



August 5, 2025

AMENDED

Notice is hereby given of a Regular 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 5:30 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. 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. Consider approval of minutes from the July 15, 2025, City Council Work Session Meeting and July 15, 2025 Regular City Council Meeting. (Interim City Secretary)
 - B. Consider approval of a budget amendment authorizing the transfer of funds between designated accounts to ensure accurate financial reporting. (Accounting Manager)
 - C. Consider the approval of an amended agreement between the City of Nacogdoches and Bonita Hall, Consultant, for the purposes of providing Administrative Services in various areas of the City. (City Manager)
 - D. Consider approval of Resolution No. 1395-08-25 amending a Chapter 380

Economic Development Program agreement by and between the City of Nacogdoches and Dennis White to amend construction deadlines. (Executive Director of Economic Development)

- E. Consider approval of a resolution designating authorized signers for banking purposes and certification of incumbency (Accounting Manager).
 - F. Consider approval of the Fleet Credit Card and Related Services OMNIA Partners using the Region 4 ESC Master Agreement No. R211101. (Accounting Manager)
 - G. Review and accept the Investment Report for the quarter ended June 30, 2025. (Interim Finance Director)
 - H. Consider approval of updated Investment Advisory Agreement with Valley View Consulting, L.L.C. (Accounting Manager)
6. 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. Discuss and consider an ordinance amending Chapter 22 – “Cemeteries”, Article II. – “Use Regulations”, Article III. – “Sunset Memorial Park”, Article IV. – “Pine Grove Cemetery”, and Article V. – “Oak Grove Cemetery”, of the Code of Ordinances of the City of Nacogdoches, Texas; providing a severability clause; providing a continuation clause; providing a repeal clause; and providing an effective date. (City Attorney and Community Services Director)
 - B. **Public Hearing:** Discuss and consider action on Historic Overlay Case HO2025-01 regarding a request to apply Historic Overlay designation on one parcel of land approximately 0.24 ± acres in size, more particularly described by Nacogdoches Central Appraisal District Parcel 27682; and is located at 1301 Raguet Street, Nacogdoches, Texas. (Community Services Director)
 - C. **Public Hearing:** Discuss and consider action on Zoning Case ZON2025-09 regarding a zone change from I-1, Light Industrial to R-4, Multi-Family district for two (2) parcels of land approximately 0.64 acres ± in size, more particularly described by Nacogdoches Central Appraisal District Parcels 215496 and 23218; and generally located west of Bremond Street, approximately 500 feet north of the intersection of West Cox Steet and Bremond Steet, Nacogdoches, Texas. (City Planner)
 - D. **Public Hearing:** Discuss and consider action on Zoning Case ZON2025-10 regarding a zone change from B-2 General Business, to R-1, Single family district for one (1) parcel of land approximately 2.49 acres ± in size, more particularly described by Nacogdoches Central Appraisal District Parcel 23683; and located at 101 South Sanders Street, Nacogdoches, Texas. (City Planner)
 - E. **Public Hearing:** Discuss and consider action on Specific Use Permit Case SUP2025-04 regarding Distillation of Liquors, Spirits, etc. -Craft in a B-3, Central Business District for property more particularly described by Nacogdoches Central

Appraisal District Parcel 22764; and located at 403 and 405 East Hospital Street, Nacogdoches, Texas. (City Planner)

- F. Receive a presentation on the 2025 Texas Blueberry Festival. (Kelly Augustine, President, Chamber of Commerce and Grace Handler-Welch, Festival Chair)
 - G. Receive an update on the Special Session of the 89th Texas Legislature. (City Manager)
7. EXECUTIVE SESSION: Executive Sessions are for City Council to receive information and deliberate on matters specified in Subchapter D of the Texas Open Meetings Act. Council may reconvene in open session to vote on the matter.
- A. Personnel Matters – Pursuant to Texas Government Code Section 551.074, deliberations regarding the appointment or employment of a public officer or employee. The subject of this executive session is a discussion of the following positions: Director of Human Resources and Director of Information Technology. (City Manager)
 - B. Consultation with City Attorney - Pursuant to Texas Government Code Section 551.071, deliberation regarding attorney's advice concerning pending or contemplated litigation or a settlement offer, or on a matter in which the duty of the attorney to the governmental body under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with this chapter. (City Attorney)
 - C. Personnel Matters – Pursuant to Texas Government Code Section 551.074, deliberations regarding the appointment or employment of a public officer or employee. The subject of this executive session is to discuss the annual evaluation and amendment of the City Manager's and City Attorney's contracts.
8. Open for action if any, on Executive Session item (s).
9. ADJOURN.


Karen Hadnot
Interim 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.nactx.us.

CERTIFICATION

This meeting will be conducted pursuant to Chapter 551 of the Texas Government Code. The Council reserves the right to adjourn into Executive Session at any time during the meeting to discuss any of the above posted agenda, as authorized by Texas Local Government Code Sections 551.071 [litigation and certain consultation with attorney], 551.072 [acquisition of interest in real property], 551.073 [prospective gift to city], 551.074 [certain personnel deliberations], 551.076 [deployment/implementation of security personnel or devices], or 551.087 [deliberations regarding economic development negotiations]. The City of Nacogdoches is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications may be provided upon request. Please contact the City Secretary at (936) 559-2506 for information. I certify the notice of meeting was posted in the directory outside of City Hall, 202 E. Pilar Street, Nacogdoches, Texas 75961, on August 1, 2025 by 5:00pm pursuant to Chapter 551 of the Texas Government Code.

Karen Hadnot, Interim City Secretary



City Council Meeting

Date: August 5, 2025

Agenda Item: 5.A.

PRESENTER: Karen Hadnot, Interim City Secretary

ITEM/SUBJECT: Consider approval of minutes from the July 15, 2025, City Council Work Session Meeting and July 15, 2025 Regular City Council Meeting. (Interim City Secretary)

SUMMARY/BACKGROUND:

FINANCIAL:

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

CITY CONTACT:

ATTACHMENTS:

1. Draft Work Session Minutes 07152025
2. Draft Regular Meeting 07152025



Work Session
Nacogdoches City Council
July 15, 2025 – 4:00 p.m.
C.L. Simon Recreation Center
1112 North Street, Nacogdoches, TX

City Council present: Mayor Randy Johnson; Council Members, Kathleen Belanger; Brad Maule; and Chad Huckaby, begin absent Council Member Blane Williams.

1. Called to order at 4:00 p.m.
2. Pledge of Allegiance.
3. Work Session:

Todd Simoneaux, the Interim Finance Director, represented the Work Session. He expressed gratitude to the department directors and managers who contributed to the budget process. Mr. Simoneaux noted that every department met deadlines and was well-prepared for the budget meetings. He also presented a PowerPoint presentation to the Council.

At the beginning of the year, Mr. Simoneaux stated that the City Manager updates our priorities and challenges for the City. We strive to incorporate the City Manager's wishes into the budget as effectively as possible.

City Manager Beverlin discussed the priorities and challenges facing the city. He provided an overview of several key issues, including bond projects, deferred maintenance, and challenges related to employee retention and recruitment. He emphasized that efforts are ongoing to enhance employee retention, improve benefits, and boost morale within the workforce. The City Manager also pointed out that there are currently very few open positions in the city. Specifically, he noted that the Police Department has made significant progress in filling its positions, and other departments are nearing completion in this regard.

The City Manager mentioned that they are focused on ensuring every dollar counts in both the general and utility funds. Additionally, the City Manager highlighted that the City plans to collaborate closely with SFA once their figures are released. They also emphasized the importance of pursuing primary jobs, as these jobs benefit the entire community.

The City Manager mentioned that the downtown implementation plan is progressing well and is nearly complete. Additionally, the City Manager emphasized the importance of maintaining our reserves.

Todd Simoneaux, the Interim Finance Director, began the PowerPoint presentation. Mr. Simoneaux reviewed each slide, providing both an overview and detailed information.

Mr. Simoneaux, the Interim Finance Director, highlighted the significant sources of revenue for the general funds. He explained the sales tax revenue for the fiscal year and noted the decline expected in fiscal year 2025, providing possible reasons for this decrease.

Mayor Johnson inquired if sales tax constitutes 27% of the City's revenue, based on the 1% we collect. Mr. Simoneaux, the Interim Finance Director, confirmed that it does.

Todd Simoneaux provided an update on the Obligation Bonds. He stated that last May, we issued the first tranche, which was approximately \$15 million. The staff is ready to issue the second tranche.

Mr. Simoneaux, the Interim Finance Director, discussed the rates controlled by the Council. He also remarked that the values from CAD are flat, which he found disappointing this year.

Todd Simoneaux (Interim Finance Director) noted that the proposed operational expenditure does not include salary increases for employees, but rather one new full-time employee for Code Enforcement, and it includes step increases for police and fire personnel.

Todd Simoneaux, the Interim Finance Director, mentioned that there is no increase in employee salaries in this budget. The City Manager highlighted potential scenarios that may be presented to the Council to support employees. Councilwoman Belanger inquired whether all requested items are truly necessary. The City Manager responded that there are not many requests that are unnecessary. Mayor Johnson pointed out that the budget for Council members is being reduced. Councilwoman Belanger emphasized that it's beneficial to reevaluate the services we need versus those we don't. She also noted that not providing any raises is a significant concern.

Mayor Johnson asked if we would prefer to finance the city or the hospital district. He mentioned that the hospital is losing money on Mound Street and that the city is currently subsidizing the hospital's water costs because it is unable to pay its water bill. Additionally, the hospital has unpaid ad valorem taxes. This situation is causing our employees and others in the community to suffer due to the hospital's mismanagement. We need to generate revenue; without it, we can't pay our bills or support our employees' families. Mayor Johnson also noted that the city has been working to cut expenses.

City Manager Beverlin noted concerns about the new legislative agenda to the Council. He noted that this agenda would have negative effects on many cities; however, he believes that we will be able to adapt. The City Manager emphasized the importance of maximizing support for our largest employer.

Mayor Johnson inquired about the total number of City employees. Mr. Simoneaux, the Interim Finance Director, stated that there are 320 employees. Mayor Johnson then explained some factors that have contributed to reduced revenue, such as sales taxes and the homestead exemption.

Councilwoman Belanger inquired about ways to maximize the new golf course to generate more revenue. She expressed a desire to further explore the legislative agenda, believing that the city has narrowly avoided some challenges. The City Manager responded that a meeting

has been scheduled with the representative. Additionally, the City Manager mentioned that the City Attorney has contacted our lobbyist.

Todd Simoneaux provided an overview of the Utility Fund slide. Mr. Simoneaux noted that for FY26, the average residential water and sewer will increase about \$2.54.

Todd Simoneaux provided an overview of the Sanitation Fund slide, highlighting the consultant project planned for the next five years.

Mr. Simoneaux explained that the remainder of the slide focuses on the Capital Improvement Plan (CIP). He provided an overview of the General, Bond, Airport, and Hotel Tax CIP Projects.

Mr. Simoneaux indicated that some projects were postponed. The City Manager provided detailed information explaining that the delay was due to cash flow constraints.

Councilwoman Belanger discussed the storm drainage issues and the ongoing repairs. Todd Simoneaux, the Interim Finance Director, mentioned that we have allocated drainage funds in our bonds and ARPA budgets. Case Opperman, the Director of Public Works and Engineer, stated that the city is close to exhausting the ARPA funding designated for drainage projects. We still have bond money available for the list of projects previously mentioned. Additionally, we have applied for Community Project funds but have not yet received a response.

Todd Simoneaux, the Interim Finance Director, pointed out that the City has unutilized funds in the capital project fund. These funds will be transferred to support the sidewalk project. Mike Neu, the Executive Director of Development and Infrastructure, provided an overview of the sidewalk project.

Todd Simoneaux, the Interim Finance Director, reviewed the budget calendar and inquired about when we can expect to receive the voter-approved tax rates. He announced that our next budget workshop will be held on August 19, during which we will present the complete draft of the budget. At this meeting, the Council will be asked to vote on a maximum proposed tax rate, rather than approving the tax rate itself.

Councilwoman Belanger expressed that the budget presentation is impressive. She thanked all the department heads and their teams for their hard work.

Mayor Johnson instructed Todd Simoneaux to reduce the budget for the City Councilmember.

4. **ADJOURNED:** 5:07 p.m.

A full recording of the Work Session Meeting for July 15, 2025, may be viewed here:
[Work Session Meeting - 202507151](#)

Randy Johnson, Mayor
City Council

ATTEST:

City of Nacogdoches

Karen Hadnot, Interim City Secretary



Regular Session
Nacogdoches City Council
July 15, 2025 – 5:30 p.m.
C.L. Simon Recreation Center
1112 North Street, Nacogdoches, TX

City Council present: Mayor Randy Johnson; Council Members, Kathleen Belanger; Blane Williams; Brad Maule; and Chad Huckaby

1. Called to order at 5:30 p.m.

2. Pledge of Allegiance.

3. **AWARDS AND RECOGNITIONS:**

Presentation of a proclamation recognizing Milford's Barbershop for 87 years of service across three generations. Councilman Brad Maul read and presented the proclamation to Melissa Milford McGowen.

4. Open Forum:

There being none.

5. **ITEMS TO BE REMOVED FROM THE CONSENT AGENDA:**

There were no items removed from the Consent Agenda.

6. **CONSENT AGENDA:**

Councilman Chad Huckaby moved to approve the Consent Agenda. Councilman Blane Williams seconded the motion, and it passed unanimously.

7. **REGULAR AGENDA:**

A. Consider approval of the Nacogdoches Economic Development Corporation (NEDCO) Professional Services Contract.

Jerry Baker, the City Attorney, presented the request to the Council. He provided a copy of the contract and stated that the purpose of the meeting was to discuss the amended agreement with NEDCO. Mr. Baker noted that the essential terms of the agreement had not changed, but he explained that he made revisions mainly for formatting and to clarify the roles involved.

Mayor Johnson opened the floor for public comments and called on Brandi Cartwright. However, there were no comments from her.

Scott Bowyer, Chairman of NEDCO and resident of 61 Waterford Circle, expressed the importance of the contract, emphasizing that the Type B corporation is critical to the direction the community is heading. He pointed out that the Council frequently discusses grants and asserted that the community's contributions to NEDCO effectively serve as a grant. Mr. Bowyer emphasized that economic development is a collective responsibility that includes community leaders and urged the City to support the contract agreement unanimously.

Bud Wright, CEO of TRP Nutrition, stated that his company has been a member of NEDCO for decades and that he has enjoyed working with the organization. He expressed his desire for the city to grow and prosper and encouraged the Council to support the renewal of the contract.

A Councilwoman remarked that the City Attorney did an excellent job clarifying the terms of the contract.

Councilman Chad Huckaby made a motion to approve agenda item 7.A. of the regular agenda item. Councilman Brad Maule seconded the motion, and it was unanimously approved.

- B. Consider a resolution directing staff to establish a Type B Economic Development Corporation.

Jerry Baker, the City Attorney, presented a request to the Council. He provided a copy of the proposed resolution to approve the formation of a Type B Economic Development District Development Corporation. Mr. Baker noted that during the last meeting, Larrisa Philpot Brown gave an overview of what a Type B Corporation is and how it functions. She also informed the Council about the potential benefits that a Type B Corporation can offer.

Mr. Baker explained that the Resolution will grant the City Manager and City Attorney the authority to prepare the certificate of formation and the necessary documents for filing. He noted that before these documents can be filed, they must be reviewed and approved by the Council. Additionally, the Resolution will include a list of the Board of Directors, which will consist of seven members, as required by statute.

Mayor Johnson opened for comments.

Brandi Cartwright, a resident of 2806 N. Pecan, has been a long-time advocate for local parks. She mentioned that she has spoken with other community members who believe that parks and trails should be included in economic development initiatives. However, since the City of Nacogdoches is classified as a Type A municipality, parks and trails are not considered part of economic development. Ms. Cartwright expressed her support for becoming a Type B municipality, as it would provide many more options for park and trail development.

Ms. Cartwright inquired whether the plan is to use the sales taxes that the Mayor is proposing to collect from the hospital districts to eventually fund this Type B project. She also asked if anyone has engaged in discussions with the hospital about transitioning to a Type B, considering they have a separate board. Additionally, she wanted to know if the 1% we receive from the sales tax would still contribute to the Type B if we do not receive the sales tax that is owed by the hospital. City Manager Beverlin provided an explanation of how the funding will work and gave examples to clarify.

Mayor Johnson emphasized that now is not the time to engage with the hospital, as he believes it would not be productive. He feels the hospital lacks a clear direction.

Lori McDuffie of 1226 Mark Street expressed that she is open to transitioning to a Type B but raised a concern about the obligations linked to the bonds created under Type A. She asked whether those bonds would still be valid. The City Manager responded that Type B does not have a specific funding source. He elaborated that the city utilizes general revenue bonds and utility bonds, clarifying that repairs for water and sewer services are funded through the utility bonds.

Dr. Grohman has been a resident of Nacogdoches for twenty years and came forward to offer words of encouragement to the Council.

Judy McDonald stat Amen and ditto to Dr. Grohman words of encouragement.

Councilman Huckaby expresses gratitude to the staff and community for their support in reaching this point.

Councilman Chad Huckaby made a motion to approve agenda item 7.B of the regular agenda item. Mayor Randy Johnson seconded the motion, and it was unanimously approved.

- C. **Public Hearing:** Consider an ordinance amending Chapter 14, "Buildings and Building Regulations," Article II, "Building Code"; Article III, "Electricity," Division I, "Generally"; Article IV, "Plumbing," Division I, "Generally"; Article V, "Gas Code"; Article VI, "Mechanical Code"; Article XII, "International Existing Building Code"; Article XIII, "International Property Maintenance Code"; and Chapter 38, "Fire Protection and Prevention," Article III, "Fire Prevention Code"; providing a severability clause; providing a continuation clause; providing a repeal clause; and providing an effective date.

Michael Neu, the Executive Director of Development and Infrastructure, presented a request to the Council. He provided a PowerPoint presentation outlining the details of the proposal. Mr. Neu explained that this initiative is a collaborative effort involving building inspections, the Fire Department, and Code Enforcement.

He noted that the 2015 codes currently in use do not accurately reflect the conditions in the development community today. Therefore, Mr. Neu requested that the Council consider adopting an updated version of the international and national codes that the city has previously adopted. He listed the national codes and stated that they are seeking approval to upgrade to the 2024 International Code and the 2023 edition of the Electrical Code. Additionally, Mr. Neu highlighted the state requirements for adopting new codes.

He elaborated on the process of code adoption.

The City Manager emphasized the importance of not falling ten years behind in code adoption. Mr. Neu pointed out that these codes are relevant to our region, climate, and geography. He also mentioned that the amendment addresses specific community needs. Furthermore, Mr. Neu commended the Fire Department for their thorough review of the code books, as they worked diligently to eliminate provisions that don't apply to our region. They did an excellent job.

Mr. Neu reviewed each slide and provided detailed explanations for them.

Mr. Neu mentioned that if the proposal is approved, we have requested the Council to consider a delayed effective date. We are asking for a 90-day delay, which would set the effective date around November 1, 2025. This additional time will allow staff to effectively communicate the upcoming changes.

Mayor Johnson opened for public comment.

Councilman Maule inquired about the transition and its impact on developers' projects currently underway under the existing codes. The City Manager clarified that the effect will depend on when the developer submits their plans. Mr. Neu added that if a developer is in the application process under the old codes, they will not be required to switch to the new code.

Councilman Maule inquired about the impact on SFA. Don Showmaker, the Building Official, clarified that SFA is exempt from any regulations and does not pull permits. Mr. Showmaker also explained the code that applies to SFA because it is a state entity.

Councilwoman Kathleen made a motion to approve agenda item 7C of the regular agenda. Councilman Brad Maule seconded the motion, and it was unanimously approved.

8. **EXECUTIVE SESSION**

The Mayor and Council adjourned into Executive Session at 5:38pm

9. Open for action, if any, on Executive Session Items (s).

The City Council has returned from their Executive Session and took action on a decision regarding the real property.

Councilman Brad Maule made a motion to accept the terms for the proposed donation of property by Elliot Electric Supply and Elliot Electric in the City of Nacogdoches, Texas. This agreement is intended to serve as a statement of understanding regarding the donation and will outline the preparation of any definitive documents

between the parties in the future. Mayor Randy Johnson seconded the motion, which was unanimously approved.

10. **ADJOURNED:** 7:47 p.m.

A full recording of the Regular City Council Meeting for July 15, 2025, may be viewed here: [Regular City Council Meeting - 20250715](#)

ATTEST:

Randy Johnson, Mayor
City Council
City of Nacogdoches

Karen Hadnot, Interim City Secretary

PRESENTER:

ITEM/SUBJECT: Consider approval of a budget amendment authorizing the transfer of funds between designated accounts to ensure accurate financial reporting. (Accounting Manager)

SUMMARY/BACKGROUND: This standard administrative item aligns with fiscal procedures for the year ending September 30, 2025, includes allocation of ARPA interest earnings to the General Fund, and maintains the integrity of the City's financial records without additional expenditures.

FINANCIAL:

Amount	Description
124,301	ARPA Interest Income from Utility Fund to General Fund
375,669	ARPA Interest Income from Special Grants Fund to General Fund
1,209,870	Align ARPA funds to project budgets - Utility Fund to Special Grants Fund (CIP)
50,000	Reimburse Restricted Donations from General to Airport Construction Fund
327,000	Fire Station 4 from General Fund to Special Grants Fund (CIP)
300,000	Move TIFMAS Reimbursement from General Fund to Equipment Replacement Fund
1,360,000	Move RLF funds from Capital Projects Fund to Special Grants Fund (CIP)

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

CITY CONTACT: Kevin Sardinha, Accounting Manager
sardinhak@nactx.us
(936) 559-2526

ATTACHMENTS:



City Council Meeting

Date: August 5, 2025

Agenda Item: 5.C.

PRESENTER: Rick Beverlin, City Manager

ITEM/SUBJECT: Consider the approval of an amended agreement between the City of Nacogdoches and Bonita Hall, Consultant, for the purposes of providing Administrative Services in various areas of the City. (City Manager)

SUMMARY/BACKGROUND: This amended consultant services agreement is effective as of August 5, 2025, and is made and entered into by and between the City of Nacogdoches and Bonita Hall, Consultant. It seeks to amend the list of administrative services to be provided by the Consultant, as well as the section detailing her compensation.

FINANCIAL:

No financial impact associated with this item

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

Not Applicable

CITY CONTACT: Richard Beverlin, City Manager
beverlinr@nactx.us
(936) 559-2506

ATTACHMENTS: 1. Amend. Service Agmt_B. Hall

AMENDMENT
TO
CONSULTANT SERVICE AGREEMENT

This Amendment to the Consultant Service Agreement (the “Amendment”) is made and entered on August 5, 2025 (the “Effective Date”) by and between the City of Nacogdoches, Texas, a Texas municipal corporation (the “City”), acting by and through its City Manager, and Bonita Hall (“Consultant”), which may be referred to herein singularly as “Party”, or collectively as the “Parties.”

I.
Recitals

WHEREAS, the parties executed a Consultant Services Agreement (the “Agreement”) on or about February 19, 2025, wherein the City engaged the Consultant for the provision of certain administrative services, pursuant to the terms, conditions, and provisions stated in the Agreement; and

WHEREAS, the parties desire to amend the Agreement in order to reflect their agreement to modify the language of Section 1/Exhibit A to the Agreement setting forth the scope of the administrative services to be provided, as well as Section 2 of the Agreement concerning the Consultant’s compensation;

II.
Amendment

A. In contemplation of certain promises, covenants, and other good and valuable consideration exchanged between the parties, the City and Consultant agree to amend the language of Section 1/Exhibit A and Section 2 of the Consultant Service Agreement to read as follows:

***1. SERVICES.** Consultant shall provide the City certain administrative services (the “**Services**”), as more specifically identified and described in Exhibit A, attached hereto and made a part hereof by this reference, or as may be amended.*

EXHIBIT A
SERVICES TO BE PROVIDED

Consultant shall provide the following services on behalf of the City of Nacogdoches:

- Assist the Human Resources department as needed;*
- Assist the Finance department as needed;*

- *Participate in development and/or amendment of City policies and procedures, to include amending the City's Employee Handbook;*
- *Coordinate with City staff any benefits plans on behalf of City;*
- *Perform special projects as may be assigned by the City Manager (e.g. performance evaluation template, security system, employee relations, etc.).*

2. COMPENSATION. *For the Services rendered pursuant to this Agreement, the sufficiency and completeness determined solely by the City Manager and/or his designee, the City agrees to pay Consultant as follows:*

- a. Consultant shall be paid an hourly rate of \$125.00 per hour, with a maximum per week of 20 hours, for performance of the agreed upon Services, as specified herein;*
- b. Consultant shall be paid through the City's bi-weekly payroll process; and*
- c. The City will reimburse the Consultant for lodging not to exceed \$100.00 per night for any Services requiring an overnight stay.*

III. Miscellaneous

B. BINDING EFFECT. This Amendment shall be binding upon and inure to the benefit of the parties and their respective predecessors, successors, legal representatives, administrators, attorneys, executors and assigns, as well as their agents, servants, employees, and affiliates, and all persons, either natural or corporate, in privity with any of them.

C. GOVERNING LAW AND VENUE. This Amendment shall be governed by and construed in accordance with the laws of the State of Texas and any applicable laws of the United States of America. Nacogdoches County, Texas shall be the sole and exclusive venue for any litigation, special proceeding, or other proceeding between the parties that may be brought in connecting with or that arise out of this Amendment.

D. SEVERABILITY. Any provision of this Amendment held by a court of competent jurisdiction to be invalid or unenforceable shall not impair or invalidate the remainder of this Amendment or the Agreement and the effect thereof shall be confined to the provision held to be invalid or illegal. The parties agree that all terms and provisions of this Amendment are contractual in nature and not merely recitals.

E. HEADINGS. The paragraph headings in this Amendment are for reference purposes only and are not intended in any way to describe, interpret, define or limit the extent or intent of this Amendment or of any part hereof.

F. ENTIRE AGREEMENT. This Amendment constitutes the parties' entire agreement respecting the matters contained herein and supersedes all previous agreements, whether written

or oral, relating to such matters. This Amendment represents the final agreement between the Parties respecting the matters contained herein, and may not be contradicted by evidence of prior, contemporaneous or subsequent oral agreements of the parties. There are no unwritten oral agreements between the parties respecting the matters contained herein. The parties have not made any representations not stated herein, nor have they relied upon any representation not stated herein in deciding whether to execute this Amendment.

IN WITNESS THEREOF, the City and the Consultant have executed this Amendment effective as of the date first written above.

CITY OF NACOGDOCHES:

CONSULTANT:

By: _____
Richard Beverlin, III,
City Manager

By: _____
Bonita Hall,
Interim Executive of Administrative
Services

ATTEST:

ATTEST:

By: _____
Karen Hadnot,
Interim City Secretary

By: _____
Jerry Baker,
City Attorney

PRESENTER:

ITEM/SUBJECT: Consider approval of Resolution No. 1395-08-25 amending a Chapter 380 Economic Development Program agreement by and between the City of Nacogdoches and Dennis White to amend construction deadlines. (Executive Director of Economic Development)

SUMMARY/BACKGROUND:

In July 2023, City Council approved a Chapter 380 Economic Development Agreement with Dennis White to support the redevelopment of the historic MC Hazle Building, located at 401 East Main Street. The agreement was accompanied by Ordinance No. 1952-02-23, which appropriated up to \$61,670 from the Economic Development Fund for reimbursement of the cost of a fire suppression system, contingent on project completion and final inspection.

The project contributes to local economic development by adaptively reusing a previously vacant historic structure to accommodate a new restaurant on the ground floor and residential units on the upper floor. The project aligns with the City's downtown revitalization goals by increasing downtown foot traffic, encouraging business activity, and adding new downtown housing units.

Due to supply chain disruptions and unanticipated construction delays, the developer was unable to complete the project by the original June 2025 deadline. An amendment to the agreement is proposed to extend the deadline for substantial completion and issuance of a Certificate of Occupancy to **August 29, 2025**. All other terms of the agreement remain unchanged, including:

- The maximum reimbursement amount of \$61,670 for the fire suppression system
- Required compliance documentation and tax payments
- Execution of the façade easement and deed of trust
- Annual compliance reporting

FINANCIAL:

No financial impact due to this change.

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

CITY CONTACT: Larissa Philpot-Brown, AICP
Executive Director of Economic Development
lphilpot@nedco.org
936-559-1255

ATTACHMENTS: 1. Resolution 1395-08-25 - White - Hazle Bldg Amending 380

**CITY OF NACOGDOCHES, TEXAS
RESOLUTION NO. 1395-08-25**

A RESOLUTION CREATING A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AND APPROVING AND AUTHORIZING AGREEMENT BY AND BETWEEN THE CITY OF NACOGDOCHES AND DENNIS WHITE REGARDING RENOVATING A BUILDING AT 401 EAST MAIN STREET.

WHEREAS, the City of Nacogdoches, Texas, (the “City”), possesses the legal and statutory authority under Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code to make loans and grants of public funds for the purposes of promoting local economic development, helping eliminate unemployment and underemployment in the City, and stimulating and enhancing business and commercial activity within the City;

WHEREAS, the City finds that the renovation of a long vacant historic structure to provide space for a restaurant and upper floor residences assists in the development and diversification of the economy of the City by adaptively reusing a vacant historic structure, providing space for a new business to create jobs, increasing the activity level of the downtown district by adding a destination for downtown visitors, and increasing the number of downtown residents, and,

WHEREAS, Dennis White (the “Developer”) has agreed to renovate or cause to be renovated, the building (the “Improvements”) located at 401 East Main Street; and

WHEREAS, the City finds it appropriate to create an economic development program pursuant to Chapter 380 of the Texas Local Government Code to be called the White - Hazle Economic Development Program to provide, encourage and coordinate public and private investment in renovating 401 East Main Street, the Improvements and any future associated development; and

WHEREAS, the City finds it appropriate to leverage the investment that the Developer is willing to provide to restore the building, encourage more visitors to the downtown area, increase and promote revenue to the City from associated downtown businesses via the attached White - Hazle Chapter 380 Economic Development Agreement (“Chapter 380 Agreement”), and

WHEREAS, the City has concluded and hereby finds that the White - Hazle Economic Development Program and this White - Hazle Chapter 380 Economic Development Agreement clearly promote economic development in the City, and, as such, meet the requirements under Chapter 380 of the Texas Local Government Code and Article III, Chapter 52-a of the Texas Constitution under which the City has the authority to use public funds for public purposes of promoting economic development and stimulating business and commercial activity within the City, and further, is in the best interests of the City and

WHEREAS, the City entered into a Chapter 380 Economic Development agreement with the Developer on July 18, 2023, and renovation of the structure has commenced, however supply chain issues and availability of contractors has caused the construction period to be longer than initially anticipated; and

WHEREAS, the City and Developer now desire to amend the Agreement to allow for additional time for the Developer to obtain a Certificate of Occupancy.

WHEREAS, the City has concluded and hereby finds that amending the White - Hazle Chapter 380 Economic Development Agreement clearly promotes economic development in the City, and, as such, meets the requirements under Chapter 380 of the Texas Local Government Code and Article III, Chapter 52-a of the Texas Constitution under which the City has the authority to use public funds for public purposes of promoting economic development and stimulating business and commercial activity within the City, and further, is in the best interests of the City and Developer.

NOW, THEREFORE, be it resolved by the City Council of the City of Nacogdoches, Texas that:

1. The findings and recitations contained in the preamble of this Resolution are found and declared to be true and correct and are hereby adopted as part of this Resolution.
2. The City Council hereby approves and authorizes the White - Hazle Amended Chapter 380 Economic Development Agreement in substantially the form as shown in the document which is attached hereto and incorporated herein by this reference.
3. The City Manager is authorized to execute such document and related documents on behalf of the City, and the City Secretary is authorized to attest to all such signatures and the City Attorney is authorized to take all action necessary to enforce all legal obligations as may arise hereunder.
4. This resolution is effective immediately upon its passage.

PASSED AND APPROVED, this the 5th day of August, 2025, by a vote of ____ (ayes) to ____ (nays) of the City Council of the City of Nacogdoches, Texas.

CITY OF NACOGDOCHES

By: _____
RANDY JOHNSON, Mayor

ATTEST:

APPROVED AS TO FORM:

Karen Hadnot, Interim City Secretary

Jerry Baker, City Attorney

CITY OF NACOGDOCHES, TEXAS

AND

DENNIS WHITE

AMENDED CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT

This **AMENDED CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT** (hereinafter referred to as the "Amendment") is made and entered into by and between the **CITY OF NACOGDOCHES, TEXAS**, a Texas home-rule municipality (the "City"), and **Dennis White**, their successors and assigns ("Developer").

RECITALS:

- A.** In the original Chapter 380 Economic Development Agreement (the "Agreement"), the City and Developer agreed to renovate or cause to be renovated, the structure located at 401 East Main Street, (the "Project").
- B.** The City and Developer now desire to amend the Agreement to allow for additional time for the Developer to obtain a final Certificate of Occupancy. This amendment does not change the intent of the Agreement, expand the obligations of the Developer or increase the grant of public funds to the Developer but will aid in the orderly progress of the Project.
- C.** The City desires and agrees to enter into this Amendment with Developer in order to implement the economic development program described the Agreement and shall follow all applicable rules and procedures prescribed by the City's Charter and the laws of the State in providing Developer the economic development incentives described herein.
- D.** Developer desires and agrees to enter into this Amendment with City in order to renovate the Project described the Agreement and to create well-paying jobs and shall follow the laws of the State of Texas.

NOW, THEREFORE, for and in consideration of the agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Developer agree as follows:

SECTION 1. RECITALS INCORPORATED.

The foregoing Recitals are hereby incorporated into the body of this Agreement and shall be considered part of the mutual covenants and consideration that bind the parties.

SECTION 2. Amended Sections

Section 4 (a)(i) is amended to read as follows:

- i. Developer shall construct or cause to be constructed the Improvements as described on Table 1 below and shall submit to the City invoices, receipts, or other similar documentation for the Qualified Expenditures in a form reasonably acceptable to the City by August 29, 2025.

Table 1

Item	Approximate Qualified Expenditure Not to Exceed
Fire Sprinkler System	\$61,760

Section 4(a)(ii) is amended to read as follows:

- ii. Developer represents that Developer has the present capacity to construct the Improvements. The Improvements shall be completed on or before August 29, 2025. Only those Improvements listed in Table 1 which are completed prior to August 29, 2025 will be considered by the City for reimbursement.

Section 4(a)(iv)

- iii. Developer shall complete all necessary improvements and obtain a Certificate of Occupancy on or before August 29, 2025.

Section 4(c) Annual Compliance Verification. Beginning on January 1, 2026 and each January 1st for the following four years for a total of five occurrences until January 1, 2030, Developer shall deliver to the City an Annual Compliance verification signed by a duly authorized representative of Developer that shall certify the following:

- (1) The taxable appraised value of the Property and Personalty located on the Property for the applicable prior tax year;
- (2) The ad valorem taxes paid to the City for the Property and Personalty located on the Property for the applicable prior tax year; and

SECTION 2. NO OTHER CHANGES.

All other portions of the Agreement are unchanged.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed.

CITY

CITY OF NACOGDOCHES, TEXAS

a Texas home-rule municipality

By: _____
Randy Johnson, Mayor

Date: _____

[ADDITIONAL SIGNATURES ON NEXT PAGE]

ATTEST:

Karen Hadnot, Interim City Secretary

APPROVED AS TO FORM:

Jerry Baker, City Attorney

DEVELOPER:
Dennis White

By: _____
Dennis White

Date: _____



City Council Meeting

Date: August 5, 2025

Agenda Item: 5.E.

PRESENTER:

ITEM/SUBJECT: Consider approval of a resolution designating authorized signers for banking purposes and certification of incumbency (Accounting Manager).

SUMMARY/BACKGROUND:

FINANCIAL:

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

CITY CONTACT: Kevin Sardinha, Accounting Manager
sardinhak@nactx.us
(936) 559-2533

ATTACHMENTS: 1. Resolution

CITY OF NACOGDOCHES, TEXAS

RESOLUTION NO. 1396-08-25

A RESOLUTION OF THE CITY OF NACOGDOCHES, DESIGNATING AUTHORIZED SIGNERS FOR BANKING PURPOSES AND CERTIFICATION OF INCUMBANCY.

WHEREAS, the City of Nacogdoches, Texas (the "City") is a local government of the State of Texas and is empowered to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, the City needs to maintain banking relationships with various financial institutions; and

WHEREAS, such financial institutions require the City to designate officers who are authorized to sign banking documents on behalf of the City; and

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

Section 1. The City Council of the City of Nacogdoches, Texas designates the following individuals as Authorized Signers to establish bank accounts on behalf of the City, close such accounts, operate such accounts, and designate persons to operate such accounts.

Titles

City Manager
Finance Director
Accounting Manager

Section 2. Recitals Incorporated.

The facts and recitals above are incorporated herein as if set forth in full for all purposes.

Section 3. Acknowledgement

That the individuals, whose signatures appear in the Resolution, are Authorized Representatives of the City and are each hereby authorized to sign banking documents on behalf of the City and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local government funds.

PASSED AND APPROVED by the City Council of the City of Nacogdoches, Texas on this 5th day of August, 2025.

ATTESTED:

APPROVED:

Karen Hadnot, Interim City Secretary

Randy Johnson, Mayor

PRESENTER: Kevin Sardinha, Accounting Manager

ITEM/SUBJECT: Consider approval of the Fleet Credit Card and Related Services OMNIA Partners using the Region 4 ESC Master Agreement No. R211101. (Accounting Manager)

SUMMARY/BACKGROUND: Staff recommends approval to use the OMNIA Partners cooperative purchasing program for Fleet Credit Card and related services through the Region 4 ESC Master Agreement No. R211101. Participation in this cooperative purchasing agreement is exempt from the competitive bidding process under Texas Local Government Code Section 252.022(a)(12)(D). Funding for these services has been included in the FY24-25 budget and services multiple departments.

FINANCIAL:

Item is budgeted:

Account No.: **.** 610.20

Account Name: *Citywide (Multi-departmental) - Vehicle & Equip. Supplies*

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

CITY CONTACT: Kevin Sardinha, Accounting Manager
sardinhak@nactx.us
(936) 559-2533

ATTACHMENTS: 1. Fuelman Application Omnia City of Nacogdoches 2025 Signed

APPLICATION FOR FLEET CARD ACCOUNT

For OMNIA Partners participating Public Agencies using the Region 4 ESC Master Agreement No. R211101 for Fleet Credit Card and Related Services.

BUSINESS INFORMATION (Required)

Fax or Email Completed Application to:

Legal Government or Company Name City of Nacogdoches			Type of Business Local Government	Years in Business Under Current Owner 100+
Subsidiary or DBA N/A			Main Phone # 936-559-2525	
Street Address (No PO Boxes) 202 E. Pilar St.			Cell Phone #	
Street Address 2			Fax #	
City Nacogdoches	State TX	ZIP 75961	Federal ID # 75-6000621	Tax Exempt #
Is Billing Address Different than Business Address? Yes ☐ No ☒			# of Vehicles 170	Monthly Fuel Spend \$50,000 +/-
Billing Address (If Different Than Above)			# of Full Time Employees 150	
Billing Address 2			Security Code (5 digit)	
City	State	ZIP	Email Address	
First Name Kevin	Last Name Sardinha		Title Accounting Manager	

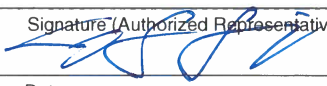
Type of Organization: ☐ Sole Proprietorship ☐ Partnership ☐ Corporation ☐ Non-Profit ☒ Government ☐ LLC ☐ LLP

AUTHORIZED SIGNATURE Required (Representative acknowledges receiving fuel pricing and payment terms) Initial Here _____

Corpay Technologies Operating Company, LLC ("Corpay") operates the Fuelman Fleet Card program. By signing this application, I represent and warrant that I am duly authorized to request that a Fuelman Fleet Card account be created on behalf of my company identified above ("Applicant"). Corpay is hereby authorized to check Applicant's credit worthiness, initially as well as from time to time, including but not limited to obtaining credit report(s), contacting the Applicant's bank, and obtaining trade references. Applicant acknowledges that this application is subject to approval and acceptance by Corpay. If this application is approved, then the Applicant's Authorized Representative listed above will be notified of the account's available credit limit, the acceptable payment terms & method, and any applicable program fees. Program details including General Terms & Conditions for Use of Fleet Cards which were submitted under Tab 7, Section 7.1 of Corpay's (formerly FleetCor) response to Region 4 ESC RFP #21-11 and are also attached to this application, including Limitation of Liability provisions (herein "the Region 4 ESC/OMNIA Contract"), which Applicant hereby acknowledges it has been provided due diligence documents available at OMNIA Partners website (<https://www.omniapartners.com/publicsector>) or otherwise provided by Corpay. Applicant may also receive from Corpay from time-to-time a copy of its FUELMAN FLEET CARD CLIENT AGREEMENT TERMS AND CONDITIONS, which is Corpay's standard pamphlet style terms and conditions (herein "Terms & Conditions Pamphlet"). The Terms & Conditions Pamphlet is not intended to supersede the OMNIA Contract, however there may be items covered in the Terms & Conditions Pamphlet which are not specifically addressed in the Region 4 ESC/OMNIA Contract. In the event of a conflict between the Region 4 ESC/OMNIA Contract and the Terms & Conditions Pamphlet, the terms and conditions of the Region 4 ESC/OMNIA Contract shall apply. Applicant acknowledges that the fleet card program is not a revolving credit account and that any purchases made during the billing cycle are due and payable in full, including any applicable fees, upon receipt of the billing statement. If the Applicant's unpaid balance ever meets the established credit line, the account will suspend and the Applicant's credit history may be reported to credit reporting agencies. Applicant's acceptance, signing, in whatever form, or use of any of the cards provided to the Applicant will constitute acceptance of the terms and conditions contained in this application and the account agreement. Applicant agrees that any liability arising or resulting from the misuse, unauthorized or fraudulent use, loss or theft of any of the cards issued to the company's account shall be fully borne, assumed and paid by the Applicant. If Corpay uses an attorney or collection agency to collect an unpaid overdue amount, the Applicant agrees to pay reasonable attorney and/or collection fees. Applicant agrees that the account and cards are for business/commercial use only and never used for personal or household purposes and agrees that use of the cards for consumer or household purposes shall be grounds for immediate termination of the Applicant's account. We comply with Section 326 of the USA PATRIOT Act. This law mandates that Corpay verify certain information about you while processing your account application.

☒ I Agree to the Terms of this Application (Please check box)

☒ I do not want to consider other card programs

Print Name (Authorized Representative) Kevin Sardinha	Signature (Authorized Representative) 
Title Accounting Manager	Date 7/30/25
Telephone # 936-559-2533	

BUSINESS OWNER/ACCOUNT PRINCIPAL Required for all Proprietorships, Partnerships or any other business/organization less than two years old or having fewer than five (5) employees.

Each principal ("Principal") for this Account, if any, is personally and unconditionally, jointly and severally liable with Applicant, as principal and not as surety or guarantor, for the payment and performance when due of all obligations owed on the Account, regardless of who made purchases using the Cards, and the Principal agrees to pay such amounts according to the terms of this Agreement. Principal is responsible under this Agreement for all use of all of the Cards issued on the Account to the fullest extent permitted by law. This constitutes Principal's agreement, individually, regarding the provisions under "AUTHORIZED SIGNATORY" above, including without limitation checking and reporting your credit and confirming your identity.

Principal First Name	Middle Initial	Last Name	Principal Signature
Principal Street Address (No PO Boxes)	Social Security #		Date of Birth
Principal Street Address 2	Home Phone #	-or-	Cell Phone #
City	State	ZIP	

OFFICE USE ONLY

Market: Rep ID:

Rep Name:

ATS #:

BILLING FREQUENCY/PAYMENT TERMS ADJUSTMENT (Mark the applicable BF/PT, the corresponding amount shall adjust the standard markup)

Mark (X) for the desired BF/PT	BF / Terms ID	Billing Frequency / Payment Terms Description *	Applicable Per Gal. BF/PT Adjustment
☐	WN4	Weekly Net 4 (EFT)	-0.0100
☐	WN7	Weekly Net 7 (EFT)	-0.0075
☐	WN10	Weekly Net 10	-0.0050
☐	WN14	Weekly Net 14	-0.0025
☐	WN21	Weekly Net 21	+0.0025
☐	WN30	Weekly Net 30	+0.0100
☐	BWN4	Bi-Weekly Net 4 (EFT)	-0.0075
☐	BWN7	Bi-Weekly Net 7 (EFT)	-0.0050
☐	BWN10	Bi-Weekly Net 10	-0.0025

Mark (X) for the desired BF/PT	BF / Terms ID	Billing Frequency / Payment Terms Description *	Applicable Per Gal. BF/PT Adjustment
☐	BWN14	Bi-Weekly Net 14	0 None Required
☐	BWN21	Bi-Weekly Net 21	+0.0050
☐	BWN30	Bi-Weekly Net 30	+0.0150
☐	MN4	Monthly Net 4 (EFT)	-0.0050
☐	MN7	Monthly Net 7 (EFT)	0 None Required
☐	MN10	Monthly Net 10	+0.0025
☐	MN14	Monthly Net 14	+0.0050
☐	MN21	Monthly Net 21	+0.0100
☐	MN30	Monthly Net 30	+0.0175

* Where "EFT" is indicated above, EFT is a mandatory payment method and applicant MUST submit an EFT Enrollment Form with the Application. Note: Our EFT enrollment rules specify: If Weekly, must be Net 7 days or less, if Bi-Weekly, must be Net 14 days or less, if Monthly, must be Net 25 days or less.

PRICING SELECTION: ☒ **OPIS BASED COST-PLUS MARKUPS**

Note: Certain pricing exceptions shall apply at Extended Network Locations, where pricing shall always be based on Retail Price as defined in Article 2.1.3 of RFP response. See next page.

Base Markup (using Bi-Weekly, Net 14 BF/PT)

+ or - Applicable BF/PT Adjustment (From Table Above)

TOTAL MARKUP (Including BF/PT Adj. from above)

OFF-SITE PRICING

Unleaded & Premium

\$0.1100

Mid-Grade (Unl Plus)

\$0.1200

Diesel

\$0.1600

PRICING SELECTION: ☐ **RETAIL BASED PRICE WITH VOLUME REBATE ***

Retail Adjustment (using Bi-Weekly, Net 14 BF/PT)

+ or - Applicable BF/PT Adj. to Retail Price (From Table Above)

* Volume rebates shall not apply to CNG and LNG. At certain Extended Network locations defined in Article 2.1.3 of the RFP response, the rebate shall not apply. See Attachment A for rebate explanations.

OFF-SITE PRICING

Gasoline (All Grades)

\$0.00

Diesel & DEF Disp.

\$0.00

High Blends of Ethanol (E85, E15)

\$0.00

High Blends of Bio-diesel (B10 or Higher)

\$0.00

ALTERNATIVE FUEL PRICING: ☐ **RETAIL BASED PRICE**

For OPIS based cost-plus accounts, Retail Based Pricing and not OPIS based cost plus pricing shall apply for Alternative Fuels as defined here.

Retail Adjustment (using Bi-Weekly, Net 14 BF/PT)

+ or - Applicable BF/PT Adjustment (From Table Above)

TOTAL Retail Adjustment (Including BF/PT Adj. from above)

OFF-SITE PRICING

CNG/LNG (Propane)

\$0.000

High Blends of Ethanol (E85, E15)

-\$0.020

High Blends of Bio-diesel (B10 or Higher)

-\$0.040

DEF Dispensed

-\$0.020

SERVICES: ☐ OFF-SITE RETAIL ☐ CONSIGNED INVENTORY ☐ ON-SITE MEMO TRACKING ☒ **TAX EXEMPT**

OPTIONAL REPORTS: Optional Reports delivered via Web (online system login) unless special requested by Email

Check or Mark (X) for the desired Optional Report	Optional Report ID	Optional Report Description
☒	FN03	Employee Management Report (Monthly)
☒	FN04	Vehicle Management Report (Monthly)
☒	FN07	Tax Management Report (Monthly)

Check or Mark (X) for the desired Optional Report	Optional Report ID	Optional Report Description
☒	TRN85	Electronic Transaction File, check below for frequency, Email Delivery, & Contact: ☐ @ Billing ☐ Wkly ☐ BW ☐ Monthly ☐ Email Del. ☐ Fleet or ☐ AP contact

REPORT DELIVERY METHOD (Reports at Billing): ☐ MAIL - \$9.95 ☐ FAX - \$4.95 ☒ EMAIL (no charge) ☒ WEB (no charge)

REPORT/STATEMENT DELIVERY INFO:

FLEET MANAGER

Name <u>Drew Flores</u>	Email <u>fleet@nactx.us</u>
Telephone # <u>936-559-2539</u>	Fax #

ACCOUNTS PAYABLE REPRESENTATIVE

Name <u>Olga Ortiz</u>	Email <u>ap@nactx.us</u>
Telephone # <u>936-559-2512</u>	Fax #

Terms & Conditions of the Region 4 ESC/OMNIA Partners contract # R211101 apply. I fully understand and accept the terms of this program.

Name: Drew Flores, City of Nacogdoches Title: Purchasing
Signature: [Signature] Date: 7/30/25

Market: Rep ID: **OFFICE USE ONLY**
ATS #: Rep Name:

V03.22.24

ATTACHMENT A
To Fuelman Fleet Credit Card Application
Applicable to OMNIA Partners Participating Public Agencies using the
Region 4 ESC Master Agreement No. R211101
Retail-based pricing with Volume Rebate, Other Pricing Exceptions

Per section 2.1.7 in FleetCor's (now Corpay's) RFP response in the Region 4 ESC contract #211101, that is entitled *Optional Retail Based Pricing Program With Volume Discount/Rebate*, upon request Corpay agrees to establish Applicant's Fuelman account to have Retail Pricing with a Volume Rebate. A copy of section 2.1.7 is provided below along with section 2.1.3 which defines certain merchants that are excluded from the volume rebate, and these merchants are excluded from OPIS based, cost-plus pricing. Additionally, a copy of section 2.1.4 or the RFP response, which explains a pricing exception in the contract for Never Below FleetCor's (now Corpay's) cost.

2.1.7 Optional Retail Based Pricing Program with Volume Discount/Rebate.

As an alternative pricing program for Participants under the Region 4 ESC contract, FLEETCOR (now Corpay) hereby agrees to provide a Retail Based Pricing Program. Customer shall choose between Cost-plus pricing or Retail Based Pricing with Rebate option, FLEETCOR (now Corpay) cannot offer both pricing formats at the same time to a Participant and Participants shall not be allowed to switch from one pricing format to another more than once in a year. **In rare market circumstances, FLEETCOR (now Corpay) reserves the right require a Customer be priced based on Retail pricing, not Cost-plus pricing.**

Except for pricing exceptions at Extended Network (Non-Discount) locations previously explained under sub-article 2.1.3 and never below FLEETCOR's (now Corpay's) cost, price for fuel products purchased by Customer will be equal to retail pump price at the card accepting merchant location (credit price where applicable by merchant). Provided payments are received within terms, Customer shall be eligible for rebates as illustrated below via a volume rebate (tiered volume rebate table). Volume rebate and rebate tiers are applied to each individual Government (Participant) separately. If a Government Entity Participant has multiple accounts, that government entity's volumes shall be grouped together for sake of calculating the volume discount. Rebates earned shall be applied on each billing statement/invoice.

TABLE 2.3 - Volume Discount Table (Fuelman Proprietary - Retail Price Program)

MONTHLY BILLING FREQUENCY VOLUME TIERS	BI-WEEKLY BILLING FREQUENCY VOLUME TIERS	WEEKLY BILLING FREQUENCY VOLUME TIERS	REBATE PER GALLON GASOLINE PRODUCTS	REBATE PER GALLON DIESEL PRODUCTS
< 1,290	< 600	< 300	\$0.010	\$0.020
1,290 – 4,300	600 – 2,000	300 – 1,000	\$0.020	\$0.040
4,301 – 8,600	2,001 – 4,000	1,001 – 2,000	\$0.030	\$0.060
8,601 +	4,001 +	2,001 +	\$0.040	\$0.080

2.1.3 Pricing Exceptions at Off-Site/Retail (Pricing at Non-Discount, Extended Network Locations).

Non-Discount or Extended Network locations are defined as sites accepting the Fuelman Card that are determined by FLEETCOR (now Corpay) to be a part of the Fuelman Network solely to provide added convenience to Clients. Gallons purchased at these Extended Network locations are excluded from OPIS based cost-plus pricing and excluded from volume discounts offered under the Retail-based pricing option. The current list of merchants (subject to future change) with applicable Extended Network Pricing includes:

- Sinclair brand stations at posted retail price.
- Chevron/Texaco brand stations at posted retail price.
- Pilot or Flying J Travel Center Stations, Pilot Convenience Stores, or Pilot unattended card lock stations shall always be priced based on the credit retail price for diesel purchases, the station's retail price for gasoline or DEF Dispensed purchases.
- Love's Country Store / Travel Stop Locations shall always be priced based on the credit retail price for diesel purchases, the station's retail price for gasoline or DEF Dispensed purchases.
- TravelCenters of America (TA) or Petro Travel Centers shall always be priced based on the credit retail price for diesel purchases, the station's retail price for gasoline or DEF Dispensed purchases.
- ARCO brand at posted retail price plus \$0.10 per gallon.
- Buc-ee's locations at posted retail price.

2.1.4 Pricing Exception for Never Below FLEETCOR's (now Corpay's) Cost.

FLEETCOR (now Corpay) reserves the right to never bill Customer for any purchase at a price below FLEETCOR's (now Corpay's) cost to settle with the Merchant and in the event the Customer's price (including all merchant taxes before exemption) calculates to be below FLEETCOR's (now Corpay's) cost to settle with the Merchant, FLEETCOR's (now Corpay's) cost shall apply.

Corpay's General Terms & Conditions for Use of Fleet Cards
Applicable to OMNIA Partners Participating Public Agencies using the Region 4 ESC
Master Agreement No. R211101 for Fleet Credit Card

1.1 Security, Loss, Theft, or Unauthorized Use of Card.

1.1.1 General Security. Each fuel card ("Card") can be programmed to only allow Fuel or both Fuel & Maintenance services such as oil changes, vehicle washes, etc. Typically, each transaction is authorized with the Card number, product code, quantity and driver's Driver ID across the proprietary Fuelman network to ensure that the purchase is authorized and limited to the product and quantity (e.g. gallons of Fuel or dollars of Maintenance) that have been pre-approved. This system also helps prevent unauthorized Driver IDs and stolen Cards from being used to make purchases. The product and quantity controls are subject to each merchant location's POS Authorization Limitations described herein.

1.1.2 Corpay's Liability. In the event an unauthorized transaction occurs, subject to the limitations and Customer responsibilities explained in this section 1.1 and in the event that Customer's account (the "Account") has been issued fewer than ten (10) Cards, Corpay will assume full responsibility for those purchases. If the Account has been issued ten (10) or more Cards, Customer assumes all liability and responsibility for unauthorized transactions or Account activity.

1.1.3 Customer's Responsibility. It is the responsibility of Customer to ensure proper security controls are kept in place to protect the Cards and Driver IDs and that only authorized employees or agents of Customer use them to make purchases. It is also the Customer's responsibility to lock any inactive, misplaced, or stolen Cards and Driver IDs immediately. Fuelman is not responsible for fraudulent transactions made on unlocked Cards with valid Driver IDs. Customer should use the online account application to lock Cards and Driver IDs instantly. Alternatively, the Customer can contact Fuelman Customer Service during regular business hours via fax or email with the requested change, in which case Fuelman will make the requested changes within 24 hours and assume responsibility for any unauthorized purchases at that point. All transactions in which a valid/unlocked Card number was used in conjunction with a valid/active Driver ID will be considered to be authorized transactions in which Customer is fully responsible for payment. It is also the Customer's responsibility to review the standard fleet management reports and optional eMail exception alerts to identify potential purchasing discrepancies. Customer should instruct its Cardholders to keep any record of their Driver ID separate from the vehicle's Card.

1.1.4 Lost or Stolen Cards. Customer shall report all lost or stolen Cards to Corpay immediately via phone call or email to Corpay's Customer Service department identifying the Card number and such other details concerning the loss or theft of the Cards as are known by Customer. Customer shall be liable for all transactions made by lost or stolen Cards until midnight of the day that Corpay receives Customer's notice of such lost or stolen Cards. Customer and Guarantor(s) agree to and acknowledge full liability for any losses resulting from any failure to report the loss or theft of Card(s) in accordance with the terms hereof.

1.1.5 Terminated Drivers. It is the Customer's responsibility to lock a terminated driver's Driver ID as explained herein.

1.1.6 Merchant Limitations. The personnel (if any) at a Merchant Location are not the agents or employees of Corpay and Corpay shall not be responsible for the products or services rendered by any of the Merchants or any other liability or damage which arises from the action or negligence of the personnel of any of the Merchants, their agents or their employees.

1.1.7 POS Authorization Limitations. Authorization controls are provided as a convenience to the Customer and are not guaranteed to prevent unauthorized purchases. Specifically, depending on the particular point-of-sale (POS) equipment and Fuel dispenser controls being used by a particular Merchant Location, the product type and spending limit may not be enforceable prior to completing the transaction. In these situations, the transaction will still be considered to be authorized, but will be identified as an exception on the Customer's standard fleet management report and reported via email if desired by Customer.

1.1.8 Claims. All claims for defective Fuel or Maintenance must be made to the Merchant operating the Merchant Location where such Fuel or Maintenance was purchased. Any claim for defective Fuel or Maintenance is waived by Client unless made in writing to Merchant, with a copy to Fuelman, within fifteen (15) days from the date of the purchase of the alleged defective Fuel or Maintenance giving rise to the claim.

1.2 Account Administration and Card Issuance.

1.2.1 Credit Limit. Upon receipt of notice of award of SOLICITATION/contract and signed credit applications from Customer, Corpay will establish an aggregate spending limit for all the Cards issued to Customer under the Account(s) (the "Credit Limit") based on Corpay's evaluation of the Customer's creditworthiness. The initial Credit

Limit may have already been established (applicable to existing older accounts already using Fuelman cards issued by Corpay). Corpay reserves the right to increase or decrease this Credit Limit at any time with or without providing notice to Customer. So long as sufficient creditworthiness exists, the intention shall be to have sufficient credit limit to meet the anticipated purchasing projections or purchasing history/activity of the Customer under the billing frequency and terms provided in the relevant RFP response. The total outstanding balance (the amount Customer owes Corpay) appears as the "Amount Due" or "Total Amount Due" on Customer's statement. This is not a revolving credit account. The Amount Due/Total Amount Due shown on each Account statement is due and payable by the due date ("Due Date") shown on the statement. The Amount Due/Total Amount Due includes current transactions, applicable service fees, amounts past due, late fees, charges for returned checks and other applicable charges. Corpay can accept late or partial payments, as well as payments that reflect "paid in full" or other restrictive endorsements, without losing any of Corpay's rights under these terms and conditions.

1.2.2 Administration of Cards. Customer shall be solely responsible for the use, maintenance, administration, and security of the Cards and Driver IDs within Customer's business, including, but not limited to, distributing Cards to, and collecting Cards from, its employees and agents. Notwithstanding any other provision in these terms and conditions, Customer is responsible for any loss or misuse of Cards by its employees and agents. See section 1.1.1 for more information regarding Customer responsibilities.

1.2.3 Account Administration (Contact Persons). To ensure effective communication between your Fleet Manager or Card Program Administrator, your Accounts Payable Representative, and Corpay, Customer will provide the requested contact information for both an authorized Fleet Contact and Billing Contact. Up-to-date information about your account will be communicated through these designated persons. For example, if your account becomes past due or exceeds the assigned credit limit, or if we have identified suspected fraudulent activity, the listed individuals on the account may be notified electronically to avoid a disruption in service or to confirm whether suspected fraudulent purchases identified are legitimate. Customer shall contact Fuelman customer service or your account manager if any of this information changes for the authorized Fleet Contact or Billing Contact person.

1.2.4 Cancellation of Cards. If, at any time, for any reason, Customer desires to cancel any particular Card, but not the Account, Customer's Representative must notify Corpay via the online application or in writing of such cancellation. Customer's liability for purchases made using the canceled Card shall end at midnight of the day that Corpay receives notice of such Card cancellation. The on-line application allows customer to instantly cancel (lock) cards.

1.2.5 Suspension of Cards. Corpay, at its sole discretion, may suspend or terminate the use of any Card at any time for any reason, including, but not limited to, inactivity, unusual activity, or suspected loss, theft, fraud, or in compliance with the USA Patriot Act. However, nothing in these terms and conditions shall obligate Corpay to monitor the use of any Card, and, as described in these terms and conditions, Customer is solely responsible for the use of any outstanding Cards.

1.2.6 Suspension of Account. Corpay, reserves the right to suspend or terminate the use of an Account due to substantial change in creditworthiness, late payment (excessive days beyond terms), aggregate outstanding balance owing on the Account (outstanding Account balance and unbilled transactions) over the Credit Limit or in compliance with the USA Patriot Act.

1.3 Limitation of Liability; Force Majeure; Modifications; Miscellaneous.

1.3.1 Limitation of Liability. THE PARTIES WILL HAVE NO LIABILITY FOR INDIRECT, SPECIAL, CONSEQUENTIAL, PUNITIVE, OR INCIDENTAL DAMAGES OF ANY KIND, INCLUDING CLAIMS FOR LOSS OF PROFITS, WHETHER RESULTING DIRECTLY OR INDIRECTLY TO CUSTOMER, CORPAY, GUARANTOR, OR THIRD PARTIES, AND WHETHER ARISING IN CONTRACT, TORT, OR OTHERWISE, EVEN IF SUCH DAMAGES WERE FORESEEABLE OR RESULT FROM A BREACH OF THESE TERMS AND CONDITIONS. IN THE EVENT A COURT IN A FINAL, NON-APPEALABLE AWARD FINDS CORPAY OR CUSTOMER LIABLE FOR ANY DIRECT DAMAGES, CORPAY OR CUSTOMER'S LIABILITY IN THE AGGREGATE FOR SUCH DIRECT DAMAGES WILL NOT EXCEED THE AMOUNT PAID OR PAYABLE BY CUSTOMER TO CORPAY FOR THE THREE (3) MONTHS PRECEDING THE DATE ON WHICH THE CLAIM AROSE.

1.3.2 Force Majeure. Corpay shall not be liable for failure to perform when such failure is occasioned or caused by circumstances beyond its control.

changes, Customer may terminate these terms and conditions for its convenience without payment of any penalty by notifying Corpay in writing of such termination before the effective date of the change.

1.3.4. Miscellaneous. These terms and conditions: (a) shall be governed by the laws of the state where the Customer is domiciled, without regard to conflicts of laws principles, (c) may be assigned by either party only upon the prior written approval of the other party which will not be unreasonably withheld conditioned or delayed; (c) will be binding on the parties' successors and permitted assigns; (d) together with the RFP response, as applicable, constitute the entire agreement of the parties with respect to its subject matter; supersedes all prior agreements and understandings, oral or written, of the parties with respect to this subject matter; and except as expressly set forth in these terms and conditions, may only be modified by a writing signed by Corpay and Customer or by Customer's acceptance of additional or substitute terms delivered to Customer by Corpay via phone, website, email, text, or such other means as may be elected by Corpay; and (e) do not create any partnership, agency relationship, or joint venture. If any provision of these terms and conditions is found to be fully or partially invalid or unenforceable, it will be enforced to the extent permitted by law, and the remainder will not be affected. No waiver of any provision of these terms and conditions will constitute a waiver of the same provision on another occasion. The rights and obligations of these terms and conditions which by their nature are intended to survive expiration or termination will so survive.

For Customer:

By: Kevin Sardinha

Signature: 

Date: 7/30/25



City Council Meeting

Date: August 5, 2025

Agenda Item: 5.G.

PRESENTER: Todd Simoneaux, Interim Finance Director

ITEM/SUBJECT: Review and accept the Investment Report for the quarter ended June 30, 2025. (Interim Finance Director)

SUMMARY/BACKGROUND: The investment portfolio of the City of Nacogdoches is in compliance with the Public Funds Investment Act and the Investment Policy and Strategies.

FINANCIAL:

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

CITY CONTACT: Todd Simoneaux, Interim Finance Director
simoneauxt@nactx.us
(936) 559-2529

ATTACHMENTS: 1. Quarterly_Investment_Report-6.30.25



QUARTERLY INVESTMENT REPORT

For the Quarter Ended

June 30, 2025

Prepared by
Valley View Consulting, L.L.C.

The investment portfolio of the City of Nacogdoches is in compliance with the Public Funds Investment Act and the Investment Policy and Strategies.

Investment Officer

Investment Officer

Disclaimer: These reports were compiled using information provided by the City. No procedures were performed to test the accuracy or completeness of this information. The market values included in these reports were obtained by Valley View Consulting, L.L.C. from sources believed to be accurate and represent proprietary valuation. Due to market fluctuations these levels are not necessarily reflective of current liquidation values. Yield calculations are not determined using standard performance formulas, are not representative of total return yields and do not account for investment advisor fees.

Summary

Quarter End Results by Investment Category:

Asset Type	March 31, 2025			June 30, 2025		
	Ave. Yield	Book Value	Market Value	Ave. Yield	Book Value	Market Value
MMA/MMF/Pools	4.04%	\$ 100,174,640	\$ 100,174,640	4.19%	\$ 98,023,657	\$ 98,023,657
Certificates of Deposit	4.60%	23,114,469	23,114,469	4.54%	23,050,919	23,050,919
Totals	4.15%	\$ 123,289,110	\$ 123,289,110	4.26%	\$ 121,074,575	\$ 121,074,575

Average Yield - Current Quarter (1)

Total Portfolio	4.26%
Rolling Three Month Treasury	4.37%
Rolling Six Month Treasury	4.27%
TexPool	4.30%

Fiscal Year-to-Date Average Yield (2)

Total Portfolio	4.27%
Rolling Three Month Treasury	4.42%
Rolling Six Month Treasury	4.42%
TexPool	4.40%

Interest Income (Approximate)

Quarterly Interest Income	\$ 1,274,270
Fiscal Year-to-date Interest Income	\$ 3,934,622

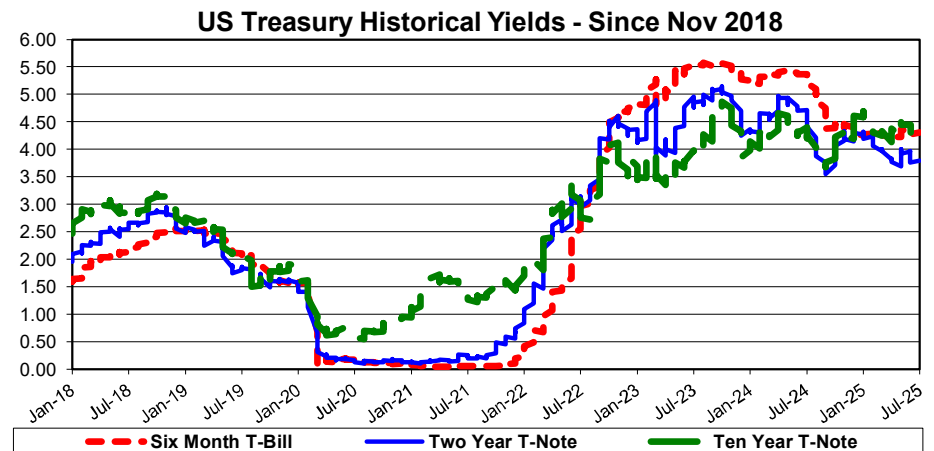
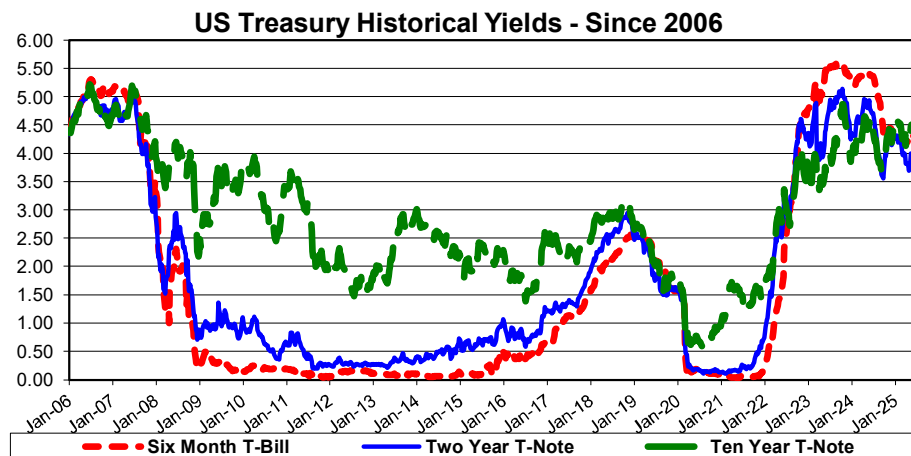
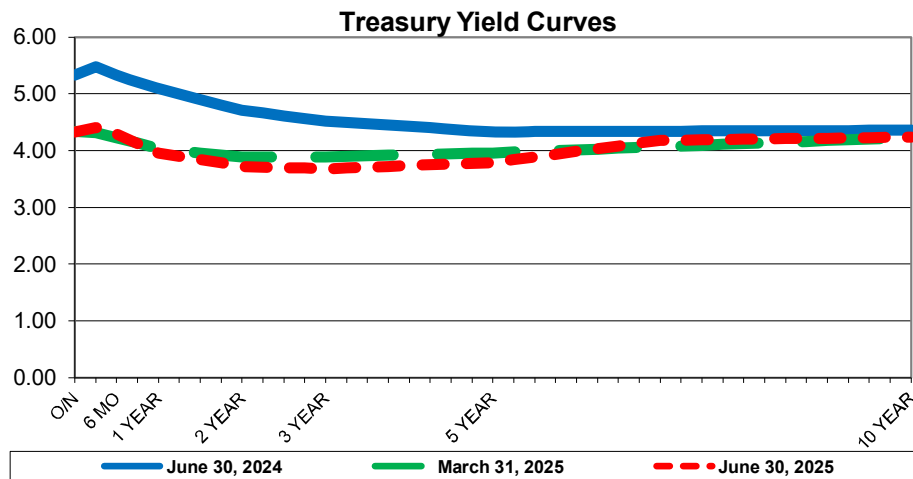
(1) **Average Yield - Current Quarter** - based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month is used for bank, pool, and money market balances.

(2) **Fiscal Year-to-Date Average Yields** - calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

Economic Overview

6/30/2025

The Federal Open Market Committee (FOMC) kept the Fed Funds target range at 4.25% - 4.50% (Effective Fed Funds trade +/-4.33%). Expectations for additional rate cuts are volatile with current estimates for two 0.25% cuts projected late 2025. June Non-Farm Payroll added +147k new jobs, prior months' revisions increased the Three Month Rolling Average to +150k (from the previous +135k). First Quarter 2025 final estimate GDP declined slightly to -0.5%. An Import surge increased the trade deficit. The S&P 500 Stock Index reached a new high (+/-6,175) from February's previous high (over 6,115). The yield curve still bottoms out in the 2-3 year maturity section. Crude Oil remains below \$70 per barrel. Inflation continues above the FOMC 2% target (Core PCE +/-2.7% and Core CPI +/-2.8%). Uncertainty abounds throughout global economic outlooks, tariff negotiations and violent political disruptions.



Investment Holdings

June 30, 2025

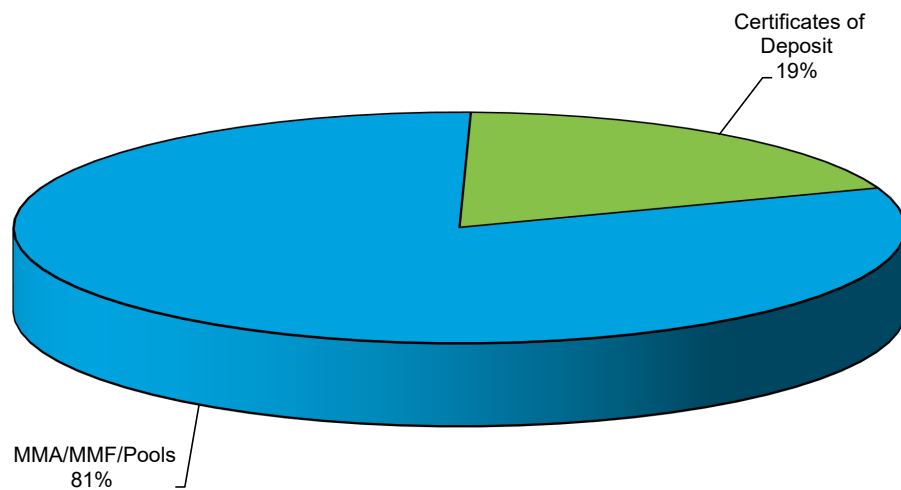
Description	Ratings	Coupon/ Discount	Maturity Date	Settlement Date	Face Amount/ Par Value	Book Value	Market Price	Market Value	Life (Day)	Yield
Southside Bank MMA (3)		0.57%	07/01/25	06/30/25	\$ 3,638,708	\$ 3,638,708	1.00	\$ 3,638,708	1	0.57%
SouthState MMA		4.59%	07/01/25	06/30/25	9,874,495	9,874,495	1.00	9,874,495	1	4.59%
Veritex Bank MMA		4.33%	07/01/25	06/30/25	7,471,868	7,471,868	1.00	7,471,868	1	4.33%
Federated Hermes Gov't MMF		4.27%	07/01/25	06/30/25	549,852	549,852	1.00	549,852	1	4.27%
TexPool	AAAm	4.30%	07/01/25	06/30/25	71,500,541	71,500,541	1.00	71,500,541	1	4.30%
TexSTAR	AAAm	4.28%	07/01/25	06/30/25	4,988,192	4,988,192	1.00	4,988,192	1	4.28%
SUBTOTAL					\$ 98,023,657	\$ 98,023,657		\$ 98,023,657	1	4.19%
									(1)	(2)
Cornerstone Capital Bank CDARS		5.31%	07/03/25	07/05/24	2,107,774	2,107,774	100.00	2,107,774	3	5.45%
UBank CD		4.55%	08/06/25	02/06/25	1,000,000	1,000,000	100.00	1,000,000	37	4.60%
Citizens 1st Bank CD		2.00%	09/01/25	06/01/24	2,325	2,325	100.00	2,325	63	2.00%
SouthSide Bank CD		4.15%	09/25/25	09/25/24	2,268,996	2,268,996	100.00	2,268,996	87	4.22%
Citizens 1st Bank CD		4.44%	12/26/25	12/27/24	2,248,931	2,248,931	100.00	2,248,931	179	4.51%
Citizens 1st Bank CD		4.34%	01/13/26	01/14/25	2,021,160	2,021,160	100.00	2,021,160	197	4.41%
Texas B&T CD		4.27%	03/30/26	06/30/25	2,000,000	2,000,000	100.00	2,000,000	273	4.29%
UBank CD		4.50%	04/30/26	10/31/24	2,146,861	2,146,861	100.00	2,146,861	304	4.58%
First Nat'l Bank CD		4.18%	05/06/26	05/06/25	1,000,000	1,000,000	100.00	1,000,000	310	4.25%
Citizens 1st Bank CD		4.19%	07/13/26	01/14/25	2,020,453	2,020,453	100.00	2,020,453	378	4.26%
UBank CD		4.12%	09/28/26	03/28/25	2,020,841	2,020,841	100.00	2,020,841	455	4.20%
UBank CD		5.00%	10/03/26	10/03/24	2,067,553	2,067,553	100.00	2,067,553	460	5.12%
UBank CD		4.42%	10/30/26	10/31/24	2,146,024	2,146,024	100.00	2,146,024	487	4.50%
SUBTOTAL					\$ 23,050,919	\$ 23,050,919		\$ 23,050,919	270	4.54%
									(1)	(2)
TOTAL					\$ 121,074,575	\$ 121,074,575		\$ 121,074,575	52	4.26%
									(1)	(2)

(1) **Weighted average life** - For purposes of calculating weighted average life, bank accounts, pools and money market funds are assumed to have an one day maturity.

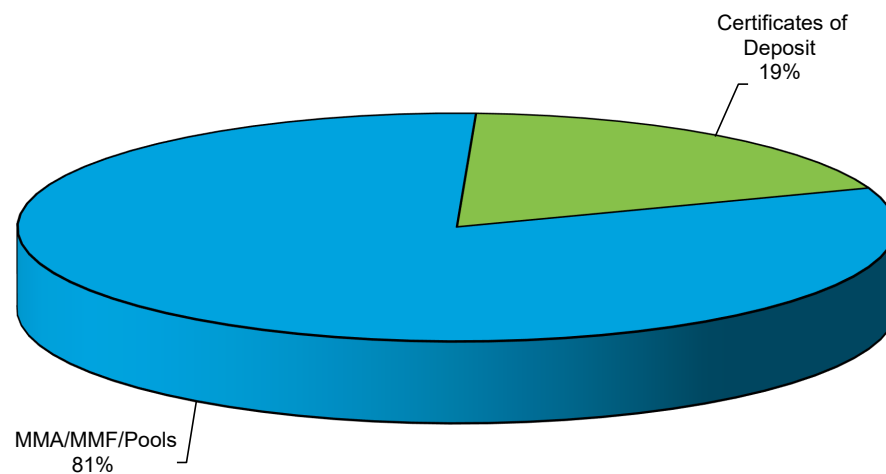
(2) **Weighted average yield to maturity** - The weighted average yield to maturity is based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month is used for bank accounts, pools, and money market funds.

(3) **Weighted Average Yield** - The City has several Southside Bank MMA accounts with differing yields. A weighted average yield of all Southside Bank MMA accounts is calculated.

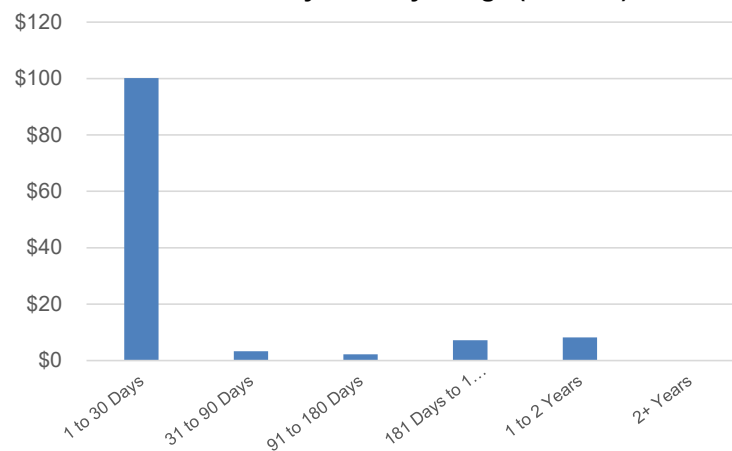
**Portfolio Composition
Current Quarter**



**Portfolio Composition
Previous Quarter**



Distribution by Maturity Range (Millions)



Book & Market Value Comparison



Issuer/Description	Yield	Maturity Date	Book Value 03/31/25	Increases	Decreases	Book Value 06/30/25	Market Value 03/31/25	Change in Market Value	Market Value 06/30/25
Southside Bank MMA	0.57%	07/01/25	\$ 9,928,299	\$ —	\$ (6,289,591)	\$ 3,638,708	\$ 9,928,299	\$ (6,289,591)	\$ 3,638,708
SouthState MMA	4.59%	07/01/25	5,547,949	4,326,546	—	9,874,495	5,547,949	4,326,546	9,874,495
Veritex Bank MMA	4.33%	07/01/25	7,391,784	80,084	—	7,471,868	7,391,784	80,084	7,471,868
Federated Hermes Gov't MMF	4.27%	07/01/25	544,422	5,431	—	549,852	544,422	5,431	549,852
TexPool	4.30%	07/01/25	71,827,123	—	(326,582)	71,500,541	71,827,123	(326,582)	71,500,541
TexSTAR	4.28%	07/01/25	4,935,064	53,128	—	4,988,192	4,935,064	53,128	4,988,192
SouthSide Bank CD	5.30%	05/05/25	1,026,385	—	(1,026,385)	—	1,026,385	(1,026,385)	—
SouthSide Bank CD	4.42%	06/25/25	2,247,713	—	(2,247,713)	—	2,247,713	(2,247,713)	—
Cornerstone Capital Bank CDARS	5.45%	07/03/25	2,080,071	27,703	—	2,107,774	2,080,071	27,703	2,107,774
UBank CD	4.60%	08/06/25	1,000,000	—	—	1,000,000	1,000,000	—	1,000,000
Citizens 1st Bank CD	2.00%	09/01/25	2,314	12	—	2,325	2,314	12	2,325
SouthSide Bank CD	4.22%	09/25/25	2,245,508	23,489	—	2,268,996	2,245,508	23,489	2,268,996
Citizens 1st Bank CD	4.51%	12/26/25	2,224,064	24,868	—	2,248,931	2,224,064	24,868	2,248,931
Citizens 1st Bank CD	4.41%	01/13/26	2,000,000	21,160	—	2,021,160	2,000,000	21,160	2,021,160
Texas B&T CD	4.29%	03/30/26	—	2,000,000	—	2,000,000	—	2,000,000	2,000,000
UBank CD	4.58%	04/30/26	2,123,560	23,301	—	2,146,861	2,123,560	23,301	2,146,861
First Nat'l Bank CD	4.25%	05/06/26	—	1,000,000	—	1,000,000	—	1,000,000	1,000,000
Citizens 1st Bank CD	4.26%	07/13/26	2,000,000	20,453	—	2,020,453	2,000,000	20,453	2,020,453
UBank CD	4.20%	09/28/26	2,000,000	20,841	—	2,020,841	2,000,000	20,841	2,020,841
UBank CD	5.12%	10/03/26	2,041,713	25,839	—	2,067,553	2,041,713	25,839	2,067,553
UBank CD	4.50%	10/30/26	2,123,141	22,882	—	2,146,024	2,123,141	22,882	2,146,024
TOTAL/ AVERAGE	4.26%		\$ 123,289,110	\$ 7,675,737	\$ (9,890,271)	\$ 121,074,575	\$ 123,289,110	\$ (2,214,534)	\$ 121,074,575

Allocation
June 30, 2025



Book Value and Market Value	Investment Total	Airport Operations	Capital Projects	Debt Service	Equipment Replacement	General Fund	Grants Fund
Southside Bank MMA	\$ 3,638,708	\$ 164,964	\$ 155,193	\$ 19,821	\$ 202,757	\$ 1,146,888	\$ 102,699
Independent Financial Bank MMA	9,874,495	—	—	—	—	—	—
Veritex Bank MMA	7,471,868	—	—	—	—	2,490,623	—
Federated Hermes Gov't MMF	549,852	—	—	—	—	—	—
TexPool	71,500,541	—	2,823,407	1,148,817	3,378,710	6,961,191	683,510
TexSTAR	4,988,192	—	—	—	—	4,988,192	—
07/03/25–Cornerstone Capital Bank CDARS	2,107,774	—	—	—	—	—	—
08/06/25–UBank CD	1,000,000	—	—	—	—	—	—
09/01/25–Citizens 1st Bank CD	2,325	—	—	—	—	2,325	—
09/25/25–SouthSide Bank CD	2,268,996	—	—	—	—	1,134,498	—
12/26/25–Citizens 1st Bank CD	2,248,931	—	—	—	—	—	—
01/13/26–Citizens 1st Bank CD	2,021,160	—	—	—	—	—	—
03/30/26–Texas B&T CD	2,000,000	—	—	—	—	2,000,000	—
04/30/26–UBank CD	2,146,861	—	—	—	—	—	—
05/06/26–First Nat'l Bank CD	1,000,000	—	—	—	—	—	—
07/13/26–Citizens 1st Bank CD	2,020,453	—	—	—	—	2,020,453	—
09/28/26–UBank CD	2,020,841	—	—	—	—	2,020,841	—
10/03/26–UBank CD	2,067,553	—	—	—	—	—	—
10/30/26–UBank CD	2,146,024	—	—	—	—	—	—
Totals	\$ 121,074,575	\$ 164,964	\$ 2,978,600	\$ 1,168,639	\$ 3,581,466	\$ 22,765,011	\$ 786,209

Allocation
June 30, 2025

(Continued)



Book Value and Market Value	Internal Service Fund	Sanitation Fund	Special Revenue Fund	Utility & Sanitation Fund	Utility Fund	GO 2024 Fund
Southside Bank MMA	\$ 54,240	\$ —	\$ 209,523	\$ 1,095,967	\$ 482,422	\$ 4,234
Independent Financial Bank MMA	—	—	—	—	9,874,495	—
Veritex Bank MMA	—	2,490,623	—	—	2,490,623	—
Federated Hermes Gov't MMF	—	—	—	—	549,852	—
TexPool	3,250,265	8,452,144	2,572,715	—	26,829,964	15,399,818
TexSTAR	—	—	—	—	—	—
07/03/25—Cornerstone Capital Bank CDARS	—	2,107,774	—	—	—	—
08/06/25—UBank CD	—	—	—	1,000,000	—	—
09/01/25—Citizens 1st Bank CD	—	—	—	—	—	—
09/25/25—SouthSide Bank CD	—	—	—	—	1,134,498	—
12/26/25—Citizens 1st Bank CD	—	2,248,931	—	—	—	—
01/13/26—Citizens 1st Bank CD	—	—	—	—	2,021,160	—
03/30/26—Texas B&T CD	—	—	—	—	—	—
04/30/26—UBank CD	—	—	—	—	2,146,861	—
05/06/26—First Nat'l Bank CD	—	—	—	1,000,000	—	—
07/13/26—Citizens 1st Bank CD	—	—	—	—	—	—
09/28/26—UBank CD	—	—	—	—	—	—
10/03/26—UBank CD	—	2,067,553	—	—	—	—
10/30/26—UBank CD	—	—	—	—	2,146,024	—
Totals	\$ 3,304,505	\$ 17,367,025	\$ 2,782,238	\$ 3,095,967	\$ 47,675,899	\$ 15,404,051

Allocation

March 31, 2025



Book Value and Market Value	Investment Total	Airport Operations	Capital Projects	Debt Service	Equipment Replacement	General Fund	Grants Fund
Southside Bank MMA	\$ 9,928,299	\$ 191,165	\$ 140,795	\$ 370,250	\$ 106,140	\$ 3,200,134	\$ 68,533
Independent Financial Bank MMA	5,547,949	—	—	—	—	—	—
Veritex Bank MMA	7,391,784	—	—	—	—	2,463,928	—
Federated Hermes Gov't MMF	544,422	—	—	—	—	—	—
TexPool	71,827,123	—	2,633,565	757,273	3,342,635	5,468,500	1,599,840
TexSTAR	4,935,064	—	—	—	—	4,935,064	—
05/05/25—SouthSide Bank CD	1,026,385	—	—	—	—	—	—
06/25/25—SouthSide Bank CD	2,247,713	—	—	—	—	1,123,856	—
07/03/25—Cornerstone Capital Bank CDARS	2,080,071	—	—	—	—	—	—
08/06/25—UBank CD	1,000,000	—	—	—	—	—	—
09/01/25—Citizens 1st Bank CD	2,314	—	—	—	—	2,314	—
09/25/25—SouthSide Bank CD	2,245,508	—	—	—	—	1,122,754	—
12/26/25—Citizens 1st Bank CD	2,224,064	—	—	—	—	—	—
01/13/26—Citizens 1st Bank CD	2,000,000	—	—	—	—	—	—
04/30/26—UBank CD	2,123,560	—	—	—	—	—	—
07/13/26—Citizens 1st Bank CD	2,000,000	—	—	—	—	2,000,000	—
09/28/26—UBank CD	2,000,000	—	—	—	—	2,000,000	—
10/03/26—UBank CD	2,041,713	—	—	—	—	—	—
10/30/26—UBank CD	2,123,141	—	—	—	—	—	—
Totals	\$ 123,289,110	\$ 191,165	\$ 2,774,361	\$ 1,127,523	\$ 3,448,774	\$ 22,316,550	\$ 1,668,372

Allocation
March 31, 2025

(Continued)



Book Value and Market Value	Internal Service Fund	Sanitation Fund	Special Revenue Fund	Utility & Sanitation Fund	Utility Fund	GO 2024 Fund
Southside Bank MMA	\$ 176,149	\$ —	\$ 195,571	\$ 893,544	\$ 4,581,788	\$ 4,232
Independent Financial Bank MMA	—	—	—	—	5,547,949	—
Veritex Bank MMA	—	2,463,928	—	—	2,463,928	—
Federated Hermes Gov't MMF	—	—	—	—	544,422	—
TexPool	3,215,562	8,361,899	2,549,526	—	28,195,614	15,702,710
TexSTAR	—	—	—	—	—	—
05/05/25—SouthSide Bank CD	—	—	—	1,026,385	—	—
06/25/25—SouthSide Bank CD	—	—	—	—	1,123,856	—
07/03/25—Cornerstone Capital Bank CDARS	—	2,080,071	—	—	—	—
08/06/25—UBank CD	—	—	—	1,000,000	—	—
09/01/25—Citizens 1st Bank CD	—	—	—	—	—	—
09/25/25—SouthSide Bank CD	—	—	—	—	1,122,754	—
12/26/25—Citizens 1st Bank CD	—	2,224,064	—	—	—	—
01/13/26—Citizens 1st Bank CD	—	—	—	—	2,000,000	—
04/30/26—UBank CD	—	—	—	—	2,123,560	—
07/13/26—Citizens 1st Bank CD	—	—	—	—	—	—
09/28/26—UBank CD	—	—	—	—	—	—
10/03/26—UBank CD	—	2,041,713	—	—	—	—
10/30/26—UBank CD	—	—	—	—	2,123,141	—
Totals	\$ 3,391,711	\$ 17,171,675	\$ 2,745,096	\$ 2,919,930	\$ 49,827,011	\$ 15,706,941

Collateral Position
June 30, 2025



	Citizens 1st Bank	First Nat'l Bank	SouthState Bank	SouthSide Bank	Texas B&T	UBank	Veritex Bank
Collateral Value	\$ 6,200,000	\$ 7,250,000	\$ 10,000,000	\$ 15,605,270	\$ 2,200,000	\$ 13,978,000	\$ 7,521,898
+ FDIC Insurance	250,000	250,000	250,000	250,000	250,000	250,000	250,000
Total Enhancement	<u>\$ 6,450,000</u>	<u>\$ 7,500,000</u>	<u>\$ 10,250,000</u>	<u>\$ 15,855,270</u>	<u>\$ 2,450,000</u>	<u>\$ 14,228,000</u>	<u>\$ 7,771,898</u>
Total Deposits	6,292,869	1,000,000	9,874,495	5,907,704	2,000,000	9,381,279	7,471,868
Excess Coverage	157,131	6,500,000	375,505	9,947,565	450,000	4,846,721	300,030
Percentage Coverage	102%	750%	104%	268%	123%	152%	104%

PRESENTER: Kevin Sardinha, Accounting Manager

ITEM/SUBJECT: Consider approval of updated Investment Advisory Agreement with Valley View Consulting, L.L.C. (Accounting Manager)

SUMMARY/BACKGROUND: The attached Investment Advisory Agreement with Valley View Consulting, L.L.C. has been revised to extend the contract expiration date to September 30, 2027, and to update the fee calculation method. The revised pricing formula adopts a more standard method consistent with industry practice, simplifying calculations and administrative processes for both parties. While the formula is more straightforward, projected advisory fees are expected to remain approximately the same as under the previous agreement.

Recommendation:

Staff recommends approval of the updated Investment Advisory Agreement with Valley View Consulting, L.L.C. as presented.

FINANCIAL:

There is no anticipated significant fiscal impact. The updated pricing formula is designed to be revenue neutral compared to the previous calculation method.

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

CITY CONTACT: Kevin Sardinha, Accounting Manager
sardinhak@nactx.us
(936) 559-2533

ATTACHMENTS: 1. Investment Advisory Agreement 2025 07 28 (Valley View)

**AGREEMENT
BY AND BETWEEN
THE CITY OF NACOGDOCHES, TEXAS
AND
VALLEY VIEW CONSULTING, L.L.C.**

It is understood and agreed that the City of Nacogdoches (the *Investor*) will have money available for investment (the *Investable Funds*) and Valley View Consulting, L.L.C. (the *Advisor*) has been requested to provide professional services to the Investor with respect to the Investable Funds. This agreement (the *Agreement*) constitutes the understanding of the parties regarding the subject matter hereof.

1. This Agreement shall apply to all Investable Funds of the Investor from time to time during the period in which this Agreement shall be effective.
2. The Advisor agrees to provide its professional services to direct and coordinate all programs of investing as may be considered and authorized by the Investor.
3. The Advisor agrees to perform the following duties, as requested:
 - a. Assist the Investor in developing cash flow projections,
 - b. Suggest appropriate investment strategies to achieve the Investor's objectives,
 - c. Advise the Investor on market conditions, general information and economic data,
 - d. Analyze risk/return relationships between various investment alternatives,
 - e. Attend occasional meetings as requested by the Investor,
 - f. Assist in the selection, purchase and sale of investments. The Advisor shall not have discretionary authority over the Investable Funds and the Investor shall make all decisions regarding purchase and sale of investments. The eligible investments are listed in the Investor's Investment Policy,
 - g. Advise on the investment of bond funds as to provide the best possible rate of return to the Investor in a manner which is consistent with the proceedings of the Investor authorizing the investment of the bond funds or applicable federal rules and regulations,
 - h. Assist the Investor in creating investment reports in compliance with State legislation and the Investor's Investment Policy, and
 - i. Assist the Investor with the primary depository bank selection process.

4. The Investor agrees to:

- a. Compensate the Advisor for all services rendered and expenses incurred as set forth in Appendix A attached hereto,
- b. Provide the Advisor with the schedule of estimated cash flow requirements related to the Investable Funds, and will promptly notify the Advisor as to any changes in such estimated cash flow projections,
- c. Allow the Advisor to rely upon all information regarding schedules, investment policies and strategies, restrictions, or other information regarding the Investable Funds as provided to it by the Investor and that the Advisor shall have no responsibility to verify, through audit or investigation, the accuracy or completeness of such information,
- d. Recognize that there is no assurance that recommended investments will be available or that such will be able to be purchased or sold at the price recommended by the Advisor, and
- e. Not require the Advisor to place any order on behalf of the Investor that is inconsistent with any recommendation given by the Advisor or the policies and regulations pertaining to the Investor.

5. In providing the investment services in this Agreement, it is agreed that the Advisor shall have no liability or responsibility for any loss or penalty resulting from any investment made or not made in accordance with the provisions of this Agreement, except that the Advisor shall be liable for its own gross negligence or willful misconduct; nor shall the Advisor be responsible for any loss incurred by reason of any act or omission of any broker, selected with reasonable care by the Advisor and approved by the Investor, or of the Investor's custodian. Furthermore, the Advisor shall not be liable for any investment made which causes the interest on the Investor's obligations to become included in the gross income of the owners thereof.

6. The fee due to the Advisor in providing services pursuant to this Agreement shall be calculated in accordance with Appendix A attached hereto, and shall become due and payable as specified. All expenses for which the Advisor is entitled to reimbursement in accordance with Appendix A attached hereto shall become due and payable at the end of each calendar quarter in which such expenses are incurred.

7. This Agreement shall remain in effect until September 30, 2027, with the option of the Investor to extend this Agreement additional one or two-year increments. The Investor or Advisor may terminate this agreement upon thirty (30) days' written notice to the other party. In the event of such termination, it is understood and agreed that only the amounts due to the Advisor for services provided and expenses incurred to and including the date of termination will be due and payable. No penalty will be assessed for termination of this Agreement. In the event this Agreement is terminated, all investments and/or funds held by the Advisor shall be returned to the Investor as soon as practicable. In addition, the parties hereto agree that upon termination of this Agreement the Advisor shall have no continuing obligation to the Investor regarding the investment of funds or performing any other services contemplated herein.

8. The Advisor reserves the right to offer and perform these and other services for various other clients. The Investor agrees that the Advisor may give advice and act with respect to any of its other clients, which may differ from advice given to the Investor. The Investor agrees to coordinate with and avoid undue demands upon the Advisor to prevent conflicts with the performance of the Advisor towards its other clients.

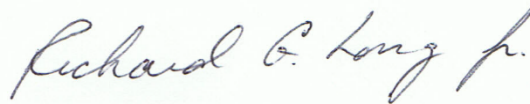
9. The Advisor shall not assign this Agreement without the express written consent of the Investor.

10. Investor acknowledges that:

- 1) ☐ Investor was provided a written copy of Form ADV Part 2 not less than 48 hours prior to entering this written contract, or
- 2) ☐ Investor received a written copy of Form ADV Part 2a the time of entering this contract and has the right to terminate this contract without penalty within five business days after entering this contract.
- 3) ☒ Investor is renewing an expiring contract and has received in the past, and offered annually, a written copy of Form ADV Part 2.

When accepted by the Investor, it, together with Appendix A attached hereto, will constitute the entire Agreement between the Investor and Advisor for the purposes and the consideration herein specified.

Respectfully submitted,



Richard G. Long, Jr.
Manager, Valley View Consulting, L.L.C.

This agreement is hereby agreed to and executed on behalf of the City of Nacogdoches, Texas.

By _____

Date: _____

APPENDIX A

FEE SCHEDULE AND EXPENSE ITEMS

In consideration for the services rendered by Advisor in connection with the investment of the Investable Funds for the Investor, it is understood and agreed that the a two basis point (0.02%) annual fee will be calculated and prorated using the average Quarter End Book Value as reported in the Quarterly Investment Reports.

Said fee shall be due and payable at the end of each investment quarter.

Said fee includes all costs of services related to this Agreement, and all travel and business expenses related to attending the requested quarterly meetings. The Investor will reimburse travel and business expenses for special meetings or events requested by the Investor to the Advisor. The obligation of the Advisor to pay expenses shall not include any costs incident to litigation, mandamus action, test case or other similar legal actions.

In the event services result in the creation of a flexible repurchase agreement, guaranteed investment contract, or similar investment option, a fee acceptable to the Investor and consistent with any debt-related rules or regulations, shall be determined at the time of investment.

Any other fees retained by the Advisor shall be disclosed to the Investor.

PRESENTER: Jerry Baker, City Attorney, Jessica Sowell, Community Services Director

ITEM/SUBJECT: Discuss and consider an ordinance amending Chapter 22 – “Cemeteries”, Article II. – “Use Regulations”, Article III. – “Sunset Memorial Park”, Article IV. – “Pine Grove Cemetery”, and Article V. – “Oak Grove Cemetery”, of the Code of Ordinances of the City of Nacogdoches, Texas; providing a severability clause; providing a continuation clause; providing a repeal clause; and providing an effective date. (City Attorney and Community Services Director)

SUMMARY/BACKGROUND: Chapter 22 of the Nacogdoches Code of Ordinances outlines the use, maintenance, rules and monument regulations for all cemeteries owned and maintained by the City of Nacogdoches, including Sunset Cemetery, Oak Grove Cemetery, Pine Grove Cemetery and the Zion Hill Cemetery.

This item proposes a change to the ordinance to increase the maximum allowable height for headstones at Oak Grove Cemetery. Oak Grove Cemetery has approximately 3,000 burials, the earliest being 1837, and was built on land originally granted to Haden Edwards by Mexico in 1826. The cemetery has been enlarged several times, with the most recent addition being in 2018. Oak Grove Cemetery was designated a Historic Texas Cemetery by the Texas Historical Commission in September 2010.

Chapter 22 of the Nacogdoches Code of Ordinances was updated in 2000 to combine three different ordinance sections. In 2013, the code was updated in order to clarify wording and codify the plot prices. City staff conducted an unofficial inventory of monument heights in Oak Grove Cemetery to record how many monuments are currently above the 36-inch height restriction and their approximate installation dates:

- 1800s - 91 monuments
- 1900s - 356 monuments
- 2000s - 7 monuments

The proposed amendment will allow for monuments up to 60 inches tall, including the base, in Oak Grove Cemetery and will establish a way to request a variance for headstones above 60 inches tall. This proposal will not change the height restriction at the other City-owned cemeteries. The amendment will also clearly define the term monument which is used throughout the chapter.

This proposed ordinance amendment also clarifies language in multiple sections, including updating the reference from "park" to "cemetery" and removing verbiage from Article V which was intended to be removed during the 2000 ordinance update.

FINANCIAL:

No financial impact associated with this item

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

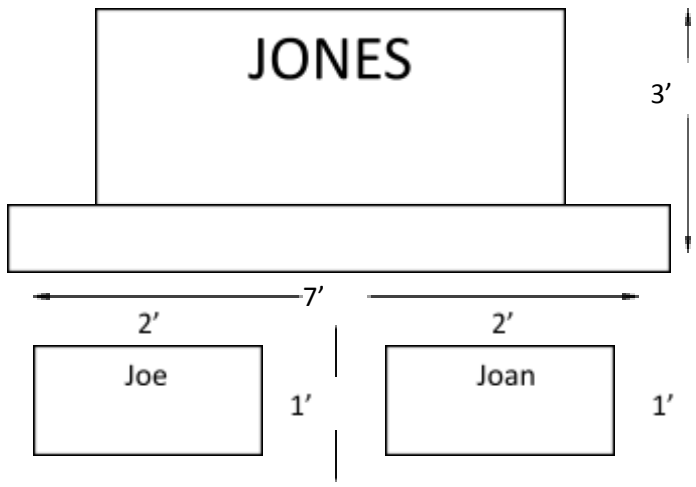
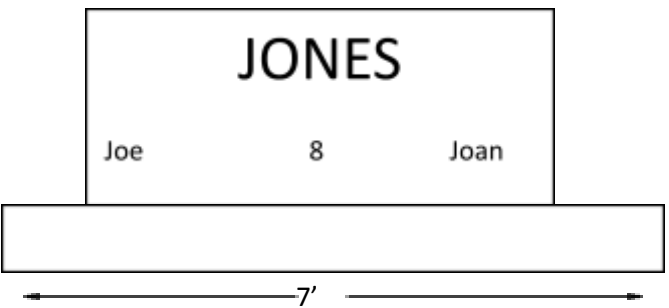
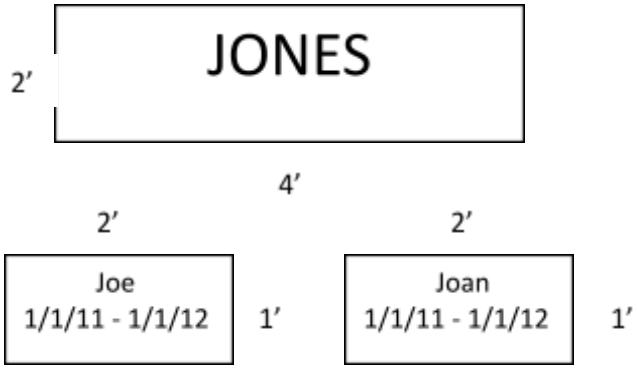
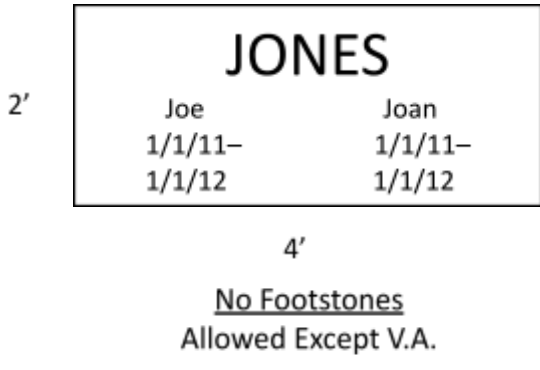
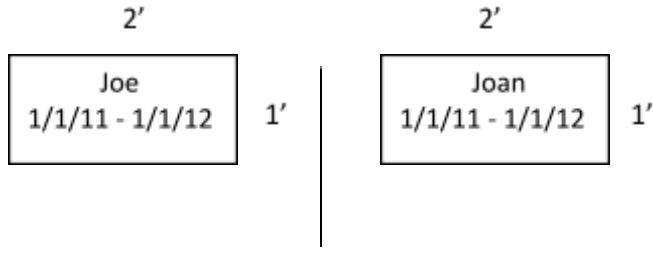
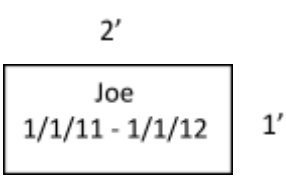
CITY CONTACT: Jerry Baker, City Attorney
baker@nactx.us
936-559-2503

Jessica Sowell, Community Services Director
sowellj@nactx.us
936-559-2935

ATTACHMENTS:

1. Current Monument Diagrams
2. Chapter 22 - Ordinance Update Presentation
3. Ordinance_Chapter 22 update

Monument Diagrams - City of Nacogdoches Cemetery

Up-Right Ledger	Up-Right Companion
	 <u>No Footstones</u> Allowed Except V.A.
Flat Ledger	Flat Companion
	 <u>No Footstones</u> Allowed Except V.A.
Flat Individual (2-Space)	Flat Individual (1-Space)
 <u>No Footstones</u> Allowed Except V.A.	 <u>No Footstones</u> Allowed Except V.A.

Chapter 22 Ordinance Amendment

Cemeteries

Article II, III, IV and Article V



Chapter 22 - Cemeteries

Ordinance adopted 2000, updated 2013.

The proposed amendment will:

- Allow for monuments up to 60 inches tall, including the base, in Oak Grove Cemetery
- Establish a way to request a variance for headstones above 60 inches tall.
- Clarification of wording in multiple sections.
- Definition of the term Monument & Mausoleum

This proposal will not change the height restriction at the other City-owned cemeteries.

Chapter 22 - Cemeteries, Article II - Use Regulations

Sec. 22-34. Monuments.

- (a) For purposes of this chapter, the term “monument” shall mean a headstone, grave marker, or similar permanent object of stone, bronze, or concrete that serves as a memorial to a person interred in the lot upon which the monument is located. The term “monument” may be used interchangeably in this chapter with the terms “marker”, “stone” and “monumental structure”. The term “mausoleum” shall mean a structure used for the interring of a person above ground in vaults.

Sec. 22-35. Upright marker section.

- (a) The upright marker section in city-owned cemeteries is comprised of four-grave family-size lots. It is permissible to use two markers, or one marker for all four spaces. Where it is planned to use two markers, the base of these markers should not be longer than 84 inches in order to conform to spacing between markers. The markers, including base, shall not be more than 36 inches above ground level, with the exception of any placed in Oak Grove Cemetery, as stated in Article V of this chapter of the Code of Ordinances. All information, names, and dates shall be on the marker, as no foot stone will be allowed.

Chapter 22 - Cemeteries, multiple locations

Remove:

to eliminate the undesirable, obsolete features usually found in old cemeteries

Listed in:

- Article III, Section 22-59 Sunset Memorial Park
- Article IV, Section 22-76 Pine Grove Cemetery
- Article V, Section 22-96 Oak Grove Cemetery

Change “park” to “**cemetery**” in multiple sections

Chapter 22 - Cemeteries, Article V - Oak Grove Cemetery

Sec. 22-97. Monument height regulations.

(a) Any monuments placed in Oak Grove Cemetery, including the base, shall not be more than 60 inches above ground level.

(a) The owner of a lot may apply for a variance concerning the height regulation. As part of the application, the owner must submit a plan and/or design to the Nacogdoches Cemetery Board for review and approval. A variance may be granted if the board determines that the application or enforcement of this regulation will result in an unnecessary hardship, and that the relief granted would be in accordance with the purpose of this cemetery, as stated above, and not contrary to the public interest.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF NACOGDOCHES, TEXAS, AMENDING CHAPTER 22 – “CEMETERIES”, ARTICLE II. – “USE REGULATIONS”, ARTICLE III. – “SUNSET MEMORIAL PARK”, ARTICLE IV. – “PINE GROVE CEMETERY”, AND ARTICLE V. – “OAK GROVE CEMETERY”, OF THE CODE OF ORDINANCES OF THE CITY OF NACOGDOCHES, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONTINUATION CLAUSE; PROVIDING A REPEAL CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

WHEREAS, the City of Nacogdoches is authorized under Article II, §1 of its Charter to “may hold, manage and control (property)...and shall enjoy all the rights, immunities, powers, privileges and franchises now possessed by said City, and herein conferred and granted”; and

WHEREAS, the City of Nacogdoches is further authorized under Article II, §21 of its Charter City to “have exclusive control over all City parks and playgrounds, and to control, regulate and remove all obstructions and prevent all encroachments thereupon; and to provide for raising, grading, filling, terracing, landscape gardening, erecting buildings, providing amusements therein, for establishing walks and paving driveways around, in, and through said parks, playgrounds and other public grounds.”

WHEREAS, the City Council of the City of Nacogdoches has exercised such authority and adopted ordinances which specific the applicable rules and regulations for city-owned cemeteries; and

WHEREAS, the City Council has determined the need to amend certain portions of these ordinances as set forth herein;

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

SECTION I

All above premises are hereby found to be true and correct legislative and factual findings.

SECTION II

CHAPTER 22 – “CEMETERIES”, ARTICLE II. – “USE REGULATIONS” of the Code of Ordinances of the City of Nacogdoches, Texas, is hereby amended, as set hereafter to include the following:

Sec. 22-34. Monuments.

- (a) For purposes of this chapter, the term “monument” shall mean a headstone, grave marker, or similar permanent object of granite, marble, stone, or bronze that serves as a memorial to a person interred in the lot upon which the monument is located. The term “monument” may be used interchangeably in this chapter with the terms

“marker”, “stone” and “monumental structure”. The term “mausoleum” shall mean a structure used for the interring of a person above ground in vaults.

- (b) Upon designated plots in city-owned cemeteries, the city may allow the erection of monuments and mausoleum structures.
- (c) All markers, monuments, mausoleums, or other monumental structures, if allowed in the cemetery, shall be constructed of a quality of granite, marble, or bronze approved by the city and of the length, width, and height to comply with the general plans of the city in the cemetery. The city reserves the right to prohibit the erection of any ~~monumental structure~~ which does not conform to its rules and regulations, and to remove such structures from the cemetery without liability, if they are constructed or erected in violation to its rules and regulations.
- (d) All markers and the foundation for same on all lots, save and except those that may be designated by the city as lots upon which monuments, mausoleums, or other monumental structures may be constructed, shall be restricted and are restricted to grass markers, that is, markers at ground level. Grass markers used at the head or foot of each grave must be one foot by two feet by four inches thick, and must be placed so as not to be above ground level.
- (e) The use of a minimum of two-piece concrete box or vault in burials shall be required.
- ~~(a)~~(f) Only markers obtained from the Veterans Administration will be allowed at the foot of a grave if a head stone is in place.

Sec. 22-35. Upright marker section.

- (a) The upright marker section in city-owned cemeteries is comprised of four-grave family-size lots. It is permissible to use two markers, or one marker for all four spaces. Where it is planned to use two markers, the base of these markers should not be longer than 84 inches in order to conform to spacing between markers. The markers, including base, shall not be more than 36 inches above ground level, with the exception of any placed in Oak Grove Cemetery, as stated in Article V of this chapter of the Code of Ordinances. All information, names, and dates shall be on the marker, as no foot stone will be allowed.
- (b) In using one marker (with four panels) on a lot, this marker shall be placed so as to center the lot at the head of the graves. Where two markers are placed at the head of graves, there must be two feet clearance between markers for maintenance purposes.

SECTION III

CHAPTER 22 – “CEMETERIES”, ARTICLE III. – “SUNSET MEMORIAL PARK” of the Code of Ordinances of the City of Nacogdoches, Texas, is hereby amended, as set hereafter to include the following:

Sec. 22-56. Name; purpose.

The name of this cemetery will be Sunset Memorial Park. The cemetery is more fully described on a plat recorded on file at the city cemetery office. The purpose of the city in establishing and maintaining this cemetery is ~~to eliminate the undesirable, obsolete features usually found in old cemeteries, and~~ to beautify this property and perpetually maintain it, so that it will give all who visit it the feeling of peacefulness and rest that a beautiful and modern park-cemetery should suggest and to honor those interred into ~~the~~ Sunset Memorial Parkpark. Sunset Memorial Park is a perpetual care cemetery.

SECTION IV

CHAPTER 22 – “CEMETERIES”, ARTICLE IV. – “PINE GROVE CEMETERY” of the Code of Ordinances of the City of Nacogdoches, Texas, is hereby amended, as set hereafter to include the following:

Sec. 22-76. Name; purpose.

The name of this cemetery will be Pine Grove Cemetery. The cemetery is more fully described on a plat recorded on file at the city cemetery office. The purpose of the city in establishing and maintaining this cemetery is ~~to eliminate the undesirable, obsolete features usually found in old cemeteries, and~~ to beautify this property and maintain it, so that it will give all who visit it the feeling of peacefulness and rest that a beautiful and modern park-cemetery should suggest and to honor those interred into ~~the~~ Pine Grove Cemeterypark.

SECTION V

CHAPTER 22 – “CEMETERIES”, ARTICLE V. – “OAK GROVE CEMETERY” of the Code of Ordinances of the City of Nacogdoches, Texas, is hereby amended, as set hereafter to include the following:

Sec. 22-96. Name; purpose.

The name of this cemetery will be Oak Grove Cemetery. The cemetery is more fully described on a plat recorded on file at the city cemetery office. The purpose of the city in establishing and maintaining this cemetery is ~~to eliminate the undesirable, obsolete features usually found in old cemeteries, and~~ to beautify this historic property and maintain it to give all visitors the feeling of peacefulness and rest that a beautiful historic park-cemetery should suggest and to honor those interred into ~~the~~ Oak Grove Cemeterypark.

Sec. 22-97. Monument height regulations.

(a) Any monuments placed in Oak Grove Cemetery, including the base, shall not be more than 60 inches above ground level.

(b) The owner of a lot may apply for a variance concerning the height regulation. As part of the application, the owner must submit a plan and/or design to the Nacogdoches Cemetery Board for review and approval. A variance may be granted if the board determines that the application or enforcement of this regulation will result in an unnecessary hardship, and that the relief granted would be in accordance with the purpose of this cemetery, as stated above, and not contrary to the public interest.

SECTION VI

Severability. If any word, article, phrase, paragraph, sentence, clause, or provision of this Ordinance shall be held to be invalid or unconstitutional, such holding shall in no way affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end provisions of this Ordinance are declared to be severable.

SECTION VII

Continuation. All provisions of Chapter 22 of the Code of Ordinances existing prior to the date of passage of this Ordinance remain in full force and effect.

SECTION VIII

Repeal. This Ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Nacogdoches, and this Ordinance shall not operate to repeal or affect any such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with provisions of this Ordinance, in which such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

SECTION IX

Effective Date. This Ordinance shall take effect ten (10) days from its passage and publication as may be required by governing law.

SECTION X

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

SECTION XI

Official Public Records. 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.

PASSED AND APPROVED this the ____ day of _____, 2025, by a vote of ____ (ayes) to ____ (nays) of the City Council of the City of Nacogdoches.

ATTEST:

CITY OF NACOGDOCHES

Karen Hadnot, Interim City Secretary

BY: _____
Randy Johnson, Mayor

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Jerry Baker, City Attorney

Jessica Sowell, Director of Community
Services

PRESENTER: Jessica Sowell, Community Services Director

ITEM/SUBJECT: Public Hearing: Discuss and consider action on Historic Overlay Case HO2025-01 regarding a request to apply Historic Overlay designation on one parcel of land approximately 0.24 ± acres in size, more particularly described by Nacogdoches Central Appraisal District Parcel 27682; and is located at 1301 Raguet Street, Nacogdoches, Texas. (Community Services Director)

SUMMARY/BACKGROUND: The applicant, Isabella Baker, has requested the property located at 1301 Raguet Street be included in an historic overlay district. The property is generally located at the corner of Bailey Avenue and Raguet Street, directly north of Nacogdoches Memorial Hospital and Blount Park. The applicant provided research and photographs of the structure. An expert of the research is shown below:

The Taylor Medical Office Building, located at 1301 Raguet Street in Nacogdoches, Texas, is a significant example of mid-twentieth-century modern architecture. Built in 1952 and designed by noted Texas architect Raiford L. Stripling, the one-story, flat-roofed structure was originally constructed to house Dr. Taylor's dental practice. The building's domestic scale and careful integration into the surrounding residential neighborhood reflect a broader postwar trend of workplace suburbanization. Its use of red Roman brick, black glazed brick, horizontal window bands, redwood siding, and unique steel column features mark it as a distinct product of the 1950s architectural style. Positioned near Memorial Hospital and Blount Park, the structure was part of the area's shift from residential to institutional use. Not only does the Taylor Medical Building maintain a high level of historical integrity, but it also represents the earliest known surviving example of commercial mid-century modern design in Nacogdoches, predating similar buildings on the Stephen F. Austin State University campus. As a rare and early commercial project by Stripling—better known for his residential and historic preservation work—the building holds architectural and historical value both locally and regionally.

By city ordinance, at least one of six criteria must be met in order to achieve designation in an historic overlay district. In deciding this case, City Council must consider if 1301 Raguet Street meets any of the criteria for designation, which are listed below. If the property meets any one of the criteria, it qualifies for Historic Overlay zoning. If it meets none, it is ineligible. The property owner cited criteria 1, 4 and 5 in their application.

Sec 50-130. Criteria for designation.

(1) Possesses significance in history, architecture, archaeology, or culture.

(2) Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, or national history.

(3) Is associated with the lives of persons significant in the city's past.

(4) Embodies the distinctive characteristics of a type or period of architecture, or method of construction.

(5) Represents the work of a master designer, builder, or craftsman.

(6) Represents an established and familiar visual feature of the city. (Ord. No. 1130, art. XI, § 6, 11-3-1998)

The Historic Landmark Preservation Committee met on July 7, 2025, and voted unanimously to approve the request, finding that it met criteria 1, 4 and 5. In addition, the Planning and Zoning Commission met on July 14, 2025, and voted unanimously to approve the request.

FINANCIAL:

No financial impact associated with this item

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

CITY CONTACT: Jessica Sowell, Community Services Director
sowellj@nactx.us
936-559-2935

ATTACHMENTS:

1. 1301 Raguet Map
2. Research
3. 7_7_2025 HLPC Minutes
4. Historic Overlay Presentation 8-5-25

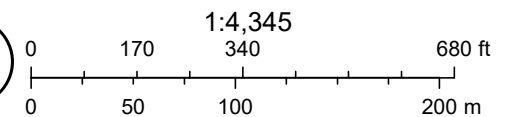
City of Nacogdoches GIS



6/25/2025, 12:09:58 PM

Buildings

 City Limits



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Dr. Taylor Medical Office Building

Nacogdoches TX

The Taylor Medical Office Building at 1301 Raguet Street and Bailey Avenue in Nacogdoches, Nacogdoches County, Texas, is a one-story, flat-roofed, brick-veneer medical professional building constructed in 1952 and designed by San Augustine, Texas, architect Raiford L. Stripling. The clinic is located across Bailey Avenue from Blount Park, half-a-block north of the complex of Memorial Hospital. Domestic in scale, the clinic was designed to be compatible with the one-story houses set in lawn-landscaped yards along Raguet Street. These predate the construction of doctors' offices and other medical facilities adjacent to Memorial Hospital. The Taylor Medical Office Building qualifies for designation as a City of Nacogdoches historic property because it possesses significance in the history of architecture in Nacogdoches, is associated with the trend toward workplace suburbanization associated with the mid-twentieth-century period, embodies the distinctive characteristics of the type of the professional medical office building associated with the mid-twentieth-century period, and is the work of a regionally recognized architect, Raiford L. Stripling. The building has been well maintained and retains its historical integrity to a substantial degree.

The Taylor Medical Office Building was built on Lot 14, Block 1, of the Blount Estate Addition at the northwest corner of Raguet Street and Bailey Avenue, approximately one mile northeast of Nacogdoches's historic plaza and three blocks south of the campus of what is now Stephen F. Austin State University. This sector of the city was not mapped in the Sanborn Map of 1922. It lay at the northeast edge of Nacogdoches in the 1929 edition of the Sanborn map, and was still predominantly residential in the 1946 revision of the 1929 edition of the Sanborn Map. Blount Park and City Memorial Hospital were present by 1929, forecasting the historical impact that modernization and expansion of the hospital complex would have on the neighborhood. The building was constructed by Dr. Taylor of Nacogdoches to house his dental practice.

The Taylor Medical Building is a rectangle in plan, with its longer dimension parallel to Bailey Avenue. Two rectangular projections protrude from the plan: the entrance pavilion at Bailey and Raguet, which has a higher roofline than the rest of the building, and a porte-cochère on the north side of the building, accessible from a paved driveway that wraps around the clinic's north and west elevations.

The lower zone of the building is faced with red Roman brick. This brick spandrel is capped by a sill of black glazed brick laid in rowlock course. A projecting frame of black glazed brick, three widths thick and laid in stack bond, contains the primary public entrance to the building. The wall above the brick spandrel contains a horizontal band of vertically proportioned windows separated by redwood piers. The windows facing Bailey on the south alternate between fixed panes of plate glass and operable shutters. The windows on the east, facing Raguet and framing the brick front door portal, are fixed panes of plate glass. The front door is wood and contains a plate glass insert. The exterior walls of the entry pavilion are recessed in plan to accommodate raised access walks along the Bailey side of the building and the Raguet front. These walks are shaded by the projecting roof plate above. The underside of the overhanging roof plate is redwood stripping. On the Raguet front of the building, the roof overhang is supported by a pair of thin circular steel columns. A screen wall faced with vertical redwood boards projects forward, perpendicular to the clinic's front wall, to mark the north edge of the high-roofed entrance pavilion. A framed aperture cut into the screen wall provides a view of vegetation planted between the east front of the clinic and the public sidewalk along Raguet. Although the east

front wall of the building is closer to Raguet Street than the fronts of neighboring houses, the building's front planting area contains a tall loblolly pine tree and a mature Southern magnolia tree that both screen and shade the building.

Visible from Raguet Street is a flat-roofed canopy that shades a carport. The canopy projects forward from the north side of the lower-roofed portion of the building. The carport is wide enough to accommodate two cars side-by-side. It is supported by a pair of four-inch welded steel pipe columns diagonally aligned to form a downward pointing triangle.

The lower-roofed portion of the building is belted by a high spandrel faced with Roman brick on its north and south sides and its west, rear, elevation. Above the black brick rowlock sill line of the spandrel, rectangular steel tri-fold windows are aligned in horizontal bands in fields of vertical redwood siding. The flat roof plates, faced with a redwood fascia, overhang the clinic on all four sides.

The Taylor Medical Building possesses significance in the history of architecture in Nacogdoches as a domestically scaled professional building constructed in a suburban residential neighborhood rather than in, or near, Nacogdoches's historic downtown plaza; as a work of mid-twentieth-century modern architecture; and as the design of a regionally significant architect, Raiford L. Stripling of San Augustine.

The Taylor Medical Building embodies the distinct characteristics of a building type (the domestically scaled one-story professional building located in a suburban rather than downtown setting) that is associated with a specific time period (the midpoint of the twentieth century). The Taylor Medical Office Building, by virtue of its one-story height, its construction on a residential lot in the Blount Estate Addition, and its 195_ time period, represents trends associated with broad patterns of Nacogdoches's history in the postwar 1940s and 1950s. The replacement in 1957-58 of Nacogdoches County's classical 1912 courthouse with a sprawling, one-story "ranch house" type courthouse, set back from the intersection of W. Main Street and North Street behind an expansive green lawn, is the foremost local example of this broad architectural trend. As architect Leonard Lane observes in his commentary on Texas county courthouse architecture: "This style is related to the low-slung ranch house designs that were popular in mid-century America.... The original building [the 1958 courthouse], with its broad front porch facing a lawn, is residential, the 'home' of county government, if you will. Very informal and un-institutional, the courthouse was intended to fit in to the modern look of suburban America in the 1950s." The book *Doctors' Offices and Clinics: Medical and Dental*, a nation-wide survey of medical professional buildings published initially in 1955 and reissued in a revised edition in 1960 by the Reinhold Publishing Company, illustrated six examples of modern medical professional buildings in Texas, all one-story, domestically scaled buildings located outside downtown business districts.

The Taylor Medical Building stands out as a work of postwar, mid-twentieth-century modern architecture. Character defining features associated with dominant trends in American architecture of this period are its low profile, flat roofs, horizontally aligned window bands, and finish materials. The mixture of red Roman brick in the building's base course, the black rowlock sill courses and the stack bond of the entrance portal, redwood siding in the window zone, and a redwood fascia edging the flat

roofs materialize the clinic's construction in the 1950 period. The alignment of windows in horizontal rows in both the high-roofed entrance pavilion and the lower-roofed portion of the building is also associated with suburban office buildings of the mid-century period. The use of steel pipe columns, especially the inverted triangular configuration of the columns supporting the carport, is a further character defining architectural feature of the period, as is the architectural acknowledgement of the automobile in the provision of an open carport. The Taylor Medical Building joins the Hotel Fredonia at 200 N. Fredonia Street (1955, J. N. MacCammon and Carlos B. Schoeppl, architects), the Nacogdoches County Courthouse at 101 W. Main Street (1958, J. N. MacCammon, architect), the Nacogdoches Savings & Loan Association Building at 118 E Hospital Street (1962, J. N. MacCammon, architect), and the Alice Ann Hutson and Morris Muckleroy House at 4308 Raguet Street (1961) as a distinctive Nacogdoches example of this broad, mid-twentieth-century architectural trend. (Courtesy of Stephen Fox AIA)

The Taylor Medical Building is significant as a work of Raiford L. Stripling (1910-1990), a twentieth-century Texas architect based in San Augustine, Texas, thirty-five miles east of Nacogdoches. Stripling is especially remembered for his restoration and reconstruction of historic Texan buildings, documented in D. Michael McCullar's book, *Restoring Texas: Raiford Stripling's Life and Architecture* (1985). In addition, Stripling also had a long practice designing new buildings, including many in Nacogdoches. Most of Stripling's residential designs were based on historic prototypes. The Mrs. Worth White House at 311 Hughes Street, the Edward Blount Tucker House at 2900 Raguet Street, the Eli Pool House at 898 Norma Street, and the Bill Weems House at 2338 Carol Street represent the traditional trend in Stripling's work. The Taylor Medical Building stands out among his Nacogdoches buildings as a work of mid-twentieth-century modern architecture. The Raiford L. Stripling Collection at the Cushing Memorial Library at Texas A&M University contains architectural drawings for other projects that display similarities to the Taylor Medical Building. Stripling's design for Dr. N. W. Bird's dental office in Jasper TX of 1949 employs Roman brick facing and includes a one-car carport supported on a pair of welded four-inch pipe columns positioned in a V formation. An addition to the Brookeland School in Brookeland TX that Stripling designed in 1953 incorporated diagonally aligned columns, as did an undated design for an apartment building in Center TX for Dr. James P. Bridges. The size, scale, architectural composition, and materials of the Taylor Medical Building identify it as a work of mid-twentieth-century American modern architecture.

As my research has been setting a precedence for early Mid-Century buildings in Nacogdoches, 1301 Raguet is the earliest example in terms of "commercial". I have found several examples of residential work that is probably from the mid to late 1950s. The commercial Mid-century buildings can be found on the campus of Stephen F Austin State University. They were all designed by the Lufkin, Texas firm of Marcellos, & Scott starting in 1965. Not only do I personally find 1301 Raguet to be a perfect aesthetic example of design details found in the 1950's, but it appears to be the earliest building standing of that decade.

References used in this submittal are:

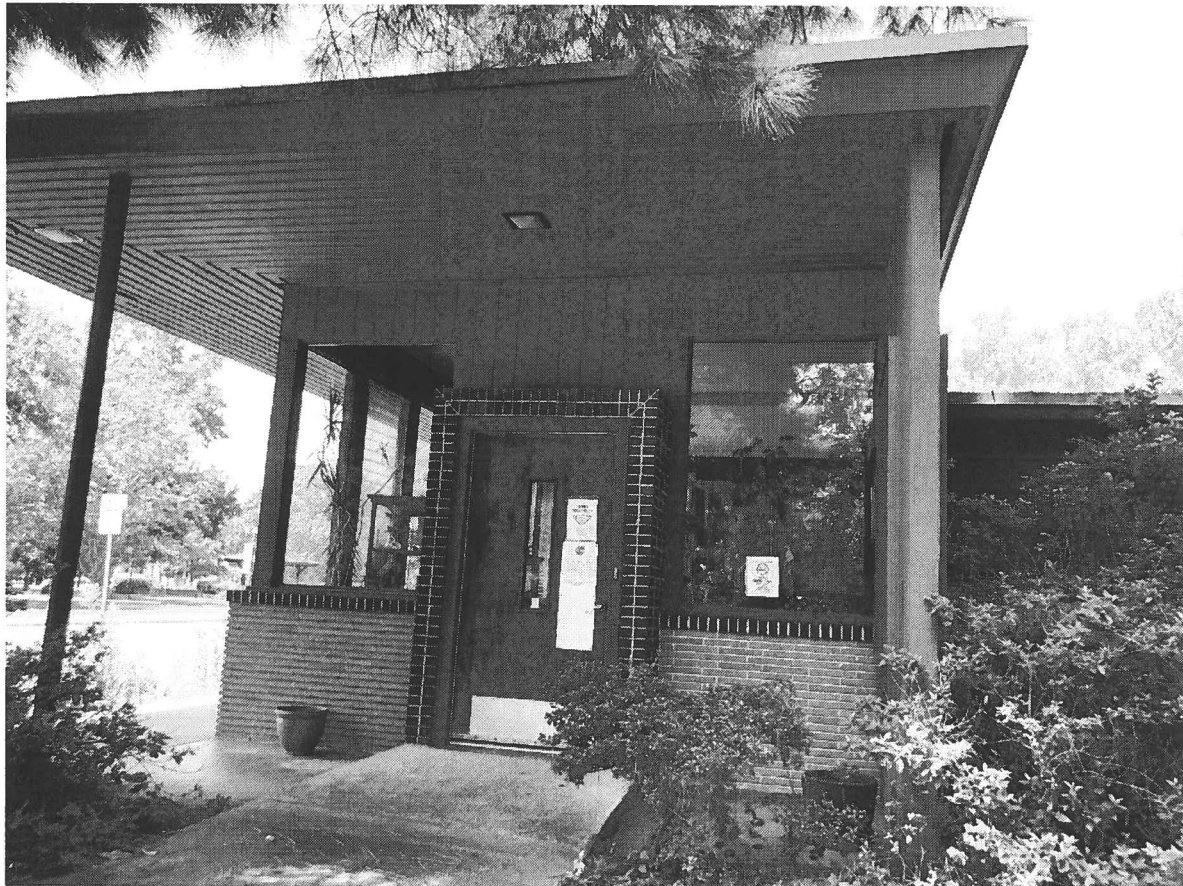
A Dollar a Mile, Fifty Cents a Gate, Taylor, James G. M.D., 2000, Nortex Press, ISBN 978-1-57168-502-5

Restoring Texas: Raiford Stripling's Life and Architecture, McCullar, Michael. 1985, Texas A & M University Press, ISBN 0-89096-254-5

Drawings and renderings courtesy of Dr. Richard Baker M.D. 2021

Architectural description of 1301 Raguet Street, Fox, Stephen, AIA, Rice University 2021

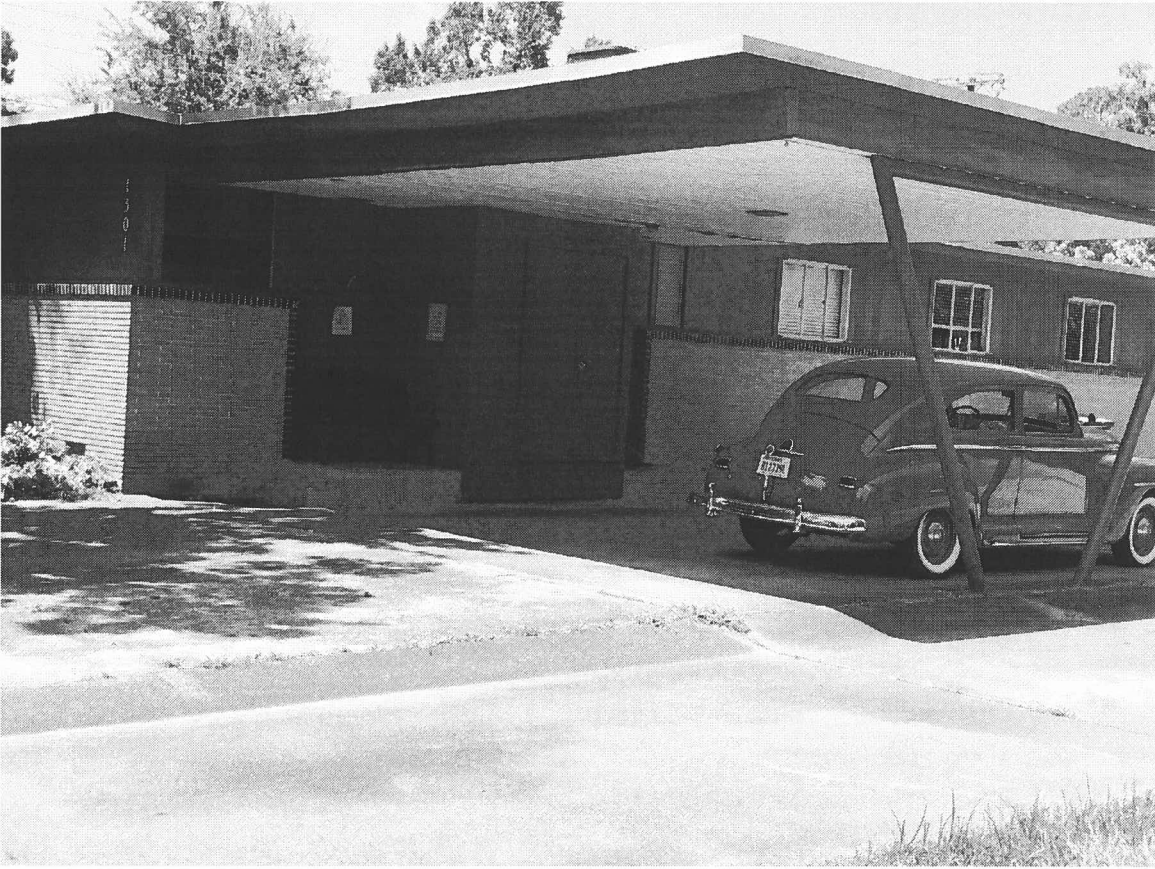
1204 North Mound Street TimeLine Lot 47-48, Block 45, Samuel Tadlock and Dr. Perky Beisel, Stephen F. Austin State University 2013



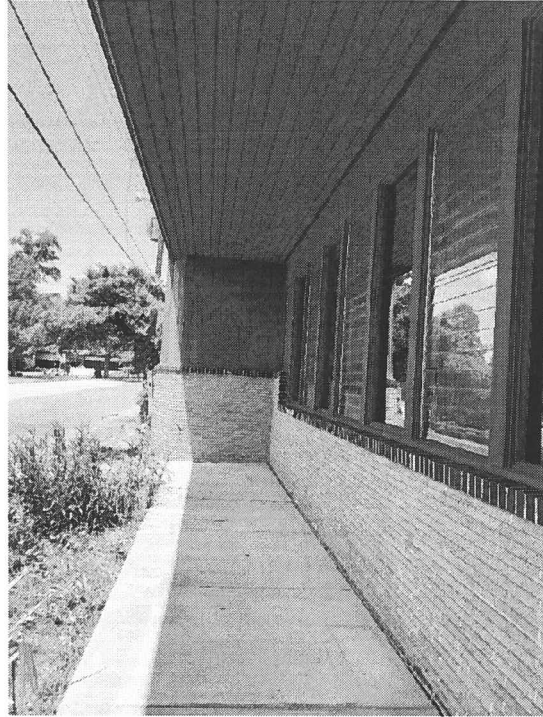
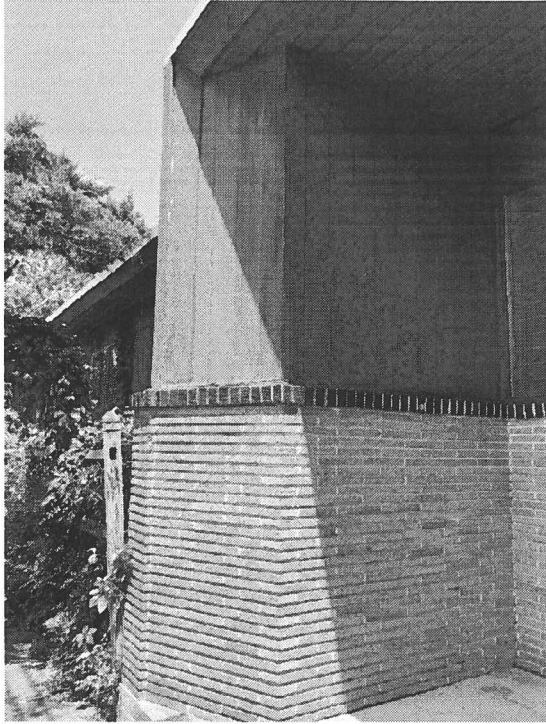
The Taylor Medical Building front entrance, facing East on Raguet Street.



Looking South toward the front entrance from Raguet Street.

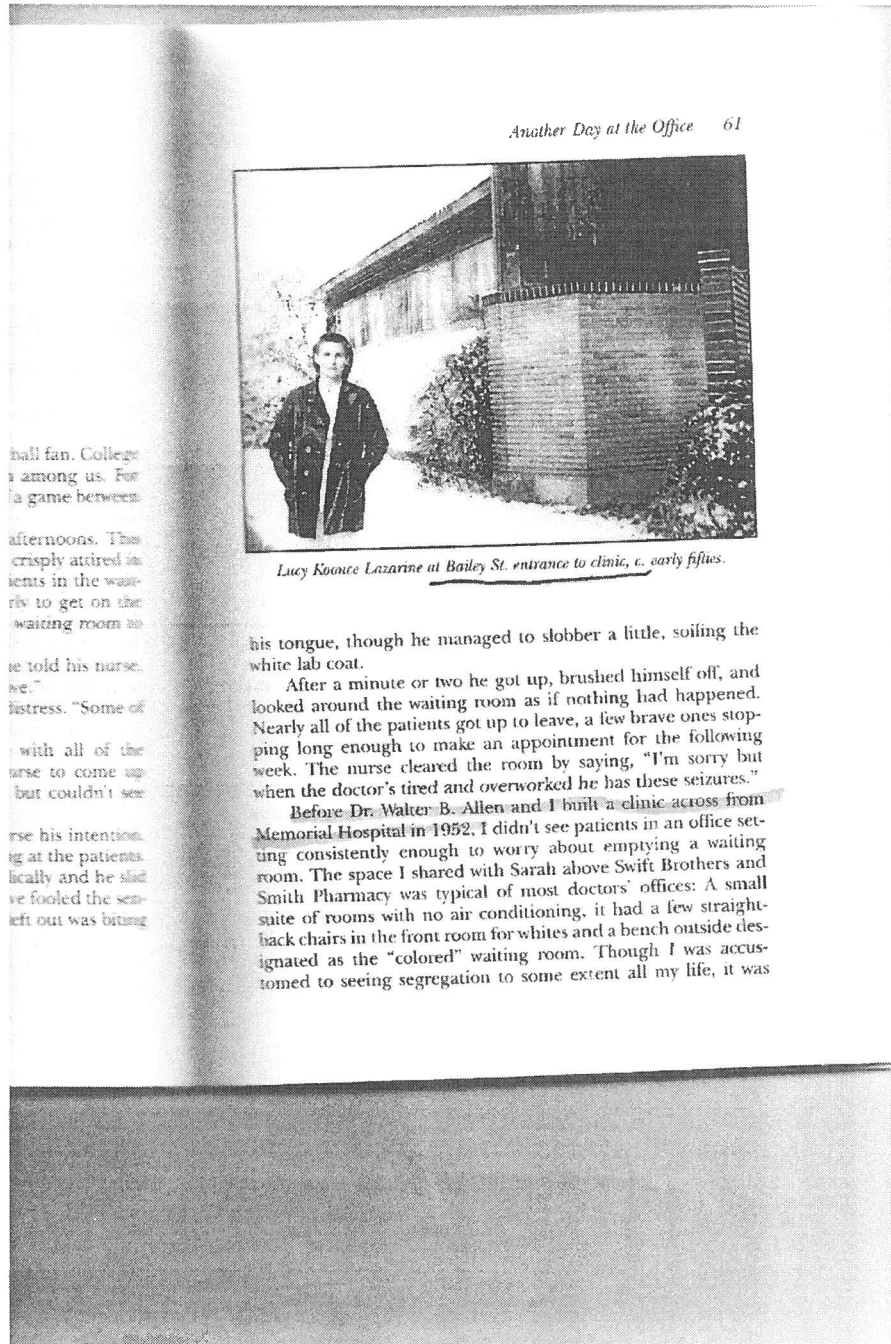


Looking south west on Raguet Street, at the northern side of the building toward the carport.

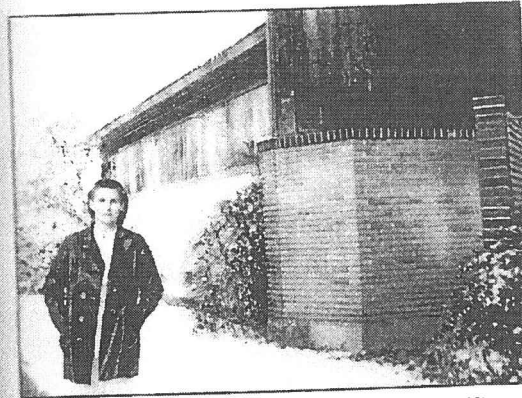


Chamfered detail on south facing side of the building from Bailey Street.

Reference an image included as a separate document, attached below, taken from "A Dollar a Mile, Fifty Cents a Gate" by Dr. James G. Taylor M.D. pg. 61.



Another Day at the Office 61



Lucy Koonce Lazarine at Bailey St. entrance to clinic, c. early fifties.

ball fan. College
among us. For
a game between

afternoons. This
crisply attired in
ients in the wait-
rily to get on the
waiting room to

ie told his nurse.
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distress. "Some of

with all of the
urse to come up
but couldn't see

se his intention.
ing at the patients.
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ve fooled the sen-
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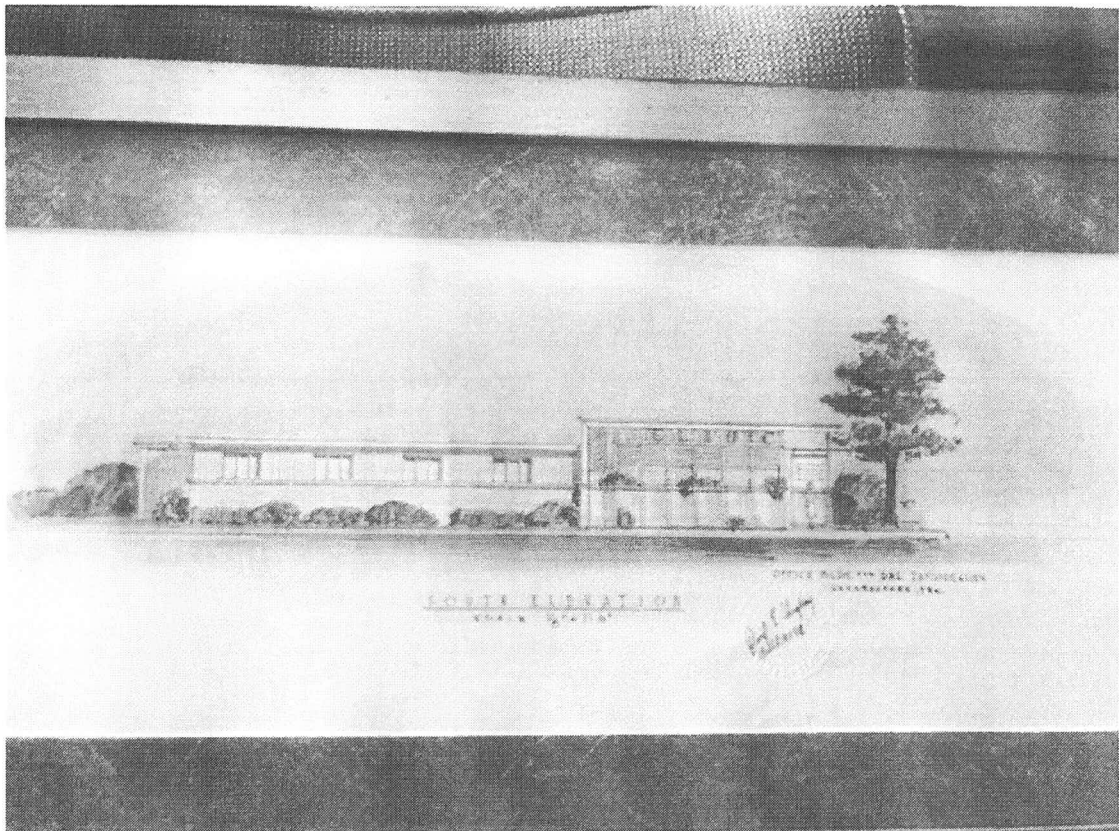
his tongue, though he managed to slobber a little, soiling the white lab coat.

After a minute or two he got up, brushed himself off, and looked around the waiting room as if nothing had happened. Nearly all of the patients got up to leave, a few brave ones stopping long enough to make an appointment for the following week. The nurse cleared the room by saying, "I'm sorry but when the doctor's tired and overworked he has these seizures."

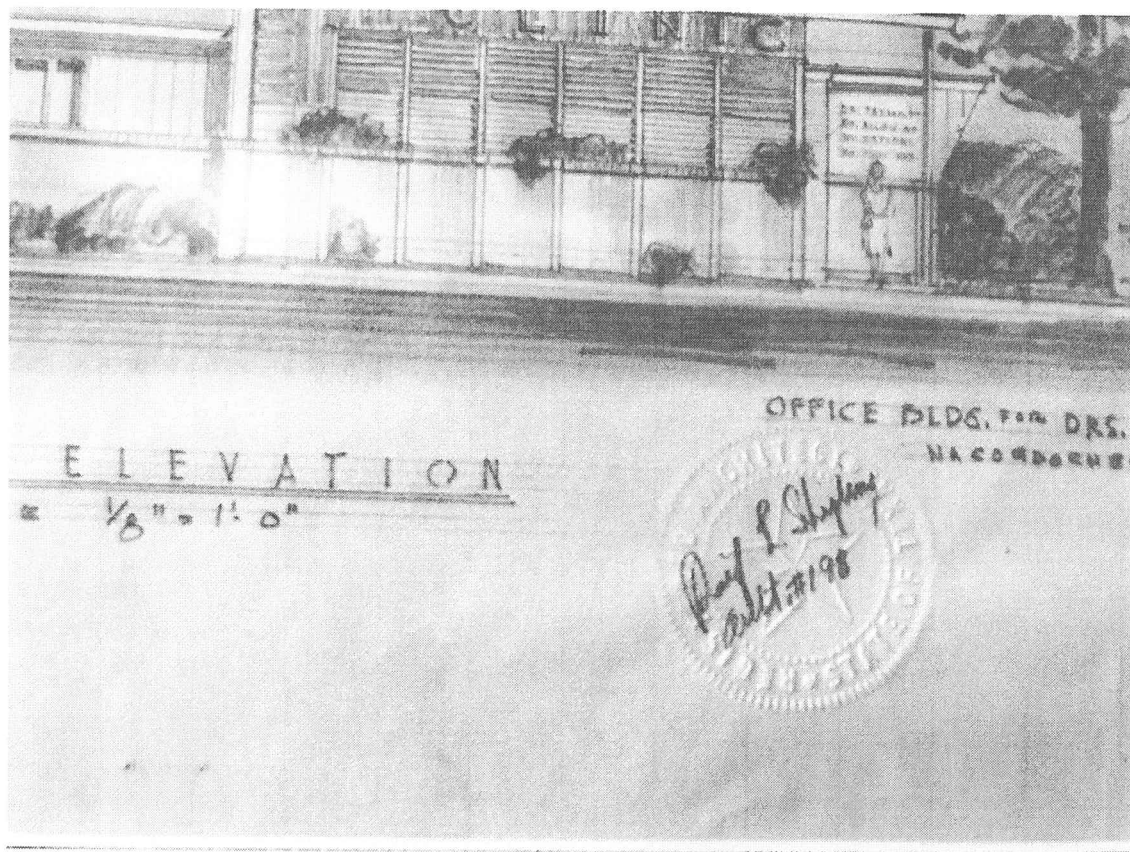
Before Dr. Walter B. Allen and I built a clinic across from Memorial Hospital in 1952, I didn't see patients in an office setting consistently enough to worry about emptying a waiting room. The space I shared with Sarah above Swift Brothers and Smith Pharmacy was typical of most doctors' offices: A small suite of rooms with no air conditioning, it had a few straight-back chairs in the front room for whites and a bench outside designated as the "colored" waiting room. Though I was accustomed to seeing segregation to some extent all my life, it was

pg. 61 "A Dollar a Mile, Fifty Cents a Gate," JAMES G. TAYLOR M.D. 2000

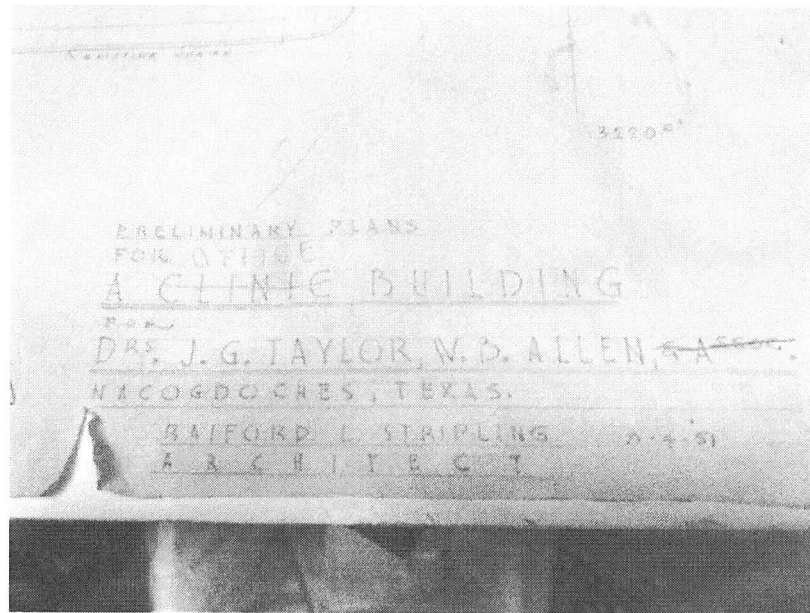
Photo images of renderings hung on the wall of the waiting room of Dr. Richard Baker's office.



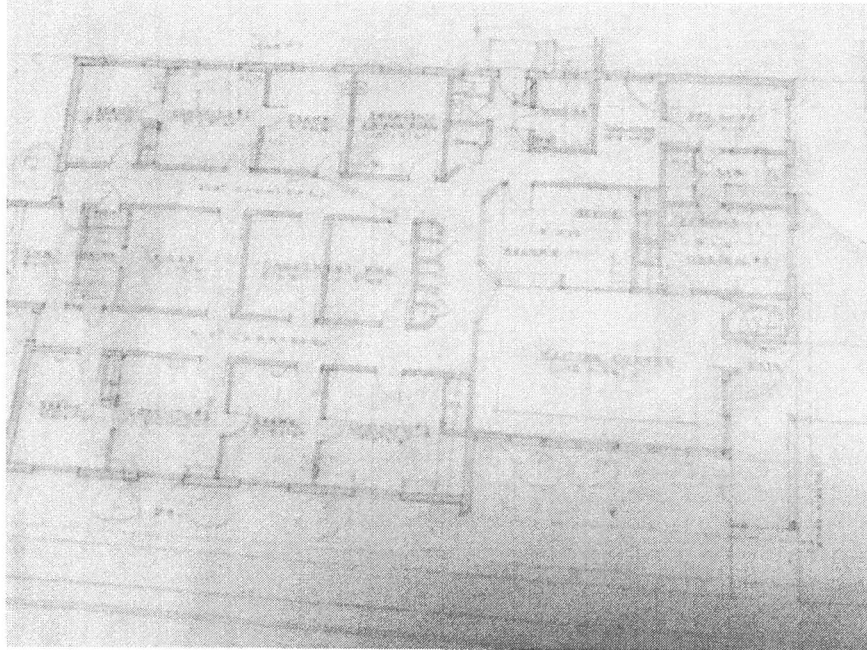
1301 Raguet south Elevation of original rendering



Railford Stripling seal on rendering

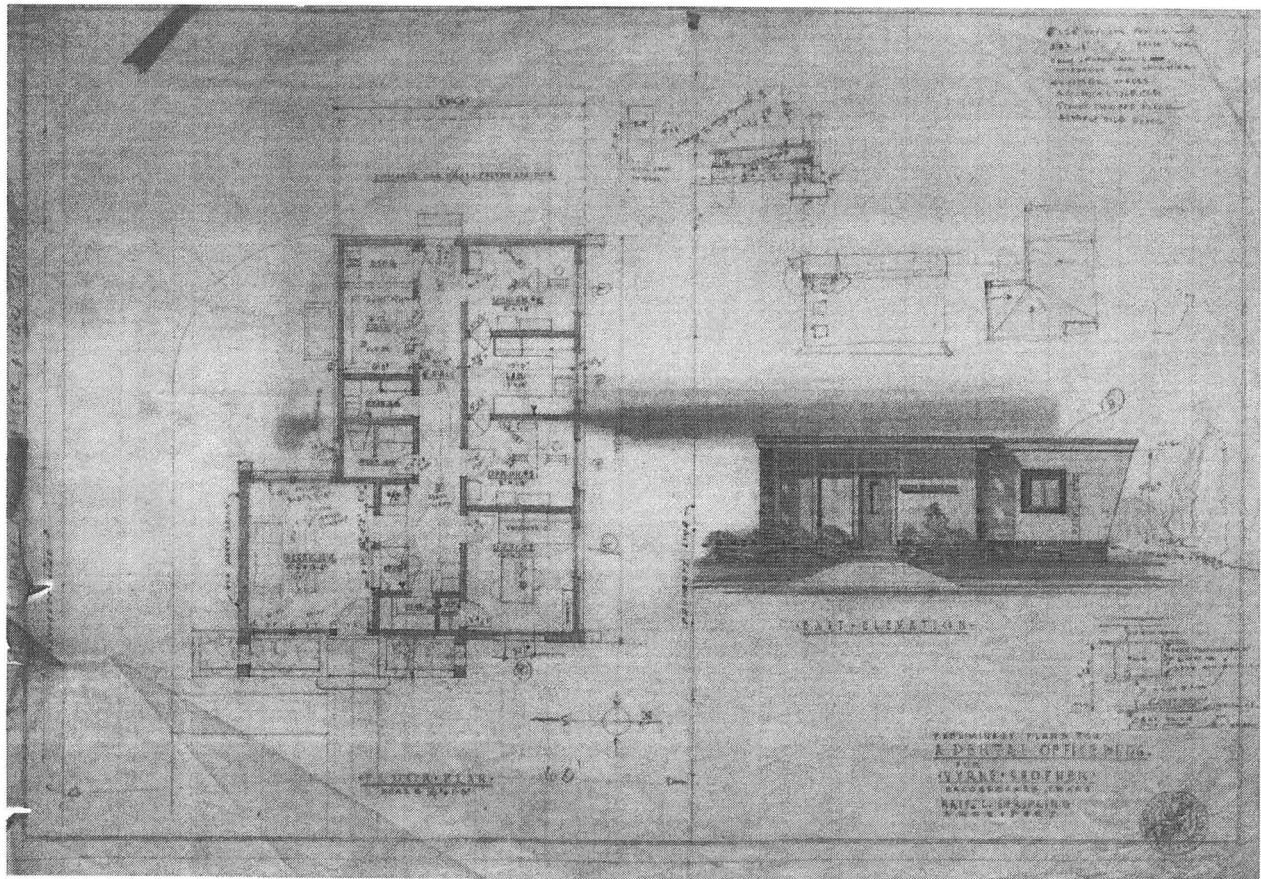


Original Construction drawings Title Block with date



Original Construction Drawings: Interior Floor Plan

Other Medical Buildings designed by Railford Stripling



Plans for a Dental Office for Vyrne Shofner D.D.S. found in Texas A&M University archive.

white oak he needed from Tennessee. Assuming that the siding and shingles remained more or less constant during the various remodelings, Raiford referred to the photograph to determine the appropriate number of boards for the side of the building and shingles for the roof. To give the siding a rough finish, boards were cut 2 inches thick and 6 3/4 inches wide, then hand planed. Raiford made the siding thick enough to insulate the interior yet appear to be the standard half inch in thickness by cutting a U-shaped groove on the top and bottom of each board so that, when viewing the wall from the inside as well as out, the edges of the boards seem to overlap.

Raiford was concerned about insulation because of the comfort factor. Although made to look every bit as unfinished as the original, complete with unceiled roof and walls, Independence Hall is a good bit more cozy for the benefit of today's tourists than it was for the delegates to the convention in 1836. One of Raiford's biggest challenges was to figure out a way to conceal the air-conditioning system, which he did by running the ductwork from beneath the floor

and hiding it under the display cases, along with the electric lighting. (Parks and Wildlife has since removed the display cases to make the hall more authentic, although grills for the ducts are now visible in the hardwood floor and artificial lighting is provided by electric lights along the walls that look like candles.)

Another concern, Raiford says, was how to make the building easy for Parks and Wildlife to maintain. He achieved that, in part, by sandwiching a metal roof between two layers of shingles and roof insulation, so that the roof looks like the same roof inside and out and won't require a lot of care to keep from leaking. He also put shutters on the windows and coated the siding with the same preservative he later used on the Carrett House in San Augustine (see p. 118).

Although somewhat overshadowed by the nearby Star of the Republic Museum, Independence Hall is operated by the Parks and Wildlife Department as the rightful centerpiece of the Washington-on-the-Brazos State Historical Park and is open to the public from 10:00 A.M. to 5:00 P.M., seven days a week.

Design of Sabine County Hospital, Hemphill

The residents of Sabine County—which borders San Augustine County to the east—had never really had a full-fledged hospital. In the 1920s, a six-bed clinic was built above a drugstore in Hemphill, the county seat, but after its proprietor died in 1936, the clinic was closed. Then in the late forties, local drugstore owner and real estate man Leon Adickes commissioned Raiford to design a new six-bed clinic, which was built in 1950 and expanded to a ten-bed facility in the late fifties, after Adickes sold it to Dr. Grover Winslow. But Dr. Winslow was

not a surgeon, and for county residents to obtain comprehensive health care they had to travel to Nacogdoches, Houston, Beaumont, Lufkin, or Jasper. Finally, in the mid-seventies, Adickes spearheaded a drive to build a state-of-the-art hospital in Hemphill, commissioning Raiford to design a thirty-six-bed facility on the west side of town that has since become a model for rural county hospitals nationwide.

The project began in 1975 with the creation of the county's first hospital district and the election of a five-member board of



Entrance to Sabine County Hospital, Hemphill. (Photograph by Laura Cicarella)

1975

directors. After passage of a bond issue in 1977 and receipt of a loan from the Farm and Home Administration (FmHA), the board called for a design that would put patient-care areas—operating and delivery rooms, labs, and nursing station—at the core of a 22,500-square-foot, one-story main building, surrounded by a corridor and patient rooms. Other patient-care as well as service areas— isolation room, intensive care unit, kitchen, cafeteria, and offices—were to be arranged around the building's perimeter, and an adjoining wing of patient rooms was to be designed to accommodate future expansion on the wooded, nine-acre site. The board also wanted a maintenance-free ex-

terior, one that would require little or no painting.

The hospital could have been built of concrete block and sufficiently served those purposes, but Raiford and Raggy talked the board into spending a little more money to clad it in a brownish gray brick veneer; spruce it up with white pilasters, lintels, corbeled brick, and other Greek Revival details; and top it all with a standing-seam metal roof, which is in the form of a sloping mansard except at the main entrance, where a hipped portion covers a columnar porch. Now, as Raiford says, "It has all the dignity that a building needs." (Raiford also remembers that one board member wanted to

HISTORY OF MEMORIAL HOSPITAL

The first hospital in Nacogdoches was built in 1928 from funds received when the City of Nacogdoches sold its electrical power plant, and the land was made available by a gift from Mrs. Iasca Blount. The hospital was known as City Memorial Hospital. It had a bed capacity of 28. Names on the original plaque of the 1928 City Memorial Hospital structure were:

Mayor — W. I. Baker
Secretary — R. C. Monk
Aldermen — Roy Gray
Joe Goldsberry
Hal Tucker
Hilliard Stone

Additions were made to the hospital in 1938, 1951, and 1954. The last addition was in 1964 with a bed capacity of 143. The Tucker Wing which opens Sunday, February 1, 1976 will have a bed capacity of 52, making a total of 195 beds.

By an act of the Texas Legislature on June 12, 1967, House Bill #1248, the Nacogdoches County Hospital District was established. On April 9, 1968 an election was ordered by the County Judge of Nacogdoches County calling for the election to establish by the voters of the district the Nacogdoches County Hospital District, to assume the full responsibility of the operations of the City Memorial Hospital, assuming all liability and all assets from the City of Nacogdoches. The vote was affirmative and the district was approved by a substantial majority. On May 6, 1968 ownership was changed to Nacogdoches County Hospital District and the name of the hospital was changed from City Memorial to Memorial Hospital. At this time the first Board of Directors of the Nacogdoches County Hospital District were elected. These directors were:

Dr. Stewart S. Barron	Dr. Eugene S. Rogers
Mr. Jerry K. Johnson	Mr. Frank Sisco
Dr. James E. Redfield	Dr. James G. Taylor
Mr. Eugene Weatherly	

MINUTES
Nacogdoches Historic Landmark Preservation Committee
July 7, 2025 - 4:00 p.m.
City Council Chambers

Commissioners Present: Eric Gaylord, Charles Braberry, Jeff Abt, John Sloane, Zee Whitehead, Chris LaBauve, Vickie Winthrop and Mitzi Blackburn.

Commissioners Absent: Joanne Shofner and Eric Gaylord.

Others Present: Jessica Sowell (City Staff), Tori Huddleston (City staff), Mr. & Mrs. Mouton.

Call to Order: 4:00 pm

Consider approval of minutes from the June 2, 2025 HLPC Meeting.

Commissioner Abt makes a motion to approve the minutes as written. Commissioner Whitehead seconds the motion and it passes unanimously.

Agenda Item 3A - Public Hearing: Discuss and consider Historic Overlay Zoning Application for the property located at 1301 Raguet St. HO #2025-001

Mrs. Sowell explains the request and the Historic Overlay process as this is the first Historic Overlay case in about 3 years. The City Ordinance lists 6 criteria for Historic Overlay Zoning and at least one must be met to be considered for overlay zoning. The applicant is required to submit photographs, research, maps and any other relevant information. The applicant applied under criteria 1, 4 and 5.

Mrs. Sowell explained that HLPC will review and their recommendation would be taken to the Planning and Zoning Commission and then the two recommendations would be taken to City Council for ultimate approval.

Mrs. Sowell summarized the history of the building and told the committee that the full research packet was included in their packet.

Chairman Bradberry opened the public hearing.

Commissioner Sloane asked if we knew the plans for the building or why the owners wanted it put under overlay.

Mrs. Sowell stated that she did not know the future plans for the building but stated that the applicant wanted to protect the building in the future. It is a mid-century modern building which now meets the 50 year mark and can be considered historic. Its unique architecture is something the owner wants to preserve.

There being no comments from the public, Chairman Bradberry closed the public hearing.

Commissioner Blackburn made a motion to approve the Historic Overlay Zoning application. Commissioner Sloane seconded the motion and the motion passed unanimously.

Agenda Item 3B - Consider Certificate of appropriateness for property located at 703 Virginia Ave. COA #2025-013

Mrs. Sowell explained the request. The applicant is requesting to complete three projects on the property at 703 Virginia Avenue. The projects include the addition of a second set of columns to the front door to match a 1973 photo of the house which is more in line with the neo-classical design of the building, replace existing double front door with a single door with glass side panels on each side and construct a 30' by 11' rear porch with 10 1-over-1 windows with siding and trim will match the existing home. Mrs. Sowell reminded the committee that this porch is a replacement of the rear porch that was demolished in 2023 with HLPCs approval.

The applicant spoke to the committee and expressed his interest in restoring the house to its former condition and is excited about the project. The columns proposed for the front porch will also match existing columns on the carport.

Commissioner Abt made a motion to approve the application as it met criteria B, C, D, E, F, G, J and K. Commissioner LaBauve seconded the motion and it passed unanimously.

Adjourn @ 4:14 pm

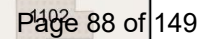
Attest: Jessica Sowell
Community Services Director

Chairman Bradberry

HO 2025-001 - 1301 Raguet St.







Sec 50-130. Criteria for designation.

- (1) Possesses significance in history, architecture, archaeology, or culture.
 - (2) Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, or national history.
 - (3) Is associated with the lives of persons significant in the city's past.
 - (4) Embodies the distinctive characteristics of a type or period of architecture, or method of construction.
 - (5) Represents the work of a master designer, builder, or craftsman.
 - (6) Represents an established and familiar visual feature of the city.
- (Ord. No. 1130, art. XI, § 6, 11-3-1998)

Meetings:

July 7, 2025 - Historic Landmark Preservation Committee

- Recommended approval

July 14, 2025 - Planning and Zoning Committee

- Recommended approval

PRESENTER: Juan Pollette, City Planner

ITEM/SUBJECT: Public Hearing: Discuss and consider action on Zoning Case ZON2025-09 regarding a zone change from I-1, Light Industrial to R-4, Multi-Family district for two (2) parcels of land approximately 0.64 acres $\pm$ in size, more particularly described by Nacogdoches Central Appraisal District Parcels 215496 and 23218; and generally located west of Bremond Street, approximately 500 feet north of the intersection of West Cox Steet and Bremond Steet, Nacogdoches, Texas. (City Planner)

SUMMARY/BACKGROUND: The applicant, Rayshawn Lathan, is requesting a zoning change for two parcels located on Bremond Street just north of Cox Street. The subject parcels are currently zoned I-1, Light Industrial. The applicant is requesting that both parcels be rezoned to R-4, Multi-Family to allow for the construction of a multi-family structure.

The subject properties front a local street that separate a predominantly residential use area to the west and a light industrial use to the east. The properties are adjacent to several homes in the Outside Historical District and near the Virginia Avenue Historical District to the south. To the east is the Southern Pacific Company train transfer station. Additionally, the subject parcels lie within a designated FEMA flood zone. All new structures in this area are required to be constructed at least two feet above the Base Flood Elevation (BFE), in accordance with local floodplain development regulations.

Adjacent Land Use & Zoning

The subject properties are zoned I-1, Light Industrial and are vacant. The surrounding zoning and land uses are as follows:

Direction	Comprehensive Plan	Current Zoning	Land Use
North	Rural Development	I-1, Light Industrial	Vacant
South	Rural Development	I-1, Light Industrial	Undeveloped
East (Across Bremond St.)	Rural Development	I-1, Light Industrial	Industrial
West	Single Family Residential	R-1, Single Family	Residential

The subject properties are located in a transitional area between industrial/commercial and residential zoning districts and corresponding land uses.

Per Section 118.139 of the Nacogdoches Zoning Ordinance, the following conditions shall be considered when reviewing an application for zoning change:

Compatibility: The specific use will be compatible with and not injurious to the use and enjoyment of other property in the immediate vicinity, nor significantly diminish or impair

property values within the immediate vicinity;

The proposed R-4 zoning introduces a residential land use that is less intense than the existing industrial zoning. The subject properties are located in a transitional area between industrial and residential zoning districts and land uses. Adjacent properties to the west are zoned R-1, Single-Family Residential, with some located within the City's Outside Historic Overlay district, while the properties to the east and north remain zoned I-1, Light Industrial. From a land use standpoint, multi-family residential can serve as a buffer between industrial and single-family uses. However, when dealing with a historically sensitive single-family area, multi-family might not reflect the neighborhood's character.

Orderly Growth and Development: The establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property;

The proposed rezoning to R-4, Multi-Family, represents a shift from the current I-1, Light Industrial zoning and introduces a more residential-oriented land use in an area where single-family and industrial districts meet. While multi-family zoning can, in some cases, serve as a transitional use between more intense and less intense land uses, its compatibility with surrounding development depends heavily on the size of the project, design, and neighborhood context. Given the site's proximity to both historically sensitive residential areas and active industrial zoning, consideration should be given to whether the proposed zoning supports long-term, orderly development that aligns with the surrounding land use pattern and community expectations.

Supporting Facilities: Adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided;

The subject properties take direct access from Bremond Street which is a local two laned concrete road with a ROW of approximately 60 feet. The properties have access to public utilities with 6-inch water and sewer mains located along Bremond Street.

Drives and Parking: The design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments;

Any future development on the subject properties will be required to meet City standards for driveways and parking, ensuring safe and convenient access. No adverse impacts to the general public or adjacent properties are anticipated as a result of the proposed zoning change.

Nuisances: Adequate nuisance-prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration;

Any future development will be required to comply with all applicable City codes related to nuisance prevention and property maintenance, ensuring compatibility with surrounding uses.

Lighting: Any lighting to be provided will be directional so as not to disturb or adversely affect neighboring properties;

Any future lighting on the subject properties will be required to comply with City regulations to ensure it is appropriately shielded and directed. Lighting will be designed to prevent glare or spillover onto adjacent properties, maintaining compatibility with the surrounding residential and commercial uses.

Landscaping: Sufficient landscaping and screening to ensure harmony and compatibility with adjacent property exists or will be provided;

Any possible future multifamily development on the property will be required to comply with the City's commercial district landscaping and screening regulations. In this case it would require a six-foot-tall wooden fence with a 10-foot-wide landscape buffer between the subject properties

and the adjacent residential zoned properties to the west. There would also be required street landscaping in front of the property along Bremond Street.

Comprehensive Plan: The proposed use is in accordance with the comprehensive plan.
Future Land Use

Per the 2003 Nacogdoches Comprehensive Plan, the Future Land Use Plan (FLUP) Map designates the subject properties as *Rural Development*. This FLUP category is described as “Sparsely-populated areas with limited development that are still distinct from more urbanized areas. It also includes areas that are gradually transitioning into urban uses and development.” Given the scale of the proposed rezoning and the proximity to existing single-family neighborhoods and industrial zoning, the request may be viewed as consistent with the transitional aspect of the Rural Development category. However, the appropriateness of multi-family residential at this location will largely depend on whether it is determined to represent a logical step in the area’s growth, or whether it introduces a level of intensity beyond what is envisioned.

PUBLIC ENGAGEMENT:

- May 27, 2025 – Staff mailed twenty-four (24) neighborhood meeting notice postcards to property owners within 500 feet of subject property.
- June 10, 2025 – Staff coordinated a neighborhood meeting at the C.L. Simon Recreation Center on behalf of the applicant to receive input from surrounding property owners. Twenty-eight (28) neighboring residents attended the meeting with concerns of compatibility with the historic character of the neighborhood, flooding and erosion, increased traffic, limited parking and general safety concerns. The majority of the attendees were generally opposed to the rezone.
- June 24, 2025 – Staff mailed nine (9) public meeting notice letters to property owners within 200 feet and fifteen (15) notice postcards to property owners within 200-500 feet. Staff received a total of 18 response forms regarding this request — 1 in support and 17 in opposition.
- June 29, 2025 – Legal ad published in the Daily Sentinel newspaper.

P&Z COMMISSION ACTION:

The Planning & Zoning Commission considered this item on July 14, 2025, and voted unanimously (4-0) to recommend denial of the zone change request.

ZONING PROTEST:

Pursuant to Texas Local Government Code Section 211.006(d), only property owners within a distance of 200 feet of a property for which a change in zoning is being considered have the right to file a written protest against the request. The land area of this 200-foot distance includes streets, alleys and other public rights-of-way. Whenever such written protest is signed by the owners of 20 percent (20%) or more of the area of the lots or land included in such zoning change, or of the lots or land immediately adjoining such and within the 200-foot distance, such change in zoning shall not become effective except by a favorable vote of three-fourths of all members of the City Council.

Of all the responses from property owners in opposition to this request, a total of 4 properties were within the required 200-foot notification area and met the 20% land area requirement. As a result, approval of this request will require a supermajority vote of the City Council.

FINANCIAL:

No financial impact associated with this item

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

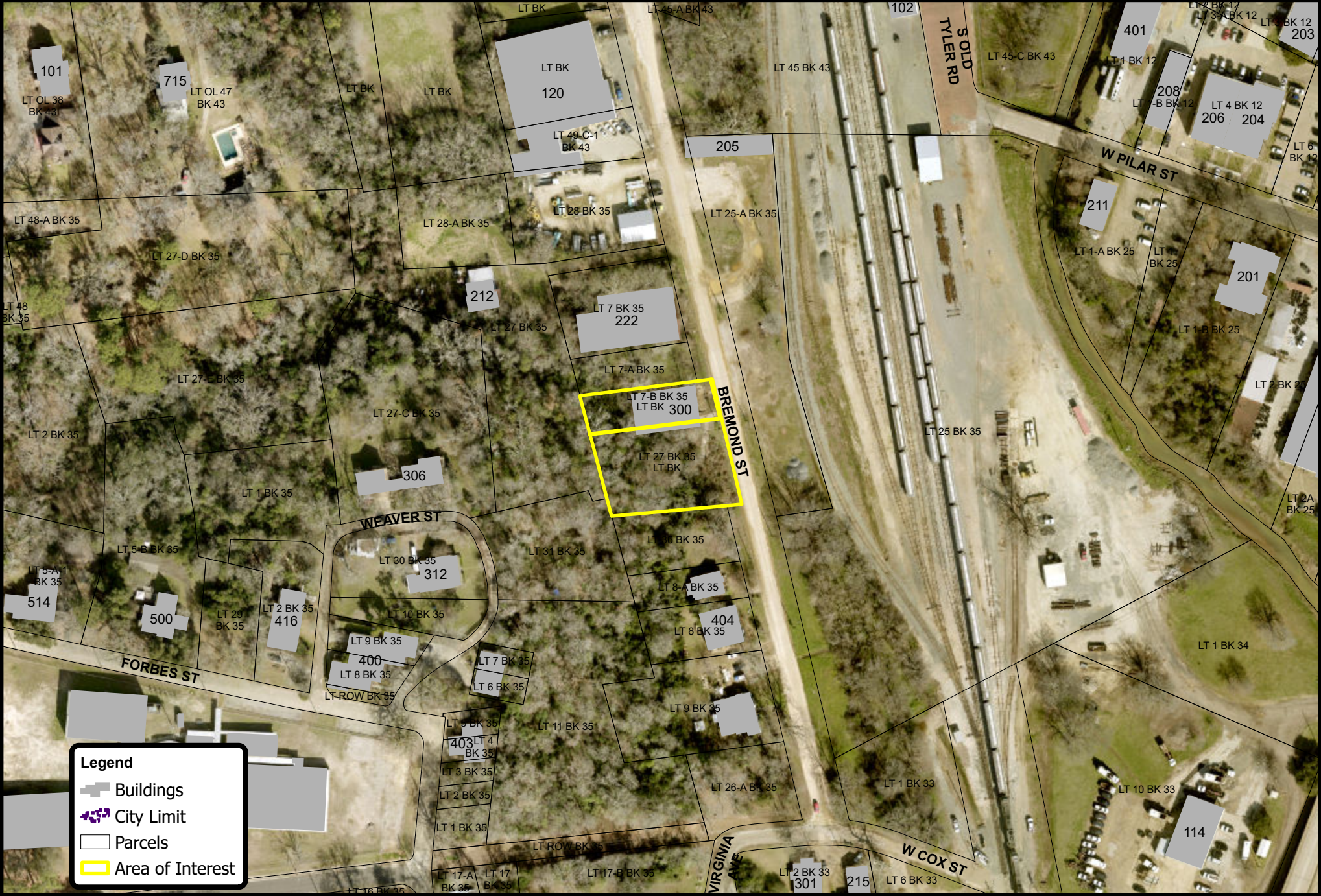
Not Applicable

CITY CONTACT: Juan Pollette, City Planner

ATTACHMENTS:

1. Aerial Map
2. Zoning Map
3. Flood Zone Map
4. Future Land Use Map
5. Notification Map 200ft
6. Opposition Map 200ft
7. P&Z Meeting Public Comments 07.14.2025
8. Site Photos
9. Ordinance

ZON2025-09 Aerial Map



Legend

- Buildings
- City Limit
- Parcels
- Area of Interest

0 70 140 210 280 Feet

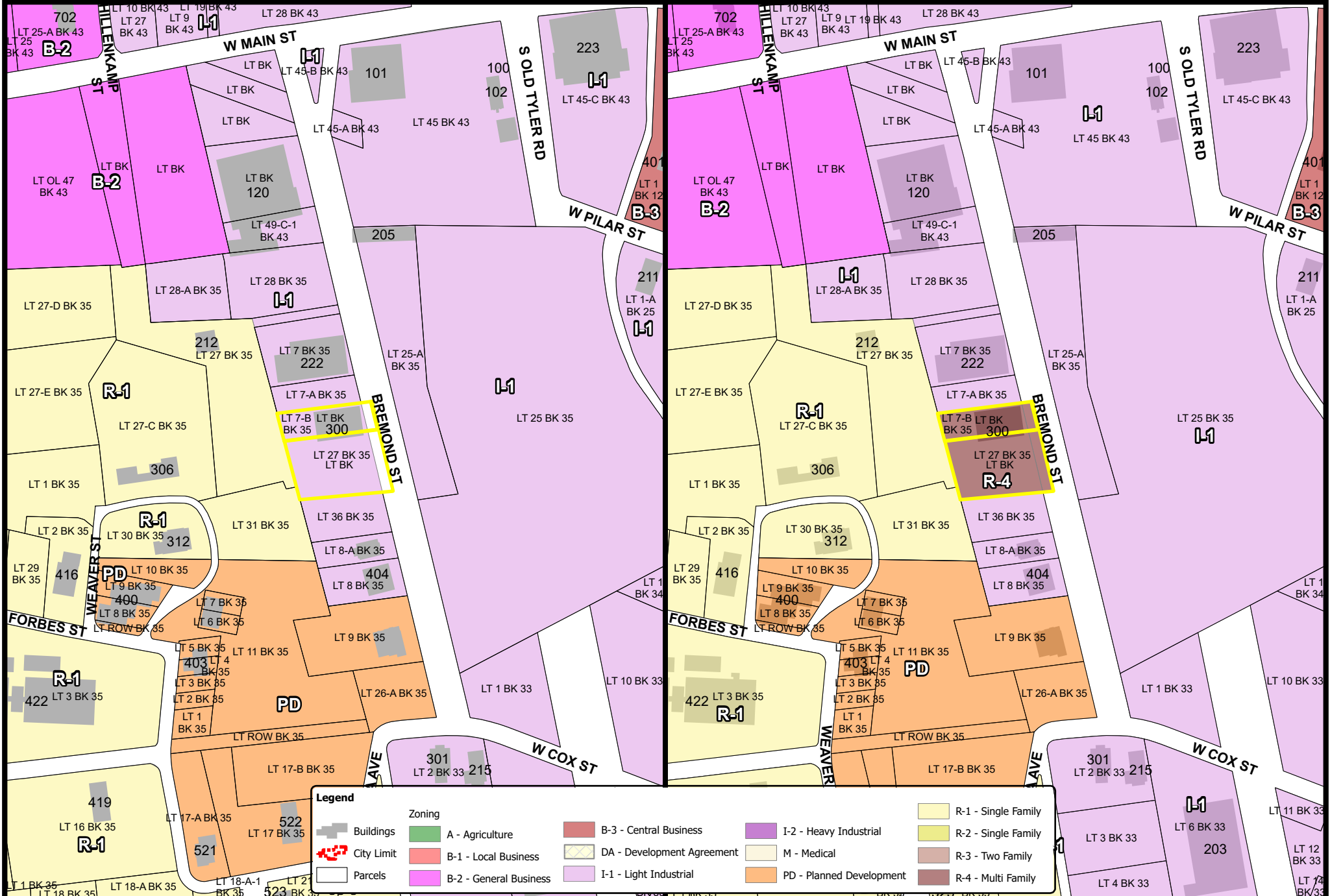
Date Created: 05/13/25 10:37 | ArcGIS Pro 3.2.2

Notice: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

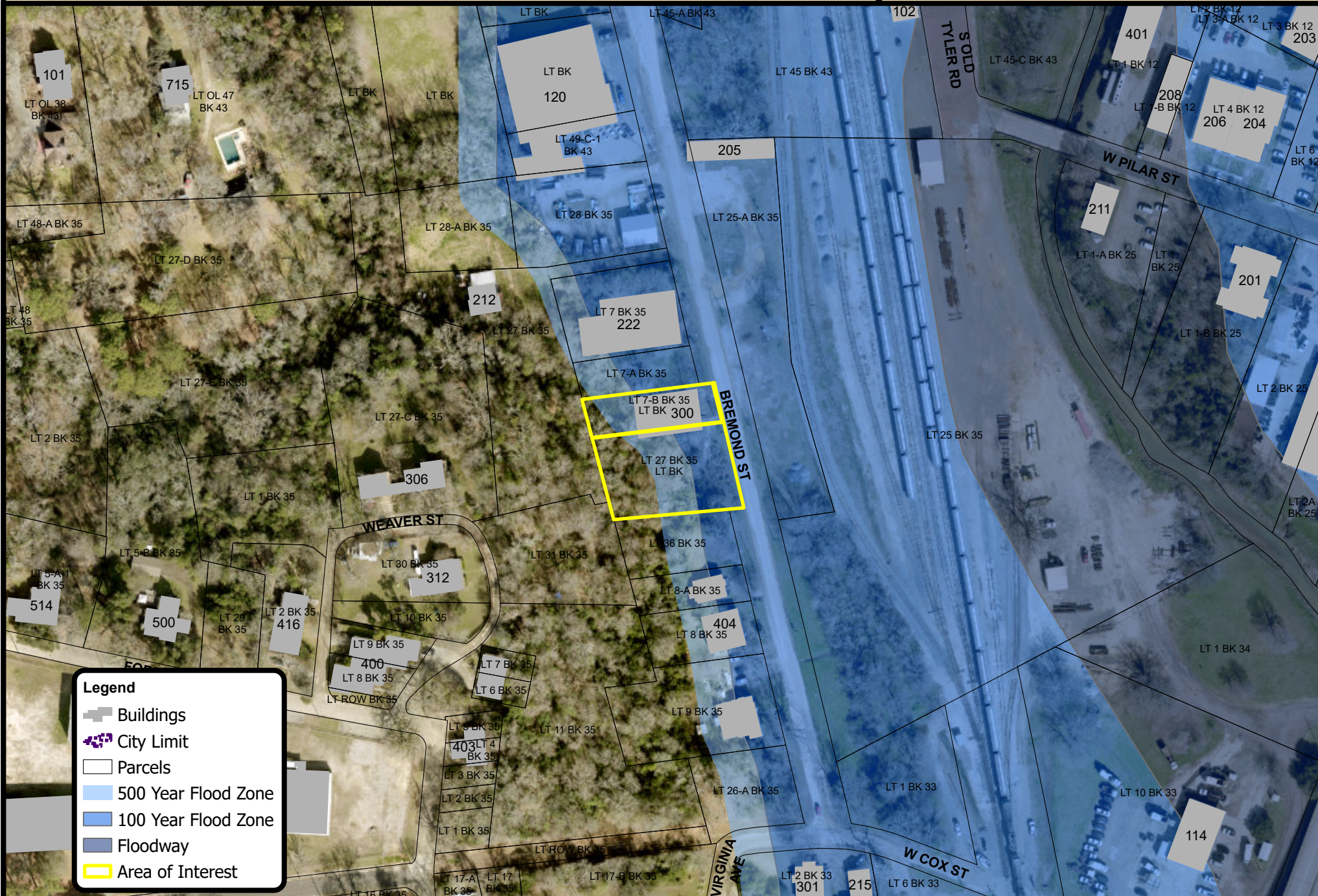
Existing Zoning

ZON2025-09

Proposed Zoning



ZON2025-09 Flood Map

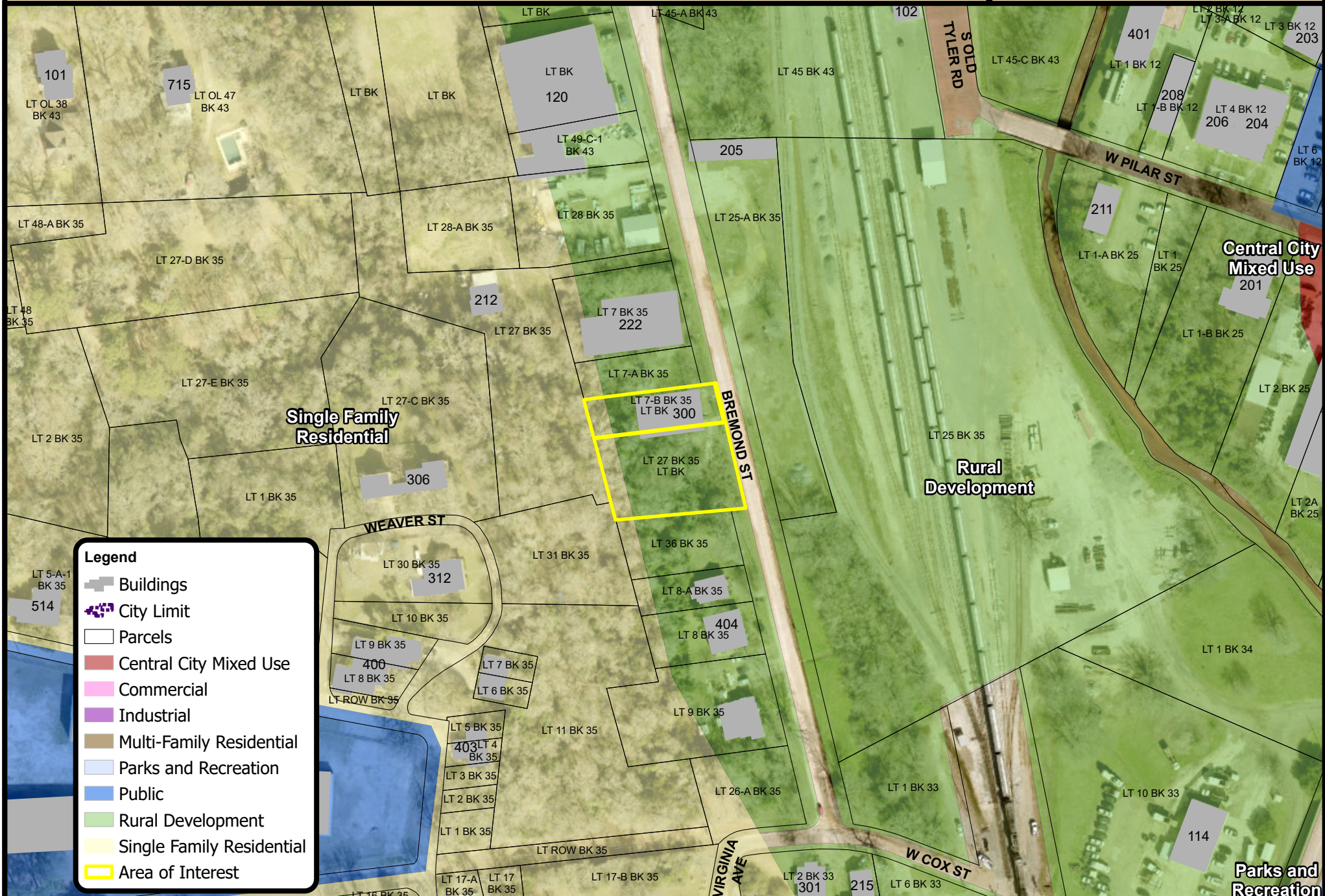


A horizontal number line with tick marks at 0, 70, 140, 210, and 280. The label "280 Feet" is placed at the right end of the line.

Date Created: 05/13/25 10:36 | ArcGIS Pro 3.2.2

Notice: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

ZON2025-09 Future Land Use Map



Legend

- Buildings
- City Limit
- Parcels
- Central City Mixed Use
- Commercial
- Industrial
- Multi-Family Residential
- Parks and Recreation
- Public
- Rural Development
- Single Family Residential
- Area of Interest

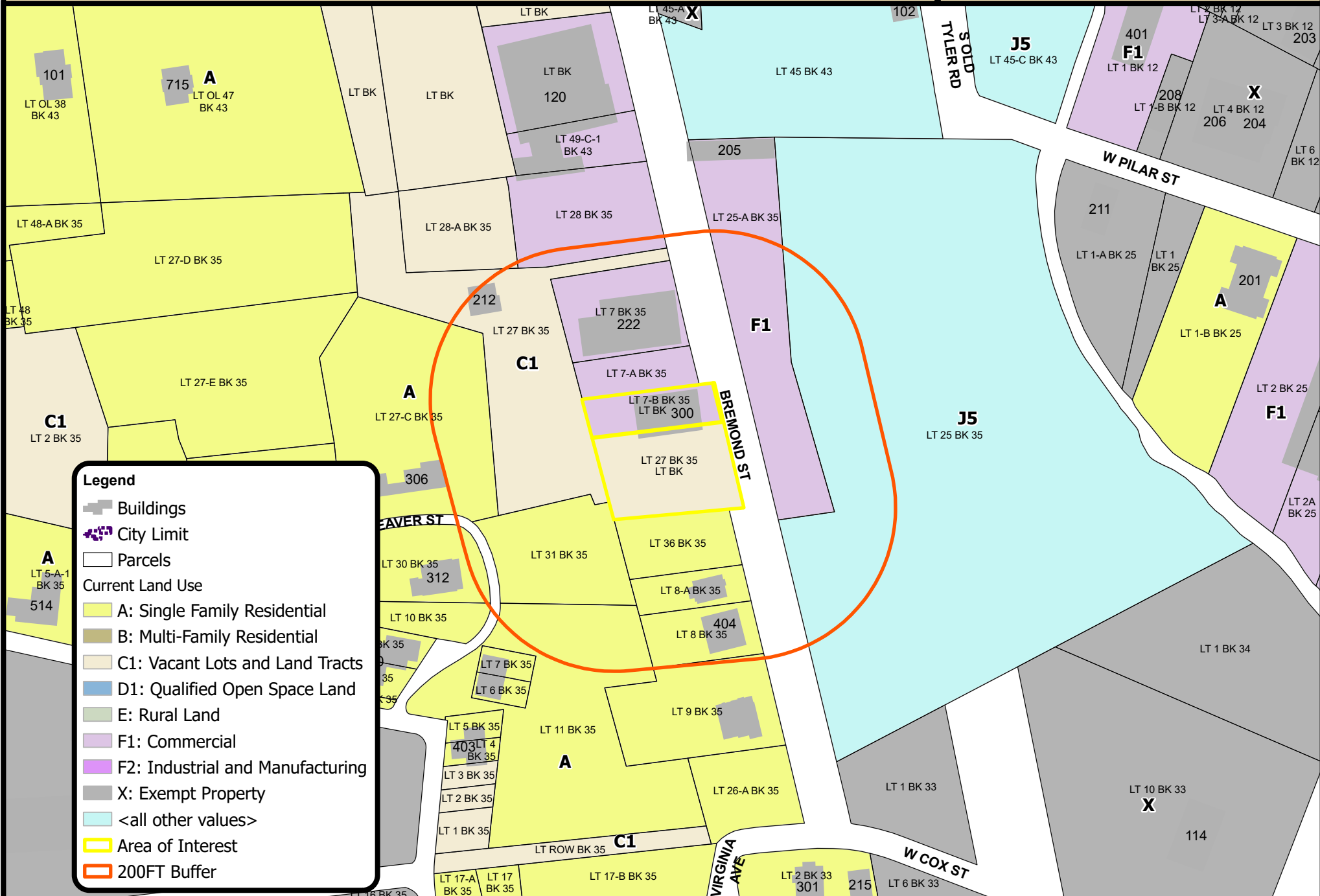


0 70 140 210 280 Feet

Date Created: 05/13/25 10:36 | ArcGIS Pro 3.2.2

Notice: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

ZON2025-09 Notification Map



A horizontal number line with tick marks at 0, 70, 140, 210, and 280. The label "280 Feet" is at the right end.

Date Created: 05/13/25 10:36 | ArcGIS Pro 3.2.2

Notice: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Zone Change Support Status

Total Affected Parcels: 253,162.08 Square Feet

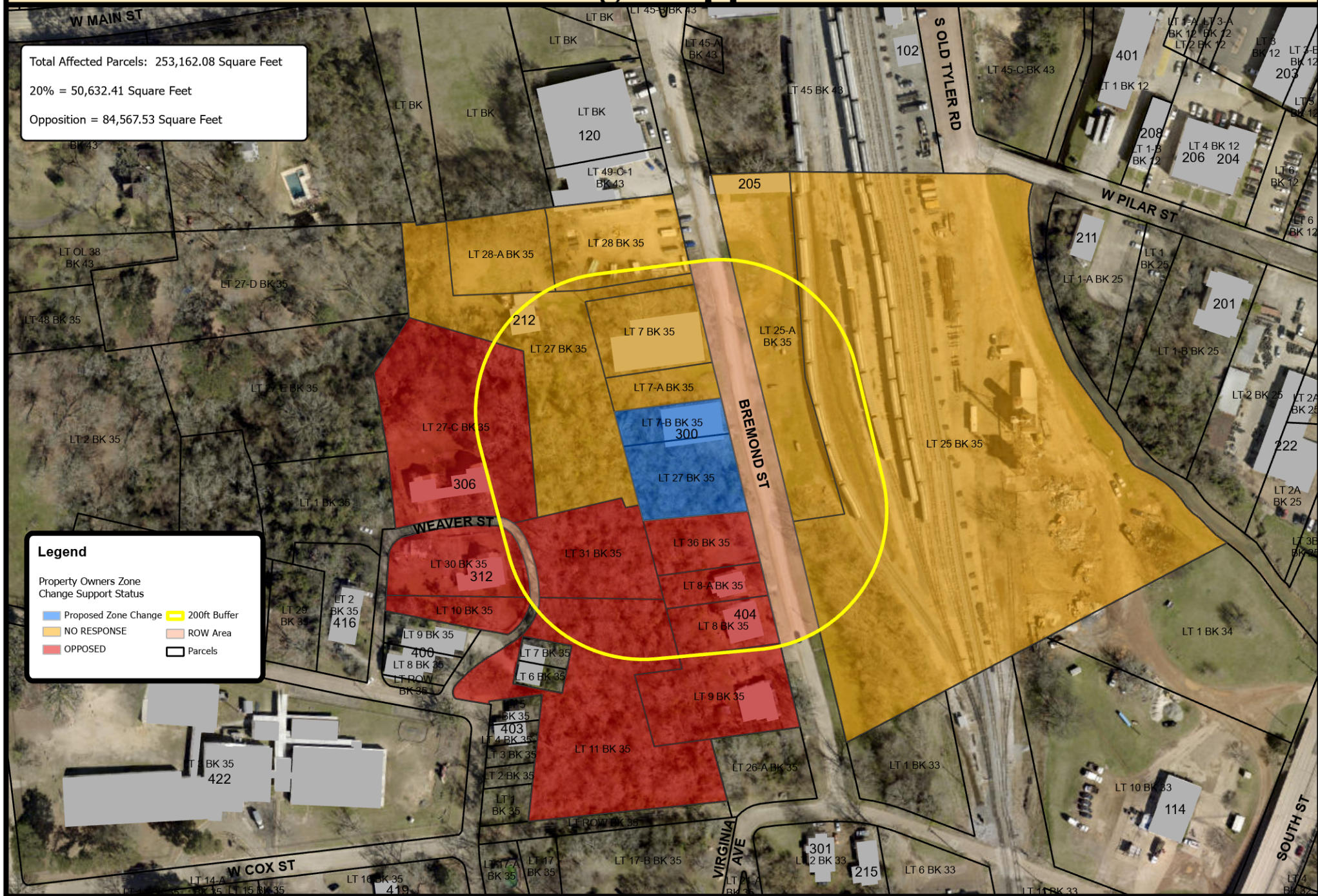
20% = 50,632.41 Square Feet

Opposition = 84,567.53 Square Feet

Legend

Property Owners Zone
Change Support Status

- Proposed Zone Change
- NO RESPONSE
- OPPOSED
- 200ft Buffer
- ROW Area
- Parcels



0 75 150 225 300 Feet

City of Nacogdoches GIS Division * Software: ArcGIS Pro 3.2.2 * Date Created: 7/14/2025

Notice: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

ONLINE PUBLIC COMMENT REQUESTS RED NAMES will speak in person

P&Z Meeting 07/14/2025 - Agenda Item 5.B.

Public Hearing: Discuss and consider action on Zoning Case ZON2025-09 regarding a zone change from I-1, Light Industrial to R-4, Multi-Family district for two (2) parcels of land approximately 0.64 acres ± in size, more particularly described by Nacogdoches Central Appraisal District Parcels 215496 and 23218; and generally located west of Bremond Street, approximately 500 feet north of the intersection of West Cox Street and Bremond Street, Nacogdoches, Texas.

ID	Submission Date	First Name	Last Name	Home Address	My position	I want to include comments at the meeting:
1	7/9/2025 13:42	Ginger	Carreon	132 S Sanders St	I am AGAINST this item.	Yes. I will attend in person to speak my comments.
2	7/9/2025 15:02	Kathy	Redman	516 Burk	I am AGAINST this item.	No. I just want my position (FOR/AGAINST) added to the meeting record.
3	7/9/2025 19:19	Joshua	Weigel	704 Virginia ave	I am AGAINST this item.	Yes. I will attend in person to speak my comments.
4	7/10/2025 12:51	Robbie	Hansen	500 Forbes Street	I am AGAINST this item.	Yes. I will attend in person to speak my comments.
5	7/10/2025 12:54	Carol	Walsh	416 Bremond	I am AGAINST this item.	Yes. But I only want my written comments added to the meeting record.

This is not a good place for the apartment complex and I am strongly against it.

6	7/10/2025 13:10	Anna Kay	Johnson	306 Weaver St.	I am AGAINST this item.	Yes. I will attend in person to speak my comments.
I want to register my opposition to the zone change request, ZON2025-09, for zone change from I-1, Light Industrial, to R-4, Multi-family on 2 parcels of land, located on Bremond Street (parcels #215496 and #23218). Zoning laws are designed to protect communities and neighborhoods. The people who invested in these parcels knew that they were zoned light industrial before they purchased the parcels. We, who live in this neighborhood, should not have to suffer because the buyers of these parcels made a bad decision. A change to the zoning of these two parcels is ill advised for several reasons: 1. This street is one of the gateways to the Virginia Ave. historic district and a zoning change to multi-family does not conform to the building standards in this area. 2. The proposed zoning change would greatly increase the density of the neighborhood, increasing traffic. 3. The street is in a flood plain. 4. The property is right across from the railroad track. This would not be a safe area for children to play. 5. Building at the foot of this hill could compromise the stability of the hillside. Since we own property directly above the proposed building site, this affects our property directly. We, as a neighborhood, would welcome a small business, such as a coffee shop, that would enhance the neighborhood. I encourage the Planning and Zoning Board to deny this zoning change and I encourage the City Council to vote against this proposed change.						
7	7/10/2025 13:29	Brendan	Walsh	400 Bremond	I am AGAINST this item.	No. I just want my position (FOR/AGAINST) added to the meeting record.
8	7/10/2025 14:30	Mike	Bay	403 Weaver	I am AGAINST this item.	No. I just want my position (FOR/AGAINST) added to the meeting record.
10	7/10/2025 16:55	Mea	Carreon	132 S Sanders St	I am AGAINST this item.	Yes. I will attend in person to speak my comments.
11	7/10/2025 17:03	Miguel	Carreon	132 S Sanders St	I am AGAINST this item.	Yes. I will attend in person to speak my comments.
12	7/10/2025 17:07	Seren	Carreon	132 S Sanders St	I am AGAINST this item.	Yes. I will attend in person to speak my comments.
13	7/11/2025 8:30	Ben	Oliver	702 West Cox Street	I am AGAINST this item.	No. I just want my position (FOR/AGAINST) added to the meeting record.
14	7/11/2025 9:56	Danny	Mounger	706 Virginia Ave	I am AGAINST this item.	Yes. I will attend in person to speak my comments.
15	7/11/2025 12:21	John	Watt	306 Weaver St	I am AGAINST this item.	Yes. I will attend in person to speak my comments.
16	7/11/2025 13:44	Caprice	Register	521 weaver	I am AGAINST this item.	Yes. I will attend in person to speak my comments.
17	7/11/2025 14:56	Cherry	Baker	612 Virginia Ave	I am AGAINST this item.	No. I just want my position (FOR/AGAINST) added to the meeting record.
18	7/11/2025 15:45	Jordan	Nevedomsky	312 Weaver St	I am AGAINST this item.	No. I just want my position (FOR/AGAINST) added to the meeting record.

SUBMITTED AFTER DEADLINE (Person must complete a comment card to speak)

19	7/13/2025 19:45	Anne	Keehnen	609 E. Hospital	I am FOR this item.	Yes. But I only want my written comments added to the meeting record.
I live on the other side of downtown from this proposed zoning change. The neighborhood is convenient to so many things, and a multifamily structure in this area would add to the walkability of the entire downtown area. I know there are concerns about flooding, parking etc. but those are separate issues from zoning. I think that we should encourage small developers to creatively bring new things to other parts of town that will enrich the entire city, especially the downtown area. There should be other ways for us to risk concerns about the appropriateness of the building to the neighborhood, and similar issues. But I definitely support allowing small developers in particular to have the freedom to try to make this town a better place.						

ZON2025-09 Site Photos

Subject property



Directly across subject property



Adjacent commercial properties to the north



Adjacent residential property to the south



ORDINANCE NO. 2050-08-25

AN ORDINANCE OF THE CITY OF NACOGDOCHES, TEXAS, AMENDING THE BOUNDARIES OF A ZONING DISTRICT WITHIN THE CITY OF NACOGDOCHES FROM I-2, LIGHT INDUSTRIAL TO R-4, MULTI-FAMILY FOR TWO (2) PARCELS OF LAND APPROXIMATELY 0.64 ACRES ± IN SIZE, MORE PARTICULARLY DESCRIBED BY THE NACOGDOCHES COUNTY APPRAISAL DISTRICT PARCELS 215496 & 23218; AND GENERALLY LOCATED WEST OF BREMOND STREET, APPROXIMATELY 500 FEET NORTH OF THE INTERSECTION OF WEST COX STREET AND BREMOND STREET, NACOGDOCHES, TEXAS; CONTAINING FINDINGS; PROVIDING A REPEAL CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Zoning Ordinance of the City of Nacogdoches allows the City Council to amend the official zoning map; and

WHEREAS, the properties described above and depicted in “**Exhibit A**” are currently zoned I-1, Light Industrial; and

WHEREAS, the property owner has requested the zoning classification of said property to be changed to R-4, Multi-Family; and

WHEREAS, the City Council of the City has conducted, in the time and manner and after the notice required by law and the Zoning Ordinance of the City, a public hearing on such request for change in zoning classification; and

WHEREAS, the City Council now deems it appropriate to grant such a requested change in classification.

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 Zoning Change

Pursuant to the requirements of Chapter 118 of the Code of Ordinances of the City of Nacogdoches, Texas, a change in Zoning Classification from I-1, Light Industrial to R-4, Multi-Family is hereby approved by the City Council.

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 change in Zoning Classification 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 _____ day of August 2025, by a vote of _____(ayes)
to

____ (nays) of the City Council of Nacogdoches, Texas.

CITY OF NACOGDOCHES

By: _____
RANDY JOHNSON, Mayor

ATTEST:

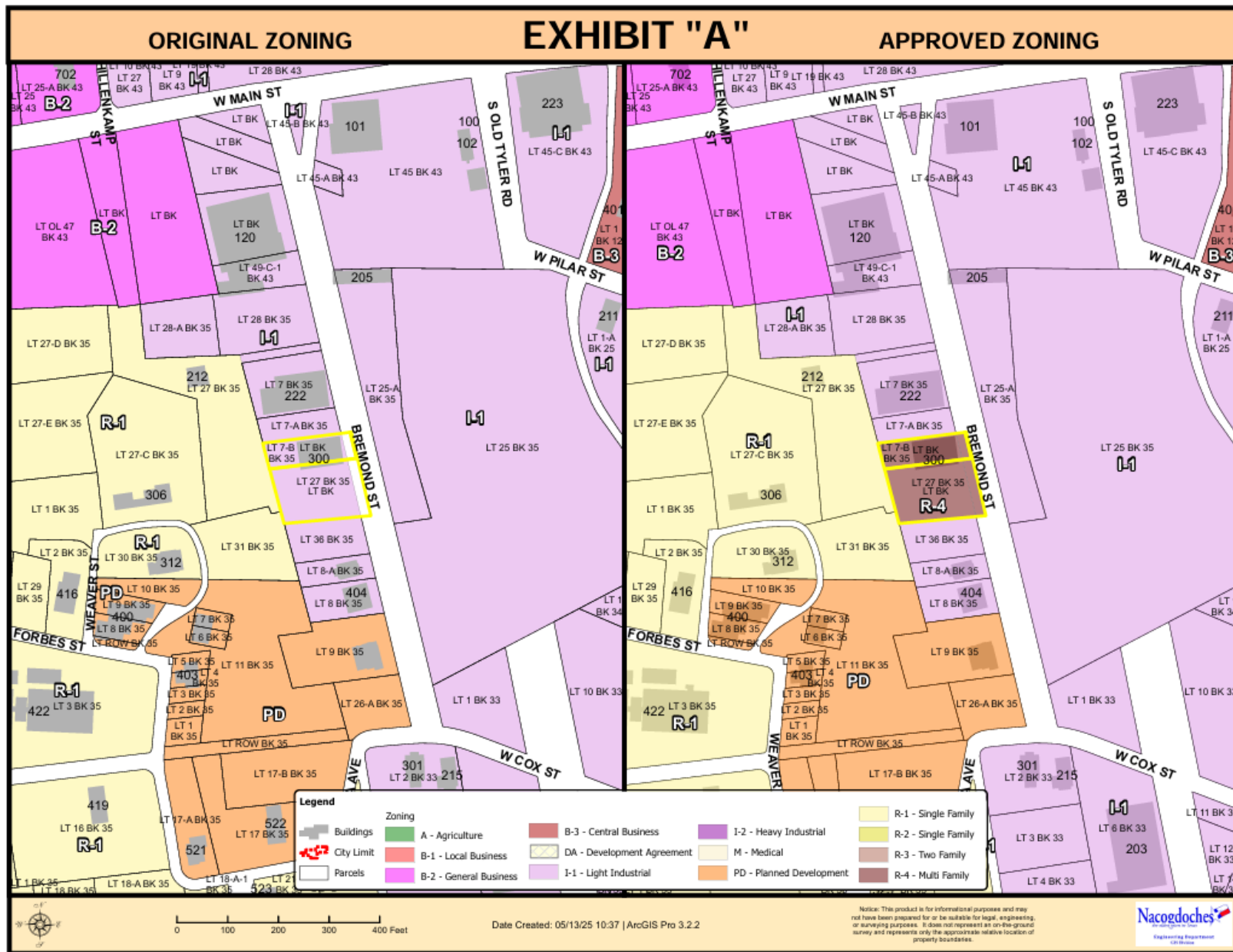
KAREN HADNOT, Interim City Secretary

APPROVED AS TO FORM:

JERRY BAKER, City Attorney

APPROVED AS TO CONTENT:

JUAN POLLETTE, City Planner



PRESENTER: Juan Pollette, City Planner

ITEM/SUBJECT: Public Hearing: Discuss and consider action on Zoning Case ZON2025-10 regarding a zone change from B-2 General Business, to R-1, Single family district for one (1) parcel of land approximately 2.49 acres $\pm$ in size, more particularly described by Nacogdoches Central Appraisal District Parcel 23683; and located at 101 South Sanders Street, Nacogdoches, Texas. (City Planner)

SUMMARY/BACKGROUND: The applicant, Barbara Stump, is requesting a zone change from B-2, General Business, to R-1, Single Family Residential, for the purpose of platting her property into one lot with the same zoning designation as the southern portion of the property. The property is currently developed with a single-family home and fronts South Sanders Street. The property is also located in the Outside Historical District. The R-1 zoning district is intended as an area for low density single-family use. Lots in this area must be 8,250 square feet and larger.

Adjacent Land Use & Zoning

The subject property is zoned B-2, General Business and is developed with a single-family home. The surrounding zoning and land uses are as follows:

Direction	Comprehensive Plan	Current Zoning	Land Use
North (Across W. Main St.)	Single Family Residential	B-2, General Business	Single Family Residential
South	Single Family Residential	R-1, Single Family	Single Family Residential
East	Single Family Residential	B-2, General Business & R-1, Single Family	Single Family Residential
West (across S. Sanders St.)	Single Family Residential	B-2, General Business & R-1, Single Family	Single-Family Residential

The subject property is surrounded by commercial and residential zoning districts but primarily developed with residential land uses. The northern property line fronts West Main Street which is an arterial street that runs east and west through the center of the city. The majority of the properties in this area fronting West Main Street are zoned B-2, General Business but developed with single-family homes. To the south of the property the area is zoned R-1, Single Family and developed with single-family homes.

Per Section 118.139 of the Nacogdoches Zoning Ordinance, the following conditions shall be considered when reviewing an application for zoning change:

Compatibility: The specific use will be compatible with and not injurious to the use and enjoyment of other property in the immediate vicinity, nor significantly diminish or impair

property values within the immediate vicinity;

The subject property and the surrounding area is developed with single-family homes. Many nearby properties, particularly those fronting West Main Street, are developed with single-family homes despite being zoned for commercial use. This request aligns with the existing residential development pattern in the area and is not expected to negatively impact surrounding property values.

Orderly Growth and Development: The establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property;

The proposed rezoning to R-1, Single Family Residential, is not expected to impede the normal and orderly development of surrounding vacant properties. Given that many nearby properties are mostly developed with single-family homes, the requested zoning would be consistent with the existing development pattern in the immediate area.

Supporting Facilities: Adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided;

Adequate supporting facilities are available to serve the existing use. The subject property has direct access to South Sanders Street, a local street with a 32-foot right-of-way that is capable of accommodating residential traffic. Public utilities are available at the site, with a 6-inch water and sewer main located along South Sanders Street.

Drives and Parking: The design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments;

The subject property is developed with an existing single-family home, which includes a private driveway that provides direct access to the adjacent roadway. No changes are proposed to the existing driveway or parking arrangement.

Nuisances: Adequate nuisance-prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration;

The property is currently developed with a single-family residence, and no changes to the use or intensity of the site are proposed as part of the rezoning request. Single-family residential uses are generally low-impact and not associated with the generation of offensive odors, fumes, dust, noise, or vibration.

Lighting: Any lighting to be provided will be directional so as not to disturb or adversely affect neighboring properties;

The subject property is developed with an existing single-family residence, and no new outdoor lighting is proposed as part of this rezoning request. Lighting associated with single-family residential use is typically limited in scale and impact and is not expected to adversely affect neighboring properties. Should any new lighting be installed in the future, it will be subject to standard residential requirements, including the use of downward-facing or shielded fixtures to minimize glare and light spillover onto adjacent properties.

Landscaping: Sufficient landscaping and screening to ensure harmony and compatibility with adjacent property exists or will be provided;

The City of Nacogdoches does not currently require specific landscaping or screening standards for single-family residential development.

Comprehensive Plan: The proposed use is in accordance with the comprehensive plan.

Future Land Use

Per the 2003 Comprehensive Plan, the Future Land Use Plan (FLUP) Map designates the subject

property as *Single Family Residential*. The *Single Family Residential* FLUP category is described as, “Conventional one-family detached dwellings (also includes duplexes).” R-1 meets this Comprehensive Plan designation.

Staff believes the FLUP designation of the property is consistent with the proposed zoning, and the request is in compliance with the Comprehensive Plan.

PUBLIC ENGAGEMENT:

- May 19, 2025 – Staff mailed out twenty-seven (27) neighborhood meeting notice postcards to property owners within 500 feet of the subject property.
- May 23, 2025 – Staff re-mailed out twenty-seven (27) neighborhood meeting notices due to incorrect meeting date.
- June 11, 2025 - Staff coordinated a neighborhood meeting at the C.L. Simon Recreation Center on behalf of the applicant to receive input from surrounding property owners. Twenty-two (22) neighboring residents attended the meeting. This was due to the neighborhood meeting notice stating the owner was requesting the property be rezoned to B-2, General Business. The applicant changed her request to R-1, Single Family after the notices were sent out. Once this was clarified in the meeting the attendees were in favor of the request.
- June 24, 2025 - Staff mailed four (4) public meeting notice letters to property owners within 200 feet and twenty-three (23) notice postcards to property owners within 200-500 feet. Staff has not received any letters in opposition or in favor of the request from the neighboring residents.
- June 29, 2025 – Legal ad published in the Daily Sentinel newspaper.

P&Z COMMISSION ACTION:

The Planning & Zoning Commission considered this item on July 14, 2025, and voted unanimously (4-0) to recommend approval of the zone change request.

FINANCIAL:

No financial impact associated with this item

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

Not Applicable

CITY CONTACT: Juan Pollette, City Planner

ATTACHMENTS:

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Notification Map 200ft
5. Site Photos
6. Ordinance

ZON2025-10 Aerial Map



0 80 160 240 320 Feet

Date Created: 06/27/25 13:24 | ArcGIS Pro 3.2.2

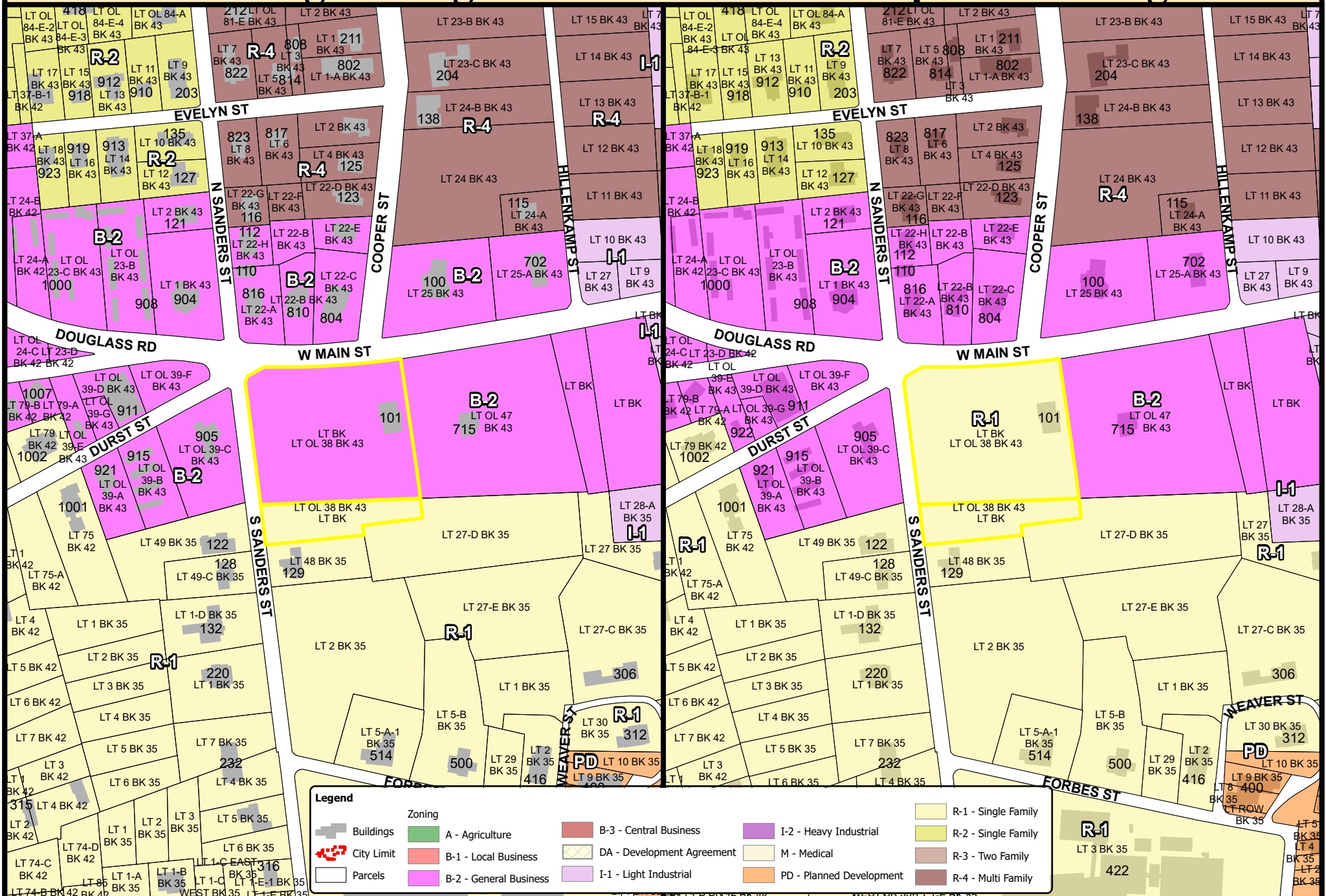
Notice: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



Existing Zoning

ZON2025-10

Proposed Zoning



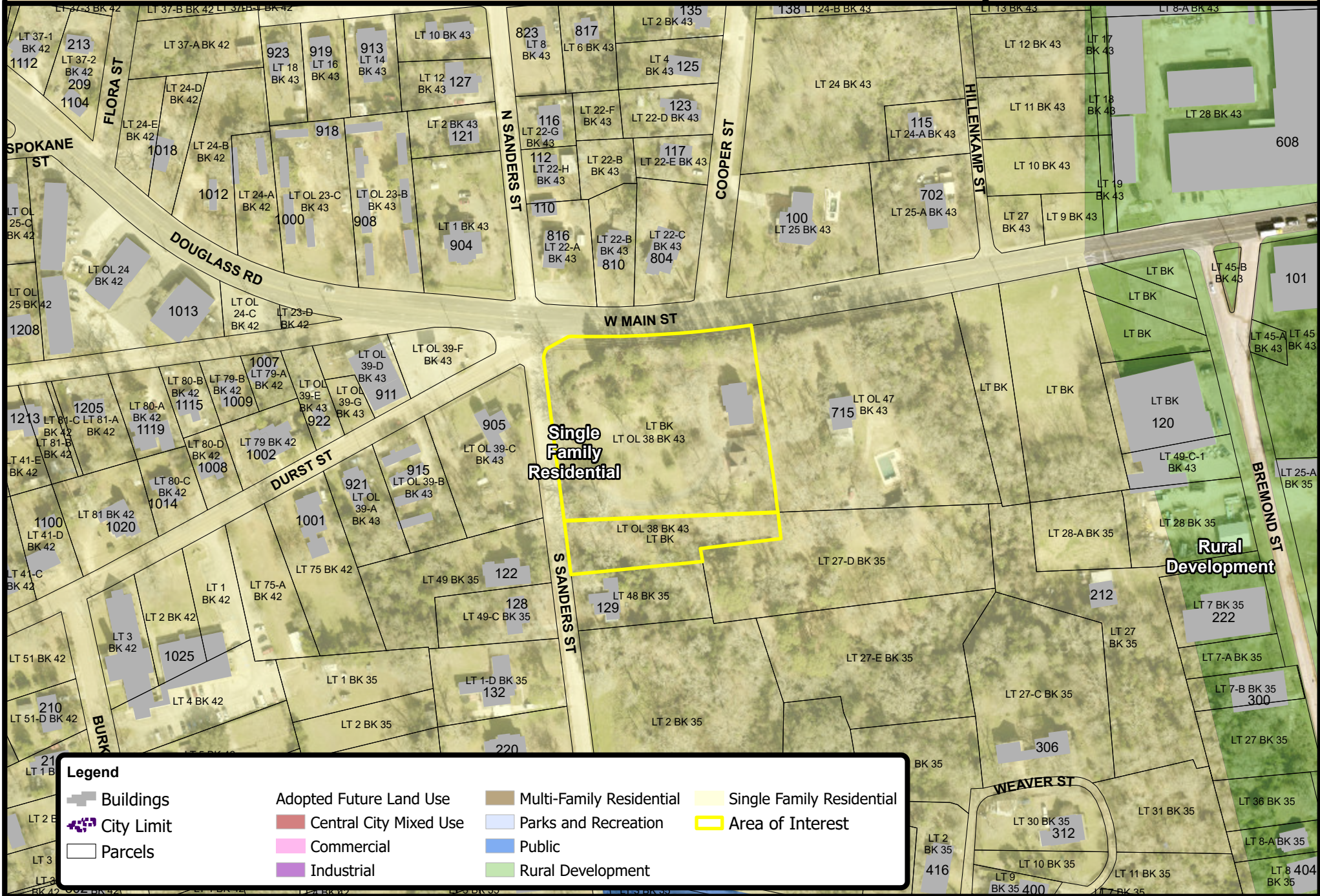
0 110 220 330 440 Feet

Date Created: 06/27/25 13:24 | ArcGIS Pro 3.2.2

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Nacogdoches
Engineering Department
GIS Division

ZON2025-10 Future Land Use Map



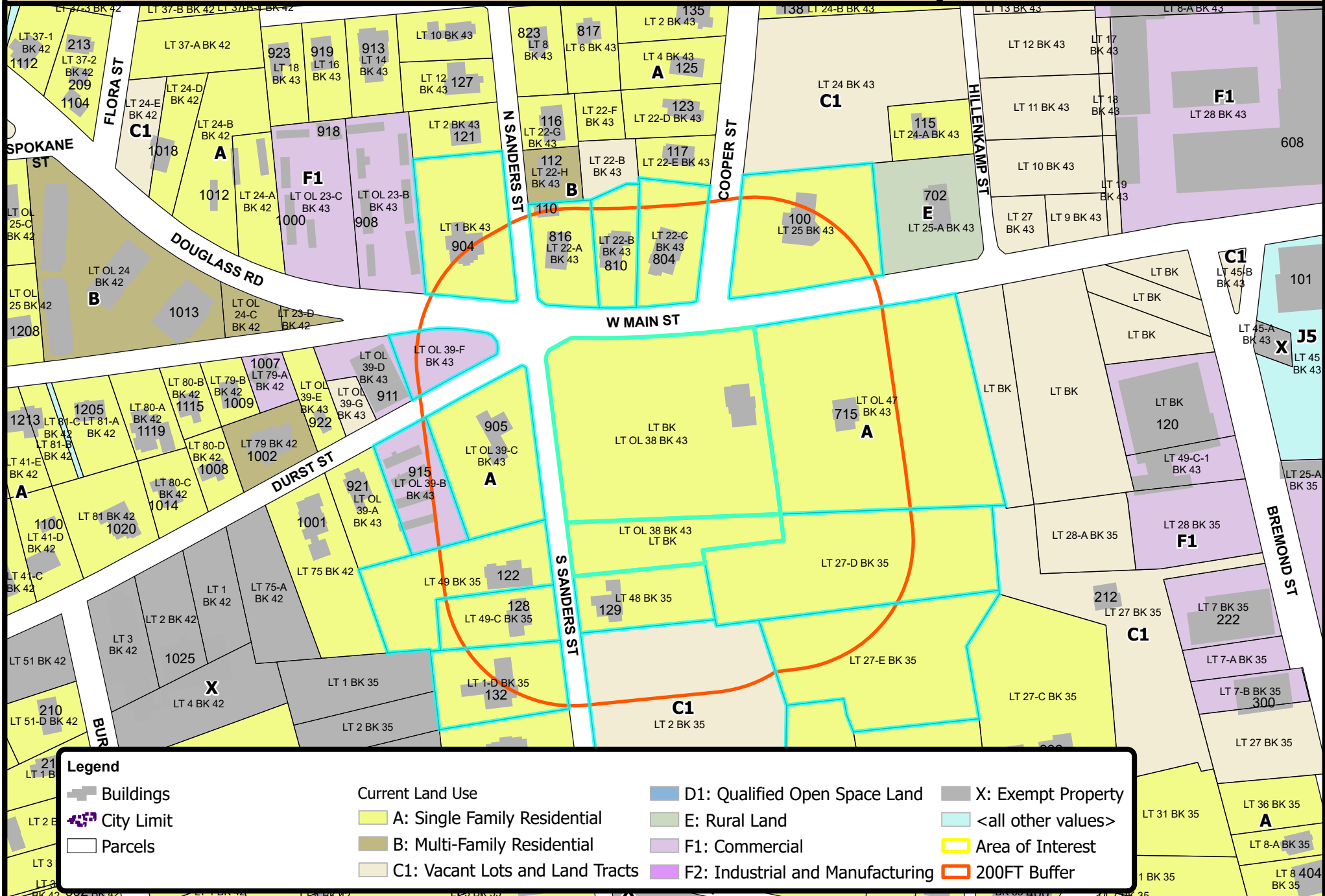
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Date Created: 06/27/25 13:24 | ArcGIS Pro 3.2.2

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Nacogdoches
Engineering Department
City of Nacogdoches

ZON2025-10 Notification Map



0 80 160 240 320 Feet

Date Created: 06/27/25 13:24 | ArcGIS Pro 3.2.2

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Nacogdoches
Engineering Department
City of Nacogdoches

ZON2025-10 Site Photos

Subject property



Residential properties to the north



Residential property to the south



ORDINANCE NO. 2051-08-25

AN ORDINANCE OF THE CITY OF NACOGDOCHES, TEXAS, AMENDING THE BOUNDARIES OF A ZONING DISTRICT WITHIN THE CITY OF NACOGDOCHES FROM B-2, GENERAL BUSINESS TO R-1, SINGLE FAMILY DISTRICT FOR ONE (1) PARCEL OF LAND APPROXIMATELY 2.49 ACRES ± IN SIZE, MORE PARTICULARLY DESCRIBED BY NACOGDOCHES CENTRAL APPRAISAL DISTRICT PARCEL 23683; AND LOCATED AT 101 SOUTH SANDERS STREET, NACOGDOCHES, TEXAS; CONTAINING FINDINGS; PROVIDING A REPEAL CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Zoning Ordinance of the City of Nacogdoches allows the City Council to amend the official zoning map; and

WHEREAS, the property described above and depicted in “**Exhibit A**” is currently zoned B-2, General Business; and

WHEREAS, the property owner has requested the zoning classification of said property to be changed to R-1, Single-family; and

WHEREAS, the City Council of the City has conducted, in the time and manner and after the notice required by law and the Zoning Ordinance of the City, a public hearing on such request for change in zoning classification; and

WHEREAS, the City Council now deems it appropriate to grant such a requested change in classification.

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 Zoning Change

Pursuant to the requirements of Chapter 118 of the Code of Ordinances of the City of Nacogdoches, Texas, a change in Zoning Classification from B-2, General Business to R-1, Single-family is hereby approved by the City Council.

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 change in Zoning Classification 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 _____ day of August 2025, by a vote of _____ (ayes) to _____ (nays) of the City Council of Nacogdoches, Texas.

CITY OF NACOGDOCHES

By: _____
RANDY JOHNSON, Mayor

ATTEST:

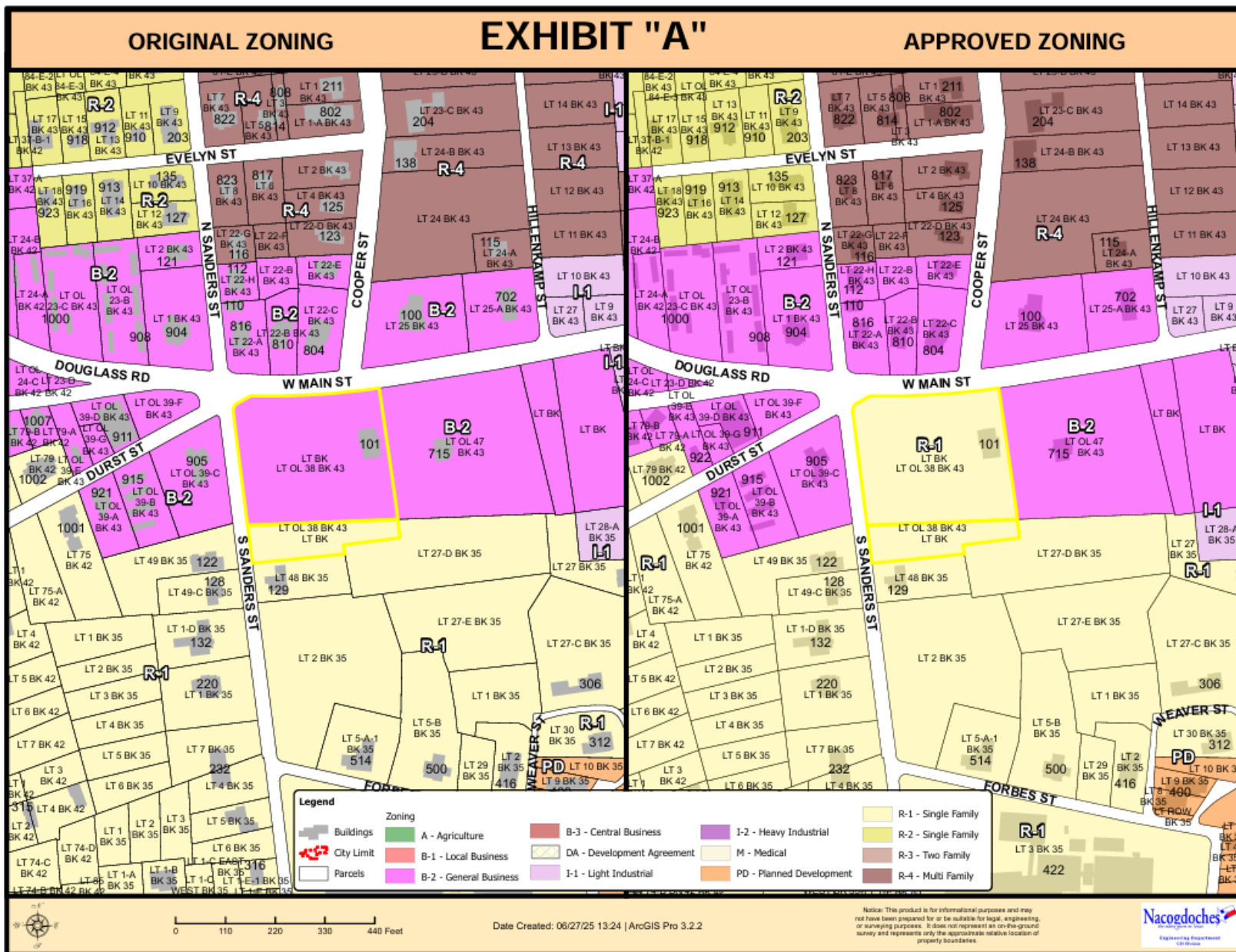
KAREN HADNOT, Interim City Secretary

APPROVED AS TO FORM:

JERRY BAKER, City Attorney

APPROVED AS TO CONTENT:

JUAN POLLETTE, City Planner



PRESENTER: Juan Pollette, City Planner

ITEM/SUBJECT: Public Hearing: Discuss and consider action on Specific Use Permit Case SUP2025-04 regarding Distillation of Liquors, Spirits, etc. -Craft in a B-3, Central Business District for property more particularly described by Nacogdoches Central Appraisal District Parcel 22764; and located at 403 and 405 East Hospital Street, Nacogdoches, Texas. (City Planner)

SUMMARY/BACKGROUND: The request is for an amendment to an existing Specific Use Permit (SUP) that was approved in May of last year for the Distillation of Liquors, Spirits, etc. -Craft in a B-3, Central Business District, located at 403 East Hospital Street. Per Sec. 118-174(h) of the Zoning Ordinance, any significant change to a use permitted by a SUP—including expansion, modification, or structural alteration—requires an amendment. The amendment process follows the same procedure as a new SUP application. The SUP process allows staff, the Commission, and the City Council the opportunity to review and impose reasonable conditions, if necessary, on the development.

The applicant, Sheri Hatt, is requesting to expand the existing 1,200-square-foot Distillery with a tasting room to the adjacent tenant space to the east located at 405 East Hospital Street. The applicant plans to open an entryway through the wall that separates the two tenant spaces. The new tenant space is approximately 1,428-square feet and will be used for additional customer seating and employee work area. The applicant is proposing to have an indoor music stage for live low-volume acoustical performances.

The applicant is also proposing to change the hours of operation. The currently approved hours of operation are Monday through Friday from 2:00 p.m. to 9:00 p.m., Saturday from 11:00 a.m. to 9:00 p.m., and Sunday from 12:00 p.m. to 6:00 p.m. The applicant proposes to modify the hours as follows: Friday and Saturday from 11:00 a.m. to 10:00 p.m. The remaining days of the week will stay the same.

Adjacent Land Use & Zoning

The subject property is zoned B-3, Central Business. The surrounding zoning and land uses are as follows:

Direction	Comprehensive Plan	Zoning District	Current Land Use
North	Central City Mixed-Use	B-3, Central Business	Commercial
South	Central City Mixed-Use	B-3, Central Business	Commercial
East	Central City Mixed-Use	B-3, Central Business	Commercial
West	Central City	B-3, Central Business	Commercial

	Mixed-Use		
--	-----------	--	--

The property is surrounded by Central Business zoning and a mix of commercial uses such as retail, offices, hotels, and eating establishments.

Per Section 118.139 of the Nacogdoches Zoning Ordinance, the following conditions shall be considered when reviewing an application for a Specific Use Permit:

Compatibility: The specific use will be compatible with and not injurious to the use and enjoyment of other property in the immediate vicinity, nor significantly diminish or impair property values within the immediate vicinity;

The existing distillery use was previously approved under a SUP and has operated in this location without known incident or documented impact to neighboring properties. The proposed amendment would allow the business to expand into an adjacent tenant space within the same building. The expansion is expected to be consistent in scale and character with the existing use and with surrounding downtown businesses. No exterior alterations or significant intensifications of use have been proposed.

Orderly Growth and Development: The establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property.

The proposed SUP will be located in an existing 1,200-square-foot tenant space and the surrounding properties are fully developed. No new construction is being proposed. The approval of the SUP would not impede the normal development of the surrounding properties.

Supporting Facilities: Adequate utilities, access roads, drainage, and other necessary supporting facilities have been or will be provided;

The subject property takes direct access from East Hospital Street, a two-lane collector street that functions as the primary access for the property. The roadway has a 35 foot right of way width and is adequate to accommodate the proposed expansion.

Drives and Parking: The design, location, and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments;

The subject property is located within the B-3, Central Business zoning district, which is intended to support a compact, pedestrian-oriented downtown environment. Per the zoning ordinance, off-street parking is required at a ratio of one space per 2,000 square feet of floor area; however, if the total required parking is less than ten spaces, no off-street parking is required. The proposed expansion of the distillery into the adjacent tenant space will not exceed the threshold requiring off-street parking. As such, no new driveways or parking facilities are proposed or required.

Nuisances: Adequate nuisance-prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration;

The proposed use should not create any nuisances to adjacent properties. All activities will be limited to the interior of the building and all live music will be low-volume acoustical. Hours of operation will be 2:00 p.m. to 9:00 p.m., Monday through Thursday, 11:00 a.m. to 10:00 p.m. Friday, 11:00 a.m. to 10:00 p.m. on Saturday and 12:00 p.m. to 6:00 p.m. on Sunday.

Lighting: Any lighting to be provided will be directional so as not to disturb or adversely affect neighboring properties;

There is no new lighting proposed with this SUP. Outdoor lighting must meet the City's lighting ordinance restrictions, i.e. only down lighting with no spillover onto neighboring properties.

Landscaping: Sufficient landscaping and screening to ensure harmony and compatibility with adjacent property exists or will be provided;

This proposed use is located within an existing commercial property and no expansions are being proposed requiring the installation of commercial district landscaping.

Comprehensive Plan: The proposed use is in accordance with the comprehensive plan.

Future Land Use

The 2003 Comprehensive Plan designates this area as *Central City Mixed Use* in the Future Land Use Plan (FLUP). This Land Use category is defined as “Central core of the City, in and around the traditional downtown, where a mix of retail, office, residential and public uses is permitted and encouraged subject to development and compatibility standards.”

The proposed expansion of the existing distillery into the adjacent tenant space is consistent with the intent of the Central City Mixed Use designation. The use supports the continued activation of the downtown area and aligns with the Plan’s emphasis on encouraging diverse but compatible uses within the city’s central core. Staff believes the request is considered to be in accordance with the goals and policies of the Comprehensive Plan.

PUBLIC ENGAGEMENT:

- May 27, 2025 – Staff mailed out forty-eight (48) neighborhood meeting notice postcards to property owners within 500 feet of the subject property.
- June 16, 2025 – Staff coordinated a neighborhood meeting at the City Council Chambers on behalf of the applicant to receive input from surrounding property owners. None of the neighboring residents attended the meeting.
- June 24, 2025 – Staff mailed thirty-six (36) public meeting notice letters to property owners within 200 feet and twelve (12) notice postcards to property owners within 200-500 feet. Staff has not received any letters in opposition or in favor of the request from the neighboring residents.
- June 29, 2025 – Legal ad published in the Daily Sentinel newspaper.

P&Z COMMISSION ACTION:

The Planning & Zoning Commission considered this item on July 14, 2025, and voted unanimously (4-0) to recommend approval of the SUP request with the following conditions:

1. Expand existing operations to the adjacent tenant space located at 405 East Hospital Street.
2. Add an indoor music stage for live low-volume acoustical performances.
3. Revised Hours of Operation:
 - a) Monday through Thursday: 2:00 p.m. to 9:00 p.m.
 - b) Friday and Saturday: 11:00 a.m. to 10:00 p.m.
 - c) Sunday: 12:00 p.m. to 6:00 p.m.

FINANCIAL:

No financial impact associated with this item

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

Not Applicable

CITY CONTACT: Juan Pollette, City Planner

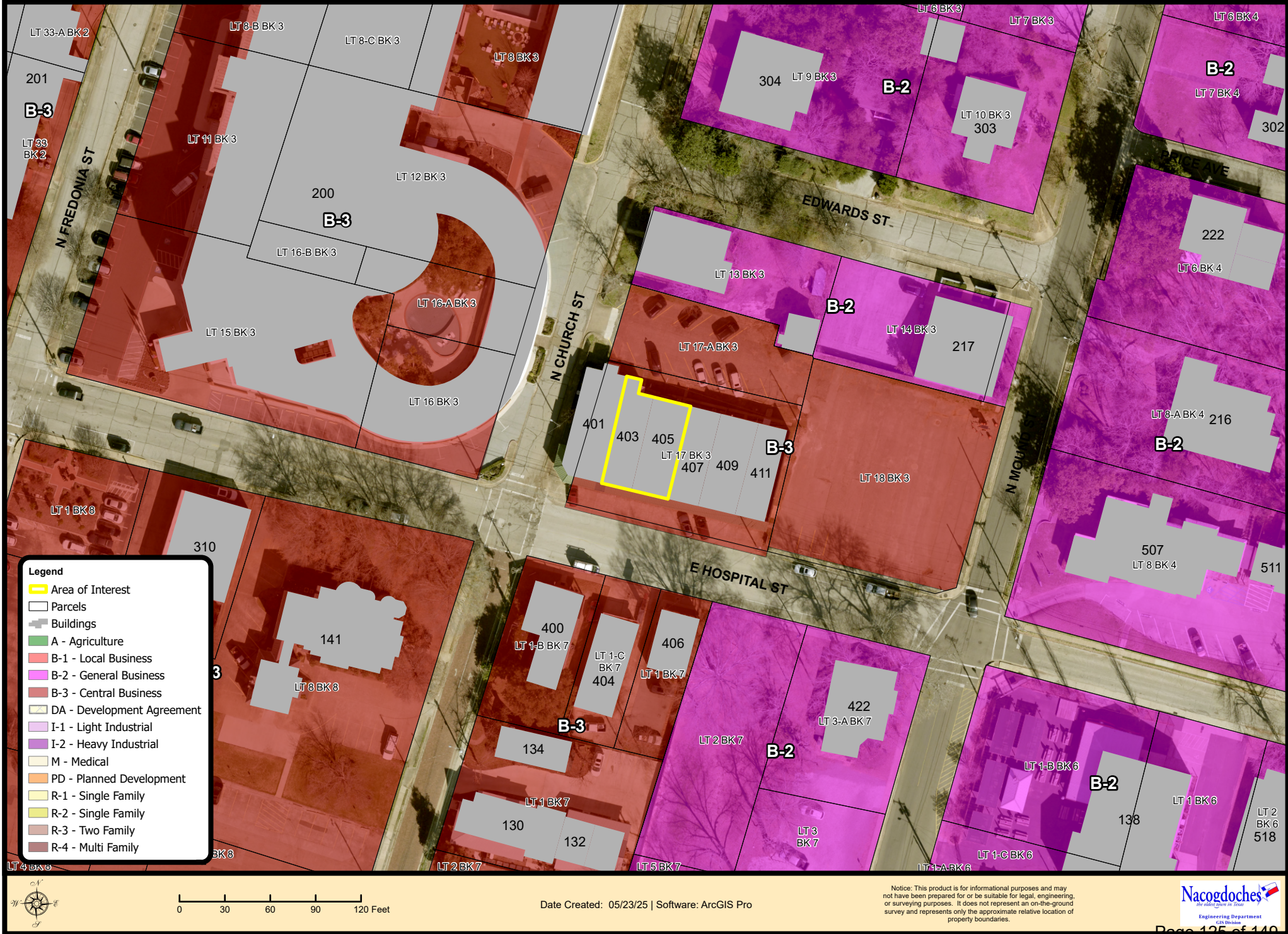
- ATTACHMENTS:**
1. Aerial Map
 2. Zoning Map
 3. Future Land Use Map
 4. Notification Map 200ft
 5. Site Photos
 6. Ordinance

SUP2025-04 Aerial Map

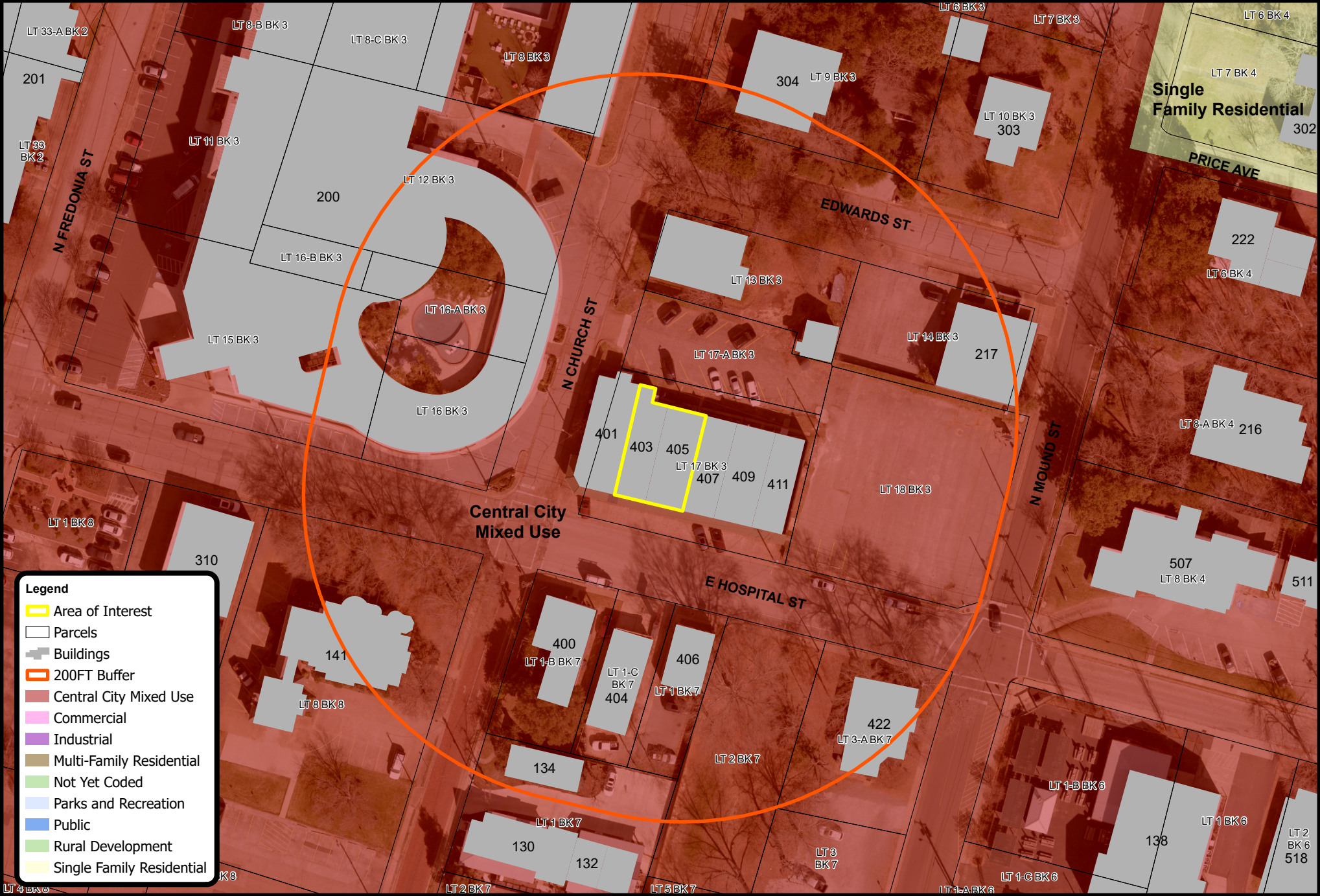


Notice: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

SUP2025-04 Zoning Map



SUP2025-04 Future Land Use Map



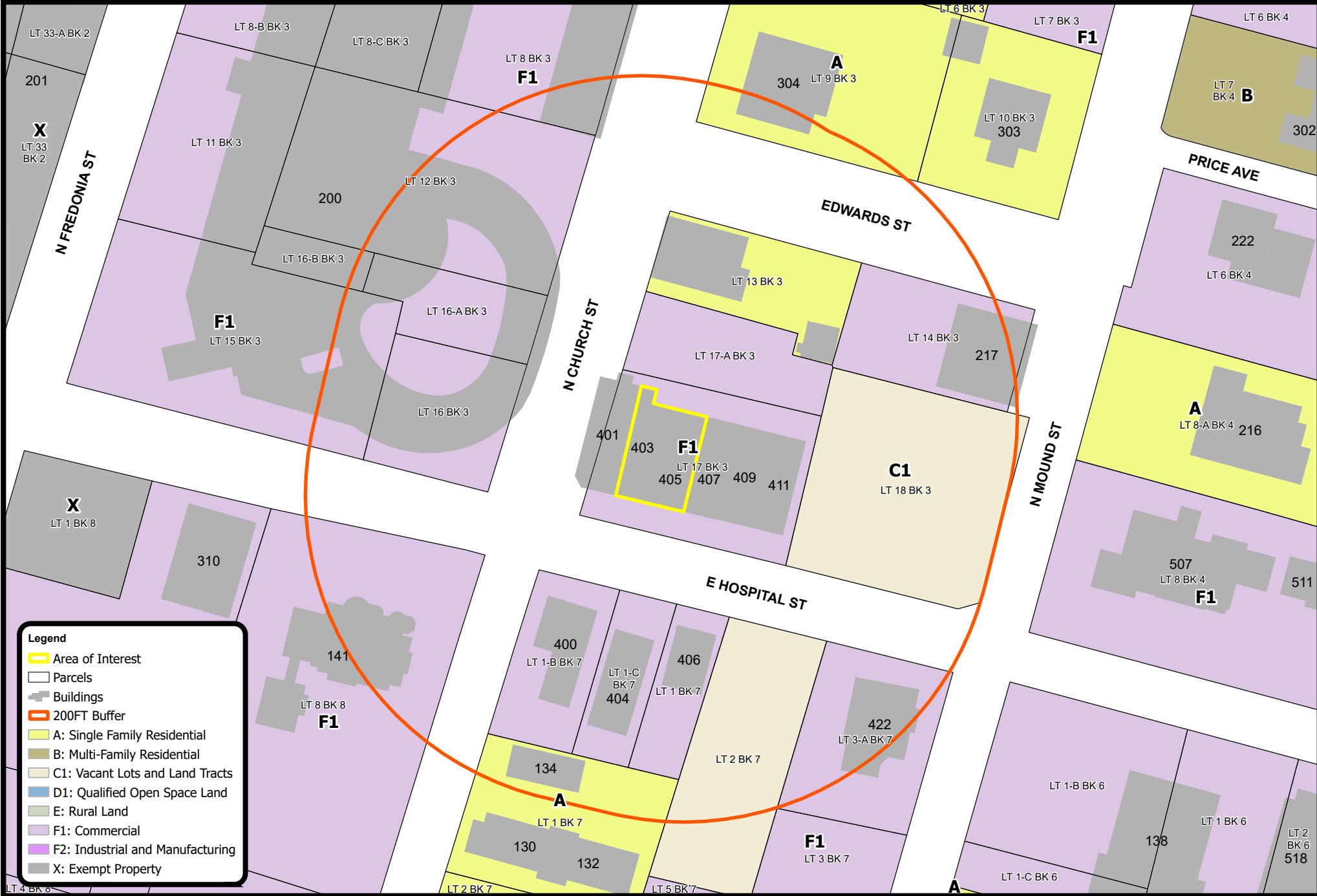
- Legend**
- Area of Interest
 - Parcels
 - Buildings
 - 200FT Buffer
 - Central City Mixed Use
 - Commercial
 - Industrial
 - Multi-Family Residential
 - Not Yet Coded
 - Parks and Recreation
 - Public
 - Rural Development
 - Single Family Residential

0 30 60 90 120 Feet

Date Created: 05/22/25 | Software: ArcGIS Pro

Notice: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

SUP2025-04 Notification Map



ZON2025-10 Site Photos

Subject property



ORDINANCE NO. 2052-08-25

AN ORDINANCE OF THE CITY OF NACOGDOCHES, TEXAS, GRANTING AN AMMENDMENT TO AN EXISTING SPECIFIC USE PERMIT FOR THE DISTILLATION OF LIQUORS, SPIRITS, ETC.-CRAFT LOCATED WITHIN THE B-3, CENTRAL BUSINESS ZONING DISTRICT, ON ONE PARCEL OF LAND, MORE PARTICULARLY DESCRIBED BY NACOGDOCHES CENTRAL APPRAISAL DISTRICT AS PARCEL 22764; LOCATED AT 403 and 405 HOSPITAL STREET, 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, Sheri Hatt, with Mad Hatter Distillery, filed an application to amend a Specific Use Permit for the Distillation of Liquors, Spirits, Etc.-Crafts on property that is currently zoned as B-3, Central Business; located at 403 and 405 East Hospital Road, said tract being legally described as Parcel 22764 (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 an amendment to an existing Specific Use Permit to expand said Property for the purpose of the Distillation of Liquors, Spirits, etc.-Craft (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 the Specific Use Permit allowing for the construction, operation and maintenance of the Distillation of Liquors, Spirits, etc.-Crafts.

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 the Distillation of Liquors, Spirits, etc.-Crafts at the above-described location, with the following conditions:

1. Expand existing operations to the adjacent tenant space located at 405 East Hospital Street.
2. Add an indoor music stage for live low-volume acoustical performances.
3. Revised Hours of Operation
 - a) Monday through Thursday: 2:00 p.m. to 9:00 p.m.
 - b) Friday and Saturday: 11:00 a.m. to 10:00 p.m.
 - c) Sunday: 12:00 p.m. to 6:00 p.m.

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 August, 2025, by a vote of ____ (*ayes*) to ____ (*nays*) of the City Council of the City of Nacogdoches, Texas.

CITY OF NACOGDOCHES

By: _____
RANDY JOHNSON, Mayor

ATTEST:

APPROVED AS TO FORM:

KAREN HADNOT, Interim City Secretary

JERRY BAKER, City Attorney

APPROVED AS TO CONTENT:

JUAN POLLETTE, City Planner

EXHIBIT "A"



Legend

- Area of Interest
- Parcels
- Buildings



0 30 60 90 120 Feet

Date Created: 05/22/25 | Software: ArcGIS Pro

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City Council Meeting

Date: August 5, 2025

Agenda Item: 6.F.

PRESENTER:

ITEM/SUBJECT: Receive a presentation on the 2025 Texas Blueberry Festival. (Kelly Augustine, President, Chamber of Commerce and Grace Handler-Welch, Festival Chair)

SUMMARY/BACKGROUND:

FINANCIAL:

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

CITY CONTACT:

ATTACHMENTS: 1. Blueberry Festival Report 2025

Report for City Council

City of Nacogdoches

35th Annual Texas Blueberry Festival

PRESENTED BY TIPTON FORD

EVENT DATE: JUNE 14, 2025

PHOTOS BY CONNOR BRONSON, COMMUNICATIONS INTERN, CITY OF NACOGDOCHES





Friday night fun!





Mast Hall

Blueberry Cupcake Battle
Berry Sweet Shoppe
Cookin' Up the Blues





Events around town



Food and Traditional Favorites







Found in Festival Park





Celebrating the
US Army's
250th Birthday!





Tipton Ford

F1 Festival Truck photo op NASCAR Simulator



Thank you sponsors!



Blue Diamond Sponsor



Blue Sapphire Sponsor



Vendor Shuttle Sponsor

SFASU Nelson Rusche College of Business
Arnold Center for Entrepreneurship

Festival Bag Sponsor

UBank

Blue Topaz Sponsor

Badders Law Firm
City of Nacogdoches
Motorhomes of Texas
& RV Outfitters of Texas
Oncor Electric Delivery
Pilgrim's Nacogdoches

Broadcast Sponsor

Optimum

Blue Ribbon Sponsors

Regions Bank
90.9 KSWP / KAVX 91.9

Feed the Volunteers

Dillas Primo Quesadillas

Blue Sky Sponsors

Citizens 1st Bank
Doches Credit Union
Goodwill Industries Central East Texas
Harry's Building Materials, Inc.
Lehmann Eye Center
M & S Pharmacy
McWilliams Heating, Cooling & Plumbing
Meadow Ridge Outdoors
Raising Cane's Chicken Fingers
Southside Bank
Stripling's Pharmacy

Blue True Sponsors

Around the Town
Austin Bank, Texas N.A. - Nacogdoches
Cadence Bank
CBS19/London Broadcasting
Etech
KETK/FOX51
KJCS-FM Willy 103
KSWP 90.9/KAVX 91.9
Strickland Plumbing, HVAC & Electric
The Daily Sentinel
Townsquare Media



How many does it take to create the one-and-only Texas Blueberry Festival?

- 41 for profit businesses
- 19 not for profit businesses
- 36 downtown merchants

... and there is always room for more!

How many people?

Where did they come from?

Thank you Visit Nacogdoches for this information!

Festival guests recorded by Placer: 16.7K

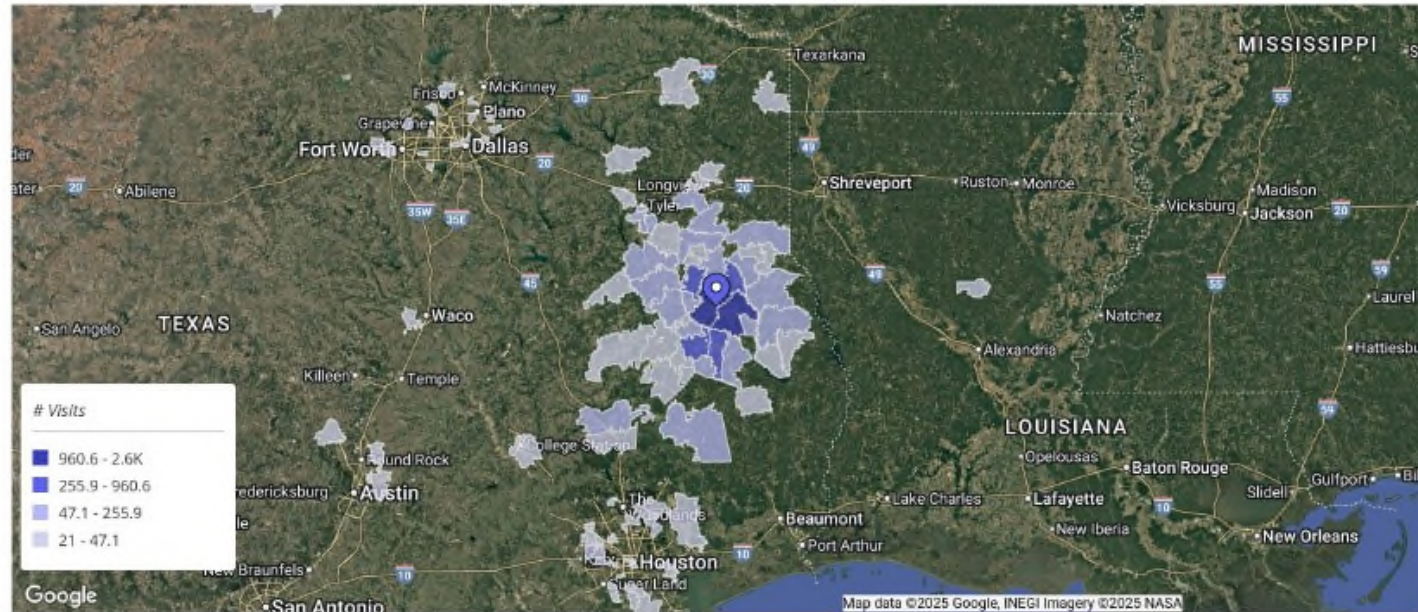


Civic Dashboard

Jun 14 - Jun 14, 2025

Visitors By Origin

Blueberry Festival
215 E Main St, Nacogdoches, TX 75961



Blueberry Festival
215 E Main St, Nacogdoches, TX 75961



Civic Dashboard

Jun 14 - Jun 14, 2025

Prior / Post Compare

Blueberry Festival / E Main St, Nacogdoches, TX

Prior			Post		
Rank	Name	Foot-Traffic	Rank	Name	Foot-Traffic
1	The Fredonia Hotel & Convention Center / N Fr...	7.9%	1	The Fredonia Hotel & Convention Center / N Fr...	4.1%
2	Farmers Market / Pearl St, Nacogdoches, TX	3.4%	2	Fredonia Brewery / N. Mound, Nacogdoches, TX	4%
3	The Medicine Shoppe / North St, Nacogdoches, ...	3.1%	3	Nine Flags Coffee Roasters / E. Main St., Nacogd...	2.2%
4	Nine Flags Coffee Roasters / E. Main St., Nacogd...	2.8%	4	Farmers Market / Pearl St, Nacogdoches, TX	2%
5	Tattoo Nacogdoches / South St, Nacogdoches, TX	2.8%	5	Goodwill / E Main St, Nacogdoches, TX	1.6%
6	Shell / North St, Nacogdoches, TX	2.1%	6	Walmart / North St, Nacogdoches, TX	1.4%
7	The Jones House / N Church St, Nacogdoches, TX	1.8%	7	McDonald's / North St, Nacogdoches, TX	1.2%
8	Herman Power Tire / South St, Nacogdoches, TX	1.7%	8	Walmart Neighborhood Market / N University ...	1.2%
9	Banita Creek Park South / W Cox St, Nacogdoch...	1.7%	9	Raising Cane's Chicken Fingers / North St, Naco...	1.2%
10	Banita Creek Park / Pearl St, Nacogdoches, TX	1.5%	10	Kroger / North St, Nacogdoches, TX	1.2%

Jun 14th, 2025

Data provided by Placer Labs Inc. (www.placer.ai)





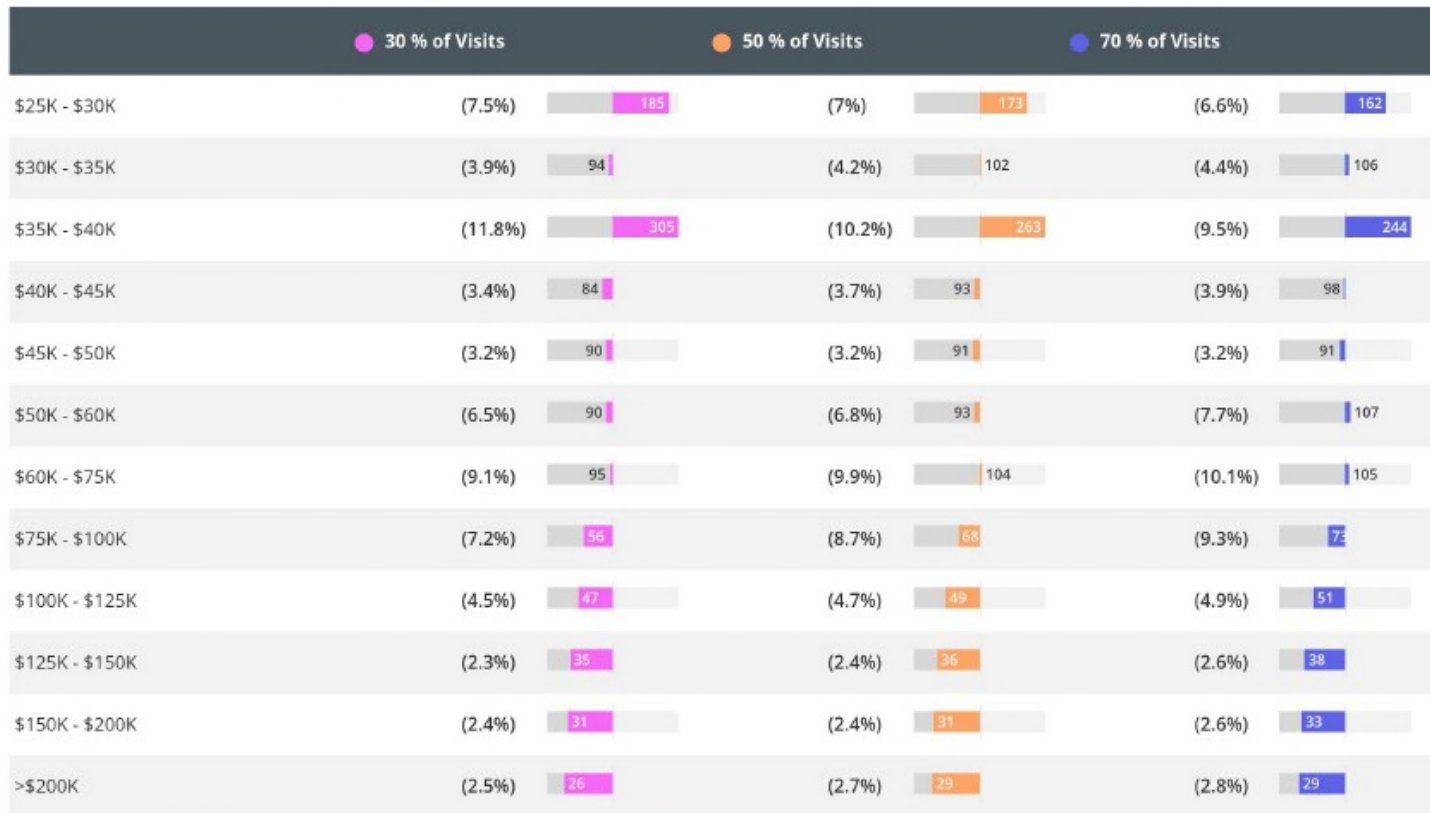
Civic Dashboard

Jun 14 - Jun 14, 2025

Blueberry Festival

215 E Main St, Nacogdoches, TX 75961

Benchmark: Nationwide



Calculated using Weighted Centroid from Block Groups | DataSet: Census 2021 (ACS)

Thank you,
City of Nacogdoches!

We are looking forward to the
36th Annual Texas Blueberry Festival
in Nacogdoches



presented by
TIPTONFord
Nacogdoches, TX





City Council Meeting

Date: August 5, 2025

Agenda Item: 6.G.

PRESENTER: Rick Beverlin, City Manager

ITEM/SUBJECT: Receive an update on the Special Session of the 89th Texas Legislature.
(City Manager)

SUMMARY/BACKGROUND: The City Manager and City staff intend to provide the City Council with a brief overview of the [89th Legislative Special Session](#) convened by Governor Abbott on Monday, July 21, 2025, in order to address a number of issues that purportedly could not be completed during the Regular Session, and discuss any bills that have been filed during the Special Session that could impact the City and its interests.

FINANCIAL:

No financial impact associated with this item

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

Not Applicable

CITY CONTACT: Rick Beverlin, City Manager
beverlinr@nactx.us
(936) 559-2501

ATTACHMENTS: