



March 19, 2024

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 12:00 p.m. on Tuesday, March 19, 2024. 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 address the City Council about items listed on the agenda, as well as on matters that are not specifically listed on the agenda. Alternatively, a citizen may address the City Council about an agenda item when the item comes up for consideration during the meeting. In order to address the City Council, please complete the Public Comment Form and submit it to the City Secretary prior to the start of the meeting. In accordance with the Texas Open Meetings Act, the City Council will not discuss, deliberate, or make any decisions on items not listed on the agenda. Comments are limited to 3 minutes per person.
4. AWARDS AND RECOGNITIONS:
 - A. Presentation of a Proclamation to the American Red Cross for the month of March 2024. (Mayor)
5. ITEMS TO BE REMOVED FROM CONSENT AGENDA.
6. 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 a contract by and between the City of Nacogdoches and Civic Scape Consulting, LLC for professional consulting services to assist the Planning

Department in a not-to-exceed amount of \$22,000.00. (City Manager)

- B. Consider approval of minutes for February 20, 2024, Regular City Council Meeting and the March 5, 2024, Regular City Council Meeting. (City Secretary)
 - C. Consider approval of a lease agreement between the City of Nacogdoches and Union Pacific Railroad Company for the lease of certain property owned by Union Pacific as an extension of the Banita Creek Trail. (City Attorney)
 - D. Consider approval of an amendment to the Agreement for Professional Services and Employment as City Manager, between the City of Nacogdoches and Richard B. Beverlin, III. (City Attorney)
 - E. Consider the approval of a Fixed Based Operator Agreement between the City of Nacogdoches and Shives Investments LLC, for the operation of an aircraft rental business at the A.L. Mangham Jr. Regional Airport. (Airport Manager)
 - F. Consider the approval of a Fixed Based Operator Agreement between the City of Nacogdoches and Hutch Aviation Inc., for the operation of an aircraft parts and repair facility, and consider a ground lease for Tract D-123 between the City of Nacogdoches and HCH Real Estate Holdings, LLC to base Hutch Aviation at the A. L. Mangham Jr. Regional Airport. (Airport Manager)
 - G. Consider approval of a resolution authorizing participation in the TexPool Investment Pools and Designating Authorized Representatives. (Director of Human Resources)
 - H. Consider approval of an ordinance amending Ordinance No. 1978-09-23 appropriating various amounts in accordance with the budget adopted for the ensuing fiscal year beginning October 1, 2023, and ending September 30, 2024 (Well 5 & 10 Plugging) (Director of Public Works)
 - I. Consider approval of a proposal for Wells 5 & 10 Plugging from Weisinger, Inc., for a not-to-exceed amount of \$211,787.00. (Director of Public Works)
 - J. Consider approval of an ordinance amending Ordinance No. 1978-09-23 appropriating various amounts in accordance with the budget adopted for the ensuing fiscal year beginning October 1, 2023, and ending September 30, 2024 (ARPA Funds). (Interim Director of Finance)
7. 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 approval of a Specific Use Permit to operate a Halfway House in R-4, Multi-Family District, on Lot 8, Block 3 of the Banita Subdivision, located at 2019 Pearl Street. This request has been submitted by New Hope Communities of Texas, Inc. Case Number SUP2024-01. (Interim City Planner)

- B. Consider approval of a construction contract between the City of Nacogdoches and Flint River Logistics, in the amount of \$85,000 for Lake Nacogdoches West Restroom rehabilitation. (Community Services Director)
 - C. Consider approval of a Developer Agreement by and between the City of Nacogdoches and EH Holdings, LLC for the reimbursement of a gravity sanitary sewer line installation to the Nacogdoches Industrial Park (West) located on Industrial Drive (FM 343) for a not-to-exceed amount of \$103,243.75. (Director of Public Works)
 - D. Consider approval of a Developer Agreement by and between the City of Nacogdoches and Charles Pool, Jr., for the reimbursement of a gravity sanitary sewer line installation on Pearl Street for a not-to-exceed amount of \$66,830.00. (Director of Public Works)
8. 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. 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. The subject of this executive session item concerns legal issues related to the Professional Services Consultant Contract with DTJ Design, Inc.
9. ADJOURN.



Rhonda Lewis
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 March 14, 2024, at 5:30 p.m. and remained posted until the meeting convened.

Rhonda Lewis, Deputy City Secretary