



Notice is hereby given of a Regular Meeting of the Nacogdoches City Council to be held **December 2, 2014, beginning at 5:30 p.m.** in the Council Chambers of City Hall, 202 E. Pilar Street, Nacogdoches, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action.

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

1. Call to order.
2. Invocation.
3. **PRESENTATIONS AND RECOGNITIONS:**
4. Items to be removed from Consent Agenda.
5. **CONSENT AGENDA:** Items included under the Consent Agenda require little or no deliberation by the Council. Approval of the Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations as reflected in the minutes of this meeting.
  - A. Consider approval of minutes from regular session of November 18, 2014. (City Secretary)
  - B. Consider approval of chemical contract for Water and Wastewater Treatment Polymer. (Water Utilities Manager)
  - C. Consider award of treatment chemical contracts for the Water Utilities Department. (Water Utilities Manager)
  - D. Consider approval for purchase of forty-five (45) tablets with needed accessories to outfit patrol vehicles. (Police Chief)

**REGULAR AGENDA:**

6. Consider an agreement with TxDOT for minor maintenance on Starr Avenue between North Street and University Drive. (City Engineer)
7. Consider amendments to Nacogdoches Convention and Visitors Bureau Bylaws, Article II – Purpose; Article IV – Board of Directors, Composition and Terms; Article VI – Meetings, Voting; and Article VIII – Committees – Nominating Committee. (City Manager)
8. Consider an ordinance amending Section 94-23` “Convention and Visitors Bureau Board” addressing the appointment of individuals to serve on the Convention and Visitors Bureau Board and Section 94-234 regarding “Quorum”. (City Manager)
9. Consider Resolution in support of Lake Columbia. (City Manager)
10. Consider Letter of Intent between Angelina Neches River Authority and City of Nacogdoches supporting construction of Lake Columbia. (City Manager)

11. Receive informational presentation regarding Texas Buy Board and police vehicles. (Police Chief)
12. Consider approval for purchase of a 2014 TYMCO Model 600 Regenerative Air Sweeper for Street Department. (Public Works Manager)
13. Consider award of bid to Horton Excavating, LLC for the construction of chlorination and piping facilities to connect Wells 13 and 16. (City Engineer)

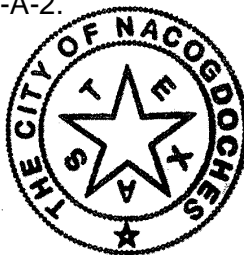
**For the convenience of the audience, the Council may conduct Executive Session deliberation in the first floor conference room, Room 112, of City Hall. Re-opening of the open session for action, if any, on Executive Session items will be in City Council Chambers. Regular Session agenda items appropriate for Executive Session consideration may be moved into Executive Session for deliberation, but not action, upon proper announcement at the meeting by the presiding officer.**

14. **EXECUTIVE SESSION:**

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

1. Discuss or deliberate regarding commercial or financial information that the City has received from a business projects that the City body seeks to have locate in the City of Nacogdoches and with which the City is conducting economic development negotiations; and
  2. Deliberate the offer of a financial or other incentive to business prospects described by Subdivision 1 above.
15. Open for action, if any, on Item 14-A-1.
  16. Open for action, if any, on Item 14-A-2.
  17. Adjourn.

  
Lila Fuller, 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 the Attorney General of Texas at 1-800-252-8011; the City Secretary at 936/559-2504 or visit the City of Nacogdoches web site at [www.ci.nacogdoches.tx.us](http://www.ci.nacogdoches.tx.us).

The Nacogdoches City Council Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (936) 559-2504 or FAX (936) 559-2912 for further information.

**CERTIFICATION**

I certify that the notice of meeting was posted in the directory outside of City Hall, 202 E. Pilar Street, Nacogdoches, Texas on Wednesday, November 26, 2014 at 5:00 p.m.

\_\_\_\_\_  
Lila Fuller, City Secretary

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the directory outside of City Hall on the \_\_\_\_ day of December 2014.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

ITEM NO. 5-A

## **CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:**

**PROJECT:**                   **CONSENT AGENDA:** Consider approval of minutes from regular meeting of November 18, 2014.

**MEETING DATE:**       **December 2, 2014**

**CITY CONTACT:**       Lila Fuller, City Secretary - 559-2504

**ATTACHMENTS:**       **Minutes**

**MINUTES**  
**Regular Session**  
**Nacogdoches City Council**  
**November 18, 2014 – 5:30 p.m.**  
City Council Room – City Hall  
202 E. Pilar Street

**DRAFT**

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**Regular Session:**

**Those Present:**

Mayor Roger Van Horn; Council members Roy Boldon, Michael Keller and David Norton; City Manager Jim Jeffers, City Attorney Rob Atherton and City Secretary Lila Fuller.

**1. Call to Order.**

Mayor Van Horn at 5:30 p.m. A quorum was established.

**2. Invocation.**

Council member Boldon gave the invocation.

**3. PRESENTATIONS AND RECOGNITIONS:**

Mayor Van Horn recognized Riley Hall who was in attendance with her grandfather.

**4. Items to be removed from Consent Agenda.**

*None.*

**5. CONSENT AGENDA: Items included under the Consent Agenda require little or no deliberation by the Council. Approval of the Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations as reflected in the minutes of this meeting.**

- A. Consider approval of minutes from the regular session of November 4, 2014.

*Approved as presented.*

- B. Consider authorization for tax resale for property described as Lot 4, Block 3 of the Re-Subdivision of the John G. Orton First Addition, Nacogdoches County, Texas located on Orton Street.

*Approved as presented.*

- C. Consider granting final acceptance of the streets, water, sanitary sewer, and storm drainage facilities for Tower Village located near the intersection of Park Street and Tower Road.

*Approved as presented.*

- D. Consider approval of the Historic Restoration Grant budget for FY 2015.

Approved as presented in the amount of \$43,556 for the following projects: 222 N. Mound (\$12,500); 203 E. Main (\$12,156); 512 N. Lanana (\$7,750); 519 E. Hospital (\$9,575) and 316 N. Church (\$1,575).

- E. Consider co-sponsorship of the Nine Flags Festival.

*Approved as presented.*

Council member Norton moved to approve the consent agenda as presented. The motion was seconded by Council member Keller and unanimously passed.

**REGULAR AGENDA:**

- 6. PUBLIC HEARING: Consider the request for a specific use permit to construct an accessory apartment in an R-1, Single Family Residential zoning district, for Lot 4, Bostwick Lane Subdivision, City Block 67, located at 324 Burrows Street. This request has been submitted by David Vineyard. SUP2014-002.**

Larissa Philpot, city planner, explained the property owner was requesting an accessory apartment be built on the back of his property at 324 Burrows Street. She stated this type of structure was allowed with a specific use permit if it was occupied by a relative or someone who works for the homeowner. She stated the Planning and Zoning Commission voted unanimously to approve the request.

Mayor Van Horn opened the public hearing. There being no one present desiring to be heard, the public hearing was closed.

Council member Keller moved to approve the request for a specific use permit to construct an accessory apartment in an R-1, Single Family Residential zoning district for Lot 4, Bostwick Lane Subdivision, City Block 67 located at 324 Burrows Street as requested by David Vineyard. The motion was seconded by Council member Bolding and unanimously passed.

- 7. Consider Chapter 380 Economic Development Program and Agreement (380 Agreement) between the City of Nacogdoches and HEB Grocery Company, LP (HEB).**

City Manager Jim Jeffers introduced John Rose, Senior Due Diligence Manager with HEB.

Mr. Rose explained the project would be a 15 million dollar investment with a 60,000 square foot grocery store at the SE corner of N. Stallings Drive and N. University Drive, with possible retail adjacent to and across the street. He expected the grocery store to employ 75 full-time employees with an opening in the Fall of 2018. He stated due diligence items were still to be worked through, but they anticipated an annual payroll of \$300,000. He stated each building that HEB constructs is unique to the community they invest in and they are happy to be coming to Nacogdoches.

Council member Keller stated everyone he has spoken to is excited that HEB is coming back to Nacogdoches.

Mr. Jeffers stated the 380 Agreement outlines a refund of property tax payments as follows:

Tax Year 1	100% of increased taxes paid
Tax Year 2	100% of increased taxes paid
Tax Year 3	100% of increased taxes paid
Tax Year 4	95% of increased taxes paid
Tax Year 5	85% of increased taxes paid

It was stated that it was estimated the city would invest \$376,000, with the County of Nacogdoches also providing incentives.

Jeffers explained extensive wetland and terrain challenges would need to be mitigated and a pipeline constructed at an estimated cost of \$360,975, with the City's investment of \$222,756 of such pipeline. A 10-year net investment return of \$1,757,000 was anticipated to the City alone, with a return of \$359,000 for the County; \$260,000 for NISD and \$1,198,000 for the Hospital District, for a total return of \$3,574,000 for the community.

Council member Norton moved to approve the 380 Agreement between the City of Nacogdoches and HEB Grocery Company, LP as presented. The motion was seconded by Council member Boldon and unanimously passed.

**8. Consider contract with GDVF for the transfer and recycling of mattresses received at the City landfill.**

Cary Walker, public works manager, explained the city's landfill receives hundreds of mattresses each year and even more in days if SFA performs a dormitory remodel. Mattresses are very difficult to process at the landfill due to their construction which makes them want to float to the surface causing issues with compaction and daily cover; springs getting caught in equipment resulting in down-time and repairs; size and shape of mattresses cannot fill small voids and smaller pieces of waste shift around and underneath it.

Mr. Walker explained GDVF is a company that creates decorative items from the coils of mattresses and box springs. Staff recently contacted them and a pilot program began in July, diverting 780 mattresses from the landfill. He stated the landfill stores the mattresses in a large container and they come pick up the mattresses when it is full. He stated the pilot program has worked very well and has been a positive benefit for the landfill.

Walker stated the 1-year contract grants exclusive rights to GDVF to any mattresses received by the city and transfer of the mattresses is the responsibility of GDVF.

Representatives of GDVF were present and showed the items they make and answered questions.

Council member Keller moved to authorize a contract with GDVF for the transfer and recycling of mattresses received at the City landfill as presented. The motion was seconded by Council member Boldon and unanimously passed.

**9. Receive update on payday lending.**

Rob Atherton, city attorney gave a brief review of the payday lending business and legislature being considered to better regulate payday lending.

Mr. Atherton reviewed how much a two-week loan cost the consumer, who are often the most vulnerable, stating some cities have passed ordinances to regulate payday lending businesses, some having been challenged in court.

Atherton stated currently there were eleven (11) payday lending businesses in Nacogdoches. He stated if the city chose to regulate by passing an ordinance, it could not be enforced outside the city limits or through internet transactions. Statewide legislation is needed, and time will tell if this issue will produce results in the next Legislative session.

*No action necessary.*

**10. Consider ratification of acceptance of Department of Homeland Security – Division of Emergency Management 2014 SHSP-LETPA Grant in the amount of \$169,970; and approve an Emergency Budget Amendment to incorporate funding into current budget.**

Jim Sevey, police chief stated the State law enforcement grant in the amount of \$169,970 was issued through DETCOG and would fund the replacement of laptops and associated equipment in patrol vehicles with tablets that would be faster and allow the officer to remove them from the vehicle to take pictures and file reports. He stated there would be no cost to the City.

Council member Norton moved to ratify the acceptance of the Department of Homeland Security – Division of Emergency Management 2014 SHSP-LETPA Grant in the amount of \$169,970, and approve the associated budget amendment to incorporate funding into the current budget. The motion was seconded by Council member Boldon and unanimously passed. (Ordinance No. 1688-11-14)

**11. Consider adoption of an ordinance regulating a no parking zone on Rusk Street from North Street to Pearl Street.**

City Planner Larissa Philpot stated that she had heard from some property owners who had not been notified of the date and time of this agenda item, and asked that this item be withdrawn to allow all property owners the opportunity to have input.

Council member Keller moved to table this item. The motion was seconded by Council member Norton and unanimously passed.

**12. Consider adoption of an ordinance regulating a no parking zone near the intersection of Lady Jennifer and Post Oak Road.**

City Planner Larissa Philpot stated that she had heard from some property owners who had not been notified of the date and time of this agenda item, and asked that this item be withdrawn to allow all property owners the opportunity to have input.

Council member Keller moved to table this item. The motion was seconded by Council member Norton and unanimously passed.

**13. Consider an ordinance updating the process for appointment of fire marshal.**

Keith Kiplinger, fire chief, stated the update to the Code of Ordinances would bring the ordinance to current practice. He stated the language clarifies the fire marshal as part of the fire department and allows for other staff to perform duties investigative duties as designated.

Council member Boldon moved to adopt an ordinance updating the process for appointment of fire marshal as presented. The motion was seconded by Council member Keller and unanimously passed. (Ordinance No. 1685-11-14)

*No executive session was held.*

**14. EXECUTIVE SESSION:**

**A. Personnel – Consider City Attorney Annual Evaluation and Contract Extension as per G.C. Sec. 551.074.**

**B. Deliberation regarding Economic Development negotiations under Local Government Code Section 551.087 as follows:**

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

**15. Open for action, if any, on Item 13-A.**

*No action.*

**16. Open for action, if any, on Item 13-B-1.**

*No action.*

**17. Open for action, if any, on Item 13-B-2.**

*No action.*



**18. Adjourn.**

Mayor Van Horn adjourned meeting at 6:19 p.m.

ATTEST:

\_\_\_\_\_  
Mayor Roger Van Horn  
City Council  
City of Nacogdoches

\_\_\_\_\_  
Lila Fuller, City Secretary

ITEM NO. 5-B

## CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

**PROJECT:** CONSENT AGENDA: Consider the approval of chemical contract for water and wastewater treatment polymer

**MEETING DATE:** December 2, 2014

**DESCRIPTION:** The Water Utilities has solicited bids for polymer used at the Wastewater Treatment Plant. The Water Utilities Manager is requesting that the award for polymer go to Polydyne Inc. Polydyne Inc. was the lowest bid.

<b>COST:</b>	Water Treatment Polymer	\$3.00 per dry pound
	Wastewater Treatment Polymer	\$2.56 per dry pound

**BUDGET AMENDMENT REQUIRED?:** No

### BUDGET AMENDMENT

<b>FUNDING:</b>	Acct. Name & No.	Requested
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### FUNDING FROM CURRENT BUDGET

<b>FUNDING:</b>	Acct. Name & No.	Adopted Budget	Balance	Requested
	Chemicals 30.39.61080	\$175,000.00		
	Chemicals 30.36.61080	\$400,000.00		

**SCHEDULE:**

**RECOMMENDED ACTION:** To award the chemical contract for polymer to Polydyne Inc.

**CITY CONTACT:** Russell D. Grubbs, Water Utilities Manager

**ATTACHMENTS:** Bid tabulations

Vendor	Aluminum Sulfate	Chlorine Gas	Caustic Soda	Anhydrous Ammonia	Sulphur Dioxide	Polymer Wastewater	Polymer Water
Napco Chemical	no bid	no bid	\$0.28/dry pound	no bid	no bid	no bid	no bid
Chemtrade	\$0.0912/dry pound	no bid	\$0.318/dry pound	no bid	no bid	no bid	no bid
Polydyne	no bid	no bid	no bid	no bid	no bid	\$2.561/dry pound	\$3.0/ dry pound
Brenntag	\$0.1072/dry pound	\$637.47/ 1-ton cylinder	\$0.24/dry pound	no bid	\$752.00/1-ton cylinder	no bid	no bid
DPC Industries	no bid	\$593.00/ 1-ton cylinder	\$0.242/dry pound	\$0.94/per pound	\$793.00/1-ton cylinder	no bid	no bid
Univar	no bid	no bid	\$0.294/dry pound	no bid	no bid	no bid	no bid

ITEM NO. 5-C

## CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

**PROJECT:** CONSENT AGENDA: Consider the request for the award of Chemical Contracts for the Water Utilities Department.

**MEETING DATE:** December 2, 2014

**DESCRIPTION:** The Water Utilities has solicited bids for treatment chemicals used at the Surface Water Treatment Plant and the Wastewater Treatment Plant. The Water Utilities Manager is requesting that the award for these chemicals as follows:

Aluminum Sulfate-Liquid	Chemtrade
Anhydrous Ammonia	DPC Inc.
Chlorine	DPC Inc.
Caustic Soda	Brenntag
Sulfur Dioxide	Brenntag

<b>COST:</b>	Aluminum Sulfate-	\$0.0912, per dry pound
	Chlorine-	\$593.00 per 1-ton cylinder
	Sulfur Dioxide-	\$752.00 per 1-ton cylinder,
	Anhydrous Ammonia-	\$0.94 per dry pound
	Caustic Soda-	\$0.24 per dry pound

**BUDGET AMENDMENT REQUIRED?** No

### BUDGET AMENDMENT

<b>FUNDING:</b>	<b>Acct. Name &amp; No.</b>	<b>Requested</b>
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#### FUNDING FROM CURRENT BUDGET

<b>FUNDING:</b>	<b>Acct. Name &amp; No.</b>	<b>Adopted Budget</b>	<b>Balance</b>	<b>Requested</b>
	30-36-61080	\$400,000.00		
	30-39-61080	\$175,000.00		

**RECOMMENDED ACTION:** Award the respective chemical contracts to the following vendors: Chemtrade, Brenntag and DPC Inc.

**CITY CONTACT:** Russell D. Grubbs, Water Utilities Manager

**ATTACHMENTS:** Bid Tabulations

Vendor	Aluminum Sulfate	Chlorine Gas	Caustic Soda	Anhydrous Ammonia	Sulphur Dioxide	Polymer Wastewater	Polymer Water
Napco Chemical	no bid	no bid	\$0.28/dry pound	no bid	no bid	no bid	no bid
Chemtrade	\$0.0912/dry pound	no bid	\$0.318/dry pound	no bid	no bid	no bid	no bid
Polydyne	no bid	no bid	no bid	no bid	no bid	\$2.561/dry pound	\$3.0/ dry pound
Brenntag	\$0.1072/dry pound	\$637.47/ 1-ton cylinder	\$0.24/dry pound	no bid	\$752.00/1-ton cylinder	no bid	no bid
DPC Industries	no bid	\$593.00/ 1-ton cylinder	\$0.242/dry pound	\$0.94/per pound	\$793.00/1-ton cylinder	no bid	no bid
Univar	no bid	no bid	\$0.294/dry pound	no bid	no bid	no bid	no bid

## **CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:**

**PROJECT:** CONSENT AGENDA: Consider approval for purchase of forty-five (45) tablets with needed accessories needed to outfit Patrol vehicles.

**MEETING DATE:** December 2, 2014

**DESCRIPTION:** The Police Department is requesting approval to purchasing Forty-Five (45) Motion R12 Tablets to replace the existing computers in the Patrol units. Each Tablet with the needed accessories will cost \$3484.00 each. The City will be reimbursed for the total amount of \$156,780.00 through the 2014 SHP-LETPA Project 149-08. The need for replacement is due to the fact that the State and the Federal Government will no longer allow look-up on Windows XP since Microsoft will no longer support the software. Failure to make this change will eventually result in the ability to have a connection to the State and Federal CJI information. The purchase will be made on DIR-SDD-2191 contract# 1410070.

**COST:** The quoted price for the Forty-Five (45) Tablets with accessories is \$3484.00 per unit for a total of \$156,780.00.

**BUDGET AMENDMENT REQUIRED?** No

**SOURCE OF FUNDING:**

Item	Acct. Name & No.	Original Budget	Award
Forty-Five (45) Tablets	24.15.610.35	\$169,970.00,	\$156,780.00

**SCHEDULE:** Upon Commission approval, the City of Nacogdoches will order the requested equipment.

**RECOMMENDED ACTION:** APPROVAL of purchase

**CITY CONTACT:** Jim Sevey, Chief of Police, 936-559-2601

**ATTACHMENTS:** Contact Assistant Chief Griffin to review price quote of equipment

## **CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:**

**PROJECT:** Consider an agreement with TxDOT for minor maintenance on Starr Avenue between North Street and University Drive.

**MEETING DATE:** December 2, 2014

**DESCRIPTION:** TxDOT is advancing plans to widen East Starr Avenue from North Street to Clark Boulevard. This project will cause the City to relocate all utilities within this section at significant expense. TxDOT has proposed the City consider accepting responsibility for minor maintenance and repairs of East Starr from North Street to University Drive, after their improvements are complete. Accepting this street for minor maintenance will allow the City to leave existing utilities in their current location and will greatly reduce the pending near-term costs to the City. The limited right-of-way widths and existing structures along this section of Starr Avenue make moving most of the existing utilities out of the way of the widened road a near impossible task.

TxDOT will retain ownership and the responsibility for major maintenance of Starr Avenue to include the LaNana Creek bridge, Mound Street traffic signal and significant repairs, overlays and reconstruction activities to the pavement.

**CITY CONTACT:** City Engineer, Steve Bartlett

## CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

**PROJECT:** Consider amendments to Nacogdoches Convention and Visitors Bureau Bylaws, Article II - Purpose; Article IV - Board of Directors, Composition and Terms; Article VI - Meetings, Voting; Article VIII-Committees, Nominating Committee.

**MEETING DATE:** December 2, 2014

**DESCRIPTION:** Change Article II - Purpose of the bylaws to read "The purpose of this non-profit corporation shall be to promote, market and sell convention and tourism-related business in the Nacogdoches area;"

Change Article VI - Board of Directors, Composition of the bylaws to read "..., which shall be composed of seven (7)..." "The members may be representatives of the following categories: Three representatives from retail merchants, including restaurants, three representatives from the hotel/motel and/or bed and breakfast industry, One representative from university interests." Terms of the bylaws to read "...no more than two (2) members shall complete their full term in any one year. Normal terms shall begin October 1 to coincide with the fiscal year."

Change Article VI - Meetings, Voting to read "Four (4) members shall constitute a quorum for the transaction of business at any meeting of the Board.

Change Article VIII-Committees, Nominating Committee to read "Every year, the Chair shall appoint a nominating committee of three (3) board members no later than the regularly scheduled June meeting. The nominating committee shall present a slate of nominees for board officers no later than the August meeting. The board will vote on the slate of nominees not later than the September meeting."

**RECOMMENDED ACTION:** Approve changes to the Nacogdoches Convention and Visitors Bureau bylaws.

**CITY CONTACT:** Jim Jeffers  
(936) 559-2501  
[jeffers@ci.nacogdoches.tx.us](mailto:jeffers@ci.nacogdoches.tx.us)

**ATTACHMENTS:** Nacogdoches Convention and Visitors Bureau Bylaws are attached.



**CONSTITUTION AND BYLAWS  
OF THE  
NACOGDOCHES CONVENTION AND VISITORS BUREAU**

**ARTICLE I**

The name of this non-profit corporation shall be NACOGDOCHES CONVENTION AND VISITORS BUREAU.

**ARTICLE II  
PURPOSE**

The purpose of this non-profit corporation shall be to ~~encourage, enhance and~~ promote, market and sell convention and tourism-related business ~~and special events~~ in the Nacogdoches area; to further the promotion of tourism and publicity for the area; and to promote Nacogdoches as a tourist destination throughout the state, regionally, nationally and internationally.

This non-profit corporation shall be strictly non-political insofar as it shall take no part in political campaigns for or against any political party or candidate of any political party.

**ARTICLE III  
PLACE OF BUSINESS**

The street address of the registered office of the corporation is 200 E. Main Nacogdoches, TX 75961; the name of its registered agent at such address is Chair, Nacogdoches CVB.

**ARTICLE IV  
BOARD OF DIRECTORS**

**Composition**

The affairs of the organization shall be governed by a Board of Directors, which shall be composed ~~on eleven (11)~~ of seven (7) members appointed or removed directly by the City Council of the City of Nacogdoches. The members may be representatives of the following categories:

~~One representative from restaurant industry;~~  
~~Two representatives from retail merchants (organization at large);~~  
~~One representative from historic interests, restoration or preservation;~~  
~~One representative from a bed and breakfast providing bed tax revenues;~~  
~~Two representatives from the hotel / motel industry;~~  
~~One representative from university interests;~~  
~~One representative from minority owned business interests; and~~  
~~Two at large community representatives.~~  
Three representatives from retail merchants, including restaurants;  
Three representatives from the hotel/motel and or bed and breakfast industry;  
One representative from university interests;

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The City Council may, in its sole discretion, consider persons recommended by the current board of directors of the Convention and Visitors Bureau or accept applications from the public. The nominations from the board of directors shall always include more individuals than the number of vacant positions available. The City Council shall not be required to accept any recommendations but shall have the authority to appoint any citizen of the city.

#### **Terms**

The normal terms of the Convention & Visitors Bureau Board members shall be three (3) years, but appointment to the board shall be so arranged that no more than ~~four (4)~~ two (2) members shall complete their full term in any one year. Normal terms shall begin October 1 to coincide with the fiscal year.

#### **Attendance**

Any Director who is absent without excuse for four scheduled or three consecutive regular Board of Directors meetings in a fiscal year shall forfeit his or her membership on the Board. If a Board Member is absent three times or at two consecutive meetings during a fiscal year, the Chair or Vice Chair shall contact said Board member to determine whether the Director desires to continue to serve and to remind the Director to attend the remaining meetings that year.

Excused absences include personal illness, death in the immediate family or travel out of town with notice to the Chair, Vice Chair or Executive Director prior to the Board of Directors meeting.

#### **Representation**

When any Director who was appointed to represent a business or industry segment is no longer employed in that industry segment for a period of ninety-one (91) consecutive days or more, or if a Director otherwise fails to meet the qualification prescribed by these Bylaws for serving as a Director, said Director shall forfeit his/her seat on the Board.

#### **Vacancies**

In the event that a Director forfeits his/her seat or otherwise resigns or vacates his/her position, the Chair shall notify the City Secretary so that the City Council may appoint a replacement to the position for the appropriate industry segment. The Chair (subject to ratification by the Board of Directors) shall then nominate persons to be presented to the City -Council as a non-binding recommendation of potential candidates to fill the remainder of the unexpired term. The nominations shall always include more individuals than the number of vacant positions available. The City -Council may consider persons other than those nominated by the Chair.

#### **Qualifications**

Each Director elected to represent the lodging industry, retail merchants, restaurant industry, bed and breakfast operators and University interests must be an owner, operator or in an upper administrative/management position in his/her organization at the time of his/her nomination and throughout his/her term as a Director.

#### **Board Responsibilities**

The Board of Directors is responsible for hiring the CVB Executive Director who will provide financial and activity reports to the Board during its monthly meeting. The CVB Executive Director is an at-will employee.

## ARTICLE V OFFICERS OF THE BOARD OF DIRECTORS

The elected officers of this organization shall be Chair, Vice-Chair, and Secretary / Treasurer. Election as the Chair of the Board implies recognition of leadership ability, a record of accomplishment and a demonstrated interest in service to Nacogdoches and its visitor industry. The Board will select the Chair, Vice-Chair, Secretary / Treasurer from among its ranks. Each officer shall hold office for a term of one (1) year, but may be re-elected annually.

### Chair

The specific duties of the Chair are to preside at all meetings of the Board of Directors, to make committee appointments; to represent the Bureau at meetings and with the media and if unable, to delegate the responsibility. The Chair shall be a voting member of the Board.

### Vice Chair

The Vice Chair shall perform the duties of the Chair in his/her absence and additional duties as assigned by the Chair.

### Secretary / Treasurer

The Secretary / Treasurer shall see that all funds are received, held and disbursed as authorized by the Board of Directors and that accurate financial records of all transactions are kept. The Secretary/Treasurer shall cause to be presented a financial report at each meeting of the Board of Directors and at any other time as deemed necessary. The organization shall maintain its financial books and records on a fiscal year of October through September.

The Secretary/ Treasurer shall cause to be kept accurate minutes and see that appropriate committee reports are filed. The Secretary / Treasurer shall see that correspondence is executed and official records kept.

## ARTICLE VI MEETINGS

Regular meetings of the Nacogdoches Convention and Visitors Bureau of Directors shall be held monthly at a date and time to be determined by the Board. Special meetings may be called by the Chair or upon the request of three members at such time and place as the Chair shall designate.

### Voting

Those Board members present at meetings shall constitute the voting body. ~~Six (6)~~ Four (4) members shall constitute a quorum for the transaction of business at any meeting of the Board.

## **ARTICLE VII FISCAL YEAR**

The fiscal year shall begin on October 1 and end on September 30.

## **ARTICLE VIII COMMITTEES**

### **Nominating Committee:**

Every year, the Chair shall appoint a nominating committee of three (3) board members no later than the regularly scheduled ~~August~~ June meeting. The nominating committee shall present a slate of nominees for board officers no later than the ~~October~~ August meeting. The board will vote on the slate of nominees no later than the September meeting. The Executive Director shall serve as a non-voting member.

Comment [A1]: To align with the fiscal year

Other committees may be appointed as approved by the Board of Directors.

## **ARTICLE IX FINANCES**

There is vested in the Convention and Visitors Bureau the full, complete and entire management and control of the Nacogdoches Convention and Visitors Bureau.

## **ARTICLE X BYLAWS, RULES and REGULATIONS**

The Board shall adopt such bylaws, rules and regulation as it may deem proper. Bylaws, and any changes, additions or amendments thereto must be submitted to the City ~~Council~~ of the City of Nacogdoches for consideration and approval prior to implementation.

## **ARTICLE XI BUDGET**

The Convention and Visitors Bureau shall submit a budget for annual operations to the City Secretary of the City of Nacogdoches prior to August 1 each year.

## **ARTICLE XII ALLOCATION OF FUNDS**

The City Council shall consider budget requests and allocate funds to the board on a quarterly basis. Such amounts to the extent they are available from Hotel/Motel Tax monies shall be paid quarterly no later than the 10<sup>th</sup> day of February, May, August and November of each fiscal year.

## **ARTICLE XIII BANK ACCOUNT**

The Convention and Visitors Bureau Board shall deposit Nacogdoches hotel/motel tax revenue it receives in a separate bank account, established by the Board in the depository that maintains all other public funds of the City of Nacogdoches. The funds shall be titled the "Nacogdoches Convention and Visitors Bureau Fund" and all monies paid by the city from hotel/motel tax for services by the Board shall be deposited in the account. The funds shall not be co-mingled with any other funds of the Convention and Visitors Bureau and the Board shall have custody and responsibility for the funds, the bank account, and all records relating thereto.

#### **ARTICLE XIV RECORDS RETENTION**

All original books of entry shall be maintained in perpetuity. All canceled checks and other financial records shall be maintained for a period of six (6) years in conformance with the laws of the State of Texas regulating records retention.

#### **ARTICLE XV AUDIT**

All accounting procedures, records and reports shall be available by a duly authorized representative of the City of Nacogdoches. An independent audit of the programs financial records or a report on agreed upon procedures by a qualified Certified Public Accountant shall be furnished to the City within ninety (90) days of the close of each fiscal year. The type of report shall be confirmed during the budget adoption process and shall be funded as a line item in the annual Convention and Visitors Bureau budget.

#### **ARTICLE XVI BOND**

Board members and/or staff designated to withdraw funds shall be bonded in the amount of \$50,000.

#### **ARTICLE XVII COMPENSATION AND EXPENDITURE OF FUNDS**

All expenditures of funds received by the corporation from the City of Nacogdoches shall be in accordance with applicable state laws and city ordinances as outlined in V.T.C.A. Tax Code § 351 et. Seq., Section 27 of the City of Nacogdoches Code Ordinances and any contract or agreement with the City of Nacogdoches.

#### **ARTICLE XVIII RATIFICATION**

Adoption of this Constitution and Bylaws shall be by a majority vote of the Board of Directors after presentment and approval by the City Council of the City of Nacogdoches.

#### **ARTICLE XIX DISSOLUTION PROVISION**

Upon dissolution of the organization, assets shall be distributed for one or more exempt purpose within the meaning of Section 510 (c) (6) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the City of Nacogdoches for public purpose.

#### ARTICLE XX AMENDMENT

The bylaws may be amended by a two-thirds vote of those present and voting at any regular meeting provided the amendment was submitted in writing at the previous regular meeting and provided that no amendment shall effect any change contrary to the provisions of Section 510 (c) (6) of the Internal Revenue Code, or corresponding section of any future federal tax code. Any such amendment shall not become effective until it shall have been approved by the City Council of the City of Nacogdoches.

\_\_\_\_\_  
Ken Wood, Chair \_\_\_\_\_ Date

ATTEST:

\_\_\_\_\_  
Anne Norton, Secretary / Treasurer \_\_\_\_\_ Date

First Revision 10/14/1999  
Second Revision adopted 10/17/2006  
Third revision adopted 10/2008  
Fourth revision adopted 1/15/2013

## **CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:**

**PROJECT:** Consider an ordinance of the City of Nacogdoches, Texas amending Section 94-231 "Convention and Visitors Bureau Board" addressing the appointment of individuals to serve on the Convention and Visitors Bureau Board and Section 94-234 "Quorum"

**MEETING DATE:** December 2, 2014

**DESCRIPTION:** Amendments to the City of Nacogdoches Ordinance Chapter 94, Article IV, Division 3, Subdivision II - Convention and Visitors Bureau Board, Sec. 94-231 - Created (a) shall read: The City Council shall appoint or remove a 7 member convention and visitors bureau board for the Nacogdoches Convention and Visitors Bureau (referred to as the "CVB") to administer the funds available under this division and to carry on the purpose of this division. Members of the board may be selected from applications received from interested residents and/or members from membership of the following tourism and community groups: (1) One representative from the restaurant industry; (2) Two representatives from retail merchants (organization or at large); (3) Two representatives from the hotel/motel and/or bed and breakfast industry; (4) One representative from university interests;

Also amending Sec. 94-235 - Quorum to read: "Four members of the convention and visitors bureau board shall constitute a quorum for the conduct of business.

**RECOMMENDED  
ACTION:**

Approve suggested changes to the City of Nacogdoches Code of Ordinance Chapter 94, Article IV, Division 3, Subdivision II - Convention and Visitors Bureau Board.

**CITY CONTACT:**

Jim Jeffers  
(936) 559-2501  
[jeffers@ci.nacogdoches.tx.us](mailto:jeffers@ci.nacogdoches.tx.us)

**ATTACHMENTS:** Recommended changes to the City of Nacogdoches Code of Ordinances.

AN ORDINANCE OF THE CITY OF NACOGDOCHES AMENDING SECTION 94-231 ENTITLED "CONVENTION AND VISITORS BUREAU" ~~CREATED~~ ADDRESSING THE APPOINTMENT OF INDIVIDUALS TO SERVE ON THE CONVENTION AND VISITORS BUREAU BOARD AND SECTION 94-235 ENTITLED "QUORUM".

WHEREAS, tourism and conventions are important to the Nacogdoches economy; and

WHEREAS, the city council has created a convention and visitors bureau board to administer a portion of the hotel/motel tax funds; and

WHEREAS, the convention and visitors bureau board is charged with utilizing hotel/motel tax money to promote the tourism and convention businesses placing heads in beds.

NOW, THEREFORE BE IT ORDAINED that the following sections henceforth shall read:

Section 94-231 – Created

- (a) The city council shall appoint or remove ~~an a 147~~-member convention and visitors bureau board for the Nacogdoches Convention and Visitors Bureau (referred to as the "CVB") to administer the funds available under this division and to carry on the purpose of this division. Members of the board may be selected from applications received from interested residents and/or members from membership of the following tourism and community groups:

- (1) One representative from the restaurant industry;
- (2) Two representatives from retail merchants (organization or at large);
- ~~(3) One representative from historic interests, restoration, or preservation;~~
- ~~(4) One representative from a bed and breakfast providing bed tax revenues;~~
- (5) Two representatives from the hotel/motel ~~and or bed and breakfast~~ industry;
- (6) One representative from university interests;
- ~~(7) One representative from minority owned business interests; and~~
- ~~(8) Two at large community representatives.~~

- (b) The city council may, at its sole discretion, consider persons recommended by the current board of directors, accept applications and/or nominations from the public at large or appoint from a membership list of persons who are members of tourism-related groups. The city council shall not be required to accept any recommendations but shall have the authority to appoint any city citizen.

Section 94-235 - Quorum

~~Six~~ Four members of the convention and visitors bureau board shall constitute a quorum for the conduct of business.

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_ 2014.

\_\_\_\_\_  
Roger Van Horn, Mayor

ATTEST:

\_\_\_\_\_  
Lila Fuller, City Secretary

Approved as to form: \_\_\_\_\_  
Rob Atherton, City Attorney

Approved as to content: \_\_\_\_\_  
Jim Jeffers, City Manager



## **CITY OF NACOGDOCHES AGENDA INFORMATION SHEET**

**PROJECT:** Consider Resolution in support of Lake Columbia

**MEETING DATE:** December 2, 2014

**DESCRIPTION:** The Angelina Neches River Authority (ANRA) proposes to construct and operate the Lake Columbia Regional Water Supply Reservoir, for the purpose of providing a long term, firm supply of surface water to local governmental entities, local water supply corporations, industrial companies and other entities who may enter into agreements for water service. Nacogdoches currently has 10% of the allocation of Lake Columbia and the resolution supports initiatives in place to successfully secure the Clean Water Act, Section 404 Permit from the US Army Corp of Engineers and request all state and federal agencies cooperate to develop an adequate and complete environmental impact statement that meets federal law.

**COST:** N/A

**RECOMMENDED ACTION:** Approve resolution in support of Lake Columbia

**CITY CONTACT:** Jim Jeffers, City Manager  
[jeffers@ci.nacogdoches.tx.us](mailto:jeffers@ci.nacogdoches.tx.us)  
936-559-2501

**ATTACHMENTS:** Resolution

**RESOLUTION NO. 1165-12-14**

A RESOLUTION OF THE CITY OF NACOGDOCHES, TEXAS IN SUPPORT OF LAKE COLUMBIA REGIONAL WATER SUPPLY RESERVOIR AND THE CLEAN WATER ACT, SECTION 404 PERMIT FROM THE U.S. ARMY CORPS OF ENGINEERS (USACE).

WHEREAS, the Angelina & Neches River Authority (ANRA) proposes to construct and operate the Lake Columbia Regional Water Supply Reservoir, for the purposes of providing a long term, firm supply of surface water to local governmental entities, local water supply corporations, industrial companies and other entities who may enter into agreements for water service; and,

WHEREAS, ANRA has obtained a permit to Appropriate State Water, Number 4228 and authorizes the impoundment of the waters of the State of Texas, not to exceed 195,500 acre feet, on Mud Creek, a tributary of the Angelina River in the Neches River Basin; and,

WHEREAS, The Texas Legislature has taken a series of definitive actions to promote the development of Lake Columbia, specifically, acts of the 78<sup>th</sup> Legislature, SB 1362 designates the Lake Columbia site as a site of unique value to the State of Texas; and,

WHEREAS, the extended droughts have caused significant long term impacts to the economy and the natural environment; and,

WHEREAS, the human environment and the natural environment will benefit as a result of a stable and reliable water supply and the proposed mitigation activities for the project; and,

WHEREAS, the Reservoir will have a long term positive impact on the overall health, wealth and welfare for the citizens of Texas.

NOW, THEREFORE BE IT RESOLVED, that the City of Nacogdoches does hereby support the initiatives in place to successfully secure the Clean Water Act, Section 404 Permit from the U.S. Army Corps of Engineers (USACE), and further, respectfully requests that all state and federal agencies cooperate to develop an adequate and complete Environmental Impact Statement that meets federal law and that the USACE issue without prejudice said 404 Permit.

PASSED AND APPROVED, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Roger Van Horn, Mayor

ATTEST:

\_\_\_\_\_  
Lila Fuller, City Secretary

## **CITY OF NACOGDOCHES AGENDA INFORMATION SHEET**

**PROJECT:** Consider Letter of Intent between Angelina Neches River Authority and City of Nacogdoches supporting construction of Lake Columbia.

**DATE:** December 2, 2014

**DESCRIPTION:** In order for Lake Columbia to advance it needs new partner(s) with financial resources. The letter of intent expresses City's continued support and City's plan to maintain 10% pro rata share.

**COST:** N/A

**RECOMMENDED:  
ACTION:** Approve Letter of Intent between ANRA and City.

**CITY CONTACT:** Jim Jeffers, City Manager  
[jeffers@ci.nacogdoches.tx.us](mailto:jeffers@ci.nacogdoches.tx.us)  
936-559-2501

**ATTACHMENTS:** Letter of Intent

**Letter of Intent  
Between  
Angelina & Neches River Authority  
And  
City of Nacogdoches**

Letter of Intent (“**LOI**”) regarding Pre-Construction Period Agreement Lake Eastex (Original Agreement) and First Amendment to Pre-Construction Agreement Lake Columbia Project (Amended Agreement), collectively known as *the Agreements*, by and between Angelina & Neches River Authority (“**ANRA**”) and City of Nacogdoches (the “**City**”) for the purpose of developing the Lake Columbia Regional Water Supply Project (the “**Project**”). ANRA and the City may be referred to herein as individually a “**Party**” or jointly the “**Parties**”.

This LOI is intended only as an expression of interest and is not intended to be binding upon the Parties, except with respect to the provisions described in **Section A. (“*Binding Understandings*”)**. To the extent that the Parties agree to support ANRA in moving forward with a negotiation process to accomplish the buyout of the City’s interest in the Project, the obligations of each Party will be enumerated in a Second Amendment to Pre-Construction Agreement Lake Columbia Project (the “***Second Amended Agreement***”) and will be subject to review and final approval of both ANRA and the City. Each Party acknowledges that, in light of the complex nature of the Project, the execution of this LOI does not represent a warranty by either Party as to its ability to complete negotiations and execute the Second Amended Agreement.

**A. Binding Understandings**

1. **Negotiation of Third Party Buyout.** ANRA shall exercise good faith following the execution of this LOI by the Parties to negotiate the terms of a third party buyout (if applicable) of the City’s interest in the Project and to develop an agreement to accomplish the buyout. Said buyout agreement shall address in more detail the terms set forth in this LOI which are mutually agreeable to the Parties.
2. **Negotiation of Second Amended Agreement.** ANRA and the City agree that the third party buyout (if applicable) of the City’s interest in the Project is mutually beneficial to the City, ANRA and the Project. ANRA agrees to negotiate in good faith all of the terms of the buyout.
3. **Final Approval of Agreements.** ANRA and the City acknowledge that the final terms negotiated under any third party buyout agreement will apply equally to all Lake

Columbia Project Participants desiring to be bought out. A Participant electing to reduce its pro rata share or remain at their current pro rata share will be required to fund its pro rata share of Pre-Construction Project costs.

## **B. Non-Binding Understandings**

1. The proposed third party buyout agreement may include, but not be limited to, the following terms:
  - a. **Reimbursement of Contributions to Date:** Contributions made to date by the City include cash payments, debt service payments or a combination of both. Prior to approval and execution of a Seconded Amended Agreement, and subject to the successful negotiation of a Buyout Agreement with a third party, the Parties agree to reconcile the total of all payments made by the City to ANRA for Pre-Construction costs.
  - b. **Assumption of Debt:** Pursuant to the First Amended Pre-Construction Agreement, the repayment of the City's share of the 2005 \$1.25 million debt obligation is unconditional. The Parties agree that, subject to successful negotiation of a buyout agreement with a third party, the City's unconditional obligation to make debt service payments will continue until such time as ANRA can successfully negotiate and fully execute agreements with a third party to formally assume the City's share of the \$1.25 million debt.
  - c. **Lease Back Provisions:** For the mutual benefit of all Parties, including a third party, ANRA agrees to use its best efforts to negotiate lease back provisions that allow ANRA the right to withdraw and use water from the Project on an interim basis for the benefit of local entities. Such use would be subject to ANRA's Water Conservation and Drought Contingency Plans, as well as state and federal laws.
  - d. **Continued Project Support:** In consideration of the economic and environmental benefits of the Project to East Texas counties, the Parties agree to support ANRA's efforts to negotiate an agreement with a third party and to support said third party in its efforts along with ANRA to develop the Project.

2. The Parties acknowledge that the following options are available for consideration as part of the ongoing efforts to develop the Project:
- a. Make available for buyout by a third party 100% of the City's current 10.0% (ten percent) pro rata share interest in the Project; or
  - b. Reduce the City's interest in the Project to \_\_\_\_\_% pro rata share, thereby making available for buyout \_\_\_\_\_% of the City's interest in the Project; or
  - c. Retain the current pro rata share of 10.0% (ten percent) of the Project as indicated in the First Amended Pre-Construction Agreement and assume additional pre-construction costs as required for the Project; or
  - d. Completely withdraw from the Project as it currently exists, resulting in a forfeiture of any rights as contained in the First Amended Pre-Construction Agreement and requiring the payment in full of the City's pro rata share of the 2005 debt obligation. Payoff amount is subject to verification and approval by the Texas Water Development Board to include principal and accrued interest.

After due consideration of the options, the City fully agrees with the terms and assumptions contained in option \_\_\_\_\_ listed above.

*(Signature Page  
Follows)*

*(Signature Page to Letter of Intent to Participate in Negotiating Agreement)*

**THIS LETTER OF INTENT BECOMES EFFECTIVE THE LATTER DATE OF THE SIGNATORIES  
INDICATED BELOW**

**AGREED AND ACCEPTED BY:**

**CITY OF NACOGDOCHES**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**ANGELINA & NECHES RIVER AUTHORITY**

By: \_\_\_\_\_

Name: Jody Anderson

Title: President, Board of Directors

Date: \_\_\_\_\_

ITEM NO. 11

**CITY OF NACOGDOCHES  
AGENDA INFORMATION SHEET:**

**PROJECT:** Receive informational presentation regarding Buy Board and police vehicles.

**MEETING DATE:** December 2, 2014

**DESCRIPTION:** The presentation will provide basic information, governance, and uses of Buy Board. The presentation will also discuss the decision-making process and rationale behind the purchase of police vehicles. For Council informational purposes.

**COST:** none

**BUDGET AMENDMENT REQUIRED?:** no

**SOURCE OF FUNDING:**

Item	Acct. Name & No.	Original Budget	Award
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**SCHEDULE:** none

**RECOMMENDED ACTION:** No action required.

**CITY CONTACT:** Jim Sevey, Chief of Police, 936-559-2601

**ATTACHMENTS:** November 3, 2008, memo *NPD Vehicles*  
April 22, 2010 memo, *Tahoe Patrol Vehicles*



City of Nacogdoches  
Nacogdoches Police Department  
Interoffice Memorandum

**Date:** November 3, 2008  
**To:** Jim Jeffers, City Manager  
**From:** Jim Sevey, Chief of Police  
**Subject:** NPD Vehicles

We are in the process of obtaining police vehicles for 2008-2009. In researching the purchase, Assistant Chief Griffin found some interesting information regarding the Chevrolet Tahoe police package vehicle. The following is a comparison of the Ford Crown Victoria and the Chevrolet Tahoe. Both vehicles are police package.

**Crown Victoria**

\$22,661.71 Tipton  
Warranty 3yrs, 36,000 miles  
Resale 10% original cost

**Tahoe**

\$23,755.00 Tarrant Co.  
Warranty 5yrs, 100,000 miles full power train  
Resale 30% original cost

**Additional Information**

- The Crown Victoria must be equipped with an additional battery to enhance the electrical system. *The Tahoe comes with the dual battery set up. The cost to have the dual battery installed in the Crown Victoria essentially makes the Tahoe equal in price.*
- The resale value of a Crown Victory at the end of its service life is roughly 10% of the new cost- typically between \$2,000.00 and \$5,000.00. The resale cost of the Tahoe is typically 30% or \$6,000.00 to \$10,000.00.
- The warranty on the Tahoe is far superior to the Crown Vic. The Tahoe is a 5 year, 100,000 mile full power train warranty that would essentially cover the vehicle the entire time it is in the fleet.

**Fuel Efficiency**

The EPA and manufacturers do not allege or post fuel efficiency ratings for police package vehicles. Based on local research and internet research the Crown Victoria is rated 17mpg city and 25 highways MPG. The Tahoe is rated at 16 city and 22 highway. NPD vehicles are operated almost exclusively under city driving conditions. NPD research reports approximately 11mpg recorded by NPD Crown Victorias on average.

Autobloggreen.com is a site that compares vehicle mileage and has compared the Tahoe to the Crown Victoria. Autobloggreen.com reports that the Tahoe and Crown Victoria are equal in fuel economy with Tahoe edging the Crown Victoria out by producing lower emissions. There appears to be no difference in fuel economy.

## **Summary**

- The Tahoe and Crown Victoria are equivalent on fuel economy; the Tahoe wins on lighter emissions.
- The Tahoe has a 5 year, 100,000 mile power train warranty and confirmed warranty service available locally. The Crown Victoria has a 3 year, 36,000 mile warranty.
  - The Tahoe would be covered under warranty essentially for the life of the vehicle in our fleet. The Crown Victoria falls off warranty about 14-15 months into it's life when it reaches 36,000 miles. We then pay for all work on the Crown Victoria.
- The resale value of a Crown Victoria at the end of its fleet life is around \$3,000.00. The resale value of a Tahoe is reported to be 3 times that, or around \$7,500.00 average on resale.
  - As an example, we buy 5 Crown Vic's and auction them 3 years later for \$15,000.00.
  - We buy 5 Tahoe's and auction them for \$37,500.00.
- The Crown Victoria has a lifespan of about 3 years and 80,000 to 100,000 miles. The Tahoe has a reported lifespan of about 4 years and 100,000 to 120,000 miles.
- Finally, for those who believe the Tahoe is a luxury "gas hog SUV" that is not accurate. The Tahoe is a specially designed police package vehicle capable of supporting the array of electronic equipment typical in a modern police car and equipped to handle the rigorous driving police vehicles often experience.

It appears that in a side-by-side comparison the Tahoe is a substantially better deal over the Crown Victoria. The warranty and resale value alone make sense, fiscally, and both are rated as "police package" vehicles.

City of Nacogdoches  
Nacogdoches Police Department  
Interoffice Memorandum

**Date:** April 22, 2010  
**To:** Jim Jeffers, City Manager  
**From:** Jim Sevey, Chief of Police  
**Subject:** Tahoe Patrol Vehicles

We have been running Chevrolet Tahoe police package vehicles in Patrol for the past two years. Prior to that we used Ford Crown Victoria police package vehicles.

The Tahoe produces better mileage ranging in the two-to-three MPG range over the Ford. Economy is difficult to document due to the “idle time” experienced by most patrol vehicles, but we can definitely say that there is an improvement. Our Ford vehicles were averaging 7-9 MPG with the Tahoe averaging 8-11 MPG.

Additional comparisons that are significant come in the form of maintenance, warranty, street life, and resale value. The Tahoe has a five-year/100,000 mile power train warranty compared to the three-year warranty offered by Ford. All of our Ford vehicles ran out of warranty well before the three-year mark and we began paying for repairs out of the vehicle maintenance budget. The Ford is often taken out of the fleet at three-to-four years and either auctioned or converted to a non-patrol use. The Tahoe is expected to last five years as a dedicated patrol vehicle. The resale value of a Tahoe (as reported by other agencies) is roughly double that of a similar Ford Crown Victoria returning more money to the budget at auction.

Our experience with the Tahoe has been excellent. Other than routine maintenance (oil changes, tires, etc) we have paid no maintenance costs on the Tahoe. Based on the last two years, I expect the Tahoe to meet all our expectations.

## CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

**PROJECT:** Consider approval for the purchase of 2014 TYMCO Model 600 Regenerative Air Sweeper for City of Nacogdoches- Street Department

**MEETING DATE:** December 2, 2014

**DESCRIPTION:** Recommendation of award for purchase of 2014 TYMCO Model 600 Regenerative Air Sweeper.

**COST:** \$197,563.50

**BUDGET AMENDMENT REQUIRED?:** ☐ YES ☒ No

### BUDGET AMENDMENT

<b>FUNDING:</b>	<b>Acct. Name &amp; No.</b>	<b>Requested</b>
		\$

#### FUNDING FROM CURRENT BUDGET

<b>FUNDING:</b>	<b>Acct. Name &amp; No.</b>	<b>Adopted Budget</b>	<b>Balance</b>	<b>Requested</b>
Street Dept.	30.37.680.25	\$200,000		\$197,563.50

**SCHEDULE:** Accept Quotation for 2014 TYMCO Model 600 Regenerative Air Sweeper.

**ACTION:** Award purchase of 2014 TYMCO Model 600 Regenerative Air Sweeper to TYMCO, Inc via HGAC SW04-14 for City of Nacogdoches.

**CITY CONTACT:** Cary Walker, Public Works Manager, (936) 559-2582

**ATTACHMENTS:** Available for review.

## **CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:**

**PROJECT:** Consider award of a bid to Horton Excavating, LLC for the construction of chlorination and piping facilities to connect Wells 13 and 16.

**MEETING DATE:** December 2, 2014

**DESCRIPTION:** On October 28, 2014 the City received the following bids for the construction of disinfection equipment and other yard piping to connect new Wells 13 and 16 into the City's distribution system:

Horton Excavating	\$518,530.00
Duplicchain Contractors	\$525,800.00
AAA Sanitation	\$662,945.00

Horton Excavating was found to be the lowest qualified bidder with a total bid of \$518,530. This company is a qualified and experienced utility contractor with a work history of similar projects.

**COST:** \$518,530

**BUDGET AMENDMENT REQUIRED?:** No

### **FUNDING FROM CURRENT BUDGET**

<b>FUNDING:</b>	Acct. Name & No.	Adopted Budget	Balance	Requested
	30.175.03	\$1,100,000	\$1,100,000	\$518,530
	Wells & Tanks			

**SCHEDULE:** Notice to proceed immediately after Council approval of contract award.

### **RECOMMENDED**

**ACTION:** It is recommended that the low bid for the construction of a new chlorination and piping facilities for Wells 13 and 16 be awarded to Horton Excavation in the amount of \$518,530.

**CITY CONTACT:** Steve Bartlett, P.E., City Engineer

**ATTACHMENTS:** The bid tabulation is available for review in the engineering office.

ITEM NO. 14-A

## **CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:**

**PROJECT:**

**EXECUTIVE SESSION:**

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

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

**MEETING DATE:** December 2, 2014

**Presentation will be made at  
Tuesday's meeting**