



November 14, 2023

Notice is hereby given of a Special 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 5:00 p.m. for the purpose of considering the following agenda items.

Some City Council Members may attend via videoconference but a quorum of the City Council and the Presiding Officer will be present at the above-stated physical location. The meeting will be streamed live at: <https://www.nactx.us/21>. There will be an opportunity for the public to comment on agenda items 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 lewisr@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 Tuesday, November 14, 2023. 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 address the City Council about items listed on the agenda, as well as on matters that are not specifically listed on the agenda. Alternatively, a citizen may address the City Council about an agenda item when the item comes up for consideration during the meeting. In order to address the City Council, please complete the Public Comment Form and submit it to the City Secretary prior to the start of the meeting. In accordance with the Texas Open Meetings Act, the City Council will not discuss, deliberate, or make any decisions on items not listed on the agenda. Comments are limited to 3 minutes per person.
4. 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. Receive a report, hold a discussion and give staff direction regarding funding solutions and possible public committee involvement for future capital utility projects (City Engineer).
 - B. Consideration and approval of an ordinance canvassing the returns and declaring the results of a Bond Election held on November 7, 2023 by the City of Nacogdoches, Texas.
5. ADJOURN.



Rhonda Lewis
Deputy 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 November 9, 2023 at 3:00 p.m. and remained posted until the meeting convened.

Rhonda Lewis, Deputy City Secretary



City Council Meeting

Date: November 14, 2023

Agenda Item: 4.A.

PRESENTER: Steve Bartlett, Public Works Director

ITEM/SUBJECT: Receive a report, hold a discussion and give staff direction regarding funding solutions and possible public committee involvement for future capital utility projects (City Engineer).

SUMMARY/BACKGROUND: This presentation will include a discussion on utility system needs that exceed our current cash revenue stream. We will address ideas of funding these needs through long-term financing and/or increases in our user fees for water and sewer. Additional discussions may be held on continuing or reforming a Capital Needs Advisory Committee to address recommendations for funding.

FINANCIAL:

No financial impact associated with this item

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

Infrastructure

CITY CONTACT: Steve Bartlett, PE
City Engineer
bartletts@nactx.us
(936) 559-2522

ATTACHMENTS: 1. Utilities Funding for Council

WATER AND SEWER INFRASTRUCTURE



DISCLAIMER

Fund balances, utility rates, debt service, and construction costs are all estimates that are constantly changing with market conditions, utility consumption, interest rates, and many other variables.

The figures shown are subject to change.

Utility rates WILL also increase periodically to cover operational costs. These increases will be in addition to the amounts shown.

UNFUNDED WATER SYSTEM NEEDS FY 24-25 AND BEYOND

Water Distribution

\$49,938,945 *23 identified water line projects - Tier 1*

Water Treatment & Storage

\$9,850,000 *all in future CIP*

Total unfunded need \$59,788,945



UNFUNDED SEWER SYSTEM NEEDS FY 24-25 AND BEYOND

Sewer Collection

\$17,633,548 *26 identified sewer line projects - Tier 1*

\$18,227,211 *Banita Creek sewer line*

\$15,613,275 *Lanana Creek sewer line Phases 1 & 2*
(\$5,000,000 has been funded. Remaining need \$28,840,486)

Sewer Treatment

\$5,205,000 *All in future CIP*

Total unfunded need \$56,679,030



WATER & SEWER PROJECTS ALREADY FUNDED BY CASH for FY 23-24

Sewer \$11,965,000

\$5,000,000	Engineering Lanana & Banita Sewer Design
\$1,250,000	Annual Sewer Line Additions
\$ 250,000	Annual Developer Reimbursements (Sewer)
\$1,250,000	Clarifier 4 Replacement
\$1,500,000	Grit Trap & Bar Screen Replacement
\$ 525,000	SCADA Improvements
\$ 300,000	Various Pump Replacements at Plant
\$ 125,000	Influent Pump Replacement
\$ 50,000	Surface Aerator Replacement Additions
\$ 810,000	Lift Station Replacement FM 1878
\$ 480,000	US 59 Direct Connect Utility Replacement
\$ 425,000	Digester Bypass Piping

WATER & SEWER PROJECTS ALREADY FUNDED BY CASH THROUGH FY 23-24

Water \$10,825,000

\$ 750,000	Annual Water Line Additions
\$ 250,000	Annual Developer Reimbursements (Water)
\$ 225,000	Annual Well Repairs
\$ 250,000	Engineering for Pump Station Interconnect
\$ 525,000	SCADA Improvements
\$ 450,000	Engineering Pump Station Line Replacement
\$ 50,000	Treatment Plant Security Gates
\$ 45,000	Post Oak Station Booster Pump
\$ 120,000	Treatment Plant LED Lighting
\$ 180,000	Plug Wells 5 & 10
\$4,772,000	AMR Water Meter Replacement
\$ 956,000	US 59 Direct Connect Utility Replacement
\$ 336,000	VFDs for Plant Pump Motors
\$ 125,000	Hydraulic System Replacement at Pump Sta
\$ 87,000	Cross-Connection Controls at City Facilities
\$ 250,000	Lake Nacogdoches Spillway Repair
\$1,454,000	Filter Replacement – Treatment Plant

AVAILABLE FUNDS

UTILITY FUND BALANCE (cash)

\$38,371,750

Reserves as of April 30, 2023

\$2,130,000

transfer to Reserves May-Sept 23

<\$25,174,600>

already allocated to exist CIP & equip

\$15,327,250

Reserves available for 23-24 equip and CIP projects

<\$7,095,000>

requested in 23-24 CIP

< \$604,000>

requested in 23-24 capital equipment

\$7,628,250

Available for additional projects

AVAILABLE FUNDS

ARPA FUNDS *(dedicated to utility improvements)*

Water \$1,500,000

Wastewater \$1,871,000

(Total ARPA Funds are \$8,100,000)

Allocated cash for current projects through FY 23-24:
\$22,790,000

Total available Cash for New Utility Projects
FY 23-24: **\$11,000,000**

POSSIBLE FUNDING SCENARIOS

HOW IS INFRASTRUCTURE FUNDED?

GENERAL FUND

- PROPERTY TAX, SALES TAX, FINES, FEES

STREETS

DRAINAGE

AIRPORT

RECREATION

FIRE FACILITIES

BUILDINGS

SOME EQUIPMENT



HOW IS INFRASTRUCTURE FUNDED?

UTILITY FUND

- REVENUE FROM WATER & SEWER BILL

WATER LINES

SEWER LINES

TREATMENT PLANT

SOME EQUIPMENT



HOW IS INFRASTRUCTURE FUNDED?

GENERAL OBLIGATION BONDS

Voted; secured by ad valorem taxes

CERTIFICATES OF OBLIGATION

Not voted; secured by ad valorem taxes (and revenues)

TAX NOTES

Not voted; secured by ad valorem taxes

UTILITY SYSTEM REVENUE BONDS

Not voted; secured by enterprise revenues (water & sewer)



OPERATIONAL BUDGET SUMMARY

FY 2022-2023

Utility Fund Revenues	\$20,127,500
Operational Expenses	<\$12,382,480>
Debt Service	<\$ 3,743,025>
Depreciation	<\$ 3,692,127>
CIP Projects	<u><\$ 1,000,000></u>
Net	<\$ 690,132>

This shows the \$1,000,000 CIP cannot be funded unless revenues increase more than projected, or we use part of our existing fund balance.

ASSUMPTIONS

- 5 YEAR AVERAGE ANNUAL SEWER REVENUE \$ 8,918,909
- 5 YEAR AVERAGE ANNUAL WATER REVENUE \$10,379,720
- Average residential bill (*water, sewer, garbage & streets*) \$84.11
- Average residential cost for water & sewer only \$47.31
- Debt service for \$10,000,000 at 4.5% for 25 years \$675,000/yr
(*including fees*)

FUNDING SCENARIOS

OPTION 1 *(no change)*

- 2023-2026 Fund new projects with cash balance and ARPA monies. **\$12,500,000 new + \$22,790,000 budgeted**
- 2026+ Fund projects from water & sewer revenue only (no financing). \$1,000,000 annually?

Pros:

- \$35,290,000 of improvements - no impacts to rate payer

Cons:

- Minimal funding for remaining Tier 1 utility needs.
- Lanana & Banita Creek sewer gets designed, but no funding for construction.

FUNDING SCENARIOS

OPTION 2 *(rate increase – pay as you go)*

- 2023-2026 Fund projects with cash balance and ARPA monies.
- 2024 Increasing water & sewer rates 5% annually for 5 years

Pros:

- **\$35,290,000** of projects completed using available cash.
- By 2028: additional **\$2,867,725/yr** available for water
- By 2028: additional **\$2,464,130/yr** additional for sewer

Cons:

- Average total residential bill **increases 16% (?) by 2028**
- Lanana & Banita Creek sewer gets designed, but no funding for construction.

FUNDING SCENARIOS

OPTION 3 *(Financing Lanana & Banita Sewer)*

- 2023-2026 Fund projects with cash balance and ARPA monies.
- 2026 Sell **\$30,000,000 Revenue Bond** for Lanana & Banita Sewer
- 2026 Raise average sewer rates by 23% to serve bond debt

Pros:

- **\$35,290,000** of projects completed using available cash
- Up to 3 years of no rate increases
- Largest sewer project gets funded

Cons:

- Average total residential bill **increases 7% (?) by 2026**
- Minimal annual funding for other utility projects.

FUNDING SCENARIOS

OPTION 4 *(Financing Lanana & Banita Sewer & Rate Increase)*

- 2023-2026 Fund projects with cash balance and ARPA monies.
- 2026 **\$30,000,000 Revenue Bond** - Lanana & Banita Sewer Const.
- 2024 Begin increasing utility rates 5% annually for 10 years

Pros:

- **\$35,290,000** of projects completed using available cash
- By 2027 sewer revenue equals debt service
- After 10 years additional \$6,500,000/yr water revenue
- After 10 years additional \$5,600,000/yr sewer revenue
- Largest sewer project gets funded. Other Projects funded.

Cons:

- Average total residential bill **increases 33% (?) by 2034**

UTILITY BILL FEES

STREET MAINTENANCE FEE

- \$15/mo Industrial
- \$ 7.50/mo Commercial
- \$5.00/mo Residential
- \$2.50/mo Apartment
- *Generates approximately \$750,000 annually*

DRAINAGE FEE

- Could be flat fee across all rate classes
- Could model after Street Fee
- Could be proportional to parcel size (lots of bookkeeping)
- Could exempt certain rate classes (not recommended)
- *Ideally generate \$750,000 to \$1,000,000 annually*

WATER & SEWER RATE MODELING



- Water/Sewer Rate Study will not be available until late Fall 2023.
- Rates shown are based only on projected debt and are very rough estimates.
- Actual rates may be more than shown. Operational costs will also increase over time.



City Council Meeting

Date: November 14, 2023

Agenda Item: 4.B.

PRESENTER:

ITEM/SUBJECT: Consideration and approval of an ordinance canvassing the returns and declaring the results of a Bond Election held on November 7, 2023 by the City of Nacogdoches, Texas.

SUMMARY/BACKGROUND:

FINANCIAL:

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

CITY CONTACT: Rhonda Lewis, Deputy City Secretary
lewisr@nactx.us
(936) 559-2506

ATTACHMENTS: 1. City of Nacogdoches - Canvassing Ordinance

ORDINANCE NO. 1985-11-23

AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A BOND ELECTION; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, on August 15, 2023, the City Council (the *Council*) of the City of Nacogdoches (the *City*) ordered an election to be held on November 7, 2023 for the purpose of determining whether the resident, qualified voters of the City would authorize the issuance of general obligation bonds by the City; and

WHEREAS, it is hereby found and determined that notice of the election was duly given in the form, manner and time required by law, and said election was in all respects legally held and conducted in accordance with applicable laws of the State of Texas and the proceedings calling and governing the holding of such election; and

WHEREAS, the City Council hereby canvasses the returns of this election, at which there were submitted to all resident, qualified voters of the City for their action thereupon, the following propositions:

PROPOSITION A

“SHALL the City Council of the City of Nacogdoches, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$7,300,000 for permanent public improvements and public purposes, to wit: designing, developing, engineering, constructing, enlarging, improving and equipping airport improvements at the City’s airport, including runways, taxiways, roadways, terminal buildings, aprons, fuel centers, parking lots, and other facilities incident and related to the operation of the City’s airport and acquiring lands, interests in lands, and rights-of-way related thereto; such bonds to mature serially or otherwise over a period not to exceed thirty (30) years from their date of issuance, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and shall the City Council of the City be authorized to levy and pledge and cause to be assessed and collected, annual ad valorem taxes, within the limitations prescribed by law, on all taxable property in the City sufficient to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?”

PROPOSITION B

“SHALL the City Council of the City of Nacogdoches, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$16,730,000 for permanent public improvements and public purposes, to wit: engineering, renovating, repairing, replacing, constructing, developing, improving, expanding, equipping and acquiring any needed land and rights-of-way for firefighting

facilities to replace the existing Fire Station 1 and Fire Station 3 and for a new central fire station to replace the existing Fire Station 2 and Fire Station 5; such bonds to mature serially or otherwise over a period not to exceed thirty (30) years from their date of issuance, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and shall the City Council of the City be authorized to levy and pledge and cause to be assessed and collected, annual ad valorem taxes, within the limitations prescribed by law, on all taxable property in the City sufficient to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?"

PROPOSITION C

"SHALL the City Council of the City of Nacogdoches, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$5,900,000 for permanent public improvements and public purposes, to wit: renovating, repairing, replacing, constructing, developing, improving, expanding, equipping and acquiring any needed land and rights-of-way for storm drainage facilities and improvements; such bonds to mature serially or otherwise over a period not to exceed thirty (30) years from their date of issuance, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and shall the City Council of the City be authorized to levy and pledge and cause to be assessed and collected, annual ad valorem taxes, within the limitations prescribed by law, on all taxable property in the City sufficient to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?"

PROPOSITION D

"SHALL the City Council of the City of Nacogdoches, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$425,000 for permanent public improvements and public purposes, to wit: constructing, improving, expanding, furnishing, and equipping the City's Sunset Cemetery facilities; such bonds to mature serially or otherwise over a period not to exceed thirty (30) years from their date of issuance, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and shall the City Council of the City be authorized to levy and pledge and cause to be assessed and collected, annual ad valorem taxes, within the limitations prescribed by law, on all taxable property in the City sufficient to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?"

PROPOSITION E

“SHALL the City Council of the City of Nacogdoches, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$2,200,000 for permanent public improvements and public purposes, to wit: renovating, repairing, replacing, constructing, developing, improving, expanding, furnishing, equipping and acquiring any needed land and rights-of-way for park and recreational facilities, including playgrounds, restrooms, and fitness stations; such bonds to mature serially or otherwise over a period not to exceed thirty (30) years from their date of issuance, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and shall the City Council of the City be authorized to levy and pledge and cause to be assessed and collected, annual ad valorem taxes, within the limitations prescribed by law, on all taxable property in the City sufficient to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?”

PROPOSITION F

“SHALL the City Council of the City of Nacogdoches, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$10,000,000 for permanent public improvements and public purposes, to wit: developing, engineering, constructing, reconstructing, improving, repairing, extending, expanding and enhancing streets, thoroughfares, alleys, bridges, intersections, and other public ways, including traffic controls, grade separations, street lighting, , necessary and related storm drainage facilities and improvements, and the acquisition of any needed land and rights-of-way therefor; such bonds to mature serially or otherwise over a period not to exceed thirty (30) years from their date of issuance, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and shall the City Council of the City be authorized to levy and pledge and cause to be assessed and collected, annual ad valorem taxes, within the limitations prescribed by law, on all taxable property in the City sufficient to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?”

PROPOSITION G

“SHALL the City Council of the City of Nacogdoches, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$1,435,000 for permanent public improvements and public purposes, to wit: developing, engineering, constructing, reconstructing, improving, repairing, extending, expanding and enhancing sidewalks within the City and the acquisition of any needed land and rights-of-way therefor; such bonds to mature serially or otherwise over a period not to exceed thirty (30) years from their date of issuance, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the

discretion of the City Council at the time of issuance or sale of the bonds; and shall the City Council of the City be authorized to levy and pledge and cause to be assessed and collected, annual ad valorem taxes, within the limitations prescribed by law, on all taxable property in the City sufficient to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?”

and

WHEREAS, the City Council has diligently inquired into the poll lists and the official election returns which were duly and lawfully made to the City Council by the judges and clerks holding and conducting such election; the poll lists and the official election returns showing separately the votes cast in the election; and

WHEREAS, from these returns, this City Council hereby finds that the following votes were cast in the election by voters who were resident, qualified voters of the City:

PROPOSITION A

“THE ISSUANCE OF \$7,300,000 GENERAL OBLIGATION BONDS FOR THE CITY’S AIRPORT FACILITIES AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS”

Nachogdoches County		
	For	<u>Against</u>
Early Votes		
Mail Votes		
Election Day Votes		
TOTAL		

PROPOSITION B

“THE ISSUANCE OF \$16,730,000 GENERAL OBLIGATION BONDS FOR THREE NEW FIRE STATIONS AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS”

Nacogdoches County		
	For	<u>Against</u>
Early Votes		
Mail Votes		
Election Day Votes		
TOTAL		

PROPOSITION C

“THE ISSUANCE OF \$5,900,000 GENERAL OBLIGATION BONDS FOR STORM DRAINAGE AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS”

Nacogdoches County		
	For	<u>Against</u>
Early Votes		
Mail Votes		
Election Day Votes		
TOTAL		

PROPOSITION D

“THE ISSUANCE OF \$425,000 GENERAL OBLIGATION BONDS FOR THE CITY’S SUNSET CEMETERY FACILITIES AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS”

Nacogdoches County		
	For	<u>Against</u>
Early Votes		
Mail Votes		
Election Day Votes		
TOTAL		

PROPOSITION E

“THE ISSUANCE OF \$2,200,000 GENERAL OBLIGATION BONDS FOR PARKS AND RECREATION FACILITIES AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS”

Nacogdoches County		
	For	<u>Against</u>
Early Votes		
Mail Votes		
Election Day Votes		
TOTAL		

PROPOSITION F

“THE ISSUANCE OF \$10,000,000 GENERAL OBLIGATION BONDS FOR STREET IMPROVEMENTS AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS”

Nacogdoches County		
	For	<u>Against</u>
Early Votes		
Mail Votes		
Election Day Votes		
TOTAL		

PROPOSITION G

“THE ISSUANCE OF \$1,435,000 GENERAL OBLIGATION BONDS FOR SIDEWALK IMPROVEMENTS AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS”

Nacogoches County		
	For	<u>Against</u>
Early Votes		
Mail Votes		
Election Day Votes		
TOTAL		

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

SECTION 1: The City Council officially finds, determines, and declares that the election was duly and properly ordered, that proper legal notice of such election was duly given in the English language and the Spanish language (to the extent required by law), that proper election

officers were duly appointed prior to the election, that the election was duly and legally held, that all resident, qualified voters of the City were permitted to vote at the election, that due returns of the results of the election had been made and delivered, and that the City Council has duly canvassed such returns, all in accordance with the laws of the State of Texas and of the United States of America, and the order calling the election.

SECTION 2: A MAJORITY of the resident, qualified voters of the City of Nacogdoches, Texas voting in such election, having voted FOR the authorization and issuance of \$7,300,000 bonds and the levy and pledge of the tax in payment thereof as provided in Proposition A, the City Council hereby finds and determines that Proposition A carried at the election, that the election was duly called, that proper notice was given, and that the election was held in all aspects in conformity with the law, and that the City Council is hereby accordingly authorized to issue the bonds and to levy the tax in accordance with the authority granted in the Proposition and with law.

SECTION 3: A MAJORITY of the resident, qualified voters of the City of Nacogdoches, Texas voting in such election, having voted FOR the authorization and issuance of \$16,730,000 bonds and the levy and pledge of the tax in payment thereof as provided in Proposition B, the City Council hereby finds and determines that Proposition B carried at the election, that the election was duly called, that proper notice was given, and that the election was held in all aspects in conformity with the law, and that the City Council is hereby accordingly authorized to issue the bonds and to levy the tax in accordance with the authority granted in the Proposition and with law.

SECTION 4: A MAJORITY of the resident, qualified voters of the City of Nacogdoches, Texas voting in such election, having voted FOR the authorization and issuance of \$5,900,000 bonds and the levy and pledge of the tax in payment thereof as provided in Proposition C, the City Council hereby finds and determines that Proposition C carried at the election, that the election was duly called, that proper notice was given, and that the election was held in all aspects in conformity with the law, and that the City Council is hereby accordingly authorized to issue the bonds and to levy the tax in accordance with the authority granted in the Proposition and with law.

SECTION 5: A MAJORITY of the resident, qualified voters of the City of Nacogdoches, Texas voting in such election, having voted FOR the authorization and issuance of \$425,000 bonds and the levy and pledge of the tax in payment thereof as provided in Proposition D, the City Council hereby finds and determines that Proposition D carried at the election, that the election was duly called, that proper notice was given, and that the election was held in all aspects in conformity with the law, and that the City Council is hereby accordingly authorized to issue the bonds and to levy the tax in accordance with the authority granted in the Proposition and with law.

SECTION 6: A MAJORITY of the resident, qualified voters of the City of Nacogdoches, Texas voting in such election, having voted FOR the authorization and issuance of \$2,200,000 bonds and the levy and pledge of the tax in payment thereof as provided in Proposition E, the City Council hereby finds and determines that Proposition E carried at the election, that the election was duly called, that proper notice was given, and that the election was held in all aspects in conformity with the law, and that the City Council is hereby accordingly authorized to issue the bonds and to levy the tax in accordance with the authority granted in the Proposition and with law.

SECTION 7: A MAJORITY of the resident, qualified voters of the City of Nacogdoches, Texas voting in such election, having voted FOR the authorization and issuance of \$10,000,000 bonds and the levy and pledge of the tax in payment thereof as provided in Proposition F, the City Council hereby finds and determines that Proposition F carried at the election, that the election was duly called, that proper notice was given, and that the election was held in all aspects in conformity with the law, and that the City Council is hereby accordingly authorized to issue the bonds and to levy the tax in accordance with the authority granted in the Proposition and with law.

SECTION 8: A MAJORITY of the resident, qualified voters of the City of Nacogdoches, Texas voting in such election, having voted FOR the authorization and issuance of \$1,435,000 bonds and the levy and pledge of the tax in payment thereof as provided in Proposition G, the City Council hereby finds and determines that Proposition G carried at the election, that the election was duly called, that proper notice was given, and that the election was held in all aspects in conformity with the law, and that the City Council is hereby accordingly authorized to issue the bonds and to levy the tax in accordance with the authority granted in the Proposition and with law.

SECTION 9: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 10: All orders and Ordinances, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

SECTION 11: This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 12: If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 13: It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 14: This Ordinance shall be in force and effect from and after its final passage and it is so resolved.

PASSED, ADOPTED, AND APPROVED on November 14, 2023, the date of the canvassing meeting.

CITY OF NACOGDOCHES, TEXAS

Mayor

ATTEST:

City Secretary

(CITY SEAL)