



August 20, 2024

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

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

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

1. CALL TO ORDER.
2. PLEDGE OF ALLEGIANCE.
3. OPEN FORUM. Open Forum is an opportunity for citizens to address the City Council about items listed on the agenda, as well as on matters that are not specifically listed on the agenda. Alternatively, a citizen may address the City Council about an agenda item when the item comes up for consideration during the meeting. In order to address the City Council, please complete the Public Comment Form and submit it to the City Secretary prior to the start of the meeting. In accordance with the Texas Open Meetings Act, the City Council will not discuss, deliberate, or make any decisions on items not listed on the agenda. Comments are limited to 3 minutes per person.
4. ITEMS TO BE REMOVED FROM CONSENT AGENDA.
5. CONSENT AGENDA: Items included under Consent Agenda require little or no deliberation by Council. Approval of Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations as reflected in the minutes of this meeting.
 - A. Consider approval of an engineering contract by and between the City of Nacogdoches and Two Fifteen Consulting for Lanana Creek Bridge Utility Relocation for a not-to-exceed amount of \$113,000.00. (Director of Public Works)
 - B. Consider approval of the purchase of a Bobcat Skid Steer from Bobcat of North Texas for the amount of \$70,138.71 (Utility Construction Manager).
 - C. Consider approval and acceptance of the Little Reads Grant from Texas State Library and Archives Commission. (Library Manager)
 - D. Consider approval of TexSTAR Investment Pool as an Authorized Investment. (Interim Finance Director)

- E. Annual review and approval of the City's Investment Policy. (Interim Director of Finance)
 - F. Review and accept the Investment Report for the quarter ended June 30, 2024. (Interim 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 approval of a Specific Use Permit for Stone, Sand, Gravel & Mineral Extraction for approximately 3.3 acres on Lot 17-5, City Block 95, generally located on the west side of North West Stallings Drive approximately 350 feet north of the NW Stallings Drive and the West Austin Street Intersection. This request has been submitted by Drewery Wheaton Investments, LLC. Case File SUP2024-05.
 - B. **Public Hearing:** Consider approval of a Zone Change from B-2, General Business District to B-3, Central Business District for approximately .17 acres for Lot 13, City Block 3, located at 216 North Church Street. This request has been submitted by Grace Garrigan. Case File ZON2024-02.
 - C. Presentation and consideration of the proposed 2024-2025 Budget. (Interim Director of Finance)
 - D. City Council record vote on Proposed Tax Rate for the 2024-2025 fiscal year. (Interim Director of Finance)
 - E. Consider an ordinance amending Ordinance No. 1978-09-23 appropriating various amounts in accordance with the budget adopted for the ensuing fiscal year beginning October 1, 2023, and ending September 30, 2024. (Interim Director of Finance)
7. ADJOURN.



Rhonda Lewis
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 16, 2024, at 12:00 p.m., and remained posted until the meeting convened.

Rhonda Lewis, City Secretary



City Council Meeting

Date: August 20, 2024

Agenda Item: 5.A.

PRESENTER: Case Opperman, Director of Public Works

ITEM/SUBJECT: Consider approval of an engineering contract by and between the City of Nacogdoches and Two Fifteen Consulting for Lanana Creek Bridge Utility Relocation for a not-to-exceed amount of \$113,000.00. (Director of Public Works)

SUMMARY/BACKGROUND: The Texas Department of Transportation (TxDOT) is planning a replacement and expansion of the bridge on Main Street at Lanana Creek which will require relocation of City water and sewer lines which are currently in the path of the new bridge footprint.

Two Fifteen Consulting has been selected by City staff to provide engineering services including design surveying, preliminary and final design of water and sanitary sewer utilities which must be relocated to allow for TxDOT construction, as well as construction administration as follows:

Design Survey	\$25,000
Preliminary Design	\$13,500
Final Design	\$45,500
Bidding Phase	\$ 4,500 (Hourly)
Construction Phase	\$24,500 (Hourly)
Total	\$113,000

Discussions are underway with TxDOT to incorporate the relocation of utilities in the same contract as the bridge construction, all under TxDOT's direction. This approach will help significantly expedite the project schedule. A budget is available for this contract.

FINANCIAL:

Item is budgeted:

Account No.: 30.36 680.97

Account Name: *Water Line Additions/Replacements*

Amount: \$56,500

Item is budgeted:

Account No.: 30.39 680.97

Account Name: *Sewer Line Additions/Replacements*

Amount: \$56,500

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

Infrastructure

CITY CONTACT: Case Opperman, Director of Public Works/City Engineer

oppermanc@nactx.us
(936) 559-2515

ATTACHMENTS: 1. Contract

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

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

**ARTICLE I
Scope of Services**

- 1.01 In consideration of the compensation stated in paragraph 2.01 below, the Consultant agrees to provide the City with the professional services as described in **Exhibit A**, the Scope of Services, which is incorporated herein by reference for all purposes, and which services may be more generally described as follows: **Lanana Creek Bridge Utility Relocation** (the “Project”).

**ARTICLE II
Payment**

- 2.01 In consideration of the Consultant’s provision of the professional services in compliance with all terms and conditions of this Contract, the City shall pay the Consultant according to the terms set forth in **Exhibit B**. Except in the event of a duly authorized change order, approved by the City as provided in this Contract, the total cost of all professional services provided under this Contract may not exceed **One Hundred Thirteen Thousand and 00/100 Dollars (\$113,000.00)**.

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

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

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

ARTICLE IV

Conceptual Design

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

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

ARTICLE V

Preliminary Design

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

ARTICLE VI

Final Design

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

ARTICLE VII

Bid Preparations & Evaluation

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

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

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

ARTICLE VIII

Construction Administration

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

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

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

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

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

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

- 8.04 The Consultant shall keep the City informed of the progress and quality of the work through periodic project meetings and written monthly status reports. The Consultant shall employ the professional skill and care ordinarily provided by competent engineers or architects practicing in the same or similar locality and under the same or similar circumstances and professional license in discovering and promptly reporting to the City any defects or deficiencies in such work and shall disapprove or reject any work failing to conform to the contract documents.
- 8.05 The Consultant shall review and approve shop drawings and samples, the results of tests and inspections, and other data that each construction contractor or subcontractor is required to provide. The Consultant's review and approval shall include a determination of whether the work complies with all applicable laws, statutes, ordinances and codes and a determination of whether the work, when completed, will be in compliance with the requirements of the contract documents.
- 8.06 The Consultant shall determine the acceptability of substitute materials and equipment that may be proposed by construction contractors or subcontractors. The Consultant shall also receive and review maintenance and operating instruction manuals, schedules, guarantees, and certificates of inspection, which are to be assembled by the construction contractor in accordance with the contract documents.
- 8.07 The Consultant shall issue all instructions of the City to the construction contractor as well as interpretations and clarifications of the contract documents pertaining to the performance of the work. Consultant shall interpret the contract documents and judge the performance thereunder by the contractor constructing the Project, and Consultant shall,

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

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

ARTICLE IX

Change Orders & Documents & Materials

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

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

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

b. When the original contract amount plus all change orders is equal to or greater than \$50,000, the City Manager or his delegate may approve the written change order. For such contracts, when a change order exceeds \$50,000, the City Council must approve such change order prior to commencement of the services or work.

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

9.03 The Consultant shall furnish the City **One (1)** set of plans and specifications. It is hereby agreed that additional copies shall be provided to the City at the City's expense. The Consultant shall provide the City **One (1)** set of reproducible, ~~mylar~~ record drawings that clearly show all the changes made during the construction process, based upon the marked-up prints, drawings, and other data furnished by the construction contractor to the Consultant. The Consultant shall provide copies of documents, computer files if available, surveys, notes, and tracings used or prepared by the Consultant. The foregoing documentation, the Consultant's work product, and other information in the Consultant's possession concerning the Project shall be the property of the City from the time of preparation. The Consultant shall furnish one set of digital files representing the final record drawings.

ARTICLE X

Warranty, Indemnification & Release

10.01 Pursuant to Section 271.904(d) of the Texas Local Government Code, the Consultant shall perform the services with the professional skill and care ordinarily provided by competent engineers or architects practicing under the same or similar circumstances and professional license and as expeditiously as is prudent considering the ordinary skill and care of a competent engineer or architect. The Consultant warrants that the information provided

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

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

FAILURES TO PAY A SUBCONTRACTOR OR SUPPLIER COMMITTED BY THE CONSULTANT OR ITS AGENTS, EMPLOYEES, SUB-CONTRACTORS, ORDER FULFILLERS, OR CONSULTANTS UNDER CONTRACT TO CONSULTANT, OR ANOTHER ENTITY OVER WHICH THE CONSULTANT EXERCISES CONTROL, OR SUPPLIERS OF SUBCONTRACTORS IN THE EXECUTION OR PERFORMANCE OF THE CONTRACT.

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

whole or in part by the City, any other party released hereunder, the Consultant, or any third party.

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

ARTICLE XI Insurance

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

ARTICLE XII Use of Drawings, Specifications and Other Documents

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

- 12.03 In the event of termination of this Contract for any reason, the City shall receive all original documents prepared to the date of termination and shall have the right to use those documents and any reproductions in any way necessary to complete the Project.
- 12.04 Only the details of the drawings relating to this Project may be used by the Consultant on other projects, but they shall not be used as a whole without written authorization by the City. The City-furnished forms, conditions, and other written documents shall not be used on other projects by the Consultant.

ARTICLE XIII

Termination

- 13.01 The City may terminate this Contract at any time upon **thirty (30)** calendar days' written notice. Upon the Consultant's receipt of such notice, the Consultant shall cease work immediately. To the extent of funds appropriated or otherwise legally available for such purposes, the Consultant shall be compensated only for the services satisfactorily performed prior to the termination date.
- 13.02 If, through any cause, the Consultant fails to fulfill its obligations under this Contract, or if the Consultant violates any of the agreements of this Contract, the City has the right to terminate this Contract by giving the Consultant **five (5)** calendar days written notice to the Consultant. The Consultant will be compensated for the services satisfactorily performed prior to the termination date.
- 13.03 No term or provision of this Contract shall be construed to relieve the Consultant of liability to the City for damages sustained by the City because of any breach of contract and/or negligence by the Consultant. The City may withhold payments to the Consultant for the purpose of setoff until the exact amount of damages due the City from the Consultant is determined and paid.

ARTICLE XIV

Miscellaneous Terms

- 14.01 This Contract has been made under and shall be governed by the laws of the State of Texas. The parties agree that performance and all matters related thereto shall be in Nacogdoches County, Texas.
- 14.02 The City, or if State funds are used to pay any part of this contract, the State Auditor, may conduct an audit or investigation of any entity receiving funds directly under this contract or indirectly through a subcontract under the contract. Acceptance of funds under the contract or through a subcontract under the contract acts as acceptance of the authority of the City or the State Auditor to conduct an audit or investigation. Consultant agrees to cooperate and must provide the City and/or State Auditor with access to any information the City and/or State Auditor considers relevant to the investigation or audit. The Consultant agrees to refund to the City any overpayments disclosed by any such audit.

- 14.03 The Consultant shall retain all such records for a period of four (4) years after final payment on this Contract or until all audit and litigation matters that the City has brought to the attention of the Consultant are resolved, whichever is longer.
- 14.04 Consultant hereby assigns to the City any and all claims for overcharges associated with this Agreement which arise under the antitrust laws of the United States, 15 USCA Section 1 et seq., and/or which arise under the antitrust laws of the State of Texas, Business and Commerce Code Ann., Section 15.01, et seq.
- 14.05 Notices shall be mailed to the addresses designated herein or as may be designated in writing by the parties from time to time and shall be deemed received when sent postage prepaid U.S. Mail to the following addresses:
- City of Nacogdoches
Attn: City Manager
202 East Pilar Street
P.O. Box 635030
Nacogdoches, Texas 75961
- Consultant:
Two Fifteen Consulting, LLC
Attn: Michael Delaney, PE
412 North Street
Nacogdoches, Texas 75961
- 14.06 No waiver by either party hereto of any term or condition of this Contract shall be deemed or construed to be a waiver of any other term or condition or subsequent waiver of the same term or condition.
- 14.07 This Contract represents the entire and integrated agreement between the City and the Consultant and supersedes all prior negotiations, representations, or agreements, either written or oral. This Contract may only be amended by written instrument approved and executed by the parties.
- 14.08 This Contract and all rights and obligations contained herein may not be assigned by the Consultant without the prior written approval of the City.
- 14.09 If any provision of this Contract shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court of competent jurisdiction finds that any provision of this Contract is invalid or unenforceable, but that by limiting such provision it may become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.
- 14.10 The Consultant, its agents, employees, and subcontractors must comply with all applicable federal and state laws, the charter and ordinances of the City of Nacogdoches, and with all applicable rules and regulations promulgated by local, state, and national boards, bureaus,

and agencies. The Consultant must obtain all necessary permits and licenses required in completing the work and providing the services required by this Contract.

14.11 **Contractor Affirmations:** If this contract is funded in whole or in part by money from the State of Texas, State law requires the following certifications, representations and/or warranties. Regardless of funding by the State, by signature hereon affixed, the Contractor hereby certifies that:

- (a) Contractor has not given, offered to give, nor intends to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with this Contract.
- (b) Contractor represents and warrants that it has no actual or potential conflicts of interest in the goods and or services described in the scope of work to this contract.
- (c) **Antitrust.** Pursuant to 15 U.S.C. §1, et seq. and Tex. Bus. & Comm. Code §15.01, et seq. neither the contractor nor the firm, corporation, partnership, or institution represented by the contractor, or anyone acting for such a firm, corporation or institution has violated the antitrust laws of this state, federal antitrust laws, nor communicated directly or indirectly the bid made to any competitor or any other person engaged in such line of business.
- (d) **Debarment.** Contractor certifies that Contractor and its principals are eligible to participate in this transaction and have not been subjected to suspension, debarment, or similar ineligibility determined by any federal, state or local governmental entity and that Contractor is in compliance with the State of Texas statutes and rules relating to procurement. Entities ineligible for state procurement are listed on the State of Texas Debarred Vendor List maintained by the Texas Comptroller of Public Accounts and the System for Award Management (SAM) maintained by the General Services Administration. Entities ineligible for federal procurement are listed at <http://www.sam.gov/content/exclusions> .
- (e) **Terrorism Watch List.** Contractor represents and warrants that it does not do business with Iran, Sudan or a foreign terrorist organization as prohibited by Texas Government Code 2252.152. Contractor certifies that it is not listed on the federal government's terrorism watch list as described in Executive Order 13224.
- (f) **Convictions.** Under Sections 2155.006, 2155.0061 and 2261.053 of the Texas Government Code, Contractor certifies that it is not ineligible to receive the specified contract and may be terminated and payment withheld if this certification is inaccurate. These sections prohibit contracts that include proposed financial participation by an individual or business entity who has been convicted in the past five years of (a) violating a federal law or assessed a penalty in connection with a contract involving relief for Hurricane Rita, Hurricane Katrina, or any other disaster, as defined by §418.004, Gov't Code, occurring after September 24, 2005; and (b) of any offense related to the direct support or promotion of human trafficking.

- (g) **COVID Vaccinations.** Contractor certifies that it does not require its customers to provide any documentation certifying the Customer's COVID-19 vaccination or post-transmission recovery on entry to, or to receive service from the Contractor's business.
- (h) **Boycotts.** (a) To the extent this Contract is considered a Contract for goods or services subject to § 2270.002 Texas Government Code, Contractor verifies that it: (i) does not boycott Israel; and (ii) will not boycott Israel during the term of this Contract.
- (b) To the extent this Contract has a value of \$100,000 or more and Contractor is an organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations, that exists to make a profit that employs 10 or more full time employees, Contractor certifies that it: (i) does not and will not boycott energy companies during the term of the contract (*See Texas Government Code 2274.002, et seq.*); and (ii) does not and will not discriminate against a firearm entity or firearm trade association (*See Texas Government Code 2274.002, et seq.*).
- 14.12 The parties acknowledge that they have read, understood, and intend to be bound by the terms and conditions of this Contract. If there is a conflict between a provision in any documents provided by Consultant made a part of this Contract and any other provision in this Contract, the latter controls.
- 14.13 This Contract will be effective when signed by the last party whose signing makes the Contract fully executed. The parties may execute this Contract in duplicate originals, each of equal dignity.
- 14.14 **Notice of Indemnification. City and Consultant hereby acknowledge and agree that this Contract contains certain indemnification obligations and covenants.**

TWO FIFTEEN CONSULTING

412 North Street
Nacogdoches, Texas 75961

By: _____
Printed Name: _____
Title: _____
Date: _____
Firm Registration No.: _____

CITY OF NACOGDOCHES

P. O. Box 635030
Nacogdoches, Texas 75963-5030

By: _____
Printed Name: _____
Title: City Manager
Date: _____

APPROVED AS TO CONTENT:

Director of Public Works

APPROVED AS TO FORM:

City Attorney

Exhibit A

Scope of Services

The basic limits identified contain approximately 1,200 linear feet of East Main Street (SH-B7N) from Lanana Street to University Drive, approximately 300 linear feet of Simpson Street from East Main Street north to Swift Street, approximately 250 linear feet of Rulfs Street from East Main Street south to Pilar Street, and 200 linear feet of Pilar Street from Rulfs Street west to then limits of the James Wood Construction tract. The project will require relocation of water and sanitary sewer mains in conflict with the proposed replacement of the bridge crossing at Lanana Creek. Currently, the existing water main serving downtown is suspended from the bridge. A new water main crossing Lanana Creek will be required prior to demolition of the bridge. The BASIC SERVICES outlined herein are based upon the assumption that the proposed utility relocations will occur as part of TxDOT's construction of the bridge crossing via an Advanced Funding Agreement (AFA). An AFA is a mechanism in which the proposed improvements and construction documents are incorporated into the TxDOT project construction documents and the improvements are built in concurrence with TxDOT improvements and under TxDOT's master construction contract.

BASIC SERVICES

- 1) Perform a design survey of each project location listed above. Consultant will produce a topographic background map with one (1) foot interval contours, exiting utilities (where known), and visible features pertinent to the design of the proposed facilities within the boundary of the project area. Consultant will also identify existing Right-of-Way (ROW) and existing easements where necessary and identifiable.
- 2) Prepare preliminary design schematics and plans sufficient for estimating opinions of probable construction costs. Drawings will be overlain on topographic background maps. Consultant will incorporate TxDOT's 30% Design documents identifying limits of proposed ROW and physical improvements. Consultant will also use this preliminary design effort to identify any additional ROW or easements that will be necessary for installation and maintenance of the proposed improvements.
- 3) Prepare the necessary civil engineering design plans, details, and specifications in conformance with TxDOT's construction documents standards required for bidding and construction of the City Utilities portion of the project, to include:
 - a) Plan Sheets showing demolition of existing utilities and subsequent abandonments plans, proposed utility structures and line improvements, proposed sequencing for utility construction, and all dimensions and notes as necessary for construction.
 - b) Plan Details for appurtenances and devices as necessary for construction.
 - c) All specifications necessary for construction in TxDOT standard format.Consultant anticipates this item to have three issuance milestones that correspond with TxDOT design efforts. The first milestone corresponding with TxDOT's 60% Design Plans, the second corresponding with TxDOT's 95% Design Plans and the final corresponding with the issuance for bid and construction (IFBC).
- 4) Assist in the bid phases as needed by answering requests for information (RFI's), preparing addenda documentation (if any), reviewing the bid tabulation, and subsequently awarding the construction contract. Consultant would also attend a pre-bid conference (if applicable).

- 5) Construction administration and observation, including the review of material submittals, processing of change orders as required by conditions found in the field, review pay requests and other administrative tasks. Consultant will conduct periodic site visits to determine construction progress and conformance with the design plans on behalf of the City, however full-time inspection will be provided by TxDOT. Construction Observation, including multiple site visits per week while utility construction is underway and active. Documenting testing results of proposed improvements as required by the construction documents, reporting conflicts to the Engineer of Record (EoR), gather data required for field changes (if necessary), and document activity per each visit. Consultant has estimated time for Item 5 based upon a 6-month construction schedule for the utility installation portion of the work and an 18-month total project schedule.

Items excluded from the work scope and fees listed in the Basic Services include:

1. Traffic studies or traffic control warrants
2. Boundary surveys, easement preparation, easement acquisition, and rights-of-entry.
3. Construction phase surveying and staking (limited staking coordinates will be provided upon request)
4. Storm Water Pollution Prevention Plan and associated required site inspections and administration.
5. Nationwide NPDES Permitting and associated administrative requirements.
6. Construction phase inspection services (full-time RPR).
7. Geotechnical investigations and recommendations.
8. TDLR TAS review fees for accessibility compliance.
9. Subgrade de-watering system design.
10. Environmental reviews and clearances.

Exhibit B
Payment Terms and Schedule

Compensation for services shall be as outlined below:

Lump Sum Services

Topographic Design Survey	\$ 25,000
Preliminary Designs and Estimates	\$ 13,500
Final Design and Details	\$ 45,500

Subtotal \$ 84,000

Time and Materials Services (hourly, rate schedule attached)

Bid Preparation and Bid Phase Services	\$ 4,500
Construction Administration	\$ 24,500

Subtotal \$ 29,000 (Not to Exceed)

Unless amended by a duly authorized written change order, the total payment for all invoices on this job, including both salary and non-salary expenses, shall not exceed the amount set forth in paragraph 2.01 of this Contract (\$113,000).

The Consultant must submit **monthly** invoices to the City, accompanied by an explanation of charges, professional fees, services, and expenses. The City will pay such invoices according to its normal payment procedures.

Exhibit C

Insurance Requirements

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

I. Standard Insurance Policies Required:

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

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

III. General Requirements Applicable to All Policies

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

IV. Commercial (General) Liability requirements:

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

V. Business Automobile Liability requirements:

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

VI. The worker’s compensation insurance requirements:

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

VII. Professional Liability requirements:

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

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

Exhibit D
Certificates of Insurance



City Council Meeting

Date: August 20, 2024

Agenda Item: 5.B.

PRESENTER: Jason Smith, Utility Construction Manager

ITEM/SUBJECT: Consider approval of the purchase of a Bobcat Skid Steer from Bobcat of North Texas for the amount of \$70,138.71 (Utility Construction Manager).

SUMMARY/BACKGROUND: The Utility Construction Department utilizes a 2009 Bobcat Skid Steer with over 2,000 hours, which has become unusable. The front safety door has been removed and does not function. The hydraulic system leaks and a safety lock-out has the unit down and not functioning. This equipment is needed for all water and sewer line repairs in areas of concrete streets and areas with concrete under asphalt. This item is budgeted for this year and is being purchased from Bobcat of North Texas under a BuyBoard cooperative purchasing contract which is exempt from the competitive bidding process under Texas Local Government Code Section 252.022(a)(12)(D).

FINANCIAL:

Item is budgeted:

Account No.: 30.37 680.25

Account Name: *Utility Construction - Equipment & Machinery*

Amount: \$70,138.71

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

Not Applicable

CITY CONTACT: Jason Smith, Utility Construction Manager
smithje@nactx.us
(936) 564-7980

ATTACHMENTS: 1. Quote



Quotation Number: **TL670733**
Quote Sent Date: **Aug 02, 2024**
Expiration Date: **Sep 01, 2024**
Prepared By **Todd Lewis**
Phone: 214-869-6161
Email: tlewis@bobcatofdallas.com
Dealer
Bobcat of North Texas - Lewisville,
Lewisville, TX
1302 SOUTH STEMMONS FREEWAY

Customer
CITY OF NACOGDOCHES
Phone: +1 936 559 2912

Contact

Item Name	Item Number	Quantity	Price Each	Total
S770 T4 Bobcat Skid-Steer Loader	M0283	1		\$68,215.21
Standard Equipment: 92 HP Turbo Tier 4 Diesel Engine Air Intake Heater (Automatically Activated) Auxiliary Hydraulics: Variable Flow Backup Alarm Bob-Tach Bobcat Interlock Control System (BICS) Controls: Bobcat Standard Engine/Hydraulic Systems Shutdown		Horn Instrumentation: Engine Temp and Fuel Gauges, Hourmeter, RPM and Warning Lights Lift Arm Support Lift Path: Vertical Lights, Front & Rear Operator Cab Includes: Adjustable Suspension Seat, Top & Rear Windows, Parking Brake, Seat Bar, Seat Belt Roll Over Protective Structure (ROPS) meets SAE-J1040 & ISO 3471 Falling Object Protective Structure (FOPS) meets SAE-J1043 & ISO 3449, Level I; (Level II is available through Bobcat Parts) Tires: 12-16.5 12 PR Bobcat Heavy Duty Warranty: 2 years, or 2000 hours whichever occurs first		
Comfort Package <i>Included:</i> Comfort Package Includes:, Enclosed HVAC Cab, Adjustable Vinyl Suspension Seat, Power Bob-Tach, Keyless Ignition, Deluxe Display, Standard Lights, Two-Speed Travel, Attachment Control, Single Direction Bucket Positioning, Ride Control	M0283-P11-C07	1	8,832.00	8,832.00
Selectable Joystick Controls (SJC)	M0283-R01-C04	1		
High Flow Hydraulics	M0283-R03-C03	1		
74" Heavy Duty Bucket	7272680	1		
Bolt-On Cutting Edge, 74"	6718007	1		
Total for S770 T4 Bobcat Skid-Steer Loader				\$68,215.21
		Quote Total - USD		
		Dealer P.D.I.		300.00
		Freight Charges		1,425.00
		Destination Charges		116.00
		Dealer Assembly Charges		82.50
		Quote Total - USD		\$70,138.71

Notes:
BUYBOARD 685-22

Customer acceptance:

Quotation Number:: TL670733

Purchase Order: _____

Authorized Signature:

Print: _____ Sign: _____

Date: _____ Email: _____ Tax Exempt: Y ☐ / N ☐



City Council Meeting

Date: August 20, 2024

Agenda Item: 5.C.

PRESENTER: Mercedes Franks, Library Manager

ITEM/SUBJECT: Consider approval and acceptance of the Little Reads Grant from Texas State Library and Archives Commission. (Library Manager)

SUMMARY/BACKGROUND: The Nacogdoches Public Library applied for, and received, a Little Reads grant from the Texas State Library and Archives Commission in the amount of \$9,543 for the purchase of 500 copies of Powwow Day by Tracy Surrell, and 750 copies of The Barren Grounds by David A. Robertson. Both are children's books that will complement the NEA Big Read activities surrounding the book, There There by Tommy Orange.

The children's books will be given away in partnership with area partners for the purpose of increasing the love of reading for pleasure and basic literacy.

This is a federal reimbursement grant with no matching funds requirements.

FINANCIAL:

Item is not budgeted:

Account No.: 24.560.31 Project Code: 224-10

Account Name: Library Grant Revenue

Amount: \$9,543.00

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

No financial impact associated with this item

CITY CONTACT: Mercedes Franks, Library Manager
franksm@nactx.us
(936) 559-2945

ATTACHMENTS:

1. TSLAC Texas Reads Grant 2025 - Little Read Nacogdoches (grant application)
2. 2025 Texas Reads Award Letter - Nacogdoches-McDonald Public Library

Grant Program *

Texas Reads 2025

Name

Judy B McDonald Public Library

Legal Entity

City of Nacogdoches

Project Title *

Little Read Nacogdoches

Project Manager *

Crystal Hicks

Submit Date

3/1/2024 4:38 PM

Program Partners

Nacogdoches ISD
Caddo Mounds State Historic Site
Alabama-Coushatta Tribe of Texas
Stone Fort Museum
Texas Forestry Museum

Program Abstract

The Little Read Nacogdoches is a literacy initiative in Nacogdoches focused on promoting reading and improving literacy among children. It is built on the belief in the power of books and storytelling. Aimed at addressing literacy gaps and supporting early development, the program encourages reading as a key to educational opportunities and personal growth. The Little Read collaborates with schools and community organizations to host various literacy events, workshops, and activities. The major effort is distributing free books to children, especially those with limited access to reading materials. The program also emphasizes the importance of parental involvement, providing resources and guidance to create literacy-rich environments at home. Through these efforts, The Little Read Nacogdoches will significantly impact children's lives, fostering a generation of readers and learners and enhancing the community's literacy culture.

Criterion 01

Needs Assessment (20 points): Describe why the program is needed in the community. Address the program goals and audience. Describe the greater community to be served using demographic statistics, library records, or surveys to support these statements. (7500 characters)

Answer

Introduction to the Little Read Program:

The Little Read is a strategic initiative aimed to complement the Big Read program, focusing on nurturing a reading culture among younger audiences in the Nacogdoches Independent School District (NISD) and surrounding county. This annual program, running from October to December, offers free books and organizes educational activities, addressing the specific literacy needs of our community.

Program Goals:

The Little Read aims to:

Improve literacy rates and reading engagement among children and adolescents in Nacogdoches County.

Offer educational support to economically disadvantaged and at-risk students.

Provide culturally responsive reading materials and programs.

Enhance college readiness and academic performance in reading.

Target Audience:

This program targets the 5,943 students in PK-12 across the nine schools in Nacogdoches, with a particular focus on the 83% who are economically disadvantaged and the 71.7% at risk of dropping out of school. We also provide library services to students in Nacogdoches County schools and homeschoolers.

Community Needs and Demographics:

NISD faces significant socioeconomic challenges:

25.4% of residents live below the poverty level, significantly higher than the state average of 16.3%.

30.6% of NISD students receive food stamps or SNAP benefits, compared to 20.3% statewide.

The median household income is \$42,042, substantially lower than the state average of \$67,321.

26.6% of parents have less than a high school diploma, and 19.3% are not in the labor force.

50% of students are minorities/non-white, highlighting the need for diverse and inclusive programming.

29.4% of students are bilingual/ESL, and 28.6% have limited English proficiency, exceeding the state average of 21.7%.

Academic Challenges:

Only 24.5% of students demonstrate college readiness in reading and math, compared to 40.4% at the state level.

AP participation is just 11.2%, half the state average of 21.1%.

Library Engagement and Usage Patterns:

Given these challenges, there is a critical need for programs like the Little Read. Library engagement among young people in Nacogdoches is crucial to counteract educational disadvantages. The library is in a unique position to offer resources and programs that can make a tangible difference in these students' academic and personal development.

Conclusion:

The Little Read is an essential program tailored to meet the urgent educational needs of Nacogdoches students. It addresses gaps in

Criterion 02

Program Purpose (20 points): Describe the program goals, audience, intended outcomes, and relationship to the library long- range plan or goals. Include one or more of the Texas Reads Grant Program outcomes (see p.7 of Texas Reads Notice of Funding Opportunity as well as any additional outcomes specific to your program. (7500 characters)

Answer

The Little Read program seeks to achieve the following goals:

Enhance Literacy and Reading Engagement: To significantly improve reading skills and foster a love of reading among children and adolescents.

Support Educational Advancement for At-Risk Students: To provide targeted support for economically disadvantaged and at-risk students to improve their academic performance and college readiness.

Promote Cultural and Linguistic Inclusivity: To offer culturally relevant reading materials, making literature accessible to a diverse student population.

Target Audience:

The program is specifically designed for the 5,943 students in PK-12 within Nacogdoches ISD, as well as the surrounding county, focusing on those who are economically disadvantaged and at risk of dropping out.

Intended Outcomes:

Increased Reading Frequency and Enjoyment: Students will engage more frequently in reading activities and develop a lasting enjoyment of reading.

Improved Reading Confidence and Skills: There will be measurable improvements in students' reading abilities and self-confidence in their literacy skills.

Enhanced Family Reading Practices: Families will incorporate more reading activities into their daily routines, improving overall family literacy.

Increased Participation in Educational Programs: There will be higher enrollment and participation in library and partner agency educational programs.

Relationship to Library's Plan:

This program aligns with our library's long-range plan to:

Increase community access to educational resources, especially for underserved populations.

Promote lifelong learning and literacy for all age groups.

Strengthen community partnerships to enhance educational outcomes.

Incorporating Texas Reads Grant Program Outcomes:

Participants Read More: The Little Read aims to increase the frequency of reading among participants by providing free, appealing, and age-appropriate books.

Participants Enjoy Reading: Through engaging activities and diverse book selections, the program seeks to foster a genuine enjoyment of reading among participants.

Increased Confidence in Reading Ability: Tailored reading materials and supportive programs will boost participants' confidence in their reading skills.

Incorporation of Attitudes/Behaviors for Family Reading Skills: The program will offer workshops and resources to encourage family

Criterion 03

Program Design (20 points): Provide a detailed description of the program and its activities. Describe any collaboration planned with other community organizations. Thoroughly describe each service, program, and/or activity you intend to conduct and explain how it addresses identified community needs. (7500 characters)

Answer**Overview:**

The Little Read program is a comprehensive, multifaceted initiative designed to bolster literacy and educational engagement for Nacogdoches Public Library patrons. The program encompasses various activities, collaborations, and services, all aimed at promoting literacy, cultural awareness, community engagement, environmental education, and historical understanding through a series of interactive events and activities.

Program Activities and Services:**Book Distribution:**

Description: Free, carefully selected books will be distributed to students

The two selected books are Powwow Day by Traci Sorell, a picture book recommended for ages 4-8, and The Barren Grounds by David A. Robertson, recommended for ages 10-13. These selections cater to different age groups and reading levels.

Community Need Addressed: This directly addresses the need for increased access to reading materials, especially among economically disadvantaged students.

Storytime:

Description: The regularly scheduled preschool storytime will feature Powwow Day along with related craft time. This program helps foster a love for reading, as well as social time for preschool children and their families.

Community Need Addressed: This activity encourages regular reading habits and peer interactions around books, vital for students with limited access to such environments at home.

Family Literacy Nights (Campfire Camp-Ins):

Description: Monthly events where families come together at the library to engage in reading activities. These events will include storytelling, workshops on how to encourage reading at home, and discussions for parents. There will also be a different craft and cultural exploration each month to highlight the themes of the two books.

Community Need Addressed: These nights aim to enhance family reading practices and support parents, many of whom have limited educational backgrounds, in assisting their children's literacy development.

Special Events:

October 4 - Little Read Launch Party

Community Need Addressed: Cultural Awareness and Diversity

Alabama-Coushatta dances

Book distribution

Fry Bread Tacos

Crafts from the National Museum of the American Indian

October 8 - Little Read Storytime

Community Need Addressed: Early Childhood Literacy and Cultural Education

Special reading of Powwow Day at preschool storytime

October 12 - Little Read StoryWalk at Farmers Market Fall Fling

Community Need Addressed: Community Engagement and Health

Parkside festival with booths for local agencies

StoryWalk of Powwow Day around the park

November 2 - Caddo Culture Day

Community Need Addressed: Historical and Cultural Preservation

Grass house tour

Traditional cooking demonstration

Caddo dances

November 2 - Dia de los Muertos

Community Need Addressed: Cultural Diversity and Inclusion

Traditional dances

Food and artisan vendor booths

TBD - Garden of Generations: Story of the Three Sisters

Community Need Addressed: Environmental Education and Cultural History

Tour of Snake Woman's Garden at Caddo Mounds State Historic Site

Activities exploring the Three Sisters (corn, beans, and squash) tradition of interplanting as a sustainable agriculture practice.

December 14 - Culminating Event at Stone Fort Museum

Community Need Addressed: Community Celebration and Historical Awareness

Collaborations with Community Organizations:

Local Schools: Partner with NISD schools to coordinate book distributions, identify student needs, and promote program participation.

Community Centers and Non-Profits: Collaborate for hosting family literacy nights and educational workshops, reaching a broader

Criterion 04

Timetable (10 points): Provide a timetable of program activities. (7500 characters)

Answer 04

September: Program Launch and Engagement Phase
Introduction meetings with school officials and community partners.
Focus will be on launching the program and distributing books.
October 4 - Little Read Launch Party
October 8 - Little Read Storytime
October 12 - Little Read StoryWalk at Farmers Market Fall Fling
November 2 - Caddo Culture Day
November 2 - Dia de los Muertos
TBD - Garden of Generations: Story of the Three Sisters
December 14 - Culminating Event at Stone Fort Museum
December 15-January 1: Assessment and feedback period

Criterion 05

Evaluation (10 points): Describe how the anticipated outcomes will be measured. Set achievable, measurable outcomes and present a reasonable method to collect data. Present a method to count users of the services as well as measure the effectiveness of the service. Please note that a draft survey instrument will be provided to all funded applicants. (7500 characters)

Answer 05

The anticipated outcomes of the Little Read program will be measured using specific, targeted metrics and methods for data collection, ensuring that the results are both quantifiable and indicative of the program's effectiveness. Here's how each anticipated outcome will be assessed:

Increased Reading Frequency and Enjoyment

Metric: The number of books checked out by participants before, during, and after the program.

Data Collection: Participant surveys will be used to gauge changes in reading habits and enjoyment.

Effectiveness Measure: By comparing pre- and post-program survey results, we can assess changes in attitudes toward reading. This comparison will show whether there has been an increase in reading frequency and whether participants have developed a more positive attitude towards reading.

Enhanced Family Reading Practices

Metric: The number of families participating in Family Literacy Nights and related activities.

Data Collection: Attendance records will be kept for each event. Additionally, surveys will be distributed to gather feedback on changes in family reading habits.

Effectiveness Measure: Increases in family participation over time will be assessed, along with analyzing survey responses for qualitative improvements in family reading. This will help determine if families are more engaged in reading together and if the program has positively impacted their reading practices.

Increased Participation in Educational Programs

Metric: Enrollment numbers in library- and partner-led educational programs.

Data Collection: Registration and attendance data for all relevant educational programs will be recorded.

Effectiveness Measure: Enrollment figures before and after the implementation of the Little Read program will be compared. This will show if there is a correlation between the program and increased community interest and participation in educational offerings.

In summary, the effectiveness of the Little Read program will be measured using a combination of quantitative data (such as book checkout numbers, attendance records, and enrollment figures) and qualitative data (gathered from surveys). This approach will not only count the users of the services but also provide a comprehensive understanding of the program's impact on reading habits, family engagement in literacy, and participation in educational activities. The use of both pre- and post-program comparisons will further validate the effectiveness of the service.

Criterion 06

Budget (20 points): Provide a detailed budget and justify budgeted costs using quotes and/or pricing from vendor sites. Costs listed in the budget table below should match costs described in this narrative section. (7500 characters)

Answer 06

Quote provided by Bulk Bookstore:

500 copies of Powwow Day by Traci Sorell & Madelyn Goodnight = \$5125

750 copies of The Barren Grounds by David A. Robertson = \$4418

Capitalization Level

—

Max Grant Amount

\$10,000.00

Salaries/Wages/Benefits

\$0

\$0

\$0

Salaries/Wages/Benefits Description

—

Consultant Fees

\$0

Consultant Fees Other Funds

\$0

Total Consultant Fees

\$0

Consultant Fees Description

—

Travel

\$0

Travel Other Funds

\$0

Total Travel

\$0

Travel Description

—

Supplies/Materials

\$9,543

Supplies/Materials Other Funds

\$0

Total Supplies/Materials

\$9,543

Supplies/Material Description

500 copies of Powwow Day by Traci Sorell & Madelyn Goodnight = \$5125
750 copies of The Barren Grounds by David A. Robertson = \$4418

Equipment

\$0

Equipment Other Funds

\$0

Total Equipment

\$0

Equipment Description

—

Services

\$0

Services Other Funds

\$0

Total Services

\$0

—

Total Direct Costs

\$9,543

Base

\$0

Indirect Rate (0-1)

0.0000

Total Direct Other Funds

\$0

Total Direct Total Costs

\$9,543

Indirect Costs

\$0

Indirect Costs Total Cost

\$0

Indirect Costs Description

—

Total Grant Fund

\$9,543

Total Other Funds

\$0

Total Costs

\$9,543

Expected Program Income

—



Official Award Notification for Competitive Grants State Fiscal Year 2025

Subrecipient Information

City of Nacogdoches, Judy B McDonald Public Library
1112 North St
Nacogdoches, TX 75961-4482
FUEI: JK3KNJACE7L1

Project Manager: Mercedes Franks, franksm@nactx.us
Library Director: Mercedes Franks, franksm@nactx.us

Basic Award Information	
Awarding Agency:	Texas State Library & Archives Commission
Grant Program:	Competitive — Texas Reads 2025
State Award Date:	August 2, 2024
Grant Number:	TXR-25010
Grant Period Start Date:	September 1, 2024
Grant Period End Date:	August 31, 2025
Source of funds:	Federal — Institute of Museum and Library Services (IMLS)
CFDA No. & Name:	45.310 — Grants to States
Federal Award Identification Number (FAIN):	LS-256843-OLS-24
Federal Award Date:	April 18, 2024
Amount of Federal Funds Obligated by this Action:	\$ 9,543.00
Total Amount of Federal Funds Obligated:	\$ 9,543.00
Total Amount of Award:	\$ 9,543.00
Indirect Cost Rate:	0.000
Funding Type:	Reimbursement

Basic Award Information	
1. This grant award is governed by the approved grant application and signed grant contract. Subrecipient shall provide services as outlined in the approved grant application (2025 Texas Reads Grant) as approved by TSLAC. Grant funds must be used to meet TSLAC and Federal goals. The Subrecipient must report information relating to best practices and performance outcomes as designated in the TSLAC grant contract. The approved grant application submitted by Subrecipient is incorporated into the contract as if fully set forth therein. In the event of any conflict between the grant application and the contract, the contract shall prevail. 2. Grant support is provided under the following state and federal rules as applicable: a. Texas Reads Grant Program Guidelines for 2025; b. Rules for Administering the Texas Reads Grant, Texas Administrative Code, Title 13, Part 1, Chapter 2, Subchapter C, Division 7, Rules 2.710–2.712; c. General Grant Guidelines, Texas Administrative Code, Title 13, Part 1, Chapter 2, Subchapter C, Division 1, Rules 2.110–2.120; d. Texas Uniform Grants Management Standards (UGMS) (https://comptroller.texas.gov/purchasing/docs/ugms.pdf); and e. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR §200 and §3187 (Supercircular)) (https://federalregister.gov/a/2013-30465). 3. The Subrecipient’s grant-related staff must attend all TSLAC grant management training as applicable to their grant duties. 4. The Subrecipient’s authorizing official must sign and return the required grant contract to indicate acceptance of the award and compliance with the statutory and regulatory requirements before any funds will be reimbursed.	
Performance Goals: Subrecipient is to report on grant performance as designated and scheduled in the TSLAC grant contract.	
TSLAC Contact Information Questions or concerns about <u>programmatic issues, budget and/or program revisions, performance reports, and equipment/property</u> should be directed to: Dominic Gonzales, Grants Administrator E-mail: grants@tsl.texas.gov Questions or documentation relating to <u>requests for funds, payments, and financial status</u> should be directed to: Arturo Villarreal, Grants Accountant E-mail: grants.accounting@tsl.texas.gov	
TSLAC Authorized Official	Sarah Karnes, Division Director Library Development and Networking



City Council Meeting

Date: August 20, 2024

Agenda Item: 5.D.

PRESENTER: Todd Simoneaux, Interim Finance Director

ITEM/SUBJECT: Consider approval of TexSTAR Investment Pool as an Authorized Investment. (Interim Finance Director)

SUMMARY/BACKGROUND: Included in the agenda exhibit is information pertaining to the application. It is recommended that the Board approve the application as submitted.

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: Todd Simoneaux, Interim Finance Director
simoneauxt@nactx.us
(936) 559-2529

ATTACHMENTS: 1. Application for Participation in TexSTAR



APPLICATION FOR PARTICIPATION IN TexSTAR

The undersigned local government (Applicant) applies and agrees to become a Participant in the Texas Short Term Asset Reserve Program (TexSTAR).

1. **Authorization.** The governing body of Applicant has duly authorized this application by adopting the following resolution at a meeting of such governing body duly called, noticed, and held in accordance with the Texas Open Meeting Law, chapter 551, Texas Government Code, on August, 20th, 2024:

WHEREAS, it is in the best interests of this governmental unit ("*Applicant*") to invest its funds jointly with other Texas local governments in the Texas Short Term Asset Reserve Program (TexSTAR) in order better to preserve and safeguard the principal and liquidity of such funds and to earn an acceptable yield; and

WHEREAS, Applicant is authorized to invest its public funds and funds under its control in TexSTAR and to enter into the participation agreement authorized herein;

NOW, THEREFORE, BE IT RESOLVED THAT:

SECTION 1. The form of application for participation in TexSTAR attached to this resolution is approved. The officers of Applicant specified in the application are authorized to execute and submit the application, to open accounts, to deposit and withdraw funds, to agree to the terms for use of the website for online transactions, to designate other authorized representatives, and to take all other action required or permitted by Applicant under the Agreement created by the application, all in the name and on behalf of Applicant.

SECTION 2. This resolution will continue in full force and effect until amended or revoked by Applicant and written notice of the amendment or revocation is delivered to the TexSTAR Board.

SECTION 3. Terms used in this resolution have the meanings given to them by the application."

2. **Agreement.** Applicant agrees with other TexSTAR Participants and the TexSTAR Board to the Terms and Conditions of Participation in TexSTAR, effective on this date, which are incorporated herein by reference. Applicant makes the representations, designations, delegations, and representations described in the Terms and Conditions of Participation.

3. **Taxpayer Identification Number.** Applicant's taxpayer identification number is 75-6000621

4. **Contact Information.**

Applicant primary mailing address: 202 E PILAR ST, NACOGDOCHES, TX 75961

Applicant physical address (if different): _____

Applicant main phone number: 936-559-2533

Applicants main fax number: _____

5. **Authorized Representatives.** Each of the following Participant officials is designated as Participant's Authorized Representative authorized to give notices and instructions to the Board in accordance with the Agreement, the Bylaws, the Investment Policy, and the Operating Procedures:

1. Name: KEVIN SARDINHA Title: ACCOUNTING MANAGER

Signature:  Phone: 936-559-2533

Email: sardinhak@nactx.us

2. Name: ABBY TAYLOR Title: SENIOR ACCOUNTANT
Signature: [Signature] Phone: 936-559-2528
Email: taylora@nactx.us

3. Name: _____ Title: _____
Signature: _____ Phone: _____
Email: _____

4. Name: _____ Title: _____
Signature: _____ Phone: _____
Email: _____

{REQUIRED} PRIMARY CONTACT: List the name of the Authorized Representative **listed above** that will be designated as the Primary Contact and will receive all TexSTAR correspondence including transaction confirmations and monthly statements

Name: KEVIN SARDINHA

{OPTIONAL} INQUIRY ONLY CONTACT: In addition, the following additional Participant representative (**not listed above**) is designated as an ***Inquiry Only*** Representative authorized to obtain account information:

Name: _____ Title: _____
Signature: _____ Phone: _____
Email: _____

Applicant may designate other authorized representatives by written instrument signed by an existing Applicant Authorized Representative or Applicant's chief executive officer.

DATED August 13, 2024

REQUIRED
PLACE OFFICIAL SEAL OF ENTITY HERE

CITY OF NACOGDOCHES
(NAME OF ENTITY/APPLICANT)

SIGNED BY:

(Signature of official)

RANDY JOHNSON - MAYOR
(Printed name and title)

ATTESTED BY:

(Signature of official)

RHONDA LEWIS - CITY SECRETARY
(Printed name and title)

FOR INTERNAL USE ONLY
APPROVED AND ACCEPTED: TEXAS SHORT TERM ASSET RESERVE FUND

.....
AUTHORIZED SIGNER

V082011

2

BANK INSTRUCTION FORM



PLEASE SELECT ONE OF THE FOLLOWING:

☒ NEW ACCOUNT: NAME GENERAL FUND

☐ CHANGE EXISTING ACCT: _____

☐ APPLY CHANGE TO ALL ACCOUNTS

EFFECTIVE DATE: 8/13/2024

PARTICIPANT NAME: CITY OF NACOGDOCHES

ACCOUNT NUMBER: _____

Add Bank Instruction:

PLEASE INDICATE IF THIS WILL BE THE ☒ PRIMARY BANK INSTRUCTION OR ☐ ADDITIONAL BANK INSTRUCTION

SELECT ONE OF THE FOLLOWING ☒ WIRE AND ACH ☐ WIRE ONLY ☐ ACH ONLY

Bank Name: SOUTHSIDE BANK City TYLER

Bank ABA Number (9 digits): 111923607 Bank ABA for ACH (if different) (9 digits): _____

Bank Account Number: 8954540 Bank Account Name: GENERAL FUND

Correspondent Bank Name (if any): _____

Correspondent Bank ABA Number: _____ Account Number: _____

Delete Bank Instruction:

PLEASE INDICATE IF THIS WILL BE THE ☐ PRIMARY BANK INSTRUCTION OR ☐ ADDITIONAL BANK INSTRUCTION

SELECT ONE OF THE FOLLOWING ☐ WIRE AND ACH ☐ WIRE ONLY ☐ ACH ONLY

Bank Name: _____ City _____

Bank ABA Number (9 digits): _____ Bank ABA for ACH (if different) (9 digits): _____

Bank Account Number: _____ Bank Account Name: _____

Correspondent Bank Name (if any): _____

Correspondent Bank ABA Number: _____ Account Number: _____

** If ACH availability is selected, I hereby authorize JPMorgan Chase Bank, N.A. to directly deposit and withdraw funds by means of ACH electronic transfer to and from the financial institution and the account designated above ("Designated Account"). I agree that this authorization may be withdrawn with at least 45-days advance written notice to TexSTAR Participant Services. I understand that TexSTAR reserves the right to discontinue ACH electronic transfer without advance notice. I also authorize JPMorgan Chase Bank, N.A. to deduct from the Designated Account or from subsequent deposits made to the Designated Account all amounts deposited in error. I authorize JPMorgan Chase Bank, N.A. to credit all amounts withdrawn in error to Designated Account.*

NOTE: This authorization must be executed by two current Authorized Representatives of the Participant on file with TexSTAR. As a current Authorized Representative, I certify that the above information is both true and correct.

KEVIN SARDINHA

ACCOUNTING MANAGER 8/13/2024

Authorized Representative Signature

Printed Name

Title

Date

ABBY TAYLOR

SENIOR ACCOUNTANT

8/13/2024

Authorized Representative Signature

Printed Name

Title

Date

Please complete this form either all typed or all handwritten. Forms with alterations (i.e. white out, mark out, etc.) will **NOT** be accepted.

TexSTAR Representative will call to verify instructions and USER ID with both Authorized Representatives.

TexSTAR Participant Services

Email forms to: texstar@hilltopsecurities.com

Phone: 800.839.7827 * Fax: 214.953.8878



City Council Meeting

Date: August 20, 2024

Agenda Item: 5.E.

PRESENTER: Todd Simoneaux, Interim Finance Director

ITEM/SUBJECT: Annual review and approval of the City's Investment Policy. (Interim Director of Finance)

SUMMARY/BACKGROUND: State law requires the City Council to annually review and adopt the City's Investment Policy.

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: Todd Simoneaux, Interim Director of Finance
simoneauxt@nactx.us
(936) 559-2529

ATTACHMENTS: 1. Investment Policy (Proposed 20240820)

CITY OF NACOGDOCHES INVESTMENT POLICY

I. POLICY

It is the policy of the City of Nacogdoches (City) that after allowing for the anticipated cash flow requirements of the City and giving due consideration to the safety and risk of investment, all available funds shall be invested in conformance with these legal and administrative guidelines, seeking to optimize interest earnings to the maximum extent possible.

Effective cash management is recognized as essential to good fiscal management. Investment interest is a source of revenue to the City's funds. The City's investment portfolio shall be designed and managed in a manner designed to utilize this revenue source, to be responsive to public trust, and to be in compliance with legal requirements and limitations.

Investments shall be made with the primary objectives of:

- * **Safety** and preservation of principal
- * Maintenance of sufficient **liquidity** to meet operating needs
- * **Public trust** from prudent investment activities
- * **Diversification** of portfolio
- * Optimization of **interest earnings** on the portfolio

II. PURPOSE

The purpose of this Investment Policy is to comply with Chapter 2256 of the Government Code ("Public Funds Investment Act" or "PFIA")), which requires the City to adopt a written investment policy regarding the investment of its funds and funds under its control. This Investment Policy addresses the methods, procedures and practices that must be exercised to ensure effective and judicious fiscal management of the City's funds. This Policy and investment strategies shall be reviewed annually by the Investment Committee and City Council who will formally approve any modifications.

III. SCOPE

This Investment Policy shall govern the investment of all financial assets of the City. These funds are accounted for in the City's Annual Comprehensive Financial Report and include:

- General Fund
- Special Revenue Funds
- Capital Projects Funds
- Enterprise Funds
- Internal Service Fund
- Trust and Agency Funds, to the extent not required by law or existing contract to be

- kept segregated and managed separately
- Debt Service Funds, including reserves and sinking funds, to the extent not required by law or existing contract to be kept segregated and managed separately
- Any new fund created by the City, unless specifically exempted from this Policy by the City Council or by law.

This Investment Policy shall apply to all transactions involving the financial assets and related activity for all the foregoing funds. However, this Policy does not apply to the assets administered for the benefit of the City by outside agencies under deferred compensation programs.

IV. INVESTMENT OBJECTIVES

The City shall manage and invest its cash with five primary objectives, listed in order of priority: **safety, liquidity, public trust, diversification, and yield**. The safety of the principal invested always remains the primary objective. All investments shall be designed and managed in a manner responsive to the public trust and consistent with state and local law.

The City shall maintain a comprehensive cash management program, which includes collection of account receivables, vendor payments in accordance with invoice terms, and prudent investment of available cash. Cash management is defined as the process of managing monies in order to ensure maximum cash availability and optimize earnings on short-term investment of idle cash.

A. Safety [*PFLA 2256.005(b)(2)*]

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit and interest rate risk.

1. Credit Risk – The City will minimize credit risk, the risk of loss due to the failure of the issuer or backer of the investment, by:
 - Limiting investments to the safest types of investments
 - Pre-qualifying the financial institutions and broker/dealers with which the City will do business
 - Diversifying the investment portfolio so that potential losses on individual issuers will be minimized.
2. Interest Rate Risk – the City will minimize the risk that the interest earnings and the market value of investments in the portfolio will fall due to changes in general interest rates, by:
 - Structuring the investment portfolio so that investments mature to meet cash requirements for ongoing operations, thereby avoiding the need to liquidate investments prior to maturity.
 - Investing operating funds primarily in certificates of deposit, shorter-term securities, money market mutual funds, or local government investment pools functioning as money market mutual funds.
 - Diversifying maturities and staggering purchase dates to minimize the impact of market movements over time.

B. Liquidity [PFIA 2256.005(b)(2)]

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that investments mature concurrent with cash needs to meet anticipated demands. Because all possible cash demands cannot be anticipated, a portion of the portfolio will be invested in demand or money market accounts, shares of money market mutual funds or local government investment pools that offer same-day liquidity.

C. Public Trust

All participants in the City's investment process shall seek to act responsibly as custodians of the public trust. Investment officers shall avoid any transaction that might impair public confidence in the City's ability to govern effectively.

D. Diversification [PFIA 2256.005(b)(3)]

Investment maturities shall be staggered to provide cash flow based on the anticipated needs of the City. Diversifying the appropriate maturity structure will reduce market cycle risk.

E. Yield [PFIA 2256.005(b)(3)]

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above.

V. INVESTMENT STRATEGY FOR SPECIFIC FUNDS

The overall strategy of the City's investment objective shall be to ensure a) the understanding of suitability of investment to the financial requirements of the City, b) preservation and safety of principal, c) liquidity, d) marketability of the investment, if the need arises to liquidate the investment before maturity, e) diversification of the investment portfolio; and f) yield. [PFIA 2256.005(d)]

The City maintains portfolios which utilize specific investment strategy considerations designed to address the unique characteristics of the fund groups represented in the portfolios:

A. Operating Funds

Suitability - Any investment eligible in the Investment Policy is suitable for Operating Funds.

Safety of Principal - All investments shall be of high quality with no perceived default risk. Market price fluctuations will occur. However, managing the weighted average days to maturity to less than 180 days and restricting the maximum allowable maturity to two years using the final stated maturity dates of each investment will minimize the price volatility of the portfolio.

Marketability - Securities with active and efficient secondary markets are necessary in the event of an unanticipated cash flow requirement.

Liquidity - Operating Funds require short-term liquidity to adequately fund any unanticipated cash outflow. Short-term financial institution deposits, investment pools and money market mutual funds will provide daily liquidity and may be utilized as a competitive yield alternative to fixed maturity investments.

Diversification - Investment maturities should be staggered throughout the budget cycle to provide cash flow based on the anticipated operating needs of the City. Diversifying the appropriate maturity structure up to the two-year maximum will reduce interest rate risk.

Yield - Attaining a competitive market yield for comparable security types and portfolio restrictions is the desired objective. The yield of an equally weighted, rolling three-month Treasury Bill portfolio will be the minimum yield objective.

B. Debt Service Funds

Suitability - Any investment eligible in the Investment Policy is suitable for the Debt Service Fund.

Safety of Principal - All investments shall be of high quality with no perceived default risk. Market price fluctuations may occur. However, by managing Debt Service Funds to not exceed the debt service payment schedule, the market risk of the overall portfolio will be minimized.

Marketability - Securities with active and efficient secondary markets are not necessary as the event of an unanticipated cash flow requirement is not probable.

Liquidity - Debt Service Funds have predictable payment schedules. Therefore, investment maturities should not exceed the anticipated cash flow requirements. Cash equivalent investments may provide a competitive yield alternative for short-term fixed maturity investments. A singular repurchase agreement may be utilized if disbursements are allowed in the amount necessary to satisfy any debt service payment. This investment structure is commonly referred to as a flexible repurchase agreement.

Diversification - Market conditions influence the attractiveness of fully extending maturity to the next "unfunded" payment date. Generally, if investment rates are anticipated to decrease over time, the City is best served by locking in most investments. If the interest rates are potentially rising, then investing in shorter and larger amounts may provide advantage. At no time shall the debt service schedule be exceeded in an attempt to bolster yield.

Yield - Attaining a competitive market yield for comparable investment-types and portfolio restrictions is the desired objective. The yield of an equally weighted, rolling three-month Treasury Bill portfolio shall be the minimum yield objective.

C. Debt Service Reserve Funds

Suitability - Any investment eligible in the Investment Policy is suitable for Debt Service Reserve Funds. Bond resolution and loan documentation constraints and insurance company restrictions may create specific considerations in addition to the Investment Policy.

Safety of Principal - All investments shall be high quality with no perceived default risk. Market price fluctuations will occur. However, managing Debt Service Reserve Fund

maturities to not exceed the call provisions of the borrowing reduces the investment's market risk if the City's debt is redeemed and the Reserve Fund liquidated. No stated final investment maturity shall exceed the shorter of the final maturity of the borrowing or five years. Annual mark-to-market requirements or specific maturity and average life limitations within the borrowing's documentation will influence the attractiveness of market risk and reduce the opportunity for maturity extension.

Marketability - Securities with less active and efficient secondary markets are acceptable for Debt Service Reserve Funds.

Liquidity – Debt Service Reserve Funds have no anticipated expenditures. The Funds are deposited to provide annual debt service payment protection to the City's debt holders. The funds are "returned" to the City at the final debt service payment. Market conditions and arbitrage regulation compliance determine the advantage of investment diversification and liquidity. Generally, if investment rates exceed the cost of borrowing, locking in investment maturities and reducing liquidity best serve the City. If the borrowing cost cannot be exceeded, then concurrent market conditions will determine the attractiveness of locking in maturities or investing shorter and anticipating future increased yields.

Diversification - Market conditions and the arbitrage regulations influence the attractiveness of staggering the maturity of fixed rate investments for Debt Service Reserve Funds. At no time shall the final debt service payment date of the bond issue be exceeded in an attempt to bolster yield.

Yield - Achieving a positive spread to the applicable borrowing cost is the desired objective. Debt Service Reserve Fund portfolio management shall at all times operate within the limits of the Investment Policy's risk constraints.

D. Capital Project and Special Purpose Funds

Suitability - Any investment eligible in the Investment Policy is suitable for Capital Project and Special Purpose Funds.

Safety of Principal – All investments will be of high quality with no perceived default risk. Market fluctuations may occur. However, by restricting the maximum maturity to the lesser of the anticipated cash flow requirements or the IRS defined temporary period, the market risk of the portfolio will be minimized.

Marketability - The balancing of short-term and long-term cash flow needs requires the Capital Project and Special Purpose Funds portfolio to have securities with active and efficient secondary markets.

Liquidity - Capital Project and Special Purpose Funds used as part of a CIP plan or scheduled repair and replacement program are reasonably predictable. However, unanticipated needs or emergencies may arise. Maintaining minimum cash equivalent investment amounts will reduce the liquidity risk of unanticipated expenditures. A singular repurchase agreement may be utilized if disbursements are allowed in the amount necessary to satisfy any required expenditures. This investment structure is commonly referred to as a flexible repurchase agreement.

Diversification - Investment maturities should blend the short-term and long-term cash flow needs

to provide adequate liquidity, yield enhancement and stability.

Yield - Attaining a competitive market yield for comparable investment-types and portfolio structures is the desired objective. The yield of an equally weighted, rolling six-month Treasury Bill portfolio will be the minimum yield objective.

VI. RESPONSIBILITY AND CONTROL

A. Delegation of Authority [PFIA 2256.005(f)]

In accordance with the Public Funds Investment Act, the Council designates the Director of Finance and Assistant Director of Finance as the City's Investment Officers. An Investment Officer is authorized to execute investment transactions on behalf of the City.

No person may engage in an investment transaction or the management of City's funds except as provided under the terms of this Investment Policy as approved by the Council. The investment authority granted to the investing officer is effective until rescinded by the Council.

B. Investment Committee

An Investment Committee, consisting of the Director of Finance, Assistant Director of Finance, and the City Manager shall meet periodically to determine operational strategies and to monitor results. The Investment Committee shall include in its deliberation such topics as: performance reports, economic outlook, portfolio diversification, maturity structure, potential risk to the City's funds, authorized brokers and dealers, eligible investment training sources, and the target rate of return on the investment portfolio.

C. Training Requirement [PFIA 2256.008]

In accordance with the Public Funds Investment Act, and to ensure qualified and capable investment management, the Investment Officers shall attend investment training no less often than once every two years commencing September 1, 1997 and accumulating not less than 8 hours of instruction relating to investment responsibilities. A newly appointed Investment Officer must attend training accumulating at least 10 hours of instruction within twelve months of the date the Officer took office or assumed the Officer's duties. The investment training session shall be provided by an independent source approved by the designated Investment Committee. For purposes of this Policy, an "independent source" from which investment training shall be obtained shall include a professional organization, an institution of higher education or any other sponsor other than a business organization with whom the City may engage in an investment transaction.

D. Internal Controls [PFIA 2256.005(m)]

The Director of Finance is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft, or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

Accordingly, the Director of Finance shall establish a process for annual independent review by an external auditor to assure compliance with policies and procedures. The

internal controls shall address the following points:

- Avoidance of collusion.
- Separation of transaction authority from accounting and record keeping.
- Custodial safekeeping.
- Avoidance of physical delivery securities.
- Clear delegation of authority to subordinate staff members.
- Written confirmation for telephone (voice) transactions for investments and wire transfers.
- Development of a wire transfer agreement with the depository bank or third-party custodian.

E. Prudence [PFLA 2256.006]

The standard of prudence to be applied by the Investment Officers shall be the “prudent investor” rule. This rule states that “Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion and intelligence exercise in the management of the person’s own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived.” In determining whether an Investment Officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

- The investment of all funds, or funds under the City’s control, over which the Officer had responsibility rather than a consideration as to the prudence of a single investment.
- Whether the investment decision was consistent with the written approved Investment Policy of the City.

F. Indemnification

An Investment Officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific investment’s credit risk or market price changes, provided that these deviations are reported immediately and the appropriate action is taken to control adverse developments

G. Ethics and Conflicts of Interest [PFLA 2256.005(i)]

City staff involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair the ability to make impartial investment decisions. City staff shall disclose to the City Manager any material financial interest in financial institutions that conduct business with the City and they shall further disclose positions that could be related to the performance of the City’s portfolio. City staff shall subordinate their personal financial transactions to those of the City, particularly with regard to timing of purchase and sales.

A City Investment Officer who has a personal business relationship with an organization seeking to sell an investment to the City shall file a statement disclosing that personal business interest. An Investment Officer who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Council and the City Council.

VII. SUITABLE AND AUTHORIZED INVESTMENTS

A. Portfolio Management

The City currently has a “buy and hold” portfolio strategy. Maturity dates are matched with cash flow requirements and investments are purchased with the intent to be held until maturity. However, investments may be liquidated prior to maturity for the following reasons:

- An investment with declining credit may be liquidated early to minimize loss of principal.
- Cash flow needs of the City require that the investment be liquidated.

B. Investments [*PFLA 2256.005(b)(4)(A)*]

The City funds governed by this policy may be invested in the instruments described below, all of which are authorized by the Public Funds Investment Act. Investment of the City funds in any instrument or security not authorized for investment under the Act is prohibited. The City will not be required to liquidate an investment that becomes unauthorized subsequent to its purchase.

I. Authorized

1. Direct obligations, including letters of credit, of the United States of America, its agencies and instrumentalities, including the Federal Home Loan Banks.
2. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the United States of America, or its agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States.
3. Obligations of the State of Texas or its agencies and instrumentalities, and obligations of counties, cities, and other political subdivisions of this State rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent.
4. Fully insured or collateralized certificates of deposit issued by a depository institution organized under Texas law, the laws of another state, or federal law, that has its main office or a branch office in Texas, that is guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or secured by obligations in a manner and amount provided by law for deposits of the City.
5. Fully collateralized direct repurchase agreements with a defined termination date secured by a combination of cash and obligations of the United States or its agencies and instrumentalities. These shall be pledged to the City, held in an account in the City’s name, and deposited at the time the investment is made with the City or with a third party selected and approved by the City.

Repurchase agreements must be purchased through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in Texas. A Master Repurchase Agreement, or similar agreement, must be signed by the dealer/financial institution prior to investment in a repurchase agreement. Securities received for repurchase agreements must have a market value greater than or equal to 102 percent at all times.

6. Money Market Mutual funds that comply with federal Securities and Exchange Commission Rule 2a-7 (17 C.F.R. Section 270.2a-7), promulgated under the Investment Company Act of 1940 (15 U.S.C. Section 80a-1 et seq.) and are rated AAA by at least one nationally recognized rating service and seek to maintain a net asset value of \$1.0000 per share.
7. Local government investment pools, which 1) meet the requirements of the Public Funds Investment Act, 2) are rated no lower than AAA or an equivalent rating by at least one nationally recognized rating service, 3) seek to maintain a \$1.00 net asset value, and 4) are authorized by resolution or ordinance by the Council.

All prudent measures will be taken to liquidate an investment that is downgraded to less than the required minimum rating. (*PFIA 2256.021*)

II. Not Authorized

The City's authorized investments options are more restrictive than those allowed by State law. The City's requirements specifically prohibit investment in the following investment securities.

1. Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.
2. Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest.
3. Collateralized mortgage obligations that have a stated final maturity date of greater than 10 years.
4. Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.
5. Reverse repurchase agreements
6. International investment instruments.

VIII. INVESTMENT PARAMETERS

A. **Maximum Maturities** [PFIA 2256.005(b)(4)(B)]

The longer the maturity of securities, the greater their price volatility. Therefore, it is the City's policy to utilize shorter-term securities in order to limit principal risk caused by changes in interest rates.

The City attempts to match its investments with anticipated cash flow requirements. The City will not directly invest in maturities greater than those outlined in V. Investment Strategy for Specific Funds; however, the above-described obligations, certificates, or agreements may be collateralized using longer-dated investments.

Because no secondary market exists for repurchase agreements, the maximum maturity shall be 120 days except in the case of a flexible repurchase agreement for bond proceeds.

The maximum maturity for such an investment shall be determined in accordance with project cash flow projections and the requirements of the governing bond ordinance.

The composite portfolio will have a weighted average maturity of 365 days or less. This dollar-weighted average maturity will be calculated using the stated final maturity dates of each security. [PFIA 2256.005(b)(4)(C)]

B. **Diversification** [PFIA 2256.005(b)(3)]

The City recognizes that investment risks can result from issuer defaults, market price changes or various technical complications leading to temporary illiquidity. Risk is controlled through portfolio diversification that shall be achieved by the following general guidelines:

- Limiting investments to avoid overconcentration in investments from a specific issuer or business sector,
- Limiting investment in investments that have higher credit risks (example: commercial paper),
- Investing in investments with varying maturities, and
- Continuously investing a portion of the portfolio in readily available funds such as demand and money market accounts, local government investment pools (LGIPs), money market funds, or overnight repurchase agreements to ensure that appropriate liquidity is maintained in order to meet ongoing obligations.

IX. SELECTION OF BANKS AND DEALERS

A. **Primary Depository** (*Chapter 105, Texas Local Government Code*)

At least every five (5) years a Depository shall be selected through the City's banking services procurement process, which shall include a formal request for application (RFA). The selection of a primary depository will be determined by competitive process and thorough evaluation that is most advantageous to the City, and will be generally based on the following selection criteria:

- The ability to qualify as a depository for public funds in accordance with state law.
- The ability to provide requested information or financial statements for the periods specified.
- The ability to meet all requirements in the primary depository RFA.
- Complete response to all required items on the application.
- Favorable net banking service cost/benefit, consistent with the ability to provide an appropriate level of service.
- The credit worthiness and financial stability of the bank.

The City reserves the right to place deposits with other financial institutions for diversification and investment purposes, or to utilize a service not reasonably available through the primary depository.

B. Authorized Broker/Dealers [PFIA 2256.025]

The City's Investment Committee shall, at least annually, review, revise, and adopt a list of qualified broker/dealers authorized to engage in securities transactions with the City. Those firms that request to become qualified broker/dealers for securities transactions will be required to provide information regarding creditworthiness, experience, and reputation.

Authorized firms may include primary dealers or non-primary dealers that qualify under Securities & Exchange Council Rule 15C3-1 (Uniform Net Capital Rule).

C. Competitive Environment

A competitive yield environment shall be achieved by soliciting quotes from multiple investment providers, monitoring comparable investment alternatives, and reviewing general market conditions.

When appropriate, bids or offers must be solicited for all individual security transactions. The City's investment advisor is also required to solicit bids or offers when transacting trades on the City's behalf. In the case of a certificate of deposit placement, competitive offers should provide a comparison. The quotes may be accepted orally, in writing, electronically, or any combination of these methods. These guidelines shall take into consideration the investment type, maturity date, amount, and potential disruptiveness to the City's investment strategy.

The Director of Finance shall develop and maintain procedures for ensuring competition in the investment of the City's funds.

D. Delivery vs. Payment [PFIA 2256.005(b)(4)(E)]

Securities shall be purchased using the **delivery verses payment** method of settlement. Funds will be released after the purchased security has been received.

E. Business Organizations [PFIA 2256.005(k-l)]

All investment pools and discretionary investment management firm (e.g. business organizations) must acknowledge that the business organization has received and reviewed the City's Investment Policy and that reasonable procedures and controls have been implemented to preclude investment transactions that are not authorized by the City's

policy except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio, requires an interpretation of subjective investment standards, or relates to investment transactions of the City that are not made through accounts or other contractual arrangements over which the business organization has accepted discretionary investment authority.

X. SAFEKEEPING OF SECURITIES AND COLLATERAL

A. Safekeeping and Custodian Agreements (*Best Practice*)

The City shall contract with a financial institution for the safekeeping of securities owned by the City as part of its investment portfolio. Securities owned by the City shall be held in an account in the City's name as evidenced by safekeeping receipts of the institution holding the securities.

Securities pledged as collateral for deposits will be held by a third-party custodian designated by the City and pledged to the City as evidenced by receipts of the institution with which the collateral is deposited. Original receipts shall be obtained. Collateral may be held by the depository institution's trust department, a Federal Reserve Bank or branch of a Federal Reserve Bank, a Federal Home Loan Bank, or a third-party Custodian approved by the City.

B. Collateral Policy (*PFCA 2257.023*)

Consistent with the requirements of the Public Funds Collateral Act ("PFCA"), it is the policy of the City to require full collateralization of all City funds on deposit with a depository institution. Deposits secured with irrevocable letters of credit shall have 100% of principal plus anticipated interest of the deposit, less any amount insured by the FDIC. Deposits secured with pledged marketable securities shall have a market value equal to or greater than 102% of the principal plus accrued interest of the deposit, less any amount insured by the FDIC. All deposits shall be insured or collateralized in compliance with applicable State law. The City reserves the right, in its sole discretion, to accept or reject any form of insurance or collateralization pledged towards financial institution deposits. Financial institutions serving as City Depositories will be required to sign a depository agreement with the City.

Securities pledged as collateral shall be held by an independent third party with whom the City has a current custodial agreement. The Director of Finance is responsible for entering into collateralization agreements in compliance with this Policy. The agreements are to specify the acceptable investment securities for collateral, including provisions relating to possession of the collateral, the substitution or release of investment securities, ownership of securities, and the method of valuation of securities.

The custodial portion of the agreement shall define the City's rights to the collateral in case of default, bankruptcy, or closing, and shall establish a perfected security interest in compliance with Federal and State regulations, including:

- the agreement must be in writing;
- the agreement must be executed by the depository and the City contemporaneously with the acquisition of the asset;

- the agreement must be approved by the board of directors or the loan committee of the depository and a copy of the meeting minutes must be delivered to the City, and
- the agreement must be part of the depository's "official record" continuously since its execution.

A clearly marked evidence of pledge (pledge receipt) must be supplied to the City and retained. Collateral shall be reviewed at least monthly to assure that the market value of the pledged securities is adequate.

C. Collateral Defined

The City shall accept only the following types of collateral:

1. Direct obligations of the United States of America or its agencies and instrumentalities.
2. Direct obligations of the state of Texas or its agencies and instrumentalities.
3. Collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States of America, the underlying security for which is guaranteed by an agency or instrumentality of the United States of America.
4. Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized rating firm not less than A or its equivalent with a remaining maturity of ten (10) years or less.
5. Federal Deposit Insurance Corporation (FDIC) Insurance Coverage.
6. A surety bond issued by an insurance company rated as to investment quality by a nationally recognized rating firm not less than A.
7. A letter of credit issued to the City by a Federal Home Loan Bank.

D. Subject to Audit

All collateral shall be subject to inspection and audit by the City or the City's independent auditors.

XI. PERFORMANCE

A. Performance Standards [PFI 2256.005(b)(4)(C)]

The City's investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio shall be designed with the objective of obtaining a rate of return through budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow requirements of the City. Weighted average yield to maturity shall be the performance measurement standard.

B. Performance Benchmark (*Best Practice*)

It is the policy of the City to purchase investments with maturity dates coinciding with cash flow needs. Through this strategy, the City shall seek to optimize interest earnings utilizing allowable investments available on the market at that time. Market value will be calculated on a quarterly basis on all securities owned and compared to current book value. The City's portfolio shall be designed with the objective of regularly meeting or exceeding the average rate of return on U.S. Treasury Bills at a maturity level comparable to the City's weighted average maturity in days.

XII. REPORTING

The Investment Officers shall prepare an investment report on a quarterly basis that summarizes investment strategies employed in the most recent quarter, describes the portfolio in terms of investments and maturities, and shall explain the total investment return for the quarter.

The quarterly investment report shall include a summary statement of investment activity. This summary will be prepared in a manner that will allow the City to ascertain whether investment activities during the reporting period have conformed to the Investment Policy. The report will be provided to the Council. The report will include the following:

- A listing of individual investments held at the end of the reporting period.
- Unrealized gains or losses resulting from appreciation or depreciation by listing the beginning and ending book and market value of investments for the period.
- Additions and changes to the market value during the period.
- Average weighted yield to maturity of portfolio as compared to applicable benchmark.
- Listing of investments by maturity date.
- Fully accrued interest for the reporting period
- The percentage of the total portfolio that each type of investment represents.
- Statement of compliance of the City's investment portfolio with state law and the investment strategy and Policy approved by the Council.
- Signatures of the Investment Officers.

In conjunction with the annual audit, an independent auditor will perform a formal review of the quarterly reports with the results reported to the City Council [*PFLA 2256.023(d)*].

Monitoring [*PFLA 2256.005(b)(4)(D)*]

Market value of all securities in the portfolio will be determined on a quarterly basis. These values will be obtained from a reputable and independent source. The City shall monitor the rating of each issuer, as applicable, at least quarterly, and take all prudent measures that are consistent with this Policy to liquidate an investment that does not have the minimum rating.

XIII. INVESTMENT POLICY ADOPTION

The City's Investment Policy shall be adopted by resolution of the City Council. It is the City's intent to comply with state laws and regulations. The City's Investment Policy shall be subject to revisions consistent with changing laws, regulations, and needs of the City. The Council shall adopt a resolution stating that it has reviewed the Policy and investment strategies annually, approving any changes or modifications. [*PFA 2256.005(e)*]



City Council Meeting

Date: August 20, 2024

Agenda Item: 5.F.

PRESENTER: Todd Simoneaux, Interim Finance Director

ITEM/SUBJECT: Review and accept the Investment Report for the quarter ended June 30, 2024. (Interim Finance Director)

SUMMARY/BACKGROUND: The investment portfolio of the City of Nacogdoches is in compliance with the Public Funds Investment Act and the Investment Policy and Strategies.

FINANCIAL:

No financial impact associated with this item.

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

Not Applicable.

CITY CONTACT: Todd Simoneaux, Interim Finance Director
simoneauxt@nactx.us
(936) 559-2529

ATTACHMENTS: 1. QUARTERLY INVESTMENT REPORT - June 30, 2024



QUARTERLY INVESTMENT REPORT

For the Quarter Ended

June 30, 2024

Prepared by
Valley View Consulting, L.L.C.

The investment portfolio of the City of Nacogdoches is in compliance with the Public Funds Investment Act and the Investment Policy and Strategies.

Investment Officer

Investment Officer

Disclaimer: These reports were compiled using information provided by the City. No procedures were performed to test the accuracy or completeness of this information. The market values included in these reports were obtained by Valley View Consulting, L.L.C. from sources believed to be accurate and represent proprietary valuation. Due to market fluctuations these levels are not necessarily reflective of current liquidation values. Yield calculations are not determined using standard performance formulas, are not representative of total return yields and do not account for investment advisor fees.

Summary

Quarter End Results by Investment Category:

Asset Type	March 31, 2024			June 30, 2024		
	Ave. Yield	Book Value	Market Value	Ave. Yield	Book Value	Market Value
MMA/MMF/Pools	4.31%	\$ 79,183,730	\$ 79,183,730	4.66%	\$ 95,619,814	\$ 95,619,814
Certificates of Deposit	5.49%	21,083,025	21,083,025	5.51%	23,297,574	23,297,574
Securities	2.18%	6,000,000	6,000,000	0.00%	—	—
Totals	4.17%	\$ 106,266,756	\$ 106,266,756	4.83%	\$ 118,917,388	\$ 118,917,388

Average Yield - Current Quarter (1)

Total Portfolio	4.83%
Rolling Three Month Treasury	5.47%
Rolling Six Month Treasury	5.34%
TexPool	5.31%

Fiscal Year-to-Date Average Yield (2)

Total Portfolio	4.70%
Rolling Three Month Treasury	5.48%
Rolling Six Month Treasury	5.40%
TexPool	5.33%

Interest Income (Approximate)

Quarterly Interest Income	\$ 1,268,284
Fiscal Year-to-date Interest Income	\$ 3,553,004

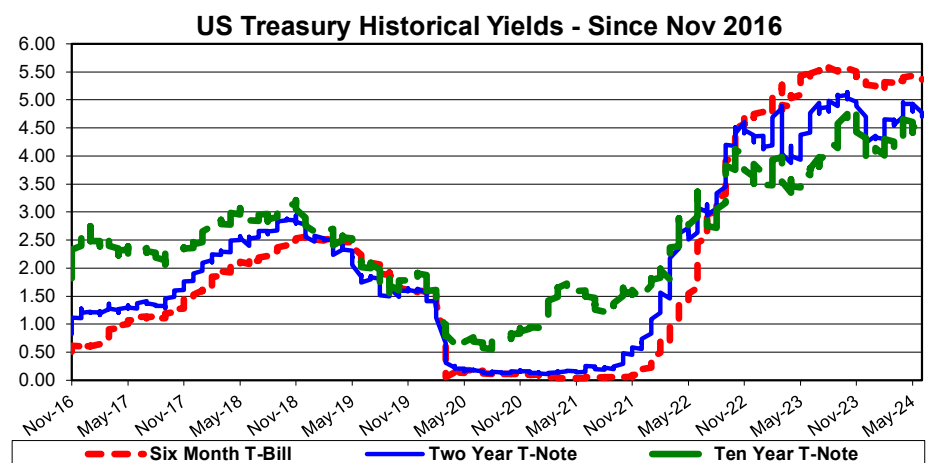
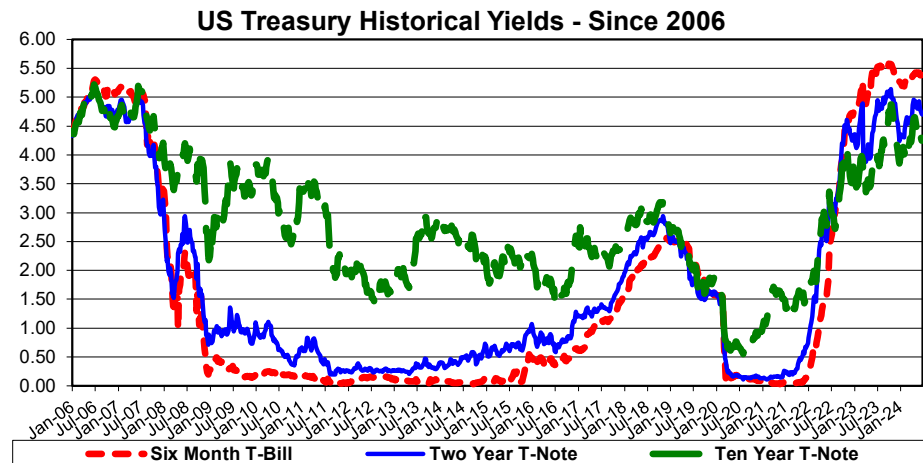
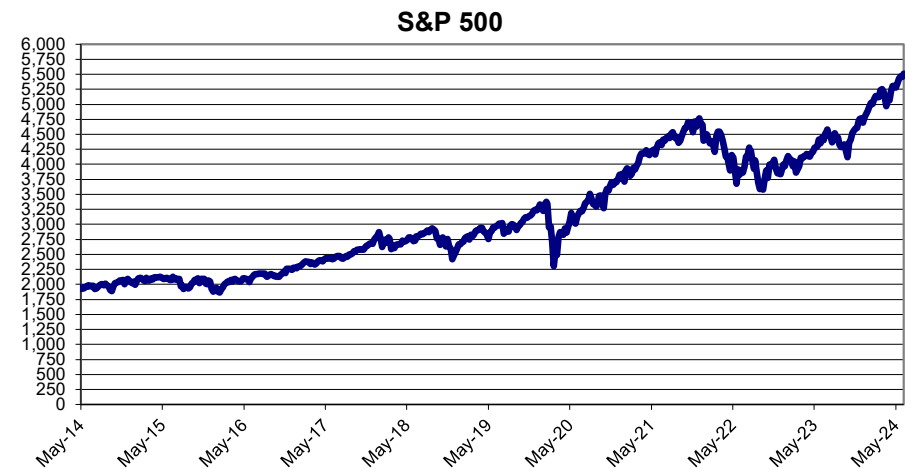
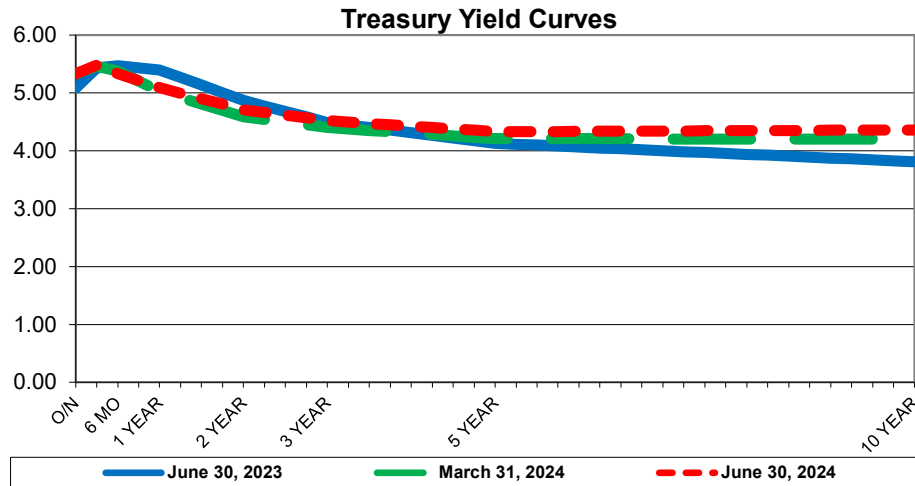
(1) **Average Yield - Current Quarter** - based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month is used for bank, pool, and money market balances.

(2) **Fiscal Year-to-Date Average Yields** - calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

Economic Overview

6/30/2024

The Federal Open Market Committee (FOMC) maintained the Fed Funds target range 5.25% - 5.50% (Effective Fed Funds are trading +/-5.33%). Expectations are for reduced future rates, but any actions will be meeting-by-meeting and "data-dependent." June Non-Farm Payroll slightly exceeded expectations at 206k new jobs, but the previous two months were revised down causing the Three Month Rolling Average to fall to 177k. Final First Quarter 2024 GDP reported +1.4%. The S&P 500 Stock Index created new highs above +/-5,500. The yield curve remains inverted but longer yields rose slightly. Crude Oil trades over \$80 per barrel. Inflation declined slightly but remains above the FOMC 2% target (Core PCE +/-2.6% and Core CPI +/-3.4%). Reduced global economic outlooks and ongoing/expanding military conflicts continue increasing uncertainty.



Investment Holdings
June 30, 2024

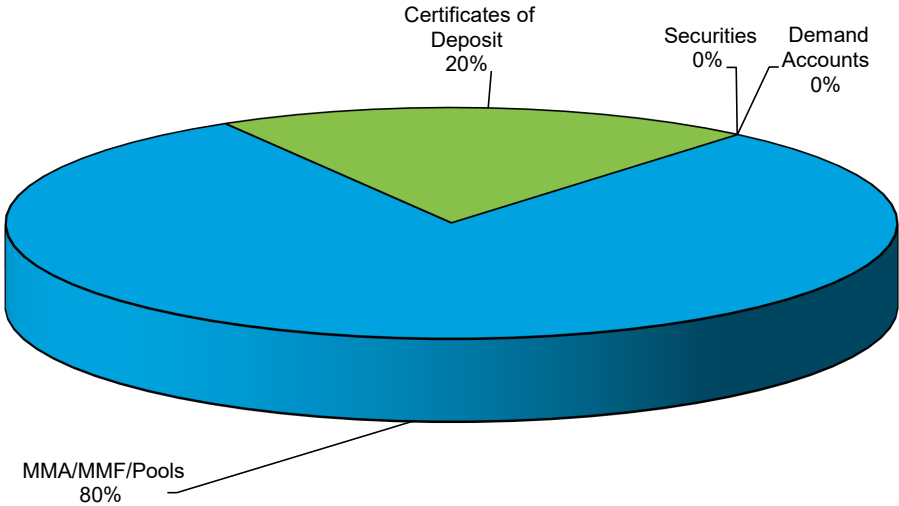
Description	Ratings	Coupon/ Discount	Maturity Date	Settlement Date	Face Amount/ Par Value	Book Value	Market Price	Market Value	Life (Day)	Yield
Southside Bank MMA (3)		1.08%	07/01/24	06/30/24	\$ 14,924,486	\$ 14,924,486	1.00	\$ 14,924,486	1	1.08%
Independent Financial Bank MMA		5.46%	07/01/24	06/30/24	5,347,539	5,347,539	1.00	5,347,539	1	5.46%
Veritex Bank MMA		5.46%	07/01/24	06/30/24	7,133,331	7,133,331	1.00	7,133,331	1	5.46%
Federated Hermes Gov't MMF		5.23%	07/01/24	06/30/24	12,755,373	12,755,373	1.00	12,755,373	1	5.23%
TexPool	AAAm	5.31%	07/01/24	06/30/24	55,459,086	55,459,086	1.00	55,459,086	1	5.31%
SUBTOTAL					\$ 95,619,814	\$ 95,619,814		\$ 95,619,814	1	4.66%
									(1)	(2)
Bank OZK CD		5.25%	07/04/24	01/04/24	2,121,556	2,121,556	100.00	2,121,556	4	5.39%
East West Bank CD		5.55%	07/29/24	07/28/23	2,171,001	2,171,001	100.00	2,171,001	29	5.71%
East West Bank CD		5.55%	08/01/24	08/01/23	2,155,519	2,155,519	100.00	2,155,519	32	5.71%
East West Bank CD		5.61%	09/23/24	09/22/23	4,348,302	4,348,302	100.00	4,348,302	85	5.77%
Citizens State Bank CD		4.60%	10/04/24	10/04/23	2,086,514	2,086,514	100.00	2,086,514	96	4.60%
East West Bank CD		5.48%	11/01/24	05/01/24	2,106,000	2,106,000	100.00	2,106,000	124	5.63%
East West Bank CD		5.44%	12/27/24	06/27/24	2,175,342	2,175,342	100.00	2,175,342	180	5.59%
East West Bank CD		5.26%	01/10/25	04/10/24	2,023,772	2,023,772	100.00	2,023,772	194	5.40%
East West Bank CD		5.26%	01/10/25	04/10/24	2,023,772	2,023,772	100.00	2,023,772	194	5.40%
Bank OZK CD		5.45%	03/26/25	09/26/23	2,083,515	2,083,515	100.00	2,083,515	269	5.60%
Citizens 1st Bank CD		2.00%	09/01/25	06/01/24	2,279	2,279	100.00	2,279	428	2.00%
SUBTOTAL					\$ 23,297,574	\$ 23,297,574		\$ 23,297,574	116	5.51%
									(1)	(2)
TOTAL					\$ 118,917,388	\$ 118,917,388		\$ 118,917,388	24	4.83%
									(1)	(2)

(1) **Weighted average life** - For purposes of calculating weighted average life, bank accounts, pools and money market funds are assumed to have an one day maturity.

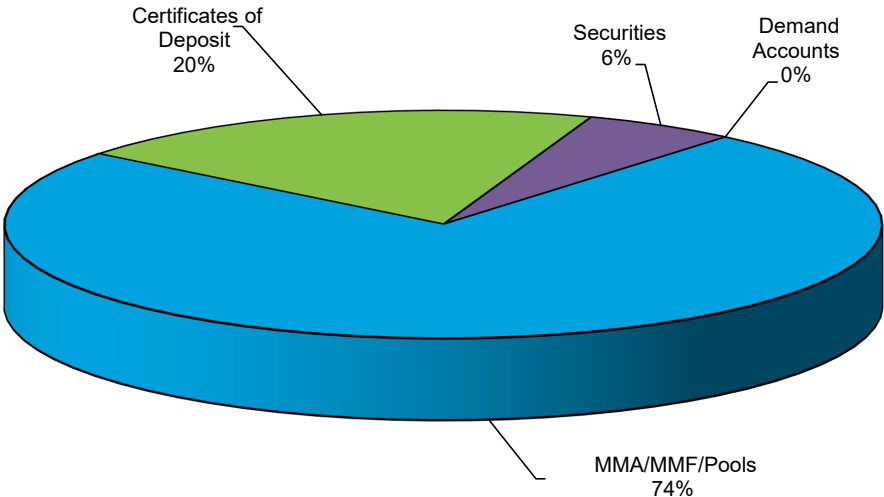
(2) **Weighted average yield to maturity** - The weighted average yield to maturity is based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month is used for bank accounts, pools, and money market funds.

(3) **Weighted Average Yield** - The City has several Southside Bank MMA accounts with differing yields. A weighted average yield of all Southside Bank MMA accounts is calculated.

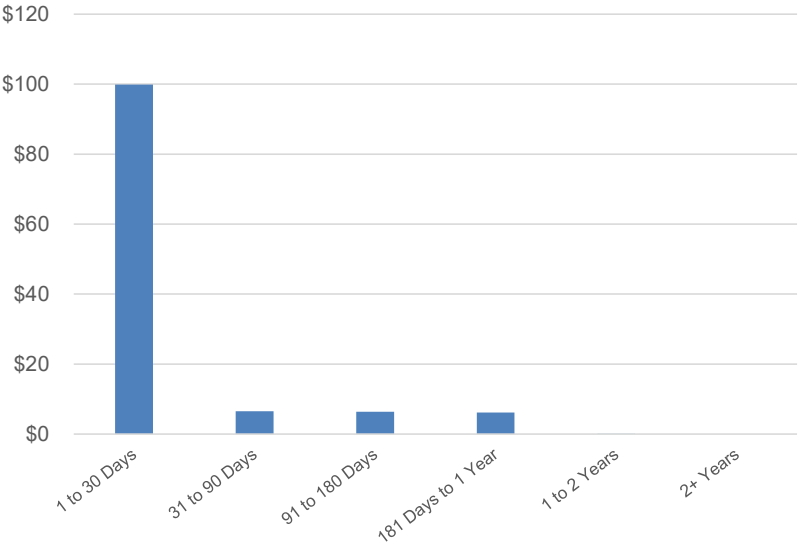
**Portfolio Composition
Current Quarter**



**Portfolio Composition
Previous Quarter**



Distribution by Maturity Range (Millions)



Book & Market Value Comparison

Issuer/Description	Yield	Maturity Date	Book Value 03/31/24	Increases	Decreases	Book Value 06/30/24	Market Value 03/31/24	Change in Market Value	Market Value 06/30/24
Southside Bank MMA	1.08%	07/01/24	\$ 18,600,048	\$ —	\$ (3,675,562)	\$ 14,924,486	\$ 18,600,048	\$ (3,675,562)	\$ 14,924,486
Independent Financial Bank MMA	5.46%	07/01/24	5,275,074	72,465	—	5,347,539	5,275,074	72,465	5,347,539
Veritex Bank MMA	5.46%	07/01/24	7,039,374	93,957	—	7,133,331	7,039,374	93,957	7,133,331
Federated Hermes Gov't MMF	5.23%	07/01/24	8,444,254	4,311,118	—	12,755,373	8,444,254	4,311,118	12,755,373
TexPool	5.31%	07/01/24	39,824,980	15,634,106	—	55,459,086	39,824,980	15,634,106	55,459,086
US Treasury Note	2.18%	04/01/24	6,000,000	—	(6,000,000)	—	6,000,000	(6,000,000)	—
Bank OZK CD	4.93%	04/04/24	2,092,568	—	(2,092,568)	—	2,092,568	(2,092,568)	—
East West Bank CD	5.82%	05/01/24	2,077,117	—	(2,077,117)	—	2,077,117	(2,077,117)	—
East West Bank CD	5.54%	06/27/24	2,146,295	—	(2,146,295)	—	2,146,295	(2,146,295)	—
Bank OZK CD	5.39%	07/04/24	2,093,669	27,887	—	2,121,556	2,093,669	27,887	2,121,556
East West Bank CD	5.71%	07/29/24	2,141,170	29,831	—	2,171,001	2,141,170	29,831	2,171,001
East West Bank CD	5.71%	08/01/24	2,125,901	29,618	—	2,155,519	2,125,901	29,618	2,155,519
East West Bank CD	5.77%	09/23/24	4,287,913	60,390	—	4,348,302	4,287,913	60,390	4,348,302
Citizens State Bank CD	4.60%	10/04/24	2,063,300	23,213	—	2,086,514	2,063,300	23,213	2,086,514
East West Bank CD	5.63%	11/01/24	—	2,106,000	—	2,106,000	—	2,106,000	2,106,000
East West Bank CD	5.59%	12/27/24	—	2,175,342	—	2,175,342	—	2,175,342	2,175,342
East West Bank CD	5.40%	01/10/25	—	2,023,772	—	2,023,772	—	2,023,772	2,023,772
East West Bank CD	5.40%	01/10/25	—	2,023,772	—	2,023,772	—	2,023,772	2,023,772
Bank OZK CD	5.60%	03/26/25	2,055,092	28,423	—	2,083,515	2,055,092	28,423	2,083,515
Citizens 1st Bank CD	2.00%	09/01/25	—	2,279	—	2,279	—	2,279	2,279
TOTAL/ AVERAGE	4.83%		\$ 106,266,756	\$ 28,642,175	\$(15,991,543)	\$ 118,917,388	\$ 106,266,756	\$ 12,650,632	\$ 118,917,388

Allocation
June 30, 2024

Book Value and Market Value	Investment Total	Airport Operations	Capital Projects	Debt Service	Equipment Replacement	General Fund	Grants Fund
Southside Bank MMA	\$ 14,924,486	\$ 336,401	\$ 362,366	\$ 238,379	\$ 452,606	\$ 2,433,286	\$ 37,191
Independent Financial Bank MMA	5,347,539	—	—	—	—	—	—
Veritex Bank MMA	7,133,331	—	—	—	—	2,377,777	—
Federated Hermes Gov't MMF	12,755,373	—	—	—	—	—	—
TexPool	55,459,086	—	2,592,922	309,992	1,565,543	334,286	4,192,670
07/04/24–Bank OZK CD	2,121,556	—	—	—	—	—	—
07/29/24–East West Bank CD	2,171,001	—	—	—	—	—	—
08/01/24–East West Bank CD	2,155,519	—	—	—	—	—	—
09/23/24–East West Bank CD	4,348,302	—	—	—	—	2,174,151	—
10/04/24–Citizens State Bank CD	2,086,514	—	—	—	—	—	—
11/01/24–East West Bank CD	2,106,000	—	—	—	—	—	—
12/27/24–East West Bank CD	2,175,342	—	—	—	—	—	—
01/10/25–East West Bank CD	2,023,772	—	—	—	—	2,023,772	—
01/10/25–East West Bank CD	2,023,772	—	—	—	—	—	—
03/26/25–Bank OZK CD	2,083,515	—	—	—	—	2,083,515	—
09/01/25–Citizens 1st Bank CD	2,279	—	—	—	—	2,279	—
Totals	\$ 118,917,388	\$ 336,401	\$ 2,955,289	\$ 548,371	\$ 2,018,149	\$ 11,429,066	\$ 4,229,861

Allocation
June 30, 2024

(Continued)

Book Value and Market Value	Internal Service Fund	Sanitation Fund	Special Revenue Fund	Utility & Sanitation Fund	Utility Fund	GO 2024 Fund
Southside Bank MMA	\$ 320,209	\$ —	\$ 1,107,906	\$ 2,319,790	\$ 7,312,151	\$ 4,200
Independent Financial Bank MMA	—	—	—	—	5,347,539	—
Veritex Bank MMA	—	2,377,777	—	—	2,377,777	—
Federated Hermes Gov't MMF	—	—	—	—	12,755,373	—
TexPool	1,836,491	7,099,261	2,067,243	—	20,130,335	15,330,343
07/04/24–Bank OZK CD	—	2,121,556	—	—	—	—
07/29/24–East West Bank CD	—	—	—	—	2,171,001	—
08/01/24–East West Bank CD	—	—	—	2,155,519	—	—
09/23/24–East West Bank CD	—	—	—	—	2,174,151	—
10/04/24–Citizens State Bank CD	—	2,086,514	—	—	—	—
11/01/24–East West Bank CD	—	—	—	—	2,106,000	—
12/27/24–East West Bank CD	—	2,175,342	—	—	—	—
01/10/25–East West Bank CD	—	—	—	—	—	—
01/10/25–East West Bank CD	—	—	—	—	2,023,772	—
03/26/25–Bank OZK CD	—	—	—	—	—	—
09/01/25–Citizens 1st Bank CD	—	—	—	—	—	—
Totals	\$ 2,156,700	\$ 15,860,450	\$ 3,175,149	\$ 4,475,309	\$ 56,398,099	\$ 15,334,543

Allocation

March 31, 2024

Book Value	Investment Total	Airport Operations	Capital Projects	Debt Service	Equipment Replacement	General Fund	Grants Fund
Southside Bank MMA	\$ 18,600,048	\$ 349,113	\$ 98,924	\$ 233,134	\$ 67,390	\$ 4,750,586	\$ 26,354
Independent Financial Bank MMA	5,275,074	—	—	—	—	—	—
Veritex Bank MMA	7,039,374	—	—	—	—	2,346,458	—
Federated Hermes Gov't MMF	8,444,254	—	—	—	—	—	—
TexPool	39,824,980	—	2,558,870	305,921	1,544,983	329,896	4,335,270
04/01/24—US Treasury Note	6,000,000	—	—	—	—	1,500,000	—
04/04/24—Bank OZK CD	2,092,568	—	—	—	—	2,092,568	—
05/01/24—East West Bank CD	2,077,117	—	—	—	—	—	—
06/27/24—East West Bank CD	2,146,295	—	—	—	—	—	—
07/04/24—Bank OZK CD	2,093,669	—	—	—	—	—	—
07/29/24—East West Bank CD	2,141,170	—	—	—	—	—	—
08/01/24—East West Bank CD	2,125,901	—	—	—	—	—	—
09/23/24—East West Bank CD	4,287,913	—	—	—	—	2,143,956	—
10/04/24—Citizens State Bank CD	2,063,300	—	—	—	—	—	—
03/26/25—Bank OZK CD	2,055,092	—	—	—	—	2,055,092	—
Totals	\$ 106,266,756	\$ 349,113	\$ 2,657,795	\$ 539,055	\$ 1,612,373	\$ 15,218,556	\$ 4,361,624

Allocation
March 31, 2024

(Continued)

Book Value	Internal Service Fund	Sanitation Fund	Special Revenue Fund	Utility & Sanitation Fund	Utility Fund
Southside Bank MMA	\$ 279,033	\$ —	\$ 594,845	\$ 6,233,844	\$ 5,966,824
Independent Financial Bank MMA	—	—	—	—	5,275,074
Veritex Bank MMA	—	2,346,458	—	—	2,346,458
Federated Hermes Gov't MMF	—	—	—	—	8,444,254
TexPool	1,812,373	7,006,029	2,065,671	—	19,865,968
04/01/24–US Treasury Note	—	1,500,000	—	—	3,000,000
04/04/24–Bank OZK CD	—	—	—	—	—
05/01/24–East West Bank CD	—	—	—	—	2,077,117
06/27/24–East West Bank CD	—	2,146,295	—	—	—
07/04/24–Bank OZK CD	—	2,093,669	—	—	—
07/29/24–East West Bank CD	—	—	—	—	2,141,170
08/01/24–East West Bank CD	—	—	—	2,125,901	—
09/23/24–East West Bank CD	—	—	—	—	2,143,956
10/04/24–Citizens State Bank CD	—	2,063,300	—	—	—
03/26/25–Bank OZK CD	—	—	—	—	—
Totals	\$ 2,091,406	\$ 17,155,751	\$ 2,660,516	\$ 8,359,745	\$ 51,260,822

Allocation

March 31, 2024

Market Value	Investment Total	Airport Operations	Capital Projects	Debt Service	Equipment Replacement	General Fund	Grants Fund
Southside Bank MMA	\$ 18,600,048	\$ 349,113	\$ 98,924	\$ 233,134	\$ 67,390	\$ 4,750,586	\$ 26,354
Independent Financial Bank MMA	5,275,074	—	—	—	—	—	—
Veritex Bank MMA	7,039,374	—	—	—	—	2,346,458	—
Federated Hermes Gov't MMF	8,444,254	—	—	—	—	—	—
TexPool	39,824,980	—	2,558,870	305,921	1,544,983	329,896	4,335,270
04/01/24—US Treasury Note	6,000,000	—	—	—	—	1,500,000	—
04/04/24—Bank OZK CD	2,092,568	—	—	—	—	2,092,568	—
05/01/24—East West Bank CD	2,077,117	—	—	—	—	—	—
06/27/24—East West Bank CD	2,146,295	—	—	—	—	—	—
07/04/24—Bank OZK CD	2,093,669	—	—	—	—	—	—
07/29/24—East West Bank CD	2,141,170	—	—	—	—	—	—
08/01/24—East West Bank CD	2,125,901	—	—	—	—	—	—
09/23/24—East West Bank CD	4,287,913	—	—	—	—	2,143,956	—
10/04/24—Citizens State Bank CD	2,063,300	—	—	—	—	—	—
03/26/25—Bank OZK CD	2,055,092	—	—	—	—	2,055,092	—
Totals	\$ 106,266,756	\$ 349,113	\$ 2,657,795	\$ 539,055	\$ 1,612,373	\$ 15,218,556	\$ 4,361,624

Allocation
March 31, 2024

(Continued)

Market Value	Internal Service Fund	Sanitation Fund	Special Revenue Fund	Utility & Sanitation Fund	Utility Fund
Southside Bank MMA	\$ 279,033	\$ —	\$ 594,845	\$ 6,233,844	\$ 5,966,824
Independent Financial Bank MMA	—	—	—	—	5,275,074
Veritex Bank MMA	—	2,346,458	—	—	2,346,458
Federated Hermes Gov't MMF	—	—	—	—	8,444,254
TexPool	1,812,373	7,006,029	2,065,671	—	19,865,968
04/01/24–US Treasury Note	—	1,500,000	—	—	3,000,000
04/04/24–Bank OZK CD	—	—	—	—	—
05/01/24–East West Bank CD	—	—	—	—	2,077,117
06/27/24–East West Bank CD	—	2,146,295	—	—	—
07/04/24–Bank OZK CD	—	2,093,669	—	—	—
07/29/24–East West Bank CD	—	—	—	—	2,141,170
08/01/24–East West Bank CD	—	—	—	2,125,901	—
09/23/24–East West Bank CD	—	—	—	—	2,143,956
10/04/24–Citizens State Bank CD	—	2,063,300	—	—	—
03/26/25–Bank OZK CD	—	—	—	—	—
Totals	\$ 2,091,406	\$ 17,155,751	\$ 2,660,516	\$ 8,359,745	\$ 51,260,822

PRESENTER: Juan Pollette, Interim City Planner

ITEM/SUBJECT: Public Hearing: Consider approval of a Specific Use Permit for Stone, Sand, Gravel & Mineral Extraction for approximately 3.3 acres on Lot 17-5, City Block 95, generally located on the west side of North West Stallings Drive approximately 350 feet north of the NW Stallings Drive and the West Austin Street Intersection. This request has been submitted by Drewery Wheaton Investments, LLC. Case File SUP2024-05.

SUMMARY/BACKGROUND: Background

The property is zoned B-2, General Business, and is currently undeveloped and operating as a Sand and Gravel extraction operation. To operate a Stone, Sand, Gravel & Mineral Extraction business, the owner is required to have a Specific Use Permit (SUP). The SUP process allows scrutiny by staff, the Commission, and the City Council in assessing the use in this area, and depending on the surrounding uses, the opportunity to review and impose conditions if necessary.

This property is on a hilltop that is located in the center of the lot and is approximately 20 feet higher in elevation than the front of the property that fronts North West Stallings Drive. The owner is currently operating the business at this location because it was brought to staff's attention through a code enforcement violation. The intention is to use the extracted dirt to fill other properties in the City for development. When the property has been excavated and is at the same grade with the road, the owner plans to construct a commercial structure in line with the current zoning district.

Adjacent Land Use & Zoning

The subject property is currently zoned B-2, General Business, and is currently undeveloped. The surrounding zoning and land uses are as follows:

Direction	Comprehensive Plan	Zoning	Land Use
North	Commercial	B-2, General Business	Undeveloped
South	Commercial	B-2, General Business	Commercial
East (Across Loop 224)	Commercial	B-2, General Business	Undeveloped
West	Outside City Limits	Outside City Limits	Outside City Limits

This property is located on the west side of N.W. Stallings Drive and takes access from Loop 224.

The surrounding area is all zoned B-2, General Business, and is developed with heavy commercial uses, such as a semi-truck sales and repair shop to the south and a Coca-Cola Bottling Center to the north. There are a few undeveloped lots adjacent to the north and east across Stallings Drive. The west side of the property borders the city limits and is undeveloped.

REVIEW CRITERIA:

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

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

The property is located in a commercial area and is surrounded by heavier commercial uses, such as a semi-truck sales and repair shop to the south and a Coca-Cola Bottling Center to the north. There are no residential uses adjacent or nearby. The applicant intends to develop the property as a built-to-suit commercial business once the excavation is done in approximately 12 months.

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

The SUP should not impede the normal and orderly development of surrounding vacant property. There are two undeveloped lots adjacent to the north of the subject property. After completing the dirt extraction, the owner looks to build a commercial structure in line with the zoning district.

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

The subject property fronts and takes direct access from North-West Stallings Drive. N.W. Stallings Dr. is designated as an Expressway and is part of the I-69 Corridor on the City's Thoroughfare Plan. This section of N.W. Stallings Dr. is constructed as a four-lane expressway, with a right-of-way (ROW) ranging from 135–140 feet. The roadway is adequate to accommodate the nature and volume of traffic typically generated by the proposed use.

The property has access to public utilities, with a 6-inch water and sewer main located along N.W. Stallings Dr.

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

The proposed driveways and parking areas will comply with the City's current land development design standards.

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

The applicant is proposing to mitigate any nuisances from dust and noise that will be generated by the machinery by preserving the existing large trees and vegetated area located along the street frontage and the southern and northern boundary of the property as a natural buffer. The property owner has also installed silt fencing along the roadway to keep dirt from washing into the road.

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

Hours of operation are during daylight hours and the owner is not proposing any additional lighting.

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

This development will be subject to Zoning Ordinance *Sec. 118-430. - Commercial district landscaping*, which requires the installation of trees to be planted along the street frontage.

The property has a large, vegetated area with several large mature trees located along the eastern boundary line of the property fronting the roadway.

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

Future Land Use

Per the 2003 Nacogdoches Comprehensive Plan, the Future Land Use Plan designates the subject property and the surrounding areas as *Commercial*.

The *Commercial* Future Land Use category is described as, “Shopping and service facilities for the sale of goods and services, including small shops and larger retail stores and centers, restaurants, hotels and motels, service stations, and various other customer-oriented establishments...”

The Future Land Use designation is consistent with the current zoning of the property, as well as all the properties fronting N.W. Stallings Dr., which is zoned and developed for commercial uses.

Approval of the SUP will not change the land uses permitted by the current underlying zoning district.

Staff finds that the FLUP designation of the property is consistent with the current zoning of the property and in compliance with the Comprehensive Plan.

NOTICES:

Staff mailed five (5) notices to property owners within the 200-foot notification area and have received no responses in favor or in opposition of the request.

NEIGHBORHOOD INPUT:

Staff held a neighborhood meeting for the property owners within 500 feet on June 25, 2024, at 5:30 p.m., to discuss and answer questions about the request. None of the surrounding property owners attended the meeting.

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

At the time that this report was written, there were no responses received in favor or opposition to the request.

P&Z Recommendation

The Planning & Zoning Commission heard this item on August 12, 2024, and voted unanimously (5-0) to recommend approval for the Specific Use Permit for Stone, Sand, Gravel & Mineral Extraction with the following conditions:

1. Hours of operation are during daylight hours only.
2. Preserve the existing vegetative buffer around the front, southern, and northern property lines as shown in the attached exhibit.
3. Install and maintain standard stormwater pollution prevention fencing in line with state regulations along the entrance of the property.
4. SUP will expire in 12 months.
5. Additional street sweeping or clean-up will be provided once a week or as needed to keep

the roadway in front of the site free of mud and debris.

FINANCIAL:

No financial impact is associated with this item.

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

Not Applicable

CITY CONTACT: Juan Pollette, Interim City Planner
pollettej@nactx.us
(936) 559-2559

ATTACHMENTS:

1. Aerial Map
2. Future Land Use Map
3. Notification Map
4. Site Photos
5. SW3P Report
6. Ordinance

SUP2024-05 Aerial Map

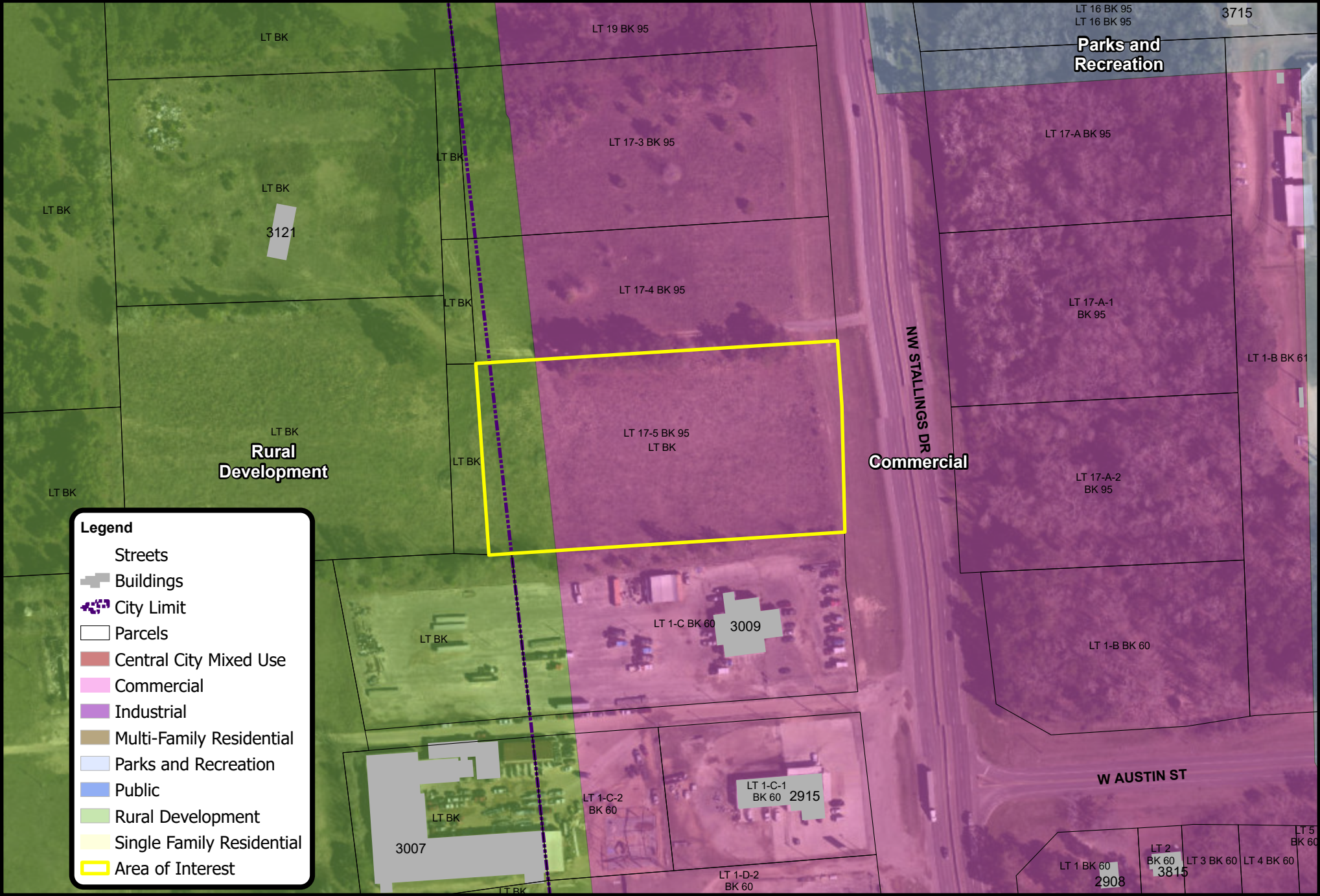


A horizontal number line with a light blue background. It has major tick marks at 0, 80, 160, 240, and 320. The labels are in black text below the line.

Date Created: 07/03/24 14:33 | Document Generated Automatically

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.

SUP2024-05 Future Land Use Map

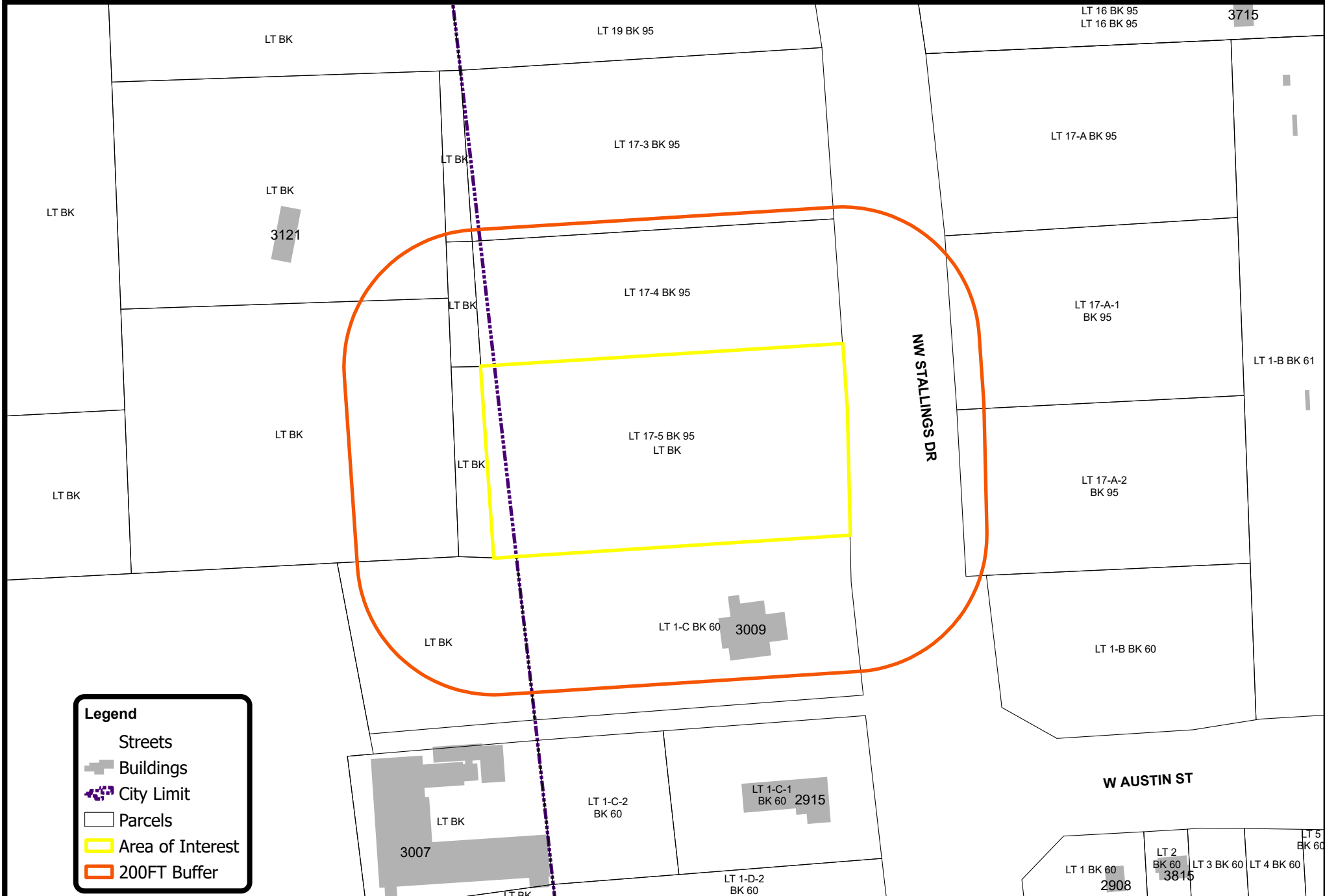


0 80 160 240 320 Feet

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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.

SUP2024-05 Notification Map



SUP2024-05 Site Photos

Subject property view from NW Stallings Dr.



Commercial properties to
the south of subject
property



Commercial property
to the north

Undeveloped
commercial property
east across N.W.
Stallings Dr.





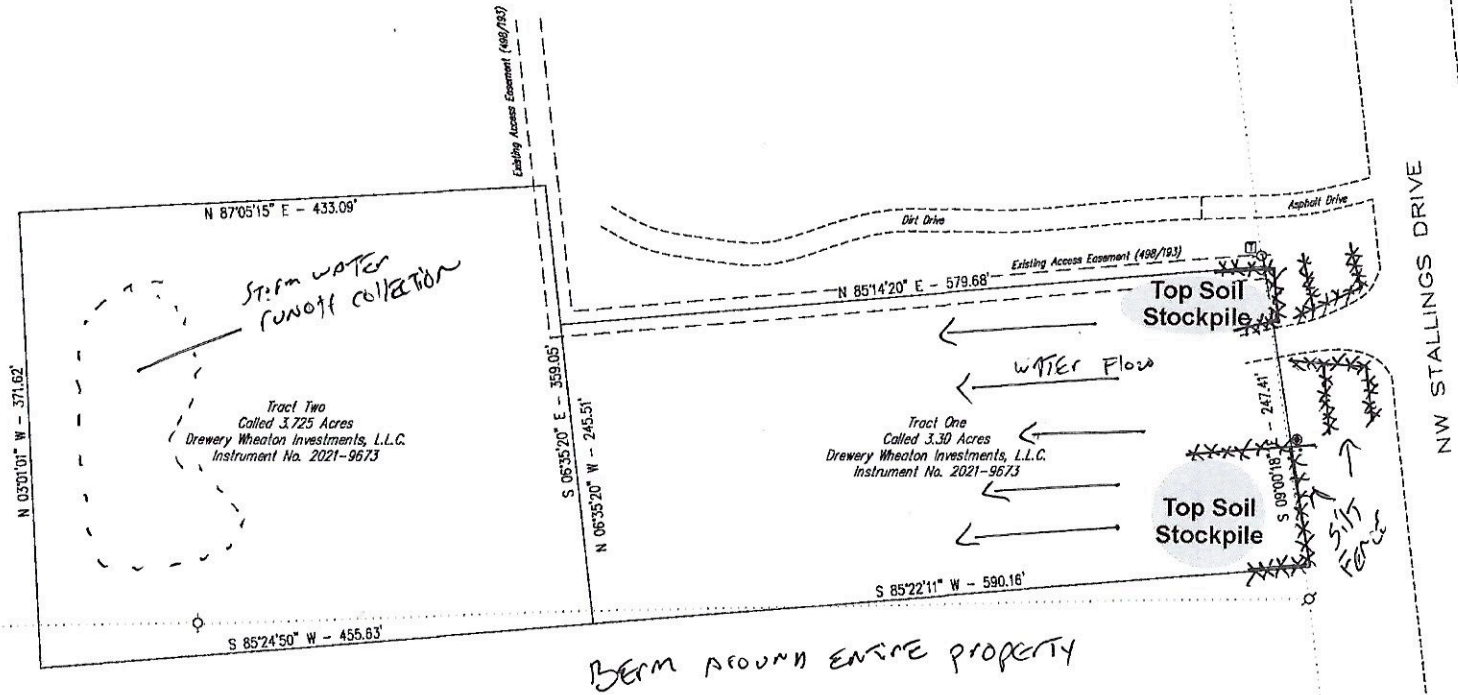
View inside of the
front part of the
property

View inside of the back
part of the property

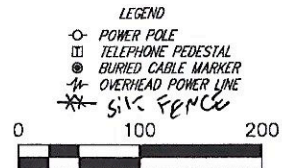


SW3P - US 59 / NAC LOOP 224

04-20-2024



Berm around entire property



DRAWN BY: _____
 JOB No.: _____
 DATE: _____
 FB/PG: _____

REVISIONS

PLAT OF SURVEY
 NAME
 NAME
 ADDRESS
 COUNTY, TEXAS

Stormwater Pollution Prevention Plan for:

Drewery US-59 / Loop 224 Project Nacogdoches Texas 75964 Nacogdoches County Texas

Operator:

CN602803199
Drewery Construction Company, Incorporated
902 SE Stallings Drive
Nacogdoches Tx 75964

SWPPP Contact:

Jeff Cupit
Corporate Director HSE
902 SE Stallings Drive
Nacogdoches Tx 75964
24 hour contact #: 936-645-2713
jeff.cupit@dreweryinc.com

SWPPP Preparation Date: 04/20/2024

Estimated Project Dates:

**Start of Construction: 04/25/2024
Completion of Construction: 04/25/2025**

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SECTION 1: SITE EVALUATION, ASSESSMENT, AND PLANNING

1.1 Project/Site Information

The Site Name is: DREWERY and WHEATON INVESTMENTS LLC – NAC WEST LOOP
Location: No Address assigned as of this date
NACOGDOCHES TEXAS
NACOGDOCHES COUNTY
Latitude: 31.6322
Longitude: -94.6846

Located on the west (outside of loop 224) side of US-59/Loop 224 Highway going north approximately 1/2 miles from the intersection of West Austin Street and US-59/Loop 224.

1.2 Contact Information/Responsible Parties

Operator:

CN602803199
Drewery Construction Company, Incorporated
902 SE Stallings Drive
Nacogdoches Tx 75964

SWPPP Contact:

Jeff Cupit
Corporate Director HSE
902 SE Stallings Drive
Nacogdoches Tx 75964
24 hour contact #: 936-645-2713
jeff.cupit@dreweryinc.com

This project is subject to EPA's NPDES General Permit for Stormwater Discharge from Construction Activities (Construction General Permit or CGP). The goal of this plan is to prevent the discharge of pollutants associated with construction activities from entering the storm drain system or surface waters.

Drewery Construction Company Incorporated (DCCI) as the Operator is responsible for the oversight of the site clearing and the dirt work associated with development of the site.

- They will maintain the initial SWPPP documentation and will conduct and document self inspections required under Part 3.10 of the CGP on at least a weekly basis and within 24 hours of the end of a storm event of one-half inch or greater in all areas of the site covered by this SWPPP.
- Will be responsible for maintaining compliance with the applicable sections of the SWPPP, including installation of erosion and sediment control Best Management Practices (BMPs), and all requirements in the GCP.
- They will continuously review the SWPPP for compliance and modification when necessary.
- They will advise employees and any other subcontractors working on the project of the requirements in the GCP and applicable SWPPP information and standards.
- Will not file a Notice of Termination (NOT) until all disturbed areas of the site under its day to day control have been effectively stabilized with permanent erosion controls that satisfy the final stabilization requirements of the CGP.

1.3 Nature and Sequence of Construction Activity

The site will initially be cleared, and a determination made to best available use of the property. It is assumed that the section closest to the “front” eastern most property line closest to US-59 will be leveled for easy transition to and from the property. The rear or western portion of the property may be utilized for a commercial building site. There is no definitive future development plan for the site once land clearing and leveling is complete. The specifics have not been outlined at this time and a modification to the CGP SWPPP will be made once additional information is provided.

DCCI is responsible for soil disturbing activities which will include clearing and grubbing; installing stabilized construction exits; installing erosion and sediment controls; will be responsible for grading; installation of the building foundation if included; excavation for utilities and parking lots; and installation of post-construction controls.

Estimated Project Start Date: 04/25/2024

Estimated Project Completion Date: 04/25/2025

Table 1. Timeline of Activity: DCCI will follow the sequence of activities below for major construction activities and BMP installation.

Estimated timeline of activity	Construction activity and BMP descriptions
04/25/24 – 06/25/24	Before any site grading activities begin 1. Install perimeter silt fences (See Section 2, Part 2.7) 2. No storm drain inlet protection on this site 3. Construct stabilized construction exits (Section 2, Part 2.9) 4. Enhance existing vegetated swales along the perimeter (Section 2, Part 2.3) 5. Begin site clearing and grubbing operations 6. Disturbed areas where clearing has been completed or construction has ceased for 14 days will be stabilized with erosion control and temporary seed.
04/30/24 – 04/25/25	Site grading 1. Begin overall site grading and topsoil stripping 2. Establish topsoil stockpile (Section 2, Part 2.1) 3. Install silt fences around stockpile (Section 2, Part 2.1) 4. Disturbed areas where construction will cease for more than 14 days will be stabilized with erosion controls (Section 2, Part 2.4)
04/30/24 – 04/25/25	Infrastructure (utilities, parking lot, etc.) 1. Construct staging and materials storage area (Section 3, Part 3.2) 2. Install temporary sanitary facilities and dumpsters (Section 3, Part 3.1) 3. Install utilities, sanitary sewers, and water services if warranted.

Unknown	Construction 1. Construct temporary concrete washout area (Section 3, Part 3.3) 2. Begin construction of temporary building foundation and structure if warranted. 2. Install above ground off road diesel tank with berm and environmental controls. 3. Remove temporary concrete washout area (Section 3, Part 3.3) 4. Implement winter stabilization procedures (Section 2, Part 2.4)
Unknown	Final stabilization and landscaping 1. Finalize pavement activities 2. Convert any sediment trap to a permanent bio retention area 3. Install infiltration trench, porous pavers and tree box filters 4. Remove all temporary control BMPs and stabilize any areas disturbed by there removal with erosion controls 5. Prepare final seeding and landscaping 6. Monitor stabilized areas until final stabilization is reached

1.4 Soils, Slopes, Vegetation, and Current Drainage Patterns

- There is no historic site contamination evident from existing site features and known past usage of the site. It does not appear any significant hydrocarbons or classified hazardous chemicals were present on site in the past.

Soil type(s):

Nacogdoches County, Texas (TX347) Drewery & Wheaton LLC – Nac US-59			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
16	Cuthbert fine sandy loam, 8 to 20 percent slopes	5.0	71.17%
36	Lilbert-Urban land complex, 1 to 8 percent slopes	2.025	28.72%
65	Trawick-Urban land complex, 8 to 20 percent slopes	0.0	0.1%
Totals for Area of Interest		7.025	100.0%

Soil

According to a review of the USDA Natural Resource Conservation Service soils map for this site location, on-site soils consist of those soils listed within the survey included within the table above. The site consists primarily of hydrologic soil group landfill; therefore, the site has well-drained soils.

Slope

The site consists of 1% to 8% slopes that have a preconstruction drainage pattern from the east front to the west rear of the site. The Drainage Patterns may change as the site is further developed and this SWPPP will be modified when soil grading occurs.

Runoff

Preconstruction stormwater runoff flows west over the undeveloped site to small grass low areas on the site. From these areas the stormwater if it did leave the site would run to Yseleta Creek located to the west of the site.

Following grading, stormwater runoff will continue to flow to the west of the site to a natural sediment trap. Excess stormwater runoff will be diverted to a holding pond or other impoundment structure constructed on the site.

Vegetation

The site supports vegetated soil areas and large areas of shrubs, grass and other undergrowth as well as limited pine and hardwood timber.

1.5 Construction Site Estimates

The following are estimates of the construction site:

Total project area: 7.025 Acres

Construction site area to be disturbed: 7.025 Acres of clearing.

Future use area calculated at less than 5.0 acres.

Future use area Percentage impervious area before construction: 5 %

Future use area Runoff coefficient before construction: .0715

Future use area Percentage impervious area after construction: 10 %

Future use area Runoff coefficient after construction: .3145

Because the estimated future use of the site disturbs less than 5 acres, the rainfall erosivity factor for the site and period of construction activity was calculated. An R factor of 103 was calculated using EPA's *Rainfall Erosivity Factor Calculator*; therefore, this project is not eligible for the rainfall erosivity waiver because the R factor was greater than 5.

1.6 Receiving Waters

Description of receiving waters and storm sewer system:

Stormwater runoff, except run-on entering the vegetated swale, will be discharged to a temporary sediment impoundment during construction without direct discharge to any surface waters.

After construction, stormwater runoff will discharge to the stormwater bioretention area which will be part of any site grading. A vegetated swale will remain as a permanent stormwater conveyance following construction.

The site drains toward Yseleta Creek which is located approximately 8/10s of a mile west of the site through a heavily wooded area. Yseleta Creek drains to The Morrall Bayou which drains to Alazan Bayou and eventually to the Angelina River and Sam Rayburn Lake then to B A. Steinhagen Reservoir to the



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Neches River section 0602 to Sabine Lake to Sabine Pass to the Gulf of Mexico. DCCI did not identify any sections as impaired waters or subject to TMDLs.

1.7 Site Features and Sensitive Areas to be Protected

This site does not contain any unique features or sensitive areas to be preserved.

1.8 Potential Sources of Pollution

Potential sources of sediment to stormwater runoff:

- Clearing and grubbing operations
- Grading and site excavation operations
- Vehicle tracking
- Topsoil stripping and stockpiling
- Landscaping operations

Potential pollutants and sources, other than sediment, to stormwater runoff:

- Combined Staging Area—small fueling activities, minor equipment maintenance, sanitary facilities, and limited hazardous waste storage.
- Materials Storage Area—potential general building materials, paving materials, aggregates, trash, and so on.
- Construction Activity— potential asphalt paving, concrete pouring, and building construction
- Concrete Washout Area

For all potential construction site pollutants, see Table 1 on the following page:

Table 1. Potential construction site pollutants

Material/Chemical	Physical Description	Stormwater Pollutants	Location*
Pesticides (insecticides, fungicides, herbicides, rodenticides)	Various colored to colorless liquid, powder, pellets, or grains	Chlorinated hydrocarbons, organophosphates, carbamates, arsenic	Herbicides used for noxious weed control
Fertilizer	Liquid or solid grains	Nitrogen, phosphorous	Newly seeded areas
Sanitary toilets	Various colored liquid	Bacteria, parasites, and viruses	Staging area
Cleaning solvents	Colorless, blue, or yellow-green liquid	Perchloroethylene, methylene chloride, trichloroethylene, petroleum distillates	No equipment cleaning allowed in project limits
Asphalt	Black solid	Oil, petroleum distillates	Streets and roofing
Concrete	White solid/grey liquid	Limestone, sand, pH, chromium	Curb and gutter, building construction
Antifreeze/coolant	Clear green/yellow liquid	Ethylene glycol, propylene glycol, heavy metals (copper, lead, zinc)	Leaks or broken hoses from equipment
Hydraulic oil/fluids	Brown oily petroleum hydrocarbon	Mineral oil	Leaks or broken hoses from equipment
Gasoline	Colorless, pale brown or pink petroleum hydrocarbon	Benzene, ethyl benzene, toluene, xylene, MTBE	Secondary containment/staging area
Diesel Fuel	Clear, blue-green to yellow liquid	Petroleum distillate, oil & grease, naphthalene, xylenes	Secondary containment/staging area
Hydraulic oil/fluids	Brown oily petroleum hydrocarbon	Mineral oil	Leaks or broken hoses from equipment

1.9 Endangered Species Certification

There are No endangered or threatened species or critical habitats on or near the project area.

DCCI conducted a review of any potential endangered or threatened species or their critical habitats on or near the US Hwy 59 Development Site in Nacogdoches County Texas. DCCI first reviewed the Endangered Species Act (ESA) review procedures and endangered species list for Nacogdoches County Texas. DCCI did not identify any endangered or threatened species or critical habitats on or near the project area.

DCCI also reviewed the endangered or threatened species and critical habitat listings available from The Texas Parks and Wildlife. Because no endangered or threatened species or their critical habitats were found during the screening process, Criterion A will be reported on the NOI form.

Listed in the following outline are the rare species found in Nacogdoches County. Species are listed by their federal and state status. A threatened species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range. An endangered species is in danger of extinction throughout all or a significant portion of its range. DCCI considered all types of classification when conducting this review.

There are three federally listed threatened or endangered species in Nacogdoches County: the black bear, red cockaded woodpecker and bald eagle. In addition to these three species, there are 11 species listed as threatened on the state list.

Rare Species Nacogdoches County Texas

AMPHIBIANS

- Southern Redback Salamander (*Plethodon serratus*) - found under rocks, rotten logs, and mosses in forested areas; in dry summer months occurs in and near damp areas; most active in spring and fall

BIRDS

- Arctic Peregrine Falcon (*Falco peregrinus tundrius*) - potential migrant.
- Bachman's Sparrow (*Aimophila aestivalis*) - open pine woods with scattered bushes or understory, brushy or overgrown hillsides, overgrown fields with thickets and brambles, grassy orchards; nests on ground against grass tuft or under low shrub
- Bald Eagle (*Haliaeetus leucocephalus*) – found primarily near seacoasts, rivers, and large lakes; nests in tall trees or on cliffs near water; communally roosts, especially in winter; hunts live prey, scavenges, and pirates food from other birds
- Henslow's Sparrow (*Ammodramus henslowii*) - wintering individuals (not flocks) found in weedy fields or cut-over areas where lots of bunch grasses occur along with vines and brambles; a key component is bare ground for running/walking
- Red-cockaded Woodpecker (*Picoides borealis*) - cavity nests in older pine (60+ years); forages in younger pine (30+ years); prefers longleaf, shortleaf, & loblolly
- Swallow-tailed Kite (*Elanoides forficatus*) - lowland forested regions, especially swampy areas, ranging into open woodland; marshes, along rivers, lakes, and ponds; nests high in tall tree in clearing or on forest woodland edge, usually in pine, cypress, or various deciduous trees
- Wood Stork (*Mycteria americana*) – forages in prairie ponds, flooded pastures or fields, ditches, and other shallow standing water, including salt-water; usually roosts communally in tall snags, sometimes in association with other wading birds (i.e. active heronries); breeds in Mexico and birds move into Gulf States in search of mud flats and other wetlands, even those associated with forested areas; formerly nested in Texas, but no breeding records since 1960

FISHES

- Creek Chubsucker (*Erimyzon oblongus*) - small rivers and creeks of various types; seldom in impoundments; prefers headwaters, but seldom occurs in springs; young typically in headwater rivulets or marshes; spawns in river mouths or pools, riffles, lake outlets, upstream creeks
- Paddlefish (*Polyodon spathula*) - prefers large, free-flowing rivers, but will frequent impoundments with access to spawning sites; spawns in fast, shallow water over gravel bars; larvae may drift from reservoir to reservoir

MAMMALS

- Black Bear (*Ursus americanus*) - due to similar field characteristics, treat all east Texas black bears as federal and state listed Threatened; bottomland hardwoods and large tracts of inaccessible forested areas
- Louisiana Black Bear (*Ursus americanus luteolus*) - possible as transient; bottomland hardwoods and large tracts of inaccessible forested areas
- Plains Spotted Skunk (*Spilogale putorius interrupta*) – catholic in habitat; open fields, prairies, croplands, fence rows, farmyards, forest edges, and woodlands; prefers wooded, brushy areas and tallgrass prairie
- Texas Horned Lizard (*Phrynosoma cornutum*) - most likely introduced; open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil, enters rodent burrows, or hides under rock when inactive; breeds March-September

REPTILES

- Southeastern Myotis (*Myotis austroriparius*) - roosts in cavity trees of bottomland hardwoods, concrete culverts, and abandoned man-made structures
- Alligator Snapping Turtle (*Macrolemys temminckii*) - deep water of rivers, canals, lakes, and oxbows; also swamps, bayous, and ponds near deep running water; sometimes enters brackish coastal waters; usually in water with mud bottom and abundant aquatic vegetation; may migrate several miles along rivers; active March-October; breeds April-October
- Louisiana Pine Snake (*Pituophis ruthveni*) - mixed deciduous-longleaf pine woodlands; breeds April-September
- Timber/Canebrake Rattlesnake (*Crotalus horridus*) - swamps, floodplains, upland pine and deciduous woodlands, riparian zones, abandoned farmland; limestone bluffs, sandy soil or black clay; prefers dense ground cover, i.e. grapevines or palmetto
- Rafinesque's Big-eared Bat (*Corynorhinus rafinesquii*) - roosts in cavity trees of bottomland hardwoods, concrete culverts, and abandoned man-made structures

VASCULAR PLANTS

- Southern lady's-slipper (*Cypripedium kentuckiense*) - the only *Cypripedium* in east Texas; dry to mesic forests in various topographic positions; flowering April-June
- Texas screwstem (*Bartonia texana*) - sandy soils in dry mesic pine or mixed pine-oak forests and forest borders; usually in fire-maintained longleaf pine savannas, but also in more mesic habitats; flowering (June-?)
- Barbed rattlesnake-root (*Prenanthes barbata*)
- Texas trillium (*Trillium pusillum* var. *texanum*) - acid hardwood bottoms and lower slopes, often in or downslope from acid sphagnum hillside seeps; flowering March-mid April

1.10 Historic Preservation

Prior to construction, DCCI reviewed federal and any applicable state, local and tribal historic preservation laws and determined that there were no historic sites on or near the project site.

DCCI reviewed the National Register Information System available from the National Park Service as well as information provided by the Nacogdoches Historical Society and the Texas Historic Preservation Commission to determine if any historic sites are on or near the US Hwy 59 development site. No historic sites were identified from the review.

1.11 Applicable Federal, Tribal, State or Local Programs

There are no other applicable federal, tribal, state or local soil and erosion control and stormwater management requirements that apply to the construction site.

1.12 Maps

See attachments for various maps.

SECTION 2: EROSION AND SEDIMENT CONTROL BMPs

2.1 Minimize Disturbed Area and Protect Natural Features and Soil

BMPs are procedures, devices, and practices that are implemented to minimize and/or eliminate erosion, sedimentation, and the introduction of other pollutants to storm water. TxDOT, the EPA, and the TCEQ have developed BMPs based on previous efforts that are approved for use at highway construction sites. Erosion control BMPs are implemented to reduce erosion of the surface cover, including limiting disturbance to native vegetation. By reducing erosion, sediment transport is minimized.

2.2 Phase Construction Activity

Construction activity will be phased to assist in stormwater management. The initial phase is the clearing and grubbing of the site and the installation of appropriate BMPs including perimeter silt fence, temporary seeding and construction exits.

Sequence of construction (typical):

1. Install traffic control devices and signs.
2. Install temporary erosion and sedimentation controls and tree protection as required.
3. Install stabilized construction entrance/exit.
4. Construct all utilities and fire protection services and connect to the storm sewer system, wastewater systems and university utilities for services.
5. Install gas service tap line and meter.
6. Begin construction of building.
7. Begin construction of pavement, drives etc.
8. Finish rough grading.
9. Construct landscaping and irrigation.
10. Re-establish all disturbed areas in accordance with notes and establish permanent erosion controls.

2.3 Control Stormwater Flowing onto and through the Project

A natural berm is located on the exterior perimeter of the site and will be left in place during construction to eliminate stormwater from entering the site.

2.4 Stabilize Soils - Vegetation

Once excavation begins, stabilization efforts beyond those for clearing will be initiated including swales, mulching and permanent seeding.

Vegetation is utilized to establish a temporary vegetative cover over areas disturbed by construction but not yet covered by pavement, buildings, permanent vegetation, or other structures. Temporary vegetation protects the soil from erosion until permanent structural installation or final soil stabilization is complete. Permanent vegetation provides final soil stabilization after soil-disturbing activities are complete.

Inspection and Installation Guidelines

- Complete grading activities prior to applying seed mixture.
- Apply compost-manufactured topsoil if required.
- Apply the seed mixture uniformly to the disturbed areas as required. Verify that applied seeds are well pulverized, loose, and uniform. Apply fertilizer, if necessary, at the appropriate rate.
- Irrigate vegetation initially and as dry conditions require. Determine if weeds and/or pests are hindering vegetative growth.
- Determine if erosion-control measures (mulching, blankets, erosion-control compost, mattings, etc.) are required to assist vegetation growth on steep slopes.

Maintenance Guidelines

- Seed areas that have less than 70% vegetative cover established. Fertilize and irrigate sod vegetation as needed.
Implement a weed and pest management plan if necessary.
- Implement the erosion control measures, including dikes, diversion, and slope regrading, for steep slopes where vegetation is not established due to erosion of seed.

2.5 Protect Slopes

Slopes greater than 3% will be protected by mulch or other standard BMPs once site grading begins.

Mulching is the process of applying straw, hay, wood chips, compost, shredded bark, chemical binders, or other TxDOT-approved materials to the surface of disturbed soil that has been seeded. The mulch protects the seeded soil from erosive forces and conserves moisture until vegetation becomes established.

Inspection and Installation Guidelines

- Complete grading activities prior to seeding and mulching.
- Select mulch that is free of weeds and pests; otherwise, vegetation could be hindered.
- Apply the mulch immediately after seeding activities.
- Apply the mulch at the appropriate rate/thickness (material, application rate, etc.).
- Verify that mulch covers 80% to 100% of the disturbed soil area. Anchor the mulch immediately after placement.
- Use netting, binding chemicals, or other anchoring mechanisms when installing mulch on slopes steeper than 3:1.

Maintenance Guidelines

- Seed areas that exhibit inadequate vegetative growth followed by mulching.
- Seal or anchor any loose areas of the mulch cover. Replace any areas of missing mulch cover.

2.6 Protect Storm Drain Inlets

There are no storm drains on or in close proximity to this site.

2.7 Establish Perimeter Controls and Sediment Barriers

A silt fence consists of geotextile fabric supported by metal posts and wire mesh that prevents soil and sediment from leaving areas disturbed by construction.

Inspection and Installation Guidelines

- Ensure that the silt fence is installed perpendicular to the direction of runoff flow.
- Securely fasten the geotextile fabric to metal posts or wire mesh.
- Face the geotextile fabric towards the construction area (the steel posts and wire mesh behind the fabric should face away from the construction area).
- Securely anchor the geotextile fabric to the ground so that storm water runoff does not pass beneath the fence.
- Embed the steel posts a minimum of 1 foot deep and no more than 8 feet apart, or 6 feet apart where water is concentrated.
- Ensure that there is a 3-foot overlap where the ends of the geotextile fabric meet.
- Remove accumulated sediment when buildup reaches 1/3 the height of the fence.
- Re-install the silt fence at the end of the day if it was temporarily moved (such as for vehicular access).
- Repair torn or missing sections of the geotextile fabric.

Maintenance Guidelines

- Repair and replace the silt fence as needed. Remove sediment. Securely fasten and anchor the silt fence.

DIVERSION, INTERCEPTOR, AND PERIMETER DIKES

Diversion, interceptor, and perimeter dikes are used to prevent off-site storm water runoff from entering the disturbed area and/or to prevent the runoff from leaving the construction site or disturbed area. The runoff from the dike is directed to a sediment trap, sediment basin, or other outlet structure built for handling the sediment-laden runoff.

Inspection and Installation Guidelines

- Ensure that the top of the dike is at least 18 inches or more above the soil surface.
- Check that the side slopes of the dikes are 2:1 or flatter.
- Check for proper drainage along the toe of the dike by verifying that ponding is not occurring and that runoff is draining to the outlet structure.
- Remove trash or debris along the dike to prevent ponding or other drainage problems.
- Stabilize the side slopes and toe of the dike as well as the outlet structure with vegetation, rip-rap, blankets, matting, or other erosion-control measures if runoff velocities are high enough to erode soil along the dike.

Maintenance Guidelines

- Repair or modify the dike (height, slopes, etc.). Remove trash and debris.
- Stabilize the dike and outlet structure as necessary to control erosion and maintain integrity.

2.8 Retain Sediment On-Site

All sediment will be retained on site through the use of BMP's, inspection of installed BMP's, maintenance of installed BMP's and modification of this SWPPP when necessary to achieve this objective.

2.9 Establish Stabilized Construction Exits

A stabilized construction exit is a pad of crushed stone, timber, or other TxDOT-approved material located at any point at which traffic will be leaving the construction site to or from a public right-of-way, street, sidewalk, or parking area. A stabilized construction exit minimizes or eliminates the transport of sediment onto public rights-of-way.

Inspection and Installation Guidelines

- Ensure that the construction pad is flush with the connecting road so that no damage occurs to the road edge.
- Ensure that the pad foundation is stable enough to handle traffic and that it exhibits minimal settling.
- Re-grade the slope of the pad as necessary to improve drainage.
- Remove any sediment that is spilled, dropped, washed, or tracked onto public rights-of-way immediately.
- Wash wheels if off-site sediment tracking is occurring.
- Capture and drain wash water to an approved sediment-control structure, such as a sediment trap or basin.

Maintenance Guidelines

- None. Construction exit should be removed after construction activities.

2.10 Additional BMPs

Blankets and mattings refer to sheets of erosion-control materials (straw, jute, wood fiber, coconut fiber, plastic netting, erosion-control compost, or other TxDOT-approved materials) placed on the surface of disturbed soil. The blankets and mattings protect the soil from erosion until vegetation becomes established.

Inspection and Installation Guidelines

- Complete grading, fertilization, and seeding activities prior to installing a blanket or matting unless noted otherwise in the specifications.
- Install the blanket or matting in accordance with the manufacturer's recommendations and/or the specifications.
- Anchor the blanket or matting to the soil surface using staples, trenches, or other TxDOT-approved anchoring methods.
- Install anchor staples flush with the soil surface.
- Secure blanket or matting joints (Note: Specifications typically require a minimum amount of overlap).
- Identify areas where the blanket or matting is loose, damaged, or missing.

Maintenance Guidelines

- Seed areas that exhibit inadequate vegetative growth followed by anchoring or replacement of the blanket or matting.
- Anchor any loose areas of the blanket or matting.
Replace any damaged or missing areas of the blanket or matting.

SECTION 3: GOOD HOUSEKEEPING BMPS

3.1 Material Handling and Waste Management

All waste materials will be collected and disposed of into metal trash dumpsters in the materials storage area. Dumpsters will have a secure watertight lid, be placed away from stormwater conveyances and drains, and meet all federal, state, and municipal regulations. Only trash and construction debris from the site will be deposited in the dumpster. No construction materials will be buried on-site. All personnel will be instructed, during tailgate training sessions, regarding the correct disposal of trash and construction debris. Notices that state these practices will be posted in the office trailer and the individual who manages day-to-day site operations will be responsible for seeing that these practices are followed.

Installation Schedule: Trash dumpsters will be installed once the materials storage area has been established.

Maintenance and Inspection: The dumpsters will be inspected weekly and immediately after storm events. The dumpster will be emptied weekly and taken to the City of Nacogdoches Landfill. If trash and construction debris are exceeding the dumpster's capacity, the dumpsters will be emptied more frequently.

Hazardous Waste Materials

All hazardous waste materials such as oil filters, petroleum products, paint, and equipment maintenance fluids will be stored in structurally sound and sealed shipping containers, within the hazardous materials storage area. Hazardous waste materials will be stored in appropriate and clearly marked containers and segregated from other non-waste materials. Secondary containment will be provided for all waste materials in the hazardous materials storage area and will consist of commercially available spill pallets. Additionally, all hazardous waste materials will be disposed of in accordance with federal, state, and municipal regulations. Hazardous waste materials will not be disposed of into the on-site dumpsters. All personnel will be instructed, during tailgate training sessions, regarding proper procedures for hazardous waste disposal. Notices that state these procedures will be posted in the office trailer and the individual who manages day-to-day site operations will be responsible for seeing that these procedures are followed.

Installation Schedule: Shipping containers used to store hazardous waste materials will be installed once the site materials storage area has been installed.

Maintenance and Inspection: The hazardous waste material storage areas will be inspected weekly and after storm events. The storage areas will be kept clean, well organized, and equipped with ample cleanup supplies as appropriate for the materials being stored. Material safety data sheets, material inventory, and emergency contact numbers will be maintained in the office trailer.

Sanitary Waste

Two temporary sanitary facilities (portable toilets) will be provided at the site throughout the construction phase. The toilets will be in the staging area. The portable toilets will be located away from a concentrated flow paths and traffic flow and will have collection pans underneath as secondary containment.

Installation Schedule: The portable toilets will be brought to the site once the staging area has been established.

Maintenance and Inspection: All sanitary waste will be collected from the portable facilities a minimum of three times per week by a subcontractor. The portable toilets will be inspected weekly for evidence of

leaking holding tanks. Toilets with leaking holding tanks will be removed from the site and replaced with new portable toilets

Recycling

Wood pallets, cardboard boxes, and other recyclable construction scraps will be disposed of in a designated dumpster for recycling. The dumpster will have a secure watertight lid, be placed away from stormwater conveyances and drains and meet all local and state solid-waste management regulations. Only solid recyclable construction scraps from the site will be deposited in the dumpster. All personnel will be instructed, during tailgate training sessions, regarding the correct procedure for disposal of recyclable construction scraps. Notices that state these procedures will be posted in the office trailer, and the individual who manages day-to-day site operations will be responsible for seeing that these procedures are followed.

Installation Schedule: Designated recycling dumpsters will be installed once the combined staging area has been established.

Maintenance and Inspection: The recycling dumpster will be inspected weekly and immediately after storm events. The recycling dumpster will be emptied weekly and taken to an approved recycling center by DCCI. If recyclable construction wastes are exceeding the dumpster's capacity, the dumpsters will be emptied more frequently.

3.2 Establish Proper Building Material Staging Areas

Materials Storage Area

Construction equipment and maintenance materials will be stored at the combined staging area and materials storage areas. Gravel bag berms will be installed around the perimeter to designate the staging and materials storage area. A watertight shipping container will be used to store hand tools, small parts, and other construction materials.

ACC 30

3.3 Designate Washout Areas

Installation Schedule: The washout area will be constructed before concrete pours occur at the site.

Maintenance and Inspection: The washout areas will be inspected daily to ensure that all concrete washing is being discharged into the washout area, no leaks or tears are present, and to identify when concrete wastes need to be removed. The washout areas will be cleaned out once the area is filled to 75 percent of the holding capacity. Once the area's holding capacity has been reached, the concrete wastes will be allowed to harden; the concrete will be broken up, removed, and taken to DCCI facility for disposal. The plastic sheeting will be replaced if tears occur during removal of concrete wastes from the washout area.

Design Specifications

- Temporary concrete washout type *Above Grade* will be constructed, with a recommended minimum length and minimum width of 10 feet.
- The washout will be a minimum of 50 feet from storm drain inlets.
- Plastic lining will be free of holes, tears, or other defects that compromise the impermeability of the material.

3.4 Establish Proper Equipment/Vehicle Fueling and Maintenance Practices

Several types of vehicles and equipment will be used on-site throughout the project, including graders, scrapers, excavators, loaders, paving equipment, rollers, trucks and trailers, backhoes, and forklifts. All major equipment/vehicle fueling and maintenance will be performed off-site. A small, 20-gallon pickup



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bed fuel tank will be kept on-site in the combined staging area. When vehicle fueling must occur on-site, the fueling activity will occur in the staging area. Only minor equipment maintenance will occur on-site. All equipment fluids generated from maintenance activities will be disposed of into designated drums stored on spill pallets in accordance with Part 3.1. Absorbent, spill-cleanup materials and spill kits will be available at the combined staging and materials storage area. Drip pans will be placed under all equipment receiving maintenance and vehicles and equipment parked overnight.

Installation Schedule: BMPs implemented for equipment and vehicle maintenance and fueling activities will begin at the start of the project.

Maintenance and Inspection: Inspect equipment/vehicle storage areas and fuel tank weekly and after storm events. Vehicles and equipment will be inspected on each day of use. Leaks will be repaired immediately, or the problem vehicle(s) or equipment will be removed from the project site. Keep ample supply of spill-cleanup materials on-site and immediately clean up spills and dispose of materials properly.

3.5 Control Equipment/Vehicle Washing

All equipment and vehicle washing will be performed off-site.

Installation Schedule: N/A

Maintenance and Inspection: N/A

3.6 Spill Prevention and Control

Spill Prevention and Control Procedures

BMP Description:

- i. Employee Training: All employees will be trained via biweekly tailgate sessions, as detailed in Section 6, Part 6.3.
- ii. Vehicle Maintenance: Vehicles and equipment will be maintained off-site. All vehicles and equipment including subcontractor vehicles will be checked for leaking oil and fluids. Vehicles leaking fluids will not be allowed on-site. Drip pans will be placed under all vehicles and equipment that are parked overnight.
- iii. Hazardous Material Storage: Hazardous materials will be stored in accordance with Section 3, Part 1 and federal and municipal regulations.
- iv. Spill Kits: Spill kits will be within the materials storage area and concrete washout areas.
- v. Spills: All spills will be cleaned up immediately upon discovery. Spent absorbent materials and rags will be hauled off-site immediately after the spill is cleaned up for disposal at Middletown Landfill. Spills large enough to discharge to surface water will be reported to the National Response Center at 1-800-424-8802.
- vi. Material safety data sheets, a material inventory, and emergency contact information will be maintained at the on-site project trailer.

Installation Schedule: The spill prevention and control procedures will be implemented once construction begins on-site.

Maintenance and Inspection: All personnel will be instructed, during tailgate training sessions, regarding the correct procedures for spill prevention and control. Notices that state these practices will be posted in the office trailer, and the individual who manages day-to-day site operations will be responsible for seeing that these procedures are followed.

3.7 Any Additional BMPs

BMP Description: No Additional BMPs were identified.

Installation Schedule: N/A

Maintenance and Inspection: N/A

3.8 Allowable Non-Stormwater Discharge Management

The allowable non- stormwater discharges identified in Part 1.3.B of EPA's CGP include

- Discharges from fire-fighting activities
- Fire hydrant flushing
- Waters used to wash vehicles where detergents are not used
- Water used to control dust in accordance with EPA's CGP, Part 3, Subpart 3.4.G
- Potable water including uncontaminated water line flushing
- Routine external building wash down that does not use detergents
- Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred unless all spilled material has been removed) and where detergents are not used
- Uncontaminated air conditioning or compressor condensate
- Uncontaminated ground water or spring water
- Foundation or footing drains where flows are not contaminated with process materials such as solvents
- Uncontaminated excavation dewatering
- Landscape irrigation

Any changes in construction activities that produce other allowable non-stormwater discharges will be identified, and the SWPPP will be amended and the appropriate erosion and sediment control will be implemented.

Water Used to Control Dust

Dust control will be implemented as needed once site grading has begun and during windy conditions (forecasted or actual wind conditions of 20 mph or greater) while site grading is occurring. Spraying of potable water at a rate of 300 gallons per acre or less will be performed by a mobile pressure-type distributor truck no more than three times a day during the months of May–September and once per day during the months of October–April or whenever the dryness of the soil warrants it.

Uncontaminated Excavation Dewatering

Because construction for this site is being conducted during the dry season, dewatering activities are not expected to occur at the project site. If dewatering does occur, the SWPPP will be revised to address the need for appropriate BMPs.

Landscape Irrigation

Irrigation waters will not be sprayed onto impermeable surfaces such as paved driveways and roads. Waters will be directed onto soil and lawns by using hoses and correctly sized sprinklers with adjustable spray patterns. To avoid discharges of irrigation waters, the sprinklers will have low-flow rates and increased watering time. The irrigated area will be inspected for excess watering and to adjust watering times and schedules.

SECTION 4: SELECTING POST-CONSTRUCTION BMPs

It is not known what specific post-construction stormwater management measures will be installed during the construction process to control pollutants in stormwater discharges after construction operations have been completed. The SWPPP will be modified when a determination of the use of the site is finalized. Examples of post-construction BMPs that may be installed include the following:

- Biofilters
- Detention/retention devices
- Earth dikes, drainage swales, and lined ditches
- Infiltration basins
- Porous pavement
- Other proprietary permanent structural BMPs
- Outlet protection/velocity dissipation devices
- Slope protection
- Vegetated strips and/or swales

SECTION 5: INSPECTIONS

5.1 Inspections

1. Inspection Personnel:

Mr. Jeff Cupit is the stormwater compliance officer for DCCI and is responsible for site compliance with the SWPPP and EPA's Construction General Permit. Mr. Cupit will conduct inspections for all areas of the site disturbed by construction activities, areas used for storage of materials that are exposed to precipitation, discharge points, and construction exits.

- **Qualifications:** Mr. Cupit has more than 30 years in SWPPP development and inspection completing more than 400 projects of various sizes. Mr. Cupit has worked for various Heavy Highway Construction Companies and was Director of Urban Development for the City of Nacogdoches and has extensive educational and professional training in Storm Water Management planning, implementation, training, inspection and mitigation. In addition, Mr. Cupit is a graduate of the United States National Fire Academy and a Federal Emergency Management Agency where he studied water and stormwater planning, floodplain management and compliance.

2. Inspection Schedule and Procedures:

Inspections of the site will be performed once every 7 days and within 24 hours of the end of a storm event of one-half inch or greater. The inspections will verify that all BMPs required in Sections 2 and 3 are implemented, maintained, and effectively minimizing erosion and preventing stormwater contamination from construction materials.

If corrective actions are identified by staff during the inspection, they will notify and submit a copy of the inspection report to the project manager, Mr. Jordan Elder, for corrective actions identified, Mr. Elder will be responsible for initiating the corrective action within 24 hours of the report and completing maintenance as soon as possible or before the next storm event. For any corrective actions requiring a SWPPP amendment or change to a stormwater conveyance or control design, Mr. Cupit will notify the appropriate parties and make modification to the SWPPP.

A blank copy of the form to be used for inspections is attached as a reference.

5.2 Delegation of Authority

Duly Authorized Representative(s) or Position(s):

Jeff Cupit
Corporate Director HSE
902 SE Stallings Drive
Nacogdoches TX 75964
24 hour contact #: 936-645-2713
jeff.cupit@dreweryinc.com

5.3 Corrective Action Log

This log will describe repair, replacement, and maintenance of BMPs undertaken as a result of the inspections and maintenance procedures described above. Actions related to the findings of inspections should reference the specific inspection report. It will describe actions taken, date completed, and note the person that completed the work.

Corrective Action Log is attached

SECTION 6: RECORDKEEPING AND TRAINING

6.1 Recordkeeping

Instructions:

The following is a list of project site records available for inspectors or review:

- Dates of grading, construction activity, and stabilization (which is covered in Sections 2 and 3)
- TCEQ construction general permit
- TCEQ NOI Application
- TCEQ Large Construction Site Notice
- Inspection reports
- Records relating to endangered species and historic preservation

Records will be retained for a minimum period of at least 3 years after the permit is terminated.

6.2 Log of Changes to the SWPPP

Log of changes and updates to the SWPPP including changes and updates to the SWPPP such as additions of new BMPs, replacement of failed BMPs, significant changes in the activities or their timing on the project, changes in personnel, changes in inspection and maintenance procedures, updates to site maps, etc.

6.3 Training

Training of staff and subcontractors is an effective BMP. As with the other steps we take to prevent stormwater problems at our site, we routinely conduct training for those with specific stormwater responsibilities (e.g. installing, inspecting, and maintaining BMPs), and for subcontractors.

Individual(s) Responsible for Training: Mr. Jeff Cupit

General stormwater and BMP awareness training for staff and subcontractors:

Mr. Cupit will conduct informal training for all staff, including subcontractors, on the site. The training will be conducted primarily via tailgate sessions and will focus on avoiding damage to stormwater BMPs and preventing illicit discharges. The tailgate sessions will be conducted monthly or as needed and will address the following topics: Erosion Control BMPs, Sediment Control BMPs, Non-Stormwater BMPs, Waste Management and Materials Storage BMPs, and Emergency Procedures specific to the construction site.

Mr. Cupit will provide formal training to all staff and subcontractors with specific stormwater responsibilities, such as installing and maintaining BMPs. The formal training will cover all design and construction specifications for installing the BMPs and proper procedures for maintaining each BMP. Formal training will occur before any BMPs are installed on the site.

The training consists of the following courses: TxDOT's "The Environmental Management System" (EMS) which is part of TxDOT's core business processes used to manage environmental considerations during all phases of construction from concept through final construction. The EMS program is built on the continuous improvement model of Plan, Do, Check and Act.

The objective of the EMS is to develop and implement processes that focus on improving environmental compliance and performance so that TxDOT and Drewery can be and remain fully compliant with the environmental legal requirements.



SWPPP DREWERY YARD US-69 PROJECT

TxDOT Web Site. 2 videos.

<http://www.txdot.gov/inside-txdot/division/environmental/ems-courses.html>

1. Environmental Management System: Awareness Training for the Contractor
2. Storm Water: Environmental Requirements During Construction

In addition, 3 University of Texas at Arlington classes are required for all DCCI staff every 2 years.

They are:

1. Revegetation During Construction MNT415
2. Construction General Permit Compliance ENV432
3. Construction Stage Gate Checklist (CSGC) CON816

SECTION 7: FINAL STABILIZATION

Permanent seeding will be applied immediately after the final design grades are achieved on portions of the site but no later than 14 days after construction activities have permanently ceased. After the entire site is stabilized, any sediment that has accumulated will be removed and hauled off-site for disposal at a DCCI facility. Construction debris, trash and temporary BMPs (including silt fences, material storage areas, sanitary toilets, and inlet protection) will also be removed and any areas disturbed during removal will be seeded immediately.

Seedbed Preparation

1. In areas where disturbance results in subsoil being the final grade surface, topsoil will be spread over the finished area at minimum depth of 2 to 6 inches.
2. The seedbed will be free of large clods, rocks, woody debris and other objectionable materials.
3. Fertilizer and lime will be applied to the seedbed according to the manufacturer's recommendations and/or soil tests.
4. The top layer of soil will be loosened to a depth of 3–5 inches by raking, tilling, disking or other suitable means.

Grass Selection/Application

Common areas at the site will be stabilized with a mixture of grass seed as specified in the TxDOT standards for permanent seeding at the variety and rates specified in the latest published standards. Seed will be applied uniformly by broadcasting. The seed will be covered with .25 inch of soil or less, by raking.

All seeded areas will be inspected weekly during construction activities for failure and after storm events until a dense cover (70%) of vegetation has been established. If failure is noticed at the seeded area, the area will be reseeded, fertilized, and mulched immediately. After construction is completed at the site, permanently stabilized areas will be monitored until final stabilization is reached.



Drewery Inc.

SWPPP DREWERY YARD US-69 PROJECT

Corrective Action Log From Inspections

Item #

Date:

Action Taken:

Item #

Date:

Action Taken:

Item #

Date:

Action Taken:

Item #

Date:

Action Taken:

Item #

Date:

Action Taken:



Drewery Inc.

SWPPP DREWERY YARD US-69 PROJECT

SWPPP Change or Modification Log

Item #

Date:

Action Taken:

Item #

Date:

Action Taken:

Item #

Date:

Action Taken:

Item #

Date:

Action Taken:

Item #

Date:

Action Taken::



SWPPP DREWERY YARD US-69 PROJECT

SWPPP SITE PLAN

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF NACOGDOCHES, TEXAS, GRANTING A SPECIFIC USE PERMIT FOR STONE, GRAVEL & MINERAL EXTRACTION LOCATED WITHIN THE B-2, GENERAL BUSINESS ZONING DISTRICT, LEGALLY DESCRIBED AS 3.3 ACRES, LOT 17-5, CITY BLOCK 95, GENERALLY LOCATED ON THE WEST SIDE OF NW STALLINGS DRIVE APPROXIMATELY 350 FEET NORTH OF NW STALLINGS DR. AND W. AUSTIN ST. INTERSECTION 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 the operational characteristics of various businesses; and

WHEREAS, Drewery Wheaton Investments, LLC, filed an application for a Specific Use Permit for Stone, Gravel & Mineral Extraction on property that is currently zoned as B-2, General Business; legally described as approximately 3.3 acres, Lot 17-5, City Block 95, generally located on the west side of North West Stallings Drive approximately 350 feet north of the NW Stallings Drive and West Austin Street Intersection (the “Property”), and situated within the corporate limits of the City of Nacogdoches, Texas (the “City”), being more particularly described in **Exhibit “A”**, 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 Stone, Gravel & Mineral Extraction (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 the 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 for Stone, Gravel & Mineral Extraction.

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 Stone, Gravel & Mineral Extraction at the above-described location, with the following conditions:

- a) Hours of Operation are during daylight hours only.
- b) Preserve the existing vegetative buffer around the front, southern, and northern property lines as shown in **Exhibit "B"**.
- c) Install and maintain stormwater pollution prevention fencing along the property entrance in line with state regulations.
- d) The Specific Use Permit is valid for 12 months.
- e) Additional street sweeping or clean-up will be provided once a week or as needed to keep the roadway in front of the site free of mud and debris.

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 Deputy 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 August, 2024, by a vote of ____ *(ayes)* to ____ *(nays)* of the City Council of the City of Nacogdoches, Texas.

CITY OF NACOGDOCHES

By:

Randy Johnson, Mayor

ATTEST:

APPROVED AS TO FORM:

Rhonda Lewis, City Secretary

Jerry Baker, City Attorney

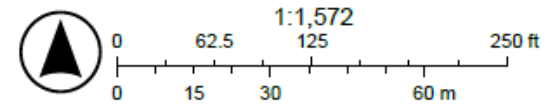
APPROVED AS TO CONTENT:

Juan Pollette, Interim City Planner

EXHIBIT "A"



EXHIBIT "B"



PRESENTER: Juan Pollette, Interim City Planner

ITEM/SUBJECT: Public Hearing: Consider approval of a Zone Change from B-2, General Business District to B-3, Central Business District for approximately .17 acres for Lot 13, City Block 3, located at 216 North Church Street. This request has been submitted by Grace Garrigan. Case File ZON2024-02.

SUMMARY/BACKGROUND: The request is for a zone change from B-2, General Business to B-3, Central Business for Lot 13, City Block 3, located at North Church St. The B-3, Central Business district is a less intense development district than B-2. This district is intended to build on the area's historic heritage and character.

The purpose of the zone change is to develop the property into an indoor/outdoor bar and food service establishment with a family-friendly outdoor recreation area in the backyard. The applicant is also proposing to accommodate local food trucks.

Although this type of use is allowed in the B-2 zoning district by right, the required onsite parking for that land use would require the backyard to be paved and used as parking for the business. To preserve the look and character of the historical home, the applicant is seeking the zone change to B-3, Central Business District. By doing so, this will remove the need for onsite parking requirements and not allow for the more intense uses allowed in the B-2 zoning district.

Sec. 118-466(b). – Central Business District parking requirements state that “off-street parking space for all buildings shall be provided at the ratio of one space for every 2,000 square feet of floor area; provided, however, if the computed number of required off-street parking spaces is less than ten spaces, no off-street parking spaces need be provided.”

The property is currently developed as a single-family home and it is currently vacant. The applicant plans to preserve the interior and exterior of the house as much as possible. The first floor of the house is approximately 1,250 square feet and will have a service counter and seating for approximately 35 guests. The second floor will not be open to the public and all cooking will be done outside by a local food truck. The backyard will have seating and an area for outdoor games. The applicant does not plan to have live music.

Adjacent Land Use & Zoning (attached exhibit)

The subject property is zoned B-2, General Business, and is developed with a single-family home. The surrounding zoning and land uses are as follows:

Direction	Comprehensive Plan	Zoning	Land Use
North	Central City Mixed-Use	B-2, General Business	Residential
South	Central City Mixed-	B-3, Central Business	Commercial

	Use		
East	Central City Mixed-Use	B-2, General Business	Commercial
West	Central City Mixed-Use	B-3, Central Business	Commercial

The property is adjacent to a mix of commercial uses such as retail, offices, hotels, and eating establishments. The subject property is not in a historical district but is near several historical single-family residential homes located in a B-2, General Business zoning district immediately to the north across Edwards Street.

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;

This property is located near similar uses, such as the Rusty Spur, Fredonia Brewery and the Nine Flags Bar. This use is in line with the 2003 Comprehensive Plan by supporting economic development, keeping a vibrant and viable commercial area, and is attempting to preserve the area's historic heritage and character, all while adding to the tourist attractions in the downtown area.

The current B-2, General Business zoning district allows for higher intensity land uses by right that are centered around transportation. These include auto repair, gas stations and restaurants with a drive-thru.

The proposed B-3, Central Business zoning district either does not allow these land uses or restricts them through a Specific Use Permit process, making the proposed zoning more compatible with the zoning and land uses in the area. The proposed zone change should not adversely impact the adjacent land uses.

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

The surrounding properties are fully developed with similar uses and no new construction is being proposed.

The approval of this zone change would not impede the normal development of the surrounding properties.

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

The subject property takes direct access from North Church and Edwards Street. They are both two-lane local streets that function as the primary access for the property and both have 60 foot right of way widths. This is adequate to accommodate the nature and volume of traffic typically generated by the uses permitted under the B-3, Central Business zoning district.

The property has access to public utilities, with a 6-inch water main located on North Church Street and 6-inch sewer main located along Edwards Street.

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

With the current B-2 zoning, the applicant would be required to have thirteen on-site parking

spaces. With the approval of the B-3 zoning, the on-site parking requirements will be removed. In doing so, the adjacent property owner to the east stated that she has concerns that her parking lot would be used by the applicant's guests due to the close proximity, leaving her tenants unable to park. The applicant has a parking agreement with George Barham to use approximately fifteen parking spaces on the north side of his parking lot, which is located just southeast of the subject property. There is an entryway into the backyard of the property that is approximately 70 feet from the shared parking area (See parking exhibit).

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

If the zone change is approved, any future development will need to comply with City regulations as required in the performance standards regarding the prevention of offensive odor, fumes, dust, noise, and vibrations and will need to be mitigated.

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 performance standards, which require light fixtures to be, designed or retrofitted to shield or direct light so it does not directly project light off the property.

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

This proposed use is located within an existing commercial property and no expansions are being proposed requiring the installation of commercial district landscaping

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

Future Land Use

The 2003 Comprehensive Plan designates this area as *Central City Mixed Use* in the Future Land Use Plan (FLUP). This Land Use category is defined as "Central core of the City, in and around the traditional downtown, where a mix of retail, office, residential and public uses is permitted and encouraged subject to development and compatibility standards."

Staff believes that the FLUP designation is consistent with the proposed B-3, Central Business zoning district.

Land Use Policies, Goals & Objectives

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

- Compatibility with existing uses should be maintained. Well-planned, mixed uses which are compatible are to be encouraged.
- Downtown should be the major focus of office, retail and service activities, particularly through adaptive reuse of existing structures or redevelopment of vacant or industrial use parcels.

Staff finds that the zoning request is in compliance with the FLUP and the stated Goals and Objectives of the 2003 Comprehensive Plan.

NOTICES:

Staff mailed 18 notices to property owners within the 200-foot notification area. Staff received three (3) responses (all within the 200-foot notification area) in opposition of the request and nine (9) responses (two within the 200-foot notification area) in favor of the request. The main concern for the property owners in opposition is the limited parking in the area and the customers

of the proposed business would use the adjacent parking lots since they are next to the subject property. The property owners in favor of the request stated that the business will enhance and add value to the neighborhood as well as lead to increased interpersonal interaction among local citizens. The three property owners in opposition of the request will prompt a super majority vote from City Council for the item to be approved. This occurs when the owners of 20 percent or more of the land within the 200-foot notification area are in opposition to the request. In this case, the total land area of the owners opposed within the 200-foot notification area totaled 25 percent.

Neighborhood Input

Staff held a neighborhood meeting for the property owners within 500 feet on June 6, 2024, at 5:30 p.m., to discuss and answer questions about the request. None of the surrounding property owners attended the meeting.

This zoning application was also subject to the additional noticing practices that were approved by the City Council in January 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.

P&Z Recommendation

The P&Z Commission heard this item on August 12, 2024, and voted unanimously (5-0) to recommend approval for the zone change from B-2, General Business to B-3, Central Business.

FINANCIAL:

No financial impact is associated with this item.

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

Not Applicable

CITY CONTACT: Juan Pollette, Interim City Planner
pollettej@nactx.us
(936) 559-2559

ATTACHMENTS:

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Notification Map
5. Parking Exhibit
6. Additional Parking
7. Site Photos
8. 200' Opposition Map
9. Community Responses
10. Ordinance

ZON2024-02 Aerial Map



Legend

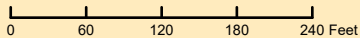
Streets

Buildings

City Limit

Parcels

Area of Interest



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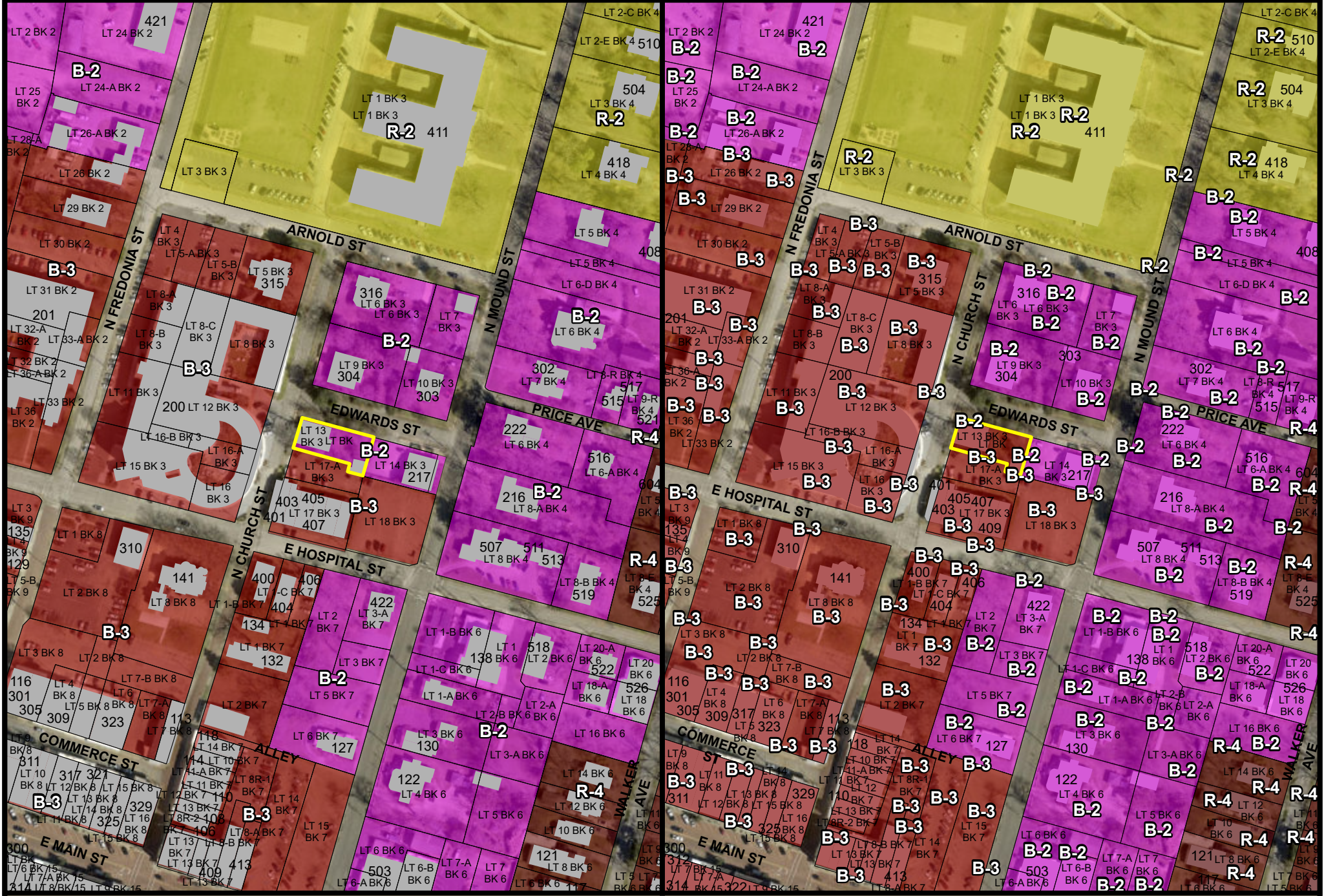
Notice: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



Existing Zoning

ZON2024-02

Proposed Zoning



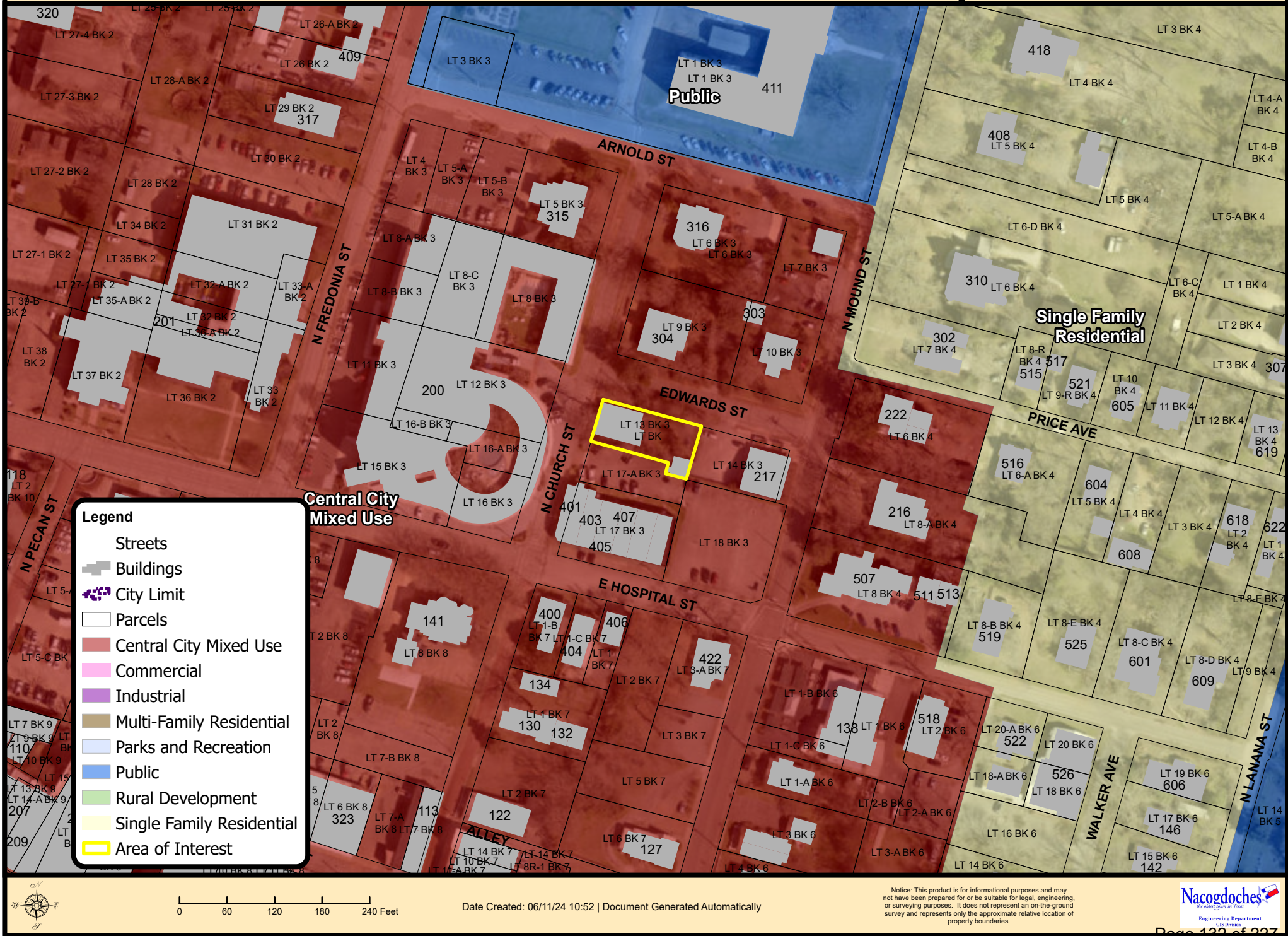
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Notice: This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location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

Nacogdoches
Engineering Department
City of Nacogdoches

ZON2024-02 Future Land Use Map



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200 Foot Notification Map

ZON2024-02: 216 N. Church St.

Legend

 200 Foot Buffer

 Proposed SUP

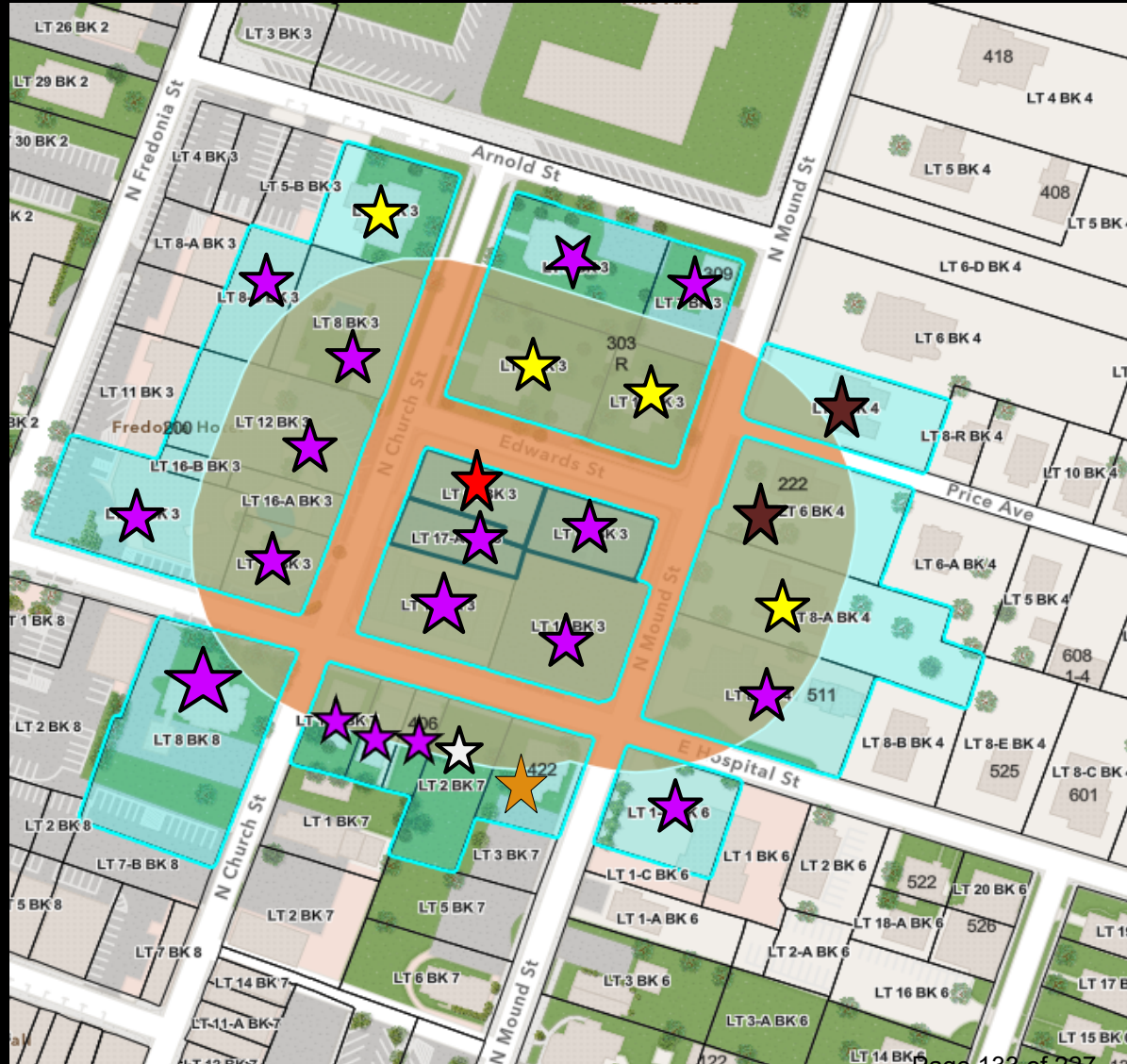
 Single-Family- Rental

 Single-Family-
Owner Occupied

 Vacant

 Multi-Family

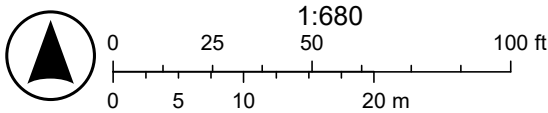
 Commercial



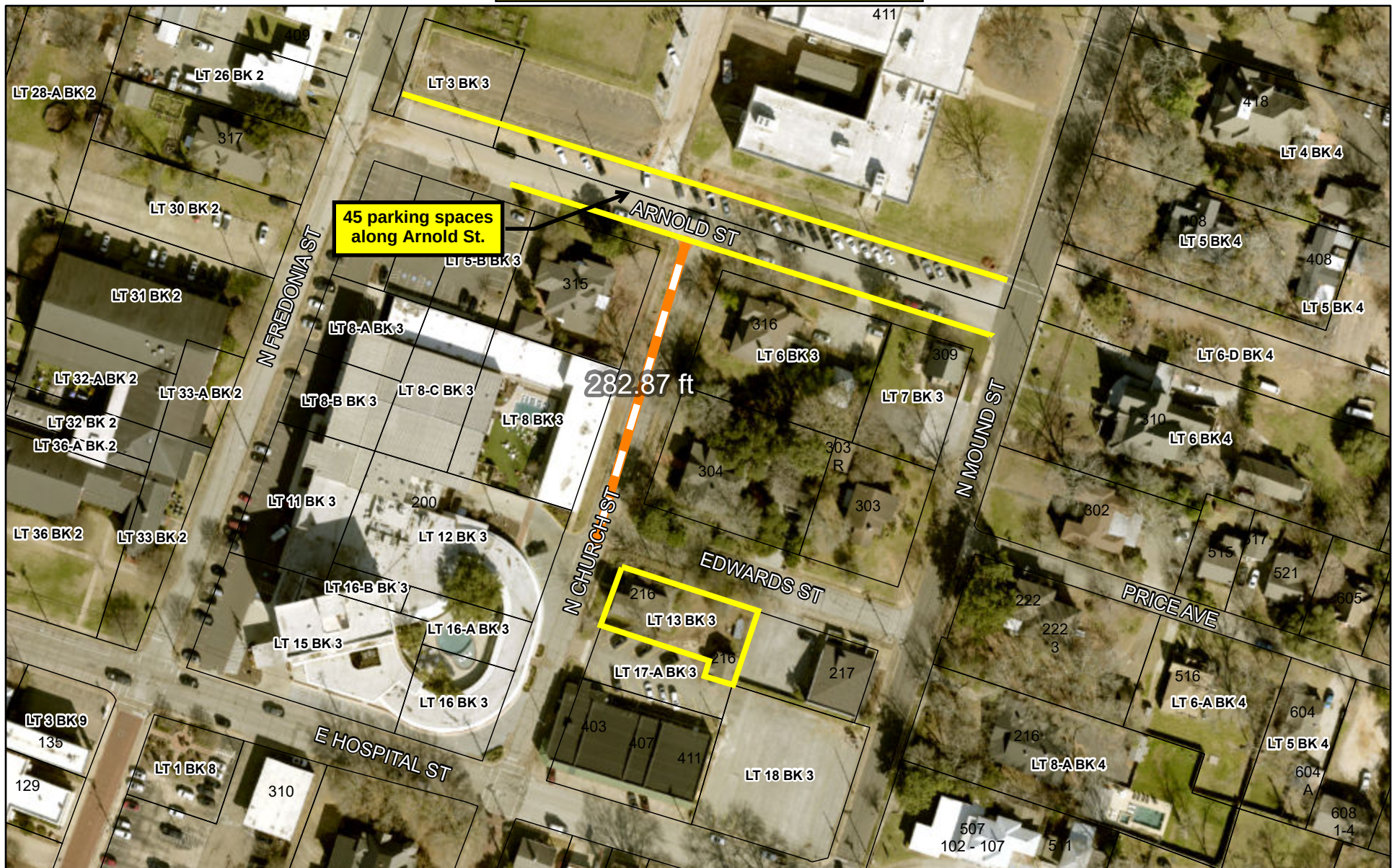
Parking Exhibit



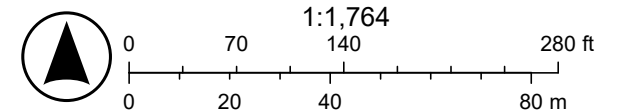
7/1/2024, 5:55:32 PM



Additional Parking



7/2/2024, 10:31:14 AM



Site Photos: ZON2024-02

View of subject property from N. Church St.





View of the backyard

Garage apartment with entrance from shared parking area(between stairs and fence).





Street view looking
north
Along N. Church St.

Street view looking east
along Edwards St.





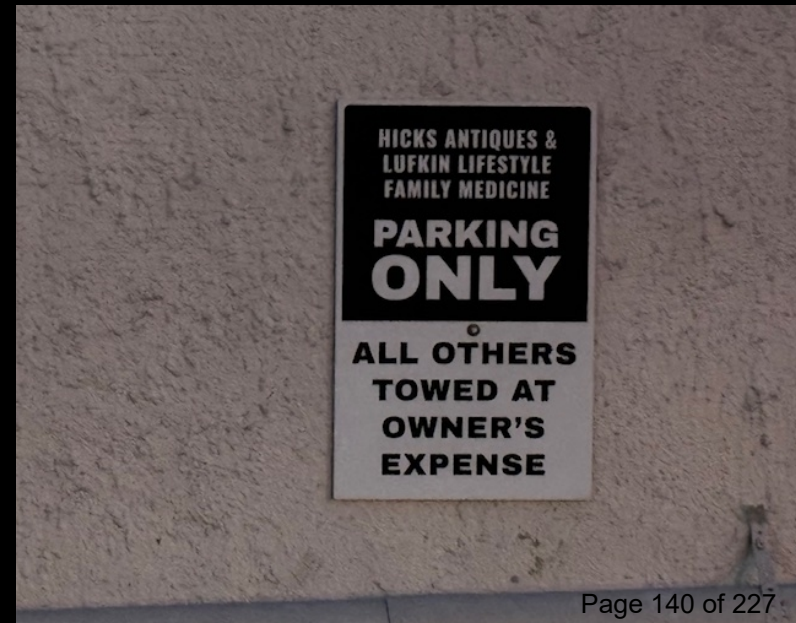
Adjacent commercial property to the east

Parking lot for the adjacent commercial property





Private parking lot in downtown Lufkin with no parking signs posted



View of the shared parking area located on the north side of the lot next to the gray building (15 spaces)

View of the entrance from the shared parking area.



200 Foot Notification Map

ZON2024-02: 216 N. Church St.

Legend

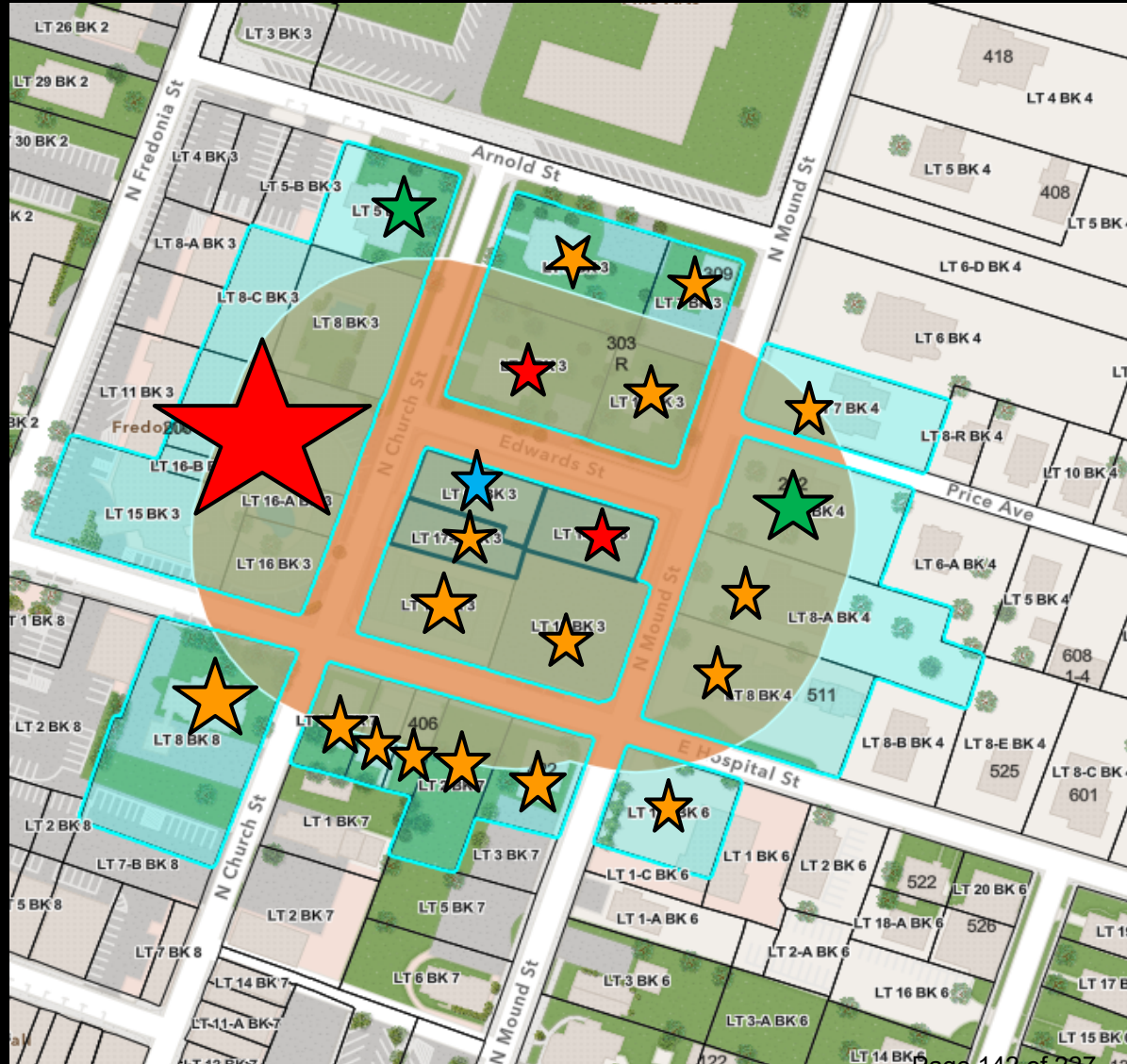
 200 Foot Buffer

 Proposed SUP

 In Support

 Opposed

 No Response



Responses from Property Owners within 200' of Subject Property

Project Number: ZON2024-02

Please circle one:

☐ In favor of request

☒ Opposed to request

Comments:

This would result in my parking lot being full of cars, as my lot is the closest, most obvious place to park. There would be no room for my tenants and their

Signature:

Printed Name:

Street Address:

City, State and Zip Code:

Phone Number:

Email Address:

Physical Address of Property within 200 Feet:

customers who pay for the use of my lot.

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



Cloutier, Aimee <cloutiera@nactx.us>

Protest of Zone Change at 216 Church S.

1 message

Connie Haley <connie@haleyart.com>
To: pz@nactx.us

Fri, Jul 5, 2024 at 11:28 AM

Dear Nacogdoches Planning and Zoning,

I previously sent in the document I received in the mail regarding the zone change request at 216 Church St., indicating I am opposed to it. After learning more about their plans for the property, I would like to further explain my reasons for concern. Please consider this my written protest.

I am aware that Ms. Garrigan has an agreement with Mr. Barham to lease parking spots in his lot on Mound St. and Hospital St.. Should Mr. Barham choose to develop or sell that property in the future, all of Ms. Garrigan's parking will be eliminated. I am sure you are aware that he had plans to do just that recently. It is only a matter of time.

Ms. Garrigan informed me that the entire backyard will be used as a "backyard playscape", and the main entrance will be facing my property, not on the street. Considering there is no wall or fence between the property and my busy parking lot, it will cause an obvious safety risk for the children of their patrons, and a potential liability for me. It is my understanding that a city ordinance requires a minimum 48" tall fence for a business that includes such an area.

I currently have 3 tenants in my building who provide a variety of health and beauty treatments, and I have room for several more. A primary reason two of them chose to move from a Main St. location and lease in my building is because it includes a private parking lot. This convenience is extremely important to my tenants and their customers. Our concern is that patrons visiting Ms. Garrigan's business will park in the closest and most convenient lot in proximity to their building, regardless of where it is suggested that they park. That is in my lot. The ease of doing business for my current and future tenants will be challenged if parking becomes limited.

So what is the solution here?

- 1) In accordance with the current ordinances of the City of Nacogdoches, require Ms. Garrigan or the property owner Mr. Moore, to install a private lot for the benefit of that business location. There is room in the yard to do that, or to possibly put off street parallel parking along the road.
- 2) Require Ms. Garrigan to install a solid privacy fence the full length of our shared property line to keep children from crossing onto my property, and to (hopefully) deter her patrons from parking there. Additionally, install multiple signs on the fence and near the street indicating it is a private lot and violators will be towed.

I read that the Mission of the Zoning and Planning department is to provide for a choice of land uses while **protecting owners against the adverse effects of other's actions**. Simply granting a zone change without requiring the above will certainly have an ever increasing adverse affect on my and my tenant's businesses.

I respectfully request that you do not grant this zone change.

Thank you for your consideration.

Connie Haley

Owner / Artist
Haley Art & Design
936-560-0066
www.haleyart.com

--

You received this message because you are subscribed to the Google Groups "Planning & Zoning" group.
To unsubscribe from this group and stop receiving emails from it, send an email to pz+unsubscribe@nactx.us.
To view this discussion on the web visit https://groups.google.com/a/nactx.us/d/msgid/pz/CAMDEVaOLDRjPo3zeCNVsfSArm4wGYtpLz8GDpLMW_ZwvSOzkcQ%40mail.gmail.com.



Cloutier, Aimee <cloutiera@nactx.us>

Cafe on Church Street

2 messages

Walt Postlewait <walt@northpostproperties.com>

Tue, Jul 9, 2024 at 11:08 AM

To: "belangerk@nactx.us" <belangerk@nactx.us>, "johnsonre@nactx.us" <johnsonre@nactx.us>, "mauleb@nactx.us" <mauleb@nactx.us>, "huckabyc@nactx.us" <huckabyc@nactx.us>, "williamsbl@nactx.us" <williamsbl@nactx.us>, "cloutiera@nactx.us" <cloutiera@nactx.us>

Good day,

We wanted to reach out and encourage approval of the zoning change request for the café that is set to open on Church Street. We recently purchased Milton Pitts former home located at 222 N Mound. We think having a café adds value to our neighborhood and we certainly understand the need for the downtown designation for property. We do not believe there will be any issue with street parking in that general area.

We encourage you all to approve the minor designation change in the zoning.

If you have any questions please reach out to us at 503-298-1103.

Thank you.

Walt

Walt Postlewait

Chief Executive Officer

NorthPost Properties, LLC

503-298-1103

walt@northpostproperties.com

N o r t h P o s t
P R O P E R T I E S

www.northpostproperties.com

Nacogdoches

the oldest town in Texas

response forms and written protest must be submitted no later than Monday, July 8, 2024, at 12:00 p.m. Protest and responses submitted after this deadline will not be accepted.

Please complete and return form to:

City of Nacogdoches Planning & Zoning Department
Attn: Aimee Cloutier
PO Drawer 635030
Nacogdoches, TX 75963

You may also email a copy to Aimee Cloutier at pz@nactx.us

Project Number: ZON2024-02

Please circle one:

☐ In favor of request

☒ Opposed to request

Comments:

We were required to have parking, everyone should!

Signature:

Richard DeWitt, Jr.

Printed Name:

Richard DeWitt, Jr.

Street Address:

200 NORTH FREDONIA

City, State and Zip Code:

Nacogdoches Texas 75961

Phone Number:

(936) 552-1795

Email Address:

president@clearspringrestaurant.com

Physical Address of Property within 200 Feet:

200 N. FREDONIA

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: ZON2024-02
216 North Church Street

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. **All response forms and written protest must be submitted no later than Monday, August 12, 2024, at 12:00 p.m. Protest and responses submitted after this deadline will not be accepted.**

Please complete and return form to:

City of Nacogdoches Planning & Zoning Department
Attn: Aimee Cloutier
PO Drawer 635030
Nacogdoches, TX 75963

You may also email a copy to Aimee Cloutier at pz@nactx.us

Project Number: ZON2024-02

Please circle one:

☒ In favor of request

☐ Opposed to request

Comments:

Signature: _____

Printed Name: _____

Street Address: _____

City, State and Zip Code: _____

Phone Number: _____

Email Address: _____

Physical Address of Property within 200 Feet: _____

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

Responses from Property Owners Outside 200' of Subject Property



Cloutier, Aimee <cloutiera@nactx.us>

216 N Church Street

2 messages

Eric Cline <ericallancline@gmail.com>
To: "cloutiera@nactx.us" <cloutiera@nactx.us>

Sun, Jul 7, 2024 at 8:45 PM

To Whom It May Concern,

I am writing on behalf of Grace Garrigan and Levi Stovall, who are requesting that the property at 216 N Church Street be rezoned in order to allow them to operate a business there.

I personally know Ms. Garrigan and Mr. Stovall to be very respectful and conscientious people of integrity and high character. They can be counted on to abide by any rules and regulations relating to their planned business. Moreover, they are likely to be some of the most courteous neighbors ever known to the surrounding property owners.

I also believe that the presence of their business will enhance the neighborhood and lead to increased interpersonal interaction among local citizens, which is so vital to the fabric of our community.

I would therefore like to express my support in favor of their request for rezoning of the property in question.

Sincerely,
Eric Cline

Cloutier, Aimee <cloutiera@nactx.us>
To: Eric Cline <ericallancline@gmail.com>

Mon, Jul 8, 2024 at 8:35 AM

Mr. Cline,
Thank you for your response. We will forward this to the Planning & Zoning Commission as well as the City Council for review. If you have any questions, please let us know.

Regards,
[Quoted text hidden]

--
Aimee Cloutier
Planning Coordinator
Planning and Zoning
City of Nacogdoches
(936) 559-2574
cloutiera@nactx.us





Cloutier, Aimee <cloutiera@nactx.us>

App# ZON 2024-022 messages

Pati McCandless <mccandlesspati50@gmail.com>

Wed, Jul 17, 2024 at 7:54 AM

To: "Cloutier, Aimee" <cloutiera@nactx.us>, "belangerk@nactx.us" <belangerk@nactx.us>, "johnsonre@nactx.us" <johnsonre@nactx.us>, "mauleb@nactx.us" <mauleb@nactx.us>, "huckaby@nactx.us" <huckaby@nactx.us>, "williamsbl@nactx.us" <williamsbl@nactx.us>

Cc: Bruce McCandless <bmccandless3@gmail.com>

Hi. I'm writing in support of this zoning application to convert the property from B2 to B3 to provide more flexibility in parking. We are excited about this new wine bar/coffee shop opening in Nacogdoches! Please approve their application.

Thank you!

Pati & Bruce McCandless

809 Texas St.

Nacogdoches, TX 75961

Sent from [Mail](#) for Windows

Cloutier, Aimee <cloutiera@nactx.us>

Wed, Jul 17, 2024 at 7:58 AM

To: Pati McCandless <mccandlesspati50@gmail.com>

Cc: Bruce McCandless <bmccandless3@gmail.com>

Thank you for your response. We will forward this to the Planning & Zoning Commission and the City Council for review. If you have any questions, please let us know.

Best Regards,

[Quoted text hidden]

--

Aimee Cloutier
Planning Coordinator
Planning and Zoning
City of Nacogdoches
(936) 559-2574
cloutiera@nactx.us





Cloutier, Aimee <cloutiera@nactx.us>

216 N. Church St.

1 message

Sara Triana <saratriana@hey.com>

Mon, Aug 12, 2024 at 1:58 PM

To: cloutiera@nactx.us

Cc: Mitch Mitchell <mitchmitchell@hey.com>

Dear Members of the Planning and Zoning Committee,

We're writing today in support of the zoning change at 216 N. Church Street. As a family with three young children, we would be ecstatic about the opening of a family friendly café and play space in town. And as members of the community, we strongly support the creation of new businesses downtown. Having a charming, walkable downtown with lots of things to do is one thing that makes us feel great about choosing to move to Nacogdoches in 2022. We understand the problem is the parking minimum. In our opinion, parking minimums discourage growth and vibrancy. Eliminating parking requirements for existing structures encourages density of businesses downtown. Having traveled to many cities small and large all over the U.S., we are very accustomed to taking a few minutes to find a nearby parking spot so we can walk over to a downtown business. Customers of the new business at 216 N. Church Street will have no problem doing the same. Plus, the business owners will be renting parking spaces next door! And while they are walking at most half a block over to the café, they will pass the other fantastic restaurants, shops, and other businesses in our charming downtown. This seems like a no-brainer for building on the fantastic growth and energy we see in town lately. The families who are opening this business seem to love this town so much that they moved back home to Nac from Dallas and Austin. They are invested in the life of this community and I'm sure the Planning and Zoning committee is, too. Please vote to re-zone!

Sincerely,

Mitch Mitchell and Sara Triana Mitchell

[13121 FM 1878](#)[Nacogdoches, TX 75961](#)



Cloutier, Aimee <cloutiera@nactx.us>

216 N. Church St

1 message

Whitney Ross <whitneyfaye@icloud.com>
To: cloutiera@nactx.us

Mon, Aug 12, 2024 at 1:53 PM

Hello,

I'm a Nacogdoches native, and would love to see this new coffeehouse downtown. I support Dilly Dally's zone change regarding the parking minimum in that area, and hope to see it happen!

Thank you,

Whitney

*edit to subject line in previous email



Cloutier, Aimee <cloutiera@nactx.us>

216 N. Church Street

Adrian Echeverria <aecheverria@striveclinical.org>
To: "cloutiera@nactx.us" <cloutiera@nactx.us>

Mon, Aug 12, 2024 at 12:39 PM

Hello,

I just wanted to reach out in support of the proposed zone change for this property. Not sure if you all need anything else from me, but please feel free to reach out if anything comes up.

We're very excited!

Best,

**Adrian Echeverria, MHA**

Director of Business Operations

Nacogdoches Women's Center

Rusk Women's Center

STRIVE Express Care

C: 281.802.4567**E:** aecheverria@striveclinical.org[4710 NE Stallings Drive](#)[Nacogdoches, TX 75965](#)



Cloutier, Aimee <cloutiera@nactx.us>

216 N. Church Street

1 message

Amelia Fischer <arf@fischerfischerlaw.com>
To: "cloutiera@nactx.us" <cloutiera@nactx.us>

Mon, Aug 12, 2024 at 3:03 PM

Good afternoon,

I am writing this email in support of the zone change application for 216 N. Church Street.

First, I understand that this zone change is solely about parking minimums, and that the business will be allowed to operate regardless -- that point alone seems to take care of what I understand to be the gist of the opposition, which doesn't look to be about parking and instead concerns solely general objections to the business existing in the first place.

Nacogdoches needs a place like this. I am a mother of young children, and I have many friends who are also parents of young children. We love this town, but we regularly lament the dearth of kid-friendly spaces where we can all spend time together and where our kids are welcome and cherished instead of being seen as a bother. The City should really not discourage the development of a business like this one.

I also live near downtown, as do several of my friends and their children. We regularly attend festivals and events downtown. We go to the brewery. Most of the time, we decide to walk. The proposed business's central location makes that easy for us, and for many of the people who I know would frequent this place. And, were we to decide to drive, I can't imagine it would be a problem. There is plenty of public parking available around the area of downtown to accommodate the business's patrons.

Thanks so much for your attention, for your time, and for your service. I served on the City Council, and I am well aware of the amount of time it takes to serve meaningfully on city boards. I know you do it because you care about this city and want it to live up to its full potential.

--

Amelia Ruiz Fischer

Attorney

Fischer & Fischer, Attorneys at Law

[114 S. Pecan Street](#)[Nacogdoches, TX 75961](#)

(936) 564-2222

(936) 564-1346 (fax)

*"...if you are free, you need to free somebody else. If you have some power,
then your job is to empower somebody else."*

- Toni Morrison

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Cloutier, Aimee <cloutiera@nactx.us>

216 N. Church St.

1 message

Tyler Welsh <mtylerwelsh@gmail.com>
To: "cloutiera@nactx.us" <cloutiera@nactx.us>

Mon, Aug 12, 2024 at 2:31 PM

To whom it may concern,

I am writing in support of the proposed zoning change for this property. I would encourage the Planning and Zoning committee to open up space for new businesses such as this to generate revenue and offer new experiences to residents of this community.

Thanks,
Tyler Welsh
[711 Logansport St, Nacogdoches, TX 75961](#)

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF NACOGDOCHES, TEXAS, AMENDING THE BOUNDARIES OF A ZONING DISTRICT WITHIN THE CITY OF NACOGDOCHES FROM B-2, GENERAL BUSINESS TO B-3, CENTRAL BUSINESS LEGALLY DESCRIBED APPROXIMATELY 0.17 ACRES OF LAND, BEING LOT 13, CITY BLOCK 3, LOCATED AT 216 NORTH CHURCH STREET, 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 B-2, General Business; and

WHEREAS, the property owner has requested the zoning classification of said property to be changed to B-3, Central Business; 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 a 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 B-2, General Business to B-3, Central Business 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 August 2024, by a vote of ____ (ayes) to ____ (nays) of the City Council of the City of Nacogdoches, Texas.

CITY OF NACOGDOCHES

By: _____
RANDY JOHNSON, Mayor

ATTEST:

APPROVED AS TO FORM:

RHONDA LEWIS, City Secretary

JERRY BAKER, City Attorney

APPROVED AS TO CONTENT:

JUAN POLLETTE, Interim City Planner

EXHIBIT "A"





City Council Meeting

Date: August 20, 2024

Agenda Item: 6.C.

PRESENTER: Todd Simoneaux, Interim Finance Director

ITEM/SUBJECT: Presentation and consideration of the proposed 2024-2025 Budget. (Interim Director of Finance)

SUMMARY/BACKGROUND: Budget Workshop as needed to discuss any needed changes to the proposed budget. [Proposed 2024-2025 as of August 13, 2024.](#)

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: Todd Simoneaux, Interim Director of Finance
simoneauxt@nactx.us
(936) 559-2526

ATTACHMENTS:

1. Proposed Budget 2024-2025 PDF
2. Budget Workshop Powerpoint 08.20.2024



Proposed Budget 2024-2025

As of 08/20/2024

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 \$1,114,576, which is a 10% increase from last year’s budget. The property tax revenue to be raised from new property added to the tax roll this year is \$82,106.”
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 - \$0.47445
- b. The Proposed Property Tax Rate – \$0.52877
- c. The No-New-Revenue Tax Rate – \$0.43803
- d. The Voter Approval Tax Rate - \$0.52877

Proposed Rates

- a. Maintenance & Operations Tax Rate - \$0.47154
 - b. Debt Rate (Interest & Sinking Fund) - \$0.05723
 - c. Total Proposed Property Tax Rate - \$0.52877
3. The total amount of outstanding municipal debt obligations secured by property taxes is \$26,235,293 (including principal and interest).

Fiscal Year 2024-25 Principal & Interest Requirements for Debt Service are:

- a. Property Tax Supported Debt: \$1,214,912
- b. Revenue Supported Debt: \$2,861,133

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City of Nacogdoches
2024 / 2025 Adopted Tax Rate

		Adopted 2024 / 2025 Property Taxes Collection Rate
Assessed Taxable Value		\$ 2,432,975,935
Tax Ceiling Taxable Value		\$ (267,118,836)
Adjusted Assessed Taxable Value		\$ 2,165,857,099
	0.47154	\$ 10,212,883
	Ceiling Tax	\$ 1,129,077
Operations		\$ 11,341,960
Debt	0.05723	\$ 1,239,520
<u>Tax Rate per \$100 Valuation</u>	0.52877	\$ 12,581,480

Operations Budget

Estimated Current Tax Collections (95%)	\$ 10,774,862
Estimated Delinquent Tax Collections	\$ 100,000
Estimated Penalty & Interest Collections	\$ 135,000
	\$ 11,009,862

Debt

Estimated Current Tax Collections (95%)	\$ 1,177,544
Estimated Delinquent Tax Collections	\$ 1,600
	\$ 1,179,144

City of Nacogdoches
2024 / 2025 General Fund Summary

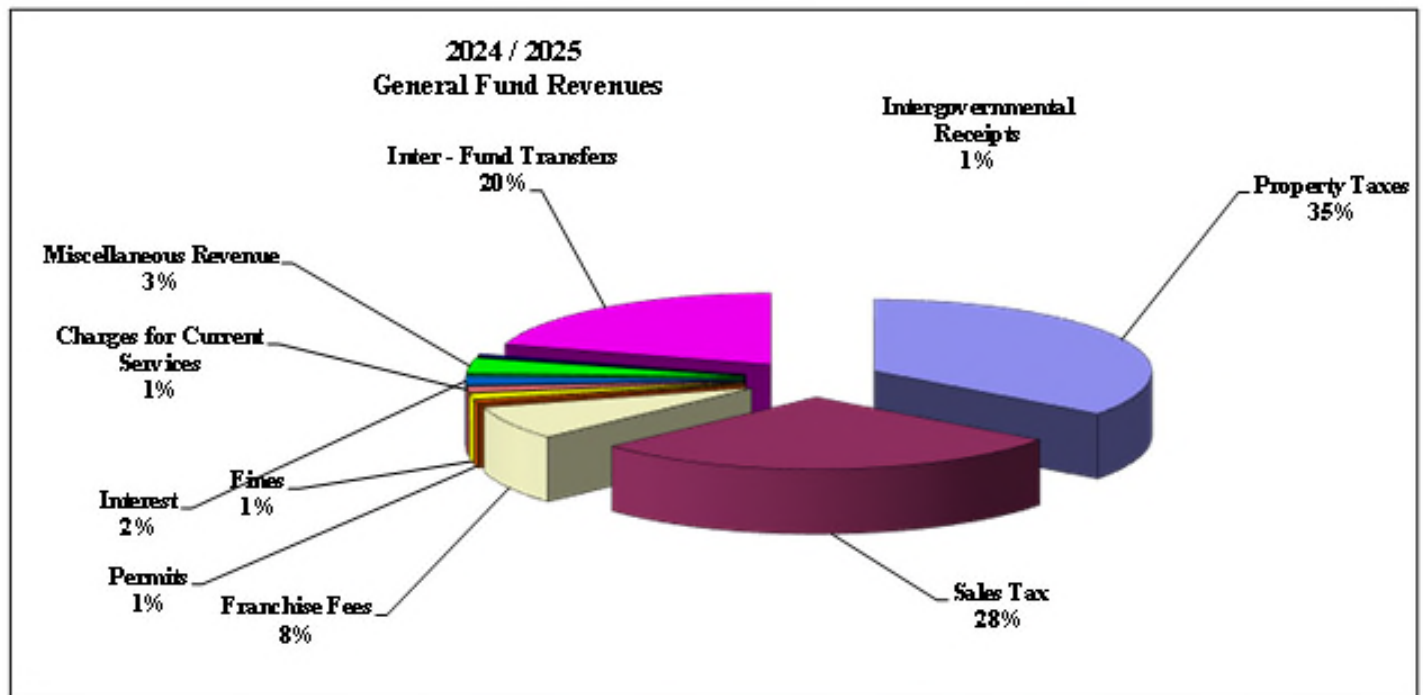
	Operating	Restricted	Total
October 1, 2024 Estimated Cash Reserves	\$ 15,561,080	\$ 1,118,293	\$ 16,679,373
2023 / 2024 Budget Revenues			
Property Taxes	\$ 11,019,862		\$ 11,019,862
Sales Tax	\$ 8,770,000		\$ 8,770,000
Franchise Fees	\$ 2,320,000	\$ 50,000	\$ 2,370,000
Permits	\$ 192,000		\$ 192,000
Fines	\$ 385,000	\$ 30,150	\$ 415,150
Charges for Current Services	\$ 368,360		\$ 368,360
Interest	\$ 620,000		\$ 620,000
Miscellaneous Revenue	\$ 1,067,002		\$ 1,067,002
Intergovernmental Receipts	\$ 143,000		\$ 143,000
Inter - Fund Transfers	\$ 6,394,630		\$ 6,394,630
Total 2024 / 2025 Budget Revenues	\$ 31,279,854	\$ 80,150	\$ 31,360,004
Total Available Funds	\$ 46,840,934	\$ 1,198,443	\$ 48,039,377
2024 / 2025 Budget Operating Expenditures			
General Government	\$ 7,898,101	\$ 164,061	\$ 8,062,162
Public Safety	\$ 18,293,198		\$ 18,293,198
Highways	\$ 1,440,745		\$ 1,440,745
Cultural & Recreational	\$ 3,390,223		\$ 3,390,223
Inter - Fund Transfers	\$ 130,000		\$ 130,000
Total 2024 / 2025 Budget Operating Expenditures	\$ 31,152,267	\$ 164,061	\$ 31,316,328
2024 / 2025 Capital Improvement Projects Budget - Reserve Funds			
Parks - Parking Lot Repaving Program	\$ 170,000		\$ 170,000
Parks - Pioneer Park Bridge	\$ 120,000		\$ 120,000
Parks - Festival Park Electrical Service	\$ 324,000		\$ 324,000
Parks - Sidewalks Improvement Program	\$ 25,000		\$ 25,000
Parks - Mill Pond Parking Lot	\$ 130,000		\$ 130,000
Parks - TPWD Boating Access Grant Match	\$ 26,000		\$ 26,000
Parks - Soccer Drainage and Field Improvements Phase II	\$ 75,000		\$ 75,000
Parks - Softball/Baseball Complex Feasibility Study	\$ 75,000		\$ 75,000
Parks - Pine Grove Cemetery Expansion	\$ 90,000		\$ 90,000
Downtown - Downtown Handrails	\$ 25,000		\$ 25,000
Facilities - Police Department Roof	\$ 25,000		\$ 25,000
Facilities - Fire Station 4 Renovation	\$ 415,000		\$ 415,000
Facilities - Fire Stations 1, 3, 4 Maintenance	\$ 539,000		\$ 539,000
Streets - Fleet Maint Acces Rd	\$ 300,000		\$ 300,000
Streets - Annual Rehab	\$ 250,000		\$ 250,000
Streets - Earnest McClain Upgrade	\$ 450,000		\$ 450,000
Total 2024 / 2025 Capital Improvements Projects	\$ 3,039,000	\$ -	\$ 3,039,000

City of Nacogdoches
2024 / 2025 General Fund Summary

	Operating	Restricted	Total
2024 / 2025 Capital Equipment/Projects Budget - Reserve Funds			
Historic Sites - Texas Preservation Trust Fund Grant Match	\$ 38,500	\$	38,500
Recreation - Automatic Door Locks	\$ 14,000	\$	14,000
Recreation - Ceiling Repairs	\$ 20,000	\$	20,000
Fleet Maintenance - Truck Crane	\$ 14,600	\$	14,600
Bldg Maint - City Hall Electronic Locking System	\$ 7,500	\$	7,500
Bldg Maint -Pickup with Utility Bed and Ladder Rack	\$ 60,000	\$	60,000
Parks & Cemetery - Pine Grove Entrance Arch	\$ 4,000	\$	4,000
Parks & Cemetery - Banita Creek Park Fence	\$ 6,800	\$	6,800
Parks & Cemetery - Cemetery Flag Pole & Light	\$ 7,780	\$	7,780
Parks & Cemetery - Oak Grove Fence	\$ 19,140	\$	19,140
Parks & Cemetery - 2024 F150	\$ 52,560	\$	52,560
Streets - Utility Trailer	\$ 7,000	\$	7,000
Streets - Park St Traffic Signal	\$ 50,000	\$	50,000
Streets - Backhoe	\$ 190,000	\$	190,000
Streets - Concrete Saw	\$ 10,000	\$	10,000
Total 2024 / 2025 Capital Equipment/Projects	\$ 501,880	\$ -	\$ 501,880
September 30, 2025 Estimated Ending Balance	\$ 12,147,787	\$ 1,034,382	\$ 13,182,169
Total Allocated Funds	\$ 46,840,934	\$ 1,198,443	\$ 48,039,377
25% Reserve Requirement	\$ 7,788,067		
Excess over Reserve Requirement	\$ 4,359,720		

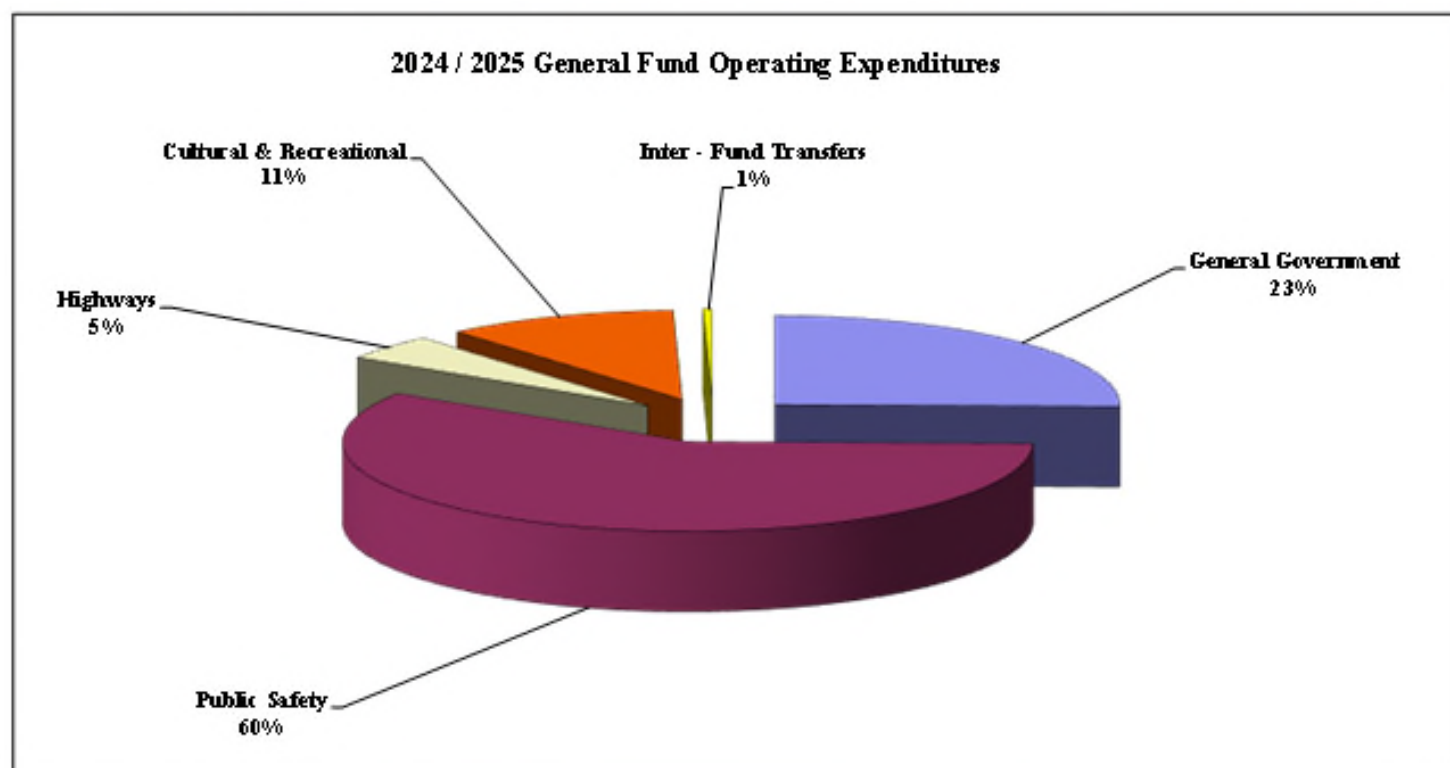
City of Nacogdoches
2024 / 2025 General Fund Revenues

	Actual Balance 2021 / 2022	Actual Balance 2022 / 2023	Adopted Budget 2023 / 2024	Amended Budget 2023 / 2024	Adopted Budget 2024 / 2025
Property Taxes	\$ 10,160,814	\$ 10,942,118	\$ 10,856,312	\$ 10,856,312	\$ 11,019,862
Sales Tax	\$ 8,410,452	\$ 8,651,801	\$ 8,320,000	\$ 8,320,000	\$ 8,770,000
Franchise Fees	\$ 2,417,761	\$ 2,515,301	\$ 2,370,000	\$ 2,370,000	\$ 2,370,000
Permits	\$ 217,669	\$ 211,818	\$ 196,500	\$ 196,500	\$ 192,000
Fines	\$ 401,837	\$ 439,763	\$ 415,150	\$ 415,150	\$ 415,150
Charges for Current Services	\$ 372,941	\$ 398,991	\$ 368,360	\$ 368,360	\$ 368,360
Interest	\$ 145,752	\$ 596,892	\$ 271,900	\$ 271,900	\$ 620,000
Miscellaneous Revenue	\$ 1,144,756	\$ 1,144,175	\$ 1,117,002	\$ 1,117,002	\$ 1,067,002
Intergovernmental Receipts	\$ 1,019,784	\$ 1,480,251	\$ 58,000	\$ 58,000	\$ 143,000
Inter - Fund Transfers	\$ 5,846,925	\$ 6,333,280	\$ 5,987,307	\$ 5,987,307	\$ 6,394,630
Total General Fund Revenues	\$ 30,138,690	\$ 32,714,390	\$ 29,960,531	\$ 29,960,531	\$ 31,360,004



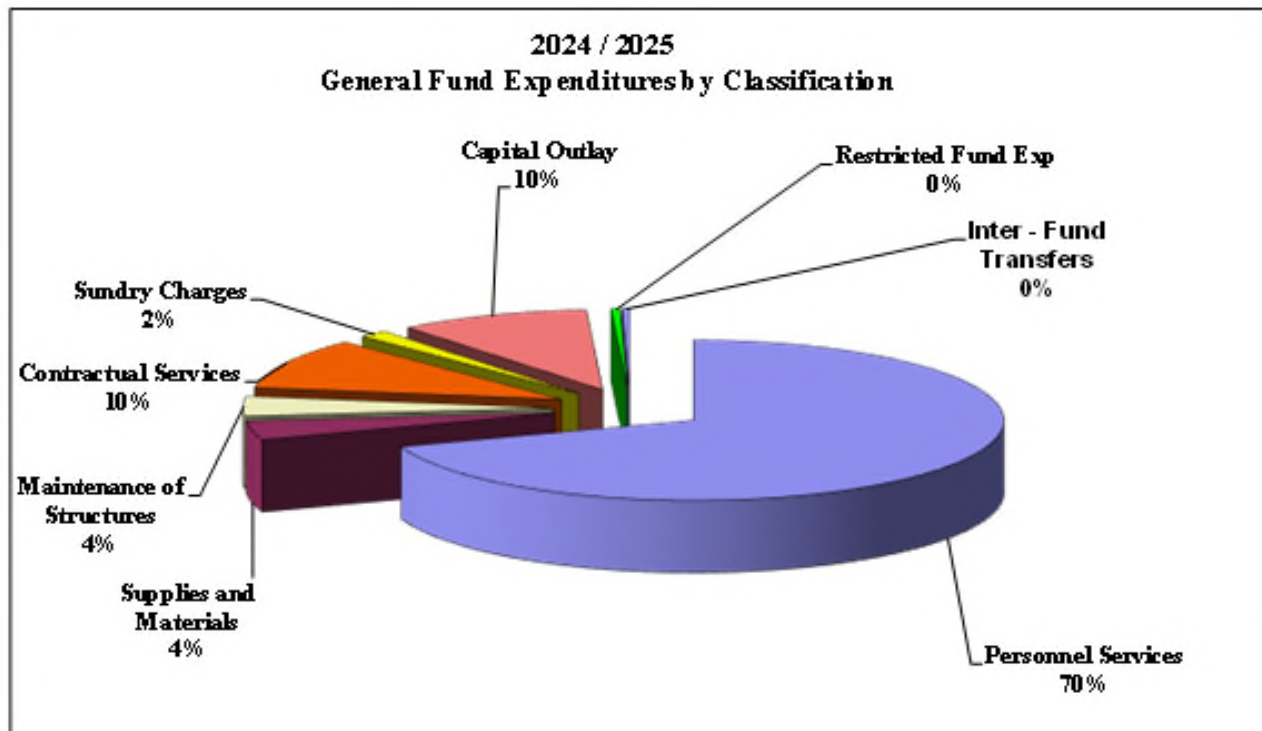
City of Nacogdoches
2024 / 2025 General Fund Expenditures by Function

	Actual Balance 2021 / 2022	Actual Balance 2022 / 2023	Adopted Budget 2023 / 2024	Amended Budget 2023 / 2024	Adopted Budget 2024 / 2025
General Government	\$ 6,525,460	\$ 6,520,083	\$ 6,822,543	\$ 7,094,971	\$ 7,898,101
Public Safety	\$ 17,081,054	\$ 17,082,226	\$ 17,847,441	\$ 17,852,969	\$ 18,293,198
Highways	\$ 1,110,738	\$ 1,169,283	\$ 1,475,089	\$ 1,475,089	\$ 1,440,745
Cultural & Recreational	\$ 2,834,764	\$ 3,262,602	\$ 3,493,308	\$ 3,498,708	\$ 3,390,223
Inter - Fund Transfers	\$ 242,859	\$ 376,149	\$ 192,000	\$ 192,000	\$ 130,000
Total General Fund Operating Expenditures	\$ 27,794,874	\$ 28,410,343	\$ 29,830,381	\$ 30,113,737	\$ 31,152,267
Capital Improvements	\$ 1,728,784	\$ 3,055,117	\$ 1,968,100	\$ 3,100,385	\$ 3,540,880
Restricted Fund Expenditures	\$ 63,988	\$ 30,289	\$ 130,508	\$ 130,508	\$ 164,061
Total General Fund Expenditures	\$ 29,587,646	\$ 31,495,749	\$ 31,928,989	\$ 33,344,630	\$ 34,857,208



City of Nacogdoches
2024 / 2025 General Fund Expenditures by Classification

	Actual Balance 2021 / 2022	Actual Balance 2022 / 2023	Adopted Budget 2023 / 2024	Amended Budget 2023 / 2024	Adopted Budget 2024 / 2025
Personnel Services	\$ 21,955,607	\$ 22,734,435	\$ 23,105,825	\$ 23,315,825	\$ 24,252,034
Supplies and Materials	\$ 1,057,678	\$ 1,115,696	\$ 1,154,616	\$ 1,177,024	\$ 1,322,009
Maintenance of Structures	\$ 1,082,241	\$ 1,232,800	\$ 1,401,354	\$ 1,441,502	\$ 1,390,547
Contractual Services	\$ 2,940,474	\$ 3,105,565	\$ 3,285,585	\$ 3,296,385	\$ 3,600,229
Sundry Charges	\$ 516,015	\$ 585,731	\$ 721,509	\$ 721,509	\$ 521,509
Capital Outlay	\$ 1,728,784	\$ 2,215,083	\$ 1,937,592	\$ 3,069,877	\$ 3,476,819
Restricted Fund Exp	\$ 63,988	\$ 30,289	\$ 130,508	\$ 130,508	\$ 164,061
Inter - Fund Transfers	\$ 242,859	\$ 476,150	\$ 192,000	\$ 192,000	\$ 130,000
Total	\$ 29,587,646	\$ 31,495,749	\$ 31,928,989	\$ 33,344,630	\$ 34,857,208



City of Nacogdoches
2024 / 2025 General Fund Expenditures by Department

	Actual Balance 2021 / 2022	Actual Balance 2022 / 2023	Adopted Budget 2023 / 2024	Amended Budget 2023 / 2024	Adopted Budget 2024 / 2025
City Council	\$ 23,613	\$ 26,533	\$ 28,500	\$ 28,500	\$ 28,500
City Manager	\$ 301,267	\$ 280,817	\$ 304,876	\$ 304,876	\$ 581,706
Municipal Court	\$ 282,340	\$ 295,085	\$ 330,987	\$ 330,987	\$ 289,968
City Secretary	\$ 129,597	\$ 208,415	\$ 200,148	\$ 200,148	\$ 182,436
Finance	\$ 670,231	\$ 662,610	\$ 699,936	\$ 849,936	\$ 760,539
Information Technology	\$ 447,675	\$ 469,992	\$ 498,696	\$ 544,716	\$ 546,079
Human Resources	\$ 383,216	\$ 423,142	\$ 461,390	\$ 511,390	\$ 554,146
Legal	\$ 273,178	\$ 467,779	\$ 296,519	\$ 296,519	\$ 286,008
Planning & Zoning	\$ 278,697	\$ 244,407	\$ 254,092	\$ 254,092	\$ 441,373
Building Maintenance	\$ 363,544	\$ 391,763	\$ 381,693	\$ 385,693	\$ 389,364
Communication	\$ -	\$ 67,594	\$ 123,207	\$ 123,207	\$ 137,981
Vehicle Maintenance	\$ 307,979	\$ 285,927	\$ 331,795	\$ 331,795	\$ 328,998
Engineering	\$ 597,878	\$ 537,841	\$ 683,594	\$ 683,594	\$ 570,306
Convention & Tourism	\$ 312,682	\$ 267,790	\$ 305,535	\$ 305,535	\$ 319,630
Economic Development	\$ 236,268	\$ 262,379	\$ 281,747	\$ 281,747	\$ 306,364
Non-Departmental	\$ 1,917,297	\$ 1,628,009	\$ 1,639,828	\$ 1,662,236	\$ 2,174,703
General Govt.	\$ 6,525,460	\$ 6,520,083	\$ 6,822,543	\$ 7,094,971	\$ 7,898,101
Police	\$ 8,673,356	\$ 8,961,875	\$ 9,791,616	\$ 9,797,144	\$ 10,120,719
Fire	\$ 7,441,467	\$ 7,043,226	\$ 6,915,375	\$ 6,915,375	\$ 7,016,329
Code Enforcement	\$ 277,178	\$ 265,296	\$ 274,299	\$ 274,299	\$ 285,135
Inspection	\$ 137,728	\$ 212,949	\$ 249,689	\$ 249,689	\$ 252,466
Animal Control	\$ 551,325	\$ 598,880	\$ 616,462	\$ 616,462	\$ 618,549
Public Safety	\$ 17,081,054	\$ 17,082,226	\$ 17,847,441	\$ 17,852,969	\$ 18,293,198
Historic Sites & Main Street	\$ 241,709	\$ 389,674	\$ 435,814	\$ 435,814	\$ 416,380
Library	\$ 570,978	\$ 587,862	\$ 628,292	\$ 628,292	\$ 660,624
Recreation	\$ 624,065	\$ 715,811	\$ 756,133	\$ 756,133	\$ 769,009
Parks & Cemetery	\$ 1,398,012	\$ 1,569,255	\$ 1,673,069	\$ 1,678,469	\$ 1,544,210
Cultural & Recreational	\$ 2,834,764	\$ 3,262,602	\$ 3,493,308	\$ 3,498,708	\$ 3,390,223
Public Works Administration	\$ 131,906	\$ 129,204	\$ 132,342	\$ 132,342	\$ 127,894
Streets	\$ 978,832	\$ 1,040,079	\$ 1,342,747	\$ 1,342,747	\$ 1,312,851
Highways & Streets	\$ 1,110,738	\$ 1,169,283	\$ 1,475,089	\$ 1,475,089	\$ 1,440,745
Inter - Fund Transfers	\$ 242,859	\$ 376,149	\$ 192,000	\$ 192,000	\$ 130,000
Total Operating Budget	\$ 27,794,874	\$ 28,410,343	\$ 29,830,381	\$ 30,113,737	\$ 31,152,267
Reserve Funds Capital Equip/CIP/Spec Projects	\$ 1,728,784	\$ 3,055,117	\$ 1,968,100	\$ 3,100,385	\$ 3,540,880
Restricted Funds Expenditures	\$ 63,988	\$ 30,289	\$ 130,508	\$ 130,508	\$ 164,061
Total General Fund Budget	\$ 29,587,646	\$ 31,495,749	\$ 31,928,989	\$ 33,344,630	\$ 34,857,208

City of Nacogdoches
2024 / 2025 General Fund Reserves Expenditures

Description	Reserves
Capital Improvements:	
Parks & Cemetery- Parking Lot Repaving Program	\$ 170,000
Parks & Cemetery- Pioneer Park Bridge	\$ 120,000
Parks & Cemetery- Festival Park Electrical Service	\$ 324,000
Parks & Cemetery- Sidewalks Improvement Program	\$ 25,000
Parks & Cemetery- Mill Pond Parking Lot	\$ 130,000
Parks & Cemetery- TPWD Boating Access Grant Match	\$ 26,000
Parks & Cemetery- Soccer Drainage and Field Improvements Phase	\$ 75,000
Parks & Cemetery- Softball/Baseball Complex Feasibility Study	\$ 75,000
Parks & Cemetery- Pine Grove Cemetery Expansion	\$ 90,000
Downtown - Downtown Handrails	\$ 25,000
Facilities - Police Department Roof	\$ 25,000
Facilities - Fire Station 4 Renovation	\$ 415,000
Facilities - Fire Station 1, 3, 4 Maintenance	\$ 539,000
Streets - Fleet Maint Access Rd	\$ 300,000
Streets - Annual Rehab	\$ 250,000
Streets - Earnest McClain Upgrade	\$ 450,000
Capital Improvements Total	\$ 3,039,000

Capital Equipment/Projects:

Historic Sites - Texas Preservation Trust Fund Grant Match	\$ 38,500
Recreation - Automatic Door Locks	\$ 14,000
Recreation - Ceiling Repairs	\$ 20,000
Fleet Maintenance - Truck Crane	\$ 14,600
Bldg Maint - City Hall Electronic Locking System	\$ 7,500
Bldg Maint - Pickup with Utility Bed and Ladder Rack	\$ 60,000
Parks & Cemetery- Pine Grove Entrance Arch	\$ 4,000
Parks & Cemetery- Banita Creek Park Fence	\$ 6,800
Parks & Cemetery- Cemetery Flag Pole & Light	\$ 7,780
Parks & Cemetery- Oak Grove Fence	\$ 19,140
Parks & Cemetery- 2024 F150	\$ 52,560
Streets - Utility Trailer	\$ 7,000
Streets - Park St Traffic Signal	\$ 50,000
Streets - Backhoe	\$ 190,000
Streets - Concrete Saw	\$ 10,000
Capital Eq/Projects Total	\$ 501,880

Grand Total \$ 3,540,880

City of Nacogdoches
2024 / 2025 Utility Fund Summary

	Water & Sewer Operations	Capital Replacement	Debt Service	Debt Service Reserve	Total Water & Sewer Fund
October 1, 2024 Estimated Cash Reserves					
Unrestricted Cash & Cash Equivalents	\$ 6,574,718				\$ 6,574,718
Restricted Cash for ARPA Funding		\$ 2,561,000			\$ 2,561,000
Restricted Cash for Equipment Replacement		\$28,218,920			\$ 28,218,920
Restricted Cash for Future Water & Sewer CIP		\$ 7,854,971			\$ 7,854,971
Restricted Cash for Debt Service			\$ 3,162,169		\$ 3,162,169
Restricted Cash for Debt Service Reserve				\$ 1,545,586	\$ 1,545,586
Total Estimated Beginning Cash Balance	\$ 6,574,718	\$38,634,891	\$ 3,162,169	\$ 1,545,586	\$ 49,917,364
2024 / 2025 Budget Revenues					
Permits	\$ 21,000				\$ 21,000
Interest	\$ 930,000	\$ 690,000	\$ 145,000	\$ 70,000	\$ 1,835,000
Miscellaneous Revenue	\$ 667,500				\$ 667,500
Water Sales	\$ 11,077,500				\$ 11,077,500
Sewer Sales	\$ 9,284,000				\$ 9,284,000
Intergovernmental	\$ 250,000				\$ 250,000
Total 2024 / 2025 Budget Revenues	\$ 22,230,000	\$ 690,000	\$ 145,000	\$ 70,000	\$ 23,135,000
2024 / 2025 Other Finance Sources					
Contribution from Operations-Debt Service			\$ 2,861,113		\$ 2,861,113
Contribution from Operations-Depreciation		\$ 3,644,118			\$ 3,644,118
Contribution from Operations-Future Water & Sewer CIP		\$ 1,000,000			\$ 1,000,000
Total 2024 / 2025 Other Finance Sources	\$ -	\$ 4,644,118	\$ 2,861,113	\$ -	\$ 7,505,231
Total Available Funds	\$ 28,804,718	\$43,969,009	\$ 6,168,282	\$ 1,615,586	\$ 80,557,595
2024 / 2025 Operating Budget Expenses					
Water Billing	\$ 1,605,202				\$ 1,605,202
Water Production	\$ 1,916,710				\$ 1,916,710
Distribution & Collection	\$ 1,610,413				\$ 1,610,413
Wastewater Treatment	\$ 2,778,375				\$ 2,778,375
Non - Departmental	\$ 2,432,620				\$ 2,432,620
Debt Service - Principal			\$ 2,635,000		\$ 2,635,000
Debt Service - Interest			\$ 226,134		\$ 226,134
Inter - Fund Transfers	\$ 3,954,669				\$ 3,954,669
Total 2024 / 2025 Operating Budget Expenses	\$ 14,297,989	\$ -	\$ 2,861,134	\$ -	\$ 17,159,123

City of Nacogdoches
2024 / 2025 Utility Fund Summary

	Water & Sewer Operations	Capital Replacement	Debt Service	Debt Service Reserve	Total Water & Sewer Fund
2024 / 2025 Capital Improvements					
<u>Water Projects</u>					
Water Line Additions/Replacements - ARPA		\$ 1,050,000			\$ 1,050,000
Water Line Additions/Replacements		\$ 750,000			\$ 750,000
Water Line Developer Reimb.		\$ 250,000			\$ 250,000
Water Well Rehab (one annually)		\$ 350,000			\$ 350,000
SCADA Upgrades		\$ 765,000			\$ 765,000
VFD for Motors at Surface Treatment Plant		\$ 1,600,000			\$ 1,600,000
AMR Transmitter & Meter Replacment		\$ 2,000,000			\$ 2,000,000
Direct Connect US 59 Water Line		\$ 956,000			\$ 956,000
Water Treatment Filter Reconstruction		\$ 400,000			\$ 400,000
SWTP Blowers		\$ 800,000			\$ 800,000
SWTP LED Lighting		\$ 120,000			\$ 120,000
<u>Wastewater Projects</u>					
Sanitary Sewer Line Additions/Replacements - ARPA		\$ 1,511,000			\$ 1,511,000
Sanitary Sewer Line Additions/Replacements		\$ 750,000			\$ 750,000
Banita Creek Sanitary Sewer Line Replacement		\$ 2,449,000			\$ 2,449,000
Lanana Creek Sanitary Sewer Line Replacement		\$ 2,500,000			\$ 2,500,000
Sanitary Sewer Line Developer Reimb.		\$ 250,000			\$ 250,000
Direct Connect US 59 Water Line		\$ 480,000			\$ 480,000
Clarifier Rebuild		\$ 1,950,000			\$ 1,950,000
Grit Trap Replacement		\$ 1,100,000			\$ 1,100,000
SCADA Upgrades		\$ 640,000			\$ 640,000
Liftstation (FM 1878) Replacement		\$ 900,000			\$ 900,000
WWTP Aerator Replacement		\$ 90,000			\$ 90,000
WWTP General Improvements		\$ 500,000			\$ 500,000
WWTP Headworks Conveyor Rebuild		\$ 60,000			\$ 60,000
Belt Press Building		\$ 1,350,000			\$ 1,350,000
WWTP Aeration Upgrades		\$ 300,000			\$ 300,000
WWTP 8" Pump Replacement		\$ 80,000			\$ 80,000
Total 2024 / 2025 Capital Improvements	\$ -	\$ 23,951,000	\$ -	\$ -	\$ 23,951,000

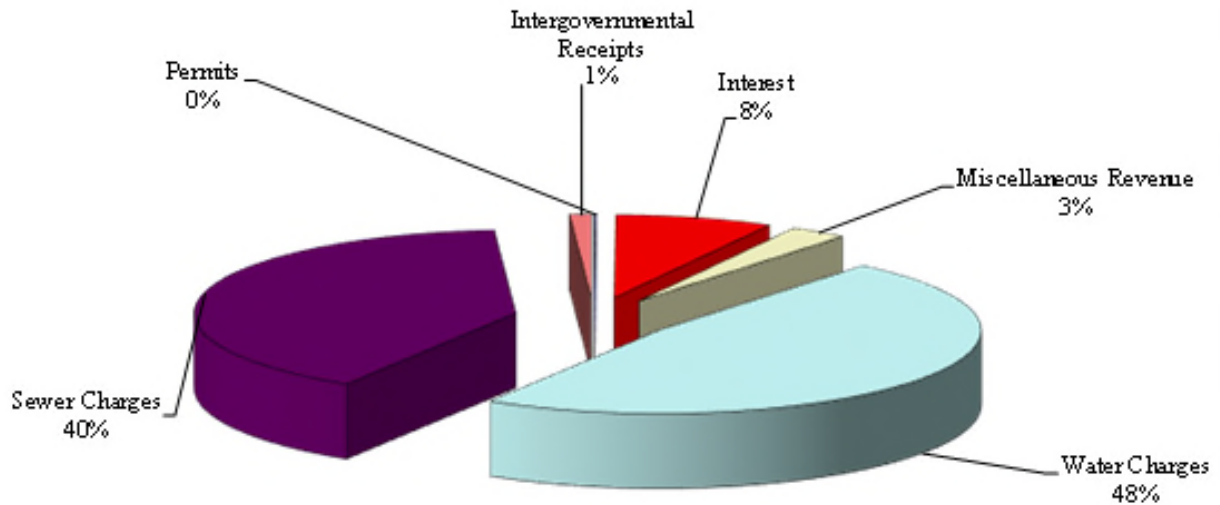
City of Nacogdoches
2024 / 2025 Utility Fund Summary

	Water & Sewer Operations	Capital Replacement	Debt Service	Debt Service Reserve	Total Water & Sewer Fund
2024 / 2025 Capital Equipment					
Utility Const - 16 Yard Dump Truck		\$ 165,000			\$ 165,000
Utility Const - 3500 Extended Cab 4X4		\$ 75,000			\$ 75,000
Utility Const - 3500 Crew Cab 4X4		\$ 75,000			\$ 75,000
Utility Const - Sewer Jetrod Trailer		\$ 120,000			\$ 120,000
Utility Const - Bobcat E55 Mini Excavator		\$ 85,000			\$ 85,000
Utility Const - Towable Air Compressor		\$ 40,000			\$ 40,000
Water Production - Street Sweeper		\$ 340,000			\$ 340,000
Water Production - New Roof Office Building		\$ 40,000			\$ 40,000
Wastewater - Pond Dredging		\$ 350,000			\$ 350,000
Wastewater - Vacuum Pump		\$ 25,000			\$ 25,000
Wastewater - Surface Aerators (3)		\$ 36,000			\$ 36,000
Total 2024 / 2025 Capital Equipment	\$ -	\$ 1,351,000	\$ -	\$ -	\$ 1,351,000
Other Finance Uses					
Contributions to Debt Service	\$ 2,861,113				\$ 2,861,113
Contributions to Capital Replacement - Depreciation	\$ 3,644,118				\$ 3,644,118
Contributions to Capital Replacement - Future CIP	\$ 1,000,000				\$ 1,000,000
Total Other Finance Uses	\$ 7,505,231	\$ -	\$ -	\$ -	\$ 7,505,231
September 30, 2025 Estimated Cash Reserves					
Unrestricted Cash & Cash Equivalents	\$ 7,001,498				\$ 7,001,498
Restricted Cash for Capital/CIP		\$18,667,009			\$ 18,667,009
Restricted Cash for Debt Service			\$ 3,307,148		\$ 3,307,148
Restricted Cash for Debt Service Reserve				\$ 1,615,586	\$ 1,615,586
Total Estimated Ending Cash Balance	\$ 7,001,498	\$18,667,009	\$ 3,307,148	\$ 1,615,586	\$ 30,591,241
Total Allocated Funds	\$ 28,804,718	\$43,969,009	\$ 6,168,282	\$ 1,615,586	\$ 80,557,595
25% Required Reserves	\$ 4,289,781				
Excess over Reserve Requirement	\$ 2,711,718				

City of Nacogdoches
2024 / 2025 Utility Fund Revenues

	Actual Balance 2021 / 2022	Actual Balance 2022 / 2023	Adopted Budget 2023 / 2024	Amended Budget 2023 / 2024	Adopted Budget 2024 / 2025
Permits	\$ 24,242	\$ 24,500	\$ 21,000	\$ 21,000	\$ 21,000
Interest	\$ 306,424	\$ 1,812,667	\$ 536,900	\$ 536,900	\$ 1,835,000
Miscellaneous Revenue	\$ 686,301	\$ 741,815	\$ 647,500	\$ 647,500	\$ 667,500
Water Charges	\$ 11,018,534	\$ 11,044,111	\$ 10,650,000	\$ 10,650,000	\$ 11,077,500
Sewer Charges	\$ 8,887,340	\$ 8,527,443	\$ 8,800,000	\$ 8,800,000	\$ 9,284,000
Intergovernmental Receipts	\$ 189,371	\$ 47,512	\$ -	\$ 500,000	\$ 250,000
Total Budgeted Revenues	\$ 21,112,212	\$ 22,198,048	\$ 20,655,400	\$ 21,155,400	\$ 23,135,000

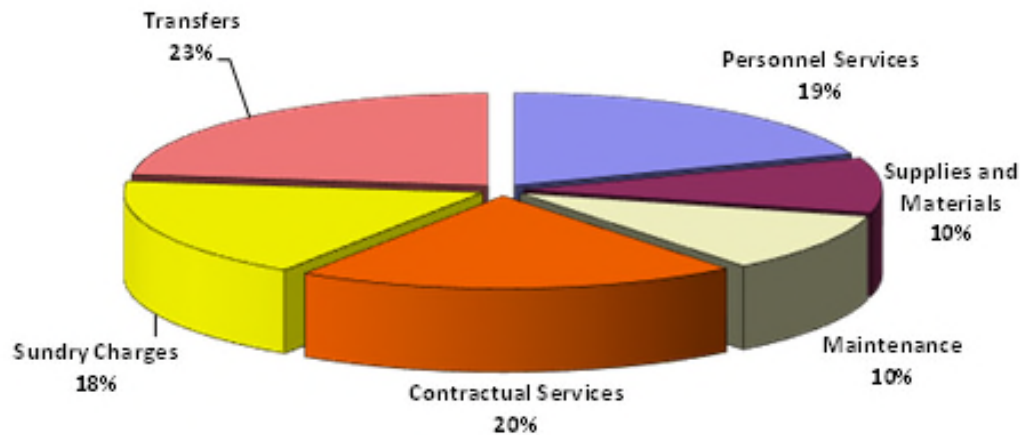
2024 / 2025 Utility Fund Summary of Revenues



City of Nacogdoches
2024 / 2025 Utility Fund Expenses by Classification

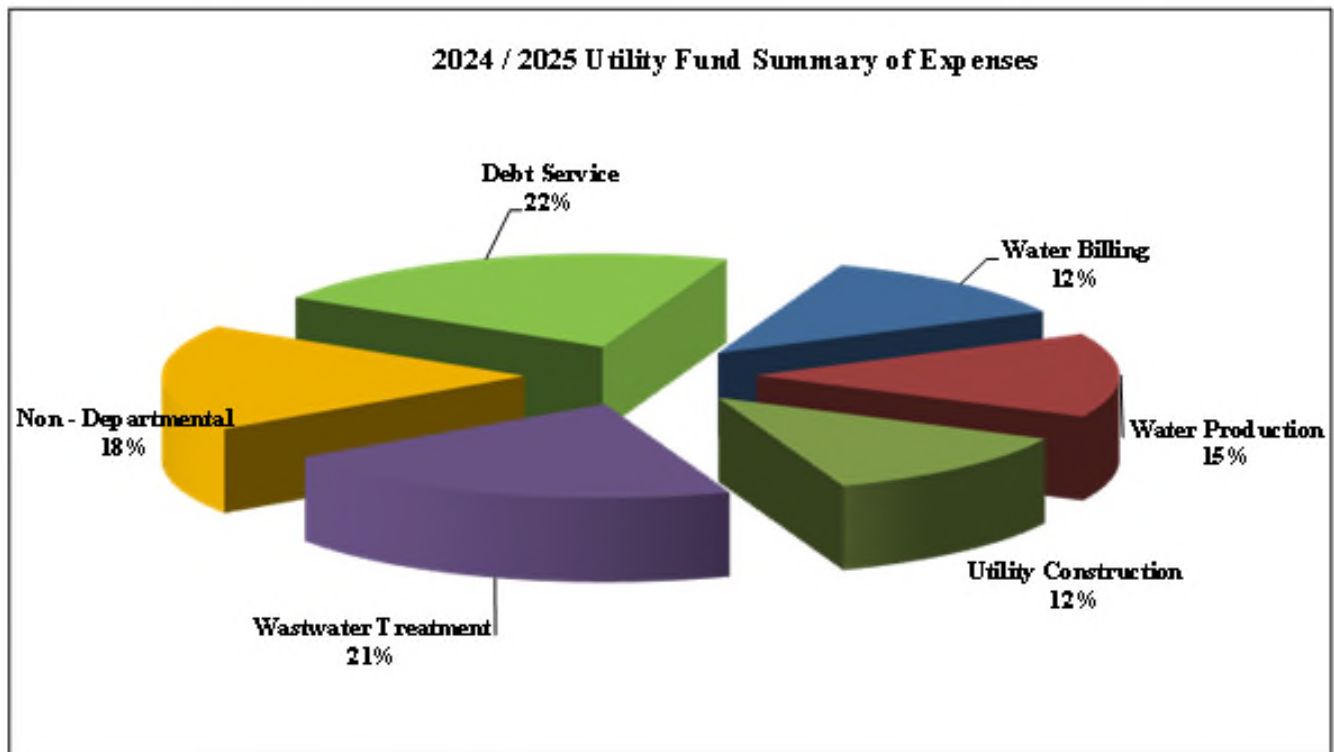
	Actual Balance 2021 / 2022	Actual Balance 2022 / 2023	Adopted Budget 2023 / 2024	Amended Budget 2023 / 2024	Adopted Budget 2024 / 2025
Personnel Services	\$ 2,752,699	\$ 3,252,635	\$ 3,254,427	\$ 3,254,427	\$ 3,332,757
Supplies and Materials	\$ 1,200,751	\$ 1,506,173	\$ 1,449,756	\$ 1,480,351	\$ 1,647,418
Maintenance	\$ 1,241,753	\$ 1,472,564	\$ 1,466,742	\$ 1,771,090	\$ 1,767,486
Contractual Services	\$ 2,310,078	\$ 3,412,371	\$ 3,565,333	\$ 3,690,333	\$ 3,425,268
Sundry Charges	\$ 4,063,626	\$ 3,175,314	\$ 3,119,195	\$ 3,119,195	\$ 3,031,525
Transfers	\$ 3,607,881	\$ 3,556,808	\$ 3,710,170	\$ 3,710,170	\$ 3,954,669
Total	\$ 15,176,788	\$ 16,375,865	\$ 16,565,623	\$ 17,025,566	\$ 17,159,123

2024 /2025 Utility Fund Expenses by Classification



City of Nacogdoches
2024 / 2025 Utility Fund Expenses by Department

	Actual Balance 2021 / 2022	Actual Balance 2022 / 2023	Adopted Budget 2023 / 2024	Amended Budget 2023 / 2024	Adopted Budget 2024 / 2025
Water Billing	\$ 1,354,003	\$ 1,555,420	\$ 1,512,000	\$ 1,512,000	\$ 1,605,202
Water Production	\$ 2,081,026	\$ 2,965,989	\$ 2,641,083	\$ 3,014,708	\$ 1,916,710
Utility Construction	\$ 1,547,545	\$ 1,819,934	\$ 1,945,239	\$ 1,945,239	\$ 1,610,413
Wastwater Treatment	\$ 2,304,000	\$ 2,925,076	\$ 3,374,974	\$ 3,430,697	\$ 2,778,375
Non - Departmental	\$ 316,365	\$ 513,723	\$ 433,353	\$ 463,948	\$ 2,432,620
Debt Service	\$ 3,965,969	\$ 3,038,915	\$ 2,948,804	\$ 2,948,804	\$ 2,861,134
Total Operating Expenses	\$ 11,568,907	\$ 12,819,057	\$ 12,855,453	\$ 13,315,396	\$ 13,204,454
Inter - Fund Transfers	\$ 3,607,881	\$ 3,556,808	\$ 3,710,170	\$ 3,710,170	\$ 3,954,669
Total Expenses	\$ 15,176,788	\$ 16,375,865	\$ 16,565,623	\$ 17,025,566	\$ 17,159,123



City of Nacogdoches
2024 / 2025 Utility Fund Reserves Expenses

Department	Description	Depreciation Fund
Capital Equipment:		
Utility Const	16 Yard Dump Truck	\$ 165,000
Utility Const	3500 Extended Cab 4X4	\$ 75,000
Utility Const	3500 Crew Cab 4X4	\$ 75,000
Utility Const	Sewer Jetrod Trailer	\$ 120,000
Utility Const	Bobcat E55 Mini Excavator	\$ 85,000
Utility Const	Towable Air Compressor	\$ 40,000
Water Production	Street Sweeper	\$ 340,000
Water Production	New Roof Office Building	\$ 40,000
Wastewater	Pond Dredging	\$ 350,000
Wastewater	Vacuum Pump	\$ 25,000
Wastewater	Surface Aerators (3)	\$ 36,000
Capital Equipment Total		\$ 1,351,000
Capital Improvements:		
Water	Water Line Additions/Replacements - ARPA	\$ 1,050,000
Water	Water Line Additions/Replacements	\$ 750,000
Water	Water Line Developer Reimb.	\$ 250,000
Water	Water Well Rehab (one annually)	\$ 350,000
Water	SCADA Upgrades	\$ 765,000
Water	VFD for Motors at Surface Treatment Plant	\$ 1,600,000
Water	AMR Transmitter & Meter Replacement	\$ 2,000,000
Water	Direct Connect US 59 Water Line	\$ 956,000
Water	Water Treatment Filter Reconstruction	\$ 400,000
Water	SWTP Blowers	\$ 800,000
Water	SWTP LED Lighting	\$ 120,000
Wastewater	Sanitary Sewer Line Additions/Replacements - ARP	\$ 1,511,000
Wastewater	Sanitary Sewer Line Additions/Replacements	\$ 750,000
Wastewater	Banita Creek Sanitary Sewer Line Replacement	\$ 2,449,000
Wastewater	Lanana Creek Sanitary Sewer Line Replacement	\$ 2,500,000
Wastewater	Sanitary Sewer Line Developer Reimb.	\$ 250,000
Wastewater	Direct Connect US 59 Water Line	\$ 480,000
Wastewater	Clarifier Rebuild	\$ 1,950,000
Wastewater	Grit Trap Replacement	\$ 1,100,000
Wastewater	SCADA Upgrades	\$ 640,000
Wastewater	Liftstation (FM 1878) Replacement	\$ 900,000
Wastewater	WWTP Aerator Replacement	\$ 90,000
Wastewater	WWTP General Improvements	\$ 500,000
Wastewater	WWTP Headworks Conveyor Rebuild	\$ 60,000
Wastewater	Belt Press Building	\$ 1,350,000
Wastewater	WWTP Aeration Upgrades	\$ 300,000
Wastewater	WWTP 8" Pump Replacement	\$ 80,000
Capital Improvements Total		\$ 23,951,000
Grand Total		\$ 25,302,000

City of Nacogdoches
2024 / 2025 Sanitation Fund Summary

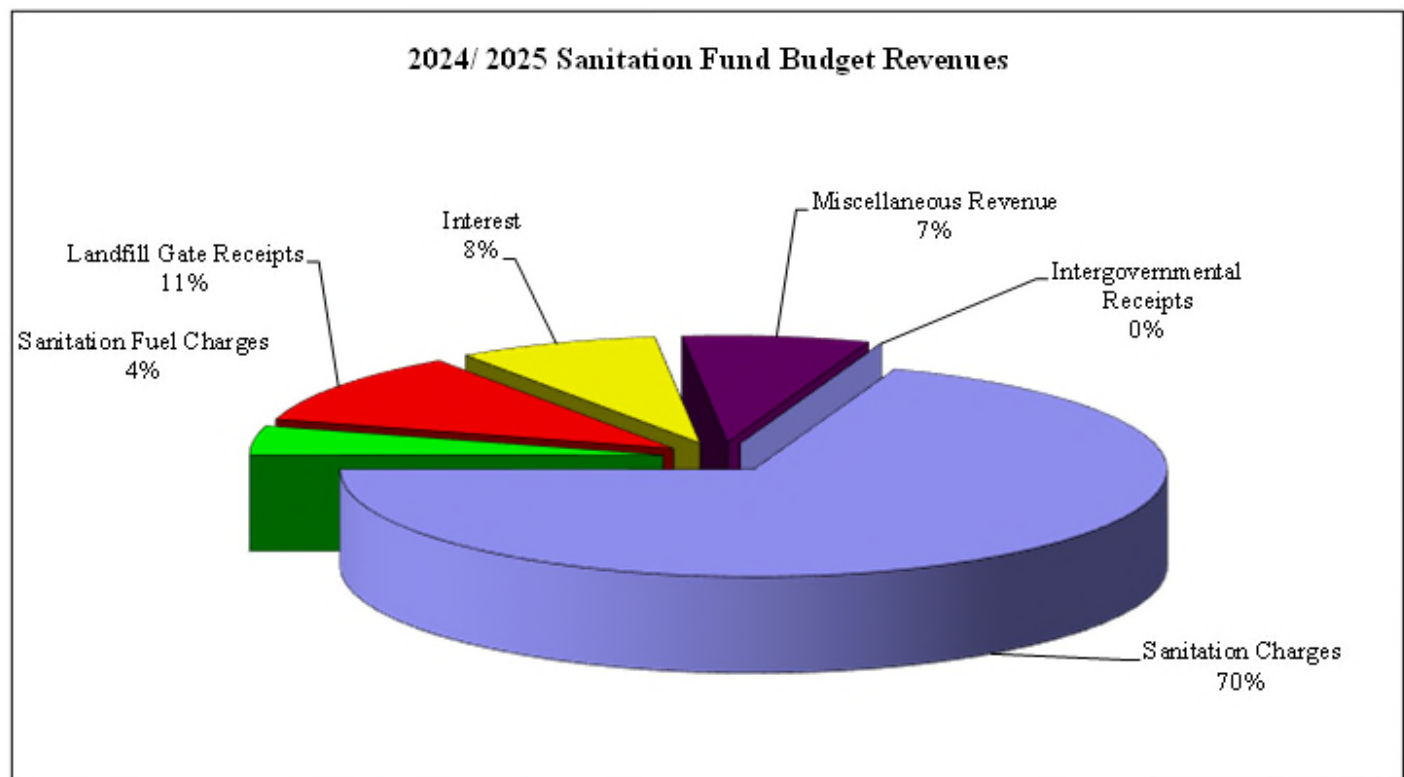
	Sanitation Fund Operations	Capital Replacement	Landfill Pit Liability Account	Total Sanitation Fund
October 1, 2024 Estimated Cash Reserves				
Unrestricted Cash & Cash Equivalents	\$ 4,934,555			\$ 4,934,555
Restricted Cash for Equipment Replacement		\$ 3,546,974		\$ 3,546,974
Restricted Cash for Landfill Pit Liability			\$ 9,335,691	\$ 9,335,691
Total Estimated Beginning Cash Balance	\$ 4,934,555	\$ 3,546,974	\$ 9,335,691	\$ 17,817,220
2024 / 2025 Budget Revenues				
Sanitation Charges	\$ 5,700,000			\$ 5,700,000
Sanitation Fuel Charges	\$ 360,000			\$ 360,000
Landfill Gate Receipts	\$ 900,000			\$ 900,000
Interest	\$ 325,000	\$ 200,000	\$ 120,000	\$ 645,000
Miscellaneous Revenue	\$ 599,900			\$ 599,900
Interfund Transfers	\$ -			\$ -
Total 2024 / 2025 Budget Revenues	\$ 7,884,900	\$ 200,000	\$ 120,000	\$ 8,204,900
2024 / 2025 Other Finance Sources				
Contributions from Operations-Depreciation		\$ 968,996		\$ 968,996
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 2024 / 2025 Other Finance Sources	\$ -	\$ 1,718,996	\$ 500,000	\$ 2,218,996
Total Available Funds	\$ 12,819,455	\$ 5,465,970	\$ 9,955,691	\$ 28,241,116
2024 / 2025 Budget Operating Expenses				
Sanitation Collection	\$ 1,740,989			\$ 1,740,989
Sanitation Disposal	\$ 1,088,169			\$ 1,088,169
Sanitation Administration	\$ 248,436			\$ 248,436
Non - Departmental	\$ 410,319			\$ 410,319
Inter - Fund Transfers	\$ 2,564,960			\$ 2,564,960
Total 2024 / 2025 Budget Operating Expenses	\$ 6,052,873	\$ -	\$ -	\$ 6,052,873

City of Nacogdoches
2024 / 2025 Sanitation Fund Summary

	Sanitation Fund Operations	Capital Replacement	Landfill Pit Liability Account	Total Sanitation Fund
2024 / 2025 Capital Improvements				
Construct New Landfill Block Cell O			\$ 3,000,000	\$ 3,000,000
Central Garbage Sites			\$ 60,000	\$ 60,000
Landfill Major Permit Amendment & Expansion			\$ 750,000	\$ 750,000
Waterline Installation		\$ -	\$ 700,000	\$ 700,000
Total 2024 / 2025 Capital Improvements	\$ -	\$ -	\$ 4,510,000	\$ 4,510,000
2024 / 2025 Capital Equipment				
Sanitation Admin - Keycard Gate & Building		\$ 12,000		\$ 12,000
Sanitation Admin - Truck Routing Software		\$ 160,000		\$ 160,000
Sanitation Collection - Roll Off Trucks (2)		\$ 640,000		\$ 640,000
Sanitation Collection - 1 Front Load Garbage Truck		\$ 475,000		\$ 475,000
Sanitation Disposal - CAT 963 Track Loader		\$ 514,000		\$ 514,000
Sanitation Disposal - Emergency Generator		\$ 25,000		\$ 25,000
Sanitation Disposal - Replacement Water Tank		\$ 40,000		\$ 40,000
Sanitation Disposal - Kubota RTV		\$ 30,000		\$ 30,000
Total 2024 / 2025 Capital Equipment Expenses	\$ -	\$ 1,896,000	\$ -	\$ 1,896,000
Other Finance Uses				
Contributions to Equipment Replacement	\$ 968,996			\$ 968,996
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	\$ 2,218,996	\$ -	\$ -	\$ 2,218,996
September 30, 2025 Estimated Cash Reserves				
Unrestricted Cash & Cash Equivalents	\$ 4,547,586			\$ 4,547,586
Restricted Cash for Equipment Replacement		\$ 3,569,970		\$ 3,569,970
Restricted Cash for Landfill Pit Liability			\$ 5,445,691	\$ 5,445,691
Total Estimated Ending Cash Balance	\$ 4,547,586	\$ 3,569,970	\$ 5,445,691	\$ 13,563,247
Total Allocated Funds	\$ 12,819,455	\$ 5,465,970	\$ 9,955,691	\$ 28,241,116
25% Required Reserves	\$ 1,513,218			
Excess over Reserve Requirement	\$ 3,034,368			

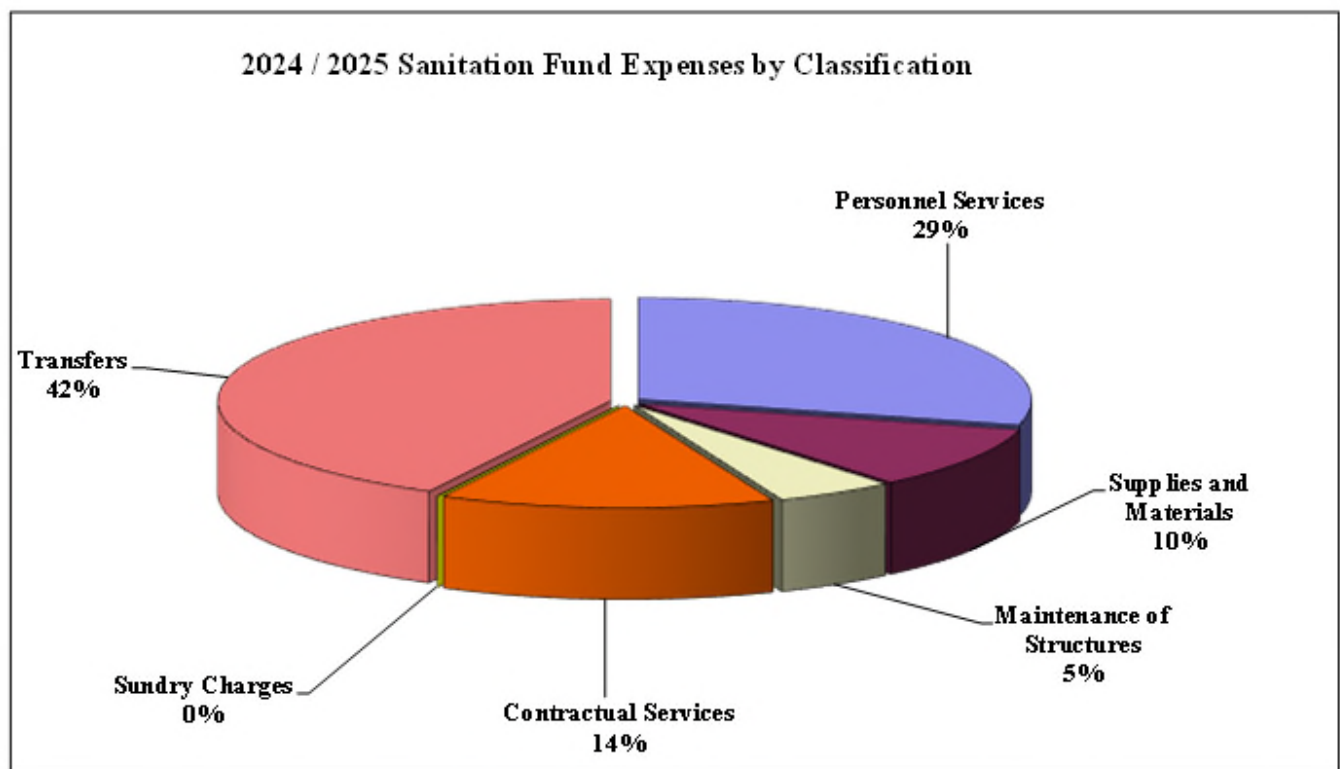
City of Nacogdoches
2024 / 2025 Sanitation Fund Revenues

	Actual Balance 2021 / 2022	Actual Balance 2022 / 2023	Adopted Budget 2023 / 2024	Amended Budget 2023 / 2024	Adopted Budget 2024 / 2025
Sanitation Charges	\$ 5,656,034	\$ 5,670,313	\$ 5,664,000	\$ 5,664,000	\$ 5,700,000
Sanitation Fuel Charges	\$ 409,766	\$ 374,752	\$ 336,000	\$ 336,000	\$ 360,000
Landfill Gate Receipts	\$ 899,427	\$ 950,092	\$ 825,000	\$ 825,000	\$ 900,000
Interest	\$ 121,333	\$ 570,571	\$ 221,900	\$ 221,900	\$ 645,000
Miscellaneous Revenue	\$ 892,904	\$ 660,106	\$ 500,000	\$ 500,000	\$ 599,900
Intergovernmental Receipts	\$ 338,172	\$ -	\$ -	\$ -	\$ -
Total Revenues	\$ 8,317,635	\$ 8,225,834	\$ 7,546,900	\$ 7,546,900	\$ 8,204,900



City of Nacogdoches
2024 / 2025 Sanitation Fund Expenses by Classification

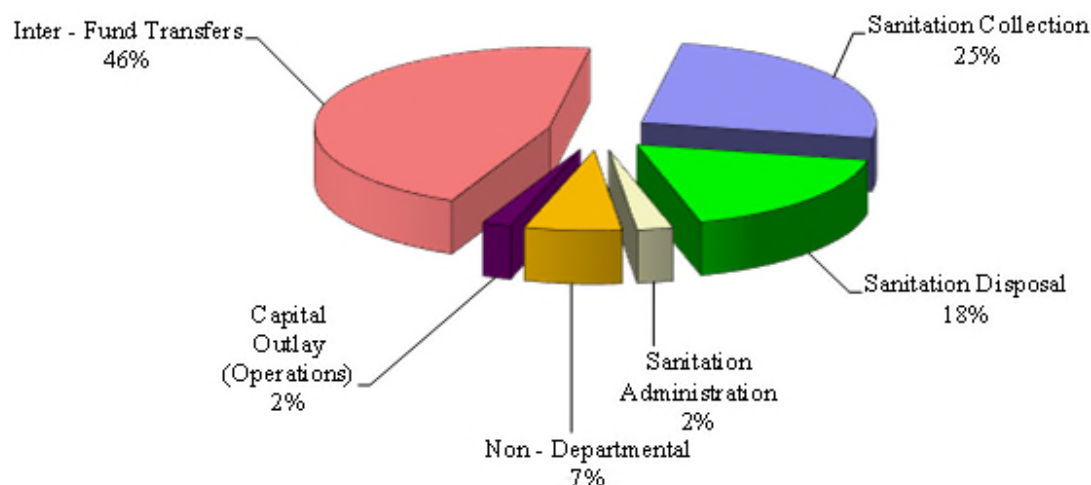
	Actual Balance 2021 / 2022	Actual Balance 2022 / 2023	Adopted Budget 2023 / 2024	Amended Budget 2023 / 2024	Adopted Budget 2024 / 2025
Personnel Services	\$ 1,307,240	\$ 1,734,074	\$ 1,677,529	\$ 1,677,529	\$ 1,761,317
Supplies and Materials	\$ 566,604	\$ 511,090	\$ 534,600	\$ 534,600	\$ 598,200
Maintenance of Structures	\$ 693,387	\$ 527,603	\$ 298,374	\$ 298,374	\$ 296,806
Contractual Services	\$ 442,539	\$ 497,066	\$ 822,975	\$ 844,975	\$ 831,590
Sundry Charges	\$ 84,306	\$ 95,798	\$ -	\$ -	\$ -
Transfers	\$ 2,289,046	\$ 2,309,516	\$ 2,402,137	\$ 2,402,137	\$ 2,564,960
Total	\$ 5,383,122	\$ 5,675,147	\$ 5,735,615	\$ 5,757,615	\$ 6,052,873



City of Nacogdoches
2024 / 2025 Sanitation Fund Expenses by Department

	Actual Balance 2021 / 2022	Actual Balance 2022 / 2023	Adopted Budget 2023 / 2024	Amended Budget 2023 / 2024	Adopted Budget 2024 / 2025
Sanitation Collection	\$ 1,512,497	\$ 1,672,700	\$ 1,631,272	\$ 1,631,272	\$ 1,740,989
Sanitation Disposal	\$ 1,020,374	\$ 982,911	\$ 1,063,400	\$ 1,085,400	\$ 1,088,169
Sanitation Administration	\$ 170,154	\$ 222,899	\$ 239,492	\$ 239,492	\$ 248,436
Non - Departmental	\$ 391,053	\$ 487,121	\$ 399,314	\$ 399,314	\$ 410,319
Total Operating Expenses	\$ 3,094,078	\$ 3,365,631	\$ 3,333,478	\$ 3,355,478	\$ 3,487,913
Inter - Fund Transfers	\$ 2,289,044	\$ 2,309,516	\$ 2,402,137	\$ 2,402,137	\$ 2,564,960
Total Expenses	\$ 5,383,122	\$ 5,675,147	\$ 5,735,615	\$ 5,757,615	\$ 6,052,873

2024 / 2025 Sanitation Fund Summary of Expenses



City of Nacogdoches
2024 / 2025 Sanitation Fund Reserves Expenses

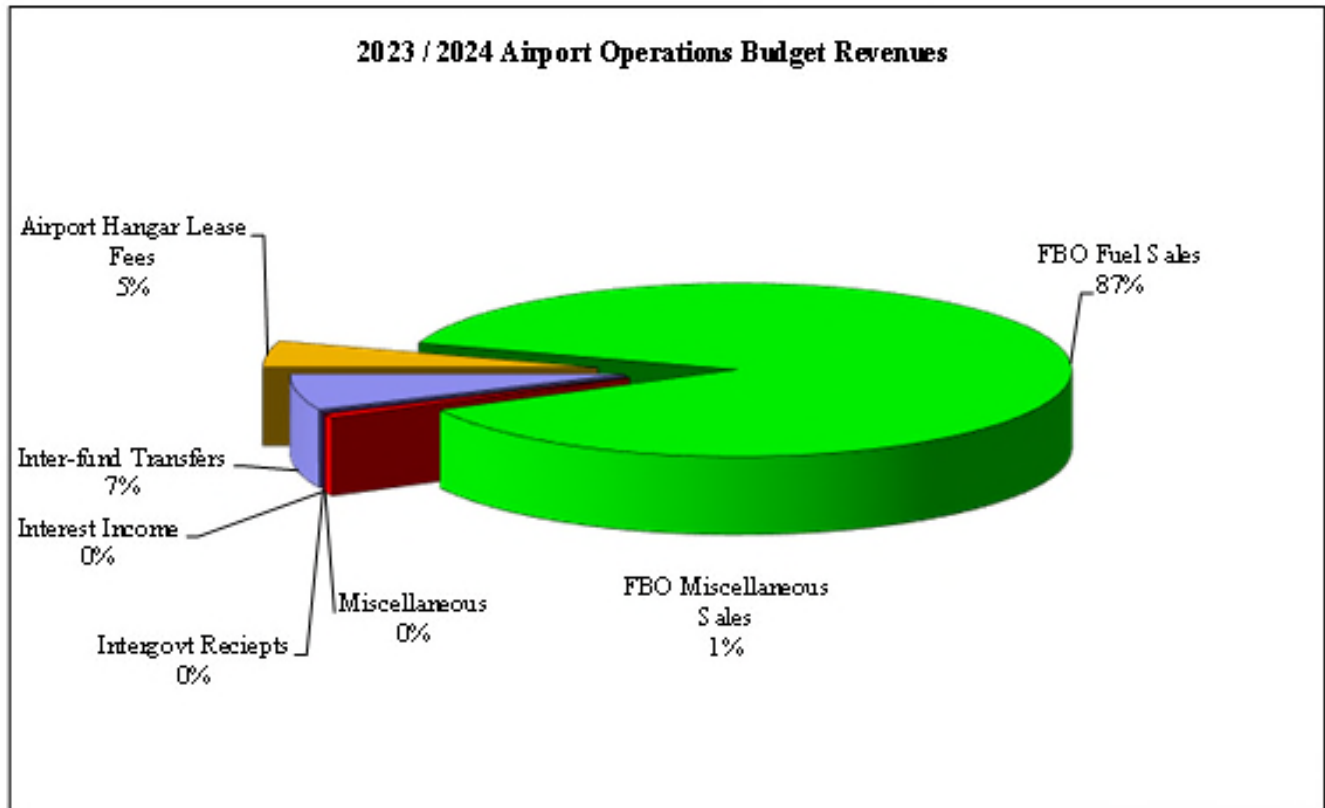
Department	Description	Depreciation Fund
Capital Equipment:		
Sanitation Admin	Keycard Gate & Building	\$ 12,000
Sanitation Admin	Truck Routing Software	\$ 160,000
Sanitation Collection	Roll Off Trucks (2)	\$ 640,000
Sanitation Collection	1 Front Load Garbage Truck	\$ 475,000
Sanitation Disposal	CAT 963 Track Loader	\$ 514,000
Sanitation Disposal	Emergency Generator	\$ 25,000
Sanitation Disposal	Replacement Water Tank	\$ 40,000
Sanitation Disposal	Kubota RTV	\$ 30,000
Capital Equipment Total		\$ 1,896,000
Capital Improvements:		
Sanitation Disposal	Construct New Landfill Block Cell O	\$ 3,000,000
Sanitation Disposal	Landfill Major Permit Amendment	\$ 750,000
Sanitation Disposal	Central Garbage Sites	\$ 60,000
Sanitation Disposal	Landfill Waterline Installation	\$ 700,000
Capital Improvements Total		\$ 4,510,000
Grand Total		\$ 6,406,000

City of Nacogdoches
2024 / 2025 Airport FBO Operations Summary

	<u>Airport FBO Operations</u>
October 1, 2024 Estimated Cash Reserves	
Unrestricted Cash & Cash Equivalents	\$ 98,670
 Total Estimated Beginning Cash Balance	 \$ 98,670
 2024 / 2025 Budget Revenues	
Airport Hangar Lease Fees	\$ 37,000
FBO Fuel Sales	\$ 650,000
FBO Miscellaneous Sales	\$ 5,500
Miscellaneous	\$ -
Interest Income	\$ 1,500
Intergovt Receipt	\$ -
Inter-fund Transfers	\$ 50,000
 Total 2024 / 2025 Budget Revenues	 \$ 744,000
 Total Available Funds	 \$ 842,670
 2024 / 2025 Budget Operating Expenditures	
FBO Operations	\$ 781,861
Capital Equipment	\$ 60,000
 Total 2024 / 2025 Operating Budget Expenditures	 \$ 841,861
 September 30, 2025 Estimated Cash Reserves	
Unrestricted Cash & Cash Equivalents	\$ 809
 Total Estimated Ending Cash Balance	 \$ 809
 Total Allocated Funds	 \$ 842,670

City of Nacogdoches
2024 / 2025 Airport FBO Operations Revenues

	Actual Balance 2021 / 2022	Actual Balance 2022 / 2023	Adopted Budget 2023 / 2024	Amended Budget 2023 / 2024	Adopted Budget 2024 / 2025
Airport Hangar Lease Fees	\$ 36,209	\$ 33,293	\$ 36,250	\$ 36,250	\$ 37,000
FBO Fuel Sales	\$ 609,888	\$ 697,481	\$ 650,000	\$ 650,000	\$ 650,000
FBO Miscellaneous Sales	\$ 2,233	\$ 4,334	\$ 5,000	\$ 5,000	\$ 5,500
Miscellaneous	\$ -	\$ -	\$ -	\$ -	\$ -
Interest Income	\$ 881	\$ 7,101	\$ 750	\$ 750	\$ 1,500
Intergovt Receipts	\$ -	\$ -	\$ -	\$ -	\$ -
Inter-fund Transfers	\$ -	\$ -	\$ 50,000	\$ 50,000	\$ 50,000
Total Operating Revenues	\$ 649,211	\$ 742,209	\$ 742,000	\$ 742,000	\$ 744,000

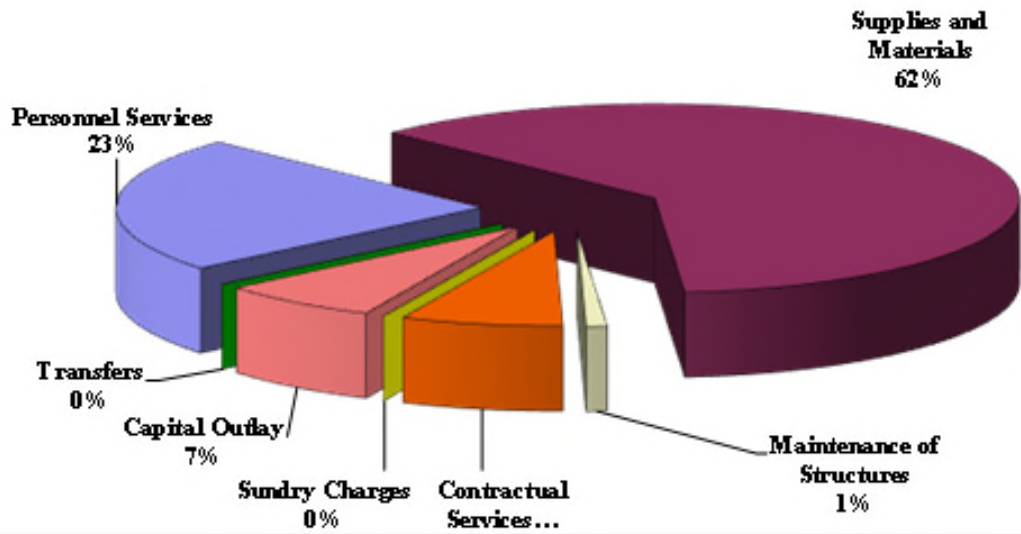


City of Nacogdoches

2024 / 2025 Airport FBO Operations Expenses by Classification

	Actual Balance 2021 / 2022	Actual Balance 2022 / 2023	Adopted Budget 2023 / 2024	Amended Budget 2023 / 2024	Adopted Budget 2024 / 2025
Personnel Services	\$ 148,739	\$ 198,117	\$ 187,750	\$ 187,750	\$ 196,285
Supplies and Materials	\$ 475,068	\$ 523,295	\$ 517,600	\$ 517,600	\$ 517,600
Maintenance of Structures	\$ 5,129	\$ 5,355	\$ 7,250	\$ 7,250	\$ 7,750
Contractual Services	\$ 44,556	\$ 53,960	\$ 56,476	\$ 56,476	\$ 60,226
Sundry Charges	\$ 9,376	\$ 5,133	\$ -	\$ -	\$ -
Capital Outlay	\$ -	\$ -	\$ 30,000	\$ 30,000	\$ 60,000
Transfers	\$ -	\$ -	\$ -	\$ -	\$ -
Total	\$ 682,868	\$ 785,860	\$ 799,076	\$ 799,076	\$ 841,861

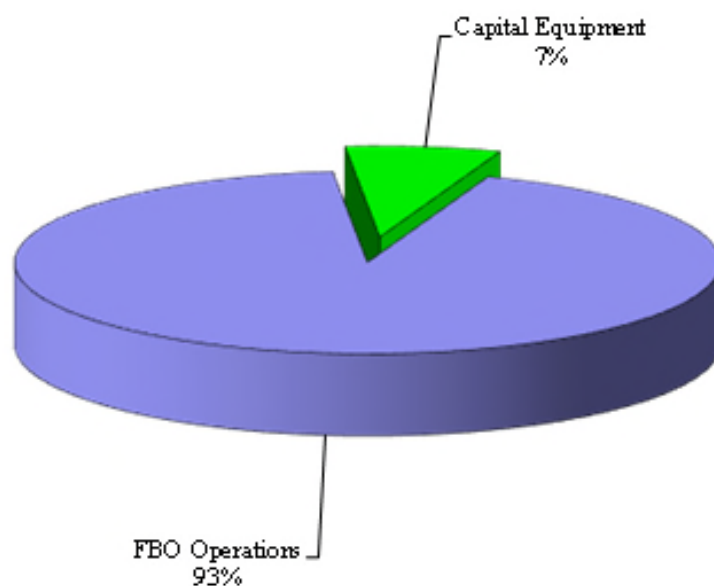
2023 / 2024 Airport Operations Expenses by Classification



City of Nacogdoches
2024 / 2025 Airport FBO Operations Expenses by Department

	Actual Balance 2021 / 2022	Actual Balance 2022 / 2023	Adopted Budget 2023 / 2024	Amended Budget 2023 / 2024	Adopted Budget 2024 / 2025
FBO Operations	\$ 682,868	\$ 785,860	\$ 769,076	\$ 769,076	\$ 781,861
Capital Equipment	\$ -	\$ -	\$ 30,000	\$ 30,000	\$ 60,000
Total Operating Expenditures	\$ 682,868	\$ 785,860	\$ 799,076	\$ 799,076	\$ 841,861

2023 / 2024 Airport Operations Summary of Expenditures



City of Nacogdoches
2024 / 2025 Special Revenue Funds Summary

	Economic Development Fund	Airport Construction Fund	Historical Fund	Public Safety Training Fund	Mayor's Committee on Disability	Special Grant Fund	Total
<u>Estimated Beginning Cash</u>	\$ 974,327	\$ 237,037	\$ 69,602	\$ 12,193	\$ 7,329	\$ 3,557,473	\$ 4,857,961
<u>Revenues</u>							
Intergovernmental Receipts		\$ 100,000		\$ 3,000		\$ -	\$ 103,000
Fines/Forfeitures							\$ -
Payment Recv' on Loans	\$ 37,248						\$ 37,248
Investment Earnings	\$ 40,000	\$ 5,000	\$ 2,500	\$ 20		\$ 200,000	\$ 247,520
Contributions & Donations						\$ 32,000	\$ 32,000
Inter-Fund Transfers	\$ 150,000	\$ -	\$ 25,000		\$ 5,000		\$ 180,000
Total Revenues	\$ 227,248	\$ 105,000	\$ 27,500	\$ 3,020	\$ 5,000	\$ 232,000	\$ 599,768
<u>Expenditures</u>							
Airport Construction		\$ 211,000					\$ 211,000
Forfeiture							\$ -
Historical			\$ 25,000				\$ 25,000
Public Safety Training - Police				\$ 4,000			\$ 4,000
Public Safety Training - Fire				\$ 10,000			\$ 10,000
Mayor's Committee on Disability					\$ 5,000		\$ 5,000
Police						\$ 10,900	\$ 10,900
Library						\$ 32,000	\$ 32,000
Non Departmental						\$ 3,693,000	\$ 3,693,000
Interfund Transfers	\$ 37,248						\$ 37,248
Total Expenditures	\$ 37,248	\$ 211,000	\$ 25,000	\$ 14,000	\$ 5,000	\$ 3,735,900	\$ 4,028,148
<u>Estimated Ending Cash</u>	\$ 1,164,327	\$ 131,037	\$ 72,102	\$ 1,213	\$ 7,329	\$ 53,573	\$ 1,429,581

City of Nacogdoches
2024 / 2025 Hotel / Motel Tax Fund Summary

October 1, 2024 Estimated Beginning Cash Balance							\$ 403,042
	Actual Balance 2021 / 2022	Actual Balance 2022 / 2023	March Actual Balance 2023 / 2024	Adopted Budget 2023 / 2024	Amended Budget 2023 / 2024	Adopted Budget 2024 / 2025	
Revenues							
Hotel / Motel Occupancy Tax Receipts	\$ 864,318	\$ 1,013,429	\$ -	\$ 850,000	\$ 850,000	\$ 1,000,000	
Misc Grant/Contributions Receipts	\$ 30,100	\$ -	\$ -	\$ -	\$ -	\$ -	
Interest	\$ 9,203	\$ 27,012	\$ -	\$ 10,000	\$ 10,000	\$ 10,000	
Total Revenues	\$ 903,622	\$ 1,040,441	\$ -	\$ 860,000	\$ 860,000	\$ 1,010,000	
Total Available Funds							\$ 1,413,042
Museum Maintenance/Services	\$ 120	\$ 3,268	\$ -	\$ 24,500	\$ 24,500	\$ 24,500	
Nacogdoches County Exposition Services	\$ 95,000	\$ -	\$ -	\$ 120,000	\$ 120,000	\$ 120,000	
Tourist & Convention Services	\$ 617,966	\$ 698,118	\$ -	\$ 616,250	\$ 616,250	\$ 725,000	
Capital Outlay - Zion Hill & Museums	\$ 631,812	\$ 766,873	\$ -	\$ 200,000	\$ 200,000	\$ 281,400	
Transfers to Historical Fund	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	
Total Expenses	\$ 1,369,899	\$ 1,493,259	\$ 25,000	\$ 985,750	\$ 985,750	\$ 1,175,900	
September 30, 2025 Ending Cash Balance							\$ 237,142
Total Allocated Funds							\$ 1,413,042

City of Nacogdoches
2024 / 2025 Debt Service Fund Summary

October 1, 2024 Estimated Beginning Cash Balance		
2021 Tax Note	\$	322,088
Total Beginning Balance	\$	322,088
Revenues		
2021 Tax Note & 2024 GO Bond	\$	1,177,544
Total Current Taxes	\$	1,177,544
2021 Tax Note & 2024 GO Bond	\$	1,600
Total Delinquent Taxes	\$	1,600
Interest	\$	10,000
Total Revenues	\$	1,189,144
Total Available Funds	\$	1,511,232
Expenditures		
2021 Tax Note & 2024 GO Bond	\$	377,000
Total Principal Payments	\$	377,000
2021 Tax Note & 2024 GO Bond	\$	837,912
Total Interest Payments	\$	837,912
Total Expenditures	\$	1,214,912
September 30, 2025 Estimated Ending Cash Balance		
2021 Tax Note & 2024 GO Bond	\$	296,320
Total Ending Balance	\$	296,320
Total Allocated Funds	\$	1,511,232

City of Nacogdoches
2024 / 2025 Capital Projects fund Summary

	<u>Street Maint</u>	<u>RLF</u>	<u>Total</u>
October 1, 2024 Estimated Beginning Cash Balance	\$ 1,094,688	\$ 1,270,959	\$ 2,365,647
Revenues			
Street Maintenance Fee	\$ 762,000	\$ -	\$ 762,000
Trff/ Eco Dev Fund	\$ -	\$ 37,248	\$ 37,248
Trff/ Utility Fund	\$ -	\$ -	\$ -
Interest	\$ 60,000	\$ 60,000	\$ 120,000
Total Revenues	\$ 822,000	\$ 97,248	\$ 919,248
Total Available Funds	\$ 1,916,688	\$ 1,368,207	\$ 3,284,895
Operations			
Bad Debt	\$ 9,000	\$ -	\$ 9,000
Capital			
Streets	\$ -	\$ 863,000	\$ 863,000
Transfer			
Payback Utility Fund to Cover RLF	\$ -	\$ -	\$ -
Total Expenditures	\$ 9,000	\$ 863,000	\$ 872,000
September 30, 2025 Ending Cash Balance	\$ 1,907,688	\$ 505,207	\$ 2,412,895
Total Allocated Funds	\$ 1,916,688	\$ 1,368,207	\$ 3,284,895

City of Nacogdoches
2024 / 2025 Equipment Replacement Fund Summary

October 1, 2024 Estimated Beginning Balance \$ 3,015,582

Revenues

Rental Receipts	\$ 517,259
Miscellaneous Revenue	\$ 500
Interest	\$ 70,000
Trf f/ General Fund	<u>\$ 50,000</u>

Total Revenues \$ 637,759

Total Available Funds \$ 3,653,341

Expenditures

Police - Patrol Units (6)	\$ 450,000
Parks & Cemetery- 50' Lift	\$ 20,000
Parks & Cemetery- Golf Carts (2)	\$ 30,000
Parks & Cemetery- Riding Mowers (2)	\$ 24,000
Parks & Cemetery- Push Mowers (2)	\$ 3,500
Parks & Cemetery- Cemetery Mower	\$ 11,400
Info Tech - MS Office Licenses	\$ 35,000
Replacement HVAC as needed	<u>\$ 50,000</u>

Total Expenditures \$ 623,900

September 30, 2025 Estimated Ending Balance \$ 3,029,441

Total Allocated Funds \$ 3,653,341

City of Nacogdoches
2024 / 2025 Self Insurance Fund Summary

October 1, 2024 Estimated Beginning Balance \$ 2,946,044

Revenues

Health Insurance

Employer Contribution to Health Insurance \$ 2,914,500

Employee Contribution to Health Insurance \$ 379,422

Retiree Contribution to Health Insurance \$ 106,878

Dental Insurance

Employer Contribution to Dental Insurance \$ 120,600

Employee Contribution to Dental Insurance \$ 51,125

Non-Operating

Interest \$ 100,000

Total Revenues \$ 3,672,525

Total Available Funds \$ 6,618,569

Expenditures

Health Insurance

Insurance Claims \$ 2,674,159

Administrative Fees \$ 845,493

Special Services \$ 31,500

Dental Insurance

Insurance Claims \$ 137,773

Administrative Fees \$ 20,600

Total Expenditures \$ 3,709,525

September 30, 2025 Estimated Ending Balance \$ 2,909,044

Total Allocated Funds \$ 6,618,569

City of Nacogdoches
2024 / 2025 Bond Construction Fund Summary

October 1, 2024 Estimated Beginning Balance \$ 15,257,500

Revenues

Bond Proceeds	\$ -
Interest	<u>\$ 200,000</u>

Total Revenues \$ 200,000

Total Available Funds \$ 15,457,500

Expenditures (First of Three Tanches)

Proposition A - Airport (Match)	\$ 70,000
Proposition B - Fire Stations	\$ 10,215,000
Proposition C - Storm Drainage	\$ 1,200,000
Proposition E - Parks & Recreation	\$ 772,500
Proposition F - Streets	<u>\$ 2,500,000</u>

Total Expenditures \$ 14,757,500

September 30, 2025 Estimated Ending Balance \$ 700,000

Total Allocated Funds \$ 15,457,500

City of Nacogdoches
Comparison of Required Notices and Legislative Services Expenditures

GENERAL FUND	Actual Balance 2021 / 2022	Actual Balance 2022 / 2023	Adopted Budget 2023 / 2024	Amended Budget 2023 / 2024	Adopted Budget 2024 / 2025
Required Notice Advertising Services	\$ -	\$ -	\$ -	\$ -	\$ -
Legislative Services	\$ 20,058	\$ 20,097	\$ 20,000	\$ 20,000	\$ 20,000
Total Expenditures	\$ 20,058	\$ 20,097	\$ 20,000	\$ 20,000	\$ 20,000

UTILITY FUND	Actual Balance 2021 / 2022	Actual Balance 2022 / 2023	Adopted Budget 2023 / 2024	Amended Budget 2023 / 2024	Adopted Budget 2024 / 2025
Required Notice Advertising Services	\$ -	\$ -	\$ -	\$ -	\$ -
Legislative Services	\$ 20,058	\$ 20,099	\$ 20,000	\$ 20,000	\$ 20,000
Total Expenses	\$ 20,058	\$ 20,099	\$ 20,000	\$ 20,000	\$ 20,000

SANITATION FUND	Actual Balance 2021 / 2022	Actual Balance 2022 / 2023	Adopted Budget 2023 / 2024	Amended Budget 2023 / 2024	Adopted Budget 2024 / 2025
Required Notice Advertising Services	\$ -	\$ -	\$ -	\$ -	\$ -
Legislative Services	\$ 20,047	\$ 20,092	\$ 20,000	\$ 20,000	\$ 20,000
Total Expenses	\$ 20,047	\$ 20,092	\$ 20,000	\$ 20,000	\$ 20,000

City of Nacogdoches Capital Improvements Program 2024 / 2025

PROJECT	Total Project Cost	Estimated PY Spent	Proposed FY 24-25	Future FY 25-26	Future FY 26-27	Future FY 27-28	Future FY 28-29	Future For Consideration
GENERAL FUND								
Community Facility:								
Maintenance Stations 1,3,4	\$ 594	\$ 55	\$ 539					
Renovate Fire Station 4	\$ 415		\$ 415					
Fire Training Facility	\$ 870							\$ 870
Community Facility Total	\$ 1,879	\$ 55	\$ 954					\$ 870
Parks:								
Parking Lot Repaving Program (materials only)	\$ 380	\$ 50	\$ 170	\$ 40	\$ 40	\$ 40	\$ 40	
Park Sidewalks Improvement Program	\$ 125		\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	
Liberty Hall Parking Lot Paving	\$ 200							\$ 200
Mill Pond Park Parking Lot Construction	\$ 130		\$ 130					
Restrooms - Lake Nacogdoches West	\$ 520							\$ 520
Restrooms - Lake Nacogdoches East	\$ 260							\$ 260
Playground - Lake Nacogdoches East	\$ 100							\$ 100
Playground - Lakeside Park	\$ 60			\$ 60				
Playground - Maroney Park	\$ 400							\$ 400
TPWD Boating Access Grant Match	\$ 26		\$ 26					
Soccer Drainage and Field Improvements Phase II	\$ 75		\$ 75					
Soccer Drainage and Field Improvements Phase III	\$ 75			\$ 75				
Pioneer Park Pedestrian Bridge	\$ 240		\$ 120	\$ 120				
Concession/Restroom - Dempsey Soccer Complex	\$ 410				\$ 410			
Baseball Complex	\$ 75		\$ 75					
Trailhead at Main Street	\$ 200			\$ 200				
Pine Grove Cemetery Expansion	\$ 191		\$ 90	\$ 85	\$ 16			
Parks Total	\$ 3,467	\$ 50	\$ 711	\$ 605	\$ 491	\$ 65	\$ 65	\$ 1,480
Downtown:								
Electrical Service Main Street & Festival Park	\$ 350	\$ 26	\$ 324					
Downtown Handrails	\$ 25		\$ 25					
Downtown Total	\$ 375	\$ 26	\$ 349					

City of Nacogdoches Capital Improvements Program 2024 / 2025

PROJECT	Total Project Cost	Estimated PY Spent	Proposed FY 24-25	Future FY 25-26	Future FY 26-27	Future FY 27-28	Future FY 28-29	Future For Consideration
GENERAL FUND								
Community Facility:								
Maintenance Stations 1,3,4	\$ 594	\$ 55	\$ 539					
Renovate Fire Station 4	\$ 415		\$ 415					
Fire Training Facility	\$ 870							\$ 870
Community Facility Total	\$ 1,879	\$ 55	\$ 954					\$ 870
Parks:								
Parking Lot Repaving Program (materials only)	\$ 380	\$ 50	\$ 170	\$ 40	\$ 40	\$ 40	\$ 40	
Park Sidewalks Improvement Program	\$ 125		\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	
Liberty Hall Parking Lot Paving	\$ 200							\$ 200
Mill Pond Park Parking Lot Construction	\$ 130		\$ 130					
Restrooms - Lake Nacogdoches West	\$ 520							\$ 520
Restrooms - Lake Nacogdoches East	\$ 260							\$ 260
Playground - Lake Nacogdoches East	\$ 100							\$ 100
Playground - Lakeside Park	\$ 60			\$ 60				
Playground - Maroney Park	\$ 400							\$ 400
TPWD Boating Access Grant Match	\$ 26		\$ 26					
Soccer Drainage and Field Improvements Phase II	\$ 75		\$ 75					
Soccer Drainage and Field Improvements Phase III	\$ 75			\$ 75				
Pioneer Park Pedestrian Bridge	\$ 240		\$ 120	\$ 120				
Concession/Restroom - Dempsey Soccer Complex	\$ 410				\$ 410			
Baseball Complex	\$ 75		\$ 75					
Trailhead at Main Street	\$ 200			\$ 200				
Pine Grove Cemetery Expansion	\$ 191		\$ 90	\$ 85	\$ 16			
Parks Total	\$ 3,467	\$ 50	\$ 711	\$ 605	\$ 491	\$ 65	\$ 65	\$ 1,480
Downtown:								
Electrical Service Main Street & Festival Park	\$ 350	\$ 26	\$ 324					
Downtown Handrails	\$ 25		\$ 25					
Downtown Total	\$ 375	\$ 26	\$ 349					
Facilities								
Parks Mowing Equipment Barn	\$ 730							\$ 730
City Hall Renovations Phase I	\$ 1,170			\$ 70	\$ 1,100			
City Hall Renovations Phase II	\$ 4,800							\$ 4,800
Animal Service Center Renovation	\$ 3,000							\$ 3,000
New Service Center	\$ 6,400							\$ 6,400
City Warehouse & Stores Facility	\$ 800							\$ 800
Police Department Roof	\$ 75	\$ 50	\$ 25					
Fleet Maint & Access Rd PW	\$ 300		\$ 300					
SFA Internet Connection	\$ 60			\$ 60				
Facilities Total	\$ 17,335	\$ 50	\$ 325	\$ 130	\$ 1,100			\$ 15,730
Streets								
Annual Street Rehab (incl sidewalks)	\$ 1,550	\$ 300	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	
Earnest McClain Street Upgrade	\$ 1,400		\$ 450	\$ 950				
Streets Total	\$ 2,950	\$ 300	\$ 700	\$ 1,200	\$ 250	\$ 250	\$ 250	
GENERAL FUND TOTAL:	\$ 26,006	\$ 481	\$ 3,039	\$ 1,935	\$ 1,841	\$ 315	\$ 315	\$ 18,080

City of Nacogdoches Capital Improvements Program 2024 / 2025

PROJECT	Total Project Cost	Estimated PY Spent	Proposed FY 24-25	Future FY 25-26	Future FY 26-27	Future FY 27-28	Future FY 28-29	Future For Consideration
BOND FUND								
Community Facility:								
New Central Fire Station	\$ 9,119		\$ 9,119					
New Fire Station 1	\$ 3,738		\$ 523	\$ 3,215				
New Fire Station 3	\$ 3,873		\$ 573	\$ 3,300				
Community Facility Total	\$ 16,730		\$ 10,215	\$ 6,515				
Parks:								
Restrooms - Banita North Park	\$ 260		\$ 12.5	\$ 247.5				
Restrooms - Ritchie Park	\$ 260		\$ 12.5	\$ 247.5				
Restrooms - Pioneer Park	\$ 260		\$ 12.5	\$ 247.5				
Restrooms - Mill Pond Park	\$ 260		\$ 12.5	\$ 247.5				
Restrooms - McCrimmon Park	\$ 260		\$ 12.5	\$ 247.5				
Playground - McCrimmon Park	\$ 240		\$ 240.0					
Playground - Mill Pond Park	\$ 240		\$ 240.0					
Playground - Lake Nacogdoches West	\$ 240		\$ 240.0					
Maroney Pickleball Phase II	\$ 180			\$ 180.0				
Parks Total	\$ 2,200		\$ 782.5	\$ 1,417.5				
Facilities								
Sunset Office & Equipment Building	\$ 425				\$ 425			
Facilities Total	\$ 425				\$ 425			
Streets								
City-Wide Street Rebuild to Maintenance Level	\$ 10,000		\$ 2,500	\$ 3,750	\$ 3,750			
Sidewalk Repairs & Additions	\$ 1,435			\$ 350	\$ 1,085			
Streets Total	\$ 11,435		\$ 2,500	\$ 4,100	\$ 4,835			
Drainage								
Critical Storm System Reconstruction	\$ 5,900		\$ 1,200	\$ 2,350	\$ 2,350			
Drainage Total	\$ 5,900		\$ 1,200	\$ 2,350	\$ 2,350			
Airport Facilities:								
Runway and Taxiway Pavement (Total Project Cost: \$5,300,000)	\$ 530		\$ 30	\$ 500				
Airport Layout Plan (Total Project Cost: \$400,000)	\$ 40		\$ 40					
Airport Terminal Development (Total Project Cost: \$14,800,000)	\$ 6,730				\$ 6,730			
Airport Facility Total	\$ 7,300		\$ 70	\$ 500	\$ 6,730			
BOND FUND TOTAL:	\$ 43,990		\$ 14,767.5	\$ 14,882.5	\$ 14,340			

City of Nacogdoches Capital Improvements Program 2024 / 2025

PROJECT	Total Project Cost	Estimated PY Spent	Proposed FY 24-25	Future FY 25-26	Future FY 26-27	Future FY 27-28	Future FY 28-29	Future for Consideration
AIRPORT CONSTRUCTION FUND								
Airport Facilities:								
Airport Taxiway Extension (Total Project Cost: \$460,000)	\$ 230					\$ 20	\$ 210	
Airport Ramp and Taxiway Pavement Crack Seal	\$ 75		\$ 75					
Airport Ramp and Parking Lot Striping	\$ 35			\$ 35				
Airport Fire Protection (Total Project Cost: \$130,000)	\$ 65				\$ 10	\$ 55		
Airport Facility Total	\$ 405		\$ 75	\$ 35	\$ 10	\$ 75	\$ 210	
AIRPORT CONSTRUCTION FUND TOTAL:	\$ 405		\$ 75	\$ 35	\$ 10	\$ 75	\$ 210	

PROJECT	Total Project Cost	Estimated PY Spent	Proposed FY 24-25	Future FY 25-26	Future FY 26-27	Future FY 27-28	Future FY 28-29	Future For Consideration
HOTEL TAX FUND								
Community Facility:								
Zion Hill Church Exhibits	\$ 250		\$ 250					
Community Facility Total	\$ 250		\$ 250					
HOTEL TAX FUND TOTAL:	\$ 250		\$ 250					

City of Nacogdoches Capital Improvements Program 2024 / 2025

PROJECT	Total Project Cost	Estimated PY Spent	Proposed FY 24-25	Future FY 25-26	Future FY 26-27	Future FY 27-28	Future FY 28-29	Future For Consideration
SPECIAL GRANT FUND								
Special Projects:								
Pilgrims Pride Sportsplex Improvements	\$ 693	\$ 375	\$ 318					
Fire Station Renovations - ARPA	\$ 800	\$ 225	\$ 575					
Drainage Improvements - ARPA	\$ 3,900	\$ 1,100	\$ 2,800					
Special Projects Total	\$ 5,393	\$ 1,700	\$ 3,693	\$ -	\$ -	\$ -	\$ -	
SPECIAL GRANT FUND TOTAL:	\$ 5,393	\$ 1,700	\$ 3,693	\$ -	\$ -	\$ -	\$ -	

PROJECT	Total Project Cost	Estimated PY Spent	Proposed FY 24-25	Future FY 25-26	Future FY 26-27	Future FY 27-28	Future FY 28-29	Future For Consideration
CAPITAL PROJECTS FUND								
RFP Special Projects:								
RLF Sidewalk Project	\$ 743		\$ 743					
RLF Park Project	\$ 120		\$ 120					
Special Projects Total	\$ 863		\$ 863					
Street Maintenance Fund Projects:								
Annual Street Maintenance	\$ 5,935	\$ 1,075			\$ 3,360	\$ 750	\$ 750	
Street Maint Fund Projects Total	\$ 5,935	\$ 1,075			\$ 3,360	\$ 750	\$ 750	
CAPITAL PROJECTS FUND TOTAL:	\$ 6,798	\$ 1,075	\$ 863		\$ 3,360	\$ 750	\$ 750	

City of Nacogdoches Capital Improvements Program 2024 / 2025

PROJECT	Total Project Cost	Estimated PY Spent	Proposed FY 24-25	Future FY 25-26	Future FY 26-27	Future FY 27-28	Future FY 28-29	Future For Consideration
UTILITY FUND								
Waterworks:								
Water Line Additions/Replacements - ARPA	\$ 1,150	\$ 100	\$ 1,050					
Water Line Additions/Replacements	\$ 3,750		\$ 750	\$ 750	\$ 750	\$ 750	\$ 750	
Water Line Developer Reimbursements	\$ 1,250		\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	
Major Water Line Repairs	\$ 5,000					\$ 2,500	\$ 2,500	
Water Well Rehab (one annually)	\$ 1,975	\$ 225	\$ 350	\$ 350	\$ 350	\$ 350	\$ 350	
SCADA Replacements & Upgrades	\$ 2,575	\$ 10	\$ 765	\$ 700	\$ 750	\$ 350		
SWPS Transmission Line Replacement	\$ 4,550			\$ 450	\$ 4,100			
AMR Transmitter & Meter Replacement	\$ 4,772		\$ 2,000	\$ 2,772				
N Middle Plane Elevated Storage Tank	\$ 1,600			\$ 250	\$ 1,350			
SSPS - SWPS Interconnect	\$ 2,000							\$ 2,000
Direct Connect US 59 Water Line Relocation	\$ 956		\$ 956					
VFD for Motors at Surface Water Plant	\$ 1,600		\$ 1,600					
Water Treatment Filter Reconstruction	\$ 2,654	\$ 1,454	\$ 400		\$ 400		\$ 400	
SWTP LED Lighting	\$ 120		\$ 120					
Blowers at SWTP	\$ 800		\$ 800					
Waterworks Total	\$ 34,752	\$ 1,789	\$ 9,041	\$ 5,522	\$ 7,950	\$ 4,200	\$ 4,250	\$ 2,000
Wastewater:								
Liftstation (FM 1878) Replacement	\$ 1,000	\$ 100	\$ 900					
Banita Creek Sewer Line Replacement	\$ 18,449		\$ 2,449			\$ 8,000	\$ 8,000	
Lanana Creek Sewer Line Replacement	\$ 15,500		\$ 2,500			\$ 6,500	\$ 6,500	
Sewer Line Additions/Replacements - ARPA	\$ 1,611	\$ 100	\$ 1,511					
Sewer Line Additions/Replacements	\$ 3,750		\$ 750	\$ 750	\$ 750	\$ 750	\$ 750	
Sewer Line Developer Reimb.	\$ 1,250		\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	
Direct Connect US 59 Sanitary Sewer Relocation	\$ 480		\$ 480					
Major Sewer System Repairs	\$ 5,700					\$ 2,850	\$ 2,850	
TDS & Phosphate Plant Upgrades	\$ 2,100			\$ 300	\$ 1,800			
Clarifier 3 & 4 Rebuild	\$ 2,400	\$ 450	\$ 1,950					
Clarifier 1 & 2 Repair	\$ 550				\$ 550			
Grit Trap Replacement	\$ 1,100		\$ 1,100					
SCADA Replacements & Upgrades	\$ 1,100	\$ 10	\$ 640	\$ 300	\$ 150			
Digester Improvements	\$ 880			\$ 880				
WWTP Surface Aerator Replacement	\$ 90		\$ 90					
WWTP General Improvements	\$ 2,500		\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	
WWTP Headworks Conveyor Rebuild	\$ 60		\$ 60					
WWTP 8" Pump Replacement	\$ 80		\$ 80					
Aeration Upgrades to WWTP	\$ 6,100		\$ 300	\$ 2,400	\$ 3,400			
Belt Press Building	\$ 1,350		\$ 1,350					
Wastewater Total	\$ 66,050	\$ 660	\$ 14,910	\$ 5,380	\$ 7,400	\$ 18,850	\$ 18,850	
UTILITY FUND TOTAL:	\$ 100,802	\$ 2,449	\$ 23,951	\$ 10,902	\$ 15,350	\$ 23,050	\$ 23,100	\$ 2,000

City of Nacogdoches Capital Improvements Program 2024 / 2025

PROJECT	Total Project Cost	Estimated PY Spent	Proposed FY 24-25	Future FY 25-26	Future FY 26-27	Future FY 27-28	Future FY 28-29	Future FY 28-29
SANITATION FUND								
Solid Waste Collection & Disposal								
Construct New Landfill Block O Cell Opening	\$ 1,000			\$ 1,000				
Landfill Major Permit & Construction	\$ 2,066		\$ 750		\$ 1,316			
Landfill Water Line Installation	\$ 700		\$ 700					
Central Garbage Sites	\$ 60		\$ 60					
Solid Waste Collection & Disposal Total	\$ 3,826		\$ 1,510	\$ 1,000	\$ 1,316			
SANITATION FUND TOTAL:	\$ 3,826		\$ 1,510	\$ 1,000	\$ 1,316			

2024 Tax Rate Calculation Worksheet

Taxing Units Other Than School Districts or Water Districts

Form 50-856

City of Nacogdoches

Taxing Unit Name

PO Box 635030, Nacogdoches, TX 75963

Taxing Unit's Address, City, State, ZIP Code

(936) 559-2500

Phone (area code and number)

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.	Prior year total taxable value. Enter the amount of the prior year taxable value on the prior year 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	\$ 2,200,361,322
2.	Prior year tax ceilings. Counties, cities and junior college districts. Enter the prior year 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 last year or a prior year for homeowners age 65 or older or disabled, use this step. ²	\$ 245,034,937
3.	Preliminary prior year adjusted taxable value. Subtract Line 2 from Line 1.	\$ 1,955,326,385
4.	Prior year total adopted tax rate.	\$ 0.47445 /\$100
5.	Prior year taxable value lost because court appeals of ARB decisions reduced the prior year's appraised value. A. Original prior year ARB values: \$ B. Prior year values resulting from final court decisions: - \$ C. Prior year value loss. Subtract B from A. ³	\$ 0
6.	Prior year taxable value subject to an appeal under Chapter 42, as of July 25. A. Prior year ARB certified value: \$ 74,275,840 B. Prior year disputed value: - \$ 14,121,363 C. Prior year undisputed value. Subtract B from A. ⁴	\$ 60,154,477
7.	Prior year Chapter 42 related adjusted values. Add Line 5C and Line 6C.	\$ 60,154,477

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.	Prior year taxable value, adjusted for actual and potential court-ordered adjustments. Add Line 3 and Line 7.	\$ 2,015,480,862
9.	Prior year taxable value of property in territory the taxing unit deannexed after Jan. 1, 2023. Enter the prior year value of property in deannexed territory. ⁵	\$ 0
10.	Prior year taxable value lost because property first qualified for an exemption in the current year. 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 the current year does not create a new exemption or reduce taxable value. A. Absolute exemptions. Use prior year market value: \$ 29,472,110 B. Partial exemptions. Current year exemption amount or current year percentage exemption times prior year value: + \$ 4,546,317 C. Value loss. Add A and B. ⁶	\$ 34,018,427
11.	Prior year 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 the current year. Use only properties that qualified for the first time in the current year; do not use properties that qualified in the prior year. A. Prior year market value: \$ B. Current year productivity or special appraised value: - \$ C. Value loss. Subtract B from A. ⁷	\$ 0
12.	Total adjustments for lost value. Add Lines 9, 10C and 11C.	\$ 34,018,427
13.	Prior year captured value of property in a TIF. Enter the total value of the prior year captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the prior year 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.	Prior year total value. Subtract Line 12 and Line 13 from Line 8.	\$ 1,981,462,435
15.	Adjusted prior year total levy. Multiply Line 4 by Line 14 and divide by \$100.	\$ 9,401,049
16.	Taxes refunded for years preceding the prior tax year. Enter the amount of taxes refunded by the taxing unit for tax years preceding the prior tax 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 the prior tax year. This line applies only to tax years preceding the prior tax year. ⁹	\$ 18,167
17.	Adjusted prior year levy with refunds and TIF adjustment. Add Lines 15 and 16. ¹⁰	\$ 9,419,216
18.	Total current year taxable value on the current year 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: \$ 1,953,372,057 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 current year captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the current year 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 current year value. Add A and B, then subtract C and D.	\$ 1,953,372,057

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.	Current year 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	\$ 479,603,878
B.	Current year 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	+ \$ 0
C.	Total value under protest or not certified. Add A and B.	\$ 479,603,878
20.	Current year tax ceilings. Counties, cities and junior colleges enter current year 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 the prior year or a previous year for homeowners age 65 or older or disabled, use this step. ¹⁶	\$ 267,118,836
21.	Current year total taxable value. Add Lines 18E and 19C. Subtract Line 20. ¹⁷	\$ 2,165,857,099
22.	Total current year taxable value of properties in territory annexed after Jan. 1, of the prior year. Include both real and personal property. Enter the current year value of property in territory annexed. ¹⁸	\$ 0
23.	Total current year taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in the prior year. 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, of the prior year and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for the current year. ¹⁹	\$ 15,527,772
24.	Total adjustments to the current year taxable value. Add Lines 22 and 23.	\$ 15,527,772
25.	Adjusted current year taxable value. Subtract Line 24 from Line 21.	\$ 2,150,329,327
26.	Current year NNR tax rate. Divide Line 17 by Line 25 and multiply by \$100. ²⁰	\$ 0.43803 /\$100
27.	COUNTIES ONLY. Add together the NNR tax rates for each type of tax the county levies. The total is the current year county NNR tax rate. ²¹	\$ /\$100

SECTION 2: Voter-Approval Tax Rate

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

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

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

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
28.	Prior year M&O tax rate. Enter the prior year M&O tax rate.	\$ 0.46342 /\$100
29.	Prior year taxable value, adjusted for actual and potential court-ordered adjustments. Enter the amount in Line B of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 2,015,480,862

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(c)(8)

¹⁷ Tex. Tax Code §26.012(c)

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 prior year M&O levy. Multiply Line 28 by Line 29 and divide by \$100.	\$ <u>9,340,141</u>
31.	Adjusted prior year levy for calculating NNR M&O rate. A. M&O taxes refunded for years preceding the prior tax year. 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 2023. This line applies only to tax years preceding the prior tax year. + \$ <u>18,167</u> B. Prior year 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 current year captured appraised value in Line 18D, enter 0. - \$ <u>0</u> C. Prior year transferred function. If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in D below. The taxing unit receiving the function will add this amount in D below. Other taxing units enter 0. +/- \$ <u>0</u> D. Prior year M&O levy adjustments. Subtract B from A. For taxing unit with C, subtract if discontinuing function and add if receiving function. \$ <u>18,167</u> E. Add Line 30 to 31D.	\$ <u>9,358,308</u>
32.	Adjusted current year taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ <u>2,150,329,327</u>
33.	Current year NNR M&O rate (unadjusted). Divide Line 31E by Line 32 and multiply by \$100.	\$ <u>0.43520</u> /\$100
34.	Rate adjustment for state criminal justice mandate. ²³ A. Current year 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. \$ _____ B. Prior year 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. - \$ _____ C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ _____ /\$100 D. Enter the rate calculated in C. If not applicable, enter 0.	\$ <u>0</u> /\$100
35.	Rate adjustment for indigent health care expenditures. ²⁴ A. Current year 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, of the prior tax year and ending on June 30, of the current tax year, less any state assistance received for the same purpose. \$ _____ B. Prior year 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, 2022 and ending on June 30, 2023, less any state assistance received for the same purpose. - \$ _____ C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ _____ /\$100 D. Enter the rate calculated in C. If not applicable, enter 0.	\$ <u>0</u> /\$100

²³ [Reserved for expansion]²⁴ Tex. Tax Code §26.044²⁵ Tex. Tax Code §26.0441

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
36.	Rate adjustment for county indigent defense compensation. ²⁵ A. Current year 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, of the prior tax year and ending on June 30, of the current tax year, less any state grants received by the county for the same purpose..... \$ _____ B. Prior year 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, 2022 and ending on June 30, 2023, less any state grants received by the county for the same purpose..... \$ _____ C. Subtract B from A and divide by Line 32 and multiply by \$100..... \$ _____/\$100 D. Multiply B by 0.05 and divide by Line 32 and multiply by \$100..... \$ _____/\$100 E. Enter the lesser of C and D. If not applicable, enter 0.	\$ 0 /\$100
37.	Rate adjustment for county hospital expenditures. ²⁶ A. Current year 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, of the prior tax year and ending on June 30, of the current tax year..... \$ _____ B. Prior year 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, 2022 and ending on June 30, 2023..... \$ _____ C. Subtract B from A and divide by Line 32 and multiply by \$100..... \$ _____/\$100 D. Multiply B by 0.08 and divide by Line 32 and multiply by \$100..... \$ _____/\$100 E. Enter the lesser of C and D, if applicable. If not applicable, enter 0.	\$ 0 /\$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 the prior year. Enter the amount of money appropriated for public safety in the budget adopted by the municipality for the preceding fiscal year..... \$ _____ B. Expenditures for public safety in the prior year. Enter the amount of money spent by the municipality for public safety during the preceding fiscal year..... \$ _____ C. Subtract B from A and divide by Line 32 and multiply by \$100..... \$ _____/\$100 D. Enter the rate calculated in C. If not applicable, enter 0.	\$ 0 /\$100
39.	Adjusted current year NNR M&O rate. Add Lines 33, 34D, 35D, 36E, and 37E. Subtract Line 38D.	\$ 0.43520 /\$100
40.	Adjustment for prior year sales tax specifically to reduce property taxes. Cities, counties and hospital districts that collected and spent additional sales tax on M&O expenses in the prior year should complete this line. These entities will deduct the sales tax gain rate for the current year in Section 3. Other taxing units, enter zero. A. Enter the amount of additional sales tax collected and spent on M&O expenses in the prior year, if any. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent..... \$ _____ B. Divide Line 40A by Line 32 and multiply by \$100..... \$ _____/\$100 C. Add Line 40B to Line 39.	\$ 0.43520 /\$100
41.	Current year 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.	\$ 0.45043 /\$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): Current year 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).	\$ _____ /\$100
42.	Total current year debt to be paid with property taxes and additional sales tax revenue. Debt means the interest and principal that will be paid on debts that: (1) are paid by property taxes; (2) are secured by property taxes; (3) are scheduled for payment over a period longer than one year; and (4) are not classified in the taxing unit's budget as M&O expenses. A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here.²⁸ Enter debt amount \$ <u>1,214,912</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>1,214,912</u>	
43.	Certified prior year excess debt collections. Enter the amount certified by the collector. ²⁹	\$ <u>0</u>
44.	Adjusted current year debt. Subtract Line 43 from Line 42E.	\$ <u>1,214,912</u>
45.	Current year anticipated collection rate. A. Enter the current year anticipated collection rate certified by the collector.³⁰ <u>98.0</u> % B. Enter the prior year actual collection rate <u>93.7</u> % C. Enter the 2022 actual collection rate <u>94.3</u> % D. Enter the 2021 actual collection rate <u>97.6</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>98.0</u> %	
46.	Current year debt adjusted for collections. Divide Line 44 by Line 45E.	\$ <u>1,239,706</u>
47.	Current year total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ <u>2,165,857,099</u>
48.	Current year debt rate. Divide Line 46 by Line 47 and multiply by \$100.	\$ <u>0.05723</u> /\$100
49.	Current year voter-approval M&O rate plus current year debt rate. Add Lines 41 and 48.	\$ <u>0.50766</u> /\$100
D49.	Disaster Line 49 (D49): Current year 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.	\$ _____ /\$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 current year county voter-approval tax rate.	\$ _____ / \$100

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

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

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

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

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

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

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

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
59.	Certified expenses from the Texas Commission on Environmental Quality (TCEQ). Enter the amount certified in the determination letter from TCEQ. ³⁷ The taxing unit shall provide its tax assessor-collector with a copy of the letter. ³⁸	\$ _____
60.	Current year total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____
61.	Additional rate for pollution control. Divide Line 59 by Line 60 and multiply by \$100.	\$ _____ / \$100

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)

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
62.	Current year voter-approval tax rate, adjusted for pollution control. Add Line 61 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties) or Line 58 (taxing units with the additional sales tax).	\$ _____ /\$100

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

The unused increment rate is the rate equal to the sum of the prior 3 years Foregone Revenue Amounts divided by the current taxable value.³⁹ The Foregone Revenue Amount for each year is equal to that year's adopted tax rate subtracted from that year's voter-approval tax rate adjusted to remove the unused increment rate multiplied by that year's current total value.⁴⁰

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

- a tax year in which a taxing unit affected by a disaster declaration calculates the tax rate under Tax Code Section 26.042;⁴¹
- a tax year in which the municipality is a defunding municipality, as defined by Tax Code Section 26.0501(a);⁴² 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.⁴³

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit.⁴⁴

Line	Unused Increment Rate Worksheet	Amount/Rate
63.	Year 3 Foregone Revenue Amount. Subtract the 2023 unused increment rate and 2023 actual tax rate from the 2023 voter-approval tax rate. Multiply the result by the 2023 current total value A. Voter-approval tax rate (Line 62) B. Unused increment rate (Line 66) C. Subtract B from A D. Adopted Tax Rate E. Subtract D from C F. 2023 Total Taxable Value (Line 60) G. Multiply E by F and divide the results by \$100. If the number is less than zero, enter zero.	 \$ 0.50604 /\$100 \$ 0.01308 /\$100 \$ 0.49296 /\$100 \$ 0.47445 /\$100 \$ 0.01851 /\$100 \$ 2,073,929,340 \$ 383,884
64.	Year 2 Foregone Revenue Amount. Subtract the 2022 unused increment rate and 2022 actual tax rate from the 2022 voter-approval tax rate. Multiply the result by the 2022 current total value A. Voter-approval tax rate (Line 62) B. Unused increment rate (Line 66) C. Subtract B from A D. Adopted Tax Rate E. Subtract D from C F. 2022 Total Taxable Value (Line 60) G. Multiply E by F and divide the results by \$100. If the number is less than zero, enter zero.	 \$ 0.54943 /\$100 \$ 0.03961 /\$100 \$ 0.50982 /\$100 \$ 0.51851 /\$100 \$ (0.00869) /\$100 \$ 2,111,422,533 \$ 0
65.	Year 1 Foregone Revenue Amount. Subtract the 2021 unused increment rate and 2021 actual tax rate from the 2021 voter-approval tax rate. Multiply the result by the 2021 current total value A. Voter-approval tax rate (Line 62) B. Unused increment rate (Line 66) C. Subtract B from A D. Adopted Tax Rate E. Subtract D from C F. 2021 Total Taxable Value (Line 60) G. Multiply E by F and divide the results by \$100. If the number is less than zero, enter zero.	 \$ 0.63777 /\$100 \$ 0.01784 /\$100 \$ 0.61993 /\$100 \$ 0.61600 /\$100 \$ 0.00393 /\$100 \$ 1,871,060,361 \$ 73,532
66.	Total Foregone Revenue Amount. Add Lines 63G, 64G and 65G	\$ 457,416 /\$100
67.	2024 Unused Increment Rate. Divide Line 66 by Line 21 of the No-New-Revenue Rate Worksheet. Multiply the result by 100	\$ 0.02111 /\$100
68.	Total 2024 voter-approval tax rate, including the unused increment rate. Add Line 67 to one of the following lines (as applicable): Line 49, Line 50 (counties), Line 58 (taxing units with additional sales tax) or Line 62 (taxing units with pollution)	\$ 0.52877 /\$100

³⁹ Tex. Tax Code §26.013(b)

⁴⁰ Tex. Tax Code §26.013(a)(1)-(4), and (2)

⁴¹ Tex. Tax Code §26.042(2)(A) and 26.042(a)

⁴² Tex. Tax Code §26.0501(a) and (c)

⁴³ Tex. Local Gov't Code §120.007(d)

⁴⁴ Tex. Local Gov't Code §120.007(d)

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
69.	Adjusted current year NNR M&O tax rate. Enter the rate from Line 39 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ _____ / \$100
70.	Current year total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____
71.	Rate necessary to impose \$500,000 in taxes. Divide \$500,000 by Line 70 and multiply by \$100.	\$ _____ / \$100
72.	Current year debt rate. Enter the rate from Line 48 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ _____ / \$100
73.	De minimis rate. Add Lines 69, 71 and 72.	\$ _____ / \$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. 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
74.	2023 adopted tax rate. Enter the rate in Line 4 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____ / \$100
75.	Adjusted 2023 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 2023 and the taxing unit calculated its 2023 voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) of the 2023 worksheet due to a disaster, complete the applicable sections or lines of <i>Form 50-856-a, Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> . - or - If a disaster occurred prior to 2023 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 2023, complete <i>Form 50-856-a, 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 2023 if it had generated revenue based on an adopted tax rate using a multiplier of 1.035 in the years following the disaster. ⁴⁸ Enter the final adjusted 2023 voter-approval tax rate from the worksheet. - or - If the taxing unit adopted a tax rate above the 2023 voter-approval tax rate without calculating a disaster tax rate or holding an election due to a disaster, no recalculation is necessary. Enter the voter-approval tax rate from the prior year's worksheet.	\$ _____ / \$100
76.	Increase in 2023 tax rate due to disaster. Subtract Line 75 from Line 74.	\$ _____ / \$100
77.	Adjusted 2023 taxable value. Enter the amount in Line 14 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____
78.	Emergency revenue. Multiply Line 76 by Line 77 and divide by \$100.	\$ _____
79.	Adjusted 2023 taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____
80.	Emergency revenue rate. Divide Line 78 by Line 79 and multiply by \$100. ⁴⁹	\$ _____ / \$100

⁴⁴ Tex. Tax Code §26.04(c)(2)(B)

⁴⁵ Tex. Tax Code §26.012(b)(4)

⁴⁶ Tex. Tax Code §26.063(a)(1)

⁴⁷ Tex. Tax Code §26.042(b)

⁴⁸ Tex. Tax Code §26.042(f)

⁴⁹ Tex. Tax Code §26.042(c)

⁵¹ Tex. Tax Code §26.042(b)

Line	Emergency Revenue Rate Worksheet	Amount/Rate
81.	Current year voter-approval tax rate, adjusted for emergency revenue. Subtract Line 80 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 68 (taxing units with the unused increment rate).	\$ _____ / \$100

SECTION 8: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-new-revenue tax rate. \$ 0.43803 / \$100

As applicable, enter the current year 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. \$ 0.52877 / \$100

As applicable, enter the current year 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 68 (adjusted for unused increment), or Line 81 (adjusted for emergency revenue).

Indicate the line number used: 68

De minimis rate. \$ _____ / \$100

If applicable, enter the current year de minimis rate from Line 73.

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.⁵²

**print
here**

Jason Malott, RPA, RTA, CCA

Printed Name of Taxing Unit Representative

**sign
here***Jason Malott*

Taxing Unit Representative

8/6/2024

Date

⁵² Tex. Tax Code §§26.04(c-2) and (d-2)

Nacogdoches

the oldest town in Texas

2024-2025

Proposed Budget

Presented August 20, 2024

Todd Simoneaux, CPA

Interim Finance Director

Priorities and Challenges

- Improvements to COL/employee pay, benefits, morale and retention
- Recruitment of key positions critical to effective bond and non bond project implementation
- Recruitment and retention of Police and other First Responders
- Prudent and responsible focus on critical use of General Fund and Utility Fund capital projects
- Engage in continued efforts with Stephen F. Austin State University to address next several years of student growth and building plans
- Continue pursuit of primary jobs and commerce
- Address housing shortages in all categories with targeted incentivization

Items Included in Proposed Budget

Tiered Salary Increases

- 7.7% - Police
- 5% - Employees Earning Less than \$50,000
- 4% - Employees Earning more than \$50,000 but less than \$75,000
- 3% - Employees Earning More than \$75,000 excluding Department Directors
- 3% - Fire
- 2% - Department Directors
- 0% - Any Employee Who Received a 10% or more raise In Last 12 Months (does not apply to employees on a step plan)

Fund	Cost
General Fund (includes steps)	\$792,023
Utility Fund	\$112,161
Sanitation Fund	\$62,506
Airport FBO	\$7,544

Other Items Included in Proposed Budget

New Employees

Position	Cost
Chief of Staff	Salary and Benefits Not to Exceed \$200,000
Reclassify Administrative Captain to Division Chief	Increase in Salary of \$11,900

Additional Holiday: Juneteenth

Items to Consider Mid-Year Not Included in Proposed Budget

Positions Not Qualifying For An Increase

							Cost/Yr if Included
Planning Coordinator					5%		\$ 2,703
Assistant Chief - Fire					3%		4,033
Building Official					4%		3,519
Asst City Planner					4%		2,602
Engineering Technician Supervisor					4%		3,589
Risk/Safety Coordinator					5%		2,626
HR Manager					3%		2,915
Purchasing/Contract Specialist					4%		3,331
Dispatch (15 Positions)					4.67%		41,658
Group Sales & Servicing Coordinator					5%		2,700
Creative Content Director					5%		2,700
Business Development Manager					4%		2,757
26 Positions Total							\$ 75,132

New Employees

Position	Cost
Animal Control Officer	Salary of \$50,232
Recreation Assistant	Salary of \$44,124
Parks Laborer	Salary of \$43,533

General Fund Summary

October 1, 2024 Est. Beginning Cash	\$ 15,561,080
2024 – 2025 Proposed Operating Revenue	\$ <u>31,279,854</u>
Total Available Funds	\$ 46,840,934
2024 – 2025 Proposed Operating Expenditures	\$ 31,152,267
2024 – 2025 Proposed Reserves Expenditures	\$ 3,540,880
September 30, 2025 Est. Ending Cash	\$ <u>12,147,787</u>
Total Allocated Funds	\$ 46,840,934
Operating Income	\$ 127,587
Ending Operating Cash Balance	\$ 4,359,720
(in Excess of Reserve Requirement)	

Utility Fund Summary

October 1, 2024 Est. Beginning Cash	\$ 49,917,364
2024 – 2025 Proposed Operating Revenue	\$ <u>23,135,000</u>
Total Available Funds	\$ 73,052,364
2024 – 2025 Proposed Operating Expenditures	\$ 14,297,989
2024 – 2025 Proposed Reserves Expenditures	\$ 2,861,134
2024 – 2025 Proposed Capital Expenses	\$ 25,302,000
September 30, 2025 Est. Ending Cash	\$ <u>30,591,241</u>
Total Allocated Funds	\$ 73,052,364
Operating Income	\$ 5,975,877
Ending Operating Cash Balance	\$ 2,711,718
(in Excess of Reserve Requirement)	

Includes 5.5% Increase in Water and Sewer Rates to Support the 5-Year CIP Program

Sanitation Fund Summary

October 1, 2024 Est. Beginning Cash	\$ 17,817,220
2024 – 2025 Proposed Operating Revenue	\$ <u>8,204,900</u>
Total Available Funds	\$ 26,022,120
2024 – 2025 Proposed Operating Expenditures	\$ 6,052,873
2024 – 2025 Proposed Reserves Expenditures	\$ 6,406,000
September 30, 2025 Est. Ending Cash	<u>\$ 13,563,247</u>
Total Allocated Funds	\$ 26,022,120
Operating Income	\$ 2,152,027
Ending Operating Cash Balance	\$ 3,034,368
(in Excess of Reserve Requirement)	

Budget Calendar

Date	Event
September 10 th , 2024	1. Public Hearing for Proposed Budget 2. Take Action on Proposed Budget
September 17 th , 2024	1. Public Hearing for Proposed Tax Rate 2. Establish Property Tax Rate and Ratify Budget



City Council Meeting

Date: August 20, 2024

Agenda Item: 6.D.

PRESENTER: Todd Simoneaux, Interim Finance Director

ITEM/SUBJECT: City Council record vote on Proposed Tax Rate for the 2024-2025 fiscal year. (Interim Director of Finance)

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 2024-2025 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:

Preceding Fiscal Year Rates

The Property Tax Rate for the Preceding Fiscal Year - \$0.47445

The No-New-Revenue Tax Rate – \$0.47445

The Voter Approval Tax Rate - \$0.50604

Calculated Rates

The Property Tax Rate for the Preceding Fiscal Year - \$0.47445

The No-New-Revenue Tax Rate – \$0.43803

The Voter Approval Tax Rate - \$0.52877

Proposed Rates

Maintenance & Operations Tax Rate - \$0.47154

Debt Rate (Interest & Sinking Fund) - \$0.05723

Total Proposed Property Tax Rate - \$0.52877

[Proposed 2024-2025 as of August 13th 2024](#)

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: Todd Simoneaux, Interim Director of Finance
simoneauxt@nactx.us
936-559-2526

ATTACHMENTS:



City Council Meeting

Date: August 20, 2024

Agenda Item: 6.E.

PRESENTER: Todd Simoneaux, Interim Finance Director

ITEM/SUBJECT: Consider an ordinance amending Ordinance No. 1978-09-23 appropriating various amounts in accordance with the budget adopted for the ensuing fiscal year beginning October 1, 2023, and ending September 30, 2024. (Interim Director of Finance)

SUMMARY/BACKGROUND: As part of the Purchase Orders issued by the City of Nacogdoches in FY 2022 and FY 2023 for front and side loading trucks in the Sanitation - Collection Fund, which were not received during those fiscal years due to supply chain issues resulting from COVID-19.

FINANCIAL:

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

Account No.: 31.40 680.20

Account Name: *Sanitation - Collection Fund*

Amount: \$2,400,000

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

Infrastructure

CITY CONTACT: Todd Simoneaux, Interim Director of Finance
simoneauxt@nactx.us
(936) 559-2525

ATTACHMENTS: 1. 8-20-24 - BA Ordinance Sanitation (2)

AN ORDINANCE AMENDING ORDINANCE NO. 1978-09-23 APPROPRIATING VARIOUS AMOUNTS IN ACCORDANCE WITH BUDGET ADOPTED FOR THE ENSUING FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024.

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, 2023 and ending September 30, 2024.

WHEREAS, the City of Nacogdoches issued purchase orders in FY 2022 and FY 2023 for front and side loading trucks in the Sanitation Fund which were not received during those fiscal years due to supply chain issues resulting from COVID-19; and

WHEREAS, these funds were not appropriated and approved in the FY24 Budget as a carryover request; and

WHEREAS, the delivery of the three trucks were fulfilled in December of 2023 (FY 2024), thus funds need to be appropriated in the FY24 Budget to cover the cost of those trucks; and

WHEREAS, with the adoption of this ordinance, the City is authorized to utilize and expend those funds for those trucks used in the collection division of the Sanitation Fund; and

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.
31	40	680.20	Sanitation – Collection	2 front load trucks & 1 side load	2,400,000

PASSED AND APPROVED this the 20th day of August, 2024.

Randy Johnson, Mayor
City of Nacogdoches

ATTEST:

Rhonda Lewis, City Secretary

Approved as to form: _____
Jerry Baker, City Attorney

Approved as to content: _____
Todd Simoneaux, Interim Director of Finance