



July 18, 2023

AMENDED

(Amended Consent Agenda Item 5.L and added Regular Agenda Items 6.H and 6.I)

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 July 18, 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 June 28, 2023 and July 5, 2023 special meetings, and June 28, 2023, June 29, 2023 and June 30, 2023 City Board interviews. (City Secretary)

- B. Consider granting a 15-foot-wide utility easement and Right-of-Way to Oncor Electric Delivery (Assistant Director of Public Works).
- C. Consider purchase of a 2022 Chevrolet 4500 4x4 flat bed work truck for the Utility Construction Department in an amount not-to-exceed \$88,348.20 (Utility Construction Manager).
- D. Consider approval of an ordinance amending Chapter 74 "Parks and Recreation", Article II "Parks and Recreation Advisory Board" and providing for a quorum of the City of Nacogdoches, Texas; providing a severability clause, and providing an effective date. (City Secretary)
- E. Consider approval of an ordinance amending Chapter 94 "Taxation", Article IV "Hotel Occupancy Tax", Division 3 "Administration of Funds", Subdivision II "Convention and Visitors Bureau Board" of the City of Nacogdoches, Texas; proving a severability clause, and providing an effective date. (City Secretary)
- F. Consider tax resale authorization for Lot 48-B, Block 56, in the City of Nacogdoches described in a warranty deed, recorded in Vol. 645, Page 887, on an instrument filed November 7, 1986, in Nacogdoches County, Texas under Parcel #25209. (City Manager)
- G. Consider tax resale authorization for part of Lot 27 Block 61, also known as a tract of land in the Sylvester Moreland Grant, in the City of Nacogdoches described in a deed, recorded in Vol. 87, Page 299, on an instrument filed October 14, 1911, in Nacogdoches County, Texas under Parcel #25999. (City Manager)
- H. Consider tax resale authorization for part of Lot 56-A and Lot 56-B of the James E. Fore Subdivision, also known as Jas E. Fore Subdivision, also known as J.E. Fore Subdivision, in the City of Nacogdoches described in a deed, recorded in Vol. 136, Page 345, on instrument filed December 31, 1935, also described in deed recorded in Vol. 149, Page 160 on an instrument filed September 13, 1936, also described in deed recorded in Vol. 477, Page 279 on an instrument filed July 27, 1982, also described in plats recorded in Vol. 4, Page 17 on an instrument filed December 16, 1935 in Nacogdoches County, Texas under Parcel #28687. (City Manager)
- I. Consider tax resale authorization for part of Lot 2-A Block 8 of the J.G. Orton First Addition subdivision in the City of Nacogdoches described in warranty deed with vendors lien, recorded in Vol. 142, Page 171, on an instrument filed March 26, 1938, in Nacogdoches County, Texas under Parcel #31349. (City Manager)
- J. Consider tax resale authorization for part of Lot 2 Block 8 of the J.G. Orton First Addition subdivision in the City of Nacogdoches described in warranty deed with vendors lien, recorded in Vol. 238, Page 169, on an instrument filed September 10, 1953, in Nacogdoches County, Texas under Parcel #31348. (City Manager)
- K. Consider tax resale authorization for Lot 3A, Block 8 of the John G. Orton First Addition subdivision in the City of Nacogdoches described in warranty deed with vendors lien, recorded in Vol. 142, Page 388, on an instrument filed August 26,

1939 and referenced in Sheriffs Deed, recorded in Vol. 314, Page 87 on instrument filed May 28, 1963, also described in 101st Judicial District of Dallas County under case number 68168-E, with order and decree of sale rendered July 9, 1962, also referenced in transfer and assignment of lien from Grinnan Mortgage Company to Commercial Bank of Nacogdoches filed July 2, 1963, and referenced in Deed of Trust recorded in Vol. 88, Page 87, on an instrument recorded July 9, 1963 in Nacogdoches County, Texas under Parcel #31351. (City Manager)

- L. Consider tax resale authorization for Lot 2, Block 48 of the Stone Subdivision, in the City of Nacogdoches described in a gift deed, recorded in Vol. 890, Page 528, on an instrument filed August 5, 1994, in Nacogdoches County, Texas under Parcel #32747. (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. Discuss and consider approval of the City's partially self-insured health plan and authorize the City Manager to execute any and all renewals/contracts necessary for the 2023/2024 fiscal year. (Human Resources Director and Cadence Insurance)
 - B. Receive a report from the Nacogdoches Communication Task Force. (Public Information Officer)
 - C. Receive a presentation and hold a discussion with the Chamber of Commerce regarding I-69, economic development and infrastructure. (Chamber of Commerce President/CEO Wayne Mitchell)
 - D. Consider approval of an ordinance amending Ordinance No. 1929-09-22 appropriating various amounts in accordance with the budget adopted for the ensuing fiscal year beginning October 1, 2022 and ending September 30, 2023 for the reallocation of American Rescue Plan Act (ARPA) funds. (Director of Public Works)
 - E. Receive a report, hold a discussion and give staff direction regarding FY2022-2023 Budgeted Revenues & Expenditures as of June 30, 2023 and the FY2023-2024 Budget. (Director of Finance)
 - F. Consider approval of Resolution Number 1345-07-23 creating a Chapter 380 Economic Development Program and authorizing agreement by and between the City of Nacogdoches and Dennis White regarding renovation of a building at 401 East Main Street, known as the M.C. Hazle Building. (Economic Development Director)
 - G. Consider an ordinance amending Ordinance No. 1929-09-22 appropriating various amounts in accordance with budget adopted for ensuing fiscal year beginning October 1, 2022 and ending September 30, 2023 in the amount of \$61,760 for the reimbursement of installation of a fire sprinkler system at 401 East Main Street. (Economic Development Director)

- H. Consider Board/Commission appointments for the Convention and Visitors Bureau Board and the Parks and Recreation Advisory board due to ordinance amendments to increase board membership. (Mayor)
 - I. Consider approval to removal of one member and appoint one member to the Housing Authority Board. (Mayor)
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. Personnel Matters – Pursuant to Texas Government Code Section 551.074, deliberations regarding the appointment or employment of a public officer or employee. The subject is the appointment of the City Attorney.
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 AMENDED notice of meeting was posted in the directory outside of City Hall, 202 E. Pilar Street, Nacogdoches, Texas on July 14, 2023 at 10 a.m. and remained posted until meeting convened.

Jan Vinson, City Secretary