MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 4TH DAY OF AUGUST, 2009

On the 4th day of August, 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
Lynn Torres	Councilmember, Ward No. 3
Phil Medford	Councilmember, Ward No. 6
Paul L. Parker	City Manager
Keith Wright	Deputy City Manager
Robert Flournoy	City Attorney
Bruce Green	Asst. City Attorney
Renee Thompson	City Secretary
Rodney Ivy	Human Resource Director
Scott Marcotte	Police Chief
Gerald Williamson	Asst. Police Chief
Duane Freeman	Interim Fire Chief
Doug Wood	Finance Director
Dorothy Wilson	Planning Director
Steve Poskey	Street Department, Superintendent
Steve Floyd	Public Works Director
Jim Wehmeier	Economic Development Director
Dale Allred	Inspection Services Director
Chuck Walker	Public Utilities Director
Belinda Southern	Finance Manager
Robbin Crawford	Senior Accountant

being present, and

Rufus Duncan	Councilmember, Ward No. 5

being absent, when the following business was transacted:

1. The meeting was opened with prayer by Pastor Bob Klund, Believer's Bible Church.

2. Mayor Jack Gorden welcomed visitors present.

3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting of July 21, 2009, were approved as corrected on a motion by Councilmember R. L. Kuykendall, and seconded by Councilmember Lynn Torres. A unanimous affirmative vote was recorded.

NEW BUSINESS:

4. **PRESENTATION BY PEYTON WALTERS CONCERNING THE LITERACY ADVISORY COUNCIL**

Mayor Jack Gorden stated that the next item for consideration was a Presentation by Peyton Walters concerning the Literacy Advisory Council. Mayor Gorden added that Mr. Walters had gone from County Judge, to being the right hand man of Charlie Wilson, to looking after the future of the Kurth Memorial Library.

Mr. Peyton Walters stated that before he began his remarks regarding the Library, he wanted to share a story. Mr. Walters stated that he and his brother had participated in the Neches

River Rendezvous. Mr. Walters explained that his brother, who was two (2) years older than he was, had some physical problems during the excursion. Mr. Walters added that they were fortunate enough to be near the future Chief of Police, Scott Marcotte, on the river. Mr. Walters stated that Chief Marcotte had really helped them, and that he would always be appreciative to Chief Marcotte for his assistance.

Mr. Walters stated that the Literacy Council had a PowerPoint presentation, but that he wanted to make a few remarks first. Mr. Walters asked how many of the City Council remembered the rhyme that went: "Here's the church; here's the steeple; Open the door; and see the people"? Mr. Walters added that the Literacy Council was asking the City Council to consider joining the Board of Trustees of the Kurth Memorial Library in an effort to form a more perfect union by locking hands with the Board to enrich the Library by appointing a comprehensive long-range planning committee. Mr. Walters stated that planning had many benefits, but the most important was it would open the doors to the Library to include the community as an equal partner, thus forming a triumvirate of the City, the Board, and the community working together. Mr. Walter added that by working together, empowering the library users, the community would make the Kurth Memorial Library the very best in the country. Mr. Walters requested the Council to think of another nursery rhyme whenever they went to bed. Mr. Walters stated that the nursery rhyme went: "Here's Kurth Memorial Library; Here's the tower, Open the doors; and see the people power". Mr. Walters then stated that it was his honor and pleasure to present Chuck Royston, Secretary of the Literacy Advisory Council.

Mr. Royston thanked Mayor Gorden, City Manager Parker, Deputy City Manager Wright, and the City Council for giving the Literacy Advisory Council a chance to be heard. Mr. Royston stated that the presentation was the culmination of two and one-half (2 ½) years worth of effort by the Literacy Advisory Council. Mr. Royston added that he was one (1) of the first members on the Literacy Council, and had followed it from the very beginning. Mr. Royston explained that he was at the Council meeting because the Literacy Council's President Dr. W. D. Thames couldn't attend, due to medical reasons, and that the Literacy Council's Vice-President James Yeates couldn't attend because he was traveling. Mr. Royston stated that other members of the Literacy Council in attendance were Angelin Bassinger, Connie Hall, and Mary Goodwin. Mr. Royston stated that the entire plan began with an idea. Mr. Royston explained that the idea was to make the library experience like visiting a great bookstore. Mr. Royston added that the idea was to make Kurth Memorial Library the first thing that people thought of when they wanted to get together with friends. Mr. Royston stated that Mary Goodwin put together a PowerPoint presentation outlining the Literacy Council's vision for the future of Kurth Memorial Library. Mr. Royston asked the Council to review the packet of information that Mr. Walters put together, and to watch the PowerPoint presentation with an open mind. Mr. Royston then turned the presentation over to Mary Goodwin.

Mary Goodwin then gave a PowerPoint presentation regarding the Kurth Memorial Library (KML). The PowerPoint presentation gave information concerning plans for future growth in the currently unused area of the library. The presentation gave a vision that would create an updated library image that would bring increased community awareness, and would lead to even greater usage of Kurth Memorial Library. The presentation stated that the Literacy Advisory Council envisioned a quiet, peaceful and welcoming place, where renewal and restoration of the mind and soul was always available, and the collection looked more like what could be found in a modern, well marketed book store. The presentation added that the Council envisioned a place like those places that book lovers liked to visit. The presentation asked the Council to open their imaginations to the world of possibilities for Kurth Memorial Library. The presentation explained that for two (2) years the Council's appointees to the Literacy Advisory Council had developed, discussed and refined ideas for the future of KML. The presentation stated that an idea suggested by Judith Hyatt, of the Houston Area Library System, was to make the signs within the library look more like those found in book stores. The presentation added that making the signage more visable, dramatic, colorful and eye catching was a component of the need to plan and coordinate goals. The presentation then showed some examples of library signs that were being referred to. The presentation also suggested a marquee for the front of the library, where the events of the day and the future could be displayed. The presentation stated that the original plans for KML was to make it a focal point of the community, and incorporated the idea of a coffee shop where the reading room currently existed. The presentation added that many libraries across the country had opened up such spaces, where one could bring a laptop, read a book chosen from the library shelves and enjoy the quiet ambience. The presentation suggested that the library could be a place to meet people for coffee, sit down with a cup of coffee and leisurely thumb through a book, or meet friends to discuss the issues of the day, or even making new acquaintances of likeminded literary people. The presentation explained that would cause the library to certainly be a destination place in Lufkin. The presentation stated that the Literacy Advisory Council also envisioned being able to purchase a new or used book, and unique book lover's gifts at a KML Book and Gift Shop. The presentation explained that incorporated within some library's coffee shops are friends, book sales and gift items. The presentation added that the continuous book sales had been very profitable for other libraries.

The presentation stated that it was anticipated that as the Kurth Memorial Library grew, and was molded into a focal point, and as a destination for individuals and groups, the need for an additional meeting room or rooms might be required. The presentation added that as more people and groups were drawn to and got into the library, the tentacles of support would reach further and deeper into the community. The presentation stated that the inevitable result would be increasing demands on meeting room space, but would at the same time, engender increasingly stronger support from the community. The presentation added that one (1) of the most elusive and challenging facets of all libraries were the almost hourly discoveries and changes in the area of technology. The presentation explained that the ever changing component of modern libraries mae it most difficult to plan and invest in the future. The presentation stated that the KML Board wisely created a technology committee, that was charged with reviewing the current equipment at the library, and making recommendations for assessing and accessing the future technological needs of library users. The presentation added that to stay current, the technology committee would have to be an ongoing, viable and functioning committee for the foreseeable future. The presentation stated that the value of planning techniques was that they were time tested, and used to more accurately predict the unknowable future, elicit inscrutable community needs, and assess the process of attaining desired goals. The presentation explained that to convert the vision of Kurth Memorial Library to reality, it was imperative to develop long range and short range planning goals. The presentation added that this required the cooperative efforts of the KML Board of Trustees, the City of Lufkin, the Friends of the Library, the KML Director and Staff, and the community. The presentation stated that at some point in the future, if the library was to remain viable and pursue attainable goals, the financial obligations for the Board and the City would increase. The presentation explained that this reality would lend credibility and purpose to the proposition that long range planning instituted by the originators of the present library building be continued, to assure orderly growth and development of the Kurth Memorial Library. The presentation stated that the first step toward the purchase of that insurance would be for the Board and the City of Lufkin to adopt Resolutions endorsing the concept of short and long range planning, and by jointly appointing a Planning Committee to immediately renew the process for planning for the future goals of the Kurth Memorial Library. The presentation stated that the information presented was not a plan, but were the reasons and justifications for a continuation of the established long range planning process. The presentation added that at the current moment, whether or not action was taken on the recommendation to begin the planning process, rested squarely in the hands of the Board of Trustees and the City of Lufkin. The presentation asked whether or not to continue to let the future of Kurth Memorial Library lie in the dirt, or join hands as the Board of Trustees, the City of Lufkin and the community to work together and accomplish the goal of making the library the very best in the country.

Mayor Gorden stated that the presentation was very interesting, and that it went without saying that the City and Council appreciated all of the work that the Literacy Advisory Council had put into the plan and presentation. Mayor Gorden stated that there were four (4) of the Board of Trustees for Kurth Memorial Library present at the meeting, and then introduced Mary Goodwin, Francine Tieperman, Lynn Torres, and Peyton Walters. Mayor Gorden added that the Library was one (1) of the crown jewels of the Lufkin community that everyone was proud of. Mayor Gorden stated that the proper care of it was very important. Mayor Gorden stated that the Council had a Staff recommendation to authorize the appointment of the comprehensive planning committee, for the purpose of recommending future development of Kurth Memorial Library. Mayor Gorden asked if it was an action item. City Manager Parker stated that it wasn't an action item, but that Staff recommended that the Council authorize that concept, and then the City would work with the Board and the Literacy Advisory Council to determine the membership, and then whenever the groups had the names they would bring them back to the Council for appointments. City Manager Parker added that the concept would be for the Council to endorse the Board and Literacy

Advisory Council to begin the planning stage to look at the future of the Kurth Memorial Library. City Manager Parker added that Staff would work with the Board and the Literacy Advisory Council to get the mechanisms for the committee, and then bring the names back to the Council for appointments. Mayor Gorden then thanked the Literacy Advisory Council for the work they did.

5. PRESENTATION BY BOBBIE WHITEHEAD CONCERNING THE UNDOING RACISM TASK FORCE

Mayor Jack Gorden stated that the next item for consideration was a Presentation by Bobbie Whitehead concerning the Undoing Racism Task Force. Mayor Gorden added that the Council was hearing from different entities that the Council had a vested interest in.

City Manager Paul Parker stated that Ms. Bobbie Whitehead was the Chairman of the Undoing Racism Task Force. City Manager Parker added that the Task Force had been in existence for approximately seven to eight (7-8) years, and had worked with the City Staff. City Manager Parker stated that it was appropriate for the Task Force to give an overview to the City Council of their purpose and operations. City Manager Parker then turned the meeting over to Ms. Bobbie Whitehead.

Ms. Bobbie Whitehead stated that it was the first time that the Undoing Racism Task Force had the opportunity to make a formal presentation to the City Council. Ms. Whitehead stated that each year, at the Undoing Racism's Christmas Banquet, the Task Force had always given an update on what the Task Force had been doing and planned to do. Ms. Whitehead stated that in December of 2000, the City of Lufkin joined with the National League of Cities in their campaign to promote racial justice, along with many other cities in the United States. Ms. Whitehead added that the City Council then established a Task Force on Undoing Racism. Ms. Whitehead stated that the National League of Cities had determined racism to be the greatest barrier to equality and justice. Ms. Whitehead stated that the Task Force was comprised of multi-racial and multi-cultural volunteers. Ms. Whitehead added that the Task Force had an open membership and met the third Monday of every month at 6:00 p.m., at the Lufkin City Hall, Room 202. Ms. Whitehead explained that when the Task Force first began operations, they established their Mission Statement, which was "To identify, acknowledge and develop strategies for barriers to equality and justice". Ms. Whitehead stated that the Task Force hoped that those strategies would eliminate those barriers. Ms. Whitehead added that the Task Force was aware that many times the barriers were not something that somebody deliberately placed, so that there would be a barrier to equality. Ms. Whitehead explained that once the barriers were there and were identified, something had to be done to eliminate them. Ms. Whitehead stated that the City of Lufkin was to be commended for jumping right in with the National League of Cities campaign at its inception. Ms. Whitehead added that two (2) of the Council Members, Mr. R. L. Kuykendall and the late Don Boyd, along with the City Manager, came to the Council and asked to establish the Task Force. Ms. Whitehead stated that the name "Undoing Racism" was determined by the National League of Cities. Ms. Whitehead added that Task Force was in the process of relooking at the name, and making a recommendation to the City Council that the name be changed to "Inclusiveness". Ms. Whitehead stated that most of the cities were using that term instead of "Undoing Racism". Ms. Whitehead added that the decision had to be brought to the City Council, because the Council initially named the Task Force. Ms. Whitehead stated that the Undoing Racism Task Force had a number of activities that had occurred over the past seven to eight (7-8) years. Ms. Whitehead explained that the initial activity was an in-depth review of the City's Human Resources Department. Ms. Whitehead added that the review went on for several months. Ms. Whitehead stated that the late Human Resources Director was really tired of having herself and James Townes in the Personnel Department. Ms. Whitehead added that the Task Force did receive wholesome support while there. Ms. Whitehead explained that the review that was conducted over several months, indicated that there was underrepresentation in the work force for certain minority groups. Ms. Whitehead added, that while looking at the policies and procedures, it was determined that some of the policies and procedures were the barriers to that equality. Ms. Whitehead explained that when the Task Force was talking about inequality, they were not always talking about something that was deliberate. Ms. Whitehead stated that some things just happened, and that one of the policies that as in effect at the time, was a good on the one hand, and bad policy on the other hand. Ms. Whitehead stated that the Task Force found about eight (8) situations where they felt a revision in policy or procedure would help, and would bring about greater representation. Ms. Whitehead stated that the revisions were presented to the

City Manager and the Director of Human Resources, and each one (1) of those recommendations was accepted and implemented. Ms. Whitehead added that the Task Force believed that this went a long way toward reducing the underrepresentation. Ms. Whitehead stated that the Task Force had not had an opportunity to go back and look at the outcome, because the current Human Resource Department was not producing the monthly employment reports that were in effect at that time. Ms. Whitehead added that the Task Force could not look at it effectively, unless they had those monthly reports. Ms. Whitehead stated that the Task Force was looking forward to those reports being reinstituted, and then the Task Force would be able to review them. Ms. Whitehead stated that next thing that the Task Force did was an attitude survey of City employees, and that the survey was a blind survey. Ms. Whitehead explained that the survey was pretty discouraging, because it showed a fairly strong insensitivity among the employees. Ms. Whitehead stated that City Manager Parker came to Lufkin just as the Undoing Racism Task Force was in the middle of planning the Heritage Festival. Ms. Whitehead explained that City Manager Parker was getting all of the bills and didn't know what they were for, but that he approved them and paid them anyway, and was a good soldier. Ms. Whitehead stated that City Manager Parker decided that the entire work force should have diversity training, and that the Task Force assumed some part of that training to try to alleviate some of the misconceptions and problems that had been identified. Ms. Whitehead stated that the next thing that the Task Force did was to try increase the participation and opportunities for minority contractors, by bringing together contractors and tradesmen in the City that had not been able to share in the contracting opportunities. Ms. Whitehead explained that the Task Force brought the contractors and tradesmen together with those individuals who were already contracting with the City, hoping that they could bond and work together. Ms. Whitehead stated that some of the minority contractors and sub-contractors participated. Ms. Whitehead explained that there were a number of reasons that the minority contractors were not getting the contracts. Ms. Whitehead added that one (1) reason that the minority contractors did not apply for the contracts was because they did not understand the application process, and in some cases it was the matter of lack of money, supplies and equipment. Ms. Whitehead stated that the Task Force felt strongly that the minority contractors could work as sub-contractors, and get their foot in the door, and then the next time they would be ready to contract. Ms. Whitehead added that the venture was mildly successful. Ms. Whitehead explained that the minority contractors were there, but the contractors with the City were not. Ms. Whitehead stated that the City Manager, at that time, was extremely disappointed, because he had expected the contractors would come because he had asked them to attend. Ms. Whitehead added that the Task Force was going to try that tactic again. Ms. Whitehead stated that following that project, the Task Force then had a informational meeting for minority tradesmen, to help them to understand the application process, and to explain that there were certain lists that they needed to get on, so that they could receive the offers to bid for contracts.

Ms. Whitehead stated that the Task Force was in their sixth (6^{th}) year of hosting the Heritage Festival. Ms. Whitehead added that when the Task Force first began to discuss the idea of having a Heritage Festival, one (1) of the Task Force members asked what it had to do with undoing racism. Ms. Whitehead stated that it had a lot to do with undoing racism, because one (1) of the reasons that had been identified as a cause of racism was a lack of understanding. Ms. Whitehead explained that those things that people did not know or understand were usually things that they tended to withdraw from. Ms. Whitehead added that the Heritage Festival was the acknowledgement and celebration of diversity in the City of Lufkin. Ms. Whitehead stated that most people would be surprised to know the scope of diversity and ethnic groups living in Lufkin. Ms. Whitehead explained that groups had a propensity to cluster together. Ms. Whitehead reiterated that the Heritage Festival was a celebration of the diversity in Lufkin. Ms. Whitehead added that the Heritage Festival had grown, and that the Task Force expected it to be bigger and better this year. Ms. Whitehead stated that in the previous year, the Task Force had been able to get some participation from community organizations such as the Concerned Black Men and the Friendship Social Club, and that the Task Force was very grateful for that. Ms. Whitehead added that the Heritage Festival was an activity that received some financial support from two (2) partners. Ms. Whitehead explained that Sam's Club and Wal-Mart had helped every year, without fail. Ms. Whitehead stated that one of the first objectives of the Heritage Festival was the hope that eventually the event would pay for itself. Ms. Whitehead added that the Heritage Festival was currently doing that, but that the Task Force was unable to use any of the money that given by Wal-Mart and Sam's for the Task Force operations. Ms. Whitehead explained that the Task Force still looked to the City of Lufkin for those funds, but that the Task Force had been very fortunate and had a fairly good budget. Ms. Whitehead stated that the members were good at pinching pennies and looking at the bottom line, and were therefore able to do quite a lot with very little. Ms. Whitehead stated that the Task Force had been working with a diversity continuum that was developed by the National League of Cities. Ms. Whitehead explained that the continuum went from one to six (1-6), with six (6) being the ultimate asset. Ms. Whitehead stated that the Task Force assessed the City of Lufkin departments, and had decided that the City of Lufkin was between a stage three (3) and stage four (4). Ms. Whitehead added that this represented a symbolic change. Ms. Whitehead explained that the Task Force assessed that the City saw itself as committed to inclusion of racial and ethnic people, made official pronouncements regarding diversity, recruited people of color on committees, boards or in certain positions, but did not recruit those who made waves. Ms. Whitehead added that probably, any group would more than likely have people that would not want anyone to come in making waves or shaking the tree. Ms. Whitehead stated that the Task Force did ask the City Manager, the Human Resources Director and a couple of Task Force members who were City employees, what they thought. Ms. Whitehead stated that the group rated the City as a four (4). Ms. Whitehead added that the Task Force was not far from that assessment. Ms. Whitehead stated that the Task Force saw the City's efforts in reaching the point of inclusiveness, where diversity was seen as an asset. Ms. Whitehead stated that the Task Force had strategies developed to move the City from a three (3) or four (4) to a six (6). Ms. Whitehead explained that an assessment of six (6) said that diversity was an asset, staff reflected contributions and interest of diverse racial, cultural and economic groups. Ms. Whitehead added that diversity then became second nature. Ms. Whitehead stated that the Task Force's next initiative would be to look at the parity of City services in various neighborhoods. Ms. Whitehead stated that the Task Force had already done a drive through, and had DVDs of things that the Task Force found, and that the Task Force would be willing to share those with the City Council, at some future time. Ms. Whitehead added that the initiative would be done so that minority neighborhood parity could be improved. Ms. Whitehead stated that the Council might also have other ideas that the Task Force might need to consider. Ms. Whitehead added that the Task Force had the time and the Council had the authority. Ms. Whitehead then stated that she would try to answer any questions that the Council had regarding the Undoing Racism Task Force.

Councilmember Don Langston asked if Ms. Whitehead could give him an example regarding parity of City services. Ms. Whitehead stated that the Task Force was referring to those things that the City maintained such as streets, parks, and lights in the various neighborhoods. Ms. Whitehead added that the important thing was that the City should make the effort to become a model. Ms. Whitehead explained that for example, the City could not tell Angelina College or Lufkin ISD what to do, but the City could become a model for other entities. Ms. Whitehead stated that the Task Force had been encouraged by the support that had been received from the City, the City Manager and the City Council. Ms. Whitehead then introduced the members of the Undoing Racism Task Force that were present. Ms. Whitehead stated that present at the Council Meeting was Mina Patel, Guessipina Bonner, Laverne Henson, Lela Simmons and Louise Lavane.

Mayor Gorden thanked Ms. Whitehead and the Task Force for all of the work they did, and added that the Council's wish was that the Task Force would work themselves out of a job, and would help the City reach an assessment of six (6). Mayor Gorden also thanked City Manager Paul Parker for spending many hours attending the meetings, hearing the Task Force's concerns and working with together with the Task Force.

6. **PRESENTATION OF APPRECIATION TO THE MAYOR AND CITY COUNCIL BY RALPH BEAN FOR THE CONCERNED BLACK MEN OF LUFKIN, CONCERNING THE 2009 DON BOYD SUMMER YOUTH CAMP**

Mayor Jack Gorden stated that the next item for consideration was a Presentation of appreciation to the Mayor and City Council by Ralph Bean for the Concerned Black Men of Lufkin, concerning the 2009 Don Boyd Summer Youth Camp.

Officer Ralph Bean thanked Mayor Gorden, City Manager Parker and the City Council for allowing him to make a presentation. Officer Bean added that he was a member of the Concerned Black Men, and was the Vice-President of the organization. Officer Bean stated that the Concerned Black Men had been doing a summer camp for the last sixteen (16) years. Officer Bean explained that the summer camp was held at the Lufkin Middle School, had moved from the Dunbar School to the Lufkin Middle School, and for the past three (3) years the camp had been held at Lufkin Middle School. Officer Bean stated that the camp was offered to any child in Angelina County, and that the ages ranged from seven to twelve (7-12) years. Officer Bean stated that the current year was very special to him, because the camp was opened up to thirteen (13) and fourteen (14) year olds. Officer Bean explained that the thirteen (13) and fourteen (14) year olds were the students that he knew and were around at Lufkin Middle School every day. Officer Bean added that he was able to not only spend nine (9) months out of the year with those students, but could spend an extra month and one-half with the students, and that was very special to him. Officer Bean thanked the Council for their support, and all that was done for the camp. Officer Bean added that Don Boyd was a City Councilmember, and had passed on and that the Concerned Black Men had changed the name of the camp from "the Concerned Black Men's Summer Camp" to "the Don Boyd Summer Camp". Officer Bean stated that t-shirts were made for the camp, and then showed the shirts to the Council. Officer Bean added that the camp had a lot of sponsors, but had it not been for the City being there when they were needed, it would have been hard. Officer Bean stated that science had been added to the camp's curriculum. Officer Bean added that the curriculum consisted of math, reading, science and basketball. Officer Bean explained that the camp was an educational camp, but that most people thought it was a sport camp. Officer Bean stated that the campers had one (1) hour of math, reading, science and gym time each day. Officer Bean added that the campers also went on field trips. Officer Bean stated that the school provided breakfast and lunches for the campers each day, and that the campers were also provided a snack. Officer Bean stated that the hours were 7:30 a.m. to 3:30 p.m., and that the camp pre-enrolled one hundred fifty-seven (157) students by the first day, and by the time the week had ended, the enrollment was up to one hundred ninety-eight (198) students. Officer Bean thanked the Council, and stated that the camp was a blessing. Officer Bean added that without the support of the Council, the Concerned Black Men would not have been able to do what they did for the campers. Officer Bean stated that the average daily attendance was one hundred twenty-five (125) students. Officer Bean stated that at the end of the camp the students were taken on a "reward" field trip. Officer Bean explained that the students had to attend the camp at least fifteen (15) of the twenty (20) days that the camp took place. Officer Bean added that one hundred twenty-five (125) campers were taken to Splashtown. Officer Bean stated that the campers arrived back home at approximately 9:30 p.m. on Monday, July 13th. Officer Bean added that on July 16, 2009, the camp ended. Officer Bean explained that the camp was held for five (5) weeks, four (4) days per week, from 7:30 a.m. to 3:30 p.m. Officer Bean added that on the last day of camp the Concerned Black Men held a cookout for the campers. Officer Bean stated that on that last day, a young man came up to him and said, "Officer Bean, what are we going to do next week?" Officer Bean stated that he was at a loss for words, and said that he didn't know, but that the relationship that they had for those five (5) weeks would go forever, and if the young man ever needed anything, he should call him. Officer Bean stated that it was special for him to be there every day, and was also special because he could be there with the students. Officer Bean stated that the camp had another successful year, and then presented camp T-shirts to the City Council. Officer Bean once again thanked the Council, and then introduced the following Concerned Black Men Members: Johnny Giles and Leon Bagley, the official photographer for the Concerned Black Men. Officer Bean added that they also had a DVD that they put together of every day of the camp. Officer Bean stated that he would leave a copy with Mayor Gorden, for anyone who wanted to see what went on. Officer Bean added that in the sixteen (16) years of the camp, they went from charging twenty dollars ($20) to free. Officer Bean stated that it was a blessing, and that without the Council's support they could not have done it.

Mayor Gorden thanked Officer Bean and the Concerned Black Men. Mayor Gorden added that each year the Council heard more good things about what came out of the camp, and that the camp was a blessing for the community. Mayor Gorden stated that it also gave the Council the opportunity to thank Officer Bean for his work with the youth in the area. Mayor Gorden added that it was evident to everyone that Officer Bean had a special place in his heart for kids.

Councilmember Don Langston stated that he had a lot of admiration for five (5) weeks with over one hundred twenty-five (125) kids a day, and that Officer Bean had a servant's heart, and that he appreciated the work that the Concerned Black Men did.

Officer Bean stated that this year was special, because the new Police Chief Scott Marcotte allowed him to be at the camp every day. Officer Bean added that he was at the camp for five (5) weeks, and didn't miss a day, and was looking forward to next year, if things went well and worked out, and then again thanked the Council. Mayor Gorden asked Officer Bean to extend the thanks of the City Council to the other members of the Concerned Black Men that were unable to attend the Council Meeting.

7. **RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2008/2009 OPERATING BUDGET (BUDGET AMENDMENT NO. 32), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE HOTEL/MOTEL TAX FUND; AND PROVIDING AN EFFECTIVE DATE FOR THE MUSEUM OF EAST TEXAS JOHN JAMES AUDUBON EXHIBIT**

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. 32), providing for the supplemental appropriation of funds in the Hotel/Motel Tax Fund; and providing an effective date for the Museum of East Texas John James Audubon Exhibit.

City Manager Paul Parker stated that the Budget Amendment that was before the City Council was for fifteen thousand dollars ($15,000), and was coming from the Hotel/Motel Fund Reserve, and would not affect the percentages given to the agencies. City Manager Parker added that Staff recommended that Council approve the Budget Amendment.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Lynn Torres moved to approve the Resolution authorizing an amendment to the 2008/2009 Operating Budget (Budget Amendment No. 32), providing for the supplemental appropriation of funds in the Hotel/Motel Tax Fund; and providing an effective date for the Museum of East Texas John James Audubon Exhibit. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

8. **RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2008/2009 OPERATING BUDGET (BUDGET AMENDMENT NO. 33), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN GENERAL FUND; AND PROVIDING AN EFFECTIVE DATE AND ACCEPTANCE OF A DONATION FROM TEMPLE INLAND IN THE AMOUNT OF $2500 TO THE CITY OF LUFKIN FIRE DEPARTMENT**

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. 33), providing for the supplemental appropriation of funds in General Fund; and providing an effective date and acceptance of a donation from Temple Inland in the amount of $2500 to the City of Lufkin Fire Department.

City Manager Paul Parker stated that whenever the Temple Inland Diboll Particle Board Plant had a fire earlier in the year, they called the City of Lufkin to stand by to do support to help suppress the fire. City Manager Parker added that before the City's forces were actually called into service, the fire was under control, and the City of Lufkin Fire Department never actually went to the site, but did mobilize trucks and manpower. City Manager Parker explained that in appreciation for the department's efforts, Temple Inland donated two thousand five hundred dollars ($2500) to the City. City Manager Parker added that Staff was asking the Council to accept the donation, and place it into the current Fire Department's Operating Budget for their use. City Manager Parker stated that Staff was recommending approval of Budget Amendment No. 33 that would accept the money and place it in the Fire Department's Operating Budget.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Don Langston moved to approve a Resolution authorizing an amendment to the 2008/2009 Operating Budget (Budget Amendment No. 33), providing for the supplemental appropriation of funds in General Fund; and providing an effective date and acceptance of a donation from Temple Inland in the amount of $2500 to the City of Lufkin Fire Department. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

9. **PUBLIC HEARING AND RESOLUTION OF THE CITY OF LUFKIN, TEXAS, - APPROVED - AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE UNITED STATES DEPARTMENT OF JUSTICE FOR THE 2009 JUSTICE**

ASSISTANCE GRANT, LOCAL SOLICITATION – LUFKIN POLICE DEPARTMENT COMMUNICATIONS CENTER TECHNOLOGY UPGRADE GRANT IN THE AMOUNT OF $24,021; 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 A 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 for the 2009 Justice Assistance Grant, Local Solicitation – Lufkin Police Department Communications Center Technology Upgrade Grant in the amount of $24,021; 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 a grant requirements.

City Manager Paul Parker stated that the Police Department was requesting to apply for a grant with no match required. City Manager Parker explained that if the grant was approved, the Police Department was requesting to use the funds for the purchase of four (4) computers to serve the dispatchers, at a cost of fourteen thousand dollars ($14,000), four (4) sets of quad computer monitors for dispatch, at a cost of six thousand eight hundred dollars ($6,800), and four (4) sets of communication headsets, at a cost of three thousand two hundred twenty-one dollars ($3,221). City Manager Parker added that the total grant would be in the amount of twenty-four thousand twenty-one dollars ($24,021). City Manager Parker stated that Staff recommended that the City Council hold a Public Hearing concerning the grant application, and authorize the Staff to apply for the grant.

Mayor Gorden opened the Public Hearing 6:00 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 6:01 p.m.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Lynn Torres 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 for the 2009 Justice Assistance Grant, Local Solicitation – Lufkin Police Department Communications Center Technology Upgrade Grant in the amount of $24,021; 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 a grant requirements. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

Mayor Gorden commented that as long as the Council was thanking people, it seemed that the Council needed to thank all of the employees of the City. Mayor Gorden added that the City was doing better and better at doing the grant applications. Mayor Gorden stated that the Council wanted to commend the employees for doing such a good job on grants.

10. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS, - APPROVED - ADOPTING AN IDENTITY THEFT POLICY IN ACCORDANCE WITH AN AMENDMENT TO THE FAIR AND ACCURATE CREDIT TRANSACTION ACT OF 2003; PROVIDING A SEVERABILITY CLAUSE AND DECLARING AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was a Resolution of the City Council of the City of Lufkin, Texas, adopting an Identity Theft Policy in accordance with an amendment to the Fair and Accurate Credit Transaction Act of 2003; providing a severability clause and declaring an effective date.

City Manager Paul Parker stated that this agenda item was commonly known as the "Red Flag Rule". City Manager Parker added that this was one (1) of those items that got passed, and then was sent to cities to enforce. City Manager Parker stated that the Council had a lot of detail in their packets concerning the program, but that it was basically a set of criteria that as people came in to pay water bills or sign up for water and sewer collections, or into other areas such as Municipal Court and the Parks area, the City would have to look for identity theft potentials. City Manager Parker stated that outlined in the Council's memo was several different ways to look at the potentials. City Manager Parker added that the most obvious way would be through identification, on the front end. City Manager Parker stated that there was a package that assembled what the City would be looking for as the different types of acceptable identification. City Manager Parker stated that if the City found areas where it appeared there was fraud, then there were several steps to use to notify the customer to watch for, or could report them to the Police Department for investigation and other criteria. City Manager Parker added that this was a mandate that had fallen on the City of Lufkin. City Manager Parker stated that Assistant City Attorney Bruce Green and City Attorney Bob Flournoy had done a lot of research for the City on the program, and that the City might have to call on one (1) of them, if the City got into the detail aspects of the program. City Manager Parker stated that included in the Council Packets was a policy that would show what criteria the City of Lufkin would be looking for, and would accept, as identification. City Manager Parker added that it was not the City's position to try to do this for any type of immigration, or to check legality of individuals, but were doing it to check identity theft and to comply with the Federal Law the City followed. City Manager Parker asked the Council if they had any questions regarding the policy. City Manager Parker then recommended that the City Council adopt the policy. City Manager Parker stated that the Council would notice that there was a supplement in the packet, where the original adoption date was August 1, 2009, and was then set back to November 2009, but that Staff recommended that the Council go ahead and adopt the policy.

Mayor Gorden stated that it looked as though the policy used good, common sense procedures.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Phil Medford moved to approve the Resolution of the City Council of the City of Lufkin, Texas, adopting an Identity Theft Policy in accordance with an amendment to the Fair and Accurate Credit Transaction Act of 2003; providing a severability clause and declaring an effective date. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

11. <u>AMEND THE CITY OF LUFKIN EMPLOYEE HANDBOOK, - APPROVED - AS IT RELATES TO HOLIDAYS FOR CIVIL SERVICE FIREFIGHTERS</u>

Mayor Jack Gorden stated that the next item for consideration was to amend the City of Lufkin Employee Handbook, as it relates to holidays for Civil Service Firefighters.

City Manager Paul Parker stated that end of the recent State Legislature the City learned that the Legislators passed a law that made "Nine-Eleven" (9-11) a State Holiday for firefighters. Mayor Gorden asked if the policy was also passed for police officers. City Manager Parker explained that the police officers had been struck from the Ordinance. City Manager Parker added that a stipulation of the law was that firefighters could not have more holidays than other employees. City Manager Parker stated that the City had a holiday for City employees' birthdays, and that Staff recommended that the City substitute the "Nine-Eleven" (9-11) Holiday for the firefighter's birthday holiday. City Manager Parker added that the way the Fire Department worked and did holidays, it wouldn't actually affect them. City Manager Parker stated that in some areas it would give the firefighters a little more freedom, because some of the Battalion Chiefs tried to get the firefighters to use their birthday holidays more quickly, and under the new "Nine-Eleven" Holiday the firefighters might have a little more leniency. City Manager Parker stated that Staff had discussed the new law with Chief Duane Freeman, and also with Mr. Sewell with the Firefighters Association. City Manager Parker added that there didn't appear to be any opposition, but that everyone questioned how it came to be, and where it came from. City Manager Parker stated that Staff would recommend the change in the City of Lufkin Employee Handbook.

Mayor Gorden asked for questions or comments from the Council.

Councilmember R. L. Kuykendall moved to amend the City of Lufkin Employee Handbook, as it related to holidays for Civil Service Firefighters. Councilmember Robert Shankle seconded the motion. A unanimous affirmative vote was recorded.

12. <u>DISCUSSION OF 2009-2010 PROPOSED ANNUAL BUDGET</u>

Mayor Jack Gorden stated that the next item for consideration was the discussion of the 2009-2010 proposed Annual Budget.

City Manager Paul Parker stated that Staff had originally scheduled the first Public Hearing for the proposed Budget for the upcoming year, but the City had not received the certified roll in time to get the effective tax rate needed in order to do the publications required by State Law. City Manager Parker added that the City would not hold the Public Hearings until the next City Council Meeting, and that the Council had been polled about a another potential date for a Special Called Meeting, if it was necessary, in September. City Manager Parker stated that Staff wanted to hand out documentation to the Council showing what the effective tax rate was. City Manager Parker added that he would go through that documentation to let the Council know where the City was. City Manager Parker stated that Staff was not looking for any final solution, but was just bringing the Council up to date. City Manager Parker stated that the City did receive its certified roll, and that the combined total, if the City went by the effective tax rate, was $0.5338/100 dollars of valuation. City Manager Parker added that the existing tax rate was $0.5554. City Manager Parker stated that the Council was well aware that the tax rate was divided into maintenance, operations and debts, or what was needed to retire bond issues. City Manager Parker stated that a ninety-eight percent (98%) collection rate, under the existing tax rate, would generate six million four hundred twenty-five thousand nine hundred eighty-eight dollars ($6,425,988), as opposed to the effective tax rate, which would generate six million fifty-five thousand four hundred seventeen dollars ($6,055,417). City Manager Parker stated that the difference between the current tax rate and the effective tax rate would be three hundred seventy thousand five hundred seventy-one dollars ($370,571). City Manager Parker stated that the effective tax rate was set up to theoretically generate the same amount of revenue as the past year, excluding new growth and annexations. City Manager Parker explained that the effective tax rate would take in the valuation increases, and would give a rate that would generate the same taxes as it would if the valuation had not changed. City Manager Parker stated that currently, the effective tax rate was $0.5338. City Manager Parker added that the bottom line, after debt and total taxes, would be the difference between the City's existing tax rate and the effective tax rate, which came to three hundred fifty-seven thousand four hundred eight dollars ($357,408). City Manager Parker stated that by not knowing what the tax rate would be, the City started the budget process with the estimation of two percent (2%) over the existing tax rate. City Manager Parker added that the number that Staff plugged into the existing budget was six million two hundred thirty-nine thousand three hundred twenty-four dollars ($6,239,324). City Manager Parker stated that the Staff's number was basically between the effective tax rate and the existing tax rate, if the City kept the same rate. City Manager Parker stated that this was information for the Council to use when going into the next discussion on the overall budget, and that Staff would answer any questions that the City Council had regarding the item. City Manager Parker stated that he had provided the history of Lufkin's tax rate, and that the handout showed the tax rate history since 1995. City Manager Parker added that the City of Lufkin had virtually the same rate for the past eight to nine (8-9) years. City Manager Parker stated that Staff would have the full budget to begin the Public Hearings at the next Council Meeting. City Manager Parker added that he would answer any questions that the Council had at that time.

City Councilmember Don Langston stated that it was worthy to note that even though the tax rate had stayed the same, the City of Lufkin had annual increases in property valuation, either through growth or re-appraisal. City Manager Parker agreed and stated that the only year that this didn't occur was 2007, and that the City adopted the effective tax rate that year. City Councilmember Langston stated that there had been discussions at every budget hearing since he had been on the Council about the City building surpluses. City Councilmember Langston stated that now was the time that the Council needed to be looking at a flat revenue, and should look hard at adopting the effective tax rate over a five to five and one-half percent (5-5½%) increase in growth and/or re-appraised valuations. City Councilmember Langston added that he would like to see the City do what the citizens of Lufkin were doing, by maintaining a flat revenue and budget.

Mayor Gorden asked for questions or comments from the Council. There were no other comments.

13. Mayor Jack Gorden recessed the Regular Session at 6:11 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, demolition of buildings, or appointments to boards and personnel may be discussed.

Mayor Jack Gorden reconvened the Regular Session at 6:35 p.m.

14. PURCHASE OF SURPLUS RIGHT-OF-WAY – APPROVED - FROM TEXAS DEPARTMENT OF TRANSPORTATION

Mayor Jack Gorden stated that the next item for consideration was the purchase of surplus right-of-way from Texas Department of Transportation.

City Manager Paul Parker stated that the Council was aware that when property was purchased from Dr. Thames for the realignment of Daniel McCall, right-of-way was left that could no longer be used for treet purposes, but was still part of the City right-of-way program. City Manager Parker stated that the City had an offer, over a year ago, from the adjoining property owner who wanted to purchase the property from the City, at a future date, once they sold their property. City Manager Parker added that the property owner wanted to be able to market the City's property as part of their sale. City Manager Parker stated that during the course of discovery of the title, it was determined that the Texas Department of Transportation still retained a small portion of that property, that all parties thought was in the City's right-of-way and easements. City Manager Parker stated that after a lengthy process, the City had been able to arrive at a price from TxDOT for the purchase of the property at eleven dollars ($11) per square foot, or twenty-four thousand nine hundred fifteen dollars ($24,915). City Manager Parker explained that the City would then at some future date combine that property with the remaining right-of-way. City Manager Parker stated that the agreement with the adjoining property owner was whatever they sold the entire tract of land for, the City would receive the same for their tract. City Manager Parker stated that with that understanding, Staff recommended that the City Council purchase the .052 acre tract from the Texas Department of Transportation at the appraised value of twenty-four thousand nine hundred fifteen dollars ($24,915).

Mayor Gorden asked for questions or comments from the Council.

Councilmember Don Langston moved to approve the purchase of surplus right-of-way from Texas Department of Transportation. Councilmember Robert Shankle seconded the motion. A unanimous affirmative vote was recorded.

15. APPOINTMENTS - APPROVED - TO BOARDS AND COMMISSIONS

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

City Manager Paul Parker stated there were two (2) boards that had positions to fill. City Manager Parker added that there were three (3) individuals eligible for reappointment and one (1) vacant position on the Zoning Board of Adjustments and Appeals. City Manager Parker stated that the Staff and Council would solicit applications to fill the vacant position of the alternate board member on the Zoning Board of Adjustments and Appeals. City Manager Parker stated that the other board with positions to fill was the Kurth Memorial Library Board of Trustees. City Manager Parker stated that the KML Board submitted names to the City Council for approval. City Manager Parker added that the KML Board submitted the names that were being recommended to the Council for three (3) year terms on the Kurth Memorial Library Board of Trustees.

Councilmember Lynn Torres moved that for the Zoning Board of Adjustments and Appeals the Council reappoint Jyce Thomas, Ed Booth, and Lt. Gen. Orren Whiddon to serve a two (2) year term, and that the Council would seek nominees for the alternate position. Councilmember Torres also moved to appoint to the Kurth Memorial Library Board of Trustees, C. James Haley, James R. Blackwood and to reappoint Carlotta Hunt to three (3) year terms. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

16. <u>**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**</u>

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

City Manager Parker stated that Friday, August 7, 2009, would be the First Friday Luncheon. City Manager Parker added that Coach Outlaw would be the guest speaker, and that the Council should let City Secretary Renee Thompson know if they planned to attend.

City Manager Parker stated that on Thursday, August 13, 2009, there would be a combination Local Elected Officials and State and Federal Staff Dinner/Reception at the Lufkin Pitser Garrison Civic Center. City Manager Parker added that the event was being sponsored by the Lufkin/Angelina County Chamber of Commerce, the Lufkin 4-B Economic Development Association, and the Economic Development Partnership. City Manager Parker asked the Council to put the event on their calendar and added that the event would begin at 5:30 p.m. Mayor Gorden stated that there had been a large number of reservations made by the Staff of all of the Elected Officials. City Secretary Renee Thompson added that the TML Region XVI Meeting would also be held on that night.

17. There being no further business for consideration, the meeting adjourned at 6:43 p.m.

Jack Gorden

Jack Gorden, Mayor

Renee Thompson

Renee Thompson – City Secretary