Nacogdoches
the oldest town in Texas

September 30, 2024

AMENDED

Notice is hereby given of a Special Meeting of Nacogdoches City Council to be held on the above date in the City Council Chambers of City Hall, 202 E. Pilar Street, Nacogdoches, Texas, beginning at 12:00 p.m. for the purpose of considering the following agenda items.

Some City Council Members may attend via videoconference but a quorum of the City Council and the Presiding Officer will be present at the above-stated physical location. The meeting will be streamed live at: https://www.nactx.us/21. There will be an opportunity for the public to comment on agenda items in person in Council Chambers.

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

1. CALL TO ORDER.

2. PLEDGE OF ALLEGIANCE.

3. OPEN FORUM. Open Forum is an opportunity for citizens to address the City Council about items listed on the agenda, as well as on matters that are not specifically listed on the agenda. Alternatively, a citizen may address the City Council about an agenda item when the item comes up for consideration during the meeting. In order to address the City Council, please complete the Public Comment Form and submit it to the City Secretary prior to the start of the meeting. In accordance with the Texas Open Meetings Act, the City Council will not discuss, deliberate, or make any decisions on items not listed on the agenda. Comments are limited to 3 minutes per person.

4. REGULAR AGENDA: City Council will receive staff recommendations and public input on the following items, and may deliberate and take formal action on the item.

    A. Consider approval of an ordinance amending Chapter 106 "Utilities" of the City of Nacogdoches, correcting Water and Sewer Rate tables effective October 1, 2024. (Director of Finance)

    B. An official ballot for the Region 15 Director of the TML Board of Directors will be heard by City Council, and a vote will be taken on the nominees. (City Secretary)

5. ADJOURN.

Rhonda K. Lewis

Rhonda Lewis
City Secretary

THE CITY OF NACOGDOCHES TEXAS

This agenda is posted as required under G. C. Section 551.041. For more information or a copy of the Open Meetings Act, please contact Attorney General of Texas at 1-800-252-8011; City Secretary at (936) 559-2506 or visit City of Nacogdoches web site at www.nactx.us.

CERTIFICATION

I certify the notice of meeting was posted in the directory outside of City Hall, 202 E. Pilar Street, Nacogdoches, Texas on September 26, 2024, at 12:00 p.m., and remained posted until the meeting convened.

_____

Rhonda Lewis, City Secretary

PRESENTER: Rebecca Elliott

ITEM/SUBJECT: Consider approval of an ordinance amending Chapter 106 "Utilities" of the City of Nacogdoches, correcting Water and Sewer Rate tables effective October 1, 2024. (Director of Finance)

SUMMARY/BACKGROUND: The ordinance proposes an amendment to correct errors in the calculation tables attached to the ordinance setting the water and sewer rates, approved at the previous meeting of the City Council. This administrative adjustment does not change the rates approved by the Council or otherwise alter the rate study's impact or monetary changes to customer bills. By approving this amendment, the city upholds the integrity and transparency of its official records. Action is recommended to align the supporting documentation with the originally intended results and ensure accurate representation of intended outcomes.

FINANCIAL:
No financial impact associated with this item

COUNCIL PRIORITIES: THIS AGENDA ITEM IS CONSISTENT WITH THE FOLLOWING CITY COUNCIL PRIORITIES

CITY CONTACT: Rebecca Elliott, Finance Director
elliottr@nactx.us
(936) 559-2529

ATTACHMENTS: 1. Sec. 106_321 (Updated Ordinance) Amended 9.30.24

CITY OF NACOGDOCHES, TEXAS

ORDINANCE NO. 1713-8-16

AN ORDINANCE AMENDING CHAPTER 106 "UTILITIES" OF THE CITY OF NACOGDOCHES, TEXAS CODE OF ORDINANCES AMENDING WATER AND SEWER RATES.

WHEREAS, the city has determined that the water and sewer rates as fixed in Ordinance No. 1658-3-14 adopted September 17th, 2024 is, at this time, inadequate to cover all operation and maintenance costs for water production and distribution and sewage collection and treatment.

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Nacogdoches, Texas that the water and sewer rates for the City of Nacogdoches be amended as hereinafter set out so that henceforth Section 106-321 shall read as follows:

Sec. 106-321. Water rates and general sewer rates.

(a) *Generally.* The charges for:

(1) Water sold and delivered to customers of the waterworks system of the City of Nacogdoches; and

(2) Sanitary sewer service for customers of the sanitary sewer system of the City of Nacogdoches (other than monitored users).

(b) *Water rates.*

Effective 10/1/2024

Water rates are hereby fixed and prescribed according to the following schedules:

(1) *Minimum charges per meter size (0—2000 gallons).*

All User Classes (Inside)	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-30
⅝"	13.97	14.72	15.51	16.35	17.24
¾"	13.97	14.72	15.51	16.35	17.24
1"	34.92	36.80	38.79	40.89	43.09
1.5"	69.83	73.60	77.57	81.76	86.18
2"	111.72	117.76	124.12	130.82	137.88
3"	209.48	220.79	232.72	245.28	258.53
4"	349.14	367.99	387.86	408.81	430.88

6"	698.28	735.98	775.72	817.61	861.77
8"	1,117.24	1,177.57	1,241.16	1,308.18	1,378.82
10"	1,606.03	1,692.76	1,784.17	1,880.51	1,982.06
12"	3,002.58	3,164.72	3,335.62	3,515.74	3,705.59
Multi-Unit	13.97	14.72	15.51	16.35	17.24

All User Classes (Outside)	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-30
⅝"	20.95	22.09	23.28	24.53	25.86
¾"	20.95	22.09	23.28	24.53	25.86
1"	52.37	55.20	58.18	61.32	64.64
1.5"	104.75	110.40	116.36	122.65	129.27
2"	167.59	176.64	186.17	196.23	206.82
3"	314.23	331.20	349.08	367.93	387.80
4"	523.71	551.99	581.80	613.22	646.33
6"	1,047.41	1,103.97	1,163.59	1,226.42	1,292.65
8"	1,675.86	1,766.36	1,861.74	1,962.27	2,068.24
10"	2,409.05	2,539.14	2,676.26	2,820.77	2,973.10
12"	4,503.88	4,747.09	5,003.43	5,273.62	5,558.39
Multi-Unit	20.95	22.09	23.28	24.53	25.86

(2) *Volumetric rates (per 1,000 gallons).*

Residential Water Inside	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-30
0—2,000 gallons	min	min	min	min	min
2,001—10,000 gallons	3.53	3.72	3.92	4.13	4.36
10,001—30,000 gallons	4.06	4.28	4.51	4.75	5.01
30,001—75,000 gallons	4.67	4.92	5.19	5.47	5.76
75,001 gallons and over	5.38	5.67	5.97	6.29	6.63

Irrigation Water Inside	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-30
0—2,000 gallons	min	min	min	min	min
2,001—10,000 gallons	4.42	4.65	4.91	5.17	5.45
10,001—30,000 gallons	5.08	5.35	5.64	5.95	6.27
30,001—75,000 gallons	5.84	6.15	6.49	6.84	7.21
75,001 gallons and over	6.71	7.08	7.46	7.86	8.29

Non-Residential Water Inside	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-30
0—2,000 gallons	min	min	min	min	min
2,001—10,000 gallons	3.53	3.72	3.92	4.13	4.36
10,001—20,000 gallons	4.06	4.28	4.51	4.75	5.01
20,001—30,000 gallons	4.06	4.28	4.51	4.75	5.01
30,001—75,000 gallons	4.67	4.92	5.19	5.47	5.76
75,001 gallons and over	5.38	5.67	5.97	6.29	6.63

Heavy Industry Water Inside	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-30
0—2,000 gallons	min	min	min	min	min
2,001 gallons and over	3.50	3.69	3.89	4.10	4.32

Outside City Limits
1½ times the inside rate that is applicable

(3) *Wholesale (outside city).* According to contract negotiated with each wholesale user. Where more than one residential, non-residential or industrial unit is served by the same meter (except for wholesale users):

a. The minimum monthly charge shall be equal to the sum of the minimum monthly charges that would apply to the various units if they were metered separately.

b. The minimum monthly meter charge shall cover the first minimum number of gallons (if any) times the number of units.

c. Charges for water in excess of the minimum as defined above shall be at the highest rate for any user class represented in the various units served by the meter.

(c) *Sewer rates.*

Effective 10/1/2024

(1) *Minimum charges.*

	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-30
Residential Inside	16.07	16.94	17.86	18.82	19.84
Residential Outside	24.12	25.42	26.79	28.24	29.76
Non-Residential Inside (1)	18.49	19.49	20.54	21.65	22.82
Non-Residential Outside (1)	27.73	29.23	30.81	32.47	34.22
Monitored Customers (2)	7.04	7.42	7.82	8.24	8.69

(2) *Volumetric charges (per 1,000 gallons).*

	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-30
Residential Inside	5.32	5.61	5.91	6.23	6.57
Residential Outside	7.99	8.42	8.88	9.35	9.86
Non-Residential Inside (1)	6.12	6.45	6.80	7.17	7.56
Non-Residential Outside (1)	9.18	9.68	10.20	10.75	11.33
Monitored Customers (2)	3.53	3.72	3.92	4.13	4.36

a. Does not include monitored users such as poultry processors.

b. Charges for BOD 0.2002 per 100 mg/liter and suspended solids 0.1127 per 100 mg/liter shall be added to flow calculation, according to section VII. This charge is exclusive of any applicable pretreatment.

Billing industrial and commercial sewer customers who treat their effluent and have a settling pond.

Industrial and commercial sewer customers who are required to treat their effluent and have a settling pond for such shall be billed on one of the following basis:

1. Amount of water used or registered by the city water meter.
2. If such industrial or commercial customer as defined above shall install an approved flow measuring device to measure the amount of water returned to the city sanitary sewer for treatment, then the reading from such measuring device will be used for determining the city sewer charge rather than the water meter reading.

(4) *Exemption from sewer charge.* Customers who use water that is not deposited in the city's sewer lines for treatment shall comply with the following conditions to be eligible to be exempted from sewer charges:

a. Customers must have a separate water tap from the city's water main and a separate meter for water used but not deposited in the sewer. The customer will pay for such additional tap and meter cost.

b. If for any reason such service is disconnected or discontinued by said customer who later wishes to return this meter to service, a reconnect fee of $25 will be charged for each occasion or $45 if after regular work hours.

(d) *Other charges.* Tap fees, reconnection charges and other miscellaneous charges shall be as prescribed in other city ordinances.

(e) *Disconnection of service.* The city may disconnect water service to any customer for any of the following reasons:

(1) Written request of the customer.

(2) Failure to pay all water and sewer charges within a time limit prescribed in other city ordinances.

(3) Existence of a known dangerous condition resulting from water service to that customer.

(4) Service established through meter bypassing, unauthorized connection or unauthorized reconnection.

(5) Tampering with meter.

(6) Any reasons listed in the sewer use ordinance.

If disconnection is solely due to failure to pay bills the city must:

(1) Give ten calendar days notice prior to disconnection.

(2) Have city personnel available to collect delinquent bills and to make reconnection on the day of disconnection and on the following:

All city water, sewer and sanitation bills are due upon receipt and are considered delinquent 15 days after billing date. A delinquent fee of ten percent shall be added to all water, sewer and sanitation bills that are not paid within the 15-day period after billing date.

The following charges shall also apply:

Original service connect fee	$25.00
Transfer of service fee	$25.00
Re-connect service fee:	
Regular work hours 8:00 a.m. to 5:00 p.m.	$25.00
After regular work hours	$45.00

BE IT FURTHER ORDAINED that if any section or provision of this Ordinance, or the application of same to any person or set of circumstances is invalidated or rendered unenforceable by a court of competent jurisdiction, such judgment shall not affect the validity of any remaining parts of the Ordinance which can be given effect without the invalidated part or parts, or their application to other persons or sets of circumstances.

FURTHER, all Ordinances, Orders or Resolutions or parts thereof, heretofore passed and adopted by the City Council, in conflict herewith shall be, and the same are, hereby repealed, and such Ordinance shall be in full force and effect with the October 1st, 2024 billing from and after its passage, approval and publication.

PASSED & APPROVED this, the 30th day of September 2024, by a vote of ___(ayes) to ___ (nays) to ___ (abstentions) of the City Council of Nacogdoches, Texas.

_____

Randy Johnson, Mayor
City of Nacogdoches

ATTEST:

By:_____
Rhonda Lewis, City Secretary

APPROVED AS TO FORM:

By:_____
Jerry Baker, City Attorney

APPROVED AS TO CONTENT:

By:_____
Rebecca Elliott, Director of Finance

PRESENTER:

ITEM/SUBJECT: An official ballot for the Region 15 Director of the TML Board of Directors will be heard by City Council, and a vote will be taken on the nominees. (City Secretary)

SUMMARY/BACKGROUND: This is the official ballot for the election of the Region 15 director of the TML Board of Directors. The City Secretary is the primary contact person with TML and will present this item to City Council for review and voting.

The officials listed on the ballot have been nominated to serve a one-year term on the TML Board of Directors. A brief bio on each candidate is provided in the attachment. The candidate who sits on the Nacogdoches City Council will recuse himself from this item on the agenda.

FINANCIAL:
No financial impact associated with this item.

COUNCIL PRIORITIES: THIS AGENDA ITEM IS CONSISTENT WITH THE FOLLOWING CITY COUNCIL PRIORITIES

CITY CONTACT: Rhonda Lewis, City Secretary
lewisr@nactx.us
(936) 559-2506

ATTACHMENTS: 1. Ballot 2024 Region 15 1

Region 15 Director Candidate Biographies

Jesse Casey, Mayor, Hallsville (Incumbent)
Jesse Casey has served as the mayor of the City of Hallsville since 2017. He's also held several positions with TML, including Region 15 president (2021-present), Region 15 director (May 2024-present), and Region 15 vice president (2019-2021). He is a board member of the East Texas Council of Governments, president of the Hallsville Lions Club, and a former member of the Texas City Officials ERCOT Advisory Board. Casey earned his Bachelor of Science in Secondary Education from the University of Texas at Tyler and a Master of Education from Stephen F. Austin University. He served 16 years as a math teacher and coach and 19 years as an administrator at Hallsville Independent School District. Casey attends the First Baptist Church in Hallsville, serving as a deacon and Sunday school teacher. He and his wife of 33 years, Melissa Warren, have three children and 11 grandchildren.

Chad Huckaby, Vice Mayor Pro Tem, Nacogdoches
Born and raised in Nacogdoches, Chad Huckaby is serving his second term on the Nacogdoches City Council. Dr. Huckaby is a member of the faculty at Angelina College. He is a former Mr. SFA, was formerly appointed by Texas Governor Greg Abbott to serve as student member of the Stephen F. Austin State University Board of Regents, and has served as Minister of Music for the Martinsville Baptist Church for 14 years. He is also a technologies consultant for a rural independent school district. During his time as a member of the city council, Huckaby's leadership has not gone unnoticed by his peers. He has recently been elected by members to serve as vice mayor pro tempore and has been named to the Deep East Texas Council of Governments Board of Directors. During his first term on the council, Huckaby worked with members and residents to help develop seven bond proposals totaling approximately $49 million, proposals that were all passed by voters overwhelmingly. For the past several years, he has served as a member of the Nacogdoches Independent School District Citizens Bond Review Committee. In the spring of 2024, Huckaby was selected by the hometown newspaper, the *Nacogdoches Daily Sentinel*, as one of the Shining Stars of Nacogdoches. More recently, Huckaby has received recognition from the National Association of Social Workers. The Deep East Texas Branch of the National Association honored Huckaby as the 2024 Elected Official of the Year. Huckaby earned both a bachelor's degree and master's degree from SFA and his PhD from Texas A&M University. He and his wife, Candra, a public school administrator, have one son.