

Notice is hereby given of a Regular Meeting of the Nacogdoches City Council to be held June 16, 2015, 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. PRESENTATIONS AND RECOGNITIONS:

- 3. Items to be removed from Consent Agenda.
- 4. <u>CONSENT AGENDA:</u> 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 June 2, 2015. (City Secretary)
  - B. Consider authorization for tax resale for property described as: Being 1.0 acres, more or less, Lot 5, Brookhollow Subdivision, City of Nacogdoches, Nacogdoches County, TX; more fully described in Volume 363, Page 690, Deed Records, Nacogdoches County, TX. located at 3303 Brookhollow Drive. GEO (18-087-5600-005000). (City Secretary)

### **REGULAR AGENDA:**

- <u>PUBLIC HEARING</u>: Consider the request for a specific use permit to operate a microbrewery on Lots 1, 1-B and 1-C, City Block 6, located at 140 N. Mound Street. This request has been submitted by Paul Murray. SUP2015-001. (City Planner)
- 6. Consider authorizing the Mayor to execute documents in connection with Pilgrim's Pride Texas Capital Fund contracts. (City Attorney)
- 7. Consider annual appointment of Mayor Pro Tem and Vice Mayor Pro Tem. (Mayor)
- 8. Receive budget presentation. (City Manager)

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.

### 9. EXECUTIVE SESSION:

- A. Personnel Consider appointment of Municipal Court Judge, as per G. C. Section 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 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.
- 10. Open for action, if any, on Item 9-A.
- 11. Open for action, if any, on Item 9-B-1.
- 12. Open for action, if any, on Item 9-B-2.
- 13. Adjourn.

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 <u>www.ci.nacogdoches.tx.us</u>.

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 Friday, June 12, 2015 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 June 2015.

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





### ITEM NO. 4-A

## CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT: CONSENT AGENDA: <u>Consider approval of minutes from regular meeting of</u> <u>June 2, 2015.</u>

- MEETING DATE: May June 16, 2015
- CITY CONTACT: Lila Fuller, City Secretary 559-2504
- ATTACHMENTS: Minutes

MINUTES Regular Session Nacogdoches City Council June 2, 2015 – 5:30 p.m. City Council Room – City Hall 202 E. Pilar Street



### Regular Session:

### **Those Present:**

Mayor Van Horn; Council members Shelley Brophy and David Norton; City Manager Jim Jeffers, City Attorney Rob Atherton and City Secretary Lila Fuller.

### 1. Call to Order.

Mayor Van Horn at 5:31 p.m. A quorum was established. Council members Keller and Boldon had excused absences.

### 2. <u>PRESENTATIONS AND RECOGNITIONS</u>: Receive presentation on 2015 Corporate Challenge.

Destiny Smith, recreation superintendent, gave a brief report on the annual Corporate Challenge program where business teams compete against each other in friendly competition in golf, women's mini golf, dodge ball, men's basketball, bass fishing, table tennis, badminton, flag football, bowling, volleyball and washers. She stated the annual event is extremely popular and staff is already planning next year's 10<sup>th</sup> anniversary event.

3. Items to be removed from Consent Agenda.

None.

- 4. <u>CONSENT AGENDA:</u> 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 May 19, 2015.

Approved as presented.

B. Consider authorization for tax resale for property described as: Lot 4-C, Block 66, 1913 Dolph and 1919 Dolph, City of Nacogdoches, Nacogdoches County, TX; more fully described in Volume 269, Page 523 Deed Records, Nacogdoches County, TX. GEO (17-066-0004-030000).

Approved as presented.

C. Consider award of bid for construction of Well No. 14 located at the A.L. Mangham, Jr. Regional Airport.

Approved as presented.

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

### REGULAR AGENDA:

5. <u>PUBLIC HEARING</u>: Consider joint application, Resolution and Interlocal Agreement with Nacogdoches County for 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$15,614.

Chief Sevey stated acceptance of the grant would allow the City and County to equally share the grant amount to purchase tactical equipment that is greatly needed by both departments.

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

Council member Norton moved to adopt the resolution and approve an interlocal agreement with Nacogdoches County for the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$15,614 as presented. The motion was seconded by Council member Brophy and unanimously passed. (Resolution No. 1178-6-15)

## 6. Consider authorizing the Mayor to execute documents in connection with Pilgrim's Pride Texas Capital Fund contracts.

Mayor Van Horn stated this item would be tabled until a future meeting.

## 7. Consider budget amendment for a 3% Cost of Living Adjustment for all City employees.

Jim Jeffers, city manager, stated management was recommending a 3% COLA for all full and part-time employees, with the exception of the city manager and city attorney, who were contract employees.

He stated an aging workforce and shrinking pool of applicants made it difficult to hire qualified employees due to the lower salaries the City of Nacogdoches offered. He stated 30% of current employees were eligible for retirement and in the coming years competitive salaries would be necessary in order to recruit and retain employees. He went on to say increase in sales tax over the past year has allowed management to explore the possibility of a cost of living adjustment for employees, as it is felt the COLA can be sustained based on sales tax revenues. He reviewed the history of COLAs and stated the last adjustment was made in 2012; however the COLA has not kept up with inflation.

He explained although management felt the budget was healthy enough to sustain a salary adjustment, revenue increases may still be needed in order to balance the budget for the upcoming year.

Jeffers stated he was recommending a 3% cost of living adjustment for all full and parttime employees beginning in July.

Council member Brophy commended Mr. Jeffers on finding a way to provide a salary increase, stating if the city doesn't take care of its workers it won't get quality work from them and can't retain good employees.

Jeffers further stated that a salary survey was being done in-house with TML data and would be forthcoming.

Council member Norton moved to approve a budget amendment for a 3% cost of living adjustment for all City employees as presented. The motion was seconded by Council member Brophy and unanimously passed. (Ordinance No. 1699-6-15)

### 8. Consider annual appointment of Mayor Pro Tem and Vice Mayor Pro Tem.

Mayor Van Horn stated this item would be tabled until more council members could be present.

### 9. Receive budget presentation.

City Manager Jim Jeffers reviewed debt and provided a survey of Debt per Capita of surrounding cities. He discussed when debt should be issued and the different types of debt available to local governments.

No action necessary.

No Executive Session was held.

Minutes approved June 16, 2015

### 10. 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.
- 11. Open for action, if any, on Item 10-A-1.

None

12. Open for action, if any, on Item 10-A-2

None

### 13. Adjourn.

Mayor Pro Tem Keller adjourned meeting at 6:05 p.m.

Mayor Roger Van Horn City Council City of Nacogdoches

ATTEST:

Lila Fuller, City Secretary



### ITEM NO. 4-B

## CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT:	CONSENT AGENDA: <u>Consider authorization for tax resale for property</u> <u>described as:</u>
	Being 1.0 acres, more or less, Lot 5, Brookhollow Subdivision, City of Nacgdoches, Nacogdoches County, TX; more fully described in Volume 363, Page 690 Deed Records, Nacogdoches County, TX. GEO (18-087-5600- 005000).
MEETING DATE:	June 16, 2015
DESCRIPTION:	The City of Nacogdoches, as a taxing entity, has been requested on behalf of Nacogdoches ISD to approve the sale of property described above.
COST:	None
SCHEDULE:	Upon approval, a Tax Resale Deed will be executed by all taxing entities.
RECOMMENDED ACTION:	Approve sale of property as presented.
CITY CONTACT:	Jim Jeffers, City Manager - 559-2501
ATTACHMENTS:	Description of Property Tax Resale Deed is available from the City Secretary

## CLARDY LAW OFFICES



TRAVIS P. CLARDY JERRY W. BAKER

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# 220 West Hospital

TAX OFFICE

### NACOGDOCHES, TEXAS 75961 STRUCK OFF PROPERTY LIST

NACOGDOCHES ISD

Ph: 936.560-4522 Fax: 936.564-2507 www.clardy-law.com Main Office: 209 E. Main Street Nacogdoches, TX 75961 nanci@clardy-law.com

### Original Owner: Sam McClendon, Sr., et al

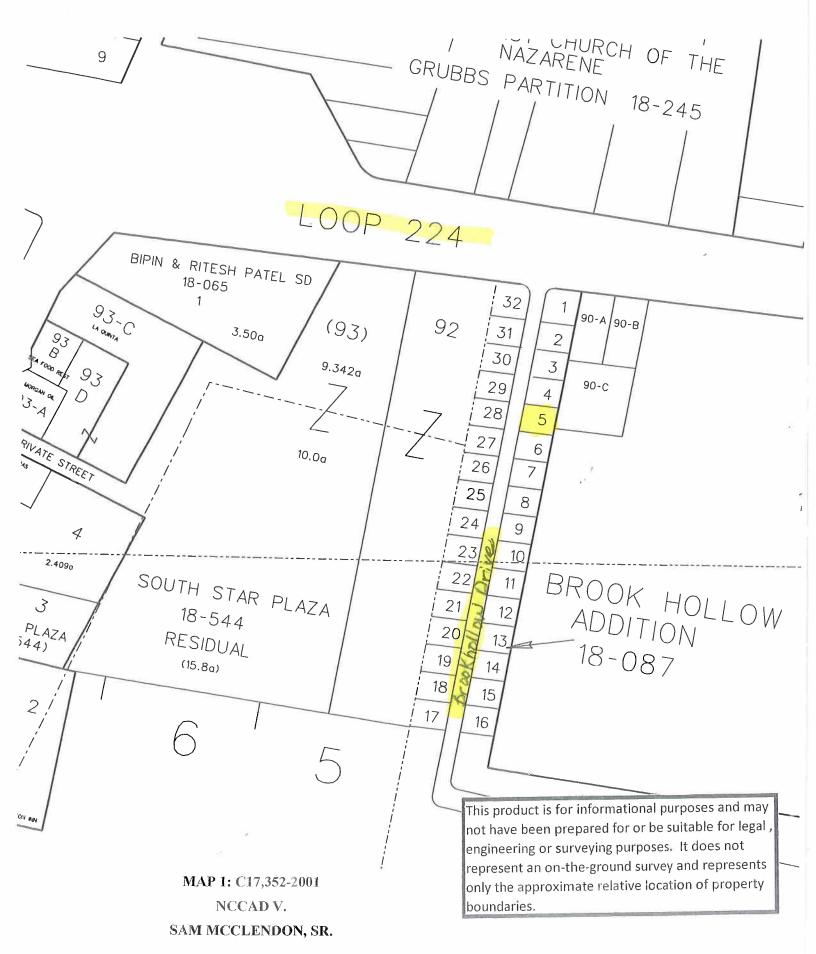
Suit No: 17,352-2001 Property: Being 1.0 acres, more or less, Lot 5, BROOKHOLLOW SUBDIVISION, City of Nacogdoches, Nacogdoches County, TX; more fully described in Volume 363, Page 690, Deed Records of Nacogdoches County, TX. GEO (18-087-5600-005000) 3303 Brookhollow Drive Tax Sale Date: May 5, 2015 Minimum Bid at Auction: \$43,745.00 Appraised Value: \$51,970.00 Struck Off To: NACOGDOCHES ISD

Original Owner: Floyd Wade, et a Suit No: 17,496-2001 Property: Being Lot 4-C, Block 66, 1913 Dolph and 1919 Dolph, City of Nacogdoches, Nacogdoches County, TX; more fully described in Volume 269, Page 523 Deed Records of Nacogdoches County, TX. GEO (17-066-0004-030000) 1919 Dolph St Tax Sale Date: May 5, 2015 Minimum Bid at Auction: \$7,027.00 Appraised Value: \$27,030.00 Struck Off To: NACOGDOCHES ISD

#### **3** Original Owner: Whythyntys and Margie Simon, et al Suit No: 22,441-2006 Property: <u>TRACT 2-</u>Being Lot 10, Block 1, RHO COX SUBDIVISION, more fully described in Volume 451, Page 42, Deed Records of Nacogdoches County, Nacogdoches, TX. GEO (18-153-6101-010000) Tax Sale Date: October 1, 2013 Minimum Bid at Auction: \$ 3,949.00 Appraised Value: \$ 2,000.00 Struck Off To: NACOGDOCHES ISD

4 Original Owner: Unknown Heirs of Auguster and Juanita Ward McClellon, et al Suit No. 23,422-2007 Property: Being Lot 5-A of Block 57, City of Nacogdoches, Nacogdoches County, TX; more fully described in Volume 315, Page 327 Deed Records of Nacogdoches County, TX. GEO (17-057-0005-010000) 1913 Railroad Tax Sale Date: September 4, 2012 Minimum Bid at Auction: \$ 10,010.00 Appraised Value: \$ 4,000.00 Struck Off To: NACOGDOCHES ISD

Original Owner: Unknown Heirs of Rose House, et al Suit No: 24,318-2008 Property: Being Lot 15, Block 6 of the CLEAVER SUBDIVISION of the J THORN SURVEY, Nacogdoches County, TX; more fully described in Volume 426, Page 548 Nacogdoches County, Texas. GEO (18-599-5306-015000) 1305 Meisenheimer St.





## CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT: <u>Public Hearing</u>: Consider the request for specific use permit to operate a microbrewery on Lots 1, 1-B, and 1-C, City Block 6, located at 140 N. Mound Street. This request has been submitted by Paul Murray. SUP2015-001.

MEETING DATE: June 16, 2015

### DESCRIPTION:

The applicant is requesting to operate a microbrewery at this location. The zoning ordinance defines a microbrewery as a business which operates under a TABC manufacturer's license and has a total maximum production per year of beer, malt liquor and ale of not more than 15,000 barrels. The facility may not produce or generate any obnoxious odors. The zoning ordinance, through a 2009 amendment, allows microbreweries to operate in industrial districts by right, and in B-2 and B-3 commercial districts with a specific used permit. The location the applicant wishes to operate this microbrewery is zoned B-2.

A microbrewery is a small, specialized brewery with a limited production. Most offer tours to demonstrate the brewing practice. Recent changes to state law allow microbreweries to sell beer for on-premise consumption as well as direct sales to customers and distribution to retailers and restaurants. There are many microbreweries in Texas and they are strong tourist attractions.

The proposed Fredonia Brewery, as seen in the information provided by the applicant, initially plans on being open to the public for tours and tastings on Saturdays, with the possibility of opening to the public additional days as demand requires. The applicant also plans on participating in downtown events and festivals and offering the space as an event venue for weddings, birthdays and other parties throughout the year. The brewery itself does not plan on operating a restaurant and commercial kitchen, but plans on inviting local food trucks and caterers to participate with them on days the facility is open to the public.

The brewery will meet the zoning ordinance's definition of a microbrewery, as they plan on producing less than 10,000 barrels per year.

- COST: N/A
- SCHEDULE: If the request is approved by the City Council, the applicant may immediately apply for building permits. Work must begin within 180 days of approval of the specific use permit.

### Conditions for approval to be considered (staff comments are underlined):

- (1) 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; <u>The specific use should be compatible with the property in the immediate</u> vicinity. The property is immediately adjacent to the mixed use downtown district and is proposed to be located on a street of existing mixed uses. If the venture is successful, it could potentially be a benefit to the surrounding properties.
- (2) The establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property. <u>There is no surrounding vacant property.</u>
- (3) Adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided; <u>Utilities and roads already exist</u>. Adequate drainage is addressed by the City's <u>drainage standards</u>.
- (4) 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; <u>Any new driveways and parking spaces will have to meet the requirements of the</u> <u>zoning ordinance and driveway guidelines</u>. No new parking or driveways are <u>expected</u>.
- (5) Any lighting to be provided will be directional so as not to disturb or adversely affect neighboring properties; <u>Outdoor lighting must meet the City's lighting ordinance restrictions, i.e. only</u> <u>downlighting, no spillover lighting onto neighboring properties.</u>
- (6) Sufficient landscaping and screening to ensure harmony and compatibility with adjacent property exists or will be provided; and <u>The property is currently extensively landscaped</u>. The existing landscaping will <u>remain in place</u>.
- (7) The proposed use is in accordance with the comprehensive plan. <u>The comprehensive plan recommends central city mixed use for this property.</u>

<u>The Planning and Zoning Commission heard the request at their</u> <u>June 8<sup>th</sup> meeting. The Commission voted to approve the request.</u> <u>The vote was not unanimous, with Alex Don Mills voting against</u> the motion to approve.

- CITY CONTACT: Larissa Philpot, City Planner; 559-2572, philpotl@ci.nacogdoches.tx.us
- ATTACHMENTS: Zoning map Aerial photo Information provided by applicant





## Fredonia Brewery Special Use Permit Requests

Fredonia Brewery, planning to build and operate on the corner of E. Hospital and Mound Street, requests the following abilities with a Special Use Permit from the city of Nacogdoches.

1.) Fredonia Brewery request a Special Use Permit to open and operate a production brewery with a tap room and patio near the downtown area.

2.) Fredonia Brewery would like to open our taproom for sales and tours during any and all of the community events in the downtown area such as:

Blueberry Festival Fourth of July Fireworks Christmas Parade Scare on the Square Big Nac Music Festival

3.) Fredonia Brewery would like to initially open for tours and our tap room to the public on Saturdays. As ability and demand dictate we would like to open for tours and the tap room to the public additional days.

4.) Fredonia Brewery would like to rent out our facility for private parties special events such as birthdays, wedding receptions, graduation parties, and local clubs meetings/events. We are requesting authorization to hold these type events 35 times a year.

5.) Fredonia Brewery would like to request the ability to have local restaurants that cater, caterers, and/or food trucks sell food on our patio area and in our tap room while we are open to the public.

Thank you for your time and consideration for these requests.

Fredonia Brewery

## **Fredonia Brewery Mission Statement**



The Fredonia Brewery, locally owned in Nacogdoches Texas, shall produce and package craft beer for sale to the public during tap room hours, local licensed retailers, and eventually a licensed distributer.

Fredonia Brewery will be a clean, family friendly location that adheres to local, state, and federal rules and regulations.

Fredonia Brewery will have a tap room and patio open to the public. Tap room days will start with a Saturday once a month, and potentially may expand provided the demand and ability exists for additional days. Tours will be conducted during tap room hours.

Fredonia Brewery shall strive to be a positive and productive member of our local community, with our involvement with local businesses, civic groups, and individuals. We shall do our best to represent Nacogdoches and East Texas in the most favorable manner possible.

Fredonia Brewery will produce the highest quality of beer our equipment and ability allows, while also striving to increase our market size and sales amounts continually.

Fredonia Brewery will treat its customers, neighbors, community and employees with the highest level of respect and integrity.



## The Brewery

We are going to base our brewing on, and around, traditional American Styles but will have the equipment and flexibility to brew any type of beer.

We are planning to offer the following beers

TYPE/STY	LE
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### PROPOSED NAME

- Banita Cream Ale
- Deep East Texas Red Ale (D.E.TX Red Ale)
- Parade Pale Ale
- Stump Grinder IPA
- Piney Woods Porter
- Lanana Brown
- Stone Fort Stout

Fredonia Brewery would have the following production capabilities with the equipment we plan to purchase. This production figure in barrels.

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**2880 barrels per year** (1 Barrel = 31 gallons)

That number is the best possible scenario on the equipment we plan to purchase and dependent upon product demand and ingredients acquisition.

The TABC permits we would apply for allow for 10,000 bbl / year production with 1000 bbl / year self distribution.

Four 30 bbl fermentation vessels filled twice a month is the source of our production estimate number.

- American Amber Ale American Pale Ale • American I.P.A. •
- Porter
- American Brown Ale

American Cream Ale

Stout



## Texas Craft Brewers Guild

Supplement - 2012 Economic Impact of the Texas Craft Brewing Industry

Overview of state laws and their impact on the economic growth of the Texas craft beer industry.

Online: taxascraftbrewersguild.org Twitter: @TXCraftBrewers Contact: Scott Metzger, scott@fraetailbrewing.com

## Position of the Texas Craft Brewers Guild On Issues Surrounding the Texas Alcohol Beverage Code

### **Overall objectives:**

- Gain the ability for packaging breweries to sell their products to consumers on the premise of their breweries
- · Gain the ability for brewpubs to sell their products into the wholesale tier
- · Protect small brewer's existing rights to self-distribute
- Achieve these goals while protecting the integrity and viability of the 3-tier system

### Why are these changes good business?

Texas craft brewers get a fair chance to compete with out-of-state craft breweries. Out-of-state breweries and brewpubs use their tasting rooms and restaurants to fund their marketing efforts in Texas. Texas breweries need these changes for a chance at a fair fight.

**Tax revenue will increase.** As Texas craft breweries and businesses essential to brewing, distribution, sales and marketing grow, so does tax revenue.

**Craft breweries create more jobs.** Craft brewing is relatively labor intensive compared to the large breweries, which typically rely on automation. Demand for craft beer stimulates ancillary job growth as channel capacity and support businesses, like the breweries themselves, expand to keep up.

Craft breweries invest in their businesses and their communities. Texas craft breweries directly contribute to the economic health of the communities they serve by actively investing in growth and keeping dollars within the local economy. They regularly donate time and resources to the betterment of these communities.

**Craft breweries fuel tourism and the flow of tourism dollars.** "Beer tourism" is making headlines as one of 2012's emerging travel trends. Craft breweries deliver tourist dollars and are essential for establishing Texas cities as national destinations for food and beverage enthusiasts.



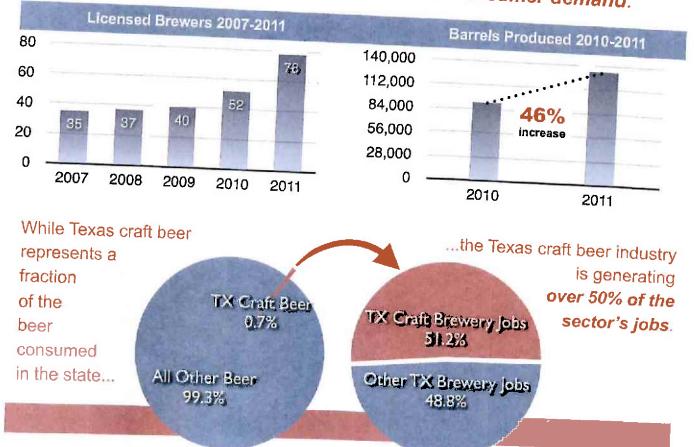
## Texas Craft Brewers Guild

Fact Sheet - 2012 Economic Impact of the Texas Craft Brewing Industry

Noteworthy quantitative trends, at a glance.

Online: texascraftbrewersguild.org Twitter: @TXCraftBrewers Scott Metzger, scott@freetailbrewing.com Contact:

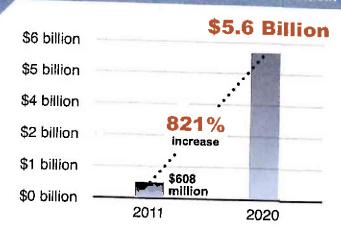
In 2011, the number of licensed brewers and the volume they produced jumped significantly, a direct reflection of consumer demand.



Using the Texas wine industry as a real-world example, if Texas were to adopt laws similar to other states' craft beer laws, the projected impact would be profound:

Annual Economic Impact by 2020: \$5.6 billion New jobs: 52,000

## Economic Potential In Less Than a Decade...



### \*\*\*\* FOR IMMEDIATE RELEASE \*\*\*\*

## Texas Craft Beer's Explosive Growth Creating Jobs, Pumps \$608 Million Into Texas Economy in 2011 Despite Market Restrictions

# Could Reach \$5.6 Billion Annually, According to Economic Impact Study

Austin, TX — July 23, 2012 — An economic study commissioned by the Texas Craft Brewers Guild (TCBG) shows explosive growth for independent Texas craft brewers, with economic contributions to the state economy exceeding \$608 million, and job creation underway through all stages of production and sale. The study projects the industry's economic impact could reach \$5.6 billion annually in less than a decade should its development resemble that of the Texas wine industry.

# The study, based on survey data of TCBG member breweries and brewpubs, shows Texas craft brewers having measurable impact across Texas' local and regional economies:

- Annual brewery sales reaching reaching \$75.9 million with volume nearly doubling year over year.
- Direct economic impact surpassing \$222 million (output of brewing, wholesale and retail tiers).
- Active Job creation through direct and ancillary industries, with brewer payrolis contributing \$24.5 million directly and represent 51.2 percent of the state's brewery jobs.
- \$16 million contributed to local and state tax revenue.
- 92 percent of Texas craft brewers are planning capital expansions, representing upwards of \$30 million invested in the next five years.

"No doubt about it, Texas independent craft brewers are local small businesses that are making a significant contribution to Texas' bottom line," says Tim Schwartz, TCBG president and director of brewing operations at Blanco-based Real Ale Brewing Co. "These contributions are directly benefitting local and regional economies. Craft brewers are keeping money in state, and show no signs of letting up."

"Truly, the economic impact of Texas' independent craft beer industry measured in this study is the tip of the iceberg," says University of Texas-San Antonio Economics Professor Scott Metzger, author of the study and founder/CEO of San Antonio-based brewpub Freetail Brewing Co. "Given consumer demand and planned increases in capacity, a tremendous opportunity exists for ongoing and future growth — provided legislation may be passed allowing Texas' craft brewers the same access to market enjoyed by brewers in other states and by the Texas wine industry."

According to Metzger, while the data tells a remarkable story, the numbers would be even better if Texas brewers weren't operating at a disadvantage compared to brewers in other areas of the country.

"In other states, brewers can sell their packaged goods directly to consumers through tasting rooms. In other states, brewpubs can sell their beer off premises, at festivals, for instance, and as packaged goods in retail stores, not just at their brewpub location," explains Metzger. "These sales opportunities are lost for Texas craft brewers — and they add up."

For the study, Metzger modeled exactly how these opportunities could add up, were certain statutory reforms enacted, and assuming the same trajectory Texas wine traveled from 2001 to 2009 --- a highly conservative trajectory, Metzger argues, given how much more accessible craft breweries are compared to wineries in terms of their physical locations and distribution.

The result? An economic windfall estimated to top \$5.6 billion annually within eight years.



### Texas Craft Brewers Guild

RELEASE - 2012 Economic Impact of the Texas Craft Brewing Industry

Online: texascraftbrewersguild.org Twitter: @TXCraftBrewers Contact: Joanne Marino, 512-677-5173, jmarino@skematik.com

### \*\*\*\* FOR IMMEDIATE RELEASE \*\*\*\*

### Texas Craft Brewers Guild Economic Impact Study, page 2

"Sounds astounding, but given what's happening across the country with craft beer, it's not. It's actually conservative," Metzger says.

Demand is, in fact, booming. Even in a stagnate economic environment, craft beer has managed year-over-year doubledigit growth throughout the 2000s. In 2011, craft beer sales by volume rose 13 percent over the previous year. In relation to the overall beer market, these gains translate to a 5.7 percent market share by volume, and a most-impressive 9.1 percent market share by dollars. Should this pace be maintained, market share by volume will top 10 percent by 2016, a huge leap from 2007's 3.7 percent market share.

In craft beer-friendly states like Oregon and California, the leap has already happened. Over 13 percent of beer consumed in California is produced by independent California craft brewers, while nearly 16 percent of beer consumed in Oregon is produced by independent Oregon craft brewers.

Back in Texas, which nationally ranks in the bottom ten for breweries per capita, a paltry 0.7 percent of beer consumed comes from independent Texas craft brewers, according to Metzger. All these factors point to tremendous growth potential — growth that would directly benefit local and regional economies throughout Texas.

"As has been the trend nationally, the number of brewers in Texas is rising, with 78 now actively licensed, and another 61 in planning, according to the Brewers Association," Metzger says. "In this respect, Texas mirrors the nation, which has seen the number of craft breweries and brewpubs increase from just over 1,400 in 2007 to over 2,000 in May 2012."

Both demonstrating the statutory adversities and celebrating the industry's growth is Texas' biggest craft beer party, the annual <u>Texas Craft Brewers Festival</u>, an all-day event specifically centered on independent Texas craft brewers. The event, produced by Austin's Young Men's Business League, with support from members of the Texas Craft Brewers Guild, and benefitting the nonprofit Austin Sunshine Camps, is expected to be bigger than ever, according to Festival Chairman Brain Peters, founding brewer for Austin's Uncle Billy's Brew & Que chain, and himself launching a brewpub, Austin Beer Garden Brewing Co.

"The Texas Craft Brewers Festival launched in 2004 with around ten brewers and brewpubs participating. This year, we sent nearly 60 invitations to package brewers and breweries in planning," Peters says. "Those are incredible numbers, but missing altogether are the brewpubs. Since the festival's early days, state laws have been interpreted and enforced such that Texas brewpubs are prohibited from participating in any beer festivals."

So as the party gets underway October 6 at Fiesta Gardens near downtown Austin, beers will flow and money will change hands, but half of Texas' craft beer businesses will be stuck back at the bar.

Download the complete study and support materials here: Texas Craft Brewers Guild Economic Impact of the Texas Craft Brewing Industry

For questions on the study and the overall state of the Texas craft beer industry, contact:

Scott Metzger, <u>scott@freetailbrewing.com</u> University of Texas-San Antonio Professor of Economics Texas Craft Brewers Guild Board Member Founder and CEO, Freetail Brewing Company

For other inquires, contact: Joanne Marino, 512-677-5073, joanne@skematik.com

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Texas Craft Brewers Guild

RELEASE - 2012 Economic Impact of the Texas Craft Brewing Industry

Online: texascraftbrewersguild.org Twitter: @TXCraftBrewers Contact: Joanne Marino, 512-677-5173, jmarino@skemätik.com



# **Craft Brew Sales Growing Nationally**

## Volume and Sales Reach Record Levels as Market Share Surpasses Seven Percent

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The Brewers Association (BA), the trade association representing small and independent American craft brewers, today released 2013 data on U.S. craft brewing<sup>1</sup> growth. As a primary driver of growth in the beer industry, craft brewers saw an 18 percent rise in volume<sup>3</sup>, representing a total of 15.6 million barrels, and a 20 percent increase in retail dollar value.

In 2013, craft brewers reached 7.8 percent volume of the total U.S. beer market, up from 6.5 percent the previous year. Additionally, craft dollar share of the total U.S. beer market reached 14.3 percent in 2013, as retail dollar value from craft brewers was estimated at \$14.3 billion, up from \$11.9 billion in 2012.

"With this stellar year, craft has now averaged 10.9 percent growth over the last decade," said Bart Watson, staff economist, Brewers Association. "Beer drinkers are excited about what small and independent brewers are offering and that is evidenced by the rising production and sales of the craft segment."



Additionally, the number of operating breweries in the U.S. in 2013 totaled 2,822, with 2,768 of those considered craft, demonstrating that craft breweries make up 98 percent of all U.S. operating breweries. This count includes 413 new brewery openings and 44 closings. Combined with already existing and established breweries and brewpubs, craft brewers provided 110,273 Jobs, an increase of almost 2,000 from the previous year.



"Openings of brewing facilities continue to far outpace closings, demonstrating that the demand for high-quality, local, fulier-flavored beers is only increasing," added Watson. "The geographic diversity of openings and production growth shows the national nature of this movement. In towns all across the country, craft brewers are creating jobs, delivering innovative products, advancing the beverage of beer and strengthening their local economies."

Note: Numbers are preliminary. The Brewers Association will release the list of Top 50 craft brewing companies and overall brewing companies by volume sales on March 31. Additionally, a more extensive analysis will be released during the Craft Brewers Conference in Denver, Colorado from April 8-11. The full 2013 industry analysis will be published in the May/June 2014 issue of The New Brewer, highlighting regional trends and sales by individual breweries.

<sup>1</sup> The definition of a traft brower as stated by the Browers Association: An American craft brower is small, independent, and traditional. Small: Annual production of 6 million barrels of beer or less (approximately 3 percent of U.S. annual sales). Beer production is attributed to the rules of alternating proprietorships. Independent: Less than 25 percent of the craft browery is owned or controlled (or equivalent economic interest) by a beverage alcohol industry member that is not itself a traft brower. Traditional: A hrower that has a majority of its total beverage alcohol volume in beers whose flavor derives from traditional or innovative browing ingredients and their fermentation. Flavored malt beverages (FMBs) are not considered beers. <sup>2</sup> Volume by craft browers represent total taxable production.

Information Sources : The Brewers Association - Press Release

#### About the Brewers Association

The Brewers Association is the not-for-profit trade association dedicated to small and independent American brewers, their beers and the community of brewing enthusiasts. The Brewers Association (BA) represents more than 70 percent of the brewing industry, and its members make more than 99 percent of the beer brewed in the U.S. The BA organizes events including the World Beer Cup®, Great American Beer Festival®, Craft Brewers Conference & BrewExpo America®, SAVOR?: An American Craft Beer & Food Experience and American Craft Beer Week®. The BA publishes The New Brewer magazine and its Brewers Publications division is the largest publisher of contemporary and relevant brewing literature for today's craft brewers and homebrewers.

2.768 54 15% Brewpubs Microbreweries Regional Craft Breweries OF THE FREE CREAT THREE WERES TO THE 2768 5 52 1005 2007 2000 3(4) 2012 20112 **Openlags** and **Closings** OPENINDS 413 Small Brewing Jobs 110,273 This is a 1.7% increase from 108,440 h

> Browns Association www.Brewsrikkstociationg

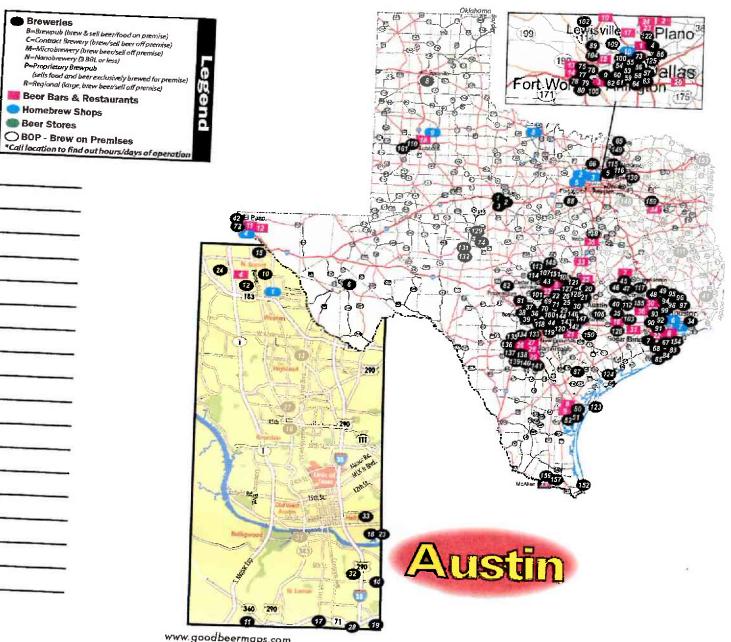
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88. Revolver Brewing Co. M Granbury 89. Uncle Buck's Brewery B Grapevine 90. 11 Below Brewing M/T Houston 91. 8th Wonder Brewery M Houston 92. Brash Brewing M/T Houston 93. Buffalo Bayou Brewing M Houston 94. Karbach Brewing Co. M Houston 95. Moon Tower Im B Houston 96. The Phoenix on Westheimer B Houston 97. St. Arnold Brewing M. Houston 2000 Lyons Ave (713) 686-9494 98. Town in Gty Brewing M/T Houston 1125 W Cavalcade (832) 409-1650 99. Whole Foods Brewery B Houston 100. Twin Peaks Brewing B Irving 101. Pecan Street Browing B Johnson Giv 106 East Pecan St (830) 868-2500 102. Rabbit Hole Brewing M Justin 103. No Label Brewing Co. M Katy 104. Shannon Brewing Co M Keller 105. Red's Roadhouse B Kennedale 106. Wild Bunch Brewing N La Grange 107. Bindlestick Brewing M/T Leander 108. Bull Creek Brewing M/T Liberty Hill 109. Cobra Brewing Co M/T Lewisville 110. Triple J Chop House B Lubbock 1807 Boddy Holly Ave (806) 771-6555 111. Big Thicket Brewery M Lufkin 112. Lone Pint Brewing Co M Magnolia 113. Double Horn Brewing B Marble Falls 114. Save the World Brewing Co MMarble Falls 115. Franconia Brewerv M McKinney 116. Tupps Brewerv M/T McKinney 117. Cyclers Brewing Montgomery 118. The Faust Hotel B New Braunfels 240 S. Seavin (830) 625-7791 119. Guadalune Brewing Co MNew Braunfels 120. New Braunfels Brwg N New Braunfels 121. Rogness Brewing Co. M Pflugerville Plano 123. Port Aransas Brewing B Port Aransas 429 Alister (361) 749-2739 124. O'Neil and Sons Brewing Co M/TPort Lavaca 125. Four Bullets Brewery M/T Richardson 126.Texian Brewing Co M Richmond 127. Bluchonnet Beer Co M Round Rock 128. Flix Brewhouse B Round Rock 129. Horny Toad Brewing Co. M Rowena 130. Firewheel Brewing M Rowlett 131. SoCo Taphouse San Angelo 132, Zero One Alehouse B San Angelo 133. Alamo Beer Co M San Antonio 134. Blue Star B San Antonio 1414 S. Alama (210) 212-5506 www.bluestarbrewing.com

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138. Freetail Brewing Co. B

142. Middleton Brewing Co.

101 Oakwood Loop

144. Sean Patrick's B

146. BS Brewing N

149. 903 Brewers N

152. Padre Island B

143. Root Cellar Cafe B

145. Bar D Brewhouse B

147. Seguin Brewing M

150. Spoetzl Brewery M

151. Solid Rock Brewing N

153. Pecan Point Brewing B

154. Galveston Bay Beer M

155. Brigadoon Brewery B

156. Old Omen Brewery M

158. Bare Arms Brewing B

159. The Blue Onion B

160. Brewster's Pizza B

157. True Vine Brewing Co N

1. BJ's Restaurant & Browhouse

2. BJ's Restaurant Brewhouse

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**Beer Notes:** 



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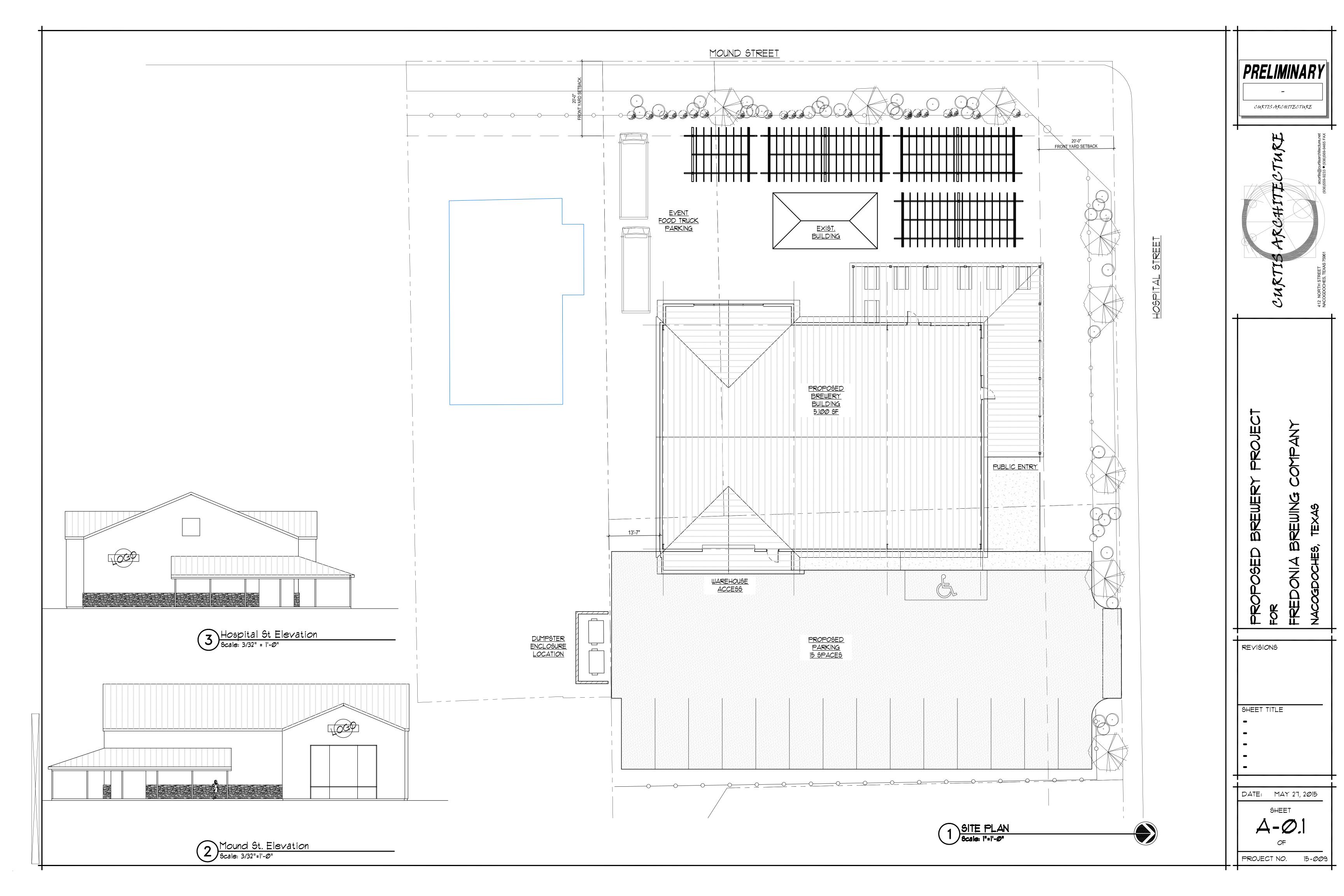
















### ITEM NO. 6

## CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT:

### <u>Consider authorizing the Mayor to execute documents in connection with</u> <u>Pilgrim's Pride Texas Capital Fund contracts</u>

#### MEETING DATE: June 16, 2015

**DESCRIPTION:** In 1994 the City assisted Pilgrims (then Green Acres Foods) with a \$1.4 million economic development loan from the State. Essentially the City received the money and was deeded by Green Acres Foods a 0.99 acre tract of Green Acre Foods' land. In approximately 2000 the City entered into a similar arrangement with Pilgrims Pride on 0.2 acres upon which a blast freezer was constructed. The City "passed through" the money to Green Acres Foods and Pilgrims to pay for the construction. The land and freezer were leased back to the company for 20 year terms. Lease payments were sufficient to repay the loan over the life of the lease at which time the land and freezer would be deeded back to the company. This was the State's way of making a 0% interest loan which the City was responsible to pay back if the company defaulted.

Pilgrims has repaid all but about \$35,000.00 of the Green Acres Foods' loan, and the lease only has a few months to run. It still owes \$393,000.00 on the freezer loan. Pilgrims recently refinanced its assets for \$1.7 Billion dollars and its lender wants the City to effectively subordinate the lease to the new loan. In other words, if the bank forecloses on the loan it wants to be able to keep the leases and sell them, along with the rest of the plant, to a new buyer.

This is not new in that the City did such a subordination in 2009. We've worked with the Texas Department of Agriculture which now administers the contracts for the State, and it will sign off on the requested documents if the City does. Since the City is still on the hook for the remaining \$428,000.00, the State has no risk.

The requested and recommended action is consent to the documents and authorization for the Mayor to sign a (1) Lessor Estoppel and Consent; (2) Amended and Restated Leasehold Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing; and (3) UCC Financing Statement. **COST:** \$0.00

#### BUDGET AMENDMENT REQUIRED ?: No

SCHEDULE: As soon as possible

RECOMMENDED

- ACTION: The requested and recommended action is consent to the documents and authorization for the Mayor to sign a (1) Lessor Estoppel and Consent; (2) Amended and Restated Leasehold Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing; and (3) UCC Financing Statement.
- **CITY CONTACT**: Rob Atherton, City Attorney

ATTACHMENTS: None



### ITEM NO. 7

## CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT:	<u>Consider annual appointment of Mayor Pro Tempore and Vice Mayor Pro</u> <u>Tempore</u>
MEETING DATE:	June 16, 2014
DESCRIPTION:	Article IV Section 7 of the City Charter states: "On an annual basis the City Council shall choose a Mayor Pro Tempore and Vice Mayor Pro Tempore to serve in the absence of the Mayor."
	Currently Council member Mike Keller serves as Mayor Pro Tempore, with Council member David Norton as Vice Mayor Pro Tempore.
RECOMMENDED	
ACTION:	Appoint Mayor Pro Tempore and Vice Mayor Pro Tempore per City Charter.
CITY CONTACT:	Jim Jeffers, City Manager
	j <mark>effers@ci.nacogdoches.tx.us</mark> 936-559-2501
ATTACHMENTS	None



### ITEM NO. 8

## CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT: <u>Receive FY 2015-2016 budget presentation</u>

MEETING DATE: June 16, 2015

**DESCRIPTION:** A brief presentation on a particular aspect of the FY 2015-2016 budget will be presented.

**CITY CONTACT:** City Manager Jim Jeffers - <u>Jeffers@ci.nacogdoches.tx.us</u>

# Presentation will be made at Tuesday's meeting



### ITEM NO. 9-A

## CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT: <u>EXECUTIVE SESSION:</u> A. Personnel – Consider Appointment of Municipal Court Judge, as per G. C. Section 551.074.

MEETING DATE: June 16, 2015

# Information will be provided At Tuesday's meeting



ITEM NO. 9-B

## CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT:

### EXECUTIVE SESSION:

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.

MEETING DATE: June 16, 2015

# <u>Presentation will be made at</u> Tuesday's meeting