



November 5, 2019

Notice is hereby given of a Regular Meeting of Nacogdoches City Council to be held on the above date in 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. All agenda items are subject to action.

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

1. Call to order.
2. Community Recognition.
3. Open Forum.
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. **Minutes** from October 15, 2019 regular session.
 - B. Consider ordinance **amending Ordinance No. 1808-09-19** appropriating various amounts in accordance with budget adopted for ensuing fiscal year beginning October 1, 2019 and ending September 30, 2020. **(Taser Grant)**
 - C. Consider resolution **casting City of Nacogdoches' votes for Nacogdoches Central Appraisal District Board of Directors.**
 - D. Consider re-appointing Jimmy Mize to **Pineywoods Groundwater Conservation District Board.**
 - E. Consider **agreement with Boys and Girls Club** of Deep East Texas.
 - F. Consider **approval to purchase a new Asphalt Patch Truck** from H.D. Industries in the amount of \$175,340.00.
 - G. Consider ordinance **amending Ordinance No. 1778-09-18** appropriating various amounts in accordance with budget adopted for fiscal year beginning October 1, 2018 and ending September 30, 2019. **(Year End)**

REGULAR AGENDA:

6. **Public Hearing:** Consider ordinance of the City of Nacogdoches granting a **specific use permit for development and operation of a travel trailer and recreational vehicle park** to be located at 4925 and 5001 Northwest Stallings Drive within the B-2 General Business Zoning District, said tract being legally described as 11.65 acres, part of the Wilhelm Dankworth Survey, A-180 and the M.G. Whitaker Survey, A-591, called the Reserved for Future Development area as depicted on plat of Westward Subdivision Phase 2, recorded in Volume 6, Page 25, Plat records of Nacogdoches County, Parcel ID 26729 in Nacogdoches, Texas, providing requirements and conditions for said specific use permit; containing findings; providing a repeal clause; providing a severability clause; and providing an effective date. Submitted by Keith and Vicki Socia (developers) and SBM Associates, Inc. (current owner). SUP19-03. (Interim City Planner)
7. **Public Hearing:** Consider ordinance of the City of Nacogdoches, Texas, granting a **specific use permit for light manufacturing** at 3804 South Street within B-2 General Business Zoning District, said tract being legally described as Lot 95-E-2, City Block 56, Parcel ID 25533 in

Nacogdoches, Texas, providing requirements and conditions for said specific use permit; containing findings; providing a repeal clause; providing a severability clause; and providing an effective date. Submitted by Mast Motorsports, LLC. SUP19-04. (Interim City Planner)

8. Consider contract for **services with HillCo Partners**. (City Manager)
9. Consider **purchase of Pierce Saber FR Fire Engine** from Siddons-Martin Emergency Group, LLC through HGAC-Buy Cooperative Purchasing Program in the amount of \$498,337.42. (Fire Chief)

For convenience of the audience, Council may conduct Executive Session deliberation in the first floor conference room, Room 112, of City Hall. Reconvening open session for action, if any, on Executive Session items will be in City Council Chambers. Regular Session agenda items appropriate for Executive Session consideration may be moved into Executive Session for deliberation, but not action, upon proper announcement at the meeting by presiding officer.

10. **EXECUTIVE SESSION:**

- 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 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 the offer of a financial or other incentive to business prospects described by Subdivision 1 above.
11. Open for action, if any, on Item 10-A-1.
12. Open for action, if any, on item 10-A-2.
13. 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.ci.nacogdoches.tx.us.

Nacogdoches City Council Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (936) 559-2506 or FAX (936) 559-2912 for further information.

CERTIFICATION

I certify the notice of meeting was posted in the directory outside of City Hall, 202 E. Pilar Street, Nacogdoches, Texas on October 29, 2019 at 12:00 p.m. and remained posted until meeting convened.

JanVinson, City Secretary

ITEM/SUBJECT: **CONSENT AGENDA** - Consider approval of minutes from October 15, 2019 regular session.

SUMMARY/BACKGROUND:

FINANCIAL:

- ☒ There is no financial impact associated with this item
☐ Item is budgeted: (____-____-____) In the amount of \$_____
☐ Item is not budgeted (Budget Amendment required; please attach BA ordinance)
 Amount: \$_____
 GL Account #: _____
☐ Item is estimated to generate additional revenue: _____

CITY CONTACT: Jan Vinson, City Secretary
 936-559-2506
 vinsonj@ci.nacogdoches.tx.us

ATTACHMENTS: Minutes



**Regular Session
Nacogdoches City Council
October 15, 2019 – 5:30 p.m.
City Council Room – City Hall
202 E. Pilar Street**

DRAFT

Regular Session:

City Council Present: Mayor Shelley Brophy, Council Members Roy Boldon, Garth Hinze, Jay Anderson and Amelia Ruiz Fischer.

1. **Called to order** at 5:30 p.m.
2. **Community Recognition:** Mayor Brophy presented proclamation to Four Seasons Garden Club.
3. No one spoke during **Open Forum**.
4. No items removed from **Consent Agenda**.

5. **CONSENT AGENDA:**

- A. **Minutes** from October 1, 2019 regular session.
- B. Consider resolution of City Council of the City of Nacogdoches, Texas **designating civil rights, equal opportunity employer, ADA and 504 Standards Officer** for the City of Nacogdoches for fiscal year 2018-2020 as required by the Texas Community Development Block Grant Program (CDBG), or Texas Department of Agriculture (TDA) or General Land Office (GLO) grant program.
- C. Consider agreement for **Professional Engineering Services** from Hydrex Environmental for assistance with wastewater pretreatment program.
- D. Consider resolution by City Council of the City of Nacogdoches, Texas designating authorized signatories for contractual documents and documents for requesting funds pertaining to the **Texas Community Development Block Grant Program (TxCDBG)** Contract Number 7213196.

Council Member Boldon moved approval; motion duly seconded by Council Member Anderson and carried by unanimous vote.

REGULAR AGENDA:

6. City Council **work session**.

Diana Walker stated she is concerned about erosion along Lanana Creek. Several months ago Oncor Electric Delivery installed large poles near Lanana Creek. Water has eroded completely around one of the poles. Mrs. Walker referenced work which was done on the Reedy River in Greenville, South Carolina where the city dug out a large pool in the river and built a waterfall to regulate the amount of water that runs down the river. Mrs. Walker suggested asking Oncor to help with cost to do similar project on Lanana Creek to help with erosion.

Jim Jeffers, City Manager, began discussions regarding possible relocation/expansion for Farmer's Market. Current Farmer's Market location is inside the floodway and cannot be improved.

Farmer's Market could expand to the north end of Banita Creek Park along Pearl Street from the park entrance to the corner of Pearl and Powers Street which is outside the floodway.

Farmer's Market could potentially relocate to Commerce Street utilizing Mast Hall or other vacant buildings to compliment Commerce Street, Blount Park adjacent to Memorial Hospital or 4500 North University Drive which is property owned by the City.

City Council does not want to take space away from any parks in Nacogdoches. Council Member Anderson suggested relocating Farmer's Market to Cox Street under the South Street Bridge utilizing vacant City owned building at 114 W. Cox Street. The Cox Street location could also serve a dual purpose for Farmer's Market and food trucks. City Council discussed zoning, possible TxDOT restrictions in using property under South Street Bridge, building restroom facilities and parking.

Minutes unofficial until approved by City Council

City Council discussed concerns regarding Commerce Street which include limited parking, ability for trailers to access downtown and green space.

Council Member Hinze stated the City might consider purchasing lot south of Regions Bank on Monk Street between S. Fredonia and S. Church Streets for park benches, picnic tables and food trucks.

City Council directed staff to vet the Cox Street location for possible relocation of Farmer's Market.

City Council began discussions regarding economic development expansion at the intersection of West Austin and Old Tyler Road. Council Member Fischer stated she is concerned developers will buy property in this area pushing out businesses and residents.

Council Member Anderson also suggested vetting development of Stallings Drive between Douglass Road and Durst Street. City Manager Jim Jeffers stated due to planning of I-69 corridor staff does not have bandwidth to develop a meaningful plan for that area. A Request for Qualifications (RFQ) will be created identifying qualified companies to perform an analysis and present proposal to City Council for approval.

City Council directed City Manager Jim Jeffers to vet the site (Old Tyler Road and West Austin), identify appraised value, property ownership, public utilities, and work with partners at NEDCO to find a developer.

Additional discussions included affordable housing by choosing a neighborhood and revitalizing said neighborhood. Council Member Anderson discussed a design competition including architecture schools at Texas A&M and University of Texas for affordable housing by design which could be a marquee for the City. The competition coordinator is finding it difficult to get nonprofit entities charged with affordable housing interested in funding the competition.

7. Consider City Council work session topic(s) for future City Council work sessions.

Council Member Anderson stated he has been working with property owners and interested parties on an area known as Irion Hill to create a model redevelopment project. Council Member Anderson said he hopes this model can be used in other areas of the City.

Council Member Fischer stated she is interested in what is currently being done and is needed to create and expand new local businesses.

City Manager Jim Jeffers reported NEDCO is advancing a proposal to hire a consultant to develop a proposal for industrial development which should be completed by the end of the year.

City Council Work Session for November 19, 2019 City Council meeting will include infrastructure and Council Member Anderson will report on model redevelopment.

8. No Executive Session was held.

Meeting **adjourned** at 6:45 p.m.

ATTEST:

Mayor Shelley Brophy
City Council
City of Nacogdoches

Jan Vinson, City Secretary

PRESENTER: Jim Sevey, Police Chief

ITEM/SUBJECT: **CONSENT AGENDA** - Consider ordinance amending Ordinance No. 1808-9-19 appropriating various amounts in accordance with budget adopted for ensuing fiscal year beginning October 1, 2019 and ending September 30, 2020. (Taser Grant)

SUMMARY/BACKGROUND: Nacogdoches Police Department (NPD) applied for and received a grant through Edward Byrne Memorial Justice Assistance Grant program in the amount of \$42,034.66 Award #2018-DJ-BX-0485.

Current Tasers in use by NPD are obsolete. The grant will allow NPD to purchase 22 units for the Patrol Division and associated items. New Tasers will be issued to all patrol officers who have been trained and qualified in their use.

FINANCIAL:

- ☐ There is no financial impact associated with this item
- ☐ Item is budgeted: (____-____-____) In the amount of \$_____
- ☒ Item is not budgeted (Budget Amendment required; please attach BA ordinance)
- Amount: \$42,035 GL Account #: 24-560.53 (PD Grant Revenue)
- Amount: \$42,035 GL Account #: 24-15-610.25 (PD Equipment & Machinery)
- ☐ Item is estimated to generate additional revenue: _____

CITY CONTACT: Jim Sevey, Police Chief
jsevey@ci.nacogdoches.tx.us
936-559-2601

ATTACHMENTS: Budget amendment ordinance
Statement of grant award is available upon request

ORDINANCE AMENDING ORDINANCE NO. 1808-9-19 APPROPRIATING VARIOUS AMOUNTS IN ACCORDANCE WITH BUDGET ADOPTED FOR ENSUING FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020.

WHEREAS, City Council of the City of Nacogdoches, Texas has approved and adopted the budget for said city for ensuing fiscal year beginning October 1, 2019 and ending September 30, 2020,

WHEREAS, City of Nacogdoches agrees to accept the Edward Byrne Memorial Justice Assistance Grant Program award number 3737501 in the amount of \$42,034.66 for the purchase of Tasers and associated equipment,

WHEREAS, with the adoption of this ordinance, the Police Department is authorized to expend funds in the amount of \$42,034.66 to purchase a total of twenty-two (22) Tasers and associated equipment

NOW, THEREFORE BE IT ORDAINED by City Council of the City of Nacogdoches that sums of money as herein set forth in said budget are hereby appropriated and amended for the receipt of funds and payment of operational outlays of the city government of the City of Nacogdoches as follows:

Fund	Dept.	Acct.	Department	Description	Amt.
24	15	610.25	Police Dept Equip & Machinery	Purchase of 22 Tasers	\$42,035
24		560.53	Police Dept Grant Revenue	CJD Taser Grant Receipt	\$42,035

PASSED AND APPROVED this the 5th day of November, 2019.

Shelley Brophy, Mayor
City of Nacogdoches

ATTEST:

Jan Vinson, City Secretary

Approved as to form: _____
Jefferson Davis, City Attorney

Approved as to content: _____
Pamela Curbow, Director of Finance

PRESENTER: Jim Jeffers, City Manager

ITEM/SUBJECT: **CONSENT AGENDA** - Consider resolution casting City of Nacogdoches' votes for Nacogdoches Central Appraisal District Board of Directors.

SUMMARY/BACKGROUND: City of Nacogdoches is entitled to 720 votes for Nacogdoches Central Appraisal District Board of Directors. In the past the City casts all its votes for the City nominee. City will cast 720 votes for James D. Mize.

Nominees include:

Robin Dawley	Nacogdoches County
Pam Fitch	NISD
Jared LoStracco	Cushing ISD
James D. Mize	City of Nacogdoches
James Montoya	NISD

FINANCIAL:

X There is no financial impact associated with this item
___ Item is budgeted: (___-___-___) In the amount of \$___
___ Item is not budgeted (Budget Amendment required; please attach BA ordinance)
Amount: \$___ GL Account #: ___
___ Item is estimated to generate additional revenue: ___

CITY CONTACT: Jim Jeffers, City Manager
jeffers@ci.nacogdoches.tx.us
936-559-2501

ATTACHMENTS: Resolution

RESOLUTION NO. 1254-11-19

RESOLUTION CASTING CITY OF NACOGDOCHES' VOTES FOR
NACOGDOCHES CENTRAL APPRAISAL DISTRICT BOARD OF
DIRECTORS

WHEREAS, City of Nacogdoches has been allocated 720 votes for this entitlement for Central Appraisal District Board of Directors; and

WHEREAS, Nacogdoches City Council meeting in regular session on November 5, 2019 and is in agreement all votes should be cast for City's nomination in order to increase the chances of having a City representative elected to the Board; and

WHEREAS, James D. Mize is City's nomination to Central Appraisal District Board of Directors.

NOW THEREFORE BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF NACOGDOCHES, TEXAS AS FOLLOWS:

City Council of the City of Nacogdoches does hereby cast all 720 votes for James D. Mize to serve on Central Appraisal District Board of Directors.

PASSED AND APPROVED THIS 5TH DAY OF NOVEMBER, 2019.

Mayor Shelley Brophy
City of Nacogdoches

ATTEST:

Jan Vinson, City Secretary

Approved as to form:

Jefferson Davis, City Attorney

PRESENTER: Jim Jeffers, City Manager

ITEM/SUBJECT: **CONSENT AGENDA:** Consider re-appointing Jimmy Mize to Pineywoods Groundwater Conservation District Board.

SUMMARY/BACKGROUND: Jimmy Mize has represented the City of Nacogdoches on Pineywoods Groundwater Conservation District (PGCD) Board since 2008, serving five consecutive terms. PGCD Board of Directors is charged with overseeing the District's role in management and conservation of groundwater. PGCD Board meets, at least quarterly, to review District's financial reports and discuss recent and upcoming activities by District staff. PGCD Board also approves annual budget, certain water well permits, changes to District rules and fees, new groundwater management plans affecting Nacogdoches and Angelina Counties, and other matters relating to the operation and mission of the District.

Current Board of Directors are Keith Wright, President (City of Lufkin), David Alders, Vice President (Corrizzo Creek Corp), Gloria Montes, Secretary (SFA), Jimmy Mize, Treasurer, Tommy Carswell (Four Way WSC), Stephen Raley (Angelina Forest Products) and Kelley Holcomb (ANRA).

FINANCIAL:

 X There is no financial impact associated with this item
 Item is budgeted: (_____) In the amount of \$_____
 Item is not budgeted (Budget Amendment required; please attach BA ordinance)
Amount: \$_____ GL Account #: _____
 Item is estimated to generate additional revenue: _____

CITY CONTACT: Jim Jeffers, City Manager
936-559-2501
jeffers@ci.nacogdoches.tx.us

ATTACHMENTS: None

PRESENTER: Brian W. Bray, Director of Community Services

ITEM/SUBJECT: **CONSENT AGENDA** - Consider agreement with Boys and Girls Club of Deep East Texas.

SUMMARY/BACKGROUND: The City has had an agreement with the Boys and Girls Club of Deep East Texas since 2005 when Maroney pool was closed. The agreement is to provide the necessary facilities, supplies, qualified staff and volunteer support to provide a year round indoor swimming facility at a reduced cost to the citizens of Nacogdoches. The City in turn will provide the Club with \$70,000 per year, which is a \$35,000 increase from last fiscal year, to assist in the maintenance, supplies and staffing needed to provide those services. The \$35,000 increase was approved by City Council during FY2019-2020 budget adoption.

FINANCIAL:

- ☐ There is no financial impact associated with this item
- ☒ Item is budgeted: 01.75.630.98 (*Boys & Girls Club Service Expense*)
In the amount of \$70,000.00
- ☐ Item is not budgeted (Budget Amendment required; please attach BA ordinance)
Amount: \$_____ GL Account #: _____
- ☐ Item is estimated to generate additional revenue: _____

CITY CONTACT: Brian W. Bray, Director of Community Services
936-559-2960
brayb@ci.nacogdoches.tx.us

ATTACHMENTS: Contract available upon request

PRESENTER: Cary Walker, Public Works Manager

ITEM/SUBJECT: **CONSENT AGENDA** - Consider approval to purchase new Asphalt Patch Truck from H.D. Industries in the amount of \$ 175,340.00

SUMMARY/BACKGROUND: Public Works requested bids for the purchase of an Asphalt Pot Hole Patching Truck. The 2019-2020 Budget cycle included funds in the amount of \$220,000 to purchase a new patch truck.

Public Works received a Buy Board quote from H.D. Industries in the amount of \$175,340.00 for a new Pro Patch Model Patching machine on a Freightliner Chassis. The new truck includes a sand spreader attachment used during extreme weather conditions.

This equipment will be replacing an existing 14 year old 2005 model Pro Patch truck that has continued to exhibit numerous equipment failures and expense as a result of age.

FINANCIAL:

☐ There is no financial impact associated with this item

☒ Item is budgeted: 01.86.680.25 (*General Fund Reserves Equipment & Machinery Capital*)
In the amount of \$175,340.00

☐ Item is not budgeted (Budget Amendment required; please attach BA ordinance)
Amount: \$_____ GL Account #: _____

☐ Item is estimated to generate additional revenue: _____

CITY CONTACT: Cary Walker, Public Works Manager
(936) 559-2582
walkercl@ci.nacogdoches.tx.us

ATTACHMENTS: None

PRESENTER: Pam Curbow, Director of Finance

ITEM/SUBJECT: Consider ordinance amending Ordinance No. 1778-09-18 appropriating various amounts in accordance with budget adopted for fiscal year beginning October 1, 2018 and ending September 30, 2019.

SUMMARY/BACKGROUND: Consider adoption of Budget Amendments to cover deficits in revenues and overages of expenditures for fiscal year 2018-2019.

FINANCIAL:

___ There is no financial impact associated with this item
___ Item is budgeted: (___ - ___ - ___) In the amount of \$_____
X Item is not budgeted (Budget Amendment required; please attach BA ordinance)
Amount: \$ see attached GL Account #: see attached
___ Item is estimated to generate additional revenue: _____

CITY CONTACT: Pam Curbow
curbowp@ci.nacogdoches.tx.us
936-559-2526

ATTACHMENTS: Budget Amendment Detail Listing
Budget Amendment Ordinance

**CITY OF NACOGDOCHES
YEAR-END BUDGET ADJUSTMENTS
2018-2019**

<u>Fund/Dept Name</u>	<u>Acct No.</u>	<u>Account Name</u>	<u>Description</u>	<u>Revenue Amendment</u>	<u>Expense Amendment</u>
<u>GENERAL FUND</u>					
Revenue	01.560.00	Misc Grant Receipts	Fire Dept Deployments	\$ 375,242	
Main Street	01.12.630.55	Main Street Events	Event Expenses Offset by Additional Revenue		\$ 19,214
Police	01.15.620.20	Vehicle Maintenance	Repair Damages to numerous vehicles		\$ 35,672
Police	01.15.630.05	Communications Services	Hotline Phone Rate Increase		\$ 27,849
Fire	01.17.601.10	Operational Salaries	Year End Accrual		\$ 55,853
Cemetery	01.24.630.70	Special Services	Tree Removal		\$ 9,636
Eco Development	01.29.601.10	Operational Salaries	Year End Accrual		\$ 776
Non-Departmental	01.75.630.11	Law Enforcement Liability Premiums	Pendng Lawsuits - Police Dept		\$ 11,955
Restricted Court Fund	01.87.82.620.10	Technology Fund Office Equip Maintenance	Software Maintenance Contract		\$ 2,452
Total General Fund:				\$ 375,242	\$ 163,407
<u>UTILITY FUND</u>					
Utility Billing	30.35.620.50	Water Meter Maintenance	New & Replacement Water Meters		\$ 34,043
Utility Billing	30.35.630.42	Credit Card Fees	Credit Card Fee Overage - Increase in Credit Card Payments		\$ 19,693
Water Production	30.36.620.25	Equip & Machinery Maintenance	Generator Repairs		\$ 17,946
Water Production	30.36.620.35	Water Facility Maintenance	Replace Ammoniator		\$ 26,912
Transfers	30.85.699.24	Transfers to Special Grant Fund	Writeoff Advance for Aquatic Center		\$ 37,253
Total Utility Fund:				\$ -	\$ 135,847
<u>SANITATION FUND</u>					
Sanitation Collection	31.40.610.20	Vehicle Supplies	Fuel		\$ 19,672
Sanitation Collection	31.40.620.20	Vehicle Maintenance	Repairs to Numerous Vehicles		\$ 25,245
Sanitation Disposal	31.41.620.25	Equip & Machinery Maintenance	Repairs to Loader and Dozer		\$ 34,016
Non-Departmental	31.75.642.00	Bad Debt Expense	Writeoffs at 9/30/2019		\$ 66,388
Total Sanitation Fund:				\$ -	\$ 145,321
<u>FORFEITURE FUND</u>					
State Forfeiture	15.47.680.25	Equip & Machinery Capital	RMUS Custom Drone Package		\$ 35,187
Federal Forfeiture	15.57.610.35	Office Equipment	Cubicles		\$ 9,201
Federal Forfeiture	15.57.610.90	Other Materials & Supplies	License Renewal		\$ 8,410
Federal Forfeiture	15.57.620.10	Office Equipment & IT Maintenance	AIM Web Training		\$ 12,500
Federal Forfeiture	15.57.680.00	Building & Structure Capital	Renovate Street Crimes Office		\$ 32,800
Total Forfeiture Fund:				\$ -	\$ 98,098
<u>MAYORS COMMITTEE FUND</u>					
Mayors Committee	21.50.630.70	Special Services	Sports Day Out Event		\$ 431
Total Mayors Committee Fund:				\$ -	\$ 431
<u>SPECIAL GRANT FUND</u>					
Contributions - Other	24.559.70	Contributions from Other	Donation for Hanging Baskets for Downtown Lights	\$ 13,187	
Transfer Revenue	24.590.30	Transfer from Utility Fund	Writeoff Advance for Aquatic Center	\$ 37,253	
Main Street	24.12.610.90	Other Materials & Supplies	Hanging Baskets for Downtown Lights		\$ 13,187
Police	24.15.610.90	Other Materials & Supplies	Community Relations Project		\$ 257
Fire	24.17.610.30	Small Tools & Equipment	DETRAC Grant		\$ 2,800
Library	24.21.610.65	Books & Periodicals	Texas Book Festival Grant		\$ 2,694
Library	24.21.630.70	Special Services	Joan Houston Bequest		\$ 600
Total Special Grant Fund:				\$ 50,440	\$ 19,538
<u>CAPITAL PROJECTS FUND</u>					
Street Maintenance	27.90.642.00	Bad Accounts Expense	Writeoffs at 09 30 2019		\$ 11,613
Total Capital Projects Fund:				\$ -	\$ 11,613
<u>SELF INSURANCE FUND</u>					
Self Insurance	65.75.630.65	Health Insurance Claims Expense	Excess Claims		\$ 54,539
Total Self Insurance Fund:				\$ -	\$ 54,539
<u>SUNSET TRUST FUND</u>					
Transfer to General Fund	70.85.699.01	Transfer to General Fund	Transfer Annual Interest Income		\$ 5,630
Total Sunset Trust Fund:				\$ -	\$ 5,630

ORDINANCE AMENDING ORDINANCE NO. 1778-09-18 APPROPRIATING VARIOUS AMOUNTS IN ACCORDANCE WITH BUDGET ADOPTED FOR ENSUING FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019.

WHEREAS, City Council of the City of Nacogdoches, Texas has approved and adopted the budget for said city for ensuing fiscal year beginning October 1, 2018 and ending September 30, 2019.

NOW, THEREFORE BE IT ORDAINED by City Council of the City of Nacogdoches that sums of money as herein set forth in said budget are hereby appropriated and amended for the collection of revenues and payments of operating expenses and capital outlays of the city government of the City of Nacogdoches as follows:

Fund	Dept	Acct.	Department	Description	Amt.
01		560.00	General Fd Revenues	Grant Receipts - Fire Dept Deployments	\$ 375,242
01	12	630.55	Main Street	Main Street Event - Offset by Additional Revenue	\$ 19,214
01	15	620.20	Police	Vehicle Maintenance	\$ 35,672
01	15	630.05	Police	Communications Services	\$ 27,849
01	17	601.10	Fire	Operational Salaries - Yr End Accrual	\$ 55,853
01	24	630.70	Cemetery	Special Services	\$ 9,636
01	29	601.10	Eco Development	Operational Salaries - Yr End Accrual	\$ 776
01	75	630.11	Non-Departmental	Law Enforcement Liability Premiums	\$ 11,955
01	87.82	620.10	Restricted Court Fd	Technology Fund Maintenance Contract	\$ 2,452
30	35	620.50	Utility Billing	Water Meter Maintenance	\$ 34,043
30	35	630.42	Utility Billing	Credit Card Fees	\$ 19,693
30	36	620.25	Water Production	Equip & Machinery Maintenance	\$ 17,946
30	36	620.35	Water Production	Water Facility Maintenance	\$ 26,912
30	85	699.24	Transfers	Writeoff Advance for Aquatic Center	\$ 37,253
31	40	610.20	Sanitation Collection	Vehicle Supplies - Fuel	\$ 19,672
31	40	620.20	Sanitation Collection	Vehicle Maintenance	\$ 25,245
31	41	620.25	Sanitation Disposal	Equip & Machinery Maintenance	\$ 34,016
31	75	642.00	Non-Departmental	Bad Debt Writeoffs	\$ 66,388
15	47	680.25	State Forfeiture	Equip & Machinery Capital - RMUS Custom	\$ 35,187
15	57	610.35	Federal Forfeiture	Office Equipment - Cubicles	\$ 9,201
15	57	610.90	Federal Forfeiture	Other Materials & Supplies - License Renewal	\$ 8,410
15	57	620.10	Federal Forfeiture	Office & IT Maintenance - AIM Web Training	\$ 12,500
15	57	680.00	Federal Forfeiture	Building Capital - Renovate Street Crimes Office	\$ 32,800
21	50	630.70	Mayors Committee	Special Services - Sports Day Out	\$ 431
24		559.70	Contributions - Other	Donation - Hanging Baskets for Downtown Lights	\$ 13,187
24		590.30	Transfer Revenue	Writeoff Advance for Aquatic Center	\$ 37,253
24	12	610.90	Main Street	Other Supplies-Hanging Baskets Downtown Lights	\$ 13,187
24	15	610.90	Police	Other Supplies - Community Relations Project	\$ 257
24	17	610.30	Fire	Small Tools & Equip - DETRAC Grant	\$ 2,800
24	21	610.65	Library	Books & Periodicals - Texas Book Festival Grant	\$ 2,694
24	21	630.70	Library	Special Services - Joan Houston Bequest	\$ 600
27	90	642.00	Street Maintenance	Bad Accounts - Writeoffs at 09 30 2019	\$ 11,613
65	75	630.65	Self Insurance	Health Insurance Claims	\$ 54,539
70	85	699.01	Transfer to General	Transfer Annual Interest Income	\$ 5,630

PASSED AND APPROVED this the 5th day of November 2019.

Shelley Brophy, Mayor
City of Nacogdoches

ATTEST:

Jan Vinson, City Secretary

Approved as to form:

Jefferson Davis, City Attorney

Approved as to content:

Pamela Curbow, Director of Finance

PRESENTER: Keith Kiplinger, Interim City Planner

ITEM/SUBJECT: **Public Hearing:** Consider ordinance of the City of Nacogdoches granting a specific use permit for development and operation of a travel trailer and recreational vehicle park to be located at 4925 and 5001 Northwest Stallings Drive within the B-2 General Business Zoning District, said tract being legally described as 11.65 acres, part of the Wilhelm Dankworth Survey, A-180 and the M.G. Whitaker Survey, A-591, called the Reserved for Future Development area as depicted on plat of Westward Subdivision Phase 2, recorded in Volume 6, Page 25, Plat records of Nacogdoches County, Parcel ID 26729 in Nacogdoches, Texas, providing requirements and conditions for said specific use permit; containing findings; providing a repeal clause; providing a severability clause; and providing an effective date. Submitted by Keith and Vicki Socia (developers) and SBM Associates, Inc. (current owner). SUP19-03. (Interim City Planner)

Background: Request is for a specific use permit to allow a Travel Trailer and Recreational Vehicle (RV) Park, on 4925 and 5001 NW Stallings Drive, generally located North West of Loop 224 at the edge of city limits. This will allow expansion and rehabilitation of an existing RV park at the site. The approximately 11.65-acre property is currently zoned B-2, General Business, which allows the property to be used for retail, offices, and other commercial activities. Per City Ordinance, Recreational Vehicle Parks are allowed in B-2 zoning districts with an SUP.

Existing Land Use: The lot has an RV Park on site. Adjacent properties are commercial in nature or located outside the City Limits.

Future Land Use: Per 2003 Nacogdoches Comprehensive Plan, the Future Land Use designates about 40% of the property as Commercial. Remaining portion is designated as Vacant to allow for any use that fits demand of the neighborhood.

Factors to be Considered in Approving an SUP: Per Section 118.173 of the Nacogdoches Code of Ordinances, the following factors are to be considered when considering an SUP:

Compatibility: The area is in close proximity to Loop 224, along an access road to the off-ramp, and has predominately commercial uses, including truck stop, storage building sales, DPS Driver's License Office and a restaurant are adjacent and nearby. The only residential development near the property is a hotel. This property is located along the I69 corridor. Staff believes the location is appropriate for a RV Park.

Orderly growth and development: Development will adhere to all subdivision regulations. Future occupants have indicated a desire to significantly improve the existing RV Park which is in disrepair. Additional spaces will require new roads, utilities and upgraded facilities. Staff is proposing a number of conditions for the SUP to ensure the property is constructed and maintained in an appropriate fashion. Planning and Zoning Commission and City Council may choose impose these or other conditions to ensure development does not create any adverse impacts for citizens or the environment.

Supporting Facilities: The site is adequately served with all basic utilities. Water and sewer lines will likely need to be extended or tapped into to service up to 119 separate RV parking spots. All development will adhere to current standards.

Drives and Parking: Drive length and parking dimensions will conform to development standards. Development will provide up to 119 parking spaces for RVs and location for management, office space, laundry, and shower facilities. Conceptual site plan is available but approved, engineered site plans will be required before construction.

Nuisances: Because of proximity to Loop 224 and adjacent truck stop, light and noise pollution will be minimal. Because of residential component with this development, there is potential for increased nuisance complaints.

Lighting: All lighting will be constructed in accordance with applicable codes and ordinances.

Landscaping: The development proposes landscaping on site which includes a green space buffer along access road to Loop 224. Street trees along access frontage and a landscaping plan will be required to permit development. It is the intent of the developer to install landscaping that exceeds City requirements.

Conformity to the 2003 Comprehensive Plan: 2003 Future Land Use Plan designates this area as Commercial. Commercial is described as,

“Shopping and service facilities for the sale of goods and services, including small shops and larger retail stores and center, restaurants, hotels and motels, service stations, and various other customer-oriented establishments.”

Development will fall under a “customer-oriented establishment” that will attract nontraditional customers to shop and interact with other services along the corridor. Development will be large enough to accommodate appropriate commercial uses, constructed away from residential neighborhoods because of its intense nature, and concentrated along a major thoroughfare to accommodate heavy traffic, especially RVs. Apart from Land Use; the development’s location is appropriate for transportation considerations and should not impede current traffic patterns. Staff believes the proposed use conforms to the 2003 Comprehensive Plan.

Flood Damage Prevention: Per FEMA Floodplain Map, no portion of the property falls in the 100 or 500 year floodplain area.

Notices: Staff sent out 4 notices to property owners within the 200 foot notification area. Zero (0) responses received in favor of the request, and zero (0) responses received in opposition of the request.

Staff Findings:

- Current development on-site is of the same nature and has proven to be compatible with surrounding uses
- Rehabilitation and development to expand business will continue to promote compatible land uses along the corridor while improving the commercial area as a whole
- New construction will improve health and safety of the area
- Landscaping should provide numerous aesthetic benefits both as it frames the streetscape and for RV residents at the park

Planning & Zoning Commission Recommendation: Planning & Zoning Commission met October 14, 2019 to hold a public hearing and consider application. Planning and Zoning Commission voted 4-0 in favor of recommending the SUP with following conditions:

- No hazardous materials may be stored on premises.
- Premises shall be kept clean and free of debris and available for inspection by the City at all times.
- Owner must satisfy all requirements related to safety, signage, landscaping, paving, parking, construction, dumpster enclosure, utilities and development.
- All driveways, internal roads and parking areas shall be constructed of an all-weather surface as approved by City Engineer.
- Owner must maintain all requirements related to safety, signage, landscaping, paving, parking, construction, dumpster enclosure, utilities and development.
- Only passenger and recreational vehicles shall be allowed and at no time shall mobile homes, manufactured homes or industrialized housing be allowed.
- Separation between recreational vehicles, including slide-outs, shall comply with fire code.
- Length of stay for recreational vehicles shall not exceed 180 days and owner must maintain a log of entry and exit
- The permit will expire and property will revert back to B-2 General Business if owner fails to commence construction within 180 days or fails to substantially complete the project within 24 months.
- If the use is abandoned for a period of 180 days the SUP will automatically be removed and property will revert to B2 General Business only.

Recommendation: After review by City Attorney, staff has modified the recommended conditions as the conditions marked in **red** above are already addressed in other sections of the code. Staff recommends approval of the ordinance granting the SUP with following conditions.

1. Premises shall be kept clean and free of debris and available for inspection by the City at all times;
2. All driveways, internal roads and parking areas shall be constructed of an all-weather surface as approved by the City Engineer;
3. Only passenger vehicles, recreational vehicles, and travel trailers shall be allowed overnight on the property, and at no time shall mobile homes, manufactured homes or industrialized housing be allowed;
4. Separation between recreational vehicles and travel trailers, including slide-outs, shall comply with the relevant fire code;
5. Neither recreational vehicles nor travel trailers shall be permitted to remain on site for more than 180 consecutive days, and the operator of the property shall maintain a properly dated log chronicling travel trailer and recreational vehicle entry and exit; and

FINANCIAL:

☒ There is no financial impact associated with this item
☐ Item is budgeted: (____ - ____ - ____) In the amount of \$_____
☐ Item is not budgeted (Budget Amendment required; please attach BA ordinance)
Amount: \$_____ GL Account #: _____
☐ Item is estimated to generate additional revenue: _____

CITY CONTACT: Keith Kiplinger, Interim City Planner
kiplingerk@ci.nacogdoches.tx.us
936-559-2541

ATTACHMENTS: Location Map
Aerial Map
Zoning map
Ordinance

NW Stallings Drive

Location Map

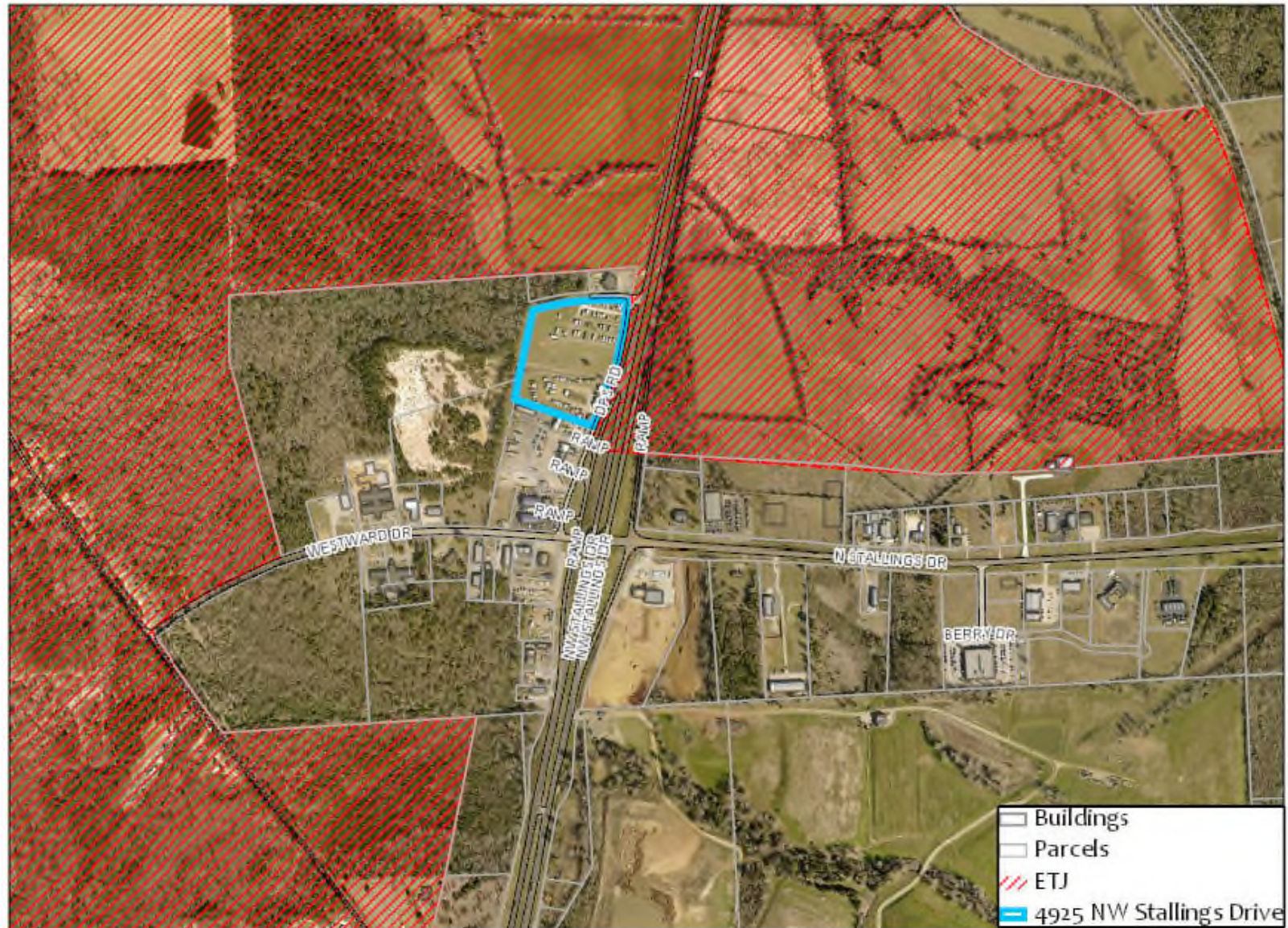


0 1.25 2.5 5 Miles

Created By: Caleb Hill
Data: City of Hecogdoches
Date: September 16, 2019

NW Stallings Drive

Aerial Map

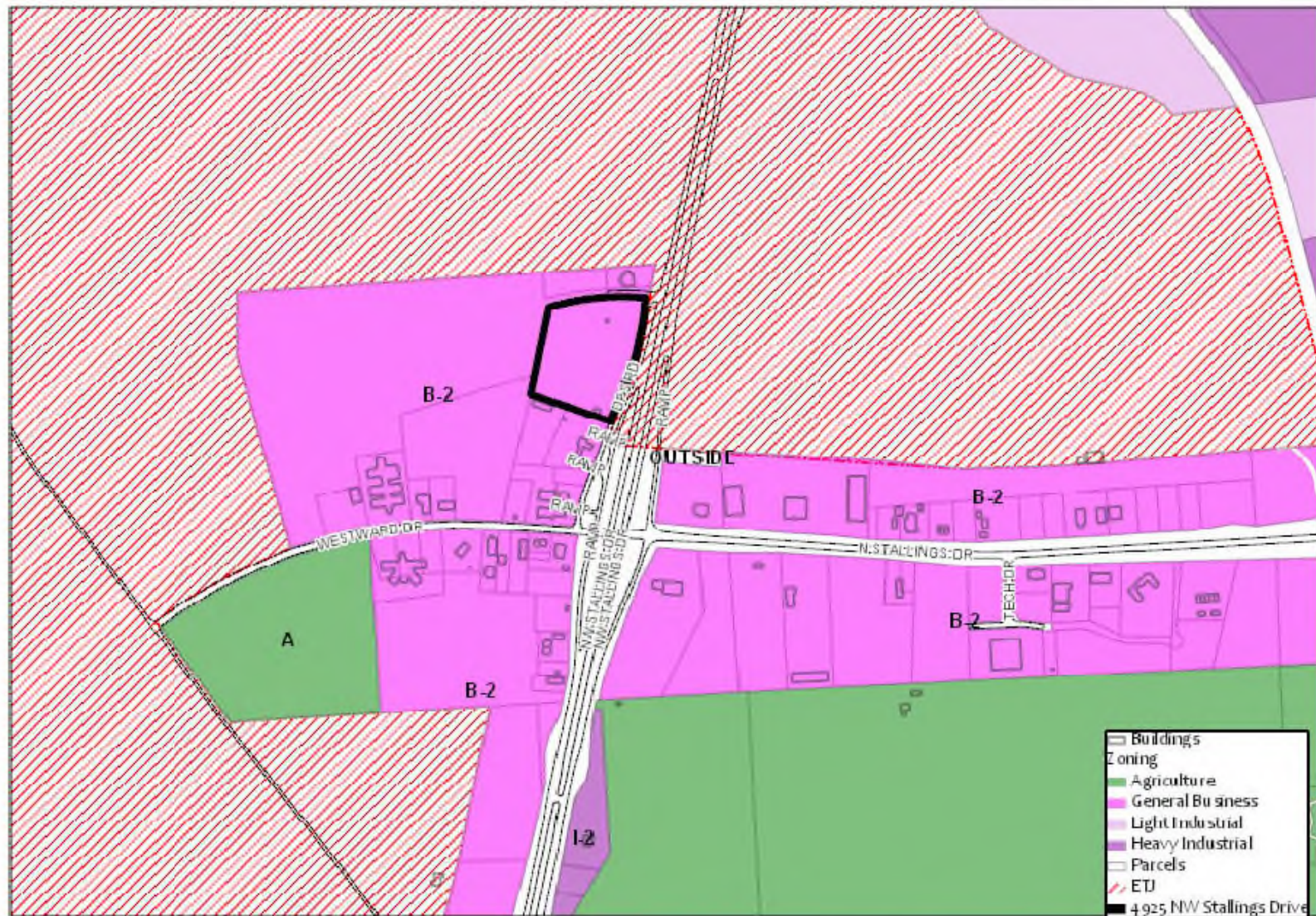


0 1.25 2.5 5 Miles

Created By: Caleb Hill
Data: City of Macomb
Date: September 16, 2019

NW Stallings Drive

Zoning Map



0 1.25 1.5 5 Miles

Created By: Caleb Hill
Data: City of Hacıogdöches
Date: September 16, 2019

ORDINANCE OF THE CITY OF NACOGDOCHES, TEXAS, GRANTING A SPECIFIC USE PERMIT FOR DEVELOPMENT AND OPERATION OF A TRAVEL TRAILER AND RECREATIONAL VEHICLE PARK TO BE LOCATED AT 4925 AND 5001 NORTHWEST STALLINGS DRIVE WITHIN THE B-2 GENERAL BUSINESS ZONING DISTRICT, SAID TRACT BEING LEGALLY DESCRIBED AS 11.65 ACRES, PART OF THE WILHELM DANKWORTH SURVEY, A-180 AND THE M.G. WHITAKER SURVEY, A-591, CALLED THE RESERVED FOR FUTURE DEVELOPMENT AREA AS DEPICTED ON PLAT OF WESTWARD SUBDIVISION PHASE 2, RECORDED IN VOLUME 6, PAGE 25, PLAT RECORDS OF NACOGDOCHES COUNTY, TEXAS, PARCEL ID 26729 IN NACOGDOCHES, TEXAS, PROVIDING REQUIREMENTS AND CONDITIONS FOR SAID SPECIFIC USE PERMIT; CONTAINING FINDINGS; PROVIDING A REPEAL CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Specific Use Permit process allows the Planning and Zoning Commission and City Council to consider the conditions specific to individual tracts of land and operational characteristics of various businesses; and

WHEREAS, SBM Associates, Inc., Keith Socia, and Vicki Socia filed an application for a Specific Use Permit for the development of a travel trailer and recreational vehicle park on property that is currently zoned as B-2 General Business (B-2); located at 4925 and 5001 Northwest Stallings Drive, said tract being legally described as Lot 18, Block 95, Parcel ID 26729 (the "Property"), and situated within the corporate limits of the City of Nacogdoches, Texas (the "City"), being more particularly described in Exhibit "A," attached hereto and made a part hereof for all purposes; and

WHEREAS, the Owner of the Property, through its above mentioned and duly authorized representatives, has presented an application to the City for the granting of a Specific Use Permit to use said Property for the purpose of constructing, operating and maintaining a travel trailer and recreational vehicle park (the "Specific Use"), as authorized by the City's Zoning Ordinance; and

WHEREAS, after satisfaction of all conditions precedent required by law, the Planning and Zoning Commission held a public hearing and did make recommendation to City Council for approval of the Specific Use Permit application submitted for the above referenced site; and

WHEREAS, after satisfaction of all conditions precedent required by law and receiving the recommendation of the Planning and Zoning Commission, the City Council conducted a public hearing, and immediately thereafter approved the application for Specific Use Permit with certain conditions, allowing for the construction, operation and maintenance of a travel trailer and recreational vehicle park at the above described location.

NOW, THEREFORE, BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF NACOGDOCHES, TEXAS:

SECTION I

Findings.

The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct, and same are deemed to be in furtherance of a public purpose.

SECTION II

Approval of Specific Use Permit

Pursuant to the requirements of Chapter 118 of the Code of Ordinances of the City of Nacogdoches, Texas, a Specific Use Permit is hereby approved allowing for the construction, operation and maintenance of a travel trailer and recreational vehicle park at the above described location, with the following conditions:

1. The premises shall be kept clean and free of debris and available for inspection by the City at all times;
2. All driveways, internal roads and parking areas shall be constructed of an all-weather surface as approved by the City Engineer;
3. Only passenger vehicles, recreational vehicles, and travel trailers shall be allowed overnight on the property, and at no time shall mobile homes, manufactured homes or industrialized housing be allowed;
4. Separation between recreational vehicles and travel trailers, including slide-outs, shall comply with the relevant fire code;
5. Neither recreational vehicles nor travel trailers shall be permitted to remain on site for more than 180 consecutive days, and the operator of the property shall maintain a properly dated log chronicling travel trailer and recreational vehicle entry and exit; and

SECTION III

Repeal

This Ordinance shall in no manner repeal, amend, change, supplement, or revise any provision of any ordinance of the City, save and except the granting of the Specific Use Permit as herein provided.

SECTION IV

Effective Date

This Ordinance shall take effect following its passage and publication as may be required by governing law.

SECTION V

Severability

If any word, article, phrase, paragraph, sentence, clause, or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other

provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION VI
Proper Notice and Open Meetings

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION VII
Filing

City Secretary is hereby authorized and instructed to file a signed and sealed copy of this Ordinance in and among the records of the City of Nacogdoches, Texas.

PASSED AND APPROVED, this the ____ day of _____, 2019.

CITY OF NACOGDOCHES

By: _____
SHELLEY BROPHY, Mayor

ATTEST:

APPROVED AS TO FORM:

JAN VINSON, City Secretary

JEFFERSON B. DAVIS, City Attorney

APPROVED AS TO CONTENT:

KEITH KIPLINGER,
Interim City Planner

Exhibit A

1 inch = 200 feet
0 50 100 200 300 400 Feet



PRESENTER: Keith Kiplinger, Interim City Planner

ITEM/SUBJECT: **Public Hearing:** Consider ordinance of the City of Nacogdoches, Texas, granting a specific use permit for light manufacturing at 3804 South Street within B-2 General Business Zoning District, said tract being legally described as Lot 95-E-2, City Block 56, Parcel ID 25533 in Nacogdoches, Texas, providing requirements and conditions for said specific use permit; containing findings; providing a repeal clause; providing a severability clause; and providing an effective date. Submitted by Mast Motorsports, LLC. SUP19-04

Background: Request is for specific use permit (SUP) to allow light manufacturing generally located at 3804 South Street. The 2.99-acre property is currently zoned B-2-General Business, which allows property to be used for retail, offices, and other commercial activities. Per City Ordinance, light manufacturing development and some other low impact industrial uses are allowed in B-2 zoning district with an SUP. The SUP process allows staff, Planning and Zoning Commission, and City Council the opportunity to review, and impose conditions if necessary on such development. If approved, entire site development will adhere to all regulations and requirements of B-2-General Business Zoning District.

Existing Land Use: Lot is currently commercial in use with the area along South Street primarily made up of commercial and industrial uses. To the west are single-family residential houses on Old Lufkin Road. Based on description of the proposed use, staff does not foresee any adverse impact on surrounding land uses.

Zoning: Zoning designation for said property is B-2 General Business. The proposed use is allowed with an SUP in the General Business zone and will not change the zoning of the property. To the North, South, and East is B-2, General Business, and to the west is R-4, Multi-Family Residential.

Future Land Use: Per 2003 Nacogdoches Comprehensive Plan, Future Land Use designates the area for commercial use. Proposed use is light industrial and will not likely to have an adverse impact on commercial uses. Over time the area has developed into a mixed use of commercial and industrial uses. Staff believes proposed use does not entirely deviate from the future land use designation of the area.

Factors to be Considered in Approving an SUP: Per Section 118.173 of the Nacogdoches Code of Ordinances, the following factors are to be considered when considering an SUP:

Compatibility: The area is in close proximity to existing commercial uses and industrial uses like Mike Perry Motor Company and Holiday Inn Express and Suites. Staff believes even though the area is zoned B-2, growth along the corridor has been more high intense commercial use due to its close proximity to the Loop and 169 corridor. Staff believes this proposed light manufacturing company will blend well with surrounding uses along the Loop.

Orderly growth and development: Development will adhere to all subdivision regulations. Based on initial interactions with applicant/owner, plans are to work with the City to ensure redevelopment is of high standard that will be a valuable asset to the City. Rehabilitation of the facility will be minimal. Staff is proposing conditions for the SUP related to occupying the facility and future abandonment of the light industrial use. Planning and Zoning Commission and City Council may choose impose these or other conditions to ensure development does not create any adverse impacts for citizens or the environment.

Supporting Facilities: The site is adequately served with all basic utilities and all modifications such as renovation, driveways, parking, etc. will conform to current development standards.

Drives and Parking: Driveway and parking spot for the commercial use will be provided. Sufficient on-site parking is currently present to serve the facility. Any modifications to driveways or parking will meet current standards.

Nuisances: Proposed light industrial use will not increase traffic, noise, dust, vibration or other nuisances at the site.

Lighting: No change is proposed but any modification will meet current development standards.

Landscaping: If the site is significantly redeveloped, current landscape requirements will be enforced.

Conformity to the 2003 Comprehensive Plan: Per 2003 Comprehensive Plan, this development achieves the objectives of promoting:

“Vibrant and viable commercial and industrial areas, supported by a quality community offering many assets and opportunities for economic development”

Staff believes the repurposing of this vacant building is appropriate for the location. Even though Future Land Use map calls for the area to be commercial, staff believes proposed use is a low intensity industrial use with low impacts and would therefore fit into a commercial zone.

Flood Damage Prevention: Per FEMA Floodplain Map, there is no portion of the property that falls in the 100 or 500 year floodplain area.

Notices: Staff sent out 11 notices to property owners within the 200 foot notification area. There were zero (0) responses received in favor of the request, and zero (0) responses received in opposition of the request.

Staff Findings:

- The proposal is for a low-intensity light manufacturing use
- The applicant has assured staff there would be no adverse impacts with this development as it concerns environmental, noise, and light pollution
- Rehabilitation should not create an adverse impact on the surrounding area as it will be minimal
- The development will be located along the future Interstate 69 and will provide easy access for customers and employees

Planning & Zoning Commission Recommendation: Planning & Zoning Commission met October 14, 2019 to hold a public hearing and consider the application. The Commission voted 4-0 in favor of recommending the SUP with the following conditions:

Staff recommends approval of the specific use permit with the following conditions:

- o Applicant must occupy the facility as light industrial within 12 months.
- o If use is abandoned for a period of 180 days the SUP will automatically be remove and property will revert to B2 General Business only.

Recommendation: After review by City Attorney, staff modified the recommended conditions as conditions marked in red above are already addressed in other sections of the code. Staff recommends approval of the Ordinance granting the SUP without additional conditions.

FINANCIAL:

 X There is no financial impact associated with this item
____ Item is budgeted: (____-____-____) In the amount of \$_____
____ Item is not budgeted (Budget Amendment required; please attach BA ordinance)
Amount: \$_____
GL Account #: _____
____ Item is estimated to generate additional revenue: _____

CITY CONTACT: Keith Kiplinger, Interim City Planner
kiplingerk@ci.nacogdoches.tx.us
936/559-2541

ATTACHMENTS: Location Map
Aerial Map
Zoning Map
Ordinance

3804 South Street

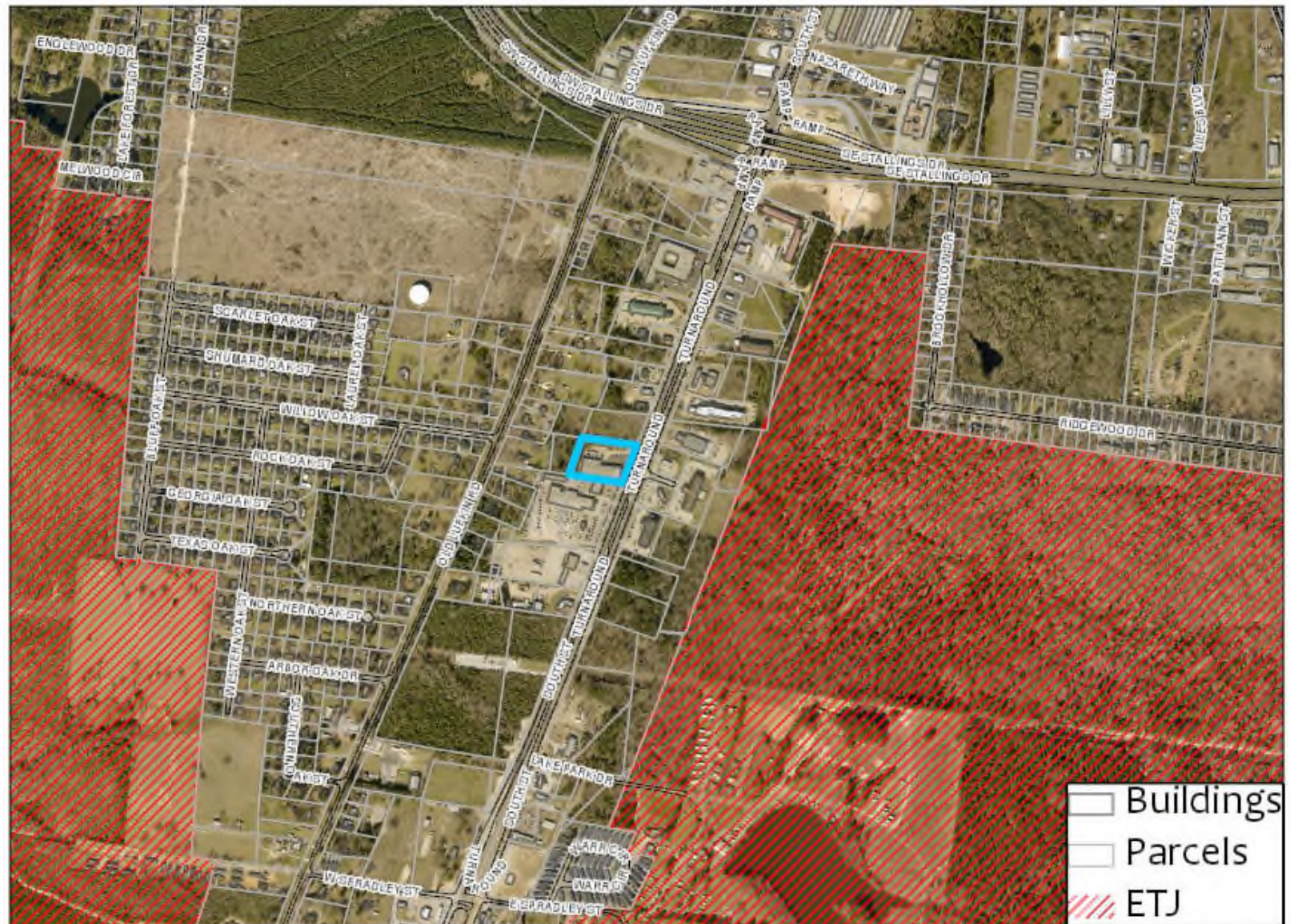
Location Map



0 1.25 2.5 5 Miles

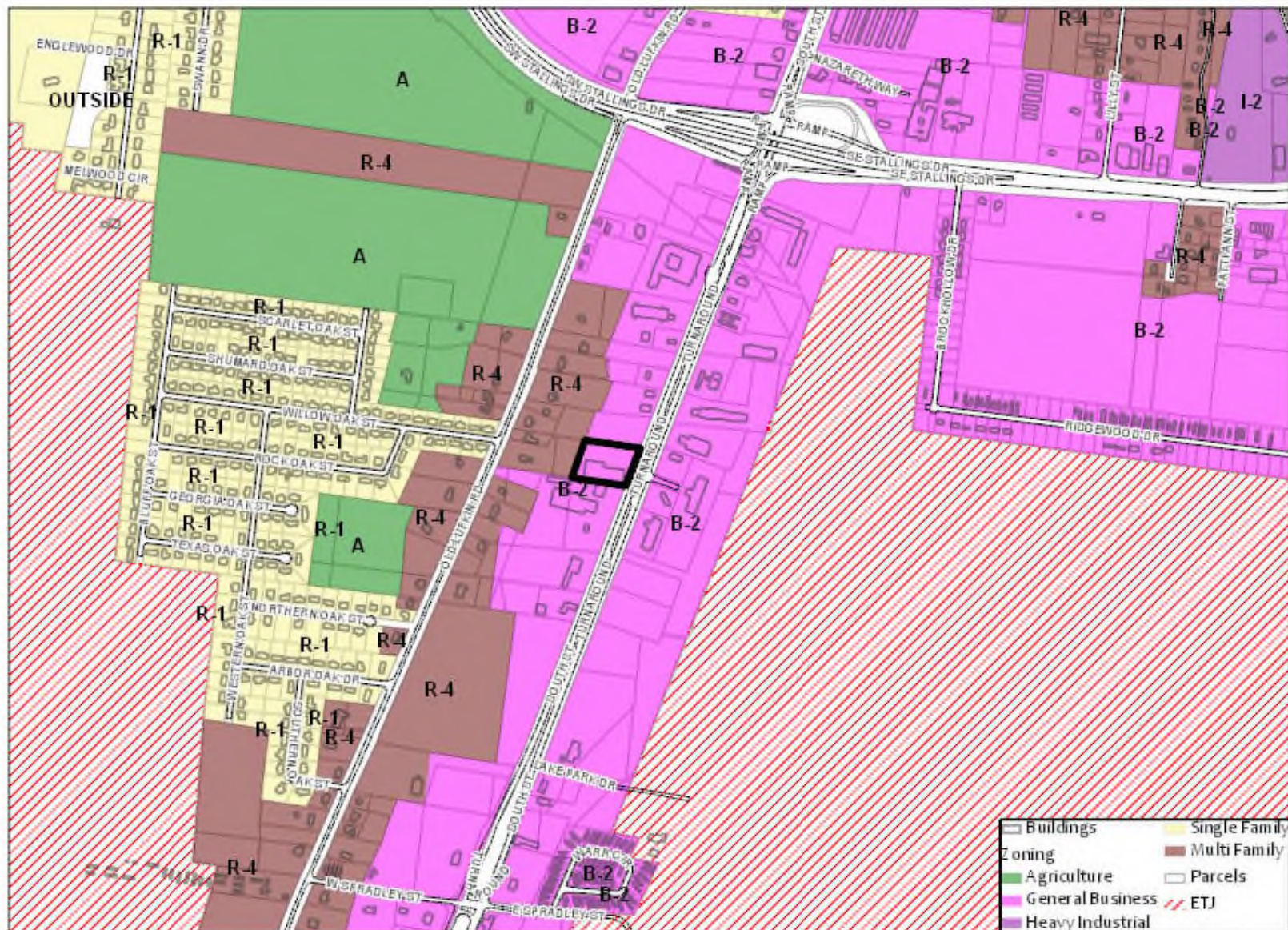
Created By: Caleb Hill
Data: City of Harogdoches
Date: September 19, 2019

Aerial Map



Created By: Caleb Hill
Data: City of Hacıogdohes
Date: September 19, 2019

Zoning Map



0 1.25 2.5 5 Miles

Created By: Caleb Hill
Data: City of Macomb
Date: September 19, 2019

ORDINANCE OF THE CITY OF NACOGDOCHES, TEXAS, GRANTING A SPECIFIC USE PERMIT FOR LIGHT MANUFACTURING AT 3804 SOUTH STREET WITHIN THE B-2 GENERAL BUSINESS ZONING DISTRICT, SAID TRACT BEING LEGALLY DESCRIBED AS LOT 95-E-2, CITY BLOCK 56, PARCEL ID 25533 IN NACOGDOCHES, TEXAS, PROVIDING REQUIREMENTS AND CONDITIONS FOR SAID SPECIFIC USE PERMIT; CONTAINING FINDINGS; PROVIDING A REPEAL CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Specific Use Permit process allows Planning and Zoning Commission and City Council to consider the conditions specific to individual tracts of land and operational characteristics of various businesses; and

WHEREAS, Mast Motorsports filed an application for a Specific Use Permit for light manufacturing on property that is currently zoned as B-2 General Business (B-2); located at 3804 South Street, said tract being legally described as Lot 95-E-2, City Block 56, Parcel ID 25533, (the "Property"), and situated within the corporate limits of the City of Nacogdoches, Texas (the "City"), being more particularly described in Exhibit "A," attached hereto and made a part hereof for all purposes; and

WHEREAS, the Owner of the Property, through its above mentioned and duly authorized representatives, has presented an application to the City for the granting of a Specific Use Permit to use said Property for the purpose of constructing, operating and maintaining a light manufacturing business (the "Specific Use"), as authorized by the City's Zoning Ordinance; and

WHEREAS, after satisfaction of all conditions precedent required by law, the Planning and Zoning Commission held a public hearing and did make recommendation to City Council for approval of the Specific Use Permit application submitted for the above referenced site; and

WHEREAS, after satisfaction of all conditions precedent required by law and receiving the recommendation of the Planning and Zoning Commission, the City Council conducted a public hearing, and immediately thereafter approved the application for Specific Use Permit with certain conditions, allowing for light manufacturing at the above described location.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NACOGDOCHES, TEXAS:

SECTION I

Findings.

The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct, and same are deemed to be in furtherance of a public purpose.

SECTION II

Approval of Specific Use Permit

Pursuant to the requirements of Chapter 118 of the Code of Ordinances of the City of Nacogdoches, Texas, a Specific Use Permit is hereby approved allowing for the construction, operation and maintenance of light manufacturing business at the above described location.

SECTION III
Repeal

This Ordinance shall in no manner repeal, amend, change, supplement, or revise any provision of any ordinance of the City, save and except the granting of the Specific Use Permit as herein provided.

SECTION IV
Effective Date

This Ordinance shall take effect following its passage and publication as may be required by governing law.

SECTION V
Severability

If any word, article, phrase, paragraph, sentence, clause, or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION VI
Proper Notice and Open Meetings

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION VII
Filing

The City Secretary is hereby authorized and instructed to file a signed and sealed copy of this Ordinance in and among the records of the City of Nacogdoches, Texas.

PASSED AND APPROVED, this the ____ day of _____, 2019.

CITY OF NACOGDOCHES

By: _____
SHELLEY BROPHY, Mayor

ATTEST:

APPROVED AS TO FORM:

JAN VINSON, City Secretary

JEFFERSON B. DAVIS, City Attorney

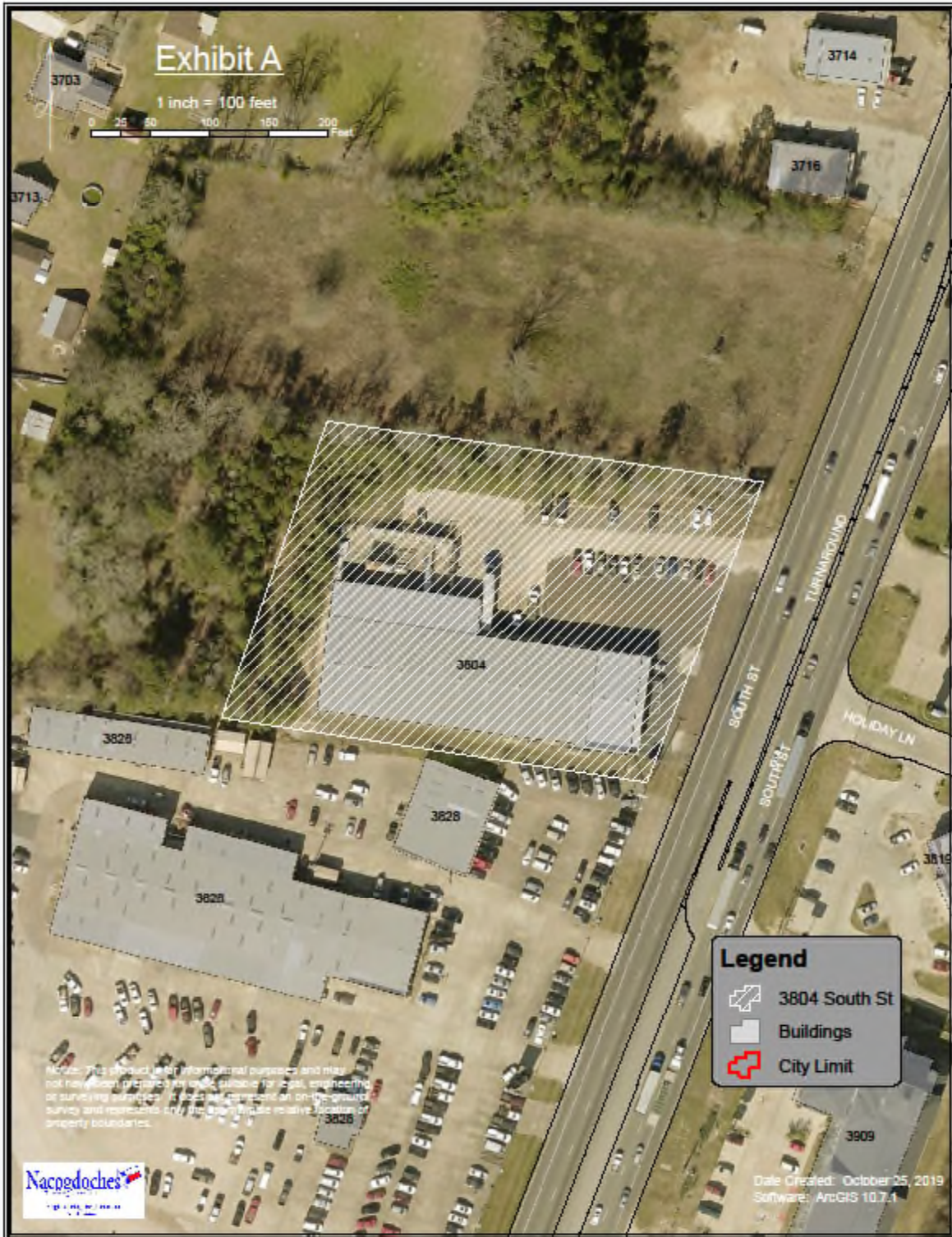
APPROVED AS TO CONTENT:

KEITH KIPLINGER,
Interim City Planner

Exhibit A

1 inch = 100 feet

0 25 50 100 150 200 Feet



Legend

-  3804 South St
-  Buildings
-  City Limit

PRESENTER: Jim Jeffers, City Manager

ITEM/SUBJECT: Consider contract for services with HillCo Partners.

SUMMARY/BACKGROUND: It is becoming more and more difficult to do business in the State of Texas necessitating an external consultant who can assist in dealing with the Texas bureaucracy as well as the Texas legislature. While Senator Robert Nichols and Representative Travis Clardy are great in representing East Texas but they need help. The challenges are not with garnering their support but garnering support from urban areas as well as rural areas across this vast state.

The following firms were considered for lobbying services:

Longbow Partners – Austin, Texas
Texas Legislative Associates – Dallas, Texas
HillCo Partners – Austin, Texas
Focused Advocacy – Austin, Texas

HillCo Partners is one of the premier consulting firms in the State of Texas. The City Manager reviewed qualifications of other firms and the edge went to HillCo because of their reputation and the City's primary contact with HillCo Partners will be Kelly Barnes, former Chief of Staff of Travis Clardy.

Contract is for \$60,000 per year and can be cancelled with 30 days notice.

Typical topics which would be addressed are transportation, water, state regulatory agencies and other areas.

FINANCIAL:

 There is no financial impact associated with this item

 X Item is budgeted:

01.75.630.91 <i>(General Fund Non-Dept Lobbyist Fees)</i>	In the amount of \$20,000
30.75.630.91 <i>(Utility Fund Non-Dept Lobbyist Fees)</i>	In the amount of \$20,000
31.75.630.91 <i>(Sanitation Fund Non-Dept Lobbyist Fees)</i>	In the amount of \$20,000

CITY CONTACT: Jim Jeffers, City Manager
jeffers@ci.nacogdoches.tx.us
936-559-2501

ATTACHMENTS: HillCo Partners Proposal available upon request

PRESENTER: Keith Kiplinger, Fire Chief

ITEM/SUBJECT: Consider purchase of Pierce Saber FR Fire Engine from Siddons-Martin Emergency Group, LLC through HGAC-Buy Cooperative Purchasing Program in the amount of \$498,337.42.

SUMMARY/BACKGROUND: Nacogdoches Fire & Rescue operates 5 fire stations and responds to over 4,400 calls per year. Response to all-hazard situations in our community requires a fleet of apparatus including engines, ladder trucks, rescue trucks, boats and staff vehicles.

A Community Development Block Grant was recently awarded to the City to aid in purchasing a new fire engine to be located at Fire Station 2 (E. Main @ Martin Luther King). Fire & Rescue staff worked to develop specifications to meet the needs of the station and selected Pierce Saber FR as the best value.

This rescue engine will replace a 1997 which will be placed in the City's auction. It is expected that the custom built engine will be received within 9 months of the order date. Price includes the \$2000 HGAC-Buy Administrative Fee. A budget amendment was approved by Council on October 15, 2019.

Detailed specifications are available from the Fire Chief.

FINANCIAL:

☐ There is no financial impact associated with this item

☒ Item is budgeted: 24.17.680.20 (*Special Grant Fund Vehicle Capital*)
In the amount of \$499,999.00

☐ Item is not budgeted (Budget Amendment required; please attach BA ordinance)
Amount: \$_____ GL Account #: _____

☐ Item is estimated to generate additional revenue: _____

CITY CONTACT: Keith Kiplinger, Fire Chief
kiplingerk@ci.nacogdoches.tx.us
936-559-2541

ATTACHMENTS: None

ITEM/SUBJECT:

EXECUTIVE SESSION:

- 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.