



City Council
December 2, 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 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 a Budget Amendment transferring funds from PD Vehicle Maintenance Fund to the City Capital Fund. (Dan Taravella)
 - B. Consider an Ordinance Amendment for Various Recreation Fees in the Master Fee Schedule. (City Attorney)
 - C. Review and accept the Investment Report for the quarter ended September 30, 2025. (Assistant Director of Finance)
 - D. Consider approval of purchase of a John Deere 5060 E Cab Utility Tractor, utilizing Sourcewell Purchasing Contract #139280, in the amount of \$61,301.66. (Community Services Director)

- E. Consider approval of a resolution to apply for the FY-2026 Regional Solid Waste Grant through Deep East Texas Council of Governments (DETCOG). (Community Services Director)
 - F. Consider approval of a contract by and between the City of Nacogdoches and Pape-Dawson Consulting Engineers, LLC (formerly KSA) for professional preliminary engineering services to determine the feasibility of alternatives for rehabilitation and/or replacement of the belt filter press building at the Nacogdoches Wastewater Treatment Plant in a total amount of \$49,220.00 (Asst. Dir. of Public Works/Asst. City Engineer).
 - G. Consider approval of Resolution 1403-12-25 authorizing Hydrex Environmental to act as an agent for the City of Nacogdoches in discussions with the US Army Corps of Engineers (USACE) in regard to the Landfill Expansion Project (Director of Public Works/City Engineer).
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 acceptance of the Downtown Projects Implementation Strategy final report from The Goodman Corporation. (Executive Director of Development and Infrastructure)
 - B. Consider approval of Resolution 1404-12-25 regarding the submission of a Fiscal Year 2025 Disaster Supplemental Grant Program application by the City of Nacogdoches to the Economic Development Administration for federal funding assistance to construct a parking facility in the downtown area of Nacogdoches. (Executive Director of Development and Infrastructure)
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. Real Property – Pursuant to Texas Government Code Section 551.072, a governmental body may conduct a closed meeting to deliberate on the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person. The subject of this Executive Session is to discuss and consider approval of a proposed letter of intent related to a downtown parking facility. (City Manager)
 - B. 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 Agreement for Professional Services and Employment between the City Manager and the City of Nacogdoches and consent for an outside consulting opportunity in accordance with the terms of said Agreement. (City Manager)

8. 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 November 24, 2025, by 5:00pm pursuant to Chapter 551 of the Texas Government Code.

Karen Hadnot, City Secretary



City Council Meeting

Date: December 2, 2025

Agenda Item: 5.A.

PRESENTER: Dan Taravella, Assistant Police Chief

ITEM/SUBJECT: Consider a Budget Amendment transferring funds from PD Vehicle Maintenance Fund to the City Capital Fund. (Dan Taravella)

SUMMARY/BACKGROUND: Budget Amendment transferring funds from PD Vehicle Maintenance budget to City Capital Fund to outfit one police car

FINANCIAL:

Item is budgeted:

Account No.: 60.60.680.20

Account Name: *City Capital Vehicle Fund*

Amount: \$28,275.58

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

Not Applicable

CITY CONTACT: Dan Taravella
taravellad@nactx.us
936-559-2610

ATTACHMENTS: 1. Final Tahoe Estimate 25-26

**DEFENDER SUPPLY™****845 FM 407 W
Argyle, TX 76226**

Date	10/14/2025
Estimate #	42951
Estimate By	Jennifer Wilson
	Jennifer@defendersupply...
	214-870-1879



Bill To
Nacogdoches Police Department Dan Taravella 312 West Main St. Nacogdoches, TX. 75961

Customer Contact	
Customer Phone	936-569-4538
Customer E-mail	taravellad@nactx.us

2026 Tahoe PPV	Vehicle Base Color - Black		
Description	Qty	Price	Total
2026 Tahoe PPV			
Sourcewell Cooperative Purchasing Contract #			
090122-WHL			
Build Notes:			
Program for Black Out			
Defender Supply Driver Side Spot Light with LED Bulb for 2021+ Chevrolet Tahoe 9C1 & SSV. Includes Installation.	1	637.80	637.80T
Defender Supply TAHOE Marked Patrol Base Package	1	10,666.00	10,666.00T
- Whelen 54" Legacy WeCanX DUO Lightbar with Integrated V2V Sync, Traffic Advisor and Full Across Take Down/Alley Lighting, Progressing Flash Patterns with Slide Switch, Cruise, Photo Cell Daylight Sensing, Low Power (R/W, B/W Front And Side, R/A, B/A Rear) with Strap Kit.			
- Core Controller, Output Expansion Module, 100 Watt Speaker and Bracket. Wired and Programmed to Defender Supply Standard.			
- Steel Push Bumper with Textured Coating and 6 Tri Color Super LED Light Heads (R/B/W), 4 in the Top Channel Cutouts and 1 on Each Side with 45° Brackets. Take Down, Alley Lighting, Progressing Flash Patterns with Slide Switch, Cruise and Low Power Capabilities.			
- 2 Tri Color Super LED Light Heads (R/B/W) Mounted on Rear License Plate Bracket. Reverse / Brake Lighting, Progressing Flash Patterns with Slide Switch, Cruise and Low Power Capabilities.			
- 1 Front Cabin and 2 Hatch Dome Lights with On/Off Switches.			
- Contoured Police Console With Dual Cup Holder, Arm Rest, 12V Power Outlets and 2 Magnetic Mic Clips.			
- Defender Supply Wiring Harnesses, Power Distribution Block and Battery Management System.			
- Includes Installation.			
Defender Supply TAHOE Premium Single Drawer Storage Box. Includes Shipping and Installation.	1	1,994.20	1,994.20T

Final sale amount may be subject to state and local sales tax. PLEASE NOTE: Once this estimate has been approved, either by signature on this form, written approval referencing the estimate number or the issuance of purchase order, any changes or cancellations of parts made by the customer are subject to a 25% restocking fee. Any additional customer-requested parts/services will be added to the total amount of the sale.

Vehicle & Emergency Equipment Total

** All customer supplied equipment is assumed to be either brand new in box or bench tested and fully functional with all necessary vehicle specific cables and brackets – troubleshooting and/or repairing inoperable or incomplete customer supplied equipment will be subject to our normal labor rate of \$125/hour **

Signature

**DEFENDER SUPPLY™****845 FM 407 W
Argyle, TX 76226**

Date	10/14/2025
Estimate #	42951
Estimate By	Jennifer Wilson
	Jennifer@defendersupply...
	214-870-1879



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Nacogdoches Police Department Dan Taravella 312 West Main St. Nacogdoches, TX. 75961

Customer Contact	
Customer Phone	936-569-4538
Customer E-mail	taravellad@nactx.us

2026 Tahoe PPV	Vehicle Base Color - Black			
Description		Qty	Price	Total
Defender Supply TAHOE Rear Liftgate Window Traffic Advisor Package - 1 Eight Dual Color Module Super LED Full Function Light Stick (R/A, B/A) with Progressing Flash Patterns with Slide Switch, Cruise, Low Power Functions Mounted on Rear Hatch Behind Glass with Vehicle Specific Shroud and Brackets. ... - 2, Dual Color Super LED Light Heads (R/B), Mounted Horizontally Under The Hatch on Each Corner, Rear Facing When Open. Includes Installation.		1	1,886.80	1,886.80T
Defender Supply TAHOE Rear Spoiler Light Package - Includes Six Light Heads (3x Red/Amber, 3x Blue/Amber) Under Rear Spoiler Mounted at the top of the Rear Window. Traffic Advisor and Flash Functions. Includes Installation.		1	1,945.00	1,945.00T
Defender Supply Mirror Lighting Package 1 - Includes Two Tri-Color Super LED Light Heads Mounted Under Mirror (R/B/W) with 180° Light Spread and integrated Alley Function with Bracket. Includes Installation.		1	880.00	880.00T
Defender Supply Rear Side Window Lighting Package - Includes Two Tri Color Super LED Light Heads (R/B/W) Mounted 1 on Each Rear Side Window Top. Progressing Flash Patterns with Slide Switch, Alley, Low Power and Cruise Functions Available (Core/Carbide Only). Includes Installation.		1	715.00	715.00T
Defender Supply Running Board Lighting - Includes Four Dual Color Super LED Light Heads (4x R/W/B), 2 on Each Running Board. Progressing Flash Patterns with Slide Switch, Alley, Low Power and Cruise Functions Available (Core/Carbide Only). Includes Installation.		1	1,403.20	1,403.20T
Defender Supply Console Computer Mount set up that includes; Heavy Duty Telescoping Pole, Slide Out Locking Swing Arm & Docking Station Adapter Plate for mounting. Includes Installation.		1	495.00	495.00T
Defender Supply TAHOE Prisoner Partition with Full Across Poly Window with Center Slider, Recessed Center and Lower Kick Panels. Includes Shipping and Installation.		1	1,235.98	1,235.98T
Defender Supply TAHOE Cargo Barrier with Mesh Window, Plastic Prisoner Seat with Center Pull Seat Belt System. Includes Shipping and Installation.		1	2,407.30	2,407.30T
Defender Supply Surface Mount Traditional Universal Cuff Style Dual Weapon Lock with 8 Second Timer, Switch, Defender Supply Gunlock Wire Harness. Includes Installation.		1	675.00	675.00T

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Vehicle & Emergency Equipment Total

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Signature

**DEFENDER SUPPLY™****845 FM 407 W
Argyle, TX 76226**

Date	10/14/2025
Estimate #	42951
Estimate By	Jennifer Wilson
	Jennifer@defendersupply...
	214-870-1879



Bill To
Nacogdoches Police Department Dan Taravella 312 West Main St. Nacogdoches, TX. 75961

Customer Contact	
Customer Phone	936-569-4538
Customer E-mail	taravellad@nactx.us

2026 Tahoe PPV	Vehicle Base Color - Black			
Description		Qty	Price	Total
Defender Supply Hitch Lighting Package -Includes 2 , Rear Facing Tri Color Super LED Light Heads (R/B/W), Mounted Horizontally on Each Side of the Hitch Area. Progressing Flash Patterns with Slide Switch, Cruise, Tail/Brake. Includes Installation.		1	560.90	560.90T
DSP-CSP-RADAR - Installation of customer supplied radar.		1	295.00	295.00T
**** Sales information **** What brand? - Is there a camera interface cable? -				
Installation of customer supplied camera system.		1	877.00	877.00T
**** Sales information **** What brand? - Is there wireless download? -				
Installation of Customer Supplied 2 Piece Radio and 1 Antenna. (Additional Antennas and/or GPS are Extra)		1	533.00	533.00T
**** Sales information **** What brand? - Harris Unity XL-200M How many antennas are we installing (includes used and new)? - 1 New with Radio Is there a wireless mic? -				
Installation of Customer Supplied Harris Radio Charger (No Antenna for this)		1	140.00	140.00T
**** Sales information **** What brand? - Harris How many antennas are we installing (includes used and new)? - None Is there a wireless mic? - No **Back of Console				
Professional Installation of Graphics by Defender Supply		1	225.00	225.00
Window Tint - For Two Front Windows		1	95.00	95.00T

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Vehicle & Emergency Equipment Total

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Signature

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Argyle, TX 76226**

Date	10/14/2025
Estimate #	42951
Estimate By	Jennifer Wilson
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Bill To
Nacogdoches Police Department Dan Taravella 312 West Main St. Nacogdoches, TX. 75961

Customer Contact	
Customer Phone	936-569-4538
Customer E-mail	taravellad@nactx.us

2026 Tahoe PPV	Vehicle Base Color - Black		
Description	Qty	Price	Total
Professional cleaning, detailing, make-ready and document preparation by Defender Supply.	1	200.00	200.00T
CSP: Kustom Raptor RP1 Radar Harris XL-200M 2pc Radio w/Speaker Radio Antenna and Coax Harris Handhled Radio Charger - VC400XL (No radio or antenna) Camera System Graphics			
DSP-CSP-CRADLEPOINT - Installation of customer supplied cradle point, antenna and CAT5e cable.	1	231.00	231.00T
**** Sales information **** Mounting Location? - TBD			
DSP-COMPUTERDOCK - Installation of computer dock and power supply.	1	177.40	177.40T
CSP: Cradlepoint w/ Power Supply Docking Station w/Power Supply Texas Government or Municipality - No Sales Tax		0.00%	0.00

Final sale amount may be subject to state and local sales tax. PLEASE NOTE: Once this estimate has been approved, either by signature on this form, written approval referencing the estimate number or the issuance of purchase order, any changes or cancellations of parts made by the customer are subject to a 25% restocking fee. Any additional customer-requested parts/services will be added to the total amount of the sale.

Vehicle & Emergency Equipment Total	\$28,275.58
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** All customer supplied equipment is assumed to be either brand new in box or bench tested and fully functional with all necessary vehicle specific cables and brackets – troubleshooting and/or repairing inoperable or incomplete customer supplied equipment will be subject to our normal labor rate of \$125/hour **

Signature _____



City Council Meeting

Date: December 2, 2025

Agenda Item: 5.B.

PRESENTER: Jerry Baker, City Attorney

ITEM/SUBJECT: Consider an Ordinance Amendment for Various Recreation Fees in the Master Fee Schedule. (City Attorney)

SUMMARY/BACKGROUND:

This proposed amendment updates the City of Nacogdoches Master Fee Schedule for Recreation Fees under Chapter 74 – Parks and Recreation. The C.L. Simon Recreation Center offers a wide range of classes, activities, sports, and facility rentals. To allow new classes to be added outside the annual budget cycle, the Recreation Division requests adding an “Other – varies by type” category to the Master Fee Schedule. This category will allow staff to work with potential instructors to set appropriate pricing and schedules and offer new programs more quickly in response to community interest. Successful new classes will be added individually to the Master Fee Schedule during the annual budget cycle.

The Recreation Division also requests updating the pricing for gymnastics classes, as instructors have recommended extending class length from 45 minutes to one hour to better serve participants.

FINANCIAL:

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

CITY CONTACT: Jerry Baker, City Attorney
bakerj@nactx.us
936-2505

ATTACHMENTS:

1. Ordinance_Parks & Rec_fee schedule amendment
2. Ordinance_Parks & Rec_fee schedule_Ex A

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF NACOGDOCHES, TEXAS AMENDING APPENDIX A - MASTER FEE SCHEDULE TO 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 a Texas home-rule city acting under its Charter adopted pursuant to Article XI, Section 5, of the Texas Constitution, which, among other things, provides authority to the governing body to assess fees related to permits and services provided by the City; and

WHEREAS, the City Council for the City of Nacogdoches has adopted a “Master Fee Schedule” and incorporated it as Addendum A to the Code of Ordinances; and

WHEREAS, the Master Fee Schedule identifies the current fees being charged by the City of Nacogdoches for various services, including those related to Parks and Recreation; and

WHEREAS, the Parks and Recreation department seeks to update the fees charged for the use of city parks, recreational facilities, and for recreational sports programs as provided under Chapter 74 of the Code of Ordinances and as currently set forth in Addendum A; and

WHEREAS, the City Council has determined the need to amend those portions of Addendum A—Master Fee Schedule 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

The City of Nacogdoches hereby amends the Addendum A—Master Fee Schedule, attached hereto as Exhibit “A”, and updates the applicable fees for Chapter 74 of the Code of Ordinances.

SECTION III

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 IV

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

SECTION V

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 VI

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

SECTION VII

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 VIII

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, City Secretary

BY: _____
Randy Johnson, Mayor

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Jerry Baker, City Attorney

Jessica Sowell, Director of Community Services

Exhibit A

CODE OF ORDINANCES CITY OF NACOGDOCHES, TEXAS

Addendum A

Master Fee Schedule

Chapter 74 – PARKS AND RECREATION

Ordinance Reference	Description	Fee
Sec. 74-66	Recreational facility rentals:	
	Gymnastics Birthday Party	\$75.00/less than 12 \$125.00/up to 24 \$10.00 for extra set up time
	Park Pavilion	\$10.00/hour; \$50.00/day
	Liberty Hall	\$140.00/4 hours week day; \$280.00/Saturday, Sunday; Deposit: \$100.00 or \$500.00 w/alcohol
	Washer board rental	\$15.00/set (comes with 6-8 washers) per day
	Pickleball nets, balls, rackets/whiffle ball bases, bat, ball/disc golf discs/badminton nets and racket set	\$0
	Recreation classes:	
	Adult Swing Dance Class	\$5.00/day
	Aikido	\$5.00/day; \$60.00/scan card
	Bodyweight Burn	\$5.00/day
	Clogging	\$7.00/day; \$60.00/scan card
	Fencing	\$50.00/month (4 classes)
	Gymnastics/ Ninja	\$35 40/month (4 classes)

	Judo	\$5.00/day; \$15.00/month (4 classes)
	Sign Language	\$5.00/day
	Table Tennis	\$2.00/day
	Tai Chi	\$0
	Twirling	\$35.00/month (4 classes)
	Youth Dance	\$35.00/month (4 classes)
	Zumba	\$5.00/day; \$60.00/scan card
	Zumbini	\$10.00/day
	Gym Membership daily/monthly	\$2.00/day; \$20.00/month
	Open gymnastics	\$5.00/day
	Tumble Tots/ homeschool open gym	\$5.00/day per family; \$60.00/scan card
	<u>Other</u>	<u>Varies by type</u>
	Sports Leagues:	
	Adult Softball	\$385.00/team
	Adult Soccer	\$450.00/team; \$45.00/individual
	Adult Futsal	\$175.00/team; \$25.00/individual
	Youth Basketball	\$60.00/player; \$10.00 registration late fee
	Youth Volleyball	\$60.00/player; \$10.00 registration late fee
<u>Sec. 74-84</u>	<u>Special event permit</u>	<u>\$50.00</u>



City Council Meeting

Date: December 2, 2025

Agenda Item: 5.C.

PRESENTER: Kevin Sardinha, Accounting Manager

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

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: Kevin Sardinha, Assistant Director of Finance
sardinhak@nactx.us
(936) 559-2533

ATTACHMENTS: 1. 2025 09 Nacogdoches



QUARTERLY INVESTMENT REPORT

For the Quarter Ended

September 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.

Annual Comparison of Portfolio Performance

FYE Results by Investment Category:

Asset Type	September 20, 2024			September 30, 2025		
	Ave. Yield	Book Value	Market Value	Ave. Yield	Book Value	Market Value
MMA/MMF/Pools	4.69%	\$ 95,243,782	\$ 95,243,782	4.09%	\$ 124,907,915	\$ 124,907,915
Certificates of Deposit	5.20%	23,294,125	23,294,125	4.38%	36,894,446	36,894,446
Totals		\$ 118,537,907	\$ 118,537,907		\$ 161,802,361	\$ 161,802,361
Fourth Quarter-End Yield	4.52%			4.16%		

Average Quarter-End Yields (1):

	2024 Fiscal Year	2025 Fiscal Year
Nacogdoches	4.72%	4.24%
Rolling Three Month Treasury	5.42%	4.38%
Rolling Six Month Treasury	5.34%	4.35%
TexPool	5.29%	4.36%
Fiscal YTD Interest Earnings	\$ 5,013,595 (Approximate)	\$ 5,524,415 (Approximate)

(1) Average Quarterly Yield calculated using quarter-end report average yield and adjusted book value.

Summary

Quarter End Results by Investment Category:

Asset Type	June 30, 2025			September 30, 2025		
	Ave. Yield	Book Value	Market Value	Ave. Yield	Book Value	Market Value
MMA/MMF/Pools	4.19%	\$ 98,023,657	\$ 98,023,657	4.09%	\$ 124,907,915	\$ 124,907,915
Certificates of Deposit	4.54%	23,050,919	23,050,919	4.38%	36,894,446	36,894,446
Totals	4.26%	\$ 121,074,575	\$ 121,074,575	4.16%	\$ 161,802,361	\$ 161,802,361

Average Yield - Current Quarter (1)

Total Portfolio	4.16%
Rolling Three Month Treasury	4.24%
Rolling Six Month Treasury	4.17%
TexPool	4.25%

Fiscal Year-to-Date Average Yield (2)

Total Portfolio	4.24%
Rolling Three Month Treasury	4.38%
Rolling Six Month Treasury	4.35%
TexPool	4.36%

Interest Income (Approximate)

Quarterly Interest Income	\$ 1,589,793
Fiscal Year-to-date Interest Income	\$ 5,524,415

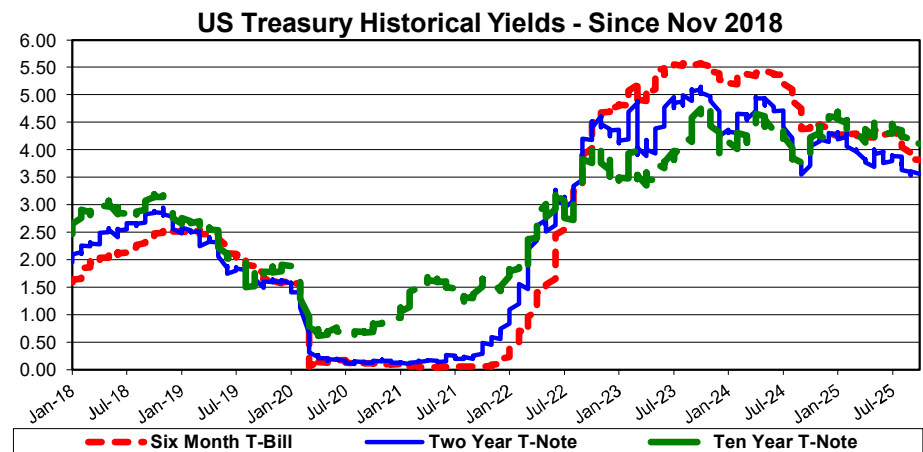
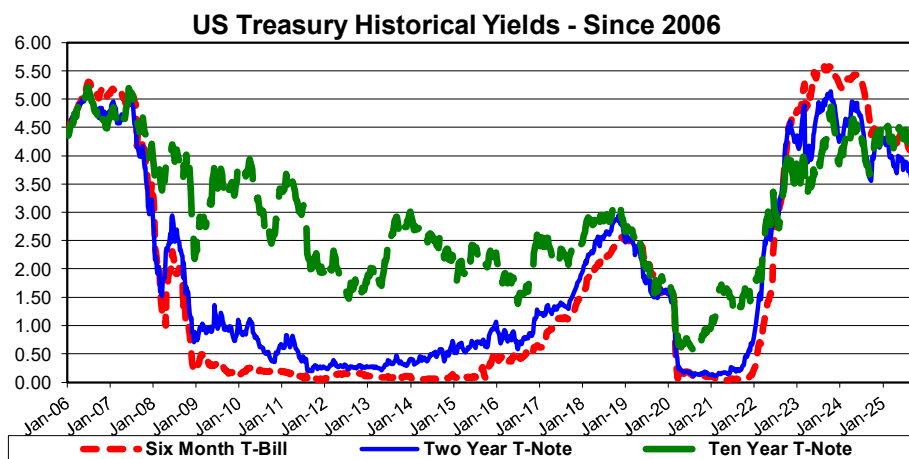
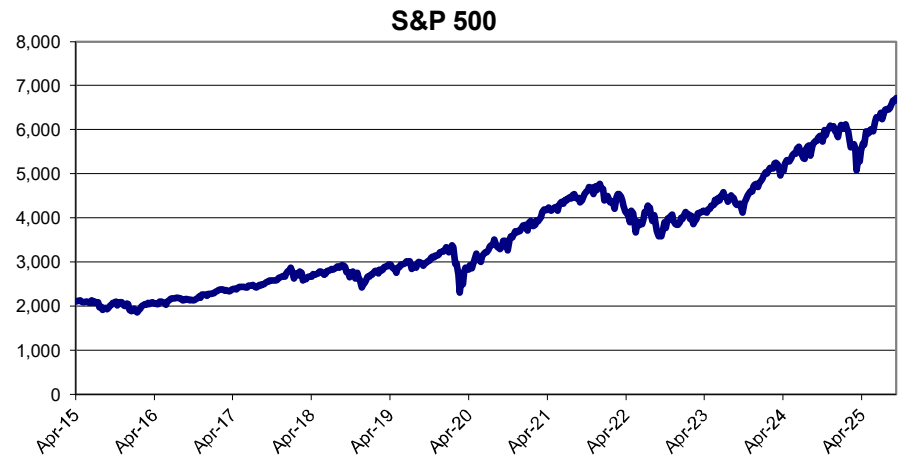
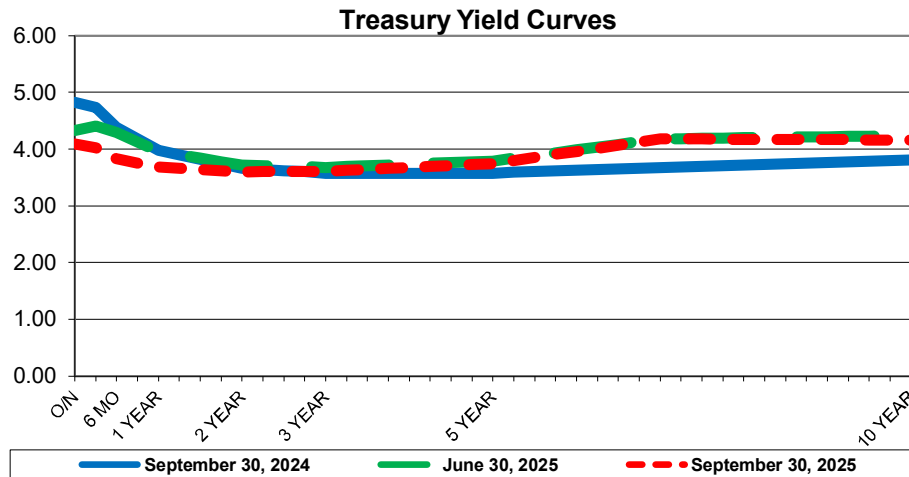
(1) **Average Yield - Current Quarter** - based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month is used for bank, pool, and money market balances.

(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

9/30/2025

The Federal Open Market Committee (FOMC) cut the Fed Funds target range to 4.00% - 4.25% September 17th (Effective Fed Funds trade +/-4.08%). Expectations for additional rate cuts remain - projecting two more 0.25% cuts before year-end. Sep Non-Farm Payroll was delayed by the government shut down. Second Quarter 2025 GDP (final) increased to + 3.8%. The S&P 500 Stock Index continued climbing and reached a new high (+/-6,700). The yield curve condensed with a slight upward slope. Crude Oil remains in the low \$60s. Inflation continues above the FOMC 2% target (Core PCE +/-2.9% and Core CPI +/-3.1%). The Markets still face uncertain economic outlooks, tariff impacts and political conflicts.



Investment Holdings

September 30, 2025

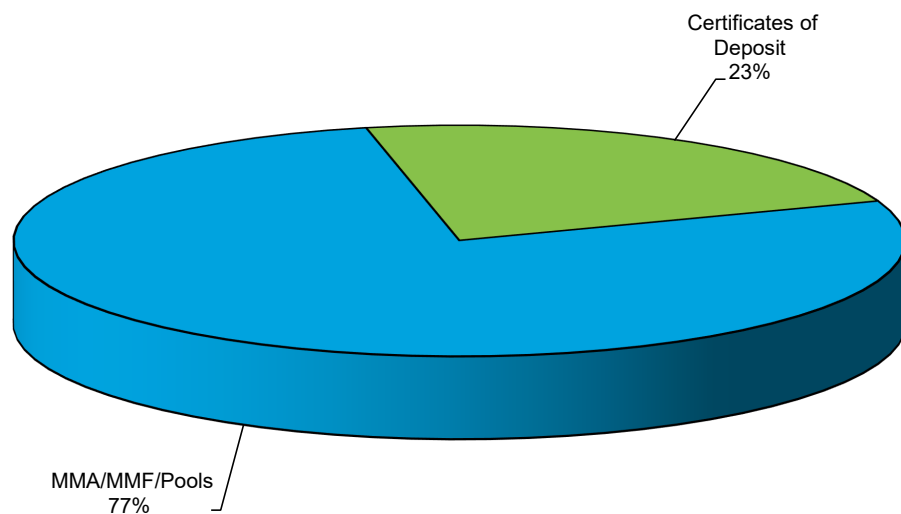
Description	Ratings	Coupon/ Discount	Maturity Date	Settlement Date	Face Amount/ Par Value	Book Value	Market Price	Market Value	Life (Day)	Yield
Southside Bank MMA (3)		0.61%	10/01/25	09/30/25	\$ 6,115,979	\$ 6,115,979	1.00	\$ 6,115,979	1	0.61%
SouthState MMA		4.49%	10/01/25	09/30/25	9,986,034	9,986,034	1.00	9,986,034	1	4.49%
Veritex Bank MMA		4.30%	10/01/25	09/30/25	7,553,042	7,553,042	1.00	7,553,042	1	4.30%
Federated Hermes Gov't MMF		4.07%	10/01/25	09/30/25	555,305	555,305	1.00	555,305	1	4.07%
TexPool	AAAm	4.25%	10/01/25	09/30/25	95,710,841	95,710,841	1.00	95,710,841	1	4.25%
TexSTAR	AAAm	4.21%	10/01/25	09/30/25	4,986,713	4,986,713	1.00	4,986,713	1	4.21%
SUBTOTAL					\$ 124,907,915	\$ 124,907,915		\$ 124,907,915	1	4.09%
									(1)	(2)
SouthSide Bank CD		4.40%	10/24/25	07/24/25	3,000,000	3,000,000	100.00	3,000,000	24	4.47%
First Nat'l Bank CDARS		4.09%	12/18/25	09/18/25	2,002,915	2,002,915	100.00	2,002,915	79	4.17%
Citizens 1st Bank CD		4.44%	12/26/25	12/27/24	2,274,077	2,274,077	100.00	2,274,077	87	4.51%
Citizens 1st Bank CD		4.34%	01/13/26	01/14/25	2,043,025	2,043,025	100.00	2,043,025	105	4.41%
UBank CD		4.40%	01/30/26	07/30/25	2,000,000	2,000,000	100.00	2,000,000	122	4.45%
UBank CD		4.35%	03/16/26	09/16/25	1,000,000	1,000,000	100.00	1,000,000	167	4.40%
First Nat'l Bank CDARS		3.97%	03/19/26	09/18/25	2,002,830	2,002,830	100.00	2,002,830	170	4.05%
Texas B&T CD		4.27%	03/30/26	06/30/25	2,000,000	2,000,000	100.00	2,000,000	181	4.29%
UBank CD		4.50%	04/30/26	10/31/24	2,171,212	2,171,212	100.00	2,171,212	212	4.58%
UBank CD		4.33%	04/30/26	07/30/25	2,000,000	2,000,000	100.00	2,000,000	212	4.40%
First Nat'l Bank CD		4.18%	05/06/26	05/06/25	1,010,536	1,010,536	100.00	1,010,536	218	4.25%
BOK Financial CDARS		4.21%	07/02/26	07/03/25	2,020,870	2,020,870	100.00	2,020,870	275	4.30%
Citizens 1st Bank CD		4.19%	07/13/26	01/14/25	2,041,579	2,041,579	100.00	2,041,579	286	4.26%
UBank CD		4.28%	07/30/26	07/30/25	2,000,000	2,000,000	100.00	2,000,000	303	4.35%
American Nat'l B&T CDARS		3.95%	08/13/26	08/14/25	1,005,208	1,005,208	100.00	1,005,208	317	4.02%
UBank CD		4.12%	09/28/26	03/28/25	2,041,900	2,041,900	100.00	2,041,900	363	4.20%
UBank CD		5.00%	10/03/26	10/03/24	2,093,719	2,093,719	100.00	2,093,719	368	5.12%
UBank CD		4.42%	10/30/26	10/31/24	2,169,932	2,169,932	100.00	2,169,932	395	4.50%
First Nat'l Bank CDARS		3.98%	07/15/27	07/17/25	2,016,642	2,016,642	100.00	2,016,642	653	4.06%
SUBTOTAL					\$ 36,894,446	\$ 36,894,446		\$ 36,894,446	233	4.38%
									(1)	(2)
TOTAL					\$ 161,802,361	\$ 161,802,361		\$ 161,802,361	54	4.16%
									(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.

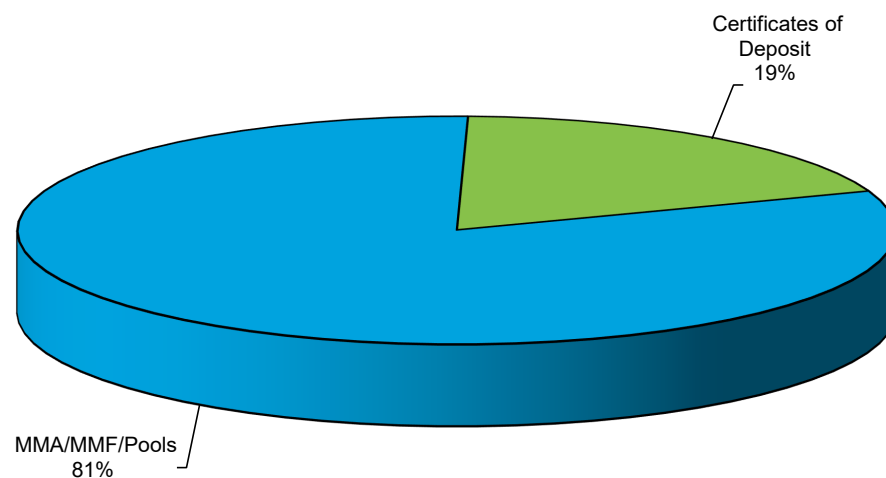
(2) **Weighted average yield to maturity** - The weighted average yield to maturity is based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month is used for bank accounts, pools, and money market funds.

(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.

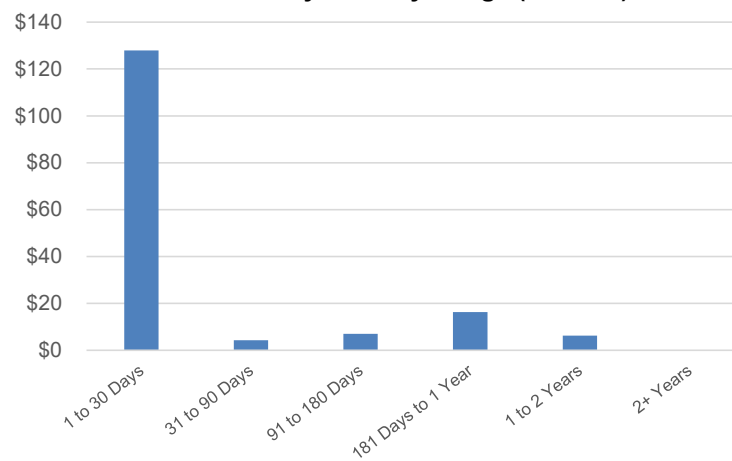
**Portfolio Composition
Current Quarter**



**Portfolio Composition
Previous Quarter**



Distribution by Maturity Range (Millions)



Book & Market Value Comparison



Issuer/Description	Yield	Maturity Date	Book Value 06/30/25	Increases	Decreases	Book Value 09/30/25	Market Value 06/30/25	Change in Market Value	Market Value 09/30/25
Southside Bank MMA	0.61%	10/01/25	\$ 3,638,708	\$ 2,477,271	\$ —	\$ 6,115,979	\$ 3,638,708	\$ 2,477,271	\$ 6,115,979
SouthState MMA	4.49%	10/01/25	9,874,495	111,539	—	9,986,034	9,874,495	111,539	9,986,034
Veritex Bank MMA	4.30%	10/01/25	7,471,868	81,174	—	7,553,042	7,471,868	81,174	7,553,042
Federated Hermes Gov't MMF	4.07%	10/01/25	549,852	5,453	—	555,305	549,852	5,453	555,305
TexPool	4.25%	10/01/25	71,500,541	24,210,300	—	95,710,841	71,500,541	24,210,300	95,710,841
TexSTAR	4.21%	10/01/25	4,988,192	—	(1,479)	4,986,713	4,988,192	(1,479)	4,986,713
Cornerstone Capital Bank CDARS	5.45%	07/03/25	2,107,774	—	(2,107,774)	—	2,107,774	(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	2,325	—	(2,325)	—	2,325	(2,325)	—
SouthSide Bank CD	4.22%	09/25/25	2,268,996	—	(2,268,996)	—	2,268,996	(2,268,996)	—
SouthSide Bank CD	4.47%	10/24/25	—	3,000,000	—	3,000,000	—	3,000,000	3,000,000
First Nat'l Bank CDARS	4.17%	12/18/25	—	2,002,915	—	2,002,915	—	2,002,915	2,002,915
Citizens 1st Bank CD	4.51%	12/26/25	2,248,931	25,146	—	2,274,077	2,248,931	25,146	2,274,077
Citizens 1st Bank CD	4.41%	01/13/26	2,021,160	21,864	—	2,043,025	2,021,160	21,864	2,043,025
UBank CD	4.45%	01/30/26	—	2,000,000	—	2,000,000	—	2,000,000	2,000,000
UBank CD	4.40%	03/16/26	—	1,000,000	—	1,000,000	—	1,000,000	1,000,000
First Nat'l Bank CDARS	4.05%	03/19/26	—	2,002,830	—	2,002,830	—	2,002,830	2,002,830
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	2,146,861	24,351	—	2,171,212	2,146,861	24,351	2,171,212
UBank CD	4.40%	04/30/26	—	2,000,000	—	2,000,000	—	2,000,000	2,000,000
First Nat'l Bank CD	4.25%	05/06/26	1,000,000	10,536	—	1,010,536	1,000,000	10,536	1,010,536
BOK Financial CDARS	4.30%	07/02/26	—	2,020,870	—	2,020,870	—	2,020,870	2,020,870
Citizens 1st Bank CD	4.26%	07/13/26	2,020,453	21,126	—	2,041,579	2,020,453	21,126	2,041,579
UBank CD	4.35%	07/30/26	—	2,000,000	—	2,000,000	—	2,000,000	2,000,000
American Nat'l B&T CDARS	4.02%	08/13/26	—	1,005,208	—	1,005,208	—	1,005,208	1,005,208
UBank CD	4.20%	09/28/26	2,020,841	21,058	—	2,041,900	2,020,841	21,058	2,041,900
UBank CD	5.12%	10/03/26	2,067,553	26,166	—	2,093,719	2,067,553	26,166	2,093,719
UBank CD	4.50%	10/30/26	2,146,024	23,908	—	2,169,932	2,146,024	23,908	2,169,932
First Nat'l Bank CDARS	4.06%	07/15/27	—	2,016,642	—	2,016,642	—	2,016,642	2,016,642
TOTAL/ AVERAGE	4.16%		\$ 121,074,575	\$ 46,108,360	\$ (5,380,574)	\$ 161,802,361	\$ 121,074,575	\$ 40,727,785	\$ 161,802,361

Allocation
September 30, 2025



Book Value and Market Value	Investment Total	Airport Operations	Capital Projects	Debt Service	Equipment Replacement	General Fund	Grants Fund
Southside Bank MMA	\$ 6,115,979	\$ 234,608	\$ 202,450	\$ 4,388	\$ 19,063	\$ 1,784,600	\$ 11,935
Independent Financial Bank MMA	9,986,034	—	—	—	—	—	—
Veritex Bank MMA	7,553,042	—	—	—	—	2,517,681	—
Federated Hermes Gov't MMF	555,305	—	—	—	—	—	—
TexPool	95,710,841	—	1,690,358	479,666	3,451,406	4,744,248	3,379,927
TexSTAR	4,986,713	—	—	—	—	4,986,713	—
10/24/25–SouthSide Bank CD	3,000,000	—	—	—	—	—	—
12/18/25–First Nat'l Bank CDARS	2,002,915	—	—	—	—	—	—
12/26/25–Citizens 1st Bank CD	2,274,077	—	—	—	—	—	—
01/13/26–Citizens 1st Bank CD	2,043,025	—	—	—	—	—	—
01/30/26–UBank CD	2,000,000	—	—	—	—	—	—
03/16/26–UBank CD	1,000,000	—	—	—	—	—	—
03/19/26–First Nat'l Bank CDARS	2,002,830	—	—	—	—	—	—
03/30/26–Texas B&T CD	2,000,000	—	—	—	—	2,000,000	—
04/30/26–UBank CD	2,171,212	—	—	—	—	—	—
04/30/26–UBank CD	2,000,000	—	—	—	—	—	—
05/06/26–First Nat'l Bank CD	1,010,536	—	—	—	—	—	—
07/02/26–BOK Financial CDARS	2,020,870	—	—	—	—	—	—
07/13/26–Citizens 1st Bank CD	2,041,579	—	—	—	—	2,041,579	—
07/30/26–UBank CD	2,000,000	—	—	—	—	—	—
08/13/26–American Nat'l B&T CDARS	1,005,208	—	—	—	—	—	—
09/28/26–UBank CD	2,041,900	—	—	—	—	2,041,900	—
10/03/26–UBank CD	2,093,719	—	—	—	—	—	—
10/30/26–UBank CD	2,169,932	—	—	—	—	—	—
07/15/27–First Nat'l Bank CDARS	2,016,642	—	—	—	—	—	—
Totals	\$ 161,802,361	\$ 234,608	\$ 1,892,808	\$ 484,055	\$ 3,470,469	\$ 20,116,722	\$ 3,391,861

Allocation
September 30, 2025

(Continued)



Book Value and Market Value	Internal Service Fund	Sanitation Fund	Special Revenue Fund	Utility & Sanitation Fund	Utility Fund	GO 2024 Fund	GO 2025 Fund
Southside Bank MMA	\$ 17,503	\$ —	\$ 174,528	\$ 3,367,220	\$ 291,680	\$ 8,004	\$ —
Independent Financial Bank MMA	—	—	—	—	9,986,034	—	—
Veritex Bank MMA	—	2,517,681	—	—	2,517,681	—	—
Federated Hermes Gov't MMF	—	—	—	—	555,305	—	—
TexPool	2,959,297	8,039,573	2,511,863	—	24,261,059	22,958,738	21,234,706
TexSTAR	—	—	—	—	—	—	—
10/24/25–SouthSide Bank CD	—	—	—	—	—	—	3,000,000
12/18/25–First Nat'l Bank CDARS	—	—	—	—	—	—	2,002,915
12/26/25–Citizens 1st Bank CD	—	2,274,077	—	—	—	—	—
01/13/26–Citizens 1st Bank CD	—	—	—	—	2,043,025	—	—
01/30/26–UBank CD	—	—	—	—	—	—	2,000,000
03/16/26–UBank CD	—	—	—	—	—	—	1,000,000
03/19/26–First Nat'l Bank CDARS	—	—	—	—	—	—	2,002,830
03/30/26–Texas B&T CD	—	—	—	—	—	—	—
04/30/26–UBank CD	—	—	—	—	2,171,212	—	—
04/30/26–UBank CD	—	—	—	—	—	—	2,000,000
05/06/26–First Nat'l Bank CD	—	—	—	1,010,536	—	—	—
07/02/26–BOK Financial CDARS	—	2,020,870	—	—	—	—	—
07/13/26–Citizens 1st Bank CD	—	—	—	—	—	—	—
07/30/26–UBank CD	—	—	—	—	—	—	2,000,000
08/13/26–American Nat'l B&T CDARS	—	—	—	1,005,208	—	—	—
09/28/26–UBank CD	—	—	—	—	—	—	—
10/03/26–UBank CD	—	2,093,719	—	—	—	—	—
10/30/26–UBank CD	—	—	—	—	2,169,932	—	—
07/15/27–First Nat'l Bank CDARS	—	—	—	—	2,016,642	—	—
Totals	\$ 2,976,800	\$ 16,945,921	\$ 2,686,391	\$ 5,382,964	\$ 46,012,569	\$ 22,966,742	\$ 35,240,452

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

Collateral Position
September 30, 2025



	Citizens 1st Bank	First Nat'l Bank	SouthState Bank	SouthSide Bank	Texas B&T	UBank	Veritex Bank
Collateral Value	\$ 6,200,000	\$ 2,100,000	\$ 13,608,729	\$ 13,608,729	\$ 1,935,000	\$ 16,149,000	\$ 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>\$ 2,350,000</u>	<u>\$ 13,858,729</u>	<u>\$ 13,858,729</u>	<u>\$ 2,185,000</u>	<u>\$ 16,399,000</u>	<u>\$ 7,771,898</u>
 Total Deposits	 6,358,681	 1,010,536	 9,986,034	 9,115,979	 2,000,000	 15,476,763	 7,553,042
 Excess Coverage	 91,319	 1,339,464	 3,872,696	 4,742,750	 185,000	 922,237	 218,856
 Percentage Coverage	 101%	 233%	 139%	 152%	 109%	 106%	 103%



City Council Meeting

Date: December 2, 2025

Agenda Item: 5.D.

PRESENTER: Jessica Sowell, Community Services Director

ITEM/SUBJECT: Consider approval of purchase of a John Deere 5060 E Cab Utility Tractor, utilizing Sourcewell Purchasing Contract #139280, in the amount of \$61,301.66. (Community Services Director)

SUMMARY/BACKGROUND: The Parks staff have procured quotes for a John Deere 5060 E Cab Utility Tractor and are recommending purchase of the tractor from United Ag and Turf. The total purchase price for the tractor and utility loader is \$61,301.66. United Ag & Turf is under a Sourcewell cooperative purchasing contract (Sourcewell contract #139280) which is exempt from the competitive bidding process under Texas Local Government Code Section 252.022(a)(12)(D). These are budgeted items in the FY25-26 budget for Equipment Replacement.

FINANCIAL:

Item is budgeted:

Account No.: 60.60 680.25

Account Name: *Equipment Replacement Fund*

Amount: \$61,301.66

This item was originally budgeted at \$57,400 during the budget process. The price has gone up \$4,000 over the last 6 months. A budget amendment will be brought to City Council later in the year if needed.

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. Tractor Quote



ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):
 United Ag & Turf
 3927 NW Stallings Drive
 Nacogdoches, TX 75964
 US

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:
 United Ag & Turf
 3927 Nw Stallings Drive
 Nacogdoches, TX 75964
 936-564-7303
 NacogdochesJD@unitedagt.com

Quote Summary

Prepared For:
 TOMMY STANLEY, JR
 CITY OF NACOGDOCHES
 TOMMY STANLEY
 214 E PILAR ST
 NACOGDOCHES, TX 75961
 STANLEYT@CI.NACOGDOCHES.TX.US

Delivering Dealer:
United Ag & Turf
 NASH EDDINGS
 3927 Nw Stallings Drive
 Nacogdoches, TX 75964
 Phone: 936-564-7303
 nasheddings@unitedagt.com

Sourcewell Member# 139280
 Make PO To United Ag & Turf

Quote Id: 33576350

Created On: 04 November 2025
Last Modified On: 04 November 2025
Expiration Date: 04 December 2025

Equipment Summary	Selling Price	Qty	Extended
JOHN DEERE 5060E Cab Utility Tractor	\$ 55,746.06 X	1 =	\$ 55,746.06
Contract: Sourcewell Ag 082923-DAC (PG BA CG 76)			
Price Effective Date: November 3, 2025			
JOHN DEERE 500M Utility Loader	\$ 5,555.60 X	1 =	\$ 5,555.60
Contract: Sourcewell Ag 082923-DAC (PG BA CG 76)			
Price Effective Date: November 3, 2025			
Equipment Total			\$ 61,301.66

Trade In Total	\$ 0.00
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* Includes Fees and Non-contract items

Quote Summary	
Equipment Total	\$ 61,301.66
Trade In	
SubTotal	\$ 61,301.66
Total	\$ 61,301.66
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 61,301.66

Salesperson: X _____

Accepted By: X _____

PRESENTER: Jessica Sowell, Community Services Director

ITEM/SUBJECT: Consider approval of a resolution to apply for the FY-2026 Regional Solid Waste Grant through Deep East Texas Council of Governments (DETCOG). (Community Services Director)

SUMMARY/BACKGROUND: Deep East Texas Council of Governments (DETCOG) conducts a Regional Solid Waste Program under the Texas Commission on Environmental Quality. As part of this program, DETCOG offers a Regional Solid Waste Grant which the City of Nacogdoches is applying for. These grant funds can be used for local enforcement, litter and dumping cleanup, recycling, solid waste management plans and more.

The Community Services Department intends on applying for grant funding to produce and install signage in city parks reminding citizens that illegal dumping is a crime and encouraging everyone to keep our parks clean. Several of the designs will be based off designs created by Girl Scout Troop 102002 for their Silver Award project.

The City Council's approval of the attached resolution is required in order to proceed with the grant application.

FINANCIAL:

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. DETCOG grant resolution 2026

Project Application

RESOLUTION # 1402-12-25

RESOLUTION OF CITY OF NACOGDOCHES AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE DEEP EAST TEXAS COUNCIL OF GOVERNMENTS FOR A REGIONAL SOLID WASTE GRANTS PROGRAM GRANT; AUTHORIZING JESSICA SOWELL TO ACT ON BEHALF OF THE CITY OF NACOGDOCHES IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED THE CITY OF NACOGDOCHES WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE DEEP EAST TEXAS COUNCIL OF GOVERNMENTS THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND THE STATE OF TEXAS.

WHEREAS, the DEEP EAST TEXAS COUNCIL OF GOVERNMENTS is directed by the Texas Commission on Environmental Quality to administer solid waste grant funds for implementation the COG's adopted regional solid waste management plan; and

WHEREAS, CITY OF NACOGDOCHES in the State of Texas is qualified to apply for grant funds under the Request for Applications.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF NACOGDOCHES IN NACOGDOCHES TEXAS;

1. That JESSICA SOWELL, COMMUNITY SERVICES DIRECTOR is authorized to request grant funding under the DEEP EAST TEXAS COUNCIL OF GOVERNMENTS Request for Applications of the Regional Solid Waste Grants Program and act on behalf of THE CITY OF NACOGDOCHES in all matters related to the grant application and any subsequent grant contract and grant project that may result.
2. That if the project is funded, THE CITY OF NACOGDOCHES will comply with the grant requirements of the DEEP EAST TEXAS COUNCIL OF GOVERNMENTS, Texas Commission on Environmental Quality and the State of Texas.
3. The grant funds and any grant-funded equipment or facilities will be used only for the purposes for which they are intended under the grant.
4. That activities will comply with and support the adopted regional and local solid waste management plans adopted for the geographical area in which the activities are performed.

PASSED AND APPROVED by THE CITY OF NACOGDOCHES CITY COUNCIL in NACOGDOCHES, TEXAS, on this the 2 day of DECEMBER, 2025

Notary: _____	
_____ (Signature of Authorized Official)	_____ (Signature)
_____ (Typed or Printed Name)	_____ (Type or Printed Name)
_____ (Title)	_____ (Commission Expires)



City Council Meeting

Date: December 2, 2025

Agenda Item: 5.F.

PRESENTER: Jason Vickery, Assistant City Engineer

ITEM/SUBJECT: Consider approval of a contract by and between the City of Nacogdoches and Pape-Dawson Consulting Engineers, LLC (formerly KSA) for professional preliminary engineering services to determine the feasibility of alternatives for rehabilitation and/or replacement of the belt filter press building at the Nacogdoches Wastewater Treatment Plant in a total amount of \$49,220.00 (Asst. Dir. of Public Works/Asst. City Engineer).

SUMMARY/BACKGROUND: At the May 20, 2025 City Council meeting, the council approved the selection of Pape-Dawson Consulting Engineers, LLC (formerly KSA) in accordance with the Request for Qualifications (RFQ) #25-10-112. Since that award selection, the city staff and Pape-Dawson have worked to further define the scope of services required, resulting in a proposal from Pape-Dawson Consulting Engineers, LLC for professional preliminary engineering services to determine the feasibility of alternatives for rehabilitation and/or replacement of the belt filter press building at the Nacogdoches Wastewater Treatment Plant. The contract for consideration is for preliminary engineering services that will include a preliminary engineering report that addresses conceptual alternatives, development and land use issues, as well as an engineer's opinion of probable costs for the conceptual alternatives derived from the assessment.

FINANCIAL:

Item is budgeted:

Account No.: 30.39 680.97

Account Name: *Wastewater Treatment – CIP*

Amount: \$49,220.00

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

Infrastructure

CITY CONTACT: Jason Vickery– Asst. Dir. of PW/Asst. City Engineer
(936) 559-2518
vickeryj@nactx.us

ATTACHMENTS: 1. Pape Dawson Belt Press Building Contract

**CITY OF NACOGDOCHES
ARCHITECTURAL & ENGINEERING
PROFESSIONAL SERVICES CONTRACT**

This Contract is between the **City of Nacogdoches**, a Texas home-rule municipal corporation, (the “City”) and **Pape-Dawson Consulting Engineers, LLC** (the “Consultant”), whereby the Consultant agrees to provide the City with certain professional services as described herein and the City agrees to pay the Consultant for those services.

**ARTICLE I
Scope of Services**

- 1.01 In consideration of the compensation stated in paragraph 2.01 below, the Consultant agrees to provide the City with the professional services as described in **Exhibit A**, the Scope of Services, which is incorporated herein by reference for all purposes, and which services may be more generally described as follows: **Provide preliminary engineering services to determine the feasibility of certain alternatives for rehabilitation and replacement of the belt filter press building at the Nacogdoches Wastewater Treatment Plant** (the “Project”).

**ARTICLE II
Payment**

- 2.01 In consideration of the Consultant’s provision of the professional services in compliance with all terms and conditions of this Contract, the City shall pay the Consultant according to the terms set forth in **Exhibit B**. Except in the event of a duly authorized change order, approved by the City as provided in this Contract, the total cost of all professional services provided under this Contract may not exceed **Forty-Nine Thousand Two Hundred Twenty Dollars and Zero/100 Dollars (\$49,220.00)**.

**ARTICLE III
Time of Performance and Construction Cost**

- 3.01 The Consultant shall complete the professional services within the times set forth in **Exhibit B**. Consultant expressly agrees that such times are as expeditious as is prudent considering the ordinary professional skill and care of a competent engineer or architect.

- 3.02 **Time is of the essence of this Contract.** The Consultant shall be prepared to provide the professional services in the most expedient and efficient manner possible in order to complete the work by the times specified. Promptly after the execution of this Contract, the Consultant shall prepare and submit for the City to approve in writing, a detailed schedule for the performance of the Consultant's services to meet the City's project milestone dates which are included in this Contract. The Consultant's schedule shall include allowances for periods of time required for the City's review and for approval of submissions by authorities having jurisdiction over the Project. The schedule will also specify payment milestones associated with design tasks.
- 3.03 The Consultant's services consist of all of the services required to be performed by Consultant, Consultant's employees and Consultant's sub-consultants under the terms of this Contract. Such services include normal civil, structural, mechanical and electrical engineering services, plumbing, food service, acoustical and landscape services, and any other design services that are normally or customarily furnished and reasonably necessary for the Project. The Consultant shall contract and employ at its expense sub-consultants necessary for the design of the Project, and such sub-consultants shall be licensed as required by the State of Texas and approved in writing by the City.
- 3.04 The Consultant shall designate a principal of the firm reasonably satisfactory to the City who shall, for so long as acceptable to the City, be in charge of Consultant's services to be performed hereunder through to completion, and who shall be available for general consultation throughout the Project. Any replacement of that principal shall be approved in writing (which shall not be unreasonably withheld) by the City, prior to replacement.
- 3.05 Consultant shall be responsible for the coordination of all drawings and design documents relating to Consultant's design and used on the Project, regardless of whether such drawings and documents are prepared by Consultant. Consultant shall be responsible for the completeness and accuracy of all drawings and specifications submitted by or through Consultant and for its compliance with all applicable codes, ordinances, regulations, laws and statutes.
- 3.06 Consultant's evaluations of the City's project budget and the preliminary estimates of construction cost and detailed estimates of construction cost represent the Consultant's best judgment as a design professional familiar with the construction industry.

ARTICLE IV

Conceptual Design

- 4.01 Consultant shall meet with the City for the purpose of determining the nature of the Project. The Consultant shall inquire in writing as to the information it believes the City may have in its possession that is necessary for the Consultant's performance. The City shall provide the information within its possession that it can make available to the Consultant. The City shall designate a representative to act as the contact person on behalf of the City.

- 4.02 The Consultant shall determine the Project needs, including, but not limited to, tests, analyses, reports, site evaluations, surveys, comparisons with other municipal projects, review of budgetary constraints and other preliminary investigations necessary for the Project. Consultant shall verify the observable existing conditions of the Project and verify any existing as-built drawings. Consultant shall confirm that the Project can be designed and constructed within the time limits outlined in this Contract. Consultant shall prepare a detailed design phase schedule which includes all review and approval periods during the project phases from Conceptual Design to Construction, design development and construction document phases. Consultant shall confirm that the Project can be designed and constructed for the dollar amount of the Project budget, if applicable. Consultant shall generally review the City's available budget for the Project and provide an early opinion of the adequacy of funds for the intended scope of work.
- 4.03 The Consultant shall prepare a Conceptual Design that shall include preliminary schematic layouts, alternative ideas, surveys, sketches and exhibits demonstrating the considerations involved in the Project. The Conceptual Design shall contemplate compliance with all applicable laws, statutes, ordinances, codes and regulations. Upon the City's request, the Consultant shall meet with City staff and/or City Council to make a presentation of its report.

ARTICLE V

Preliminary Design

- ~~5.01 The City shall direct the Consultant to commence work on the Preliminary Design by sending to the Consultant a letter of authorization to begin work on the Preliminary Design pursuant to this Contract. Upon receipt of the letter of authorization to commence Preliminary Design, the Consultant shall meet with the City for the purpose of determining the extent of any revisions to the Conceptual Design.~~
- ~~5.02 The Consultant shall prepare the Preliminary Design of the Project, including, but not limited to, the preliminary drawings and specifications and other documents to fix and describe the size and character of the Project as to civil, architectural, structural, mechanical and electrical systems, materials and such other elements as may be appropriate. The Consultant shall submit to the City a detailed estimate of the construction costs of the Project, based on current area, volume, or other unit costs. This estimate shall also indicate costs for allowances, contingencies, fees, permits, and all other costs involved in constructing the Project and the time required for construction of the Project from commencement to final completion.~~
- ~~5.03 Upon completion of the Preliminary Design of the Project, the Consultant shall so notify the City. Upon request the Consultant shall provide a Preliminary Engineering Report and meet with the City staff and/or City Council to make a presentation of its Preliminary Design of the Project. The Consultant shall provide an explanation of the Preliminary Design and cost estimate and shall verify that, to the best of Consultant's belief, the Project requirements and construction can be completed within the Project budget and schedule.~~

ARTICLE VI

Final Design

- ~~6.01 — The City shall direct the Consultant to commence work on the Final Design of the Project by sending to the Consultant a letter of authorization to begin work on the Final Design phase of the Project. Upon receipt of the Letter of Authorization to proceed with Final Design of the Project, the Consultant shall immediately prepare the Final Design, including, but not limited to, the bid documents, contract, drawings, and specifications, to fix and describe the size and character of the Project as to civil, structural, mechanical, and electrical systems, materials, and such other elements as may be appropriate. The Final Design of the Project shall comply with all applicable laws, statutes, ordinances, codes and regulations.~~
- ~~6.02 — Notwithstanding the City's approval of the Final Design, the Consultant warrants that the Final Design will be sufficient and adequate to fulfill the purposes of the Project. Additionally, Consultant will provide technical criteria, written descriptions and design data for the City's use in filing applications for permits from other governmental authorities or entities. Consultant shall assist the City in the preparation of permits and consultations with other entities having jurisdiction over the Project.~~
- ~~6.03 — The Consultant shall prepare and separately seal the special provisions, the technical specifications, and bid proposal form(s) in conformance with the City's current pre-approved, "Standard Form of Construction Agreement" for the construction contract between the City and the construction contractor. The Consultant hereby agrees that no changes, modifications, supplementations, alterations, or deletions will be made to the City's standard form without the prior written approval of the City.~~
- ~~6.04 — The Consultant shall provide the City with complete construction design plans and contract documents sufficient to be advertised for bids by the City. The contract documents shall include the design and specifications and other changes that are required to fulfill the purpose of the Project. Upon completion of the Final Design of the Project, with the submission of the complete contract documents, and upon request of the City, the Consultant shall meet with City staff and/or the City Council to present the Final Design of the Project. The Consultant shall provide an explanation of the Final Design and cost estimate.~~

ARTICLE VII

Bid Preparations & Evaluation

- ~~7.01 — The Consultant shall assist the City in advertising for and obtaining bids or negotiating proposals for the construction of the Project. Upon request, the Consultant shall meet with City staff and/or the City Council to present, and make recommendations on, the bids submitted for the construction of the Project.~~
- ~~7.02 — The Consultant shall review the construction contractors' bids, including subcontractors, suppliers, and other persons required for completion of the Project. The Consultant shall evaluate each bid and provide these evaluations to the City along with a recommendation~~

~~on each bid. The Consultant shall also review the qualifications and references of the lowest responsible bidder. A written evaluation of the bids shall be provided to the City by Consultant and shall include any bidding irregularities subject to waiver. If the lowest bid for the construction of the Project exceeds the final cost estimate set forth in the Final Design of the Project, then the Consultant, at its sole cost and expense, shall revise the construction documents so that the total construction costs of the Project will not exceed the final cost estimate contained in the Final Design of the Project.~~

~~7.03 Where substitutions are requested by a construction contractor, the Consultant shall review the substitution requested and shall recommend approval or disapproval of such substitutions.~~

ARTICLE VIII

Construction Administration

~~8.01 The Consultant shall be a representative of, and shall advise and consult with, the City (1) during construction, and (2) at the City's direction from time to time during the correction or warranty period described in the construction contract. The Consultant shall have authority to act on behalf of the City only to the extent provided in this Contract unless modified by written instrument.~~

~~8.02 The Consultant shall make visits to the site, with a frequency appropriate to the scope of the Project, to inspect the progress and quality of the executed work of the construction contractor and its subcontractors and to determine if such work is proceeding in accordance with the contract documents. Consultant shall periodically review the as-built drawings for accuracy and completeness, and shall report its findings to the City.~~

~~8.03 Resident Project Representative (RPR): The Consultant shall provide the services of an RPR to support more frequent and extensive observations of the contractor's work. The presence of the RPR will not diminish the responsibilities of the Consultant's design professionals to provide site visits to monitor the progress of the project. Duties and responsibilities of the RPR include:~~

- ~~a. The RPR will generally deal directly with the contractor and report to the Consultant, who in turn will report to the City. The RPR works under the direction of the Consultant. The RPR may communicate directly with the City, but only with the knowledge of the Consultant.~~
- ~~b. The RPR will not normally direct the work of the contractor but shall observe its compliance with the plans and specifications and report such directly to the Consultant. The RPR can communicate any concerns directly to the contractor, but all observed conditions will always be given to the Consultant as well.~~
- ~~c. If the RPR observes unsafe conditions, or other potentially hazardous conditions that might risk life and safety to anyone, he/she will immediately report such to the~~

contractor, Consultant and City. In such circumstances, the RPR will have the authority to stop the work of the contractor until the issue can be resolved.

- ~~d. The RPR shall, on behalf of the Consultant, make and keep as-built drawings in the field to record any variances from the original designs shown in plans and specifications.~~
- ~~e. The RPR shall keep and maintain inspection reports for each day he/she is present on the project site. These reports shall be made available to the City at the end of the project. The daily reports shall include times of observations, activities observed, materials used or delivered to the job, problems encountered and solutions or adjustments made in the field.~~
- ~~f. The RPR shall review pay estimates from the contractor, on behalf of the Consultant, to verify the quantity and quality of work requested for payment. At no time will the RPR approve pay estimates, contract addendums, modifications, or change orders involving changes in the contract price.~~
- ~~g. The RPR shall be present to observe and witness all testing of on-site equipment and installed materials under the direction of the Consultant.~~

~~8.04 The Consultant shall keep the City informed of the progress and quality of the work through periodic project meetings and written monthly status reports. The Consultant shall employ the professional skill and care ordinarily provided by competent engineers or architects practicing in the same or similar locality and under the same or similar circumstances and professional license in discovering and promptly reporting to the City any defects or deficiencies in such work and shall disapprove or reject any work failing to conform to the contract documents.~~

~~8.05 The Consultant shall review and approve shop drawings and samples, the results of tests and inspections, and other data that each construction contractor or subcontractor is required to provide. The Consultant's review and approval shall include a determination of whether the work complies with all applicable laws, statutes, ordinances and codes and a determination of whether the work, when completed, will be in compliance with the requirements of the contract documents.~~

~~8.06 The Consultant shall determine the acceptability of substitute materials and equipment that may be proposed by construction contractors or subcontractors. The Consultant shall also receive and review maintenance and operating instruction manuals, schedules, guarantees, and certificates of inspection, which are to be assembled by the construction contractor in accordance with the contract documents.~~

~~8.07 The Consultant shall issue all instructions of the City to the construction contractor as well as interpretations and clarifications of the contract documents pertaining to the performance of the work. Consultant shall interpret the contract documents and judge the performance thereunder by the contractor constructing the Project, and Consultant shall,~~

~~within a reasonable time, render such interpretations and clarifications as it may deem necessary for the proper execution and progress of the work. Consultant shall receive no additional compensation for providing clarification of the drawings and specifications.~~

- ~~8.08 The Consultant shall review the amounts owing to the construction contractor and recommend to the City, in writing, payments to the construction contractor of such amounts. The Consultant's recommendation of payment, being based upon the Consultant's on-site inspections, observations, and its experience and qualifications as a design professional, shall constitute a recommendation by the Consultant to the City that the quality of such work is in accordance with the contract documents and that the work has progressed to the point reflected in Consultant's recommendation for payment.~~
- ~~8.09 Upon notification from the construction contractor that the Project is substantially complete, the Consultant shall conduct an inspection of the site to determine if the Project is substantially complete. The Consultant shall prepare a checklist of items that shall be completed prior to final acceptance. Upon notification by the construction contractor that the checklist items designated by the Consultant for completion have been completed, the Consultant shall inspect the Project to verify final completion.~~
- ~~8.10 The Consultant shall not be responsible for the work of the construction contractor or any of its subcontractors, except that the Consultant shall be responsible for the construction contractor's schedules or failure to carry out the work in accordance with the contract documents if such failures result from the Consultant's negligent acts or omissions. This provision shall not alter the Consultant's duties to the City arising from the performance of the Consultant's obligations under this Contract.~~
- ~~8.11 The Consultant shall conduct at least one on-site inspection during the warranty period and shall report to the City as to the continued acceptability of the work.~~
- ~~8.12 The Consultant shall recommend and prepare change orders, work directives and clarification notices on behalf of the City but shall not execute and issue such documents or otherwise alter the financial scope of the Project without an advance, written authorization from the City.~~
- ~~8.13 The Consultant shall perform all of its duties under this Article VIII so as to not cause any delay in the progress of construction of the Project.~~
- ~~8.14 The Consultant shall assist the construction contractor and City in obtaining a Certificate of Occupancy by accompanying governing officials during inspections of the Project if requested to do so by the City.~~

ARTICLE IX

Change Orders & Documents & Materials

- 9.01 No changes shall be made, nor will invoices for changes, alterations, modifications, deviations, or extra work or services be recognized or paid to Consultant except upon the

prior written order from authorized personnel of the City. The Consultant shall not execute change orders on behalf of the City or otherwise alter the financial scope of the Project, except upon the prior written approval from authorized personnel of the City.

9.02 a. When the original contract amount plus all change orders is less than \$50,000, the City Manager or his delegate may approve the written change order provided the change order does not increase the total amount set forth in the contract to more than \$50,000. For such contracts, when a change order results in a total contract amount that exceeds \$50,000, the City Council must approve such change order prior to commencement of the services or work.

b. When the original contract amount plus all change orders is equal to or greater than \$50,000, the City Manager or his delegate may approve the written change order ~~provided the change order does not exceed \$50,000, and provided the sum of all change orders does not exceed 25% of the original contract amount.~~ For such contracts, when a change order exceeds \$50,000 ~~or when the sum of all change orders exceeds 25% of the original contract,~~ the City Council must approve such change order prior to commencement of the services or work.

c. **Any request by the Consultant for an increase in the Scope of Services and an increase in the amount listed in paragraph two of this Contract shall be made and approved by the City prior to the Consultant providing such services or the right to payment for such additional services shall be waived.** If there is a dispute between the Consultant and the City respecting any service provided or to be provided hereunder by the Consultant, including a dispute as to whether such service is additional to the Scope of Services included in this Contract, the Consultant agrees to continue providing on a timely basis all services to be provided by the Consultant hereunder, including any service as to which there is a dispute.

9.03 The Consultant shall furnish the City a final preliminary engineering report in electronic format. ~~(—) sets of plans and specifications. It is hereby agreed that additional copies shall be provided to the City at the City's expense. The Consultant shall provide the City (—) sets of reproducible, mylar record drawings that clearly show all the changes made during the construction process, based upon the marked-up prints, drawings, and other data furnished by the construction contractor to the Consultant.~~ The Consultant shall provide copies of documents, computer files if available, surveys, notes, and tracings used or prepared by the Consultant. The foregoing documentation, the Consultant's work product, and other information in the Consultant's possession concerning the Project shall be the property of the City from the time of preparation. ~~The Consultant shall furnish one set of digital files representing the final record drawings.~~

ARTICLE X

Warranty, Indemnification & Release

10.01 Pursuant to Section 271.904(d) of the Texas Local Government Code, the Consultant shall perform the services with the professional skill and care ordinarily provided by competent

engineers or architects practicing under the same or similar circumstances and professional license and as expeditiously as is prudent considering the ordinary skill and care of a competent engineer or architect. The Consultant warrants that the information provided by the Consultant, the design, the preparation of drawings, the designation or selection of materials and equipment, the selection and supervision of personnel, and the performance of all other services under this Contract are performed with the professional skill and care ordinarily provided by competent engineers or architects practicing in the same or similar circumstances and professional license. Approval of the City shall not constitute, or be deemed, a release of the responsibility and liability of the Consultant, its employees, agents, or associates for the exercise of skill and diligence to promote the accuracy and competency of their designs, information, plans, specifications or any other document, nor shall the City's approval be deemed to be the assumption of responsibility by the City for any defect or error in the aforesaid documents prepared by the Consultant, its employees, associates, agents, or subcontractors.

- 10.02 The Consultant shall promptly correct any defective designs or specifications furnished by the Consultant at no cost to the City. The City's approval, acceptance, use of, or payment for, all or any part of the Consultant's services hereunder or of the Project itself shall in no way alter the Consultant's obligations or the City's rights hereunder.
- 10.03 In all activities or services performed hereunder, the Consultant is an independent contractor and not an agent or employee of the City. The Consultant and its employees are not the agents, servants, or employees of the City. As an independent contractor, the Consultant shall be responsible for the professional services and the final work product contemplated under this Contract. Except for materials furnished by the City, the Consultant shall supply all materials, equipment, and labor required for the professional services to be provided under this Contract. The Consultant shall have ultimate control over the execution of the services it is to provide under this Contract. The Consultant shall have the sole obligation to employ, direct, control, supervise, manage, discharge, and compensate all of its employees or subcontractors, and the City shall have no control of or supervision over the employees of the Consultant or any of the Consultant's subcontractors.
- 10.04 The Consultant must at all times exercise reasonable precautions on behalf of, and be solely responsible for, the safety of its officers, employees, agents, subcontractors, licensees, and other persons, as well as its personal property, while in the vicinity of the Project or any of the work being done on or for the Project. It is expressly understood and agreed that the City shall not be liable or responsible for the negligence of the Consultant, its officers, employees, agents, subcontractors, invitees, licensees, and other persons.
- 10.05 INDEMNITY. THE CONSULTANT SHALL INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY, ITS OFFICERS, AGENTS, EMPLOYEES, REPRESENTATIVES, CONTRACTORS, ASSIGNEES AND/OR DESIGNEES (SEPARATELY AND COLLECTIVELY REFERRED TO IN THIS PARAGRAPH AS "INDEMNITEE"), FROM ANY AND ALL LIABILITY, ACTIONS, CLAIMS, DEMANDS OR SUITS, AND ALL RELATED DAMAGES, COSTS, ATTORNEY FEES, AND EXPENSES CAUSED BY, ARISING OUT OF, OR RESULTING**

FROM ANY ACTS OF NEGLIGENCE, INTENTIONAL TORTS, WILFULL MISCONDUCT, PERSONAL INJURY OR DAMAGE TO PROPERTY AND OTHERWISE RELATED TO CONSULTANT'S PERFORMANCE, AND/OR FAILURES TO PAY A SUBCONTRACTOR OR SUPPLIER COMMITTED BY THE CONSULTANT OR ITS AGENTS, EMPLOYEES, SUB-CONTRACTORS, ORDER FULFILLERS, OR CONSULTANTS UNDER CONTRACT TO CONSULTANT, OR ANOTHER ENTITY OVER WHICH THE CONSULTANT EXERCISES CONTROL, OR SUPPLIERS OF SUBCONTRACTORS IN THE EXECUTION OR PERFORMANCE OF THE CONTRACT.

- 10.06** CONSULTANT SHALL DEFEND, INDEMNIFY AND HOLD HARMLESS THE CITY FROM AND AGAINST ANY AND ALL CLAIMS, VIOLATIONS, MISAPPROPRIATIONS OR INFRINGEMENT OF ANY PATENT, TRADEMARK, COPYRIGHT, TRADE SECRET OR OTHER INTELLECTUAL PROPERTY RIGHTS AND/OR OTHER INTANGIBLE PROPERTY, PUBLICITY OR PRIVACY RIGHTS AND/OR IN CONNECTION WITH OR ARISING FROM: (1) THE PERFORMANCE OR ACTIONS OF CONSULTANT PURSUANT TO THIS CONTRACT; (2) ANY DELIVERABLE, WORK PRODUCT, CONFIGURED SERVICE OR OTHER SERVICE PROVIDED HEREUNDER; AND/OR THE CITY'S AND /OR CONSULTANT'S USE OF OR ACQUISITION OF ANY REQUESTED SERVICES OR OTHER ITEMS PROVIDED TO THE CITY BY CONSULTANT OR OTHERWISE TO WHICH THE CITY HAS ACCESS AS A RESULT OF CONSULTANT'S PERFORMANCE UNDER THE CONTRACT.
- 10.07** CONSULTANT AND THE CITY AGREE TO FURNISH TIMELY WRITTEN NOTICE TO EACH OTHER OF ANY SUCH CLAIM UNDER 10.05 OR 10.06. CONSULTANT SHALL BE LIABLE TO PAY ALL COSTS OF DEFENSE, INCLUDING ATTORNEYS' FEES. THE DEFENSE OF ANY LAWSUIT SHALL BE COORDINATED BY THE CONSULTANT WITH THE CITY ATTORNEY WHEN THE CITY IS NAMED DEFENDANT IN ANY LAWSUIT AND CONSULTANT MAY NOT AGREE TO ANY SETTLEMENT WITHOUT FIRST OBTAINING THE CONCURRENCE FROM THE OFFICE OF THE CITY ATTORNEY. IF THE CITY DETERMINES THAT A CONFLICT EXISTS BETWEEN ITS INTERESTS AND THOSE OF CONSULTANT OR IF THE CITY IS REQUIRED BY LAW TO SELECT SEPARATE COUNSEL, THE CITY WILL BE PERMITTED TO SELECT SEPARATE COUNSEL AND THE CONSULTANT WILL PAY ALL REASONABLE COSTS OF THE CITY'S COUNSEL.
- 10.08** Release. The Consultant releases, relinquishes, and discharges the City, its officers, agents, employees, and volunteers from all claims, demands, and causes of action of every kind and character, including the cost of defense thereof, for any injury to, sickness or death of the Consultant or its employees and any loss of or damage to any property of the Consultant or its employees that is caused by or alleged to be caused by, arises out of, or is in connection with the Consultant's work to be performed hereunder. Both the City and the Consultant expressly intend that this release shall apply regardless of whether said claims, demands, and causes of action are covered,

in whole or in part, by insurance and in the event of injury, sickness, death, loss, or damage suffered by the Consultant or its employees, but not otherwise, this release shall apply regardless of whether such loss, damage, injury, or death was caused in whole or in part by the City, any other party released hereunder, the Consultant, or any third party.

- 10.09 It is agreed with respect to any legal limitations now or hereafter in effect and affecting the validity or enforceability of the indemnification, release or other obligations under Paragraphs 10.05, 10.06, 10.07 and 10.08 such legal limitations are made a part of the obligations and shall operate to amend same to the minimum extent necessary to bring the provision(s) into conformity with the requirements of such limitations, and as so modified, the obligations set forth therein shall continue in full force and effect.**

ARTICLE XI

Insurance

- 11.01 The Consultant shall procure and maintain at its sole cost and expense for the duration of this Contract insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, volunteers, employees or subcontractors. The policies, limits and endorsements required are as set forth on Exhibit C.**

ARTICLE XII

Use of Drawings, Specifications and Other Documents

- 12.01 The drawings, specifications and other documents prepared by the Consultant and Consultant's sub-consultants for this Project shall become the property of the City whether the Project is completed or not. The City shall be furnished and permitted to retain reproducible copies and electronic versions of Consultant's drawings, specifications and other documents.**
- 12.02 The documents prepared by Consultant may be used as a prototype for other facilities by the City. The City may elect to use the Consultant to perform the site adaptation and other architectural or engineering services involved in reuse of the prototype. If so, the Consultant is obligated to perform the work for an additional compensation that will fairly compensate the Consultant and its sub-consultants only for the additional work involved. It is reasonable to expect that the fair additional compensation will be significantly less than the fee provided for under this Contract. If the City elects to employ a different architect or engineer to perform the site adaptation and other architectural or engineering services involved in reuse of the prototype, that architect or engineer will be entitled to use Consultant's sub-consultants on the same basis that Consultant would have been entitled to use them for the work on the reuse of the prototype, and such architect or engineer will be entitled, to the extent allowed by law, to duplicate the design and review and refer to the construction documents, approved shop drawings and calculations, and change order drawings in performing its work. The Consultant will not be responsible for errors and**

omissions of a subsequent architect or engineer. The Consultant shall commit its sub-consultants to the terms of this subparagraph. The provisions of this section shall survive termination of this Contract.

12.03 In the event of termination of this Contract for any reason, the City shall receive all original documents prepared to the date of termination and shall have the right to use those documents and any reproductions in any way necessary to complete the Project.

12.04 Only the details of the drawings relating to this Project may be used by the Consultant on other projects, but they shall not be used as a whole without written authorization by the City. The City-furnished forms, conditions, and other written documents shall not be used on other projects by the Consultant.

ARTICLE XIII

Termination

13.01 The City may terminate this Contract at any time upon **thirty (30)** calendar days' written notice. Upon the Consultant's receipt of such notice, the Consultant shall cease work immediately. To the extent of funds appropriated or otherwise legally available for such purposes, the Consultant shall be compensated only for the services satisfactorily performed prior to the termination date.

13.02 If, through any cause, the Consultant fails to fulfill its obligations under this Contract, or if the Consultant violates any of the agreements of this Contract, the City has the right to terminate this Contract by giving the Consultant **five (5)** calendar days written notice to the Consultant. The Consultant will be compensated for the services satisfactorily performed prior to the termination date.

13.03 No term or provision of this Contract shall be construed to relieve the Consultant of liability to the City for damages sustained by the City because of any breach of contract and/or negligence by the Consultant. The City may withhold payments to the Consultant for the purpose of setoff until the exact amount of damages due the City from the Consultant is determined and paid.

ARTICLE XIV

Miscellaneous Terms

14.01 This Contract has been made under and shall be governed by the laws of the State of Texas. The parties agree that performance and all matters related thereto shall be in Nacogdoches County, Texas.

14.02 The City, or if State funds are used to pay any part of this contract, the State Auditor, may conduct an audit or investigation of any entity receiving funds directly under this contract or indirectly through a subcontract under the contract. Acceptance of funds under the contract or through a subcontract under the contract acts as acceptance of the authority of the City or the State Auditor to conduct an audit or investigation. Consultant agrees to

cooperate and must provide the City and/or State Auditor with access to any information the City and/or State Auditor considers relevant to the investigation or audit. The Consultant agrees to refund to the City any overpayments disclosed by any such audit.

- 14.03 The Consultant shall retain all such records for a period of four (4) years after final payment on this Contract or until all audit and litigation matters that the City has brought to the attention of the Consultant are resolved, whichever is longer.
- 14.04 Consultant hereby assigns to the City any and all claims for overcharges associated with this Agreement which arise under the antitrust laws of the United States, 15 USCA Section 1 et seq., and/or which arise under the antitrust laws of the State of Texas, Business and Commerce Code Ann., Section 15.01, et seq.
- 14.05 Notices shall be mailed to the addresses designated herein or as may be designated in writing by the parties from time to time and shall be deemed received when sent postage prepaid U.S. Mail to the following addresses:

City of Nacogdoches
Attn: City Manager
202 East Pilar Street
P.O. Box 635030
Nacogdoches, Texas 75961

Consultant:
Pape-Dawson Consulting Engineers, LLC
Attn: Daniel Hayes, PE
320 North Street, Suite 205
Nacogdoches, Texas 75961

- 14.06 No waiver by either party hereto of any term or condition of this Contract shall be deemed or construed to be a waiver of any other term or condition or subsequent waiver of the same term or condition.
- 14.07 This Contract represents the entire and integrated agreement between the City and the Consultant and supersedes all prior negotiations, representations, or agreements, either written or oral. This Contract may only be amended by written instrument approved and executed by the parties.
- 14.08 This Contract and all rights and obligations contained herein may not be assigned by the Consultant without the prior written approval of the City.
- 14.09 If any provision of this Contract shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court of competent jurisdiction finds that any provision of this Contract is invalid or unenforceable, but that by limiting such provision it may become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

- 14.10 The Consultant, its agents, employees, and subcontractors must comply with all applicable federal and state laws, the charter and ordinances of the City of Nacogdoches, and with all applicable rules and regulations promulgated by local, state, and national boards, bureaus, and agencies. The Consultant must obtain all necessary permits and licenses required in completing the work and providing the services required by this Contract.
- 14.11 **Contractor Affirmations:** If this contract is funded in whole or in part by money from the State of Texas, State law requires the following certifications, representations and/or warranties. Regardless of funding by the State, by signature hereon affixed, the Contractor hereby certifies that:
- (a) Contractor has not given, offered to give, nor intends to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with this Contract.
 - (b) Contractor represents and warrants that it has no actual or potential conflicts of interest in the goods and or services described in the scope of work to this contract.
 - (c) **Antitrust.** Pursuant to 15 U.S.C. §1, et seq. and Tex. Bus. & Comm. Code §15.01, et seq. neither the contractor nor the firm, corporation, partnership, or institution represented by the contractor, or anyone acting for such a firm, corporation or institution has violated the antitrust laws of this state, federal antitrust laws, nor communicated directly or indirectly the bid made to any competitor or any other person engaged in such line of business.
 - (d) **Debarment.** Contractor certifies that Contractor and its principals are eligible to participate in this transaction and have not been subjected to suspension, debarment, or similar ineligibility determined by any federal, state or local governmental entity and that Contractor is in compliance with the State of Texas statutes and rules relating to procurement. Entities ineligible for state procurement are listed on the State of Texas Debarred Vendor List maintained by the Texas Comptroller of Public Accounts and the System for Award Management (SAM) maintained by the General Services Administration. Entities ineligible for federal procurement are listed at <http://www.sam.gov/content/exclusions>.
 - (e) **Terrorism Watch List.** Contractor represents and warrants that it does not do business with Iran, Sudan or a foreign terrorist organization as prohibited by Texas Government Code 2252.152. Contractor certifies that it is not listed on the federal government's terrorism watch list as described in Executive Order 13224.
 - (f) **Convictions.** Under Sections 2155.006, 2155.0061 and 2261.053 of the Texas Government Code, Contractor certifies that it is not ineligible to receive the specified contract and may be terminated and payment withheld if this certification is inaccurate. These sections prohibit contracts that include proposed financial participation by an individual or business entity who has been convicted in the past five years of (a) violating a federal law or assessed a penalty in connection with a contract involving relief for Hurricane Rita, Hurricane Katrina, or any other disaster, as defined by

§418.004, Gov't Code, occurring after September 24, 2005; and (b) of any offense related to the direct support or promotion of human trafficking.

(g) **COVID Vaccinations.** Contractor certifies that it does not require its customers to provide any documentation certifying the Customer's COVID-19 vaccination or post-transmission recovery on entry to, or to receive service from the Contractor's business.

(h) **Boycotts.** (a) To the extent this Contract is considered a Contract for goods or services subject to § 2270.002 Texas Government Code, Contractor verifies that it: (i) does not boycott Israel; and (ii) will not boycott Israel during the term of this Contract.

(b) To the extent this Contract has a value of \$100,000 or more and Contractor is an organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations, that exists to make a profit that employs 10 or more full time employees, Contractor certifies that it: (i) does not and will not boycott energy companies during the term of the contract (*See Texas Government Code 2274.002, et seq.*); and (ii) does not and will not discriminate against a firearm entity or firearm trade association (*See Texas Government Code 2274.002, et seq.*).

14.12 The parties acknowledge that they have read, understood, and intend to be bound by the terms and conditions of this Contract. If there is a conflict between a provision in any documents provided by Consultant made a part of this Contract and any other provision in this Contract, the latter controls.

14.13 This Contract will be effective when signed by the last party whose signing makes the Contract fully executed. The parties may execute this Contract in duplicate originals, each of equal dignity.

14.14 **Notice of Indemnification.** City and Consultant hereby acknowledge and agree that this Contract contains certain indemnification obligations and covenants.

PAPE-DAWSON CONSULTING ENGINEERS, LLC
320 North Street, Suite 205
Nacogdoches, Texas 75961

CITY OF NACOGDOCHES
P. O. Box 635030
Nacogdoches, Texas 75963-5030

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Date: _____

Firm Registration No.: 470

Title: City Manager

Date: _____

APPROVED AS TO CONTENT:

Director of Public Works

APPROVED AS TO FORM:

City Attorney

Exhibit A
Scope of Services

FEASIBILITY / PROJECT DEVELOPMENT

I. PRELIMINARY ENGINEERING REPORT

This task includes preparation of a Preliminary Engineering Report to address typical engineering, development and land use issues that may affect the property, and includes the following:

A. Civil Engineering Tasks

- Conduct kick-off meeting with Client staff and perform site visit to identify general site conditions.
- Review known existing information available on the site such as survey, topo, site plan, and aerial photographs.
- Review utility availability for water, sanitary sewer, gas, electric, telephone, fiber optic, and cable TV.
- Review location of existing utilities from available utility company information.
- Conduct preliminary review of FEMA floodplain issues impacting the property.
- Provide cursory drainage review to review impacts of drainage regulations on property.
- Summarize the need for environmental studies that might affect the property.
- Prepare schematic site plans for each alternative using aerial photography and 2-foot elevation contour data, provided by Client.
- Prepare schematic floor plans for each alternative.
- Prepare schematic building elevations and sections.
- Prepare an engineer's opinion of probable cost for each alternative.
- Deliver a draft report in PDF format.
- Conduct a meeting with Client to review the draft report
- Revise the report in response to Client's comments and furnish the final report in PDF format.

THIS PROPOSAL ASSUMES AND/OR EXCLUDES THE FOLLOWING:

- Any professional opinions expressed in AI generated meeting notes should be confirmed by the client in contract documents and communications.
- Agency review fees, permitting fees, platting fees, and recording fees are not included herein.
- Newspaper advertising fees are not included herein.
- This proposal does not include rezoning of the property.
- Engineering fee assumes no offsite utility, drainage, or street extensions/improvements are required and does not include preparation of offsite utility easements.
- Assumes no detailed flood studies are required.
- Fees for engineering services do not include detention basin design, if required by the City.
- This proposal does not include any work outside the wastewater treatment facility boundary, unless specifically noted above.
- Proposal assumes that the relocation of existing underground utilities, if identified after start of construction, is not included.

- Preliminary site schematic and proposed fees anticipate no impacts from Endangered Species and environmental impacts investigation and reports.
- Preliminary site schematic and proposed fees anticipate no impacts from Archaeological investigations and/or State of Texas Antiquities permits.
- Endangered specified habitat evaluation for existing or future endangered or threatened species within site are not included within this proposed scope of services.
- No structural design is included herein.
- No geotechnical engineering is included herein.
- No topographic surveying is included herein.
- No value engineering is included herein.
- No building permitting support is included herein.
- Additional services required by the client which may arise, and are not outlined above, to be compensated for on an hourly basis or negotiated to a lump sum fee.

Exhibit B
Payment Terms and Schedule

Payment is a fixed fee in the amount listed in paragraph 2.01 of this Contract. The Consultant must submit **monthly** invoices to the City, accompanied by an explanation of charges, professional

fees, services, and expenses. The City will pay such invoices according to its normal payment procedures.

Summary of Scope and Fees

Feasibility/Project Development

- Preliminary Engineering Report

Total: \$49,220.00

Schedule

Engineer to perform the Basic Services as set forth in accordance with the following:

- Preliminary Engineering Report – 90 calendar days from date of kick-off meeting with Client.

Time taken for review of Preliminary Engineering Report by City personnel shall be in addition to the calendar day periods. In the preparation of the Project Schedule, Engineer shall allow at a minimum 14 calendar days for City review of Preliminary Engineering Report deliverables.

Exhibit C

Insurance Requirements

During the term of this Contract all Consultants' insurance policies shall meet the following requirements:

I. Standard Insurance Policies Required:

- A. Commercial General Liability
- B. Business Automobile Liability
- C. Workers' Compensation
- D. Professional Liability

II. For each of these policies, the Consultant's insurance coverage shall be primary insurance with respect to the City, its officials, agents, employees and volunteers. Any self-insurance or insurance policies maintained by the City, its officials, agents, employees or volunteers, shall be considered in excess of the Consultant's insurance and shall not contribute to it. No term or provision of the indemnification provided by the Consultant to the City pursuant to this Contract shall be construed or interpreted as limiting or otherwise affecting the terms of the insurance coverage. All Certificates of Insurance and endorsements shall be furnished to the City's Representative at the time of execution of this Contract, attached hereto as **Exhibit D**, and approved by the City before any letter of authorization to commence planning will issue or any work on the Project commences.

III. General Requirements Applicable to All Policies

- A. Only insurance carriers licensed and authorized to do business in the State of Texas will be accepted.
- B. Deductibles shall be listed on the Certificate of Insurance.
- C. "Claims made" policies will not be accepted, except for Professional Liability insurance.
- D. Coverage shall not be suspended, voided, canceled, or reduced in coverage or in limits except after thirty (30) calendar days prior written notice has been given to the City of Nacogdoches.
- E. The Certificates of Insurance shall be prepared and executed by the insurance company or its authorized agent on the most current State of Texas Department of Insurance-approved forms.
- F. The City of Nacogdoches, its officials, employees and volunteers, are to be named as "Additional Insured" to the Commercial General, Umbrella and Business Automobile Liability policies. The coverage shall contain no special limitations on the scope of protection afforded to the City, its officials, employees or volunteers.
- G. Waiver of subrogation in a form at least as broad as ISO form 2404 shall be provided in favor of the City on all policies obtained by the Contractor in compliance with the terms of this Agreement.

IV. Commercial (General) Liability requirements:

- A. Coverage shall be written by a carrier rated “A:VIII” or better in accordance with the current A. M. Best Key Rating Guide.
- B. Minimum Limit of \$1,000,000 per occurrence for bodily injury and property damage with a \$2,000,000 annual aggregate.
- C. No coverage shall be excluded from the standard policy without notification of individual exclusions being attached for review and acceptance.
- D. The coverage shall not exclude premises/operations; independent contracts, products/completed operations, contractual liability (insuring the indemnity provided herein), and where exposures exist, Explosion Collapse and Underground coverage.
- E. The City shall be included as an additional insured and the policy shall be endorsed to waive subrogation and to be primary and non-contributory.

V. Business Automobile Liability requirements:

- A. Coverage shall be written by a carrier rated “A:VIII” or better in accordance with the current. A. M. Best Key Rating Guide.
- B. Minimum Combined Single Limit of \$1,000,000 per occurrence for bodily injury and property damage.
- C. The Business Auto Policy must show Symbol 1 in the Covered Autos portion of the liability section in Item 2 of the declarations page.
- D. The coverage shall include owned autos, leased or rented autos, non-owned autos, any autos and hired autos.

VI. The worker’s compensation insurance requirements:

- 1. Employer’s Liability shall be no less than the required statutory minimum limits for each accident, each disease and cover all employees of Consultant, the Consultant, and all employees of any and all subconsultants or subcontractors of Consultant providing services on the Project.
- 2. “Texas Waiver of Our Right to Recover From Others Endorsement, WC 42 03 04” shall be included in this policy.
- 3. Texas must appear in Item 3A of the Workers Compensation coverage or Item 3C must contain the following: All States except those listed in Item 3A and the States of NV, ND, OH, WA, WV, and WY.

VII. Professional Liability requirements:

- A. Coverage shall be written by a carrier rated “A:VIII” or better in accordance with the current A.M. Best Key Rating Guide.
- B. Minimum of \$1,000,000 per claim and \$2,000,000 aggregate, with a maximum deductible of \$100,000.00. Financial statements shall be furnished to the City of Nacogdoches when requested.

- C. Policy must include availability of a two-year extended reporting period.
- D. Retroactive date must be shown on certificate.

Exhibit D
Certificates of Insurance

PRESENTER: Case Opperman, Director of Public Works

ITEM/SUBJECT: Consider approval of Resolution 1403-12-25 authorizing Hydrex Environmental to act as an agent for the City of Nacogdoches in discussions with the US Army Corps of Engineers (USACE) in regard to the Landfill Expansion Project (Director of Public Works/City Engineer).

SUMMARY/BACKGROUND: Hydrex Environmental has been contracted previously by the City for professional services related to expansion of the Nacogdoches Landfill to add volume between existing Blocks M & P sections on site. Hydrex will soon conduct a pre-application meeting with the USACE to go over the permit, to identify any information they would like to see with the project and identify any challenges in obtaining the permit for expansion in the Block M & P sections. Expanding Blocks M & P impacts a stream between the two Blocks which will require USACE approval to implement. In order for Hydrex to conduct this meeting with the Corps, they have to officially be authorized to act as an agent for the City in these discussions. This Resolution would be that formal approval for staff to authorize them as an agent by executing USACE ENG Form 6295 to that effect.

FINANCIAL:

No financial impact associated with this item

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

Infrastructure

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

ATTACHMENTS: 1. Resolution
2. USACE ENG Form 6295

RESOLUTION NO. 1403-12-25

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NACOGDOCHES, TEXAS
AUTHORIZING HYDREX ENVIRONMENTAL TO ACT AS AN AGENT FOR THE CITY
OF NACOGDOCHES IN DISCUSSIONS WITH THE US ARMY CORPS OF
ENGINEERS**

WHEREAS, Hydrex Environmental has previously been contracted by the City of Nacogdoches for professional services related to Landfill Expansion; and

WHEREAS, the Landfill Expansion includes adding volume between Blocks M & P, impacting a stream which will require US Army Corps of Engineers (USACE) approval to implement; and

WHEREAS, Hydrex Environmental will be conducting a pre-application meeting with USACE related to this permit and the project; and

WHEREAS, Hydrex Environmental must be officially authorized to act as an agent for the City of Nacogdoches in order to hold these discussions; and

WHEREAS, execution of USACE ENG Form 6295 grants that authorization; and

WHEREAS, the Nacogdoches City Council designates Case Opperman, Director of Public Works/City Engineer, as authorized official for the City of Nacogdoches for purposes of this application.

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

SECTION 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.

SECTION 2. The City Council of the City of Nacogdoches, Texas hereby approves authorization of Hydrex Environmental to act as an agent for the City.

SECTION 3. The City Council of the City of Nacogdoches, Texas hereby designates Case Opperman as authorized official for the City of Nacogdoches to complete and execute USACE ENG Form 6295 on behalf of the City.

SECTION 4. The meeting at which this resolution was approved was in all things conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

SECTION 5. This Resolution shall be effective immediately upon adoption.

APPROVED AND ADOPTED at a regular meeting of the Nacogdoches City Council on this ____ day of _____ 2025.

CITY OF NACOGDOCHES

By: _____
Randy Johnson, Mayor

ATTEST:

APPROVED AS TO FORM:

Karen Hadnot, City Secretary

Jerry Baker, City Attorney

U.S. Army Corps of Engineers (USACE)

AUTHORIZATION TO ACT AS AN AGENT

For use of this form, see Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research, and Sanctuaries Act, the proponent agency is CECW-COR.

Form Approved - OMB No.

0710-0003

Expires 2027-10-31

The Agency Disclosure Notice (ADN)

The Public reporting burden for this collection of information, 0710-003, is estimated to average 5 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

Purpose: This form is used by members of the public to authorize an agent (for example - a private consultant) to act on their behalf in all matters relating to all dealings with the USACE regarding the project. This includes taking all necessary actions for the application, processing, issuance, and/or acceptance of a Clean Water Act and/or Rivers and Harbors Act delineations, determinations, and/or permits.

This form is a component in the Corps Regulatory Request System (RRS), which is an online permitting application portal for the Regulatory Program.

ITEMS 1 THRU 3 - FOR USACE USE ONLY

APPLICATION NO.

2. FIELD OFFICE CODE

3. DATE RECEIVED

ITEMS 4 THRU 14 - COMPLETD BY THE APPLICANT or REQUESTOR

4. PROJECT NAME

City of Nacogdoches Landfill

5. PROJECT LOCATION

4602 NW Stallings Dr Nacogdoches, TX 75964 Nacogdoches County

6. APPLICANT NAME (*first, middle, last*)

Case Opperman

7. AGENT NAME

Clayton Collier

Company (*if applicable*):

City of Nacogdoches Engineering Department

Company:

Hydrex Environmental

E-mail Address:

oppermanc@nactx.us

E-mail Address:

ccollier@hydrex-inc.com

8. APPLICANT ADDRESS (*if applicable*)

Address

202 E Pilar St

9. AGENT ADDRESS (*if applicable*)

Address

312 Old Tyler Rd

City:

Nacogdoches

State:

TX

City:

Nacogdoches

State:

TX

10. APPLICANT PHONE NUMBERS. w/AREA CODE

a. Business

+19365592515

b.

c. Fax

11. AGENT PHONE NUMBERS. w/AREA CODE

a. Business

+19365689451

b.

c. Fax

12. APPLICANT/AGENT CERTIFICATION

By signing below, I hereby authorize the agent listed above, to act on my behalf in all matters relating to all dealings with the USACE regarding the project and properties listed above, including taking all necessary actions for the application, processing, issuance, and/ or acceptance of a Clean Water Act and/or Rivers and Harbors Act delineations, determinations, and/or permits. Any and all acts carried out by my agent on my behalf as it relates to this project and property shall have the same effect as acts of my own.

I agree to review all information submitted to the USACE on my behalf by my agent and certify that any information submitted on my behalf is true and correct.

13. SIGNATURE of APPLICANT or REQUESTOR

14. DATE

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

ENG FORM 6295, JAN 2025

PREVIOUS EDITIONS ARE OBSOLETE.

PRESENTER:

ITEM/SUBJECT: Consider acceptance of the Downtown Projects Implementation Strategy final report from The Goodman Corporation. (Executive Director of Development and Infrastructure)

SUMMARY/BACKGROUND: In February 2025, the City contracted with The Goodman Corporation (TGC) to provide professional consulting services for developing Downtown Nacogdoches planning and implementation strategies. The contract scope of services included:

- Identification of funding opportunities for implementing each of the strategic projects.
- Further development of the strategic projects in preparation for the design phase.
- Analysis critical for defining downtown Nacogdoches parking needs.
- Documentation critical for future funding pursuits specific to each strategic project.

TGC will present the Downtown Projects Implementation Strategy final report with details on recommended project elements, design status, and key considerations; implementation roadmap specific to each project; and potential funding sources. Previously, Council also received a project status update on June 3. Related documents and discussions are available at <https://www.nactx.us/dtac>.

FINANCIAL:

No financial impact associated with this item

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

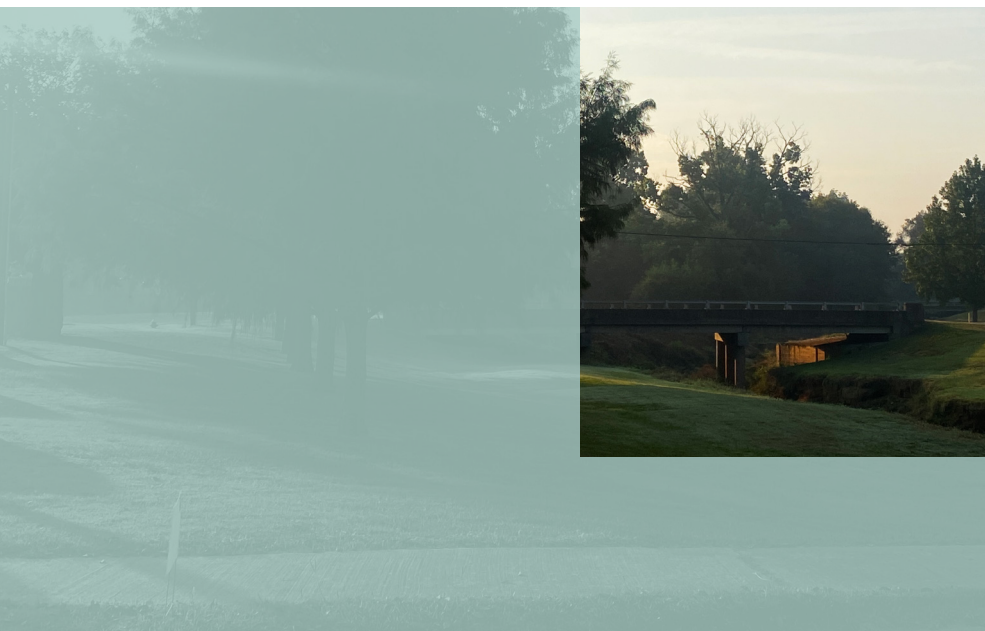
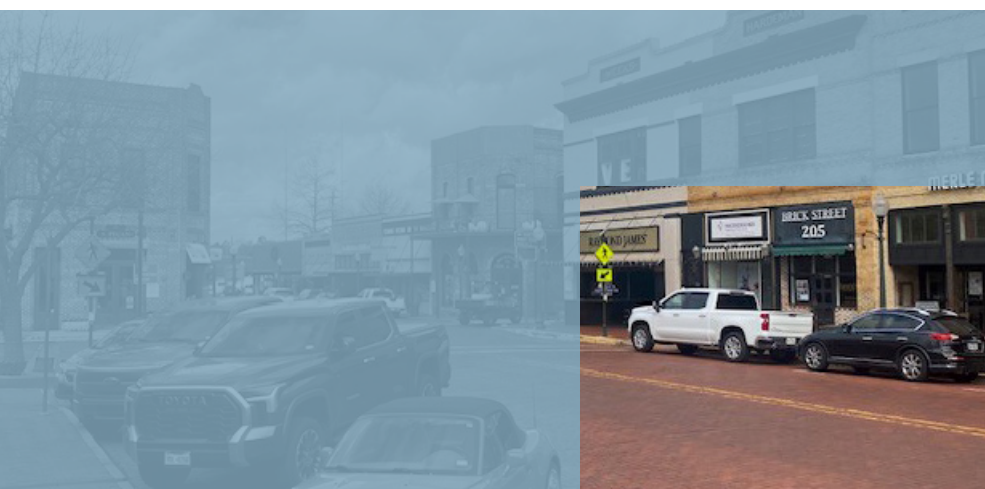
- Downtown Entertainment and Destination District

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

ATTACHMENTS: 1. Final Report



Strategic Projects Implementation Strategy



November 2025

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Acknowledgments

The City of Nacogdoches Downtown Projects Implementation Strategy would not have been possible without the assistance and cooperation of the following individuals and organizations. Thank you for providing us with insights and guidance critical for defining, developing, and implementing these projects.

City Council

Randy Johnson, Mayor
Kathleen Belanger, Council Member, Northeast Ward
Brad Maule, Council Member, Northwest Ward
Chad Huckaby, Council Member, Southwest Ward
Blane Williams, Council Member, Southeast Ward

Project Staff

Rick Beverlin, City Manager
Mike Neu, Executive Director of Development and Infrastructure

Downtown Technical Advisory Committee

Shannon Conklin
Robert Flores
Michael McBroom
Suzanne Patterson
Kurt Sutton
Greg Williams
Mike Neu, Committee Liaison

Additional Downtown Stakeholders

Brazos Transit District
United States Army Corps of Engineers Fort Worth District
Elliott Electric Supply
Charles and Lois Bright Foundation
Kim Crisp
John Mast
Kevin White
Wally Scrogging

The Goodman Corporation Consultant Team

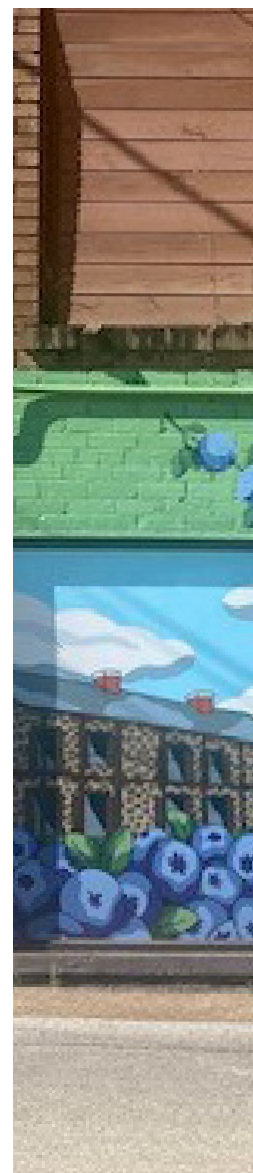
Elizabeth Whitton
Madison Graham
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Barry Goodman



Downtown Nacogdoches

Acronyms

ADA	Americans with Disabilities Act of 1990
BCA	Benefit-Cost Analysis
BTD	Brazos Transit District
BUILD	Better Utilizing Investments to Leverage Development
CEI	Construction Engineering and Inspection
COA	Certificate of Appropriateness
CPF	Community Project Funding
DTAC	Downtown Technical Advisory Committee
EDA	US Economic Development Administration
FEMA	Federal Emergency Management Agency
FTA	Federal Transit Administration
IFB	Invitation for Bidders
ITE	Institute of Transportation Engineers
NEPA	National Environmental Policy Act
NFD	Nacogdoches Fire Department
NOFO	Notice of Funding Opportunity
NTP	Notice to Proceed
RFP	Request for Proposals
RFQ	Request for Qualifications
SFA	Stephen F. Austin State University
THC	Texas Historical Commission
THUD	US House Appropriations Subcommittee for Transportation, Housing and Urban Department
TPWD	Texas Parks and Wildlife Department
TxDOT	Texas Department of Transportation
UP	Union Pacific
USACE	US Army Corps of Engineers
USDOT	US Department of Transportation
WOTUS	Waters of the United States





Downtown Nacogdoches

Executive Summary

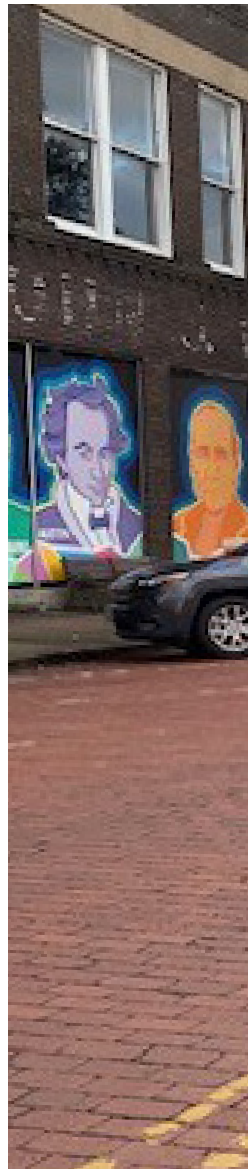
The City of Nacogdoches has multiple strategic projects that can spur economic development in and around downtown. The Downtown Projects Implementation Strategy is a comprehensive guide for City staff to utilize when advancing four specific projects or initiatives. The four projects – a centralized parking facility, Banita Creek Promenade, Festival Park Redevelopment, and Adaptive Reuse of Downtown Buildings – were initially identified by the City, defined and developed through this effort.

This Implementation Strategy identifies possible funding sources that can advance each project through the design and construction phases, with a specific emphasis on grant opportunities that can be leveraged to the maximum extent. A focus on using state, federal, and philanthropic dollars limits the amount of local tax dollars necessary to fund each project.

This document summarizes the work completed on all four of the downtown strategic projects, and establishes a step-by-step implementation guide to advance each initiative. With details on the various funding sources available, each project's conceptual development, and recommendations for next steps, the Implementation Strategy contains practical information for guiding the City on making these projects a reality.

Organized in six chapters, the Strategy Document introduces the work required to define and develop each project, describes funding resources, and detail each of the projects or initiatives. Each project chapter provides project information, project benefits, and any supplemental analyses that was performed over the lifecycle of this project (i.e., the parking supply and demand study that was produced for the parking facility project). Project alternatives or future ideas are explored, along with other general project considerations. Partners and key stakeholders are also mentioned in each chapter and potential funding sources are matched to each strategic project. Lastly, each chapter has an implementation timeline for guidance on the next steps specific to that project.

The City of Nacogdoches can utilize this information as an actionable framework that Nacogdoches' staff, elected officials, appointed representatives, and partners can use to pursue resources, coordinate next steps, and ultimately bring the vision of the four strategic downtown projects into reality.





Downtown Nacogdoches

Introduction

Downtown Nacogdoches bears witness to Texas before it was Texas. Emphasizing its history under nine different flags, downtown Nacogdoches is now poised for a new era – one that uses its existing assets, current momentum, and realistic vision to grow economic activity. The Downtown Projects Implementation Strategy examines four specific projects that are critical for ushering downtown Nacogdoches into its next era. This implementable roadmap can guide the City of Nacogdoches as it advances these catalytic projects into reality.

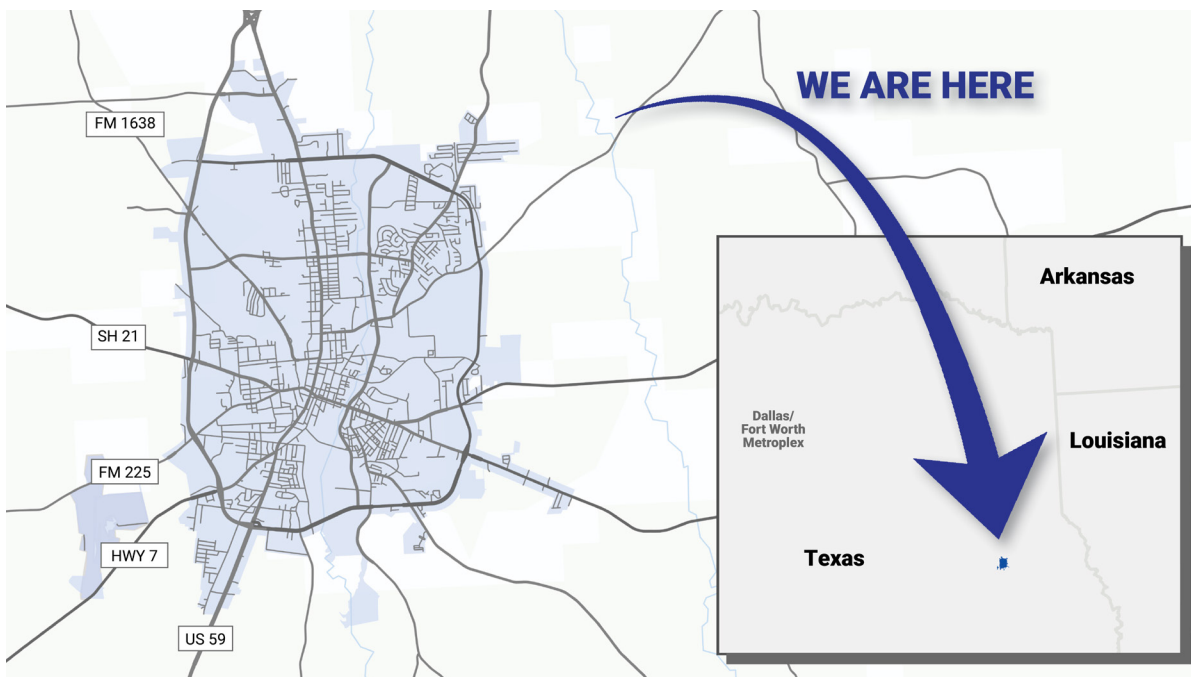


Figure 0.1. Nacogdoches Location Map

The momentum building in Nacogdoches is palpable as one walks around downtown's red brick streets. Elliot Electric Supply is renovating the former Regions Bank building, and in 2027, will relocate its corporate headquarters to downtown. Stephen F. Austin State University is growing with record enrollment and substantial investment from the University of Texas system. The Fredonia Hotel is regularly at or near capacity.

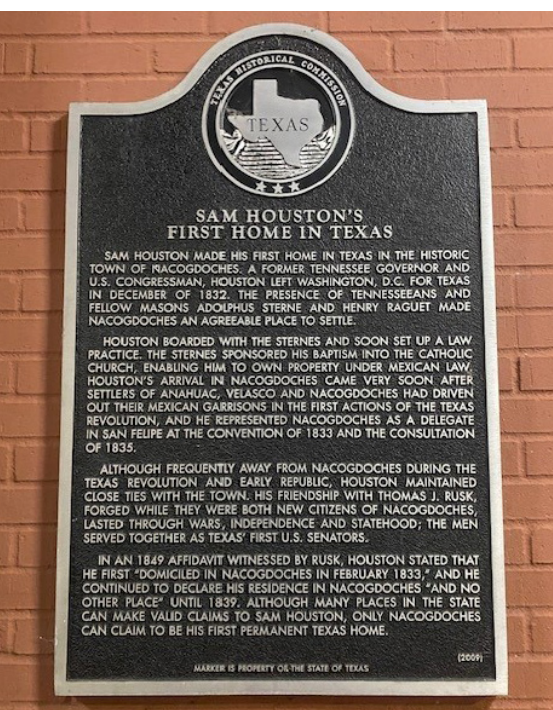
How can this momentum and excitement be leveraged into more economic opportunities? The City of Nacogdoches has identified four projects that, if implemented, have the potential to further Nacogdoches' momentum and strengthen its economic future. This document summarizes the process for strategy development, identifies funding sources, describes the City's desired projects, and provides a guide for moving these projects into implementation.

About Downtown

Nacogdoches is the oldest town in Texas, founded in 1779 by Spanish settlers¹. Throughout the past century, Nacogdoches has been a key player in shaping East Texas' landscape and is a central hub for education and economic activity in the region. Home of Stephen F. Austin State University, Nacogdoches benefits from a strong university presence that drives local innovation, supports a vibrant student population, and contributes significantly to the city's cultural, economic, and professional landscape.

A thriving downtown is central to Nacogdoches, and currently, downtown boasts a significant number of historically preserved buildings, red bricked streets, and several historic landmarks that showcase different architecture throughout the city's long history. In the middle of its quintessential downtown square, the Charles Bright Visitors Center (home to the Nacogdoches Convention and Visitors Bureau) provides information, historical exhibits, and recommendations to <#> people annually. The collection of buildings that surround the square range from City Hall and the Fire Department to shops and restaurants to apartments to banks. Downtown Nacogdoches has many architectural features that showcase this area's rich history through small storefronts, unique facades, and quality landscaping features.

Banita Creek meanders along downtown's southern edge. This creek flows from the northwest to the southeast south of the main downtown area. Festival Park lies just south of Banita Creek. In total, four streets cross over Banita Creek, including South Street, Pecan Street, Fredonia Street, and Church Street. Collectively, downtown and Festival Park total approximately 0.8 square miles but are the main focal point of the city and this strategy. Each project, if implemented individually, positively impacts the economic growth of downtown. If all projects become reality, they collectively leverage each other creating catalytic and exponential growth.



Nacogdoches City Hall Plaque



Banita Creek

¹ City of Nacogdoches. (n.d.). History of Nacogdoches. Retrieved from <https://www.nactx.us/97/History>



Figure 0.2. Downtown Nacogdoches and Strategic Project Locations

Downtown Nacogdoches' Strategic Projects

The four strategic projects—a centralized parking facility, Banita Creek improvements, Festival Park improvements, and a review of public buildings – are detailed in the following chapters and displayed in **Figure 0.2**.

Centralized Parking Facility

A multi-story parking facility is proposed at the southeast corner of Pilar and S Fredonia Street. The parking lot is privately owned by Elliott Electric Supply, which is renovating the adjacent former bank building into a new corporate headquarters. Elliott Electric has a unique opportunity to initiate a public-private partnership with the City of Nacogdoches and construct a multi-level parking garage that can serve Elliott Electric employees and the public.



Downtown Nacogdoches: Street Parking

Banita Creek Promenade

The Banita Creek Promenade project is proposed on the north side of Banita Creek, just south of Monk Street. Today, this area of Downtown Nacogdoches is an open, grassy field. The recommended improvements for the Banita Creek Promenade include a paved hike and bike trail, shaded rest areas, public art, pedestrian lighting, and wayfinding/informational signage.



Banita Creek

Festival Park Redevelopment

Redevelopment of Festival Park is proposed on the existing site, just south of the Banita Creek Promenade, on a 12.8-acre city-owned park that is currently an underutilized, grassy field. The full vision for the activation of Festival Park includes an amphitheater, along with a paved hike and bike trail, a detention pond, a food truck park, upgraded restroom facilities, a concession area, a realigned Cox Street, and updates to Pecan Street.



Festival Park

Public Building Reimagining

The City is examining various buildings downtown and if/how they can be adapted for a use that increases taxable value and revenue. There are several public buildings, namely the Fire Station and City Hall, that can be renovated into retail, restaurant, or hospitality spaces.



Fire Station No. 5. Source: nactx.us

Alignment with Stephen F. Austin State University

Stephen F. Austin State University is a critical economic driver within East Texas and its just one mile north of downtown. Established more than 100 years ago, Stephen F. Austin State University is undergoing fundamental changes. In 2023, the University became part of the University of Texas System. This has opened substantial investment and growth for both the University and Nacogdoches. A new Campus Master Plan is forthcoming, identifying new buildings, stadiums, and parking garages that are critical for increasing student enrollment and enhancing the student experience.

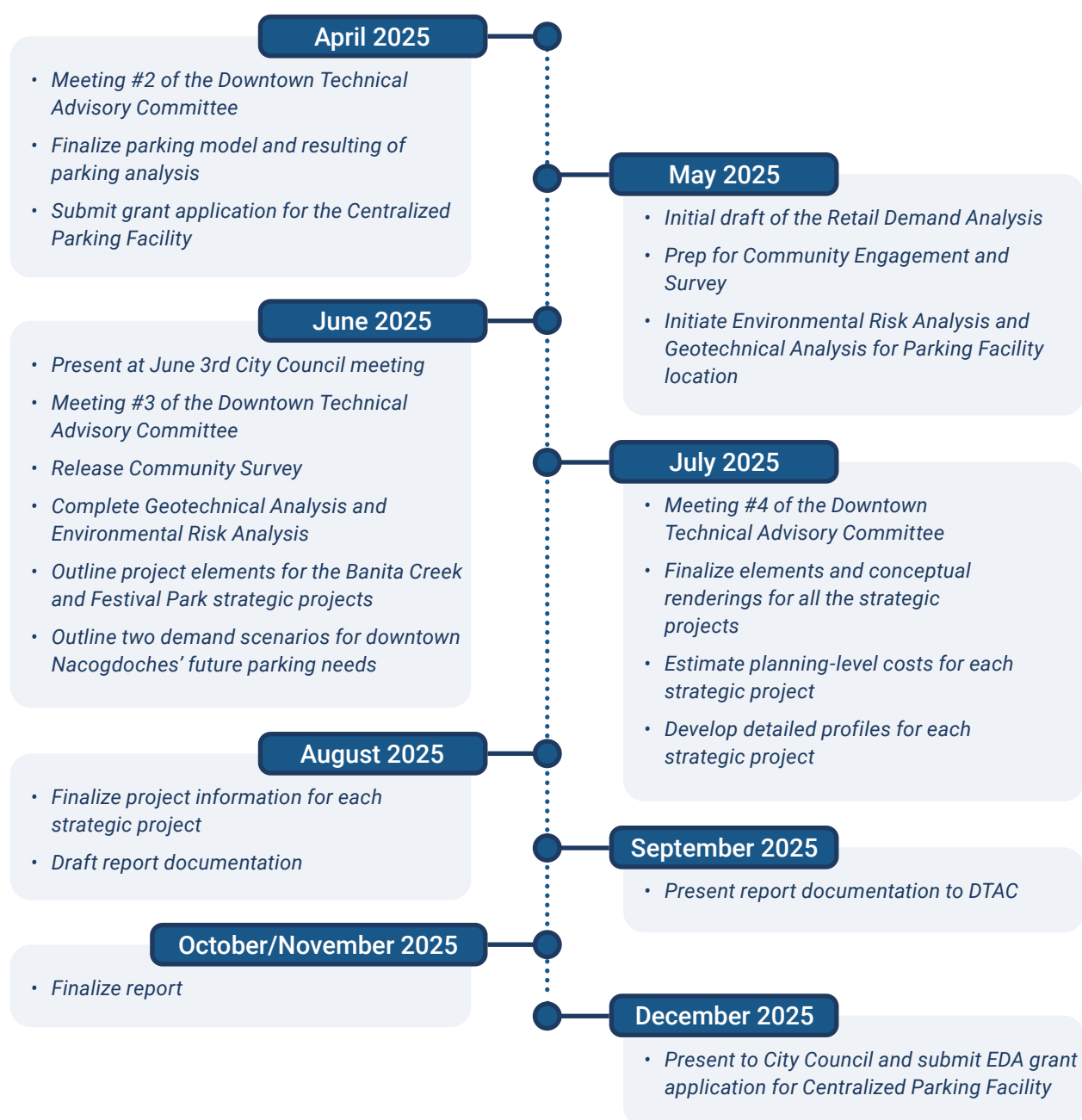
For fall 2025, applications for undergraduate admissions were at record levels. More than 20,000 applications were received, a 17% increase year over year. Increased enrollment has downstream economic impacts. Specific to downtown and the focus for this Implementation Strategy, a larger student body at Stephen F. Austin State University create a need for more hotel rooms (i.e. parents visiting their student), more restaurants and bars, things to do (i.e. live music), etc. The economic multiplier created through the University's investment further strengthens the need for many of the elements proposed within each of the downtown strategic projects.



*Stephen F. Austin State University Campus.
Source: Nacogdoches Chamber of Commerce*

Strategy Development Timeline

The Downtown Strategic Projects Implementation Strategy kicked off in February of 2025. A comprehensive review of previous and current planning studies was the first task, ensuring this effort built upon existing work. The City Council, at its February 4, 2025 meeting, authorized the creation of the Downtown Technical Advisory Committee (DTAC), a group of stakeholders that met on several occasions to provide insight, discuss ideas, and vet recommendations. An online survey was conducted in June, an opportunity for community members to share input on the future direction of downtown Nacogdoches. All of this information was collected and documented, informing recommendations. Lastly, this strategy document was drafted to document all project efforts and provide the city with a guide for implementing each strategic project.



Public Engagement

Throughout the project period, ongoing engagement encompassed an advisory committee, stakeholder conversations, City Council updates, and a community-wide survey. In total, more than 700 people shared their thoughts, advice, and ideas. The following sections provide detail on all of the public and stakeholder engagement efforts that were completed as part of this planning study.

Downtown Technical Advisory Committee

Established through Council action on February 4, 2025, six key downtown or city stakeholders formed the Downtown Technical Advisory Committee. This ad-hoc advisory group provided input on the Downtown Nacogdoches development projects of the City and make recommendations regarding prioritization. The committee met four times from March to July. **Table 0.1** summarizes the meeting dates and content reviewed with the DTAC.

Table 0.1. DTAC Meetings and Topics

Date	Theme
March 6, 2025	Introduction to Project and Brainstorming Session
April 7, 2025	Parking
June 5, 2025	Banita Creek Promenade, Festival Park, & Public Buildings
July 24, 2025	Project Review and Feedback for Draft Report
September 18, 2025	Revised Recommendations and Final Review

City Council Updates

The City Council authorized the creation of the Downtown Nacogdoches Strategic Projects Implementation Strategy at its February 4, 2025 meeting. Subsequently, written updates on its development were shared bi-weekly and in two presentations to the City Council – June 3rd and December 2, 2025.

Stakeholder Interviews

Through recommendations and guidance from the Downtown Technical Advisory Committee and the City of Nacogdoches, additional one-on-one conversations with key downtown stakeholders yielded more insights, notably around economic demand and redevelopments of historic buildings. Property owners and businessmen, including Kevin White, Kim Crisp, and John Mast, offered details about their previous projects (i.e. renovating the building at 124 E Main Street). In relation to the four projects that are the focus of this strategy, key insights learned that inform this work:

Demand for Concert Venue

Something that can support 3,000-5,000 attendees (ideally covered and with hard surfaces). Attendees are most likely to live within 60 miles of the city.

Renovating Historic Buildings

The cost to upgrade electrical and fire systems can outweigh the benefits.

Little Opportunity for Housing

While more people are needed downtown after 5pm to justify new retail and restaurants, there is little space for new housing. Most available buildings are better suited for non-residential use.

Online Survey

An online survey was deployed as part of this planning process and critical for understanding specific items that could be incorporated into the development for each strategic project. The online survey consisted of 16 questions regarding someone's current experiences with downtown, desired future experiences, and connection to Nacogdoches. The survey was released on June 3rd, utilizing the Survey Monkey platform. Open for one month, the survey closed on July 3rd. During this time, 690 people responded.

In total, it took someone an average of five to seven minutes to complete their responses. Several outreach methods were utilized to promote the survey. Outreach approaches deployed include the following:

1. City of Nacogdoches Social Media Channels
2. Postcard size handouts with a QR code linking to the survey. These were strategically placed around downtown.
3. Mentioned at June 3rd City Council
4. Promoted through various officials' social media channels
5. Distributed to everyone who serves on a Board or Commission within the City

Of the 690 responses, 45% visit downtown weekly and another 25% visit monthly. When asked about improved connectivity to downtown, the Farmers Market, Festival Park, and Stephen F. Austin State University ranked highest for destinations. This aligns with a desire for paved walking/biking trails at both Banita Creek and Festival Park. Nearly everyone would prefer to park within a block of their destination but are willing to walk further, if necessary. About 40% said that a new parking facility will encourage them to visit downtown more often. Lastly, 55% indicated they would be willing to pay at least a small fee to park at a new facility. The community input helps inform the proposed plans for Banita Creek and Festival Park, the parking facility's development, and recommendations for the highest and best use of public buildings. To see the full online survey results, see [Appendix X: Online Survey Analysis](#).

Importance of Funding Resources

Chapter 1 identifies and summarizes local, philanthropic, state, and federal funding opportunities that, if available, enable implementation of each strategic project. The strategic development process should be designed to focus on leveraging grants funds, as opposed to relying on local tax dollars. The elements within each project are implementable and competitive for a variety of philanthropic, state, and federal grants.

1. Funding Sources

Infrastructure improvements are costly endeavors and often require multiple funding sources to become reality. Funding can be available from the federal government, the State of Texas, local sources, philanthropic entities, and a mixture of various financing mechanisms. This chapter details the possible funding opportunities that could enable advancement of each of Nacogdoches' strategic projects.

List of Possible Funding Sources

Table 1.1. Possible Project Funding Sources

Name	Source	Connection to Strategic Projects	Typical Award Amounts
Community Project Funding	Federal	Parking Facility, Banita Creek, Festival Park	\$1 million - \$5 million
TxDOT Transportation Alternatives	State	Banita Creek	\$250,000 – \$25 million, depending on project type
Better Utilizing Investments to Leverage Development (BUILD)	Federal	Banita Creek, Festival Park	Up to \$25,000,000
Recreational Trails	State	Banita Creek, Festival Park	\$300,000
Local Parks	State	Festival Park	\$750,000-\$1,500,000
Public Works and Economic Adjustment Assistance	Federal	Festival Park, Parking Facility	Up to \$5,000,000
Disaster Supplemental	Federal	Parking Facility, Banita Creek, Festival Park	Varies
FTA Bus and Bus Facilities	Federal	Parking Facility	Varies
Historic Tax Credits	Federal	Building Redevelopments	N/A
Bonds	Local	All Projects	N/A
Philanthropic Funding	Private	All Projects	Varies

Community Project Funding

Community project funding (CPF) is the official name for Congressional members' federal appropriations requests. Commonly known as earmarks, this federal funding is specified in legislation and allocated to specific projects through various Appropriations Bills. An earmark serves as a mechanism for legislators to allocate financial resources to projects within their constituencies. Members of the House of Representatives can submit requests for up to 15 projects each. These projects are typically associated with focus areas that include Labor, Health and Human Services, Rural Development, Transportation, Housing and Urban Development, Commerce, Justice and Science, Interior and Environment, Defense, as well as Energy and Water. There is no minimum or maximum request amount, but funding awards over the last few years often range from \$1,000,000 to \$5,000,000.

Funding priorities are determined by the relevant subcommittee (i.e. THUD) and each member of Congress. The historical precedent of previously funded projects may not apply to current opportunities. Eligible project costs include planning, preliminary engineering activities, and environmental documentation.



Festival Park Existing Conditions

TxDOT Transportation Alternatives

Every other year, TxDOT issues a Call for Projects for active transportation projects or plans. The bi-annual call often solicits applications under four categories: community-based projects, large-scale active transportation infrastructure, active transportation network enhancements, and active transportation non-infrastructure (**Table 1.2**) with award amounts ranging from \$250,000 to \$25,000,000. Applications for implementation projects are time-intensive and require a substantial amount of documentation. If awarded funding, the City of Nacogdoches will need to coordinate extensively with TxDOT and enter into an Advanced Funding Agreement.

Table 1.2. TxDOT TA Details

Project Category	Eligible Areas	Target Project Funding Amounts	Eligible Activities
Community-Based Infrastructure	Outside of TMAs & Population Areas < 200,000	\$250,000 to \$5M per project	Preliminary engineering and construction for: • Bicycle infrastructure improvements • Shared use paths • Sidewalk improvements • Infrastructure-related projects to improve safety for non-motorized transportation • Construction of boulevards and other roadways that are located primarily in the right of way of divided highways and that improve access for bicyclists, pedestrians, and transit users and do not reduce on-system roadway capacity unless such a reduction has the prior approval of the department (for large scale active transportation only)
Large Scale Active Transportation Infrastructure		\$5M to \$25M per project	
Active Transportation Network Enhancements	Any Population Area	\$250,000 minimum for cities <200,000; \$1M min otherwise	Quick construction or installation activities: • Support active transportation networks • Infrastructure projects with limited or no design and no ROW acquisition activities • Can be completed quickly after the award
Active Transportation Non-Infrastructure		\$100,000 minimum	Planning documents to assist communities in developing non-motorized transportation networks

USDOT Better Utilizing Investments to Leverage Development

The US Department of Transportation (USDOT)'s Better Utilizing Investments to Leverage Development (BUILD) grant program is one of USDOT's oldest discretionary funding opportunities. These grants are for investments in surface transportation that will have a significant local or regional impact. Projects can be a road, rail, transit, and port project that will improve safety, travel time savings, efficiency in the movement of goods and people, regional resilience, economic competitiveness, etc. These are extremely competitive grants due to the broad eligibility and high amount of applications.

Typically, award sizes range between \$1 million to \$25 million. USDOT requires a minimum local share of 20% except in some locations (varies by Notice of Funding Opportunity). Eligible costs include planning, preparation, or design of eligible surface transportation capital projects (eligible activities include environmental analysis, equity analysis, community engagement, feasibility studies, benefit-cost analysis, and other pre-construction activities).

TPWD Recreational Trails

Every winter, the Texas Parks and Wildlife Department (TPWD) releases a Call for Projects through its Recreational Trails Program with funding through the state budget, specifically, the Texas Recreational Trails Fund. Eligible projects can be both motorized and non-motorized publicly accessible recreational trail projects, including the construction of new recreational trails, the improvement of existing trails, the development of trailhead or trailside facilities, and the acquisition of trail corridors. TPWD's award amount is \$300,000 or less, a small amount of funds for Nacogdoches' big projects. These funds, though, could advance the Banita Creek Promenade, future trail extensions, and the trail in Festival Park.

TPWD Local Parks

TPWD's Non-Urban Outdoor Recreation Local Parks grants can advance Festival Park and specific elements, such as the playground. Utilizing a mix of federal (National Park Service) and state funds, TPWD prioritizes the development, renovation, or redevelopment of lands or waters under the ownership or adequate control of the project applicant. If awarded funding, all sites receiving grant assistance must be designated as permanent parkland, adequately maintained, and accessible to the public.

The maximum award size per project is \$750,000. Total project costs need a 50% local match. Eligible project costs include the development/redevelopment of landscaping and irrigation elements, splash pads, swimming pool, recreational trailheads, publicly accessible sports fields like basketball and volleyball courts, community gardens and theaters, etc.



Banita Creek Land

EDA Disaster Supplementals

From time to time, the US Economic Development Administration (EDA) releases a Notice of Funding Opportunity to provide Disaster Supplemental funding. These funds can support catalytic economic development projects that have a disaster nexus. The EDA requires all implementation applications to submit ED-900B forms, which state the number of private sector jobs that will be created through the proposed project. Applications that create more direct jobs than others score higher.

EDA Public Works and Economic Adjustment Assistance

EDA's Public Works program funds a variety of projects that can improve local infrastructure – through upgrades, expansions, and new construction. The EDA typically prioritizes investment in nine project categories: technology-based facilities, multi-tenant manufacturing facilities, business and industrial parks, telecommunication and development facilities, water and sewer system improvements, business incubator facilities, port and harbor expansions, skill training facilities, and brownfield redevelopment. Depending on the specific Notice of Funding Opportunity, these categories can change or be broadened to a focus on all types of public works projects. Investment in these projects must tie into the EDA's desire to help communities attract new industry, encourage business expansion, generate local investment, and create or retain long-term jobs through land acquisition, development, and infrastructure improvement projects that establish or expand industrial or commercial enterprises. Specific to the City of Nacogdoches, the Centralized Parking Facility would qualify as a general public works infrastructure project. Elements of both the Festival Park redevelopment and adaptive reuse of Downtown buildings are likely to be eligible projects for these funds.

FTA Bus and Bus Facilities (5339)

Authorized through the federal surface transportation legislation (i.e. Infrastructure Investment and Jobs Act), the Federal Transit Administration has both formula and discretionary funds to support transit agencies' vehicle stock and facilities. Commonly known as the 5339 Bus and Bus Facilities program, these funds can be used for parking facilities if there is a transit nexus, such as a bus transfer station, incorporated within the project. Brazos Transit District is the local transit agency, and for Nacogdoches, all of the formula 5339 funds allocated to the city are managed and distributed by TxDOT. Nacogdoches' small size precludes Brazos Transit District from being a direct recipient of these funds. If there is a desire to pursue a grant application for the discretionary 5339 Bus and Bus Facilities program, TxDOT must be the project sponsor on behalf of Brazos Transit District and the City of Nacogdoches.



Brazos Transit District Bus

Historic Tax Credits

Private sector individuals and companies can be eligible for tax credits for renovating and rehabilitating historic buildings. The benefits for these tax credits are established through both federal and state legislation. In Texas, both of the federal and state tax credits are administered through the Texas Historical Commission. The federal program offers a 20% income tax credit, as an element of a general business credit, to an individual, corporation, or other entity with a financial interest in the project. The state tax credit program offer a 25% tax credit that can be sold or used against Texas Business Franchise Tax or Texas Insurance Premium Tax.

Bonds

The City's focus is and should be on obtaining non-municipal dollars to advance these strategic projects. However, financing is feasible for the parking facility and building redevelopment. Municipal bonds, such as a general obligation bond or revenue bond, provide upfront cash to implement a project but require repayment. In simple terms, a general obligation bond is repaid through the City's general fund (i.e. property tax revenue). Repayment for revenue bonds is tied to a specific revenue stream. For example, if a revenue bond was issued for the parking facility, repayment of the bond could be the funds raised through a parking fee (i.e. \$5 charge to use facility during special events). Municipal bonds are a commonly used tool in public finance, but critical for the City's purposes, bonds provide financing, not funding.

Philanthropic Funding

The City's strategic projects range in costs, with upwards of \$80 million to \$100 million needed for project implementation. Philanthropy can be a source for providing the local match required for many federal and state grants or funding elements of the Banita Creek Promenade or parking facility. Within the Nacogdoches area, several local foundations could be philanthropic funding sources. The Charles and Lois Marie Bright Foundation is a local, private foundation that offers a variety of financial support to the local Nacogdoches market, with past funding allocations supporting project development, general operating support, scholarships, building funds, and equipment. This foundation could be utilized as a funding source to help implement the Downtown Nacogdoches strategic projects. The Elliot Foundation is funded through support from the Elliot Electric Supply company and its employees. Its giving strategy over the last few years has focused specifically on small-scale projects in education and community development.

Additionally, philanthropy specific to Texas or national foundations with a grant program emphasis aligned with one of the City's projects could be a potential funding option. One notable example is the Levitt Foundation, a national organization dedicated to revitalizing underutilized outdoor recreational space into vibrant, outdoor music venues that support free outdoor music series and promote placemaking and community building. Another key financial supporter is the Moody Foundation, which is one of the largest philanthropies in Texas and invests heavily in capital improvements, education, and cultural initiatives. Both foundations represent strong prospects for advancing the City's downtown strategic projects.

2. Parking Facility

Downtown has a documented parking problem. Either there is not available space, available spots are too far from someone's intended destination, or there is a lack of information of what's public and what's private parking. Currently, there is a private, 205-space surface parking lot at the southeast corner of Pilar Street and Fredonia Street. The owner of the parcel has indicated a desire for coordinating with the City regarding improvements to this lot, including construction of a structured parking facility.

To analyze if a structured parking facility is needed and feasible on this parcel, several types of analysis are necessary. The following tasks were completed to develop the project and achieve its current status of 30% Design:

- Supply and demand analysis
- Geotechnical analysis
- Environmental risk assessment
- Site plan development
- Cost estimates
- Funding recommendations
- Implementation timelines

The results of each of these analysis steps are summarized in this chapter and supported with documentation in the appendices.

Location

Elliott Electric Supply has purchased the former Regions Bank building and parking lot, with plans to house 120 – 150 new office employees initially and up to 200 at full capacity. This corporate relocation and private investment have spurred conversations about resurfacing, reconfiguring, or redesigning the existing lot to provide for both employee parking and additional parking for public visitors to Downtown Nacogdoches.



Figure 2.1. Context Map

This 2.5-acre sized parcel is the largest in downtown Nacogdoches and ideally located adjacent to future development projects. No other parcel in downtown is large enough for a structured facility nor as centrally located. The proposed site, though, is not without its own drawbacks. It is not publicly owned. A portion of the parcel is within the 100-year and 500-year floodplains. The parcel has a slope of 6%, with a 22-foot elevation change from Pilar Street to Monk Street. These site constraints require additional due diligence and costly mitigation improvements.

Today, the concrete lot has 205 parking spaces and two existing structures. The northwest corner features a drive-up ATM, and the southeast corner features a drive-up banking or teller lane facility. The structures and surface parking lot are aged, and signs of wear have been identified through cracks in the existing lot and unmanicured structures and landscaping.



Figure 2.2. Existing Parking Lot Conditions

Project Information



Description

A multi-story parking facility with ~325 spaces, constructed at the southeast corner of Pilar Street and S Fredonia Street, that addresses existing parking demand. A public-private partnership will convert an existing surface parking lot into a vertical structure.



Purpose

The addition of at least 193 new parking spaces will address downtown's current parking demand while providing the necessary supply of spaces to support economic growth and new developments in and around the town square.



Project Need

- The addition of nearly 200 new parking spaces address the current imbalance between supply and demand in downtown.
- Businesses and new developments struggle to locate downtown due to the lack of off-street and on-street parking spaces.
- Economic growth – through new businesses, events, and activity – requires additional parking spaces.
- A centralized parking facility conveniently located near existing buildings alleviates the need for businesses to find off-street parking spaces on site or adjacent properties.
- A centralized parking facility will support the redevelopment of Festival Park into a more event-oriented community amenity.



Project Elements

- Approximately 148 parking spaces per floor, including ADA accessible spaces.
- ~11,000 square feet of mixed use space.
- Electric vehicle charging stations.
- Architecturally integrated into historic structures to match with the historic look and feel of Downtown Nacogdoches.
- Green space, bringing additional natural elements into Downtown Nacogdoches.
- Wayfinding signage to help ease vehicles and pedestrians to and from the parking facility.
- Required emergency access thru street along the east side of the property.



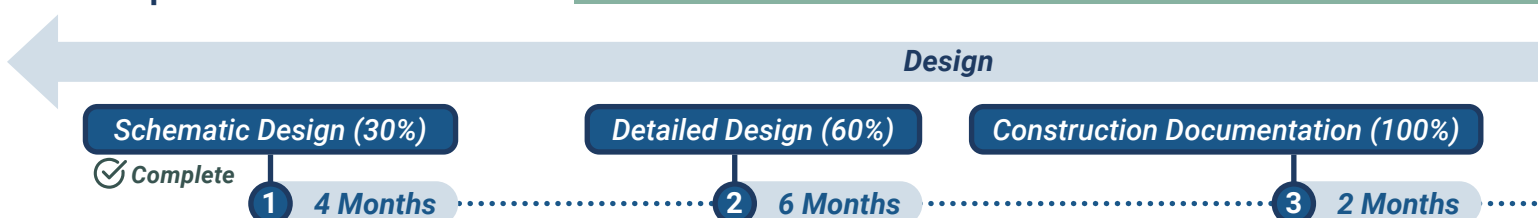
Project Cost

Planning Level Cost Range: \$20 – 25 million

Description	Cost
Concrete Structure	\$8,200,000
Mixed Use Space (132' x 89')	\$940,000
Foundation (Drilled Piers/ Column)	\$2,285,000
Architectural- Decorative look	\$3,656,000
Mechanical, Electrical (Elevator, Lighting, AC, etc.)	\$3,656,000
Total	\$18,737,000
Contingency - 30%	\$5,621,000

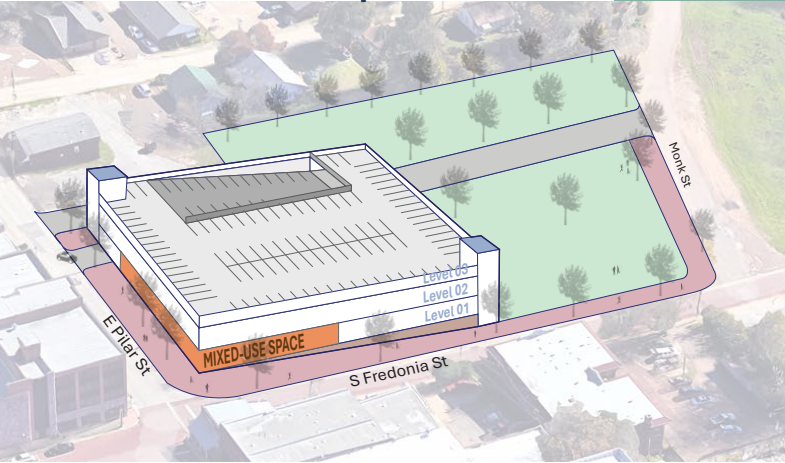


Implementation Timeline





Visual Representation



Qualitative Benefits

Encourage Economic Activity: more available parking translates to more visitors in Downtown Nacogdoches to shop and eat

Support economic development: Incentivize new development and commercial activity to the area and remove the burden on new business owners to identify or construct new parking spaces needed to support their commercial activity

Additional Parking: Provide supplemental public parking for peak demand times, during events, and for general commercial and retail activity

Appeal to the Public: Foster peace of mind for both visitors and prospective businesses wanting to locate in downtown regarding ease of finding parking

Reduce Traffic Congestion: The ability to find a parking space quickly and consistently will reduce the amount of time people spend in their vehicles circling to find a parking spot.



Project Challenges

Timing: The project is needed now.

Cost: The projected cost of \$60,000-\$75,000 a space is high and will require external funding to become reality.

Construction Coordination: Renovation of the Regions Bank building and need for laydown space on project site creates space challenges.

Environmental Review: The close proximity of the floodplain could require additional analysis, delaying the project and increasing cost.



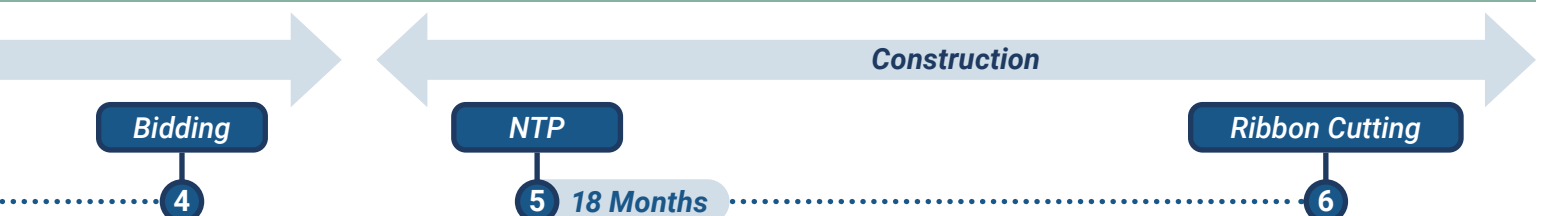
Core Partners and Stakeholders

1. *Elliott Electric Supply*
2. *Bright Foundation*
3. *Stephen F. Austin State University*
4. *Convention and Visitors Bureau*
5. *Nacogdoches Main Street*



Funding Sources

1. *Economic Development Administration*
2. *Community Project Funding*
3. *Federal Transit Administration*
4. *Local/Private Funding*



Parking Supply and Demand

A parking supply and demand analysis determined if the need for additional parking exists in Downtown. The full report documenting the parking analysis can be found in [Appendix X: Parking Study Memo](#). The results of the study indicate a **weekday deficit of 193 public parking spaces**, primarily near the downtown square and other central locations within downtown. However, Saturday and Sunday experience lower demand, and existing parking supply can sustain weekend activities.

The parking supply and demand analysis evaluated a thirteen-block area around the Charles Bright Visitors Center to determine current levels of parking supply, demand, and future parking demand. The supply and demand analysis boundary, as well as each block's existing parking supply, can be found in **Figure 2.3**. The distance across the study area is approximately 0.1 to 0.2 miles in both directions, representing about a 10-minute walk from end to end. This specific boundary was chosen to better understand where people can reasonably park in Downtown Nacogdoches.

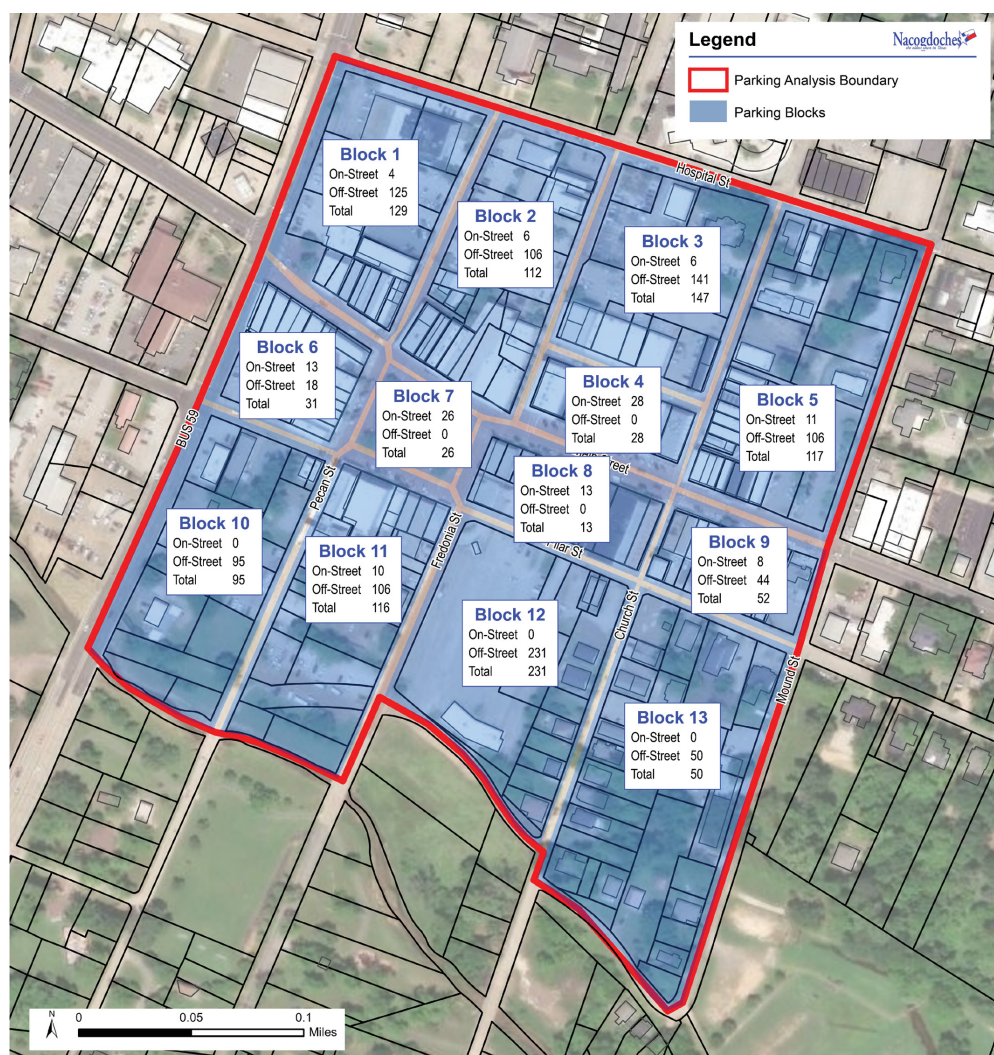


Figure 2.3. Existing Parking Supply Map

Existing Demand

Each parcel within this thirteen-block radius was assigned an existing land use based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 6th Edition. This manual is a widely recognized and best practices resource for estimating parking generation characteristics based on land use type. Specific land use types (e.g., retail, office, residential) demand different levels of parking, and the ITE Trip Generation Manual determines how much parking is demanded based on the parcel's land use. Parking demand was forecast for all businesses in Downtown Nacogdoches, including Elliott Electric Supply at full capacity. As of spring 2025, downtown should have nearly 1,000 parking spaces to meet businesses' needs.

Existing Supply

The study identified 1,150 total parking spaces – 125 on-street and 1,025 surface parking lot spaces. Of these, only 416 spaces are considered public, while 734 spaces are designated or assumed to be private parking spaces (**Figure 2.4**). The majority of the existing public parking spaces are along the square, near City Hall, and on the northeast edge of downtown.

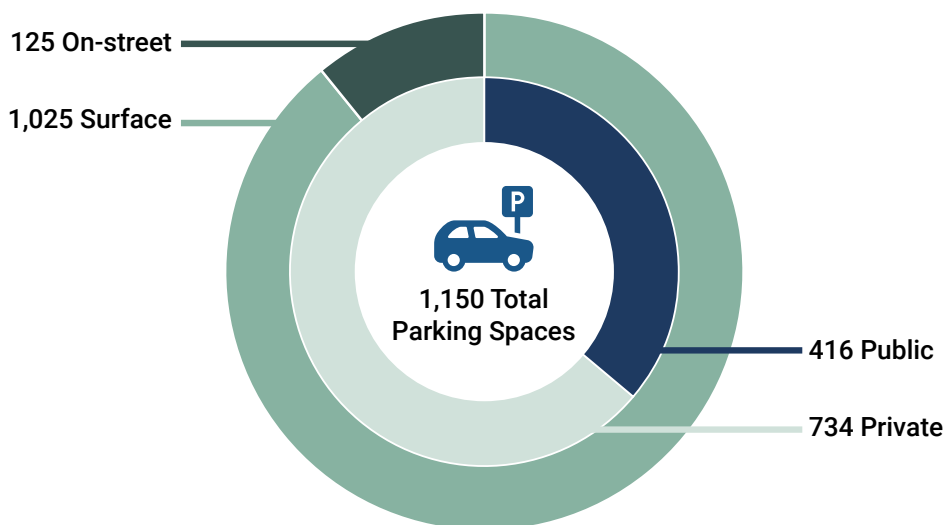


Figure 2.4. Existing Parking Supply Chart

Environmental Risk Assessment

In anticipation of utilizing federal funds to construct the facility, an Environmental Risk Assessment was completed for due diligence purposes and federal compliance. The full report can be found in Appendix X: Nacogdoches Downtown Parking Facility Environmental Risk Assessment. This document evaluates the potential environmental impacts of a new parking facility at the proposed site, and if this project would be compliant under current National Environmental Policy Act (NEPA) federal regulations. The results of the study indicated no environmental impacts to any of the NEPA impact categories. The environmental impacts of the project are summarized in **Table 2.1**.

Table 2.1. Summary of Potential Impacts Under NEPA

NEPA Impact Category	Potential Impacts
Property Acquisition, Relocation, and Right-of-Way	No acquisition or relocation required. No adverse impacts anticipated.
Land Use and Zoning	Project will not change existing use of site. Conforms to current Central Business/Light Industrial zoning of site. No adverse impacts anticipated.
Air Quality	No adverse impacts anticipated.
Cultural Resources	Submittal to Texas Historical Commission (THC) for concurrence likely required. No adverse impacts anticipated for repaving option. If a parking structure is ultimately proposed, additional coordination with THC may be required due to potential aesthetic impacts to downtown cultural resources and districts due to the height of structure.
Hazardous Materials	No adverse impacts anticipated.
Public Parks and Recreation Areas	No adverse impacts anticipated.
Community Resources	No adverse impacts anticipated.
Economic Impacts	No adverse impacts anticipated.
Soil	No adverse impacts anticipated.
Wetlands	No adverse impacts anticipated.
Floodplains	No adverse impacts anticipated.
Waters of the U.S. and Navigable Waters	No adverse impacts anticipated.
Water Quality, Aquifers, and the Coastal Zone	No adverse impacts anticipated.
Biological Resources	No adverse impacts anticipated.
Migratory Birds	No adverse impacts anticipated.
Transportation, Traffic, and Parking	No adverse impacts anticipated. Positive impacts on transportation due to provision of a stop/center for Brazos Transit District and parking to alleviate deficits downtown.
Noise and Vibration	No adverse impacts anticipated.
Safety and Security	No adverse impacts anticipated.
Visual Impacts	Repaving/reconfiguring is not anticipated to have adverse impacts. A multi-level parking structure may require an assessment of visual impacts to historic resources/districts in the project area.
Utilities and Energy	No energy conservation expected, but no adverse impacts anticipated.
Public Involvement	No adverse impacts anticipated. Depending on funding source, additional public involvement may be required.
Construction Impacts	No adverse impacts anticipated. Utilize industry standard best management practices.

Geotechnical Analysis

The selected parcel for the parking facility has a 6% slope and is partially within the floodplain. A geotechnical analysis yields insights necessary for recommending the foundation and the earthwork design that will be needed to support a parking structure. The characterization of the site's subsurface consists of fill, clay sand, and elastic silt. Groundwater was encountered between six and 14 feet below the surface. Based on the results of the analysis, drilled pier foundations are considered feasible; however, floodplain conditions present challenges. As the structured parking facility advances into Design Development, additional geotechnical work, specifically soil borings, could be needed. To review the full geotechnical report, please see [Appendix X: Geotechnical Report](#).

Impact to Other Strategic Projects

The centralized parking garage facility is inherently tied to the City's other strategic catalytic projects. The downtown area has a deficit of parking spaces needed to fulfil current demand. Major development in Downtown is hindered due to lack of existing parking facilities. Therefore, a shared parking facility is a key piece of the implementation puzzle for the rest of the strategic downtown projects.

A parking facility would enable other economic development opportunities for Downtown Nacogdoches. For example, the City could host larger concerts and events in the proposed Festival Park amphitheater if additional parking were available. Parking supply is a major attractor for new businesses, such as restaurants or retailers, to open a new storefront in Downtown Nacogdoches. This could be applicable for several buildings on the square that have substantial redevelopment potential but are limited due to parking constraints. However, this centralized parking facility would enable large-scale projects to be completed and would provide the entire area with additional parking supply.

Pedestrian/Green Element

A portion of the site is recommended to be reimagined as a green or open space, connecting to the proposed Banita Creek Promenade and other potential improvements along Monk Street. This small green space is located along the side and back area of the parking facility. Future conceptual design is needed to identify the specific location of various improvements, but shade trees, benches, and other small amenities such as pet waste collection stations – are elements that could create a 'pocket park' feel to the green space. The grass will also reduce the impervious cover in the area and will lower the overall temperature of the site. The southern portion of the parcel is in the 100-year FEMA floodplain and reserving a portion of the site to remain a green space would help flooding mitigation efforts.

Architectural Design

As noted, downtown has a substantial number of historic properties. Building a new facility with modern design is out of architectural character for Nacogdoches. The architectural design of the parking facility can align with the historic look and feel of the rest of Downtown Nacogdoches. The City of Nacogdoches' historic overlay district regulations include downtown and are likely to govern the successful implementation of the facility. **Figure 2.5** shows the location of the parking facility within the City's Downtown Historic District zoning overlay. Due to this overlay, the project is subject to regulations laid out in Chapter 50: Historic Preservation of the City's Code of Ordinances, but the historical review process is expected to be straightforward.

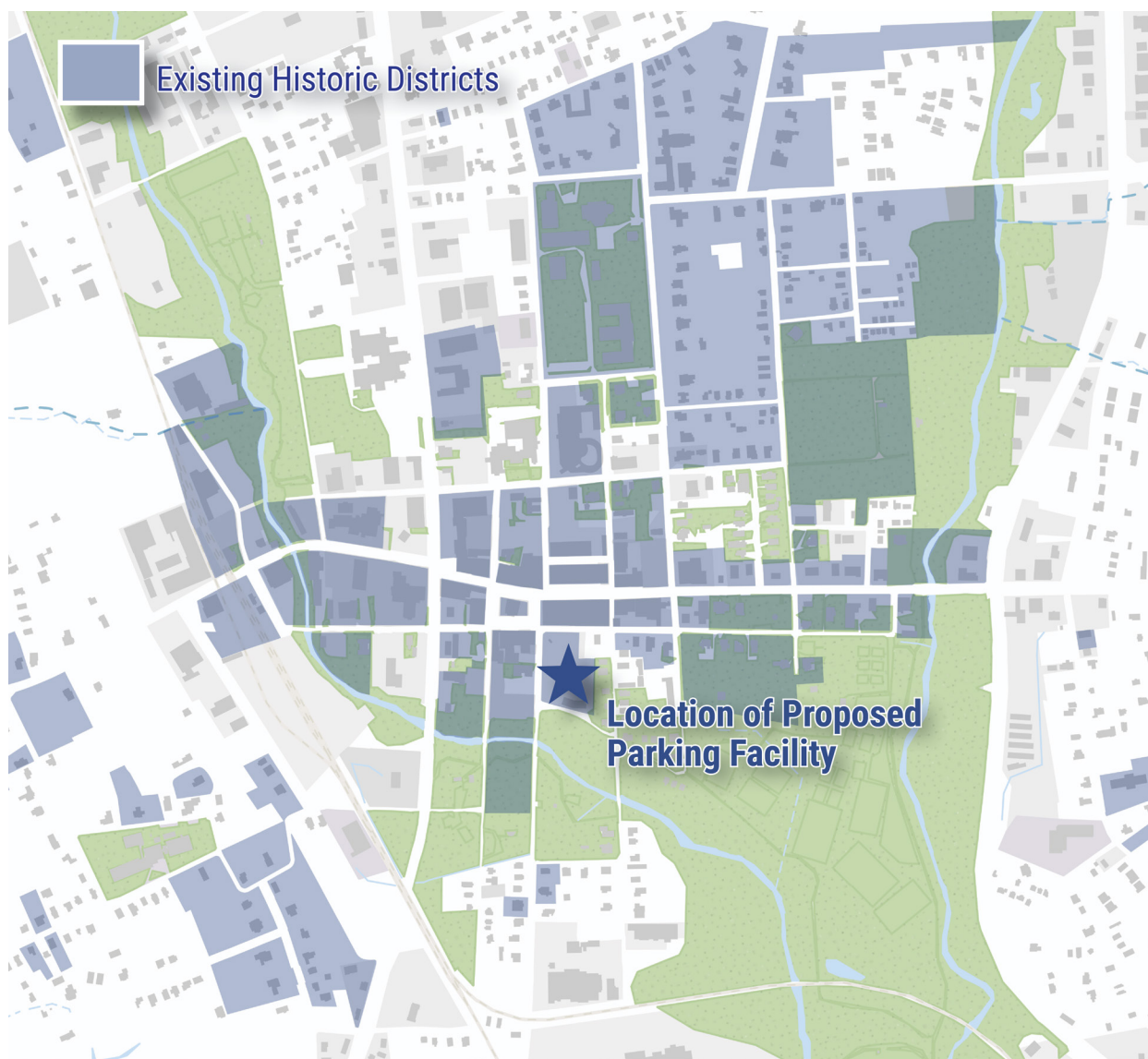


Figure 2.5. Nacogdoches Existing Historic Districts

To comply with the historic overlay standards, the facility is required to obtain a Certificate of Appropriateness (COA) from the City of Nacogdoches. A COA is required for the construction, modification, or demolition of any structure within a historic district, and will need to be reviewed by the City's Historic Landmark Preservation Committee. **Table 2.2** outlines the steps required to obtain this certificate.

Table 2.2. Certificate of Appropriateness Implementation Guide

Process Step	Step Details
Submit an application to the City's historic preservation officer	An application is first required to be filled out with the City's historic preservation officer to document interest in constructing this project. Specifically, the applicant is required to include the following in their application: 1. Application for Certificate of Appropriateness (COA), found on the City's website: https://www.nactx.us/DocumentCenter/View/258/Certificate-of-Appropriateness-COA?bidId= 2. Name, address, and phone number of applicant 3. Detailed description of the proposed work 4. Location and photographs of the property and adjacent properties 5. Elevation drawings of the proposed changes, if available 6. Samples of materials to be used 7. If the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination if any 8. Any other information which the committee may deem necessary in order to visualize the proposed work
Receive application approval	Application will be approved by the City's historic preservation officer. Applications that are outside of standard maintenance or repair will be automatically routed to the Historic Landmark Preservation Committee for review.
Historic Landmark Preservation Committee Review	The Nacogdoches Historic Landmark Preservation Committee has up to 60 days to set a meeting to review the application. The committee has up to 45 days after the committee meeting to make a decision. If no decision is made up to 90 days, the historic preservation officer has authority to issue a COA.
Obtain Certificate of Appropriateness	COA documentation is required for any construction (e.g., new construction, modification of existing buildings, demolition) within historic overlay districts. Once obtained, work can begin on constructing the parking facility.

Excavating the Site/Floodplain Procedures

About half of the parcel is within the FEMA 100-year and 500-year floodplains. Any excavation activities for the parking facility must be in compliance with the City of Nacogdoches’ floodplain development regulations, outlined in Chapter 42, Article III of the City’s Code of Ordinances. **Table 2.3** summarizes the process and review requirements needed to obtain a floodplain development permit from the City of Nacogdoches’ floodplain administrator. At this time, the facility is not expected to be in the floodplain (**Figure 2.6**).



Figure 2.6. Parking Facility Proposed Cross Section

Table 2.3. Floodplain Development Permit Implementation Guide

Process Step	Step Details
Submit an application for a floodplain development permit	Applications must be submitted to the floodplain administrator, and must include the following: 1. Two scaled plan sets plus supporting engineering data that clearly show what is being built, where, and at what elevation relative to the floodplain to confirm compliance with FEMA and City standards. 2. Elevation of the lowest floor of all new and substantially improved structures. 3. Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed. 4. A certificate from a registered professional engineer that the nonresidential floodproofed structure shall meet the floodproofing criteria (outlined in Article V, Sec. 42-152). 5. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.
Floodplain administrator will either approve or deny permit	Permit can be approved or denied based on the following: 1. The danger to life and property due to flooding or erosion damage 2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage to the individual owner 3. The danger that materials may be swept onto other lands to the injury of others. 4. The compatibility of the proposed use with existing and anticipated development. 5. The safety of access to the property in times of flood for ordinary and emergency vehicles 6. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems. 7. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site. 8. The necessity to the facility of a waterfront location, where applicable. 9. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

Future Considerations

Ground Floor Mixed-Use

Ground floor mixed-use or retail space is proposed within the parking facility. Approximately 11,700 square feet of retail space is possible, creating the potential to deliver transformative results for the area by converting a currently underutilized 2.5-acre asphalt parking lot into a vibrant mixed-use destination. This redevelopment would not only activate the streetscape with new shops, restaurants, and amenities, but would also extend the footprint of Historic Downtown Nacogdoches by an entire city block. This could be transformational for the City, its residents, the students of Stephen F. Austin State University, and tourists and visitors to the area.

Closing Adjacent Streets

Closing Monk Street or Pilar Street to vehicular traffic adjacent to the facility creates more cohesion between the facility and nearby buildings or projects. This is visually displayed in **Figure 2.7**. Closing side streets allows for new pedestrian-only space, either near other shopping areas in downtown or next to Banita Creek.

Closing Pilar Street opens up opportunities to either extend the parking facility to the property line, install a bridge between Elliott Electric Supply building and the parking facility, or allow for a new public plaza space, safely connecting pedestrians and the adjacent historic downtown buildings. If Monk Street were closed, this would create a new pedestrian element, such as a pocket park or a pedestrian plaza.



Figure 2.7. Potential Street Closures with Proposed Parking Facility

Adjacent Properties

The proposed parking facility covers most of a city block. The other parcels along the block are aging single-family residential or small commercial buildings. Over time, it is possible these adjacent properties could be for sale. If available and cost-feasible, acquiring these small parcels expands the available parking spaces possible with this facility, allows for different and better ingress and egress, and could be additional green space.

Utility Relocation

Downtown Nacogdoches, and notably the future home of Elliott Electric Supply, receives electricity through overhead lines. The local energy company, Oncor, has several power poles with aging wires immediately adjacent to the proposed parking facility's exterior walls. If undergrounding the utility lines is feasible and cost effective, removing the overhead lines reduces visual blight, allows for decorative and safety lighting, and supports a pedestrian bridge connecting the parking facility to the future Elliot Electric Supply headquarters' second floor.

Partners and Stakeholders

Making the proposed parking facility a reality requires buy-in, strong working relationships, and business transactions with a few key partners. Elliott Electric Supply is the most important partner; they own the property underlying the proposed facility. See the implementation section for how this partnership can be structured. To achieve several desired conditions, namely undergrounding the utilities, Oncor Energy is a key partner. Additional partners include companies and individuals associated with planning and promoting events in downtown and Festival Park.

Potential Funding Sources

With a projected cost of \$20 million to \$25 million, external funding is critical for constructing the parking facility. After an examination of the possible funding available pertinent to a multi-story parking facility, there are three key federal funding sources in addition to local or private funding. Each funding source is described below as well as key considerations for applying for and/or using those funds to construct the facility.

Economic Development Administration

The Economic Development Administration (EDA) periodically issues Notices of Funding Opportunities (NOFO), requesting applications for projects that support economic development through private sector activity. These NOFOs tend to vary, based on Congressional Appropriations, disasters (e.g., hurricane), and economic conditions (e.g., COVID). As of November 2025, there are two NOFOs open, requesting projects that would stimulate economic growth at a local or regional scale and have either a disaster nexus or public works tie-in. The proposed parking facility is a viable candidate for this funding.

Community Project Funding

The annual Congressional Appropriations process can yield several million dollars of grant funds. However, the long lead time associated with the availability of these funds can delay implementation. The next cycle for Congressional Appropriations is FY27, and the request for projects will open in Spring 2026. The timeline to go from submission of an application to award is approximately one year. It often takes another year to execute a grant agreement. Pre-award authority is often not feasible or does not make sense for Community Project Funding. That said, these funds are flexible with a long spend horizon.

Federal Transit Administration (FTA)

At this time, the City of Nacogdoches' parking facility is not competitive for FTA funding. If a nexus to transit is established through ongoing coordination with Brazos Transit District, though, it is possible that FTA funding could pay for up to 80 percent of the qualifying costs. Eligible costs include site preparation, construction of the facility's shell, and revenue-generating parking space. Conversely, the local commitment for eligible costs is 20 percent. All non transit-related costs must be supported by non-FTA funds.

Local/Private Funding

Utilizing local public or private funding to construct the parking facility is quicker and has the fewest number of strings associated with implementation. But these funds are extremely limited, and do not effectively leverage resources. In addition to local municipal revenues and philanthropic funding, a parking fee could raise revenue sufficiently to justify local or private funding. The imposition of a parking fee requires a more thorough analysis to assess various scenarios for the cost of a parking fee.

Steps for Applying for EDA Funding:

- 1. Evaluate NOFO upon release*
- 2. Determine desire and competitiveness to submit an application. During this step, the City of Nacogdoches can engage in due diligence meetings with the EDA regional office.*
- 3. Draft application and submit. An application requires the U.S. Government's Standard Forms, narratives, cost estimate, letters of support, and documentation of direct jobs created through EDA investment.*
- 4. Wait for award notification. The waiting period is often 6 – 12 months.*
- 5. If awarded, engage in grant agreement negotiations and evaluate the possibility of pre-award authority.*
- 6. Execute grant agreement and begin project work.*

Implementation

Making a \$20–25 million project a reality is not straightforward and requires several subsequent steps to advance the parking facility from 30% design to completion. The information presented here is a best-case scenario for the timing associated with each implementation step. However, if federal funding is obtained, the regulations and coordination associated with using federal funds have additional procurement phases. Additionally, there is a lag between grant award and availability of funds. A tool called pre-award authority can expedite project implementation.

Pre-award authority allows a grant recipient to use forthcoming grant funds to incur costs necessary to advance a project, such as design and the environmental impact process. A grant recipient uses their local funds to incur costs and then is reimbursed once a grant agreement is executed.

Obtaining Pre-Award Authority:

- *Must have grant award notification*
- *Issued by granting agency (i.e., FTA)*
- *Request to obtain pre-award authority is submitted from project sponsor to federal granting agency*
- *Sometimes requires project to be environmentally cleared*
- *Can take several months to obtain*

Partnership Structure

Elliott Electric Supply owns the land underneath the proposed centralized parking facility. If public, notably federal, funds are used to construct the facility, a long-term lease arrangement is required between the property owner and the City of Nacogdoches. Attorneys between the two entities will need to draft the documents outlining and governing the long-term lease arrangement, but several key items must be included for compliance with federal requirements. The City must hold a lease over the facility for a minimum of 20 years or a term commiserate with the funding federal agency's criteria for the length of the useful life of a parking facility. Following the completion of the lease's terms, the facility and property will revert back to the property owner or the designate.

Implementation Steps

The parking facility is currently at 30% design. This includes geotechnical analysis and key stakeholder engagement that resulted in the development of preliminary cost estimates and an overarching schematic layout of the preferred option of the parking garage facility. The next design phase – design development – can begin as soon as funds are available. Each successive phase is defined below.

Design Development and Construction Documentation

Following the 30% design, subsequent design activities will need to be completed. This includes the preparation and submission of 60% design plans, quantity takeoffs, and cost estimate for project stakeholders' review. As the facility advances into final design, the following activities are needed: coordination with project stakeholders to resolve any comments/conflicts on 60% design drawings; coordination with utility providers for any relocations or upgrades; and the preparation and submission of the 90% design plans, quantity takeoffs, and cost estimate for project stakeholders' review. Once all comments from the 90% design plans have been received, this task requires the preparation of technical specifications, 100% design plans, quantity takeoffs, and cost estimate for project stakeholders' approval. During this phase, it will be determined if the parking facility can utilize pre-cast concrete or if a cast in place process is required. Pre-cast concrete is cheaper and has fewer impacts to the work zone layout.

Table 2.4. Design Development and Construction Documentation Timeline

Phase	Length of Phase
IFB for Final Design	2 months
Approve Contract for Design	1 month
Issue Final Design NTP	1 month
Final Design	9 months

Bidding and Procurement

Following completion of the 100% design plan set, preparation of procurement documents is next. Releasing an Invitation for Bid often includes contract documentation and if utilizing federal funding, the awarding federal agency has specific clauses and certificates that must be included in these procurement documents.

Table 2.5. Bidding and Procurement Timeline

Phase	Length of Phase
Permitting/Construction IFB	2 months
NTP for Construction	1 month

Construction

Once a contractor has been selected, construction of the parking facility can proceed in accordance with the approved design plans and technical specifications. This phase will include site preparation, utility relocations, and building the structural, mechanical, and electrical components of the garage. Regular coordination with the contractor, project stakeholders, and funding agencies will be necessary to ensure compliance with contract requirements, schedule, and budget.

Table 2.6. Construction Timeline

Phase	Length of Phase
Construction	12 - 18 months





Street Parking in Downtown Nacogdoches

3. Banita Creek Promenade

The City of Nacogdoches has visions of a Promenade along the north bank of Banita Creek between South Street and Church Street, featuring a recreational trail, shade trees, benches, and other amenities. This chapter describes the future Banita Creek Promenade, outlining how the project enhances public access, preserves natural resources, and creates a vibrant community destination; and how to implement and fund each project element.



Banita Creek Existing Conditions

Location

Banita Creek is the southern edge of Downtown Nacogdoches, flowing southeast towards the Clint Dempsey Soccer Complex. Today, the Banita Creek waterfront features a grassy creek area with gradual slopes and trees lining the creek bed (**Figure 3.1**). This area also contains several historical markers, simple landscaping, and two benches for visitors to sit and enjoy.



Figure 3.1. Banita Creek Project Location



Figure 3.2. Banita Creek Improvement Project

The Banita Creek Promenade, illustrated in **Figure 3.2**, includes a walking trail, landscaped areas, benches, and shade trees. The main feature is a paved hike and bike trail through the grassy area between the South Street Bridge and Fredonia Street that adds connectivity to multiple locations in and around downtown. As part of this project, Fredonia Street will be reconfigured as a “festival street,” consisting of brick pavers and retractable bollards, enabling the street to be closed to thru traffic during special events as needed. The trail will feature pedestrian lighting and wayfinding or historical informational signage to provide the public with information about Downtown Nacogdoches and the rich history of the area.

The project’s elements incorporate public feedback gathered through the online survey. When asked about improvements to Banita Creek’s banks, the public mentioned paved walking and biking trails, natural or gravel walking or biking trails, and lighting improvements. New public art and murals to be installed, benches, water fountains, and restroom facilities were desired by many survey respondents.



1. Walking Trail



2. Vehicular Access



3. Bench/Rest Area



4. Message/Information Board



5. Vehicular Lane/ Pedestrian Trail



6. Trail Lighting

Project Information



Description

A hike and bike trail along the northern bank of Banita Creek, from South Street to Church Street, with enhanced landscaping, benches, and signage.



Project Elements

- 2,570 linear feet of a 12-foot-wide paved hike and bike trail along the northern bank of Banita Creek
- Landscaping elements, including new shade trees, uniquely decorated planters, and native plants and bushes in garden beds.
- Opportunities for public art amenities such as sculptures, historic markers, and other interactive and/or historic features for the public to learn about on their walk along the trail.
- Decorative pedestrian lighting.
- Emergency assistance boxes to enhance public safety.
- Wayfinding and information signage guiding visitors to dining options, local landmarks, and other key destinations.
- Pedestrian amenities to improve comfort, such as benches, rest areas, trash receptacles, bicycle racks.
- Converting Fredonia Steet to a festival street with bricked pavement and retractable bollards so that the street can be closed during special events and festivals.



Purpose

The Banita Creek Promenade converts the underutilized creekbank and adjacent land into a community amenity that entices more visitors to downtown, offers a new active recreation option, and enhances the public realm through beautification efforts. An existing trail easement located west of South Street can be used to provide connectivity for this project.



Project Cost

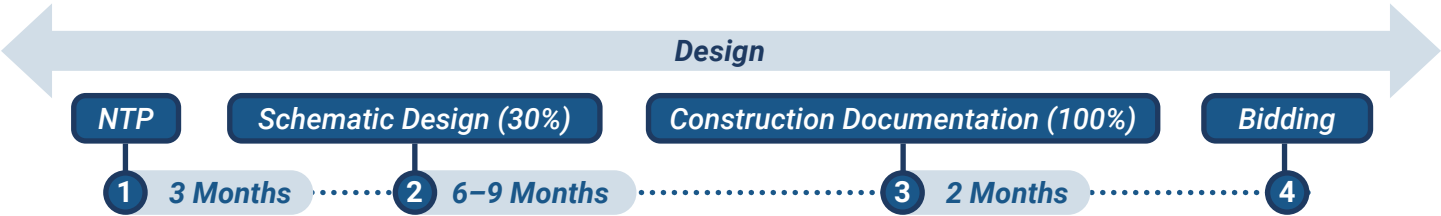
Planning Level Cost Range: \$3.5 – 4.1 million*

Description	Cost
Site Preparation and Controls	\$500,000
Topsoil and Sodding	\$700,000
Trail Pavement	\$400,000
Street Updates	\$225,000
Signage	\$20,000
Trees	\$60,000
Lighting	\$200,000
Construction Total	\$2,100,000
Contingency - 30%	\$600,000
Associated Construction Items (CEI, Compliance, etc.) (30%)	\$600,000
Design Phase Services	\$675,000

*These numbers reflect rounding of each line item and the more detailed, full planning-level cost estimate is included in [Appendixxx. Project Cost Estimates](#).



Implementation Timeline





Project Need

- Nacogdoches community members have indicated a desire for more trails and connectivity in downtown.
- There is a lack of trails and protected active transportation networks in and around downtown.
- The land surrounding Banita Creek is underutilized and provides little community benefit.



Qualitative Benefits

Better Health Outcomes: Active recreation opportunities promote increased walking and biking activity and connections to nature, contributing to better health outcomes for the community.

Connectivity: A hike and bike trail improves connectivity to nearby destinations, such as downtown, the Dempsey soccer complex, and Festival Park.

Revenue Enhancement: Public realm improvements can increase values of nearby property, increasing the local tax base.

Economic Growth: A new community destination increases economic and visitor opportunities fostering more visits to downtown.



Project Challenges

Privately-Owned Land: The project could potentially access land owned by the Union Pacific (UP) Railroad as well as privately-owned land.

Trail Connectivity: Challenges may arise when seeking continuous trail connectivity between the Nacogdoches' Farmers Market and the Dempsey Soccer Complex.

Environmental Review: The close proximity of the floodplain could require additional analysis, delaying the project and increasing cost.



Core Partners and Stakeholders

1. *US Army Corps of Engineers*
2. *Union Pacific Railroad*
3. *Dempsey Soccer Complex*
4. *Brazos Transit District*



Funding Sources

1. *Community Project Funding*
2. *USDOT BUILD*
3. *Economic Development Administration*
4. *TxDOT Transportation Alternatives*
5. *TPWD Recreational Trails Program*
6. *Local/Private Funding*



US Army Corps of Engineers Coordination

Banita Creek itself is a Waters of the United States (WOTUS) and projects that impact the creek require coordination and/or approval from the US Army Corps of Engineers (USACE). The entirety of the Banita Creek Promenade lies within FEMA's regulatory floodway (refer to **Figure 3.3**), and improvements or construction in this area could be subject to FEMA's floodplain management standards. These standards require that projects avoid affecting flood levels and place limits on construction or modifications within floodplain areas.

The City of Nacogdoches is within the USACE Fort Worth District. The land within the project area is located is owned by the City of Nacogdoches; however, federal oversight through the U.S. Army Corps of Engineers (USACE) typically applies due the project's proximity to the Waters of the United States (WOTUS). Informal conversations with a USACE representative suggested that USACE permitting would not be required for this since the project is above the high water line. This determination reduces permitting complexity and avoids delays associated with federal reviews, enabling an expedited implementation timeline and streamlining the path forward for design and construction once funding is identified. It is recommended, though, to obtain a Letter of No Permit Required from USACE regarding the Banita Creek Promenade.

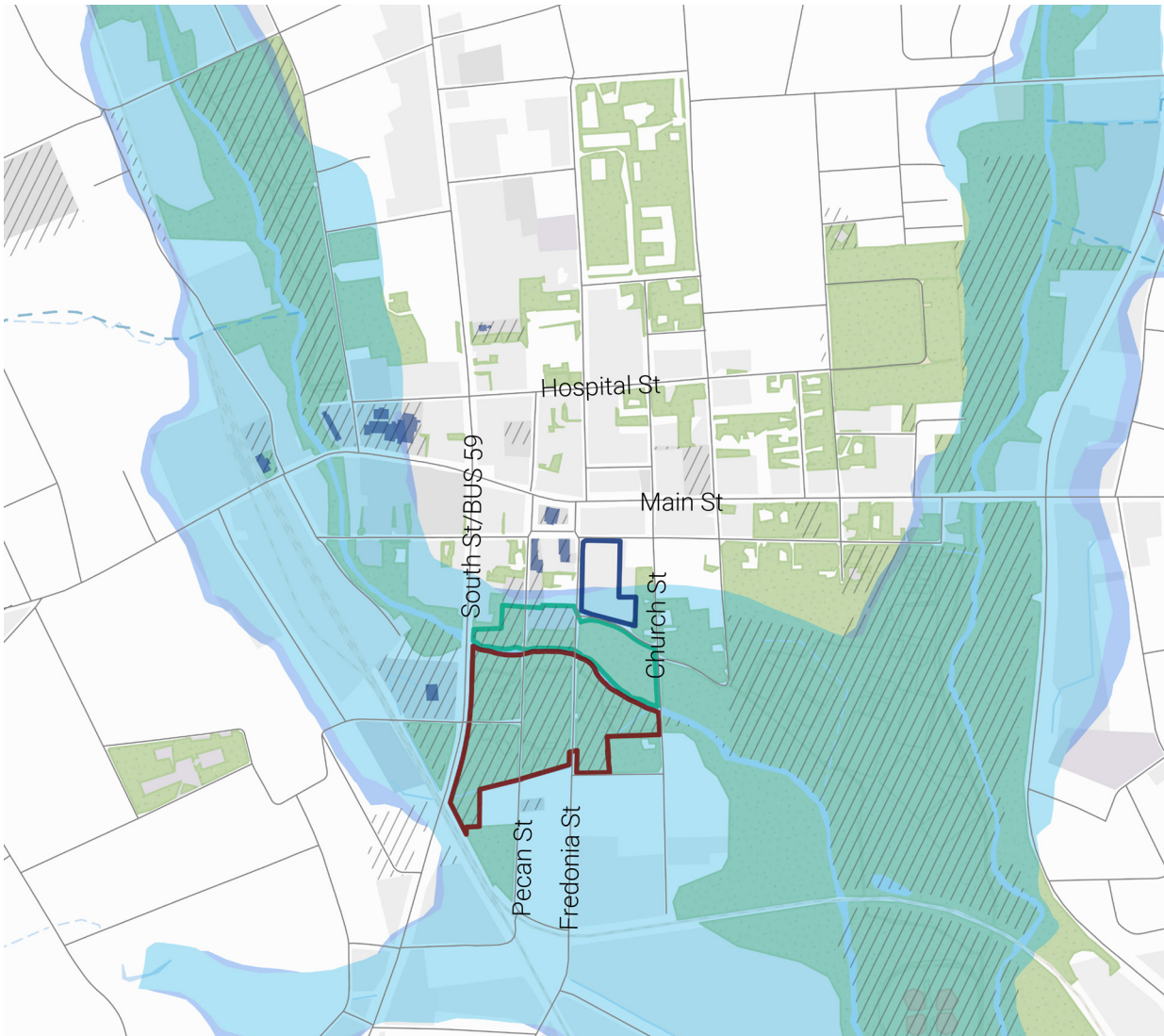


Figure 3.3. FEMA Regulatory Floodplain in Downtown Nacogdoches

Environmental Risk Assessment

An Environmental Risk Assessment was conducted to evaluate the potential environmental impacts how the proposed Promenade aligns with current National Environmental Policy Act (NEPA) federal regulations.

Table 3.1 identifies each element of NEPA and where adverse impacts will be potentially found. The full assessment can be found in **Appendix X: Nacogdoches Banita Creek Mixed-use Environmental Risk Assessment**.

Table 3.1. Summary of Potential Impacts Under NEPA

NEPA Impact Category	Potential Impacts
Property Aquisition, Relocation, and Right-of-Way	The City does not own six eastern project parcels adjacent to the creek that are currently undeveloped. The proposed project is on public land, though. If these parcels are incorporated into the project, it would not require any displacements or relocations but would require acquisition. Acquisition increases the cost and extends the timeline of a project. Any acquisition of land for a project that uses federal funds must comply with the Uniform Relocation Assistance and Real Property Acquisition Act.
Land Use and Zoning	The proposed development would better utilize the project area for businesses, recreation, local residents, and employees in the downtown area and is not expected to adversely impact zoning.
Air Quality	No adverse impacts anticipated.
Cultural Resources	At a minimum, a submittal to Texas Historical Commission for Section 106/ Antiquities Code concurrence is expected for both historic and archeological resources.
Hazardous Materials	While four hazardous materials sites are in the immediate vicinity of the project, all closed prior to 2002. Additional analysis may be required, but adverse impacts are not anticipated.
Public Parks and Recreation Areas	The project proposes trails and other public realm amenities that would support and enhance the existing Festival Park. The portion of the project site just northwest of the Pecan Street Bridge crossing of Banita Creek where historical markers are located also has benches and may be considered an informal park or extension of Festival Park. Additional analysis is likely required.
Community Resources	No adverse impacts anticipated.
Economic Impacts	No adverse impacts anticipated.
Soil	No adverse impacts anticipated.
Wetlands	The proposed project is directly adjacent to Banita Creek, which is a designated wetland. If any project work proposes excavation, fill, or alternation of the creek, coordination with the U.S. Army Corps of Engineers regarding permitting would be required.
Floodplains	The proposed project is located in the 500- and 100-year floodplains and the floodway. Federal agencies may be hesitant to approve projects that are in the floodplain and require documentation that no alternatives are viable. Additional analysis will likely be required.

Table 3.1 (continued)

NEPA Impact Category	Potential Impacts
Waters of the U.S. and Navigable Waters	Banita Creek may qualify as a Water of the United States and/or Navigable Water. The U.S. Army Corps of Engineers regulates material removed from or placed into Waters of the United States. In addition, the Corps regulates work that affects navigable waters. The determination of navigability or qualification as a Water of the U.S./jurisdictional water is made by each USACE district engineer upon request.
Water Quality, Aquifers, and the Coastal Zone	Because the project is largely replacing undeveloped land with new construction, impervious cover will increase and may impact runoff or water quality in the project area. As design advances, it can be determined if additional analysis is needed. The project is outside of the Coastal Zone and not near a sole source aquifer.
Biological Resources	If the project receives state funding or federal funding administered by the state, additional analysis, including the possibility of a species survey, may be required since the project parcels are undeveloped and adjacent to the creek and species of concern are present. The United States Fish and Wildlife Service does not identify any critical habitat within over five miles of the project site; therefore, additional analysis is unlikely to be required if approval is sought directly from a federal agency.
Migratory Birds	If the project requires clearing of existing trees, it could impact migratory bird habitat. In this case, a survey may be required.
Transportation, Traffic, and Parking	The project site is located on the Brazos Transit District's green route and the part of the lot with the major transfer point for all three Brazos Transit District bus routes is within the project bounds. This existing service would serve visitors to the new development. No adverse impacts anticipated.
Noise and Vibration	No adverse impacts anticipated.
Safety and Security	No adverse impacts anticipated.
Visual Impacts	Depending on the ultimate height proposed for the new construction, a visual assessment may be required due to the potential to affect nearby historic structures and districts. It is expected that the new development will be consistent with the general aesthetics of the area.
Utilities and Energy	Coordination with utility providers that may have infrastructure in the project area will be necessary due to its new construction on currently undeveloped parcels. The addition of shops and lighting on these cleared parcels is expected to require more energy, so additional analysis may be required.
Public Involvement	Depending on how the project is ultimately funded, additional public involvement or notice may be required. For many agencies, the existing Downtown Vision Plan and public survey would be sufficient.
Construction Impacts	No adverse impacts anticipated. Utilize industry standard best management practices.

Site Conditions

The topography of the slope of the creek should be taken into consideration during the implementation of the Banita Creek Promenade. The bank of the creek slope is long, spanning approximately 75 feet from the creek's high-water line to a stabilized, flat bank area. Due to these site conditions, the proposed trail facility and associated amenities are along the back edge of the open space area, instead of immediately adjacent to the creek. Downtown Nacogdoches already has a rich historic architectural style. Amenities, such as lighting, historical markers, benches, and wayfinding, proposed along the Banita Creek Promenade should complement this historic style found Downtown. Other public art amenities can build upon Downtown Nacogdoches' rich historic architectural style.

Future Connectivity Opportunities

Today, Monk Street, the public street between the proposed parking facility and Banita Creek, is in need of rehabilitation. The two-lane asphalt road is in poor condition but in a prime location for improving connectivity amongst various points of interest in and around downtown Nacogdoches. Most of the adjacent land along the street right away is owned by Union Pacific (UP). These properties no longer serve a business interest for UP and if acquired by the City of Nacogdoches, the additional right of way would enable for substantial improvements to Monk Street. Any improvement along the couple blocks of Monk Street between the proposed parking facility and the Dempsey Soccer Complex improves connectivity between the downtown strategic projects and the youth athletic fields. Additionally, multimodal improvements to Monk Street enable for the continuation of the Banita Creek Promenade all the way to the Dempsey Soccer Complex.

Opportunities to extend the hike and bike trail west of Festival Park to the Farmers Market are possible due to an existing agreement to use the UP right of way along the Banita Creek south bank. If all these additional trail expansions are constructed, the hike and bike trail can be up three-quarters of a mile to a mile long, depending on the various curves designed within the trail.

Fredonia Street is a north-south spine within downtown, but the segment south of Monk Street is the gateway into downtown from areas in the southern half of the city. To further enhance the impact of both the Banita Creek Promenade, and the Festival Park Redevelopment, Fredonia Street can be reconstructed into a street that incorporates brick pavers, enhanced landscaping, and vertical protective barriers that can quickly be secured in place for events. Occasionally closing Fredonia Street can create a more festival type of atmosphere during events, as well as improving the connective tissue between various places within downtown. A Fredonia Street that has a similar feel to other streets around the main square expands the "feel" of downtown and better connects Festival Park and Banita Creek Promenade to the rest of downtown.

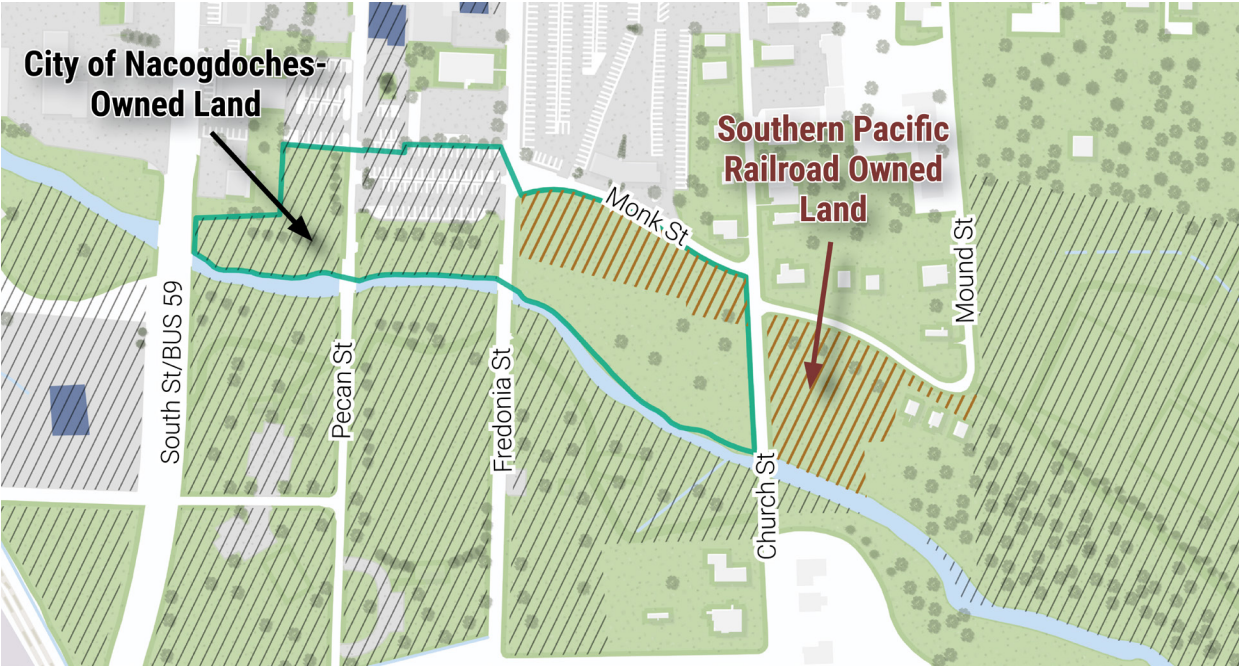


Figure 3.4. Land Ownership Adjacent to Banita Creek Promenade

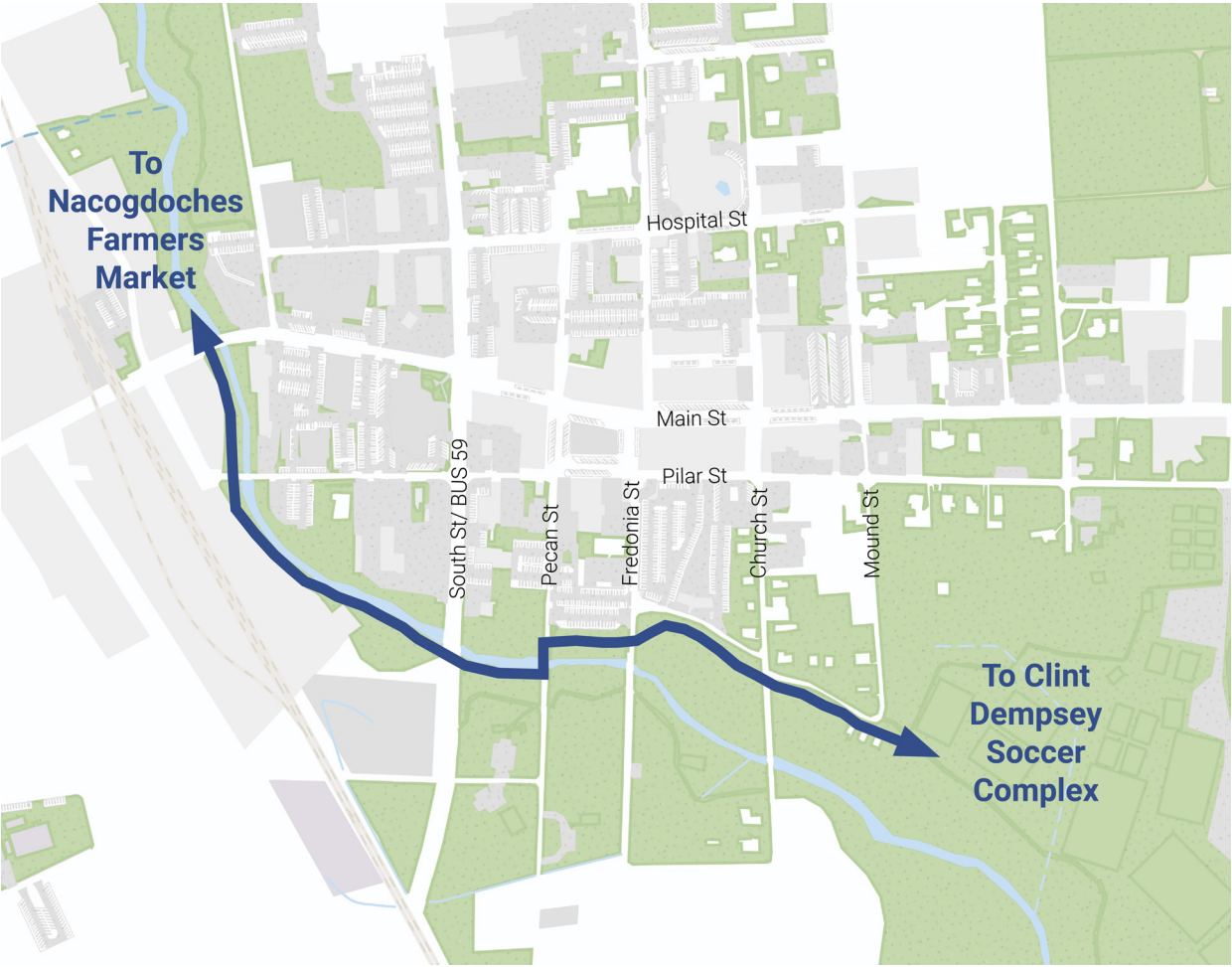


Figure 3.5. Future Hike and Bike Trail along Banita Creek

Partners and Stakeholders

Turning the Banita Creek Promenade from concept to reality requires partnerships with two key stakeholders – the US Army Corps of Engineers (USACE) and Union Pacific. Coordination with USACE is necessary to confirm that a Letter of No Permit Required can be provided. Union Pacific is a critical stakeholder in connecting the Promenade to the Dempsey Soccer Complex. While not a stakeholder that is critical for project implementation, Brazos Transit District (BTD) rents space in the adjacent parking lot to Banita Creek. If BTD relocates or reconfigures their parking area, the property can be improved to align with the Promenade’s amenities.

Potential Funding Sources

The Banita Creek Promenade has an initial cost estimate of \$3.9 million to \$4.1 million and is competitive for several grant opportunities. The funding sources described here are applicable to various elements of the Banita Creek Promenade. Each funding source is described below as well as key considerations for applying for and/or using those funds to construct the Banita Creek Promenade.

Community Project Funding

The annual Congressional Appropriations process can yield several million dollars of grant funds. However, the long lead time associated with the availability of these funds can delay implementation. The next cycle for Congressional Appropriations is FY27, and the request for projects will open in Spring 2026. The timeline to go from submission of an application to award is approximately one year. It often takes another year to execute a grant agreement. Pre-award authority is often not feasible or does not make sense for Community Project Funding. That said, these funds are flexible with a long spend horizon.

If the City of Nacogdoches would like to pursue Community Project Funding for the Banita Creek Promenade, it is recommended to request funds for the entire project cost and all remaining phases. Deciding whether or not to pursue Community Project Funding for the Banita Creek Promenade needs to consider the priorities of the local Congressional representative and the US House Appropriations Committee.

USDOT BUILD

The Banita Creek promenade is a viable candidate for the USDOT BUILD funding opportunity. This annual discretionary grant program can fund projects up to \$25 million, depending on congressional appropriations and funding availability. The City of Nacogdoches could qualify as a rural applicant, depending on requirements set forth in each year's NOFO. Typically, BUILD applications are submitted around the end of the calendar year or early in a new year. This grant opportunity is highly competitive, and any application needs to emphasize the safety, mobility, and economic benefits associated with the Banita Creek Promenade. The application also requires a benefit-cost analysis. A higher BCA ratio usually scores more points.

If the City would like to pursue a BUILD application, it is recommended to request the full trail project along the UP easement from the Farmers Market all the way to the Promenade to Dempsey Soccer Complex.

TxDOT Transportation Alternatives

The TxDOT TA grant opportunity typically funds trails that will improve bicycle and pedestrian safety in addition to broader active transportation access. The Banita Creek Promenade increases active transportation infrastructure, but there is a limited safety benefit to the project. Typically, TxDOT evaluates safety based on crashes and the countermeasures that reduce crashes. Some countermeasures are proposed – lighting and signage – but the lack of crashes in the area could make a Banita Creek Promenade TA application less competitive.

TPWD Recreational Trails Program

The Banita Creek Promenade is an excellent candidate for the Recreational Trails grant, funded by the Texas Parks and Wildlife Department (TPWD). While only \$300,000 is available for each grant, it can fund various portions, such as one block of the trail or the trailhead amenities. TPWD Recreational Grants are funded through either state or federal funding. Typically, any grant recipient must abide by federal procurement requirements if awarded Recreational Trails funding.

Local/Private Funding

The Banita Creek Promenade can be funded through local public or private funding. Local funding typically has fewer regulations and processes than federal or state funding. These funds are extremely limited, and do not effectively leverage resources. Philanthropic funding is likely the most appropriate type of local funding for the Banita Creek Promenade.

Implementation

Due to the relatively low cost for the Banita Creek Promenade, it is recommended that all improvements be implemented through one phase. This approach creates efficiencies of scale and ensures the community receives full impact of the Promenade faster than a long, drawn-out implementation process. Phasing the project can increase the total project cost once all the improvements are constructed. If phasing is desired, it is recommended to implement the hike and bike trail as one project with the landscaping improvements, lighting, and wayfinding signage as a separate phase. Depending on if or when Monk Street is improved, and/or the City's desire to advance the trail to the Farmers Market, these segments can be added to the Banita Creek Promenade, creating a larger, but more effective project for connectivity. If that scenario occurs, it is feasible to split the trail improvements into two phases.

Implementation Steps

The Banita Creek Promenade is at the Conceptual Design stage. The next step is to complete 30% Design or preliminary engineering. There are multiple options for advancing the Banita Creek Promenade through the Design phase. Design can begin as soon as funds are available. Each successive phase is defined below and assumes that the Promenade is implemented as one phase.

Design

The immediate next step, once funding is secured, is for the City to enter into a contract with landscape architecture firm for all design services. The scope of work should focus on refinements to the conceptual design and obtaining surveys. Once the 30% Design is finalized, the City can pursue two different options:

Advance directly to 90% Design/Construction Documentation: Due to the relatively small scale of the project and lack of right of way needed, it is possible to advance directly from 30% Design to 90%. Advancing directly to 90% shortens the design phase, providing cost savings for the City while also considering the immediate need for the project. This approach is recommended if allowable through whichever funding mechanism is providing the design funding.

30% to 60% to 90% Design: The more traditional approach is to advance from 30% Design to a 60% step (or known as Design Development) then to 90% Design. This lengthens the design phase compared to advancing directly from 30% to 90% Design. If additional trail segments are added (i.e. connection to the Farmers Market), this approach will likely be the preferred option.

Advancing directly from 30% to 90% Design can shorten design to approximately three months for the Promenade section. The more traditional approach of 30-60-90% Design would be a four-to-six-month time frame, pending review timelines. Once the Banita Creek Promenade is at 90% Design, finalization of the technical specifications at 100% and confirming the cost estimates with quantity takeoffs occurs.

Bidding and Procurement

Following completion of the 100% design plan set, preparation of procurement documents is next. If utilizing federal funding, the awarding federal agency has specific clauses and certificates that must be included in these procurement documents.

Construction

Once a contractor has been selected, construction of the Banita Creek Promenade can proceed in accordance with the approved design plans and technical specifications. Regular coordination with the contractor, project stakeholders, and funding agencies will be necessary to ensure compliance with contract requirements, schedule, and budget. Construction of the Banita Creek Promenade can be accomplished within nine to twelve months.

4. Festival Park

Today, Festival Park is underutilized with limited amenities and rarely used, except for the occasional festival. Redeveloping the Festival Park area into a more amenitized and activated public amenity can be a catalyst and drive demand for other economic investment in downtown. Festival Park, illustrated in **Figure 4.1**, is a 12.08-acre city-owned park south of Banita Creek and east of South Street/BUS 59, composed of grassy fields with a small restroom facility. A small amphitheater exists on the south side of the field. The park is bisected by several streets, including Cox Street, which provides an east/west connection under South Street, connecting Festival Park to the City of Nacogdoches' maintenance yard. The park is also bisected by Pecan Street and Fredonia Streets, which are the main north/south connectors over Banita Creek and connect the park to Downtown.



Festival Park | Source: nactx.us

Location

The entirety of Festival Park is located within the FEMA 100-year floodplain, a key site feature that must be considered when identifying feasible, implementable recommendations. The Festival Park project is subject to local floodplain permitting regulations and any improvements to the area need to be carefully planned for with adequate drainage and green infrastructure for proper stormwater management.



Figure 4.1. Festival Park Project Area

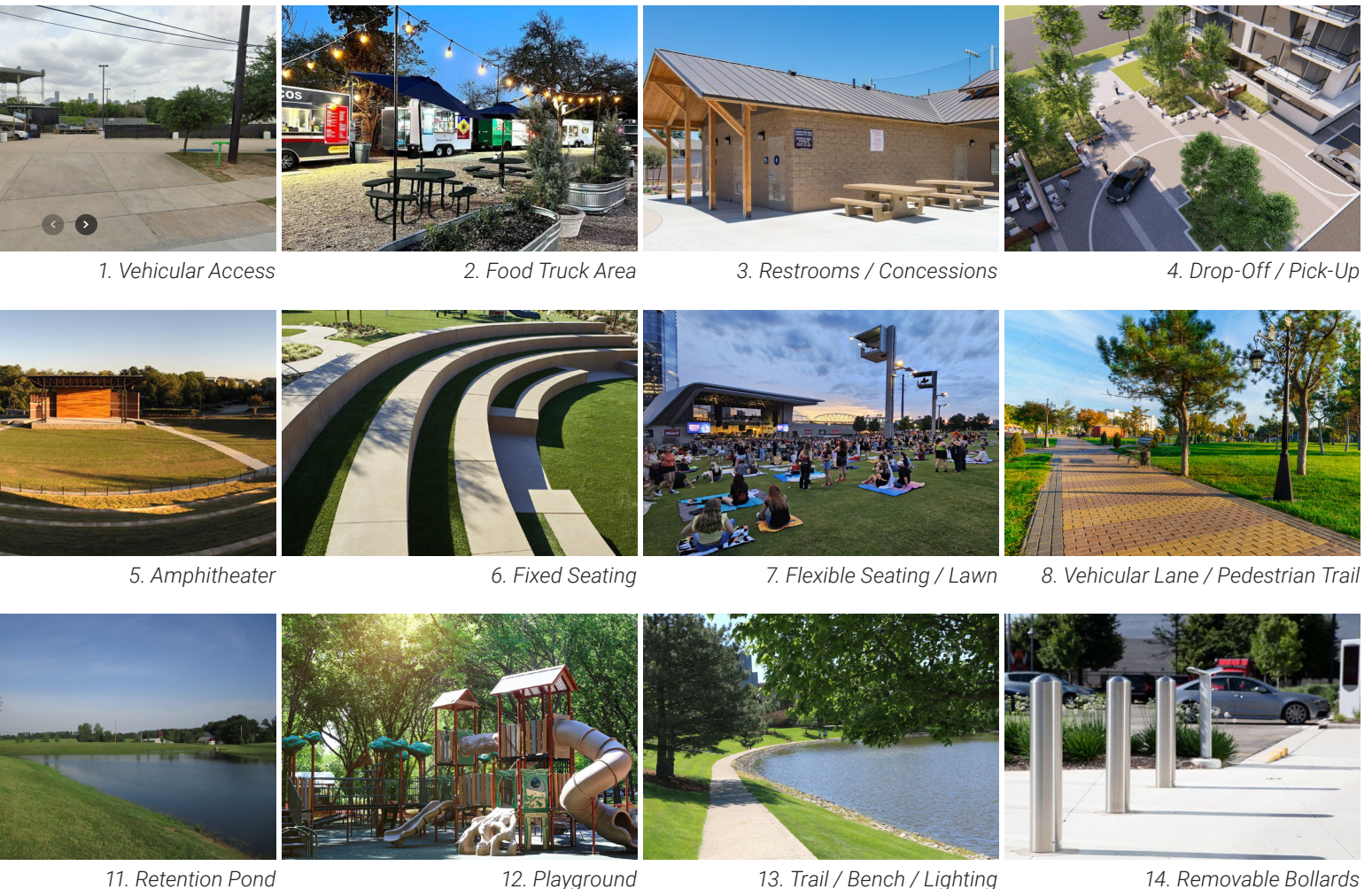


Figure 4.2. Festival Park Recommendations



Given the physical site constraints and the City's desire for an event facility, a feasibility analysis was conducted to identify what types of facilities are applicable to Festival Park. Additionally, the public provided input on types of amenities and facilities they would like to see in Festival Park. The results of these analyses formed the basis of the preferred recommendations, shown in **Figure 4.2**.

The Festival Park recommendations incorporate many conversations with stakeholders, City staff, and the public, in tandem with quantitative analyses. The overarching vision for Festival Park is an improved amphitheater with structured, built in, terraced seating and open grassy lawn. The site also includes several modifications to the street network and constructs new pedestrian amenities. Cox Street is intended to be rerouted and act as a loading/unloading area and an access street for food trucks to park in the proposed food truck area. A pedestrian trail will line the edges of the park, and a new water amenity is also proposed on the east side of the park. It is recommended to close Pecan Street to traffic, with Fredonia Street acting as more of a "festival street." Retractable bollards are recommended to allow limited vehicular access to the site, enabling the City to open and close Fredonia Street when needed. The site plan includes targeted public art and placemaking improvements, with several locations identified for public art, sculptures, or gateway elements. Overall, Festival Park presents a unique opportunity to beautify the area and promote new pedestrian activity and economic development in the area.



Project Information



Description

Redevelopment of the 12-acre Festival Park area with an amphitheater, playground, concession stand, walking path, detention pond, food truck area, gateway elements, and other enhancements.



Purpose

The Festival Park redevelopment creates a new destination within the City of Nacogdoches, serving as the hub and central gathering space for festivals, converts, and celebrations.



Project Need

- The existing Festival Park is underutilized and lacks the amenities to attract visitors to downtown.
- Within the region, there is a lack of venues able to accommodate events with 3,000-5,000 people.
- More amenities allow the City of Nacogdoches and private entities to program concerts, festivals, and other events downtown, increasing the number of visitors.
- A better Festival Park enhances the connective tissue between the southern bank of Banita Creek and downtown.
- Responsible development adjacent to the floodway enhances the public realm and acts as an additional barrier between the Creek and nearby residential neighborhoods.



Project Cost

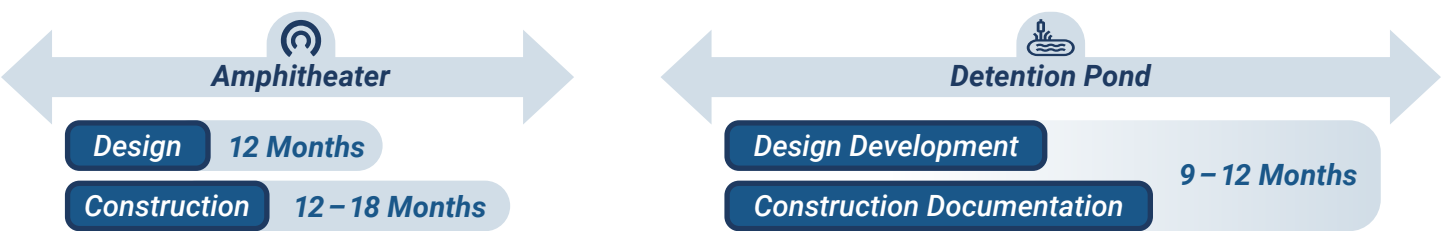
Planning Level Cost Range: \$48 – 52 million*

Description	Cost
Site Preparation & General Soil Upgrades	\$2,266,000
Amphitheater Stage	\$6,600,000
Amphitheater Seating	\$9,288,000
Detention Pond	\$1,529,000
Playground	\$750,000
Associated Amenities	\$1,200,000
Trail and Associated Improvements	\$1,000,000
Food Truck Park	\$663,000
Restroom and Concessions	\$1,467,000
Lighting	\$288,000
Street Improvements	\$1,128,000
Construction Total	\$26,178,000
Contingency - 30%	\$7,850,000
Associated Construction Items (CEI, Compliance, etc.) (30%)	\$7,850,000
Design Phase Services	\$8,333,000

*These numbers reflect rounding of each line item and the more detailed, full planning-level cost estimate is included in [Appendixxx. Project Cost Estimates](#).



Implementation Timeline for Project Elements





Qualitative Benefits

Economic Catalyst: An amphitheater adds an additional concert/event venue, enabling for more concerts or musical events that foster economic impact.

Better Health Outcomes: The improved playground and walking path provide new and refreshed opportunities for play and active recreation, supporting better health outcomes.

Stormwater Management: A new detention facility enables for more stormwater capacity, adjacent to the floodway, providing better support for nearby residential neighborhoods.

Connectivity: New trail segments and overall improvement scheme enhances a neglected edge of downtown, creating more connectivity and expanded downtown.



Project Challenges

Cost: The projected cost of \$50 million is very high and will require external funding to become reality.

Noise: The amphitheater could potentially increase noise levels around show times. This could impact noise in Downtown.

Multiple Phases: The project has multiple phases and implementation pieces which can complicate the overall project timeline.

Environmental Review: The close proximity of the floodplain could require additional analysis, delaying the project and increasing cost.



Funding Sources

1. *Economic Development Administration*
2. *Community Project Funding*
3. *TPWD Local Parks Grant Program*
4. *Local/Private Funding*



Core Partners and Stakeholders

1. *Nacogdoches Convention and Visitors Bureau*
2. *Parks Board*
3. *Event promoters*
4. *Musicians*
5. *Philanthropists supporting arts and culture*



Project Elements



- An **open-air amphitheater** that can seat approx. 3,000 people, with a combination of both fixed, terraced seating and open lawn seating
- Rideshare and/or valet drop-off and pick-up areas near the main amphitheater entrance for convenience
- Concession and updated restroom facilities adjacent to the amphitheater and food truck zone, utilizing the site's existing wastewater infrastructure
- Flexible open lawn space for events, informal gatherings, and recreation
- Designated food truck area with a large, open gravel surface lot for flexible event use



- **Detention pond** for stormwater and as a public amenity water feature



- A 0.46-mile, 12-foot-wide **hike and bike trail** encircling the park and connecting to the Banita Creek Promenade and Downtown Nacogdoches

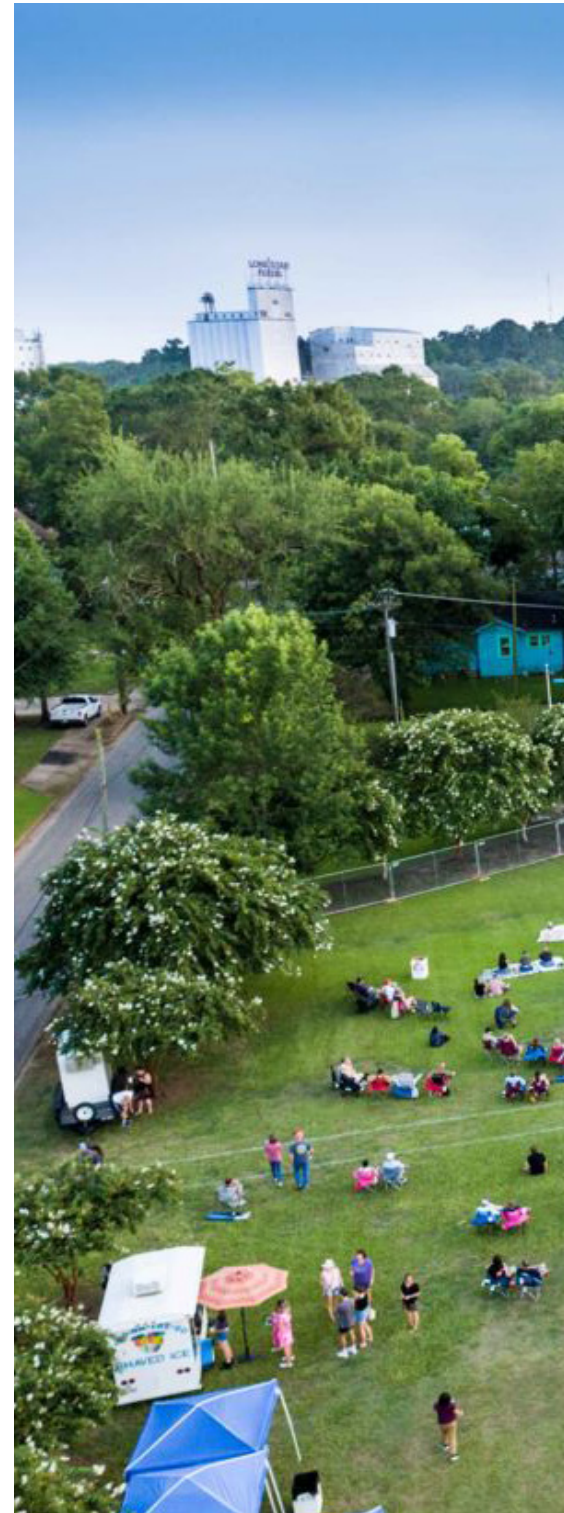
- Trail-friendly lighting, historical markers, benches, and shaded seating areas along the walking path
- Art installations as a cultural focal point



- **Playground** with modern play equipment near the pond and shaded areas
- New shade trees to cover walking paths, the playground, and seating areas to cool the park



- Realignment of **Cox Street** to improve circulation, promote continuous park space, and to allow for easier access to back of the amphitheater
- Closure of **Pecan Street** within Festival Park to enhance safety and create continuous pedestrian and park space
- Limited vehicular access on **Fredonia Street** to provide continuous pedestrian and park space, while providing flexibility for vendors and emergency vehicles to still access the park
- Retractable bollards at vehicular entry points on Fredonia and Cox Street to control access during events
- Gateway entry features along Fredonia Street





Festival Park | Source: nactx.us

Public Input

Several questions related to Festival Park were asked during the online public engagement effort. One of the questions on the survey asked, “How often do you visit Festival Park?” The results of this question, displayed in **Figure 4.3** indicate that almost 70% of survey respondents visit Festival Park ‘once in a while,’ followed by ‘monthly’ (13.04%), and ‘never’ (11.30%). These results demonstrate that the park is underutilized and highlights a clear need for activation, programming, and amenities that will encourage more frequent use of this valuable community space.

How often do you visit Festival Park?

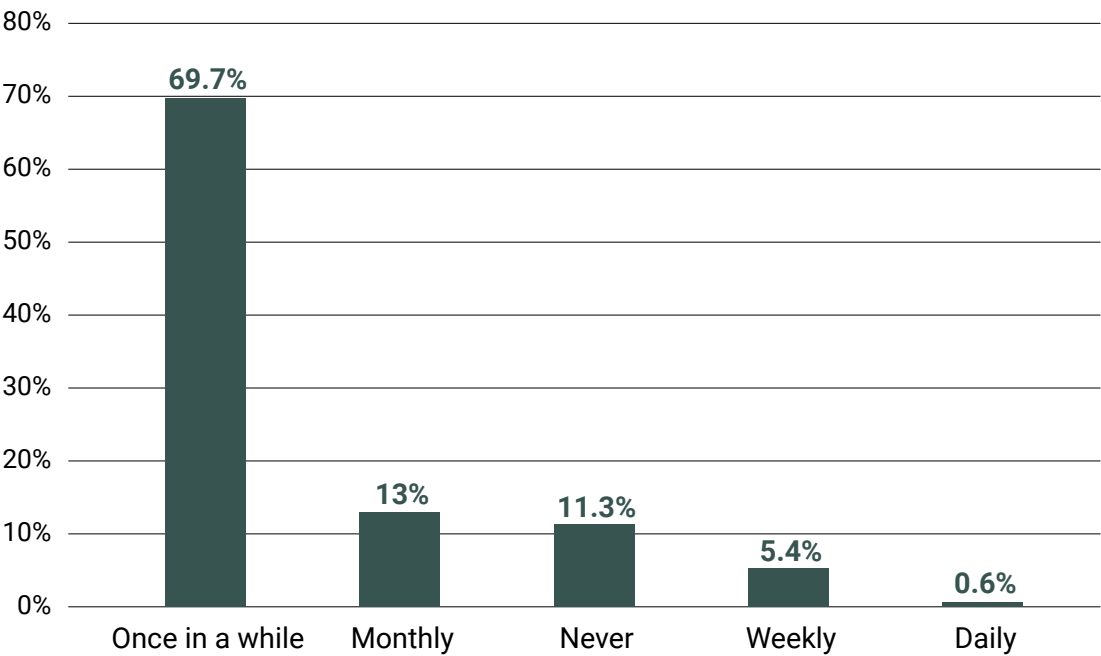


Figure 4.3. Festival Park Visiting Frequency Question Results

A survey question asked respondents what would encourage them to visit Festival Park more frequently, ranking their answers (**Figure 4.4**). The top three answers given from the public indicated they would visit Festival Park more frequently if there were more community events, festivals, and performances at an outdoor amphitheater. All of these recommendations given by the public were incorporated into the overall recommendations for Festival Park.

What could encourage you to visit Festival Park more frequently?

Please rank the following in order of preference.



Figure 4.4. Visiting Festival Park More Question Results

Amphitheater vs. Sports Facility

Analysis was conducted to determine an appropriate anchor facility that would act as a focal point for Festival Park. As part of this effort, several different sports and event facilities were researched to identify the approximate land area required to construct them and to determine which facilities could reasonably fit within Festival Park's physical constraints. Three land areas were measured as the starting point for this exercise, which are displayed in **Figure 4.5**. The middle sliver of Festival Park was measured first, which totals a land area of approximately 3.55 acres. This was compared to the entire publicly owned land area, which is 12.8 acres. This land area was analyzed to identify the maximum potential facility or field area that could be constructed within Festival Park. These three land areas were used as a basis for the facility and field area research.

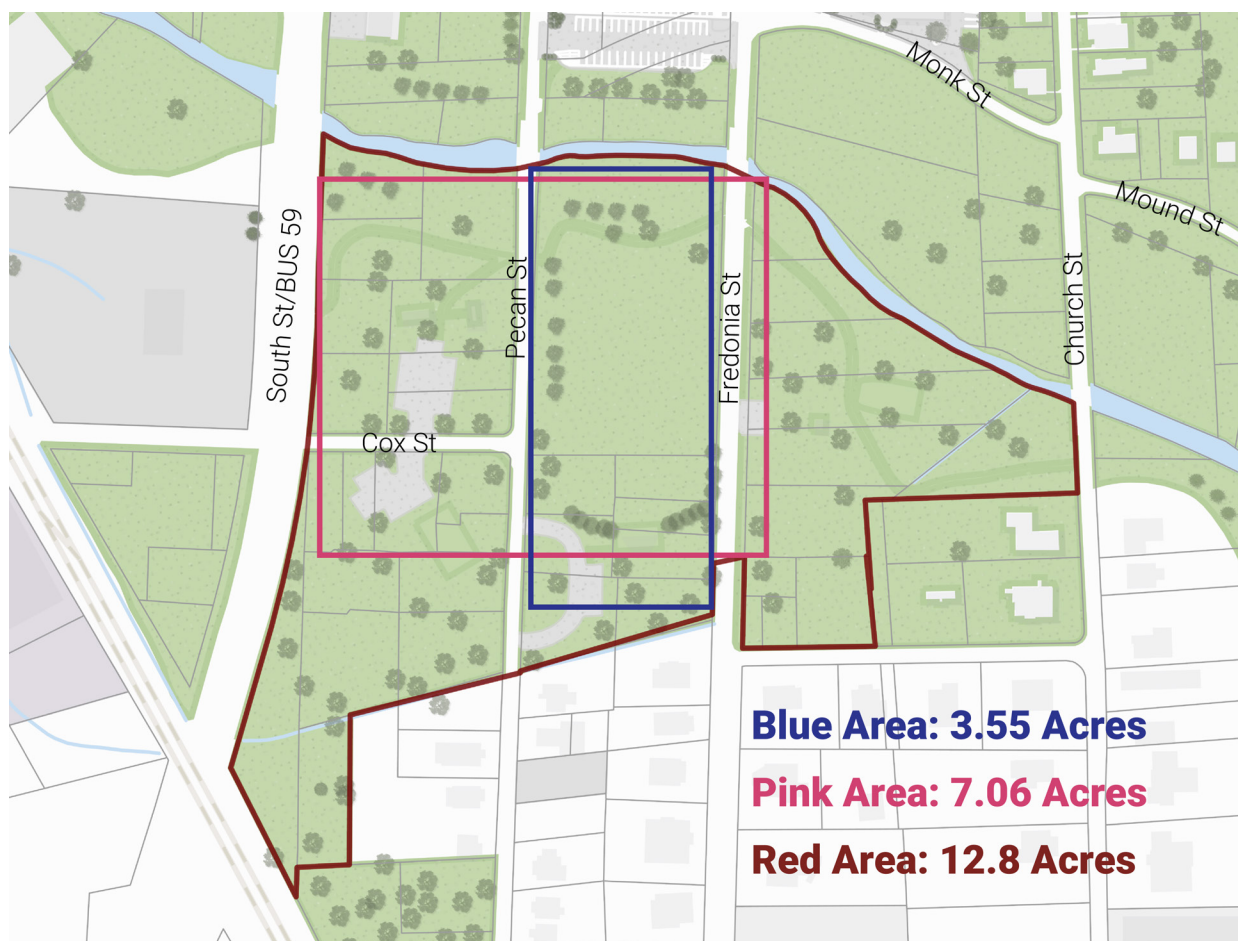


Figure 4.5. Festival Park Facility Constraints Assessment

A peer community analysis was conducted on the sizes of different sports facilities or amphitheater spaces in Texas and nearby states. Minor league baseball fields, professional soccer fields, college softball fields, high school football fields, outdoor basketball courts, tennis courts, volleyball courts, track and field facilities, pickleball courts, and amphitheaters were all researched for their overall size dimensions. The results of this analysis are shown in **Table 4.1**. The results of this analysis indicated that most of the sports facilities (including minor league baseball field, soccer fields, and high school football fields) have too large of a footprint to fit within the land constraints of Festival Park. Therefore, these types of sports facilities were excluded from further inclusion in site plan development.

Table 4.1. Sports Facility Research

Field Type	Field Name	Location	Total Size (Acres)	Field Size (Acres)
Baseball Field	Rough Riders Field	Frisco, TX	22.7 Acres	9.4 Acres
	Whataburger Field	Corpus Christi, TX	19.5 Acres	9.22 Acres
	Hodgetown Stadium	Amarillo, TX	9.65 Acres	9.65 Acres
	Momentum Bank Ballpark	Midland, TX	20.35 Acres	12.37 Acres
	Nelson W. Wolff Municipal Stadium	San Antonio, TX	43.73 Acres	18.79 Acres
Soccer Field	Toyota Field	San Antonio, TX	9.07 Acres	4.36 Acres
	Choctaw Stadium	Arlington, TX	17.10 Acres	17.10 Acres
	Q2 Stadium	Austin, TX	18.66 Acres	6.32 Acres
	Cambell Road Sports Park	Houston, TX	-	1w4.67 Acres
	Heart Health Park	Sacramento, CA	-	4.5 Acres
	Phoenix Rising FC Stadium	Phoenix, AZ	-	6.63 Acres
	Michael A Carrol Track and Soccer Stadium	Indianapolis, IN	-	6.36 Acres
College Softball Field	Red and Charline McCombs Softball Field	Austin, TX	-	2.90 Acres
	Lamar University Softball Complex	Beaumont, TX	15.57 Acres	1.91 Acres
	Lovelace Stadium	Denton, TX	-	3.18 Acres
	John Cain Family Softball Field	Commerce, TX	3.77 Acres	1.95 acres
	Allan Saxe Field	Arlington, TX	-	2.29 Acres
	Poly Wells Field	Abeline, TX	-	4.94 Acres
College High School Field	Navasota High School Football Field	Navasota, TX	13.86 Acres	6.35 Acres
	McAllen Memorial Veterans Football Stadium	McAllen, TX	-	9.94 Acres
Outdoor Basketball Court	Woodlawn Park Basketball Courts	San Antonio, TX	-	0.13 Acres
Tennis Court	Pharr Tennis Center	Austin, TX	5.66 Acres	0.66 Acres (4 Fields)

Table 4.1 (continued)

Field Type	Field Name	Location	Total Size (Acres)	Field Size (Acres)
Volleyball Court	The Sandy Pickle - The Village Dallas	Dallas, TX	-	4.57 Acres (6 Fields)
Track and Field Facility	Washburne Soccer and Track Stadium	Dallas, TX	-	5.02 Acres
Pickleball Courts	The Sandy Pickle - The Village Dallas	Dallas, TX	-	0.81 Acres (6 outdoor fields and indoor building facility)
Amphitheater	Zilker Hillside Theater	Austin, TX	-	0.39 Acres
	Amphitheater at Oak Point Park	Plano, TX	-	1.92 Acres
	Toyota Pavilion at the Toyota Music Factory	Irving, TX	-	4.79 Acres
	Levitt Pavilion Arlington	Arlington, TX	-	1.52 Acres
	Brushy Creek Amphitheater	Hutto, TX	-	10.14 Acres
	Frisco Commons Amphitheater	Frisco, TX	-	0.96 Acres

USACE Coordination

Much like the Banita Creek Promenade, the Festival Park Redevelopment is located adjacent to a Waters of the United States (WOTUS) facility. Typically, the United States Army Corps of Engineers (USACE) has oversight, depending on the location of the specific improvements. It is expected that no USACE permits are needed for Festival Park. A Letter of No Permit Required will confirm this determination. If received, permitting complexity is reduced and delays can be avoided with federal reviews. This enables a swifter implementation timeline, streamlining the path forward for design and construction once funding is identified. The necessary permits for the redevelopment will be under the jurisdiction of the City's Floodplain Administrator.

Environmental Risk Assessment

To further refine and assess competitiveness for federal funding opportunities, an Environmental Risk Assessment was completed, which can be found in [Appendix X: Festival Park Environmental Risk Assessment](#). This document evaluates the potential environmental impacts if the Festival Park redevelopment were to be advanced and if this project would be supported under current National Environmental Policy Act (NEPA) federal regulations. The environmental impacts for the project are summarized below in **Table 4.2**.

The potential for adverse impacts to the floodplain – through the construction of the amphitheater and trail – is the main concern from an environmental risk perspective. If federal funding is sought for this project, documentation could be needed stating that the proposed action is the only practicable alternative, justifying that no viable alternatives are possible.

Table 4.2. Summary of Potential Impacts Under NEPA

NEPA Impact Category	Potential Impacts
Property Acquisition, Relocation, and Right-of-Way	The City owns all of the project parcels; no acquisition is required.
Land Use and Zoning	No adverse impacts anticipated.
Air Quality	No adverse impacts anticipated.
Cultural Resources	At a minimum, a submittal to Texas Historical Commission for Section 106/ Antiquities Code concurrence is expected for both historic and archeological resources.
Hazardous Materials	While three hazardous materials sites are in the immediate vicinity of the project, all have closed prior to 1992. Additional analysis may be required, but adverse impacts are not anticipated.
Public Parks and Recreation Areas	Because the project consists of improvements that will support and enhance existing park amenities and will not convert a recreational resource from its current use, adverse impacts are not anticipated. Minor Section 4(f) analysis may be required to present evidence that the project will not negatively impact the park.
Community Resources	No adverse impacts anticipated.
Economic Impacts	No adverse impacts anticipated.
Soil	No adverse impacts anticipated.
Wetlands	The proposed project is directly adjacent to Banita Creek, which is a designated wetland. If any project work proposes excavation, fill, or alternation of the creek, coordination with the U.S. Army Corps of Engineers regarding permitting would be required.
Floodplains	The proposed project is located in the 500- and 100-year floodplains and the floodway. Federal agencies may be hesitant to approve projects with new construction in the floodplain and require documentation that no alternatives are viable. Additional analysis will likely be required.

Table 4.2 (continued)

NEPA Impact Category	Potential Impacts
Waters of the U.S. and Navigable Waters	Banita Creek may qualify as a Water of the United States and/or Navigable Water. The U.S. Army Corps of Engineers regulates material removed from or placed into Waters of the United States. In addition, the Corps regulates work that affects navigable waters. The determination of navigability or qualification as a Water of the U.S./jurisdictional water is made by each USACE district engineer upon request.
Water Quality, Aquifers, and the Coastal Zone	Because the project proposes to replace undeveloped parkland with new construction (sports facilities, amphitheater), impervious cover will increase and may impact runoff or water quality in the project area. As design advances, it can be determined if additional analysis is needed. The project is outside of the Coastal Zone and not near a sole source aquifer.
Biological Resources	If the project receives state funding or federal funding administered by the state, additional analysis, including the possibility of a species survey, may be required since the project parcels are undeveloped and adjacent to the creek and species of concern are present. The United States Fish and Wildlife Service does not identify any critical habitat within over five miles of the project site; therefore, additional analysis is unlikely to be required if approval is sought directly from a federal agency.
Migratory Birds	If the project requires clearing of existing trees, it could impact migratory bird habitat. In this case, a survey may be required.
Transportation, Traffic, and Parking	The project site is located on the green route and is walking distance from the major transfer point for all three Brazos Transit District bus routes. This existing service would serve visitors to the new development. No adverse impacts anticipated.
Noise and Vibration	No adverse impacts anticipated.
Safety and Security	No adverse impacts anticipated.
Visual Impacts	Depending on the ultimate height proposed for the new project elements (e.g. field lighting), a visual assessment may be required due to the potential to affect nearby historic structures and districts. It is expected that the park improvements will be consistent with the existing aesthetics of the area.
Utilities and Energy	Coordination with utility providers that may have infrastructure in the project area will be necessary due to new construction on currently undeveloped parcels. The addition of lighting associated with a new field or amphitheater is expected to require more energy, so additional analysis may be required.
Public Involvement	Depending on how the project is ultimately funded, additional public involvement or notice may be required. For many agencies, the existing Downtown Vision Plan and public survey would be sufficient.
Construction Impacts	No adverse impacts anticipated. Utilize industry standard best management practices.

Project Alternatives and Future Ideas

Potential Street Closures

Changes to Pecan Street and Fredonia Street are recommended for the Festival Park project, balancing park connectivity with operational needs. The preferred recommendation is to fully close Pecan Street, creating a unified connection between the amphitheater, concessions, restrooms, and food truck area. Fredonia Street is recommended to remain partially open, with treatments such as retractable bollards and textured or bricked pavement to control vehicular access while supporting food trucks, emergency vehicles, and venue staff.

Alternative options to the preferred recommendations can be explored during the design phase. For example, Pecan Street could be a partially closed street with retractable bollards, if a full closure is not desired. Inversely, Fredonia Street could be closed completely if it is determined that an additional park entrance on Church Street is feasible. Additionally, the overall vision of this project can still be realized if Cox Street is not realigned. The food truck park would be located on the south side of existing Cox Street and would tie into Pecan Street as it does today. These various options increase viability for implementation, as the project can easily be phased while the intent of the vision remains constant.

Demand for Amphitheater

The idea of an amphitheater within Festival Park is not a new idea. It dates back, at least, to the year 2000. An amphitheater in Festival Park offers a new concert venue within the City, with capacity for 3,000 to 5,000, filling a niche with both the city and the county. No other existing venue is compatible. Many artists and bands currently demand more than the 1,200-person capacity at Banita Creek Hall, but less than the 6,000-person capacity SFA arena. They are the prime target for performing at the future amphitheater. The Texas Blueberry Festival and Old Town Rig Down bring thousands to Nacogdoches annually. An amphitheater would enable both events to add more musical events in addition to expanding general offerings.



Festival Park Existing Conditions

Phasing

Phasing for the Festival Park project can be flexible in nature, as many pieces of the overall vision for Festival Park can be broken down into several subprojects. Key highlights and recommendations have been developed as part of the phasing timeline for Festival Park. All are outlined in the bulleted list below.

- **Detention Pond:** The detention pond and water amenity is recommended to be its own standalone project or be constructed at the same time as the amphitheater. It offers stormwater capacity for the area, and is not a requirement for constructing the other project elements.
- **Paved Hike and Bike Trail:** Ideally, the hike and bike trail within Festival Park would be implemented simultaneously as the Banita Creek Promenade, pending available funding. Funding should be pursued for hike and bike trails on both the north and south side of Banita Creek to implement a single, cohesive trail project for residents and visitors to Downtown Nacogdoches.
- **Amphitheater:** The amphitheater project can, and likely would, be a standalone project. The concession stands and restroom facilities should be included in this project. The amphitheater is flexible in implementation timeline and can be constructed at any point in the Festival Park project. It is also recommended that the reconstruction of Pecan Street and Fredonia Street should occur during the amphitheater project. The next steps for the amphitheater project would be to advance the current status of conceptual design to 30% design. During this design phase, specific, actual phasing of the project should be determined.
- **Realignment of Cox Street/Food Truck Park:** The roadway realignment and food truck park are recommended to be one combined project and can also be implemented either prior to or in tandem with the amphitheater project.

Connectivity

The hike and bike trail included within the proposed project elements will connect to the Banita Creek Promenade and has the potential to extend northwest to the Farmers Market via a Union Pacific easement. The City of Nacogdoches and Union Pacific entered into an agreement for the construction of a hike and bike trail within the railroad's right-of-way. If constructed, the trail can extend from the Farmers Market to Festival Park to north of Banita Creek and east to the Dempsey Soccer Complex. See Banita Creek Promenade chapter.

Partners and Stakeholders

Due to the large-scale nature of the \$50 million Festival Park redevelopment, numerous partners and stakeholders are necessary. In addition to funding partners, key stakeholders include event promoters, Convention and Visitors Bureau, and the Parks Board to name a few. Each project element can have specific partners and stakeholders important for advancing implementation of that element. For the amphitheater, determining demand and advancing the project through design and construction requires multiple voices advocating for its implementation. These voices can be event promoters (such as those associated with Banita Creek Hall or Old Town Rig Down), musicians, or philanthropists supporting arts and cultural organizations.

The Parks Board, park supporters, parent groups, and recreation-oriented stakeholders are potential partners and advocates for the playground and trail. There is strong community involvement in parks and trails projects within the region. This energy can be harnessed to demonstrate community support for grant applications and private fundraising.

Potential Funding Sources

Economic Development Administration

The Economic Development Administration (EDA) periodically issues Notices of Funding Opportunities (NOFO), requesting applications for projects that support economic development through private sector activity. These NOFOs tend to vary, based on Congressional Appropriations, disasters (e.g., hurricane), and economic conditions (e.g., COVID). As of November 2025, there are two NOFOs open, requesting projects that foster economic growth at a local or regional scale or have a disaster nexus. Specific elements of the Festival Park redevelopment are competitive for one of these NOFOs – the Public Works and Economic Adjustment Assistance. The most applicable elements are the stormwater detention pond and the hike and bike trail. Typically, less than \$5 million is awarded through the EDA Public Works and Economic Adjustment Assistance program.

Community Project Funding

The annual Congressional Appropriations process can yield several million dollars of grant funds. However, the long lead time associated with the availability of these funds can delay implementation. The next cycle for Congressional Appropriations is FY27, and the request for projects will open in Spring 2026. The timeline to go from submission of an application to award is approximately one year. It often takes another year to execute a grant agreement. Pre-award authority is often not feasible or does not make sense for Community Project Funding. That said, these funds are flexible with a long spend horizon.

The Festival Park redevelopment is not a viable candidate for Community Project Funding as a whole project, but individual project elements are potential grants for this federal funding opportunity. Pursuing this funding requires phasing implementation. Deciding whether or not to pursue Community Project Funding needs to consider the priorities of the local Congressional representative and the US House Appropriations Committee.

TPWD Local Parks Grant

The playground improvements within the Festival Park redevelopment are a viable candidate for TPWD's Local Parks Grant. Usually \$750,000 per award is available annually with the potential for a \$1.5 million grant. This is highly competitive and likely requires multiple application cycles before a successful award.

Local/Private Funding

Constructing Festival Park is going to require local public and/or private funding. The substantial costs associated with the full, comprehensive project necessitate a multitude of funding sources to ensure full build-out of the proposed redevelopment. Philanthropy can fund small items, such as art or signage. It is possible, though, for a foundation to provide a grant for a portion or all of the amphitheater costs. The Levitt Foundation could be a viable grant opportunity for funding a portion or all of the amphitheater.

Implementation

Redeveloping Festival Park is a long-term, likely decade-long effort and is expected to result in multiple subprojects, each with their own implementation complexities. For the overall project, it is unreasonable and not realistic to provide timelines for broad phases. This section has general information on each phases for the various elements.



Amphitheater

Conducting analysis to identify specific demand drivers for the amphitheater can be the City's immediate next step. Once there is funding in place to advance design, a Request for Proposals can be issued. The design phase would include the stage, any covering/shade structure, back of house staging area, terraced seating, and the lawn. Design is expected to cost at least \$1 million and last for at least one year. This timeline does not include the City review and permitting process. Utility coordination and review is part of this phase and can lengthen the timeline for design.

Construction of the amphitheater can be expected across a twelve to eighteen-month schedule, pending availability of equipment/materials. Federal Buy America provisions can extend the construction timeline during the procurement of materials.



Detention Pond

Design and construction for the approximately half-acre detention pond is relatively straightforward. Initially, a preliminary engineering report with hydrology and hydraulics analysis is necessary. This report will provide more substantive information for the specific depth and capacity of the pond. The remaining design phases – Design Development and Construction Documentation – are approximately nine to twelve months to complete. Permitting can be lengthy, depending on the city's processes and requirements.



Trail

Similar to the Banita Creek Promenade, design for the trail can be done independently. If this path is pursued, it is possible to advance from 30% Design to 90% within a few months. If combined with another Festival Park element or the Banita Creek Promenade, the more traditional approach of 30%-60%-90% Design sequencing is appropriate. The length of construction for any trail elements is dependent on whether or not the trail segment within Festival Park is combined with another segment or project element.



Playground

Many playground elements can be procured “off the shelf,” but sometimes the length of procurement timelines can be lengthy due to backlogs in fabrication of various pieces (i.e. slide). Designing the playground in Festival Park requires additional engagement, notably design charrettes to identify specific equipment and the layout for the equipment within the playground footprint. This process, depending on the City’s desire for engagement and scale of the playground, can be several months. It can be compressed into just a few months if needed or extended to a year if desired. Construction is dependent on the fabrication timelines for the playground equipment.



Streets

Improvements and changes to multiple collector streets are proposed. For efficiency purposes, all three street improvements can be combined into one project for design and construction. Design for one block each of Pecan and Fredonia Streets and the Cox Street realignment is a six-to-twelve-month timeline, depending on the speed of feedback from the City and utility entities. Procurement for construction can be two months in a best case scenario and will need to consider potential compliance with federal funds certifications and assurances. Construction is a minimum of one year, dependent on federal funding requirements and utility relocations.

5. Public Buildings

Downtown's treasure trove of historic buildings is crucial to future development and the next era of Nacogdoches. With more than 75 historically designated parcels, understanding what buildings are the best candidates for renovation and adaptation is foundational for future development growth. Unlike the other project-specific chapters, this chapter on buildings examines downtown as a whole while examining in-depth specific buildings and discussing the various considerations associated with adapting historic buildings for a new use.



Map of Downtown Nacogdoches Featuring Historic Sites

Old Buildings and New Uses

Downtown Nacogdoches is small – only 45 acres, spread across 12 blocks and centered around a square. Most of the buildings within downtown are currently in use as a restaurant, residential, or store. For scope and feasibility purposes, this analysis focuses on public buildings and their future impacts. Of the 86 historic buildings within downtown, seven are publicly owned. **Figure 5.1** illustrates public buildings within the study area. Several buildings are not conducive or in need of adaptation. Other buildings, though, are ripe for redevelopment and renovation into a higher and best use. **Table 5.1** lists each publicly owned historic building and why it is or is not suitable for consideration.

Table 5.1. List of Publicly-Owned Historic Buildings in Downtown

Building Name	Current Use	Suitable for Redevelopment
City Hall	City of Nacogdoches Administrative Offices	Yes
City of Nacogdoches Fire Station #5	Public Services	Yes
City of Nacogdoches Fire Department Administration	Nacogdoches Fire Department Administration	Yes
Charles Bright Visitor Center	Nacogdoches Convention and Visitors Bureau	No
Milam Lodge	Masonic Lodge	No
Cole Art Center	Art Gallery	No
Story-Wright Building (aka Bright Foundation Building)	Vacant	Yes



Of these seven buildings, four are best positioned for adapting into a new use:

1. *City Hall*
2. *Fire Station*
3. *Nacogdoches Fire Department (NFD) Administration*
4. *Story-Wright Building*



Central Fire Station || Source: nactx.us

All of these buildings are on the same block and mostly contiguous. A currently operating mixed-use building (210 E. Pilar Street) sits between the NFD buildings and the Story-Wright building. All together, these buildings are approximately 75,000 square feet of available space for redevelopment.

The remaining buildings provide a substantive public benefit (i.e. Convention and Visitors Bureau) or support other entities (i.e. Stephen F. Austin State University). It is recommended for them to continue as their current use.



Figure 5.1. Public Buildings Project Location Map

Building Histories

City Hall

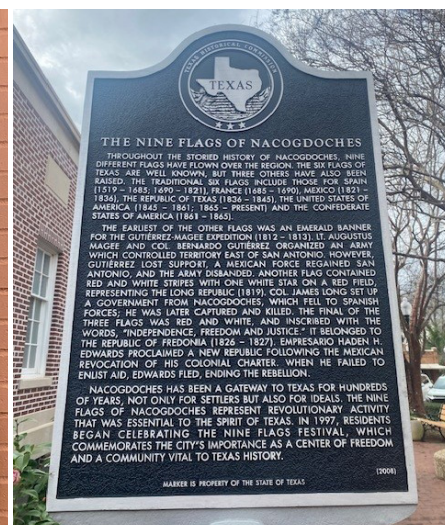
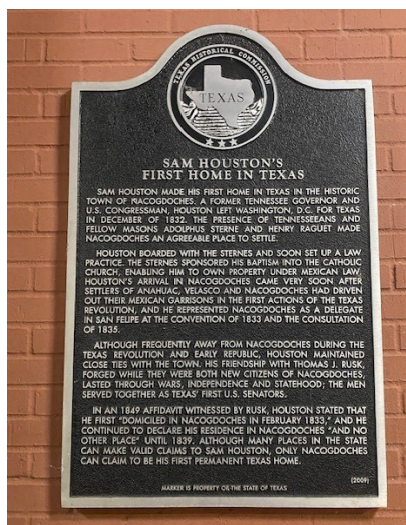
While the ~30,000 square foot building currently houses the City's administrative offices, the building was originally built in 1891 and operated as the Liberty Hotel until 1951. Prior to the construction of the Liberty Hotel, this parcel was Sam Houston's first home in Texas.

Story-Wright Building

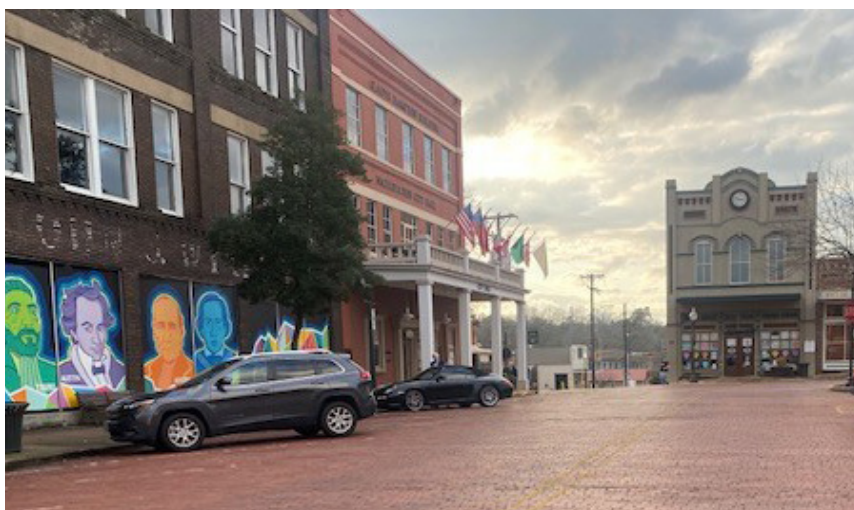
Owned by the Bright Foundation, the Story Wright Building, formerly known as the Mahdeen-Wyatt Building, was designed by Dietrich Rulfs in 1918. The Mahdeen Company was the original owner and tenant, using the building for the manufacturing and selling of its hair care products. Over time, automobile dealerships, a furniture store, and Store-Wright Office Supplies occupied the building. It was bought by the Bright Foundation in 2018.

Fire Station and Administration Buildings

The collection of buildings operated by the Nacogdoches Fire Department (212 and 214 E. Pilar Street) are the newest on the block. Constructed in 1953, the buildings have approximately 15,000 square feet.



Historic Plaques, Nacogdoches City Hall



Story-Wright Building and City Hall



Mercantile Store and Coke Sign by the Central Fire Station (Right)
Pilar Street Historic Plaque (Left)

Project Information



Description

Converting existing public buildings along E. Pilar Street into a higher and better use that increases taxable value within downtown Nacogdoches.



Purpose

Downtown Nacogdoches is the oldest downtown in Texas, and has a large number of historically preserved buildings. These buildings can be utilized for restaurants, retail spaces, hotels, and more.



Project Need

- Downtown Nacogdoches is the oldest downtown in Texas and contains a high number of historically preserved buildings.
- Seven of these buildings are publicly owned and could be converted from non-taxable uses to taxable, revenue-generating opportunities for the City.
- Supporting more business activity in downtown Nacogdoches requires increasing the number of people in downtown daily.
- Repurposing public buildings can attract more people downtown and help strengthen the local business environment.
- New uses like a hotel, additional office space, or another restaurant would increase economic activity around the downtown square.



Project Cost

Estimated Cost: A building renovation can range from \$150 - \$400+/sq ft, depending on building use

In recent renovations, the cost for upgrading the various systems has ranged. Overall, the costs for renovating an existing building range from \$150 - \$400+ per square foot, depending on the level of work required and the building's proposed use. Costs in Nacogdoches can vary widely, depending on who is doing the work, the cost of the materials available, and extensive level of repairs required. For these reasons, no two building renovations are the same. For many of the buildings renovated and converted into other uses in downtown, the developers have utilized their own labor or materials at little to no cost, skewing objective price comparisons for the purposes of this report.

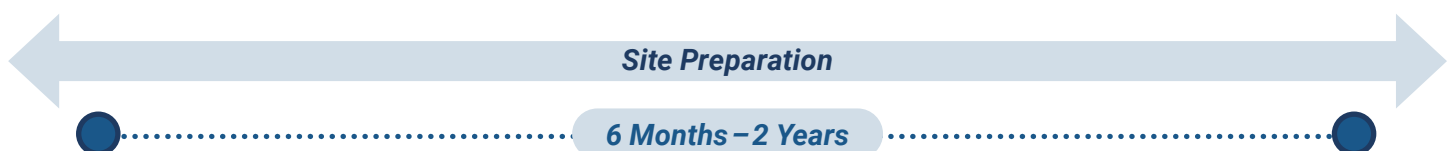


Project Elements

- Substantial building upgrades, ensuring compliance with City of Nacogdoches Code Regulations
- Façade improvements, improving the appearance of each building
- Potential expansions to existing buildings to increase square footage
- Utility infrastructure enhancements to ensure capacity for increased usage of aging systems



Implementation Timeline





Visual Representation



Project Challenges

Financing: Private financing will most likely need to be used for the redevelopment of public buildings.

Architectural Design Consistency: The redevelopment of public buildings will need to be consistent with the historic look and feel of Downtown Nacogdoches.

Skilled Labor Force: Redevelopment of public buildings could benefit from advancing skilled labor force markets.



Qualitative Benefits

Taxable Value Growth: Taxable value growth will add new revenue for the City, as redeveloped downtown buildings increase the amount of taxable property within the downtown area.

Economic Resiliency: A more diverse mix of businesses strengthens economic resiliency, supporting long-term stability by reducing reliance on a limited set of industries and creating new opportunities for local entrepreneurs.

More Retail Opportunities: Additional retail space expands shopping and service options, offering varied storefronts that attract more residents, workers, and visitors to the downtown district.

Tourism Activity: Increased tourism activity brings more foot traffic and spending, as revitalized buildings, new amenities, and an improved downtown experience draw more visitors to Nacogdoches.



Core Partners and Stakeholders

1. *Charles and Lois Bright Foundation*
2. *Local Developers*
3. *Philanthropists*
4. *Public-Private Partnership*



Funding Sources

1. *EDA Public Works and Economic Adjustment Assistance*
2. *Local/Private Funding*
3. *Historic Tax Credits*

Construction

9 – 18 Months

New Uses for Old Buildings

The old buildings have reinvented themselves, time and time again. Looking into the city's future and desires for growth and investment in downtown, these identified buildings are primed for investments. To date, the City has announced plans for a new fire station adjacent to the Dempsey Soccer Complex. This decision opens up the City to dispose of public property through a transparent process (see Section Potential Process for Disposal of Public Property).

A retail demand analysis was conducted to gain an understanding of what's economically feasible. Overarchingly, this analysis revealed that more people are needed downtown, daily. Another corporate relocation (in addition to Elliot Electric Supply) with 200 or more jobs would support another restaurant opening around the square. Continued growth in SFA's enrollment could support these additional jobs as well. For Fall 2025, the University had an increase of 7% in total headcount and 31% increase of first-time undergraduate students, resulting in about 2,800 freshman.²

More localized economic activity – whether through a corporate relocation or SFA investment – opens up demand for converting these public buildings into a few options: hotel or mixed use with a combination of restaurant and office. It is unlikely that these buildings could be repurposed into housing. There are already a small number of housing units within downtown. The private sector is more capable of converting existing privately-owned buildings into housing, pending market conditions.

Hotel

Currently, there are about 100 hotel rooms around the downtown area, split between the Fredonia Hotel and two Bed and Breakfasts. There are multiple AirBnB listings within the area as well. Increasing activity at SFA as well as expected private investment in recreation and tourism amenities could demand the need for more hotel rooms, notably in the mid-to-high-end price range.

Mixed Use

Most buildings in downtown contain multiple businesses, often a small office on one floor and a restaurant, retail space, or apartment on another floor. This arrangement could apply for any of these buildings along E. Pilar Street. There are a few missing businesses in downtown. One – a coffee shop – was indicated a desire during a community survey administered in June 2025. More restaurants could be economically viable, pending an increase in daily visitors to downtown.

² Stephen F. Austin State University (August 28, 2025) SFA sets new fall enrollment record: <https://www.sfasu.edu/about-sfa/newsroom/2025/sfa-sets-new-fall-enrollment-record>

Considerations for Historic Buildings

Something constructed more than 80 years ago has different materials and layouts than buildings constructed more recently. For any historic building renovation, there are several considerations that should be thoroughly evaluated. The information below is the result of research, informational interviews, and experience.

City Codes Require Costly Upgrades

The City of Nacogdoches' various building codes have been updated more recently than when a historic building was constructed. As a result, the historic properties downtown require substantial and costly upgrades to multiple systems – electrical, fire, and plumbing. Figure xx identifies relevant City codes.

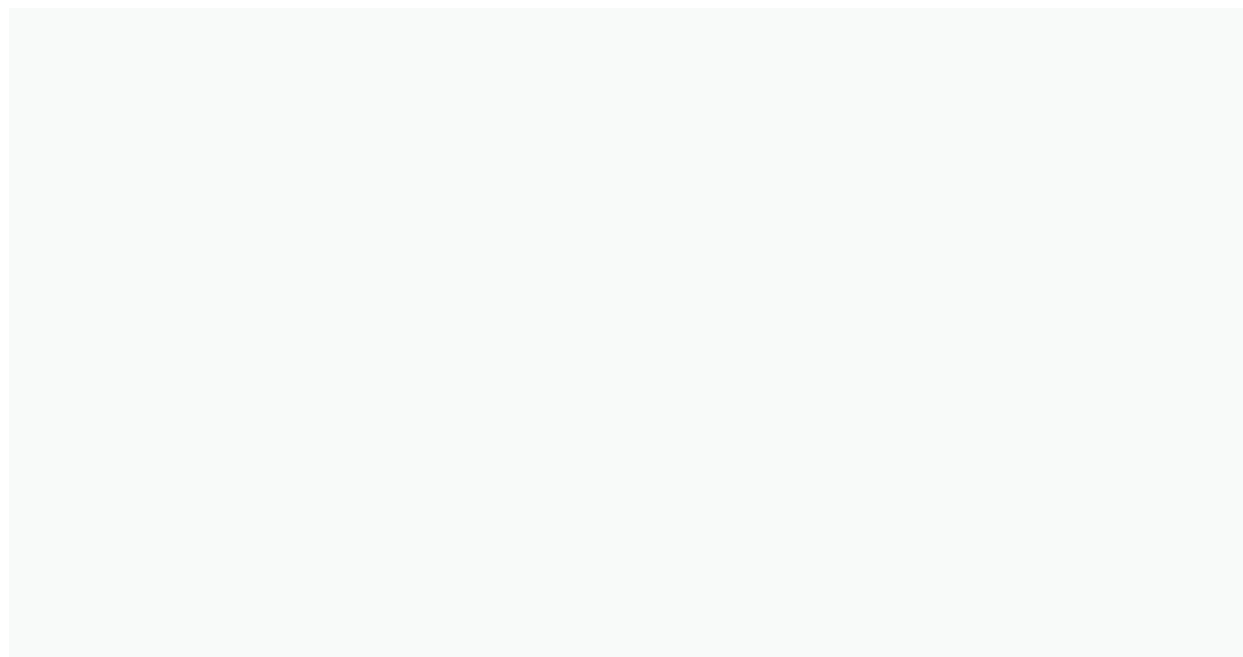


Figure 5.2. Applicable City of Nacogdoches Fire, Electrical, and Plumbing Codes *PENDING GRAPHIC

For most of the buildings within downtown, the most economical approach for upgrading interior systems is to demolish the existing systems and construct new with modern materials. Often, this can be required due to the need to relocate the systems, such as pipes for plumbing. An office building will require bathrooms in a different location than a hotel, necessitating the design and construction of a plumbing system specific to the proposed use. Asbestos abatement can be another cost for building renovations.

Skilled Labor Force

The construction-related activities associated with renovating old buildings require specialized skills. While Nacogdoches has a substantial number of old, historic buildings compared to cities of a similar size, it lacks a workforce that's large enough and with the relevant skill set to complete construction activities that's required with historic building renovations. Importing labor from another city (i.e. Houston) increases building renovation costs.

Potential Process for Disposal of Public Property

Properties owned by the City of Nacogdoches and public agencies are important assets, and the disposition of public property provides unique opportunities for the City to shape Downtown development such as through the selection of future owners or the provisions of incentives. The disposition process must be transparent and incorporate accountability measures to ensure public resources are used responsibly. The following steps provide guidance for the future disposition or sale of public property within the City of Nacogdoches' downtown area.

1. Assess potential public uses or need for the property in the future.

Before disposition, the City should assess any potential future need or public uses for the property as identified through prior planning efforts such as capital improvement plans, facilities master plans, or the city's comprehensive plan. If the property is not a candidate for future public use, it may be appropriate for disposition. This strategy document is the City's assessment for potential uses at public property.

2. Define desired outcomes and criteria for disposition of the property.

Disposition of public property must serve a public purpose. This strategy provides guidance for the private use of property within the city, as well as potential catalytic projects that may be supported by the disposition of the property. Defining a desired use or selection criteria for the property can help the City select an appropriate disposition process and fairly evaluate alternatives.

3. Select and facilitate an appropriate process for disposition.

Surplus real property is typically sold through a competitive process such as sealed bid or public auction, with offer price being the sole criterion for public benefit. An alternative competitive process that allows for additional evaluation criteria is a Request for Proposals or Request for Qualifications (RFP/RFQ). Using a RFP/RFQ may allow the locality to exercise a greater degree of control over the end use of the property and ensure a qualified and responsible buyer or end user is able to achieve the property's highest and best use.

4. Ensure performance over the long term.

For Nacogdoches', increasing the taxable value of land downtown is a key performance metric. Measuring the taxable value and the resulting tax revenue to the City can be a reporting criterion – either by the City or a private entity. Additionally, it can be important for the City to be able to enforce compliance with an agreement or proposed use, particularly when incentives or subsidies are involved. Performance standards such as reverter or buyback clauses can allow the City to regain ownership of the property if certain conditions are not met. Deed restrictions "run with the land" and may also allow the City to establish legally enforceable requirements such as the preservation of land for open space.

Siting Relocated Historic Buildings

Several historically recognized buildings in Nacogdoches could be relocated to downtown, further adding a tourist attraction and historical landmark. Currently, there are ongoing discussions regarding the Old Stone Fort and its potential relocation. Removing and relocating historic buildings from their original site impacts the historic relationship between buildings and the landscape but can be a preferable alternative if the current site is subject to demolition. Relocating a historic building to a site in the Downtown area can support the continued preservation and interpretation of Nacogdoches' rich history, providing that the building is sited in a manner that is sensitive to the Downtown area's historic fabric and context. If the City of Nacogdoches desires to relocate any existing historically designated buildings or landmarks, here is a recommended process:

1. Identify and assess potential sites for their appropriateness

An initial shortlist of potential sites may be prepared based on factors such as vacancy, size, and price. Sites should be reviewed to ensure that they are contextually and environmentally appropriate. The intended use or reuse of the historic building should be consistent with the city's Future Land Use Map and other adopted planning documents: for example, a historic house intended for private residential use would not be appropriate in an area intended for walkable retail and office uses. The proposed building site should not have environmental factors or hazards (e.g. floodplains) that may endanger the building's physical condition.

2. Ensure that site design respects Downtown's context

Building placement and site design should consider the characteristics outlined in the Nacogdoches Downtown Historic District's National Register of Historic Places nomination, as well as best practices including Chapter 50 (Historic Preservation) of the City Code, Chapter 8 (Guidelines for Site Design) of the Design Guidelines for Nacogdoches, Texas, and the Secretary of the Interior's Standards for the Treatment of Historic Properties.

Partners and Stakeholders

The disposition of public property, upgrades to outdated buildings, and conversion of a building from one use to another requires a multitude of partners to make happen. To achieve the City's vision for these properties, a public-private partnership structure is likely required. The Charles and Lois Bright Foundation owns one of these buildings and a formal arrangement between the Foundation and the City could be necessary if a private entity desires to purchase multiple buildings along E. Pilar Street. These stakeholders and partners include local developers and philanthropic foundations.

Potential Funding Sources

The redevelopment of these buildings for private use limits the amount of public funding available to support these efforts. That said, there are a few funding strategies and sources available that could be utilized for specific elements of the project.

EDA Public Works and Economic Adjustment Assistance

The EDA Public Works and Economic Adjustment Assistance program can fund utility infrastructure to support the replacement or expansion of the City's storm, sanitary, and water lines. To renovate and/or expand these buildings, it is reasonable to expect utility upgrades are needed. Any improvements funded through the EDA should be in the public right of way.

Local/Private Funding

Private entities, whether they are philanthropic foundations or a developer, are the most likely source for the amount of funding required for the acquisition and renovation of these buildings. Private funding can come from a variety of sources – developers, institutional financing, local and regional banks, or other capital sources. The City of Nacogdoches can consider these buildings for inclusion in a developer incentive program. An incentive program would provide upfront capital or reimbursements (depending on the program's design) in exchange for a look or use desired by the City for these public buildings.

Historic Tax Credits

Depending on the desire of the private entity that develops the desired buildings, state and federal historic tax credits are a possible funding source. These funds are applied through a tax credit, and the applying entity must have sufficient tax liability to justify the 20% federal income tax credit and the administrative cost of applying and monitoring of the credits. A similar approach applies to the state tax credit program as well (a 25% tax credit that can be sold or used against Texas Business Franchise Tax or Texas Insurance Premium Tax).

Implementation

Engagement with interested private sector developers is the first initial step for the City of Nacogdoches. This engagement can take multiple forms:

Issuance of a Request for Information

The City can issue a Request for Information from the private sector, seeking guidance for the development of a public property disposition process, potential structure of a public-private partnership, and financing arrangements to achieve the City's vision for these properties.

Developer/Industry Outreach

Through a coordinated set of forums, the City can engage with the development industry to discuss and address key issues for the purchase and future development of public property.

One decision point for the City is to confirm which buildings to include in this process. It can be City Hall, the Fire Station, and/or the building owned by the Bright Foundation (if an agreement can be reached between the City and the Foundation).

Then, the City can establish a formal process for soliciting bids from interested parties. These bids can vary, depending on the specific information desired by the City. The process could request any or all of the following:

- Qualifications and Experience of all Parties
- Proposed Use of Property
- Market Analysis Justifying Proposed Use
- Renderings and Other Visualizations
- Cost Estimates (including proposed purchase price)
- Financial Projections
- Financing Sources
- Proposed Timeline for Project Implementation

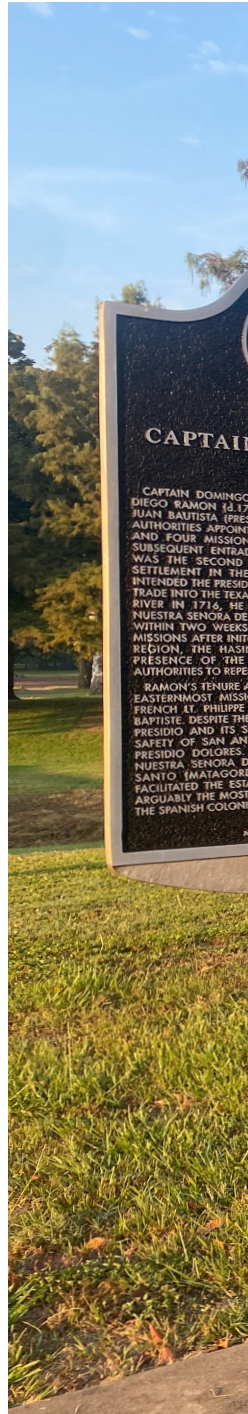
The information contained within these documents is likely to be proprietary and the City would need to establish guidelines for complying with existing state and local legislation regarding procurements. In Texas, discussions involving economic development matters can be considered privileged depending on the context and subject to a narrower set of public disclosures than other procurements.

Once the City has received bids, it can review all bids against previously determined evaluation criteria. A preferred bidder is selected and approved by the City Council; and negotiations begin. These negotiations can consider a multitude of items critical for ensuring the proposed development is in the City's best interest. Negotiations would likely be designated as economic development matters and not subject to open meetings requirements. Ultimately, a term sheet will be drafted and presented to City Council for approval.

Conclusion

The information continued within the Downtown Projects Implementation Strategy is the result of a nine-month effort to develop each previously identified project, collaborate with the Downtown Technical Advisory Committee, and engage the community. Each chapter details project information, implementation recommendations, and potential sources for funding. The Downtown Projects Implementation Strategy can be the City's roadmap for advancing projects critical to the future of downtown Nacogdoches.

Economic momentum is pushing the City of Nacogdoches into a new era of growth, and the City has desires for multiple projects that could transform its downtown. A centrally located parking facility, the addition of a hike and bike trail along Banita Creek, a reimagined Festival Park, and the conversion of aging public buildings into taxable, revenue generating uses can be catalysts for downtown's next era. Together, these projects would result in a once-in-a-generation transformation of the City.





Historical Markers | Banita Creek

PRESENTER:

ITEM/SUBJECT: Consider approval of Resolution 1404-12-25 regarding the submission of a Fiscal Year 2025 Disaster Supplemental Grant Program application by the City of Nacogdoches to the Economic Development Administration for federal funding assistance to construct a parking facility in the downtown area of Nacogdoches. (Executive Director of Development and Infrastructure)

SUMMARY/BACKGROUND: In July 2025, the Economic Development Administration (EDA) released the FY 2025 Disaster Supplemental Notice of Funding Opportunity. The EDA expects to award \$1.5 billion across the country, with individual awards of up to \$5 million per project in Texas. The Goodman Corporation recommends the City of Nacogdoches apply for funding for the proposed Parking Facility in downtown Nacogdoches. The application requires the following items:

- SF 424 forms
- ED-900 (main) and ED-900B (economic impact) forms
- Narratives for Impact, Engagement, Environmental, and Budget
- Letters of Support
- City Council Resolution

City staff is seeking Council approval of the proposed resolution for the grant application. The work completed as part of the Downtown Projects Implementation Strategy provides the additional required information. TGC will prepare these application materials for submission by the end of the year.

FINANCIAL:

No financial impact associated with this item.

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

Downtown Entertainment and Destination District; Infrastructure.

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

ATTACHMENTS: 1. Resolution

RESOLUTION NO. 1404-12-25

A RESOLUTION OF THE CITY OF NACOGDOCHES, TEXAS, APPROVING THE SUBMISSION OF A FISCAL YEAR 2025 DISASTER SUPPLEMENTAL GRANT PROGRAM APPLICATION BY THE CITY OF NACOGDOCHES TO THE ECONOMIC DEVELOPMENT ADMINISTRATION FOR FEDERAL FUNDING ASSISTANCE TO CONSTRUCT A PARKING FACILITY IN THE DOWNTOWN AREA OF NACOGDOCHES; AND DESIGNATING AUTHORIZED SIGNATORIES FOR RELATED CONTRACTUAL AND FINANCIAL DOCUMENTS.

WHEREAS, the U.S. Economic Development Administration (EDA) has issued a Notice of Funding Opportunity for eligible units of local government to apply for funding under the Fiscal Year 2025 Disaster Supplemental Grant Program; and

WHEREAS, these funds may be used to support an Implementation Path application to advance design and construction of the City's Centralized Parking Facility; and

WHEREAS, the City of Nacogdoches, part of the Deep East Texas Council of Governments and Economic Development District, has a demonstrated need for targeted economic development efforts; and

WHEREAS, the City has been regularly impacted by flooding along Banita Creek from significant storms, including Hurricane Beryl, which was declared a federal disaster on July 12, 2024, for which the City is eligible to apply for EDA Disaster Supplemental funding.

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

1. The City commits to providing up to a twenty (20%) percent local match toward the proposed project, affirming that such funds are committed, available as needed, and unencumbered and unrestricted.
2. The City Council authorizes the development and submission of the grant application, and further authorizes the City Manager, Executive Director of Development and Infrastructure, and Assistant Director of Finance to execute any and all necessary documents in connection therewith.

APPROVED AND ADOPTED at a regular meeting of the Nacogdoches City Council on this 2nd day of December 2025.

CITY OF NACOGDOCHES

Randy Johnson, Mayor

ATTEST:

Karen Hadnot, City Secretary

APPROVED AS TO FORM:

Jerry Baker, City Attorney