



September 5, 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 lewisr@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 5:30 p.m. on Tuesday, September 5, 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. Adoption of ARPA Federal Procurement Policies and Procedures Addendum. (Director of Finance)
 - B. Consider approval of minutes for August 2, 2023, Special Meeting; August 3, 2023, Special Meeting; August 8, 2023 Special Meeting; August 15, 2023, Regular Meeting; and August 18, 2023, Special Meetings. (Deputy City Secretary)
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 Zone Change from R-1, Single Family to B-1, Local Business for approximately 1.32 acres, being of Lot(s) 1 of Block 8, 10-A, 10-B, & 11 of Block 1, of the Colonial Hills Subdivision, Section 1, generally located on the west side of Appleby Sand Road, 440 feet north of the intersection at East Austin Street and Appleby Sand Road. This request has been submitted by Courtney & Stephen Martin. Case Number ZON2023-05. (Planning Technician)
 - B. **Public Hearing:** Consider a Specific Use Permit to operate a Tattoo Salon/Piercing Studio in a B-2, General Business District, on Lot 6-B, City Block 6, located at 507 East Main Street. This request has been submitted by Krysta Robertson. Case Number SUP2023-05. (Planning Technician)
 - C. **Public Hearing:** Consider amending a previously approved Specific Use Permit for a Piercing Studio to also include a Tattoo Salon in a B-2, General Business District, on Lot 16-A, Block 67, of the North Heights Addition Subdivision, located at 3500 North Street, Suite 10. This request has been submitted by Primal Piercing & Jewelry. Case Number SUP2023-03. (Planning Technician)
 - D. Consider approval of the Nacogdoches Economic Development Corporation professional services contract. (Economic Development Director)
 - E. **Public Hearing:** Hold a public hearing and receive citizen input on the Proposed FY2023-2024 Budget. (Director of Finance)
 - F. Consider approval of an ordinance approving and adopting the annual budget for fiscal year beginning October 1, 2023 and ending September 30, 2024; providing that said expenditures for said fiscal year shall be made in accordance with said budget, unless otherwise authorized by an ordinance adopted by City Council; providing for a repeal clause; providing a severability clause; providing an effective date. (Director of Finance)
 - G. Consider the ratification and approval of an emergency contract between the City of Nacogdoches and Duplichain Contractors for the construction of a new storm sewer system along Park Street and Mound Street in an amount not to exceed \$689,510.00. (Director of Public Works)
 - H. Receive a report, hold a discussion and give staff direction regarding the November bond election. (Director of Public Works)
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. (Economic Development Director)

- 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. (City Attorney)

8. Open for action, if any, on Executive Session item(s).

9. ADJOURN.



Rhonda Lewis,
Deputy 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 August 30, 2023 at 5:00 p.m. and remained posted until the meeting convened.

Rhonda Lewis, Deputy City Secretary