



CITY OF TEXARKANA
CITY COUNCIL
AGENDA • NOVEMBER 7, 2018

Council Chambers

Called Special Meeting

5:30 PM

220 TEXAS BLVD.
TEXARKANA, TX 75501

Mayor

Bob Bruggeman

Ward 1

Jean H. Matlock

Ward 3

Betty Williams

Ward 5

Bill Harp

Ward 2

Mary Hart

Ward 4

Christie Alcorn

Ward 6

Josh Davis



The City Council reserves the right to convene into closed session on any agenda item or issue should the need arise and if applicable pursuant to authorization by the Texas Open Meetings Act (Title 5, Chapter 551 of the Texas Government Code).

If the City Council convenes into closed session, they will reconvene in one hour or less to take any final action, decision, or vote on a matter deliberated in closed session.

I. CALL TO ORDER

II. CLOSED SESSION

The City Council will convene into closed session pursuant to Section 551.071 of the Texas Government Code for a private consultation with the City Attorney.

III. RECONVENE INTO OPEN SESSION

IV. ACTION

1. Resolution No. 2018-127 supporting the role of Riverbend Water Resources District as the designated lead funding sponsor and regional wholesale water provider to procure new regional water infrastructure for development of water supply for the potable and non-potable use by Texarkana and other surrounding entities.

Public Hearing:

Council Vote: November 7, 2018

V. ADJOURNMENT



Jennifer Evans
City Secretary

This open meeting of a governmental entity is subject to the Texas Open Meetings Act (Chapter 551, Government Code). The “Board Room”, location as referenced above, is the room or property where the City Council will hold this meeting.

Pursuant to Section 46.035(c), Penal Code (unlawful carrying of handgun by license holder), a license holder commits an offense if the license holder intentionally, knowingly, or recklessly carries a handgun under the authority of Subchapter H, Chapter 411, Government Code, regardless of whether the handgun is concealed or carried in a shoulder or belt holster, in the room or rooms where a meeting of a governmental entity is held and if the meeting is an open

meeting subject to Chapter 551, Government Code, and the entity provided notice as required by that chapter.

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

This meeting is being conducted in accordance with the Americans with Disabilities Act [42 USC 12101 (1991)]. The facility is wheelchair accessible and handicap parking is available. Requests for sign interpretive services are available upon requests received at least 48 hours prior to the meeting. To make arrangements for these services, please call 903.798.3917, Personnel or (TDD) 1.800.RELAY.TX (1.800.735.2989).

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 11/1/2018 3:44 PM

Lead Department: City Manager **Action Officer:** Shirley Jaster, Interim City Manager
Resolution No. 2018-127 supporting the role of Riverbend Water Resources District as the designated lead funding sponsor and regional wholesale water provider to procure new regional water infrastructure for development of water supply for the potable and non-potable use by Texarkana and other surrounding entities.

Subject: entities.

Briefing: 11/7/2018 **Public Hearing:** **Council Vote:** 11/7/2018

Item Schedule

Updates/History of Briefing:

The resolution contains background information.

Executive Summary and Background Information:

Water liaison Steve Mayo will update the Council.

Potential Options:

- Approve the resolution
- Deny the resolution

Fiscal Implications:

None at this time.

Staff Recommendation:

N/A

Advisory Board/Committee Review:

Riverbend Board

Board/Committee Recommendation:

Approve

Advisory Board/Committee Meeting Date and Minutes:

Attachments

- 2018-127 RES Riverbend TWDB (FINAL) (DOCX)
- 2018-127 Goals & Perspectives (DOCX)

City of Texarkana, Texas

Staff Coordination

City Manager	Shirley Jaster	Department Head Review	Completed	
	11/01/2018 3:44 PM			
City Attorney	Jeffery C. Lewis	Review	Completed	11/01/2018
	4:50 PM			
Deputy City Manager -	Kyle Dooley	Kyle Dooley	Deputy City Manager	
Review	Completed	11/02/2018 8:09 AM		
City Manager	Shirley Jaster	City Manager Review	Completed	11/02/2018
	8:17 AM			
City Council	Vicky Coopwood	Meeting	Pending	11/07/2018
	5:30 PM			

Meeting History

RESOLUTION NO. 2018-127

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, SUPPORTING THE ROLE OF RIVERBEND WATER RESOURCES DISTRICT AS THE DESIGNATED LEAD FUNDING SPONSOR AND REGIONAL WHOLESALE WATER PROVIDER TO PROCURE NEW REGIONAL WATER INFRASTRUCTURE FOR DEVELOPMENT OF WATER SUPPLY FOR THE POTABLE AND NON-POTABLE USE BY TEXARKANA AND OTHER SURROUNDING ENTITIES; RECEIVING RIVERBEND'S DRAFT REGIONAL WATER RATE AND EVALUATING OTHER POSSIBLE FUNDING OPTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas ("Texarkana"), a home-rule municipality having full power of local self-government, holds rights to appropriate, divert, and use waters of the State of Texas in the Sulphur River Basin under multiple permits issued to Texarkana by the State of Texas; and

WHEREAS, in 1969, Texarkana entered into a "Water Supply System Sale-Purchase-Financing Agreement" with Lake Texarkana Water Supply Corporation, purchasing various assets set forth in that agreement ("Company Facilities"), which included the raw water intake at Wright Patman Lake and the New Boston Road Water Treatment Plant located in Texarkana; and

WHEREAS, also in 1969, Texarkana entered into water supply contracts for provision of potable water by means of Company Facilities to, respectively, the City of Annona, Texas, the City of Avery, Texas, the City of DeKalb, Texas, the City of Hooks, Texas, the City of Maud, Texas, the City of New Boston, Texas, the City of Texarkana, Arkansas, and the City of Wake Village, Texas (collectively, "the 1969 Contracting Cities"); and

WHEREAS, Riverbend Water Resources District ("Riverbend"), created in 2009, is a conservation and reclamation district created under and essential to accomplish the purpose of Section 59, Article XVI, Texas Constitution, as set forth in Title 6, Special District Local Laws Code, Subtitle L, Municipal Water Districts, Chapter 9601, with statutory powers including the authority to acquire any and all storage rights and storage capacity in a reservoir or other water sources inside or outside the boundaries of the district, and to acquire the right to take water from that reservoir or source, subject to the rights or permits held by municipalities or other persons; and

WHEREAS, Riverbend is operating under a Board of Directors comprised of five qualified voters who are residents of the district, selected by the local governing bodies of the Riverbend members (the Counties of Bowie, Cass, and Red River, TexAmericas Center, and the Cities of Annona, Atlanta, Avery, DeKalb, Hooks, Leary, Maud, Nash, New Boston, Redwater, Texarkana, and Wake Village); and

WHEREAS, Riverbend is supported by resolution by all of its member entities and has entered into Interlocal Cooperation Agreements in 2010 and 2011 with all of its member entities for the purpose of providing regional water and wastewater planning and engineering design services and implementing future regional water and wastewater infrastructure projects, as well as performing certain agent and negotiation activities at the local, state, and federal levels; and

WHEREAS, Riverbend and Texarkana have conducted numerous preliminary studies to examine the viability of extending the usable life of the raw water intake at Wright Patman Lake and the New Boston Road Water Treatment Plant and/or to build a new regional water treatment plant and new raw water intake; and

WHEREAS, Riverbend has a continued need for a regional water supply to meet current and future potable and non-potable water supply demands for municipal and industrial needs; and

WHEREAS, Riverbend began a Regional Water Master Plan Study in 2016 with Susan Roth Consulting for the purposes of 1) determining current and future population projections and water supply demands, 2) accessing current regional infrastructure, 3) recommending alternatives to the existing regional infrastructure to meet current and future demands, and 4) processing initial cost estimates and released its initial final draft as a working document of the Regional Water Master Plan in July 2018 for review and comment by member entities and interested stakeholders; and

WHEREAS, Riverbend also obtained Second Level III Cost Estimates from AECOM for the purposes of providing in greater detail a line-by-line cost assessment, as well as a more detailed scaled recommendation for phasing regional infrastructure into a timeline with estimated costs for Regional Water Infrastructure Projects in Phases 1A, 1B, and 4B totaling approximately \$200,000,000; and

WHEREAS, Riverbend intends to primarily seek funding and financing through programs at the Texas Water Development Board and any/all other state and federal entities that can provide low-cost financing or grants for the purpose of fulfilling Regional Water Infrastructure Projects, including the issuance of bonds; and

WHEREAS, Riverbend expects to enter into future water supply agreements with Texarkana and other surrounding entities who wish to become formal partners and owners in the newly developed Regional Water Infrastructure Projects of the Riverbend Regional Water Master Plan Study of 2018 in a take-or-pay type commitment pursuant to an agreed upon volume of water supply to Texarkana and other surrounding entities for the purpose of supporting the issuance of bonds, and intends to present such agreements to the City Council no later than the date that bonds are issued to support the intended projects; and

WHEREAS, Riverbend continues to work on a Water and Wastewater Rate Study with NewGen Strategies in developing an initial draft plan to provide for a regional water rate increase and/or set aside of approximately \$1.50 per 1,000 gallons for years 1-3 and \$2.50 per 1,000 gallons years 4-6 to begin meeting a commitment of debt service for a total of 30 years debt service, as well as Riverbend O&M and fees to be in place no sooner than January 1, 2019 and no later than October 1, 2019, which was provided to Riverbend members in a public work session on August 22, 2018; and

WHEREAS, Riverbend has informed city officials of the need for resolutions from the City Council and other surrounding entities supporting in principle Riverbend's plan for regional water infrastructure improvements; and upon receipt of such resolutions, Riverbend will promptly submit funding applications to the Texas Water Development Board for such improvements; and

WHEREAS, in light of aging Company Facilities, increased regional need for potable and non-potable water, and economic development opportunities that may be advanced by construction of regional water infrastructure improvements, the City Council finds and determines that supporting in principle Riverbend's plan for such improvements, consistent with the City's contracts with the 1969 Contracting Cities, will be in the best interests of the citizens of Texarkana.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1. Recognizing the importance of a regional water supply to meet current and future potable and non-potable water supply demands for municipal and industrial needs to Texarkana and the surrounding region, the City Council fully supports Riverbend Water Resources District to act on its behalf as the lead

funding sponsor and to construct the Regional Water Infrastructure Projects including at a minimum a new raw water intake, a new raw water line, and a new water treatment facility that will supply wholesale water to Texarkana.

SECTION 2. The City Council has been provided the Level III detailed costs associated with the proposed new regional water infrastructure improvements as prepared by AECOM and Riverbend, along with new recommended regional water rates necessary to support those improvements.

SECTION 3. The City Council acknowledges that Riverbend Water Resources District will be requesting funds from the Texas Water Development Board and/or other state and federal entities in the form of bond funds; and the water supply agreements which Riverbend Water Resources District intends to present to the City Council and other surrounding entities will be used to support and secure these funds to be used to pay for the regional water infrastructure improvements.

SECTION 4. The City Council intends to fix and collect such rates and charges and/or provide for other funds legally available and reasonably assured for the purpose to make possible the City's proposed payment to Riverbend Water Resources District for the regional water infrastructure improvements.

SECTION 5. The City Council intends that monies raised and/or funds set aside for the purpose of implementing the regional water infrastructure improvements will be held in a separate fund and/or account and not used for any other purpose but to support the regional water infrastructure improvements under Riverbend Water Resources District, unless the City Council otherwise approves the use of those funds for another purpose.

SECTION 6. If the City Council chooses to adopt rates and charges as described in Section 4, such rates shall be adopted by ordinance on or before their effective date so that rates may become effective no sooner than January 1, 2019, and no later than October 1, 2019.

SECTION 7. Nothing in this Resolution should be construed to abrogate Texarkana's contracts with the 1969 Contracting Cities for supply of potable water.

SECTION 8: This Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Special Council Session on this the 7th day of November, 2018.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☐ Provide a Safe Community ☒ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☒ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☐ Model a Positive City Image ☒ Deliver Efficient Services ☐ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☒ Maximize Utilization & Resources ☐ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

☐ Newspaper Notice (Required by Statute)	☐ Public Hearing (Required by Statute)
☐ Public Forum/Input Session	☐ Press Release
☐ E-News Distribution	☐ Website Notice
☐ Social Media (Twitter, Facebook, etc.)	☐ Special Mailing
☐ Flyers Posted	☐ Banners Posted
☐ Survey	☐ Automated Phone Call
☒ None Required	☐

Other: