



August 16, 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 by telephone 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 August 16, 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 minutes for August 2, 2022 regular meeting. (City Secretary)
 - B. Consider acceptance of a 20 foot wide Storm Sewer Easement from Little Zion Baptist Church, for an existing regional storm drain line, over and across Lots 41-A, 41-B, 42, 42-B, and a "future-use" lot, located at 315 Shawnee Street. (Director of Public Works)
 - C. Consider approval of the 2022 Texas Department of Transportation (TxDOT) Routine Airport Maintenance Program (RAMP) grant project proposal. (Airport

Manager)

- D. 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)
 - E. Consider approval of a contract between the City of Nacogdoches and Chastang Ford for the purchase of seven (7) fleet vehicles by BuyBoard Contract (Purchasing Contract Specialist)
 - F. Consider approval of an ordinance amending Ordinance No. 1881-09-21 appropriating various amounts in accordance with the budget adopted for the ensuing fiscal year beginning October 1, 2021 and ending September 30, 2022 for overages in fleet vehicle purchases. (Finance Director)
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. **Public Hearing:** Consider a request to amend and/or revoke the Specific Use Permit, pursuant to Section 118-174 of the Code of Ordinances, for a 'Garden Shop & Plant Sales – Display or Greenhouse', in a B-1 Local Business zoning district, for Lot 1, Block 1 of The Plant Shed Subdivision, located at 3123 Appleby Sand Rd. This request has been initiated by the Nacogdoches City Planner. **(PLEASE NOTE THAT THIS ITEM WAS POSTPONED FROM THE REGULAR MEETING OF THE CITY COUNCIL ON JULY 19, 2022.)** (City Planner)
 - B. **Public Hearing:** Consider a request for a Zone Change from I-2, Heavy Industrial to R-4, Multifamily for approximately 3 acres, being a portion of Lot 5 of the OTR Place Subdivision, generally located on the west side of Old Tyler Road, approximately 850 feet north of Powers Street. This request has been made by Universal Construction & Remodeling, LLC. Case Number ZON2022-07. (City Planner)
 - C. Consider approval of a Main Street Beautification Grant as proposed by the Main Street Advisory Board and Main Street Manager. (Community Services Assistant Director)
 - D. Presentation of proposed 2022-2023 budget and calculated property tax rates.(Director of Finance)
 - E. City Council record vote on Proposed Tax Rate for the 2022-2023 fiscal year.(Finance Director)
7. EXECUTIVE SESSION: Executive Sessions are for City Council to receive information and deliberate on matters specified in Subchapter D of the Texas Open Meetings Act. Council may reconvene in open session to vote on the matter.

- A. Security - Pursuant to Texas Government Code, Section 551.076, deliberations regarding the deployment, or specific occasions for implementation of security personnel or devices; or a security audit.

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

9. 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 August 10, 2022 at 4 p.m. and remained posted until meeting convened.

Jan Vinson, City Secretary



City Council Meeting

Date: August 16, 2022

Agenda Item: 5.A.

PRESENTER: Jan Vinson, City Secretary

ITEM/SUBJECT: Consider approval minutes for August 2, 2022 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 2, 2022 – 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, Kathleen Belanger and Chad Huckaby. **Absent:** Council Member Amelia Fischer

1. Called to order at 5:30 p.m.
2. Pledge of Allegiance.
3. Nicole Ivancic (Parks Advocacy League) spoke during open forum in support of using Certificates of Obligation for City park renovations.

Philip Blackburn spoke in opposition of using Certificates of Obligation. Mr. Blackburn stated he had a petition citizens could sign requiring voter approval for the issuance of certificates of obligation.

4. No items removed from the 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 July 12, 2022 and July 19, 2022 regular meetings.
 - B. Presentation of Investment Report for quarter ended June 30, 2022.
 - C. Consider approval of a contract between the City of Nacogdoches and Stephen F. Austin Police Department to enable the University Police Department to receive authorized criminal justice information through their computer aided dispatch system.

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

6. **REGULAR AGENDA:**

- A. **Public Hearing:** Consider a request for a Specific Use Permit, to operate a Tattoo Salon/Body Piercing Studio in a B-2, General Business District, on Lots 6-A, 7 and 8, City Block 68, located at 3701, 3703 and 3705 North Street in the Northview Plaza Shopping Center. This request has been made by Steven Buelow. Case Number SUP2022-03.

Alaina Helton, City Planner, reviewed the Specific Use Permit (SUP) requested by Mr. Buelow. This project will be an interior renovation only and the property is currently zoned B-2 General Business. Staff received one response in opposition to the request from a business owner who was concerned that the proposed use might reduce the overall tenant quality of the shopping center.

Planning and Zoning Commission met on July 25, 2022 and unanimously recommended approval.

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

- B. **Public Hearing:** Consider an ordinance to establish a school zone on Business State Highway 21 for Carpenter Elementary School.

Sam Cramer, Project Engineer, stated that Texas Department of Transportation (TxDOT) completed a speed study covering Carpenter Elementary school zone on Business SH 21. The current speed limit is 50 miles per hour and the proposed speed limit is 30 miles per hour when the school zone lights are flashing. When the lights are not flashing the speed limit will remain 50 miles per hour. TxDOT requires an ordinance for enforcement and TxDOT will be responsible for the street markings, lights and signage.

Minutes unofficial until approved by City Council

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

C. Receive presentation on the 2022 Texas Blueberry Festival.

Grace Handler, Chairman of the Blueberry Festival Committee and Wayne Mitchell, Chamber of Commerce President, discussed activities and events, number of attendees, economic impact, volunteers and sponsors.

Scott Waller, Blueberry Bluegrass Concert Committee, reviewed number of attendees, volunteers, sponsors and economic impact of the Blueberry Bluegrass Concert in the park which is held the night before the Blueberry Festival.

D. Consider approval of an ordinance to establish a freeze on ad valorem (property) taxes for residence homesteads of individuals sixty-five (65) years of age or older or a disabled person.

Pam Curbow, Finance Director, reviewed the tax ceiling for 65 years old and older or disabled persons for their homestead. She stated that once the tax ceiling is enacted it cannot be repealed.

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

E. Consider approval of an amendment to ordinance Sec. 94-81 to increase the exemption to ad valorem (property) taxes for residence homesteads of persons over sixty-five (65) years of age in the City of Nacogdoches.

Pam Curbow, Finance Director, stated that this ordinance will amend the City's Code of Ordinances Section 94-81. The amendment will include a homestead exemption of \$40,000 to homeowners who qualify as age 65 years and older.

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

F. Consider approval of an amendment to ordinance Sec. 94-82 to increase the exemption to ad valorem (property) taxes for residence homesteads of disabled persons in the City of Nacogdoches.

Pam Curbow, Finance Director, stated that this ordinance will amend the City's Code of Ordinances Section 94-82. The amendment will include a homestead exemption of \$40,000 to homeowners who qualify as disabled.

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

G. Presentation of proposed 2022-2023 budget and calculated property tax rate.

Pam Curbow, Finance Director, discussed current and proposed property tax rate, assessed value, and new property added to tax roll. She also reviewed the proposed 2022-2023 General Fund Budget. She also discussed revenue, expenditures, personnel costs and firefighter deployment.

Council Member Belanger stated that she is unclear why staff recommended across the board recruitment/retention payment if the City is only having trouble recruiting and retaining CDL drivers and police officers. She also stated that retention dollars should come from personnel costs and not from reserves.

Finance Director Pam Curbow explained how reserves are used and staff's recommendation for one time retention payments to all full time staff.

City Manager Canizares discussed employee retention payments and inflation. Mr. Canizares explained the retention payments could be funded by reserves or a tax increase but the intent was to use this payment to bridge the inflation gap and staff could reassess next year.

Mayor Mize stated that these types of payment were a common approach to offset inflation in many businesses.

Council Member Belanger stated reserves were set aside for water and sewer, road repairs and building issues and the City's reserves should be used the way they were intended. She also said that the Police Department recruitment and retention issues need to be addressed now. Council Member Belanger also requested that a balanced budget be provided to City Council.

City Manager Canizares and Finance Director Curbow assured City Council that the proposed budget presented to City Council is a balanced budget.

Council Member Boldon discussed the possibility of an exodus of employees if one department receives money and not the others.

Pam Curbow, Finance Director, reviewed the remainder of the proposed 2022-2023 which included the Utility Fund and Sanitation Fund. She also reviewed the budget calendar and discussed adding a Special City Council meeting to further discuss the proposed budget.

H. Set public hearing dates for both budget and tax rate.

Pam asked City Council to set public hearings for the budget on September 6, 2022 and public hearing for adopting and ratifying the tax rate on September 13, 2022.

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

7. Adjourned 7:42 p.m.

ATTEST:

Mayor Jimmy Mize
City Council
City of Nacogdoches

Jan Vinson, City Secretary

PRESENTER: Steve Bartlett, Public Works Director

ITEM/SUBJECT: Consider acceptance of a 20 foot wide Storm Sewer Easement from Little Zion Baptist Church, for an existing regional storm drain line, over and across Lots 41-A, 41-B, 42, 42-B, and a "future-use" lot, located at 315 Shawnee Street. (Director of Public Works)

SUMMARY/BACKGROUND: The Little Zion Baptist Church, located at the intersection of Hilltop Street and Shawnee Street, has an existing concrete storm sewer pipe that crosses under their parking area on the south side of Hilltop Street. This pipe did not have any easements of record and needed acceptance by the City to be able to provide maintenance and repairs on private property.

This storm sewer drains a large area of the neighborhood to the east and the ownership and maintenance of the pipe should be the responsibility of the City and treated as a public line. The Little Zion Baptist Church has agreed to donate the easement to the City.

Staff recommends acceptance of the storm sewer line and corresponding easement.

FINANCIAL:

No Financial Impact

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

Infrastructure

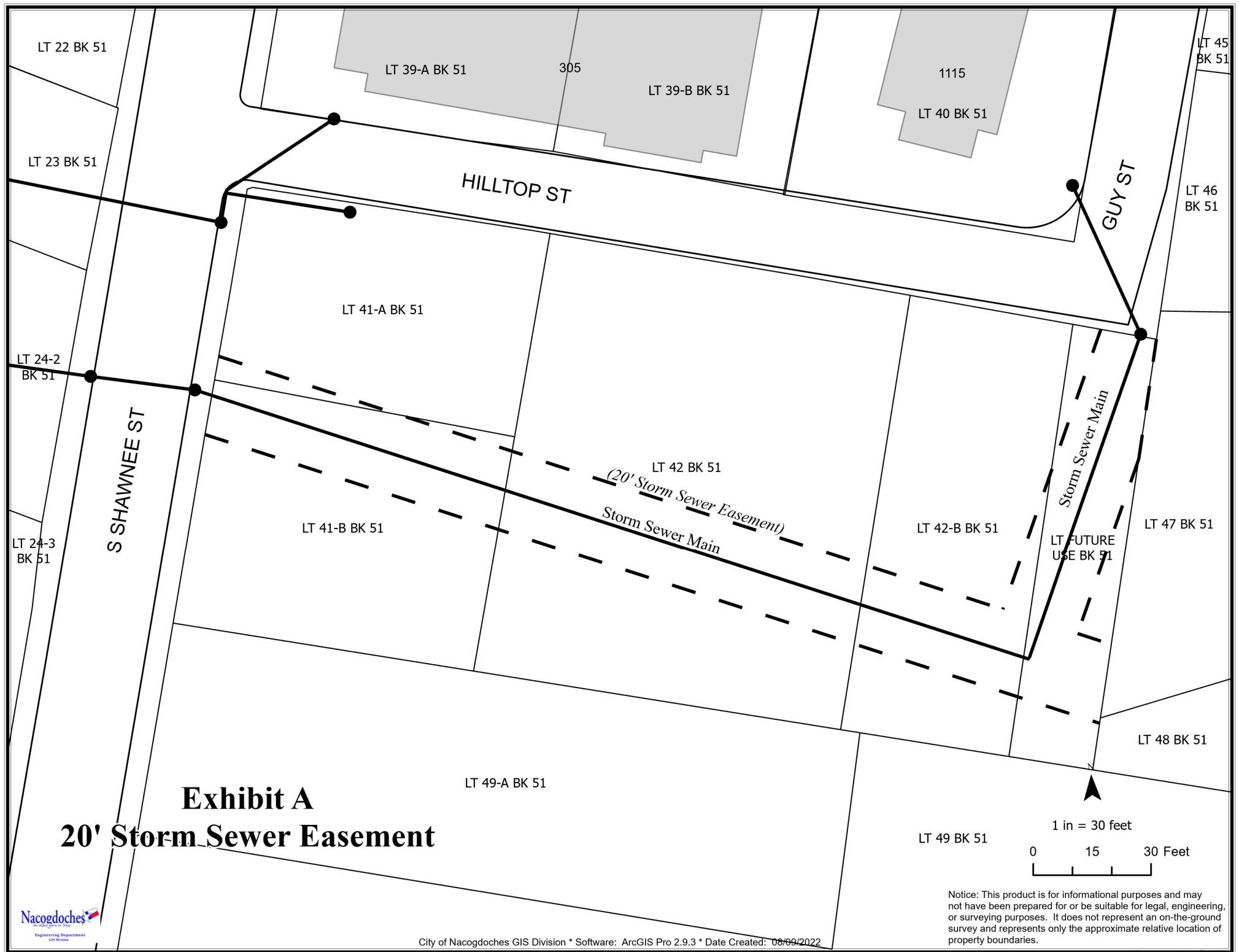
CITY CONTACT: Steve Bartlett, PE, Director of Public Works

bartletts@nactx.us

936-559-2522

ATTACHMENTS:

1. Map of Storm Sewer Easement
2. Easement Request Letter from Little Zion Baptist Church
3. Storm Sewer Easement
4. PowerPoint Presentation



Little Zion Baptist Church
305 Shawnee Street
Nacogdoches, Texas 75961
936-564-4577

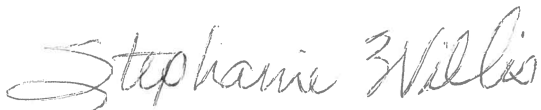
Nacogdoches City Council

July 17, 2022

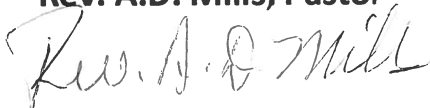
To Whom It May Concern,

The Little Zion Baptist Church at 305 Shawnee Street, Nacogdoches, Texas met with the members on June 26, 2022, at 10: 45a.m concerning the drainage on the church property. All agreed to give the City of Nacogdoches an easement of the drainage pipes on the property south of the church in the parking area. This easement is for ten feet on each side of the drainage. The drainage has been kept open and repaired for more than twenty years by the City of Nacogdoches. The Little Zion Baptist Church gives the City of Nacogdoches charge of the drainage that has water from other areas of the property.

Stephanie Willis, Church Clerk

Handwritten signature of Stephanie Willis in cursive script.

Rev. A.D. Mills, Pastor

Handwritten signature of Rev. A.D. Mills in cursive script.

STORM SEWER EASEMENT

STATE OF TEXAS §

COUNTY OF NACOGDOCHES §

That, Little Zion Baptist Church, located at 305 Shawnee Street, in the City of Nacogdoches, County of Nacogdoches, State of Texas, hereinafter referred to as Grantor, does GIFT, GRANT and CONVEY, unto the said City of Nacogdoches, Texas, a permanent storm sewer easement, twenty feet in width, over and across those certain Lots or Tracts of land described as follows, to wit:

Lots 41-A, 41-B, 42, 42-B, and a lot designated as Future Use, in Block 51 of the City of Nacogdoches.

Said permanent storm sewer easement being described as follows, to-wit:

BEING A TWENTY FOOT WIDE STORM SEWER EASEMENT CENTERED ON AN EXISTING CONCRETE STORM SEWER PIPES, OVER AND ACROSS LOTS 41-A, 41-B, 42, 42-B, AND A LOT DESIGNATED AS FUTURE USE, ALL IN BLOCK 51 OF THE CITY OF NACOGDOCHES.

BEGINNING AT THE EAST RIGHT-OF-WAY LINE OF FM 2259
(SHAWNEE STREET) BEHIND A CURB INLET;

THENCE EASTERLY A DISTANCE OF APPROXIMATELY 236 FEET, PAST THE END OF A STORM SEWER PIPE, TO THE EAST LINE OF A LOT DESIGNATED AS FUTURE USE, ALSO BEING THE WEST LINE OF LOT 47, BLOCK 51.

THENCE NORTHERLY A DISTANCE OF APPROXIMATELY 88 FEET TO THE SOUTH RIGHT-OF-WAY HILLTOP STREET BEHIND A CURB INLET.

It is further agreed that Grantee shall have the right of ingress and egress on the storm sewer easement to erect, construct, reconstruct, install, replace, repair, operate, use, inspect, modify, remove, abandon in place, and maintain certain storm sewer pipes and appurtenances as deemed necessary thereto by Grantee, over, under, along, across, into, and through the storm sewer easement.

Grantee shall further have the right of access to the storm sewer easement through Grantor's adjacent property when necessary; however, such access shall be done in a manner to minimize inconvenience to Grantor, and Grantee shall pay Grantor the reasonable cost of damages it causes to Grantor's adjacent property.

Grantor retains all rights to the storm sewer easement land not granted to Grantee, provided that Grantor's exercise of such rights does not interfere with the Grantee's rights under this storm sewer easement. Grantor agrees not to interfere with the Grantee's use, maintenance or other rights of Grantee under this storm sewer easement. Interference includes, but is not limited to, material topographic changes, installing fences, structures, landscaping, planting of trees, gardens, and any vegetation other than normal grasses within the storm sewer easement. Grantor shall be responsible for removal of any such interference; however, if Grantor fails to promptly remove such interference, Grantee may do so at Grantor's expense.

TO HAVE AND TO HOLD the said permanent storm sewer easement herein above described unto the said City of Nacogdoches, Texas, its successors and assigns, for the purposes and rights stated or granted herein. Grantor hereby binds Grantor, Grantor's heirs, executors, administrators, successors and assigns, to warrant and forever defend the above described storm sewer easement unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS OUR HANDS, this ____ day of _____, A.D., 20__.

By: _____

Its _____

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF NACOGDOCHES §

 This instrument was acknowledged before me on the _____ day of _____,
20____, by _____ (name), _____ (title) of the
_____, a Texas _____ (type of entity), on behalf of
said _____ (type of entity).

NOTARY PUBLIC, STATE OF TEXAS

STORM SEWER EASEMENT LITTLE ZION BAPTIST CHURCH



PRESENTER: Joe Cefalu, Airport Manager

ITEM/SUBJECT: Consider approval of the 2022 Texas Department of Transportation (TxDOT) Routine Airport Maintenance Program (RAMP) grant project proposal. (Airport Manager)

SUMMARY/BACKGROUND: The City accepts federal grant funds for airport projects and is therefore required to participate in the TxDOT RAMP grant, which finances approved projects up to a maximum of \$100,000 (\$50,000 grant funds and \$50,000 city funds). The Airport Advisory Board has reviewed and approved the list of projects below:

Maintain Storm Water Pollution Prevention Plan (SWP3)	(Mandatory) SWP3 maintenance	\$8,500
Herbicide/Pesticide	(Mandatory) Bi-yearly application to airport grounds will include fence line.	\$9,500
Airport Light Repair and Maintenance	(Mandatory) Runway, taxiway and ramp repair and maintenance.	\$9,500
Runway/Taxiway/Perimeter Fence Maintenance	Lights, gate, and fence maintenance.	\$60,500
Fuel Farm Maintenance	Filter replacement, calibrations, and maintenance	\$12,000
Total Project Cost		\$100,000

FINANCIAL:

Item is budgeted:

Account No.: 14.13.620.05

Account Name: *Airport construction fund grounds maintenance expense*

Amount: \$100,000

Item is budgeted:

Account No.: 14.560.30

Account Name: *Airport construction fund state & federal grant revenue*

Amount: \$50,000

Item is budgeted:

Account No.: 14.590.00

Account Name: *Airport construction fund transfer / general fund revenue*

Amount: \$50,000

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

Infrastructure

CITY CONTACT: Guiseppe "Joe" Cefalu, Airport Manager
cefaluj@nactx.us
936-560-9567

ATTACHMENTS: 1. PowerPoint Presentation

Routine Airport Maintenance Program RAMP

50/50 Federal Funds for Airport
Airside/Non-Airside Maintenance
Projects

Proposed Projects

Maintain Storm Water Pollution Prevention Plan (SWP3)	(Mandatory)SWP3 maintenance.	\$8,500
Herbicide/Pesticide	(Mandatory) Bi-yearly application to airport grounds will include fence line.	\$9,500
Airport Light Repair and Maintenance	(Mandatory) Runway, taxiway and ramp repair and maintenance.	\$9,500
Security Camera's/New Security Fencing/Roadway Lighting	Needed for Airport's New Access Road to Flight School Hangar	\$40,000
Runway/Taxiway/Perimeter Fence Maintenance	Lights/Gate/fence Maintenance.	\$15,500
Fuel Farm Maintenance	Filter-replacement, calibrations, and maintenance.	\$12,000
Used Oil/Filter/Trash Site	Oil, Filter and Trash Reclamation	\$5,000
Total Project Cost:		\$100,000



City Council Meeting

Date: August 16, 2022

Agenda Item: 5.D.

PRESENTER: Steven Kirkland, City Attorney

ITEM/SUBJECT: 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)

SUMMARY/BACKGROUND: This is a renewal of the Interlocal Agreement entered between the City of Nacogdoches and Nacogdoches County that allows the four Justices of the Peace to be paid by the City in the event that they perform magistrate duties for the City of Nacogdoches if the Municipal Court Judge is unavailable for any reason.

In 2020, the City eliminated the position of Associate Judge for the City of Nacogdoches. The Municipal Court Judge handles all magistrate duties for the City of Nacogdoches 365 days a year. In August, 2021, the City and the County entered a one-year interlocal to allow the Justices of the Peace to provide backup magistration services. The parties agree the interlocal has served all parties well and wish to renew the contract on an ongoing basis.

Compensation shall be paid by the City to 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.

FINANCIAL:

No financial impact at this time.

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

Not Applicable

CITY CONTACT: Steven Kirkland, City Attorney
kirklands@nactx.us
936-559-2503

ATTACHMENTS: 1. Interlocal Agreement

THE STATE OF TEXAS))
))
COUNTY OF NACOGDOCHES))

to a Justice's banking information must be communicated to City in writing at least thirty (30) days before the effective date of the change and must include an executed IRS Form I-9.

Duration of Services. This Agreement shall be for a term of one (1) year from the effective date of the Agreement as signed by all parties. At the expiration of the initial term, this Agreement shall continue from year to year under its then existing conditions unless and until a party hereto gives the other no less than 30 days written notice of termination prior to expiration of the initial term or of the one year extension then in effect.

Scope of Work. Justices, if available, shall perform any magistrate duties in accordance with the law to include but not limited to:

- a. Setting a bond for release of a detainee;
- b. Informing the detainee of the pending charges;
- c. Informing the detainee of his or her constitutional rights;
- d. Informing the detainee of future dates and times for court appearances;
- e. Issuing emergency protective orders and filing them with the dispatch office for the Nacogdoches Police Department and Nacogdoches Sheriff's Office; and
- f. Obtaining signatures or detainee acknowledgements of any of the above.

All substitute magistrate duties performed by any of the Justices under this Agreement for the City Judge shall be performed separately (i.e., distinctly different sessions) from those duties typically conducted in their elected official capacity.

Best Efforts. The Justices and City Judge will use their best efforts to coordinate (1) scheduling of available Justices in the event a backup is needed as well as (2) the acceptable magistrate forms appropriate to perform the required duties.

GENERAL PROVISIONS

Severability Clause. The Parties intend for the various provisions of this Agreement to be severable so the invalidity, if any, of one or more sections of this Agreement shall not affect the validity of the remaining provisions of the Agreement.

Authority to Contract. Each power has the full power and authority to enter into and perform this Agreement, and the person signing this Agreement on behalf of each party has been properly authorized and empowered to enter into this Agreement.

Indemnity. To the extent permitted by law, the City indemnifies the County and Justices for any civil liability arising from the performance set forth herein.

Joint Venture and Agency. The relationship between the parties to this agreement does not create a partnership or joint venture. This agreement does not appoint any party as agent for the other party. Justices shall act as independent contractors and will have control of their work and the manner in which it was performed.

Termination. This Agreement may be terminated by either party without cause by tender of a thirty (30) day written notice.

Notice. Any notice required under the provisions of this Agreement shall be in writing and delivered in person or deposited in the U.S. Mail, registered or certified, return receipt requested.

If to City: Heather Watts, Municipal Judge
Nacogdoches Municipal Court
217 Hospital Street
Nacogdoches, Texas 75961

Email: wattsh@nactx.us

With copy to: Steven Kirkland, City Attorney
City Hall
202 E. Pilar Street
Nacogdoches, Texas 75961

Email: kirklands@nactx.us

If to County: Hon. Greg Sowell
101 W. Main St., Suite 170
Nacogdoches, Texas 75961

Email: co.judge@nacogdoches.tx.us

With copy to: John Fleming, County Attorney
101 W. Main Street, Suite 230
Nacogdoches, Texas 75961

E-mail: jfleming@co.nacogdoches.tx.us

Limitation of Liability. By entering into this Agreement, neither party waives sovereign immunity defenses or any other limitation of liability. No provision of this agreement is intended to modify or waive any provision of the Texas Tort Claims Act, as amended. The City agrees to accept full responsibility for the acts, negligence and/or omissions of all City employees, agents, subcontractors and/or contract laborers and for all persons doing work under a contract or agreement with the City.

Dispute Resolution. The Parties acknowledge and agree that, in the event of a dispute, each may avail itself of alternate dispute resolutions as authorized by sec. 791.015 of the Gov't Code.

Entire Agreement. This Agreement represents the entire agreement of the parties and supercedes any verbal or written representations of, to or by the parties to each other.

Amendment. If the Parties desire to modify this Agreement during or after the initial term, any

modifications may be either incorporated herein by a written amendment or set forth in an entirely new written agreement. Any modifications must be properly approved and signed by authorized representatives of the Parties.

DATED to be effective this the _____ day of _____, 2022.

NACOGDOCHES COUNTY

By: _____
Hon. Greg Sowell

CITY OF NACOGDOCHES

By: _____
Mayor, City of Nacogdoches

Attest: _____
City Secretary

PRESENTER: Drew Flores, Purchasing Specialist

ITEM/SUBJECT: Consider approval of a contract between the City of Nacogdoches and Chastang Ford for the purchase of seven (7) fleet vehicles by BuyBoard Contract (Purchasing Contract Specialist)

SUMMARY/BACKGROUND: The City's 2021-2022 amended budget includes the purchase of eleven (11) fleet vehicles. City staff has spent the last few months working with several vehicle dealerships to determine the potential availability of fleet vehicles. Due to current market conditions, several manufacturers are limiting production of certain fleet vehicles. We have located seven (7) fleet vehicles that we are able to order through the BuyBoard state contract with Chastang Ford.

FINANCIAL:

Item is budgeted:

Account No.: see attached 2021-2022 Fleet Vehicle Cost Sheet

Account Name:

Amount:

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

Not Applicable

CITY CONTACT: Drew Flores, Purchasing & Contract Specialist
floresd@nactx.us
936-559-2935

ATTACHMENTS:

1. Chastang BuyBoard Quotes (1)
2. Chastang Enterprises Buyboard Contract 601-19
3. 2021 2022 Cost Sheet Fleet Vehicles

2022 F-150 4x2 SuperCrew Cab 5.5' box 145" WB XL (W1C)

Price Level: 260



Client Proposal

Prepared by:

Maggie Tovar

Office: 713-678-5072Direct

Date: 08/10/2022



Chastang Ford | 6200 N. Loop East, Houston, Texas, 770261936

Office: 713-678-5000 | Fax: 713-678-5001



Prepared by: Maggie Tovar
08/10/2022

Chastang Ford | 6200 N. Loop East Houston Texas | 770261936

2022 F-150 4x2 SuperCrew Cab 5.5' box 145" WB XL (W1C)

Price Level: 260

Pricing Summary - Single Vehicle

Vehicle Pricing

Price	\$37,050.00
Buy Board Fee	400.00

Total	TOTAL	\$37,450.00
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Customer Signature

Acceptance Date

FOB Chastang Ford Houston, TX
Buy Board Contract #601-19

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

Note: Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

2022 F-150 4x2 Regular Cab 8' box 141" WB XL (F1C)

Price Level: 260



Client Proposal

Prepared by:

Maggie Tovar

Office: 713-678-5072Direct

Date: 08/10/2022



Chastang Ford | 6200 N. Loop East, Houston, Texas, 770261936

Office: 713-678-5000 | Fax: 713-678-5001



Prepared by: Maggie Tovar
08/10/2022

Chastang Ford | 6200 N. Loop East Houston Texas | 770261936

2022 F-150 4x2 Regular Cab 8' box 141" WB XL (F1C)

Price Level: 260

Pricing Summary - Single Vehicle

Vehicle Pricing

Price \$32,760.00

Buy Board Fee 400.00

Total

TOTAL

\$33,160.00

Customer Signature

Acceptance Date

FOB Chastang Ford Houston, TX
Buy Board Contract 601-19

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

Note: Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

2022 F-150 4x4 SuperCab 6.5' box 145" WB XL (X1E)

Price Level: 260



Client Proposal

Prepared by:

Maggie Tovar

Office: 713-678-5072Direct

Date: 08/10/2022



Chastang Ford | 6200 N. Loop East, Houston, Texas, 770261936

Office: 713-678-5000 | Fax: 713-678-5001



Prepared by: Maggie Tovar
08/10/2022

Chastang Ford | 6200 N. Loop East Houston Texas | 770261936

2022 F-150 4x4 SuperCab 6.5' box 145" WB XL (X1E)

Price Level: 260

Pricing Summary - Single Vehicle

Vehicle Pricing

Price	\$39,985.00
Buy Board Fee	400.00

Total

TOTAL

\$40,385.00

Customer Signature

Acceptance Date

FOB Chastang Ford Houston TX
Buy Board Contract 601-19

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

Note: Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

May 12, 2022

Sent via email to: emiller@chastangford.com

Ed Miller
Chastang Enterprises-Houston, LLC
6200 North Loop East
Houston TX 77026

Re: Vehicles, Heavy-Duty Trucks, Police Motorcycles, Parts, and Service Labor
BuyBoard Contract No. 601-19

The Local Government Purchasing Cooperative (BuyBoard) awarded your company a contract under Contract No. 601-19, Vehicles, Heavy-Duty Trucks, Police Motorcycles, Parts, and Service Labor, for which the current term is set to expire November 30, 2022. We are writing to inform you that, in accordance with the General Terms and Conditions of the Contract, BuyBoard intends to consider extensions to this contract on a month-to-month basis after the expiration of the current term until a successor contract is awarded.

This letter is not an extension of your contract. Final decisions regarding specific extensions will not be made until closer to contract expiration, and you will be informed at that time of any renewal decision regarding your company's contract. However, as we recognize that vendors may be anticipating release of a new BuyBoard proposal invitation for vehicles, heavy-duty trucks, police motorcycles, parts, and service labor soon, we wanted to reach out now to inform you that issuance of a new proposal invitation will be delayed. In the meantime, all discounts, terms, and conditions of your current contract, including minimum sales requirements for consideration for renewal, remain the same.

If you have questions, please contact me at connie.burkett@tasb.org. We appreciate your interest in The Local Government Purchasing Cooperative.

Sincerely,



Connie W Burkett, CTSBO
TASB Department Director,
Cooperative Operations

Vehicle Requests 2021-22

Dept	Dept No.	Vehicle Type	Budgeted Amount	BuyBoard Order	Amendment Needed
Inspections	01.86.680.20	2500 4WD Crew Cab	\$ 36,000	\$37,450	\$1,450
Inspections	01.86.680.20	1500 2WD Regular Cab	\$ 25,000	\$33,160	\$8,160
Utility Const	30.37.680.20	2500 4WD Double Cab	\$ 38,000	\$40,385	\$2,385
Sanitation Admin	31.42.680.20	1500 2WD Regular Cab	\$ 25,000	\$33,160	\$8,160
Utility Const	30.37.680.20	1500 4wd Crew Cab	\$ 35,500	\$40,385	\$4,885
Animal Shelter	60.60.680.20	1500 2wd regular cab	\$ 32,500	\$33,160	\$660
Parks/Cem	60.60.680.20	1500 4WD Crew Cab	\$ 38,500	\$40,385	\$1,885
			\$ 230,500	\$258,085	\$27,585



City Council Meeting

Date: August 16, 2022

Agenda Item: 5.F.

PRESENTER: Pam Curbow, Finance Director

ITEM/SUBJECT: Consider approval of an ordinance amending Ordinance No. 1881-09-21 appropriating various amounts in accordance with the budget adopted for the ensuing fiscal year beginning October 1, 2021 and ending September 30, 2022 for overages in fleet vehicle purchases. (Finance Director)

SUMMARY/BACKGROUND: Due to current economic conditions, fleet vehicle prices have risen and final costs are more than originally budgeted. Staff has made every possible concession to bring the final price as close to the original budget as possible without sacrificing the needed vehicle type and options. A total of \$27,585 will be needed as split between four separate funds.

FINANCIAL:

Item is not budgeted - See the attached budget amendment ordinance.

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

Not Applicable

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

ATTACHMENTS: 1. Ordinance

AN ORDINANCE AMENDING ORDINANCE NO. 1881-09-21 APPROPRIATING VARIOUS AMOUNTS IN ACCORDANCE WITH BUDGET ADOPTED FOR THE ENSUING FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022.

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, 2021 and ending September 30, 2022.

WHEREAS, the City Council previously approved \$230,500 for fleet vehicle purchases in the budget for fiscal year beginning October 1, 2021 and ending September 30, 2022, and

WHEREAS, prices for the purchase of vehicles exceed the budgeted amount for the current fiscal year, and

WHEREAS, with the adoption of this ordinance, the City is authorized to utilize available reserve funds in the amount of \$27,585, and

WHEREAS, with the adoption of this ordinance, the Finance Department is authorized to expend a total of \$258,085 for the fleet vehicle purchases.

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	Committed Reserves	General Fund Vehicle Capital	\$ 9,610
30	37	680.20	Utility Constructions	Utility Fund Vehicle Capital	\$ 7,270
31	42	680.20	Sanitation Admin.	Sanitation Fund Vehicle Capital	\$ 8,160
60	60	680.20	Equipment Replacement	Equip Replacement Fund Vehicle Capital	\$ 2,545

PASSED AND APPROVED this the 16th day of August 2022.

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 request to amend and/or revoke the Specific Use Permit, pursuant to Section 118-174 of the Code of Ordinances, for a ‘Garden Shop & Plant Sales – Display or Greenhouse’, in a B-1 Local Business zoning district, for Lot 1, Block 1 of The Plant Shed Subdivision, located at 3123 Appleby Sand Rd. This request has been initiated by the Nacogdoches City Planner. **(PLEASE NOTE THAT THIS ITEM WAS POSTPONED FROM THE REGULAR MEETING OF THE CITY COUNCIL ON JULY 19, 2022.)** (City Planner)

SUMMARY/BACKGROUND: On May 19, 2020, the City Council granted approval of a Specific Use Permit (SUP) for the operation of a “Garden Shop & Plant Sales - Display or Greenhouse” at the location referenced above. The approved ordinance (Ord.1826-05-20) for this SUP allows the construction and operation of a “Garden Shop & Plant Sales - Display or Greenhouse” facility at the above-described location, with the following conditions:

The applicant will provide a plan to control sediment and runoff that is acceptable to the City Engineering Department.

Upon approval of the SUP, development plans were submitted to the City for review and the City Engineer determined that the development satisfied the conditions of the SUP. These development plans were approved by Staff in July, 2020. Since that time, City Staff has received multiple complaints of substantial drainage and sediment runoff issues from a number of the residents located northwest of the subject property. City Staff met with the property owner onsite to observe the drainage patterns on the property, at which time, staff noted substantially more semi-impervious gravel installed on the property than what was depicted on the approved development plans.

Upon completion of the site visit Staff has requested additional documentation from the property owner to demonstrate the property drainage and runoff is still functioning in accordance with the development plans. Based on the summary letter of the inspection by the engineering firm who designed the site, the development is no longer in compliance with the conditions of the SUP. City Staff has requested that the property owner provide a plan for compliance that must address the addition of impervious surface since the original approval of the SUP and show a plan to mitigate the increased drainage to surrounding properties. Since this initial request, the property owner has failed to respond in a timely manner which resulted in two (2) violation notices. Since the property owner has failed to rectify the violation, pursuant to Section 118-174(c) of the Code of Ordinances, City Staff has initiated proceedings to revoke and/or amend the terms of the SUP.

Zoning & Existing Land Use

The subject property is zoned B-1 Local Business and is currently vacant. The surrounding zoning and land uses are as follows:

Direction	Zoning	Land Use
North	B-1 Local Business	Hair Salon
East (Across Appleby Sand Rd.)	R-1 Single Family	Single Family & Civic/Office Building
South (Across East Austin St.)	B-1 Local Business	Duplex & Convenient Store with Gasoline Pumps
West	B-1 Local Business & R-1 Single Family	Vacant & Single Family

Property located immediately the north of the subject property is zoned B-1 and is currently being used as a hair salon. A portion of the property to the west located along East Austin Street is zoned B-1 and is vacant, while the remaining property to the west is zoned R-1 Single Family and is developed as a single family neighborhood known as the Colonial Hills Subdivision. The subject property abuts Appleby Sand Road to the east and East Austin Street to the south.

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

1. **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;
2. **Orderly Growth and Development:** The establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property;
3. **Supporting Facilities:** Adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided;
4. **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;
5. **Nuisances:** Adequate nuisance-prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration;
6. **Lighting:** Any lighting to be provided will be directional so as not to disturb or adversely affect neighboring properties;
7. **Landscaping:** Sufficient landscaping and screening to ensure harmony and compatibility with adjacent property exists or will be provided;
8. **Comprehensive Plan:** The proposed use is in accordance with the comprehensive plan.

Based on the drainage issues outlined above, Staff finds that the development is no longer in compliance with the conditions of the SUP, or with Criteria #1 (*Compatibility*), and Criteria #3 (*Supporting Facilities*). The applicant has submitted a preliminary drainage plan which proposes improvements to mitigate the drainage issues created by the development. These improvements include the construction of an earthen berm to divert water and sediment runoff to E. Austin Street.

COMMUNITY INPUT:

Staff mailed 14 notices to property owners within the 200-foot notification area. At the time of this report, Staff has received four (4) written responses from property owners within the 200-foot notice area, three (3) of which are in support of revoking and/or amending the terms of the SUP, citing specific concerns about drainage. City Staff also mailed 44 courtesy notices to property owners within 500 feet of the subject property, and received one (1) written response in opposition to amending and/or revoking the SUP. In addition, City Staff received written responses from four (4) residents who do not own property or reside in either the 200-foot or 500-foot notification area.

RECOMMENDATIONS:

P&Z Recommendation: The Planning and Zoning Commission considered this item at their regular meeting on July 11, 2022 and voted unanimously (5-0) to amend the SUP and accept the proposed drainage plan with the condition that the drainage improvements be completed within 6 months.

Staff Recommendation: Staff recommends that the SUP be amended to incorporate the proposed drainage plan with the condition that the drainage improvements be completed within 6 months.

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: Alaina Helton, AICP, City Planner
heltona@nactx.us
936-559-2572

ATTACHMENTS:

1. Aerial Map
2. Zoning Map
3. Site Photos
4. Ordinance 1826-05-20
5. Approved Site Plan (2020)
6. Proposed Drainage Plan (2022)
7. Notification Map
8. Written Responses
9. Amending Ordinance

SUP 2020-03



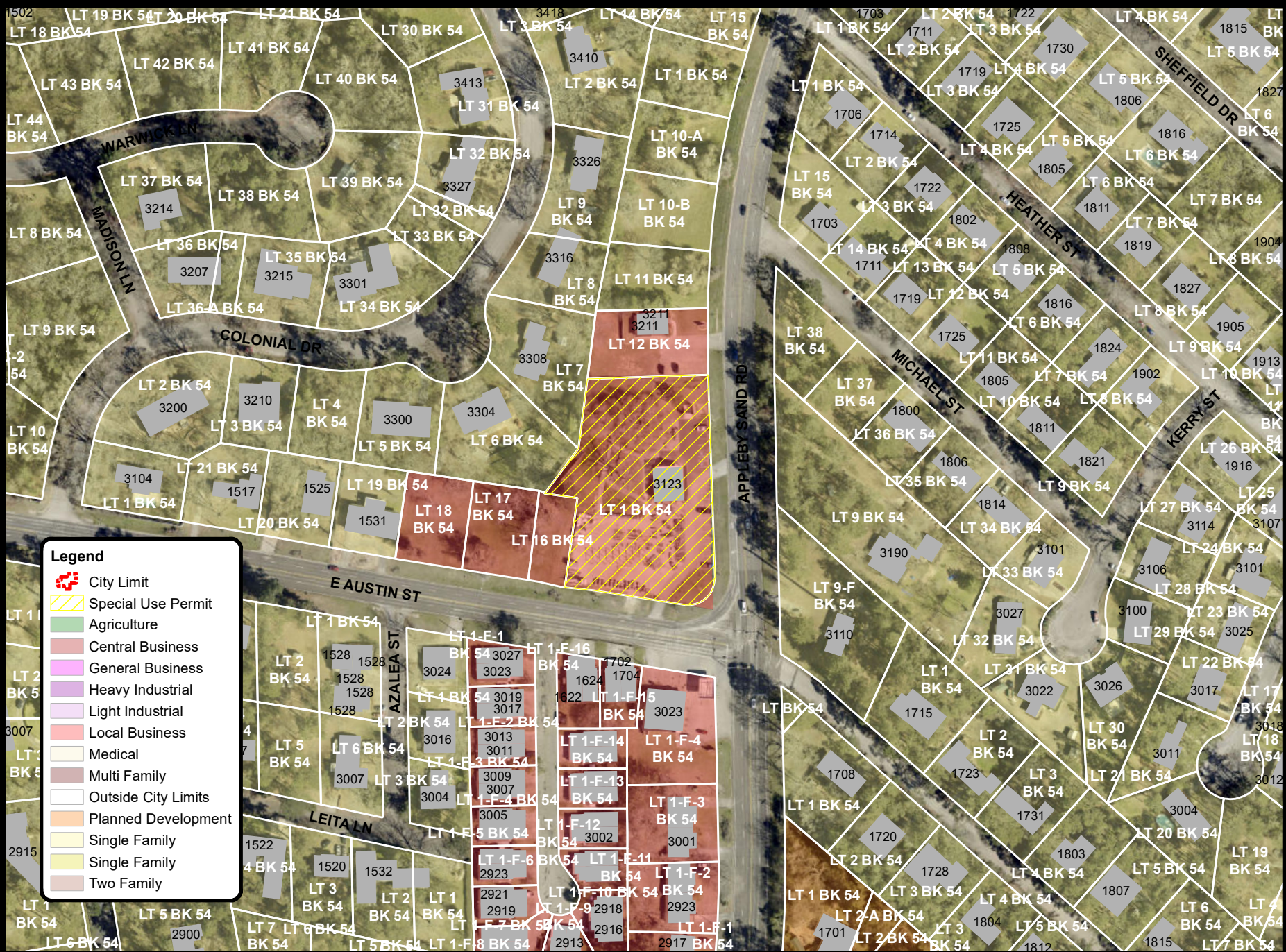
Notice: This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



0 50 100 200 Feet

Date Created: May 25, 2022 Software: ArcGIS 10.8.1

SUP 2020-03



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: June 7, 2022 Software: ArcGIS 10.8.1

SUP2020-03: Site Photos

Street View: Corner of Appleby Sand & E. Austin St.



Street View: E. Austin St.



Street View: Appleby Sand Rd.



Office/Sales Building



Parking Area



Outdoor Sales Area: Facing E. Austin St.



Gravel walkway: South/ West side of building



Silt fencing & drainage area: West side of property



ORDINANCE NO. 1826-05-20

AN ORDINANCE OF THE CITY OF NACOGDOCHES, TEXAS, GRANTING AN AMENDMENT TO A SPECIFIC USE PERMIT FOR A GARDEN SHOP AND PLANT SALES – DISPLAY OR GREENHOUSE, LOCATED AT THE NORTHWEST CORNER OF APPLEBY SAND ROAD AND EAST AUSTIN STREET WITHIN THE B-1 LOCAL BUSINESS ZONING DISTRICT, SAID TRACT BEING LOTS 13, 14, 15 AND A PORTION OF LOT 16, BLOCK 1, SECTION 1 OF THE COLONIAL HILLS SUBDIVISION RECORDED IN VOLUME 2536, PAGE 264 OF THE DEED OF RECORDS OF NACOGDOCHES COUNTY, TEXAS, CONTAINING APPROXIMATELY 8.1 ACRES LOCATED 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, Charles Shugart of StarTex Ventures, filed an application for a Specific Use Permit for a Garden Shop & Plant Sales - Display or Greenhouse facility on property that is currently zoned as Local Business (B-1); located at the northwest corner of Appleby Sand Road and East Austin Street, said tract being legally described as Lots 13, 14, 15 and a portion of Lot 16, Block 1, Section 1, of the Colonial Hills Subdivision recorded in Volume 2536, Page 264 of the Deed of Records of Nacogdoches County, Texas (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 a Garden Shop & Plant Sales - Display or Greenhouse facility (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 a Mini Warehouse facility.

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 a Garden Shop & Plant Sales - Display or Greenhouse facility at the above described location, with the following conditions:

1. The applicant will provide a plan to control sediment runoff that is acceptable to the City Engineering Department.

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

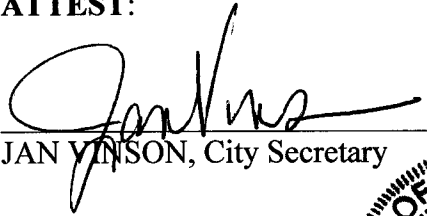
The City Secretary is hereby authorized and instructed to file a signed and sealed copy of this Ordinance in and among the records of the City of Nacogdoches, Texas.

PASSED AND APPROVED, this the 19 day of May, 2020, by a vote of 5 (ayes) to 0 (nays) of the City Council of the City of Nacogdoches, Texas.

CITY OF NACOGDOCHES

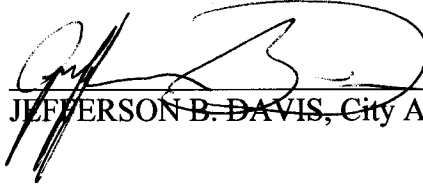
By: 
SHELLEY BROPHY, Mayor

ATTEST:

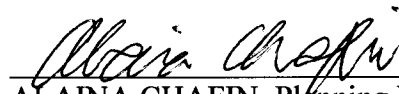

JAN VINSON, City Secretary



APPROVED AS TO FORM:

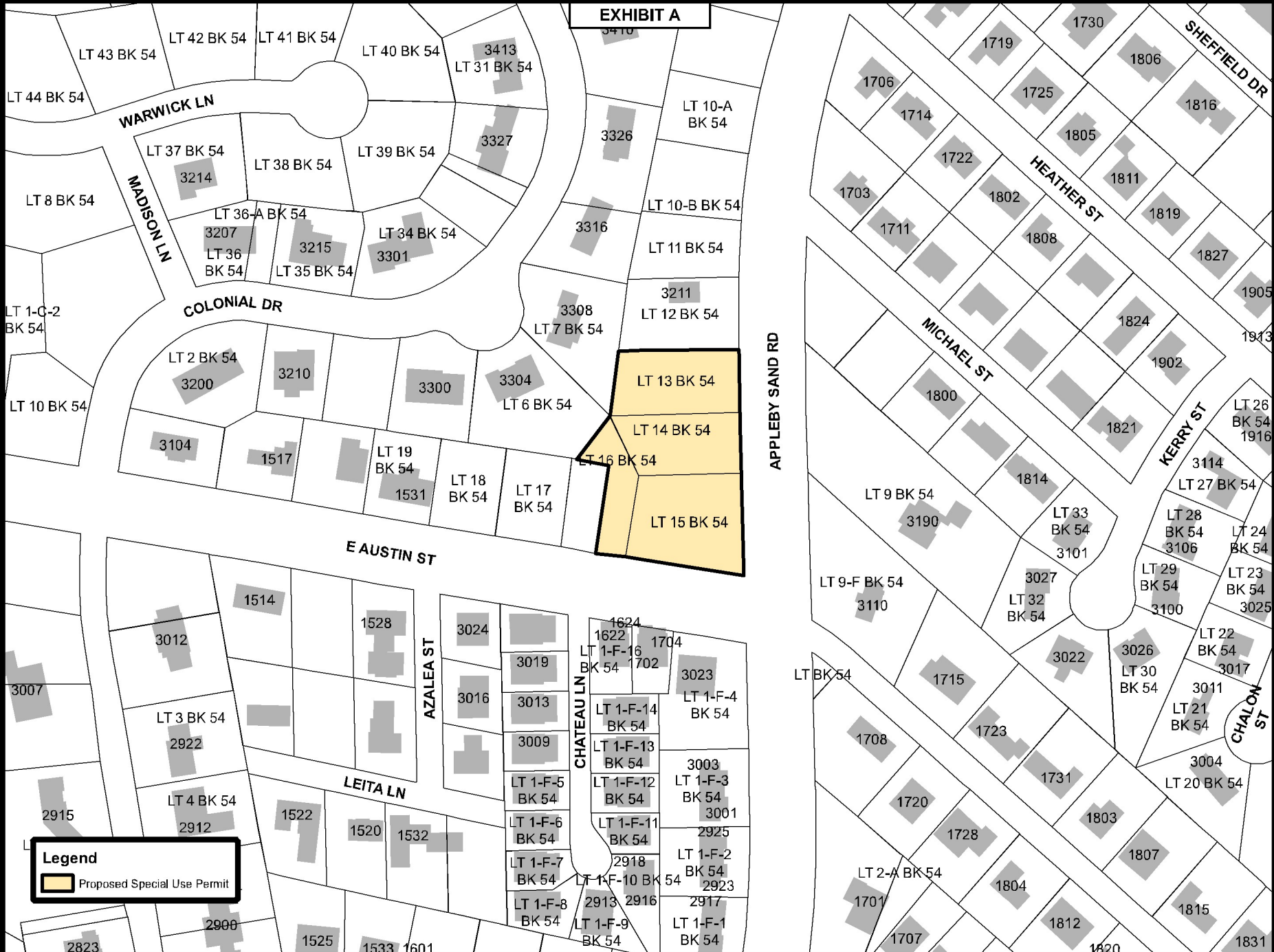

JEFFERSON B. DAVIS, City Attorney

APPROVED AS TO CONTENT:


ALAINA CHAFIN, Planning Director

SUP 2020-03

EXHIBIT A



Legend

Proposed Special Use Permit

Notice: This product is for informational purposes only 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: April 24, 2020 Software: ArcGIS 10.7.1

Proposed Site Plan

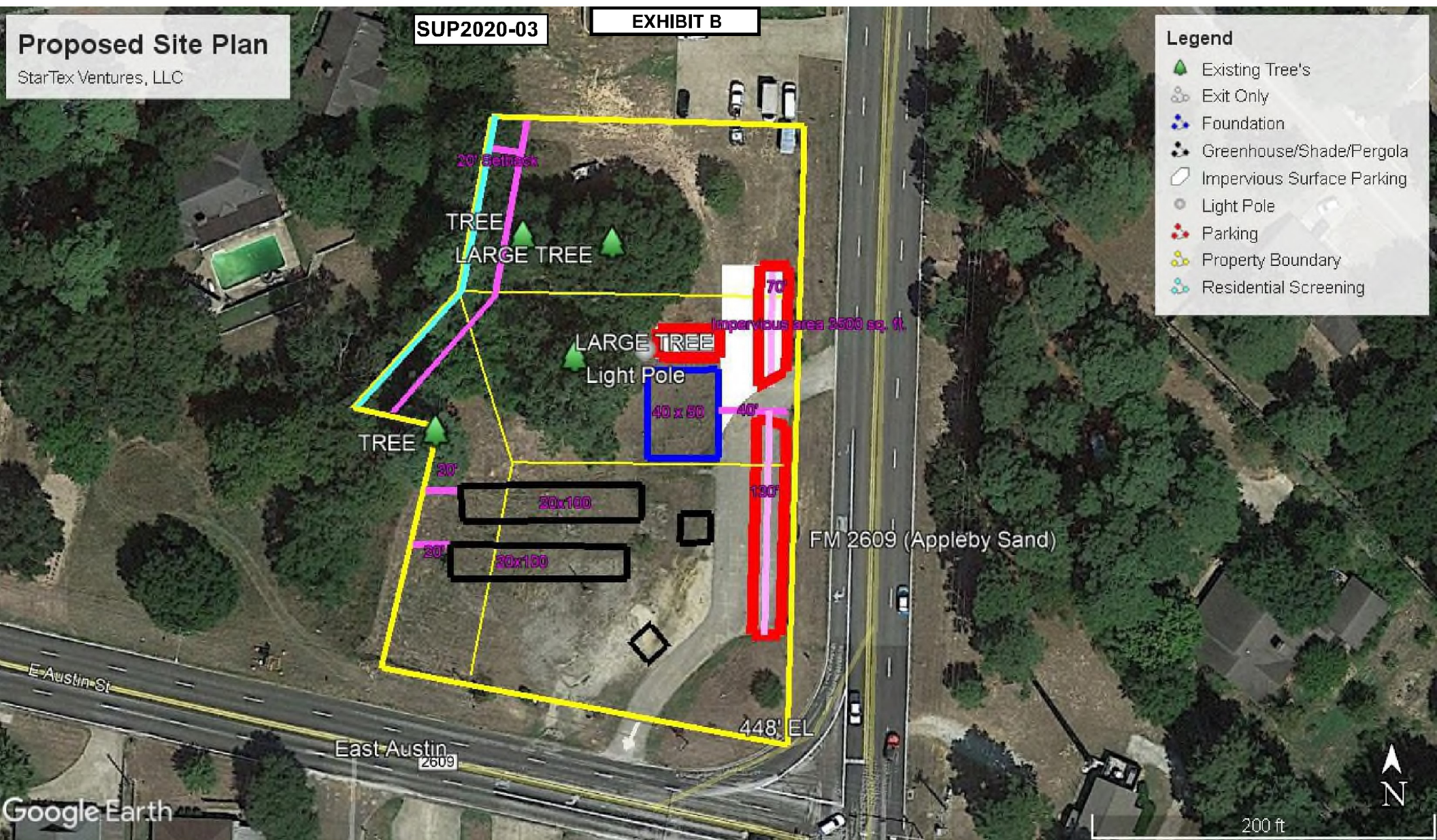
StarTex Ventures, LLC

SUP2020-03

EXHIBIT B

Legend

- Existing Tree's
- Exit Only
- Foundation
- Greenhouse/Shade/Pergola
- Impervious Surface Parking
- Light Pole
- Parking
- Property Boundary
- Residential Screening



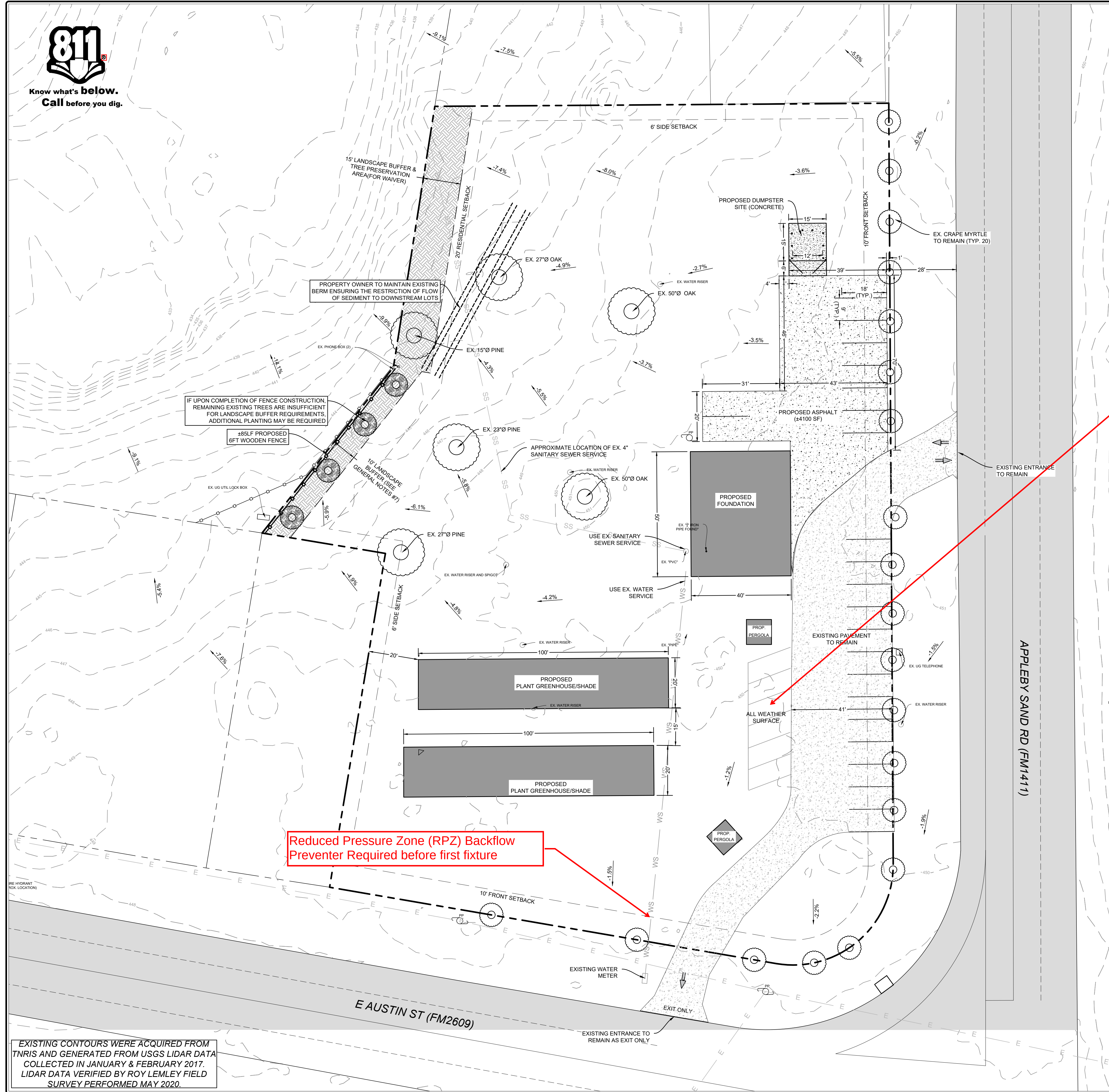
Google Earth



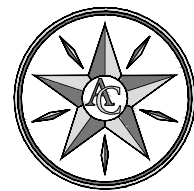
200 ft



Know what's below.
Call before you dig.

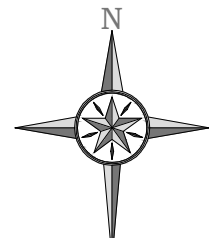


EXISTING CONTOURS WERE ACQUIRED FROM
TNRIS AND GENERATED FROM USGS LIDAR DATA
COLLECTED IN JANUARY & FEBRUARY 2017.
LIDAR DATA VERIFIED BY ROY LEMLEY FIELD
SURVEY PERFORMED MAY 2020.



AKRON CONSULTING, LLC.
431 N. CENTER ST.
LONGVIEW, TX 75601
TBE Firm Reg. # 14014
(O) 903-236-9744
(F) 903-236-9745
www.akron-consulting.com

0 20' 40'
1"=20'
CONTOUR INTERVAL 1 FOOT



NO.	REVISION	BY	DATE

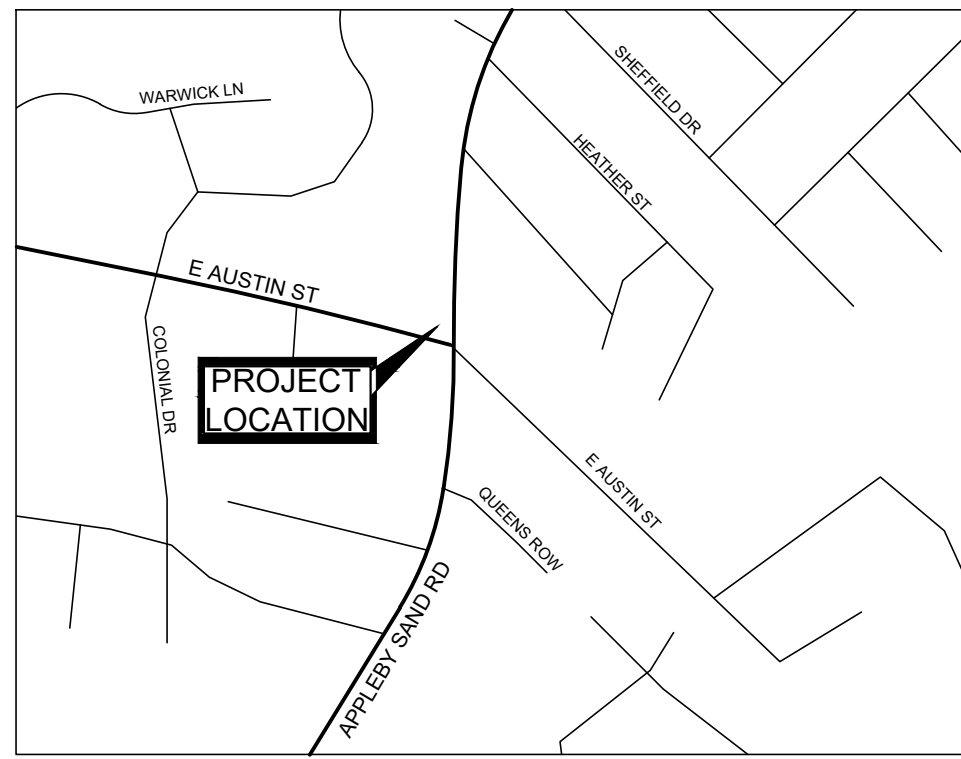
PIPE AND FITTING SCHEDULE
ALL 2" - 3" PVC WATER PIPE SHALL BE ASTM D-2241 SDR 21
ALL PVC SANITARY SEWER PIPE SHALL BE SDR 26 ASTM D-3034
ALL PVC SANITARY SEWER FITTINGS SHALL BE SDR 26

PARKING COUNT		
PARKING SPACES	REQUIRED*	PROVIDED
	31	28

*1 SPACE PER 1,000 SQ FT OF
SITE AREA (330,900 SQ FT)
*LANDSCAPE CREDIT
REDUCTION OF 10% (3
SPACES)

Planning Review:
Alaina Chafin
Approved
as Noted

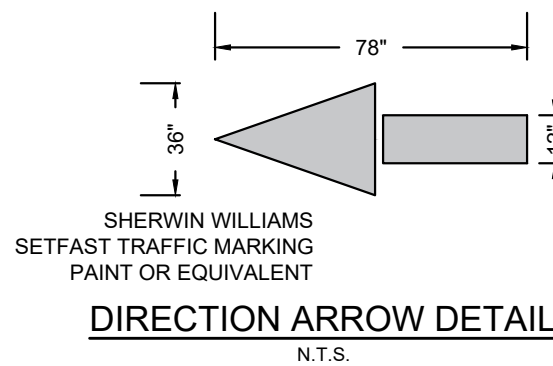
REVIEWED
By Case at 11:39 am, 7/17/20



VICINITY MAP
N.T.S.

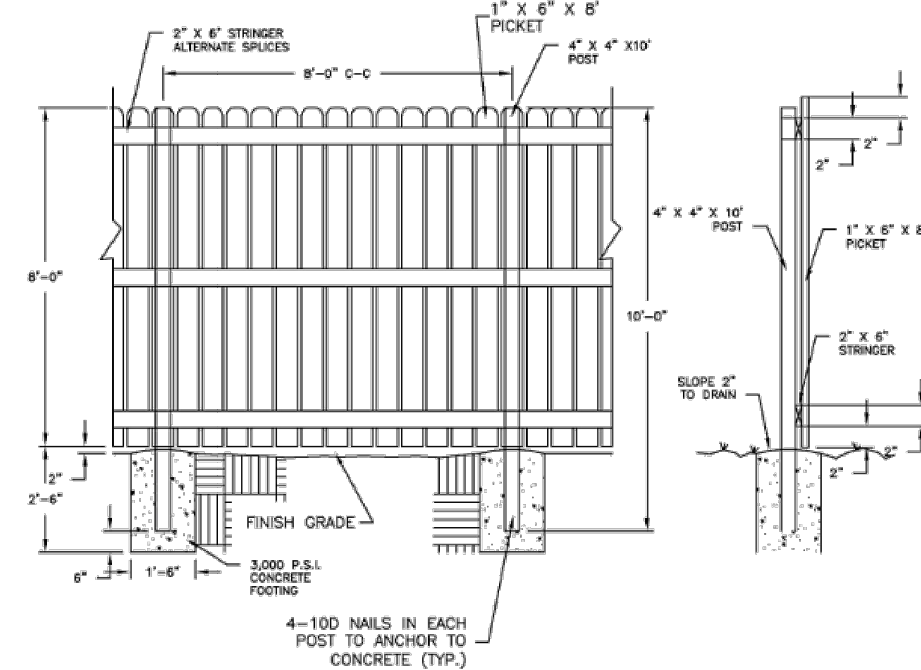
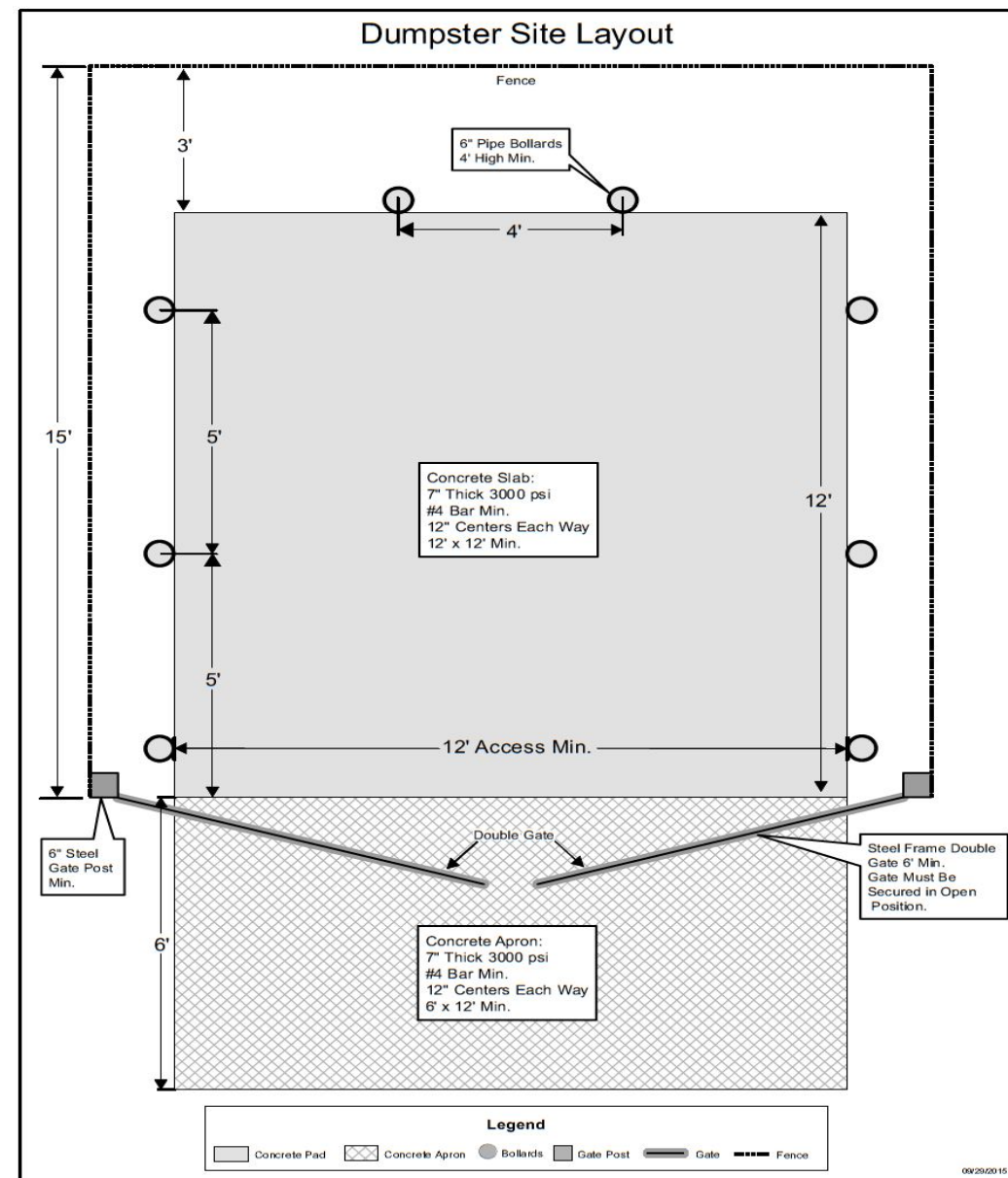
STRIPING GENERAL NOTES

- ALL PAVEMENT STRIPING SHALL UTILIZE SHERWIN WILLIAMS SETFAST TRAFFIC MARKING PAINT OR EQUIVALENT.
- ALL PAVEMENT STRIPING SHALL BE WHITE IN COLOR UNLESS OTHERWISE NOTED.



SHERWIN WILLIAMS
SETFAST TRAFFIC MARKING
PAINT OR EQUIVALENT
DIRECTION ARROW DETAIL
N.T.S.

All required parking must be hard surface pavement
(ex. asphalt, concrete)



GENERAL NOTES

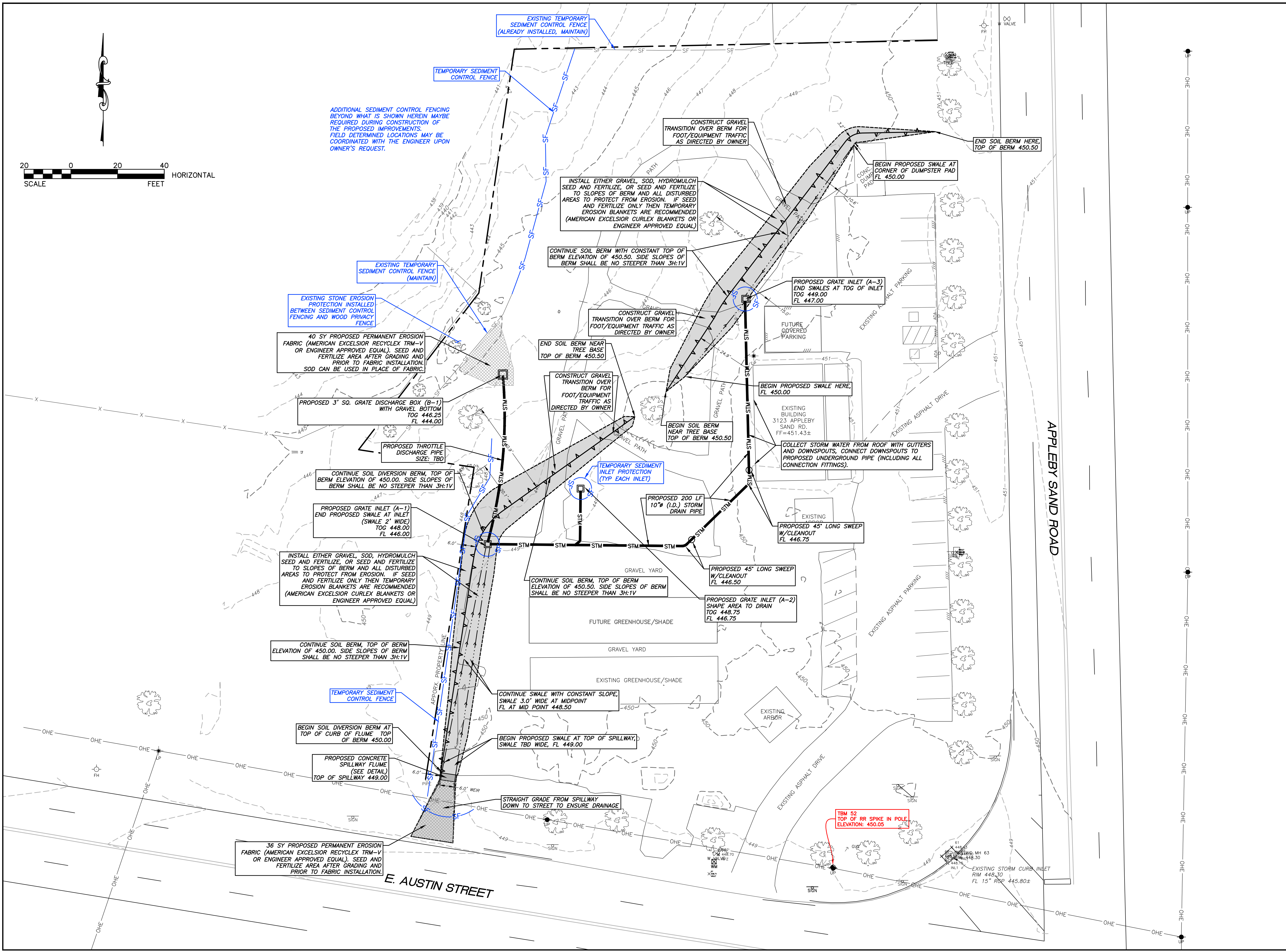
- PRIOR TO STARTING CONSTRUCTION, THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY THAT ALL NECESSARY PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION SHALL BEGIN UNTIL ALL PERMITS HAVE BEEN RECEIVED.
- IF THE CONTRACTOR, IN THE COURSE OF THE WORK, FINDS ANY DISCREPANCIES BETWEEN THE PLANS AND THE PHYSICAL CONDITIONS OF THE LOCALITY, OR ANY ERRORS OR OMISSIONS IN THE PLANS OR IN THE LAYOUT AS GIVEN BY THE ENGINEER, IT SHALL BE HIS DUTY TO IMMEDIATELY INFORM THE ENGINEER, IN WRITING, AND THE ENGINEER WILL PROMPTLY VERIFY THE SAME. ANY WORK DONE AFTER SUCH DISCOVERY, UNTIL AUTHORIZED, WILL BE AT THE CONTRACTOR'S RISK.
- CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF ALL SETBACKS, EASEMENTS, AND DIMENSIONS SHOWN HEREON BEFORE BEGINNING CONSTRUCTION.
- ALL CONSTRUCTION MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE STATE AND AUTHORITY HAVING JURISDICTION'S LATEST CONSTRUCTION SPECIFICATIONS AND DETAILS.
- ALL HANDICAP SITE FEATURES SHALL BE CONSTRUCTED TO MEET ALL FEDERAL AND STATE CODES.
- THE CONTRACTOR SHALL CAREFULLY PRESERVE BENCHMARKS, REFERENCE POINTS, AND STAKES.
- CONTRACTOR SHALL MAINTAIN THE SITE IN A MANNER TO PREVENT INJURY TO WORKMEN AND THE PUBLIC AND TO PREVENT DAMAGE ON ADJOINING PROPERTY.
- CONTRACTOR IS RESPONSIBLE FOR DAMAGE TO ANY EXISTING ITEM AND/OR MATERIAL INSIDE OR OUTSIDE CONTRACT LIMITS DUE TO THE CONSTRUCTION OPERATION.
- CONTRACTOR SHALL CONTACT DIGTESS (811) PRIOR TO ANY CONSTRUCTION ACTIVITIES.
- CONTRACTOR TO FIELD VERIFY ALL EXISTING UTILITIES..
- DIMENSIONS SHOWN ARE FROM FACE OF CURB TO FACE OF CURB, UNLESS OTHERWISE NOTED.
- SIZE AND LOCATION OF EXISTING TREES WERE PROVIDED BY THE OWNER.
- IN ACCORDANCE WITH SECTION 118-429 OF THE ZONING ORDINANCE, EXISTING TREES SHOULD BE PRESERVED IN THE 10-FOOT LANDSCAPE BUFFER REQUIRED ALONG THE PROPERTY LINE ADJACENT RESIDENTIAL NEIGHBORHOOD TO MEET THE COMMERCIAL SCREENING PLANTING REQUIREMENTS. HOWEVER, THESE TREES (NEW OR EXISTING) MUST BE NON-DECIDUOUS (EVERGREEN) IN ORDER TO PROVIDE YEAR-ROUND SCREENING AND SHALL BE OF A TYPE AND SPECIES LISTED IN SUBSECTION 118-430(F)(2).

THIS DOCUMENT IS RELEASED
FOR REVIEW PURPOSES ONLY
UNDER THE AUTHORITY OF
LANE D. ROBERTS, P.E. 105135
IN JULY, 2020. IT IS NOT TO BE
USED FOR CONSTRUCTION.

THE PLANT SHED
3123 APPLEBY SAND RD
MACDOUGHERS, TEXAS

SITE & UTILITY PLAN

DR. BY DE DATE 07/13/2020 DWG. NAME c1.0 site plan.dwg SHEET: C1.0



General Notes

1. EXISTING UTILITY LOCATIONS AND/OR MATERIALS SHOWN ON THE PLANS ARE APPROXIMATE. THE CONTRACTOR IS HEREBY NOTIFIED THAT ALL EXISTING UTILITIES, WHETHER BURIED OR OVERHEAD, MAY OR MAY NOT BE SHOWN AND THAT THE CONTRACTOR IS RESPONSIBLE FOR LOCATING AND PROTECTING ALL UTILITIES WITHIN THE PROJECT AREA. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR REPAIRING AND/OR REPLACING ANY AND ALL UTILITIES DAMAGED BY THE CONTRACTOR'S OPERATIONS AND THE COST(S) FOR WHICH SHALL BE BORNE BY THE CONTRACTOR.

2. THE CONTRACTOR IS HEREBY NOTIFIED THAT DANGEROUS UTILITIES MAY EXIST IN THE PROJECT AREA. THESE MAY INCLUDE BUT ARE NOT LIMITED TO: OVERHEAD OR UNDERGROUND ELECTRIC LINES, TELEPHONE LINES, FIBER-OPTIC LINES, AND GAS LINES.

3. THE CONTRACTOR SHALL NOTIFY THE CITY ENGINEERING DEPT. FOR INSPECTION PRIOR TO COVERING UNDERGROUND IMPROVEMENTS, BEFORE POURING BUILDING SLABS, OR MAKING ANY UTILITY TAPS OR CURB CUTS.

4. THIS IS NOT A BOUNDARY SURVEY.

5. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING TEMPORARY EROSION CONTROL (SILT OR SEDIMENT CONTROL FENCING) ON ALL DOWNHILL SLOPE AREAS OF THIS SITE AND WHERE SHOWN ON PLAN. THESE CONTROLS SHALL BE MAINTAINED AND REMAIN IN PLACE UNTIL PERMANENT GROUND COVER IS ESTABLISHED.

1	ISSUED FOR OWNER REVIEW	07/06/22
No.	Revision/Issue	Date

TWO FIFTEEN CONSULTING

ENGINEERS + SURVEYORS

412 North St.
Nacogdoches, TX 75961
p: 838-568-0505

TRPE F-17461

TRPLS 10194339

Engineer Seal:

PRELIMINARY

FOR REVIEW

THIS DOCUMENT IS RELEASED FOR THE PURPOSES OF INTERIM REVIEW UNDER THE AUTHORITY OF MICHAEL P. DELANEY, P.E. 120455 ON 7/8/2022. IT IS NOT TO BE USED FOR BIDDING, PERMIT OR CONSTRUCTION PURPOSES.

SITE STORM DRAINAGE PLAN

THE PLANT SHED
3123 APPLEBY SAND RD.
NACOGDOCHES, TEXAS

Scale:	Issue Date:
SEE PLAN	07/06/2022
Drawn By:	Checked By:
CMS	MPD
File:	Drawing No.
21102_200.dwg	C-200

THIS DRAWING AND OTHER RELATED DOCUMENTS, INCLUDING DOCUMENTS ON ELECTRONIC MEDIA, WERE PREPARED BY TWO FIFTEEN CONSULTING AND SHALL REMAIN THE PROPERTY OF TWO FIFTEEN CONSULTING. ALL INFORMATION SHALL BE USED ONLY FOR DESIGNING, CONSTRUCTING, OR INSTALLING THE WORK SHOWN IN THIS DRAWING. NO OTHER USES OF THIS DRAWING OR INFORMATION SHOWN HEREON ARE AUTHORIZED. ANY REPRODUCTION OR ALTERATION IS STRICTLY PROHIBITED. TWO FIFTEEN CONSULTING SHALL BE INDEMNIFIED FROM LIABILITY ARISING FROM THE CONSTRUCTION, USE, OR RESULT OF SUCH UNAUTHORIZED USE OR CHANGES.

200 Foot Notification Map

SUP2020-03: 3123 Appleby Sand Rd.

Legend



200 Foot Buffer



Existing SUP



Single Family-Rental



Two Family- Rental



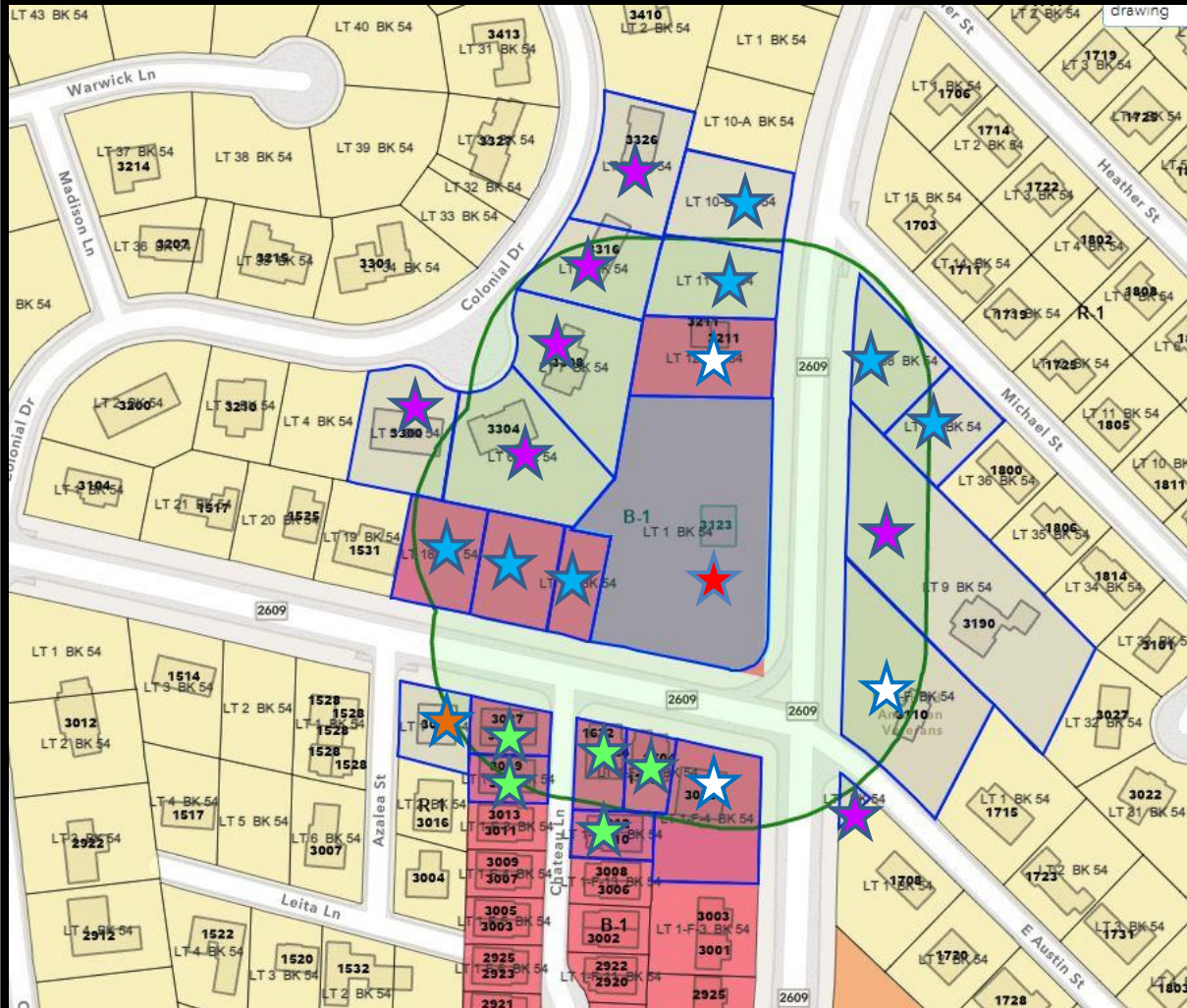
Single Family-
Owner Occupied



Commercial



Undeveloped



Response Form

Project Number: SUP2020-03: The Plant Shed
3123 Appleby Sand Rd.

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: Rhonda Lewis
PO Drawer 635030
Nacogdoches, TX 75963

You may also email a copy to Rhonda Lewis, lewisr@nactx.us

Project Number: SUP2020-03: The Plant Shed

Please circle one: ☐ In favor of request ☐ Opposed to request

Comments:

I recommend the business work
with an engineer to develop ~~xxx~~ and
implement a viable plan to properly
deal with this.

Signature: Bud Wright

Printed Name: Bud Wright, Mgr: Five Star Real Estate

Street Address: 915 S. Fredonia

City, State and Zip Code: Nacogdoches, Tx 75964

Phone Number: 936-554-4455

Email Address: bwright@tfnutrition.com

Physical Address of Property within 200 Feet: _____

Please circle one:

☒ In favor of request

☐ Opposed to request

Comments:

My home suffers continual damage from the ongoing water and sand runoff from the lots on Appleby Sand Rd. and East Austin St. behind my property. I have spent approx. \$9000. on a drainage system repair.

Signature:

Janet Wyatt Fults

Printed Name:

Janet Wyatt Fults

Street Address:

3316 Colonial Drive

City, State and Zip Code:

Nacogdoches, TX 75965

Phone Number:

936) 615-4540 (cell)

Email Address:

jbrad01@suddenlink.net

Physical Address of Property within 200 Feet:

3316 Colonial Dr.

LT 8 BK 1 Colonial H:
Section 1

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



BRICK PATIO COMPLETELY
COVERED IN SAND (COLLURED TWICE)



ONE OF MANY WASHOUTS THAT
HAS TO BE FILLED AFTER
STORMS.



BRICK PATIO COMPLETELY
COVERED IN SAND WASHED
DOWN FROM FIELD OF
APPLEBY SD. RD./E. AUSTIN



13" WASHOUT - ONE OF MANY



BACK PATIO
COVERED IN
SAND THAT
WASHED FROM
FIELD OF
APPLEBY SAND
RD.
AND
EAST AUSTIN



12 INCHES OF TABLE'S FRONT LEG
IS BURIED IN SAND



24 INCH BACK LEG OF TABLE



A "MOAT" HAD TO BE DUG AROUND MY GARAGE IN AN ATTEMPT TO CHANNEL THE WATER.



11 inches
of sediment

PICTURES SHOW HOW MUCH SEDIMENT WAS DEPOSITED AGAINST THE SIDE OF THE GARAGE.

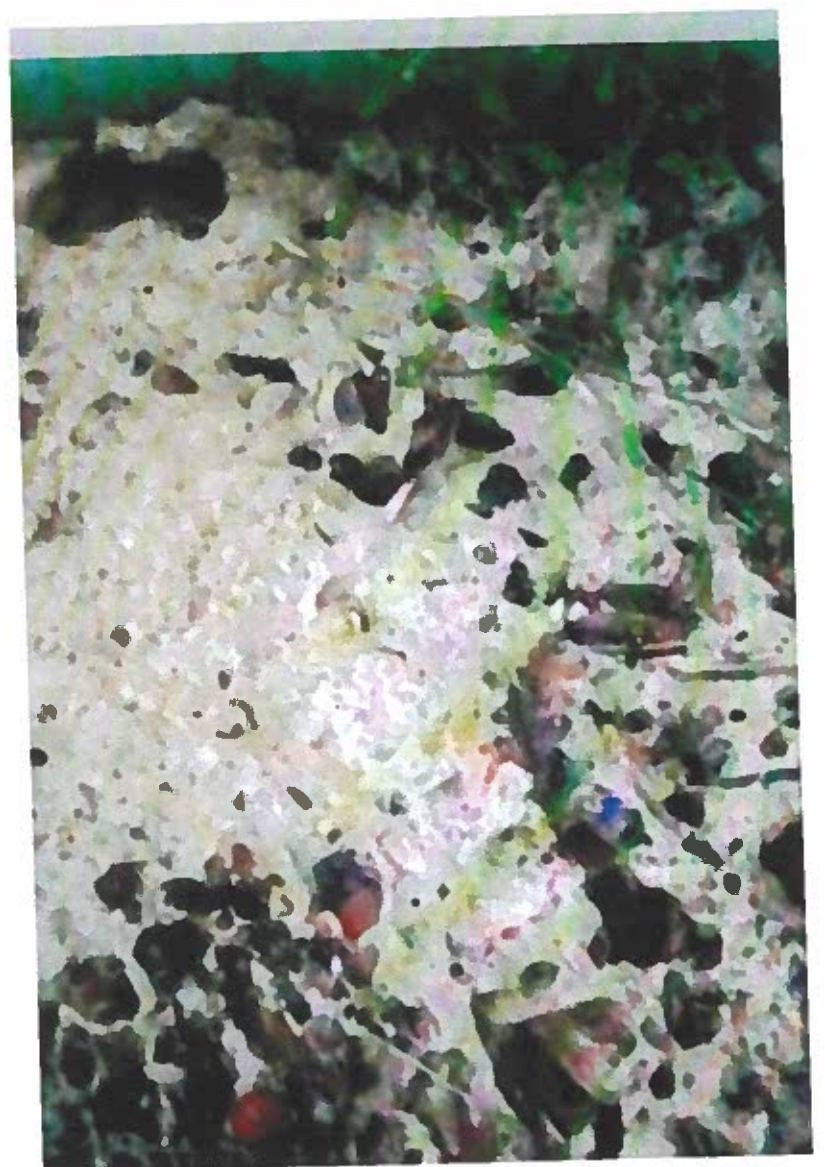
SAND NOW COMES FROM THE SIDE OF THE GARAGE B/C OF WATER RUNOFF FROM THE PLANT SHED



5 INCHES OF WATER ON PATIO



BACKYARD FLOODED AFTER HEAVY
RAINFALL. WATER ALMOST CAME
IN THE HOUSE.
(1ST TIME IN 50 YEARS)



OLD CITY SEWER MANHOLE ON
MY PROPERTY CRACKED AFTER
THE PLANT SHED WAS ADDED
TO THE LINE - SEWAGE WAS
DEPOSITED IN MY YARD.



7ft
to
ground



7ft
to
ground

FRONT OF GARAGE



BACK OF GARAGE

SHOWING AMT. OF DEPOSITED SAND

REPAIR OF SINKHOLE / WASHED OUT



EAST AUSTIN



APPLEBY SAND



THE PLANT
DIED

MASSIVE AMOUNTS OF
WATER ARE ROUTED
UNDER THE FENCE TO
MY BACKYARD

* EROSION PATH OF SAND AND WATER

PLANTISHED EAST AUSTIN →

← APPLIED SAND



SINKHOLE FORMING



SINKHOLE REPAIRED



SINKHOLE REPAIR WASHED OUT BY WATER



THE PLANT SHED



PATH OF EROSION OF SAND AND WATER

↑ SINKHOLE



WASHOUTS AND SINKHOLES FORM



WATER AND SAND FLOOD HOMES
ON COLONIAL DRIVE

Response Form

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3123 Appleby Sand Rd.

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PO Drawer 635030
Nacogdoches, TX 75963

You may also email a copy to Rhonda Lewis, lewisl@nactx.us

Project Number: SUP2020-03: The Plant Shed

Please circle one:

☒ In favor of request

☐ Opposed to request

Comments:

I have incurred many expenses, especially my backyard retaining wall landscape timbers have rotted, fell off - I put in concrete steps at back porch years ago, drains installed in back yard + on lots 4 + 5. Blk 54.

Signature: Vera C. Schwab

Printed Name: Vera C. Schwab

Street Address: 3300 Colonial Dr.

City, State and Zip Code: Nacogdoches, TX 75965-3079

Phone Number: 936-564-4527 (home); 936-615-6335 (cell)

Email Address: mimschwab@suddenlink.net

Physical Address of Property within 200 Feet: 3300 Colonial Dr.

Lots 4 + 5 BK 1
Colonial Hills
Section 1

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

Lots 4 + 5 in Blk. 54 are mine, were shown separately but now together in Nacogdoches appraisal district. See attachd.



Legend
 [Yellow Outline] Special Use Permit
 [Red Dashed Line] City Limit

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: May 25, 2022 Software: ArcGIS 10.8.1



Nacogdoches Central Appraisal District
216 W HOSPITAL ST
NACOGDOCHES, TX 75961
Phone: (936)560-3447
Fax: (936)560-1894

NOTICE OF APPRAISED VALUE

This is NOT a Tax Statement - Do NOT Pay From This Notice.

Appraisal Year - 2022

Location of ARB Hearings:

216 W HOSPITAL ST

NACOGDOCHES, TX 75961

IF YOU HAVE GENERAL QUESTIONS

PLEASE CALL THE CENTRAL APPRAISAL DISTRICT

AT: (936) 560-3447

Protest Deadline: 06/10/2022

ARB Hearings to Begin: 6/7/2022 9:00:00AM

Owner ID: 65109

Website: www.nacocad.org

Postmark Date: 05/11/2022

Dear Property Owner:

We have appraised the property listed below for the 2022 tax year. The appraisal is for the following property:

Beginning August 7th, visit [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information regarding the amount of taxes that each entity that taxes your property will impose if the entity adopts its proposed tax rate. Your local property tax database will be updated regularly during August and September as local elected officials propose and adopt the property tax rates that will determine how much you pay in property taxes.

Percent difference from 2017 is a 28.00% increase.

APPRAISAL INFORMATION	LAST YEAR	PROPOSED THIS YEAR	PROPOSED 2022 TAXABLE VALUE	ACCOUNT NUMBER / PROPERTY DESCRIPTION
Total Market Value	210,240	252,270		ACCT #: 18-148-5401-005000 PARCEL: 28214
HS Land Market Value	59,620	71,540		ADDR: 3300 COLONIAL DR
HS Structures(Buildings) Value	150,620	180,730		NACOGDOCHES, TX
Total Homestead Cap Value	210,240	231,260	231,260	ABST/Block/Lot: COLONIAL HILLS SEC 1-01/089 1-4,5
Total Proposed Taxable Value (with Homestead Limit)	210,240		231,260	LEGAL: LTS 4 & 5 BK 1 COLONIAL HILLS SECTION 1
Exemptions: OVER 65		* HOMESTEAD CAP APPLIED		ACRES: 0.000 INTEREST: 1.000000
				CATEGORY: A1

Taxing Units	Exemption Type for Last Year	Exemption Amount for Last Year	Exemption Type for Current Year	Exemption Amount for Current Year	Exemption Amount Cancelled or Reduced from Last Year	Last Year Taxable Value (less exemptions)	Current Year Taxable Value (less exemptions)
NAC COUNTY - HS Ceiling Freeze	OVER65	82,050	OVER65	86,250	0	128,190	145,010
CITY OF NAC	OVER65	62,050	OVER65	66,250	0	148,190	165,010
NAC ISD I&S - HS Ceiling Freeze	OVER65	87,050	OVER65	91,250	0	123,190	140,010
NAC ISD M&O - HS Ceiling Freeze	OVER65	87,050	OVER65	91,250	0	123,190	140,010

The Texas Legislature does not set the amount of your local taxes. Your property tax burden is decided by your locally elected officials, and all inquiries concerning your taxes should be directed to those officials.

If you qualified your home for an age 65 or older or disabled person homestead exemption for school taxes, the school taxes on that property cannot increase as long as you own and live in that home. The tax ceiling is the amount you pay in that year that you qualified for the age 65 or older or disabled person exemption. The school taxes on your home may not go above the amount of the ceiling, unless you improve the home (other than normal repairs or maintenance).

Enclosed are copies of the following documents published by the Texas Comptroller of Public Accounts: (1) Property Taxpayer Remedies; and (2) notice of protest. The Appraisal Review Board will begin hearing protests on 6/7/2022 9:00:00AM. To file a protest, complete the notice of protest form by following the instructions included on the form and, no later than 06/10/2022, mail or deliver the form to the appraisal review board at the following address: 216 W HOSPITAL ST, NACOGDOCHES, TX 75961.

Property owners who file a notice of protest with the appraisal review board (ARB) may request an informal conference with the appraisal district to attempt to resolve a dispute prior to a formal ARB hearing. In counties with populations of 1 million or more, property owners may request an ARB special panel for certain property protests. Contact your appraisal district for further information.

Sincerely,
Chief Appraiser - Nacogdoches Central Appraisal District

If you currently receive a residence homestead exemption, the exemption amounts shown on this notice are those provided by law as of the date of this notice. If Texas voters approve the proposed constitutional amendment to increase the general residence homestead exemption for school taxes from \$25,000 to \$40,000, your exemption amount will automatically increase, and school districts will compute your taxes using the greater exemption amount.

Cynthia Pettit German

3308 Colonial Dr.

Nacogdoches, TX 75965

I am writing in regards to the June 13, 2022 Planning & Zoning meeting. I will be in Washington State, have a two hour time difference, and where I am staying internet is unavailable.

I am definately in favor of revoking the Plant Shed's license to do business until they correct the problem. I don't even know what the purpose of the meeting. The Plant Shed owner's engineer's were allowed to open with certain conditions. An approved engineer plan and design was supposed to be submitted before they opened in November of 2020. These conditions have not been met. The Plant Shed is in clear violation and has been.

I would like to know who approved and signed off on what they have done? I have had a four inch PVC pipe pointed directly at my yard since May 10, 2021 that is causing flooding my yard and home as well as Katheryn Cox's home at 3304 Colonial Dr. I sent pictures and a video on 5-10-2021 of the water shooting out of the pipe showing the water's path to Steve, and he told me there were no pipes on site plan. Another sign that no one from the City was following through with checking for an acceptable plan presented by an engineer. The pipe is still there, funnelling massive amounts of water into my yard with each rain. Since the Plant Shed went in, it has been a constant ongoing battle.

On 4-13-2022, we flooded again so I called Alaina again to inquire what The Plant Shed had done to correct the problem. She apologized and told me the city had "dropped the ball", and that no one had been there to check. She told me she was going to meet with Steve. On 4-21-2022 Steve came to my home to look again. He also apologized on behalf of himself and the city. He told me he had talked to Alaina, and the city would be sending a letter to Plant Shed that would give them fifteen days to come up with an inspection letter ASAP. After Alaina, Steve, the City Manager and City Attorney met, I was told the zoning meeting has to happen first. We shouldn't have to start over. It's been over a year and a half so far.

The following is a list of dates where I contacted Steve or Alaina. I can provide texts, pictures and videos if needed.

5-20-21 I forwarded video of flooding as well as pipe pointing at me. Part of Steve's response was "the site has changed since it was first occupied. We will be working with them to get it back to approved condition". When I asked about a time frame, he stated he wasn't sure but that it needed immediate attention.

6-1-21 I texted Steve again asking about Plant Shed's pipe pointing at us.

6-3-21 I received a message from Steve stating that Alaina and Case Opperman were going to meet with Charles about the excursions from the approved plan. He also stated they have an evaluation and remediation plan.

6-29-21 Steve sent me an update that Plant Shed received their engineering report and would be forwarding to the city to review.

8-18-21 Reached out to Steve again and he referred me to Alaina. I called her office and left multiple messages with no response.

The city has been well aware of the problem and have done nothing to enforce the decisions they made.

My parents bought this home in 2002, and it had runoff issues on the north side of backyard. My dad paid over \$10,000 to install a retaining wall and catch basins. My basins were working until we flooded, and they filled up with sand. My retaining wall is leaning, and I need to replace it but it's a \$13,000.00 investment I don't want to make until the issues are addressed with the Plant Shed. Since they have gone into business, and have paved and/or covered so much square footage, I have spent close to \$3000.00 on rocks, grass, topsoil, and labor.

On 5-24-22, I went to CAD office to protest my property tax increase. I showed Paul the pictures and he told me it will be reduced, and I'm still suffering the effects of erosion and flooding, and the consequences of nothing being done to correct the situation. I also found out the Plant Shed bought .81 acre which measures out at 35,283.6 square feet. It now is well covered over half of the property. Another violation? I forwarded the information to Alaina and Kathleen Balenger. Any help with this matter is greatly appreciated.

Please circle one:

☒ In favor of request

☐ Opposed to request

Comments:

I will be out of state but have provided my neighbor + Kathleen Balanger a copy of my letter and concerns. Please let me know before

Please on 6th

Signature:

Cathy German

Printed Name:

Cynthia Pettit GERMAN

Street Address:

3308 Colonial Dr.

City, State and Zip Code:

Nacogdoches, TX 75965

Phone Number:

360-941-0869

Email Address:

cp9german2000@yahoo.com

Physical Address of Property within 200 Feet:

3123 Appleby Sand Rd

City of Nacogdoches

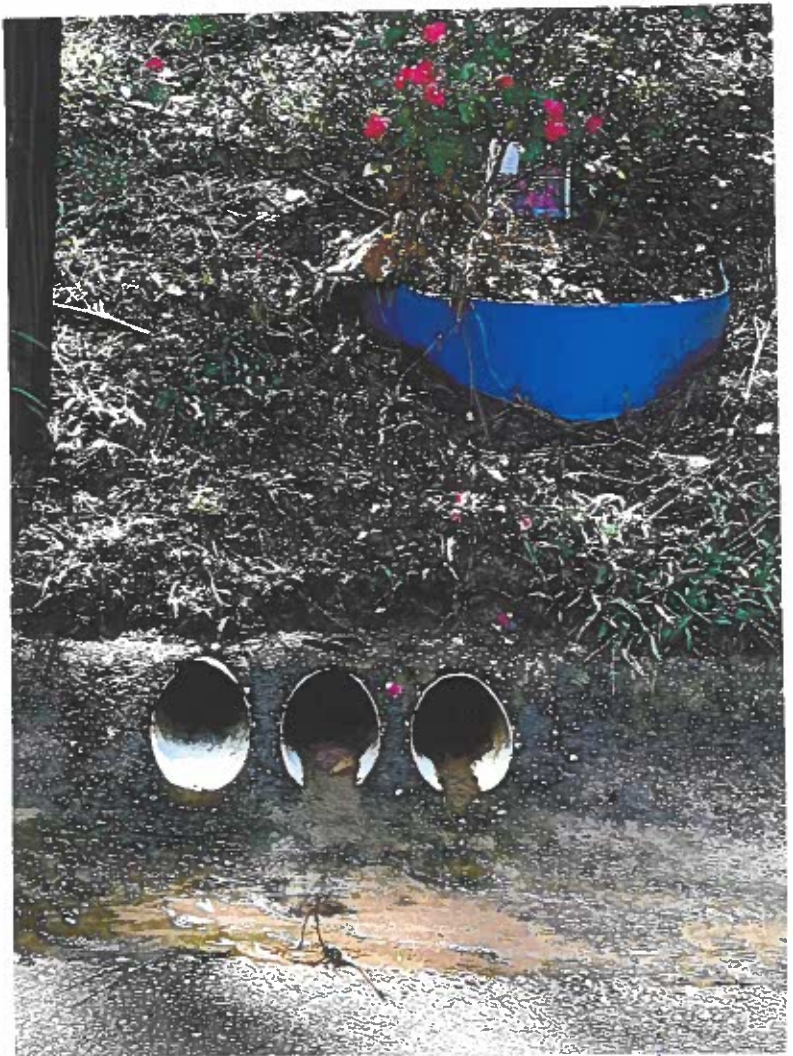
202 E. Pilar – PO Drawer 635030 – Nacogdoches, TX 75963

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

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



TAKEN FROM MY FENCE



3 CATCH BASINS FILLED WITH SAND - HAVE TO REPLACE



RETAINING WALL IS COMING DOWN DUE TO RUN OFF
HAVE A \$13,500.00 BID TO REPLACE



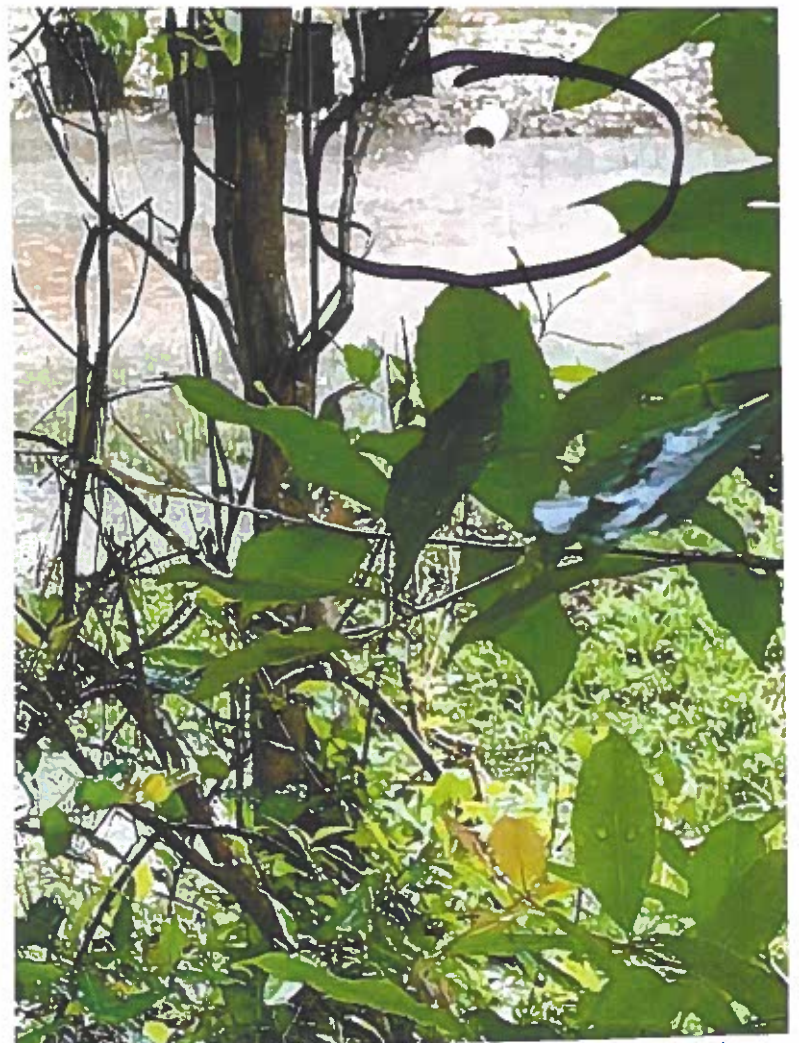
WATER COMES OVER AND UNDER RETAINING WALL



RUN OFF



RUN OFF between 3304 + 3308
Colonial Dr.



TAKEN FROM MY back yard
fence. PIPE POINTED AT US.



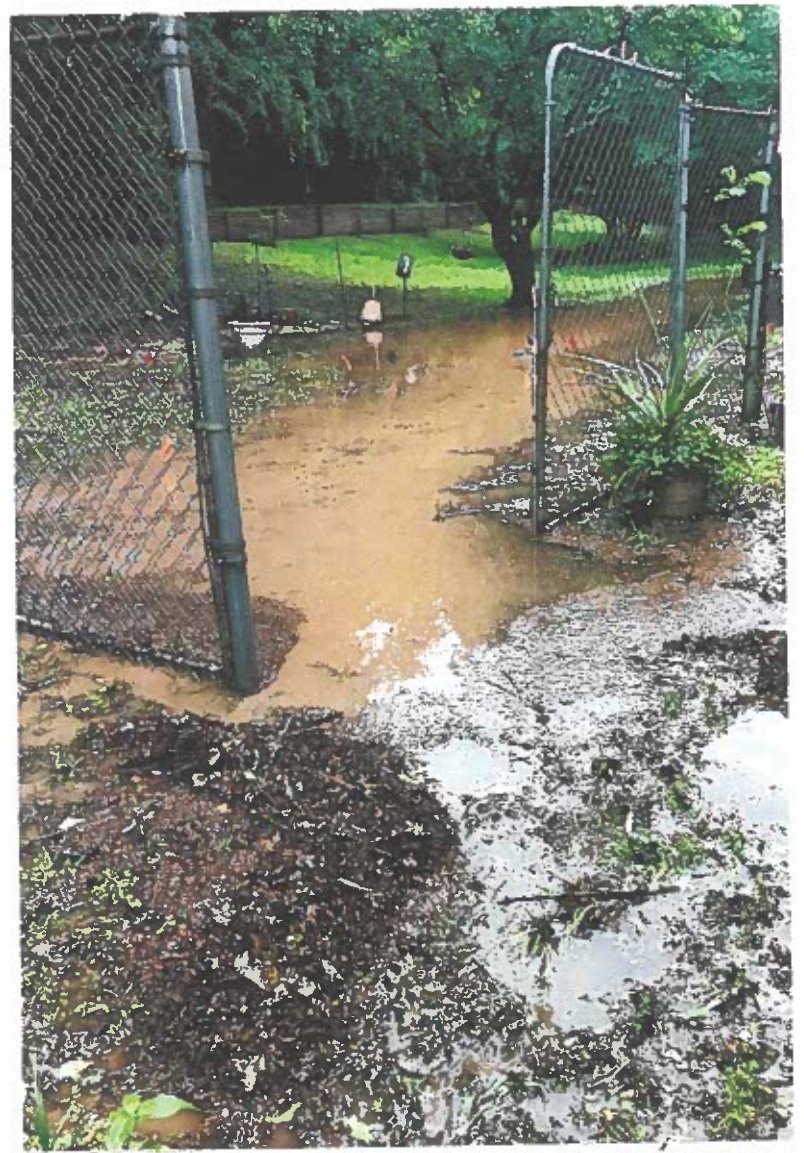
12/30/21 - PLANT SHED HAD BEEN
OPENED SINCE NOV 2020



NOTE AMOUNT OF SAND ON driveway
WE NEVER HAD A PROBLEM
WITH STANDING WATER



BACK PORCH FLOODING
4-13-2022



RUNOFF FILLED CATCH BASIN
LAST YEAR



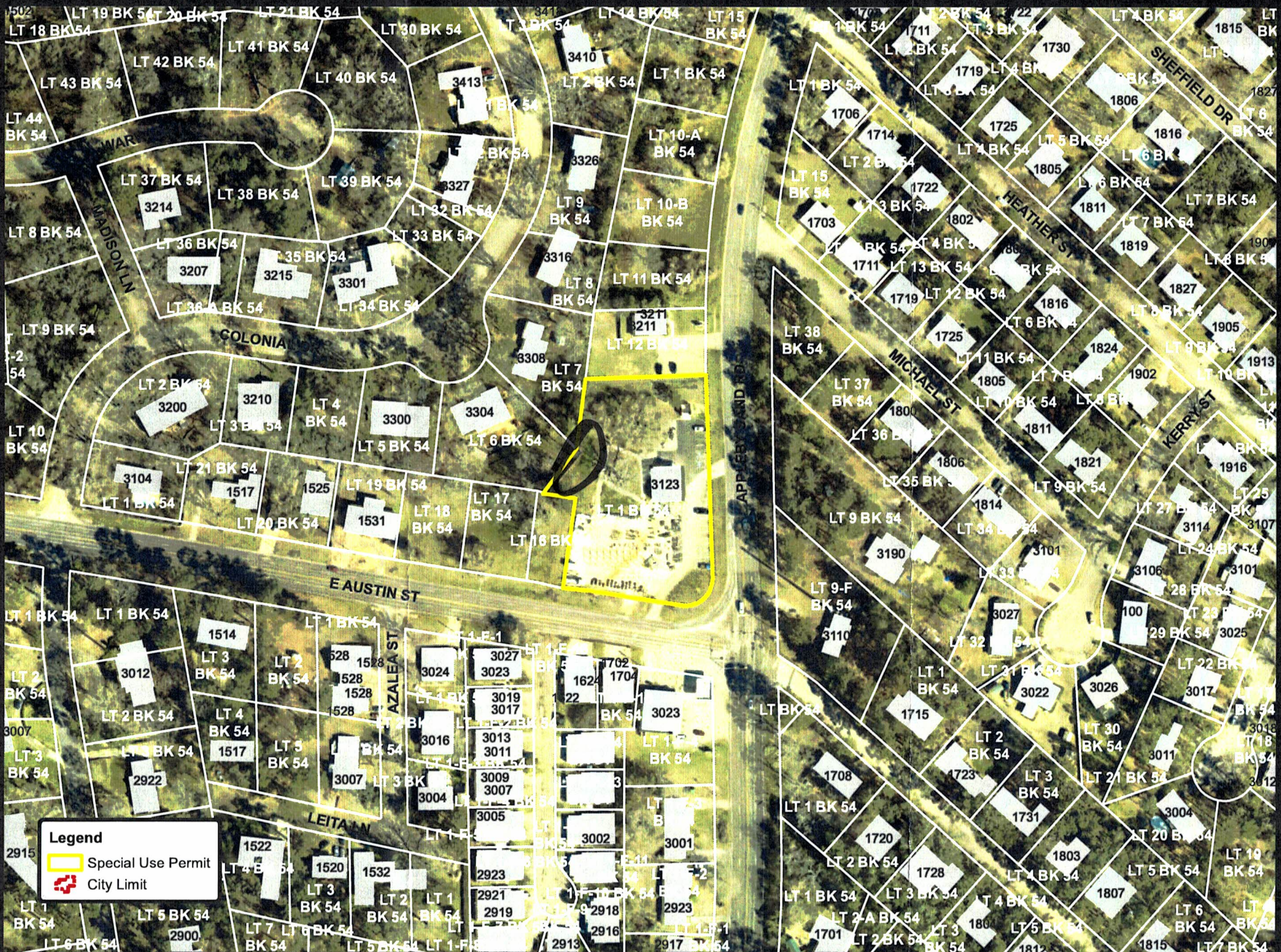
4/14/2022



4/14/22



SUP 2020-03



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: May 25, 2022 Software: ArcGIS 10.8.1



Response Form

Project Number: SUP2020-03: The Plant Shed
3123 Appleby Sand Rd.

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:**

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Nacogdoches, TX 75963

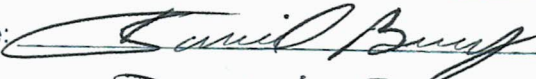
You may also email a copy to Rhonda Lewis, lewisr@nactx.us



Project Number: SUP2020-03: The Plant Shed

Please circle one: ☐ In favor of request ☒ Opposed to request

Comments:

Signature: 

Printed Name: Daniel Bency

Street Address: 3016 AZALEA

City, State and Zip Code: Nacogdoches

Phone Number: 936-560-1592

Email Address: crwoods.rider@hotmail.com

Physical Address of Property within 200 Feet: yes

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

JUNE 8, 2022

PLANNING AND ZONING
CITY COUNCIL

DEAR SIRS:

IN REFERENCE TO THE PUBLIC HEARING
CONCERNING THE PLANT SHED WE, AS NEARBY
RESIDENTS, HAVE NO ISSUE WITH THE BUSI-
NESS LOCATION OR OPERATION.

THE PREMISES ARE KEPT NEAT AND TIDY
AND THE COLORFUL PLANTS ARE CERTAINLY MORE
APPEALING THAN THE GAS PUMPS ON THE OPPOSITE
LOT.

I'VE NOT OBSERVED THAT TRAFFIC FLOW
HAS BEEN IMPACTED IN ANY WAY. WE CAN
NOT FATHOM WHY THIS IS AN ISSUE.

DUE TO COVID VARIANTS WE CHOOSE NOT
TO ATTEND THIS HEARING; AUDIOWING GROUPS
IS CONSIDERABLE.



SINCERELY,
ROBERT & CHERYL VERNER
1715 E. AUSTIN
NAROG DOCKS, TEXAS
936-564-3680

Nacogdoches

the oldest town in Texas

Response Form

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3123 Appleby Sand Rd.

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Nacogdoches, TX 75963

You may also email a copy to Rhonda Lewis, lewisr@nactx.us

Project Number: SUP2020-03: The Plant Shed

Please circle one:

☐ In favor of request

☒ Opposed to request

Comments:

This request is ridiculous!

Signature:

David Yates

Printed Name:

DAVID YATES

Street Address:

203 Hughes St.

City, State and Zip Code:

Nacogdoches TX 75961

Phone Number:

936-554-2194

Email Address:

davidbyates50@hotmail.com

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



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Attn: Rhonda Lewis
PO Drawer 635030
Nacogdoches, TX 75963

You may also email a copy to Rhonda Lewis, lewisr@nactx.us

Project Number: SUP2020-03: The Plant Shed

Please circle one: ☐ In favor of request ☒ Opposed to request

Comments: The Plant Shed is an asset to our community! I have heard nothing but positive things about this business!

Signature: Kaki Blake Nelson

Printed Name: Kaki Blake Nelson

Street Address: 4003 Redwood Drive

City, State and Zip Code: Nacogdoches, Tx. 75965

Phone Number: 936-552-6802

Email Address: Kakinel@gmail.com

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

Nacogdoches

the oldest town in Texas

Response Form

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You may also email a copy to Rhonda Lewis, lewisr@nactx.us

Project Number: SUP2020-03: The Plant Shed

Please circle one: ☐ In favor of request ☒ Opposed to request

Comments:

The Plant Shed is a wonderful addition to Nacogdoches in so many ways. Surely they

Signature:

Printed Name:

Street Address:

City, State and Zip Code:

Phone Number:

Email Address:

Physical Address of Property within 200 Feet:

I am sure that every citizen has done everything possible to please the city and address the issue. What a shame it would be to lose this business because an agreement cannot be reached.

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

Project Number: SUP2020-03: The Plant Shed
3123 Appleby Sand Rd.

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: Rhonda Lewis
PO Drawer 635030
Nacogdoches, TX 75963

You may also email a copy to Rhonda Lewis, lewisr@nactx.us

Project Number: SUP2020-03: The Plant Shed

Please circle one:

☐ In favor of request

☒ Opposed to request

Comments:

Signature: Nancy A. Smith

Printed Name: Nancy A. Smith

Street Address: 103 CR 920

City, State and Zip Code: Nac 75964

Phone Number: 936-288-1718

Email Address: mandn4him@gmail.com

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. 1917-07-22

AN ORDINANCE OF THE CITY OF NACOGDOCHES, TEXAS, GRANTING AN AMENDMENT TO A SPECIFIC USE PERMIT FOR AN GARDEN SHOP AND PLANT SALES – DISPLAY OR GREENHOUSE LOCATED WITHIN THE B-1, LOCAL BUSINESS ZONING DISTRICT, BEING LOT 1, BLOCK 1, OF THE PLANT SHED SUBDIVISION, LOCATED AT 3123 APPLEBY SAND ROAD 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, the City Planner, filed an application to amend a Specific Use Permit for a Garden Shop & Plant Sales - Display or Greenhouse facility on property that is currently zoned as Local Business (B-1); located at 3123 Appleby Sand Road, said tract being legally described as Lot 1, Block 1, of The Plant Shed Subdivision (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 City Planner, has presented an application to the City for the granting an amendment to a Specific Use Permit to use said Property for the purpose of a Garden Shop & Plant Sales - Display or Greenhouse facility (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 amendment to 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 amendment for the Specific Use Permit allowing for the construction, operation and maintenance of an Garden Shop & Plant Sales - Display or Greenhouse facility.

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 a Garden Shop & Plant Sales - Display or Greenhouse facility at the above described location, as outlined in “**Exhibit B**”, with the following conditions:

1. The proposed drainage improvements are completed within six (6) months of approval of this ordinance.

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 _____, 2022, 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:

JAN VINSON, City Secretary

APPROVED AS TO FORM:

STEVEN KIRKLAND, City Attorney

APPROVED AS TO CONTENT:

ALAINA HELTON, City Planner

Exhibit A



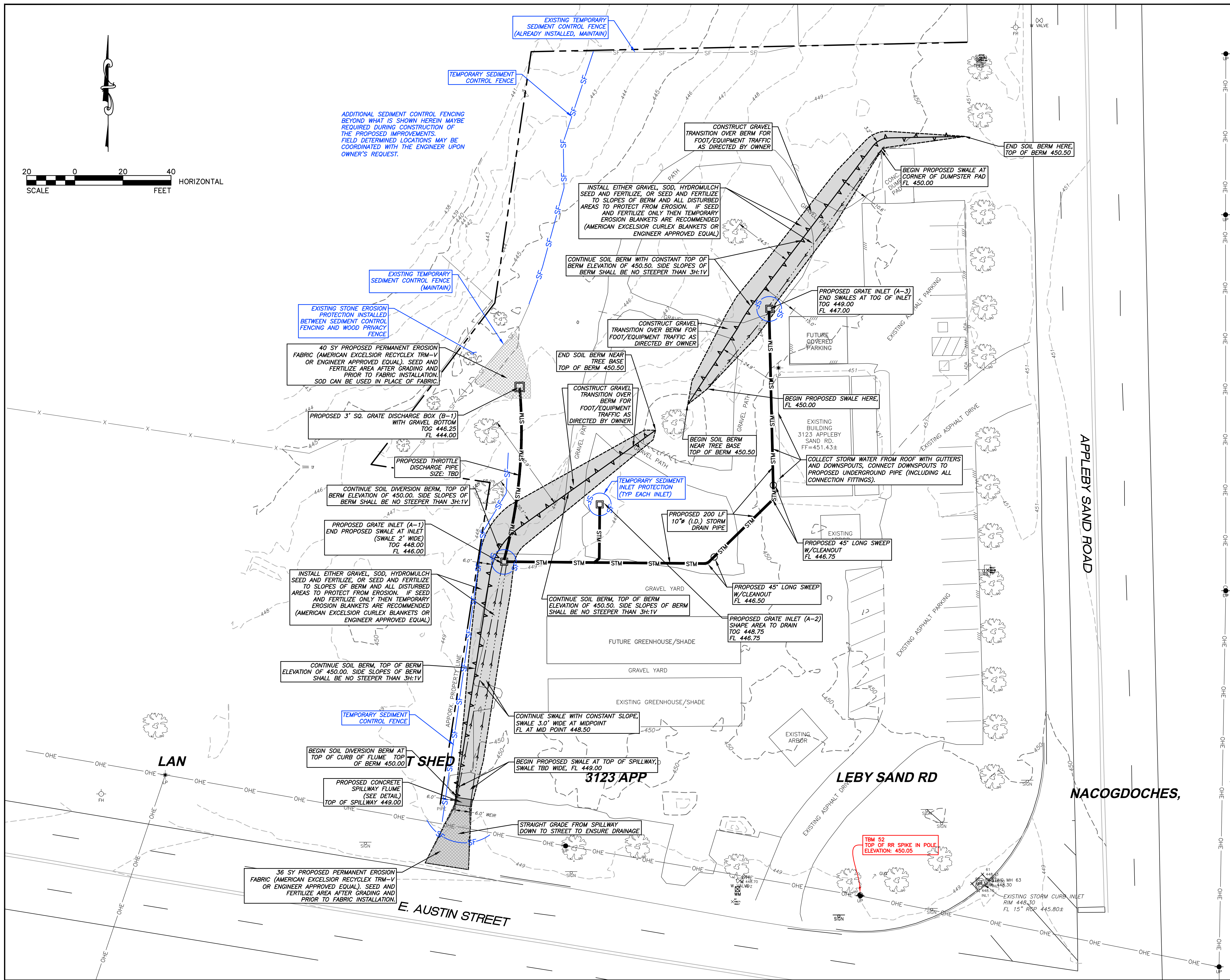
Notice: This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



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Date Created: May 25, 2022 Software: ArcGIS 10.8.1

Exhibit B



General Notes

1. EXISTING UTILITY LOCATIONS AND/OR MATERIALS SHOWN ON THE PLANS ARE APPROXIMATE. THE CONTRACTOR IS HEREBY NOTIFIED THAT ALL EXISTING UTILITIES, WHETHER BURIED OR OVERHEAD, MAY OR MAY NOT BE SHOWN AND THAT THE CONTRACTOR IS RESPONSIBLE FOR LOCATING AND PROTECTING ALL UTILITIES WITHIN THE PROJECT AREA. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR REPAIRING AND/OR REPLACING ANY AND ALL UTILITIES DAMAGED BY THE CONTRACTOR'S OPERATIONS AND THE COST(S) FOR WHICH SHALL BE BORNE BY THE CONTRACTOR.
2. THE CONTRACTOR IS HEREBY NOTIFIED THAT DANGEROUS UTILITIES MAY EXIST IN THE PROJECT AREA. THESE MAY INCLUDE BUT ARE NOT LIMITED TO: OVERHEAD OR UNDERGROUND ELECTRIC LINES, TELEPHONE LINES, FIBER-OPTIC LINES, AND GAS LINES.
3. THE CONTRACTOR SHALL NOTIFY THE CITY ENGINEERING DEPT. FOR INSPECTION PRIOR TO COVERING UNDERGROUND IMPROVEMENTS, BEFORE POURING BUILDING SLABS, OR MAKING ANY UTILITY TAPS OR CURB CUTS.
4. THIS IS NOT A BOUNDARY SURVEY.
5. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING TEMPORARY EROSION CONTROL (SILT OR SEDIMENT CONTROL FENCING) ON ALL DOWNHILL SLOPE AREAS OF THIS SITE AND WHERE SHOWN ON PLAN. THESE CONTROLS SHALL BE MAINTAINED AND REMAIN IN PLACE UNTIL PERMANENT GROUND COVER IS ESTABLISHED.

1	ISSUED FOR OWNER REVIEW	07/06/22
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No.	Revision/Issue	Date
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Engineer Seal:

PRELIMINARY
FOR REVIEW

THIS DOCUMENT IS RELEASED FOR THE PURPOSES OF INTERIM REVIEW UNDER THE AUTHORITY OF MICHAEL P. DELANEY, P.E. 120455 ON 7/6/2022. IT IS NOT TO BE USED FOR BIDDING, PERMIT OR CONSTRUCTION PURPOSES.

TEXAS

Scale:	Issue Date:
SEE PLAN	07/06/2022

Drawn By:	Checked By:
CMS	MPD

File:	Drawing No.
21102_200.dwg	C

THIS DRAWING AND OTHER RELATED DOCUMENTS, INCLUDING DOCUMENTS ON ELECTRONIC MEDIA, WERE PREPARED BY TWO FIFTEEN CONSULTING AND SHALL REMAIN THE PROPERTY OF TWO FIFTEEN CONSULTING. ALL INFORMATION SHALL BE USED ONLY FOR DESIGNING, CONSTRUCTING, OR INSTALLING THE WORK SHOWN AT THE SITE OF THE WORK SPECIFIED HEREON. ANY OTHER USE OF THIS DRAWING, INCLUDING WITHOUT LIMITATION, ANY REPRODUCTION OR ALTERATION IS STRICTLY PROHIBITED, AND TWO FIFTEEN CONSULTING SHALL BE INDemnIFIED FROM LIABILITY ARISING FROM THE CONSTRUCTION, USE, OR RESULT OF SUCH UNAUTHORIZED USE OR CHANGES.

PRESENTER: Alaina Helton, City Planner

ITEM/SUBJECT: Public Hearing: Consider a request for a Zone Change from I-2, Heavy Industrial to R-4, Multifamily for approximately 3 acres, being a portion of Lot 5 of the OTR Place Subdivision, generally located on the west side of Old Tyler Road, approximately 850 feet north of Powers Street. This request has been made by Universal Construction & Remodeling, LLC. Case Number ZON2022-07. (City Planner)

SUMMARY/BACKGROUND: The request is for a zone change from I-2, Heavy Industrial to R-4, Multifamily for approximately 3 acres of the northern portion of Lot 5, of the OTR Place Subdivision. The majority of the 7-acre tract is already zoned R-4, and the applicant has stated that they would like to have a consistent zoning across the entire tract for a future residential development. The R-4, Multifamily Dwelling District is intended for higher density residential areas which may contain a mixture of single-family, two-family, and multiple-family dwellings.

Adjacent Land Use & Zoning

The subject property is zoned I-2, Heavy Industrial and is currently undeveloped. The surrounding zoning and land uses are as follows:

Direction	Comprehensive Plan	Zoning	Land Use
North	Single Family Residential & Rural Development	I-2, Heavy Industrial	Undeveloped
South	Single Family Residential	R-4, Multifamily	Single Family & Undeveloped
East (Across Old Tyler Rd.)	Rural Development	I-2, Heavy Industrial & Historic Overlay (HO)	Vacant & Residential
West	Single Family Residential	R-4, Multifamily	Undeveloped

This area is primarily zoned R-4, Multifamily, with I-2, Heavy Industrial located to the north and the east across Old Tyler Road., The majority of the adjacent properties are undeveloped or sparsely populated. The property to the north and west is part of a 30-acre conservation and preservation lot that is to be maintained in its natural state. Property to the east across Old Tyler Road is zoned I-2 and is developed with a few single family residences. This property also has a Historic Overlay (HO) due to it being the previous location of the old Municipal Water Works Plant and a historic sawmill. Property to the west and south is zoned R-4 and includes a single family residence and an undeveloped tract.

REVIEW CRITERIA: Per Section 118.139 of the Nacogdoches Zoning Ordinance, the

following conditions shall be considered when reviewing an application for zoning change:

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

The majority of the subject property, as well property to the south and west, is also zoned R-4 Multifamily. Property to the north and west includes a 30-acre conservation and preservation lot that serves as a natural buffer for the existing single family residences that front N. Sanders Street farther to the west. Additionally, the residential land uses permitted under the proposed R-4, Multifamily designation are more compatible with the adjacent properties than those intense commercial, manufacturing and mining land uses permitted under the current I-2, Heavy Industrial district.

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

As stated, property to the north and west is part of a 30-acre conservation lot that is intended to be maintained in its natural state. Property to the north is also significantly encumbered by a tributary of Banita Creek and FEMA regulated floodplain, rendering it undevelopable. The property is bound by Old Tyler Road to the east, and property to the south has direct access to Old Tyler Road. The rezoning would not impede the orderly growth of adjacent properties.

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

The subject property has approximately 1,000 feet of frontage along Old Tyler Road. The property has access to public utilities, with an 8-inch water main and 6-inch sewer main located along Old Tyler Road.

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;

Future development will meet all current driveway and parking requirements.

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

As stated, property to the south and west are zoned R-4, including a 30-acre conservation and preservation lot. Additionally, the I-2, Heavy Industrial zoning designation is the City's most intense zoning district and permits several intense commercial, manufacturing and mining land uses. The potential negative effects of these uses on adjacent properties include nuisances related to smoke and particulate matter, odorous matter, fire or explosive materials, toxic and noxious matter, vibration, open storage, glare and fuel supply in the vicinity of such sites. The residential uses permitted under the proposed R-4 district are more compatible with the adjacent properties, and all future development will comply with City regulations regarding the prevention of offensive odor, fumes, dust, noise and vibrations.

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

If the zone change request is approved, any new outdoor lighting would be subject to the City's current standards, which requires light fixtures to utilize a down lighting design, and prohibits fixtures that directly project light in all directions.

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

Single family and duplex construction is not subject to commercial district landscaping requirements. If the property is developed with multifamily apartments, then commercial district landscaping requirements will apply.

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

Future Land Use: The 2003 Future Land Use Plan (FLUP) Map designates the subject property as *Single Family Residential*. This designation is described as, “Conventional one-family detached dwellings (also includes duplexes).” While the FLUP identifies the property and surrounding area as Single Family Residential, the current zoning in the area is primarily high density residential and industrial and has been in place since the 1970's. Additionally, the FLUP Map was developed utilizing an inventory of existing land uses in 2002. This land use inventory was often used to confirm the desire for continuation of development trends at the time, but also to memorialize the existing land use patterns of an area.

The 2003 Comprehensive Plan also states that the FLUP Map “*is not a rigid, parcel-specific mandate for how land should be developed... and when proposed development differs somewhat from the generalized land use pattern depicted for an area, it is the responsibility of the P&Z Commission, supported by City staff, to determine whether the development will otherwise be in keeping with the goals and objectives of the City’s Comprehensive Plan, as well as the Land Use Policies included later in this chapter.*” For example, since the location and timing of apartment development is highly market-driven and difficult to reflect on the FLUP Map, a proposed multifamily development could receive a favorable review even if the potential site is not depicted as such on the general plan map.

Thoroughfare Plan: Old Tyler Road is a collector road that serves as direct access for the other residential uses in the area. The roadway is adequate to accommodate the nature and volume of traffic typically generated by the proposed zoning district.

Land Use Policies, Goals & Objectives: The request furthers the goals of the Comprehensive Plan by encouraging *Growth Inward*, which includes promoting long-term growth in appropriate areas to achieve an efficient, diverse and balanced pattern of land uses, including infill development where appropriate (utilities, compatibility, etc.). The request also furthers the goal of *Avoiding Undesirable Development Outcomes* by encouraging development that respects the natural environment and by coordinating future development to preserve and protect natural features. This request also furthers the Land Use Policies of the Comprehensive Plan, specifically:

- Compatibility with existing uses should be maintained. Well planned, mixed uses which are compatible are to be encouraged.
- Schools, parks and community facilities should be located close to or within residential neighborhoods.

NOTICES:

10 notices were mailed to property owners within the 200-foot notification area. As of the date of this report, Staff has not received any written responses in opposition or in favor of the zone change. This zoning application was also subject to the additional noticing practices that were approved by City Council in 2021. These include: a zoning sign located on the subject property; notices published on the City’s webpage and social media platforms; and, mailed courtesy notices to property owners within 500 feet of the subject property.

Neighborhood Input: This item was heard by the Planning & Zoning (P&Z) Commission on

August 8, 2022. During the public hearing, the Commission heard from two (2) property owners in the area. One property owner expressed concerns with increased traffic that might result from future residential development. City Staff explained that any future residential development of 50 or more dwelling units would require a traffic impact analysis to be completed by the developer, at which time it would be determined if any additional traffic improvements to the existing roadway were needed.

The other property owner wanted to know if there were any environmental issues associated with the property based on some of the historical industrial land uses previously located along Old Tyler Road. Staff has verified that this property has never been developed, however in the 1970's the property was utilized for dirt mining that served some of the past commercial and industrial businesses that previously operated on the east side of Old Tyler Road.

RECOMMENDATIONS

P&Z Commission Recommendation: The P&Z Commission considered this item on August 8, 2022 and voted unanimously (5-0) to approve the request.

Staff Recommendation: Based on the above findings, Staff recommends approval of a change of zoning for the subject property from I-2, Heavy Industrial to R-4, Multifamily.

FINANCIAL:

No financial impact associated with this item

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

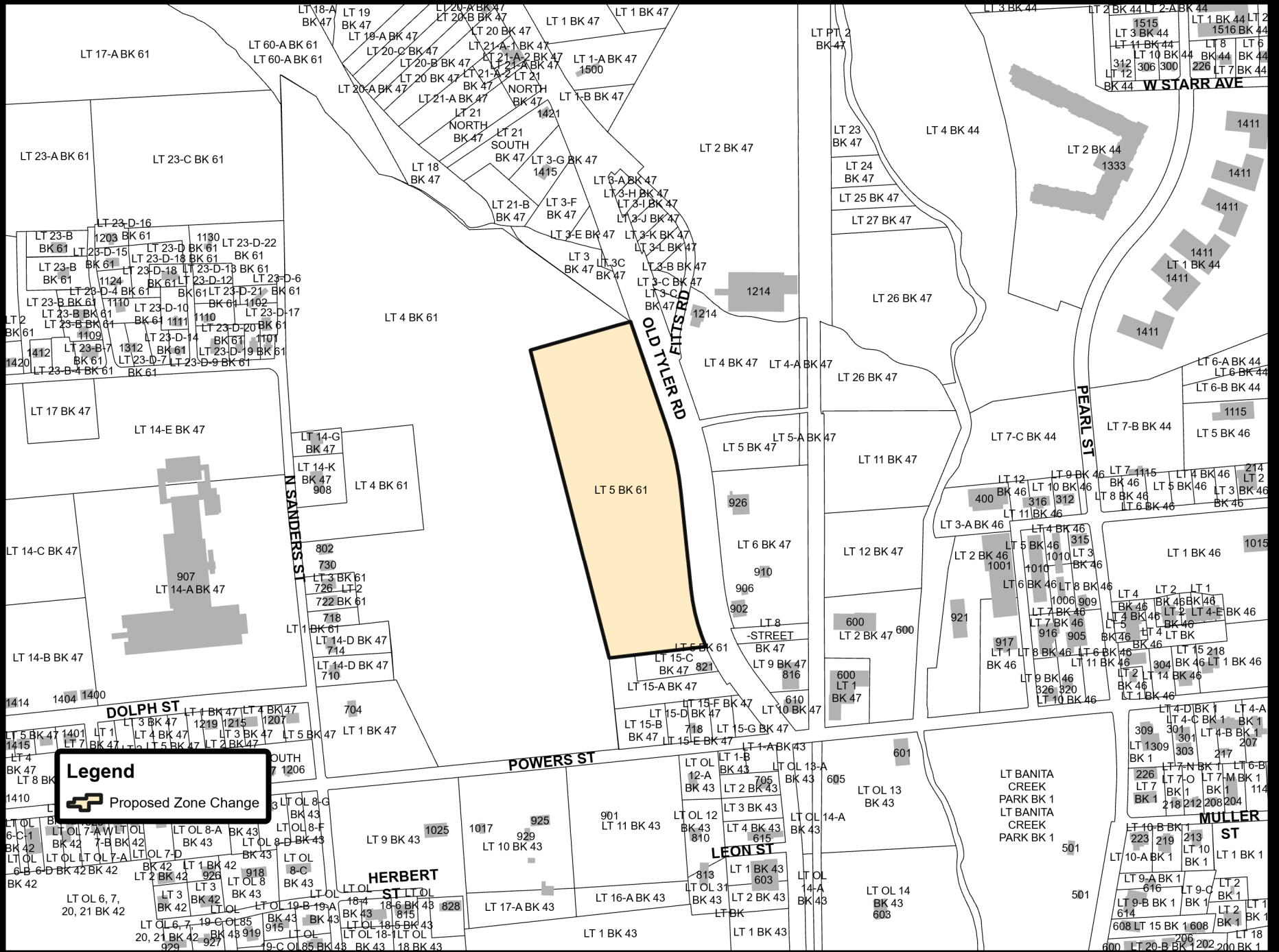
Neighborhood Revitalization and Attainable Housing

CITY CONTACT: Alaina Helton, AICP, City Planner
heltona@nactx.us
936-559-2572

ATTACHMENTS:

1. Location Map
2. Aerial, Floodplain, & Historic Overlay Map
3. Zoning Map
4. Future Land Use Plan Map
5. 200' Notification Map
6. Site Photos
7. Comprehensive Plan Amendment Letter
8. Ordinance

ZON 2022-07



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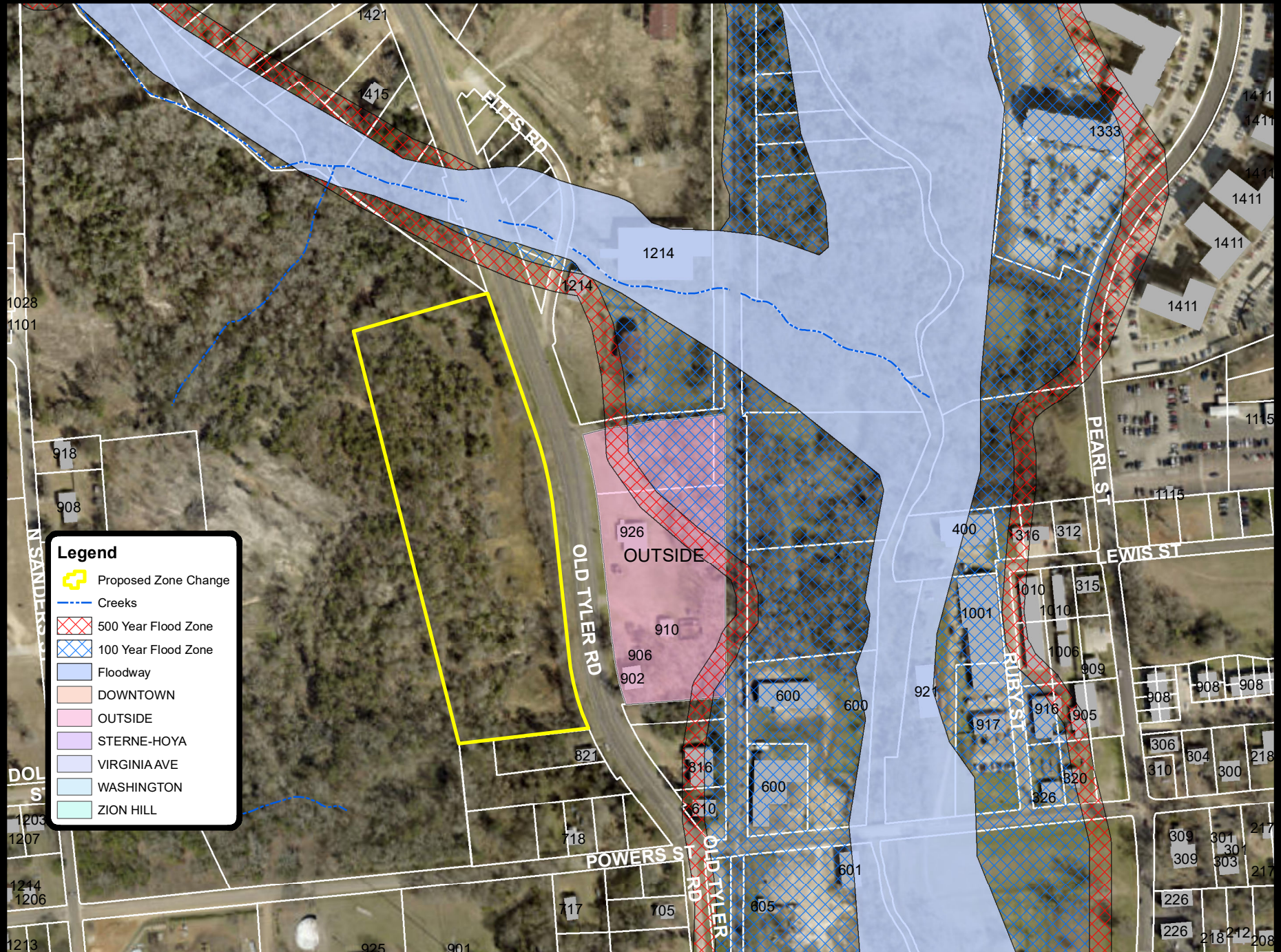


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Date Created: July 20, 2022 Software: ArcGIS Pro 2.9.3



ZON 2021-04



Legend

- Proposed Zone Change
- Creeks
- 500 Year Flood Zone
- 100 Year Flood Zone
- Floodway
- DOWNTOWN
- OUTSIDE
- STERNE-HOYA
- VIRGINIA AVE
- WASHINGTON
- ZION HILL

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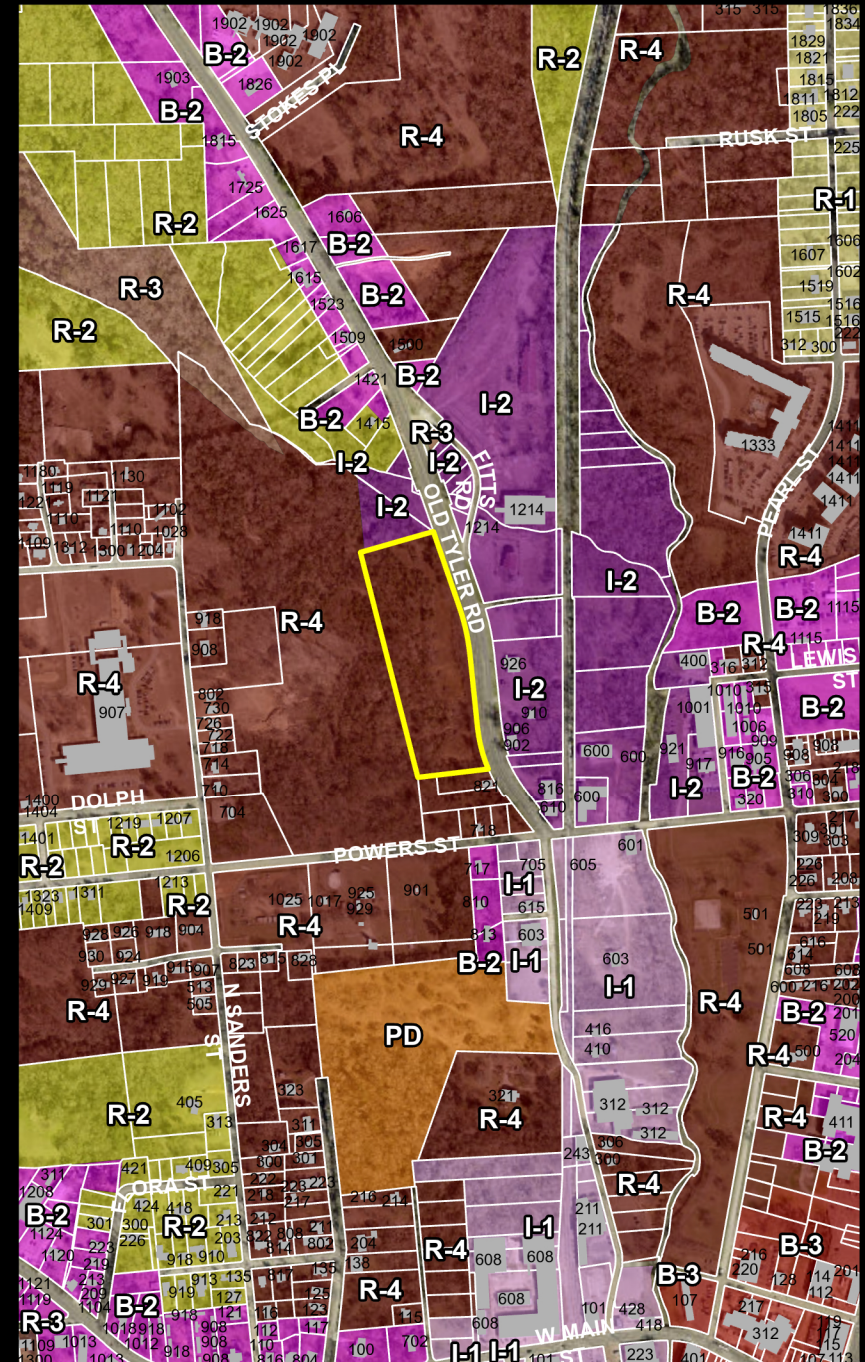
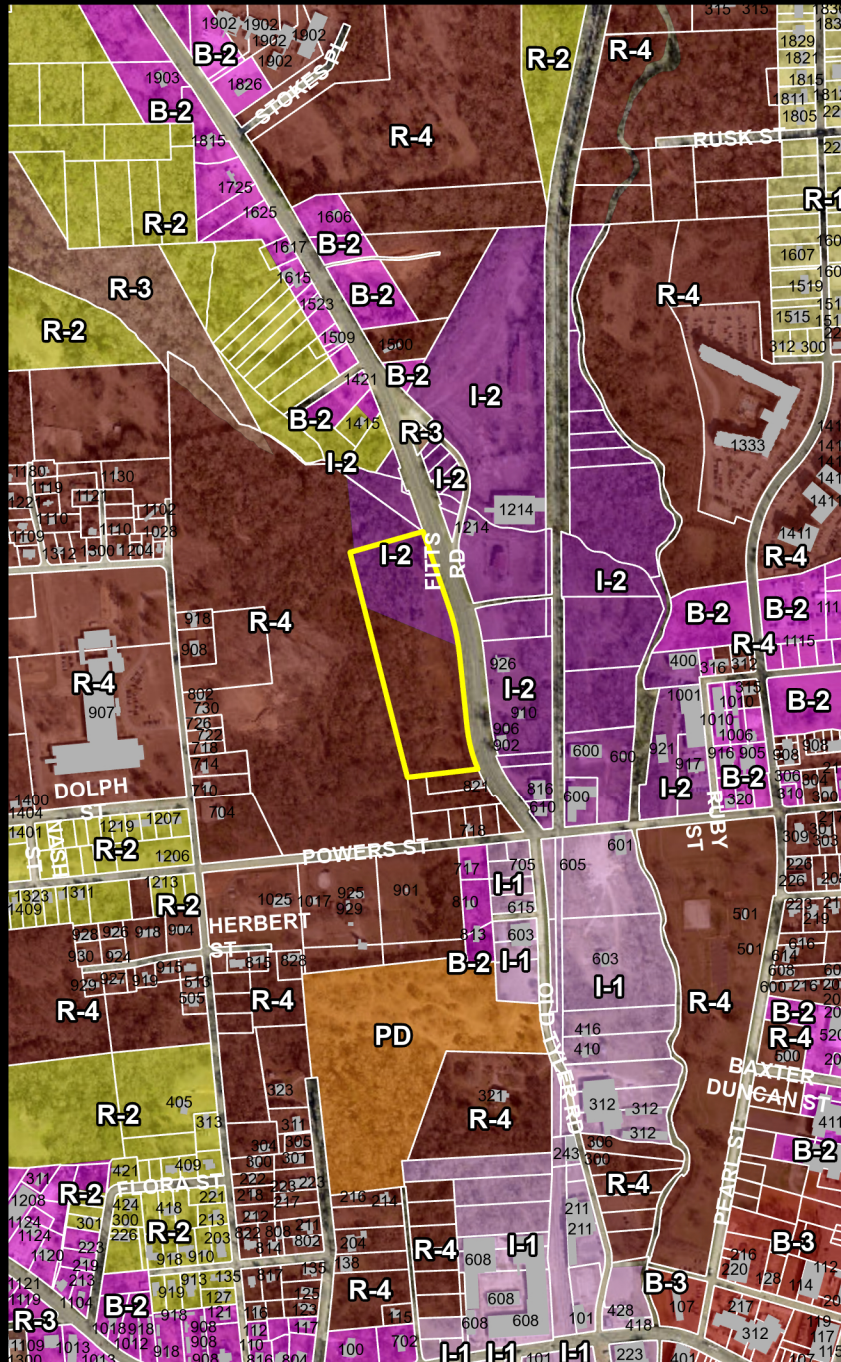
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Existing Zoning

ZON 2022-07

Proposed Zoning



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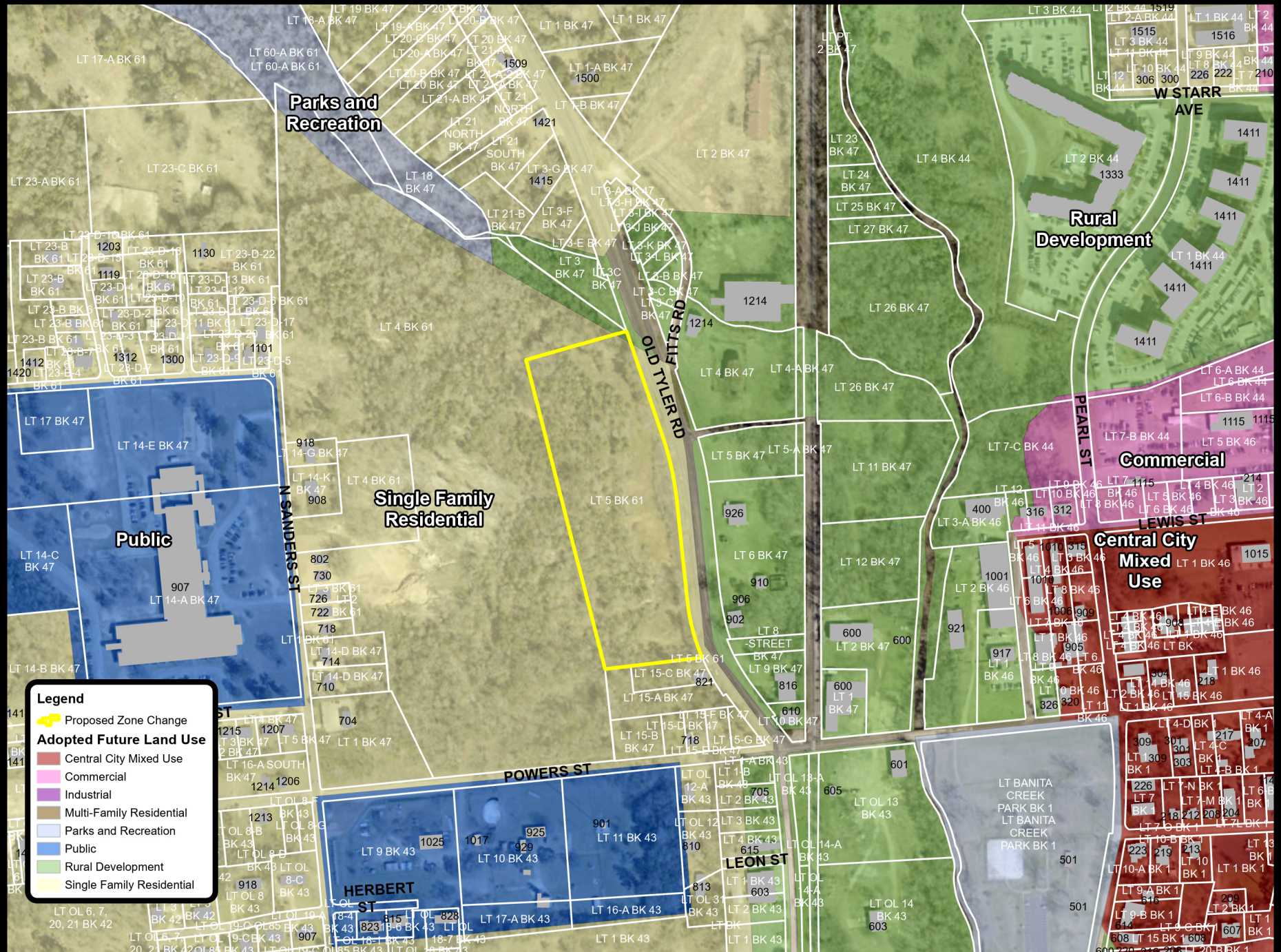


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ZON 2022-07



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Date Created: July 20, 2022 Software: ArcGIS Pro 2.9.3



ZON2022-07: Site Photos



Street view
from Old Tyler
Rd.





Street view looking
south along Old
Tyler Rd.

Street view looking
north along Old
Tyler Rd.



Vacant commercial
buildings across Old
Tyler Rd.

Residential
buildings across
Old Tyler Rd.



COMPREHENSIVE PLAN AMENDMENT LETTER

(Check all applicable)

☐ Related to Future Land Use

☐ Related to Transportation

☐ Related to Other _____

ZO Sec. 118-4. - Relationship to comprehensive plan and thoroughfare plan.

"If a zoning or rezoning request differs from what the comprehensive plan recommends for that area, the city planner will advise the applicant of this and will request the applicant to submit a written letter stating the reasons the comprehensive plan should be changed, if he wishes to proceed with the zoning request."

PROPERTY INFORMATION:

Address: 915 Old Tyler Road Total Acres: 7

Legal Description: Lot(s): _____ City Block: _____

Subdivision (If Platted): _____ Subdivision Block: _____

5 OTR Place Lot 4 Replat

APPLICANT / PROJECT MANAGER'S INFORMATION (Primary contact for the project):

Name(s): Universal Construction & Remodeling LLC

Phone Number: 936 652-5618 E-mail: universalremodeling2124@yahoo.com

Street Address P.O. Box 632305 City: Nacogdoches State: Tx Zip Code: 75963

Signature: [Signature]

PROPERTY OWNER'S INFORMATION:

Name(s): Same as applicant

Phone Number: _____ E-mail: _____

Street Address _____ City: _____ State: _____ Zip Code: _____

Signature: _____

DESCRIPTION OF REQUEST:

1. Present zoning classification: ☐ A ☐ R-1 ☐ R-2 ☐ R-3 ☐ R-4 ☐ M ☐ B-1 ☐ B-2
☐ B-3 ☐ I-1 ☒ I-2 ☐ PD

2. Proposed zoning of property: ☐ A ☐ R-1 ☐ R-2 ☐ R-3 ☒ R-4 ☐ M ☐ B-1 ☐ B-2
☐ B-3 ☐ I-1 ☐ I-2 ☐ PD

3. Present zoning classification of all abutting property:

North: I - 2

East: I - 2

South: R - 4

West: R - 4

4. Current Future Land Use Map classifications and proposed classifications of property:

☐ Rural Development ☒ Single Family Residential ☐ Multi-Family Residential
☐ Commercial ☐ Industrial ☐ Central City Mixed Use ☐ Public
☐ Parks & Recreation

5. Current Future Land Use Map classifications of all abutting property:

North: R - 1

East: R - 1

South: R - 1

West: R - 1

6. Current and proposed thoroughfare alignments:

Expressway: _____

Major Arterial: FM 1638 (old tyler Road)

Minor Arterial: Powers Street

Major Collector: _____

Minor Collector: _____

ANSWER ALL OF THE FOLLOWING:

1. What specific element of the Comprehensive Plan (for example, Future Land Use designation, Thoroughfare Plan, or thoroughfare alignment) and at what specific location (if applicable) is requested to be amended?
The current zoning is I-2 for a small portion of this tract and the owner would like to change that to R-4 which is large majority of this tract and surrounding tracts
2. What is the amendment request?
To make the whole tract R-4 instead of a small portion being I-2
3. Explain the reason for this amendment.
To make the tract uniform in the same zoning for the whole tract
4. Identify the conditions that have changed to warrant this change to the existing Comprehensive Plan.
Everything else around this tract is already zoned R-4 and trying to make this whole tract the same and uniform
5. Explain why the existing element of the Comprehensive Plan in question is no longer appropriate.
Because nothing around this tract is zoned R-1 like the comprehensive plan says
6. How does the requested amendment further the goals and objectives of the Comprehensive Plan?
It should tie this whole area together and have the same zoning for all tracts in this area
7. What other information are you providing to support the proposed amendment (for example, transportation impact study)?
N/A

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true, correct, and complete.

Signature and title: Guadalupe Salinas
7/18/2022 10:24:57 PM GMT

Date: 07/18/2022

ORDINANCE NO. 1925-08-22

AN ORDINANCE OF THE CITY OF NACOGDOCHES, TEXAS, AMENDING THE BOUNDARIES OF A ZONING DISTRICT WITHIN THE CITY OF NACOGDOCHES FROM I-2, HEAVY INDUSTRIAL TO R-4, MULTI-FAMILY FOR LOT 5, OF THE OTR PLACE SUBDIVISION, BEING APPROXIMATELY 3 ACRES, LOCATED IN NACOGDOCHES, TEXAS; CONTAINING FINDINGS; PROVIDING A REPEAL CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the property described above and depicted in “**Exhibit A**” is currently zoned I-2, Heavy Industrial; and

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

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

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

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

SECTION I

Findings.

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

SECTION II

Approval of Zoning Change

Pursuant to the requirements of Chapter 118 of the Code of Ordinances of the City of Nacogdoches, Texas, a change in Zoning Classification from I-2, Heavy Industrial to R-4, Multi-Family is hereby approved by the City Council.

SECTION III

Repeal

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

SECTION IV

Effective Date

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

SECTION V

Severability

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

SECTION VI

Proper Notice and Open Meetings

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

SECTION VII

Filing

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

PASSED AND APPROVED, this the ____ day of _____, 2022, 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:

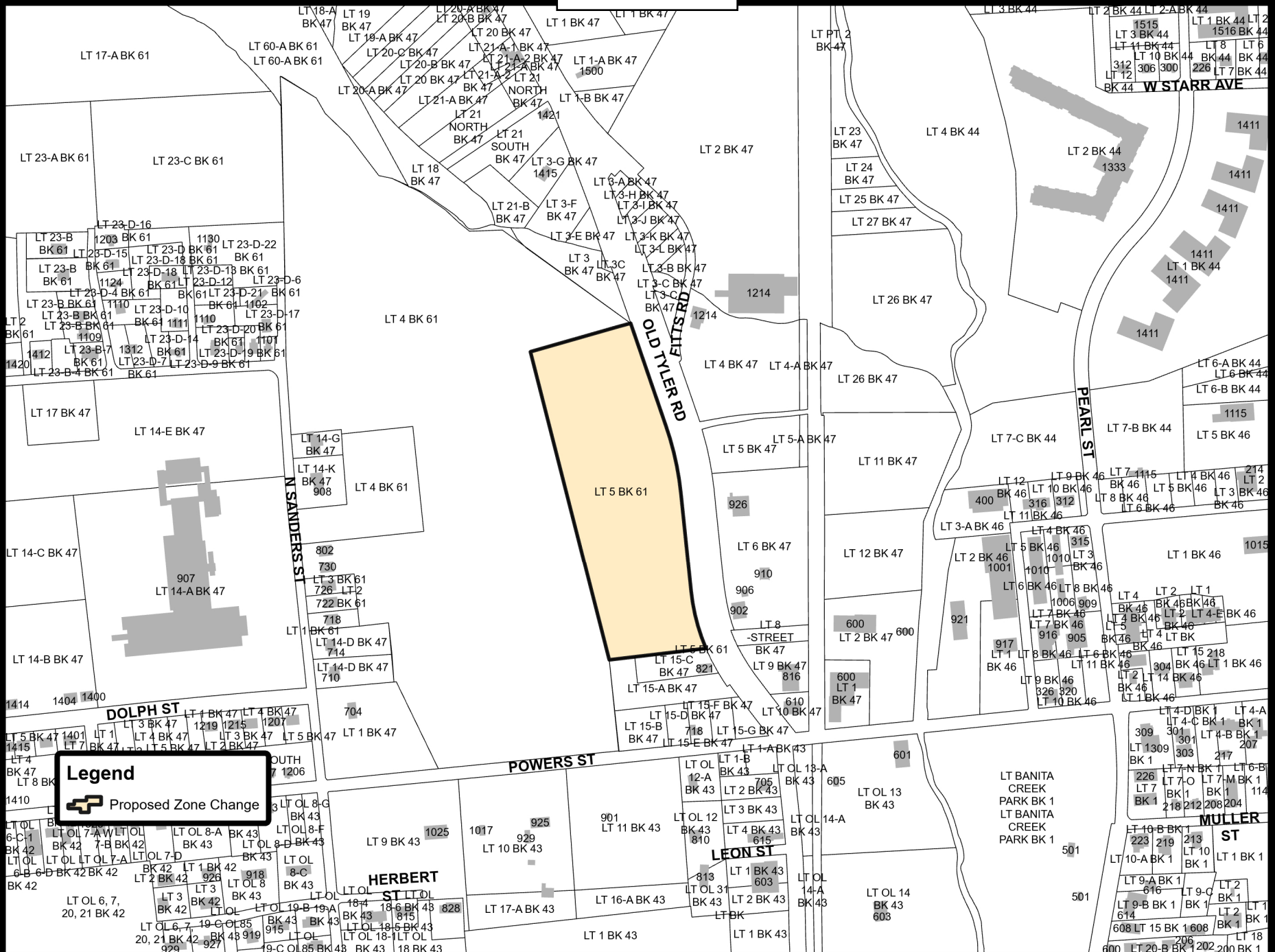
JAN VINSON, City Secretary

STEVEN KIRKLAND, City Attorney

APPROVED AS TO CONTENT:

ALAINA HELTON, City Planner

Exhibit A



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Date Created: July 20, 2022 Software: ArcGIS Pro 2.9.3





City Council Meeting

Date: August 16, 2022

Agenda Item: 6.C.

PRESENTER: Jessica Sowell, Community Services Asst Director

ITEM/SUBJECT: Consider approval of a Main Street Beautification Grant as proposed by the Main Street Advisory Board and Main Street Manager. (Community Services Assistant Director)

SUMMARY/BACKGROUND: The Main Street Beautification Grant was created by the Main Street Advisory Board to help small businesses and building owners beautify their part of the Downtown Historic District. Our desire is to help create a vibrant, historic, inviting and welcoming community that is attractive to locals and visitors alike. Funds can be used to cover projects related to exterior painting, awning repair, signage, cleaning of structure, landscaping and other site work on the front or back of the building. Preservation funds shall be awarded to selected applicants to cover 100% of eligible project costs up to \$1,500. Funds can only be applied to properties inside the Downtown National Register Historic District. We are hopeful that property owners and businesses will be able to use this grant to restore and maintain their piece of Downtown Nacogdoches.

The funding for this project comes from the money raised during the annual Nacogdoches Wine Swirl event. This annual fundraiser raises money for the Main Street Department projects and, in the past, have funded things such as Downtown murals, holiday lighting and other projects.

The Main Street Beautification Grant will be advertised to Downtown merchants, property owners and residents living in the Downtown Historic District. We will be issuing a press release, social media graphics and targeted emails to our Merchant Group. The new program will be advertised for the remainder of August and September and grant applications will be opened in October.

Applicants are required to obtain any and all necessary permits from the City's Building Inspection Department. Failure to comply with Building Code requirements may result in forfeiture of the grant. Applicants are required to have the project reviewed by the Historic Preservation Officer and the Historic Landmark Preservation Committee (HLPC) before work begins on the project. Any work denied by HLPC will not be eligible to receive Main Street grant funds. Applications will be made on a first come, first served basis.

FINANCIAL:

Item is budgeted:

Account No.: 01.20.630.55

Account Name: *Main Street Events*

Amount: \$10,000

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

Downtown Entertainment and Destination District, and Infrastructure

CITY CONTACT: Jessica Sowell, Community Services Assistant Director
sowellj@nactx.us
936-559-2940

ATTACHMENTS: 1. Main Street Advisory Board Minutes 7.7.22
2. Main Street Grant Application

Main Street Advisory Board Minutes- July 7, 2022 – 4:00 PM

Members Present: Lynn Myers, Miles McCall, Bret Arrant, Rebecca Calahan, CC Conn, Karen Harris, Danielle LaBauve, Erin Windham

Staff/Guest Present: Joanna Temple, Bethanie Mehl, Jessica Sowell

Call to Order: Miles McCall calls the meeting to order at 4:01 PM

Approval of the minutes: Bret Arrant motions to approve, Rebecca Calahan seconds

Financial Statements: No significant changes. The \$33,000 Wine Swirl check from EventBrite finally arrived and was deposited into the account. Lynn Myers motions to approve the minutes and Bret seconds the motion.

Review and Vote on Beautification Grant Program: The same grant application the group has been editing was shown for final approval. The board also needed to vote on the final amount per grant. Miles McCall recommended \$1,000 per grant and Lynn Myers, CC Conn, and Erin Windham recommended the amount of \$2,000 per grant. Rebecca Calahan recommended splitting the difference at \$1,500 per grant. After further discussion, CC Conn moved to approve a total of \$10,000 be dedicated to the grant with the amount of \$2,000 each for a total of 5 grants to be awarded. The board approved unanimously.

An updated map listed all businesses and business owners was handed to the board for any future reference needed.

Committee Updates

Design Committee: The design committee was able to recruit two new members, Robert and Gail McCandless. The group did a walk about Main Street to identify areas of improvement that may benefit from the beautification grant or other work that can be done with the help of other third party groups such as MLK Day of Service, The Big Event, Clean Sweep, etc. The group also identified areas for murals and other free standing art to be placed.

Organization Committee: The organization committee met and discussed the TDA conference that will be held at the Fredonia Hotel next Fall. They are working through the RFP that previous Main Street Manager, Amy Mehaffey, put together. Main Street will also be providing \$1,500 in sponsorship to this year's TDA conference.

Economic Vitality Committee: This committee looked at the work they would like to do going forward. They decided they would work on building the committee up with more members before they can do said work. Each member was to bring at least one person to the next committee meeting that would be interested in serving.

Promotions Committee: This committee met and discussed the implementation of a new event, the #BrickStreetBurgerChallenge. This will be a month-long burger challenge and all 7 downtown restaurants have agreed to participate! Prize money will be involved and restaurants will serve specialty burgers that they don't normally serve on their regular menu. They are asking for \$1,500 from the board to help pay for promotional items and customized stamps for the restaurants. To help zero out the Miscellaneous Events Line item and award the \$1,500 to the event, Danielle LaBauve makes a motion to move \$1885.52 to Miscellaneous Events Fund for the Brick Street Battle. Rebecca seconded the motion.

Meeting In A Box - A meeting in a box was conducted with the board to help gain their feedback and ideas for the future of Downtown Nacogdoches! Below is an overview of the feedback that was received.

Topic: Downtown

1. What does a vibrant downtown look like to you? A vibrant Downtown is full of color, lighting, activity, outdoor seating, full of life and interactive. A place where you can walk around with a drink and listen to music (live or piped throughout the area). Open all hours for many different activities. Street entertainers, guitar players, flower carts, and live artists. There should be interesting and unique signage and something that sets our town apart from other areas. More landscaping and green spaces as well as more shade and community gathering spaces. Maybe some kind of shade overhang from the back of the CVB to the Wyatt building. Open markets or maybe move the Farmers Market to the Downtown area. Twinkle lights everywhere - across the streets and along the tops of buildings. Banners, outdoor movies, etc. A place that has something for everyone and makes everyone feel welcome and excited to be there.

2. What types of places and businesses are missing that you would like to see added to Downtown in the future?

Entertainment venues, theaters, concert venues

Fine dining

Art spaces

Amphitheater

Parking spaces or parking garages

Speciality stores - boot shops, nice bakery, chocolate stores, candy stores, ice cream stores, coffee shops

Bars/speakeasy/dive or local spots

Places to sit outside and enjoy a cocktail

Wyatt/Story-Wright building needs to be rehabbed and occupied. It's the largest building downtown and needs to have someone/something in it.

The Downtown Fire Station could be moved and have a pub or restaurant

Better parking or better/improved ways to walk to parking areas

Men's clothing store

Small grocery store/bodega

Parking garage with retail on the bottom floor

3. What types of projects should the City prioritize for City funding? Why should the City prioritize them?

Sidewalks - they are dangerous or broken

Bury electrical to help create new event spaces and more inviting event spaces and improve the overall look of downtown.

Traffic calming/traffic flow or bollards to create new event spaces

Public restrooms that are pretty (don't take away from the surroundings) and cleaned/maintained regularly (ex. Pocket park with a restroom in the back).

Ordinances for vacant or underutilized buildings that should be occupied

4. What areas or places in Downtown face accessibility issues? What ideas do you have for addressing those issues?

Don't do a good job of connecting the outlying areas or creeks to Downtown.

Connect SFA to Downtown using Mound Street - use lighting, signage, sidewalks and make the

short walk inviting

North Mound Street sidewalks need to be improved

Need some bridges or connections from W. Hospital Street, over Banita Creek connecting people to Clear Springs/Auntie Pastas/Railroad Depot

Use the Master Gardeners Demonstration Garden as an event space. Next to Downtown but not really used as part of Downtown

Bike lanes down Mound Street with bike racks in Downtown.

Sidewalks down Pilar Street to make it walkable

Topic: Arts & Entertainment

1. What types of visual arts, performing, arts and entertainment events have the greatest potential for growth in Nacogdoches?

Movie theater, amphitheater, live theater space, outdoor venue

Cultural art center with art exhibits, open mic nights, poetry reading, music performances

Piano bars, rooftop bars

Rentable performance space along the creeks (like a riverwalk)

Shakespeare in the Park/ Orchestra in the Park

Add big screens to the stage in festival park for those sitting further away to be able to see 2.

How might we make visual arts, performing arts and entertainment events more accessible to more people in the community?

Take music and arts to where people are and entice them to come Downtown or come to a different event space.

Do a better job of promoting/outreaching to all groups and telling people about what we are doing

Events and activities that appeal to other cultures

Cultural partnerships

3. What challenges does Nacogdoches face in regards to arts and entertainment?

Venue shortages or a mismatch of venues for the types of events we want to have

Underutilizing what we currently have

More University partnerships are needed

4. Are there certain types of arts and entertainment venues missing from Nacogdoches? If so, what kind?

A better stage at Festival Park that can be used for real concerts (higher quality concerts)

Block party areas or those hidden/unique spaces that feel like they're for locals

Areas that could host artists and art displays

Multipurpose spaces

More electrical for food trucks spread throughout downtown/installed in the Mound & Main parking lot.

Adjourn: 6:00 PM

Main Street Beautification Grant Application

Main Street Advisory Board

Applicant:

Name _____
Company _____
Address _____
City, State, Zip _____
Daytime Phone _____
Fax _____
E-mail Address _____

Property Owner* (If Different From Applicant):

Name _____
Company _____
Address _____
City, State, Zip _____
Daytime Phone _____
Fax _____
E-mail Address _____

Status of Applicant (Check One):

☐ Owner

☐ Renter

Address of Property: _____ Lot: _____ Block: _____

Date of Construction of main structure(s) on property: _____

*Owner signature required

Please Check The Appropriate Requested Activity:

☐ Restoration/Remodel

☐ Painting

☐ Cleaning

☐ Landscaping/Site work

☐ Signage

☐ Other _____

Project narrative

Please describe your proposed work simply and accurately including work to be done and materials to be used. Attach extra sheets and supplemental material as requested in the submittal criteria checklist.

Description of Work

Work Item # 1	Description _____
	Bid amount _____
Work Item # 2	Description _____
	Bid amount _____
Work Item # 3	Description _____
	Bid amount _____

Project cost estimate for all work: \$ _____

Proposed start date: _____ Proposed completion date: _____

Please include color photograph(s) of property where proposed work is to take place.

☐ I give Nacogdoches Main Street permission to use before and after photographs of items and projects covered by this grant (required)

Signature of Applicant: _____ Date: _____

Signature of Property Owner*: _____ Date: _____

*Owner signature required

Application Deadline

Application material must be **completed and submitted 10 days before the Main Street Board meeting. The Main Street Advisory Board meets on the first Thursday of each month.** This form, along with any supporting documentation, must be filed with the Main Street Manager at the C.L. Simon Recreation Center located at 1112 North St., Nacogdoches, TX (Mailing Address: P.O. Box 635030, Nacogdoches, Texas 75963) or emailed to mainstreet@nactx.us

Please use the criteria checklist as a guide to completing the application. Incomplete applications cannot be reviewed and will be returned to you for more information.

Main Street Beautification Grant

The Main Street Beautification Grant was created with the intent to help small business owners and building owners beautify their part of the Downtown Historic District. Our desire is to help create a vibrant, historic, inviting and welcoming community that is attractive to locals and visitors alike. Funds can be used to cover projects related to exterior painting, awning repair, signage, cleaning of structure, landscaping and other site work on the front or back of the building.

The program is administered by the Main Street Advisory Board who reviews all applications and makes recommendations to the City Council for their final decision. Property owners and business owners may make applications for beautification projects, however the property owner must sign the application for it to be considered complete. Applications for the funds will be taken with final decisions to be made as expeditiously as possible. Application may be turned in to the City of Nacogdoches, C.L. Simon Recreation Center (1112 North Street), mailed to: City of Nacogdoches, Community Services Division, PO Box 635030, Nacogdoches, TX 75963-5030 or emailed to mainstreet@nactx.us.

Preservation funds shall be awarded to selected applicants to cover 100% of eligible project costs up to \$1,500.

Distribution of funds will be done on a reimbursement basis from receipts and statements provided by the applicant. Upon completion of the project, the project will again come before the Main Street Advisory Board for final review. Final approval for reimbursement for the project will be given after the Main Street Advisory Board reviews the completed work and funds will be dispersed shortly thereafter. Restoration work to be conducted under the grant must be completed within one year of the date final approval is given. Extensions of this time period for extenuating circumstances will be considered by the Main Street Advisory Board. **Note that preservation funds are taxable income.**

Applicants are required to obtain any and all necessary permits from the City's Building Inspection Department. Failure to comply with Building Code requirements may result in forfeiture of the grant. Applicants are required to have the project reviewed by the Historic Preservation Officer and the Historic Landmark Preservation Committee before work begins on the project. Any work denied by HLPC will not be eligible to receive Main Street grant funds. Most applicants will want to submit a Main Street Beautification Grant application and a Certificate of Appropriateness application at the same time.

Qualifying Criteria

1. The subject property must be under the protection of the National Register Downtown Historic Overlay District. (see attached map).
2. Funds are for exterior rehabilitation and restoration of structures only. Ineligible activities include interior rehabilitation, the purchase of structures or any work denied by HLPC.
3. Any work already started or completed is not eligible for grant funds.
4. Main Street Beautification grants are awarded on a first come, first served basis as long as funds are available. Once funds are fully committed, the grant will close.
5. All work described in the "Description of Work" section must be completed to receive funding. No funding will be given for partial completion.

Submittal Criteria Checklist

City of Nacogdoches Application for Main Street Beautification Grant

The documentation listed below must be submitted with the application for the Main Street Beautification Grant. All materials used must meet the Design Guidelines set by the City of Nacogdoches.

All Work

- ☐ Photograph of structure and existing conditions.
- ☐ Type and color of material being used.

Remodeling and Additions

- ☐ Elevation and plan drawings to scale indicating proposed alterations or additions, clearly indicating the existing building and what is proposed and including the relationship to adjacent structures.
- ☐ Exterior material description.

- ☐ Site plan showing: 1) dimensions of lot, 2) location and dimensions of existing building, 3) location and dimension of addition, and 4) location all exterior, ground and roof mounted equipment.
- ☐ Color samples and placement on the structure.
- ☐ Historic plans, elevations or photographs if the request is to return a structure to an earlier historic appearance.

Painting

- ☐ Photographs indicating, with as much detail as possible, areas that will be painted.
- ☐ List of types of materials that will be painted.
- ☐ Colors, materials, and all significant detail clearly indicated.

Cleaning

- ☐ Drawing showing area to be cleaned.
- ☐ Description of cleaning method and chemicals to be used.
- ☐ Photographs of areas to be cleaned.

Signs

- ☐ Drawing of signs with information on type of material to be used and method of attachment.
- ☐ Site plan showing placement of sign.
- ☐ Dimensions of building face where sign is to be placed.

Landscaping/Site work

- ☐ Photograph of structure on current site.
- ☐ Site drawing including outbuildings if work is to be done on the site.
- ☐ Size, location and elevation of any new structures.
- ☐ Proof of property ownership if new areas are being developed.

To be completed by Main Street Staff

Application #: _____ Accepted by: _____ Main Street Meeting Date: _____



City Council Meeting

Date: August 16, 2022

Agenda Item: 6.D.

PRESENTER: Pam Curbow, Finance Director

ITEM/SUBJECT: Presentation of proposed 2022-2023 budget and calculated property tax rates.(Director of Finance)

SUMMARY/BACKGROUND: Nacogdoches Central Appraisal District provided updated Certified Taxable Values as well as updated calculated property tax rates after the City Council action on August 2, 2022 which increased the additional homestead exemption for Over 65/Disable Persons within the City. As a result, the budget and tax rates presented on August 2nd have been updated to reflect these changes and will be presented to Council.

FINANCIAL:

No financial impact associated with this item

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

Not Applicable

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

ATTACHMENTS:

1. Proposed Budget 2022 2023
2. PowerPoint Presentation
3. New Programs



Proposed Budget 2022-2023

As of 08/16/2022

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 \$554,350, which is a 4.81% increase from last year’s budget. The property tax revenue to be raised from new property added to the tax roll this year is \$264,490.”
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 – \$0.57213
- c. The No-New-Revenue Tax Rate – \$0.55479
- d. The Voter Approval Tax Rate - \$0.61572

Proposed Rates

- a. Maintenance & Operations Tax Rate - \$0.49505
 - b. Debt Rate (Interest & Sinking Fund) - \$0.07708
 - c. Total Proposed Property Tax Rate - \$0.57213
3. The total amount of outstanding municipal debt obligations secured by property taxes is \$34,140,276 (including principal and interest).

Fiscal Year 2022-23 Principal & Interest Requirements for Debt Service are:

- a. Property Tax Supported Debt: \$1,611,278
- b. Revenue Supported Debt: \$3,743,025

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City of Nacogdoches
2022 / 2023 Proposed Tax Rate

		Proposed 2022 / 2023 Property Taxes Collection Rate	
Assessed Taxable Value		\$	2,111,422,533
<u>Tax Rate per \$100 Valuation</u>	0.57213	\$	12,080,082
Operations	0.49505	\$	10,452,597
Debt	0.07708	\$	1,627,484
		\$	12,080,082
<u>Operations Budget</u>			
Estimated Current Tax Collections		\$	10,217,597
Estimated Delinquent Tax Collections		\$	100,000
Estimated Penalty & Interest Collections		\$	135,000
		\$	10,452,597
<u>Debt</u>			
2021 Tax Notes			
Estimated Current Tax Collections		\$	223,465
Estimated Delinquent Tax Collections		\$	4,603
		\$	228,068
2022 Certificates of Obligation Bonds			
Estimated Current Tax Collections		\$	1,371,537
Estimated Delinquent Tax Collections		\$	27,879
		\$	1,399,416
Debt Requirements for Fiscal Year	0.07708	\$	1,627,484

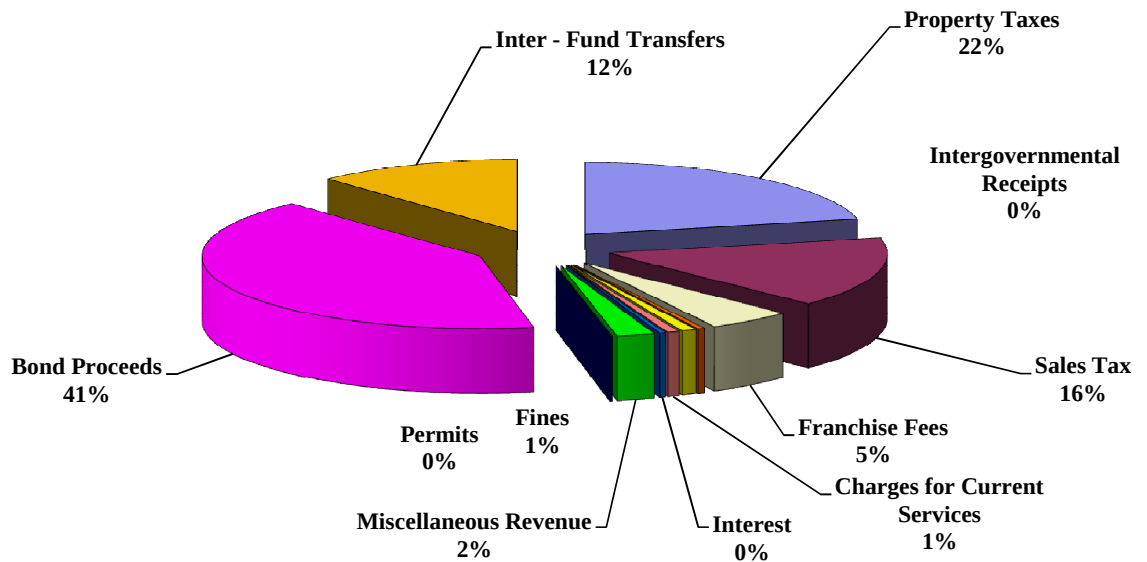
City of Nacogdoches
2022 / 2023 General Fund Summary

	Operating	2022 COs	Restricted	Total
October 1, 2022 Estimated Cash Reserves	\$ 12,840,638	\$ -	\$ 953,478	\$ 13,794,116
2022 / 2023 Budget Revenues				
Property Taxes	\$ 10,462,597			\$ 10,462,597
Sales Tax	\$ 7,665,000			\$ 7,665,000
Franchise Fees	\$ 2,327,000		\$ 58,000	\$ 2,385,000
Permits	\$ 195,000			\$ 195,000
Fines	\$ 385,000		\$ 29,250	\$ 414,250
Charges for Current Services	\$ 339,860			\$ 339,860
Interest	\$ 171,400			\$ 171,400
Miscellaneous Revenue	\$ 1,072,037			\$ 1,072,037
Intergovernmental Receipts	\$ 67,500			\$ 67,500
Bond Proceeds		\$ 20,000,000		\$ 20,000,000
Inter - Fund Transfers	\$ 5,766,319			\$ 5,766,319
Total 2022 / 2023 Budget Revenues	\$ 28,451,713	\$ 20,000,000	\$ 87,250	\$ 48,538,963
Total Available Funds	\$ 41,292,351	\$ 20,000,000	\$ 1,040,728	\$ 62,333,079
2022 / 2023 Budget Operating Expenditures				
General Government	\$ 6,795,422		\$ 31,863	\$ 6,827,285
Public Safety	\$ 16,688,922			\$ 16,688,922
Highways	\$ 1,437,982			\$ 1,437,982
Cultural & Recreational	\$ 3,299,387			\$ 3,299,387
Inter - Fund Transfers	\$ 230,000			\$ 230,000
Total 2022 / 2023 Budget Operating Expenditures	\$ 28,451,713	\$ -	\$ 31,863	\$ 28,483,576
2022 / 2023 Capital Improvement Projects Budget - Reserve Funds				
Committed Projects:				
Downtown - Festival Park Electrical Upgrades	\$ 350,000			\$ 350,000
Fire - Station Maintenance	\$ 594,000			\$ 594,000
Parks & Cemetery - Lake Nac Walkway	\$ 165,000			\$ 165,000
Parks & Cemetery - Oak Grove Repaving	\$ 45,000			\$ 45,000
Parks & Cemetery - Parking Lot Repaving Program	\$ 30,000			\$ 30,000
Parks & Cemetery - Pedestrian Bridge at Pioneer Park	\$ 120,000			\$ 120,000
Streets - Annual Street Rehab	\$ 250,000			\$ 250,000
Streets - Street Rebuild		\$ 5,000,000		\$ 5,000,000
Drainage - Critical Storm System Reconstruction		\$ 4,000,000		\$ 4,000,000
Drainage - Annual Storm System Repairs		\$ 1,000,000		\$ 1,000,000
Fire - Central Fire Station		\$ 8,080,000		\$ 8,080,000
Parks - Restrooms		\$ 1,320,000		\$ 1,320,000
Parks - Playgrounds		\$ 480,000		\$ 480,000
CO Issuance Costs		\$ 120,000		\$ 120,000
Total 2022 / 2023 Committed Capital Improvements Projects	\$ 1,554,000	\$ 20,000,000	\$ -	\$ 21,554,000
2022 / 2023 Capital Equipment/Projects Budget - Reserve Funds				
PEG Capital			\$ 200,000	\$ 200,000
Airport - TXDOT Grant Match	\$ 150,000			\$ 150,000
Animal Shelter - Security Upgrades	\$ 20,000			\$ 20,000
Court - Incode Software Online Version	\$ 30,000			\$ 30,000
Historic Sites - Durst Taylor Barn Roof	\$ 40,000			\$ 40,000
Historic Sites - Sterne Hoya Roof	\$ 94,000			\$ 94,000
Info Tech - Online Backups	\$ 5,000			\$ 5,000
Info Tech - Replacement PCs	\$ 50,000			\$ 50,000
Parks - Fence at Youth Soccer	\$ 12,000			\$ 12,000
Parks - Festival Park Branded Trash Cans	\$ 10,500			\$ 10,500
Planning & Zoning - Development Review Process Assessment	\$ 35,000			\$ 35,000
Police - Signon Incentives	\$ 74,000			\$ 74,000
Rec - Gym Divider Curtain	\$ 12,000			\$ 12,000
Rec - Weight Room Update	\$ 7,500			\$ 7,500
Streets - Auto Crosswalks	\$ 30,000			\$ 30,000
Streets - Backhoe Bucket Thumb	\$ 7,000			\$ 7,000
Streets - Crash Bollards	\$ 25,000			\$ 25,000
Streets - Message Board	\$ 30,000			\$ 30,000
Streets - Radar Equipment	\$ 10,000			\$ 10,000
City-Wide - Employee Retention Payments	\$ 823,109			\$ 823,109
Trf to Equip Repl Fund - Building Maint/AC Replacements	\$ 100,000			\$ 100,000
Non-Dept - Mid-Year Allocations as needed	\$ 75,000			\$ 75,000
Total 2022 / 2023 Capital Equipment/Projects	\$ 1,640,109	\$ -	\$ 200,000	\$ 1,840,109
September 30, 2023 Estimated Ending Balance	\$ 9,646,529	\$ -	\$ 808,865	\$ 10,455,394
Total Allocated Funds	\$ 41,292,351	\$ 20,000,000	\$ 1,040,728	\$ 62,333,079
25% Reserve Requirement	\$ 7,112,928			
Excess over Reserve Requirement	\$ 2,533,601			

City of Nacogdoches
2022 / 2023 General Fund Revenues

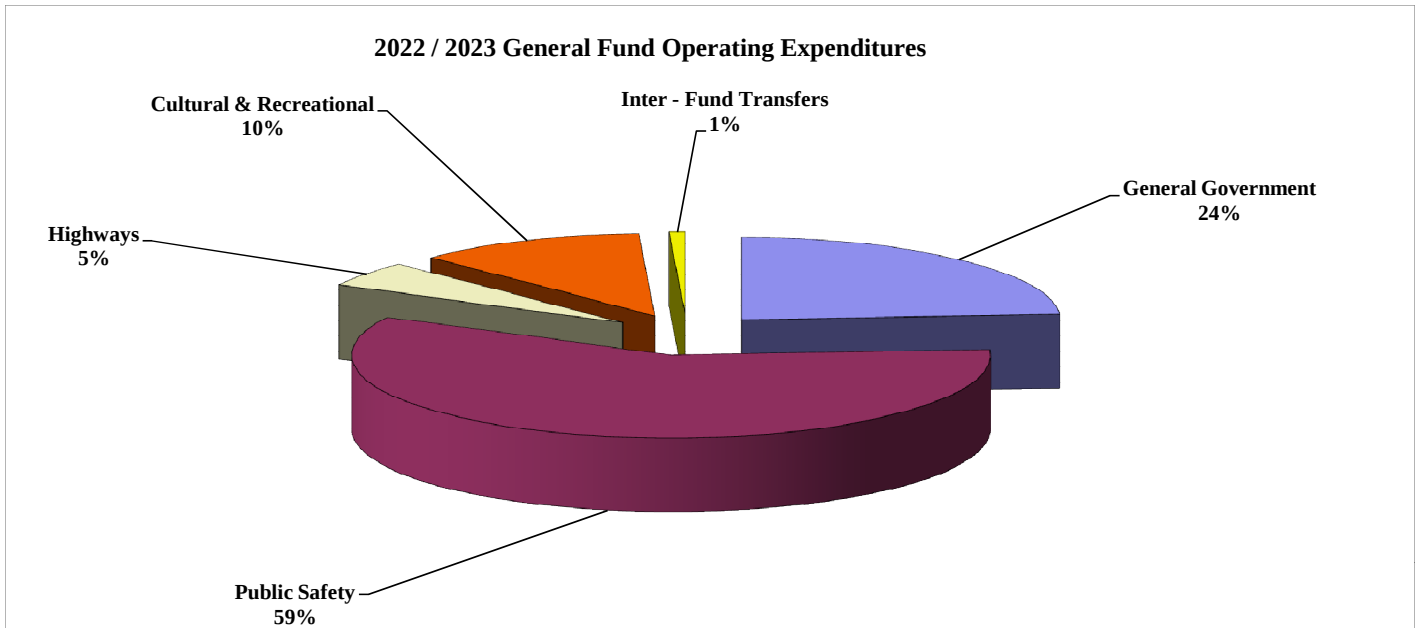
	Actual Balance 2019 / 2020	Actual Balance 2020 / 2021	March Actual Balance 2021 / 2022	Adopted Budget 2021 / 2022	Amended Budget 2021 / 2022	Proposed Budget 2022 / 2023
Property Taxes	\$ 9,560,832	\$ 9,832,735	\$ 9,749,618	\$ 9,993,036	\$ 9,993,036	\$ 10,462,597
Sales Tax	\$ 6,980,106	\$ 7,489,776	\$ 4,237,995	\$ 7,055,000	\$ 7,055,000	\$ 7,665,000
Franchise Fees	\$ 2,425,073	\$ 2,395,264	\$ 393,587	\$ 2,390,000	\$ 2,390,000	\$ 2,385,000
Permits	\$ 354,996	\$ 211,779	\$ 111,562	\$ 207,500	\$ 207,500	\$ 195,000
Fines	\$ 499,983	\$ 406,175	\$ 200,590	\$ 429,750	\$ 429,750	\$ 414,250
Charges for Current Services	\$ 210,311	\$ 317,680	\$ 177,981	\$ 327,360	\$ 327,360	\$ 339,860
Interest	\$ 141,698	\$ 42,314	\$ 25,540	\$ 15,000	\$ 15,000	\$ 171,400
Miscellaneous Revenue	\$ 1,106,276	\$ 1,029,758	\$ 510,348	\$ 1,133,469	\$ 1,146,253	\$ 1,072,037
Intergovernmental Receipts	\$ 616,757	\$ 1,623,264	\$ 531,883	\$ 36,500	\$ 750,047	\$ 67,500
Bond Proceeds	\$ -	\$ 1,521,000	\$ -	\$ -	\$ -	\$ 20,000,000
Inter - Fund Transfers	\$ 5,622,013	\$ 5,748,824	\$ 2,898,462	\$ 5,846,925	\$ 6,431,801	\$ 5,766,319
Total General Fund Revenues	\$ 27,518,045	\$ 30,618,569	\$ 18,837,566	\$ 27,434,540	\$ 28,745,747	\$ 48,538,963

**2022 / 2023
General Fund Revenues**



City of Nacogdoches
2022 / 2023 General Fund Expenditures by Function

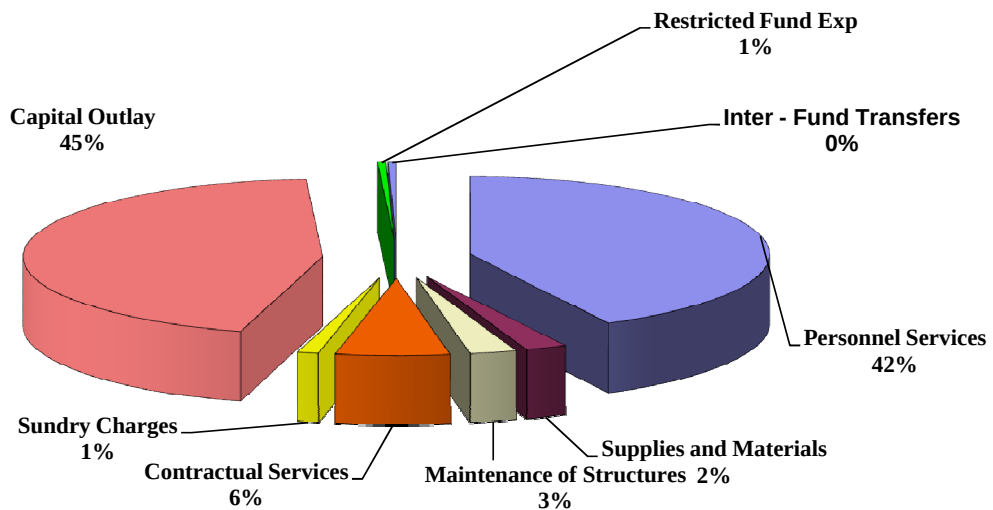
	Actual Balance 2019 / 2020	Actual Balance 2020 / 2021	March Actual Balance 2021 / 2022	Adopted Budget 2021 / 2022	Amended Budget 2021 / 2022	Proposed Budget 2022 / 2023
General Government	\$ 5,452,837	\$ 6,692,274	\$ 3,248,357	\$ 6,530,048	\$ 6,923,174	\$ 6,795,422
Public Safety	\$ 15,255,116	\$ 16,011,793	\$ 8,077,946	\$ 15,978,438	\$ 16,744,292	\$ 16,688,922
Highways	\$ 1,275,101	\$ 1,071,670	\$ 542,469	\$ 1,414,725	\$ 1,578,725	\$ 1,437,982
Cultural & Recreational	\$ 2,453,571	\$ 2,691,586	\$ 1,317,471	\$ 3,018,379	\$ 3,008,229	\$ 3,299,387
Inter - Fund Transfers	\$ 373,630	\$ 230,614	\$ 150,000	\$ 260,000	\$ 260,000	\$ 230,000
Total General Fund Operating Expenditures	\$ 24,810,255	\$ 26,697,937	\$ 13,336,243	\$ 27,201,590	\$ 28,514,420	\$ 28,451,713
Capital Improvements	\$ 992,802	\$ 2,317,904	\$ 1,876,523	\$ 1,795,200	\$ 6,065,244	\$ 23,194,109
Restricted Fund Expenditures	\$ 83,286	\$ 34,289	\$ 17,329	\$ 331,750	\$ 331,750	\$ 231,863
Total General Fund Expenditures	\$ 25,886,343	\$ 29,050,130	\$ 15,230,095	\$ 29,328,540	\$ 34,911,414	\$ 51,877,685



City of Nacogdoches
2022 / 2023 General Fund Expenditures by Classification

	Actual Balance 2019 / 2020	Actual Balance 2020 / 2021	March Actual Balance 2021 / 2022	Adopted Budget 2021 / 2022	Amended Budget 2021 / 2022	Proposed Budget 2022 / 2023
Personnel Services	\$ 19,823,203	\$ 20,421,245	\$ 10,592,393	\$ 21,496,902	\$ 22,419,861	\$ 21,988,561
Supplies and Materials	\$ 842,984	\$ 1,822,810	\$ 473,746	\$ 910,069	\$ 990,370	\$ 1,158,260
Maintenance of Structures	\$ 920,208	\$ 1,022,730	\$ 464,981	\$ 1,205,397	\$ 1,385,897	\$ 1,303,084
Contractual Services	\$ 2,269,175	\$ 2,666,947	\$ 1,434,545	\$ 2,811,045	\$ 2,940,115	\$ 3,183,472
Sundry Charges	\$ 553,055	\$ 533,591	\$ 220,578	\$ 518,177	\$ 518,177	\$ 588,336
Capital Outlay	\$ 1,020,802	\$ 2,317,904	\$ 1,876,523	\$ 1,795,200	\$ 6,065,244	\$ 23,194,109
Restricted Fund Exp	\$ 83,286	\$ 34,289	\$ 17,329	\$ 331,750	\$ 331,750	\$ 231,863
Inter - Fund Transfers	\$ 373,630	\$ 230,614	\$ 150,000	\$ 260,000	\$ 260,000	\$ 230,000
Total	\$ 25,886,343	\$ 29,050,130	\$ 15,230,095	\$ 29,328,540	\$ 34,911,414	\$ 51,877,685

**2022 / 2023
General Fund Expenditures by Classification**



City of Nacogdoches
2022 / 2023 General Fund Expenditures by Department

	Actual Balance 2019 / 2020	Actual Balance 2020 / 2021	March Actual Balance 2021 / 2022	Adopted Budget 2021 / 2022	Amended Budget 2021 / 2022	Proposed Budget 2022 / 2023
City Council	\$ 18,379	\$ 23,979	\$ 10,678	\$ 26,250	\$ 26,250	\$ 26,500
City Manager	\$ 285,790	\$ 320,398	\$ 149,656	\$ 307,525	\$ 307,525	\$ 300,471
Municipal Court	\$ 219,180	\$ 233,878	\$ 135,427	\$ 300,602	\$ 300,602	\$ 312,321
City Secretary	\$ 113,246	\$ 117,057	\$ 63,601	\$ 137,190	\$ 137,190	\$ 190,000
Finance	\$ 572,298	\$ 517,999	\$ 318,965	\$ 661,056	\$ 678,751	\$ 670,875
Information Technology	\$ 401,213	\$ 443,908	\$ 205,195	\$ 496,819	\$ 501,814	\$ 517,523
Human Resources	\$ 293,321	\$ 276,414	\$ 177,922	\$ 375,905	\$ 393,905	\$ 437,665
Legal	\$ 276,954	\$ 267,125	\$ 136,399	\$ 280,998	\$ 280,998	\$ 276,260
Planning & Zoning	\$ 159,808	\$ 189,636	\$ 142,459	\$ 244,427	\$ 274,427	\$ 265,240
Building Maintenance	\$ 355,753	\$ 339,476	\$ 191,445	\$ 376,312	\$ 376,312	\$ 376,293
Vehicle Maintenance	\$ 301,809	\$ 294,357	\$ 151,966	\$ 308,961	\$ 308,961	\$ 333,906
Code Enforcement	\$ -	\$ -	\$ 97,406	\$ 254,927	\$ 254,927	\$ 264,212
Engineering	\$ 495,695	\$ 501,445	\$ 326,177	\$ 589,555	\$ 589,555	\$ 605,363
Convention & Tourism	\$ 288,679	\$ 362,814	\$ 156,549	\$ 327,805	\$ 327,805	\$ 329,518
Economic Development	\$ 245,753	\$ 253,763	\$ 110,291	\$ 263,872	\$ 263,872	\$ 265,759
Non-Departmental	\$ 1,424,959	\$ 2,550,025	\$ 874,221	\$ 1,577,844	\$ 1,900,280	\$ 1,623,516
General Govt.	\$ 5,452,837	\$ 6,692,274	\$ 3,248,357	\$ 6,530,048	\$ 6,923,174	\$ 6,795,422
Police	\$ 8,171,190	\$ 8,538,572	\$ 4,339,204	\$ 8,706,645	\$ 8,807,993	\$ 9,115,315
Fire	\$ 6,261,615	\$ 6,593,645	\$ 3,415,153	\$ 6,478,607	\$ 7,143,113	\$ 6,738,638
Inspection	\$ 376,766	\$ 372,850	\$ 67,435	\$ 236,057	\$ 236,057	\$ 232,960
Animal Control	\$ 445,545	\$ 506,726	\$ 256,154	\$ 557,129	\$ 557,129	\$ 602,009
Public Safety	\$ 15,255,116	\$ 16,011,793	\$ 8,077,946	\$ 15,978,438	\$ 16,744,292	\$ 16,688,922
Historic Sites & Main Street	\$ 297,852	\$ 303,041	\$ 110,684	\$ 351,820	\$ 351,820	\$ 389,895
Library	\$ 518,228	\$ 558,678	\$ 277,821	\$ 612,220	\$ 602,220	\$ 620,276
Recreation	\$ 470,975	\$ 525,249	\$ 309,206	\$ 665,351	\$ 665,201	\$ 695,799
Parks & Cemetery	\$ 1,166,516	\$ 1,304,618	\$ 619,760	\$ 1,388,988	\$ 1,388,988	\$ 1,593,417
Cultural & Recreational	\$ 2,453,571	\$ 2,691,586	\$ 1,317,471	\$ 3,018,379	\$ 3,008,229	\$ 3,299,387
Public Works Administration	\$ 227,958	\$ 133,189	\$ 64,242	\$ 130,934	\$ 130,934	\$ 129,044
Streets	\$ 1,047,143	\$ 938,481	\$ 478,227	\$ 1,283,791	\$ 1,447,791	\$ 1,308,938
Highways & Streets	\$ 1,275,101	\$ 1,071,670	\$ 542,469	\$ 1,414,725	\$ 1,578,725	\$ 1,437,982
Inter - Fund Transfers	\$ 373,630	\$ 230,614	\$ 150,000	\$ 260,000	\$ 260,000	\$ 230,000
Total Operating Budget	\$ 24,810,255	\$ 26,697,937	\$ 13,336,243	\$ 27,201,590	\$ 28,514,420	\$ 28,451,713
Reserve Funds Capital Equip/Improvements	\$ 992,802	\$ 2,317,904	\$ 1,876,523	\$ 1,795,200	\$ 6,065,244	\$ 23,194,109
Restricted Funds Expenditures	\$ 83,286	\$ 34,289	\$ 17,329	\$ 331,750	\$ 331,750	\$ 231,863
Total General Fund Budget	\$ 25,886,343	\$ 29,050,130	\$ 15,230,095	\$ 29,328,540	\$ 34,911,414	\$ 51,877,685

City of Nacogdoches
2022 / 2023 General Fund Reserves Expenditures

Description	Reserves	Restricted
Airport - TXDOT Grant City Match	\$ 150,000	
Animal Shelter - Security Upgrades	\$ 20,000	
Court - Incode Software Online Version	\$ 30,000	
Historic Sites - Durst Taylor Barn Roof	\$ 40,000	
Historic Sites - Sterne Hoya Roof	\$ 94,000	
Info Tech - Online Backups	\$ 5,000	
Info Tech - Replacement PCs	\$ 50,000	
Parks - Fence at Youth Soccer	\$ 12,000	
Parks - Festival Park Branded Trash Cans	\$ 10,500	
Planning & Zoning - Development Review Process Assessment	\$ 35,000	
Police - Signon Incentives	\$ 74,000	
Rec - Gym Divider Curtain	\$ 12,000	
Rec - Weight Room Update	\$ 7,500	
Streets - Auto Crosswalks	\$ 30,000	
Streets - Backhoe Bucket Thumb	\$ 7,000	
Streets - Crash Bollards	\$ 25,000	
Streets - Message Board	\$ 30,000	
Streets - Radar Equipment	\$ 10,000	
City-Wide - Employee Retention Payments	\$ 823,109	
Trf to Equip Repl Fund - Building Maint/AC Replacements	\$ 100,000	
Non-Dept - Mid-Year Allocations as needed	\$ 75,000	
PEG Restricted Capital as needed		\$ 200,000
Grand Total	\$ 1,640,109	\$ 200,000

City of Nacogdoches
2022 / 2023 Utility Fund Summary

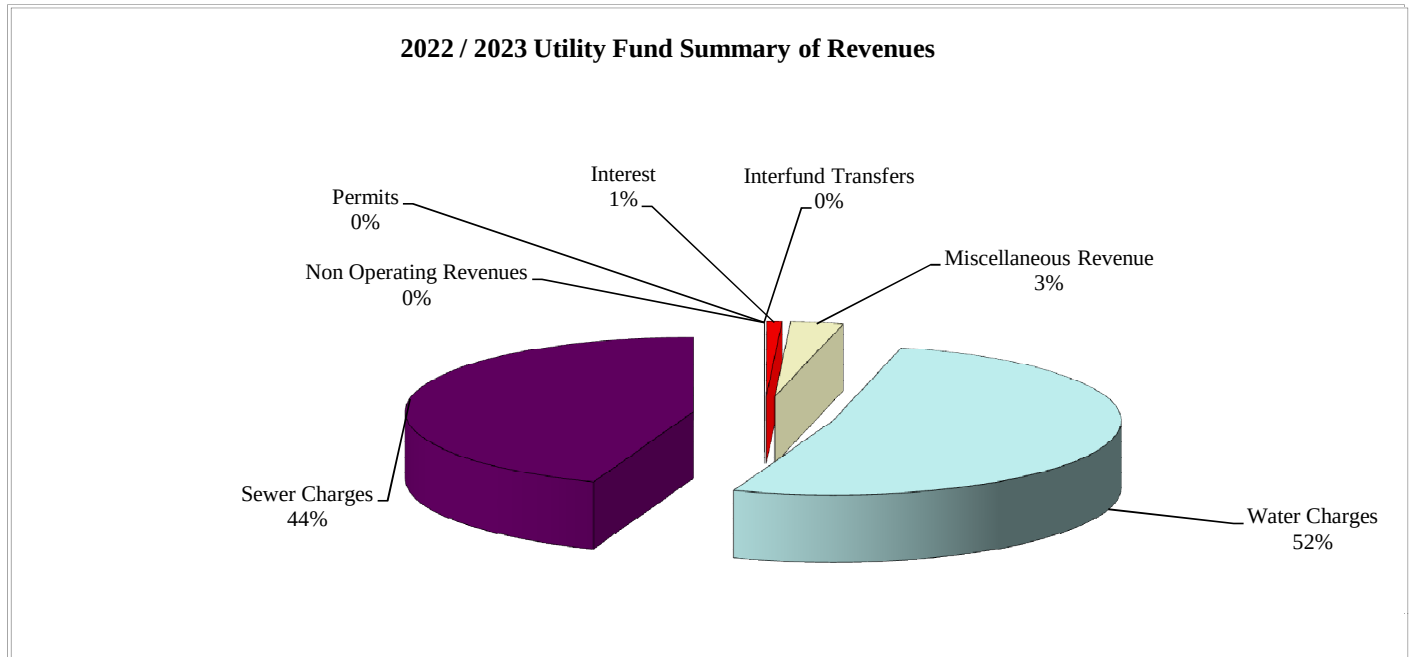
	Water & Sewer Operations	Capital Replacement	Debt Service	Debt Service Reserve	Total Water & Sewer Fund
October 1, 2022 Estimated Cash Reserves					
Unrestricted Cash & Cash Equivalents	\$ 6,054,503				\$ 6,054,503
Restricted Cash for ARPA Funding		\$ 3,813,370			\$ 3,813,370
Restricted Cash for Equipment Replacement		\$ 7,478,353			\$ 7,478,353
Restricted Cash for Future Water & Sewer CIP		\$ 5,725,852			\$ 5,725,852
Restricted Cash for Debt Service			\$ 1,786,219		\$ 1,786,219
Restricted Cash for Debt Service Reserve				\$ 1,406,054	\$ 1,406,054
Total Estimated Beginning Cash Balance	\$ 6,054,503	\$ 17,017,575	\$ 1,786,219	\$ 1,406,054	\$ 26,264,351
2022 / 2023 Budget Revenues					
Permits	\$ 5,000				\$ 5,000
Interest	\$ 25,000	\$ 119,900	\$ 15,000	\$ 12,000	\$ 171,900
Miscellaneous Revenue	\$ 597,500				\$ 597,500
Water Sales	\$ 10,500,000				\$ 10,500,000
Sewer Sales	\$ 9,000,000				\$ 9,000,000
Interfund Transfers	\$ -				\$ -
Total 2022 / 2023 Budget Revenues	\$ 20,127,500	\$ 119,900	\$ 15,000	\$ 12,000	\$ 20,274,400
2022 / 2023 Other Finance Sources					
Contribution from Operations-Debt Service			\$ 3,743,025		\$ 3,743,025
Contribution from Operations-Depreciation		\$ 3,692,127			\$ 3,692,127
Contribution from Operations-Future Water & Sewer CIP		\$ -			\$ -
Total 2022 / 2023 Other Finance Sources	\$ -	\$ 3,692,127	\$ 3,743,025	\$ -	\$ 7,435,152
Total Available Funds	\$ 26,182,003	\$ 20,829,602	\$ 5,544,244	\$ 1,418,054	\$ 53,973,903
2022 / 2023 Operating Budget Expenses					
Water Billing	\$ 1,446,007				\$ 1,446,007
Water Production	\$ 2,542,701				\$ 2,542,701
Distribution & Collection	\$ 1,761,076				\$ 1,761,076
Wastewater Treatment	\$ 2,609,190				\$ 2,609,190
Non - Departmental	\$ 416,699				\$ 416,699
Debt Service - Principal			\$ 3,445,000		\$ 3,445,000
Debt Service - Interest			\$ 298,025		\$ 298,025
Inter - Fund Transfers	\$ 3,606,807				\$ 3,606,807
Total 2022 / 2023 Operating Budget Expenses	\$ 12,382,480	\$ -	\$ 3,743,025	\$ -	\$ 16,125,505

City of Nacogdoches
2022 / 2023 Utility Fund Summary

	Water & Sewer Operations	Capital Replacement	Debt Service	Debt Service Reserve	Total Water & Sewer Fund
2022 / 2023 Capital Improvements					
<u>Water Projects</u>					
Water Line Additions/Replacements		\$ 750,000			\$ 750,000
Water Line Developer Reimb.		\$ 250,000			\$ 250,000
Water Well Rehab (one annually)		\$ 225,000			\$ 225,000
AMI System Replacement		\$ 4,772,000			\$ 4,772,000
<u>Wastewater Projects</u>					
Beltpress Building		\$ 1,350,000			\$ 1,350,000
Sanitary Sewer Line Additions/Replacements - ARPA		\$ 3,800,000			\$ 3,800,000
Sanitary Sewer Line Additions/Replacements		\$ 500,000			\$ 500,000
Sanitary Sewer Line Developer Reimb.		\$ 250,000			\$ 250,000
Total 2022 / 2023 Capital Improvements	\$ -	\$ 11,897,000	\$ -	\$ -	\$ 11,897,000
2022 / 2023 Capital Equipment					
Water Production - SCADA upgrades		\$ 100,000			\$ 100,000
Water Production - Major System Repairs		\$ 50,000			\$ 50,000
Water Production - Turbidity Sensors		\$ 24,000			\$ 24,000
Water Production - Replace Alum Pumps		\$ 22,000			\$ 22,000
Water Production - Vacuum Pump for Basins		\$ 17,000			\$ 17,000
Water Production - Repair Filter Panel at Lake		\$ 14,000			\$ 14,000
Water Production - Control Panel Pressure Tank SWPS		\$ 20,000			\$ 20,000
Water Production - Repair GST CH North		\$ 20,000			\$ 20,000
Water Production - Replace LP & MP Pumps		\$ 35,000			\$ 35,000
Utility Const - Hydro Excavation Trailer		\$ 150,000			\$ 150,000
Utility Const - Replace Backhoe Unit #686		\$ 140,000			\$ 140,000
Utility Const - Replace 2Ton Work Truck Unit #551		\$ 90,000			\$ 90,000
Utility Const - Dirt Storage Building		\$ 80,000			\$ 80,000
Utility Const - Exmark Mower		\$ 15,000			\$ 15,000
Utility Const - 20' Utility Trailer		\$ 7,500			\$ 7,500
Wastewater - SCADA upgrades		\$ 100,000			\$ 100,000
Wastewater - Portable Chlorine Boost Trailer		\$ 30,000			\$ 30,000
Wastewater - Disc Aerator Replacement		\$ 41,600			\$ 41,600
Wastewater - Influent Pump Replacement		\$ 70,000			\$ 70,000
Wastewater - Major Plant Repairs		\$ 75,000			\$ 75,000
Wastewater - Major Pump/Lift Station Repairs		\$ 20,000			\$ 20,000
Wastewater - Tac Pac Lift Stations		\$ 16,500			\$ 16,500
Wastewater - Linko Pretreatment Software		\$ 12,800			\$ 12,800
Wastewater - Sampler		\$ 7,000			\$ 7,000
Total 2022 / 2023 Capital Equipment	\$ -	\$ 1,157,400	\$ -	\$ -	\$ 1,157,400
Other Finance Uses					
Contributions to Debt Service	\$ 3,743,025				\$ 3,743,025
Contributions to Capital Replacement - Depreciation	\$ 3,692,127				\$ 3,692,127
Contributions to Capital Replacement - Future CIP	\$ -				\$ -
Total Other Finance Uses	\$ 7,435,152	\$ -	\$ -	\$ -	\$ 7,435,152
September 30, 2023 Estimated Cash Reserves					
Unrestricted Cash & Cash Equivalents	\$ 6,364,372				\$ 6,364,372
Restricted Cash for Capital/CIP		\$ 7,775,202			\$ 7,775,202
Restricted Cash for Debt Service			\$ 1,801,220		\$ 1,801,220
Restricted Cash for Debt Service Reserve				\$ 1,418,054	\$ 1,418,054
Total Estimated Ending Cash Balance	\$ 6,364,372	\$ 7,775,202	\$ 1,801,220	\$ 1,418,054	\$ 17,358,847
Total Allocated Funds	\$ 26,182,003	\$ 20,829,602	\$ 5,544,244	\$ 1,418,054	\$ 53,973,903
25% Required Reserves	\$ 4,031,376				
Excess over Reserve Requirement	\$ 2,332,995				

City of Nacogdoches
2022 / 2023 Utility Fund Revenues

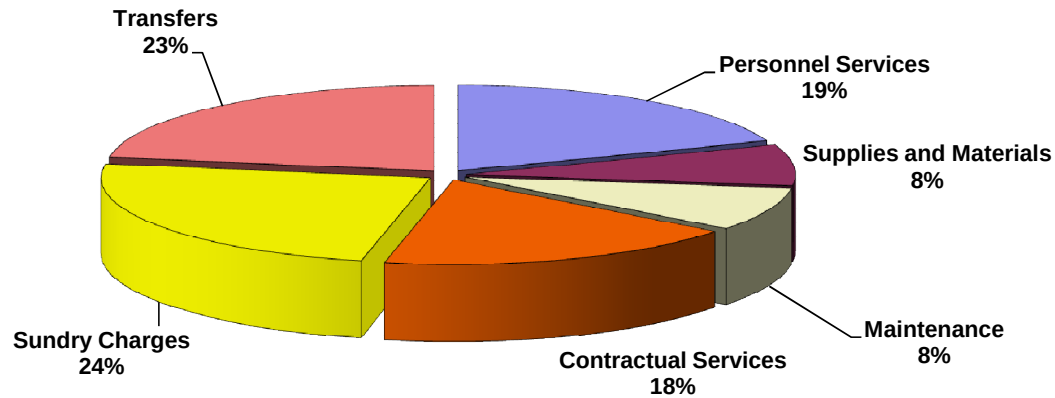
	Actual Balance 2019 / 2020	Actual Balance 2020 / 2021	March Actual Balance 2021 / 2022	Adopted Budget 2021 / 2022	Amended Budget 2021 / 2022	Proposed Budget 2022 / 2023
Permits	\$ 39,995	\$ 36,693	\$ 18,703	\$ 35,000	\$ 35,000	\$ 5,000
Interest	\$ 348,442	\$ 68,404	\$ 35,445	\$ 38,500	\$ 38,500	\$ 171,900
Miscellaneous Revenue	\$ 680,718	\$ 648,352	\$ 323,504	\$ 597,500	\$ 597,500	\$ 597,500
Water Charges	\$ 9,877,555	\$ 10,212,346	\$ 5,082,504	\$ 10,200,000	\$ 10,200,000	\$ 10,500,000
Sewer Charges	\$ 8,715,721	\$ 8,713,584	\$ 4,380,267	\$ 9,000,000	\$ 9,000,000	\$ 9,000,000
Interfund Transfers	\$ -	\$ 150,000	\$ -	\$ -	\$ -	\$ -
Non Operating Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Budgeted Revenues	\$ 19,662,431	\$ 19,829,379	\$ 9,840,423	\$ 19,871,000	\$ 19,871,000	\$ 20,274,400



City of Nacogdoches
2022 / 2023 Utility Fund Expenses by Classification

	Actual Balance 2019 / 2020	Actual Balance 2020 / 2021	March Actual Balance 2021 / 2022	Adopted Budget 2021 / 2022	Amended Budget 2021 / 2022	Proposed Budget 2022 / 2023
Personnel Services	\$ 2,771,351	\$ 2,764,734	\$ 1,493,408	\$ 3,062,668	\$ 3,062,668	\$ 3,122,686
Supplies and Materials	\$ 884,154	\$ 874,711	\$ 503,866	\$ 1,288,341	\$ 1,290,341	\$ 1,256,064
Maintenance	\$ 1,184,465	\$ 1,300,132	\$ 633,922	\$ 1,394,397	\$ 1,454,333	\$ 1,338,422
Contractual Services	\$ 1,721,062	\$ 2,013,347	\$ 1,043,703	\$ 2,232,832	\$ 2,462,657	\$ 2,887,386
Sundry Charges	\$ 4,153,930	\$ 4,436,723	\$ 1,475,724	\$ 4,140,997	\$ 4,140,997	\$ 3,914,140
Transfers	\$ 3,704,264	\$ 3,557,514	\$ 1,828,940	\$ 3,657,881	\$ 3,657,881	\$ 3,606,807
Total	\$ 14,419,226	\$ 14,947,161	\$ 6,979,563	\$ 15,777,116	\$ 16,068,877	\$ 16,125,505

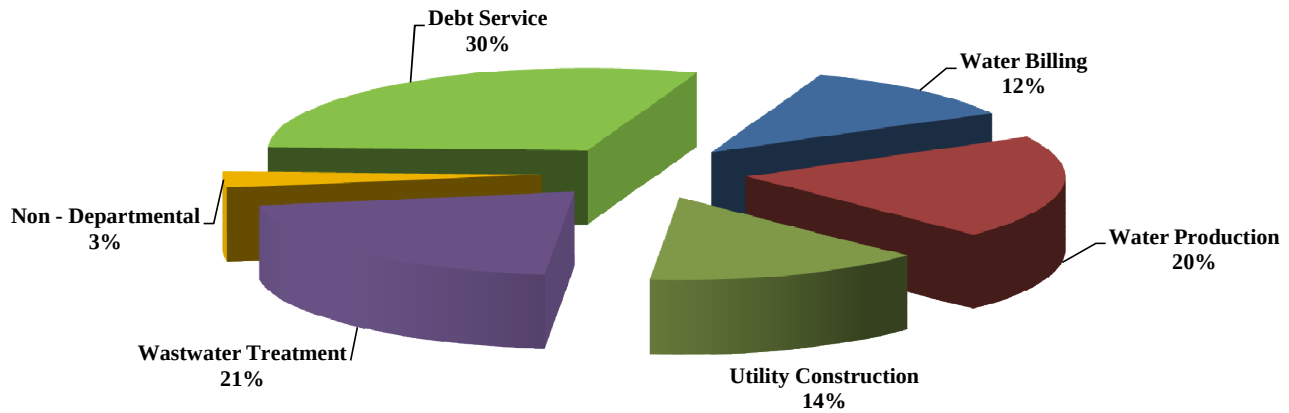
2022 /2023 Utility Fund Expenses by Classification



City of Nacogdoches
2022 / 2023 Utility Fund Expenses by Department

	Actual Balance 2019 / 2020	Actual Balance 2020 / 2021	March Actual Balance 2021 / 2022	Adopted Budget 2021 / 2022	Amended Budget 2021 / 2022	Proposed Budget 2022 / 2023
Water Billing	\$ 1,325,128	\$ 1,234,558	\$ 658,537	\$ 1,362,907	\$ 1,422,843	\$ 1,446,007
Water Production	\$ 1,592,493	\$ 1,826,155	\$ 910,930	\$ 2,574,339	\$ 2,749,339	\$ 2,542,701
Utility Construction	\$ 1,332,141	\$ 1,314,050	\$ 775,575	\$ 1,472,746	\$ 1,474,746	\$ 1,761,076
Wastwater Treatment	\$ 2,151,517	\$ 2,265,633	\$ 1,160,660	\$ 2,338,479	\$ 2,388,479	\$ 2,609,190
Non - Departmental	\$ 342,920	\$ 403,222	\$ 176,707	\$ 400,882	\$ 405,707	\$ 416,699
Debt Service	\$ 3,970,763	\$ 4,346,029	\$ 1,468,214	\$ 3,969,882	\$ 3,969,882	\$ 3,743,025
Total Operating Expenses	\$ 10,714,962	\$ 11,389,647	\$ 5,150,623	\$ 12,119,235	\$ 12,410,996	\$ 12,518,698
Inter - Fund Transfers	\$ 3,704,264	\$ 3,557,514	\$ 1,828,940	\$ 3,657,881	\$ 3,657,881	\$ 3,606,807
Total Expenses	\$ 14,419,226	\$ 14,947,161	\$ 6,979,563	\$ 15,777,116	\$ 16,068,877	\$ 16,125,505

2022 / 2023 Utility Fund Summary of Expenses



City of Nacogdoches
2022 / 2023 Utility Fund Capital Equipment

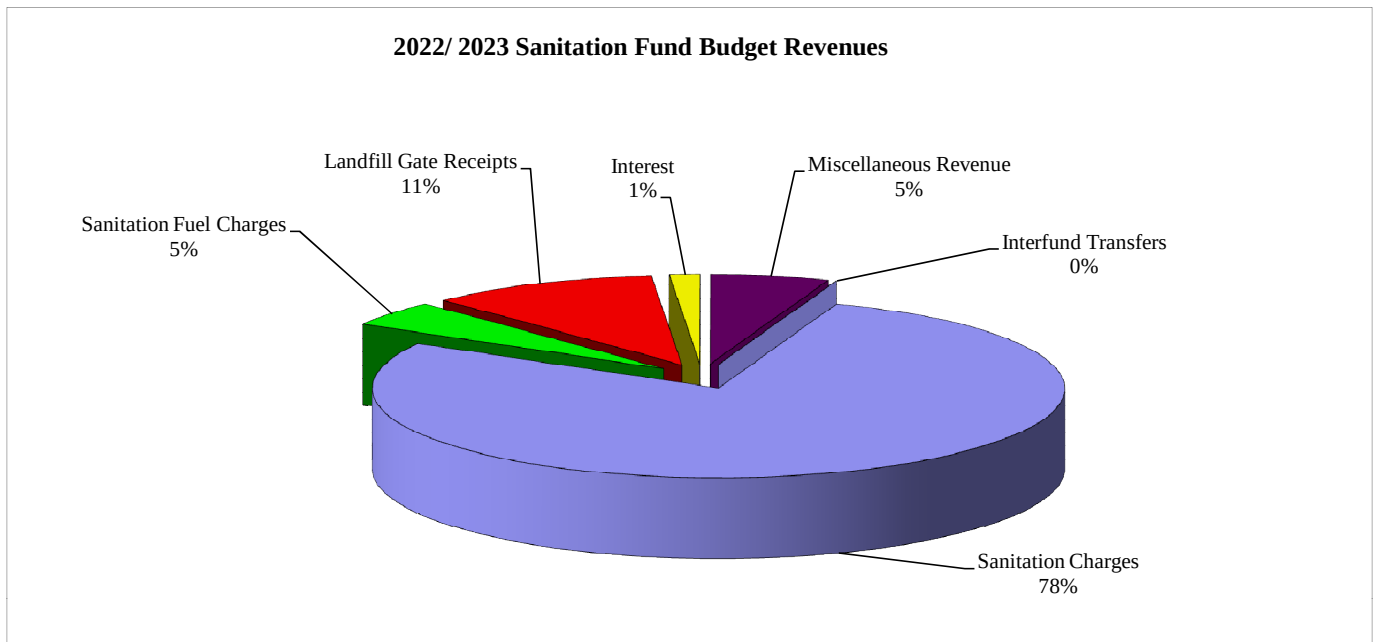
Department	Description	Operations	Depreciation Fund
Water Production	SCADA upgrades		\$100,000
Water Production	Major System Repairs		\$50,000
Water Production	Turbidity Sensors		\$24,000
Water Production	Replace Alum Pumps		\$22,000
Water Production	Vacuum Pump for Basins		\$17,000
Water Production	Repair Filter Panel at Lake		\$14,000
Water Production	Control Panel Pressure Tank SWPS		\$20,000
Water Production	Repair GST CH North		\$20,000
Water Production	Replace LP & MP Pumps		\$35,000
Utility Construction	Hydro Excavation Trailer		\$150,000
Utility Construction	Replace Backhoe Unit #686		\$140,000
Utility Construction	Replace 2Ton Work Truck Unit #551		\$90,000
Utility Construction	Dirt Storage Building		\$80,000
Utility Construction	Exmark Mower		\$15,000
Utility Construction	20' Utility Trailer		\$7,500
Wastewater Treatment	SCADA upgrades		\$100,000
Wastewater Treatment	Portable Chlorine Boost Trailer		\$30,000
Wastewater Treatment	Disc Aerator Replacement		\$41,600
Wastewater Treatment	Influent Pump Replacement		\$70,000
Wastewater Treatment	Major Plant Repairs		\$75,000
Wastewater Treatment	Major Pump/Lift Station Repairs		\$20,000
Wastewater Treatment	Tac Pac Lift Stations		\$16,500
Wastewater Treatment	Linko Pretreatment Software		\$12,800
Wastewater Treatment	Sampler		\$7,000
Total Capital		\$ -	\$ 1,157,400

City of Nacogdoches
2022 / 2023 Sanitation Fund Summary

	Sanitation Fund Operations	Capital Replacement	Landfill Pit Liability Account	Total Sanitation Fund
October 1, 2022 Estimated Cash Reserves				
Unrestricted Cash & Cash Equivalents	\$ 3,068,170			\$ 3,068,170
Restricted Cash for Equipment Replacement		\$ 2,363,804		\$ 2,363,804
Restricted Cash for Landfill Pit Liability			\$ 7,391,120	\$ 7,391,120
Total Estimated Beginning Cash Balance	\$ 3,068,170	\$ 2,363,804	\$ 7,391,120	\$ 12,823,094
2022 / 2023 Budget Revenues				
Sanitation Charges	\$ 5,616,000			\$ 5,616,000
Sanitation Fuel Charges	\$ 336,000			\$ 336,000
Landfill Gate Receipts	\$ 775,000			\$ 775,000
Interest	\$ 60,000	\$ 42,900		\$ 102,900
Miscellaneous Revenue	\$ 400,000			\$ 400,000
Interfund Transfers	\$ -			\$ -
Total 2022 / 2023 Budget Revenues	\$ 7,187,000	\$ 42,900	\$ -	\$ 7,229,900
2022 / 2023 Other Finance Sources				
Contributions from Operations-Depreciation		\$ 959,319		\$ 959,319
Contributions from Operations-Additional Capital		\$ 750,000		\$ 750,000
Contributions from Operations-Closure/Postclosure			\$ 250,000	\$ 250,000
Contributions from Operations-New Cell Construction			\$ 250,000	\$ 250,000
Total 2022 / 2023 Other Finance Sources	\$ -	\$ 1,709,319	\$ 500,000	\$ 2,209,319
Total Available Funds	\$ 10,255,170	\$ 4,116,023	\$ 7,891,120	\$ 22,262,313
2022 / 2023 Budget Operating Expenses				
Sanitation Collection	\$ 1,578,951			\$ 1,578,951
Sanitation Disposal	\$ 1,060,366			\$ 1,060,366
Sanitation Administration	\$ 214,073			\$ 214,073
Non - Departmental	\$ 381,940			\$ 381,940
Inter - Fund Transfers	\$ 2,309,512			\$ 2,309,512
Total 2022 / 2023 Budget Operating Expenses	\$ 5,544,842	\$ -	\$ -	\$ 5,544,842
2022 / 2023 Capital Improvements				
Permit Amendment			\$ 500,000	\$ 500,000
New Cell Construction			\$ 3,000,000	\$ 3,000,000
Total 2022 / 2023 Capital Improvements	\$ -	\$ -	\$ 3,500,000	\$ 3,500,000
2022 / 2023 Capital Equipment				
Sanitation Collection - Replace Front Load Garbage Truck (2)		\$ 825,000		\$ 825,000
Sanitation Disposal - D6 Dozer		\$ 625,000		\$ 625,000
Sanitation Disposal - Generator for Scale House		\$ 20,000		\$ 20,000
Total 2022 / 2023 Capital Equipment Expenses	\$ -	\$ 1,470,000	\$ -	\$ 1,470,000
Other Finance Uses				
Contributions to Equipment Replacement	\$ 959,319			\$ 959,319
Contributions to Capital Equipment	\$ 750,000			\$ 750,000
Contributions to Landfill Closure/Post Closure	\$ 250,000			\$ 250,000
Contributions to Landfill New Cell Construction	\$ 250,000			\$ 250,000
Total Other Finance Uses	\$ 2,209,319	\$ -	\$ -	\$ 2,209,319
September 30, 2023 Estimated Cash Reserves				
Unrestricted Cash & Cash Equivalents	\$ 2,501,009			\$ 2,501,009
Restricted Cash for Equipment Replacement		\$ 2,646,023		\$ 2,646,023
Restricted Cash for Landfill Pit Liability			\$ 4,391,120	\$ 4,391,120
Total Estimated Ending Cash Balance	\$ 2,501,009	\$ 2,646,023	\$ 4,391,120	\$ 9,538,152
Total Allocated Funds	\$ 10,255,170	\$ 4,116,023	\$ 7,891,120	\$ 22,262,313
25% Required Reserves	\$ 1,386,211			
Excess over Reserve Requirement	\$ 1,114,799			

City of Nacogdoches
2022 / 2023 Sanitation Fund Revenues

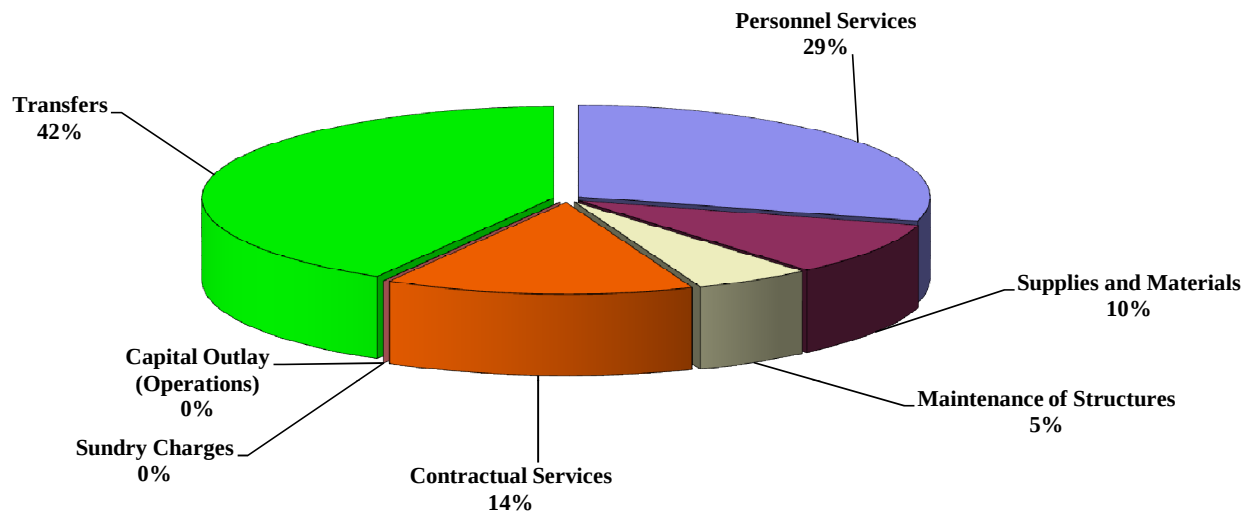
	Actual Balance 2019 / 2020	Actual Balance 2020 / 2021	March Actual Balance 2021 / 2022	Adopted Budget 2021 / 2022	Amended Budget 2021 / 2022	Proposed Budget 2022 / 2023
Sanitation Charges	\$ 5,431,650	\$ 5,506,805	\$ 2,833,686	\$ 5,496,000	\$ 5,496,000	\$ 5,616,000
Sanitation Fuel Charges	\$ 191,540	\$ 247,482	\$ 161,378	\$ 222,000	\$ 222,000	\$ 336,000
Landfill Gate Receipts	\$ 682,017	\$ 819,952	\$ 415,668	\$ 680,000	\$ 680,000	\$ 775,000
Interest	\$ 141,119	\$ 78,392	\$ 21,489	\$ 25,000	\$ 25,000	\$ 102,900
Miscellaneous Revenue	\$ 370,284	\$ 277,767	\$ 461,439	\$ 375,000	\$ 375,000	\$ 400,000
Interfund Transfers	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Operating Revenues	\$ 6,816,610	\$ 6,930,398	\$ 3,893,660	\$ 6,798,000	\$ 6,798,000	\$ 7,229,900



City of Nacogdoches
2022 / 2023 Sanitation Fund Expenses by Classification

	Actual Balance 2019 / 2020	Actual Balance 2020 / 2021	March Actual Balance 2021 / 2022	Adopted Budget 2021 / 2022	Amended Budget 2021 / 2022	Proposed Budget 2022 / 2023
Personnel Services	\$ 1,101,379	\$ 1,572,688	\$ 741,334	\$ 1,564,225	\$ 1,564,225	\$ 1,626,109
Supplies and Materials	\$ 189,734	\$ 259,237	\$ 191,791	\$ 330,900	\$ 480,900	\$ 526,100
Maintenance of Structures	\$ 339,181	\$ 513,900	\$ 149,796	\$ 296,614	\$ 296,614	\$ 297,914
Contractual Services	\$ 468,816	\$ 734,280	\$ 286,144	\$ 751,420	\$ 756,245	\$ 785,207
Sundry Charges	\$ 97,486	\$ 76,277	\$ -	\$ -	\$ -	\$ -
Capital Outlay (Operations)	\$ 82,014	\$ 98,179	\$ -	\$ -	\$ -	\$ -
Transfers	\$ 2,358,249	\$ 2,294,810	\$ 1,169,522	\$ 2,289,044	\$ 2,289,044	\$ 2,309,512
Total	\$ 4,636,859	\$ 5,549,371	\$ 2,538,587	\$ 5,232,203	\$ 5,387,028	\$ 5,544,842

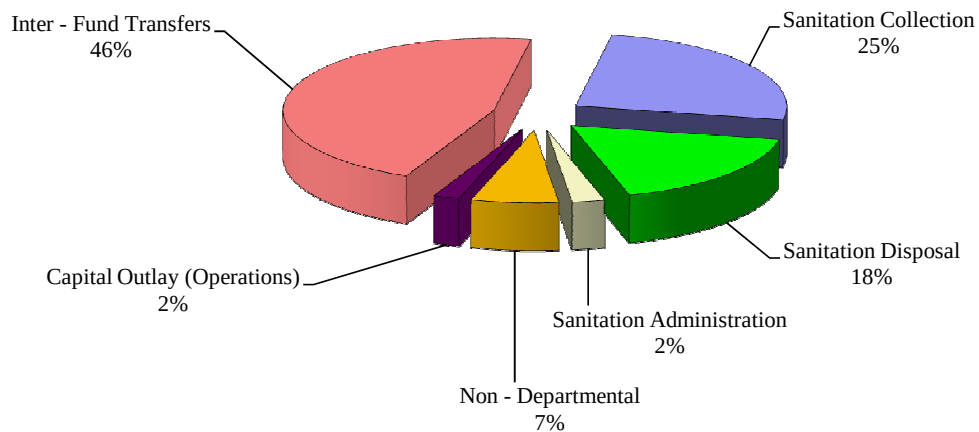
2022 / 2023 Sanitation Fund Expenses by Classification



City of Nacogdoches
2022 / 2023 Sanitation Fund Expenses by Department

	Actual Balance 2019 / 2020	Actual Balance 2020 / 2021	March Actual Balance 2021 / 2022	Adopted Budget 2021 / 2022	Amended Budget 2021 / 2022	Proposed Budget 2022 / 2023
Sanitation Collection	\$ 1,082,445	\$ 1,659,642	\$ 726,696	\$ 1,418,811	\$ 1,568,811	\$ 1,578,951
Sanitation Disposal	\$ 720,427	\$ 976,993	\$ 377,080	\$ 956,517	\$ 956,517	\$ 1,060,366
Sanitation Administration	\$ -	\$ 136,159	\$ 85,980	\$ 196,049	\$ 196,049	\$ 214,073
Non - Departmental	\$ 393,724	\$ 383,588	\$ 179,309	\$ 371,782	\$ 376,607	\$ 381,940
Depreciation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Capital Outlay (Operations)	\$ 82,014	\$ 98,179	\$ -	\$ -	\$ -	\$ -
Total Operating Expenses	\$ 2,278,610	\$ 3,254,561	\$ 1,369,065	\$ 2,943,159	\$ 3,097,984	\$ 3,235,330
Inter - Fund Transfers	\$ 2,358,249	\$ 2,294,810	\$ 1,169,522	\$ 2,289,044	\$ 2,289,044	\$ 2,309,512
Total Expenses	\$ 4,636,859	\$ 5,549,371	\$ 2,538,587	\$ 5,232,203	\$ 5,387,028	\$ 5,544,842

2022 / 2023 Sanitation Fund Summary of Expenses



City of Nacogdoches
2022 / 2023 Sanitation Fund Capital Equipment

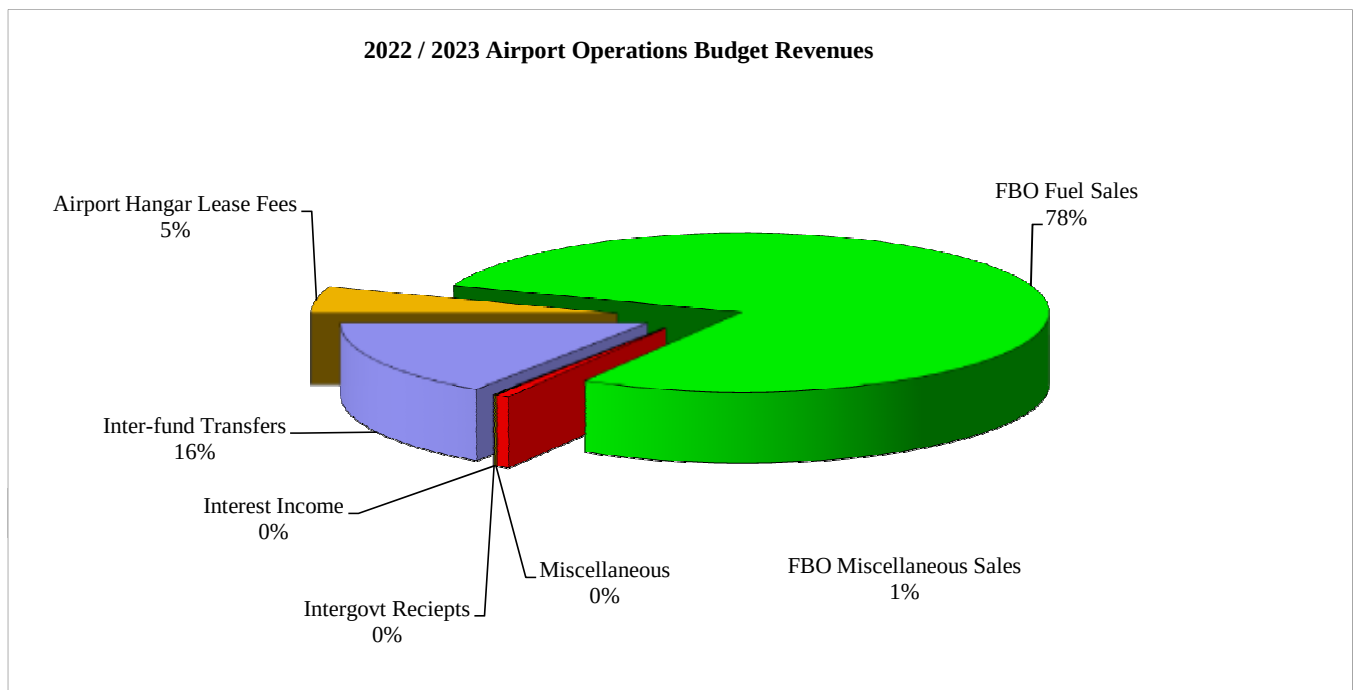
Department	Description	Operations	Depreciation Fund
Sanitation Collection	Replace Front Load Garbage Truck (2)		\$ 825,000
Sanitation Disposal	D6 Dozer		\$ 625,000
Sanitation Disposal	Generator for Scale House		\$ 20,000
Total Capital		\$ -	\$ 1,470,000

City of Nacogdoches
2022 / 2023 Airport FBO Operations Summary

	<u>Airport FBO Operations</u>
October 1, 2022 Estimated Cash Reserves	
Unrestricted Cash & Cash Equivalents	<u>\$ 179,587</u>
 Total Estimated Beginning Cash Balance	 \$ 179,587
 2022 / 2023 Budget Revenues	
Airport Hangar Lease Fees	\$ 35,000
FBO Fuel Sales	\$ 500,000
FBO Miscellaneous Sales	\$ 4,500
Miscellaneous	\$ 500
Interest Income	\$ 350
Inter-fund Transfers	<u>\$ 100,000</u>
 Total 2022 / 2023 Budget Revenues	 \$ 640,350
 Total Available Funds	 \$ 819,937
 2022 / 2023 Budget Operating Expenditures	
Airport Operations	\$ 603,155
Airport Non-Departmental	<u>\$ -</u>
 Total 2022 / 2023 Operating Budget Expenditures	 \$ 603,155
 September 30, 2023 Estimated Cash Reserves	
Unrestricted Cash & Cash Equivalents	\$ 216,782
 Total Estimated Ending Cash Balance	 \$ 216,782
 Total Allocated Funds	 \$ 819,937

City of Nacogdoches
2022 / 2023 Airport FBO Operations Revenues

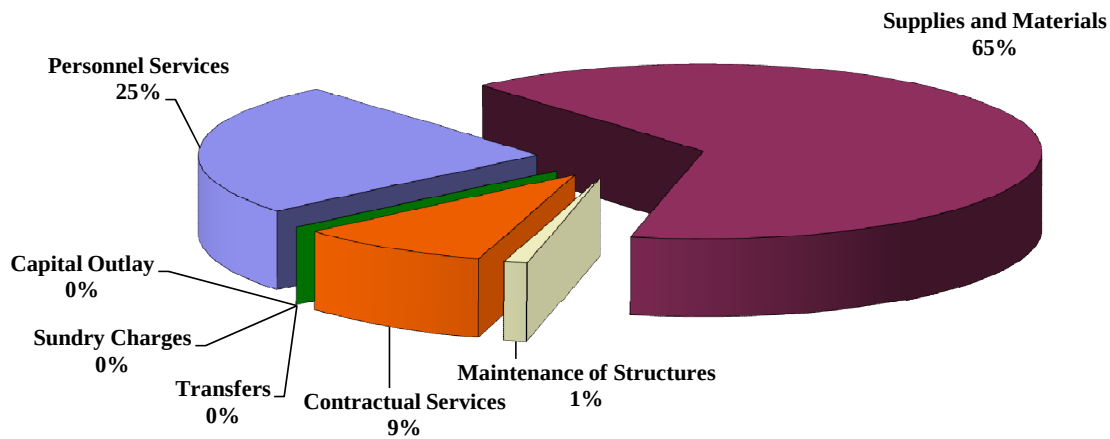
	March Actual						
	Actual Balance 2019 / 2020	Actual Balance 2020 / 2021	Balance 2021 / 2022	Adopted Budget 2021 / 2022	Amended Budget 2021 / 2022	Proposed Budget 2022 / 2023	
Airport Hangar Lease Fees	\$ 35,096	\$ 32,969	\$ 37,099	\$ 35,000	\$ 35,000	\$ 35,000	
FBO Fuel Sales	\$ 331,957	\$ 360,398	\$ 247,497	\$ 350,000	\$ 350,000	\$ 500,000	
FBO Miscellaneous Sales	\$ 5,448	\$ 3,557	\$ 2,987	\$ 4,500	\$ 4,500	\$ 4,500	
Miscellaneous	\$ -	\$ -	\$ 2,226	\$ 500	\$ 500	\$ 500	
Interest Income	\$ 261	\$ 421	\$ 225	\$ 350	\$ 350	\$ 350	
Intergovt Reciepts	\$ -	\$ 53,000	\$ -	\$ -	\$ -	\$ -	
Inter-fund Transfers	\$ 50,000	\$ 100,000	\$ -	\$ 105,000	\$ 105,000	\$ 100,000	
Total Operating Revenues	\$ 422,762	\$ 550,345	\$ 290,034	\$ 495,350	\$ 495,350	\$ 640,350	



City of Nacogdoches
2022 / 2023 Airport FBO Operations Expenses by Classification

	Actual Balance 2019 / 2020	Actual Balance 2020 / 2021	March Actual Balance 2021 / 2022	Adopted Budget 2021 / 2022	Amended Budget 2021 / 2022	Proposed Budget 2022 / 2023
Personnel Services	\$ 172,226	\$ 153,514	\$ 82,457	\$ 166,075	\$ 166,075	\$ 149,529
Supplies and Materials	\$ 216,878	\$ 236,255	\$ 155,734	\$ 264,500	\$ 264,500	\$ 390,700
Maintenance of Structures	\$ 3,977	\$ 4,308	\$ 2,551	\$ 6,500	\$ 6,500	\$ 6,700
Contractual Services	\$ 30,766	\$ 38,162	\$ 21,381	\$ 56,865	\$ 56,865	\$ 56,226
Sundry Charges	\$ 100	\$ (600)	\$ -	\$ -	\$ -	\$ -
Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Transfers	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total	\$ 423,947	\$ 431,639	\$ 262,123	\$ 493,940	\$ 493,940	\$ 603,155

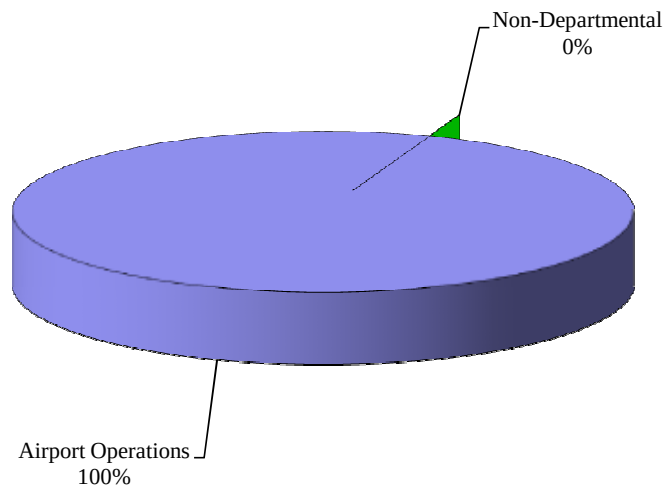
2022 / 2023 Airport Operations Expenditures by Classification



City of Nacogdoches
2022 / 2023 Airport FBO Operations Expenses by Department

	Actual Balance 2019 / 2020	Actual Balance 2020 / 2021	March Actual Balance 2021 / 2022	Adopted Budget 2021 / 2022	Amended Budget 2021 / 2022	Proposed Budget 2022 / 2023
Airport Operations	\$ 423,947	\$ 431,639	\$ 262,123	\$ 493,940	\$ 493,940	\$ 603,155
Non-Departmental	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Operating Expenditures	\$ 423,947	\$ 431,639	\$ 262,123	\$ 493,940	\$ 493,940	\$ 603,155

2022 / 2023 Airport Operations Summary of Expenditures



City of Nacogdoches
2022 / 2023 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>	\$ 259,700	\$ 282,493	\$ 650,583	\$ 31,480	\$ 16,601	\$ 5,899	\$ 973,563	\$ 2,220,319
<u>Revenues</u>								
Intergovernmental Receipts		\$ 1,400,000			\$ 3,900		\$ 32,000	\$ 1,435,900
Fines/Forfeitures			\$ -					\$ -
Payment Recv' on Loans	\$ 37,248							\$ 37,248
Investment Earnings	\$ 2,500	\$ 750	\$ 1,000	\$ 250	\$ 20		\$ 2,500	\$ 7,020
Contributions & Donations								\$ -
Inter-Fund Transfers	\$ 225,000	\$ 200,000		\$ 25,000		\$ 5,000		\$ 455,000
Total Revenues	\$ 264,748	\$ 1,600,750	\$ 1,000	\$ 25,250	\$ 3,920	\$ 5,000	\$ 34,500	\$ 1,935,168
<u>Expenditures</u>								
Airport Construction		\$ 1,600,000						\$ 1,600,000
Forfeiture			\$ 960					\$ 960
Historical				\$ 25,000				\$ 25,000
Public Safety Training - Police					\$ 5,000			\$ 5,000
Public Safety Training - Fire					\$ 3,000			\$ 3,000
Mayor's Committee on Disability						\$ 5,000		\$ 5,000
Police							\$ -	\$ -
Library							\$ 32,000	\$ 32,000
Non Departmental							\$ 200,000	\$ 200,000
Interfund Transfers	\$ 112,248							\$ 112,248
Total Expenditures	\$ 112,248	\$ 1,600,000	\$ 960	\$ 25,000	\$ 8,000	\$ 5,000	\$ 232,000	\$ 1,983,208
<u>Ending Fund Balance</u>	\$ 412,200	\$ 283,243	\$ 650,623	\$ 31,730	\$ 12,521	\$ 5,899	\$ 776,063	\$ 2,172,279

City of Nacogdoches
2022 / 2023 Hotel / Motel Tax Fund Summary

October 1, 2022 Estimated Beginning Cash Balance							\$	552,125				
	Actual Balance	Actual Balance	March Actual	Adopted Budget	Amended	Proposed						
	2019 / 2020	2020 / 2021	Balance	2021 / 2022	Budget 2021 /	Budget	2022 / 2023					
			2021 / 2022	2021 / 2022	2022							
Revenues												
Hotel / Motel Occupancy Tax Receipts	\$	610,331	\$	769,673	\$	338,475	\$	725,000	\$	725,000	\$	800,000
Misc Grant/Contributions Receipts	\$	-	\$	1,350	\$	-	\$	-	\$	30,000	\$	-
Interest	\$	17,100	\$	962	\$	519	\$	500	\$	500	\$	3,000
Total Revenues	\$	627,431	\$	771,985	\$	338,994	\$	725,500	\$	755,500	\$	803,000

City of Nacogdoches
2022 / 2023 Debt Service Fund Summary

October 1, 2022 Estimated Beginning Cash Balance		
2021 Tax Note	\$	265,211
2022 Certificates of Obligation	\$	-
Total Beginning Balance	\$	265,211
Revenues		
2021 Tax Note	\$	223,465
2022 Certificates of Obligation	\$	1,371,537
Total Current Taxes	\$	1,595,002
2021 Tax Note	\$	4,603
2022 Certificates of Obligation	\$	27,879
Total Delinquent Taxes	\$	32,482
Interest	\$	10,000
Total Revenues	\$	1,637,484
Total Available Funds	\$	1,902,695
Expenditures		
2021 Tax Note	\$	212,000
2022 Certificates of Obligation	\$	640,000
Total Principal Payments	\$	852,000
2021 Tax Note	\$	14,063
2022 Certificates of Obligation	\$	745,533
Total Interest Payments	\$	759,596
Total Expenditures	\$	1,611,596
September 30, 2023 Estimated Ending Cash Balance		
2021 Tax Note	\$	267,216
2020 General Obligation Refunding	\$	23,883
Total Ending Balance	\$	291,099
Total Allocated Funds	\$	1,902,695

City of Nacogdoches
2022 / 2023 Capital Projects Fund Summary

	Street Maint		RLF		Total
October 1, 2022 Estimated Beginning Cash Balance	\$	23,251	\$	146,457	\$ 169,708
Revenues					
Street Maintenance Fee	\$	758,400	\$	-	\$ 758,400
Trf f/ Eco Dev Fund	\$	-	\$	112,248	\$ 112,248
Trf f/ Utility Fund	\$	-	\$	-	\$ -
Interest	\$	2,500	\$	2,000	\$ 4,500
Total Revenues	\$	760,900	\$	114,248	\$ 875,148
Total Available Funds	\$	784,151	\$	260,705	\$ 1,044,856
Operations					
Bad Debt	\$	12,000	\$	-	\$ 12,000
Capital					
Streets	\$	748,900	\$	-	\$ 748,900
Transfer					
Payback Utility Fund to Cover RLF	\$	-	\$	-	\$ -
Total Expenditures	\$	760,900	\$	-	\$ 760,900
September 30, 2023 Ending Cash Balance	\$	23,251	\$	260,705	\$ 283,956
Total Allocated Funds	\$	784,151	\$	260,705	\$ 1,044,856

City of Nacogdoches
2022 / 2023 Equipment Replacement Fund Summary

October 1, 2022 Estimated Beginning Balance \$ 2,821,100

Revenues

Rental Receipts	\$	584,086
Miscellaneous Revenue	\$	15,000
Oil & Gas Revenue	\$	500
Interest	\$	42,000
Trf f/ General Fund	\$	100,000

Total Revenues \$ 741,586

Total Available Funds \$ 3,562,686

Expenditures

Police - Patrol Units (6)	\$	400,000
Police - UTV	\$	27,200
Fire - Station 3 AC Units (2)	\$	20,100
Info Tech - MS Office Licenses	\$	12,000
Recreation - 5 ton AC Units (2)	\$	24,000
Parks & Cemetery- Gator at Softball	\$	8,400
Parks & Cemetery- Gator at Cemetery	\$	9,400
Parks & Cemetery- Mule Downtown	\$	17,000
Parks & Cemetery- Tractor w/ Grapple	\$	70,400
Parks & Cemetery- Mowers (2)	\$	20,800
Parks & Cemetery- Mower	\$	8,750

Total Expenditures \$ 618,050

September 30, 2023 Estimated Ending Balance \$ 2,944,636

Total Allocated Funds \$ 3,562,686

City of Nacogdoches
2022 / 2023 Self Insurance Fund Summary

October 1, 2022 Estimated Beginning Balance \$ 1,600,000

Revenues

Health Insurance

Employer Contribution to Health Insurance \$ 2,853,600

Employee Contribution to Health Insurance \$ 468,756

Retiree Contribution to Health Insurance \$ 119,556

Dental Insurance

Employer Contribution to Dental Insurance \$ 118,440

Employee Contribution to Dental Insurance \$ 53,462

Non-Operating

Interest \$ 6,000

Total Revenues \$ 3,619,814

Total Available Funds \$ 5,219,814

Expenditures

Health Insurance

Insurance Claims \$ 3,003,564

Administrative Fees \$ 744,775

Special Services \$ 28,000

Dental Insurance

Insurance Claims \$ 130,325

Administrative Fees \$ 25,550

Total Expenditures \$ 3,932,214

September 30, 2023 Estimated Ending Balance \$ 1,287,600

Total Allocated Funds \$ 5,219,814

City of Nacogdoches
Comparison of Required Notices and Legislative Services Expenditures

	Actual Balance	Actual Balance 2020	March Actual	Adopted Budget	Amended Budget	Proposed Budget
GENERAL FUND	2019 / 2020	/ 2021	Balance 2021 / 2022	2021 / 2022	2021 / 2022	2022 / 2023
Required Notice Advertising Services	\$ 4,674	\$ 9,018	\$ 5,277	\$ 6,825	\$ 6,825	\$ 11,940
Legislative Services	\$ 17,920	\$ 20,004	\$ 11,723	\$ 20,000	\$ 20,000	\$ 20,000
Total Expenditures	\$ 22,594	\$ 29,022	\$ 17,000	\$ 26,825	\$ 26,825	\$ 31,940

	Actual Balance	Actual Balance 2020	March Actual	Adopted Budget	Amended Budget	Proposed Budget
UTILITY FUND	2019 / 2020	/ 2021	Balance 2021 / 2022	2021 / 2022	2021 / 2022	2022 / 2023
Required Notice Advertising Services	\$ 1,155	\$ 88	\$ 129	\$ 2,050	\$ 2,050	\$ 900
Legislative Services	\$ 17,920	\$ 20,092	\$ 11,723	\$ 20,000	\$ 20,000	\$ 20,000
Total Expenses	\$ 19,075	\$ 20,180	\$ 11,852	\$ 22,050	\$ 22,050	\$ 20,900

	Actual Balance	Actual Balance 2020	March Actual	Adopted Budget	Amended Budget	Proposed Budget
SANITATION FUND	2019 / 2020	/ 2021	Balance 2021 / 2022	2021 / 2022	2021 / 2022	2022 / 2023
Required Notice Advertising Services	\$ 816	\$ 88	\$ -	\$ -	\$ -	\$ -
Legislative Services	\$ 17,910	\$ 21,659	\$ 11,717	\$ 20,000	\$ 20,000	\$ 20,000
Total Expenses	\$ 18,726	\$ 21,747	\$ 11,717	\$ 20,000	\$ 20,000	\$ 20,000

City of Nacogdoches Capital Improvements Program 2022 / 2023

PROJECT	Total Project Cost	Amended FY 21 - 22	Proposed FY 22 - 23	Future FY 23 - 24	Future FY 24 - 25	Future FY 25 - 26	Future FY 26 - 27
GENERAL FUND							
Community Facility:							
New Central Fire Station	\$ 8,080		\$ 8,080				
Maintenance Stations 1,3,4	\$ 594		\$ 594				
Relocate SW Fire Station	\$ 4,360			\$ 700	\$ 3,000	\$ 660	
Relocate NW Fire Station	\$ 4,050			\$ 550	\$ 3,000	\$ 500	
Renovate Fire Station 4	\$ 2,754			\$ 220	\$ 1,110	\$ 1,424	
Fire Training Facility	\$ 870					\$ 10	\$ 860
Community Facility Total	\$ 20,708	\$ -	\$ 8,674	\$ 1,470	\$ 7,110	\$ 2,594	\$ 860
Parks:							
Parking Lot Repaving Program (materials only)	\$ 300	\$ 120	\$ 30	\$ 30	\$ 40	\$ 40	\$ 40
Oak Grove Cemetery Repaving	\$ 45		\$ 45				
Restroom - Pecan Park	\$ 150	\$ 150					
Restrooms - Maroney Park	\$ 150	\$ 150					
Restrooms - Festival Park	\$ 210	\$ 210					
Restrooms - Banita North Park	\$ 220		\$ 220				
Restrooms - Mill Pond Park	\$ 220		\$ 220				
Restrooms - McCrimmon and Ritchie Parks	\$ 440		\$ 440				
Restrooms - Lake Nacogdoches West	\$ 440		\$ 440				
Playground - Ritchie St Park	\$ 180	\$ 180					
Playground - McCrimmon Park	\$ 240		\$ 240				
Playground - Mill Pond Park	\$ 240		\$ 240				
Playground - Lake Nacogdoches West	\$ 230			\$ 230			
Playground - Maroney	\$ 400				\$ 400		
Lake Nacogdoches West Park accessible walkway to swim area	\$ 165		\$ 165				
Soccer Drainage Phase II	\$ 75	\$ 75					
Trails Project - FoHNI Donation	\$ 43	\$ 43					
Skate Park	\$ 400			\$ 50	\$ 350		
Maroney Tennis Courts	\$ 550			\$ 550			
Pioneer Park Pedestrian Bridges (2)	\$ 240		\$ 120	\$ 120			
Baseball Parking Expansion	\$ 165			\$ 165			
Parks Total	\$ 5,103	\$ 928	\$ 2,160	\$ 150	\$ 1,035	\$ 790	\$ 40
Downtown:							
Sidewalk Replacement & Accessible Ramps (Main St)	\$ 375			\$ 75	\$ 300		
Central Garbage Sites	\$ 60			\$ 30		\$ 30	
Plaza Principal Electrical Upgrades	\$ 50	\$ 50					
Electrical Service Main Street & Festival Park	\$ 350		\$ 350				
Downtown Total	\$ 835	\$ -	\$ 350	\$ 105	\$ 300	\$ 30	\$ -
Facilities							
Mausoleum Roof Repairs	\$ 60	\$ 60					
Sunset Office & Equipment Building	\$ 425			\$ 30	\$ 395		
City Hall Renovations Phase I	\$ 1,170			\$ 70	\$ 550	\$ 550	
City Hall Renovations Phase II	\$ 4,800			\$ 400		\$ 2,750	\$ 1,650
Animal Service Center	\$ 8,625					\$ 375	\$ 8,250
Animal Shelter Dog Run Floor Resurfacing	\$ 45	\$ 45					
New Service Center	\$ 6,400					\$ 900	\$ 5,500
City Warehouse & Stores Facility	\$ 800				\$ 50	\$ 750	
Fleet Maintenance Addition & Access Road (at PW)	\$ 300	\$ 300					
City Hall Roof	\$ 200	\$ 200					
Facilities Total	\$ 22,825	\$ 605	\$ -	\$ 500	\$ 995	\$ 5,325	\$ 15,400
Streets							
City-Wide Street Rebuild to Maintenance Level	\$ 11,200		\$ 5,000		\$ 6,200		
Sidewalk Repairs & Additions	\$ 1,000				\$ 500		\$ 500
Annual Street Rehab (incl sidewalks)	\$ 1,766	\$ 516	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250
Streets Total	\$ 13,966	\$ 516	\$ 5,250	\$ 250	\$ 6,950	\$ 250	\$ 750
Drainage							
Annual Storm Sewer System Repairs	\$ 5,000		\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Critical Storm System Reconstruction	\$ 4,000		\$ 4,000				
Drainage Total	\$ 9,000	\$ -	\$ 5,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
GENERAL FUND TOTAL:	\$ 72,437	\$ 2,049	\$ 21,434	\$ 3,475	\$ 17,390	\$ 9,989	\$ 18,050

City of Nacogdoches Capital Improvements Program 2022 / 2023

PROJECT	Total Project Cost	Amended FY 21 - 22	Proposed FY 22 - 23	Future FY 23 - 24	Future FY 24 - 25	Future FY 25 - 26	Future FY 26 - 27
AIRPORT CONSTRUCTION FUND							
Airport Facilities:							
Airport RAMP Grant	\$ 600	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100
Runway and Taxiway Pavement	\$ 1,500		\$ 1,500				
Airport Development Phase 1, 2, 3	\$ 14,575			\$ 1,565	\$ 7,160	\$ 4,050	\$ 1,800
Airport Facility Total	\$ 16,675	\$ 100	\$ 1,600	\$ 1,665	\$ 7,260	\$ 4,150	\$ 1,900
AIRPORT CONSTRUCTION FUND TOTAL:	\$ 16,675	\$ 100	\$ 1,600	\$ 1,665	\$ 7,260	\$ 4,150	\$ 1,900

PROJECT	Total Project Cost	Amended FY 21 - 22	Proposed FY 22 - 23	Future FY 23 - 24	Future FY 24 - 25	Future FY 25 - 26	Future FY 26 - 27
HOTEL TAX FUND							
Community Facility:							
Zion Hill Church Restoration	\$ 1,179	\$ 1,179					
Zion Hill Church Exhibits	\$ 200		\$ 200				
Zion Hill Church Parking	\$ 35		\$ 35				
Community Facility Total	\$ 1,414	\$ 1,179	\$ 235	\$ -	\$ -	\$ -	\$ -
HOTEL TAX FUND TOTAL:	\$ 1,414	\$ 1,179	\$ 235	\$ -	\$ -	\$ -	\$ -

PROJECT	Total Project Cost	Amended FY 21 - 22	Proposed FY 22 - 23	Future FY 23 - 24	Future FY 24 - 25	Future FY 25 - 26	Future FY 26 - 27
SPECIAL GRANT FUND							
Special Projects:							
Lanana Trail North of Austin	\$ 138	\$ 138					
Pilgrims Pride Sportsplex Improvements	\$ 441	\$ 441					
Automated Vehicle Locator System	\$ 120			\$ 120			
Special Projects Total	\$ 699	\$ 579	\$ -	\$ 120	\$ -	\$ -	\$ -
SPECIAL GRANT FUND TOTAL:	\$ 699	\$ 579	\$ -	\$ 120	\$ -	\$ -	\$ -

PROJECT	Total Project Cost	Amended FY 21 - 22	Proposed FY 22 - 23	Future FY 23 - 24	Future FY 24 - 25	Future FY 25 - 26	Future FY 26 - 27
CAPITAL PROJECTS FUND							
RFP Special Projects:							
RLF Sidewalk Project	\$ 744	\$ 744					
RLF Park Project	\$ 120	\$ 120					
Special Projects Total	\$ 864	\$ 864	\$ -	\$ -	\$ -	\$ -	\$ -
Street Maintenance Fund Projects:							
Annual Street Maintenance	\$ 4,234	\$ 1,484	\$ 750	\$ -	\$ -	\$ 1,000	\$ 1,000
Curb Replacement - Church Street	\$ 25	\$ 25					
Street Maint Fund Projects Total	\$ 4,259	\$ 1,509	\$ 750	\$ -	\$ -	\$ 1,000	\$ 1,000
CAPITAL PROJECTS FUND TOTAL:	\$ 5,123	\$ 2,373	\$ 750	\$ -	\$ -	\$ 1,000	\$ 1,000

City of Nacogdoches Capital Improvements Program 2022 / 2023

PROJECT	Total Project Cost	Amended FY 21 - 22	Proposed FY 22 - 23	Future FY 23 - 24	Future FY 24 - 25	Future FY 25 - 26	Future FY 26 - 27
UTILITY FUND							
Waterworks:							
Water Line Additions/Replacements - ARPA	\$ 2,000			\$ 2,000			
Water Line Additions/Replacements	\$ 8,800	\$ 750	\$ 750	\$ 1,750	\$ 1,850	\$ 1,850	\$ 1,850
Water Line Developer Reimbursements	\$ 1,500	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250
Major Water Line Repairs	\$ 5,000			\$ 2,500	\$ 2,500		
Water Well Rehab (one annually)	\$ 1,425	\$ 225	\$ 225	\$ 225	\$ 250	\$ 250	\$ 250
Water Well 4 & 5	\$ 905	\$ 905					
Water Well 10	\$ 75	\$ 75					
SCADA Replacements & Upgrades	\$ 1,050	\$ 250		\$ 275	\$ 275	\$ 250	
SWPS Transmission Line Replacement	\$ 5,050	\$ 500		\$ 450	\$ 2,100	\$ 2,000	
AMR Transmitter & Meter Replacement	\$ 4,772		\$ 4,772				
N Middle Plane Elevated Storage Tank	\$ 1,600			\$ 250	\$ 1,350		
SSPS - SWPS Interconnect	\$ 2,500	\$ 500		\$ 250	\$ 1,000	\$ 750	
Direct Connect US 59 Water Line Relocation	\$ 964	\$ 964					
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					
Water Treatment Filter Reconstruction	\$ 3,000	\$ 1,500					\$ 1,500
Central Heights Distribution System	\$ 3,350	\$ 250		\$ 700	\$ 1,200	\$ 1,200	
Central Heights Elevated Storage	\$ 1,300					\$ 150	\$ 1,150
Waterworks Total	\$ 44,102	\$ 6,980	\$ 5,997	\$ 8,650	\$ 10,775	\$ 6,700	\$ 5,000
Wastewater:							
Liftstation (FM 1878) Replacement	\$ 810	\$ 810					
24" Banita Creek Sewer Line Replacement	\$ 11,779	\$ 2,479		\$ 9,300			
Lanana Creek Sewer Line Replacement	\$ 15,200	\$ 2,500		\$ 12,700			
Sewer Line Additions/Replacements - ARPA	\$ 5,800	\$ -	\$ 3,800	\$ 2,000			
Sewer Line Additions/Replacements	\$ 8,474	\$ 674	\$ 500	\$ 1,750	\$ 1,850	\$ 1,850	\$ 1,850
Sewer Line Developer Reimb.	\$ 1,576	\$ 326	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250
Direct Connect US 59 Sanitary Sewer Relocation	\$ 488	\$ 488					
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	\$ 425					
Sludge Thickener System	\$ 820	\$ 70		\$ 750			
SCADA Replacements & Upgrades	\$ 750	\$ 250		\$ 250	\$ 250		
Diffused Air Conversion for Digester	\$ 750					\$ 750	
Storm Sewer Replacements (bridge/culvert areas) (10 locations)	\$ 1,193	\$ 1,193					
Ford Street Storm Sewer Replacement	\$ 99	\$ 99					
Fredonia St & Church St Storm Sewer Replacement	\$ 47	\$ 47					
Belt Press Building	\$ 1,350		\$ 1,350				
Wastewater Total	\$ 54,561	\$ 9,861	\$ 5,900	\$ 28,250	\$ 4,100	\$ 3,850	\$ 2,600
UTILITY FUND TOTAL:	\$ 98,663	\$ 16,841	\$ 11,897	\$ 36,900	\$ 14,875	\$ 10,550	\$ 7,600

PROJECT	Total Project Cost	Amended FY 21 - 22	Proposed FY 22 - 23	Future FY 23 - 24	Future FY 24 - 25	Future FY 25 - 26	Future FY 26 - 27
SANITATION FUND							
Solid Waste Collection & Disposal							
Construct New Landfill Block O Cell Opening	\$ 3,000		\$ 3,000				
Landfill Major Permit Amendment & Expansion	\$ 2,570	\$ 1,570	\$ 500	\$ 500			
Solid Waste Collection & Disposal Total	\$ 5,570	\$ 1,570	\$ 3,500	\$ 500	\$ -	\$ -	\$ -
SANITATION FUND TOTAL:	\$ 5,570	\$ 1,570	\$ 3,500	\$ 500	\$ -	\$ -	\$ -

2022 Tax Rate Calculation Worksheet

Taxing Units Other Than School Districts or Water Districts

Form 50-856

City of Nacogdoches

Taxing Unit Name

(936) 559-2500

Phone (area code and number)

PO Box 635030, Nacogdoches, TX 75963

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.	2021 total taxable value. Enter the amount of 2021 taxable value on the 2021 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	\$ 1,828,420,454
2.	2021 tax ceilings. Counties, cities and junior college districts. 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 2021 or a prior year for homeowners age 65 or older or disabled, use this step. ²	\$ 0
3.	Preliminary 2021 adjusted taxable value. Subtract Line 2 from Line 1.	\$ 1,828,442,454
4.	2021 total adopted tax rate.	\$ 0.61600/\$100
5.	2021 taxable value lost because court appeals of ARB decisions reduced 2021 appraised value.	
	A. Original 2021 ARB values: \$ 3,664,800	
	B. 2021 values resulting from final court decisions: - \$ 3,040,000	
	C. 2021 value loss. Subtract B from A. ³	\$ 624,800
6.	2021 taxable value subject to an appeal under Chapter 42, as of July 25.	
	A. 2021 ARB certified value: \$ 39,215,020	
	B. 2021 disputed value: - \$ 4,431,750	
	C. 2021 undisputed value. Subtract B from A. ⁴	\$ 34,783,270
7.	2021 Chapter 42 related adjusted values. Add Line 5C and Line 6C.	\$ 35,408,070

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.	2021 taxable value, adjusted for actual and potential court-ordered adjustments. Add Line 3 and Line 7.	\$ 1,863,828,524
9.	2021 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2021. Enter the 2021 value of property in deannexed territory. ⁵	\$ 0
10.	2021 taxable value lost because property first qualified for an exemption in 2022. 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 2022 does not create a new exemption or reduce taxable value. A. Absolute exemptions. Use 2021 market value: \$ 103,000 B. Partial exemptions. 2022 exemption amount or 2022 percentage exemption times 2021 value: + \$ 5,608,450 C. Value loss. Add A and B.⁶	\$ 5,711,450
11.	2021 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 2022. Use only properties that qualified in 2022 for the first time; do not use properties that qualified in 2021. A. 2021 market value: \$ 0 B. 2022 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.	\$ 5,711,450
13.	2021 captured value of property in a TIF. Enter the total value of 2021 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which 2021 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.	2021 total value. Subtract Line 12 and Line 13 from Line 8.	\$ 1,858,117,074
15.	Adjusted 2021 total levy. Multiply Line 4 by Line 14 and divide by \$100.	\$ 11,446,001
16.	Taxes refunded for years preceding tax year 2021. Enter the amount of taxes refunded by the taxing unit for tax years preceding tax year 2021. 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 2021. This line applies only to tax years preceding tax year 2021. ⁹	\$ 11,674
17.	Adjusted 2021 levy with refunds and TIF adjustment. Add Lines 15 and 16. ¹⁰	\$ 11,457,675
18.	Total 2022 taxable value on the 2022 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: \$ 1,882,328,670 B. Counties: Include railroad rolling stock values certified by the Comptroller's office: + \$ 0 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: - \$ 0 D. Tax increment financing: Deduct the 2022 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2022 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 - \$ 0 E. Total 2022 value. Add A and B, then subtract C and D.	\$ 1,882,328,670

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. 2022 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>229,093,863</u> B. 2022 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>229,093,863</u>
20.	2022 tax ceilings. Counties, cities and junior colleges enter 2022 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 2021 or a prior year for homeowners age 65 or older or disabled, use this step. ¹⁶	\$ <u>0</u>
21.	2022 total taxable value. Add Lines 18E and 19C. Subtract Line 20. ¹⁷	\$ <u>2,111,422,533</u>
22.	Total 2022 taxable value of properties in territory annexed after Jan. 1, 2021. Include both real and personal property. Enter the 2022 value of property in territory annexed. ¹⁸	\$ <u>0</u>
23.	Total 2022 taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in 2021. 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, 2021 and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for 2022. ¹⁹	\$ <u>46,229,020</u>
24.	Total adjustments to the 2022 taxable value. Add Lines 22 and 23.	\$ <u>46,229,020</u>
25.	Adjusted 2022 taxable value. Subtract Line 24 from Line 21.	\$ <u>2,065,193,513</u>
26.	2022 NNR tax rate. Divide Line 17 by Line 25 and multiply by \$100. ²⁰	\$ <u>0.55479</u> /\$100
27.	COUNTIES ONLY. Add together the NNR tax rates for each type of tax the county levies. The total is the 2022 county NNR tax rate. ²¹	\$ <u>N/A</u> /\$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.	2021 M&O tax rate. Enter the 2021 M&O tax rate.	\$ <u>0.53371</u> /\$100
29.	2021 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>1,863,828,524</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 2021 M&O levy. Multiply Line 28 by Line 29 and divide by \$100	\$ 9,947,439
31.	Adjusted 2021 levy for calculating NNR M&O rate. A. M&O taxes refunded for years preceding tax year 2021. 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 2021. This line applies only to tax years preceding tax year 2021. + \$ 10,114 B. 2021 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 2022 captured appraised value in Line 18D, enter 0. - \$ 0 C. 2021 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. +/- \$ 0 D. 2021 M&O levy adjustments. Subtract B from A. For taxing unit with C, subtract if discontinuing function and add if receiving function. \$ 10,114 E. Add Line 30 to 31D.	\$ 9,957,553
32.	Adjusted 2022 taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 2,065,193,513
33.	2022 NNR M&O rate (unadjusted). Divide Line 31E by Line 32 and multiply by \$100.	\$ 0.48216/\$100
34.	Rate adjustment for state criminal justice mandate. ²³ A. 2022 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. \$ N/A B. 2021 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. - \$ N/A C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ N/A/\$100 D. Enter the rate calculated in C. If not applicable, enter 0.	\$ 0/\$100
35.	Rate adjustment for indigent health care expenditures. ²⁴ A. 2022 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, 2021 and ending on June 30, 2022, less any state assistance received for the same purpose. \$ N/A B. 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. - \$ N/A C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ N/A/\$100 D. Enter the rate calculated in C. If not applicable, enter 0.	\$ 0/\$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. 2022 indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, 2021 and ending on June 30, 2022, less any state grants received by the county for the same purpose..... \$ <u>N/A</u> B. 2021 indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure 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>N/A</u> C. Subtract B from A and divide by Line 32 and multiply by \$100..... \$ <u>N/A</u> /\$100 D. Multiply B by 0.05 and divide by Line 32 and multiply by \$100..... \$ <u>N/A</u> /\$100 E. Enter the lesser of C and D. If not applicable, enter 0.	\$ <u>0</u> /\$100
37.	Rate adjustment for county hospital expenditures. ²⁶ A. 2022 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, 2021 and ending on June 30, 2022. \$ <u>N/A</u> B. 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>N/A</u> C. Subtract B from A and divide by Line 32 and multiply by \$100..... \$ <u>N/A</u> /\$100 D. Multiply B by 0.08 and divide by Line 32 and multiply by \$100..... \$ <u>N/A</u> /\$100 E. Enter the lesser of C and D, if applicable. If not applicable, enter 0.	\$ <u>0</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 Section 26.0444 for more information. A. Amount appropriated for public safety in 2021. Enter the amount of money appropriated for public safety in the budget adopted by the municipality for the preceding fiscal year \$ <u>N/A</u> B. Expenditures for public safety in 2021. Enter the amount of money spent by the municipality for public safety during the preceding fiscal year..... \$ <u>N/A</u> C. Subtract B from A and divide by Line 32 and multiply by \$100 \$ <u>N/A</u> /\$100 D. Enter the rate calculated in C. If not applicable, enter 0.	\$ <u>0</u> /\$100
39.	Adjusted 2022 NNR M&O rate. Add Lines 33, 34D, 35D, 36E, and 37E. Subtract Line 38D.	\$ <u>0.48216</u> /\$100
40.	Adjustment for 2021 sales tax specifically to reduce property taxes. Cities, counties and hospital districts that collected and spent additional sales tax on M&O expenses in 2021 should complete this line. These entities will deduct the sales tax gain rate for 2022 in Section 3. Other taxing units, enter zero. A. Enter the amount of additional sales tax collected and spent on M&O expenses in 2021, if any. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent \$ <u>0</u> B. Divide Line 40A by Line 32 and multiply by \$100 \$ <u>0</u> /\$100 C. Add Line 40B to Line 39.	\$ <u>0.48216</u> /\$100
41.	2022 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>0.49903</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): 2022 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>N/A</u> /\$100
42.	Total 2022 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, 2022, verify if it meets the amended definition of debt before including it here. ²⁸ Enter debt amount \$ <u>1,611,278</u> B. Subtract unencumbered fund amount used to reduce total debt. - \$ <u>0</u> C. Subtract certified amount spent from sales tax to reduce debt (enter zero if none) - \$ <u>0</u> D. Subtract amount paid from other resources - \$ <u>0</u> E. Adjusted debt. Subtract B, C and D from A.	\$ <u>1,611,278</u>
43.	Certified 2021 excess debt collections. Enter the amount certified by the collector. ²⁹	\$ <u>0</u>
44.	Adjusted 2022 debt. Subtract Line 43 from Line 42E.	\$ <u>1,611,278</u>
45.	2022 anticipated collection rate. A. Enter the 2022 anticipated collection rate certified by the collector. ³⁰ <u>99.0</u> % B. Enter the 2021 actual collection rate. <u>98.9</u> % C. Enter the 2020 actual collection rate. <u>99.9</u> % D. Enter the 2019 actual collection rate. <u>98.5</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>99.0</u> %
46.	2022 debt adjusted for collections. Divide Line 44 by Line 45E.	\$ <u>1,627,554</u>
47.	2022 total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ <u>2,111,422,533</u>
48.	2022 debt rate. Divide Line 46 by Line 47 and multiply by \$100.	\$ <u>0.07708</u> /\$100
49.	2022 voter-approval tax rate. Add Lines 41 and 48.	\$ <u>0.57611</u> /\$100
D49.	Disaster Line 49 (D49): 2022 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>N/A</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 2022 county voter-approval tax rate.	\$ <u>N/A</u> /\$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 2021 or May 2022, 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 2021, enter 0.	\$ <u>0</u>
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 2021 or in May 2022. 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 2021. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	\$ <u>0</u>
53.	2022 total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ <u>2,111,422,533</u>
54.	Sales tax adjustment rate. Divide Line 52 by Line 53 and multiply by \$100.	\$ <u>0</u> /\$100
55.	2022 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> .	\$ <u>0.55479</u> /\$100
56.	2022 NNR tax rate, adjusted for sales tax. Taxing units that adopted the sales tax in November 2021 or in May 2022. Subtract Line 54 from Line 55. Skip to Line 57 if you adopted the additional sales tax before November 2021.	\$ <u>0.55479</u> /\$100
57.	2022 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> .	\$ <u>0.57611</u> /\$100
58.	2022 voter-approval tax rate, adjusted for sales tax. Subtract Line 54 from Line 57.	\$ <u>0.57611</u> /\$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	\$ <u>N/A</u>
60.	2022 total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ <u>N/A</u>
61.	Additional rate for pollution control. Divide Line 59 by Line 60 and multiply by \$100.	\$ <u>N/A</u> /\$100
62.	2022 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).	\$ <u>N/A</u> /\$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.	2021 unused increment rate. Subtract the 2021 actual tax rate and the 2021 unused increment rate from the 2021 voter-approval tax rate. If the number is less than zero, enter zero.	\$ <u>0.02177</u> /\$100
64.	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. If the year is prior to 2021, enter zero.	\$ <u>0.01784</u> /\$100
65.	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 2021, enter zero.	\$ <u>0</u> /\$100
66.	2022 unused increment rate. Add Lines 63, 64 and 65.	\$ <u>0.03961</u> /\$100
67.	2022 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>0.61572</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 2022 NNR M&O tax rate. Enter the rate from Line 39 of the <i>Voter-Approval Tax Rate Worksheet</i>	\$ <u>N/A</u> /\$100
69.	2022 total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ <u>N/A</u>
70.	Rate necessary to impose \$500,000 in taxes. Divide \$500,000 by Line 69 and multiply by \$100.	\$ <u>N/A</u> /\$100
71.	2022 debt rate. Enter the rate from Line 48 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ <u>N/A</u> /\$100
72.	De minimis rate. Add Lines 68, 70 and 71.	\$ <u>N/A</u> /\$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

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(8-a)

⁴⁵ Tex. Tax Code §26.063(a)(1)

⁴⁶ Tex. Tax Code §26.042(b)

⁴⁷ Tex. Tax Code §26.042(f)

This section will 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.	2021 adopted tax rate. Enter the rate in Line 4 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ <u>N/A</u> /\$100
74.	Adjusted 2021 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 2021 and the taxing unit calculated its 2021 voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) of the 2021 worksheet due to a disaster, enter the 2021 voter-approval tax rate as calculated using a multiplier of 1.035 from Line 49. - or - If a disaster occurred prior to 2021 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 2021, 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 2021 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 2021 voter-approval tax rate from the worksheet. - or - If the taxing unit adopted a tax rate above the 2021 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.	\$ <u>N/A</u> /\$100
75.	Increase in 2021 tax rate due to disaster. Subtract Line 74 from Line 73.	\$ <u>N/A</u> /\$100
76.	Adjusted 2021 taxable value. Enter the amount in Line 14 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ <u>N/A</u>
77.	Emergency revenue. Multiply Line 75 by Line 76 and divide by \$100.	\$ <u>N/A</u>
78.	Adjusted 2022 taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ <u>N/A</u>
79.	Emergency revenue rate. Divide Line 77 by Line 78 and multiply by \$100. ⁴⁹	\$ <u>N/A</u> /\$100
80.	2022 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).	\$ <u>N/A</u> /\$100

SECTION 8: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-new-revenue tax rate. \$ 0.55479 /\$100
As applicable, enter the 2022 NNR tax rate from: Line 26, Line 27 (counties), or Line 56 (adjusted for sales tax).
Indicate the line number used: 26

Voter-approval tax rate. \$ 0.61572 /\$100
As applicable, enter the 2022 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: 67

De minimis rate. \$ N/A /\$100
If applicable, enter the 2022 de minimis rate from Line 72.

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 the Tax Code.⁵⁰

print
here

Jason Malott, RPA, RTA

Printed Name of Taxing Unit Representative

sign
here

Jason Malott

Taxing Unit Representative

8/8/2022

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)

2022 – 2023 Proposed Budget

August 16, 2022

2022-2023 Property Taxes

- Assessed Value - \$2,111,422,533*
 - Includes \$46,229,020 in new property added to the tax roll
- Prior Year Tax Rate - \$0.6160/\$100
- No-New-Revenue Tax Rate - \$0.55479/\$100
- Voter-Approval Tax Rate - \$0.61572/\$100

* Reduced by additional Over 65/Disabled homestead exemption

2022-2023 Property Taxes

- Proposed Tax Rate - \$0.57213/\$100
 - O&M - \$10,452,597
 - Debt - \$1,627,484
- Generates \$554,350 in new revenue
 - From New Value - \$264,490

2022-2023 Property Tax Liability

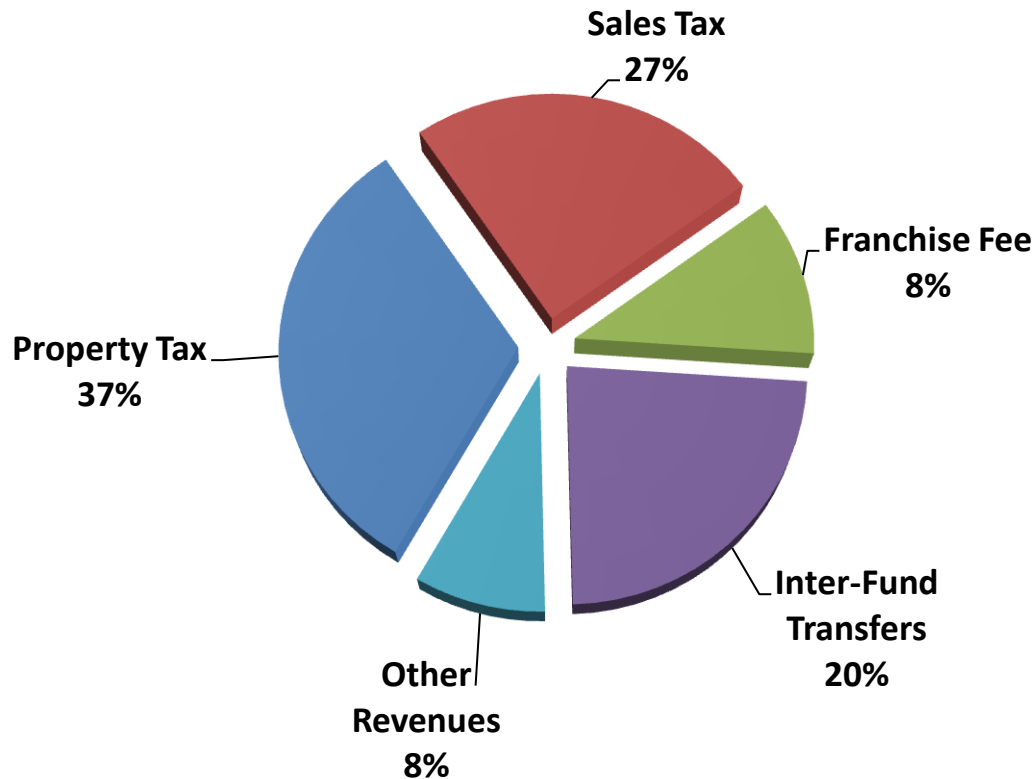
Avg Home Value \$118,854 (after exemptions)

- 2022-2023 Proposed Tax Rate \$0.57213 = \$680.00 tax liability
- 2022-2023 No-New-Revenue Tax Rate \$0.55479/\$100 = \$659.39 tax liability
- \$20.61 increase in annual tax liability

General Fund

Proposed Operational Revenues

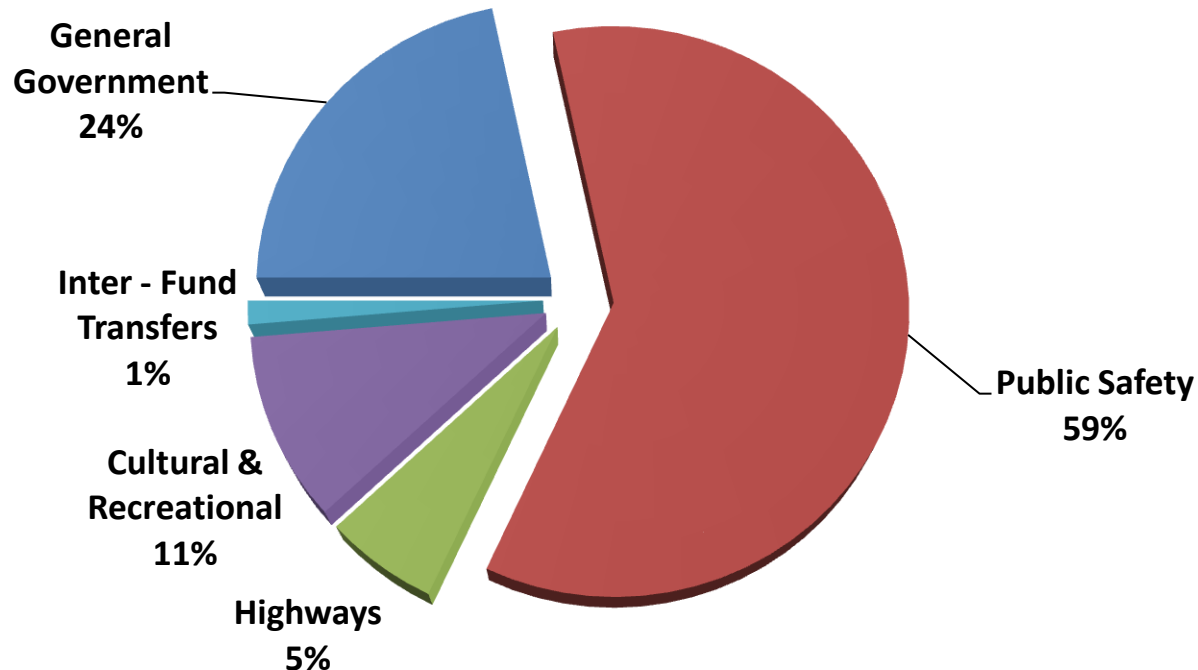
\$28,451,713



General Fund

Proposed Operational Expenditures by Function

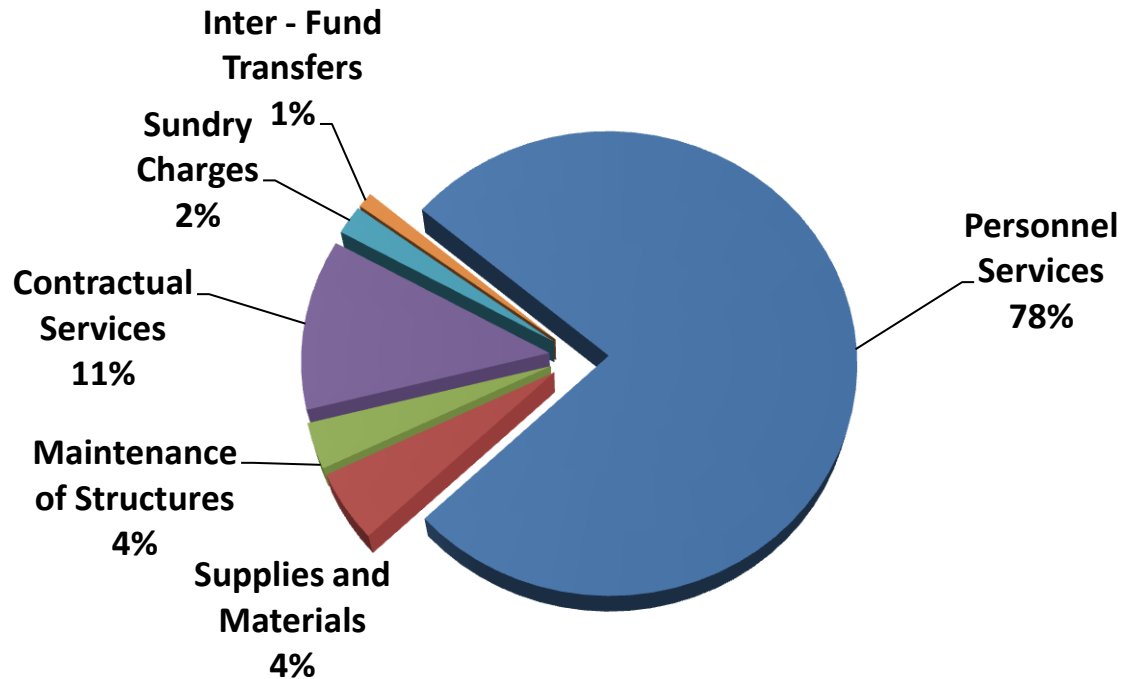
\$28,451,713



General Fund

Proposed Operational Expenditures by Classification

\$28,451,713



General Fund

Proposed Capital Expenditures

- Capital Equip/Projects \$ 1,640,109

▪ Various Servers/ Software	\$ 85,000
▪ Facility Renovations	\$ 154,000
▪ Parks Equipment	\$ 42,000
▪ Streets Equipment	\$ 102,000
▪ P&Z Development Assess.	\$ 35,000
▪ Create Bldg Maint. Repl Fund	\$ 175,000
▪ Police Sign-on Incentives	\$ 74,000
▪ Employee Retention Payment	\$ 823,109
▪ City TXDOT Grant Match	\$ 150,000

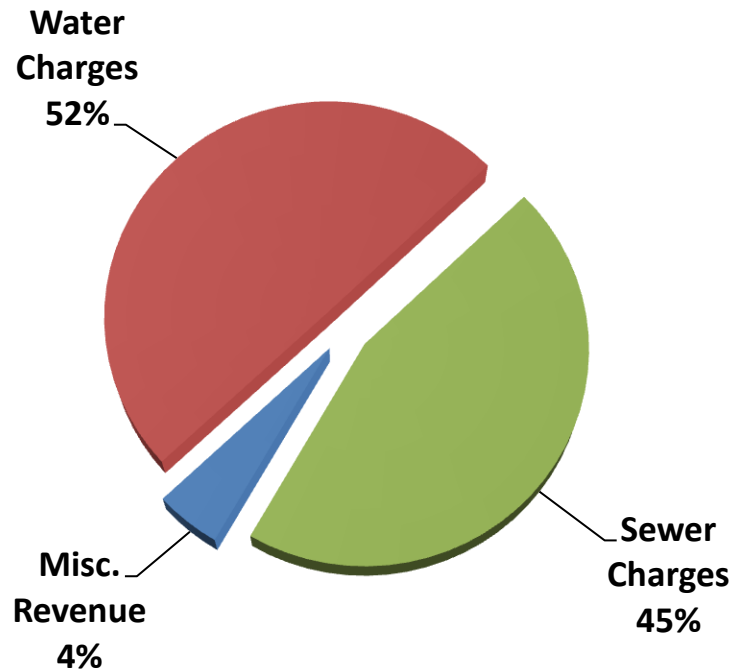
- Capital Improvements \$21,554,000

▪ CO Bond Projects	\$ 20,000,000
▪ Fire Station Maint.	\$ 594,000
▪ Parks Projects	\$ 710,000
▪ Annual Street Rehab	\$ 250,000

Utility Fund

Proposed Operational Revenues

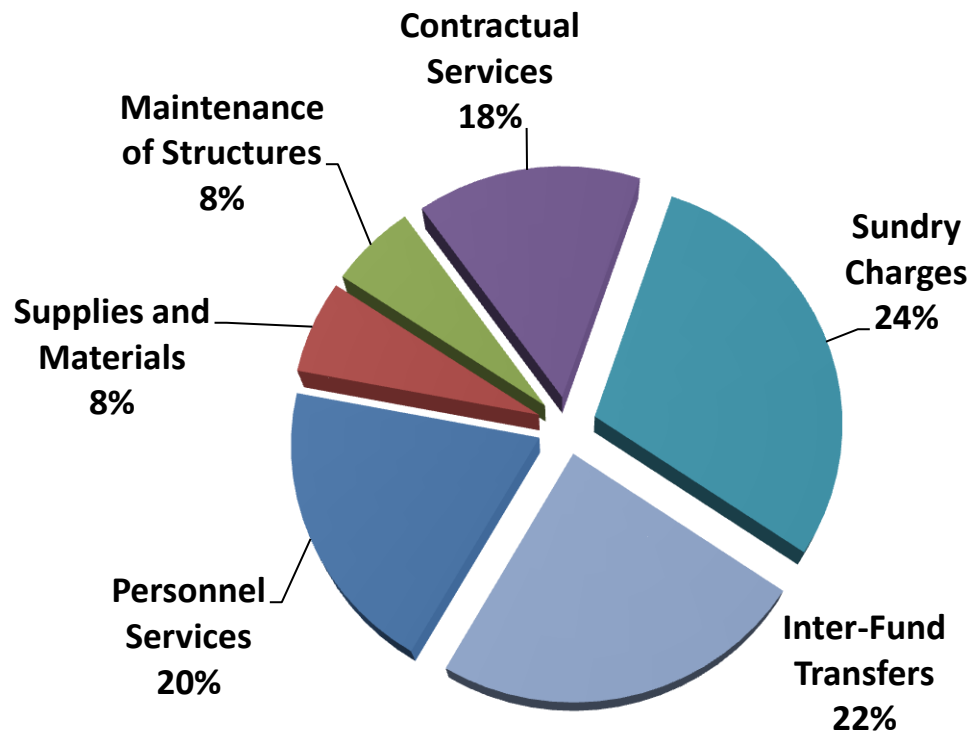
\$20,274,400



Utility Fund

Proposed Expenses by Classification

\$16,125,505



Utility Fund

Proposed Capital Expenses

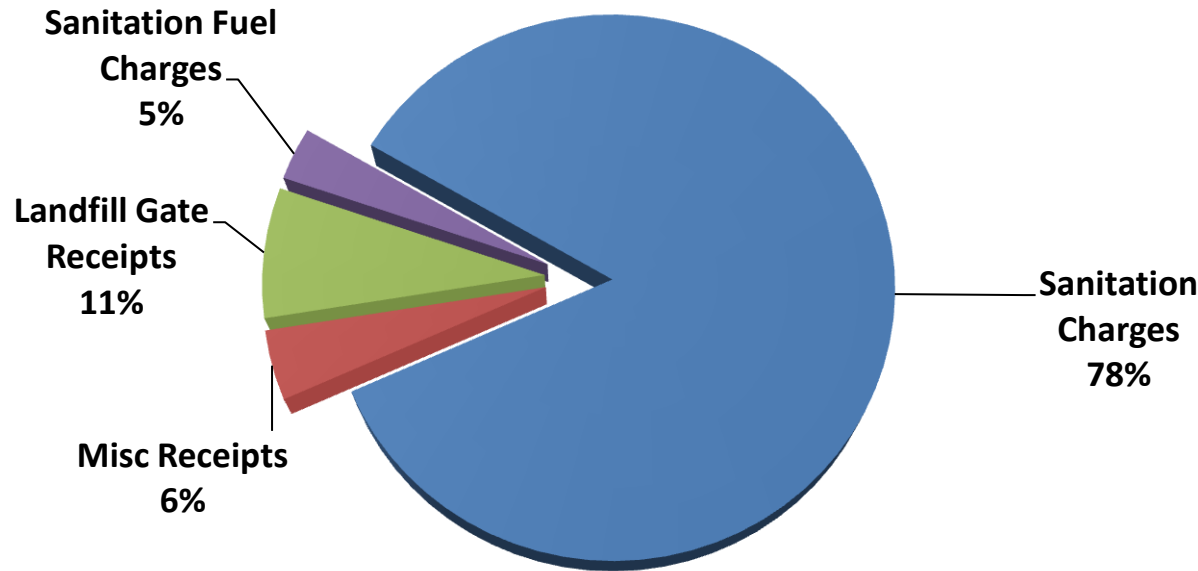
- Capital Equipment \$ 1,157,400
 - Water \$ 302,000
 - Utility Construction \$ 482,500
 - Wastewater \$ 372,900

- Capital Improvements \$11,897,000
 - Water System Improv. \$ 1,225,000
 - Wastewater System Improv. \$ 2,100,000
 - Wastewater System – ARPA \$ 3,800,000
 - AMI System Replacement \$ 4,772,000

Sanitation Fund

Proposed Operational Revenues

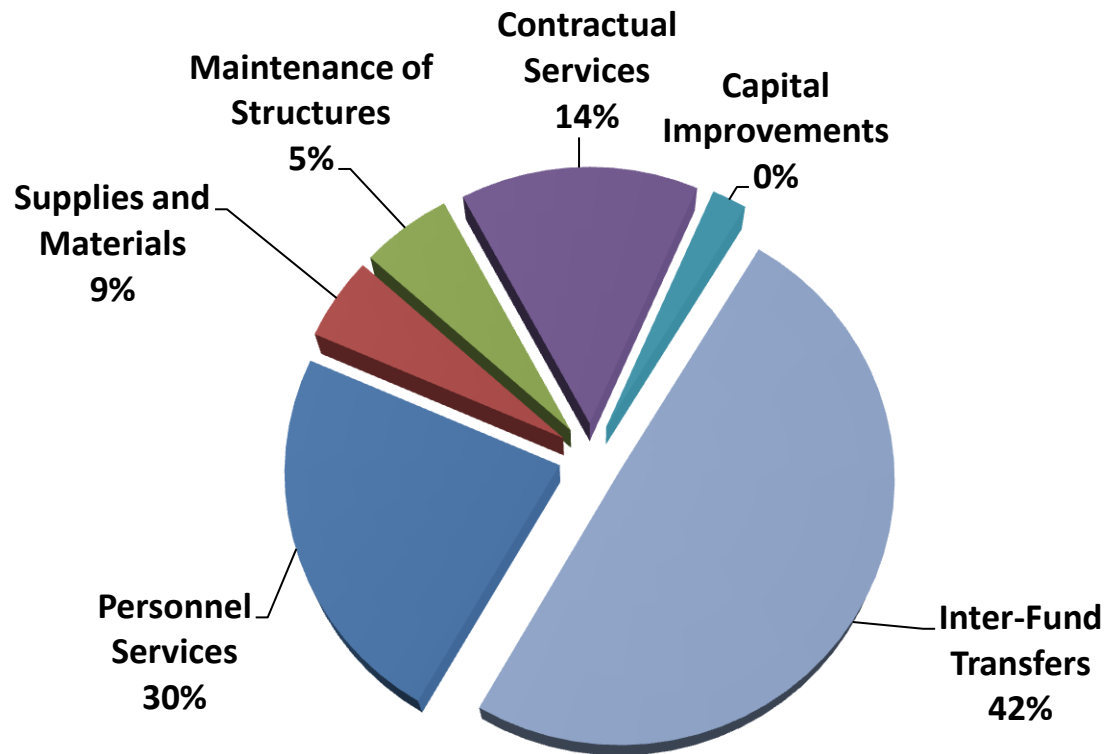
\$7,229,900



Sanitation Fund

Proposed Expenses by Classification

\$5,544,842



Sanitation Fund

Proposed Capital Expenses

- Capital Equipment \$1,470,000
 - Garbage Trucks (2) \$ 825,000
 - D6 Dozer \$ 625,000
 - Generator \$ 20,000

- Capital Improvements \$3,500,000
 - New Cell Construction \$3,000,000
 - Permit Amendment \$ 500,000

Budget Items to Note

- No premium increase for Health/Dental Dependent Insurance
- Increase in City Paid Health/Dental Employee premiums from \$660/pepm to \$725/pepm
- No COLA for employees
- Additional employees added in City Sec/Finance, Police – Evidence, Animal Control, Sanitation Disposal, Utility Billing and a reclassification to full-time in Parks
- Significant increases in Fuel and Electricity

2022 – 2023 Budget Calendar

City Council Meeting

Other

- Aug. 24*
Budget Workshop
Finalization of CO Projects and Amounts
- Sept. 2
Finance Director Meet with Bond Rating Agency
- Sept. 6
Public Hearing–Budget
Adopt Budget (or other action)
- Sept. 13*
Adopt Budget (if needed)
Public Hearing - Tax Rate
Adopt/Ratify Tax Rate
- Sept. 20
Ordinance Authorizing Issuance of CO's

* Special Meeting Needed

New Programs/Employees

2022-2023 Proposed Budget Supplemental Requests for New Programs/Employees

Tier 1	Immediate Need in 2022-2023
Tier 2	Review in 2023-2024
Tier 3	Review for future years

GENERAL FUND	One Time Cost (Reserves)	Annual Recurring Cost (Operations)
PUBLIC SAFETY		
Tier 1 Sign-on Incentives - Police (12 vacant positions)	\$ 74,000	
Tier 1 Assignment Pay-Police		\$ 155,000
Tier 1 Assignment Pay-Fire		\$ 95,000
Tier 1 Modified Step System - Police (year 1)		\$ 135,000
Tier 1 Modified Step System - Fire (year 1)		\$ 132,500
Public Safety:	\$ 74,000	\$ 517,500
PERSONNEL RELATED		
Tier 1 Employee Retention Payment - All Depts	\$ 823,000	
Tier 1 Reimb Self Ins Fund for COVID Claims (from CARES funds)*	\$ 350,000	
Tier 1 CDL Certification Pay - All Depts		\$ 37,500
Tier 1 Office Assistant III - City Sec/Finance		\$ 53,175
Tier 1 City Gardener* - Parks		\$ 29,110
Tier 1 PT Adoption Coordinator* - Animal Shelter		\$ 15,000
Tier 1 Evidence Supervisor - Police		\$ 55,510
Tier 2 Systems Tech II - Info Tech		\$ 70,600
Tier 2 PT Custodian - Bldg Maint.		\$ 15,000
Personnel:	\$ 1,173,000	\$ 275,895
Total all Categories:	\$ 1,247,000	\$ 793,395

* Will assess mid-year for need

Annual Recurring Cost (Operations)	
Tier 1 \$	707,795
Tier 2 \$	85,600
Tier 3 \$	-
* \$0.01 Property Tax Increase generates approx. \$200,000	

New Programs/Employees

UTILITY FUND

	One Time Cost (Reserves)	Annual Recurring Cost (Operations)
PERSONNEL RELATED		
Tier 1 CDL Certification Pay - All Depts		\$ 24,700
Tier 1 Billing Analyst - Utility Billing - Filled as Part-Time		\$ 15,500
Personnel:		\$ 40,200

Annual Recurring Cost (Operations)	
Tier 1 \$	40,200
Tier 2 \$	-
Tier 3 \$	-

SANITATION FUND

	One Time Cost (Reserves)	Annual Recurring Cost (Operations)
PERSONNEL RELATED		
Tier 1 CDL Certification Pay - All Depts		\$ 35,250
Tier 1 Laborer - Landfill		\$ 43,650
		\$ 78,900

Annual Recurring Cost (Operations)	
Tier 1 \$	78,900
Tier 2 \$	-
Tier 3 \$	-



City Council Meeting

Date: August 16, 2022

Agenda Item: 6.E.

PRESENTER: Pam Curbow, Finance Director

ITEM/SUBJECT: City Council record vote on Proposed Tax Rate for the 2022-2023 fiscal year.(Finance Director)

SUMMARY/BACKGROUND: As part of the new advertising requirements passed in SB2 relating to the property tax setting process, the City Council is required to take a record vote on the tax rate being proposed for the 2022-2023 fiscal year. That record vote will be included in the newspaper advertisement issued by the Nacogdoches Central Appraisal District listing the date, time and location of the public hearing.

The municipal property tax rates for the preceding fiscal year, and each municipal property tax rate that has been calculated for the current fiscal year, include:

Calculated Rates

The Property Tax Rate for the Preceding Fiscal Year - \$0.6160

The No-New-Revenue Tax Rate – \$0.55479

The Voter Approval Tax Rate - \$0.61572

Proposed Rates

Maintenance & Operations Tax Rate - \$0.49505

Debt Rate (Interest & Sinking Fund) - \$0.07708

Total Proposed Property Tax Rate - \$0.57213

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: Pam Curbow, Director of Finance
curbowp@nactx.us
936-559-2526

ATTACHMENTS: 1. Record Vote on Proposed Tax Rate

2022 – 2023 Proposed Tax Rate

August 16, 2022

2022-2023 Property Taxes

- Taxable Value - \$2,111,422,533
 - Includes \$46,229,020 in new property added to the tax roll
- Prior Year Tax Rate - \$0.6160/\$100
- No-New-Revenue Tax Rate - \$0.55479/\$100
- Voter-Approval Tax Rate - \$0.61572/\$100

2022-2023 Property Taxes

- Proposed Tax Rate - \$0.57213/\$100
 - O&M - \$10,452,597
 - Debt - \$1,627,484
- Generates \$554,350 in new revenue
 - From New Value - \$264,490

2022-2023 Property Tax Liability

Avg Home Value \$118,854 (after exemptions)

- 2022-2023 Proposed Tax Rate \$0.57213/\$100
= \$680.00 tax liability
- 2022-2023 No-New-Revenue Tax Rate
\$0.55479/\$100 = \$659.39 tax liability
- \$20.61 increase in annual tax liability

Vote on Proposed Property Tax Rate

- Proposed Tax Rate - \$0.57213/\$100 valuation
 - Sets this rate as the maximum rate allowable for ratification on Sept 13, 2022



City Council Meeting

Date: August 16, 2022

Agenda Item: 7.A.

PRESENTER: Scott Weems, Asst Police Chief, Steve Bartlett, Public Works Director

ITEM/SUBJECT: Security - Pursuant to Texas Government Code, Section 551.076, deliberations regarding the deployment, or specific occasions for implementation of security personnel or devices; or a security audit.

SUMMARY/BACKGROUND:

FINANCIAL:

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

CITY CONTACT: Scott Weems, Interim Police Chief
weemss@nactx.us
936-559-2619

ATTACHMENTS: