



NOTICE OF REGULAR MEETING AND AGENDA
Nacogdoches City Council
5:30 p.m., Tuesday, May 15, 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:**
 - A. Present Mayor's Committee on People with Disabilities 2012 Accessibility Awards. (Mayor)

4. Consider adoption of a Resolution canvassing the results of the general election held on May 12, 2012 to elect City Council member for the Southeast Ward. (City Secretary)

Considerar la adopción de una Resolución para el escrutinio de los resultados de la elección general celebrada el 12 de mayo, 2012 para elegir un miembro del Concilio de la Ciudad, para el Distrito Sureste. (Secretaría de la Ciudad)

5. Administer Oath of Office for newly elected City Council members. (City Attorney)
6. Items to be removed from Consent Agenda.
7. **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 May 1, 2012. (City Secretary)
 - B. Consider adopting a Resolution supporting the Memorandum of Understanding (MOU) for the Texas Department of Transportation's Federally-Approved Disadvantaged Business Enterprise Program. (City Engineer)

REGULAR AGENDA:

8. Receive status report on Legends of Nacogdoches student housing project being constructed at 1411 North Street. (City Manager)
9. Receive Nacogdoches Police Department Annual Report for 2011. (Police Chief)
10. Consider budget amendment and acceptance of 2012-13 PetSmart Charities Grant - Spay/NeuterNac High Impact 75964 in the amount of \$53,080 to incorporate funding into current budget. (Animal Control)

11. Consider budget amendment for 2011 Citizens Emergency Response Team Grant award (CFDA 97.053 to incorporate funding into current budget. (Grant Coordinator)
12. Consider budget amendment for consultant to assist City in analyzing and implementing a compressed natural gas fueling station(s). (City Engineer/City Manager)
13. Receive report on tax abatement agreements. (City Manager)
14. Receive FY 2012-13 budget presentation. (City Manager)
15. 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, May 11 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 May 2012.

Name: _____ Title: _____

ITEM NO. 3-A

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Present Nacogdoches Mayor's Committee on People with Disabilities 2012
Accessibility Awards

MEETING DATE: May 15, 2012

ATTACHMENTS: None

**Presentation will be made
At Tuesday's meeting**

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

- PROJECT:** Consider adoption of a Resolution canvassing the results of the general election held on May 12, 2012 to elect City Council member for the Southeast Ward.
- MEETING DATE:** May 15, 2012
- DESCRIPTION:** The election will be held Saturday, May 12 and the results will be presented for canvassing on Tuesday.
- RECOMMENDED ACTION:**
- CONTACT:** Lila Fuller, City Secretary - 559-2504 lfuller@ci.nacogdoches.tx.us
- ATTACHMENTS:** The Resolution will be presented at Tuesday's meeting.

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Administer Oath of Office to newly elected City Council members.

MEETING DATE: May 15, 2012

DESCRIPTION: The City Attorney will administer the Oath of Office to the newly elected City Council Members.

ITEM NO. 7-A

CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT: CONSENT AGENDA: Consider approval of minutes from regular session of May 1, 2012.

MEETING DATE: May 15, 2012

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

ATTACHMENTS: Minutes

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MINUTES
Regular Session
Nacogdoches City Council
May 1, 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.

A. Consider Proclamation designating May 6-12, 2012 as “Public Service Recognition Week” in Nacogdoches.

Mayor Van Horn presented a proclamation to Jewel Green and Destiny Smith with the City’s Human Resources department recognizing May 6-12, 2012 as “Public Service Recognition Week”.

B. Consider Proclamation designating May “Preservation Month” in Nacogdoches.

Mayor Van Horn presented a proclamation to Brian Bray and Sarah O’Brien in recognition of Preservation Month.

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 April 17, 2012.

Approved as presented.

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

REGULAR AGENDA:

6. Consider awarding bids for construction of Water Well No. 13.

Steve Bartlett, city engineer stated two bids were received for the construction of Water Well No. 13 which would be located in the eastern section off FM 225. He stated city personnel were constructing the entrance needed for access to the well site. Staff

Minutes unofficial until accepted by City Commission

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recommended awarding the bid to Weisinger, Inc. in the amount of \$684,400. Bartlett stated there would be change orders necessary, either up or down, for the completion of the project due to unknown factors of how deep the well would need to be drilled, etc.

Council member Dunn moved to award the bid to Weisinger, Inc. in the amount of \$684,400 for construction of Well No. 13. The motion was seconded by Council member Norton and unanimously passed. (Acct. 30.175.03)

7. Receive semi-annual activity report from Nacogdoches Economic Development Corporation (NEDCO).

David Alders, chairman of NEDCO gave an overview of their yearly activities and the goals set for the upcoming year. Alders stated NEDCO worked with the city, county and other private partners to recruit businesses to Nacogdoches. He stated the cooperative effort of all partners contributed to NEDCO's success.

No action necessary.

8. Consider Nacogdoches Economic Development Corporation professional services contract.

Jim Jeffers explained the contract provided for \$95,000 to NEDCO for economic development services as in the past. He explained noteworthy changes to the contract, such as more recruitment in addition to assisting retail, industrial and manufacturing businesses to relocate to Nacogdoches; suggested goals; and the addition of economic indicators. Jeffers stated the continued partnership with NEDCO was critical in the partnership for economic development success, and staff recommended that the contract be approved as presented.

Discussion by the City Council indicated more needed to be done by NEDCO to bring jobs to Nacogdoches other than "hamburger joints". Council members commented that they liked the additions to the contract presented.

Council member Sanders asked if the city could do economic development cheaper, to which Jeffers stated the City could, but we would get much less than what was currently being done.

Council member Norton moved to approve the professional services contract with NEDCO for economic development services as presented. The motion was seconded by Council member Brophy and unanimously passed.

9. Receive mid-fiscal year budget review.

City Manager Jim Jeffers presented the mid-year budget review giving the balance in General Fund was up \$600,000 and Utility Fund down \$254,000. He reviewed the General Fund, showing property tax was up 1.4% over last year; sales tax 5% higher than last year; franchise fees 16% higher than last year; building permit valuations 17% lower; fines 9% lower and revenues overall 1% higher.

In the Utility Fund, water and sewer revenue was 4% less than last year, with overall revenues down 5%. There are currently 12,817 utility accounts.

Jeffers reviewed the budget calendar for the upcoming year with the final budget adoption scheduled for September 18, 2012. Jeffers advised the same format would be used to present the budget as last year, and there was no objection by the city council.

No action necessary.

The City Council went into closed session at 6:47 p.m.

10. EXECUTIVE SESSION: Personnel – Confirm appointment of Library Director, as per G.C. Section 551.074.

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The City Council reconvened into open session at 6:55 p.m.

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

Council member Sanders moved to confirm the appointment of Mercedes Franks as Library Director. The motion was seconded by Council member Dunn and unanimously passed.

12. Adjourn.

Mayor Van Horn adjourned the meeting at 6:56 p.m.

Mayor Roger Van Horn
City Council
City of Nacogdoches

ATTEST:

Lila Fuller, City Secretary

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: CONSENT AGENDA: Consider adopting a Resolution supporting the Memorandum of Understanding (MOU) for the Texas Department of Transportation's Federally-Approved Disadvantaged Business Enterprise Program.

MEETING DATE: May 15, 2012

DESCRIPTION: Any recipient that receives Federal funds for local projects is required by Section 49 part 26 of the Code of Federal Regulations (DBE Program) to adopt and implement a Disadvantaged Business Enterprise Program following all federally mandated procedures for the procurement of construction and design services on related projects.

The adoption of this Resolution, and the associated Memorandum of Understanding, is required by TxDOT and was prompted by our current Safe Routes to Schools sidewalk project.

ATTACHMENTS: A copy of the Memorandum of Understanding is available in the City Manager's office for review.

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

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Receive status report on Legends of Nacogdoches student housing project being constructed at 1411 North Street.

MEETING DATE: May 15, 2012

DESCRIPTION: Legends of Nacogdoches is a 539 bed student housing development at 1411 North Street with an anticipated construction cost of \$15,000,000. Construction began in 2011 with completion expected later this year. The project is a \$23,000,000 total investment. Eight full time jobs will be created, with over 100 temporary jobs during the construction phase of the project.

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

ATTACHMENTS: N/A

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Receive presentation of Nacogdoches Police Department Annual Report for 2011.

MEETING DATE: May 15, 2012

DESCRIPTION: The NPD annual report will cover selected crime statistics and progress toward goals and objectives for 2011.

ACTION: This is for Council information and review.

CITY CONTACT: Jim Sevey, Chief of Police, 936-559-2601

ATTACHMENTS: Hard copies of the full 2011 Annual Report are to be delivered to Council members the week prior to the scheduled meeting.

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Consider budget amendment and acceptance of 2012-13 PetSmart Charities Grant - Spay/NeuterNac High Impact 75964 in amount of \$53,080.00 to incorporate funding into current budget.

MEETING DATE: May 15, 2012

DESCRIPTION: Consider approval to accept 2012-13 PetSmart Charities Grant in amount of \$53,080.00; and approve Emergency Budget Amendment Request.

COST: None

BUDGET AMENDMENT REQUIRED?: YES

BUDGET AMENDMENT

FUNDING:	Acct. Name & No.	Requested
	Animal Control	
(Special Grant Fund 24)	(Dept 19) (24.560.00 Miscellaneous Grant Revenue)	[\$53,080.00]
	(Dept 19) (24.19.630.70 Special Services)	\$53,080.00

SCHEDULE: Grant would be in effect upon receipt of signed documents accepting the grant.

RECOMMENDED ACTION: Approve acceptance of PetSmart Charities Grant and approve Emergency Budget Amendment in the amount of \$53,080.00 to incorporate funding into current budget.

CITY CONTACT: Jamie Shelton, Shelter Manager
Stacy Corley, Grant Coordinator

ATTACHMENTS: Contract documents available for review in grant coordinator's office.

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Consider budget amendment for 2011 Citizens Emergency Response Team Grant award (CFDA 97.053) to incorporate funding into current budget.

MEETING DATE: May 15, 2012

DESCRIPTION: Received Citizen Corps Program grant award that was not budgeted.

COST: None

BUDGET AMENDMENT REQUIRED?: YES

BUDGET AMENDMENT

FUNDING:	Acct. Name & No.	Requested
(Special Grant Fund 24)	(Dept 15) (24.560.32 Homeland Security Revenue)	[\$2,749.46]
	(Dept 15) (24.610.90 Supply)	\$2,749.46

FUNDING FROM CURRENT BUDGET

FUNDING:	Acct. Name & No.	Adopted Budget	Balance	Requested
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SCHEDULE: Grant Award March 6, 2012 thru August 31, 2013.

RECOMMENDED ACTION: Approve Emergency Budget Amendment

CITY CONTACT: Stacy Corley, Grant Coordinator

ATTACHMENTS: None

CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT: Consider budget amendment for consultant to assist City in analyzing and implementing a compressed natural gas fueling station(s).

MEETING DATE: May 15, 2012

DESCRIPTION: The City issued a request for qualifications for a firm to assist the City in analyzing the implementation of a compressed natural gas fueling station(s) and received proposals from Darling Transportation Energy Solutions, Niskayuna, NY and from Morris and Associates, Cypress, TX. The request for qualifications asked firms to submit a proposal which is analyzed by City staff and the City Council will be asked to select one of those firms as the best qualified. At that point City staff begins negotiating a price for services. It is anticipated the scope of work will include a partnership with Nacogdoches County and possibly other governmental entities.

Each firm must possess experience and skills in:

- A) feasibility studies for similar CNG fueling facilities with a minimum of five (5) similar studies.
- B) solid knowledge and understanding of site and infrastructure needs to construct a CNG fueling facility.
- C) providing professional engineering or consulting services for governmental organizations, including municipalities.
- D) construction cost estimating for similar CNG fueling facilities including cost-to-benefit analyses.
- E) development of engineering and architectural designs, and construction of similar CNG fueling facilities.
- F) CNG vehicle operations and conversions with an emphasis on heavy-duty trucks and other types of work vehicles.

City staff will recommend a consultant to assist in the process after the analysis is complete.

CITY CONTACT: Steve Bartlett, City Engineer
936-559-2521
bartletts@ci.nacogdoches.tx.us

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

ATTACHMENTS: Copies of the RFQ and the proposals may be secured from the City Manager's office.

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Receive report on tax abatement agreements

MEETING DATE: May 15, 2012

ATTACHMENTS: None

**Presentation will be made
At Tuesday's meeting**

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Receive FY 2012-13 budget presentation

MEETING DATE: May 15, 2012

ATTACHMENTS: None

**Presentation will be made
At Tuesday's meeting**