



January 4, 2022

Notice is hereby given of a Regular Meeting of Nacogdoches City Council to be held on the above date in the City Council Chambers of City Hall, 202 E. Pilar Street, Nacogdoches, Texas, beginning at 5:30 p.m. for the purpose of considering the following agenda items.

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

Members of the public who wish to submit comments 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 must be received by 12:00 p.m. on January 4, 2022. 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. OPEN FORUM. Open Forum is an opportunity for citizens to speak about items not listed on the agenda. In order to address City Council please complete the Open Forum Form and submit it to the City Secretary prior to the start of the meeting. In accordance with the Texas Open Meetings Act, City Council shall not discuss, deliberate, or make any decisions on items discussed during Open Forum. Comments are limited to 3 minutes per person. Open Forum is limited to the first 5 citizens who submit an Open Forum Form.
4. ITEMS TO BE REMOVED FROM CONSENT AGENDA.
5. CONSENT AGENDA: Items included under Consent Agenda require little or no deliberation by Council. Approval of Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations as reflected in the minutes of this meeting.
 - A. Consider approval of minutes for November 29, 2021, November 30, 2021 and December 6, 2021 Special Meetings and December 7, 2021 Regular Meeting. (City Secretary)
 - B. Consider appointing a representative to the Deep East Texas Rural Transportation Planning Organization (DETRTPO) of the Deep East Texas Council of Governments (DETCOG). (City Manager)
6. REGULAR AGENDA: City Council will receive staff recommendations and public input on

the following items, and may deliberate and take formal action on the item.

- A. Consider a request by Dr. Ross Chiaramonte, owner of 300 East Main Street (Regions Renaissance, LLC) for additional credit on his utility bill resulting from excessive usage due to running toilets at the property. (City Manager)

7. 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 December 30, 2021 at 8:30 a.m. and remained posted until meeting convened.

Jan Vinson, City Secretary



City Council Meeting

Date: January 4, 2022

Agenda Item: 5.A.

PRESENTER:

ITEM/SUBJECT: Consider approval of minutes for November 29, 2021, November 30, 2021 and December 6, 2021 Special Meetings and December 7, 2021 Regular Meeting. (City Secretary)

SUMMARY/BACKGROUND:

FINANCIAL:

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

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

ATTACHMENTS:

1. CC112921 Special Meeting
2. CC113021 Special Meeting
3. CC120621 Special Meeting
4. CC120721 Regular Meeting



Special Session
Nacogdoches City Council
November 29, 2021 – 4:00 p.m.
C.L. Simon Recreation Center
1112 North Street

DRAFT

City Council present: Mayor Jimmy Mize, Council Members Roy Boldon, Amelia Fischer and Kathleen Belanger. **Present virtually:** Council Member Jay Anderson

1. Called to order at 4 p.m.
2. Pledge of Allegiance.
3. No one spoke during Open Forum.

4. **WORK SESSION:**

- A. Receive a report, hold a discussion, and give staff direction regarding the City's Capital Improvement Projects. Public Works (Director of Public Works)

Steve Bartlett, Director of Public Works, reviewed Capital Improvement Projects for city-wide street rebuild to maintenance level, annual street rehabilitation, sidewalk repairs and additions, annual street maintenance (paid by street maintenance fee), annual storm sewer system repairs, critical storm sewer system reconstruction and new landfill cells.

City Council discussed street grading system, priorities, failing systems, broadband and recycling.

3. Adjourned 5:07 p.m.

ATTEST:

Mayor Jimmy Mize
City Council
City of Nacogdoches

Jan Vinson, City Secretary

Minutes unofficial until approved by City Council



Special Session
Nacogdoches City Council
November 30, 2021 – 4:00 p.m.
C.L. Simon Recreation Center
1112 North Street

DRAFT

City Council present: Mayor Jimmy Mize, Council Members Roy Boldon, Jay Anderson, Amelia Fischer and Kathleen Belanger.

1. Called to order at 4:02 p.m.
2. Pledge of Allegiance.
3. No one spoke during Open Forum.

4. WORK SESSION:

- A. Receive a report, hold a discussion, and give staff direction regarding the City's Capital Improvement Projects. Parks and Recreation (Director of Community Services), City Facilities (Director of Public Works)

Brian Bray, Director of Community Services, discussed Zion Hill Church, downtown improvements, electricity needs downtown, playground and restroom improvements, park paving projects, ADA access at Lake Nacogdoches and financial impact.

Steve Bartlett, Director of Public Works, discussed facility needs which included renovation at City Hall, constructing a new service center which would housing several departments and creating a warehouse/storage facility. Brian Bray discussed facility needs for parks and cemetery.

City Council discussed prioritizing, park restrooms, tournaments, revenue, ADA accessibility and office space needs.

3. Adjourned 5:09 p.m.

ATTEST:

Mayor Jimmy Mize
City Council
City of Nacogdoches

Jan Vinson, City Secretary

Minutes unofficial until approved by City Council



Special Session
Nacogdoches City Council
December 6, 2021 – 5:30 p.m.
City Council Room – City Hall
202 East Pilar Street

DRAFT

City Council present: Mayor Jimmy Mize, Council Members Roy Boldon, Jay Anderson, Amelia Fischer and Kathleen Belanger.

1. Called to order at 5:30 p.m.
2. Pledge of Allegiance.
3. **WORK SESSION:**

A. Discuss and consider development of redistricting plans for the City Council Wards.

Alaina Helton, City Planner, reviewed previous meetings regarding redistricting and timeline for future public meetings.

Philip Arnold with Bickerstaff Heath Delgado Acosta LLP reviewed the initial assessment and two draft redistricting plans which were discussed at a previous City Council meeting.

City Council recommended Plan A.

3. No one spoke during Open Forum.
4. Adjourned 5:44 p.m.

ATTEST:

Mayor Jimmy Mize
City Council
City of Nacogdoches

Jan Vinson, City Secretary

Minutes unofficial until approved by City Council



Regular Session
Nacogdoches City Council
December 7, 2021 – 4 p.m.
City Council Room – City Hall
202 East Pilar Street

DRAFT

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

1. Called to order at 4 p.m.
2. Pledge of Allegiance.

City Council convened into Executive Session at 4:02 p.m.

3. EXECUTIVE SESSION:

A. Pursuant to Texas Government Code Section 551.072, deliberations regarding the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

City Council reconvened in open session taking no action.

4. WORK SESSION:

A. Receive a report, hold a discussion, and give staff direction regarding Capital Improvement Program planning for the City of Nacogdoches.

Pam Curbow, Finance Director, presented a summary to City Council regarding the Capital Improvement Projects discussed in recent Special City Council meetings as well as funding options. Ms. Curbow also prioritized each of the projects into three tiers with Tier 1 being the highest priority and Tier 3 being the lowest priority.

City Council discussed cost of the projects, street maintenance, debt service, rate studies and like for like debt. City Council requested a proposal from staff regarding debt for debt funding for Tier 1 projects. City Council also directed staff to begin looking at specific locations and cost for acquiring property for the fire station relocations.

Ms. Curbow discussed utility infrastructure needs and stated the last utility rate study was completed in 2016 and a current rate study is needed. City Council directed staff to move forward with the Request for Proposal (RFP) process for a utility rate study.

City Council also directed staff to move forward with the process to use the first tranche of American Rescue Plan Act (ARPA) funds on Tier 1 water/sewer infrastructure needs. Staff will return to City Council with a list of projects that can be completed with ARPA money for approval in the future.

City Council also directed staff to move forward with a RFP process for grant management services.

5. No one spoke during Open Forum.
6. No items were removed from the Consent Agenda
7. **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 November 8, 2021 and November 9, 2021 special meetings and November 16, 2021 regular meeting.
 - B. Consider purchasing one (1) Police Department lake patrol boat.
 - C. Consider award of contract for Payroll Timekeeping and Scheduling software.

Minutes unofficial until approved by City Council

- D. Consider approval of Historic Restoration Grant (HRG) budget for FY2022.
- E. Consider granting a 10-foot-wide utility easement and right-of-way to Oncor Electric at the Nacogdoches A.L. Mangham Airport.

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

8. **REGULAR AGENDA:**

- A. Discuss, consider and adopt a resolution designating an administration/project delivery service provider to complete project implementation for the American Rescue Plan Act (ARP Act) funding administered by the US Department of the Treasury, other Federal or State agency.

Pam Curbow, Finance Director, stated that staff went through the Request for Proposal (RFP) process last month for administration services for ARP Act funding. The City received proposals from GrantWorks, Gary Traylor and Assoc., and Langford Community Management Services. City staff recommends GrantWorks to provide the City's administration services for the ARP Act funding. GrantWorks' fee for services will be 4.8% of the ARP Act funds allocated to the City.

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

- B. Discuss and consider a donation from Pilgrim's Pride, agree upon acceptance of \$215,000 and authorize City Manager to execute agreement.

Community Services Director Brian Bray states that the donation from Pilgrim's Pride will be used to install ADA sidewalks, improve field drainage and purchase new soccer goals and nets.

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

- C. Consider approval of a resolution for establishing and appointing members to an advisory Comprehensive Plan Review Committee and Downtown Master Plan Review Committee.

City Manager Mario Canizares reviewed the Comprehensive Plan and Downtown Master Plan Review Committees responsibilities, governance, members and staff recommended Chair and Vice-Chair. He stated that kickoff meeting will take place this week for both review committees and the committees will meet with the proposed consultants on December 13, 2021. The proposed consultant contract will be presented to City Council for approval on January 18, 2022. Mr. Canizares presented City Council with an amended resolution that included adding the following sentence under Section II. "After the first meeting date of the Committee, if a Committee member is no longer willing to serve, or is removed, that Committee member may be replaced or the position left vacant.", and adding the following to Section V. "or as determined by the City Council may be reconstituted as a Plan Oversight Committee."

Lynn Clark (3496 CR 915) spoke during public comment about whether or not City Council Member are voting members of the committees. She also stated that she is concerned that committees are meeting with the proposed consultant prior to a signed contract.

Matt Moore (216 North Church) stated that he does not believe we should hire the consultant right away. He believes the review committees should review the current plan and produce a written report to City Council of what they believe is wrong with the existing plan and what they see as the future of Nacogdoches. He stated that he does not believe the current plan was implemented and he fears the same thing will happen with the new plans.

Brad Maule (735 Mound) stated it seems odd that the proposed consultant is meeting with the committees before the consultant contract is approved.

City Council discussed the cost for the proposed consultant to meet with the committees prior to approving the consultant contract. They also discussed SFASU student representation on the review committees, the resolution creating the committees, replacing member when necessary, appointing committee chair and vice-chair, consensus decision making, reviewing the current plans and meeting advertisement.

Council Member Anderson left the meeting at 6:30 p.m.

City Council agreed that a consultant should not meet with the review committees until a contract is signed and that each committee should have an SFASU student representative. They also agreed that the review committees should begin meeting to review the current plans.

Council Member Kathleen Belanger moved approval of the resolution with the presented amendments in Section II and Section V; motion duly seconded by Council Member Amelia Fischer and carried by unanimous vote.

City Council convened into Executive Session at 6:49 p.m.

9. EXECUTIVE SESSION:

A. Deliberation regarding Economic Development negotiations under Government Code Section 551.087 as follows:

1. Discuss or deliberate regarding commercial or financial information the City has received from business projects the City body seeks to have locate in the City of Nacogdoches and with which the City is conducting economic development negotiations; and
2. Deliberate offer of financial or other incentive to business prospects described by Subdivision 1 above.

10. Open for action on Executive Session Items.

A. Consider approval of Resolution No. 1286-12-21 amending a Chapter 380 Economic Development Program agreement by and between the City of Nacogdoches and HCH Aviation, LLC regarding development of a flight school at A.L. Mangham, Jr. Regional Airport.

Larissa Philpot, Economic Development Director, stated HCH Aviation has requested to amend the Chapter 380 agreement by removing the storm drainage item and replace it with electrical infrastructure, keeping the City's total liability the same.

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

B. Consider approval of Resolution No. 1287-12-21 amending a Chapter 380 Economic Development Program agreement by and between the City of Nacogdoches and Kingdom Perspectives-Nacogdoches, LTD.

Larissa Philpot, Economic Development Director, stated that Splash Kingdom is in the process of changing lenders and refinancing debt. The new lender is requiring a new loan subordination agreement which will trigger a new Chapter 380 agreement. Ms. Philpot discussed the current Chapter 380 agreement and the changes for the new agreement.

City Council discussed ticket prices, community programs, park improvements and funding for those improvements.

Johnny Blevins, Splash Kingdom owner, discussed discounted ticket prices. He will be working with City Council Member Fischer and Ms. Philpot on other ways to make tickets available for those who can't afford the current price. Mr. Blevins also stated Splash Kingdom currently gives free tickets to students who make the A honor rolls in area schools.

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

11. Adjourned 7:46 p.m.

ATTEST:

Mayor Jimmy Mize
City Council
City of Nacogdoches

Jan Vinson, City Secretary



City Council Meeting

Date: January 4, 2022

Agenda Item: 5.B.

PRESENTER: Mario Canizares, City Manager

ITEM/SUBJECT: Consider appointing a representative to the Deep East Texas Rural Transportation Planning Organization (DETRTPO) of the Deep East Texas Council of Governments (DETCOG). (City Manager)

SUMMARY/BACKGROUND: The City of Nacogdoches currently has an open position on the Deep East Texas Rural Transportation Planning Organization (DETRTPO) of the Deep East Texas Council of Governments (DETCOG). DETCOG is requesting that the City appoint a representative to fill the open position. In previous years, the City Manager has served in that position.

The Deep East Texas Rural Transportation Planning Organization (DETRTPO) of the Deep East Texas Council of Governments enhances regional mobility through education, coordination and advocacy. DETRTPO serves as a forum for elected officials to come together on transportation issues to recommend changes in policy and practice, advocate for legislation, recommend regional priorities, direct certain planning and data initiatives, oversee the federally-prescribed local consultation process, and collaborate with the DETCOG, Local, Regional, State and National Rural Planning Organizations, REgional Mobility Authorities and Metropolitan Planning Organizations within the DETCOG Region.

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

ATTACHMENTS: 1. DETRTPO ByLaws

Bylaws

Deep East Texas Rural Transportation Planning Organization of the Deep East Texas Council of Governments

Article I - Name, Purpose, Responsibilities

The Deep East Texas Rural Transportation Planning Organization, herein referred to as DETRTPO, enhances regional mobility through education, coordination, and advocacy. The DETRTPO serves as a forum for elected officials to come together on transportation issues to recommend changes in policy and practice, advocate for legislation, recommend regional priorities, direct certain planning and data initiatives, oversee the federally-prescribed local consultation process, and collaborate with the Deep East Texas Council of Governments (DETCOG), Local, Regional, State and National Rural Planning Organizations, Regional Mobility Authorities and Metropolitan Planning Organizations within the DETCOG Region..

"Transportation", for the purposes of the DETRTPO's mission, shall be defined as any road, rail, transit, aviation, bicycle, and pedestrian infrastructure, as well as the associated physical, economic, political, and social impacts of that infrastructure.

The DETRTPO was originally created as a response to TEA-21 legislation, which called for state departments of transportation to work with officials in non-metropolitan areas when making transportation planning and programming decisions. The DETRTPO's responsibilities include:

- Providing a forum for elected officials and community leaders to learn about and discuss relevant transportation topics;
- Evaluating and recommending projects with a regional impact to the Texas Department of Transportation (TxDOT) and the Federal Highway Administration (FHIA).
- Overseeing research and education on financing mechanisms for transportation and related projects;
- Studying and recommending changes in statutes, rules, or policies related to state or federal transportation programs;
- Coordinating with DETPO on transportation issues;
- Developing a regional mobility strategy for the twelve-county area; and
- Serving as an information clearinghouse for transportation related data.

DETCOG shall provide staffing and administrative support for all DETRTPO activities.

Article II - Membership

The DETRTPO membership shall be open to representatives from cities, counties, transportation agencies, private and non-profit organizations, and citizens who are interested in regional transportation issues. The DETRTPO is composed of voting, non-voting ex-officio, non-voting associate, and staff members.

Voting Members

Each county in the 12-county DETCOG region with a population of 25,000 may choose two (2) elected officials to serve as voting members. Counties with population under 25,000 may choose one (1) elected official to serve as a voting member. Individual counties are encouraged to include at least one municipal representative in their voting membership. Cities with population over 10,000 in the region may each appoint one government official to serve as a voting member.

Ex-Officio Member

Each of the following regional transportation stakeholder organizations may choose (1) official to serve as a non-voting ex-officio member:

- Texas Department of Transportation - Lufkin District (TxDOT)
- Texas Department of Transportation - Beaumont District (TxDOT)

Associate Member

Any government, organization, or individual interested in regional transportation issues may serve as a non-voting associate member.

Article III - Officers

1. The DETRTPO shall elect from among its voting members a Chair, Vice Chair at the first meeting of the calendar year. The DETCOG President will appoint the initial Chair who will preside at all meetings until the election of a Chair by the membership.
2. All DETRTPO officers must represent a city or county in the 12-county DETCOG region.
3. Officers serve two-year terms, beginning on the date they are elected.
4. In the event an Officer is unable to fulfill his/her term, the DETRTPO shall elect a replacement, at a regular or specially called meeting, who serves for the remainder of the unexpired term.
5. In the case of a tie vote at which a quorum is present, the Chair will be deemed to have the authority to break the tie.
6. In case the Chair and Vice-Chair are absent or unable to preside over meetings and perform their duties, the DETRTPO may appoint a Chair pro tem for said meeting.

Article IV - Meetings

Regular

1. The DETRTPO shall meet at least four (4) times annually on a day, time and place specified by the DETRTPO Chair or the DETCOG Executive Director.
2. Written notice of each regular meeting shall be prepared by the DETRTPO liaison and mailed, or electronically transmitted, or hand-delivered to each DETRTPO representative at least five (5) business days before the meeting date.
3. DETRTPO Ad Hoc Committees may meet regularly or specially if called by the Ad Hoc Committee Chair, DETCOG Executive Director, or Executive Director's designee.

Special

1. The DETRTPO shall meet specially if called by the DETCOG Executive Director, the Executive Director's designee, or the DETRTPO Chair.
2. Notice of any special meeting shall be given at least 72 hours prior to the special meeting.

Quorum and Action

1. A quorum exists when at least one voting member from seven of the 12 counties in the DETCOG region is present.
2. If a quorum is present when a vote is taken, the affirmative vote of a majority of the representatives entitled to vote and present is the act of the DETRTPO, except when scoring the Call for Projects.
3. If a quorum is present when scoring the Call for Projects, the average score of the Voting Members from each county is summed and divided by the total number of counties that voted. Voting Members must abstain from scoring projects which exist within the county they represent. The list of projects submitted for evaluation is prioritized according to the average score of the counties present and represents the act of the DETRTPO.
4. Proxy votes may be cast at any meeting of the DETRTPO and will be counted toward the attendance at any meeting of the DETRTPO and will be counted toward the attendance at any meeting of the DETRTPO. Proxies shall be in writing; stating the name of the holder, date of meeting and signed by the person giving the proxy with this stipulation: proxies may only be held by those representing the membership of the person giving the proxy, i.e., member who represents an entity must give his or her proxy to someone representing the entity of which the member represents. The presiding officer at the meeting shall be the sole judge of the validity of the proxy and shall call for all proxy votes at the beginning of each meeting. The DETRTPO staff and employees shall not be designated by any board member as a proxy.

Open Meetings and Records

1. All meetings of the DETRTPO shall be open to the public. The meetings are not subject to the Texas Open Meetings Act.
2. Minutes of the DETRTPO meetings, documents distributed and other records are the property of DETCOG.
3. Except where these bylaws require otherwise, *Robert's Rules of Order* shall govern the conduct of the DETRTPO meetings.

Article V - Ad Hoc Committees

Appointment

Ad hoc committees may be appointed by the DETRTPO Chair and shall serve for special purposes to comply with special needs.

Terms

Terms of membership on ad hoc committees shall be established to achieve the purpose for which the committee was created. At least three (4) counties and/or cities must be represented in each ad hoc committee. Ex-Officio members may also be appointed to ad hoc committees for technical expertise and will serve in a non-voting capacity. The DETRTPO Chair has the authority to dissolve the ad hoc committee once the committee's purpose is achieved or the committee becomes inactive.

Meetings

The method for calling ad hoc committee meetings shall be at the discretion of the ad hoc committee membership to discharge their responsibility.

Officers

The Chairs of the ad hoc committees shall be appointed by the Chair of the DETRTPO.

Article VI - Amendments

The DETCOG Executive Committee may amend these bylaws at a regular or special called meeting. The written text of a proposed amendment must be included with the notice of the meeting at which the amendment will be discussed and voted on.

Representatives to the DETRTPO may recommend amendments to these bylaws at a regular or special called meeting. The written text of a recommended amendment must be included with the notice of the meeting at which the amendment will be discussed and voted on. If the DETRTPO representatives approve the recommended amendment, it is then forwarded to the DETCOG Executive Director to be brought to the DETCOG Executive Committee.

Effective Date

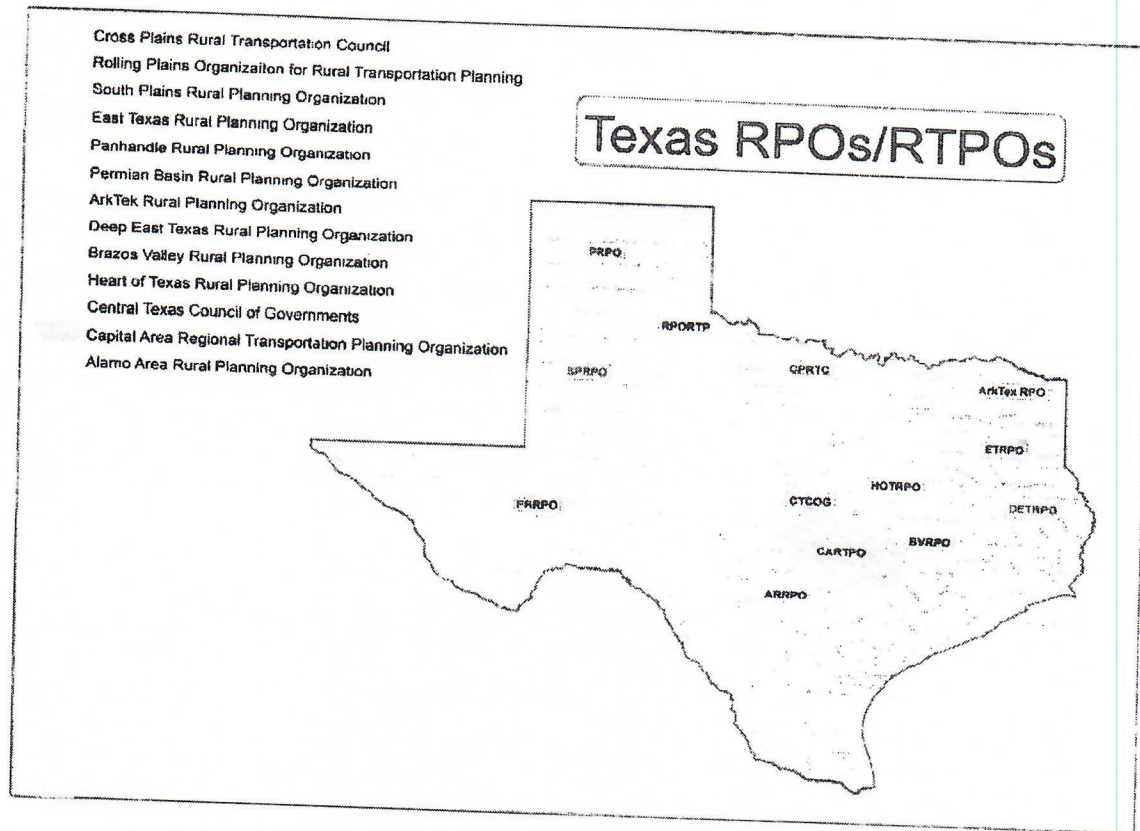
An amendment to these bylaws takes effect when approved by the DETCOG Executive Committee.

Bylaws History

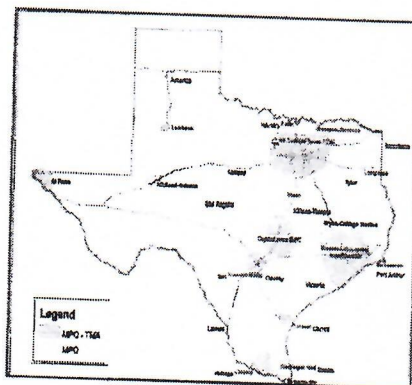
Adopted: 4-28-011

Amended:

Rural Transportation Planning



- RPOs represent rural and small urban areas outside metropolitan areas.
- RPOs are a voluntary organizations
 - Created & governed by elected officials
 - A forum for informed transportation decision making at the local level
 - Provide recommendations and priorities to TxDOT in areas NOT included in MPO
- TAC Rules Recognize Rural Transportation Improvement Program (RTIP)
 - TxDOT and RPO develop the RTIP cooperatively - Projects are approved by TxDOT
 - The RTIP rolls-up into the STIP and UTP
 - TAC does not set RTPO boundaries
 - RPOs Provides for public involvement
- RPO Website National Association of Development Organizations –NADO
<http://www.ruraltransportation.org/>



25 MPOs in Texas

Abilene
 Amarillo
 Austin (CAMPO)
 Beaumont-Port Arthur (SETRPC)
 Brownsville
 Bryan-College Station
 Corpus Christi
 Dallas-Fort Worth MPO
 El Paso
 Harlingen-San Benito
 Hidalgo County
 Houston-Galveston

Killeen-Temple Laredo
 Longview Lubbock
 Midland-Odessa
 San Angelo
 San Antonio-Bexar County
 Sherman-Denison
 Texarkana MPO
 Tyler Area
 Victoria
 Waco
 Wichita Falls MPO

PRESENTER: Mario Canizares, City Manager

ITEM/SUBJECT: Consider a request by Dr. Ross Chiaramonte, owner of 300 East Main Street (Regions Renaissance, LLC) for additional credit on his utility bill resulting from excessive usage due to running toilets at the property. (City Manager)

SUMMARY/BACKGROUND: During the billing process for September 2021, the Utility Billing Department found a leak notification for the meter located at 300 East Main Street (Regions Bank). B.D. Rambin, Utility Billing Manager, contacted Regions Bank employees advising them of a potential leak. Mr. Rambin also visited Regions Bank and determined the source of the leak for the customer, which was a running urinal downstairs at this location. The billed consumption for this period was 64,100 gallons resulting in a total billed amount of \$839.45. The average consumption for this account is 5,000 to 6,000 gallons. Mr. Rambin posted an adjustment for 100% of sewer charges in the amount of \$378.34 which is more than the standard reversal of all charges except the minimum charge. Mr. Rambin also reversed the late payment penalty of \$83.95. Since the issue overlapped billing periods, he was also granted a \$62.17 reversal of sewer charges on the October billing statement. The amount of the September bill after adjustment was \$461.11. Dr. Chiaramonte is requesting that an additional amount be credited to his account.

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

ATTACHMENTS:

1. Letter to City Council Requesting Additional Credits
2. 300 E Main Street Statement
3. 300 E Main Consumption



Dr. Ross A. Chiaramonte, B.Sc., D.D.S.

RIVER SIDE WEST
FAMILY DENTAL CENTRE
BUS: (519) 371-9415

940 1st Avenue West
Owen Sound, Ontario
N4K 4K5

cell: (519) 377-8513

TO: MARIO CANIZARES / City Council

RE: Regions Bank Building - Nacogdoches, TX
300 E. MAIN ST.

I am requesting an adjustment on
one of my water bills, please.

ACCOUNT #: 2900095-002 8/5/21 - 9/5/21

There was 641 usage on this bill
when normally it is 45-60 usage. As soon as
B.D. Rambin called me that I had a problem,
I sent my maintenance/repair guy, Bobby, over
to the building and he fixed the problem that
same day. This occurrence was no fault of my
own or my employees. Please consider this adjustment
for me. As an aside, the large parking lot ~~with~~
the Regions Bank Drive-Thru Tellers behind the
building is mine and has been used for the
Blueberry Festival for 9 years at NO CHARGE to
the Chamber of Commerce. Thank you, Ross Chiaramonte

Transaction Statement

Service Address

300 E MAIN ST
NACOGDOCHES, TX 75961

Mailing Address

REGIONS RENAISSANCE LLC
940 1ST AVE WEST
OWEN SOUND, ON N4K4K5

Account Number

2900095-002

Amount Due

\$0.00

Account Number

2900095-002

From - Through

7/1/2021 - 12/29/2021

Service Address

300 E MAIN ST
NACOGDOCHES, TX 75961

Beginning Balance

\$0.00

Services

Metered Water & Sewer
Street Maintenance Fee

Date	Type	Amount	Running Balance	Description
07/08/2021	Bill	\$237.54	\$237.54	Due Date 08/05/2021
07/22/2021	Payment	(\$237.54)	\$0.00	Charge
08/10/2021	Bill	\$245.77	\$245.77	Due Date 09/07/2021
09/08/2021	Payment	(\$245.77)	\$0.00	Charge
09/10/2021	Bill	\$839.45	\$839.45	Due Date 10/05/2021
10/06/2021	Penalty	\$83.95	\$923.40	
10/07/2021	Adjustment	(\$83.95)	\$839.45	Adjustment Reason: Write Off Penalty
10/07/2021	Adjustment	(\$378.34)	\$461.11	Adjustment Reason: LEAK ADJUSTMENT
10/08/2021	Bill	\$323.16	\$784.27	Due Date 11/05/2021
10/27/2021	Adjustment	(\$62.17)	\$722.10	Adjustment Reason: LEAK ADJUSTMENT
11/08/2021	Penalty	\$26.10	\$748.20	
11/10/2021	Bill	\$260.43	\$1,008.63	Due Date 12/06/2021
11/30/2021	Adjustment	(\$26.10)	\$982.53	Adjustment Reason: Write Off Penalty
12/07/2021	Penalty	\$26.04	\$1,008.57	
12/09/2021	Bill	\$258.60	\$1,267.17	Due Date 01/05/2022
12/17/2021	Adjustment	(\$26.04)	\$1,241.13	Adjustment Reason: Write Off Penalty
12/22/2021	Payment	(\$1,241.13)	\$0.00	Charge

Total Due

\$0.00

Account Number

2900095-002

Transaction Statement

Consumption Trend Report:

6/29/2021 - 12/29/2021

Account

2900095-002

Service Address

300 E MAIN ST
NACOGDOCHES, TX 75961

Mailing Address

REGIONS RENAISSANCE LLC
940 1ST AVE WEST
OWEN SOUND, ON N4K4K5

Consumption Information	Sewer Usage		Water Usage	
	100gl Watr	Charge Amount	100gl Watr	Charge Amount
12/09/2021	58	\$39.62	58	\$211.48
11/10/2021	60	\$40.78	60	\$212.15
10/08/2021	127	\$17.54	127	\$235.95
09/10/2021	641	\$0.00	641	\$453.61
08/10/2021	44	\$31.48	44	\$206.79
07/08/2021	35	\$26.26	35	\$203.78
Total	965	\$155.68	965	\$1,523.76

* After adjustments