



Notice is hereby given of a Regular Meeting of the Nacogdoches City Council to be held **March 15, 2016, beginning at 5:30 p.m.** in the Council Chambers of City Hall, 202 E. Pilar Street, Nacogdoches, Texas, 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.
 - A. Proclamation for American Red Cross Month. (Mayor Van Horn)
 - B. Present Mayor's Committee on People with Disabilities 2016 Accessibility Award to Dollie's Diner and Nacogdoches Convention and Visitor's Bureau. (Mayor Van Horn/Michael Stevenson)
2. Open forum.
3. Items to be removed from Consent Agenda.
4. **CONSENT AGENDA:** Items included under Consent Agenda require little or no deliberation by Council. Approval of Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations as reflected in the minutes of this meeting.
 - A. Consider approval of minutes from March 1, 2016 regular session.
 - B. Consider approval of annual maintenance contract for AMR Meter Reading System upgrade.
 - C. Consider order cancelling Southwest Ward and Southeast Ward City Council race scheduled for May 7, 2016 and declaring unopposed candidates elected.

REGULAR AGENDA:

5. Presentation of 2014/2015 Annual Audit by Pattillo, Brown and Hill, LLP. (John Manning, CPA)
6. Consider granting a 10-foot wide utility easement and right-of-way to Consolidated Communications. (Assistant City Engineer)
7. Consider purchase of 2,380 cubic yards of reclaimed asphalt pavement material. (Assistant City Engineer)

For the 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 the presiding officer.

8. **EXECUTIVE SESSION:**

- A. Deliberation regarding Economic Development negotiations under Local 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.
9. Open for action, if any, on Item 8-A-1.
10. Open for action, if any, on Item 8-A-2.
11. 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 the Attorney General of Texas at 1-800-252-8011; the City Secretary at 936/559-2506 or visit the 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 March 9, 2016 at 5:00 p.m. and remained posted until meeting convened.

Jan Vinson, City Secretary

8. **EXECUTIVE SESSION:**

- A. Deliberation regarding Economic Development negotiations under Local 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
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9. Open for action, if any, on Item 8-A-1.
10. Open for action, if any, on Item 8-A-2.
11. Adjourn.



Jan Vinson, City Secretary



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CERTIFICATION

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Jan Vinson, City Secretary

ITEM/SUBJECT: Consent Agenda: Consider approval of minutes from regular session of March 1, 2016.

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

MINUTES
Regular Session
Nacogdoches City Council
March 1, 2016 – 5:30 p.m.
City Council Room – City Hall
202 E. Pilar Street

DRAFT

Regular Session:

Those Present:

Mayor Pro Tem Shelley Brophy, Roy Boldon, David Norton and Mike Keller, City Attorney Jeff Davis.

Mayor Roger Van Horn excused absence.

1. Mayor Pro Tem Brophy called meeting to order at 5:34 p.m.

2. Open Forum.

Opportunity was given for individuals to participate in open forum. No comments from the general public were received.

3. Items to be removed from Consent Agenda.

None.

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

A. Consider approval of minutes from February 16, 2015 regular session.

Council Member Norton moved to approve consent agenda as presented. Motion seconded by Council Member Boldon and unanimously passed.

REGULAR AGENDA:

5. Nacogdoches Convention and Visitors Bureau Quarterly Report.

Nacogdoches CVB Executive Director Carl Watson presented quarterly report for first quarter of current fiscal year to include economic impact, hotel occupancy tax receipts, website redesign, personnel, new accounting system, events, financials, tourism and marketing. The CVB continues progress on new website redesign and rebranding, anticipating completion by the beginning of summer 2016. Mr. Watson reported hotel occupancy tax increased 8% in 2015 over 2014 and supplied financial reports to City Council using the CVB's new accounting system showing balance sheet and profit/loss statements.

No action necessary.

6. Consider approval for purchase of Cat 963 Track-loader for the Landfill.

Public Works Manager Cary Walker requested approval to purchase a new track-loader for the landfill which will replace a 2010 track-loader. \$340,000 was budgeted for this item and cost of new track-loader is \$336,209 with a savings of \$3,741.

Council Member Boldon made a motion to approve purchase of the track-loader as presented. Motion seconded by Council Member Keller and passed unanimously.

7. Consider approval for purchase of new public safety radio system.

Police Chief Jim Sevey discussed possible acquisition of new public safety radio system administered by Lower Colorado River Authority (LCRA). The estimated cost of the City's portion of this project is \$1,655,488 and the monthly operating fees are set at \$8,075. The City and County continue to discuss opportunities for the County to take part in this project.

Larry Brown, Lower Colorado River Authority, discussed the history of LCRA and how they got involved in public safety radio systems.

Minutes unofficial until approved by City Council

City Manager Jim Jeffers presented funding options to City Council. The City's policy states the Reserve Fund Balance must not drop below twenty five percent. If the proposed public safety radio system is purchased with Reserve Fund Balance money that fund would drop below the policy threshold. Mr. Jeffers presented one option might be to borrow money on a seven year note which will have a debt service of approximately \$300,000 per year, an estimated interest rate of 1.750% (by First Southwest Securities) and an issuance cost of \$40,000 which could require tax rate increase of \$.02 to service.

Mike Butchko, citizen of Nacogdoches, spoke in favor of purchasing the new radio system.

No action taken.

8. Consider approval of 2016 TxDOT – Aviation Capital Improvement Program Grant project for airport perimeter fencing.

Airport Manager Mary Uresti presented resolution for approval of proposed grant project for perimeter fencing (38,000 linear feet of game fencing) at the airport. Total cost of the project is \$719,977 with the City's portion being \$71,998 which is budgeted.

Council Member Keller made a motion to approve airport perimeter fencing by resolution as presented. Motion seconded by Council Member Norton and passed unanimously.

City Council went into Executive Session at 6:33 p.m.

9. EXECUTIVE SESSION:

- A. Personnel – Consider appointment of individuals to serve as acting City Manager in the absence of the City Manager per G.C. 551.074.**
- B. Deliberation regarding Economic Development negotiations under Local Government Code Section 551.087 as follows:**
 - 1. Discuss or deliberate regarding commercial or financial information that the City has received from business projects that 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.**

City Council reconvened open session at 6:45 p.m.

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

Council Member Norton made a motion to appoint City Attorney Jeff Davis as first acting City Manager and Municipal Services Director Larissa Philpot as second acting City Manager in the absence of the City Manager. Motion seconded by Council Member Boldon and passed unanimously.

11. Open for action, if any, on Item 9-B-1.

No Action

12. Open for action, if any, on Item 9-B-2.

No Action.

13. Adjourned.

Mayor Pro Tem Brophy adjourned meeting at 6:46 p.m.

Mayor Pro Tem Shelley Brophy
City Council
City of Nacogdoches

ATTEST:

Jan Vinson, City Secretary

PRESENTER: Pam Curbow, Director of Finance

ITEM/SUBJECT: **CONSENT AGENDA** - Approval of annual maintenance contract for AMR meter reading system upgrade.

SUMMARY/BACKGROUND:

The AMR meter reading system is undergoing a system upgrade. The annual maintenance contract in the total of \$254,054.02 will be billed over a five year period. The City is in year two of this five year maintenance contract. The year two amount due is \$52,191.10. Council approval for years two through five with a total cost of \$208,764.02 will eliminate the need for repeated Council action on this agreement each year.

FINANCIAL:

There is no financial impact associated with this item

Item is budgeted: (30 - 35 - 680.15) In the amount of \$ 52,200

Item is not budgeted (Budget Amendment required; please attach BA ordinance)

Amount: \$ _____ GL Account #: _____

Item is estimated to generate additional revenue: _____

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

ATTACHMENTS: AMR Maintenance and Upgrade Costs Sheet



Aqua Metric Sales Company
 6700 Guada Coma Dr.
 Schertz, Texas 78154
 Cell)817)313-0806
 Phone: (210) 967-6300
 Fax: (210)967-6305

9-Dec-14

PO 2015-00000001

Quote for: **City of Nacogdoches**
Attn: BD Rambin
202 Piller Street
Nacogdoches, Texas 75963
 Phone: 936-559-2594

Logic MDM Software Solutions - Licensed Model (Promotional Pricing)

Hosted

Logic Solutions 10,001 - 15,000 Customer - 5 Year SaaS First 2 Years - RNI 2.x with Sensus MDM Hosted	\$24,375.00	2	\$48,750.00
Logic Solutions Support Years 3,4,5	\$32,000.00	3	\$96,000.00
Implementation Fee - Migration to Hosted RNI 2.x (Year 1)	\$6,250.00	1	\$6,250.00
Logic Implementation and Standard Integration Fee (Year 3)	\$15,000.00	1	\$15,000.00
Core Logic Training (Year 3)	\$6,700.00	1	\$6,700.00
TGB Support / Per TGB / Per year 4 TGBs for 5 Years	\$3,000.00	5	\$60,000.00
Project Management	\$10,000.00	1	\$10,000.00
Flex Net Legacy Support	\$17,031.04	1	\$17,031.04
Flex Net Legacy Support Credit Estimated 4 months	(\$5,677.02)	1	(\$5,677.02)

\$254,054.02

1st Year Payment	\$45,290.00
2nd Year Payment	\$52,191.01
3rd Year Payment	\$52,191.01
4th Year Payment	\$52,191.01
5th Year Payment	\$52,191.01

Notes

- 1.) Implementation and standard integration package fee includes set up, configuration, and standard Logic integration. Please refer to Logic implementation services document for details.
- 2.) Yearly SaaS fee is billed in advance. Price based on five year contract value.
- 3.) Implementation and standard integration package is require for all new SaaS deployments.
- 4.) SaaS includes Software support and:
 - a. Daily backup
 - b. Data replication to a Disaster Recovery site
 - c. Anti-Virus and Malware subscription and scanning
 - d. Operating System support, troubleshooting, security patching and upgrades
 - e. Linux Red Hat, Microsoft Windows Server, Microsoft SQL Server and Oracle licenses and ongoing maintenance.
 - f. Hardware Maintenance or Refresh
 - g. Tier IV SSAE 16 Data Center facility
- 5) Billing modifications and support are responsibility of the customer

No charge for freight for orders over \$2,500

Net 30 days to pay.

Prices quoted are good for 90 days

Billy Madrid

Territory Manager

Aqua-Metric Sales Company

billy.madrid@aquametric.com

Phone -817-313-0806

PRESENTER: Jan Vinson, City Secretary

ITEM/SUBJECT: **CONSENT AGENDA:** Consider cancelling the Southwest Ward and Southeast Ward City Council race scheduled for May 7, 2016 and declaring unopposed candidates elected.

SUMMARY/BACKGROUND: The candidates who filed to run for Council Member Southwest Ward (David Norton) and Southeast Ward (Roy Boldon) positions are unopposed, City Council is requested to take action to cancel the election scheduled for May 7, 2016 and declare David Norton and Roy Boldon elected in their respective races.

To initiate the cancellation process, the City Secretary must certify the unopposed status to the Mayor. City Council will then accept this certification, issue an order declaring the races cancelled and the unopposed candidates elected. Council Members Norton and Boldon will take the Oath of Office after the official canvass of votes for the general election scheduled for May 7, 2016.

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: Certification of Unopposed Candidates
Order of Cancellation



**CERTIFICATION OF UNOPPOSED CANDIDATES FOR
OTHER POLITICAL SUBDIVISIONS (NOT COUNTY)
CERTIFICACIÓN DE CANDIDATOS ÚNICOS
PARA OTRAS SUBDIVISIONES POLITICAS (NO EL CONDADO)**

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 7, 2016.

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el 7 de mayo, 2016.

List offices and names of candidates:

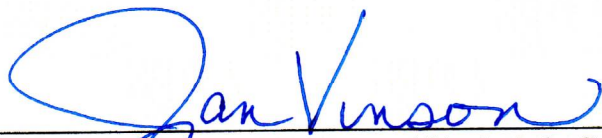
Lista de cargos y nombres de los candidatos:

Office(s) Cargo(s)

Candidate(s) Candidato(s)

City Council Member Southwest Ward
City Council Member Southeast Ward

David T. Norton
Roy Boldon



Jan Vinson, City Secretary (Ciudad de Secretario)

3-7-16
Date (fecha)





**ORDER OF CANCELLATION
EJEMPLO DE ORDEN DE CANCELACIÓN**

The Nacogdoches City Council hereby cancels the Southwest Ward and Southeast Ward election scheduled to be held on May 7, 2016 in accordance with Section 2.053(a) of the Texas Election Code. The following candidates have been certified as unopposed and are hereby elected as follows:

El Concilio de la Ciudad de Nacogdoches por la presente cancela la elección que, de lo contrario, se hubiera celebrado el 7 de mayo, 2016 de conformidad, con la Sección 2.053(a) del Código Elecciones de Texas. Los siguientes candidatos han sido certificados como candidatos únicos y por la presente quedan elegidos como se haya indicado a continuación:

<u>Candidate (Candidato)</u>	<u>Office Sought (Cargo al que presenta candidatura)</u>
David T. Norton	Council Member Southwest Ward
Roy Boldon	Council Member Southeast Ward

A copy of this order will be posted on Election Day at each polling place that would have been used in the election.

El Día de las Elecciones se exhibirá una copia de esta orden en todas las mesas electorales que se hubieran utilizado en la elección.

Mayor (Alcalde)

City Secretary (Ciudad de Secretario)

Date of adoption (Fecha de adopción)

PRESENTER: John Manning, CPA
Partner with Pattillo, Brown & Hill LLP

ITEM/SUBJECT: Presentation of the 2014 / 2015 Annual Audit

SUMMARY/BACKGROUND:

City Council will receive a presentation regarding the 2014 / 2015 annual audit report by the City's audit firm. City Council is required to accept the audit report prior to March 31st annually.

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

ATTACHMENTS: 2014 / 2015 Audit Report can be viewed in City Secretary's office.

PRESENTER: Case Opperman, EIT, Assistant City Engineer

ITEM/SUBJECT: Consider granting a 10-foot-wide utility easement and Right-of-Way to Consolidated Communications.

SUMMARY/BACKGROUND: SFA requested a 10-foot-wide, 480-foot-long easement and Right-of-Way located across Lot 16 of City Block 95 through Consolidated Communications. This will cross the western portion of the Baseball and Softball Complex on Northwest Stallings Drive. The Right-of-Way will be for underground fiber optic line to the SFA Baseball locker room. This will have minimal impact on the City property and staff. It is recommended the easement be donated and all other costs be paid by SFA. Agreement to be executed upon review and approval by City Attorney.

FINANCIAL:

- There is no financial impact associated with this item
- Item is budgeted: (XX-XXX-XX) In the amount of \$ _____
- Item is not budgeted (*Budget Amendment required ☐see attached*)
Amount: \$ _____ GL Account #: (XX-XXX-XX)
- Item is estimated to generate additional revenue: \$ _____

CITY CONTACT: Case Opperman, EIT, Assistant City Engineer
(936) 559-2515
oppermanc@ci.nacogdoches.tx.us

ATTACHMENTS: Map

Blk 95
Lot 33

Blk 95
Lot 36

Blk 95
Lot 14

Blk 95
Lot 19

NW STALLINGS DR
NW STALLINGS DR

Blk 95
Lot 16

Blk 61
Lot 2

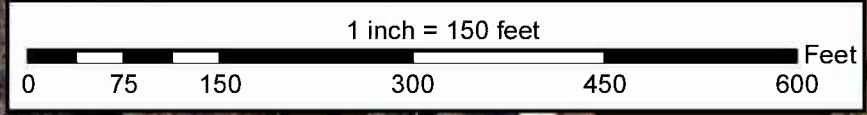
APPROXIMATE LOCATION OF 10' EASEMENT

Blk 95

Blk 61
Lot 1-B

Legend

-  CITY LIMIT
-  Parcels
-  STREETS



Nacogdoches
the oldest town in Texas



Engineering Department

PRESENTER: Case Opperman, EIT, Assistant City Engineer

ITEM/SUBJECT: Consider purchase of 2,380 cubic yards of reclaimed asphalt pavement material from Texas Department of Transportation.

SUMMARY/BACKGROUND: Requesting approval for bulk purchase of approximately 2,380 cubic yards of Reclaimed Asphalt Pavement (RAP) material from the Texas Department of Transportation, for a total of \$50,000. Reclaimed asphalt is material that has been milled off existing roadways and is useful as a good surfacing alternative for gravel pavement locations such as parking lots and trails. RAP can replace more expensive gravel pavements typically used for plant access roads, water well driveways, lift station sites and maintenance areas. City crews typically purchase limestone gravel or crushed concrete on an as-needed basis to use in these areas. This bulk purchase from TxDOT will allow the City to stockpile material for use all year, which is especially helpful for after-hours emergency repairs when normal gravel delivery is not available. The cost for RAP from TxDOT is \$21 per ton, which can be as much as half the cost of commercially purchased gravel.

The purchase of the reclaimed asphalt is being split between two budget categories with \$28,000 coming from budgeted funds for Park Improvements and the remaining \$22,000 coming from Street Capital funds.

FINANCIAL:

 X Item is budgeted: (01-86-68040) *Park Improvements* In the amount of \$ 28,000
 X Item is budgeted: (01-86-68030) *Street Capital* In the amount of \$ 22,000
 Item is estimated to generate additional revenue: \$ 0

CITY CONTACT: Case Opperman, EIT, Assistant City Engineer
(936) 559-2515
oppermanc@ci.nacogdoches.tx.us

ATTACHMENTS: None

ITEM/SUBJECT:

EXECUTIVE SESSION:

- A. Deliberation regarding Economic Development negotiations under Local Government Code Section 551.087 as follows:
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