Nacogdoches
the oldest town in Texas

October 7, 2025

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 4:00 p.m. for the purpose of considering the following agenda items.

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

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

1. CALL TO ORDER.

2. PLEDGE OF ALLEGIANCE.

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

4. 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 approving the minutes from the September 16, 2025, Regular City Council Meeting. (City Secretary)

   B. Consider the extension of Contract No. 22-10-116 with Mead & Hunt, Inc. for professional services related to the City's wastewater pretreatment program implementation and compliance for fiscal year 2026 in the not-to-exceed amount of $100,000.00. (Director of Public Works/City Engineer)

   C. Consider approval of an agreement between the City of Nacogdoches and Pattillo, Brown & Hill, LLP for annual auditing services for FY 2025. (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. Consider approval of an Ordinance of the City of Nacogdoches, Texas amending Chapter 82 – "Solid Waste", and Appendix A – "Master Fee Schedule", of the Nacogdoches Code of Ordinances relative to sanitation collection and disposal fees; providing a severability clause; providing a continuation clause; providing a repeal clause; and providing an effective date. (Executive Director of Development and Infrastructure)

7. ADJOURN.

Karen Hadnot
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 October 1, 2025 by 4:00pm pursuant to Chapter 551 of the Texas Government Code.

Karen Hadnot, City Secretary

Nacogdoches
the oldest town in Texas

City Council Meeting

Date: October 7, 2025

Agenda Item: 5.A.

PRESENTER:

ITEM/SUBJECT: Consider approving the minutes from the September 16, 2025, Regular City Council Meeting. (City Secretary)

SUMMARY/BACKGROUND:

Minutes of the regularly scheduled Council Meeting held on September 16, 2025.

FINANCIAL:

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

CITY CONTACT:

ATTACHMENTS: 1. CC091625 Regular Meeting

Regular Session
Nacogdoches City Council
September 16, 2025 – 5:30 p.m.
Council Chambers
202 E. Pilar, 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. Open Forum:

Willie T. Whitaker III, residing at 1414 Hillview Drive, expressed concerns about wild hogs that have been damaging his property. He believes these hogs pose a risk of harming someone. Mr. Whitaker emphasized that the city needs to address this issue, especially with the change in daylight hours, which leaves kids waiting at the bus stop during dark periods. He noted the hogs are becoming increasingly aggressive and hopes the city will take action to resolve this problem.

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

There being no item removed for the consent agenda.

5. **CONSENT AGENDA:**

Councilman Huckaby made a motion to approve Consent Agenda Items. Councilman Maule seconded the motion, which was unanimously approved.

6. **REGULAR AGENDA:**

Mayor Johnson called the next item on the Regular Agenda.

6A. Receive the annual report from the Boys and Girls Club of Deep East Texas.

Sheila Youngblood, President and CEO, presented the request to the Council. In her presentation, she provided a brief history of the Boys and Girls Club and showcased a PowerPoint presentation. Ms. Youngblood reviewed each slide with the Council, highlighting that the Boys and Girls Club have multiple buildings on its campus. She specifically discussed the aquatic center, emphasizing its importance to the community. The aquatic center serves a significant number of people, including the Nacogdoches Independent School District swim team and the water polo team. Additionally, she mentioned the operating hours for the aquatic center.

Ms. Youngblood shared that the Boys and Girls Club provide lifeguard training, CPR, and first aid courses. They also offer swimming lessons for both adults and youth. She highlighted the total number of patrons served by the club and mentioned that they are developing a pilot program to include elementary schools. Additionally, Ms. Youngblood provided demographic information about the club.

Councilwoman Belanger stated that the Boys and Girls Club it is a great partnership for the City of Nacogdoches.

6B. Receive the annual report from Keep Nacogdoches Beautiful.

Ashley Villareal came forward to represent the request. Ms. Villareal presented the Council with a PowerPoint presentation and provided detailed information about the various events held throughout the year.

6C. Public Hearing: Hold a public hearing and receive citizen input on FY 2025-2026 Proposed tax Rate.

Todd Simoneaux, the Interim Finance Director, presented the request to the Council. He explained that state law mandates a public hearing if the proposed tax rate exceeds either the no-new-revenue rate or the voter approval rate. Mr. Simoneaux displayed a slide showing the current tax rate for the 2024 tax year, as well as the proposed tax rate for the 2025 tax year. He also highlighted the average homestead values for both tax years and the associated levies for each.

Mayor Johnson opens the floor comments. There being no comments, the floor was closed.

6D. Consider approval of an ordinance approving and adopting the annual budget for fiscal year beginning October 1, 2025 and ending September 30, 2026; providing that said expenditures for said fiscal year shall be made in accordance with said budget, unless otherwise authorized by an ordinance adopted by City Council; providing for a repeal clause; providing a severability clause; providing an effective date.

Todd Simoneaux, the Interim Finance Director, presented the request. He noted that all workshops and hearings had been conducted, and that all state statutes and city charter requirements had been met. Mr. Simoneaux emphasized the need for a recorded vote.

Councilwoman Belanger made a motion to approve Item 6D of the regular agenda. The recorded vote was as follows:
- Councilwoman Belanger: aye
- Councilman Williams: aye
- Mayor Johnson: aye
- Councilman Maule: aye
- Councilman Huckaby: aye

The motion carried unanimously.

6E. Consider an ordinance ratifying and setting tax rate on all taxable property for the tax year 2025 at a rate of $0.57596 per one hundred dollars ($100.00) valuation on all taxable property within the corporate limits of the city of Nacogdoches as of January 1, 2025, the said tax rate having a maintenance and operations component and a debt service component; and providing an effective date.

Todd Simoneaux, the Interim Finance Director, presented the request to the Council. He provided notes on how the process should work for this agenda item. Mr. Simoneaux stated that there would be four separate motions and four recorded votes.

Mayor Johnson made a motion "I move that the property tax rate be increased by adopting a new rate of $0.57596 per $100, which effectively a 12.4 percent increase in the tax rate. Councilman Huckaby seconded the motion. The recorded votes were as follows:

Mayor Johnson made motion to allocate $0.49183 per $100 of the tax rate to the General Fund for Maintenance and Operations. Councilman Huckaby seconded the motion. The recorded votes were as follows:

- Councilwoman Belanger: aye
- Councilman Williams: aye
- Mayor Johnson: aye

- Councilman Maule: aye
- Councilman Huckaby: aye

The motion passed unanimously.

Mayor Johnson made a motion to allocate $0.08413 of the tax rate to the Debt Service Fund for interest and Sinking debt service payments. Councilman Huckaby seconded the motion. The recorded vote was as follows:

- Councilwoman Belanger: Aye
- Councilman Williams: Aye
- Mayor Johnson: Aye
- Councilman Maule: Aye
- Councilman Huckaby: Aye

The motion passed unanimously.

Mayor Johnson made a motion “Since this budget will raise more property tax revenue than last years’ budget, I move to ratify the property tax increase reflected in the budget. Councilman Williams seconded the motion. The recorded vote was as follows:

- Councilwoman Belanger: aye
- Councilman Williams: aye
- Mayor Johnson: aye
- Councilman Maule: aye
- Councilman Huckaby: aye

The motion passed unanimously.

Todd Simoneaux, the Interim Finance Director, stated, "Congratulations, we have a budget." Mayor Johnson congratulated Mr. Simoneaux for his hard work on the budget.

6F. Consider approval of an Ordinance of the City of Nacogdoches, Texas amending Chapter 82 – "Solid Waste", and Appendix A – "Master Fee Schedule", of the Nacogdoches Code of Ordinances relative to sanitation collection and disposal fees; 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 the request on behalf of his team. He began by stating that the staff recommends tabling this item. Mr. Neu provided a brief history of the issue and noted that the last approval of solid waste utility rates occurred in 2018, with no changes made since then.

In January 2025, the CNAC committee suggested an increase in these utility rates. Mr. Neu showcased a slideshow featuring a timeline beginning in September 2018, which included the approval of rates in 2025, CNAC's recommendation for a utility rate increase, and a rate study scheduled for April 2025 aimed at determining necessary rate adjustments for fiscal year 2026 to meet the utility’s demands.

Additionally, Mr. Neu displayed a slide from the consulting firm that outlined the proposed increases in utility rates over four fiscal years. He also shared another slide illustrating similar increases for dumpsters and compacted waste. During his presentation, Mr. Neu explained the reasons for requesting that this item be tabled.

Councilman Maule proposed to table Item 6F on the regular agenda. Councilman Huckaby seconded the proposal, and the motion passed unanimously.

6G. Discussion and possible action on changing the time of the City Council regular meeting for October 7, 2025.

Jerry Baker, the City Attorney, informed the Council that a resolution adopted in 2007 established that regular Council meetings would take place on the first and third

Tuesday of each month. Since this time was set by resolution, any change would require the Council's approval.

Councilwoman Belanger made a motion to change the schedule for the regular Council meeting on October 7, 2025, to 4:00 p.m. Councilman Williams seconded the motion, which passed with a unanimous vote.

7. **EXECUTIVE SESSION**

The Mayor and Council adjourned into Executive Session at 6:19pm

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

The City Council has returned from their Executive Session and has taken no action on a decision regarding Personnel Matters.

9. **ADJOURNED:** 7:27p.m.

A full recording of the Regular City Council Meeting for September 16, 2025, may be viewed here: Regular City Council Meeting – 20250916

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Randy Johnson, Mayor
City Council
City of Nacogdoches

ATTEST:

____
Karen Hadnot, City Secretary

Nacogdoches
the oldest town in Texas

City Council Meeting

Date: October 7, 2025

Agenda Item: 5.B.

PRESENTER: Case Opperman, Director of Public Works

ITEM/SUBJECT: Consider the extension of Contract No. 22-10-116 with Mead & Hunt, Inc. for professional services related to the City's wastewater pretreatment program implementation and compliance for fiscal year 2026 in the not-to-exceed amount of $100,000.00. (Director of Public Works/City Engineer)

SUMMARY/BACKGROUND: Mead & Hunt, Inc. is an engineering firm that has been assisting the City with engineering consulting for our wastewater pretreatment program for the past few years. Similar to the proposed request, their active contract was also extended in fiscal year 2025 in the amount of $100,000.

The firm's assistance has been invaluable for working through past issues with Texas Commission on Environmental Quality (TCEQ) requested modifications and testing for pretreatment monitoring, Administrative Orders issued to local industries, modifications to our pretreatment program and establishing local limits for certain contaminants in the wastewater from industries. With several employees who have worked for TCEQ prior, they are also extremely helpful in assisting City staff in working through changes to treatment requirements from the TCEQ and with TCEQ inspections of our facilities. Staff recommends an extension to their contract for FY25-26 to continue assisting the City with our pretreatment program. This contract is budgeted in the Wastewater Treatment Division's operational budget.

FINANCIAL:
Item is budgeted:
Account No.: 30.39 630.71
Account Name: *Wastewater Treatment - Consulting Services*
Amount: $100,000.00

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

CITY CONTACT: Case Opperman – Director of Public Works/City Engineer
oppermanc@nactx.us
(936) 559-2515

ATTACHMENTS: 1. Contract Amendment

Mead & Hunt

September 23, 2025

Mr. Case Opperman, P.E.
Director Public Works
City of Nacogdoches
202 East Pillar Street
Nacogdoches, TX 75961

Subject: Request for Amendment to Contract No. 22-10-116

Dear Mr. Opperman:

Mead & Hunt, Inc. (Mead & Hunt) requests an amendment to Contract No. 22-10-116 that was executed by the City of Nacogdoches (City) on November 21.2021 for services related to the City's Texas Pollutant Discharge Elimination System Permit and Industrial Pretreatment Program (Program). The amendment is for the approval of One Hundred Thousand and no/100 Dollars ($100,000) for Mead & Hunt to continue assisting the City with on-call regulatory and Program related issues during the 2025 – 2026 budget year. Mead & Hunt will provide assistance as requested by the City. The services may include but are not limited to the following:

- Assist with identifying and determining appropriate enforcement actions for industrial user non-compliance and drafting of enforcement documents.
- Review industrial user applications, self-monitoring reports, and other required documentation for compliance with pretreatment standards and requirements as requested.
- Draft Industrial Wastewater Discharge Permits for existing Significant Industrial Users to comply with the updated pretreatment program requirements.
- Support City staff through on-call assistance with sampling, inspections, industrial waste surveys, annual report preparation, enforcement, and other pretreatment related tasks.
- Conduct inspections of current and potential industrial users as requested.
- Assist with regulatory support for emerging contaminants.
- Assist with regulatory reporting requirements for the Program.

The Terms and Conditions in Contract No. 22-10-116 will remain unchanged. The Hourly Rates, however, will be adjusted on January 1, 2026, as provided in the contract. We appreciate the opportunity to continue to serve the City with this project. Please call me at (512) 735-1001 or contact me at Janet.Sims@meadhunt.com if you have any questions.

Sincerely,

Janet Sims

Janet M. Sims
Mead & Hunt

Accepted for the City of Nacogdoches

PRESENTER:

ITEM/SUBJECT: Consider approval of an agreement between the City of Nacogdoches and Pattillo, Brown & Hill, LLP for annual auditing services for FY 2025. (Accounting Manager)

SUMMARY/BACKGROUND: Consider approval of the 2025 Audit Engagement Letter with Pattillo, Brown & Hill, LLP, establishing audit services for the fiscal year ending September 30, 2025. The letter details the audit scope, timeline, responsibilities, and a fee not to exceed $50,000. This engagement ensures compliance with required standards and maintains continuity with a reputable firm.

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. Audit Engagement Letter 2025

PATTILLO, BROWN & HILL, L.L.P.
401 West State Highway 6
Waco, Texas 76710
254.772.4901 | pbhcpa.com

September 16, 2025

City of Nacogdoches, Texas
Attention: Todd Simoneaux, Interim Chief Financial Officer
202 E. Pilar Street
Nacogdoches, Texas 75963

The following represents our understanding of the services we will provide the City of Nacogdoches, Texas (the "Entity").

You have requested that we audit the governmental activities, the business-type activities, the aggregate discretely presented component unit, each major fund, and the aggregate remaining fund information of the Entity as of September 30, 2025, and for the year then ended and the related notes, which collectively comprise the Entity's basic financial statements as listed in the table of contents. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter.

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards,* issued by the Comptroller General of the United States of America will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

Accounting principles generally accepted in the United States of America, (U.S. GAAP,) as promulgated by the Governmental Accounting Standards Board (GASB) require that the management's discussion and analysis, budgetary comparison information, and pension and other postemployment benefit be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the GASB, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America, (U.S. GAAS). These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by U.S. GAAP. This RSI will be subjected to certain limited procedures but will not be audited:

- Management's Discussion and Analysis.

- Budgetary Schedules.
- Schedule of Changes in Net Pension Liability and Related Ratios.
- Schedule of Pension Contributions.
- Schedule of Changes in Total Other Post Employment Benefit (OPEB) Liability and Related Ratios.

Supplementary information other than RSI will accompany the Entity's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and perform certain additional procedures, including comparing and reconciling the supplementary information to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and additional procedures in accordance with U.S. GAAS. We intend to provide an opinion on the following supplementary information in relation to the basic financial statements as a whole:

- Combining and Individual Fund Statements and Schedules.

Also, the document we submit to you will include the following other additional information that will not be subjected to the auditing procedures applied in our audit of the financial statements:

- Introductory Section.
- Statistical Section.

Auditor Responsibilities

We will conduct our audit in accordance with GAAS and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States of America, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.

- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

- Conclude, based on the audit evidence obtained, whether there are conditions or events considered in the aggregate, which raise substantial doubt about the Entity's ability to continue as a going concern for a reasonable period of time.

Although we are currently in the planning stage of our audit, we have identified the following significant risks during our audit to date that require special audit consideration:

- Management override of controls is considered an inherent risk according to GAAS.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States of America.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any other periods.

We will issue a written report upon completion of our audit of the Entity's basic financial statements. Our report will be addressed to those charged with governance of the Entity. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s) to our auditor's report, or if necessary, withdraw from the engagement. If our opinions on the basic financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

In accordance with the requirements of *Government Auditing Standards*, we will also issue a written report describing the scope of our testing over internal control over financial reporting and over compliance with laws, regulations, and provisions of grants and contracts, including the results of that testing. However, providing an opinion on internal control and compliance will not be an objective of the audit and, therefore, no such opinion will be expressed.

Compliance with Laws and Regulations

As previously discussed, as part of obtaining reasonable assurance about whether the basic financial statements are free of material misstatement, we will perform tests of the Entity's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance, and we will not express such an opinion.

Management Responsibilities

Our audit will be conducted on the basis that management and those in charge of governance acknowledge and understand that they have responsibility:

a. For the preparation and fair presentation of the basic financial statements in accordance with accounting principles generally accepted in the United States of America.
b. For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of basic financial statements that are free from material misstatement, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements.
c. To provide us with:
    i. Access to all information of which management is aware is relevant to the preparation and fair presentation of the basic financial statements including disclosures such as records, documentation, and other matters.
    ii. Additional information that we may request from management for the purpose of the audit.
    iii. Unrestricted access to persons within the Entity from whom we determine it necessary to obtain audit evidence.
    iv. A written acknowledgement of all the documents that management expects to issue that will be included in the annual report and the planned timing and method of issuance of that annual report.
    v. A final version of the annual report (including all the documents that, together, comprise the annual report) in a timely manner prior to the date of the auditor's report.
d. For including the auditor's report in any document containing basic financial statements that indicates that such basic financial statements have been audited by us.
e. For identifying and ensuring that the Entity complies with the laws and regulations applicable to its activities.
f. For adjusting the basic financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year period(s) under audit are immaterial, both individually and in the aggregate, to the basic financial statements as a whole.
g. For acceptance of nonattest services, including identifying the proper party to oversee nonattest work.
h. For maintaining adequate records, selecting, and applying accounting principles, and safeguarding assets.
i. For informing us of any known or suspected fraud affecting the Entity involving management, employees with significant role in internal control and others where fraud could have a material effect on the financials.
j. For the accuracy and completeness of all information provided.

With regard to the supplementary information referred to above, you acknowledge and understand your responsibility: (a) for the preparation of the supplementary information in accordance with the applicable criteria; (b) to provide us with the appropriate written representations regarding supplementary information; (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information; and (d) to present the supplementary information with the audited basic financial statements, or if the supplementary information will not be presented with the audited basic financial statements, to make the audited basic financial statements readily available to the intended users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon.

As part of our audit process, we will request from management written confirmation concerning representations made to us in connection with the audit.

Nonattest Services

We will also assist in preparing the financial statements and related notes of the Entity in conformity with U.S. generally accepted accounting principles based on information provided by you. These non-audit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards.* These services are limited to preparing the financial statements and related notes of the Entity as previously outlined. Our firm, in its sole professional judgement, reserves the right to refuse to do any procedure or take any action that could be construed as making management decisions or assuming management responsibilities, including determining account coding and approving journal entries. Our firm will advise with regard to financial reporting, but the Entity must make all decisions with regard to those matters.

We will not assume management responsibilities on behalf of the Entity. However, we will provide advice and recommendations to assist management of the Entity in performing its responsibilities.

The Entity's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed; and (e) designing, implementing, and maintaining the system of internal control, including the process used to monitor the system of internal control.

Our responsibilities and limitations of the engagement is limited to our preparation of the financial statements and related note disclosures previously outlined. Our firm in its sole professional judgment, reserves the right to do any procedure or take any action that could be construed as making management decisions or assuming management responsibilities, including determining account coding and approving journal entries. Our firm will advise with regard to financial reporting, but the Entity must make all decisions with regard to those matters.

Government Auditing Standards require that we document an assessment of the skills, knowledge, and experience of management, should we participate in any form of preparation of the basic financial statements and related schedules or disclosures as these actions are deemed a non-audit service.

Engagement Administration, Fees, and Timing

We will schedule the engagement based in part on deadlines, working conditions, and the availability of your key personnel. We will plan the engagement based on the assumption that your personnel will cooperate and provide assistance by performing tasks such as preparing requested schedules, retrieving supporting documents, and preparing confirmations. If for whatever reason your personnel are unavailable to provide the necessary assistance in a timely manner, it may substantially increase the work we have to do to complete the engagement within the established deadlines, resulting in an increase in fees over our original fee estimate.

The timing of our audit will be scheduled for performance and completion as follows:

Document internal control and preliminary tests	September 2025
Mail confirmations	September 2025
Perform year-end audit procedures	November 2025
Issue audit report	March 2026

John K. Manning is the engagement partner for the audit services specified in this letter. His responsibilities include supervising Pattillo, Brown & Hill, LLP's services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

Our fees for these services will be at our standard hourly rates plus out-of-pocket cost (such as reports reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will not exceed $50,000. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional cost.

Other Matters

During the course of the engagement, we may communicate with you or your personnel via fax or email, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications. In addition to fax and email, our firm also exchanges data over the internet using other methods (such as portals) or store electronic data via software applications hosted remotely through a third-party vendor's secured portal and/or cloud.

Regarding the electronic dissemination of audited financial statements, including financial statements published electronically on your Internet website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Professional standards prohibit us from being the sole host and/or the sole storage for your financial and non-financial data. As such, it is your responsibility to maintain your original data and records and we cannot be responsible to maintain such original information. By signing this engagement letter, you affirm that you have all the data and records required to make your books and records complete.

You authorize us to disclose any and all information you furnish to us in connection with the services provided under this engagement, including audit procedures, to third-party service providers who assist us in fulfilling our professional responsibilities. These service providers may be located within or outside the United States. Such disclosures may include, but are not limited to, confidential financial or investment information necessary to complete assessments or verify valuations. We have obtained confidentiality agreements with all our service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have the appropriate procedures in place to prevent the unauthorized release of confidential information to others. We will remain responsible for the work provided by any third-party service providers used under this agreement. By your signature below, you consent to having confidential information transmitted to entities outside the firm. Please feel free to inquire if you would like additional information regarding the transmission of confidential information to entities outside the firm.

The audit documentation for this engagement is the property of Pattillo, Brown & Hill, LLP and constitutes confidential information. However, we may be requested to make certain audit documentation available to federal or state agencies and the U.S. Government Accountability Office pursuant to authority given to it by law or regulation, or to peer reviewers. If requested, access to such audit documentation will be provided under the supervision of Pattillo, Brown & Hill's personnel. Furthermore, upon request, we may provide copies of selected audit documentation to these agencies and regulators. The regulators and agencies may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

Further, we will be available during the year to consult with you on financial management and accounting matters of a routine nature.

During the course of the audit, we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

We agree to retain our audit documentation or work papers for a period of at least five years from the date of our report.

You agree to inform us of facts that may affect the financial statements of which you may become aware during the period from the date of the auditor's report to the date the financial statements are issued.

At the conclusion of our audit engagement, we will communicate to management and those charged with governance the following significant findings from the audit:

- Our view about the qualitative aspects of the Entity's significant accounting practices.
- Significant difficulties, if any, encountered during the audit.
- Uncorrected misstatements, other than those we believe are trivial, if any.
- Disagreements with management, if any.
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process.
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures.
- Representations we requested from management.
- Management consultations with other accountants, if any.
- Significant issues, if any, arise from the audit that were discussed, or the subject of correspondence, with management.

In accordance with the requirements of *Government Auditing Standards*, we have attached a copy of our latest external peer review report of our firm for your consideration and files.

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the financial statements, compliance over major federal award programs including our respective responsibilities.

We appreciate the opportunity to be your financial statement auditors and look forward to working with you and your staff.

Respectfully,
Pattillo, Brown & Hill, L.L.P.

John K. Manning, CPA
Waco, Texas

RESPONSE:

This letter correctly sets forth our understanding.

Acknowledged and agreed on behalf of the City of Nacogdoches, Texas by:

Name: ____

Title: ____

Date: ____

Report on the Firm's System of Quality Control

December 9, 2022

To the Partners of Pattillo Brown & Hill, LLP
and the National Peer Review Committee

We have reviewed the system of quality control for the accounting and auditing practice of Pattillo Brown & Hill, LLP (the firm) in effect for the year ended May 31, 2022. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported on in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing and complying with a system of quality control to provide the firm with reasonable assurance of performing and reporting in conformity with the requirements of applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported on in conformity with the requirements of applicable professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of and compliance with the firm's system of quality control based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including compliance audits under the Single Audit Act; an audit of an employee benefit; and an audit performed under FDICIA.

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Pattillo Brown & Hill, LLP in effect for the year ended May 31, 2022, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass, pass with deficiency(ies)* or *fail*. Pattillo Brown & Hill, LLP has received a peer review rating of *pass*.

Ericksen Krentel, LLP

Certified Public Accountants

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New Orleans, LA 70119
P: (504) 486-7275 | F: (504) 482-2516

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PRESENTER: Mike Neu, Executive Dirctor of Development and Infrastruture

ITEM/SUBJECT: Consider approval of an Ordinance of the City of Nacogdoches, Texas amending Chapter 82 – "Solid Waste", and Appendix A – "Master Fee Schedule", of the Nacogdoches Code of Ordinances relative to sanitation collection and disposal fees; providing a severability clause; providing a continuation clause; providing a repeal clause; and providing an effective date. (Executive Director of Development and Infrastructure)

SUMMARY/BACKGROUND: This item proposes Solid Waste Utility rate changes for fiscal year 2026, beginning October 1, 2025, as well as subsequent fiscal years. On September 16, 2025, Council tabled this item until the next regular meeting to allow for rate changes not previously added, specifically fees for special waste collection service and landfill (gate) disposal, to be included in the proposed rates.

The primary authority for municipal regulation and provision of solid waste services is found in Chapters 363 and 364 of the Texas Health and Safety Code. A periodic review of City rates is necessary to ensure that utility revenues can sufficiently support the ongoing service costs and capital investments needed for City-managed solid waste collections and landfill operations. The current Solid Waste Utility rates were last approved in September 2018.

The City contracted with NewGen Strategies and Solutions LLC (NewGen) in September 2024 to perform remaining tasks associated with the Utility Rate Study, which comprised financial analyses of City water, sewer, and solid waste utility rates. See contracts 24-10-136 and 22-10-105 for reference. The Capital Needs Advisory Committee (CNAC) received a presentation from NewGen on the initial Solid Waste Utility rate study findings on Jan. 9, 2025, and City Council received a final presentation on April 1, 2025.

The proposed Solid Waste Utility rates are reflective of the rate study's revenue requirement forecast, particularly:

- Utility expenses are forecast to increase from $8.2 million in FY 2025 to $9.0 million by FY 2029.
- Utility equipment and rolling stock purchases totaling $7.2 million between FY 2025 and FY2029 will be funded with annual transfers to capital funds.
- Utility will spend $6.8 million on major landfill capital improvements between FY 2025 and FY 2029 using a combination of available balances in the capital reserve and annual transfers.
- Utility must maintain a minimum cash reserve of 25% of annual operating expenses to maintain liquidity and cover day-to-day operating and maintenance costs.

Depending on the future needs of landfill capital projects or collection operations, the rate study also recommended the City should continue periodic review and adjustment of future rates as needed.

FINANCIAL:

Item is estimated to generate $300,000 in additional Solid Waste Utility revenue relative to expenses in FY 2026.

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

CITY CONTACT: Mike Neu, Executive Director of Development and Infrastructure

ATTACHMENTS:
1. Ordinance redline
2. Ordinance clean

Sec. 82-131. - Service collection and disposal fees and standards.

(d) *Commercial, industrial, institutional and similar nonresidential waste.* Service collection and disposal fees and standards for commercial, industrial, institutional and similar nonresidential waste is as follows:

(1) The city shall have the right to require any of the classes who generate more than four 96-gallon roll out containers per pickup to have approved containerized collection service. A minimum charge will be assessed for roll out carts. Charges for minimum customers who desire multi-weekly collections will be based on the fee schedule set forth in the Master Fee Schedule. Number of collections per week shall be determined by the city manager.

(2) Multiple carts/collections. Cart collections will be charged at the rates set forth in the Master Fee Schedule.

~~Effective 10/1/2018~~

~~Carts~~	~~1 Day~~	~~2 Days~~	~~3 Days~~	~~4 Days~~	~~5 Days~~
~~1~~	~~$28.64*~~	~~$57.28*~~	~~$85.92*~~	~~$114.56*~~	~~$143.20*~~
~~2~~	~~$28.64*~~	~~$57.28*~~	~~$85.92*~~	~~$114.56*~~	~~$143.20*~~
~~3~~	~~$44.11*~~	~~$88.22*~~	~~$132.33*~~	~~$176.44*~~	~~$220.55*~~
~~4~~	~~$59.67*~~	~~$119.34*~~	~~$179.01*~~	~~$238.68*~~	~~$298.35*~~

Note: Tax will be charged on garbage rates.

(3) The collection rate for dumpster service shall cover only one collection per week. Charges for minimum customers who desire multi-weekly collections will be based on the number of collection times the minimum charge. The number of collections per week shall be determined by the city manager.

a. Front load dumpsters - One to six collections per week.

b. After the city has made two separate attempts to collect waste from sites where dumpster is blocked, customers will be billed as if collection was made. To return and empty dumpster will be classified as an extra collection and appropriate fee charged.

c. Roll-off rates - City owned roll-off dumpsters may be rented at the rates set forth in the Master Fee Schedule. Each additional three-day period, or part of, for an additional fee. A disposal rate will also be assessed at the rate set forth in the Master Fee Schedule. Note: Tax will be charged on garbage rates.

(4) Regularly scheduled privately owned roll-off. The collection rate for regular scheduled service is set forth in the Master Fee Schedule. Note: Tax will be charged on garbage rates.

(5) Garbage collection service will be provided to tenants and/or commercial enterprises located on city owned property outside the city limits of Nacogdoches at a rate of one and one-half times the rate charged for commercial garbage collection inside the city limits. All such tenants and enterprises shall be considered commercial and shall abide by the collection standards contained in this section.

(6) The city manager, shall have the right to set the schedule of frequency of pickup, specify the type of container, location of container, and refuse any waste based on volume, weight, dimension, hazard, state (liquid or solid), or type based on any city ordinance, state or federal law, regulations or permit pertaining to same including refusal based on health, air or water safety concerns. Under no circumstances will the city collect waste/refuse from any enclosed area, fenced yard.

(7) Special waste collection fee based on type of waste requested for collection shall be assessed at the rate set forth in the Master Fee Schedule. The city manager shall have the right to determine equipment and personnel needed for collection. Note: All services are charged one-hour minimum. In addition to collection fee, current landfill gate rate disposal fee shall also apply.

Addendum A
Master Fee Schedule

Chapter 82 – SOLID WASTE

Ordinance Reference	Description	Fee
Sec. 82-4	Hauling permit fee	$24.00/year
Sec. 82-131	Residential waste collection: (Note: fuel adjustments shall be added to the fee amounts below)	
	One container	$~~24.77~~25.76/month
	Two containers	$~~41.39~~43.05/month
	Three containers	$~~63.08~~65.60/month
	Dumpster service	$~~19.89~~20.69/month
	Containerized collection	$~~5.04~~5.49/cubic yard, per collection
	Commercial, industrial, institutional and similar non-residential waste collection: (Note: fuel adjustments shall be added to the fee amounts below)	
	Minimum charge	$~~28.64~~29.79
	Multiple carts/collections:	
	One cart	$~~28.64~~29.79/day of collection
	Two carts	$~~28.64~~29.79/day of collection
	Three carts	$~~44.11~~45.87/day of collection
	Four carts	$~~59.67~~62.06/day of collection
	Dumpster service:	
	Front load dumpsters	$~~5.04~~5.49/cubic yard, per collection
	City-owned roll-off dumpsters:	
	Initial 3-day rental period	$~~140.29~~145.90
	Each additional 3-day rental period	$~~70.15~~72.96

	Disposal rate	$~~13.48~~14.02/cubic yard, per dumpster, per collection
	Privately-owned roll-off dumpsters:	
	Non-compacted waste/refuse	$~~5.04~~5.49/cubic yard, per collection
	Compacted waste/refuse	$~~5.55~~6.05/cubic yard, per collection
	Special waste collection fee:	Assessed in accordance with FEMA rate schedule(s)
	~~Personnel~~	
	~~1 man~~	~~$29.58/hour~~
	~~2 men~~	~~$40.71/ hour~~
	~~Truck with operator~~	
	~~Pick-up~~	~~$20.75/ hour~~
	~~Dump truck~~	~~$37.51/ hour~~
	~~Loader/backhoe~~	
	~~With operator~~	~~$45.37/ hour~~
	City landfill fees:	
	Appliances:	
	Large	$~~14.82~~16.15 each
	Small	$~~8.25~~8.99 each
	Mattresses	$16.15 each
	Small dead animals (no larger than a dog)	$~~14.82~~16.15 each
	Large dead animals	$~~76.43~~83.31 each
	Special waste:	
	City resident	$~~14.82~~16.15/cubic yard
	Non-resident	$~~27.08~~29.52/cubic yard
	Tires	Assessed in accordance with the State's recycling fee schedule
	Household garbage, rubbish, waste and brush:	
	City resident:	
	Non-compacted	$~~6.77~~7.38/cubic yard ($~~14.82~~16.15 minimum)
	Compacted	$~~7.44~~8.11/cubic yard ($~~14.82~~16.15 minimum)
	Non-resident:	

	(brush not accepted from outside city limits)	
	Non-compacted	$~~13.36~~14.56/cubic yard ($~~29.53~~32.19 minimum)
	Compacted	$~~14.65~~15.97/cubic yard ($~~29.53~~32.19 minimum)
	Commercial brush/yard waste	$~~8.01~~8.73/cubic yard ($~~18.03~~19.65 minimum)
	FY 2027 (begins October 1, 2026)	
	Residential waste collection: (Note: fuel adjustments shall be added to the fee amounts below)	
	One container	$26.53/month
	Two containers	$44.34/month
	Three containers	$67.57/month
	Dumpster service	$21.31/month
	Containerized collection	$5.77/cubic yard, per collection
	Commercial, industrial, institutional and similar non-residential waste collection: (Note: fuel adjustments shall be added to the fee amounts below)	
	Minimum charge	$30.68
	Multiple carts/collections:	
	One cart	$30.68/day of collection
	Two carts	$30.68/day of collection
	Three carts	$47.25/day of collection
	Four carts	$63.92/day of collection
	Dumpster service:	
	Front load dumpsters	$5.77/cubic yard, per collection
	City-owned roll-off dumpsters:	
	Initial 3-day rental period	$150.28
	Each additional 3-day rental period	$75.14
	Disposal rate	$14.44/cubic yard, per dumpster, per collection
	Privately-owned roll-off dumpsters:	

	Non-compacted waste/refuse	$5.77/cubic yard, per collection
	Compacted waste/refuse	$6.35/cubic yard, per collection
	City landfill fees:	
	Appliances:	
	Large	$16.96 each
	Small	$9.44 each
	Mattresses	$16.96 each
	Small dead animals (no larger than a dog)	$16.96 each
	Large dead animals	$87.47 each
	Special waste:	
	City resident	$16.96/cubic yard
	Non-resident	$30.99/cubic yard
	Tires	Assessed in accordance with the State's recycling fee schedule
	Household garbage, rubbish, waste and brush:	
	City resident:	
	Non-compacted	$7.75/cubic yard ($16.96 minimum)
	Compacted	$8.52/cubic yard ($16.96 minimum)
	Non-resident: (brush not accepted from outside city limits)	
	Non-compacted	$15.29/cubic yard ($33.80 minimum)
	Compacted	$16.77/cubic yard ($33.80 minimum)
	Commercial brush/yard waste	$9.17/cubic yard ($20.64 minimum)
	FY 2028 (begins October 1, 2027)	
	Residential waste collection: (Note: fuel adjustments shall be added to the fee amounts below)	
	One container	$27.33/month
	Two containers	$45.67/month
	Three containers	$69.60/month
	Dumpster service	$21.95/month
	Containerized collection	$5.94/cubic yard, per collection
	Commercial, industrial, institutional and similar non-residential waste collection:	

	(Note: fuel adjustments shall be added to the fee amounts below)	
	Minimum charge	$31.60
	Multiple carts/collections:	
	One cart	$31.60/day of collection
	Two carts	$31.60/day of collection
	Three carts	$48.66/day of collection
	Four carts	$65.84/day of collection
	Dumpster service:	
	Front load dumpsters	$5.94/cubic yard, per collection
	City-owned roll-off dumpsters:	
	Initial 3-day rental period	$154.79
	Each additional 3-day rental period	$77.40
	Disposal rate	$14.87/cubic yard, per dumpster, per collection
	Privately-owned roll-off dumpsters:	
	Non-compacted waste/refuse	$5.94/cubic yard, per collection
	Compacted waste/refuse	$6.54/cubic yard, per collection
	City landfill fees:	
	Appliances:	
	Large	$17.47 each
	Small	$9.73 each
	Mattresses	$17.47 each
	Small dead animals (no larger than a dog)	$17.47 each
	Large dead animals	$90.10 each
	Special waste:	
	City resident	$17.47/cubic yard
	Non-resident	$31.92/cubic yard
	Tires	Assessed in accordance with the State's recycling fee schedule
	Household garbage, rubbish, waste and brush:	
	City resident:	
	Non-compacted	$7.98/cubic yard ($17.47 minimum)

	Compacted	$8.77/cubic yard ($17.47 minimum)
	Non-resident: (brush not accepted from outside city limits)	
	Non-compacted	$15.75/cubic yard ($34.81 minimum)
	Compacted	$17.27/cubic yard ($34.81 minimum)
	Commercial brush/yard waste	$9.44/cubic yard ($21.25 minimum)
	FY 2029 and later (begins October 1, 2028)	
	Residential waste collection: (Note: fuel adjustments shall be added to the fee amounts below)	
	One container	$28.15/month
	Two containers	$47.04/month
	Three containers	$71.69/month
	Dumpster service	$22.60/month
	Containerized collection	$6.12/cubic yard, per collection
	Commercial, industrial, institutional and similar non-residential waste collection: (Note: fuel adjustments shall be added to the fee amounts below)	
	Minimum charge	$32.55
	Multiple carts/collections:	
	One cart	$32.55/day of collection
	Two carts	$32.55/day of collection
	Three carts	$50.12/day of collection
	Four carts	$67.81/day of collection
	Dumpster service:	
	Front load dumpsters	$6.12/cubic yard, per collection
	City-owned roll-off dumpsters:	
	Initial 3-day rental period	$159.43
	Each additional 3-day rental period	$79.72
	Disposal rate	$15.32/cubic yard, per dumpster, per collection
	Privately-owned roll-off dumpsters:	

	Non-compacted waste/refuse	$6.12/cubic yard, per collection
	Compacted waste/refuse	$6.74/cubic yard, per collection
	City landfill fees:	
	Appliances:	
	Large	$17.99 each
	Small	$10.02 each
	Mattresses	$17.99 each
	Small dead animals (no larger than a dog)	$17.99 each
	Large dead animals	$92.80 each
	Special waste:	
	City resident	$17.99/cubic yard
	Non-resident	$32.88/cubic yard
	Tires	Assessed in accordance with the State's recycling fee schedule
	Household garbage, rubbish, waste and brush:	
	City resident:	
	Non-compacted	$8.22/cubic yard ($17.99 minimum)
	Compacted	$9.03/cubic yard ($17.99 minimum)
	Non-resident: (brush not accepted from outside city limits)	
	Non-compacted	$16.22/cubic yard ($35.86 minimum)
	Compacted	$17.79/cubic yard ($35.86 minimum)
	Commercial brush/yard waste	$9.73/cubic yard ($21.89 minimum)
Sec. 82-158	Commercial recyclable waste hauler permit	$250.00

ORDINANCE NO. 2063-10-25

AN ORDINANCE AMENDING CHAPTER 82 "SOLID WASTE", AND APPENDIX A "MASTER FEE SCHEDULE", OF THE NACOGDOCHES CODE OF ORDINANCES RELATIVE TO SANITATION COLLECTION AND DISPOSAL FEES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONTINUATION CLAUSE; PROVIDING A REPEAL CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Nacogdoches has determined that sanitation and disposal fees as fixed in Ordinance No. 1779-09-18, adopted September 18, 2018, is, at this time, inadequate to cover all operation and maintenance costs for sanitation collection and disposal services; and

WHEREAS, in its March 18, 2025 Regular Meeting, the City Council adopted a "Master Fee Schedule", identifying the current fees being charged by the City of Nacogdoches, and incorporating it as an Addendum the Code of Ordinances; and

WHEREAS, in order to implement changes necessary, Chapter 82 "Solid Waste" and Appendix A "Master Fee Schedule" of the Code of Ordinances should be amended to reflect an increase in certain sanitation collection and disposal fees each year beginning in fiscal year 2026 and continuing through fiscal year 2029.

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

SECTION I

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

SECTION II

CHAPTER 82 – "SOLID WASTE", ARTICLE III – "RATES, CHARGES AND BILLING PROCEDURE", of the Code of Ordinances of the City of Nacogdoches, Texas, is hereby amended so that henceforth same shall read as follows:

Sec. 82-131. - Service collection and disposal fees and standards.

(d) *Commercial, industrial, institutional and similar nonresidential waste.* Service collection and disposal fees and standards for commercial, industrial, institutional and similar nonresidential waste is as follows:

(1) The city shall have the right to require any of the classes who generate more than four 96-gallon roll out containers per pickup to have approved containerized collection service. A minimum charge will be assessed for roll out carts. Charges for minimum customers who desire multi-weekly collections will be based on the fee schedule set forth in the Master Fee Schedule. Number of collections per week shall be determined by the city manager.

(2) Multiple carts/collections. Cart collections will be charged at the rates set forth in the Master Fee Schedule. Note: Tax will be charged on garbage rates.

(3) The collection rate for dumpster service shall cover only one collection per week. Charges for minimum customers who desire multi-weekly collections will be based on the number of

collection times the minimum charge. The number of collections per week shall be determined by the city manager.

a. Front load dumpsters - One to six collections per week.

b. After the city has made two separate attempts to collect waste from sites where dumpster is blocked, customers will be billed as if collection was made. To return and empty dumpster will be classified as an extra collection and appropriate fee charged.

c. Roll-off rates - City owned roll-off dumpsters may be rented at the rates set forth in the Master Fee Schedule. Each additional three-day period, or part of, for an additional fee. A disposal rate will also be assessed at the rate set forth in the Master Fee Schedule. Note: Tax will be charged on garbage rates.

(4) Regularly scheduled privately owned roll-off. The collection rate for regular scheduled service is set forth in the Master Fee Schedule. Note: Tax will be charged on garbage rates.

(5) Garbage collection service will be provided to tenants and/or commercial enterprises located on city owned property outside the city limits of Nacogdoches at a rate of one and one-half times the rate charged for commercial garbage collection inside the city limits. All such tenants and enterprises shall be considered commercial and shall abide by the collection standards contained in this section.

(6) The city manager, shall have the right to set the schedule of frequency of pickup, specify the type of container, location of container, and refuse any waste based on volume, weight, dimension, hazard, state (liquid or solid), or type based on any city ordinance, state or federal law, regulations or permit pertaining to same including refusal based on health, air or water safety concerns. Under no circumstances will the city collect waste/refuse from any enclosed area, fenced yard.

(7) Special waste collection fee based on type of waste requested for collection shall be assessed at the rate set forth in the Master Fee Schedule. The city manager shall have the right to determine equipment and personnel needed for collection. Note: All services are charged one-hour minimum. In addition to collection fee, current landfill gate rate disposal fee shall also apply.

SECTION III

APPENDIX A – “MASTER FEE SCHEDULE”, of the Code of Ordinances of the City of Nacogdoches, Texas, is hereby amended and attached hereto as Exhibit “A”.

SECTION IV

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 V

Continuation. All provisions of Chapter 82 and Appendix A of the Code of Ordinances existing prior to the date of passage of this Ordinance remain in full force and effect.

SECTION VI

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 VII

Effective Date. This Ordinance shall be in full force and effect with the November 1, 2025, billing after its passage and publication as may be required by governing law.

SECTION VIII

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 IX

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.

CITY OF NACOGDOCHES

____
Randy Johnson, Mayor

ATTEST:

____
Karen Hadnot, City Secretary

APPROVED AS TO FORM:

____
Jerry Baker, City Attorney

APPROVED AS TO CONTENT:

____
Michael Neu, Executive Director of
Development and Infrastructure

Exhibit A

CODE OF ORDINANCES CITY OF NACOGDOCHES, TEXAS
Appendix A – Master Fee Schedule

Chapter 82 – SOLID WASTE

Ordinance Reference	Description	Fee
Sec. 82-4	Hauling permit fee	$24.00/year
Sec. 82-131	Residential waste collection: (Note: fuel adjustments shall be added to the fee amounts below)	
	One container	$25.76/month
	Two containers	$43.05/month
	Three containers	$65.60/month
	Dumpster service	$20.69/month
	Containerized collection	$5.49/cubic yard, per collection
	Commercial, industrial, institutional and similar non-residential waste collection: (Note: fuel adjustments shall be added to the fee amounts below)	
	Minimum charge	$29.79
	Multiple carts/collections:	
	One cart	$29.79/day of collection
	Two carts	$29.79/day of collection
	Three carts	$45.87/day of collection
	Four carts	$62.06/day of collection
	Dumpster service:	
	Front load dumpsters	$5.49/cubic yard, per collection
	City-owned roll-off dumpsters:	
	Initial 3-day rental period	$145.90
	Each additional 3-day rental period	$72.96
	Disposal rate	$14.02/cubic yard, per dumpster, per collection
	Privately-owned roll-off dumpsters:	

	Non-compacted waste/refuse	$5.49/cubic yard, per collection
	Compacted waste/refuse	$6.05/cubic yard, per collection
	Special waste collection fee:	Assessed in accordance with FEMA rate schedule(s)
	City landfill fees:	
	Appliances:	
	Large	$16.15 each
	Small	$8.99 each
	Mattresses	$16.15 each
	Small dead animals (no larger than a dog)	$16.15 each
	Large dead animals	$83.31 each
	Special waste:	
	City resident	$16.15/cubic yard
	Non-resident	$29.52/cubic yard
	Tires	Assessed in accordance with the State's recycling fee schedule
	Household garbage, rubbish, waste and brush:	
	City resident:	
	Non-compacted	$7.38/cubic yard ($16.15 minimum)
	Compacted	$8.11/cubic yard ($16.15 minimum)
	Non-resident: (brush not accepted from outside city limits)	
	Non-compacted	$14.56/cubic yard ($32.19 minimum)

	Compacted	$15.97/cubic yard ($32.19 minimum)
	Commercial brush/yard waste	$8.73/cubic yard ($19.65 minimum)
	FY 2027 (begins October 1, 2026)	
	Residential waste collection: (Note: fuel adjustments shall be added to the fee amounts below)	
	One container	$26.53/month
	Two containers	$44.34/month
	Three containers	$67.57/month
	Dumpster service	$21.31/month
	Containerized collection	$5.77/cubic yard, per collection
	Commercial, industrial, institutional and similar non-residential waste collection: (Note: fuel adjustments shall be added to the fee amounts below)	
	Minimum charge	$30.68
	Multiple carts/collections:	
	One cart	$30.68/day of collection
	Two carts	$30.68/day of collection
	Three carts	$47.25/day of collection
	Four carts	$63.92/day of collection
	Dumpster service:	
	Front load dumpsters	$5.77/cubic yard, per collection
	City-owned roll-off dumpsters:	
	Initial 3-day rental period	$150.28
	Each additional 3-day rental period	$75.14
	Disposal rate	$14.44/cubic yard, per dumpster, per collection
	Privately-owned roll-off dumpsters:	
	Non-compacted waste/refuse	$5.77/cubic yard, per collection
	Compacted waste/refuse	$6.35/cubic yard, per collection
	City landfill fees:	

	Appliances:	
	Large	$16.96 each
	Small	$9.44 each
	Mattresses	$16.96 each
	Small dead animals (no larger than a dog)	$16.96 each
	Large dead animals	$87.47 each
	Special waste:	
	City resident	$16.96/cubic yard
	Non-resident	$30.99/cubic yard
	Tires	Assessed in accordance with the State's recycling fee schedule
	Household garbage, rubbish, waste and brush:	
	City resident:	
	Non-compacted	$7.75/cubic yard ($16.96 minimum)
	Compacted	$8.52/cubic yard ($16.96 minimum)
	Non-resident: (brush not accepted from outside city limits)	
	Non-compacted	$15.29/cubic yard ($33.80 minimum)
	Compacted	$16.77/cubic yard ($33.80 minimum)
	Commercial brush/yard waste	$9.17/cubic yard ($20.64 minimum)
	FY 2028 (begins October 1, 2027)	
	Residential waste collection: (Note: fuel adjustments shall be added to the fee amounts below)	
	One container	$27.33/month
	Two containers	$45.67/month
	Three containers	$69.60/month
	Dumpster service	$21.95/month
	Containerized collection	$5.94/cubic yard, per collection
	Commercial, industrial, institutional and similar non-residential waste collection: (Note: fuel adjustments shall be added to the fee amounts below)	

	Minimum charge	$31.60
	Multiple carts/collections:	
	One cart	$31.60/day of collection
	Two carts	$31.60/day of collection
	Three carts	$48.66/day of collection
	Four carts	$65.84/day of collection
	Dumpster service:	
	Front load dumpsters	$5.94/cubic yard, per collection
	City-owned roll-off dumpsters:	
	Initial 3-day rental period	$154.79
	Each additional 3-day rental period	$77.40
	Disposal rate	$14.87/cubic yard, per dumpster, per collection
	Privately-owned roll-off dumpsters:	
	Non-compacted waste/refuse	$5.94/cubic yard, per collection
	Compacted waste/refuse	$6.54/cubic yard, per collection
	City landfill fees:	
	Appliances:	
	Large	$17.47 each
	Small	$9.73 each
	Mattresses	$17.47 each
	Small dead animals (no larger than a dog)	$17.47 each
	Large dead animals	$90.10 each
	Special waste:	
	City resident	$17.47/cubic yard
	Non-resident	$31.92/cubic yard
	Tires	Assessed in accordance with the State's recycling fee schedule
	Household garbage, rubbish, waste and brush:	
	City resident:	

	Non-compacted	$7.98/cubic yard ($17.47 minimum)
	Compacted	$8.77/cubic yard ($17.47 minimum)
	Non-resident: (brush not accepted from outside city limits)	
	Non-compacted	$15.75/cubic yard ($34.81 minimum)
	Compacted	$17.27/cubic yard ($34.81 minimum)
	Commercial brush/yard waste	$9.44/cubic yard ($21.25 minimum)
	FY 2029 and later (begins October 1, 2028)	
	Residential waste collection: (Note: fuel adjustments shall be added to the fee amounts below)	
	One container	$28.15/month
	Two containers	$47.04/month
	Three containers	$71.69/month
	Dumpster service	$22.60/month
	Containerized collection	$6.12/cubic yard, per collection
	Commercial, industrial, institutional and similar non-residential waste collection: (Note: fuel adjustments shall be added to the fee amounts below)	
	Minimum charge	$32.55
	Multiple carts/collections:	
	One cart	$32.55/day of collection
	Two carts	$32.55/day of collection
	Three carts	$50.12/day of collection
	Four carts	$67.81/day of collection
	Dumpster service:	
	Front load dumpsters	$6.12/cubic yard, per collection
	City-owned roll-off dumpsters:	
	Initial 3-day rental period	$159.43
	Each additional 3-day rental period	$79.72

	Disposal rate	$15.32/cubic yard, per dumpster, per collection
	Privately-owned roll-off dumpsters:	
	Non-compacted waste/refuse	$6.12/cubic yard, per collection
	Compacted waste/refuse	$6.74/cubic yard, per collection
	City landfill fees:	
	Appliances:	
	Large	$17.99 each
	Small	$10.02 each
	Mattresses	$17.99 each
	Small dead animals (no larger than a dog)	$17.99 each
	Large dead animals	$92.80 each
	Special waste:	
	City resident	$17.99/cubic yard
	Non-resident	$32.88/cubic yard
	Tires	Assessed in accordance with the State's recycling fee schedule
	Household garbage, rubbish, waste and brush:	
	City resident:	
	Non-compacted	$8.22/cubic yard ($17.99 minimum)
	Compacted	$9.03/cubic yard ($17.99 minimum)
	Non-resident: (brush not accepted from outside city limits)	
	Non-compacted	$16.22/cubic yard ($35.86 minimum)
	Compacted	$17.79/cubic yard ($35.86 minimum)
	Commercial brush/yard waste	$9.73/cubic yard ($21.89 minimum)
Sec. 82-158	Commercial recyclable waste hauler permit	$250.00