

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY  
OF LUFKIN, TEXAS HELD ON THE 4<sup>TH</sup> DAY OF APRIL, 2017.**

On the 4<sup>th</sup> day of April, 2017 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:

Bob F. Brown	Mayor
Mark Hicks	Mayor Pro Tem
Guessippina Bonner	Councilmember, Ward No. 1
Robert Shankle	Councilmember, Ward No. 2
Lynn Torres	Councilmember, Ward No. 3
Sarah Murray	Councilmember, Ward No. 6
Keith Wright	City Manager
Steve Floyd	Assistant City Manager
Bruce Green	City Attorney
Kara Atwood	City Secretary
Rodney Ivy	Human Resource Director
David Thomas	Assistant Police Chief
Ted Lovett	Fire Chief
Belinda Southern	Finance Director
Steve Poskey	Street Department Director
Barbara Thompson	Main Street Director
Dale Allred	Inspection Services Director
Chuck Walker	Solid Waste Director
Kent Havard	Solid Waste Director
Gorden Henley	Ellen Trout Zoo Director
Aaron Ramsey	Animal Control Director
Tara Watkins	Lufkin Convention & Visitors Bureau
Nancy Windham	Economic Development Director

being present and;

Rocky Thigpen	Councilmember, Ward No. 5
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being absent when the following business was transacted.

1. The meeting was opened with prayer by Pastor Ford Adkins of Cross Timbers Cowboy Church.
2. Mayor Bob F. Brown welcomed Leadership Lufkin, Angelina College students and visitors present.
3. **MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MARCH 21<sup>ST</sup>, 2017 - APPROVED**

Councilmember Lynn Torres moved to approve the minutes of the meeting as presented. Councilmember Guessippina Bonner seconded the motion and a unanimous vote to approve was recorded.

**4. PRESENTATION OF THE ELLEN TROUT ZOO MASTER PLAN**

Ellen Trout Zoo Director Gorden Henley and Mesa Project Architect Mark Robertson presented the Ellen Trout Zoo Master Plan.

Mayor Brown requested questions or comments. There were none.

## **OLD BUSINESS**

### **5. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE OF THE CITY OF LUFKIN, TEXAS, CHANGING THE ZONING AND FUTURE LAND USE MAP DESIGNATION TO "COMMERCIAL" ON PROPERTY ADDRESSED AS 1508 AND 1510 ATKINSON DRIVE - APPROVED**

City Manager Wright stated that the owner, Kevin Strickland requested a zone change from "Neighborhood Retail" and "Residential Medium Single Family Dwelling" to "Commercial" for the purpose of leasing an Automobile Sales business and operating a plumbing business. City Manager Wright furthered that the subject property at 1510 Atkinson Drive was a former single family home that was occupied by Strickland Plumbing and the subject property at 1508 Atkinson Drive was a former retail shop that the owner's tenant intended to use as an Automobile Sales business and a Barber Shop. City Manager Wright stated that the request was unanimously approved during the Planning and Zoning Commission meeting of March 13, 2017. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and approve on Second Reading an Ordinance changing the zoning and Future Land Use Map designation to "Commercial" on property located at 1508 and 1510 Atkinson Drive.

Mayor Brown opened the Public Hearing at 5:22 p.m. There being no one who wished to speak Mayor Brown closed the Public Hearing and requested comments from City Council. There were none.

Councilmember Bonner moved to approve the Ordinance as presented. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

### **6. SECOND READING OF AN ORDINANCE AMENDING PENAL ORDINANCE NO. 400 DELETING THE REQUIREMENT FOR A BEHAVIORAL ASSESSMENT TEST IN DECLARED DANGEROUS / POTENTIALLY DANGEROUS DOG CASES BY THE CITY OF LUFKIN ANIMAL CONTROL DEPARTMENT – APPROVED**

City Manager Wright stated that Staff recommended City Council approve on Second Reading an Ordinance amending Penal Ordinance No. 400 deleting the requirement of a behavioral assessment by an expert of any declared "dangerous" or "potentially dangerous" dog by Animal Control.

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

## **NEW BUSINESS**

### **7. PUBLIC HEARING AND CONSIDERATION OF PID'S REQUEST FOR THE CONTINGENT PERFORMANCE LOAN IN ACCORDANCE WITH THE CITY OF LUFKIN/PID GROUP, INC AND SALH INVESTMENTS, LLC, AMENDMENT CHAPTER 380 ECONOMIC DEVELOPMENT EXECUTED ON DECEMBER 1, 2016 - APPROVED**

City Manager Wright stated that per the Economic Development Agreement executed between the City of Lufkin and PID Group, Inc., should the owner, PID Group demonstrate an improvement in the industry market share or demonstrate a substantial growth in manufacturing sales order, the owner would be eligible for a low interest performance loan of \$400,000 in order to further their business. City Manager Wright furthered that PID Group, Inc., had been selected by a large artificial lift company to provide gears and gear repair for their products. City Manager Wright stated that PID also obtained the required certifications and an agreement with a worldwide company which supplied various types of pumping units to the oil and gas industry to market their product. City Manager Wright furthered that the company had also purchased

additional property for future expansion and continued to meet the criteria in the agreement executed in December of 2016. City Manager Wright stated that PID requested the low-interest contingent performance loan in the amount of \$400,000 as set forth in the agreement and the request was considered and approved by the 4B Economic Development Board on March 20, 2017. City Manager Wright concluded that City Council conduct a Public Hearing and approve the request by PID Group, Inc. for a contingent performance loan in the amount of \$400,000 to further expand their business.

Mayor Brown opened the Public Hearing at 5:25 p.m. There being no one who wished to speak Mayor Brown closed the Public Hearing and requested comments from City Council. There were none.

Councilmember Torres moved to approve the Contingent Performance Loan as presented. Councilmember Bonner seconded the motion and a unanimous vote to approve was recorded.

**8. RESOLUTION OF THE CITY OF LUFKIN, TEXAS SUSPENDING THE EFFECTIVE DATE OF THE RATE INCREASE FILING BY ONCOR ELECTRIC DELIVERY COMPANY, LLC AND AUTHORIZING PARTICIPATION IN THE COALITION OF SIMILARLY SITUATED CITIES – APPROVED**

City Manager Wright stated that on March 17, 2017, Oncor Electric Delivery Company LLC filed a Statement of Intent to increase its revenues by approximately \$317 million, which equated to a net increase of approximately 7.5% in Oncor's overall revenue. City Manager Wright highlighted a chart that detailed the impact of the proposed rate increase on residential customers. City Manager Wright furthered that the increase would result in an 11.8% increase to residential customers. City Manager Wright stated that Oncor proposed to implement the proposed increase in rates effective April 21, 2017; and that failure to take action by this date would result in Oncor's proposed rates being deemed approved by operation of law. City Manager Wright stated that Oncor's application posed complex regulatory issues that required time to evaluate the merits of Oncor's increase in rates. City Manager Wright furthered that the law firm of Herrera & Boyle, PLLC had previously represented the City and its participation in the coalition of cities named the "Alliance of Oncor Cities" called AOC in rate matters involving Oncor and the Resolution authorized retention of Herrera & Boyle as Special Counsel and continued participation in the AOC coalition. City Manager Wright furthered that it was important to participate in the proceedings because the Commission's decisions could impact rates within the City. City Manager Wright stated that legal counsel and consultants approved by the City would submit monthly invoices to the City designated by AOC to serve as the "coordinating" city who will then forward invoices to Oncor for reimbursement. City Manager Wright furthered that Oncor's rate-filing package was voluminous, contained thousands of pages of data and to have time to review the rate-filing package; the Council was requested to suspend Oncor's proposed effective date for ninety (90) days. City Manager Wright concluded that that recommended City Council approve a Resolution suspending the effective date of the proposed rate increase by Oncor Electric for ninety (90) days and authorize participation in the coalition of cities.

Mayor Brown asked City Council for questions or comments. There were none.

Councilmember Hicks moved to approve the Resolution as presented. Councilmember Murray seconded the motion and a unanimous vote to approve was recorded.

**9. RESOLUTION OF THE CITY OF LUFKIN, TEXAS AUTHORIZING THE LEASE OF A PARCEL OF LAND LOCATED AT THE CORNER OF FM 819 AND HIGHWAY 59 SOUTH TO ADKO OUTDOORS, LTD FOR THE CONTINUED PLACEMENT OF AN EXISTING OUTDOOR ADVERTISING SIGN - APPROVED**

City Manager Wright stated that Section 272.001 of the Texas Local Government Code authorized a municipality to convey or lease narrow strips of land, or land that because of its shape, lack of access to public roads, or small area could not be used independently under the current zoning or under applicable subdivision or other development control ordinances to abutting property owners for fair market value. City Manager Wright highlighted the subject properties for Items No. nine (9) and ten (10) on a map. City Manager Wright stated that the particular tracts of land under consideration in Items No. nine (9) and No. ten (10) were unused strips of land that were part of an undeveloped easement. City Manager Wright furthered that the land was bordered by timber on one side and a lot on one side that was being developed for a truck stop. City Manager Wright stated that both potential lessees approached the City and requested to purchase or lease the respective lots for the purposes set forth in the attached resolutions. City Manager Wright furthered that the City could lease the properties without notice and bid as long as the lease was for fair market value. City Manager Wright stated that the City Engineering Department secured appraisals for the property and divided the value into annual payments, hence the amount of the respective leases. City Manager Wright concluded that Staff recommended City Council approve a Resolution authorizing the City Manager to negotiate an agreement for the lease of the property located at the corner of FM 819 and Highway 59 South to ADKO Outdoors, Ltd., for the continued placement of an existing outdoor advertising sign.

Councilmember Mark Hicks stated that he signed an affidavit of recusal regarding voting on Item No. 9 due to his involvement in ADKO Outdoors.

Councilmember Bonner moved to approve the Resolution as presented. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

**10. RESOLUTION OF THE CITY OF LUFKIN, TEXAS AUTHORIZING THE LEASE OF A PARCEL OF LAND LOCATED AT THE CORNER OF FM 819 AND 59 SOUTH TO SK ALLIANCE, INC TO BE USED FOR A BUSINESS BUFFER AND PARKING – APPROVED**

City Manager Wright stated that the proposed Resolution was for the 0.688 portion of the lease to SK Alliance's use of a business buffer and parking trucking facility. City Manager Wright concluded that Staff recommended City Council approve a Resolution authorizing the City Manager to negotiate an agreement with SK Alliance for the lease of the property located at the corner of FM 819 and Highway 59 South to be used for the business buffer and parking.

Councilmember Shankle moved to approve the Resolution as presented. Councilmember Bonner seconded the motion and a unanimous vote to approve was recorded.

**11. RESOLUTION OF THE CITY OF LUFKIN, TEXAS AUTHORIZING ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$43,416.26 FROM THE DEEP EAST TEXAS COUNCIL OF GOVERNMENTS (DETCOG) TO THE LUFKIN POLICE DEPARTMENT AND A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2016/2017 OPERATING BUDGET (BUDGET AMENDMENT NO. 17) APPROPRIATING THE FUNDING – APPROVED**

City Manager Wright stated that the Lufkin Police Department was awarded a grant in the amount of \$43,416.26 from the Deep East Texas Council of Governments (DETCOG) to purchase, house and utilize an Advanced Law Enforcement Rapid Response Training Kit. City Manager Wright furthered that the total cost for the kit would be reimbursed by DETCOG upon purchase by the Police Department. City Manager Wright stated that the kit and subsequent ALERRT train the trainer course would allow ALERRT Certified Instructors from the Lufkin Police Department and the DETCOG region to conduct Level 1 active shooter training. City Manager Wright concluded that Staff recommended City Council approve a Resolution accepting the grant funds in the amount of \$43,416.26 from DETCOG and approve a Resolution

authorizing an amendment to the 2016/2017 Operating Budget (Budget Amendment No. 17) for the appropriation of the funding.

Councilmember Torres moved to approve the Resolution as presented. Councilmember Murray seconded the motion and a unanimous vote to approve was recorded.

**12. ITEMS OF COMMUNITY INTEREST FROM MAYOR, CITY COUNCILMEMBERS AND STAFF**

City Manager Wright detailed various upcoming City sponsored and community events.

**13.** There being no more business to address the meeting was adjourned at 5:38 p.m.



  
Bob F. Brown, Mayor

ATTEST:

  
Kara Atwood, City Secretary