

Councilmember Don Langston asked about the status of the asbestos pipeline replacement at Crown Colony. Assistant City Manager/Public Works/City Engineer Keith Wright stated that a bid date had not been set, but Staff was expecting to bid the project in spring and begin work in summer.

Councilmember Rose Faine Boyd asked about the status on the completion of Abney Street. Mr. Wright stated that he had recently met with the contractor and expressed

the City Manager's dissatisfaction with the project. Mr. Wright added that the contractor assured him that the project was nearing completion.

Councilmember Don Langston asked about the status of the Sam Rayburn easement purchases. Mr. Wright stated that the City is still making purchases. Mr. Wright added that there were some properties that were not obtained due to physical obstruction or failure to negotiate.

City Manager Parker added that the December Sales Tax was up approximately fifteen percent (15%).

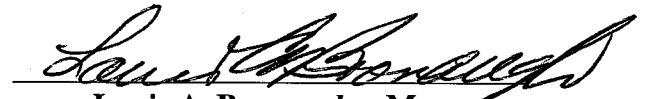
17. Mayor Louis Bronaugh recessed the Regular Session at 7:06 p.m. to enter into Executive Session.

EXECUTIVE SESSION: In accordance with the Texas Government Code Section 551.071 (2) Consultation with City Attorney on any Regular Session Agenda item requiring confidential, attorney/client advices necessitated by the deliberation or discussion of said items (as needed), and real estate, appointment to boards and personnel may be discussed.

Mayor Louis Bronaugh reconvened the Regular Session at 7:55 p.m.

18. City Manager Paul Parker noted that Council had their Calendar of Events and Mayor Bronaugh reminded the Council that the next Council Meeting would be held on Monday, March 6, 2006.

19. There being no further business for consideration, the meeting adjourned at 7:56 p.m.


Louis A. Bronaugh – Mayor


Renee Thompson – City Secretary