



September 7, 2021

Notice is hereby given of a Regular Meeting of Nacogdoches City Council to be held on the above date via videoconference, with the opportunity to appear in person in the City Council Chamber of City Hall, 202 East Pilar Street, Nacogdoches, Texas, with a Work Session beginning at 4:30 p.m. and Regular Session beginning at 5:30 p.m. for the purpose of considering the following agenda items.

In accordance with Orders of the Governor due to the COVID-19 pandemic, the City of Nacogdoches City Council meeting will be deemed as being conducted via teleconference or videoconference. However, some City Council Members may attend virtually, while others may be present in the above stated physical location. Regardless, 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 either by teleconference or in person in Council Chambers. For those attending in person, strict adherence to COVID-19 related CDC guidelines will be enforced at all times.

Members of the public who wish to submit comments by telephone on a listed agenda item must contact the City Secretary's office by email at vinsonj@nactx.us or by calling 936-559-2506 and providing their name, telephone number and relevant agenda item upon which they wish to speak. All requests to make comments by telephone must be received by 12:00 p.m. on September 7, 2021. For all timely requests received, staff will call the submitted phone numbers directly during the meeting when the corresponding item comes up for comment. NOTE: The incoming phone call from City staff will be an unfamiliar number.

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

1. Call to order.
2. Pledge of Allegiance.
3. WORK SESSION:
 - A. Receive a report, hold a discussion, and give staff direction regarding the creation of a Task Force for improving communications between the City and residents. (City Manager)
 - B. Receive an update, hold a discussion and give staff direction regarding the proposed Comprehensive Land Use Plan and Downtown Master Plan studies. (City Manager)
4. Open Forum.
5. Items to be removed from Consent Agenda.
6. **CONSENT AGENDA: Items included under Consent Agenda require little or no deliberation by Council. Approval of Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations as reflected in the minutes of this meeting.**

- A. Consider approval of minutes for August 17, 2021 regular meeting. (City

Secretary)

- B. Consider the appointment of an individual to serve on the Naming Committee to fill a vacant position. (Mayor)
- C. Discussion and consideration of all matters incident and related to the issuance of the City of Nacogdoches, Texas, Tax Notes, Series 2021, including the adoption of an ordinance authorizing the issuance of such Notes. (Finance Director)
- D. Consider adoption of a budget amendment for the purchase of an aerial apparatus for the Fire Department. (Finance Director)

7. **REGULAR AGENDA:**

- A. **Public Hearing:** Consider a Specific Use Permit for Liquor By the Drink for Lots 30, 49, 49-A & 49-B, and Outlot 47-A, City Block 43, as described in a deed dated July 17, 2020, recorded in Document Number 2020-4460 of the Real Property Records of Nacogdoches County, located on the southwest corner of Bremond Street and W. Main Street. This request has been submitted by Brent Ivy of Ivy Gott Property LLC. Case File SUP2021-03. (Planning Director) ***Please note that at the regular meeting of the City Council held on August 17th, 2021, the Council voted unanimously to postpone the public hearing to the regular meeting of the City Council on September 7th, 2021.**
- B. **Public Hearing:** Hold a public hearing and receive citizen input on the FY2021-2022 Proposed Budget (Finance Director)
- C. Consider ordinance of the City of Nacogdoches, Texas approving and adopting annual budget for fiscal year beginning October 1, 2021 and ending September 30, 2022; providing that said expenditures for said fiscal year shall be made in accordance with said budget, unless otherwise authorized by an ordinance adopted by City Council; providing for a repeal clause; providing a severability clause; providing an effective date. (Finance Director)
- D. Discuss and consider adopting Ordinance No. 1878-09-21 amending Chapter 6-Animals, Article I-General Provisions, Division 1-Generally, of the Code of Ordinances, City of Nacogdoches, Texas to clarify ownership of abandoned animals and clarify that the animal control officer is vested with the authority outlined in the Chapter 6. (Animal Services Manager)
- E. Receive a report, hold a discussion and give staff direction regarding the Nacogdoches Economic Development Corporation annual report. (Economic Development Director)
- F. Consider the appointment of up to three members to the Nacogdoches Economic Development Corporation Board of Directors. (Economic Development Director)

- G. Consider approval of a contract by and between the City of Nacogdoches and Duplichain Contractors for the 2019 Water Line Improvements Project in a not-to-exceed amount of \$496,856.00 (Assistant Director of Public Works)
- H. Consider rejecting bid for construction of restroom facilities at Maroney Park, Pecan Park, and Pilgrim's Sportsplex. (Community Services Director)

Council may conduct Executive Session deliberation, reconvening open session for action, if any, on Executive Session items. Regular Session agenda items appropriate for Executive Session consideration may be moved into Executive Session for deliberation, but not action, upon proper announcement at the meeting by presiding officer.

8. **EXECUTIVE SESSION:**

- A. Personnel Matters – Pursuant to Texas Government Code Section 551.074, deliberations regarding the duties of a public officer or employee. The subject of this Executive Session is to discuss and give feedback to the City Manager regarding his annual evaluation.

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

10. Adjourn.



Jan Vinson, City Secretary



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

CERTIFICATION

I certify the notice of meeting was posted in the directory outside of City Hall, 202 E. Pilar Street, Nacogdoches, Texas on September 2, 2021 at 11 a.m. and remained posted until meeting convened.

Jan Vinson, City Secretary

PRESENTER: Mario Canizares, City Manager

ITEM/SUBJECT: Receive a report, hold a discussion, and give staff direction regarding the creation of a Task Force for improving communications between the City and residents. (City Manager)

SUMMARY/BACKGROUND: On June 15, 2021, the City Council established the creation of a ten person task force to conduct a review of the City's overall communication efforts and provide recommendations to staff and City Council.

The effort was an idea brought forward by Council Member, Kathleen Belanger in early June. The purpose of the task force is to work closely with City staff to conduct a review and evaluation of the communication efforts and methodologies employed by the City of Nacogdoches. In addition, the task force is charged with providing a series of recommendations for city management and City Council that will enhance two-way communication efforts for the community. The Communications Task Force will be comprised of ten members who will be appointed by the City Council.

The specific charge for the task force is the following:

1. Determine Existing Communications Structure/Efforts - General and Emergency Communications

Interview City staff and stakeholders to identify and evaluate existing plans and execution of communication efforts including emergency and non-emergency interactions.

2. Gather Input from Key Communities

Visit with local communication professionals, representatives of local communities and others to identify optimum tools and methods for delivering information to and receiving information from residents.

3. Review and Assess Findings

Compile, analyze and prioritize information gathered from all sources and develop a list of findings to share with the City.

4. Deliver Conclusions and Recommendations

Draw conclusions from interviews, visits and findings and make recommendations to the City on how best to improve engagement with residents.

The City Council members have recommended names to serve on the task force (see attachment). There are also some specific projects and tasks that need addressing in the short-term and those include:

- A City website refresh
- Communication efforts by Public Safety before, during, and after an emergency

- Review and make recommendations to the City's communications/marketing plan

Based on the input and direction of City Council, staff will be ready to bring forward the names to be appointed to this effort at the September 17, 2021 City Council meeting.

FINANCIAL:

No financial impact associated with this item

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

Community Engagement/Diverse Environment

CITY CONTACT: Mario Canizares, City Manager
canizaresm@nactx.us
936-559-2501

ATTACHMENTS:

1. Communication Task Force CC Nominations
2. PowerPoint Presentation

COMMUNICATION TASK FORCE
City Council Nominations

JIMMY MIZE

Graham Garner
Alex Ranc

ROY BOLDON

GW Neal
James Montoya

AMELIA FISCHER

Evelyn Hernandez Saucedo
Roy Reyes

JAY ANDERSON

Natalie Arriola
Placeholder, name pending

KATHLEEN BELANGER

Chris Hancock
Brad Maule



Communications Task Force

September

Charge of the Task Force

- **Determine Existing Communications Structure/Efforts** - General and Emergency Communications
 - Interview City staff and stakeholders to identify and evaluate existing plans and execution of communication efforts including emergency and non-emergency interactions
- **Gather Input from Key Communities**
 - Visit with local communication professionals, representatives of local communities and others to identify optimum tools and methods for delivering information to and receiving information from residents.
- **Review and Assess Findings**
 - Compile, analyze and prioritize information gathered from all sources and develop a list of findings to share with the City.
- **Deliver Conclusions and Recommendations**
 - Draw conclusions from interviews, visits and findings and make recommendations to the City on how best to improve engagement with residents.

Task Force Names

- Graham Garner
- Alex Ranc
- G.W. Neal
- James Montoya
- Evelyn Hernandez Saucedo
- Roy Reyes
- Natalie Arriola
- *Placeholder, name pending*
- Chris Hancock
- Brad Maule

*Members would be appointed at the September 21, 2021 City Council meeting



Q&A
Thank You!

PRESENTER: Mario Canizares, City Manager

ITEM/SUBJECT: Receive an update, hold a discussion and give staff direction regarding the proposed Comprehensive Land Use Plan and Downtown Master Plan studies. (City Manager)

SUMMARY/BACKGROUND: During the December 15, 2020 and January 19, 2021 City Council meetings, staff presented a list of long-range studies and strategies that would assist the City in creating long-term, strategic action-plans to help further current and future planning, engineering and economic development efforts. Based on input received from City Council at both work sessions, staff was directed to move forward with the advancement of these initiatives, including conducting the procurement process of the following two proposals: Hire a consultant to create a Downtown Master Plan; and, Hire a consultant to update the City's Comprehensive Plan.

The Downtown Master Plan would create a vision for downtown Nacogdoches and act as a framework for future ordinances and initiatives with strategies to help reinvigorate the downtown area. This plan would also include a market analysis to explore how much, and what type of new retail, entertainment, and housing exists, and might be needed in the years ahead. A design plan for the downtown was last completed in 1974.

The Comprehensive Plan update would include a review of current conditions of land uses, recommend future land uses, a future transportation plan, and implementation strategies. The update would include an in-depth study of the proposed I-69 Corridor which would include more specific future land use, utility, and design suggestions. The update would also incorporate a housing needs assessment, which would include a review of the City's current housing stock and project housing needs for the near and long term. The Comprehensive Plan was last updated in 2003.

On May 18th, City staff provided an update to City Council on the project and procurement process used for the two studies. At this meeting, City Council recommended that the City host two public forum sessions and establish two committees to work on the studies. The committees would work directly with the staff and the consultant at the beginning and throughout the study period.

The public forum sessions were held on Monday, June 7, 2021 and Tuesday, June 8, 2021. The attendance at the meetings drew approximately 165 and 155 people respectively. Many good questions were presented by the attendees. A survey was also created to allow for additional input from the community. The survey and committee application were made available on the City's website. On June 15th, staff presented the City Council with the survey results and feedback received at the public forums. On June 18th, the Request for Qualifications (RFQ) Evaluation Team met to finalize the scoring for the consultant selection for both the Comprehensive Plan Update and the Downtown Master Plan.

On August 24, 2021, a work session with City Council was scheduled at the Recreation Center Community Meeting Room to introduce the selected consultant, DTJ Design, for both long range studies. DTJ Design provided an extensive presentation on the approach to these studies and invited the City Council to ask questions.

It was requested by a Council Member that staff bring forward a discussion item at the next regular City Council meeting (September 7, 2021). There will be no formal action taken at this meeting. The staff is requesting direction from the City Council about how to proceed with this project. This would include bringing a contract award and committee appointments to an upcoming City Council meeting.

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; Neighborhood Revitalization and Attainable Housing; Community Engagement/Diverse Environment; Infrastructure; I-69 Development; Economic Development.

CITY CONTACT: Mario Canizares, City Manager
canizaresm@nactx.us
936-559-2501

ATTACHMENTS: 1. PowerPoint Presentation



**Comprehensive Land Use Plan
Downtown Master Plan
Steering Committees
September 7, 2021**

Discussion:

- Time line recap
- Discussion among City Council regarding approach for the project
- Discussion regarding Steering Committees
- Financial Recap
- Direction from City Council

Timeline

- December 15, 2020 work session with Council on studies and strategies.
- January 19, 2021 work session with Council on studies and strategies. Direction given to proceed with Comprehensive Plan and Downtown Master Plan.
- March 7, RFQ's published.
- March 26, deadline for RFQs.
- April 5, review panel met to review RFQ submittals.
- May 1, City Election
- May 11 & 13, interviewed 3 semi-finalists for Comp. Plan & DT Master Plan.
- May 18, City Council work session to update new City Council on the studies.
- June 7 & 8, public forum meetings.
- June 15, City Council work session to discuss public forum follow-up and presentation of survey results. Given direction by CC to proceed with selection of consultant.
- August 24, City Council work session to meet DTJ Design and learn about approach to proposed studies and discuss citizen committees.
- September 7, City Council work session to review August 24 meeting.

Committee Makeup:

Comprehensive Land Use Plan – 15 persons

- City Council Member, NISD Rep, Planning & Zoning Commission Member, SFA Rep, NEDCO Board Rep, and 10 from the community

Downtown Master Plan – 14 persons

- City Council Member, Nac Main Street Rep, NHLPC Rep, CVB Board Rep, and 10 from the community

- All committee meetings would be open to the public
- All committee members appointed by City Council

Comprehensive Plan (12-16 months)

- Council Member: Unknown
- Jimmy Mize: Ed Pool and Juan Gonzales
- Roy Boldon: James Montoya and Mable Canning
- Amelia Fischer: Denise McDonald and Michara DeLaney-Fields
- Jay Anderson: Paul Jackson and Sydney Register
- Kathleen Belanger: Brad Maule and Larry King
- SFASU Rep: Carrie Charley
- NISD Rep: Jacob Lusk
- P&Z Commission: Ken Deppisch
- NEDCO Rep: Steele Wright

Downtown Master Plan (10-12 months)

- Council Member: Unknown
- Jimmy Mize: Susie Patterson and Ramsey Parr
- Roy Boldon: Mario Torres and G.W. Neal
- Amelia Fischer: Evelyn Saucedo and Anne Kelly
- Jay Anderson: John Anderson and Jeff Abt
- Kathleen Belanger: Ben Sullivan and Laura Culpepper
- Main Street Rep: Miles McCall
- HLPC Rep: Perky Beisel
- CVB Rep: John McLaren

Committee Responsibilities & Guiding Principles

- Represent the community in the planning process.
- Provide guidance and direction to staff and consultants at crucial steps in the process.
- Stay connected with the community in the planning process.
- Serve as hosts and facilitate at public events when needed.
- Recruit hard-to-reach populations to share input and participate in the engagement process.
- Communicate information during the planning process through individual networks.
- Work to ensure diverse representation in the process and through community events.

Guiding Principles:

- Having regular attendance, staying engaged, and being participative in the planning process.
- A quorum is a simple majority to conduct business.
- Maintaining decorum at all times.
- Decision making is through group consensus.
- All meetings are open to the public.

Financial Recap

The fee proposed by the DTJ Design for both projects is \$427,325. To cover reimbursables, staff is rounding to \$450,000.

This item will be budgeted at \$450,000 in General Fund Reserves, Miscellaneous Capital.

The following are recommended funding sources to cover the costs of the project:

- Transfer from Economic Development Fund: \$ 50,000
- Revenue Contribution from NEDCO: \$ 50,000 (this is pending approval by the NEDCO Board)
- General Fund Reserves: \$350,000

The Economic Development Fund has a net fund balance of: \$488,523 (this is net of the Economic Development incentives pledged to the flight school development).

The estimated fund balance in the General Fund as of 7/31/2021: \$11,780,500.

Direction from City Council

Options to consider:

1. Proceed with bringing a contract for consideration to the September 21 City Council meeting.
 - This includes consideration of the committee appointments.
2. Terminate the procurement process for the studies.
 - This includes terminating the committee appointments.
3. Consider other options.



Q&A

Thank You!

Visit us at www.nacogdochesplans.com



City Council Meeting

Date: September 7, 2021

Agenda Item: 6.A.

PRESENTER: Jan Vinson, City Secretary

ITEM/SUBJECT: Consider approval of minutes for August 17, 2021 regular meeting. (City Secretary)

SUMMARY/BACKGROUND:

FINANCIAL:

No financial impact associated with this item

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

Not Applicable

CITY CONTACT: Jan Vinson, City Secretary
vinsonj@nactx.us
936-559-2506

ATTACHMENTS: 1. Minutes



Regular Session
Nacogdoches City Council
August 17, 2021 – 5:30 p.m.
City Council Room – City Hall
202 East Pilar Street

DRAFT

City Council present in person: Mayor Jimmy Mize, Council Members Roy Boldon and Kathleen Belanger. **Absent:** Council Member Amelia Fischer **Videoconference:** Council Member Jay Anderson

1. Called to order at 5:32 p.m.
2. Pledge of Allegiance.
3. No one spoke during Open Forum.
4. Item 5.B was removed from the Consent Agenda at the request of Council Member Boldon.
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. Minutes from August 3, 2021 regular meeting.
 - B. Consider adopting Ordinance No. 1872-08-21 amending Section 74-62 of Code of Ordinances, City of Nacogdoches, Texas to provide hours of operation and correcting the name of Festival Park.
 - C. Consider Resolution No. 1277-08-21 expressing intent to reimburse certain expenditures, specifically the purchase of a 100' Pierce Ascendant tower truck and associated equipment for the Fire Department and the cost of professional services incurred in connection therewith.

Council Member Kathleen Belanger moved approval of Consent Agenda Items 5.A and 5.C; motion duly seconded by Council Member Jay Anderson and carried by unanimous vote.

5.B Brian Bray, Director of Community Services, discussed Consent Agenda Item 5.B at the request of Council Member Boldon. Mr. Bray stated staff noticed a need to set park hours due to recent issues with loitering over night. Staff is requesting approval of an ordinance establishing operating hours for all City parks. The parks would be closed between 10 p.m. and 6 a.m. which would make it unlawful for any person to enter or be found in City parks during these hours. Staff is hopeful that posting signs noting the hours City parks are closed will curtail unlawful loitering in all City parks.

Council Member Boldon inquired about the homeless population sleeping in City parks and how staff will handle those situations. Police Chief Sevey stated that the Police Department will always offer alternative shelter options to the homeless.

Council Member Roy Boldon moved approval of Consent Agenda Items 5.B; motion duly seconded by Council Member Jay Anderson and carried by unanimous vote.

6. **REGULAR AGENDA:**
 - A. **Public Hearing:** Consider a Specific Use Permit for Liquor By the Drink for Lots 30, 49, 49-A & 49-B, and Outlot 47-A, City Block 43, as described in a deed dated July 17, 2020, recorded in Document Number 2020-4460 of the Real Property Records of Nacogdoches County, located on the southwest corner of Bremond Street and W. Main Street. This request has been submitted by Brent Ivy of Ivy Gott Property LLC. Case File SUP2021-03.

Alaina Chafin, Planning Director, stated the purpose of this Specific Use Permit (SUP) is to develop the property into an indoor/outdoor bar and food service establishment with a family-friendly outdoor recreation area. The applicant is also proposing to accommodate local food trucks and live entertainment on the property. Hours of operation for the proposed business will be 11 a.m. to 10 p.m. Mrs. Chafin discussed adjacent land use and zoning, common nuisances associated with this type of use, orderly growth and development, and buffers between residential and commercial properties.

Minutes unofficial until approved by City Council

Staff finds that while the Future Land Use Plan designation is not consistent with the current zoning of the property, the request is otherwise in compliance with the Comprehensive Plan. The applicant does plan to preserve a natural buffer around the proposed business to assist nuisances from light and noise.

Notices were mailed to eleven property owners within the 200 foot notification area and courtesy notices were mailed to property owners within 500 feet of the subject property. Staff received two responses in favor of the request.

The Planning and Zoning Commission met on August 9, 2021 and voted unanimously to recommended approval of the Specific Use Permit.

Mayor Mize opened the Public Hearing.

Fred Hooper, who lives at 715 West Main Street, stated his property adjoins the subject property and he is concerned about noise from the outdoor live entertainment.

Kay Hooper, who also lives at 715 West Main Street, spoke about her concerns of losing the historic continuity of the neighborhood.

Barbara Stump, who lives at the intersection of West Main and South Sanders Street, spoke in support of the Hooper's and their concern regarding the noise that may be created from the outdoor live entertainment.

Bill Sheridan, owner of Flashback Café, is concerned about traffic issues that may be created near the subject property.

Brent Ivy, applicant, stated the plan was to use the stage for acoustic music only. He also stated he will be cognizant of the neighbors, and the idea has always been to have indoor and outdoor seating with areas for children to play. Mr. Ivy stated he will not allow music if that is an issue for the neighbors.

Mayor Mize closed the public hearing.

City Council discussed the option of postponing a decision until a compromise can be reached, conditions placed on the property, noise pollution, relocating the stage and noise barriers.

Council Member Kathleen Belanger moved to postpone this Public Hearing to September 7, 2021; motion duly seconded by Council Member Roy Boldon and carried by unanimous vote.

- B. **Public Hearing:** Consider a Zone Change from B-2, General Business to R-4, Multi-Family for Lot 3, City Block 56, of the Alvarez Subdivision No.1, located at 3327 Old Lufkin Road. This request has been submitted by Bryan Omar Rojo. Case File ZON2021-06.

Planning Director Alaina Chafin stated the subject property is currently zoned B-2, General Business but is developed as a single family residence and has served as the applicant's primary residence for the past seven years. The single family home was built prior to the City's first zoning ordinance and zoning map. After the adoption of the zoning map the subject property was zoned R-4, Multi Family until a zone change to B-2, General Business occurred in 1985 rendered the property legal nonconforming. The legal nonconforming status of the property impacts the appraisal value and the ability of the property owner to refinance the home, as well as the ability to expand or renovate the home in the future.

Notices were mailed to eleven property owners within the 200 foot notification area and courtesy notices mailed to property owners within 500 feet of the subject property. Staff received no contacts regarding the request.

The Planning and Zoning Commission met on August 9, 2021 and voted unanimously to recommended approval of the zone change request.

Mayor Mize opened the Public Hearing. No one spoke for or against and the Public Hearing was closed.

Council Member Roy Boldon moved approval; motion duly seconded by Council Member Jay Anderson and carried by unanimous vote.

- C. **Public Hearing:** Consider a Zone Change from B-2, General Business to R-2, Single Family for Lots 8-16 & Lots 19-23, City Block 56, Section One of the Brookhollow Addition. This request has been submitted by Damon Register of Double D Land Investments, LLC. Case File ZON2021-07.

Planning Director Alaina Chafin stated the request is for a zone change from B-2, General Business to R-2, Single Family for fourteen contiguous lots located along the east and west side of Brookhollow Drive. All fourteen lots are owned by the applicant and he intends to develop them as single family residences. After the adoption of the City's first zoning map the subject property was zoned B-2, General Business but is developed as single family residences.

Notices were mailed to eleven property owners within the 200 foot notification area and courtesy notices mailed to property owners within 500 feet of the subject property. Staff received one response in favor of the request.

The Planning and Zoning Commission met on August 9, 2021 and voted unanimously to recommended approval of the zone change request.

Mrs. Chafin stated if this request is approved then staff does intend to initiate a City zone change on the remaining portion of Brookhollow Subdivision to create opportunities for infill and moderate income housing.

Mayor Mize opened the Public Hearing. No one spoke for or against and the Public Hearing was closed.

Council Member Kathleen Belanger moved approval; motion duly seconded by Council Member Roy Boldon and carried by unanimous vote.

- D. Receive a presentation, hold a discussion and give staff direction regarding the proposed 2021-2022 budget.

Pam Curbow, Finance Director, reviewed proposed revenues and expenses for the General Fund, Utility Fund and Sanitation Fund. Budget items to note include no premium increase for health/dental insurance, 1% cost of living adjustment for all employees, minimum wage increase to \$13.33, additional employees added to Code Enforcement, Customer Service, Historic Sites, Streets, Utility and Sanitation Operations, and community outreach and engagement is not included in the proposed budget at this time. Ms. Curbow also reviewed the budget calendar.

Council Member Kathleen Belanger stated she is concerned about personnel costs. Council Member Belanger would like to eliminate the Office Assistant at Sunset Cemetery and the Museum Assistant at Zion Hill Baptist Church from the budget which will save the City money, and may prevent layoffs and allow for cost of living increases in the future.

Brian Bray, Community Services Director, stated the Office Assistant at Sunset Cemetery will increase customer service by having a staff member present for a set amount of hours each day. Mr. Bray went on to say that the Historic Sites Department does not have enough personnel to open Zion Hill Baptist Church along with the other museums without the addition of another Museum Assistant.

Mayor Jimmy Mize, Council Member Jay Anderson and Council Member Roy Boldon agree that both positions need to remain in the budget. Council Member Kathleen Belanger stated she would eliminate the Office Assistant at Sunset Cemetery and add one part-time Museum Assistant for the Zion Hill Baptist Church.

City Council discussed the duties and work hours and of the Office Assistant at Sunset Cemetery and the Museum Assistant at Zion Hill Baptist Church.

Other discussed included sales tax projections and trends.

Finance Director Pam Curbow will proceed with the proposed FY2021-2022 budget as presented.

- E. City Council record vote on Proposed Tax Rate for the 2021-2022 fiscal year.

Pam Curbow, Finance Director, discussed the City's assessed value, new property added to the tax rolls and property tax rate. The proposed tax rate is 0.6160/\$100 which will generate \$553,545 in new revenue. Ms. Curbow also discussed average home value in Nacogdoches.

Council Member Boldon said his constituents support the proposed tax rate if City services are improved.

Council Member Roy Boldon moved to approve the proposed tax rate for the 2021-2022 fiscal year as 0.6160/\$100; motion duly seconded by Council Member Jay Anderson and carried by unanimous vote.

- F. Consider approval of an interlocal agreement between Nacogdoches County and the City of Nacogdoches to provide assistance to the City from the Justices of the Peace in the event that the City Judge is unable or unavailable to perform magistrate duties.

City Attorney Steve Kirkland stated this agreement will provide for magistrate duties from the Justices of the Peace in the event the Municipal Court Judge is unavailable. Compensation shall be paid by the City to the Justices, individually, at a fee of \$100 per detainee for which magistration is required. The City shall pay an additional \$100 if an emergency order for protection is requested or issued.

Council Member Kathleen Belanger moved approval; motion duly seconded by Council Member Jay Anderson and carried by unanimous vote.

7. Adjourned 7:23 p.m.

ATTEST:

Mayor Jimmy Mize
City Council
City of Nacogdoches

Jan Vinson, City Secretary



City Council Meeting

Date: September 7, 2021

Agenda Item: 6.B.

PRESENTER: Jimmy Mize, Mayor

ITEM/SUBJECT: Consider the appointment of an individual to serve on the Naming Committee to fill a vacant position. (Mayor)

SUMMARY/BACKGROUND: Jimmy Mize has served on the Naming Committee since its creation. Jimmy Mize was elected as Mayor of the City of Nacogdoches in May 2021. As Mayor, Mr. Mize can not serve on a City Board, therefore leaving a vacant position.

The Naming Committee met on August 4, 2021 to discuss nominations to fill the vacant position. Stacy Jacobs and Faye Curl were both nominated. By a vote of 3 to 1, the Naming Committee recommends Faye Curl be appointed to serve on the Naming Committee to fill the vacancy left by Mayor Jimmy Mize.

FINANCIAL:

No financial impact associated with this item

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

Not Applicable

CITY CONTACT: Jan Vinson, City Secretary
vinsonj@nactx.us
936-559-2506

ATTACHMENTS: 1. Curl, Faye

Attn: Jan

Nacogdoches

the oldest town in Texas

Application for Appointment to City Boards and Committees

Name of Board/Committee applying for: Street Naming Committee

Note: A person may serve on a maximum of two (2) City boards or committees at one time.

Name: Curl Faye R
(Title) (Last) (First) (Middle)

Permanent Residence Address: 155 CR 5081 Nacogdoches TX 75961
(Street) (City) (State) (Zip)

Preferred Mailing Address: _____
(PO Box/Street) (City) (State) (Zip)

Phone: 936-569-7379 email: reneecurl@outlook.com

Occupation: Retired

Employer: _____ Occupation: _____

Are you a registered voter in the City of Nacogdoches? ☒ Yes ☐ No

Are you a resident of the City of Nacogdoches? ☒ Yes ☐ No

Do you, your spouse or your employer have any financial interest, direct or indirect, in any contract with the City of Nacogdoches? ☐ Yes ☒ No If yes, please explain: _____

Do you, your spouse or your employer have any financial interest, direct or indirect, regarding the sale of land, materials, supplies or services to the City of Nacogdoches? ☐ Yes ☒ No If yes, please explain: _____

Do you, your spouse or your employer have any financial interest, direct or indirect, in matters that might come before the Board/Committees to which you are seeking appointment? ☐ Yes ☒ No If yes, please explain: _____

Convictions: Have you been convicted of violating any federal, state or municipal law, regulation or ordinance? ☐ Yes ☒ No If yes, please give details. Do not include traffic violations. _____

Name: Faye R. Curl

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BACKGROUND

Education: Master's in Education from SEASU

Professional: _____

Volunteer Experience/Community Service: H.O.P.E.; Hospice; Rec. Center during KatrinaAreas of Interest: I enjoy writing and baking. I use or combine those two things to brighten someone's day

Please specify membership on any other board/committee. List all boards, commissions, corporations, non-profit entities, agencies, etc. which you are currently a member of or employed by along with your title and dates of service.

Organization: _____

Title: _____

Dates: _____

Organization: _____

Title: _____

Dates: _____

Organization: _____

Title: _____

Dates: _____

Please attach a brief narrative outlining your interest and qualifications for seeking appointment. You may also add a resume or additional information.

I have read and understand the instructions and appointment process. The foregoing and all attachments are true and correct; and I agree any misrepresentation or omission of fact may result in disqualification.

Faye R. Curl
Signature9-1-2021
Date

FILE COMPLETED APPLICATION WITH THE CITY SECRETARY BY DEADLINE

City Secretary
P.O. Box 635030
Nacogdoches, Texas 75963
Phone: 936-559-2506
Fax: 936-559-2912

Note: Information provided is subject to the Texas Public Information Act (Government Code Chapter 552)



City Council Meeting

Date: September 7, 2021

Agenda Item: 6.C.

PRESENTER: Pam Curbow, Finance Director

ITEM/SUBJECT: Discussion and consideration of all matters incident and related to the issuance of the City of Nacogdoches, Texas, Tax Notes, Series 2021, including the adoption of an ordinance authorizing the issuance of such Notes. (Finance Director)

SUMMARY/BACKGROUND: City Council approved the purchase of a new Fire Department aerial apparatus at the August 17, 2021 City Council meeting. This ordinance authorizes the issuance of tax notes as the mechanism of financing this apparatus.

The ordinance will be added before the City Council meeting.

FINANCIAL:

No financial impact associated with this item

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

Not Applicable

CITY CONTACT: Pamela Curbow, Finance Director
curbowp@nactx.us
936-559-2526

ATTACHMENTS: 1. Ordinance 2021 Tax Note Issuance

ORDINANCE NO. 1879-09-21

AN ORDINANCE authorizing the issuance of "CITY OF NACOGDOCHES, TEXAS, TAX NOTES, SERIES 2021"; specifying the terms and features of said notes; levying a continuing direct annual ad valorem tax for the payment of said notes; and resolving other matters incident and related to the issuance, sale, payment, and delivery of said notes, including the approval and execution of a Paying Agent/Registrar Agreement and a Purchase Letter; and providing an effective date.

WHEREAS, pursuant to Texas Government Code, Chapter 1431, as amended, the City Council of the City of Nacogdoches, Texas (the "City") is authorized and empowered to issue anticipation notes to pay contractual obligations to be incurred (i) for the construction of any public work; (ii) for the purchase of materials, supplies, equipment, machinery, buildings, lands and rights-of-way for the City's authorized needs and purposes; and (iii) for professional services rendered in relation to such projects and purposes and the financing thereof; and

WHEREAS, in accordance with the provisions of Texas Government Code, Chapter 1431, as amended, the City Council hereby finds and determines that anticipation notes should be issued and sold at this time to finance the costs of paying contractual obligations to be incurred for (i) the purchase of a fire-fighting truck and fire-fighting equipment and (ii) professional services rendered in relation to such projects and purposes and the financing thereof; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NACOGDOCHES:

SECTION 1: Authorization - Designation - Principal Amount - Purpose. Notes of the City shall be and are hereby authorized to be issued in the aggregate principal amount of \$1,521,000, to be designated and bear the title "CITY OF NACOGDOCHES, TEXAS, TAX NOTES, SERIES 2021" (hereinafter referred to as the "Notes"), for the purpose of paying contractual obligations to be incurred for (i) the purchase of a fire-fighting truck and fire-fighting equipment and (ii) professional services rendered in relation to such projects and purposes and the financing thereof, in conformity with the Constitution and laws of the State of Texas, including Texas Government Code, Chapter 1431, as amended.

SECTION 2: Fully Registered Obligations - Note Date - Authorized Denominations - Stated Maturity - Interest Rate. The Notes shall be issued as fully registered obligations only, shall be dated September 28, 2021 (the "Note Date"), shall be in denominations of \$100,000 or any integral multiple of \$1,000 in excess thereof, and shall become due and payable on August 15, 2028 (the "Stated Maturity").

The Notes shall bear interest on the unpaid principal amounts from the date of delivery to the initial purchasers (the "Delivery Date") at the rate of 1.050% per annum. Interest on the Notes shall be calculated on the basis of a 360-day year of twelve 30-day months, and such interest shall be payable on February 15 and August 15 in each year, commencing February 15, 2022, until maturity or prior redemption.

SECTION 3: Terms of Payment - Paying Agent/Registrar. The principal of, premium, if any, and the interest on the Notes, due and payable by reason of maturity or otherwise, shall be payable only to the registered owners or holders of the Notes (hereinafter called the "Holders")

appearing on the registration and transfer books maintained by the Paying Agent/Registrar, and the payment thereof shall be in any coin or currency of the United States of America which, at the time of payment, is legal tender for the payment of public and private debts, and shall be without exchange or collection charges to the Holders.

The selection and appointment of First National Bank Texas, Killeen, Texas to serve as Paying Agent/Registrar for the Notes is hereby approved and confirmed. Books and records relating to the registration, payment, transfer, and exchange of the Notes (the "Security Register") shall at all times be kept and maintained on behalf of the City by the Paying Agent/Registrar, as provided herein and in accordance with the terms and provisions of a "Paying Agent/Registrar Agreement," substantially in the form attached hereto as **Exhibit A**, and such reasonable rules and regulations as the Paying Agent/Registrar and the City may prescribe. The Finance Director or other authorized representative of the City is authorized to execute and deliver such Agreement in connection with the delivery of the Notes. The City covenants to maintain and provide a Paying Agent/Registrar at all times until the Notes are paid and discharged, and any successor Paying Agent/Registrar shall be a commercial bank or trust company, financial institution or other entity qualified and authorized to serve as and perform the duties and services of Paying Agent/Registrar for the Notes. Upon any change in the Paying Agent/Registrar for the Notes, the City agrees to promptly cause a written notice thereof to be sent to each Holder by United States Mail, first class postage prepaid, which notice shall also give the address of the new Paying Agent/Registrar.

Principal of and premium, if any, on the Notes shall be payable at the Stated Maturity, only upon presentation and surrender of the Notes to the Paying Agent/Registrar at its designated offices, initially in Killeen, Texas, or, with respect to a successor Paying Agent/Registrar, at the designated offices of such successor (the "Designated Payment/Transfer Office"). Interest on the Notes shall be paid to the Holders whose names appear in the Security Register at the close of business on the Record Date (the last business day of the month next preceding each interest payment date) and shall be paid by the Paying Agent/Registrar (i) by check sent United States Mail, first class postage prepaid, to the address of the Holder recorded in the Security Register or (ii) by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Holder. If the date for the payment of the principal of or interest on the Notes shall be a Saturday, Sunday, a legal holiday, or a day when banking institutions in the city where either the Paying Agent/Registrar or the Designated Payment/Transfer Office is located are authorized by law or executive order to be closed, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day when banking institutions are authorized to be closed; and payment on such date shall have the same force and effect as if made on the original date payment was due.

In the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States Mail, first class postage prepaid, to the address of each Holder appearing on the Security Register at the close of business on the last business day next preceding the date of mailing of such notice.

SECTION 4: Redemption. (a) Optional Redemption. The Notes shall be subject to redemption prior to maturity, at the option of the City, in whole in principal amounts of \$1,000 or

any integral multiple thereof, on any date at the redemption price of par plus accrued interest to the date of redemption.

At least forty-five (45) days prior to a redemption date for the Notes (unless a shorter notification period shall be satisfactory to the Paying Agent/Registrar), the City shall notify the Paying Agent/Registrar of the decision to redeem the Notes and the date of redemption therefor. The decision of the City to exercise the right to redeem Notes shall be entered in the minutes of the governing body of the City.

(b) Mandatory Redemption. The Notes shall be subject to mandatory redemption prior to maturity at the price of par plus accrued interest to the mandatory redemption date on the respective dates and in principal amounts as follows:

<u>Redemption Date</u>	<u>Principal Amount (\$)</u>
August 15, 2022	212,000
August 15, 2023	212,000
August 15, 2024	215,000
August 15, 2025	217,000
August 15, 2026	219,000
August 15, 2027	222,000
August 15, 2028	224,000

Approximately forty-five (45) days prior to each mandatory redemption date for the Notes, the Paying Agent/Registrar shall select by lot the numbers of the Notes to be redeemed on the next following August 15 from moneys set aside for that purpose in the Interest and Sinking Fund (as hereinafter defined). Any Note not selected for prior redemption shall be paid on the date of the Stated Maturity.

The principal amount of the Notes required to be redeemed on a mandatory redemption date may be reduced, at the option of the City, by the principal amount of Notes which, at least 50 days prior to the mandatory redemption date, (1) shall have been acquired by the City at a price not exceeding the principal amount of such Notes plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation or (2) shall have been redeemed pursuant to the optional redemption provisions set forth in paragraph(a) of this Section and not theretofore credited against a mandatory redemption requirement.

(c) Notice of Redemption. Not less than thirty (30) days prior to a redemption date for the Notes, a notice of redemption shall be sent by United States Mail, first class postage prepaid, in the name of the City and at the City's expense, or by such other method as the Paying Agent/Registrar shall deem appropriate and effective, to each Holder of the Notes to be redeemed in whole at the address of the Holder appearing on the Security Register at the close of business on the business day next preceding the date of mailing such notice, and any notice of redemption so mailed shall be conclusively presumed to have been duly given irrespective of whether received by the Holder.

(d) Conditional Notice of Redemption. With respect to any optional redemption of the Notes, unless moneys sufficient to pay the principal of and premium, if any, and interest on the Notes to be redeemed shall have been received by the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice may state that said redemption is conditional upon the receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such

redemption, or upon the satisfaction of any prerequisites set forth in such notice of redemption; and, if sufficient moneys are not received, such notice shall be of no force and effect, the City shall not redeem such Notes and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Notes have not been redeemed.

All notices of redemption shall (i) specify the date of redemption for the Notes, (ii) identify the Notes to be redeemed, (iii) state the redemption price, (iv) state that the Notes shall become due and payable on the redemption date specified, and the interest thereon shall cease to accrue from and after the redemption date, and (v) specify that payment of the redemption price for the Notes shall be made at the Designated Payment/Transfer Office of the Paying Agent/Registrar only upon presentation and surrender of the Notes. If a Note is subject by its terms to prior redemption and has been called for redemption and notice of redemption has been duly given as hereinabove provided, such Note shall become due and payable and interest thereon shall cease to accrue from and after the redemption date therefor; provided moneys sufficient for the payment of such Note at the then applicable redemption price are held for the purpose of such payment by the Paying Agent/Registrar.

SECTION 5: Registration - Transfer - Exchange of Notes - Predecessor Notes. A Security Register relating to the registration, payment, and transfer or exchange of the Notes shall at all times be kept and maintained by the Paying Agent/Registrar. The Paying Agent/Registrar shall obtain, record, and maintain in the Security Register the name and address of each and every Holder of the Notes issued under and pursuant to the provisions of this Ordinance, or if appropriate, the nominee thereof. Any Note may be transferred or exchanged for Notes of other authorized denominations by the Holder, in person or by his or her duly authorized agent, upon surrender of such Note to the Paying Agent/Registrar for cancellation, accompanied by a written instrument of transfer or request for exchange duly executed by the Holder or by his or her duly authorized agent, in form satisfactory to the Paying Agent/Registrar.

Upon surrender of any Note (other than the Initial Note referenced in Section 7 hereof) for transfer at the Designated Payment/Transfer Office of the Paying Agent/Registrar, the Paying Agent/Registrar shall register and deliver, in the name of the designated transferee or transferees, one or more new Notes of authorized denominations and having the same Stated Maturity and of a like aggregate principal amount as the Note or Notes surrendered for transfer.

At the option of the Holder, Notes may be exchanged for other Notes of authorized denominations and having the same Stated Maturity, bearing the same rate of interest and of like aggregate principal amount as the Notes surrendered for exchange, upon surrender of the Notes to be exchanged at the Designated Payment/Transfer Office of the Paying Agent/Registrar. Whenever any Notes are surrendered for exchange, the Paying Agent/Registrar shall register and deliver new Notes to the Holder requesting the exchange.

All Notes issued in any transfer or exchange of Notes shall be delivered to the Holders at the Designated Payment/Transfer Office of the Paying Agent/Registrar or sent by United States Mail, first class postage prepaid, to the Holders, and, upon the registration and delivery thereof, the same shall be the valid obligations of the City, evidencing the same obligation to pay, and entitled to the same benefits under this Ordinance, as the Notes surrendered in such transfer or exchange.

All transfers or exchanges of Notes pursuant to this Section shall be made without expense or service charge to the Holder, except as otherwise herein provided, and except that the Paying Agent/Registrar shall require payment by the Holder requesting such transfer or

exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange.

Notes cancelled by reason of an exchange or transfer pursuant to the provisions hereof are hereby defined to be "Predecessor Notes," evidencing all or a portion, as the case may be, of the same obligation to pay evidenced by the new Note or Notes registered and delivered in the exchange or transfer therefor. Additionally, the term "Predecessor Notes" shall include any mutilated, lost, destroyed, or stolen Note for which a replacement Note has been issued, registered, and delivered in lieu thereof pursuant to the provisions of Section 10 hereof and such new replacement Note shall be deemed to evidence the same obligation as the mutilated, lost, destroyed, or stolen Note.

SECTION 6: Execution - Registration. The Notes shall be executed on behalf of the City by the Chairman under its seal reproduced or impressed thereon and countersigned by the City Secretary. The signature of said officers on the Notes may be manual or facsimile. Notes bearing the manual or facsimile signatures of individuals who are or were the proper officers of the City on the Note Date shall be deemed to be duly executed on behalf of the City, notwithstanding that such individuals or either of them shall cease to hold such offices at the time of delivery of the Notes to the initial purchaser(s) and with respect to Notes delivered in subsequent exchanges and transfers, all as authorized and provided in Texas Government Code, Chapter 1201, as amended.

No Note shall be entitled to any right or benefit under this Ordinance, or be valid or obligatory for any purpose, unless there appears on such Note either a certificate of registration substantially in the form provided in Section 8C, manually executed by the Comptroller of Public Accounts of the State of Texas, or his or her duly authorized agent, or a certificate of registration substantially in the form provided in Section 8D, manually executed by an authorized officer, employee, or representative of the Paying Agent/Registrar, and either such certificate duly signed upon any Note shall be conclusive evidence, and the only evidence, that such Note has been duly certified, registered, and delivered.

SECTION 7: Initial Note. The Notes herein authorized shall be initially issued as a single fully registered note in the total principal amount referenced in Section 1 hereof and numbered T-1 and, the Initial Note shall be registered in the name of the initial purchaser(s) or the designee thereof. The Initial Note shall be the Note submitted to the Office of the Attorney General of the State of Texas for approval, certified and registered by the Office of the Comptroller of Public Accounts of the State of Texas and delivered to the initial purchaser(s). Any time after the delivery of the Initial Note, the Paying Agent/Registrar, pursuant to written instructions from the initial purchaser(s), or the designee thereof, shall cancel the Initial Note delivered hereunder and exchange therefor definitive Notes of authorized denominations and principal amounts for transfer and delivery to the Holders named at the addresses identified therefor; all pursuant to and in accordance with such written instructions from the initial purchaser(s), or the designee thereof, and such other information and documentation as the Paying Agent/Registrar may reasonably require.

SECTION 8: Forms.

A. Forms Generally. The Notes, the Registration Certificate of the Comptroller of Public Accounts of the State of Texas, the Registration Certificate of Paying Agent/Registrar, and the form of Assignment to be printed on each of the Notes, shall be substantially in the forms set forth in this Section with such appropriate insertions, omissions, substitutions, and other variations as

are permitted or required by this Ordinance and may have such letters, numbers, or other marks of identification (including identifying numbers and letters of the Committee on Uniform Securities Identification Procedures of the American Bankers Association) and such legends and endorsements (including insurance legends in the event the Notes, or any maturities thereof, are purchased with insurance and any reproduction of an opinion of counsel) thereon as may, consistently herewith, be established by the City or determined by the officers executing such Notes as evidenced by their execution. Any portion of the text of any Note may be set forth on the reverse thereof, with an appropriate reference thereto on the face of the Note.

The definitive Notes and the Initial Note shall be printed, lithographed, engraved, typewritten, photocopied or otherwise reproduced in any other similar manner, all as determined by the officers executing such Notes as evidenced by their execution thereof.

B. Form of Notes.

REGISTERED
NO. [R-___][T-1]

REGISTERED
\$_____

UNITED STATES OF AMERICA
STATE OF TEXAS
CITY OF NACOGDOCHES, TEXAS
TAX NOTES, SERIES 2021

Note Date:
September 28, 2021

Interest Rate:
1.050%

Stated Maturity:
August 15, 2028

Registered Owner: _____

Principal Amount: _____ DOLLARS

The City of Nacogdoches (hereinafter referred to as the "City"), a body corporate and political subdivision in the County of Nacogdoches, State of Texas, for value received, acknowledges itself indebted to and hereby promises to pay to the Registered Owner named above (the "Registered Owner"), or the registered assigns thereof, on the Stated Maturity date specified above the Principal Amount hereinabove stated (or so much thereof as shall not have been redeemed prior to maturity) and to pay interest on the unpaid principal amount hereof from the interest payment date next preceding the "Registration Date" of this Note appearing below (unless this Note bears a "Registration Date" as of an interest payment date, in which case it shall bear interest from such date, or unless the "Registration Date" of this Note is prior to the initial interest payment date in which case it shall bear interest from the date of initial delivery of the Notes) at the per annum rate of interest specified above computed on the basis of a 360-day year of twelve 30-day months; such interest being payable on February 15 and August 15 in each year, commencing February 15, 2022, until maturity or prior redemption. Principal of this Note is payable at its Stated Maturity or upon its prior redemption to the Registered Owner hereof, upon presentation and surrender, at the Killeen, Texas office (the "Designated Payment/Transfer Office") of First National Bank Texas, Killeen, Texas (the "Paying Agent/Registrar"). Interest is payable to the Registered Owner of this Note (or one or more Predecessor Notes, as defined in the Ordinance hereinafter referenced) whose name appears on the "Security Register" maintained by the Paying Agent/Registrar at the close of business on the "Record Date", which is the last business day of the month next preceding each interest payment date, and interest shall be paid by the Paying Agent/Registrar by check sent United States Mail, first class postage

prepaid, to the address of the Registered Owner recorded in the Security Register or by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Registered Owner. All payments of principal of, premium, if any, and interest on this Note shall be without exchange or collection charges to the Registered Owner hereof and in any coin or currency of the United States of America which, at the time of payment, is legal tender for the payment of public and private debts.

If the date for the payment of the principal of or interest on the Notes shall be a Saturday, Sunday, a legal holiday, or a day when banking institutions in the city where either the Paying Agent/Registrar or the Designated Payment/Transfer Office is located are authorized by law or executive order to be closed, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day when banking institutions are authorized to be closed; and payment on such date shall have the same force and effect as if made on the original date payment was due.

The Notes are subject to mandatory redemption prior to maturity with funds on deposit in the Interest and Sinking Fund established and maintained for the payment thereof in the Ordinance, and shall be redeemed in part prior to maturity at the price of par and accrued interest thereon to the date of redemption, and without premium, on the dates and in the principal amounts as follows:

<u>Redemption Date</u>	<u>Principal Amount (\$)</u>
August 15, 2022	212,000
August 15, 2023	212,000
August 15, 2024	215,000
August 15, 2025	217,000
August 15, 2026	219,000
August 15, 2027	222,000
August 15, 2027	224,000

The particular Notes to be redeemed on each redemption date shall be chosen by lot by the Paying Agent/Registrar; provided, however, that the principal amount of Notes required to be redeemed on a mandatory redemption date may be reduced, at the option of the City, by the principal amount of Notes which, at least 50 days prior to the mandatory redemption date, (1) shall have been acquired by the City at a price not exceeding the principal amount of such Notes plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation or (2) shall have been redeemed pursuant to the optional redemption provisions appearing below and not theretofore credited against a mandatory redemption requirement.

The Notes shall be subject to redemption prior to maturity, at the option of the City, in whole, on any date at the redemption price of par plus accrued interest to the date of redemption.

At least forty-five (45) days prior to a redemption date for the Notes (unless a shorter notification period shall be satisfactory to the Paying Agent/Registrar), the City shall notify the Paying Agent/Registrar of the decision to redeem Notes and the date of redemption therefor. The decision of the City to exercise the right to redeem Notes shall be entered in the minutes of the governing body of the City.

Not less than thirty (30) days prior to a redemption date for the Notes, a notice of redemption shall be sent by United States Mail, first class postage prepaid, in the name of the City and at the City's expense, to each Holder of the Notes to be redeemed in whole at the address

of the Holder appearing on the Security Register at the close of business on the business day next preceding the date of mailing such notice, and any notice of redemption so mailed shall be conclusively presumed to have been duly given irrespective of whether received by the Holder.

All notices of redemption shall (i) specify the date of redemption for the Notes, (ii) identify the Notes to be redeemed, (iii) state the redemption price, (iv) state that the Notes shall become due and payable on the redemption date specified, and the interest thereon shall cease to accrue from and after the redemption date, and (v) specify that payment of the redemption price for the Notes shall be made at the Designated Payment/Transfer Office of the Paying Agent/Registrar only upon presentation and surrender of the Notes. If a Note is subject by its terms to prior redemption and has been called for redemption and notice of redemption has been duly given as hereinabove provided, such Note shall become due and payable and interest thereon shall cease to accrue from and after the redemption date therefor; provided moneys sufficient for the payment of such Note at the then applicable redemption price are held for the purpose of such payment by the Paying Agent/Registrar.

With respect to any optional redemption of the Notes, unless moneys sufficient to pay the principal of and premium, if any, and interest on the Notes to be redeemed shall have been received by the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice may state that said redemption is conditional upon the receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, or upon the satisfaction of any prerequisites set forth in such notice of redemption; and, if sufficient moneys are not received, such notice shall be of no force and effect, the City shall not redeem such Notes and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Notes have not been redeemed.

This Note is one of the series specified in its title issued in the aggregate principal amount of \$1,521,000 (herein referred to as the "Notes") for the purpose of paying contractual obligations to be incurred for (i) the purchase of a fire-fighting truck and fire-fighting equipment and (ii) professional services rendered in relation to such projects and purposes and the financing thereof, under and in strict conformity with the Constitution and laws of the State of Texas and pursuant to an Ordinance adopted by the City Council of the City (herein referred to as the "Ordinance").

The Notes are payable from the proceeds of an ad valorem tax levied, within the limitations prescribed by law, upon all taxable property in the City. Reference is hereby made to the Ordinance, a copy of which is on file in the Designated Payment/Transfer Office of the Paying Agent/Registrar, and to all of the provisions of which the Registered Owner or Holder of this Note by the acceptance hereof hereby assents, for definitions of terms; the description of and the nature and extent of the tax levied for the payment of the Notes; the terms and conditions relating to the transfer or exchange of this Note; the conditions upon which the Ordinance may be amended or supplemented with or without the consent of the Registered Owners or Holders; the rights, duties, and obligations of the City and the Paying Agent/Registrar; the terms and provisions upon which this Note may be discharged at or prior to its Stated Maturity, and deemed to be no longer Outstanding thereunder; and for other terms and provisions contained therein. Capitalized terms used herein have the meanings assigned in the Ordinance.

This Note, subject to certain limitations contained in the Ordinance, may be transferred on the Security Register only upon its presentation and surrender at the Designated Payment/Transfer Office of the Paying Agent/Registrar, with the Assignment hereon duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Paying

Agent/Registrar duly executed by, the Registered Owner hereof, or his duly authorized agent. When a transfer on the Security Register occurs, one or more new fully registered Notes of the same Stated Maturity, of authorized denominations, bearing the same rate of interest, and of the same aggregate principal amount will be issued by the Paying Agent/Registrar to the designated transferee or transferees.

The City and the Paying Agent/Registrar, and any agent of either, shall treat the Registered Owner whose name appears on the Security Register (i) on the Record Date as the owner entitled to payment of interest hereon, (ii) on the date of surrender of this Note as the owner entitled to payment of principal hereof at its Stated Maturity, and (iii) on any other date as the owner for all other purposes, and neither the City nor the Paying Agent/Registrar, or any agent of either, shall be affected by notice to the contrary. In the event of nonpayment of interest on a scheduled payment date and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States Mail, first class postage prepaid, to the address of each Holder appearing on the Security Register at the close of business on the last business day next preceding the date of mailing of such notice.

It is hereby certified, recited, represented and declared that the City is a body corporate and political subdivision duly organized and legally existing under and by virtue of the Constitution and laws of the State of Texas; that the issuance of the Notes is duly authorized by law; that all acts, conditions and things required to exist and be done precedent to and in the issuance of the Notes to render the same lawful and valid obligations of the City have been properly done, have happened, and have been performed in regular and due time, form, and manner as required by the Constitution and laws of the State of Texas, and the Ordinance; that the Notes do not exceed any Constitutional or statutory limitation; and that due provision has been made for the payment of the principal of and interest on the Notes by the levy of a tax as aforestated. In case any provision in this Note shall be invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby. The terms and provisions of this Note and the Ordinance shall be construed in accordance with and shall be governed by the laws of the State of Texas.

IN WITNESS WHEREOF, the City Council of the City has caused this Note to be duly executed under the official seal of the City as of the Note Date.

CITY OF NACOGDOCHES, TEXAS

Chairman

COUNTERSIGNED:

City Secretary

(SEAL)

- C. Form of Registration Certificate of Comptroller of Public Accounts to appear on Initial Note only.

REGISTRATION CERTIFICATE OF
COMPTROLLER OF PUBLIC ACCOUNTS

OFFICE OF THE COMPTROLLER
OF PUBLIC ACCOUNTS

THE STATE OF TEXAS

(
(
(REGISTER NO. _____
(

I HEREBY CERTIFY that this Note has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and duly registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS my signature and seal of office this _____.

Comptroller of Public Accounts
of the State of Texas

(SEAL)

- D. Form of Certificate of Paying Agent/Registrar to appear on Definitive Notes only.

REGISTRATION CERTIFICATE OF PAYING AGENT/REGISTRAR

This Note has been duly issued and registered under the provisions of the within-mentioned Ordinance; the note or notes of the above entitled and designated series originally delivered having been approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts, as shown by the records of the Paying Agent/Registrar.

The designated office of the Paying Agent/Registrar in Killeen, Texas is the Designated Payment/Transfer Office for this Note.

First National Bank Texas, Killeen,
as Paying Agent/Registrar

Registration Date: _____ By: _____
Authorized Signature

E. Form of Assignment.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns, and transfers unto (Print or typewrite name, address, and zip code of transferee): _____ (Social Security or other identifying number: _____) the within Note and all rights thereunder, and hereby irrevocably constitutes and appoints _____ attorney to transfer the within Note on the books kept for registration thereof, with full power of substitution in the premises.

DATED: _____

Signature guaranteed: _____

NOTICE: The signature on this assignment must correspond with the name of the registered owner as it appears on the face of the within Note in every particular.

SECTION 9: Levy of Taxes. To provide for the payment of the "Debt Service Requirements" of the Notes, being (i) the interest on the Notes and (ii) a sinking fund for their redemption at maturity or a sinking fund of 2% (whichever amount is the greater), there is hereby levied, and there shall be annually assessed and collected in due time, form, and manner, a tax on all taxable property in the City, within the limitations prescribed by law, and such tax hereby levied on each one hundred dollars' valuation of taxable property in the City for the Debt Service Requirements of the Notes shall be at a rate from year to year as will be ample and sufficient to provide funds each year to pay the principal of and interest on said Notes while Outstanding; full allowance being made for delinquencies and costs of collection; separate books and records relating to the receipt and disbursement of taxes levied, assessed, and collected for and on account of the Notes shall be kept and maintained by the City at all times while the Notes are Outstanding, and the taxes collected for the payment of the Debt Service Requirements on the Notes shall be deposited to the credit of a "Special 2021 Note Account" (the "Interest and Sinking Fund") maintained on the records of the City and deposited in a special fund maintained at an official depository of the City's funds; and such tax hereby levied, and to be assessed and collected annually, is hereby pledged to the payment of the Notes.

The Chairman, Chairman Pro Tempore, Vice Chairman Pro Tempore, City Manager, Finance Director and City Secretary, individually or jointly, are hereby authorized and directed to cause to be transferred to the Paying Agent/Registrar for the Notes, from funds on deposit in the Interest and Sinking Fund, amounts sufficient to fully pay and discharge promptly each installment of interest and principal of the Notes as the same accrues or matures; such transfers of funds to be made in such manner as will cause collected funds to be deposited with the Paying Agent/Registrar on or before each principal and interest payment date for the Notes.

SECTION 10: Mutilated, Destroyed, Lost and Stolen Notes. In case any Note shall be mutilated, or destroyed, lost, or stolen, the Paying Agent/Registrar may execute and deliver a replacement Note of like form and tenor, and in the same denomination and bearing a number

not contemporaneously outstanding, in exchange and substitution for such mutilated Note, or in lieu of and in substitution for such destroyed, lost, or stolen Note, only upon the approval of the City and after (i) the filing by the Holder thereof with the Paying Agent/Registrar of evidence satisfactory to the Paying Agent/Registrar of the destruction, loss, or theft of such Note, and of the authenticity of the ownership thereof and (ii) the furnishing to the Paying Agent/Registrar of indemnification in an amount satisfactory to hold the City and the Paying Agent/Registrar harmless. All expenses and charges associated with such indemnity and with the preparation, execution, and delivery of a replacement Note shall be borne by the Holder of the Note mutilated, or destroyed, lost, or stolen.

Every replacement Note issued pursuant to this Section shall be a valid and binding obligation and shall be entitled to all the benefits of this Ordinance equally and ratably with all other Outstanding Notes; notwithstanding the enforceability of payment by anyone of the destroyed, lost, or stolen Notes.

The provisions of this Section are exclusive and shall preclude (to the extent lawful) all other rights and remedies with respect to the replacement and payment of mutilated, destroyed, lost, or stolen Notes.

SECTION 11: Satisfaction of Obligation of City. If the City shall pay or cause to be paid, or there shall otherwise be paid to the Holders, the principal of, premium, if any, and interest on the Notes, at the times and in the manner stipulated in this Ordinance, then the pledge of taxes levied under this Ordinance and all covenants, agreements, and other obligations of the City to the Holders shall thereupon cease, terminate, and be discharged and satisfied.

Notes or any principal amount(s) thereof shall be deemed to have been paid within the meaning and with the effect expressed above in this Section when (i) money sufficient to pay in full such Notes or the principal amount(s) thereof at the Stated Maturity, together with all interest due thereon, shall have been irrevocably deposited with and held in trust by the Paying Agent/Registrar, or an authorized escrow agent, or (ii) Government Obligations shall have been irrevocably deposited in trust with the Paying Agent/Registrar, or an authorized escrow agent, which Government Obligations have been certified by an independent accounting firm to mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money, together with any moneys deposited therewith, if any, to pay when due the principal of and interest on such Notes, or the principal amount(s) thereof, on and prior to the Stated Maturity thereof. The City covenants that no deposit of moneys or Government Obligations will be made under this Section and no use made of any such deposit which would cause the Notes to be treated as "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, or regulations adopted pursuant thereto.

Any moneys so deposited with the Paying Agent/Registrar, or an authorized escrow agent, and all income from Government Obligations held in trust by the Paying Agent/Registrar, or an authorized escrow agent, pursuant to this Section which is not required for the payment of the Notes, or any principal amount(s) thereof, or interest thereon with respect to which such moneys have been so deposited shall be remitted to the City or deposited as directed by the City. Furthermore, any money held by the Paying Agent/Registrar for the payment of the principal of and interest on the Notes and remaining unclaimed for a period of three (3) years after the Stated Maturity of the Notes such moneys were deposited and are held in trust to pay shall upon the request of the City be remitted to the City against a written receipt therefor. Notwithstanding the above and foregoing, any remittance of funds from the Paying Agent/Registrar to the City shall

be subject to any applicable unclaimed property laws of the State of Texas, including the provisions of Title 6 of the Texas Property Code, as amended.

The term "Government Obligations," as used herein, shall mean (i) direct noncallable obligations of the United States of America, including obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, (ii) noncallable obligations of an agency or instrumentality of the United States, including obligations unconditionally guaranteed or insured by the agency or instrumentality and, on the date of their acquisition or purchase by the City, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date of their acquisition or purchase by the City, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent and (iv) any other then authorized securities or obligations that may be used to defease obligations such as the Notes under the then applicable laws of the State of Texas.

SECTION 12: Ordinance a Contract - Amendments - Outstanding Notes. This Ordinance shall constitute a contract with the Holders from time to time, be binding on the City, and shall not be amended or repealed by the City so long as any Note remains Outstanding except as permitted in this Section. The City may, without the consent of or notice to any Holders, from time to time and at any time, amend this Ordinance in any manner not detrimental to the interests of the Holders, including the curing of any ambiguity, inconsistency, or formal defect or omission herein. In addition, the City may, with the consent of Holders holding a majority in aggregate principal amount of the Notes then Outstanding affected thereby, amend, add to, or rescind any of the provisions of this Ordinance; provided that, without the consent of all Holders of Outstanding Notes, no such amendment, addition, or rescission shall (1) extend the time or times of payment of the principal of, premium, if any, and interest on the Notes, reduce the principal amount thereof, or the rate of interest thereon, or in any other way modify the terms of payment of the principal of, premium, if any, or interest on the Notes, (2) give any preference to any Note over any other Note, or (3) reduce the aggregate principal amount of Notes required to be held by Holders for consent to any such amendment, addition, or rescission.

The term "Outstanding" when used in this Ordinance with respect to Notes means, as of the date of determination, all Notes theretofore issued and delivered under this Ordinance, except:

- (1) those Notes cancelled by the Paying Agent/Registrar or delivered to the Paying Agent/Registrar for cancellation;
- (2) those Notes deemed to be duly paid by the City in accordance with the provisions of Section 11 hereof; and
- (3) those mutilated, destroyed, lost, or stolen Notes which have been replaced with Notes registered and delivered in lieu thereof as provided in Section 10 hereof.

SECTION 13: Covenants to Maintain Tax-Exempt Status. (a) Definitions. When used in this Section, the following terms have the following meanings:

"*Closing Date*" means the date on which the Notes are first authenticated and delivered to the initial purchasers against payment therefor.

“Code” means the Internal Revenue Code of 1986, as amended by all legislation, if any, effective on or before the Closing Date.

“Computation Date” has the meaning set forth in Section 1.148-1(b) of the Regulations.

“Gross Proceeds” means any proceeds as defined in Section 1.148-1(b) of the Regulations, and any replacement proceeds as defined in Section 1.148-1(c) of the Regulations, of the Notes.

“Investment” has the meaning set forth in Section 1.148-1(b) of the Regulations.

“Nonpurpose Investment” means any investment property, as defined in Section 148(b) of the Code, in which Gross Proceeds of the Notes are invested and which is not acquired to carry out the governmental purposes of the Notes.

“Rebate Amount” has the meaning set forth in Section 1.148-1(b) of the Regulations

“Regulations” means any proposed, temporary, or final Income Tax Regulations issued pursuant to Sections 103 and 141 through 150 of the Code, and 103 of the Internal Revenue Code of 1954, which are applicable to the Notes. Any reference to any specific Regulation shall also mean, as appropriate, any proposed, temporary or final Income Tax Regulation designed to supplement, amend, or replace the specific Regulation referenced.

“Yield” of (1) any Investment has the meaning set forth in Section 1.148-5 of the Regulations and (2) the Notes has the meaning set forth in Section 1.148-4 of the Regulations.

(b) Not to Cause Interest to Become Taxable. The City shall not use, permit the use of, or omit to use Gross Proceeds or any other amounts (or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with Gross Proceeds) in a manner which if made or omitted, respectively, would cause the interest on any Note to become includable in the gross income, as defined in Section 61 of the Code, of the owner thereof for federal income tax purposes. Without limiting the generality of the foregoing, unless and until the City receives a written opinion of counsel nationally recognized in the field of municipal bond law to the effect that failure to comply with such covenant will not adversely affect the exemption from federal income tax of the interest on any Note, the City shall comply with each of the specific covenants in this Section.

(c) No Private Use or Private Payments. Except as permitted by Section 141 of the Code and the Regulations and rulings thereunder, the City shall at all times prior to the last Stated Maturity of Notes:

(1) exclusively own, operate and possess all property the acquisition, construction, or improvement of which is to be financed or refinanced directly or indirectly with Gross Proceeds of the Notes, and not use or permit the use of such Gross Proceeds (including all contractual arrangements with terms different than those applicable to the general public) or any property acquired, constructed, or

improved with such Gross Proceeds in any activity carried on by any person or entity (including the United States or any agency, department, and instrumentality thereof) other than a state or local government, unless such use is solely as a member of the general public; and

(2) not directly or indirectly impose or accept any charge or other payment by any person or entity who is treated as using Gross Proceeds of the Notes or any property the acquisition, construction, or improvement of which is to be financed or refinanced directly or indirectly with such Gross Proceeds, other than taxes of general application within the City or interest earned on investments acquired with such Gross Proceeds pending application for their intended purposes.

(d) No Private Loan. Except to the extent permitted by Section 141 of the Code and the Regulations and rulings thereunder, the City shall not use Gross Proceeds of the Notes to make or finance loans to any person or entity other than a state or local government. For purposes of the foregoing covenant, such Gross Proceeds are considered to be "loaned" to a person or entity if: (1) property acquired, constructed, or improved with such Gross Proceeds is sold or leased to such person or entity in a transaction which creates a debt for federal income tax purposes; (2) capacity in or service from such property is committed to such person or entity under a take-or-pay, output, or similar contract or arrangement; or (3) indirect benefits, or burdens and benefits of ownership, of such Gross Proceeds or any property acquired, constructed, or improved with such Gross Proceeds are otherwise transferred in a transaction which is the economic equivalent of a loan.

(e) Not to Invest at Higher Yield. Except to the extent permitted by Section 148 of the Code and the Regulations and rulings thereunder, the City shall not at any time prior to the final Stated Maturity of the Notes directly or indirectly invest Gross Proceeds in any Investment (or use Gross Proceeds to replace money so invested), if as a result of such investment the Yield from the Closing Date of all Investments acquired with Gross Proceeds (or with money replaced thereby), whether then held or previously disposed of, exceeds the Yield of the Notes.

(f) Not Federally Guaranteed. Except to the extent permitted by Section 149(b) of the Code and the Regulations and rulings thereunder, the City shall not take or omit to take any action which would cause the Notes to be federally guaranteed within the meaning of Section 149(b) of the Code and the Regulations and rulings thereunder.

(g) Information Report. The City shall timely file the information required by Section 149(e) of the Code with the Secretary of the Treasury on Form 8038-G or such other form and in such place as the Secretary may prescribe.

(h) Rebate of Arbitrage Profits. Except to the extent otherwise provided in Section 148(f) of the Code and the Regulations and rulings thereunder:

(1) The City shall account for all Gross Proceeds (including all receipts, expenditures, and investments thereof) on its books of account separately and apart from all other funds (and receipts, expenditures, and investments thereof) and shall retain all records of accounting for at least six (6) years after the day on which the last outstanding Note is discharged. However, to the extent permitted by law, the City may commingle Gross Proceeds of the Notes with other money of

the City, provided that the City separately accounts for each receipt and expenditure of Gross Proceeds and the obligations acquired therewith.

(2) Not less frequently than each Computation Date, the City shall calculate the Rebate Amount in accordance with rules set forth in Section 148(f) of the Code and the Regulations and rulings thereunder. The City shall maintain such calculations with its official transcript of proceedings relating to the issuance of the Notes until six (6) years after the final Computation Date.

(3) As additional consideration for the purchase of the Notes by the Purchasers and the loan of the money represented thereby and in order to induce such purchase by measures designed to insure the excludability of the interest thereon from the gross income of the owners thereof for federal income tax purposes, the City shall pay to the United States from the construction fund, other appropriate fund, or if permitted by applicable Texas statute, regulation or opinion of the Attorney General of the State of Texas, the Interest and Sinking Fund, the amount that when added to the future value of previous rebate payments made for the Notes equals (i) in the case of a Final Computation Date as defined in Section 1.148-3(e)(2) of the Regulations, one hundred percent (100%) of the Rebate Amount on such date; and (ii) in the case of any other Computation Date, ninety percent (90%) of the Rebate Amount on such date. In all cases, the rebate payments shall be made at the times, in the installments, to the place and in the manner as is or may be required by Section 148(f) of the Code and the Regulations and rulings thereunder, and shall be accompanied by Form 8038-T or such other forms and information as is or may be required by Section 148(f) of the Code and the Regulations and rulings thereunder.

(4) The City shall exercise reasonable diligence to assure that no errors are made in the calculations and payments required by paragraphs (2) and (3), and if an error is made, to discover and promptly correct such error within a reasonable amount of time thereafter (and in all events within one hundred eighty (180) days after discovery of the error), including payment to the United States of any additional Rebate Amount owed to it, interest thereon, and any penalty imposed under Section 1.148-3(h) of the Regulations.

(i) Not to Divert Arbitrage Profits. Except to the extent permitted by Section 148 of the Code and the Regulations and rulings thereunder, the City shall not, at any time prior to the earlier of the Stated Maturity or final payment of the Notes, enter into any transaction that reduces the amount required to be paid to the United States pursuant to Subsection (h) of this Section because such transaction results in a smaller profit or a larger loss than would have resulted if the transaction had been at arm's length and had the Yield of the Notes not been relevant to either party.

(j) Elections. The City hereby directs and authorizes the Chairman, Chairman Pro Tempore, Vice Chairman Pro Tempore, City Manager and Finance Director, individually or jointly, to make elections permitted or required pursuant to the provisions of the Code or the Regulations, as they deem necessary or appropriate in connection with the Notes, in the Certificate as to Tax Exemption or similar or other appropriate certificate, form or document.

(k) Qualified Tax-Exempt Obligations. In accordance with the provisions of paragraph (3) of subsection (b) of Section 265 of the Code, the City hereby designates the Notes to be

“qualified tax exempt obligations” in that the Notes are not “private activity bonds” as defined in the Code and represents the amount of “tax exempt obligations” (excluding private activity bonds) to be issued by the City (including all subordinate entities of the City) for the calendar year 2021 will not exceed \$10,000,000.

SECTION 14: Sale of the Notes - Purchase Letter Approval. The offer of First National Bank Texas, Killeen, Texas (herein referred to as the “Purchasers”) to purchase the Notes in accordance with the Purchase Letter, dated as of September 7, 2021, attached hereto as **Exhibit B** and incorporated herein by reference as a part of this Ordinance for all purposes is hereby accepted, and the sale of the Notes to said Purchasers is hereby approved and authorized and determined to be in the best interest of the City. The Chairman is hereby authorized and directed to execute said Purchase Letter for and on behalf of the City and as the act and deed of this Council, and in regard to the approval and execution of the Purchase Letter, the Council hereby finds, determines, and declares that the representations, warranties, and agreements of the City contained in the Purchase Letter are true and correct in all material respects and shall be honored and performed by the City.

There is no Official Statement or other offering document relating to the Notes.

SECTION 15: Control and Custody of Notes. The Chairman of the City shall be and is hereby authorized to take and have charge of all necessary orders and records pending investigation by the Attorney General of the State of Texas, including the production or printing and supply of definitive Notes, and shall take and have charge and control of the Initial Note pending the approval thereof by the Attorney General, the registration thereof by the Comptroller of Public Accounts, and the delivery thereof to the initial purchasers.

Furthermore, the Chairman, City Manager, Finance Director and City Secretary, any one or more of said officials, are hereby authorized and directed to furnish and execute such documents and certifications relating to the City and the issuance of the Notes, including certifications as to facts, estimates, circumstances and reasonable expectations pertaining to the use, expenditure and investment of the proceeds of the Notes, as may be necessary for the approval of the Attorney General, the registration by the Comptroller of Public Accounts, and the delivery of the Notes to the Purchasers, and, together with the City's financial advisor, bond counsel and the Paying Agent/Registrar, make the necessary arrangements for the delivery of the Initial Note to the Purchasers and the initial exchange thereof for definitive Notes.

SECTION 16: Proceeds of Sale. The proceeds of sale of the Notes, excluding the amounts designated to pay the costs of issuance of the Notes, shall be deposited in a construction fund maintained at the City's depository bank. Pending expenditure for authorized projects and purposes, such proceeds of sale may be invested in legally authorized investments, and any investment earnings realized shall be expended for such authorized projects and purposes or deposited in the Interest and Sinking Fund as shall be determined by the City Council. Any excess Note proceeds, including investment earnings, remaining after completion of all authorized projects or purposes shall be deposited to the credit of the Interest and Sinking Fund or another fund created for the payment of the Notes.

SECTION 17: Notices to Holders - Waiver. Wherever this Ordinance provides for notice to Holders of any event, such notice shall be sufficiently given (unless otherwise herein expressly provided) if in writing and sent by United States Mail, first class postage prepaid, to the address of each Holder appearing in the Security Register at the close of business on the business day next preceding the mailing of such notice.

In any case in which notice to Holders is given by mail, neither the failure to mail such notice to any particular Holders, nor any defect in any notice so mailed, shall affect the sufficiency of such notice with respect to all other Notes. Where this Ordinance provides for notice in any manner, such notice may be waived in writing by the Holder entitled to receive such notice, either before or after the event with respect to which such notice is given, and such waiver shall be the equivalent of such notice. Waivers of notice by Holders shall be filed with the Paying Agent/Registrar, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

SECTION 18: Cancellation. All Notes surrendered for payment, transfer, exchange, or replacement, if surrendered to the Paying Agent/Registrar, shall be promptly cancelled by it and, if surrendered to the City, shall be delivered to the Paying Agent/Registrar and, if not already cancelled, shall be promptly cancelled by the Paying Agent/Registrar. The City may at any time deliver to the Paying Agent/Registrar for cancellation any Notes previously certified or registered and delivered which the City may have acquired in any manner whatsoever, and all Notes so delivered shall be promptly cancelled by the Paying Agent/Registrar. All cancelled Notes held by the Paying Agent/Registrar shall be returned to the City.

SECTION 19: Legal Opinion. The Purchasers' obligation to accept delivery of the Notes is subject to being furnished a final opinion of Norton Rose Fulbright US LLP approving the Notes as to their validity, said opinion to be dated and delivered as of the date of delivery and payment for the Notes. A true and correct reproduction of said opinion is hereby authorized to be printed on or attached to the definitive Notes. The City Council confirms the continuation of the engagement of Norton Rose Fulbright US LLP as the City's bond counsel.

SECTION 20: Benefits of Ordinance. Nothing in this Ordinance, expressed or implied, is intended or shall be construed to confer upon any person other than the City, the Paying Agent/Registrar, and the Holders, any right, remedy, or claim, legal or equitable, under or by reason of this Ordinance or any provision hereof, this Ordinance and all its provisions being intended to be and being for the sole and exclusive benefit of the City, the Paying Agent/Registrar, and the Holders.

SECTION 21: Inconsistent Provisions. All ordinances, orders, or resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters contained herein.

SECTION 22: Further Procedures. Any one or more of the Chairman, Chairman Pro Tempore, Vice Chairman Pro Tempore, City Manager, Finance Director and City Secretary are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and on behalf of the City all agreements, instruments, certificates or other documents, whether mentioned herein or not, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance and the issuance of the Notes. In addition, prior to the initial delivery of the Notes, the Chairman, Chairman Pro Tempore, Vice Chairman Pro Tempore, City Manager, Finance Director or Bond Counsel to the City are each hereby authorized and directed to approve any changes or corrections to this Ordinance or to any of the documents authorized and approved by this Ordinance: (i) in order to cure any ambiguity, formal defect, or omission in the Ordinance or such other document; or (ii) as requested by the Attorney General of the State of Texas or his representative to obtain the approval of the Notes by the Attorney General. In the event that any officer of the City whose signature shall appear on any document shall cease to be such officer

before the delivery of such document, such signature nevertheless shall be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

SECTION 23: Governing Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 24: Effect of Headings. The Section headings herein are for convenience of reference only and shall not affect the construction hereof.

SECTION 25: Construction of Terms. If appropriate in the context of this Ordinance, words of the singular number shall be considered to include the plural, words of the plural number shall be considered to include the singular, and words of the masculine, feminine or neuter gender shall be considered to include the other genders.

SECTION 26: Severability. If any provision of this Ordinance or the application thereof to any circumstance shall be held to be invalid, the remainder of this Ordinance and the application thereof to other circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 27: Public Meeting. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Texas Government Code, Chapter 551, as amended.

SECTION 28: Effective Date. This Ordinance shall take effect and be in force immediately from and after its passage in accordance with Texas Government Code, Section 1201.028, as amended, and it is so ordained.

[Remainder of page intentionally left blank]

PASSED AND ADOPTED, this September 7, 2021.

CITY OF NACOGDOCHES, TEXAS

Chairman

ATTEST:

City Secretary

(City Seal)

EXHIBIT A

PAYING AGENT/REGISTRAR AGREEMENT

EXHIBIT B
PURCHASE LETTER



City Council Meeting

Date: September 7, 2021

Agenda Item: 6.D.

PRESENTER: Pam Curbow, Finance Director

ITEM/SUBJECT: Consider adoption of a budget amendment for the purchase of an aerial apparatus for the Fire Department. (Finance Director)

SUMMARY/BACKGROUND: City Council approved the purchase of a new Fire Department aerial apparatus at the August 17, 2021 City Council meeting. This ordinance amends the 2020-2021 budget for this purchase.

FINANCIAL:

Item is not budgeted (*Budget Amendment required – see attached*)

Account No.: 01.86.680.20

Account Name: *General Fund Reserves Vehicle Capital*

Amount: \$1,500,000

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

Not Applicable

CITY CONTACT: Pamela Curbow, Finance Director
curbowp@nactx.us
936-559-2526

ATTACHMENTS: 1. Budget Amendment Ladder Truck 09 07 2021

AN ORDINANCE AMENDING ORDINANCE NO. 1835-09-20 APPROPRIATING VARIOUS AMOUNTS IN ACCORDANCE WITH BUDGET ADOPTED FOR THE ENSUING FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021.

WHEREAS, the City Council of the City of Nacogdoches, Texas has approved and adopted the budget for said city for the ensuing fiscal year beginning October 1, 2020 and ending September 30, 2021.

WHEREAS, the City's only aerial fire apparatus was damaged in an automobile accident and considered totaled by the insurance provider, and;

WHEREAS, this apparatus is an essential piece of equipment necessary for fire suppression and rescue activities, and;

WHEREAS, an aerial fire apparatus is required to maintain the City's Insurance Services Office Fire Protection Rating, and;

WHEREAS, the purchase of a replacement aerial fire apparatus is deemed an emergency by the City Council, and:

WHEREAS, the City Council approved the purchase of a new Fire Department aerial apparatus at the August 17, 2021 City Council meeting, and

WHEREAS, with the adoption of this ordinance, the Fire Department is authorized to purchase the apparatus.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Nacogdoches that sums of money as herein set forth in said budget are hereby appropriated and amended for the payment of capital outlays of the city government of the City of Nacogdoches as follows:

Fund	Dept.	Acct.	Department	Description	Amt.
01	86	680.20	Fire Dept	Aerial Apparatus	\$1,500,000

PASSED AND APPROVED this the 7th day of September, 2021.

Jimmy Mize, Mayor
City of Nacogdoches

ATTEST:

Jan Vinson, City Secretary

Approved as to form: _____
Steven Kirkland, City Attorney

Approved as to content: _____
Pamela Curbow, Director of Finance

PRESENTER: Alaina Helton, City Planner

ITEM/SUBJECT: Public Hearing: Consider a Specific Use Permit for Liquor By the Drink for Lots 30, 49, 49-A & 49-B, and Outlot 47-A, City Block 43, as described in a deed dated July 17, 2020, recorded in Document Number 2020-4460 of the Real Property Records of Nacogdoches County, located on the southwest corner of Bremond Street and W. Main Street. This request has been submitted by Brent Ivy of Ivy Gott Property LLC. Case File SUP2021-03. (Planning Director) ***Please note that at the regular meeting of the City Council held on August 17th, 2021, the Council voted unanimously to postpone the public hearing to the regular meeting of the City Council on September 7th, 2021.**

SUMMARY/BACKGROUND: The request is for a Specific Use Permit (SUP) for Liquor By the Drink. The property is zoned B-2, General Business and I-1, Light Industrial, and is currently vacant. Per the Zoning Ordinance, should the location at which Liquor By the Drink is closer than 300 feet from a single family zoning district, the owner must first obtain an SUP. The subject property abuts R-1, Single Family to the south, therefore an SUP is required. The SUP process allows Staff, the Commission, and the City Council the opportunity to review and impose conditions, if necessary, on such development.

The purpose of this SUP is to develop the property into an indoor/outdoor bar and food service establishment with a family-friendly outdoor recreation area. The applicant is also proposing to accommodate local food trucks and live entertainment on the property.

Adjacent Land Use & Zoning

The subject property is zoned B-2, General Business and I-1, Light Industrial, and is currently vacant. The surrounding zoning and land uses are as follows:

Direction	Comprehensive Plan	Zoning	Land Use
North (across W. Main St.)	Single Family Residential	I-1, Light Industrial & B-2, General Business	Office & Undeveloped
South	Single Family Residential	I-1, Light Industrial & R-1, Single Family	Vacant & Industrial
East (across Bremond St.)	Rural Development	I-1, Light Industrial	Industrial

West	Single Family Residential	B-2, General Business	Single Family & Undeveloped
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The area consists of a mix of zoning districts and land uses, including commercial and industrial development, and a number of legal nonconforming single family residences located along W. Main Street that are also zoned B-2, General Business. The property located immediately to the south is vacant, but was previously developed as an industrial use, taking access from Bremond Street.

REVIEW CRITERIA:

Per Section 118.173 of the Zoning Ordinance, a Specific Use Permit may be approved if all of the following conditions have been found:

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

The applicant intends to develop the property as an indoor/outdoor bar and food service establishment with a family-friendly outdoor recreation area. The bar and food service area will be approximately 1,500 sq. ft., with 2,500 sq. ft. of outdoor covered seating area. There will also be a small stage for live music on the southeast corner of the building, located away from the residential areas to the south and west. The outdoor recreation area will be approximately 2,000 square feet and will include games such as corn hole, washers, darts, bocce ball, etc. The applicant is also proposing to accommodate local food trucks on the property. The proposed operating hours for this establishment are between 11:00AM and 10:00PM.

Common nuisances associated with these types of uses include light and noise that could be generated by the live entertainment and outdoor activities. These nuisances may have a greater impact when they are located in close proximity to residential areas. Property located immediately to the west of the subject property is currently developed as a single family residence, as well as properties located further south along Weaver Street.

The applicant is proposing to mitigate any adverse impacts from the proposed outdoor activities by preserving the existing large trees and vegetated area located along the southern and western boundaries of the property as a natural buffer. This natural buffer will range from 30 to 70 feet in width, and should provide a more effective barrier than would be required by the screening standards found in Zoning Ordinance ***Sec. 118-429. - Commercial sites with residential adjacency***, which requires the installation of a wooden screening fence and 10-foot landscape buffer.

During the City Council meeting held on August 17th, 2021, Mr. and Mrs. Hooper, who reside at 715 W. Main Street, located immediately to the west of the subject property, expressed specific concerns regarding the potential for noise that could be generated by live music and outdoor entertainment activities on the property. In response to these concerns, the applicant is proposing to modify their initial proposal to shift the stage area north to position it along the east side of the bar structure, which will reduce the impact of noise by creating a physical barrier between the stage area and the property to the west.

The applicant is also proposing to impose additional restrictions on the development found in Zoning Ordinance ***Sec. 118-504. – Noise***, as it relates to the Hooper’s property to the west. The standards found in this ordinance apply to commercial development adjacent to residential

zoning districts, and are designed to protect residential areas by limiting the noise level permitted at the residential property line. Because the Hooper's property is currently zoned B-2, General Business, this noise ordinance would normally not apply to their property; however, the applicant is proposing to include this as a condition of approval of the SUP.

Orderly growth and development. The establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property;

The properties located immediately to the south include both developed and vacant industrial sites (a portion of which is zoned R-1, Single Family) taking direct access to Bremond Street. Property to the west is zoned B-2, General Business, but is developed as a single family residence. The SUP should not impede the normal and orderly development of surrounding vacant property.

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

The subject property fronts onto W. Main Street and takes direct access from Bremond Street. W. Main Street is designated as an Existing Major Arterial on the City's Thoroughfare Plan, and functions as the primary access for the residential and commercial uses in the area. This section of W. Main Street is constructed as a four-lane arterial street, with a right-of-way (ROW) ranging from 65-75 feet, curb and gutter drainage design and 45 feet of pavement width. The roadway is adequate to accommodate the nature and volume of traffic typically generated by the proposed use. Bremond Street is a Local Street which functions as primary access for the commercial uses in the area. Bremond Street is a two-lane curbed street with 60 feet of ROW and 27 feet of pavement width.

The property has access to public utilities, with 6-inch water main located along W. Main Street, and a 4-inch sewer main that runs along the southern boundary of the subject property.

Additionally, per the FEMA Floodplain Map, there is a portion of the subject property along the eastern boundary that falls within the 500-Year Flood Zone. There are no structures proposed in the floodplain area.

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

The applicant is utilizing the existing driveway and parking lot along Bremond Street. All of the proposed driveways and parking areas comply with the City's current land development design standards.

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

The applicant is proposing to mitigate any nuisances from light and noise that might be generated by the development by preserving the existing large trees and vegetated area located along the southern and western boundary of the property as a natural buffer. The size of this natural buffer will range from 30 to 70 feet in width. The proposed stage for live music is also proposed to be located on the southeast corner of the building, away from the residential areas to the south and west, and the applicant proposes to limit the operating hours from 11:00AM to 10:00PM.

As stated, the applicant is proposing to modify their initial proposal to shift the stage area north to position it along the east side of the bar structure, which will reduce the impact of noise by creating a physical barrier between the stage area and the property to the west. The applicant is also proposing to impose additional restrictions on the development found in Zoning Ordinance

Sec. 118-504. – Noise, as it relates to the Hooper’s property located at 715 W. Main Street.

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

Outdoor lighting must meet the City’s lighting ordinance restrictions, i.e. only downlighting, no spillover lighting onto neighboring properties is permitted.

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

This development will be subject to Zoning Ordinance **Sec. 118-430. - Commercial district landscaping**, which requires the installation of trees to be planted along the street frontage. This development will also be subject to **Sec. 118-429. - Commercial sites with residential adjacency**, which requires the installation of a screening fence and 10-foot landscape buffer along shared property lines where nonresidential sites are immediately adjacent to residentially zoned properties; this standard would only apply to the portion of the southern property boundary abutting R-1, Single Family zoning districts.

The property has a large vegetated area with several large mature trees located along the southern and western boundary lines of the property. In lieu of the fencing and 10-foot landscape buffer referenced above, the applicant is proposing to preserve this vegetated area as a natural buffer. This natural buffer will range from 30 to 70 feet in width, and should provide a more effective barrier than would be required by the screening standards found in Zoning Ordinance **Sec. 118-429. - Commercial sites with residential adjacency**.

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

Per the 2003 Nacogdoches Comprehensive Plan, the Future Land Use Plan (FLUP) Map designates the subject property and the surrounding area as *Single Family Residential*, with property to the east designated as *Rural Development*. The *Single Family Residential* Future Land Use category is described as, “Conventional one-family detached dwellings (also includes duplexes).” The *Rural Development* Future Land Use category is described as, “Sparsely-populated areas with limited development that are still distinct from more urbanized areas. This typically encompasses relatively large tracts of unsubdivided land used for agriculture, forestry...widely-scattered homesteads...natural open space, or activities not requiring permanent structures or improvements. This *Rural* designation is likely due to the proximity to Banita Creek and the significant floodplain in this area.

The Future Land Use designation is not consistent with the current zoning of the property, nor is it consistent with the zoning of the majority of the properties fronting W. Main Street, which are zoned and developed for commercial uses. Approval of the SUP will not change the land uses permitted by the current underlying zoning district.

Thoroughfare Plan

Bremond Street is a Local Street. Local streets are all other roads which are not included in higher functional classes, and therefore not identified on the Thoroughfare Plan.

Land Use Policies, Goals & Objectives

This request furthers the Land Use Policies of the 2003 Comprehensive Plan, specifically:

- Potential negative land use impacts (noise, odor, pollution, excessive light, traffic, etc.) should be considered and minimized.
- Compatibility with existing uses should be maintained. Well planned, mixed uses which

are compatible are to be encouraged.

- Residential and commercial areas may be adjacent if separated by a buffer.

Staff finds that while the FLUP designation is not consistent with the current zoning of the property, the request is otherwise in compliance with the Comprehensive Plan.

NOTICES:

Staff mailed 11 notices to property owners within the 200 foot notification area. This zoning application was also subject to the additional noticing practices that were approved by City Council in January, 2021. These included: a zoning notice sign located on the subject property; notices published on the City's Planning & Zoning webpage and social media platforms; and, mailed courtesy notices to property owners within 500 feet of the subject property.

At the time that this report was written, there were two (2) responses received in favor of the request. These responses are from the property owner who resides at 715 W. Main, located immediately to the west of the subject property, and the property owner of the two vacant lots located on the north side of W. Main Street, immediately across from the subject property.

Staff Recommendation

Based on the above findings, Staff recommends approval of the Specific Use Permit.

Planning & Zoning Commission Recommendation

This item was heard by the Planning & Zoning Commission on Monday, August 9th, where they recommended approval of the Specific Use Permit unanimously (4-0).

FINANCIAL:

Not Applicable

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

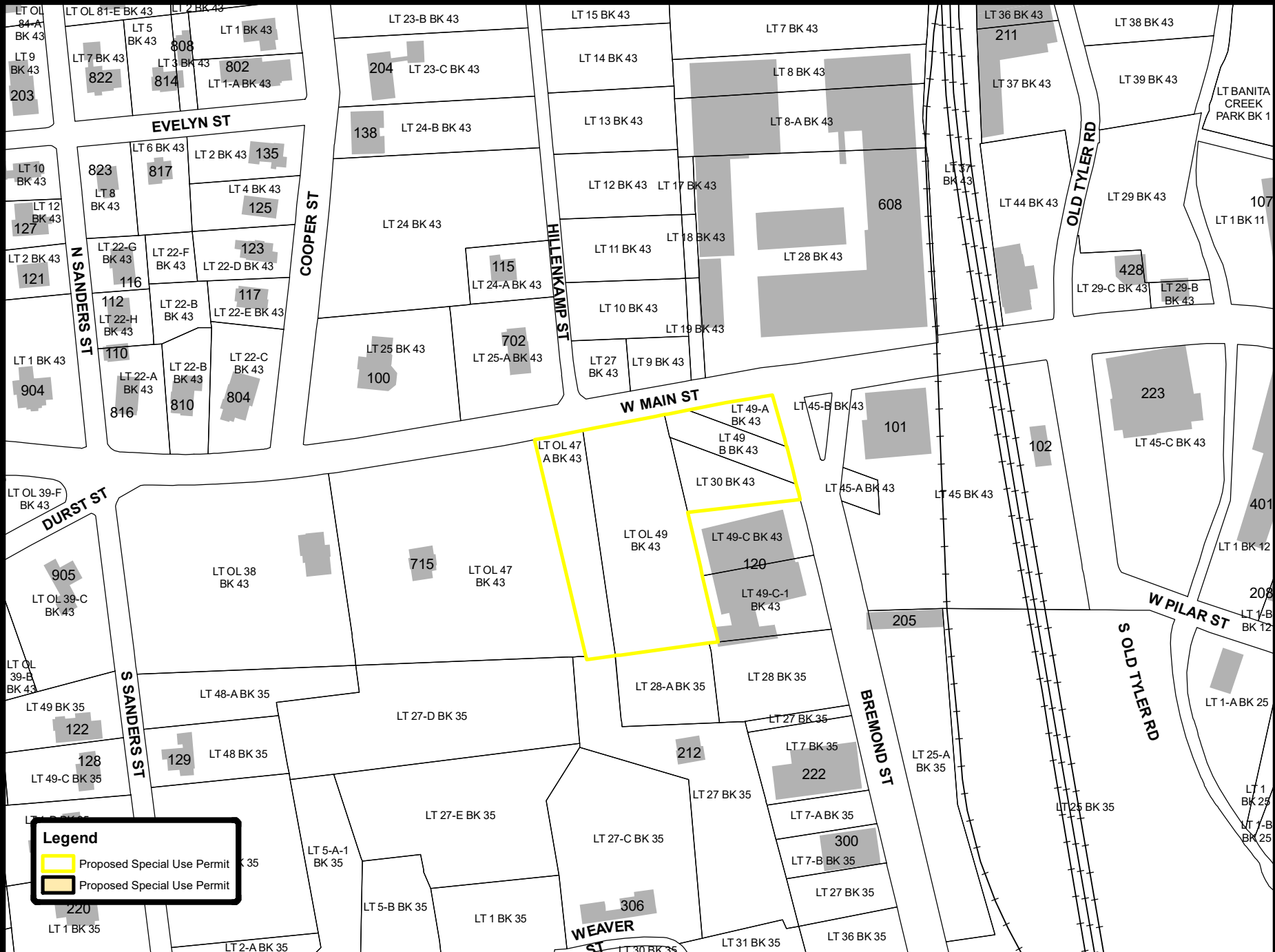
Downtown Entertainment District
Economic Development

CITY CONTACT: Alaina Helton, AICP, Planning Director
heltona@nactx.us
(936) 559-2572

ATTACHMENTS:

1. Location Map
2. Aerial Map
3. Zoning Map
4. FLUP Map
5. Notification Map
6. Site Plan Exhibit
7. Site Photos
8. Response Letters
9. Ordinance

SUP 2021-03



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



0 50 100 200 Feet

Date Created: July 28, 2021 Software: ArcGIS 10.8.1

SUP 2021-03

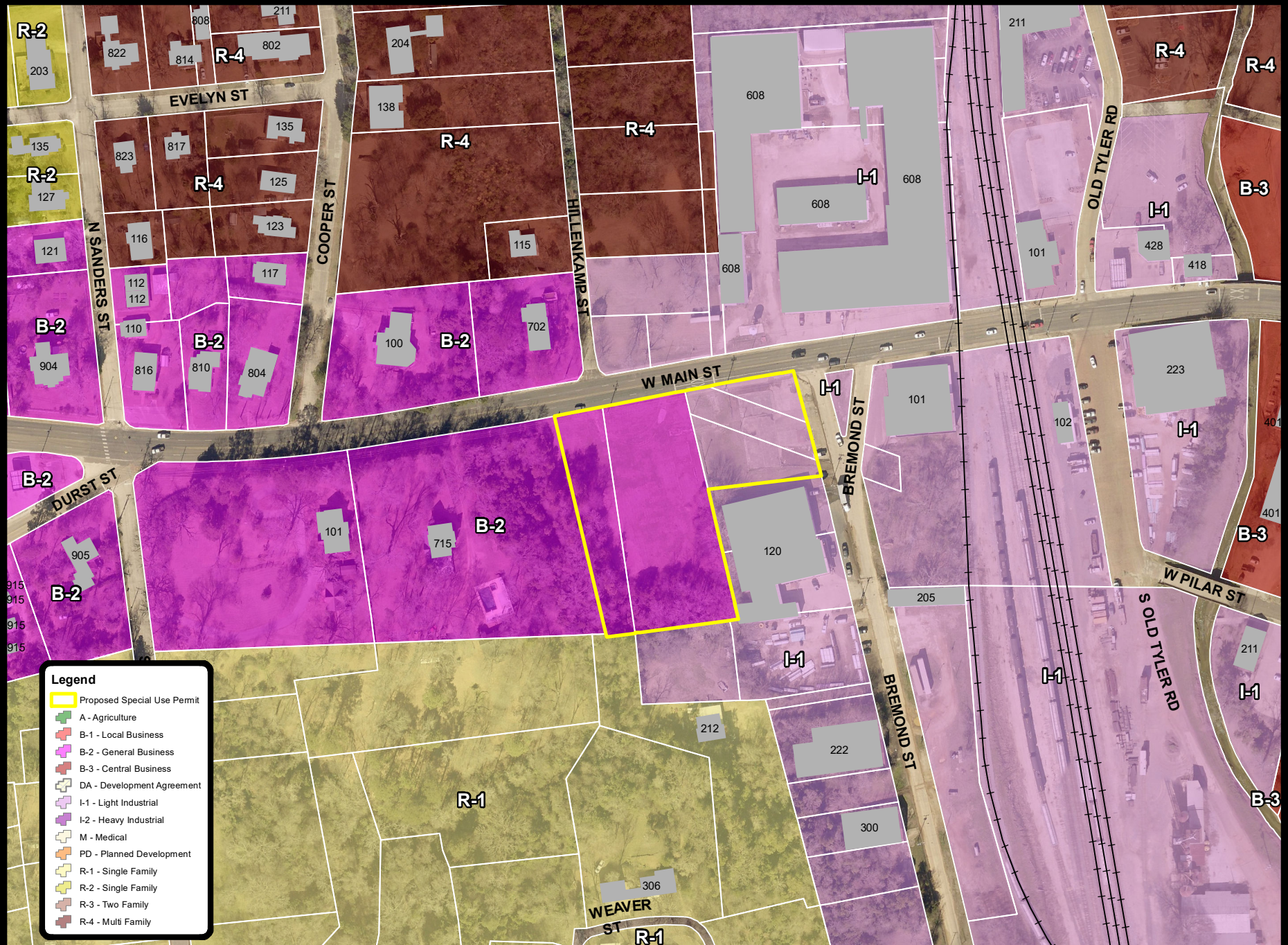


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0 70 140 280 Feet

Date Created: July 28, 2021 Software: ArcGIS 10.8.1



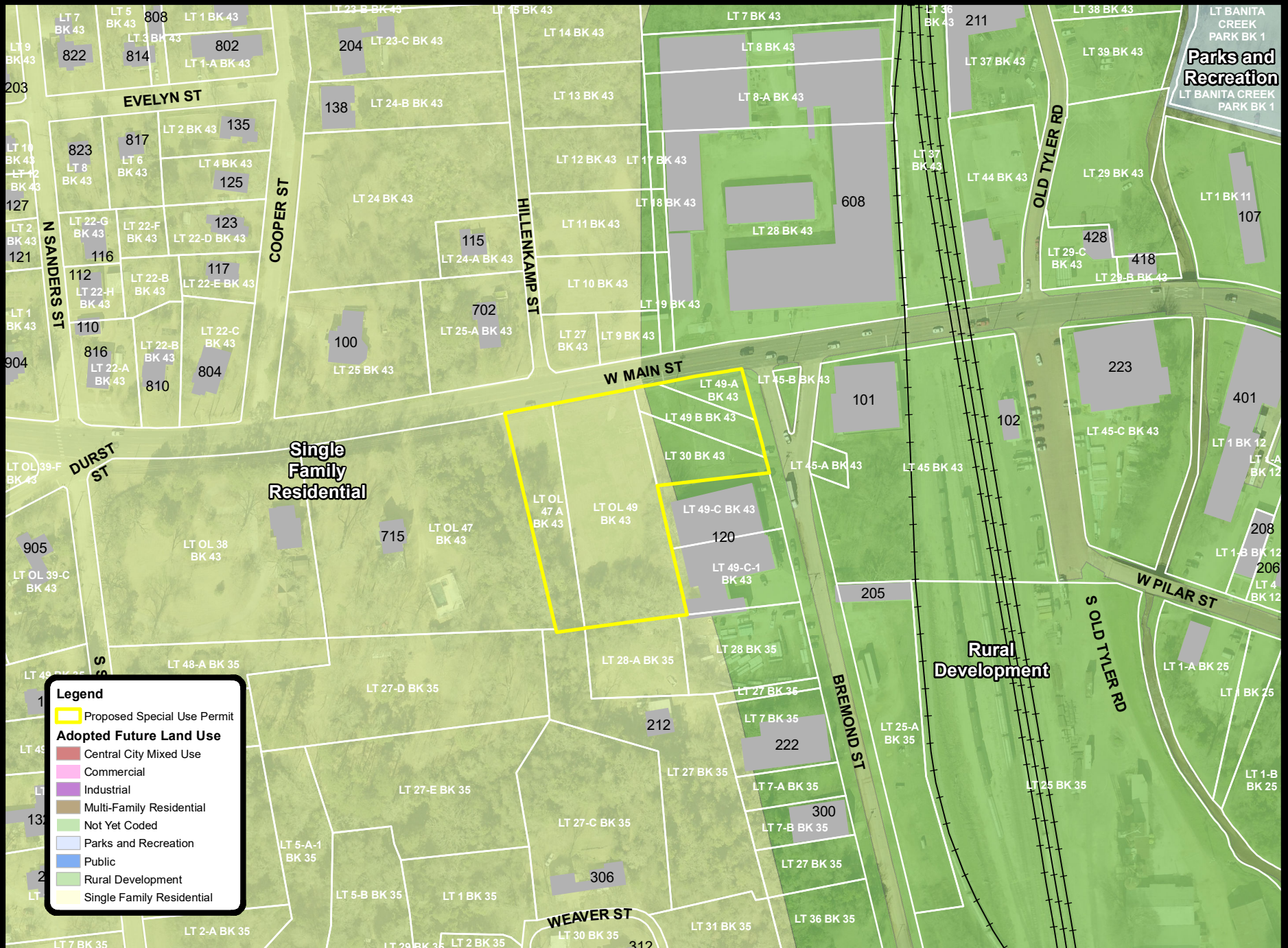
- Legend**
- Proposed Special Use Permit
 - A - Agriculture
 - B-1 - Local Business
 - B-2 - General Business
 - B-3 - Central Business
 - DA - Development Agreement
 - I-1 - Light Industrial
 - I-2 - Heavy Industrial
 - M - Medical
 - PD - Planned Development
 - R-1 - Single Family
 - R-2 - Single Family
 - R-3 - Two Family
 - R-4 - Multi Family

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0 50 100 200 Feet

SUP 2021-03



- Legend**
- Proposed Special Use Permit
 - Adopted Future Land Use**
 - Central City Mixed Use
 - Commercial
 - Industrial
 - Multi-Family Residential
 - Not Yet Coded
 - Parks and Recreation
 - Public
 - Rural Development
 - Single Family Residential

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0 50 100 200 Feet

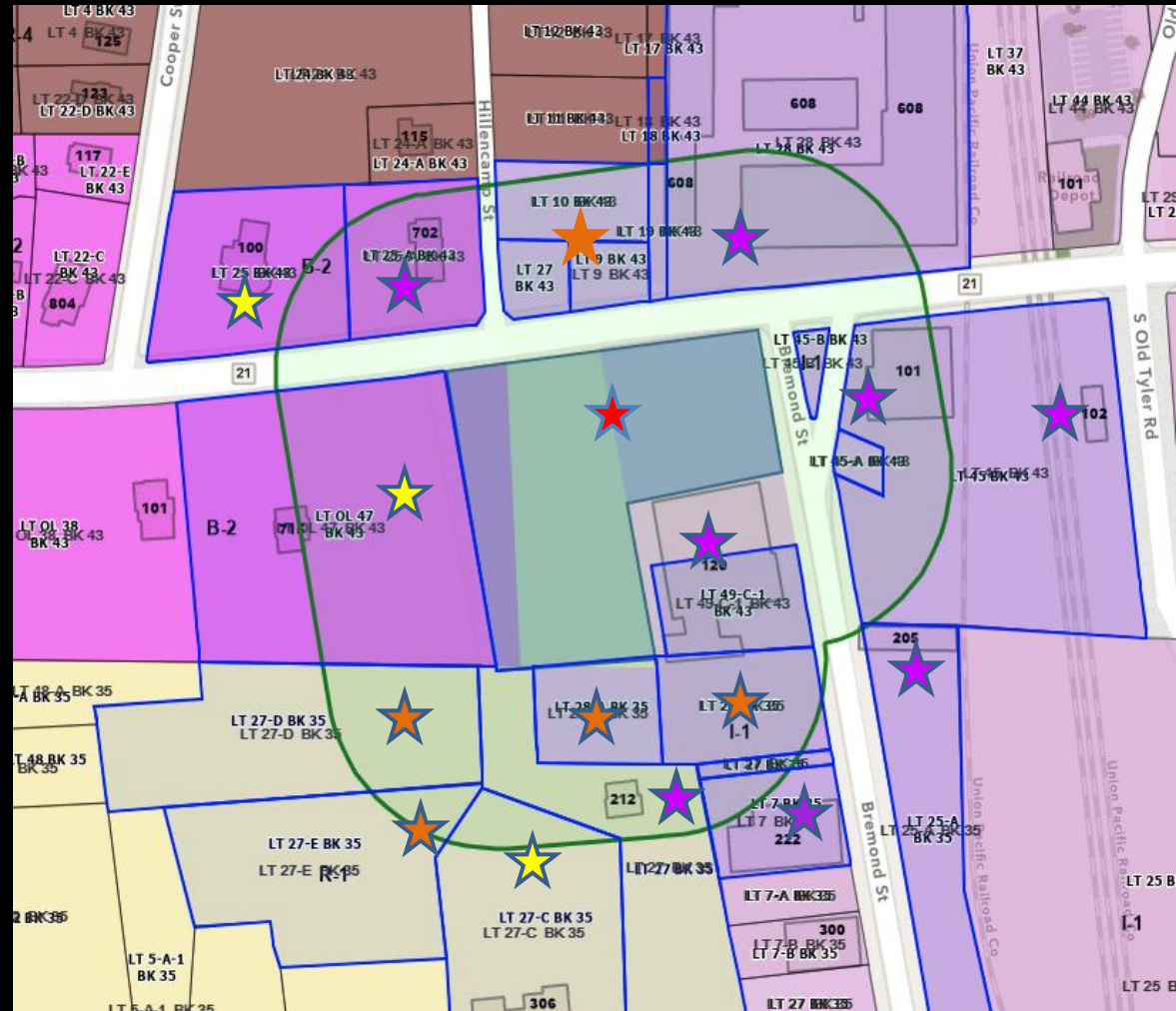
Date Created: July 28, 2021 Software: ArcGIS 10.8.1

200 Foot Notification Map

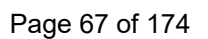
SUP2021-03: W. Main St.

Legend

-  200 Foot Buffer
-  Proposed SUP
-  Commercial
-  Single Family-Owner Occupied
-  Vacant



- Parking



SUP2021-03 (W. Main St.)



SUP2021-03 (W. Main St.)



SUP2021-03 (W. Main St.)





Response Form

Project Number: SUP2021-03

SW Corner of Bremond & W. Main St.

You may make your views known by completing this form and returning it to the Planning & Zoning department. You may also make your views known in person by attending the public hearings. **Please complete and return form to:**

City of Nacogdoches Planning & Zoning Department

Attn: Juan Pollette

PO Drawer 635030

Nacogdoches, TX 75963

You may also email a copy to Juan Pollette, pollettej@nactx.us

Project Number: SUP2021-03

Please circle one:

☒ In favor of request

☐ Opposed to request

Comments:

- No Comments

Signature: _____

Josh Evans

Printed Name: _____

Josh Evans

Street Address: _____

915 S. Fredonia St

City, State and Zip Code: _____

Nacogdoches, TX 75964

Phone Number: _____

936-564-3711

Email Address: _____

JEvens@TFP Nutrition.com

Physical Address of Property within 200 Feet: _____

101 Bremond St.

City of Nacogdoches

202 E. Pilar – PO Drawer 635030 – Nacogdoches, TX 75963

936-559-2574 Fax 936-559-2910 www.nactx.us

Home of Stephen F. Austin State University www.sfasu.edu



Response Form

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SW Corner of Bremond & W. Main St.

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Attn: Juan Pollette

PO Drawer 635030

Nacogdoches, TX 75963

You may also email a copy to Juan Pollette, pollettej@nactx.us

Project Number: SUP2021-03

Please circle one:

☒ In favor of request

☐ Opposed to request

Comments:

Signature: _____

Printed Name: _____

Street Address: _____

City, State and Zip Code: _____

Phone Number: _____

Email Address: _____

Physical Address of Property within 200 Feet: _____

City of Nacogdoches
202 E. Pilar – PO Drawer 635030 – Nacogdoches, TX 75963
936-559-2574 Fax 936-559-2910 www.nactx.us
Home of Stephen F. Austin State University www.sfasu.edu

ORDINANCE NO. 1875-08-21

AN ORDINANCE OF THE CITY OF NACOGDOCHES, TEXAS, GRANTING AN AMENDMENT TO A SPECIFIC USE PERMIT FOR LIQUOR BY THE DRINK LOCATED WITHIN THE B-2, GENERAL BUSINESS AND I-1, LIGHT INDUSTRIAL ZONING DISTRICT, BEING LOTS 30, 49, 49-A & 49-B, AND OUTLOT 47-A, CITY BLOCK 43, AS DESCRIBED IN A DEED DATED JULY 17, 2020, RECORDED IN DOCUMENT NUMBER 2020-4460 OF THE REAL PROPERTY RECORDS OF NACOGDOCHES COUNTY, LOCATED ON THE SOUTHWEST CORNER OF BREMOND STREET AND W. MAIN STREET IN NACOGDOCHES, TEXAS, PROVIDING REQUIREMENTS AND CONDITIONS FOR SAID SPECIFIC USE PERMIT; CONTAINING FINDINGS; PROVIDING A REPEAL CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Specific Use Permit process allows the Planning and Zoning Commission and City Council to consider the conditions specific to individual tracts of land and operational characteristics of various businesses; and

WHEREAS, Brent Ivy of Ivy Gott Property LLC, filed an application for a Specific Use Permit for Liquor By the Drink on property that is currently zoned as B-2, General Business and I-1, Light Industrial; located at the southwest corner of Bremond Street and W. Main Street, said tract being legally described as Lots 30, 49, 49-A & 49-B, and Outlot 47-A, City Block 43, as described in a deed dated July 17, 2020, recorded in Document Number 2020-4460 of the Real Property Records of Nacogdoches County (the "Property"), and situated within the corporate limits of the City of Nacogdoches, Texas (the "City"), being more particularly described in **Exhibit "A"** and **Exhibit "B"**, attached hereto and made a part hereof for all purposes; and

WHEREAS, the Owner of the Property, through its above mentioned and duly authorized representatives, has presented an application to the City for the granting a Specific Use Permit to use said Property for the purpose of Liquor By the Drink (the "Specific Use"), as authorized by the City's Zoning Ordinance; and

WHEREAS, after satisfaction of all conditions precedent required by law, the Planning and Zoning Commission held a public hearing and did make recommendation to City Council for approval of the Specific Use Permit application submitted for the above referenced site; and

WHEREAS, after satisfaction of all conditions precedent required by law and receiving the recommendation of the Planning and Zoning Commission, the City Council conducted a public hearing, and immediately thereafter approved the application for a Specific Use Permit allowing for the construction, operation and maintenance of Liquor By the Drink.

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

SECTION I
Findings.

The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct, and same are deemed to be in furtherance of a public purpose.

SECTION II

Approval of Specific Use Permit

Pursuant to the requirements of Chapter 118 of the Code of Ordinances of the City of Nacogdoches, Texas, a Specific Use Permit is hereby approved allowing for the construction, operation and maintenance of Liquor By the Drink at the above described location, as outlined in **“Exhibit B”**, with the following conditions:

1. The operating hours of the Liquor By the Drink establishment will be from 11:00AM to 10:00PM.
2. The restrictions and noise limits outlined in Zoning Ordinance Section. 118-504. – Noise, will apply to 715 W. Main Street as a residential property.
3. The outdoor stage area will be located along the east side of the bar structure, in order to create a physical barrier between the stage area and 715 W. Main Street.

SECTION III

Repeal

This Ordinance shall in no manner repeal, amend, change, supplement, or revise any provision of any ordinance of the City, save and except the granting of the Specific Use Permit as herein provided.

SECTION IV

Effective Date

This Ordinance shall take effect following its passage and publication as may be required by governing law.

SECTION V

Severability

If any word, article, phrase, paragraph, sentence, clause, or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION VI

Proper Notice and Open Meetings

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said

meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION VII
Filing

The City Secretary is hereby authorized and instructed to file a signed and sealed copy of this Ordinance in and among the records of the City of Nacogdoches, Texas.

PASSED AND APPROVED, this the ____ day of _____, 2021, by a vote of ____ (ayes) to ____ (nays) of the City Council of the City of Nacogdoches, Texas.

CITY OF NACOGDOCHES

By: _____
JIMMY MIZE, Mayor

ATTEST:

APPROVED AS TO FORM:

JAN VINSON, City Secretary

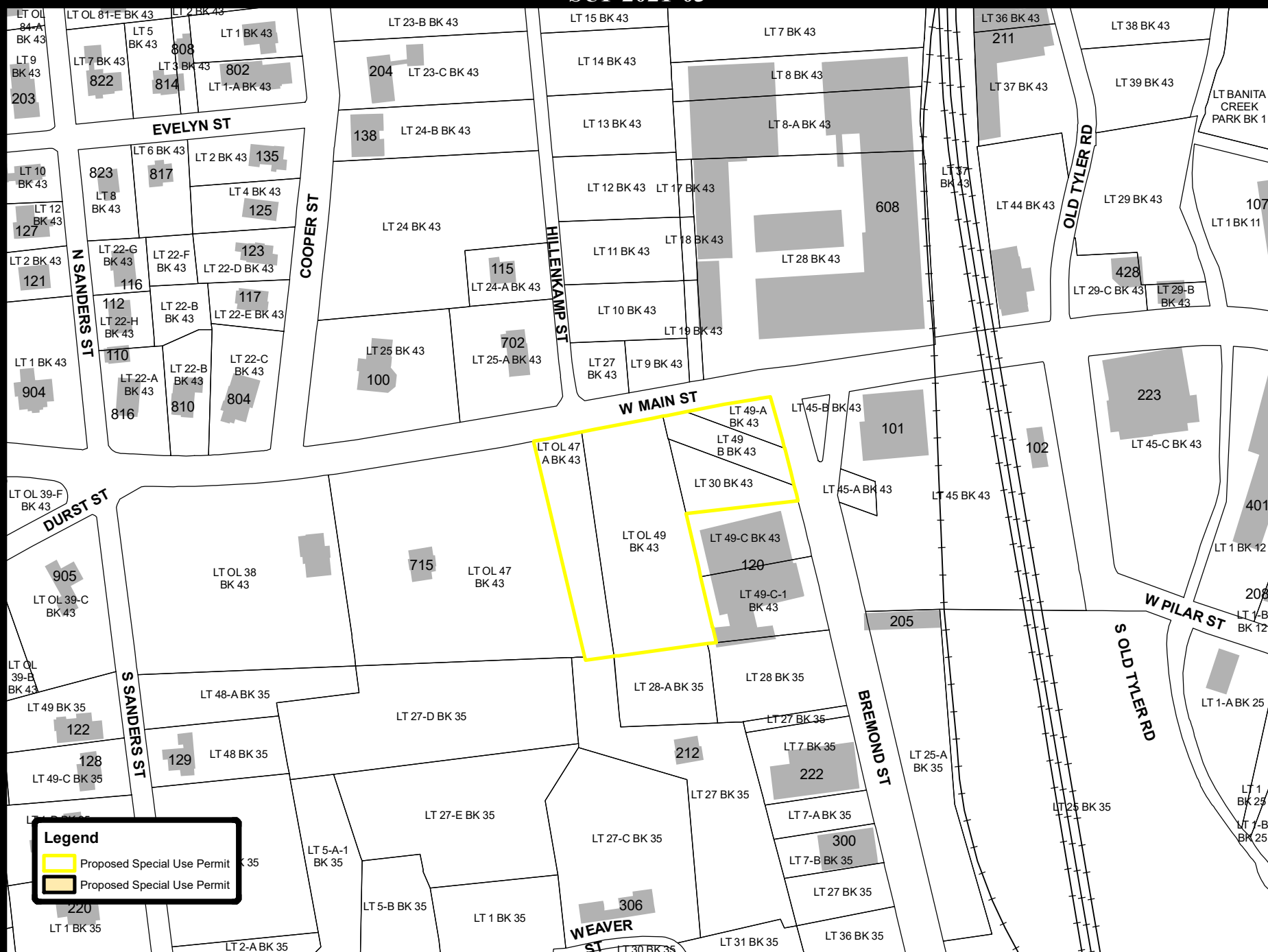
STEVEN KIRKLAND, City Attorney

APPROVED AS TO CONTENT:

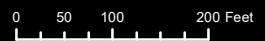
ALAINA HELTON, City Planner

Exhibit A

SUP 2021-03



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



Date Created: July 28, 2021 Software: ArcGIS 10.8.1





City Council Meeting

Date: September 7, 2021

Agenda Item: 7.B.

PRESENTER: Pam Curbow, Finance Director

ITEM/SUBJECT: Public Hearing: Hold a public hearing and receive citizen input on the FY2021-2022 Proposed Budget (Finance Director)

SUMMARY/BACKGROUND: The City Charter and State Law require that prior to budget adoption, a public hearing be conducted to allow citizens the opportunity to provide input on the Proposed Budget. The required notice was also posted on the City's website, and on the City's public access channel.

On August 3rd and August 17th the City Council discussed the proposed budget in scheduled budget workshops.

FINANCIAL:

No financial impact associated with this item

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

Not Applicable

CITY CONTACT: Pamela Curbow, Finance Director
curbowp@nactx.us
936-559-2526

ATTACHMENTS:

1. PowerPoint Presentation
2. 2021 2022 Proposed Budget as of 08 31 2021

2021 – 2022 Proposed Budget Public Hearing

September 7, 2021



2021-2022 Property Taxes

- Proposed Tax Rate - \$0.6160/\$100
 - O&M \$0.53371
 - Debt \$0.08229
 - Generates additional revenue of \$553,545

Proposed Fee Schedule Changes

- Rate changes in Water:
 - None
- Rate changes in Sewer:
 - none
- Rate changes in Sanitation:
 - None
- Rate changes in Street Maintenance:
 - none

General Fund 2021 – 2022

Proposed Budget

October 1, 2021 Est. Beginning Cash	\$ 12,690,492
-------------------------------------	---------------

2021 – 2022 Proposed Revenues	<u>\$ 27,434,540</u>
-------------------------------	----------------------

Total Available Funds	\$ 40,125,032
------------------------------	----------------------

2021 – 2022 Proposed Operating Expenditures	\$ 27,424,540
---	---------------

2021 – 2022 Proposed Capital Expenditures	\$ 1,945,200
---	--------------

September 30, 2022 Est. Ending Cash	<u>\$ 10,755,292</u>
-------------------------------------	----------------------

Total Allocated Funds	\$ 40,125,032
------------------------------	----------------------

Utility Fund 2021 – 2022

Proposed Budget

October 1, 2021 Est. Beginning Cash	\$ 25,598,193
2021 – 2022 Proposed Revenues	\$ 19,871,000
2021 – 2022 Proposed Other Finance Sources	<u>\$ 8,329,940</u>

Total Available Funds	\$ 53,799,133
------------------------------	----------------------

2021 – 2022 Proposed Operating Expenses	\$ 11,807,234
2021 – 2022 Proposed Debt Service Expenses	\$ 3,969,882
2021 – 2022 Proposed Capital Expenses	\$ 7,478,000
2021 – 2022 Proposed Other Finance Uses	\$ 8,329,940
September 30, 2022 Est. Ending Cash	<u>\$ 22,214,077</u>

Total Allocated Funds	\$ 53,799,133
------------------------------	----------------------

Sanitation Fund 2021 – 2022

Proposed Budget

October 1, 2021 Est. Beginning Cash	\$13,441,732
2021 – 2022 Proposed Revenues	\$ 6,798,000
2021 – 2022 Proposed Other Finance Sources	<u>\$ 1,445,201</u>

Total Available Funds	\$ 21,684,933
------------------------------	----------------------

2021 – 2022 Proposed Operating Expenses	\$ 5,232,203
2021 – 2022 Proposed Capital Expenses	\$ 2,283,500
2021 – 2022 Proposed Other Finance Uses	\$ 1,445,201
September 30, 2022 Est. Ending Cash	<u>\$12,724,029</u>

Total Allocated Funds	\$ 21,684,933
------------------------------	----------------------

Questions?



Proposed Budget 2021-2022

As of 08/31/2021

Due to the passage of S.B. No. 656, Section 102.007 of the Texas Local Government Code was amended to require that the following information be included as the cover page for a budget document:

1. “This budget will raise more revenue from property taxes than last year’s budget by an amount of \$553,545, which is a 5% increase from last year’s budget. The property tax revenue to be raised from new property added to the tax roll this year is \$106,492.”
2. The municipal property tax rates for the preceding fiscal year, and each municipal property tax rate that has been adopted or calculated for the current fiscal year, include:

Calculated Rates

- a. The Property Tax Rate for the Preceding Fiscal Year - \$0.6160
- b. The Proposed Property Tax Rate – \$0.6160
- c. The No-New-Revenue Tax Rate – \$0.59378
- d. The Voter Approval Tax Rate - \$0.63777

Proposed Rates

- a. Maintenance & Operations Tax Rate - \$0.53371
 - b. Debt Rate (Interest & Sinking Fund) - \$0.08229
 - c. Total Proposed Property Tax Rate - \$0.6160
3. The total amount of outstanding municipal debt obligations secured by property taxes is \$2,854,696 (including principal and interest).

Fiscal Year 2021-22 Principal & Interest Requirements for Debt Service are:

- a. Property Tax Supported Debt: \$1,539,696
- b. Revenue Supported Debt: \$3,969,882

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City of Nacogdoches
2021 / 2022 Proposed Tax Rate

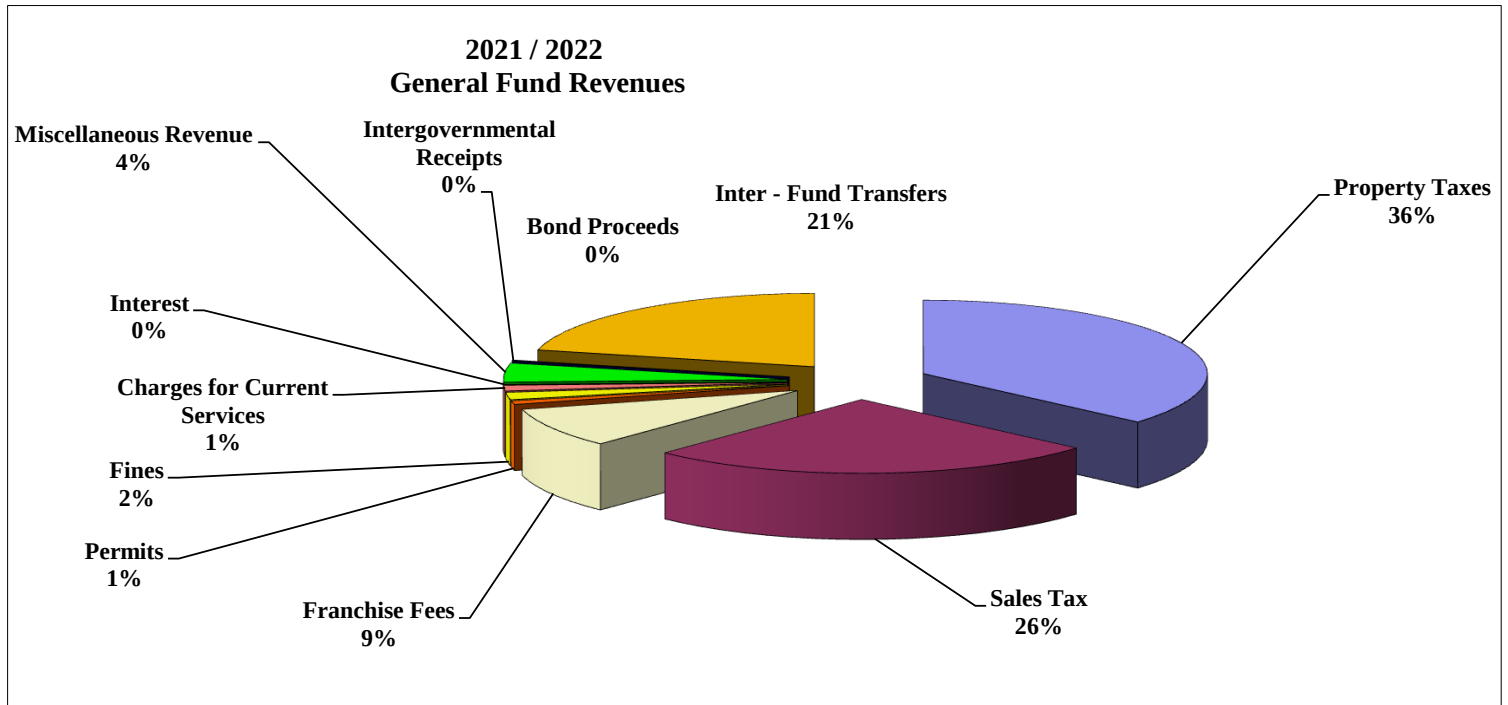
		Proposed 2021 / 2022 Property Taxes Collection Rate
Assessed Value		\$ 1,871,060,361
<u>Tax Rate per \$100 Valuation</u>	0.6160	\$ 11,525,732
Operations	0.53371	\$ 9,986,036
Debt	0.08229	\$ 1,539,696
		\$ 11,525,732
<u>Operations</u>		
Estimated Current Tax Collections		\$ 9,751,036
Estimated Delinquent Tax Collections		\$ 100,000
Estimated Penalty & Interest Collections		\$ 135,000
		\$ 9,986,036
<u>Debt</u>		
2016 Tax Notes		
Estimated Current Tax Collections		\$ 288,435
Estimated Delinquent Tax Collections		\$ 5,886
	0.01573	\$ 294,321
2020 General Obligation Refunding Bonds		
Estimated Current Tax Collections		\$ 1,004,868
Estimated Delinquent Tax Collections		\$ 20,508
	0.05480	\$ 1,025,376
2021 Tax Notes		
Estimated Current Tax Collections		\$ 215,600
Estimated Delinquent Tax Collections		\$ 4,400
	0.01176	\$ 220,000
Debt Requirements for Fiscal Year	0.08229	\$ 1,539,697

City of Nacogdoches
2021 / 2022 General Fund Summary

	Operating	Restricted	Total
October 1, 2021 Estimated Cash Reserves	\$ 11,780,586	\$ 909,906	\$ 12,690,492
2021 / 2022 Budget Revenues			
Property Taxes	\$ 9,993,036		\$ 9,993,036
Sales Tax	\$ 7,055,000		\$ 7,055,000
Franchise Fees	\$ 2,328,000	\$ 62,000	\$ 2,390,000
Permits	\$ 207,500		\$ 207,500
Fines	\$ 400,000	\$ 29,750	\$ 429,750
Charges for Current Services	\$ 327,360		\$ 327,360
Interest	\$ 15,000		\$ 15,000
Miscellaneous Revenue	\$ 1,133,469		\$ 1,133,469
Intergovernmental Receipts	\$ 36,500		\$ 36,500
Inter - Fund Transfers	\$ 5,846,925		\$ 5,846,925
Total 2021 / 2022 Budget Revenues	\$ 27,342,790	\$ 91,750	\$ 27,434,540
Total Available Funds	\$ 39,123,376	\$ 1,001,656	\$ 40,125,032
2021 / 2022 Budget Expenditures			
General Government	\$ 6,571,248	\$ 181,750	\$ 6,752,998
Public Safety	\$ 15,978,438		\$ 15,978,438
Highways	\$ 1,414,725		\$ 1,414,725
Cultural & Recreational	\$ 3,018,379		\$ 3,018,379
Inter - Fund Transfers	\$ 260,000		\$ 260,000
Total 2021 / 2022 Budget Expenditures	\$ 27,242,790	\$ 181,750	\$ 27,424,540
2021 / 2022 Capital Improvement Projects Budget - Reserve Funds			
Committed Projects:			
Animal Services - Dog Run Floor Resurface	\$ 45,000		\$ 45,000
Downtown - Plaza Principal Electrical Upgrades	\$ 50,000		\$ 50,000
Public Works - Fleet Maintenance Addition & Access Road	\$ 50,000		\$ 50,000
Parks & Cemetery - Mausoleum Roof Repair	\$ 60,000		\$ 60,000
Parks & Cemetery - Parking Lot Repaving Program	\$ 30,000		\$ 30,000
Parks & Cemetery - Ritchie Street Park Playground	\$ 180,000		\$ 180,000
Parks & Cemetery - Soccer Drainage Phase II	\$ 50,000		\$ 50,000
Streets - Annual Street Rehab	\$ 250,000		\$ 250,000
Total 2021 / 2022 Committed Capital Improvements Projects	\$ 715,000	\$ -	\$ 715,000
2021 / 2022 Capital Equipment/Projects Budget - Reserve Funds			
PEG Capital		\$ 150,000	\$ 150,000
Animal Shelter - Generator	\$ 43,600		\$ 43,600
Finance - Time & Attendance Software	\$ 100,000		\$ 100,000
Human Resources - Forms & Evaluation Software	\$ 45,000		\$ 45,000
Info Tech - Microsoft User Management	\$ 42,000		\$ 42,000
Info Tech - Spillman Server for PD	\$ 35,000		\$ 35,000
Info Tech - Watchguard Server for PD	\$ 22,000		\$ 22,000
Inspections - Vehicle for Building Official	\$ 36,000		\$ 36,000
Inspections - Vehicle for Code Enforcement	\$ 25,000		\$ 25,000
Parks & Cemetery - Dump Truck	\$ 83,600		\$ 83,600
Planning & Zoning - Comprehensive Plan	\$ 450,000		\$ 450,000
Recreation - Countertop Replacement	\$ 25,000		\$ 25,000
Public Works - Shower & Eye Wash Station	\$ 20,000		\$ 20,000
Public Works - Kitchen & Warming Station	\$ 20,000		\$ 20,000
Streets - Crew Truck Replacement	\$ 55,000		\$ 55,000
Streets - Crew Truck Replacement	\$ 55,000		\$ 55,000
Streets - Trailer Mounted Attenuator	\$ 23,000		\$ 23,000
Total 2021 / 2022 Capital Equipment/Projects	\$ 1,080,200	\$ 150,000	\$ 1,230,200
September 30, 2022 Estimated Ending Balance	\$ 10,085,386	\$ 669,906	\$ 10,755,292
Total Allocated Funds	\$ 39,123,376	\$ 1,001,656	\$ 40,125,032
25% Reserve Requirement	\$ 6,810,698		
Excess over Reserve Requirement	\$ 3,274,689		

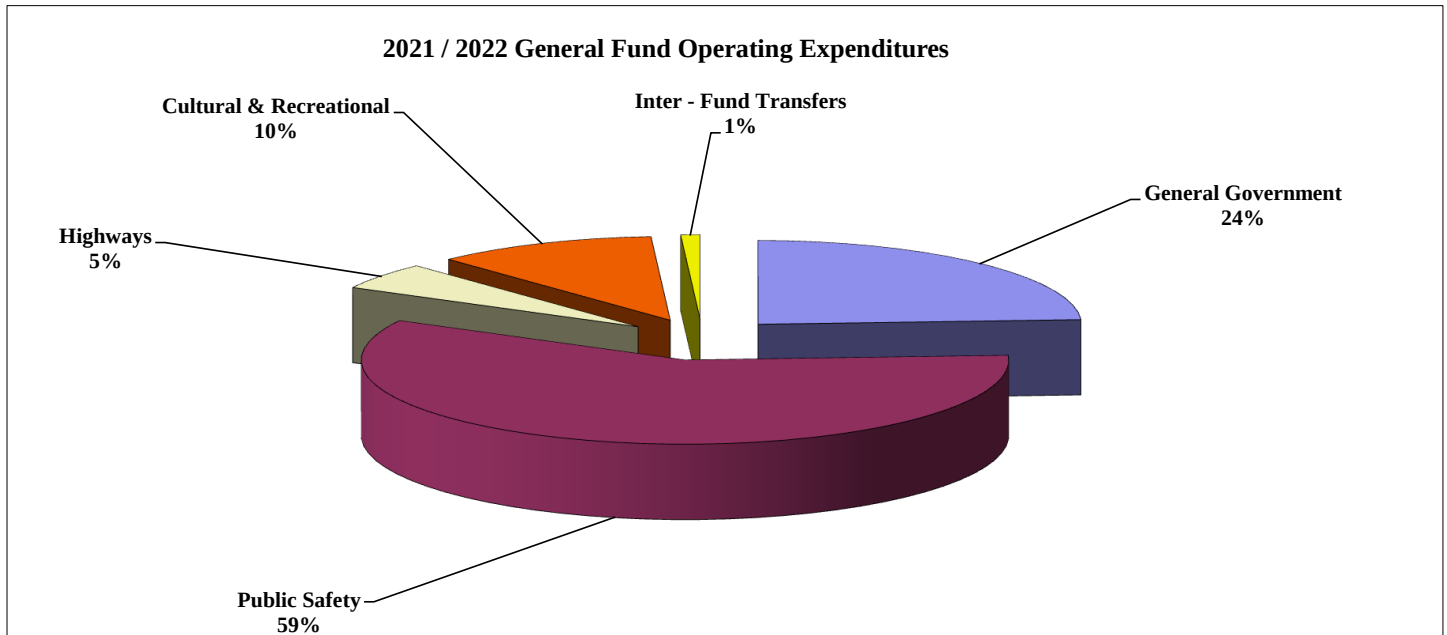
City of Nacogdoches
2021 / 2022 General Fund Revenues

	Actual Balance 2018 / 2019	Actual Balance 2019 / 2020	March Actual Balance 2020 / 2021	Adopted Budget 2020 / 2021	Amended Budget 2020 / 2021	Proposed Budget 2021 / 2022
Property Taxes	\$ 8,794,158	\$ 9,560,832	\$ 9,332,180	\$ 9,605,882	\$ 9,605,882	\$ 9,993,036
Sales Tax	\$ 6,657,769	\$ 6,980,106	\$ 3,579,264	\$ 6,400,000	\$ 6,400,000	\$ 7,055,000
Franchise Fees	\$ 2,532,437	\$ 2,425,073	\$ 405,174	\$ 2,427,000	\$ 2,427,000	\$ 2,390,000
Permits	\$ 192,661	\$ 354,996	\$ 110,395	\$ 205,000	\$ 205,000	\$ 207,500
Fines	\$ 737,573	\$ 499,983	\$ 177,980	\$ 559,250	\$ 559,250	\$ 429,750
Charges for Current Services	\$ 418,773	\$ 210,311	\$ 121,080	\$ 293,860	\$ 293,860	\$ 327,360
Interest	\$ 317,532	\$ 141,698	\$ 22,378	\$ 35,280	\$ 35,280	\$ 15,000
Miscellaneous Revenue	\$ 3,365,151	\$ 1,106,276	\$ 475,084	\$ 1,021,063	\$ 1,022,063	\$ 1,133,469
Intergovernmental Receipts	\$ 444,644	\$ 616,757	\$ 1,497,201	\$ 27,500	\$ 1,509,244	\$ 36,500
Bond Proceeds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Inter - Fund Transfers	\$ 5,625,303	\$ 5,622,013	\$ 2,851,162	\$ 5,702,324	\$ 5,752,234	\$ 5,846,925
Total General Fund Revenues	\$ 29,086,000	\$ 27,518,045	\$ 18,571,898	\$ 26,277,159	\$ 27,809,813	\$ 27,434,540



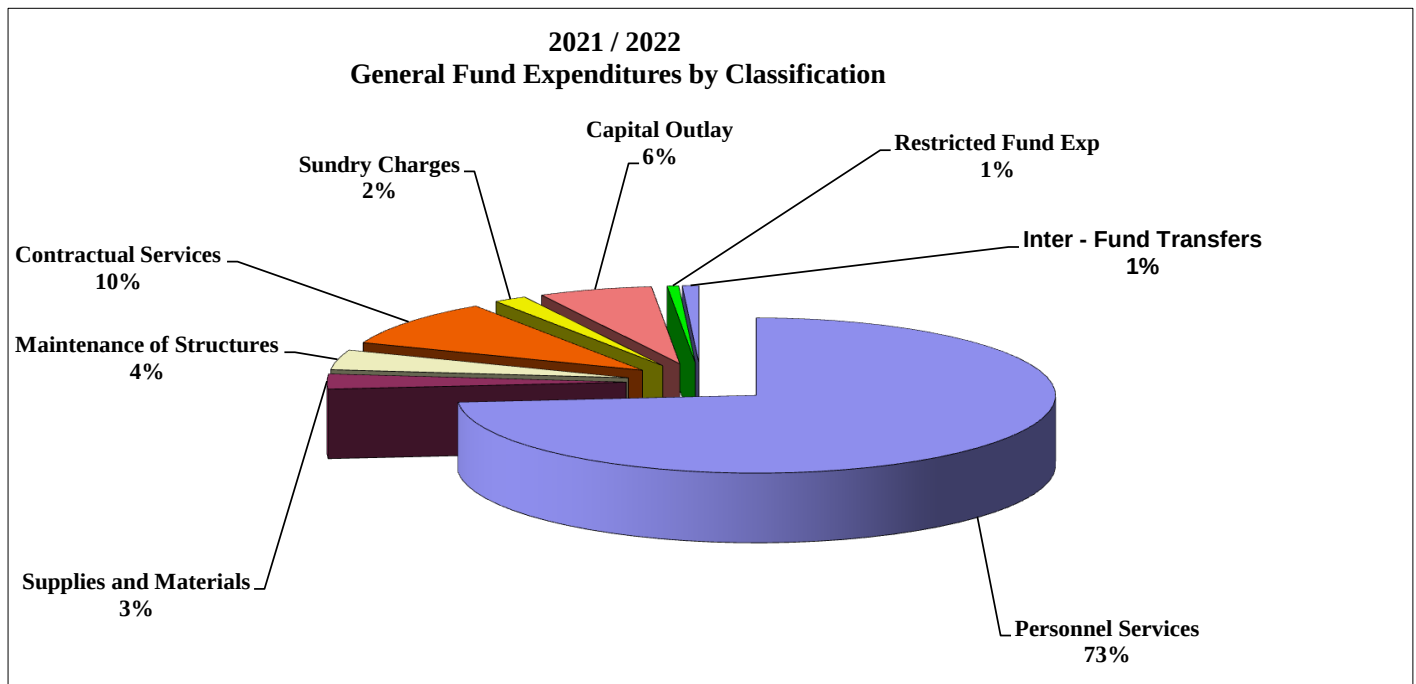
City of Nacogdoches
2021 / 2022 General Fund Expenditures by Function

	Actual Balance 2018 / 2019	Actual Balance 2019 / 2020	March Actual Balance 2020 / 2021	Adopted Budget 2020 / 2021	Amended Budget 2020 / 2021	Proposed Budget 2021 / 2022
General Government	\$ 6,113,621	\$ 5,641,219	\$ 3,660,243	\$ 6,438,546	\$ 6,863,569	\$ 6,571,248
Public Safety	\$ 16,231,074	\$ 15,066,733	\$ 7,980,069	\$ 15,348,644	\$ 15,906,304	\$ 15,978,438
Highways	\$ 1,206,652	\$ 1,275,186	\$ 562,616	\$ 1,288,785	\$ 1,341,610	\$ 1,414,725
Cultural & Recreational	\$ 2,805,317	\$ 2,422,946	\$ 1,235,182	\$ 2,839,565	\$ 2,958,395	\$ 3,018,379
Inter - Fund Transfers	\$ 350,200	\$ 373,630	\$ 201,875	\$ 250,000	\$ 255,000	\$ 260,000
Total General Fund Operating Expenditures	\$ 26,706,865	\$ 24,779,714	\$ 13,639,985	\$ 26,165,540	\$ 27,324,878	\$ 27,242,790
Capital Improvements	\$ 1,849,386	\$ 1,020,802	\$ 390,840	\$ 993,500	\$ 2,337,329	\$ 1,795,200
Restricted Fund Expenditures	\$ 99,384	\$ 83,286	\$ 29,036	\$ 217,711	\$ 217,711	\$ 181,750
Total General Fund Expenditures	\$ 28,655,635	\$ 25,883,802	\$ 14,059,861	\$ 27,376,751	\$ 29,879,918	\$ 29,219,740



City of Nacogdoches
2021 / 2022 General Fund Expenditures by Classification

	March Actual					
	Actual Balance 2018 / 2019	Actual Balance 2019 / 2020	Balance 2020 / 2021	Adopted Budget 2020 / 2021	Amended Budget 2020 / 2021	Proposed Budget 2021 / 2022
Personnel Services	\$ 21,596,131	\$ 19,823,201	\$ 10,408,640	\$ 20,564,525	\$ 20,952,525	\$ 21,496,752
Supplies and Materials	\$ 948,504	\$ 842,985	\$ 1,075,325	\$ 879,636	\$ 1,405,363	\$ 910,219
Maintenance of Structures	\$ 874,485	\$ 920,293	\$ 508,590	\$ 1,128,129	\$ 1,156,265	\$ 1,205,397
Contractual Services	\$ 2,414,470	\$ 2,266,550	\$ 1,206,240	\$ 2,871,183	\$ 3,083,658	\$ 2,852,245
Sundry Charges	\$ 523,075	\$ 553,055	\$ 239,315	\$ 472,067	\$ 472,067	\$ 518,177
Capital Outlay	\$ 1,849,386	\$ 1,020,802	\$ 390,840	\$ 993,500	\$ 2,337,329	\$ 1,795,200
Restricted Fund Exp	\$ 99,384	\$ 83,286	\$ 29,036	\$ 217,711	\$ 217,711	\$ 181,750
Inter - Fund Transfers	\$ 350,200	\$ 373,630	\$ 201,875	\$ 250,000	\$ 255,000	\$ 260,000
Total	\$ 28,655,635	\$ 25,883,802	\$ 14,059,861	\$ 27,376,751	\$ 29,879,918	\$ 29,219,740



City of Nacogdoches
2021 / 2022 General Fund Expenditures by Department

	Actual Balance 2018 / 2019	Actual Balance 2019 / 2020	March Actual Balance 2020 / 2021	Adopted Budget 2020 / 2021	Amended Budget 2020 / 2021	Proposed Budget 2021 / 2022
City Council	\$ 25,213	\$ 18,379	\$ 12,755	\$ 27,425	\$ 27,425	\$ 26,250
City Manager	\$ 365,246	\$ 285,790	\$ 167,864	\$ 384,332	\$ 399,643	\$ 307,525
Municipal Court	\$ 328,408	\$ 219,180	\$ 96,811	\$ 209,358	\$ 212,508	\$ 300,602
City Secretary	\$ 131,770	\$ 113,246	\$ 63,429	\$ 122,841	\$ 124,466	\$ 137,190
Finance	\$ 491,517	\$ 489,457	\$ 250,318	\$ 637,694	\$ 680,294	\$ 661,056
Information Technology	\$ 439,522	\$ 401,213	\$ 254,852	\$ 439,795	\$ 469,995	\$ 496,819
Human Resources	\$ 329,928	\$ 293,321	\$ 143,823	\$ 291,217	\$ 319,117	\$ 375,905
Legal	\$ 279,409	\$ 276,954	\$ 123,942	\$ 275,628	\$ 341,153	\$ 280,998
Planning & Zoning	\$ 200,987	\$ 159,808	\$ 93,441	\$ 188,968	\$ 191,778	\$ 244,427
Code Enforcement	\$ 178,017	\$ 188,383	\$ 100,214	\$ 212,741	\$ 216,991	\$ 254,927
Building Maintenance	\$ 393,614	\$ 355,753	\$ 190,542	\$ 369,237	\$ 373,312	\$ 376,312
Development	\$ 77,770	\$ 82,841	\$ -	\$ -	\$ -	\$ -
Vehicle Maintenance	\$ 356,520	\$ 301,809	\$ 145,188	\$ 308,066	\$ 310,266	\$ 308,961
Engineering	\$ 636,649	\$ 495,694	\$ 259,253	\$ 492,919	\$ 501,669	\$ 589,555
Convention & Tourism	\$ 326,684	\$ 288,679	\$ 192,197	\$ 390,901	\$ 394,326	\$ 369,005
Economic Development	\$ 269,253	\$ 245,753	\$ 127,674	\$ 251,462	\$ 256,787	\$ 263,872
Non-Departmental	\$ 1,283,114	\$ 1,424,959	\$ 1,437,940	\$ 1,835,962	\$ 2,043,839	\$ 1,577,844
General Govt.	\$ 6,113,621	\$ 5,641,219	\$ 3,660,243	\$ 6,438,546	\$ 6,863,569	\$ 6,571,248
Police	\$ 9,039,908	\$ 8,171,190	\$ 4,252,014	\$ 8,594,193	\$ 8,850,803	\$ 8,706,645
Fire	\$ 6,550,068	\$ 6,261,615	\$ 3,389,863	\$ 6,041,206	\$ 6,299,806	\$ 6,478,607
Building Inspections	\$ 178,017	\$ 188,383	\$ 100,214	\$ 212,741	\$ 216,991	\$ 236,057
Animal Control	\$ 463,081	\$ 445,545	\$ 237,978	\$ 500,504	\$ 538,704	\$ 557,129
Public Safety	\$ 16,231,074	\$ 15,066,733	\$ 7,980,069	\$ 15,348,644	\$ 15,906,304	\$ 15,978,438
Historic Sites & Main Street	\$ 336,958	\$ 295,227	\$ 168,506	\$ 380,365	\$ 405,415	\$ 351,820
Library	\$ 578,093	\$ 518,228	\$ 262,460	\$ 555,325	\$ 569,675	\$ 612,220
Recreation	\$ 556,353	\$ 442,975	\$ 214,315	\$ 605,475	\$ 644,625	\$ 665,351
Parks & Cemetery	\$ 1,333,913	\$ 1,166,516	\$ 589,901	\$ 1,298,400	\$ 1,338,680	\$ 1,388,988
Cultural & Recreational	\$ 2,805,317	\$ 2,422,946	\$ 1,235,182	\$ 2,839,565	\$ 2,958,395	\$ 3,018,379
Public Works Administration	\$ 243,133	\$ 228,043	\$ 72,691	\$ 123,948	\$ 131,473	\$ 130,934
Streets	\$ 963,519	\$ 1,047,143	\$ 489,925	\$ 1,164,837	\$ 1,210,137	\$ 1,283,791
Highways & Streets	\$ 1,206,652	\$ 1,275,186	\$ 562,616	\$ 1,288,785	\$ 1,341,610	\$ 1,414,725
Inter - Fund Transfers	\$ 350,200	\$ 373,630	\$ 201,875	\$ 250,000	\$ 255,000	\$ 260,000
Total Operating Budget	\$ 26,706,865	\$ 24,779,714	\$ 13,639,985	\$ 26,165,540	\$ 27,324,878	\$ 27,242,790
Reserve Funds Capital Equip/Improvements	\$ 1,849,386	\$ 1,020,802	\$ 390,840	\$ 993,500	\$ 2,337,329	\$ 1,795,200
Restricted Funds Expenditures	\$ 99,384	\$ 83,286	\$ 29,036	\$ 217,711	\$ 217,711	\$ 181,750
Total General Fund Budget	\$ 28,655,635	\$ 25,883,802	\$ 14,059,861	\$ 27,376,751	\$ 29,879,918	\$ 29,219,740

City of Nacogdoches
2021 / 2022 General Fund Capital Equipment

Description	Operations	Reserves	Restricted Cash
Animal Shelter - Generator		\$ 43,600	
Finance - Time & Attendance Software		\$ 100,000	
Human Resources - Forms & Evaluation Software		\$ 45,000	
Info Tech - Microsoft User Management		\$ 42,000	
Info Tech - Spillman Server for PD		\$ 35,000	
Info Tech - Watchguard Server for PD		\$ 22,000	
Inspections - Vehicle for Building Official		\$ 36,000	
Inspections - Vehicle for Code Enforcement		\$ 25,000	
Parks & Cemetery - Dump Truck		\$ 83,600	
Planning & Zoning - Comprehensive Plan		\$ 450,000	
Recreation - Countertop Replacement		\$ 25,000	
Public Works - Shower & Eye Wash Station		\$ 20,000	
Public Works - Kitchen & Warming Station		\$ 20,000	
Streets - Crew Truck Replacement		\$ 55,000	
Streets - Crew Truck Replacement		\$ 55,000	
Streets - Trailer Mounted Attenuator		\$ 23,000	
PEG - Council/Channel 21 Upgrade			\$ 150,000
Grand Total	\$ -	\$ 1,080,200	\$ 150,000

City of Nacogdoches
2021 / 2022 Utility Fund Summary

	Water & Sewer Operations	Capital Replacement	Debt Service	Debt Service Reserve	Total Water & Sewer Fund
October 1, 2021 Estimated Cash Reserves					
Unrestricted Cash & Cash Equivalents	\$ 6,046,245				\$ 6,046,245
Restricted Cash for Equipment Replacement		\$ 9,998,785			\$ 9,998,785
Restricted Cash for Future Water & Sewer CIP		\$ 6,119,892			\$ 6,119,892
Restricted Cash for Debt Service			\$ 2,032,968		\$ 2,032,968
Restricted Cash for Debt Service Reserve				\$ 1,400,303	\$ 1,400,303
Total Estimated Beginning Cash Balance	\$ 6,046,245	\$ 16,118,677	\$ 2,032,968	\$ 1,400,303	\$ 25,598,193
2021 / 2022 Budget Revenues					
Permits	\$ 35,000				\$ 35,000
Interest	\$ 16,250	\$ 20,000	\$ 1,500	\$ 750	\$ 38,500
Miscellaneous Revenue	\$ 597,500				\$ 597,500
Water Sales	\$ 10,200,000				\$ 10,200,000
Sewer Sales	\$ 9,000,000				\$ 9,000,000
Interfund Transfers	\$ -				\$ -
Total 2021 / 2022 Budget Revenues	\$ 19,848,750	\$ 20,000	\$ 1,500	\$ 750	\$ 19,871,000
2021 / 2022 Other Finance Sources					
Contribution from Operations-Debt Service			\$ 3,969,882		\$ 3,969,882
Contribution from Operations-Depreciation		\$ 4,360,058			\$ 4,360,058
Contribution from Operations-Future Water & Sewer CIP		\$ -			\$ -
Total 2021 / 2022 Other Finance Sources	\$ -	\$ 4,360,058	\$ 3,969,882	\$ -	\$ 8,329,940
Total Available Funds	\$ 25,894,995	\$ 20,498,735	\$ 6,004,350	\$ 1,401,053	\$ 53,799,133
2021 / 2022 Operating Budget Expenses					
Water Billing	\$ 1,362,907				\$ 1,362,907
Water Production	\$ 2,574,339				\$ 2,574,339
Distribution & Collection	\$ 1,472,746				\$ 1,472,746
Wastewater Treatment	\$ 2,338,479				\$ 2,338,479
Non - Departmental	\$ 400,882				\$ 400,882
Debt Service - Principal			\$ 3,625,000		\$ 3,625,000
Debt Service - Interest			\$ 344,882		\$ 344,882
Inter - Fund Transfers	\$ 3,657,881				\$ 3,657,881
Total 2021 / 2022 Operating Budget Expenses	\$ 11,807,234	\$ -	\$ 3,969,882	\$ -	\$ 15,777,116

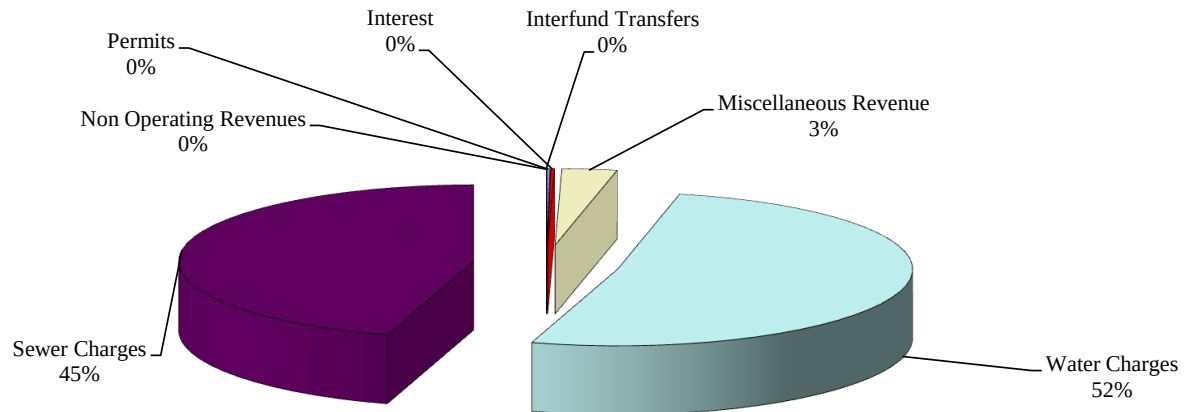
City of Nacogdoches
2021 / 2022 Utility Fund Summary

	Water & Sewer Operations	Capital Replacement	Debt Service	Debt Service Reserve	Total Water & Sewer Fund
2021 / 2022 Capital Improvements					
<u>Water Projects</u>					
Water Line Additions/Replacements & Developer Reimb.		\$ 1,000,000			\$ 1,000,000
Water Well Rehab (one annually)		\$ 225,000			\$ 225,000
<u>Wastewater Projects</u>					
Liftstation (FM 1878) Replacement		\$ 810,000			\$ 810,000
24" Banita Creek Sewer Line Replacement		\$ 1,500,000			\$ 1,500,000
Sanitary Sewer Line Additions/Replacements & Developer Reimb.		\$ 1,000,000			\$ 1,000,000
Storm Sewer Line Additions/Replacements		\$ 1,000,000			\$ 1,000,000
Lanana Creek Sewer Line Replacement		\$ 1,250,000			\$ 1,250,000
WWTP Digester Bypass		\$ 175,000			\$ 175,000
Sludge Thickener System		\$ 20,000			\$ 20,000
Total 2021 / 2022 Capital Improvements	\$ -	\$ 6,980,000	\$ -	\$ -	\$ 6,980,000
2021 / 2022 Capital Equipment					
Utility Construction - Replace Unit 643 Pickup Truck		\$ 38,000			\$ 38,000
Utility Construction - Replace Unit 584 Backhoe		\$ 125,000			\$ 125,000
Utility Construction - Replace Unit 541 Dump Truck		\$ 140,000			\$ 140,000
Wastewater Treatment - Replace Unit 625 Pickup Truck		\$ 30,000			\$ 30,000
Wastewater Treatment - Replace Unit 627 Pickup Truck		\$ 30,000			\$ 30,000
Wastewater Treatment - Replace Unit 672 Dump Truck		\$ 135,000			\$ 135,000
Total 2021 / 2022 Capital Equipment	\$ -	\$ 498,000	\$ -	\$ -	\$ 498,000
Other Finance Uses					
Contributions to Debt Service	\$ 3,969,882				\$ 3,969,882
Contributions to Capital Replacement - Depreciation	\$ 4,360,058				\$ 4,360,058
Contributions to Capital Replacement - Future CIP	\$ -				\$ -
Total Other Finance Uses	\$ 8,329,940	\$ -	\$ -	\$ -	\$ 8,329,940
September 30, 2022 Estimated Cash Reserves					
Unrestricted Cash & Cash Equivalents	\$ 5,757,821				\$ 5,757,821
Restricted Cash for Capital Replacement		\$ 13,020,735			\$ 13,020,735
Restricted Cash for Debt Service			\$ 2,034,468		\$ 2,034,468
Restricted Cash for Debt Service Reserve				\$ 1,401,053	\$ 1,401,053
Total Estimated Ending Cash Balance	\$ 5,757,821	\$ 13,020,735	\$ 2,034,468	\$ 1,401,053	\$ 22,214,077
Total Allocated Funds	\$ 25,894,995	\$ 20,498,735	\$ 6,004,350	\$ 1,401,053	\$ 53,799,133
25% Required Reserves	\$ 3,944,279				
Excess over Reserve Requirement	\$ 1,813,542				

City of Nacogdoches
2021 / 2022 Utility Fund Revenues

	Actual Balance 2018 / 2019	Actual Balance 2019 / 2020	March Actual Balance 2020 / 2021	Adopted Budget 2020 / 2021	Amended Budget 2020 / 2021	Proposed Budget 2021 / 2022
Permits	\$ 44,173	\$ 39,995	\$ 32,270	\$ 42,000	\$ 42,000	\$ 35,000
Interest	\$ 647,147	\$ 313,627	\$ 40,105	\$ 51,500	\$ 51,500	\$ 38,500
Miscellaneous Revenue	\$ 646,808	\$ 680,718	\$ 308,171	\$ 617,500	\$ 617,500	\$ 597,500
Water Charges	\$ 10,043,094	\$ 9,877,555	\$ 4,853,490	\$ 10,200,000	\$ 10,200,000	\$ 10,200,000
Sewer Charges	\$ 8,919,860	\$ 8,715,721	\$ 4,220,898	\$ 9,000,000	\$ 9,000,000	\$ 9,000,000
Interfund Transfers	\$ -	\$ -	\$ -	\$ 150,000	\$ 298,850	\$ -
Non Operating Revenues	\$ 89,532	\$ 34,816	\$ 1,601	\$ 9,000	\$ 9,000	\$ -
Total Budgeted Revenues	\$ 20,390,614	\$ 19,662,432	\$ 9,456,535	\$ 20,070,000	\$ 20,218,850	\$ 19,871,000

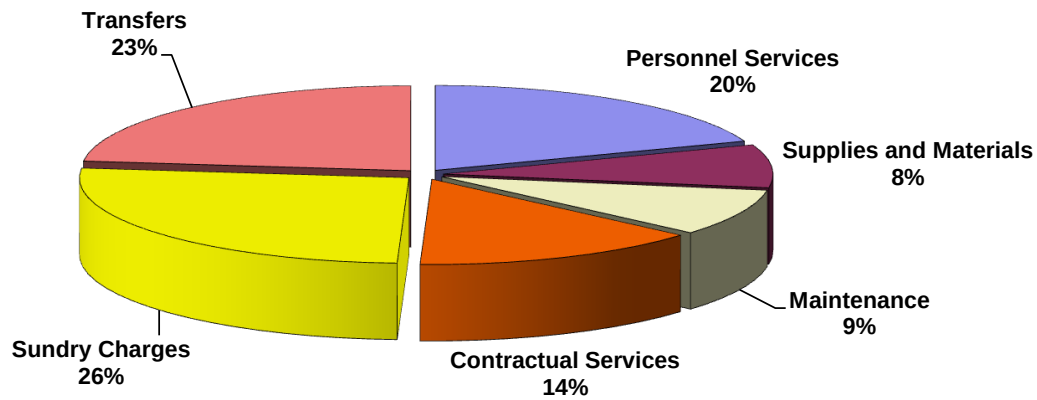
2021 / 2022 Utility Fund Summary of Revenues



City of Nacogdoches
2021 / 2022 Utility Fund Expenses by Classification

	Actual Balance 2018 / 2019	Actual Balance 2019 / 2020	March Actual Balance 2020 / 2021	Adopted Budget 2020 / 2021	Amended Budget 2020 / 2021	Proposed Budget 2021 / 2022
Personnel Services	\$ 2,363,977	\$ 2,771,351	\$ 1,410,549	\$ 2,977,893	\$ 3,025,893	\$ 3,062,668
Supplies and Materials	\$ 843,503	\$ 884,154	\$ 404,926	\$ 1,130,660	\$ 1,130,660	\$ 1,288,341
Maintenance	\$ 992,596	\$ 1,184,465	\$ 597,656	\$ 1,066,761	\$ 1,066,761	\$ 1,394,397
Contractual Services	\$ 1,726,598	\$ 1,721,062	\$ 1,080,376	\$ 2,408,835	\$ 2,659,335	\$ 2,232,832
Sundry Charges	\$ 4,128,764	\$ 4,153,930	\$ 1,649,103	\$ 4,256,551	\$ 4,256,551	\$ 4,140,997
Transfers	\$ 3,652,113	\$ 3,704,264	\$ 1,828,757	\$ 3,567,514	\$ 3,729,859	\$ 3,657,881
Total	\$ 13,707,551	\$ 14,419,226	\$ 6,971,367	\$ 15,408,214	\$ 15,869,059	\$ 15,777,116

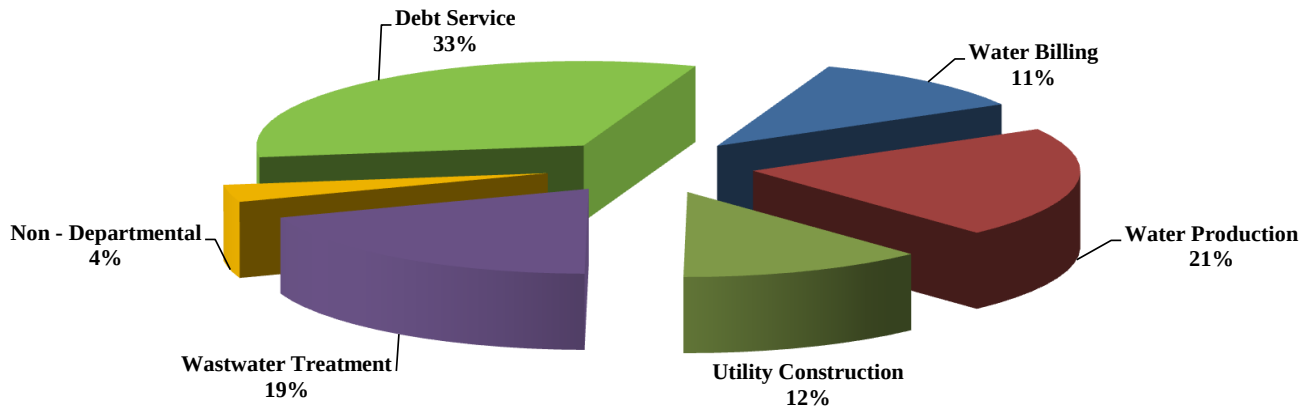
2021 /2022 Utility Fund Expenses by Classification



City of Nacogdoches
2021 / 2022 Utility Fund Expenses by Department

	Actual Balance 2018 / 2019	Actual Balance 2019 / 2020	March Actual Balance 2020 / 2021	Adopted Budget 2020 / 2021	Amended Budget 2020 / 2021	Proposed Budget 2021 / 2022
Water Billing	\$ 1,120,646	\$ 1,325,128	\$ 631,902	\$ 1,311,199	\$ 1,318,099	\$ 1,362,907
Water Production	\$ 1,659,252	\$ 1,592,493	\$ 858,378	\$ 2,391,735	\$ 2,437,835	\$ 2,574,339
Utility Construction	\$ 931,178	\$ 1,332,141	\$ 622,684	\$ 1,398,606	\$ 1,431,356	\$ 1,472,746
Wastewater Treatment	\$ 2,103,402	\$ 2,151,517	\$ 1,117,482	\$ 2,191,293	\$ 2,227,593	\$ 2,338,479
Non - Departmental	\$ 267,500	\$ 342,920	\$ 270,887	\$ 462,431	\$ 425,881	\$ 400,882
Debt Service	\$ 3,973,460	\$ 3,970,763	\$ 1,641,277	\$ 4,085,436	\$ 4,085,436	\$ 3,969,882
Total Operating Expenses	\$ 10,055,438	\$ 10,714,962	\$ 5,142,610	\$ 11,840,700	\$ 11,926,200	\$ 12,119,235
Inter - Fund Transfers	\$ 3,652,113	\$ 3,704,264	\$ 1,828,757	\$ 3,567,514	\$ 3,729,859	\$ 3,657,881
Total Expenses	\$ 13,707,551	\$ 14,419,226	\$ 6,971,367	\$ 15,408,214	\$ 15,656,059	\$ 15,777,116

2021 / 2022 Utility Fund Summary of Expenses



City of Nacogdoches
2021 / 2022 Utility Fund Capital Equipment

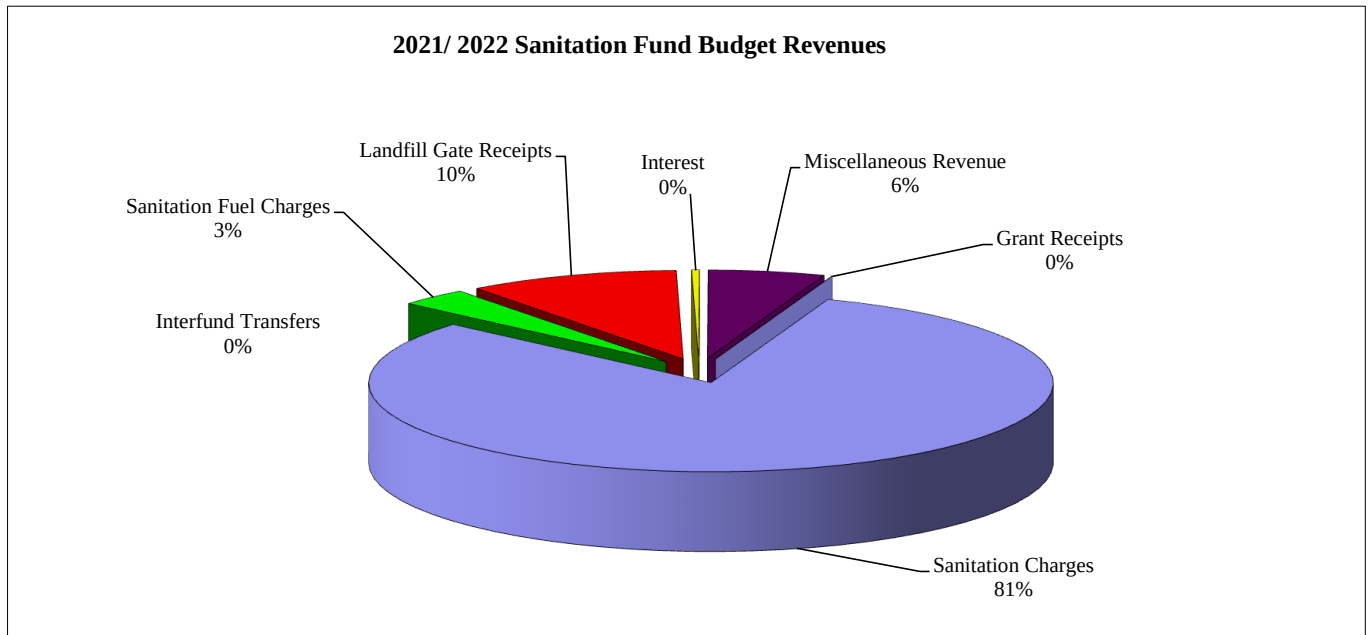
Department	Description	Operations	Depreciation Fund
Utility Construction	Replace Unit 643 Pickup Truck		\$38,000
Utility Construction	Replace Unit 584 Backhoe		\$125,000
Utility Construction	Replace Unit 541 Dump Truck		\$140,000
Wastewater Treatment	Replace Unit 625 Pickup Truck		\$30,000
Wastewater Treatment	Replace Unit 627 Pickup Truck		\$30,000
Wastewater Treatment	Replace Unit 672 Dump Truck		\$135,000
Total Capital		\$ -	\$ 498,000

City of Nacogdoches
2021 / 2022 Sanitation Fund Summary

	Sanitation Fund Operations	Capital Replacement	Landfill Pit Liability Account	Total Sanitation Fund
October 1, 2021 Estimated Cash Reserves				
Unrestricted Cash & Cash Equivalents	\$ 2,772,343			\$ 2,772,343
Restricted Cash for Equipment Replacement		\$ 2,430,820		\$ 2,430,820
Restricted Cash for Landfill Pit Liability			\$ 8,238,569	\$ 8,238,569
Total Estimated Beginning Cash Balance	\$ 2,772,343	\$ 2,430,820	\$ 8,238,569	\$ 13,441,732
2021 / 2022 Budget Revenues				
Sanitation Charges	\$ 5,496,000			\$ 5,496,000
Sanitation Fuel Charges	\$ 222,000			\$ 222,000
Landfill Gate Receipts	\$ 680,000			\$ 680,000
Interest	\$ 25,000			\$ 25,000
Miscellaneous Revenue	\$ 375,000			\$ 375,000
Interfund Transfers	\$ -			\$ -
Total 2021 / 2022 Budget Revenues	\$ 6,798,000	\$ -	\$ -	\$ 6,798,000
2021 / 2022 Other Finance Sources				
Contributions from Operations-Depreciation		\$ 945,201		\$ 945,201
Contributions from Operations-Additional Capital		\$ 500,000		\$ 500,000
Contributions from Operations-Closure/Postclosure			\$ -	\$ -
Contributions from Operations-New Cell Construction			\$ -	\$ -
Total 2021 / 2022 Other Finance Sources	\$ -	\$ 1,445,201	\$ -	\$ 1,445,201
Total Available Funds	\$ 9,570,343	\$ 3,876,021	\$ 8,238,569	\$ 21,684,933
2021 / 2022 Budget Operating Expenses				
Sanitation Collection	\$ 1,418,811			\$ 1,418,811
Sanitation Disposal	\$ 956,517			\$ 956,517
Sanitation Administration	\$ 196,049			\$ 196,049
Non - Departmental	\$ 371,782			\$ 371,782
Inter - Fund Transfers	\$ 2,289,044			\$ 2,289,044
Total 2021 / 2022 Budget Operating Expenses	\$ 5,232,203	\$ -	\$ -	\$ 5,232,203
2021 / 2022 Capital Improvements				
Landfill Expansion			\$ 750,000	\$ 750,000
Total 2021 / 2022 Capital Improvements	\$ -	\$ -	\$ 750,000	\$ 750,000
2021 / 2022 Capital Equipment				
Sanitation Collection - Route Optimization Software		\$ 85,000		\$ 85,000
Sanitation Collection - Global Backup Safety Sensors		\$ 30,000		\$ 30,000
Sanitation Collection - Replace Brush Truck		\$ 195,000		\$ 195,000
Sanitation Collection - Replace Front Load Garbage Truck		\$ 330,000		\$ 330,000
Sanitation Collection - Replace Rear Load Garbage Truck		\$ 190,000		\$ 190,000
Sanitation Collection - Replace Side Load Garbage Truck		\$ 370,000		\$ 370,000
Sanitation Collection - Replace Supervisor Pickup Truck		\$ 55,000		\$ 55,000
Sanitation Disposal - Cat D2 Dozer		\$ 180,000		\$ 180,000
Sanitation Disposal - Crew Pickup Truck		\$ 55,000		\$ 55,000
Sanitation Disposal - Pressure Washer		\$ 13,000		\$ 13,000
Sanitation Disposal - Mig Welder		\$ 5,500		\$ 5,500
Sanitation Admin - Code Enforcement Pickup Truck		\$ 25,000		\$ 25,000
Total 2021 / 2022 Capital Equipment Expenses	\$ -	\$ 1,533,500	\$ -	\$ 1,533,500
Other Finance Uses				
Contributions to Equipment Replacement	\$ 945,201			\$ 945,201
Contributions to Capital Equipment	\$ 500,000			\$ 500,000
Contributions to Landfill Closure/Post Closure	\$ -			\$ -
Contributions to Landfill New Cell Construction	\$ -			\$ -
Total Other Finance Uses	\$ 1,445,201	\$ -	\$ -	\$ 1,445,201
September 30, 2022 Estimated Cash Reserves				
Unrestricted Cash & Cash Equivalents	\$ 2,892,939			\$ 2,892,939
Restricted Cash for Equipment Replacement		\$ 2,342,521		\$ 2,342,521
Restricted Cash for Landfill Pit Liability			\$ 7,488,569	\$ 7,488,569
Total Estimated Ending Cash Balance	\$ 2,892,939	\$ 2,342,521	\$ 7,488,569	\$ 12,724,029
Total Allocated Funds	\$ 9,570,343	\$ 3,876,021	\$ 8,238,569	\$ 21,684,933
25% Required Reserves	\$ 1,308,051			
Excess over Reserve Requirement	\$ 1,584,888			

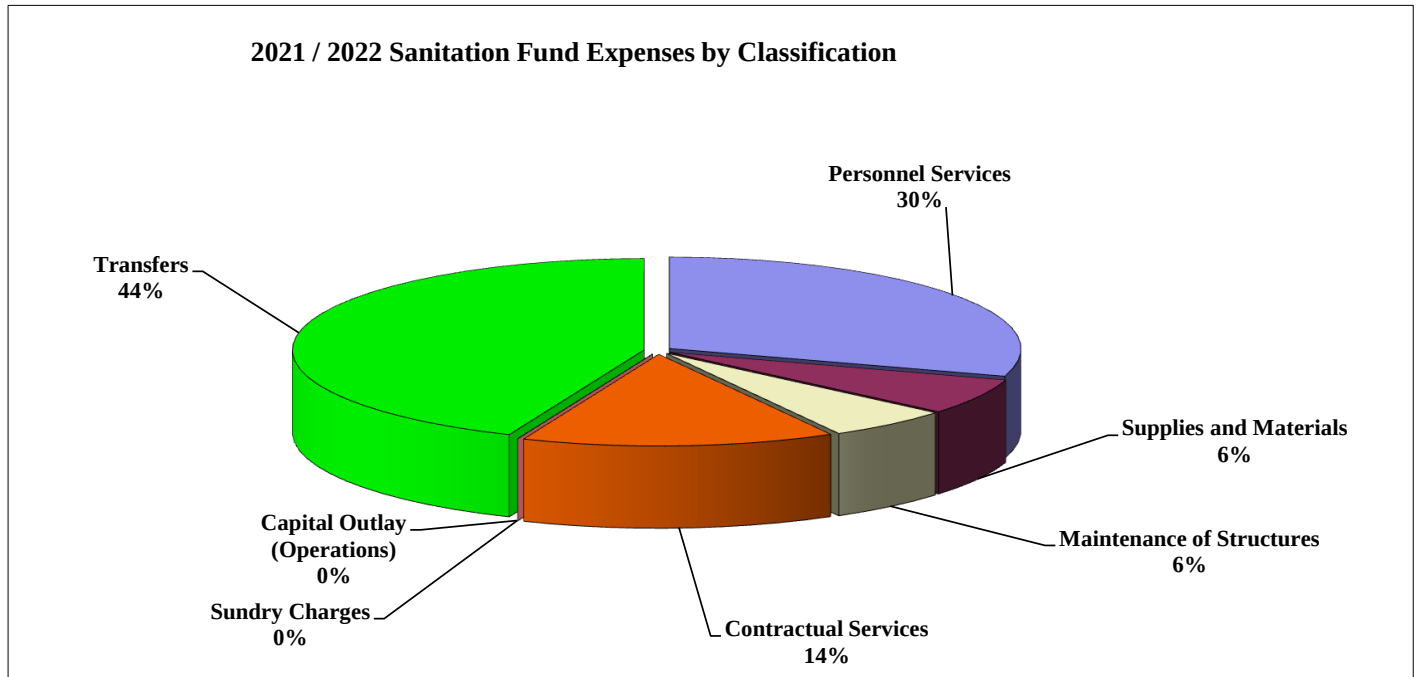
City of Nacogdoches
2021 / 2022 Sanitation Fund Revenues

	Actual Balance 2018 / 2019	Actual Balance 2019 / 2020	March Actual Balance 2020 / 2021	Adopted Budget 2020 / 2021	Amended Budget 2020 / 2021	Proposed Budget 2021 / 2022
Sanitation Charges	\$ 5,432,450	\$ 5,431,650	\$ 2,742,961	\$ 5,425,000	\$ 5,425,000	\$ 5,496,000
Sanitation Fuel Charges	\$ 252,396	\$ 191,540	\$ 94,111	\$ 210,000	\$ 210,000	\$ 222,000
Landfill Gate Receipts	\$ 678,712	\$ 682,017	\$ 382,118	\$ 625,000	\$ 625,000	\$ 680,000
Interest	\$ 246,530	\$ 141,119	\$ 40,218	\$ 69,000	\$ 69,000	\$ 25,000
Miscellaneous Revenue	\$ 400,183	\$ 370,284	\$ 144,786	\$ 375,000	\$ 375,000	\$ 375,000
Grant Receipts	\$ 15,185	\$ -	\$ -	\$ -	\$ -	\$ -
Interfund Transfers	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Operating Revenues	\$ 7,025,457	\$ 6,816,610	\$ 3,404,194	\$ 6,704,000	\$ 6,704,000	\$ 6,798,000



City of Nacogdoches
2021 / 2022 Sanitation Fund Expenses by Classification

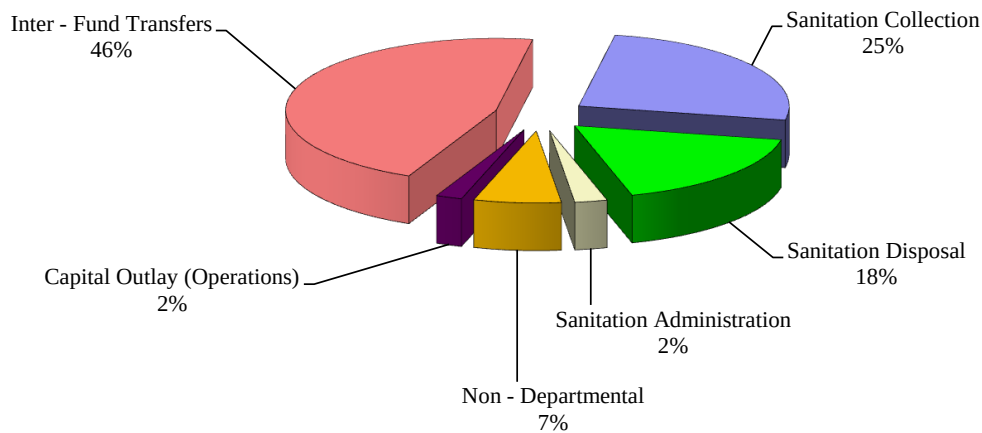
	Actual Balance 2018 / 2019	Actual Balance 2019 / 2020	March Actual Balance 2020 / 2021	Adopted Budget 2020 / 2021	Amended Budget 2020 / 2021	Proposed Budget 2021 / 2022
Personnel Services	\$ 1,086,224	\$ 1,101,380	\$ 725,460	\$ 1,413,906	\$ 1,456,856	\$ 1,564,225
Supplies and Materials	\$ 246,821	\$ 189,733	\$ 100,346	\$ 211,850	\$ 211,850	\$ 330,900
Maintenance of Structures	\$ 465,508	\$ 339,180	\$ 158,960	\$ 282,646	\$ 282,646	\$ 296,614
Contractual Services	\$ 447,237	\$ 468,816	\$ 258,011	\$ 711,735	\$ 1,035,835	\$ 751,420
Sundry Charges	\$ 73,858	\$ 97,488	\$ 118	\$ -	\$ -	\$ -
Capital Outlay (Operations)	\$ 73,647	\$ 82,014	\$ 38,434	\$ 100,000	\$ 100,000	\$ -
Transfers	\$ 2,205,814	\$ 2,358,249	\$ 1,172,405	\$ 2,294,810	\$ 2,294,810	\$ 2,289,044
Total	\$ 4,599,109	\$ 4,636,860	\$ 2,453,734	\$ 5,014,947	\$ 5,381,997	\$ 5,232,203



City of Nacogdoches
2021 / 2022 Sanitation Fund Expenses by Department

	Actual Balance 2018 / 2019	Actual Balance 2019 / 2020	March Actual Balance 2020 / 2021	Adopted Budget 2020 / 2021	Amended Budget 2020 / 2021	Proposed Budget 2021 / 2022
Sanitation Collection	\$ 1,158,167	\$ 1,082,445	\$ 643,282	\$ 1,264,528	\$ 1,602,428	\$ 1,418,811
Sanitation Disposal	\$ 806,829	\$ 720,427	\$ 379,742	\$ 872,487	\$ 898,287	\$ 956,517
Sanitation Administration	\$ -	\$ -	\$ 53,598	\$ 123,982	\$ 125,182	\$ 196,049
Non - Departmental	\$ 354,653	\$ 393,724	\$ 166,273	\$ 359,140	\$ 361,290	\$ 371,782
Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Capital Outlay (Operations)	\$ 73,647	\$ 82,014	\$ 38,434	\$ 100,000	\$ 100,000	\$ -
Total Operating Expenses	\$ 2,393,296	\$ 2,278,610	\$ 1,281,329	\$ 2,720,137	\$ 3,087,187	\$ 2,943,159
Inter - Fund Transfers	\$ 2,205,814	\$ 2,358,249	\$ 1,172,405	\$ 2,294,810	\$ 2,294,810	\$ 2,289,044
Total Expenses	\$ 4,599,110	\$ 4,636,859	\$ 2,453,734	\$ 5,014,947	\$ 5,381,997	\$ 5,232,203

2021 / 2022 Sanitation Fund Summary of Expenses



City of Nacogdoches
2021 / 2022 Sanitation Fund Capital Equipment

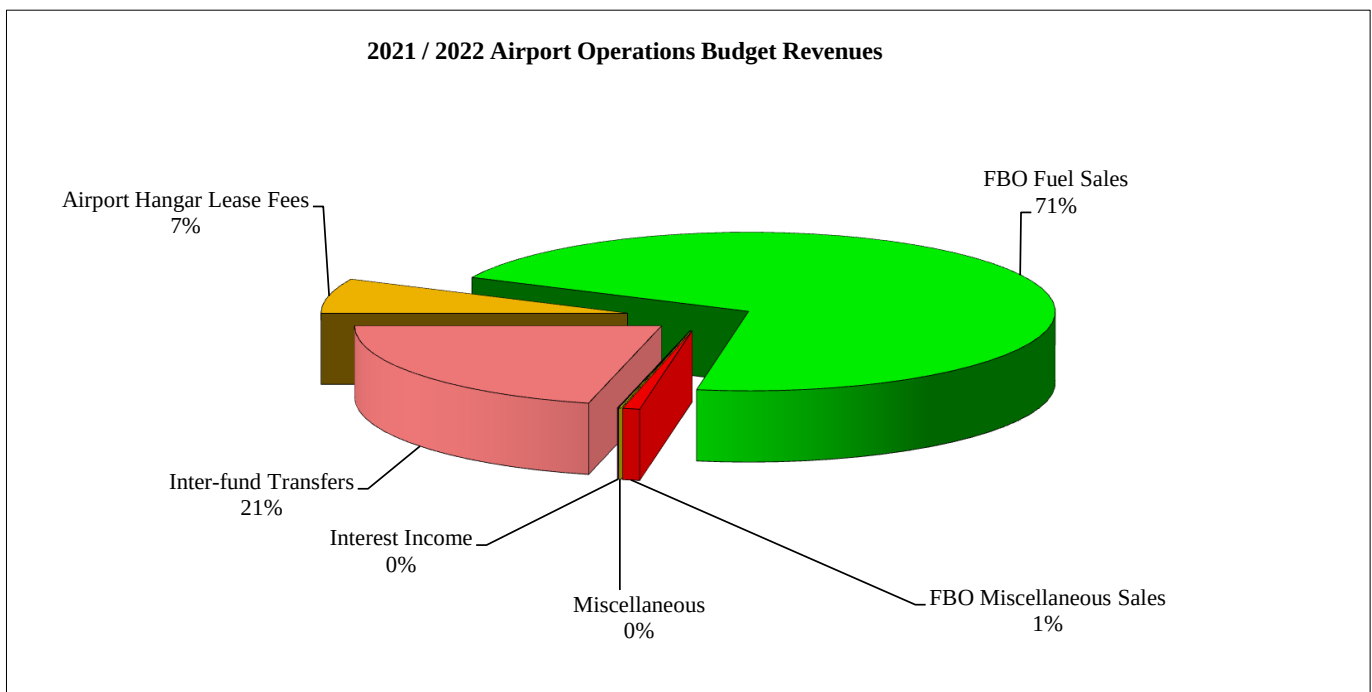
Department	Description	Operations	Depreciation Fund
Sanitation Collection	Route Optimization Software	\$	85,000
Sanitation Collection	Global Backup Safety Sensors	\$	30,000
Sanitation Collection	Replace Brush Truck	\$	195,000
Sanitation Collection	Replace Front Load Garbage Truck	\$	330,000
Sanitation Collection	Replace Rear Load Garbage Truck	\$	190,000
Sanitation Collection	Replace Side Load Garbage Truck	\$	370,000
Sanitation Collection	Replace Supervisor Pickup Truck	\$	55,000
Sanitation Disposal	Replace Cat D2 Dozer	\$	180,000
Sanitation Disposal	Replace Crew Pickup Truck	\$	55,000
Sanitation Disposal	Pressure Washer	\$	13,000
Sanitation Disposal	Mig Welder	\$	5,500
Sanitation Admin	Pickup Truck for Code Enforcement	\$	25,000
Total Capital		\$ -	\$ 1,533,500

City of Nacogdoches
2021 / 2022 Airport FBO Operations Summary

	<u>Airport FBO Operations</u>
October 1, 2021 Estimated Cash Reserves	
Unrestricted Cash & Cash Equivalents	<u>\$ 153,204</u>
 Total Estimated Beginning Cash Balance	 \$ 153,204
 2021 / 2022 Budget Revenues	
Airport Hangar Lease Fees	\$ 35,000
FBO Fuel Sales	\$ 350,000
FBO Miscellaneous Sales	\$ 4,500
Miscellaneous	\$ 500
Interest Income	\$ 350
Inter-fund Transfers	<u>\$ 105,000</u>
 Total 2021 / 2022 Budget Revenues	 \$ 495,350
 Total Available Funds	 \$ 648,554
 2021 / 2022 Budget Operating Expenditures	
Airport Operations	\$ 493,940
Airport Non-Departmental	<u>\$ -</u>
 Total 2021 / 2022 Operating Budget Expenditures	 \$ 493,940
 September 30, 2022 Estimated Cash Reserves	
Unrestricted Cash & Cash Equivalents	\$ 154,614
 Total Estimated Ending Cash Balance	 \$ 154,614
 Total Allocated Funds	 \$ 648,554

City of Nacogdoches
2021 / 2022 Airport FBO Operations Revenues

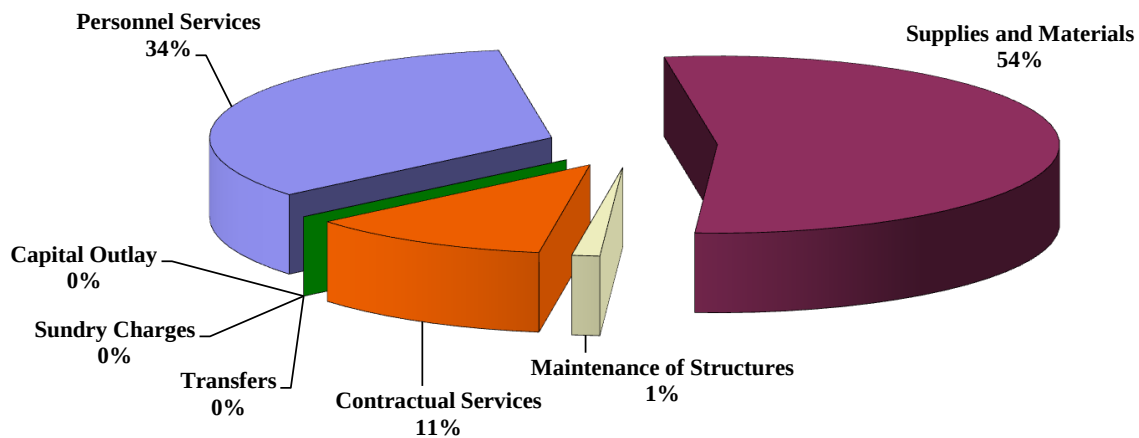
	Actual Balance 2018 / 2019	Actual Balance 2019 / 2020	March Actual Balance 2020 / 2021	Adopted Budget 2020 / 2021	Amended Budget 2020 / 2021	Proposed Budget 2021 / 2022
Airport Hangar Lease Fees	\$ 30,247	\$ 35,096	\$ 33,171	\$ 30,000	\$ 30,000	\$ 35,000
FBO Fuel Sales	\$ 363,340	\$ 331,957	\$ 132,481	\$ 350,000	\$ 350,000	\$ 350,000
FBO Miscellaneous Sales	\$ 5,124	\$ 5,448	\$ 1,701	\$ 4,500	\$ 4,500	\$ 4,500
Miscellaneous	\$ 431,423	\$ -	\$ -	\$ 1,000	\$ 1,000	\$ 500
Interest Income	\$ 290	\$ 261	\$ 216	\$ 100	\$ 100	\$ 350
Inter-fund Transfers	\$ 100,000	\$ 50,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 105,000
Total Operating Revenues	\$ 930,424	\$ 422,762	\$ 267,569	\$ 485,600	\$ 485,600	\$ 495,350



City of Nacogdoches
2021 / 2022 Airport FBO Operations Expenses by Classification

	Actual Balance 2018 / 2019	Actual Balance 2019 / 2020	March Actual Balance 2020 / 2021	Adopted Budget 2020 / 2021	Amended Budget 2020 / 2021	Proposed Budget 2021 / 2022
Personnel Services	\$ 150,107	\$ 172,226	\$ 80,162	\$ 160,556	\$ 160,556	\$ 166,075
Supplies and Materials	\$ 261,584	\$ 216,878	\$ 89,182	\$ 264,500	\$ 264,500	\$ 264,500
Maintenance of Structures	\$ 5,853	\$ 3,977	\$ 1,082	\$ 6,500	\$ 6,500	\$ 6,500
Contractual Services	\$ 43,174	\$ 30,766	\$ 18,064	\$ 48,236	\$ 48,236	\$ 56,865
Sundry Charges	\$ (695)	\$ 100	\$ -	\$ -	\$ -	\$ -
Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Transfers	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total	\$ 460,023	\$ 423,947	\$ 188,490	\$ 479,792	\$ 479,792	\$ 493,940

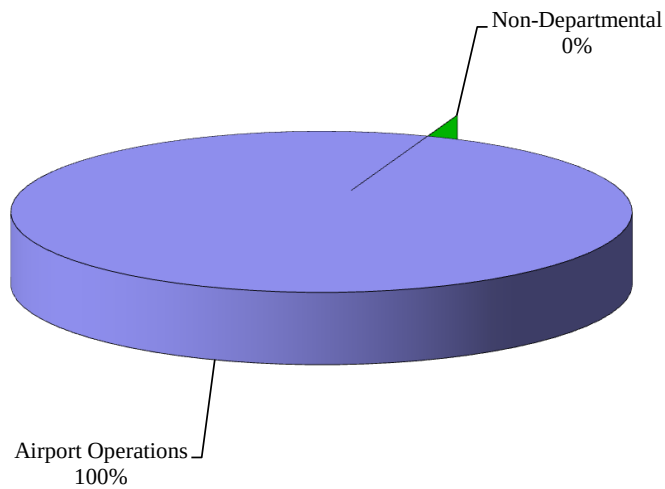
2021 / 2022 Airport Operations Expenditures by Classification



City of Nacogdoches
2021 / 2022 Airport FBO Operations Expenses by Department

	Actual Balance 2018 / 2019	Actual Balance 2019 / 2020	March Actual Balance 2020 / 2021	Adopted Budget 2020 / 2021	Amended Budget 2020 / 2021	Proposed Budget 2021 / 2022
Airport Operations	\$ 460,023	\$ 423,947	\$ 188,490	\$ 479,792	\$ 480,592	\$ 493,940
Non-Departmental	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Operating Expenditures	\$ 460,023	\$ 423,947	\$ 188,490	\$ 479,792	\$ 480,592	\$ 493,940

2021 / 2022 Airport Operations Summary of Expenditures



City of Nacogdoches
2021 / 2022 Special Revenue Funds Summary

	Economic Development Fund	Airport Construction Fund	Forfeiture Fund	Historical Fund	Public Safety Training Fund	Mayor's Committee on Disability	Special Grant Fund	Total
<u>Beginning Fund Balance</u>	\$ 488,523	\$ 230,569	\$ 541,913	\$ 81,375	\$ 16,445	\$ 6,010	\$ 479,844	\$ 1,844,679
<u>Revenues</u>								
Intergovernmental Receipts		\$ 50,000			\$ 4,700		\$ 22,500	\$ 77,200
Fines/Forfeitures			\$ 60,000					\$ 60,000
Payment Recv' on Loans	\$ 37,248							\$ 37,248
Investment Earnings	\$ 125	\$ 150	\$ 320	\$ 50	\$ 20		\$ 25	\$ 690
Contributions & Donations								\$ -
Inter-Fund Transfers	\$ 250,000	\$ 50,000		\$ 25,000		\$ 5,000		\$ 330,000
Total Revenues	\$ 287,373	\$ 100,150	\$ 60,320	\$ 25,050	\$ 4,720	\$ 5,000	\$ 22,525	\$ 505,138
<u>Expenditures</u>								
TCF Grant - Pilgrims Pride								\$ -
Airport Construction		\$ 100,000						\$ 100,000
Forfeiture			\$ 60,320					\$ 60,320
Historical				\$ 25,000				\$ 25,000
Public Safety Training - Police					\$ 5,000			\$ 5,000
Public Safety Training - Fire					\$ 1,000			\$ 1,000
Mayor's Committee on Disability						\$ 5,000		\$ 5,000
Police							\$ 2,500	\$ 2,500
Library							\$ 20,000	\$ 20,000
Cemetery								\$ -
Interfund Transfers	\$ 187,248							\$ 187,248
Total Expenditures	\$ 187,248	\$ 100,000	\$ 60,320	\$ 25,000	\$ 6,000	\$ 5,000	\$ 22,500	\$ 406,068
<u>Ending Fund Balance</u>	\$ 588,648	\$ 230,719	\$ 541,913	\$ 81,425	\$ 15,165	\$ 6,010	\$ 479,869	\$ 1,943,749

City of Nacogdoches
2021 / 2022 Hotel / Motel Tax Fund Summary

	October 1, 2021 Estimated Beginning Cash Balance						\$	417,413				
	Actual Balance 2018 / 2019	Actual Balance 2019 / 2020	March Actual Balance 2020 / 2021	Adopted Budget 2020 / 2021	Amended Budget 2020 / 2021	Proposed Budget 2021 / 2022						
Revenues												
Hotel / Motel Occupancy Tax Receipts	\$	762,051	\$	610,331	\$	280,551	\$	472,500	\$	472,500	\$	725,000
Misc Grant/Contributions Receipts	\$	100	\$	-	\$	-	\$	-	\$	-	\$	-
Interest	\$	43,502	\$	17,100	\$	754	\$	3,000	\$	3,000	\$	500
Total Revenues	\$	805,653	\$	627,431	\$	281,305	\$	475,500	\$	475,500	\$	725,500
									</			

City of Nacogdoches
2021 / 2022 Debt Service Fund Summary

October 1, 2021 Estimated Beginning Cash Balance		
2016 Tax Note	\$	115,839
2021 Tax Note	\$	-
2020 General Obligation Refunding	\$	152,688
Total Beginning Balance	\$	268,527
Revenues		
2016 Tax Note	\$	288,435
2021 Tax Note	\$	215,600
2020 General Obligation Refunding	\$	1,004,868
Total Current Taxes	\$	1,508,903
2016 Tax Note	\$	5,886
2021 Tax Note	\$	4,400
2020 General Obligation Refunding	\$	20,507
Total Delinquent Taxes	\$	30,793
Interest	\$	150
Total Revenues	\$	1,539,846
Total Available Funds	\$	1,808,373
Expenditures		
2016 Tax Note	\$	290,000
2021 Tax Note	\$	215,000
2020 General Obligation Refunding	\$	1,020,000
Total Principal Payments	\$	1,525,000
2016 Tax Note	\$	4,321
2021 Tax Note	\$	5,000
2020 General Obligation Refunding	\$	5,375
Total Interest Payments	\$	14,696
Total Expenditures	\$	1,539,696
September 30, 2022 Estimated Beginning Cash Balance		
2016 Tax Note	\$	119,589
2021 Tax Note	\$	3,750
2020 General Obligation Refunding	\$	156,438
Total Ending Balance	\$	279,777
Total Allocated Funds	\$	1,819,473

City of Nacogdoches
2021 / 2022 Capital Projects Fund Summary

	Street Maint	RLF	Total
October 1, 2021 Estimated Beginning Cash Balance	\$ 6,823	\$ 5,782	\$ 12,605
Revenues			
Street Maintenance Fee	\$ 755,000	\$ -	\$ 755,000
Trf f/ Eco Dev Fund	\$ -	\$ 137,248	\$ 137,248
Trf f/ Utility Fund	\$ -	\$ -	\$ -
Interest	\$ 150	\$ 150	\$ 300
Total Revenues	\$ 755,150	\$ 137,398	\$ 892,548
Total Available Funds	\$ 761,973	\$ 143,180	\$ 905,153
Operations			
Bad Debt	\$ 12,150	\$ -	\$ 12,150
Capital			
Streets	\$ 743,000	\$ -	\$ 743,000
Transfer			
Payback Utility Fund to Cover RLF	\$ -	\$ -	\$ -
Total Expenditures	\$ 755,150	\$ -	\$ 755,150
September 30, 2022 Ending Cash Balance	\$ 6,823	\$ 143,180	\$ 150,003
Total Allocated Funds	\$ 761,973	\$ 143,180	\$ 905,153

City of Nacogdoches
2021 / 2022 Equipment Replacement Fund Summary

October 1, 2021 Estimated Beginning Balance \$ 3,076,160

Revenues

Rental Receipts	\$	513,927
Miscellaneous Revenue	\$	15,000
Oil & Gas Revenue	\$	500
Interest	\$	500

Total Revenues \$ 529,927

Total Available Funds \$ 3,606,087

Expenditures

Police - Patrol Units (6)	\$	400,000
Fire - Admin Vehicle	\$	37,000
Parks - Mowers (2)	\$	20,800
Cemetery - Mower	\$	8,750

Total Expenditures \$ 466,550

September 30, 2022 Estimated Ending Balance \$ 3,139,537

Total Allocated Funds \$ 3,606,087

City of Nacogdoches
2021 / 2022 Self Insurance Fund Summary

October 1, 2021 Estimated Beginning Balance \$ 2,020,947

Revenues

Health Insurance

Employer Contribution to Health Insurance \$ 2,589,840

Employee Contribution to Health Insurance \$ 454,009

Retiree Contribution to Health Insurance \$ 137,191

Dental Insurance

Employer Contribution to Dental Insurance \$ 118,080

Employee Contribution to Dental Insurance \$ 48,746

Non-Operating

Interest \$ 750

Total Revenues \$ 3,348,616

Total Available Funds \$ 5,369,563

Expenditures

Health Insurance

Insurance Claims \$ 2,386,237

Administrative Fees \$ 820,892

Special Services \$ 2,000

Dental Insurance

Insurance Claims \$ 109,795

Administrative Fees \$ 29,102

Total Expenditures \$ 3,348,026

September 30, 2022 Estimated Ending Balance \$ 2,021,537

Total Allocated Funds \$ 5,369,563

City of Nacogdoches
Comparison of Required Notices and Legislative Services Expenditures

	Actual Balance 2018 / 2019	Actual Balance 2019 / 2020	March Actual Balance 2020 / 2021	Adopted Budget 2020 / 2021	Amended Budget 2020 / 2021	Proposed Budget 2021 / 2022
GENERAL FUND						
Required Notice Advertising Services	\$ 4,824	\$ 4,674	\$ 2,350	\$ 4,010	\$ 4,010	\$ 7,250
Legislative Services	\$ -	\$ 17,920	\$ 8,335	\$ 20,000	\$ 20,000	\$ 20,000
Total Expenditures	\$ 4,824	\$ 22,594	\$ 10,685	\$ 24,010	\$ 24,010	\$ 27,250

	Actual Balance 2018 / 2019	Actual Balance 2019 / 2020	March Actual Balance 2020 / 2021	Adopted Budget 2020 / 2021	Amended Budget 2020 / 2021	Proposed Budget 2021 / 2022
UTILITY FUND						
Required Notice Advertising Services	\$ 2,877	\$ 1,155	\$ 88	\$ 2,000	\$ 2,000	\$ 2,450
Legislative Services	\$ -	\$ 17,920	\$ 8,335	\$ 20,000	\$ 20,000	\$ 20,000
Total Expenses	\$ 2,877	\$ 19,075	\$ 8,423	\$ 22,000	\$ 22,000	\$ 22,450

	Actual Balance 2018 / 2019	Actual Balance 2019 / 2020	March Actual Balance 2020 / 2021	Adopted Budget 2020 / 2021	Amended Budget 2020 / 2021	Proposed Budget 2021 / 2022
SANITATION FUND						
Required Notice Advertising Services	\$ -	\$ 816	\$ 88	\$ -	\$ -	\$ -
Legislative Services	\$ -	\$ 17,910	\$ 8,330	\$ 20,000	\$ 20,000	\$ 20,000
Total Expenses	\$ -	\$ 18,726	\$ 8,418	\$ 20,000	\$ 20,000	\$ 20,000

City of Nacogdoches Capital Improvements Program 2020 / 2021

PROJECT	Total Project Cost	Budgeted FY 20 - 21	Proposed FY 21 - 22	Future FY 22 - 23	Future FY 23 - 24	Future FY 24 - 25	Future FY 25 - 26
GENERAL FUND							
Community Facility:							
Fire Training Facility	\$ 850			\$ 850			
Relocate Fire Station 1	\$ 5,000				\$ 500	\$ 4,500	
Relocate Fire Station 2	\$ 4,500				\$ 500	\$ 4,000	
Relocate Fire Station 3	\$ 5,000			\$ 500	\$ 4,500		
Renovate Fire Station 5	\$ 2,000				\$ 200	\$ 1,800	
Community Facility Total	\$ 17,350	\$ -	\$ -	\$ 1,350	\$ 5,700	\$ 10,300	\$ -
Cemetery:							
Sunset Office & Equipment Building	\$ 450			\$ 450			
Mausoleum Roof Repairs	\$ 60		\$ 60				
Pinegrove Cemetery - Paving for new section	\$ 35	\$ 35					
Cemetery Total	\$ 545	\$ 35	\$ 60	\$ 450	\$ -	\$ -	\$ -
Parks:							
Parking Lot Repaving Program (materials only)	\$ 260	\$ 90	\$ 30	\$ 30	\$ 30	\$ 40	\$ 40
Restroom - Pecan Park	\$ 150	\$ 150					
Restrooms - Maroney Park	\$ 150	\$ 150					
Restrooms - Festival Park	\$ 210	\$ 210					
Restrooms - Banita North Park	\$ 140				\$ 140		
Restrooms - Mill Pond & Temple Parks	\$ 280					\$ 280	
Restrooms - McCrimmon and Ritchie Parks	\$ 260						\$ 260
Restrooms - Lake Nacogdoches West	\$ 260						\$ 260
Playground - Ritchie St Park	\$ 180		\$ 180				
Playground - McCrimmon & Lakeside Parks	\$ 200			\$ 200			
Playground - Lake Nacogdoches West	\$ 220				\$ 220		
Playground - Mill Pond Park	\$ 140					\$ 140	
Playground - Lake Nacogdoches East	\$ 140						\$ 140
Skate Park	\$ 400						\$ 400
Maroney Tennis Courts	\$ 500			\$ 500			
Outdoor Exercise Equipment	\$ 30				\$ 30		
Pioneer Park Pedistrian Bridget	\$ 120			\$ 120			
Soccer Drainage Phase II	\$ 75	\$ 25	\$ 50				
Parks Mowing Equipment Barn	\$ 800				\$ 50	\$ 750	
Athletics Spring Floor	\$ 35	\$ 35					
Light Pole Replacement Phase	\$ 11	\$ 11					
Trails Project - FoHNI Donation	\$ 43	\$ 43					
Baseball Parking Expansion	\$ 165				\$ 165		
Lake Nacogdoches West Park accessible walkway to swim area	\$ 150			\$ 150			
Parks Total	\$ 4,919	\$ 714	\$ 260	\$ 1,000	\$ 635	\$ 1,210	\$ 1,100
Downtown:							
Sidewalk Replacement & Accessible Ramps (Main St)	\$ 1,750				\$ 150	\$ 1,600	
Central Garbage Sites	\$ 60			\$ 30			\$ 30
Plaza Principal Electrical Upgrades	\$ 50		\$ 50				
Electrical Service Main Street & Festival Park	\$ 350			\$ 350			
Downtown Total	\$ 2,210	\$ -	\$ 50	\$ 380	\$ 150	\$ 1,600	\$ 30
Facilities							
City Hall First Floor Renovations	\$ 1,000			\$ 1,000			
Animal Service Center	\$ 150						\$ 150
Animal Shelter Dog Run Floor Resurfacing	\$ 45		\$ 45				
City Warehouse & Stores Facility	\$ 800				\$ 50	\$ 750	
Fleet Maintenance Addition & Access Road (at PW)	\$ 300	\$ 250	\$ 50				
City Hall Roof	\$ 200	\$ 200					
Facilities Total	\$ 2,495	\$ 450	\$ 95	\$ 1,000	\$ 50	\$ 750	\$ 150
Streets							
City-Wide Street Rebuild to Maintenance Level	\$ 8,500			\$ 8,500			
Sidewalk Repairs & Additions	\$ 1,000			\$ 500		\$ 500	
Annual Street Rehab (incl sidewalks)	\$ 1,795	\$ 545	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250
Streets Total	\$ 11,295	\$ 545	\$ 250	\$ 9,250	\$ 250	\$ 750	\$ 250
Special Projects:							
Opticon Traffic Signal Preemption	\$ 750			\$ 750			
Special Projects Total	\$ 750	\$ -	\$ -	\$ 750	\$ -	\$ -	\$ -
GENERAL FUND TOTAL:	\$ 39,564	\$ 1,744	\$ 715	\$ 14,180	\$ 6,785	\$ 14,610	\$ 1,530

City of Nacogdoches Capital Improvements Program 2020 / 2021

PROJECT	Total Project Cost	Budgeted FY 20 - 21	Proposed FY 21 - 22	Future FY 22 - 23	Future FY 23 - 24	Future FY 24 - 25	Future FY 25 - 26
AIRPORT CONSTRUCTION FUND							
Airport Facilities:							
Airport RAMP Grant	\$ 600	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100
Airport Development Phase 1, 2, 3	\$ 8,300			\$ 8,300			
Airport Facility Total	\$ 8,900	\$ 100	\$ 100	\$ 8,400	\$ 100	\$ 100	\$ 100
AIRPORT CONSTRUCTION FUND TOTAL:	\$ 8,900	\$ 100	\$ 100	\$ 8,400	\$ 100	\$ 100	\$ 100

PROJECT	Total Project Cost	Budgeted FY 20 - 21	Proposed FY 21 - 22	Future FY 22 - 23	Future FY 23 - 24	Future FY 24 - 25	Future FY 25 - 26
HOTEL TAX FUND							
Community Facility:							
Zion Hill Church Restoration	\$ 1,483	\$ 1,483					
Zion Hill Church Exhibits	\$ 200			\$ 200			
Zion Hill Church Parking	\$ 200			\$ 200			
Community Facility Total	\$ 1,883	\$ 1,483	\$ -	\$ 400	\$ -	\$ -	\$ -
HOTEL TAX FUND TOTAL:	\$ 1,883	\$ 1,483	\$ -	\$ 400	\$ -	\$ -	\$ -

PROJECT	Total Project Cost	Budgeted FY 20 - 21	Proposed FY 21 - 22	Future FY 22 - 23	Future FY 23 - 24	Future FY 24 - 25	Future FY 25 - 26
SPECIAL GRANT FUND							
Special Projects:							
Lanana Trail North of Austin	\$ 204	\$ 204					
Pilgrims Pride Sportsplex Improvements	\$ 478	\$ 478					
Automated Vehicle Locator System	\$ 120			\$ 120			
Special Projects Total	\$ 802	\$ 682	\$ -	\$ 120	\$ -	\$ -	\$ -
SPECIAL GRANT FUND TOTAL:	\$ 802	\$ 682	\$ -	\$ 120	\$ -	\$ -	\$ -

PROJECT	Total Project Cost	Budgeted FY 20 - 21	Proposed FY 21 - 22	Future FY 22 - 23	Future FY 23 - 24	Future FY 24 - 25	Future FY 25 - 26
CAPITAL PROJECTS FUND							
RFP Special Projects:							
RLF Sidewalk Project	\$ 745	\$ 745					
RLF Park Project	\$ 120	\$ 120					
Special Projects Total	\$ 865	\$ 865	\$ -	\$ -	\$ -	\$ -	\$ -
Street Maintenance Fund Projects:							
Annual Street Maintenance	\$ 10,508	\$ 1,565	\$ 743	\$ 2,000	\$ 2,000	\$ 2,100	\$ 2,100
Curb Replacement - Church Street	\$ 25	\$ 25					
Street Maint Fund Projects Total	\$ 10,533	\$ 1,590	\$ 743	\$ 2,000	\$ 2,000	\$ 2,100	\$ 2,100
CAPITAL PROJECTS FUND TOTAL:	\$ 11,398	\$ 2,455	\$ 743	\$ 2,000	\$ 2,000	\$ 2,100	\$ 2,100

City of Nacogdoches Capital Improvements Program 2020 / 2021

PROJECT	Total Project Cost	Budgeted FY 20 - 21	Proposed FY 21 - 22	Future FY 22 - 23	Future FY 23 - 24	Future FY 24 - 25	Future FY 25 - 26
UTILITY FUND							
Waterworks:							
Central Heights Distribution System	\$ 3,750	\$ 250		\$ 1,500	\$ 1,000	\$ 1,000	
Water Line Additions/Replacements & Developer Reimb.	\$ 10,200	\$ 1,000	\$ 1,000	\$ 2,000	\$ 2,000	\$ 2,100	\$ 2,100
Water Well Rehab (one annually)	\$ 1,400	\$ 225	\$ 225	\$ 225	\$ 225	\$ 250	\$ 250
Water Well 4 & 5	\$ 905	\$ 905					
Water Well 10	\$ 75	\$ 75					
Central Heights Elevated Storage	\$ 1,300			\$ 1,300			
N Middle Plane Elevated Storage Tank	\$ 1,500			\$ 1,500			
SSPS - SWPS Interconnect	\$ 2,500	\$ 500		\$ 500	\$ 1,500		
Water System Model (new item)	\$ 18	\$ 18					
Direct Connect US 59 Water Line Relocation	\$ 1,931	\$ 981		\$ 200	\$ 750		
SCADA Replacements & Upgrades	\$ 750	\$ 250		\$ 250	\$ 250		
VFD for Motors at Surface Water Plant	\$ 346	\$ 346					
Hydraulic Valve System SW Pump Station	\$ 125	\$ 125					
Crossconnection Controls - City Facilities	\$ 90	\$ 90					
Lake Nacogdoches TCEQ Required Spillway Repair	\$ 250	\$ 250					
SWPS Transmission Line Replacement	\$ 2,400	\$ 500		\$ 1,900			
Water Treatment Filter Reconstruction	\$ 3,000	\$ 1,500					\$ 1,500
AMR Transmitter & Meter Replacement	\$ 4,500			\$ 4,500			
Waterworks Total	\$ 35,040	\$ 7,015	\$ 1,225	\$ 13,875	\$ 5,725	\$ 3,350	\$ 3,850
Wastewater:							
Liftstation (FM 1878) Replacement	\$ 810		\$ 810				
24" Banita Creek Sewer Line Replacement	\$ 11,800	\$ 1,000	\$ 1,500	\$ 9,300			
Lanana Creek Sewer Line Replacement	\$ 15,200	\$ 1,250	\$ 1,250	\$ 12,700			
Sewer Line (san & stm) Additions/Replacements & Developer Reimb.	\$ 10,113	\$ 913	\$ 1,000	\$ 2,000	\$ 2,000	\$ 2,100	\$ 2,100
Direct Connect US 59 Sanitary Sewer Relocation	\$ 1,455	\$ 505		\$ 200	\$ 750		
WWTP General Improvements (formerly Treatment Plant Aeration)	\$ 2,000	\$ 500		\$ 750	\$ 750		
TDS & Phosphate Plant Upgrades	\$ 2,000				\$ 1,000	\$ 1,000	
Clarifier Rebuild	\$ 1,000			\$ 500			\$ 500
WWTP Digester Bypass	\$ 425	\$ 250	\$ 175				
Sludge Thickener System	\$ 820	\$ 50	\$ 20	\$ 750			
SCADA Replacements & Upgrades	\$ 750	\$ 250		\$ 250	\$ 250		
Diffused Air Conversion for Digester	\$ 750					\$ 750	
Storm Sewer Replacements (bridge/culvert areas) (10 locations)	\$ 10,036	\$ 836	\$ 1,000	\$ 5,200	\$ 1,000	\$ 1,000	\$ 1,000
Ford Street Storm Sewer Replacement	\$ 400	\$ 400					
Fredonia St & Church St Storm Sewer Replacement	\$ 818	\$ 818					
Belt Press Building	\$ 1,200			\$ 1,200			
Wastewater Total	\$ 59,577	\$ 6,772	\$ 5,755	\$ 32,850	\$ 5,750	\$ 4,850	\$ 3,600
UTILITY FUND TOTAL:	\$ 94,617	\$ 13,787	\$ 6,980	\$ 46,725	\$ 11,475	\$ 8,200	\$ 7,450

PROJECT	Total Project Cost	Budgeted FY 20 - 21	Proposed FY 21 - 22	Future FY 22 - 23	Future FY 23 - 24	Future FY 24 - 25	Future FY 25 - 26
SANITATION FUND							
Solid Waste Collection & Disposal							
Construct New Landfill Block O Cell Opening	\$ 2,000					\$ 2,000	
Landfill Major Permit Amendment & Expansion	\$ 2,583	\$ 833	\$ 750	\$ 500	\$ 500		
Solid Waste Collection & Disposal Total	\$ 4,583	\$ 833	\$ 750	\$ 500	\$ 500	\$ 2,000	-
SANITATION FUND TOTAL:	\$ 4,583	\$ 833	\$ 750	\$ 500	\$ 500	\$ 2,000	-

2021 Tax Rate Calculation Worksheet

Taxing Units Other Than School Districts or Water Districts

Form 50-856

CITY OF NACOGDOCHES
Taxing Unit Name

(936) 559 2525
Phone (area code and number)

202 E PILAR ST., NACOGDOCHES, TX 75961
Taxing Unit's Address, City, State, ZIP Code

www.nactx.us
Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue (NNR) tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller Form 50-859 *Tax Rate Calculation Worksheet, School District without Chapter 313 Agreements* or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements*.

Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed Water District Voter-Approval Tax Rate Worksheet*.

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
1.	2020 total taxable value. Enter the amount of 2020 taxable value on the 2020 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (adjustment is made by deducting TIF taxes, as reflected in Line 17). ¹	\$ 1,786,909,230
2.	2020 tax ceilings. Counties, cities and junior college districts. Enter 2020 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2020 or a prior year for homeowners age 65 or older or disabled, use this step. ²	\$ 0
3.	Preliminary 2020 adjusted taxable value. Subtract Line 2 from Line 1.	\$ 1,786,909,230
4.	2020 total adopted tax rate.	\$ 0.61600 /\$100
5.	2020 taxable value lost because court appeals of ARB decisions reduced 2020 appraised value.	
	A. Original 2020 ARB values:.....	\$ 1,786,909,230
	B. 2020 values resulting from final court decisions:.....	- \$ 1,786,909,230
	C. 2020 value loss. Subtract B from A. ³	\$ 0
6.	2020 taxable value subject to an appeal under Chapter 42, as of July 25.	
	A. 2020 ARB certified value:.....	\$ 1,786,909,230
	B. 2020 disputed value:.....	- \$ 0
	C. 2020 undisputed value. Subtract B from A. ⁴	\$ 1,786,909,230
7.	2020 Chapter 42 related adjusted values. Add Line 5C and Line 6C.	\$ 1,786,909,230

¹ Tex. Tax Code § 26.012(14)

² Tex. Tax Code § 26.012(14)

³ Tex. Tax Code § 26.012(13)

⁴ Tex. Tax Code § 26.012(13)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
8.	2020 taxable value, adjusted for actual and potential court-ordered adjustments. Add Line 3 and Line 7.	\$ 1,786,909,230
9.	2020 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2020. Enter the 2020 value of property in deannexed territory. ⁵	\$ 0
10.	2020 taxable value lost because property first qualified for an exemption in 2021. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in 2021 does not create a new exemption or reduce taxable value. A. Absolute exemptions. Use 2020 market value: \$ 0 B. Partial exemptions. 2021 exemption amount or 2021 percentage exemption times 2020 value: + \$ 0 C. Value loss. Add A and B. ⁶	\$ 0
11.	2020 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2021. Use only properties that qualified in 2021 for the first time; do not use properties that qualified in 2020. A. 2020 market value: \$ 0 B. 2021 productivity or special appraised value: - \$ 0 C. Value loss. Subtract B from A. ⁷	\$ 0
12.	Total adjustments for lost value. Add Lines 9, 10C and 11C.	\$ 0
13.	2020 captured value of property in a TIF. Enter the total value of 2020 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which 2020 taxes were deposited into the tax increment fund. ⁸ If the taxing unit has no captured appraised value in line 18D, enter 0.	\$ 0
14.	2020 total value. Subtract Line 12 and Line 13 from Line 8.	\$ 1,786,909,230.00
15.	Adjusted 2020 total levy. Multiply Line 4 by Line 14 and divide by \$100.	\$ 11,007,360.00
16.	Taxes refunded for years preceding tax year 2020. Enter the amount of taxes refunded by the taxing unit for tax years preceding tax year 2020. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2020. This line applies only to tax years preceding tax year 2020. ⁹	\$ 0.00
17.	Adjusted 2020 levy with refunds and TIF adjustment. Add Lines 15 and 16. ¹⁰	\$ 11,007,360.00
18.	Total 2021 taxable value on the 2021 certified appraisal roll today. This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled. ¹¹ A. Certified values: \$ 1,804,766,653 B. Counties: Include railroad rolling stock values certified by the Comptroller's office: + \$ C. Pollution control and energy storage system exemption: Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property: - \$ D. Tax increment financing: Deduct the 2021 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2021 taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 23 below. ¹² - \$ E. Total 2021 value. Add A and B, then subtract C and D.	\$ 1,804,766,653

⁵ Tex. Tax Code § 26.012(15)⁶ Tex. Tax Code § 26.012(15)⁷ Tex. Tax Code § 26.012(15)⁸ Tex. Tax Code § 26.03(c)⁹ Tex. Tax Code § 26.012(13)¹⁰ Tex. Tax Code § 26.012(13)¹¹ Tex. Tax Code § 26.012, 26.04(c-2)¹² Tex. Tax Code § 26.03(c)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
19.	Total value of properties under protest or not included on certified appraisal roll. ¹³	
A.	2021 taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. ¹⁴	\$ <u>66,293,708</u>
B.	2021 value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll. ¹⁵	+ \$ <u>0</u>
C.	Total value under protest or not certified. Add A and B.	\$ <u>66,293,708</u>
20.	2021 tax ceilings. Counties, cities and junior colleges enter 2021 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2020 or a prior year for homeowners age 65 or older or disabled, use this step. ¹⁶	\$ <u>0</u>
21.	2021 total taxable value. Add Lines 18E and 19C. Subtract Line 20. ¹⁷	\$ <u>1,871,060,361</u>
22.	Total 2021 taxable value of properties in territory annexed after Jan. 1, 2020. Include both real and personal property. Enter the 2021 value of property in territory annexed. ¹⁸	\$ <u>0</u>
23.	Total 2021 taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in 2020. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2020 and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for 2021. ¹⁹	\$ <u>17,287,580</u>
24.	Total adjustments to the 2021 taxable value. Add Lines 22 and 23.	\$ <u>17,287,580</u>
25.	Adjusted 2021 taxable value. Subtract Line 24 from Line 21.	\$ <u>1,853,772,781</u>
26.	2021 NNR tax rate. Divide Line 17 by Line 25 and multiply by \$100. ²⁰	\$ <u>0.59378</u> /\$100
27.	COUNTIES ONLY. Add together the NNR tax rates for each type of tax the county levies. The total is the 2021 county NNR tax rate. ²¹	\$ _____/\$100

SECTION 2: Voter-Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

- Maintenance and Operations (M&O) Tax Rate:** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.
- Debt Rate:** The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The voter-approval tax rate for a county is the sum of the voter-approval tax rates calculated for each type of tax the county levies. In most cases the voter-approval tax rate exceeds the no-new-revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
28.	2020 M&O tax rate. Enter the 2020 M&O tax rate.	\$ <u>0.53890</u> /\$100
29.	2020 taxable value, adjusted for actual and potential court-ordered adjustments. Enter the amount in Line 8 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ <u>1,786,909,230</u>

¹³ Tex. Tax Code § 26.01(c) and (d)

¹⁴ Tex. Tax Code § 26.01(c)

¹⁵ Tex. Tax Code § 26.01(d)

¹⁶ Tex. Tax Code § 26.012(6)(B)

¹⁷ Tex. Tax Code § 26.012(6)

¹⁸ Tex. Tax Code § 26.012(17)

¹⁹ Tex. Tax Code § 26.012(17)

²⁰ Tex. Tax Code § 26.04(c)

²¹ Tex. Tax Code § 26.04(d)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
30.	Total 2020 M&O levy. Multiply Line 28 by Line 29 and divide by \$100	\$ <u>9,629,653.00</u>
31.	Adjusted 2020 levy for calculating NNR M&O rate.	
A.	M&O taxes refunded for years preceding tax year 2020. Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2020. This line applies only to tax years preceding tax year 2020.	+ \$ <u>0.00</u>
B.	2020 taxes in TIF. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2021 captured appraised value in Line 18D, enter 0.	- \$ <u>0.00</u>
C.	2020 transferred function. If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in D below. The taxing unit receiving the function will add this amount in D below. Other taxing units enter 0.	+/- \$ <u>0.00</u>
D.	2020 M&O levy adjustments. Subtract B from A. For taxing unit with C, subtract if discontinuing function and add if receiving function.	\$ <u>0.00</u>
E.	Add Line 30 to 31D.	\$ <u>9,629,653.00</u>
32.	Adjusted 2021 taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ <u>1,853,772,781.00</u>
33.	2021 NNR M&O rate (unadjusted). Divide Line 31E by Line 32 and multiply by \$100.	\$ <u>0.51946</u> /\$100
34.	Rate adjustment for state criminal justice mandate. ²³	
A.	2021 state criminal justice mandate. Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose.	\$ <u>0.00</u>
B.	2020 state criminal justice mandate. Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies.	- \$ <u>0.00</u>
C.	Subtract B from A and divide by Line 32 and multiply by \$100.	\$ <u>0.00000</u> /\$100
D.	Enter the rate calculated in C. If not applicable, enter 0.	\$ <u>0.00000</u> /\$100
35.	Rate adjustment for indigent health care expenditures. ²⁴	
A.	2021 indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2020 and ending on June 30, 2021, less any state assistance received for the same purpose.	\$ <u>0.00</u>
B.	2020 indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2019 and ending on June 30, 2020, less any state assistance received for the same purpose.	- \$ <u>0.00</u>
C.	Subtract B from A and divide by Line 32 and multiply by \$100.	\$ <u>0.00000</u> /\$100
D.	Enter the rate calculated in C. If not applicable, enter 0.	\$ <u>0.00000</u> /\$100

²² [Reserved for expansion]²³ Tex. Tax Code § 26.044²⁴ Tex. Tax Code § 26.0441

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
36.	Rate adjustment for county indigent defense compensation. ²⁵	
A.	2021 indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals for the period beginning on July 1, 2020 and ending on June 30, 2021, less any state grants received by the county for the same purpose.....	\$ <u>0.00</u>
B.	2020 indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals for the period beginning on July 1, 2019 and ending on June 30, 2020, less any state grants received by the county for the same purpose.	\$ <u>0.00</u>
C.	Subtract B from A and divide by Line 32 and multiply by \$100.....	\$ <u>0.00000</u> /\$100
D.	Multiply B by 0.05 and divide by Line 32 and multiply by \$100.....	\$ <u>0.00000</u> /\$100
E.	Enter the lesser of C and D. If not applicable, enter 0.	\$ <u>0.00000</u> /\$100
37.	Rate adjustment for county hospital expenditures. ²⁶	
A.	2021 eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2020 and ending on June 30, 2021.	\$ <u>0.00</u>
B.	2020 eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2019 and ending on June 30, 2020.	\$ <u>0.00</u>
C.	Subtract B from A and divide by Line 32 and multiply by \$100.....	\$ <u>0.00000</u> /\$100
D.	Multiply B by 0.08 and divide by Line 32 and multiply by \$100.....	\$ <u>0.00000</u> /\$100
E.	Enter the lesser of C and D, if applicable. If not applicable, enter 0.	\$ <u>0.00000</u> /\$100
38.	Rate adjustment for defunding municipality. This adjustment only applies to a municipality that is considered to be a defunding municipality for the current tax year under Chapter 109, Local Government Code. Chapter 109, Local Government Code only applies to municipalities with a population of more than 250,000 and includes a written determination by the Office of the Governor. See Tax Code 26.0444 for more information.	
A.	Amount appropriated for public safety in 2020. Enter the amount of money appropriated for public safety in the budget adopted by the municipality for the preceding fiscal year	\$ <u>0.00</u>
B.	Expenditures for public safety in 2020. Enter the amount of money spent by the municipality for public safety during the preceding fiscal year.....	\$ <u>0.00</u>
C.	Subtract B from A and divide by Line 32 and multiply by \$100	\$ <u>0.00000</u> /\$100
D.	Enter the rate calculated in C. If not applicable, enter 0.	\$ <u>0.00000</u> /\$100
39.	Adjusted 2021 NNR M&O rate. Add Lines 33, 34D, 35D, 36E, and 37E. Subtract Line 38D.	\$ <u>0.51946</u> /\$100
40.	Adjustment for 2020 sales tax specifically to reduce property values. Cities, counties and hospital districts that collected and spent additional sales tax on M&O expenses in 2020 should complete this line. These entities will deduct the sales tax gain rate for 2021 in Section 3. Other taxing units, enter zero.	
A.	Enter the amount of additional sales tax collected and spent on M&O expenses in 2020, if any. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent	\$ <u>0.00</u>
B.	Divide Line 40A by Line 32 and multiply by \$100	\$ <u>0.00000</u> /\$100
C.	Add Line 40B to Line 39.	\$ <u>0.51946</u> /\$100
41.	2021 voter-approval M&O rate. Enter the rate as calculated by the appropriate scenario below. Special Taxing Unit. If the taxing unit qualifies as a special taxing unit, multiply Line 40C by 1.08. - or - Other Taxing Unit. If the taxing unit does not qualify as a special taxing unit, multiply Line 40C by 1.035.	\$ <u>0.53764</u> /\$100

²⁵ Tex. Tax Code § 26.0442²⁶ Tex. Tax Code § 26.0443

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
D41. Disaster Line 41 (D41): 2021 voter-approval M&O rate for taxing unit affected by disaster declaration. If the taxing unit is located in an area declared a disaster area and at least one person is granted an exemption under Tax Code Section 11.35 for property located in the taxing unit, the governing body may direct the person calculating the voter-approval tax rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval tax rate in this manner until the earlier of 1) the first year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred, or 2) the third tax year after the tax year in which the disaster occurred If the taxing unit qualifies under this scenario, multiply Line 40C by 1.08. ²⁷ If the taxing unit does not qualify, do not complete Disaster Line 41 (Line D41).		\$ <u>0.00000</u> /\$100
42. Total 2021 debt to be paid with property taxes and additional sales tax revenue. Debt means the interest and principal that will be paid on debts that: (1) are paid by property taxes, (2) are secured by property taxes, (3) are scheduled for payment over a period longer than one year, and (4) are not classified in the taxing unit's budget as M&O expenses. A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here. ²⁸ Enter debt amount \$ <u>1,539,696.00</u> B. Subtract unencumbered fund amount used to reduce total debt. - \$ <u>0.00</u> C. Subtract certified amount spent from sales tax to reduce debt (enter zero if none) - \$ <u>0.00</u> D. Subtract amount paid from other resources - \$ <u>0.00</u> E. Adjusted debt. Subtract B, C and D from A.		\$ <u>1,539,696.00</u>
43. Certified 2020 excess debt collections. Enter the amount certified by the collector. ²⁹		\$ <u>0.00</u>
44. Adjusted 2021 debt. Subtract Line 43 from Line 42E.		\$ <u>1,539,696.00</u>
45. 2021 anticipated collection rate. A. Enter the 2021 anticipated collection rate certified by the collector. ³⁰ <u>100</u> % B. Enter the 2020 actual collection rate. <u>98</u> % C. Enter the 2019 actual collection rate. <u>97</u> % D. Enter the 2018 actual collection rate. <u>98</u> % E. If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%. ³¹		<u>100</u> %
46. 2021 debt adjusted for collections. Divide Line 44 by Line 45E.		\$ <u>1,539,696.00</u>
47. 2021 total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .		\$ <u>1,871,060,361</u>
48. 2021 debt rate. Divide Line 46 by Line 47 and multiply by \$100.		\$ <u>0.08229</u> /\$100
49. 2021 voter-approval tax rate. Add Lines 41 and 48.		\$ <u>0.61993</u> /\$100
D49. Disaster Line 49 (D49): 2021 voter-approval tax rate for taxing unit affected by disaster declaration. Complete this line if the taxing unit calculated the voter-approval tax rate in the manner provided for a special taxing unit on Line D41. Add Line D41 and 48.		\$ <u>0.00000</u> /\$100

²⁷ Tex. Tax Code § 26.042(a)²⁸ Tex. Tax Code § 26.012(7)²⁹ Tex. Tax Code § 26.012(10) and 26.04(b)³⁰ Tex. Tax Code § 26.04(b)³¹ Tex. Tax Code §§ 26.04(h), (h-1) and (h-2)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
50.	COUNTIES ONLY. Add together the voter-approval tax rates for each type of tax the county levies. The total is the 2021 county voter-approval tax rate.	\$ _____ /\$100

SECTION 3: NNR Tax Rate and Voter-Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
51.	Taxable Sales. For taxing units that adopted the sales tax in November 2020 or May 2021, enter the Comptroller's estimate of taxable sales for the previous four quarters. ³² Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November 2020, enter 0.	\$ _____
52.	Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. ³³ Taxing units that adopted the sales tax in November 2020 or in May 2021. Multiply the amount on Line 51 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. ³⁴ - or - Taxing units that adopted the sales tax before November 2020. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	\$ _____
53.	2021 total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____
54.	Sales tax adjustment rate. Divide Line 52 by Line 53 and multiply by \$100.	\$ _____ /\$100
55.	2021 NNR tax rate, unadjusted for sales tax. ³⁵ Enter the rate from Line 26 or 27, as applicable, on the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____ /\$100
56.	2021 NNR tax rate, adjusted for sales tax. Taxing units that adopted the sales tax in November 2020 or in May 2021. Subtract Line 54 from Line 55. Skip to Line 57 if you adopted the additional sales tax before November 2020.	\$ _____ /\$100
57.	2021 voter-approval tax rate, unadjusted for sales tax. ³⁶ Enter the rate from Line 49, Line D49 (disaster) or Line 50 (counties) as applicable, of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ _____ /\$100
58.	2021 voter-approval tax rate, adjusted for sales tax. Subtract Line 54 from Line 57.	\$ _____ /\$100

SECTION 4: Voter-Approval Tax Rate Adjustment for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
59.	Certified expenses from the Texas Commission on Environmental Quality (TCEQ). Enter the amount certified in the determination letter from TCEQ. ³⁷ The taxing unit shall provide its tax assessor-collector with a copy of the letter. ³⁸	\$ _____
60.	2021 total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____
61.	Additional rate for pollution control. Divide Line 59 by Line 60 and multiply by \$100.	\$ _____ /\$100
62.	2021 voter-approval tax rate, adjusted for pollution control. Add Line 61 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties) or Line 58 (taxing units with the additional sales tax).	\$ _____ /\$100

³² Tex. Tax Code § 26.041(d)

³³ Tex. Tax Code § 26.041(i)

³⁴ Tex. Tax Code § 26.041(d)

³⁵ Tex. Tax Code § 26.04(c)

³⁶ Tex. Tax Code § 26.04(c)

³⁷ Tex. Tax Code § 26.045(d)

³⁸ Tex. Tax Code § 26.045(i)

SECTION 5: Voter-Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the difference between the adopted tax rate and voter-approval tax rate before the unused increment rate for the prior three years.³⁹ In a year where a taxing unit adopts a rate by applying any portion of the unused increment rate, the unused increment rate for that year would be zero.

The difference between the adopted tax rate and voter-approval tax rate is considered zero in the following scenarios:

- a tax year before 2020;⁴⁰
- a tax year in which the municipality is a defunding municipality, as defined by Tax Code Section 26.0501(a);⁴¹ or
- after Jan. 1, 2022, a tax year in which the comptroller determines that the county implemented a budget reduction or reallocation described by Local Government Code Section 120.002(a) without the required voter approval.⁴²

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit.⁴³

Line	Unused Increment Rate Worksheet	Amount/Rate
63.	2020 unused increment rate. Subtract the 2020 actual tax rate and the 2020 unused increment rate from the 2020 voter-approval tax rate. If the number is less than zero, enter zero.	\$ <u>0.01784</u> /\$100
64.	2019 unused increment rate. Subtract the 2019 actual tax rate and the 2019 unused increment rate from the 2019 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	\$ <u>0.00000</u> /\$100
65.	2018 unused increment rate. Subtract the 2018 actual tax rate and the 2018 unused increment rate from the 2018 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	\$ <u>0.00000</u> /\$100
66.	2021 unused increment rate. Add Lines 63, 64 and 65.	\$ <u>0.01784</u> /\$100
67.	2021 voter-approval tax rate, adjusted for unused increment rate. Add Line 66 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax) or Line 62 (taxing units with pollution control).	\$ <u>0.63777</u> /\$100

SECTION 6: De Minimis Rate

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise \$500,000, and the current debt rate for a taxing unit.⁴⁴

This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit.⁴⁵

Line	De Minimis Rate Worksheet	Amount/Rate
68.	Adjusted 2021 NNR M&O tax rate. Enter the rate from Line 39 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ _____ /\$100
69.	2021 total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____
70.	Rate necessary to impose \$500,000 in taxes. Divide \$500,000 by Line 69 and multiply by \$100.	\$ _____ /\$100
71.	2021 debt rate. Enter the rate from Line 48 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ _____ /\$100
72.	De minimis rate. Add Lines 68, 70 and 71.	\$ _____ /\$100

SECTION 7: Voter-Approval Tax Rate Adjustment for Emergency Revenue Rate

In the tax year after the end of the disaster calculation time period detailed in Tax Code Section 26.042(a), a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a disaster must calculate its emergency revenue rate and reduce its voter-approval tax rate for that year.⁴⁶

Similarly, if a taxing unit adopted a tax rate that exceeded its voter-approval tax rate, calculated normally, without holding an election to respond to a disaster, as allowed by Tax Code Section 26.042(d), in the prior year, it must also reduce its voter-approval tax rate for the current tax year.⁴⁷

NOTE: This section will not apply to any taxing units in 2021. It is added to implement Senate Bill 1438 (87th Regular Session) and does not apply to a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a declared disaster in 2020, as provided for in the recently repealed Tax Code Sections 26.04(c-1) and 26.041(c-1).

In future tax years, this section will apply to a taxing unit other than a special taxing unit that:

- directed the designated officer or employee to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit in the prior year; and
- the current year is the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred or the disaster occurred four years ago.

³⁹ Tex. Tax Code § 26.013(a)

⁴⁰ Tex. Tax Code § 26.013(c)

⁴¹ Tex. Tax Code §§ 26.0501(a) and (c)

⁴² Tex. Local Gov't Code § 120.007(d), effective Jan. 1, 2022

⁴³ Tex. Tax Code § 26.063(a)(1)

⁴⁴ Tex. Tax Code § 26.012(b-a)

⁴⁵ Tex. Tax Code § 26.063(a)(1)

⁴⁶ Tex. Tax Code § 26.042(b)

⁴⁷ Tex. Tax Code § 26.042(f)

In future tax years, this section will also apply to a taxing unit in a disaster area that adopted a tax rate greater than its voter-approval tax rate without holding an election in the prior year.

Note: This section does not apply if a taxing unit is continuing to calculate its voter-approval tax rate in the manner provided for a special taxing unit because it is still within the disaster calculation time period detailed in Tax Code Section 26.042(a) because it has not met the conditions in Tax Code Section 26.042(a)(1) or (2).

Line	Emergency Revenue Rate Worksheet	Amount/Rate
73.	2020 adopted tax rate. Enter the rate in Line 4 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____ / \$100
74.	Adjusted 2020 voter-approval tax rate. Use the taxing unit's Tax Rate Calculation Worksheets from the prior year(s) to complete this line. If a disaster occurred in 2020 and the taxing unit calculated its 2020 voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) of the 2020 worksheet due to a disaster, enter the 2020 voter-approval tax rate as calculated using a multiplier of 1.035 from Line 49. - or - If a disaster occurred prior to 2020 for which the taxing unit continued to calculate its voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) in 2020, complete the separate <i>Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> to recalculate the voter-approval tax rate the taxing unit would have calculated in 2020 if it had generated revenue based on an adopted tax rate using a multiplier of 1.035 in the year(s) following the disaster. ⁴⁸ Enter the final adjusted 2020 voter-approval tax rate from the worksheet. - or - If the taxing unit adopted a tax rate above the 2020 voter-approval tax rate without calculating a disaster tax rate or holding an election due to a disaster, no recalculation is necessary. Enter the voter-approval tax rate from the prior year's worksheet.	\$ _____ / \$100
75.	Increase in 2020 tax rate due to disaster. Subtract Line 74 from Line 73.	\$ _____ / \$100
76.	Adjusted 2020 taxable value. Enter the amount in Line 14 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____
77.	Emergency revenue. Multiply Line 75 by Line 76 and divide by \$100.	\$ _____
78.	Adjusted 2021 taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____
79.	Emergency revenue rate. Divide Line 77 by Line 78 and multiply by \$100. ⁴⁹	\$ _____ / \$100
80.	2021 voter-approval tax rate, adjusted for emergency revenue. Subtract Line 79 from one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax), Line 62 (taxing units with pollution control) or Line 67 (taxing units with the unused increment rate).	\$ _____ / \$100

SECTION 8: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-new-revenue tax rate. As applicable, enter the 2021 NNR tax rate from: Line 26, Line 27 (counties), or Line 56 (adjusted for sales tax). Indicate the line number used: <u>26</u>	\$ <u>0.59378</u> / \$100
Voter-approval tax rate. As applicable, enter the 2021 voter-approval tax rate from: Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (adjusted for sales tax), Line 62 (adjusted for pollution control), Line 67 (adjusted for unused increment), or Line 80 (adjusted for emergency revenue). Indicate the line number used: <u>67</u>	\$ <u>0.63777</u> / \$100
De minimis rate. If applicable, enter the 2021 de minimis rate from Line 72.	\$ <u>0.00000</u> / \$100

SECTION 9: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the governing body of the taxing unit. By signing below, you certify that you are the designated officer or employee of the taxing unit and have accurately calculated the tax rates using values that are the same as the values shown in the taxing unit's certified appraisal roll or certified estimate of taxable value, in accordance with requirements in Tax Code. ⁵⁰

print
here

GARY WOODS, TAX COLLECTOR
Printed Name of Taxing Unit Representative

sign
here

Gary Woods
Taxing Unit Representative

7-29-2021
Date

⁴⁸ Tex. Tax Code §26.042(c)

⁴⁹ Tex. Tax Code §26.042(b)

⁵⁰ Tex. Tax Code §§ 26.04(c-2) and (d-2)



City Council Meeting

Date: September 7, 2021

Agenda Item: 7.C.

PRESENTER: Pam Curbow, Finance Director

ITEM/SUBJECT: Consider ordinance of the City of Nacogdoches, Texas approving and adopting annual budget for fiscal year beginning October 1, 2021 and ending September 30, 2022; providing that said expenditures for said fiscal year shall be made in accordance with said budget, unless otherwise authorized by an ordinance adopted by City Council; providing for a repeal clause; providing a severability clause; providing an effective date. (Finance Director)

SUMMARY/BACKGROUND: GENERAL FUND – Proposed Budgeted Operating
Revenues - \$27,434,540 Proposed Budgeted Operating
Expenditures - \$27,424,540

UTILITY FUND - Proposed Budgeted Revenues - \$19,871,000
 Proposed Budgeted Other Finance Sources - \$8,329,940
 Proposed Budgeted Operating/Debt Expenses - \$15,777,116
 Proposed Budgeted Other Finance Uses - \$8,329,940

SANITATION FUND- Proposed Budgeted Revenues - \$6,798,000
 Proposed Budgeted Other Finance Sources - \$1,445,201
 Proposed Budgeted Operating Expenses - \$5,232,203
 Proposed Budgeted Other Finance Uses - \$1,445,201

FINANCIAL:

No financial impact associated with this item

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

Not Applicable

CITY CONTACT: Pamela Curbow, Finance Director
curbowp@nactx.us
936-559-2526

ATTACHMENTS: 1. Ordinance_Budget_2021-2022

CITY OF NACOGDOCHES, TEXAS

ORDINANCE NO. 1881-09-21

AN ORDINANCE OF THE CITY OF NACOGDOCHES, TEXAS APPROVING AND ADOPTING ANNUAL BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; PROVIDING THAT SAID EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET, UNLESS OTHERWISE AUTHORIZED BY AN ORDINANCE ADOPTED BY CITY COUNCIL; PROVIDING FOR A REPEAL CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with the City Charter and State law, the City Manager of the City of Nacogdoches, Texas ("City") has heretofore filed with the City Secretary a proposed budget for the City covering the fiscal year beginning October 1, 2021 and ending September 30, 2022; and

WHEREAS, the City, in accordance with law, posted the proposed budget on its internet website and made the same available for inspection by any person, and held public hearings regarding the proposed budget and provided notice of such public hearings, and during several public hearings on the budget, all interested persons were given the opportunity to be heard for or against any item contained in said budget, and all said persons were heard, after which each of said public hearings was closed; and

WHEREAS, the City Council, upon full consideration of the matter, is of the opinion that the budget hereinafter set forth is proper and should be approved and adopted; and

WHEREAS, the adoption of the said budget will require raising more revenue from property taxes than in the previous year, and the City Council will ratify, by separate vote, the property tax rate reflected in the said budget; and

WHEREAS, any unexpended project or capital funds shall be carried over into the next fiscal year with City Manager approval, if requested by December 1st, 2021. All funds carried over must be for the same purpose as approved in the previous year's budget. All carried over funds shall be shared, in writing, with the City Council.

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

SECTION 1. That the budget for the City of Nacogdoches, Texas for the Fiscal Year beginning October 1, 2021 and ending September 30, 2022, a true and correct copy of which is attached to this Ordinance as Exhibit A, is hereby adopted and approved. As set forth in the said budget, the budget expenditures are hereby appropriated and that expenditures during the fiscal year shall be made in accordance with the budget approved by this Ordinance unless otherwise authorized by a duly enacted ordinance of the City.

SECTION 2. The budget as adopted hereby shall be deemed the official budget for the City of Nacogdoches, Texas for the said fiscal year and a copy of the same attached hereto and marked as "Exhibit A" shall be filed and kept on file with the City Secretary, shall be posted on the City's internet website, and shall be open to inspection by any interested persons. In addition, the record vote of each member of the City Council by name voting on the adoption of the budget shall be posted on the City's internet website until the first anniversary of the date the budget is adopted.

SECTION 3. The cover page for the budget attached to this Ordinance, that includes the property tax rates for the current fiscal year, including (a) the property tax rate, (b), the no-new-revenue tax rate, (c) the no-new-revenue maintenance and operations tax rate, (d) the voter approval tax rate, and (e) the debt rate, shall be and is hereby filed with the City Secretary and shall be posted on the City's internet website.

SECTION 4. That all ordinances of the City in conflict with the provisions of this Ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. The sections, paragraphs, sentences, phrases, and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, or word in this Ordinance or application thereof to any person or circumstance is held invalid, void, unlawful or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, voidness, unlawfulness or unconstitutionality, which remaining portions shall remain in full force and effect.

SECTION 6. Any requirement that this Ordinance be read at more than one reading be hereby suspended and that this Ordinance shall become effective immediately upon its passage, approval, and publication.

PASSED & APPROVED this, the 7th day of September 2021, by a vote of ____ (ayes) to ____ (nays) to ____ (abstentions) of the City Council of Nacogdoches, Texas.

Jimmy Mize, Mayor

ATTEST:

By:_____
Jan Vinson, City Secretary

APPROVED AS TO FORM:

By:_____
Steven Kirkland, City Attorney

APPROVED AS TO CONTENT:

By:_____
Pam Curbow, Director of Finance

PRESENTER: Theresa Jordan, Animal Services Manager

ITEM/SUBJECT: Discuss and consider adopting Ordinance No. 1878-09-21 amending Chapter 6-Animals, Article I-General Provisions, Division 1-Generally, of the Code of Ordinances, City of Nacogdoches, Texas to clarify ownership of abandoned animals and clarify that the animal control officer is vested with the authority outlined in the Chapter 6. (Animal Services Manager)

SUMMARY/BACKGROUND: In recent months, Animal Services Department has had animals surrendered at the shelter by people that do not own the animal. These animals can be strays, animals whose owners have been arrested and the animals surrendered by police, animals left on properties by vacated tenants and surrendered by landlords or any citizen surrendering an animal for any other reason. These animals often occupy space in the shelter for extended periods of time, which increases the number of animals that must be euthanized. In order to remedy this problem, Animal Services needs a defined timeframe in which an owner must reclaim their animal or forfeit ownership to the City, allowing the City to sell or dispose of the animal. Animal Services staff would like to establish a three business day hold period at the end of which ownership would transfer to the City.

Further, Ordinance No. 1878-09-21 will change "duty of the animal control authority" to "duty of the animal control officer", clarifying that the officer is vested with the authority outlined in the Chapter

FINANCIAL:

No financial impact associated with this item

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

Not Applicable

CITY CONTACT: Theresa Jordan, Animal Services Manager
jordant@nactx.us
936-560-5011

ATTACHMENTS: 1. Chapter 6 Animal Code Amedment (1)

ORDINANCE NO. 1878-09-21

ORDINANCE AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES TO PROVIDE FOR CLARITY IN OWNERSHIP OF ANIMALS IMPOUNDED BY THE ANIMAL CONTROL OFFICER

WHEREAS, the City of Nacogdoches, Texas (the “City”) has promulgated a Code of Ordinances providing for the health and safety of the community by regulating the keeping of animals within the City; and

WHEREAS, Sec. 6-3 of the Code uses an undefined term, animal control authority,

WHEREAS, the City Council desires to clarify that the animal control officer is vested with the authority outlined in the Chapter,

WHEREAS, the City owns and operates an animal shelter; and

WHEREAS, the City desires to provide for the orderly management and operation of the shelter; and

WHEREAS, from time to time, animals dropped off or impounded by the City are abandoned at the shelter; and

WHEREAS, the City desires to provide for legal adoption and or other humane disposition of abandoned animals by clarifying ownership of such abandoned animals vests in the City so that the City may convey or otherwise dispose of the animal; and

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

SECTION I

All of the above recitals are found to be true and correct legislative and factual findings.

SECTION II

That section 6-3 of the Code of Ordinances, City of Nacogdoches, Texas is amended to read as follows:

Sec. 6-3. - Authority generally.

It shall be the duty of the animal control authority officer or duly licensed peace officer to carry out all applicable provisions of this chapter and to pick up and impound all animals found to be in violation of this chapter.

SECTION III

That section 6-8 of the Code of Ordinances, City of Nacogdoches, Texas is amended to be renumbered add the following section:

Sec. 6-8. - Redemption of impounded animals.

(a) The owner of any impounded animal may reclaim the animal by signing any citations issued for alleged violations of this chapter and paying all impoundment fees, fines and other accrued expenses, under following conditions:

(1) If the owner of any impounded animal pursuant to this chapter shall appear to claim the animal within three business days of notice of impoundment, the animal control officer shall, if he/she reasonably believes that such person is the true owner, turn such animal over to such person upon payment to the animal control officer of a fee for each day that such animal has been impounded. The fees shall be collected by the animal control officer and remitted to the city finance department.

(2) The animal control officer shall, upon impoundment, attempt to call the owner of any impounded dog or cat that is identified by a collar or harness with the city's registration tag attached or by an implanted microchip.

(3) If the impounded animal is a dog or cat that is not identified by wearing a collar with a valid license tag attached or by a duly registered implanted microchip, the owner of the dog or cat must present a certificate showing that the dog or cat has been vaccinated in accordance with state law from that date or shall have the dog or cat vaccinated prior to its release from impoundment and must provide or secure a valid license for such dog or cat. The license tag is to be attached to the dog or cat's collar.

(b) The Animal Control Officer shall hold an impounded animal not surrendered by its owner for a period of three business days following impoundment of the animal for owner reclamation. On the fourth business day, an impounded animal is the property of the City and the City may sell or dispose of the animal as provided in this Chapter.

SECTION IV

All ordinances, resolutions, or parts thereof, that are inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance ~~sahh~~shall be and remain controlling as to the matter regulated.

SECTION V

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 the provisions of this Ordinance are declared to be severable.

SECTION VI

All provisions of Chapter 6 of the Code of Ordinances of the City of Nacogdoches not specifically amended or repealed herein remain in full force and effect. 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 of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

SECTION VII

This Ordinance shall take effect immediately upon its passage.

SECTION VIII

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

SECTION IX

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 _____, 2021, by a vote of ____ (ayes) to ____ (nays) of the City Council of the City of Nacogdoches, Texas.

CITY OF NACOGDOCHES

By: _____
JIMMY MIZE, Mayor

ATTEST:

APPROVED AS TO FORM:

Jan Vinson, City Secretary

Steven Kirkland, City Attorney

PRESENTER: Larissa Philpot, Economic Development Director

ITEM/SUBJECT: Receive a report, hold a discussion and give staff direction regarding the Nacogdoches Economic Development Corporation annual report. (Economic Development Director)

SUMMARY/BACKGROUND: The Nacogdoches Economic Development Corporation is a 501(c)3 non-profit dedicated to improving the economic prosperity of Nacogdoches County. This is accomplished primarily through entrepreneurship programming, business retention and expansion support, business attraction, and workforce development.

NEDCO is supported by the City of Nacogdoches (\$95,000 for FY 2020-2021), Nacogdoches County (\$32,500 annually), SFASU (\$15,000 annually), and approximately 60 other private businesses throughout the community. These contributions, amounting to \$306,000, allow Nacogdoches to perform economic development activities that are traditionally funded by 4A/4B sales taxes in other communities.

Despite the unprecedented disruptions of 2020-2021, NEDCO found success in continued development of longterm projects as well as new initiatives.

Major tasks and accomplishments for 2020-2021:

- **Development of HCH Aviation (SFASU Flight School):** through the generous support of the Nacogdoches City Council and several area foundations, the new flight school at SFA began its first classes in September 2021. Aviation is one of NEDCO's targeted industries, as the available commercial and industrial space and relatively low flight volumes at A.L. Mangham, Jr. Regional Airport are an asset for future economic activity. HCH Aviation has an aggressive ten-year growth plan which includes additional training programs related to avionics and drone operations. The aviation related jobs produced by this project are higher than the average wage in Nacogdoches County.
- **Center for Applied Research and Rural Innovation (CARRI):** NEDCO supported SFASU's development of CARRI by identifying funding, assisting with the writing of the successful \$2.5 million Economic Development Administration Grant, and garnering community support for the project. NEDCO staff will serve on the board of CARRI as the programming is developed. CARRI will bring the technology, innovation, and expertise of SFASU to the region's businesses.
- **NacCARES:** NEDCO staff and the NEDCO financial committee (representatives from area banks) processed 66 NacCARES small business grants, resulting in the awarding of \$205,000 for employee retention, changes in business models, and COVID safety improvements. This program also connected NEDCO to small businesses to encourage future communication and further support.
- **Spanish entrepreneurship program:** The entrepreneurship program at NEDCO has been successful for many years, and it was realigned this year to target a specific segment

of the business community. Approximately 17% of area households speak a language other than English at home. Understanding that the majority of these households speak Spanish, the Entrepreneurship Committee elected to hold a series of small business classes in Spanish. Topics covered included banking, permitting, insurance, and immigration issues. The program started small with just 2 participants. However, by the third class, more than 20 current and future small business owners were in attendance. This committee is currently planning on hosting a financial literacy class in Spanish in October 2021.

- **Restaurant Week:** Nacogdoches' first annual Restaurant Week was inaugurated in 2021. Twenty-nine food trucks, restaurants, distilleries, breweries, and bakeries participated. Businesses reported increased traffic and brand awareness. NEDCO organized the event, registered businesses, provided suggested activities, and performed the marketing. As with NacCARES, this program connected NEDCO to more small businesses to encourage communication with NEDCO to seek support.
- **Business development seminars:** NEDCO continued its business development seminars in conjunction with the Chamber of Commerce. Seminar topics included attracting skilled talent, vaccines in the workplace, financial statements, and constitutional carry in the workplace (slated for September 2021). These seminars were taught both in person and online. Attendance ranged from a dozen to more than 30.
- **Emergency response:** NEDCO acts as a liaison for area businesses, which was especially critical during periods of increased COVID activity and during the winter snowstorms. For example, NEDCO worked with City Public Works staff to communicate with critical industries during the loss of water emergency resulting from the 2020 snowstorm, ensuring critical needs of the community were met.
- **Advocacy:** Advocacy for I-69 continued to be a focus, as major transportation funding bills were heard at both the state and federal levels. NEDCO staff represented Nacogdoches and the State of Texas during virtual and in-person meetings with state and federal appointed and elected officials. The 2021 fiscal year was productive for transportation funding. Nacogdoches' 59/259 interchange upgrade remains in the State's Unified Transportation Plan, with construction scheduled to begin in 2026. NEDCO staff also served as the primary liaison for the City's legislative advocate during the 2021 legislative session.

Looking forward, NEDCO will focus on the following priorities in 2022.

- **Continue to develop prospects in targeted industries.** A new initiative for 2022 will be the creation of a landbanking program to ensure Nacogdoches can efficiently respond to inquiries from businesses hoping to locate in Nacogches. This landbanking program would encourage willing investors to assemble tracts of land as they become available so NEDCO can build a portfolio of developable properties.
- **Develop a plan for workforce development.** The construction of the technical center at Nacogdoches High School and the Center for Applied Research and Rural Innovation are both major steps towards ensuring Nacogdoches has a highly skilled workforce. However, those two developments alone will not completely fill the skills gap in the community. In 2022, NEDCO will work with NISD, SFA and area businesses to create a workforce development plan to identify the workforce training needs of the community, the capacity of NISD and SFA to meet those training needs, and a program to fill any remaining skill gaps.
- In conjunction with the proposed **downtown** master plan, NEDCO will focus on redevelopment opportunities in downtown. Emphasis will be placed on developing and

marketing tools to make it easier for businesses and property owners to invest in downtown.

- NEDCO's **entrepreneurship** committee plans on hosting a financial literacy class in Spanish in October. These classes will focus on basic banking, credit, and loan issues.
- The recent reorganization of City staff will allow NEDCO to work more closely with the **airport** and focus on the attraction of new commercial and industrial business to the airport.

FINANCIAL:

No financial impact associated with this item

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

Economic Development

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

ATTACHMENTS: 1. PowerPoint Presentation

Nacogdoches Economic Development Corporation (NEDCO)

Annual Report to the Nacogdoches City Council

BRINGING GROWTH & PROSPERITY TO NACOGDOCHES



Major Tasks & Accomplishments

- Development of HCH Aviation (SFASU Flight School)
- Awarding of \$2.5 Million EDA Grant to fund the Center for Applied Research and Rural Innovation
- Administered NacCARES Small Business Grants
- Developed Hispanic Entrepreneurship Program
- Nacogdoches Restaurant Week



Major Tasks & Accomplishments

- Business Development Seminars
- Job Fair
- COVID Response
- Snowstorm Response
- Advocacy
- Marketing Plan

BRINGING GROWTH & PROSPERITY TO NACOGDOCHES

HCH Aviation

- Targeted industry
- Aggressive ten year growth plan
- For every \$1 in infrastructure investment, \$19 returned
- Higher earning alumni
- High wage jobs
- Trigger for additional activity at airport

Occupation	Median Salary
Drone Operators	\$53,979
Aircraft Mechanics and Technicians	\$63,060
Commercial Pilot	\$82,240

Center for Applied Research and Rural Innovation

- Affiliated with targeted industries
 - Information technology
 - Advanced manufacturing
- Awarded \$2.5 million grant from EDA
 - Identified funding
 - Developed application
 - Garnered community support



Center for Applied Research and Rural Innovation

- Applied research and economic development
- Technology commercialization and transfer
- Sustainable energy
- Data analytics
- Curricular innovation and professional development
- Digital media, arts, & design
- Entrepreneurship
- Social innovation
- Leadership Excellence

Vision: Inspiring knowledge, igniting change in rural communities

Mission: Innovation and entrepreneurship for economic development in rural areas

BRINGING GROWTH & PROSPERITY TO NACOGDOCHES

NacCARES

- Committee of area bankers
- Processed 66 applications
- Awarded \$205,000 in funding
- Funding for:
 - Employee retention
 - Change in business model
 - COVID safety improvements

Entrepreneurship

- Focused on Spanish speaking residents
- Grew program from 2 attendees to more than 20
- Topics
 - Banking
 - Permitting
 - Insurance
 - Immigration status and owning a business
- Plan for financial literacy

Restaurant Week

- 29 participants
- Food trucks, restaurants, distillery, brewery, bakery
- Increased traffic
- Increased brand awareness
- Connection to NEDCO

Business Development Seminars

April 2020

- How to host virtual meetings like a pro

Nov 2020

- Right employee, right now: attracting skilled talent

April 2021

- Vaccines in the workplace: preparing your business

June 2021

- Financial statements 101: Unlocking the mystery of your statement

September 2021

- Constitutional carry in the workplace

BRINGING GROWTH & PROSPERITY TO NACOGDOCHES



Indicators

Median Household Income Goal: Higher than State Average

	Texas	Nacogdoches County	Ratio County/State Avg
2010	\$49,696	\$33,189	67%
2015	\$53,207	\$39,538	74%
2016	\$54,727	\$38,915	71%
2017	\$57,051	\$41,482	72%
2018	\$59,570	\$43,598	73%

*Data source: American Community Survey

BRINGING GROWTH & PROSPERITY TO NACOGDOCHES

PRESENTED BY NEDCO & WORKFORCE SOLUTIONS

NACOGDOCHES AREA JOB FAIR

LOCAL EMPLOYERS WILL BE PRESENT -- COME DRESSED
FOR SUCCESS WITH YOUR RESUME READY!

C.L. SIMON RECREATION CENTER GYM
1112 NORTH STREET, NACOGDOCHES TX
SEPTEMBER 16TH, 2021
9 AM - 3 PM

BRINGING GROWTH & PROSPERITY TO NACOGDOCHES

Nacogdoches 
the oldest town in Texas
ECONOMIC DEVELOPMENT CORPORATION

Emergency Response

- Social media engagement to #supportlocal
 - 56.3k reach from top performing posts
 - 2.3k shares and comments
- Communication line between local government and business during times of crisis
- Problem solving and crisis communication
- Connector

Advocacy

	Passed House	Passed Senate	Action by Governor
SB 1 - Full TxDOT Funding - \$30.2 B (2 Years) Prop 1 - \$4.5 B; Prop 7 - \$5 B	✓	✓	SIGNED by Governor
HB 2219 - Texas Mobility Fund Bonding Reactivation (\$3 B in Future Projects)	✓	✓	Signed: Effective Immediately
HB 4472 - 35% of TERP Funds Returned to Highway Fund (About \$91 M/Yr)	✓	✓	SIGNED by Governor
HJR 99 - Transportation Reinvestment Zone Authority for Counties (Constitutional Amendment)	✓	✓	Will Be On November Ballot
HB 2223 - Study of Roadway Impacts of Vehicle Classes	✓	✓	SIGNED by Governor
SB 1728 - Electric and Other Alternative-Fueled Vehicle Registration Fees	No Vote Before Deadline	✓	Bill Failed
HB 2222 - Study of Highway Funding Needs through Year 2045	✓	No Action In Committee	Bill Failed

BRINGING GROWTH & PROSPERITY TO NACOGDOCHES



Indicators

Median Household Income Goal: Higher than State Average

	Texas	Nacogdoches County	Ratio County/State Avg
2010	\$49,696	\$33,189	67%
2016	\$54,727	\$38,915	71%
2017	\$57,051	\$41,482	72%
2018	\$59,570	\$43,598	73%
2019	\$61,874	\$44,487	72%

*Data source: American Community Survey



Indicators

Poverty Level

Goal: Below State Average

Year	Texas	Nacogdoches County
2010	17.0%	25.0%
2015	17.3%	24.6%
2016	16.7%	24.4%
2017	16.0%	24.9%
2018	15.5%	24.4%
2019	13.6%	21.3%

*Data source: American Community Survey & Small Area Income and Poverty Estimates

BRINGING GROWTH & PROSPERITY TO NACOGDOCHES



Indicators

Unemployment Rate Goal: Below State Average

Year	Texas	Nacogdoches County
2015	4.4%	4.7%
2016	4.6%	4.8%
2017	4.4%	4.3%
2018	3.9%	4.0%
2019	3.5%	3.7%
2020	7.6%	6.6%
2021 (YTD)	6.7%	6.5%

*Data source: Texas Workforce Commission

BRINGING GROWTH & PROSPERITY TO NACOGDOCHES



Indicators

Workforce & Employment Goal: Below State Average

Year	Employment	Workforce
2016	27,375	28,722
2017	27,332	28,553
2018	27,576	28,645
2019	27,117	28,163
2020	26,145	27,987
2021 (YTD)	26,181	28,150

*Data source: Texas Workforce Commission

BRINGING GROWTH & PROSPERITY TO NACOGDOCHES



Indicators

Sales Tax

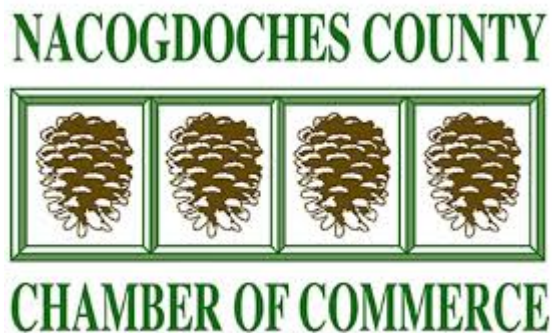
Goal: At or Above State, Double by 2025

Year	Texas	Nacogdoches
2015	\$5,238,223,416	\$5,725,054
2016	\$5,292,256,913	\$6,036,340
2017	\$5,478,895,013	\$6,266,954
2018	\$5,923,734,121	\$6,361,898
2019	\$6,202,742,001	\$6,518,746
2020	\$6,225,241,463	\$6,985,376
2021 (YTD)	\$4,662,932,796	\$4,956,910
% Change 2015-2020	+18.4%	+22.0%

Major Tasks 2021-2022

- Develop prospects in targeted industries
- Workforce development
- Downtown development
- Entrepreneurship
- Project facilitation
- Airport development
- Economic development funding

BRINGING GROWTH & PROSPERITY TO NACOGDOCHES





BRINGING GROWTH & PROSPERITY TO NACOGDOCHES



City Council Meeting

Date: September 7, 2021

Agenda Item: 7.F.

PRESENTER: Larissa Philpot, Economic Development Director

ITEM/SUBJECT: Consider the appointment of up to three members to the Nacogdoches Economic Development Corporation Board of Directors. (Economic Development Director)

SUMMARY/BACKGROUND: The Nacogdoches Economic Development Corporation bylaws state:

The Board shall consist of one director for each dues-paying entity...except for Multiple Director Entities. Multiple Director Entities include the City of Nacogdoches who shall appoint up to three directors to the Board.

Historically, the City Council has appointed the Mayor, City Manager, and one additional City Council member to the NEDCO board.

FINANCIAL:

No financial impact associated with this item

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

Economic Development

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

ATTACHMENTS:

PRESENTER: Case Opperman, Public Works Asst Director

ITEM/SUBJECT: Consider approval of a contract by and between the City of Nacogdoches and Duplichain Contractors for the 2019 Water Line Improvements Project in a not-to-exceed amount of \$496,856.00 (Assistant Director of Public Works)

SUMMARY/BACKGROUND: On August 17, 2021, the City received bids for the 2019 Water Line Improvements Project. Three (3) contractors submitted bids as follows:

<i>Duplicchain Contractors</i>	<i>\$ 496,856.00</i>
John Wright Construction	\$ 506,991.00
McKinney & Moore	\$ 748,651.00

Duplicchain Contractors, LLC was found to be the lowest responsible bidder. Duplicchain Contractors is an Alto-based utility contractor who has successfully completed numerous projects for the City.

Staff has identified a list of six (6) water mains throughout the City which have experienced multiple repairs and are in a failing condition to include in this major water line improvement project. This project will include replacement of approximately 4,600 linear feet of 6" water lines including new fire hydrants, reconnection of water taps and appurtenances.

It is recommended that the base bid for this project be awarded to Duplicchain Contractors in the amount of \$496,856.00.

FINANCIAL:

Item is budgeted:

Account No.: 30 179.02

Account Name: *Utility Fund CIP - Water Main*

Amount: \$ 772,947

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

Infrastructure

CITY CONTACT: Case Opperman, Assistant Director of Public Works
oppermanc@nactx.us
936-559-2515

ATTACHMENTS:

1. 2019 Water Line Improvements Bid Tab
2. PowerPoint Presentation
3. 2019 Water Line Improvements Map

Bid Summary

City of Nacogdoches 2019 Water Line Improvements Project

Bid: August 17, 2021 2:00 PM

				Duplichain Contractors		John Wright Construction		McKinney & Moore	
Item	Quan	Unit	Description	Unit Price	TOTAL	Unit Price	TOTAL	Unit Price	TOTAL
VIRGINIA AVENUE WATER LINE									
1.	1,398	LF	6" AWWA C900 DR-18 PVC Water Pipe	\$37.00	\$51,726.00	\$33.00	\$46,134.00	\$35.00	\$48,930.00
2.	20	LF	10" PVC Encasement Pipe including 10" AWWA C900 DR-18 PVC Water Pipe with spacers and end seals	\$70.00	\$1,400.00	\$130.00	\$2,600.00	\$160.00	\$3,200.00
3.	3	EA	Locate and Connect to existing water mains	\$2,500.00	\$7,500.00	\$1,800.00	\$5,400.00	\$5,300.00	\$15,900.00
4.	6	EA	6" MJ 45-degree Bend	\$300.00	\$1,800.00	\$750.00	\$4,500.00	\$450.00	\$2,700.00
5.	2	EA	6" MJ 22.5-degree Bend	\$200.00	\$400.00	\$650.00	\$1,300.00	\$450.00	\$900.00
6.	1	EA	6"x2" MJ Reducer	\$215.00	\$215.00	\$600.00	\$600.00	\$450.00	\$450.00
7.	1	EA	6"x6" MJ Tee	\$500.00	\$500.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
8.	1,398	LF	HMAC Pavement Repair	\$20.00	\$27,960.00	\$33.00	\$46,134.00	\$66.00	\$92,268.00
9.	1	EA	6"x6" Tapping Sleeve and Valve	\$3,500.00	\$3,500.00	\$4,000.00	\$4,000.00	\$3,700.00	\$3,700.00
10.	1	LS	Locate, Cap and Abandon existing water main(s)	\$2,500.00	\$2,500.00	\$1,800.00	\$1,800.00	\$3,500.00	\$3,500.00
11.	13	EA	Long Side Water Service (size to match existing)	\$1,860.00	\$24,180.00	\$1,400.00	\$18,200.00	\$1,600.00	\$20,800.00
12.	6	EA	Short Side Water Service (size to match existing)	\$855.00	\$5,130.00	\$800.00	\$4,800.00	\$700.00	\$4,200.00
13.	5	EA	6" MJ Gate Valve	\$1,670.00	\$8,350.00	\$1,800.00	\$9,000.00	\$1,800.00	\$9,000.00
14.	30	LF	Concrete Curb and Gutter	\$85.00	\$2,550.00	\$40.00	\$1,200.00	\$60.00	\$1,800.00
15.	1	LS	Traffic Control	\$3,000.00	\$3,000.00	\$800.00	\$800.00	\$4,000.00	\$4,000.00
16.	1	LS	Trench Safety System	\$10.00	\$10.00	\$100.00	\$100.00	\$300.00	\$300.00
17.	1	LS	Site Restoration	\$1,000.00	\$1,000.00	\$1,500.00	\$1,500.00	\$6,000.00	\$6,000.00
18.	2	EA	Typical Fire Hydrant Assembly	\$5,650.00	\$11,300.00	\$4,800.00	\$9,600.00	\$4,500.00	\$9,000.00
SUBTOTAL - VIRGINIA AVE.				\$153,021.00		\$158,668.00		\$227,648.00	
LOONEYVILLE ROAD WATER LINE									
1.	488	LF	6" AWWA C900 DR-18 PVC Water Pipe	\$33.00	\$16,104.00	\$33.00	\$16,104.00	\$35.00	\$17,080.00
2.	3	EA	Locate and Connect to existing water mains	\$2,500.00	\$7,500.00	\$1,800.00	\$5,400.00	\$5,500.00	\$16,500.00

Bid Summary
City of Nacogdoches 2019 Water Line Improvements Project
Bid: August 17, 2021 2:00 PM

3.	2	EA	6" MJ 45-degree Bend	\$300.00	\$600.00	\$750.00	\$1,500.00	\$450.00	\$900.00
4.	1	EA	6"x2" MJ Reducer	\$215.00	\$215.00	\$600.00	\$600.00	\$450.00	\$450.00
5.	1	EA	6"x6" MJ Tee	\$500.00	\$500.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
6.	20	LF	HMAC Pavement Repair	\$25.00	\$500.00	\$33.00	\$660.00	\$120.00	\$2,400.00
7.	1	EA	6"x6" Tapping Sleeve and Valve	\$3,500.00	\$3,500.00	\$4,000.00	\$4,000.00	\$3,700.00	\$3,700.00
8.	3	EA	6" MJ Gate Valve	\$1,670.00	\$5,010.00	\$1,800.00	\$5,400.00	\$1,850.00	\$5,550.00
9.	4	EA	Long Side Water Service (size to match existing)	\$1,860.00	\$7,440.00	\$1,400.00	\$5,600.00	\$1,600.00	\$6,400.00
10.	80	LF	6" Uncased Bore for 6" water pipe	\$30.00	\$2,400.00	\$58.00	\$4,640.00	\$60.00	\$4,800.00
11.	1	LS	Locate, Cap and Abandon existing water main(s)	\$2,500.00	\$2,500.00	\$1,200.00	\$1,200.00	\$1,300.00	\$1,300.00
12.	1	LS	Traffic Control	\$500.00	\$500.00	\$500.00	\$500.00	\$3,000.00	\$3,000.00
13.	1	LS	Trench Safety System	\$10.00	\$10.00	\$100.00	\$100.00	\$300.00	\$300.00
14.	1	LS	Site Restoration	\$2,500.00	\$2,500.00	\$1,500.00	\$1,500.00	\$5,000.00	\$5,000.00
SUBTOTAL - LOONEYVILLE ROAD				\$49,279.00		\$48,204.00		\$68,380.00	
HAYWARD STREET WATER LINE									
1.	436	LF	6" AWWA C900 DR-18 PVC Water Pipe	\$37.00	\$16,132.00	\$34.00	\$14,824.00	\$35.00	\$15,260.00
2.	4	EA	Locate and Connect to existing water mains	\$2,500.00	\$10,000.00	\$1,800.00	\$7,200.00	\$5,500.00	\$22,000.00
3.	2	EA	6" MJ 45-degree Bend	\$300.00	\$600.00	\$750.00	\$1,500.00	\$450.00	\$900.00
4.	2	EA	6" MJ 90-degree Bend	\$350.00	\$700.00	\$615.00	\$1,230.00	\$450.00	\$900.00
5.	2	EA	6"x2" MJ Reducer	\$215.00	\$430.00	\$600.00	\$1,200.00	\$450.00	\$900.00
6.	2	EA	6"x6" MJ Tee	\$500.00	\$1,000.00	\$1,000.00	\$2,000.00	\$1,000.00	\$2,000.00
7.	436	LF	HMAC Pavement Repair	\$20.00	\$8,720.00	\$33.00	\$14,388.00	\$70.00	\$30,520.00
8.	2	EA	6"x6" Tapping Sleeve and Valve	\$3,500.00	\$7,000.00	\$4,000.00	\$8,000.00	\$3,700.00	\$7,400.00
9.	2	EA	6" MJ Gate Valve	\$1,670.00	\$3,340.00	\$1,800.00	\$3,600.00	\$1,800.00	\$3,600.00
10.	1	LS	Locate, Cap and Abandon existing water main(s)	\$2,500.00	\$2,500.00	\$1,800.00	\$1,800.00	\$5,500.00	\$5,500.00
11.	5	EA	Long Side Water Service (size to match existing)	\$1,860.00	\$9,300.00	\$1,400.00	\$7,000.00	\$1,600.00	\$8,000.00

*Miscalculation on bid form

Bid Summary

City of Nacogdoches 2019 Water Line Improvements Project

Bid: August 17, 2021 2:00 PM

12.	1	EA	Short Side Water Service (size to match existing)	\$855.00	\$855.00	\$800.00	\$800.00	\$700.00	\$700.00
13.	1	LS	Site Restoration	\$2,500.00	\$2,500.00	\$1,500.00	\$1,500.00	\$3,500.00	\$3,500.00
14.	1	LS	Traffic Control	\$3,000.00	\$3,000.00	\$500.00	\$500.00	\$3,000.00	\$3,000.00
15.	1	LS	Trench Safety System	\$10.00	\$10.00	\$100.00	\$100.00	\$300.00	\$300.00
SUBTOTAL - HAYWARD STREET				\$66,087.00		\$65,642.00		\$104,480.00	
FULGHAM STREET WATER LINE									
1.	312	LF	6" AWWA C900 DR-18 PVC Water Pipe	\$37.00	\$11,544.00	\$34.00	\$10,608.00	\$42.00	\$13,104.00
2.	1	EA	Locate and Connect to existing water mains	\$2,500.00	\$2,500.00	\$1,800.00	\$1,800.00	\$5,500.00	\$5,500.00
3.	312	LF	HMAC Pavement Repair	\$20.00	\$6,240.00	\$33.00	\$10,296.00	\$80.00	\$24,960.00
4.	1	EA	6"x6" Tapping Sleeve and Valve	\$3,500.00	\$3,500.00	\$4,000.00	\$4,000.00	\$3,700.00	\$3,700.00
5.	1	LS	Locate, Cap and Abandon existing water main(s)	\$1,000.00	\$1,000.00	\$1,800.00	\$1,800.00	\$3,000.00	\$3,000.00
6.	1	EA	Long Side Water Service (size to match existing)	\$1,860.00	\$1,860.00	\$1,400.00	\$1,400.00	\$1,800.00	\$1,800.00
7.	1	EA	Short Side Water Service (size to match existing)	\$855.00	\$855.00	\$800.00	\$800.00	\$700.00	\$700.00
8.	1	EA	Typical Fire Hydrant Assembly	\$5,650.00	\$5,650.00	\$4,800.00	\$4,800.00	\$4,300.00	\$4,300.00
9.	1	LS	Site Restoration	\$1,000.00	\$1,000.00	\$1,500.00	\$1,500.00	\$2,000.00	\$2,000.00
10.	1	LS	Traffic Control	\$1,000.00	\$1,000.00	\$500.00	\$500.00	\$1,700.00	\$1,700.00
11.	1	LS	Trench Safety System	\$10.00	\$10.00	\$100.00	\$100.00	\$300.00	\$300.00
SUBTOTAL - FULGHAM STREET				\$35,159.00		\$37,604.00		\$61,064.00	
CLEAVER DRIVE WATER LINE									
1.	778	LF	6" AWWA C900 DR-18 PVC Water Pipe	\$37.00	\$28,786.00	\$34.00	\$26,452.00	\$35.00	\$27,230.00
2.	3	EA	Locate and Connect to existing water mains	\$2,500.00	\$7,500.00	\$1,800.00	\$5,400.00	\$5,500.00	\$16,500.00
3.	4	EA	6" MJ 45-degree Bend	\$300.00	\$1,200.00	\$750.00	\$3,000.00	\$450.00	\$1,800.00
4.	1	EA	6"x6" MJ Tee	\$500.00	\$500.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
5.	778	LF	HMAC Pavement Repair	\$20.00	\$15,560.00	\$33.00	\$25,674.00	\$70.00	\$54,460.00
6.	3	EA	6"x6" Tapping Sleeve and Valve	\$3,500.00	\$10,500.00	\$4,000.00	\$12,000.00	\$3,700.00	\$11,100.00

Bid Summary

City of Nacogdoches 2019 Water Line Improvements Project

Bid: August 17, 2021 2:00 PM

7.	1	LS	Locate, Cap and Abandon existing water main(s)	\$2,500.00	\$2,500.00	\$1,800.00	\$1,800.00	\$3,000.00	\$3,000.00
8.	11	EA	Long Side Water Service (size to match existing)	\$1,860.00	\$20,460.00	\$1,400.00	\$15,400.00	\$1,600.00	\$17,600.00
9.	10	EA	Short Side Water Service (size to match existing)	\$855.00	\$8,550.00	\$800.00	\$8,000.00	\$700.00	\$7,000.00
10.	1	EA	Typical Fire Hydrant Assembly	\$5,650.00	\$5,650.00	\$4,800.00	\$4,800.00	\$43,000.00	\$43,000.00
11.	2	EA	6" MJ Gate Valve	\$1,670.00	\$3,340.00	\$1,800.00	\$3,600.00	\$1,800.00	\$3,600.00
12.	1	LS	Site Restoration	\$2,500.00	\$2,500.00	\$1,500.00	\$1,500.00	\$4,000.00	\$4,000.00
13.	1	LS	Traffic Control	\$4,000.00	\$4,000.00	\$500.00	\$500.00	\$3,000.00	\$3,000.00
14.	1	LS	Trench Safety System	\$100.00	\$100.00	\$100.00	\$100.00	\$300.00	\$300.00
SUBTOTAL - CLEAVER DRIVE				\$111,146.00		\$109,226.00		\$193,590.00	
SMITH ROAD WATER LINE									
1.	1,219	LF	6" AWWA C900 DR-18 PVC Water Pipe	\$26.00	\$31,694.00	\$33.00	\$40,227.00	\$31.00	\$37,789.00
2.	1	EA	Locate and Connect to existing water mains	\$2,500.00	\$2,500.00	\$1,800.00	\$1,800.00	\$5,500.00	\$5,500.00
3.	2	EA	6" MJ 45-degree Bend	\$300.00	\$600.00	\$750.00	\$1,500.00	\$450.00	\$900.00
4.	1	EA	6"x6" Tapping Sleeve and Valve	\$3,500.00	\$3,500.00	\$4,000.00	\$4,000.00	\$3,700.00	\$3,700.00
5.	1	LS	Locate, Cap and Abandon existing water main(s)	\$1,000.00	\$1,000.00	\$1,500.00	\$1,500.00	\$3,000.00	\$3,000.00
6.	6	EA	Long Side Water Service (size to match existing)	\$1,860.00	\$11,160.00	\$1,400.00	\$8,400.00	\$1,600.00	\$9,600.00
7.	10	EA	Short Side Water Service (size to match existing)	\$855.00	\$8,550.00	\$800.00	\$8,000.00	\$700.00	\$7,000.00
8.	3	EA	Typical Fire Hydrant Assembly	\$5,650.00	\$16,950.00	\$4,800.00	\$14,400.00	\$4,300.00	\$12,900.00
9.	90	LF	6" Uncased Bore for 6" water pipe	\$30.00	\$2,700.00	\$58.00	\$5,220.00	\$70.00	\$6,300.00
10.	1	LS	Site Restoration	\$3,000.00	\$3,000.00	\$2,000.00	\$2,000.00	\$3,500.00	\$3,500.00
11.	1	LS	Traffic Control	\$500.00	\$500.00	\$500.00	\$500.00	\$3,000.00	\$3,000.00
12.	1	LS	Trench Safety System	\$10.00	\$10.00	\$100.00	\$100.00	\$300.00	\$300.00
SUBTOTAL - SMITH ROAD				\$82,164.00		\$87,647.00		\$93,489.00	
TOTALS				\$496,856.00		\$506,991.00		\$748,651.00	

*Discrepancy between written and number

2019 Water Line Improvements Project

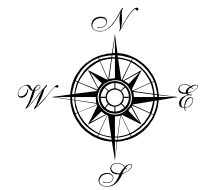
- Multiple failing water lines, need replacement
- Six (6) 6" water lines prioritized for project

Bid Results:

<i>Duplichain Contractors</i>	<i>\$496,856.00</i>
John Wright Construction	\$506,991.00
McKinney & Moore	\$748,651.00



2019 Water Line Improvements Project



1 inch = 2,500 feet

Looneyville Road - Clay Street to N. Sanders Street
6" PVC Water Line - Approx. 500 LF

Virginia Avenue - Burk Street to Gaylon Brooks Street
6" PVC Water Line - Approx. 1400 LF

Hayward Street - Cross Street to Devereaux Street
6" PVC Water Line - Approx. 400 LF

Fulgham Street - Cedar Street towards MLK, Jr. Blvd.
6" PVC Water Line - Approx. 270 LF

Cleaver Drive - Shawnee Street to Meisenheimer Street
6" PVC Water Line - Approx. 740 LF

Smith Road - 300 Smith Road to End of Line
6" PVC Water Line - Approx. 1200 LF

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



City Council Meeting

Date: September 7, 2021

Agenda Item: 7.H.

PRESENTER: Brian Bray, Community Services Director

ITEM/SUBJECT: Consider rejecting bid for construction of restroom facilities at Maroney Park, Pecan Park, and Pilgrim's Sportsplex. (Community Services Director)

SUMMARY/BACKGROUND: An invitation to Bid was released on June 25, 2021 for construction services for three city park restrooms, to be located at Maroney Park, Pecan Park, and Pilgrim's Sportsplex. Bids were opened on August 12. Two companies, TCMC and Cox Contractors, submitted proposals to build the restroom facilities for \$715,000 and \$759,995, respectively. These figures come in far above the budgeted amount of \$405,000.

Staff is requesting that City Council formally dismiss all bids, based on the recommendation of Army Curtis, architect for the project. He advised that pricing conditions are not favorable in the COVID-19 economy and material costs are volatile, and it would behoove the City to re-bid this project at the beginning of 2022. Per Local Government Code Section 271.058: "The governing body may reject any and all bids submitted for a contract for which competitive bidding is required by this subchapter."

FINANCIAL:

No financial impact associated with this item

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

Not Applicable

CITY CONTACT: Brian W. Bray, Community Services Director
brayb@nactx.us
936-559-2935

ATTACHMENTS: 1. Bid Tabulation

TABULATION OF BIDS

City of Nacogdoches

Project Name:

Park Restrooms

Bid Date: 8/12/2021

GENERAL CONTRACTOR (BIDDER)	BID BOND	ADDENDA					SUB LIST	Statement of Qualifications	Base Bid	A L T E R N A T E S				TOTAL BID
		1	2											
TCMC	✓						✓	✓	\$715,000.00					\$715,000.00
Cox Contractors	✓						✓	✓	\$759,995.00					\$759,995.00
														\$0.00
														\$0.00
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														\$0.00



City Council Meeting

Date: September 7, 2021

Agenda Item: 8.A.

PRESENTER: Jimmy Mize, Mayor

ITEM/SUBJECT: Personnel Matters – Pursuant to Texas Government Code Section 551.074, deliberations regarding the duties of a public officer or employee. The subject of this Executive Session is to discuss and give feedback to the City Manager regarding his annual evaluation.

SUMMARY/BACKGROUND:

FINANCIAL:

No financial impact associated with this item

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

Not Applicable

CITY CONTACT: Jimmy Mize, Mayor
mizej@nactx.us
936-559-2506

ATTACHMENTS: