



February 22, 2022

Notice is hereby given of a Regular Meeting of Nacogdoches City Council to be held on the above date in the City Council Chambers of City Hall, 202 E. Pilar Street, Nacogdoches, Texas, beginning at 5:30 p.m. for the purpose of considering the following agenda items.

Some City Council Members may attend via videoconference but a quorum of the City Council and the Presiding Officer will be present at the above-stated physical location. The meeting will be streamed live at <https://www.nactx.us/21> There will be an opportunity for the public to comment on agenda items either by teleconference or in person in Council Chambers.

Members of the public who wish to submit comments on a listed agenda item must contact the City Secretary's office by email at vinsonj@nactx.us or by calling 936-559-2506 and providing their name, telephone number and relevant agenda item upon which they wish to speak. All requests to make comments must be received by 12:00 p.m. on February 22, 2022. For all timely requests received, staff will call the submitted phone numbers directly during the meeting when the corresponding item comes up for comment. NOTE: The incoming phone call from City staff will be an unfamiliar number.

**PLEASE LIMIT PRESENTATIONS TO THREE MINUTES
(UNLESS PRIOR APPROVAL IS OBTAINED)**

1. CALL TO ORDER.
2. PLEDGE OF ALLEGIANCE.
3. OPEN FORUM. Open Forum is an opportunity for citizens to speak about items not listed on the agenda. In order to address City Council please complete the Open Forum Form and submit it to the City Secretary prior to the start of the meeting. In accordance with the Texas Open Meetings Act, City Council shall not discuss, deliberate, or make any decisions on items discussed during Open Forum. Comments are limited to 3 minutes per person. Open Forum is limited to the first 5 citizens who submit an Open Forum Form.
4. ITEMS TO BE REMOVED FROM CONSENT AGENDA.
5. CONSENT AGENDA: Items included under Consent Agenda require little or no deliberation by Council. Approval of Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations as reflected in the minutes of this meeting.
 - A. Consider approval of minutes from January 18, 2022 and February 1, 2022 regular meeting. (City Secretary)
 - B. Consider approval of a Memorandum of Understanding between the City of Nacogdoches and the American Red Cross for office space located at City Hall. (City Manager)
 - C. Consider approval of model ground lease at A.L. Mangham, Jr. Regional Airport. (Economic Development Director)

- D. Consider adoption of a budget amendment for the purchase of a 2023 F-750 Dump Truck for the Parks Department. (Community Services Director)
 - E. Consider approval of the purchase of one dump truck for the Parks Department through BuyBoard contract. (Community Services Director)
 - F. Consider adoption of a budget amendment ordinance in the amount of \$75,000 to purchase a new Brush Truck, Rear-Load Compactor Truck, Front-Load Compactor Truck, and a Side-Load Compactor Truck from Heil of Texas. (Public Works Manager)
 - G. Consider approval of the purchase of a new Brush Truck, Rear-Load Compactor Truck, Front-Load Compactor Truck, and a Side-Load Compactor Truck from Heil of Texas, for an amount not to exceed \$1,160,000. (Public Works Manager)
6. REGULAR AGENDA: City Council will receive staff recommendations and public input on the following items, and may deliberate and take formal action on the item.
- A. **Public Hearing:** Consider a request for approval of a Zone Change from R-3, Two Family to B-2, General Business for a portion of Lot 1-A-1, City Block 60 and 61, generally located at 2824 NW Stallings Drive. This request has been submitted by Genuine LTD, LTD. Case File ZON2022-01. (City Planner)
 - B. **Public Hearing:** Consider a request for approval of a Specific Use Permit for Recreational Vehicle Sales for Lot 1-A-1, City Block 60 and 61, generally located at 2824 NW Stallings Drive. This request has been submitted by Genuine LTD, LTD. Case File SUP2022-01. (City Planner)
 - C. Consider an Ordinance amending Chapter 106 "Utilities" of the City of Nacogdoches, Texas Code of Ordinances providing for bill adjustments in certain instances. (Finance Director)
 - D. Consider approval of a resolution to pursue claims for monetary damages, regarding franchise fees against video service providers, as required in the Texas Video Service Providers Act, Texas Utilities Code Sec. 66. **Texas Government Code 2254.1036 Public Notice is attached.** (City Attorney)
 - E. Consider a resolution joining the State of Texas and Texas Political Subdivisions' settlement with additional defendants (the ENDO/PAR Defendants) in the Texas opioid litigation, MDL NO. 2018-63587. (City Attorney)
 - F. Discuss and consider resolutions of support, no-opposition, or denial for developers applying for Texas Department of Housing and Community Affairs 2022 Competitive 9% Low-Income Housing Tax Credit Program (LIHTC). (Economic Development Director) Project Name: Maroney Park Crossing, Project

Location: Maroney Drive, TDHCA LIHTC 9% Pre-Application Number: 22086

- G. Discuss and consider resolutions of support, no-opposition, or denial for developers applying for Texas Department of Housing and Community Affairs 2022 Competitive 9% Low-Income Housing Tax Credit Program (LIHTC). (Economic Development Director) Project Name: Pioneer Crossing for Seniors, Project Location: Maroney Drive, TDHCA LIHTC 9% Pre-Application Number: 22188
7. EXECUTIVE SESSION: Executive Sessions are for City Council to receive information and deliberate on matters specified in Subchapter D of the Texas Open Meetings Act. Council may reconvene in open session to vote on the matter.
- A. A. Deliberation regarding Economic Development negotiations under Government Code Section 551.087 as follows:
1. Discuss or deliberate regarding commercial or financial information the City has received from business projects the City body seeks to have locate in the City of Nacogdoches and with which the City is conducting economic development negotiations; and
 2. Deliberate offer of financial or other incentive to business prospects described by Subdivision 1 above.
8. Open for action, if any, on Executive Session item(s).
9. ADJOURN.



Jan Vinson, City Secretary



This agenda is posted as required under G. C. Section 551.041. For more information or a copy of the Open Meetings Act, please contact Attorney General of Texas at 1-800-252-8011; City Secretary at 936/559-2506 or visit City of Nacogdoches web site at www.nactx.us.

CERTIFICATION

I certify the notice of meeting was posted in the directory outside of City Hall, 202 E. Pilar Street, Nacogdoches, Texas on February 16, 2022 at 11:30 a.m. and remained posted until meeting convened.

Jan Vinson, City Secretary

