



February 21, 2023

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 by telephone 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 21, 2023. 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 for February 7, 2023 regular meeting. (City Secretary)
 - B. Consider approval of a resolution ratifying amendments to the grant contracts with the Texas Water Development Board and associated subcontracts and delegating to the City Manager authority to execute further amendments as new money is added to the program. (Cheryl Bartlett, Region I Admin)
 - C. Consider approval of a resolution supporting the Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet, which released claims of the City

against certain defendants in the Texas Opioid MDL. (City Attorney)

- D. Consider approval to purchase a hydroexcavation trailer from Kinloch Equipment and Supply for an amount not to exceed \$80,088. (Utility Construction Manager)
 - E. Consider granting a 15-foot-wide utility easement and Right-of-Way to Oncor Electric Delivery (Assistant Director of Public Works)
 - F. Consider approval of a resolution closing East Main Street for the annual Nacogdoches Main Street Wine Swirl event, April 1, 2023 (Interim City 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 A, Agricultural, to R-1, Single Family, for approximately 2.7 acres of land located along the eastern boundary of the city limits, being part of a 64 acre tract conveyed by HGT Group, LP, to JBSC Development, LLC, as described in Warranty Deed dated March 22, 2022, and recorded in Clerk's Document Number 2022-3135 of the Real Property Records of Nacogdoches County, Texas. This request has been submitted by JBSC Development. Case File ZON2023-01. (City Planner)
 - B. **Public Hearing:** Consider a request for approval of a Specific Use Permit (SUP) for an Accessory Apartment, for Lots 18-A and 19-A, City Block 67, located at 315 East Lakewood Street. This request has been submitted by Lidia Harber, Case File SUP2023-01. (City Planner)
 - C. Consider approval of Zion Hill Baptist Church Historic Site fee schedule. (Historic Sites Manager)
 - D. Receive the 2022 Racial Profiling Report. (Chief of Police)
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. Deliberation regarding Economic Development negotiations under Government Code Section 551.087 as follows:
 - 1. Discuss or deliberate regarding commercial or financial information the governmental body has received from business prospects that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; and
 - 2. Deliberate the offer of financial or other incentives to business prospects described by Subdivision 1 above.

- B. Consultation with City Attorney - Pursuant to Texas Government Code Section 551.071, deliberation regarding attorney's advice concerning pending or contemplated litigation or a settlement offer, or on a matter in which the duty of the attorney to the governmental body under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

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 15, 2023 at 11:30 a.m. and remained posted until meeting convened.

Jan Vinson, City Secretary