



NOTICE OF REGULAR MEETING AND AGENDA
Nacogdoches City Council
5:30 p.m., Tuesday, April 17, 2012
City Council Room – City Hall - 202 E. Pilar Street

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

1. Call to order.
2. Invocation.
3. **PRESENTATIONS AND RECOGNITIONS:**
4. Items to be removed from Consent Agenda.
5. **CONSENT AGENDA:** Items included under the Consent Agenda require little or no deliberation by the Council. Approval of the 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 from regular session of April 3, 2012. (City Secretary)
 - B. Appoint City Manager as representative of the City membership in the Nacogdoches County Industrial Foundation. (City Attorney)
 - C. Consider approval of the Historic Restoration Grant budget for Spring FY 2011-2012. (Historic Sites Manager)

REGULAR AGENDA:

6. **PUBLIC HEARING:** Consider Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2012 local in the amount of \$15,559 to purchase high threat level tactical vests. (Police Chief)
7. Consider removal of the traffic signal located at the intersection of Hospital Street and Mound Street, replacing it with a 4-way stop sign configuration. (City Engineer)
8. Consider Change Order for the Southside Pump Station project through Texas Water Development Board Drinking Water State Revolving Fund loan No. 61250. (City Engineer)
9. Authorize purchase of a 2012 Fire Engine through HGAC. (Fire Chief)
10. Consider approval for installation of Supervisory Control and Data Acquisition (SCADA) System to include security systems at the Surface Water Treatment Plant, Southside Pump Station and Wastewater Plant. (Water Utilities Manager)
11. Consider appointment of four (4) City Council members to the Deep East Texas Council of Governments (DETCOG) Board of Directors for one year. (City Manager)

12. EXECUTIVE SESSION: Deliberation regarding real property - Discuss acquisition of the previous Texas National Guard Armory located at 1028 Armory Drive, Nacogdoches, Texas, as per G.C. Section 551.072. (City Manager)
13. EXECUTIVE SESSION: Personnel - Confirm appointment of Director of Community Services, as per G.C. Section 551.074. (City Manager)
14. Open for action, if any, on Item No. 12.
15. Open for action, if any, on Item No. 13.
16. Adjourn.


Lila Fuller, 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 the Attorney General of Texas at 1-800-252-8011; the City Secretary at 936/559-2504 or visit the City of Nacogdoches web site at www.ci.nacogdoches.tx.us.

The 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) 559-2504 or FAX (936) 559-2912 for further information.

CERTIFICATION

I certify that the above notice of meeting was posted in the directory outside of City Hall, 202 E. Pilar Street, Nacogdoches, Texas on Friday, April 13, 2012 at 5:00 p.m.

Lila Fuller, City Secretary

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the directory outside of City Hall on the ____ day of April 2012.

Name: _____ Title: _____

ITEM NO. 5-A

CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT: CONSENT AGENDA: Consider approval of minutes from regular session of April 3, 2012.

MEETING DATE: April 17, 2012

CITY CONTACT: Lila Fuller, City Secretary - 559-2504

ATTACHMENTS: Minutes

DRAFT

MINUTES
Regular Session
Nacogdoches City Council
April 3, 2012 – 5:30 p.m.
City Council Room – City Hall
202 E. Pilar Street

Regular Session:

Those Present:

Mayor Roger Van Horn, Council members Shelley Brophy, William Sanders, Bob Dunn and David Norton; City Manager Jim Jeffers, City Attorney Rob Atherton and City Secretary Lila Fuller.

Call to Order.

Mayor Van Horn at 5:30 p.m. A quorum was established.

2. Invocation.

Mayor Van Horn gave the invocation.

3. Presentations and Recognitions.

Mayor Van Horn read a proclamation designating April 9-14, 2012 as “Nacogdoches Film Festival Week” in recognition of the first annual Nacogdoches, Texas Film Festival.

4. Items to be removed from the Consent Agenda.

None.

- 5. CONSENT AGENDA: Items included under the Consent Agenda require little or no deliberation by the Council. Approval of the Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendation as reflected in the minutes of this meeting.**

A. Consider approval of minutes from regular session of March 30, 2012.

Approved as presented.

B. Adopt proclamation designating April as “Fair Housing Month” pursuant to Title VIII of the Civil Rights Act of 1968, as amended.

Adopted as presented.

Council member Sanders moved to approve the Consent Agenda as presented. The motion was seconded by Council member Dunn and unanimously passed.

REGULAR AGENDA:

- 6. Consider Interlocal Agreement between the City of Nacogdoches and County of Nacogdoches for a Consolidated Communication Center for public safety.**

City Manager Jeffers stated the city council approved the concept of a combined City-County dispatch several months back. He stated it was decided that the combined dispatch would be housed at the Nacogdoches Police Department for now, and no increased costs were anticipated. He stated 10 NPD dispatchers and 8 NSO dispatchers would be used. Jeffers also stated that it was anticipated that Nacogdoches Memorial Hospital would participate soon. He stated Nacogdoches County had approved the interlocal agreement, which would be implemented on October 1, 2012.

Minutes unofficial until accepted by City Council

Jeffers answered questions of the council with regard to positions, renovations and equipment for the NPD, etc.

Council member Brophy moved to approve the Interlocal Agreement with Nacogdoches County for a consolidated communication center for public safety as presented. The motion was seconded by Council member Norton and unanimously passed.

7. Consider Interlocal Agreement with Nacogdoches County for Assistant Municipal Court prosecutor services.

City Attorney Atherton stated 12,000 new court cases were filed every year, with 100 jury and non-jury trials scheduled every year. He explained the city has been contracting with Stephanie Stevens to be the Assistant Municipal Court prosecutor and have been very pleased with her services. Because Ms. Stevens now works in the County Attorney's office, the County has agreed to provide prosecutor services for Municipal Court at the same rate as currently contracting. Atherton stated the County Attorney supports the use of his office staff.

Council member Brophy moved to approve an Interlocal Agreement with Nacogdoches County for Assistant Municipal Court prosecutor services as presented. The motion was seconded by Council member Sanders and unanimously passed.

8. Consider an Ordinance amending Ordinance No. 1576-9-11 to amend the FY 2011-12 budget to allow expenditure of funds given to the Judy B. McDonald Nacogdoches Public Library from the estate of Connie L. Moses.

Mercedes Franks, interim library director, stated a generous donation of \$180,000 had been received from the estate of Connie L. Moses. She explained staff requested a budget amendment to expend the funds, which would be used to make purchases for the children's area, teen area, replace public access computers and add a handicapped accessible computer and software and make miscellaneous building repairs. \$60,000 of the donation will be used for an endowment fund for the library.

Council member Dunn moved to adopt an ordinance amending the budget for FY 2011-12 in the amount of \$180,000 for expenditures as presented. The motion was seconded by Council member Norton and unanimously passed. (Ordinance No. 1594-4-12)

The City Council went into closed session at 5:55 p.m.

9. EXECUTIVE SESSION: Deliberation regarding real property – Discuss acquisition of the previous Texas National Guard Armory located at 1028 Armory Drive, Nacogdoches, Texas.

The City Council reconvened into open session at 6:07 p.m.

10. Open for action, if any, on Item 9.

No action was taken in open session.

11. Adjourn.

Mayor Van Horn adjourned the meeting at 6:07 p.m.

Mayor Roger Van Horn
City Council
City of Nacogdoches

ATTEST:

Lila Fuller, City Secretary

Minutes approved April 17, 2012.

Minutes unofficial until accepted by City Council

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: **CONSENT AGENDA: Appoint City Manager as representative of the City membership in the Nacogdoches County Industrial Foundation.**

MEETING DATE: April 17, 2012

DESCRIPTION: The City of Nacogdoches is a member of the Nacogdoches County Industrial Foundation whose purpose is "to erect or repair any building or improvements, and to accumulate and lend money for said purposes, and to purchase, sell and subdivide real property in the County of Nacogdoches, Texas, and to accumulate and lend money for that purpose".

The Foundation is not particularly active; however, it appoints the trustees of the Nacogdoches County Industrial Trust. The Trust owns Oakhill Plaza and Eastwood Terrace housing projects and is under contract to sell the projects to a developer who can improve the aged units. The Foundation will meet soon and needs as many members represented as possible. The Foundation will likely have input in how the sale proceeds can be used for housing in the community, so City participation is important.

The City's membership position is vacant due to the departure of Victoria LaFollette. It is staff's recommendation that Jim Jeffers be appointed to fill the vacancy.

RECOMMENDED

ACTION: **Appoint City Manager Jim Jeffers as the City's membership representative on the Nacogdoches County Industrial Foundation.**

CONTACT: Rob Atherton, City Attorney - rob@abal-law.com

ATTACHMENTS: None

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: CONSENT AGENDA: Consider approval of the Historic Restoration Grant budget for Spring FY 2011-2012

MEETING DATE: April 17, 2012

DESCRIPTION: The Historic Restoration Grant fund is used to aid in the preservation of historic structures located within the Historic Overlay. Since the program began in 1989 the city has awarded approximately \$590,000 in grant funds used to complete approximately \$2,900,000 worth of exterior restoration projects. For this grant cycle approximately \$36,500 in grants funds will help complete approximately \$108,000 in exterior renovations. The Historic Landmark Preservation Committee meet on April 10, 2012 and have recommended a budget that will match an average of 35% of each project. Each application was scored based on criteria such as National Historic Register Status, the structure's availability to the public, the age of the structure, and the current condition of the structure. The Historic Landmark Preservation Committee then used the grant scores to determine the attached budget.

COST: \$36,494.82

BUDGET AMENDMENT REQUIRED?: No

FUNDING FROM CURRENT BUDGET

FUNDING:	Acct. Name & No. Requested	Adopted Budget	Balance	
	<u>Hotel Motel Tax</u>	<u>\$25,000</u>	<u>\$44,963.61</u>	<u>\$36,494.82</u>

SCHEDULE: The grant funds will be disbursed upon completion of each project. Each of the approved applicants will have one year to complete their project.

RECOMMENDED ACTION: The Historic Landmark Preservation Committee recommends approval of the attached budget for the Spring FY 2011-2012 Historic Restoration Grant funding.

CITY CONTACT: Brian W. Bray, Historic Sites Manager, 560-4441, brayb@ci.nacogdoches.tx.us

ATTACHMENTS: Historic Restoration Grants Spring FY 2011-2012 project list and budget.

Spring FY 2011-2012

Case	Use	Project Address	Applicant	Project Estimate	% Awarded	Amount Granted	Grant Score	% of Total Funds	Project Description
2012-001 S	Res	210 South Lanana	Francis Abernathy	\$ 9,470.00	26%	\$ 2,462.20	27	6.75%	Paint the exterior of the structure
2012-002 S	Comm	507 East Hospital	Russell Smith	\$ 73,534.75	34%	\$ 25,001.82	31	68.51%	Paint exterior, repair wood, repair and replace sections of the roof as needed using asphalt shingles
2012-003 S	Res	418 Lanana	Montress Brown	\$ 16,425.00	32%	\$ 5,256.00	30	14.40%	Repair and replace roof; install metal flashing
2012-004 S	Comm	316 North Church	Michael Dean	\$ 8,389.00	44%	\$ 3,691.16	36	10.11%	Replace floor, joists, beams, piers and siding as needed; repair roof and replace south section
2012-005 S	Comm	323 East Main	David Darby	\$ 220.12	38%	\$ 83.65	33	0.23%	Repair skylight and damaged roof

TOTAL \$ 108,038.87 \$ 36,494.82 100%
 AVERAGE 35% 31

Total available funds \$44,963.61
 Total unallocated funds \$8,468.79

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: **PUBLIC HEARING: Consider Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2012 Local in the amount of \$15,559.00 to purchase high threat level tactical vests.**

Approve resolution authorizing submission of application for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2012 Local Solicitation in the amount of \$15,559.00 to be used for vests.

MEETING DATE: April 17, 2012

DESCRIPTION: The Edward Byrne Memorial Justice Assistance Grant (JAG) Program furthers the U.S. Department of Justice's mission to assist state, local, and tribal efforts to prevent or reduce crime and violence. The City may submit an application for funds in the amount of **\$15,559.00**. The Nacogdoches Police Department would use the full amount for bullet proof vests. These would be high threat level tactical vests that meet or exceed the NIJ ballistic standards.

COST: No Matching Funds Required

SCHEDULE: Proposed project would begin upon notice of award.

RECOMMENDED ACTION: Approve Resolution authorizing submission of an application for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2012 Local Solicitation in the amount of \$15,559.00 to purchase high threat level tactical vests.

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

ATTACHMENTS: Resolution available for review in City Secretary's Office.

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Consider removal of the traffic signal located at the intersection of Hospital Street and Mound Street, replacing it with a 4-way stop sign configuration.

MEETING DATE: April 17, 2011

DESCRIPTION: The existing traffic signal located at the intersection of Hospital Street and Mound Street needs significant repairs and upgrades. Staff has been exploring the need to keep this signal in service. For the past several months, the signal has been set to flash "red" in both directions in an effort to see if a simpler 4-way stop intersection would be viable. The City has not received any citizen complaints and this 4-way stop condition has not caused any traffic congestion or accidents. Replacing this signal with a 4-way stop configuration will save the immediate repair costs and will reduce our long term maintenance efforts.

COST: \$0

BUDGET AMENDMENT REQUIRED?: No

SCHEDULE: If approved, the signal will be removed and new stop signs installed after school ends for the Summer break.

RECOMMENDED ACTION: Staff recommends the removal of this signal and the installation of four (4) new stop signs.

CITY CONTACT: Steve Bartlett, P.E., City Engineer

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Consider Change Order for the Southside Pump Station project through Texas Water Development Board Drinking Water State Revolving Fund loan No. 61250.

MEETING DATE: April 17, 2011

DESCRIPTION: This request is the aggregation of several change order items that were needed for modifications to our Southside Pump Station project that is currently under construction. The composite request includes a refund credit for a different pump selection and additional costs for supplemental construction needed for several underground line conflicts that were unknown at the time of design.

COST: \$58,360.00

BUDGET AMENDMENT REQUIRED?: No

FUNDING FROM CURRENT BUDGET

FUNDING:	Acct. Name & No.	Adopted Budget	Balance	Requested
	30.179.08	\$8,210,000	\$5,720,736.00	\$58,360

SCHEDULE: Immediately upon approval

RECOMMENDED ACTION: Staff recommends approval of this Change Order Request

CITY CONTACT: Steve Bartlett, P.E., City Engineer

ATTACHMENTS: A copy of the Change Order Request is available in Engineering upon request.

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Authorize the purchase of a 2012 Pierce Fire Engine from Siddons Martin Apparatus Group through the HGAC Cooperative Purchasing Contract

MEETING DATE: April 17, 2012

DESCRIPTION: The 2012 Budget included funds for the purchase of a fire engine to supplement aging equipment. As it has been 10 years since the last Type I Engine was purchased. Fire & Rescue formed a working group to examine manufacturers, options and designs of new fire engines. Considerations included the long service life necessary in Nacogdoches, the unique setting of our community and service area (rural, urban, suburban) and the need for flexibility. The result was a specification and design for a multi-purpose fire engine that will provide long-term flexibility and will allow the department to consider different deployment models in the future. The proposals include a limited amount of necessary loose equipment.

Three companies were offered an opportunity to submit proposals. The lowest price and shortest delivery time was offered by Pierce Manufacturing. Nacogdoches has been a Pierce customer for many years.

The 2012 Budget included \$380,000 for the purchase.

Copies of the complete specifications and proposal are available for review in the Fire Chief's office.

COST: \$380,000

BUDGET AMENDMENT REQUIRED?: No

SCHEDULE: Delivery of the engine will be within 6 months of order, likely in September.

RECOMMENDED ACTION: Staff recommends approval of the purchase

CITY CONTACT: Keith Kiplinger, Fire Chief (936) 559-2541

ATTACHMENTS:

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Consider approval of the installation of Supervisory Control and Data Acquisition (SCADA) system to include security systems at the Surface Water Treatment Plant, Southside Pump Station and Wastewater Plant

MEETING DATE: April 17, 2012

DESCRIPTION: The Water Utilities Department has received a quote from BLOC Design Build for the installation of a Data Flow SCADA System. This is a sole source purchase according to the Local Government Code 252.022 (a), (7), (A). After examination of several other SCADA systems, the Data Flow equipment is far more superior in reliability, and compatibility with existing electrical equipment.

This purchase is for the software, hardware and installation of the Supervisory Control and Data Acquisition (SCADA) system security features to include security cameras with motion sensor technology, intruder alarms, and programming to allow an automatic shutdown of the surface water treatment plant due to high or low alarm indicators. An additional included feature is the ability to notify a water plant or wastewater plant operator by cell phone when the computer system triggers an alarm for any number of items to include low water levels, low water pressure, and power failure, etc. This feature will greatly enhance the ability of the water utilities department to respond to water and wastewater system emergencies.

COST: \$78,790.33

FUNDING FROM CURRENT BUDGET

FUNDING:	Acct. Name & No.	Adopted Budget	Balance	Requested
	Utility Reserve 30.173.02	\$750,000.00	\$356,650.00	\$78,790.33

SCHEDULE:

RECOMMENDED ACTION: To award the SCADA installation contract to BLOC Build Design.

CITY CONTACT: Russell D. Grubbs, Water Utilities Manager

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Consider the appointment of four (4) City Council members to the Deep East Texas Council of Governments (DETCOG) Board of Directors for one year.

MEETING DATE: April 17, 2012

DESCRIPTION: Currently Mayor Van Horn and Council Members Shelley Brophy, William Sanders and David Norton are serving on DETCOG Board.

RECOMMENDED ACTION: Consider appointments to DETCOG Board of Directors

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

ATTACHMENTS:

CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT: EXECUTIVE SESSION - Deliberation regarding real property - Discuss acquisition of the previous Texas National Guard Armory located at 1028 Armory Drive, Nacogdoches, Texas, as per G.C. Sec. 551.072.

MEETING DATE: April 17, 2012

DESCRIPTION: The property, which is adjacent to the A.L. Mangham Jr. Regional Airport, consists of approximately 4.99 acres and one building - 10,776 square feet constructed in 1955. The property is outside the city limits. Any mineral rights, if owned, will be retained. As of August 2011, the appraised market value of the property was \$215,000.

COST: Bid amount to be determined, if any.

BUDGET AMENDMENT REQUIRED?: Yes, if bid is submitted to the Adjutant General's Department.

FUNDING FROM CURRENT BUDGET

FUNDING: General Fund. A deposit of no less than 10% of the bid amount is required.

SCHEDULE: The bid opening date is 2:00 p.m., May 30, 2012, in Austin, Texas.

RECOMMENDED ACTION: City Council discuss potential uses for the Texas National Guard Armory and what the City's bid, if any.

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

ATTACHMENTS: None.

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: CLOSED SESSION: Personnel - Confirm appointment of Director of Community Services as per G. C. Sec. 551.074.

MEETING DATE: April 17, 2012

DESCRIPTION: Community Services is a new division, which will combine the administrative duties of the Library, Parks, Recreation, Cemetery and Historic Sites Departments. The Director of Community Services will be a combination of the Historic Sites' Manager and Parks' Director positions, which will result in a cost savings in reduced salary and benefits expenditures. The consolidated departments will also allow for cross training of employees, resulting in a more cohesive workforce and improved customer services. Initially, the new director will work from with the Historic Sites department to assist in the transition. Once the Historic Sites department has become accustomed to the change, the Community Service's office will move to the Recreation Center to be closer to the other four departments (Parks, Recreation, Library and Cemetery).

RECOMMENDED ACTION: Confirm appointment of Director of Community Services following closed session.

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

ATTACHEMENTS: None