# CITY OF TEXARKANA

## CITY COUNCIL

## MINUTES ● JANUARY 13, 2020

**Council Chambers** | **Regular Meeting** | **6:00 PM**

**220 TEXAS BLVD.**
**TEXARKANA, TX 75501**

## I. CALL TO ORDER, ROLL CALL, ESTABLISHMENT OF QUORUM

| Attendee Name | Title | Status | Arrived |
|---|---|---|---|
| Bob Bruggeman | Mayor | Present | |
| Jean H. Matlock | Ward 1 | Present | |
| Mary Hart | Ward 2 | Present | |
| Betty Williams | Ward 3 | Present | |
| Christie Alcorn | Ward 4 | Present | |
| Bill Harp | Ward 5 | Present | |
| Josh Davis | Ward 6 | Present | |

Staff Present: City Manager Shirley Jaster, Jennifer Evans, Vicky Coopwood, David Orr, Kristin Peeples, Eric Schlotter, Robby Robertson, J. D. Phillips, Dusty Henslee, Sherry Jackson Hawkins, Jennifer Strayhorn, and Karey Parker.

Legal Counsel: Jeff Lewis.

## II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER BETTY WILLIAMS

## III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

**Upcoming City Council Meetings:**

Monday, January 27, 2020, at 6:00 p.m.
Monday, February 10, 2020, at 6:00 p.m.
Monday, February 24, 2020, at 6:00 p.m.

**Parks & Recreation Events:**

There are no events scheduled.

Mayor Bruggeman congratulated the Pleasant Grove Hawk football team, Coach Josh Gibson and coaching staff for winning the state championship. This is the second state football championship win in three years.

The next Joint City Meeting with Texarkana, Arkansas, is scheduled for Tuesday, February 4th at the Ark-Tex Council of Governments building located at 4808 Elizabeth Street, Texarkana, Texas, The meeting will begin at 3:00 p.m. and is open to the public. The topic of discussion will be the "2020 Census".

The 2020 Chamber of Commerce Annual Celebration will be held on Friday, January 24th. This year it will be held at the Arkansas Convention Center. For additional information, please contact the Chamber of Commerce at (903) 792-7191.

## IV. OPEN FORUM: COMMENTS FROM THE PUBLIC

Per Council rules, comment time is limited to five minutes, or ten minutes if using a translator. Before comments are made, a speaker must complete an information sheet and give to the City Secretary. If your comment pertains to an agenda item with a scheduled public hearing or public comment, the Council requires that you make your comment at that time; you do not need to complete an information sheet.

Willis Johnston addressed the Council to express his appreciation to the Street Department for their timely response removing limbs in his neighborhood.

## V. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

Council Member Hart recommended the re-appointment of Ellen Moore to the Zoning Board of Adjustment. Council Member Harp recommended the re-appointments of Rusty Felps and Larry Bunn to the Zoning Board of Adjustment.

1. Motion to make re-appointments to the Zoning Board of Adjustment.

(6:10 p.m.)

| | |
|---|---|
| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Josh Davis, Ward 6 |
| **SECONDER:** | Bill Harp, Ward 5 |
| **AYES:** | Matlock, Hart, Williams, Page, Harp, Davis |
| **EXCUSED:** | Bruggeman |

## VI. ITEMS FOR CONSIDERATION

### *Consent Items*

(6:12 p.m.)

| | |
|---|---|
| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Betty Williams, Ward 3 |
| **SECONDER:** | Jean H. Matlock, Ward 1 |
| **AYES:** | Matlock, Hart, Williams, Page, Harp, Davis |
| **EXCUSED:** | Bruggeman |

1. Consider approval of the minutes of the Regular Meeting of the City Council held on December 9, 2019 at 6:00 PM.

2. Consider approval of the minutes of the Special Meeting of the City Council held on January 6, 2020 at 12:30 PM.

3. Resolution No. 2020-005 authorizing the City Manager to enter into a contract for the Lake Wright Patman Pump Station Improvements Project, with budgeted funds, in an amount not to exceed $431,516.

   Public Hearing:
   Council Vote: January 13, 2020

***Action Items***

4. Resolution No. 2020-004 authorizing the City Manager to enter into a three-year contract for the annual audit for the fiscal years ending September 30, 2019, 2020, and 2021, with the option to renew.

   Public Hearing:
   Council Vote: January 13, 2020

   Kristin Peeples briefed this agenda item.
   (6:18 p.m.)

| | |
|---|---|
| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Christie Page, Ward 4 |
| **SECONDER:** | Bill Harp, Ward 5 |
| **AYES:** | Matlock, Hart, Williams, Page, Harp, Davis |
| **EXCUSED:** | Bruggeman |

5. Ordinance No. 2020-007 appointing an election official as the Election Day Presiding Judge for a Special Election to be held on January 28, 2020 to fill a council member vacancy of an unexpired term in Ward 6.

   Public Hearing:
   Council Vote: January 13, 2020

   The Mayor asked the Assistant City Secretary for a roll call vote.
   (6:11 p.m.)

| | |
|---|---|
| **RESULT:** | **ADOPTED [6 TO 0]** |
| **MOVER:** | Betty Williams, Ward 3 |
| **SECONDER:** | Jean H. Matlock, Ward 1 |
| **AYES:** | Bruggeman, Matlock, Hart, Williams, Page, Harp |
| **ABSTAIN:** | Davis |

## VII. FIRST BRIEFINGS

1. Ordinance No. 2020-001 amending PD-18-2(C) for revision to the site plan to allow signage for a collision center on a portion of an 8.04 acre tract of land in the George Brinlee HRS, A-18 (Lot 1, Block 2, Classic Auto Park East), located at 924 Kenwood Road. Gregg Orr, applicant. Kayla Wood, MTG Engineers and Surveyors, agent.

   Public Hearing: January 27, 2020
   Council Vote: January 27, 2020

   David Orr briefed this agenda item.

| | | |
|---|---|---|
| **RESULT:** | **MOVED FORWARD** | **Next: 1/27/2020 6:00 PM** |

2. Ordinance No. 2020-002 rezoning Lot 1, Block 1, Marriott Subdivision, located in the 3000 block of St. Michael Drive. Agriculture to PD-General Retail. Ray Walsh and Barrie Thompson, applicants. David Williams, MTG Engineers and Surveyors, agent.

   Public Hearing: January 27, 2020
   Council Vote: January 27, 2020

   David Orr briefed this agenda item.

| | | |
|---|---|---|
| **RESULT:** | **MOVED FORWARD** | **Next: 1/27/2020 6:00 PM** |

3. Ordinance No. 2020-006 regulating the speed of motor vehicles upon a certain section of FM 559 within the corporate limits of the City of Texarkana, Texas; registering the set speed limits in the City's Traffic Register; and authorizing the Texas Department of Transportation to erect signs.

   Public Hearing: January 27, 2020
   Council Vote: January 27, 2020

   Dusty Henslee briefed this agenda item.

| | | |
|---|---|---|
| **RESULT:** | **MOVED FORWARD** | **Next: 1/27/2020 6:00 PM** |

4. Ordinance No. 2020-008 amending Article IV (access driveways) of Chapter 130 of the Code of Ordinances by adding subsection 130-120(1-a) to provide for limited authority and minimum construction requirements for a singular access driveway from a public street to an abutting rear yard of a single residential unit.

   Public Hearing: January 27, 2020
   Council Vote: January 27, 2020

   Shirley Jaster briefed this agenda item.

| | | |
|---|---|---|
| **RESULT:** | **MOVED FORWARD** | **Next: 1/27/2020 6:00 PM** |

## VIII. PUBLIC HEARINGS - NONE

## IX. ITEMS FOR DISCUSSION

Staff Updates - None

## X. ADMINISTRATIVE COMMENTS

1. City Council

   Council Member Matlock reminded everyone of the Martin Luther King, Jr. 2020 Celebration events scheduled for January 18th and 19th. For more information send an email to: mlktexarkana2017@gmail.com.

   Mayor Bruggeman invited all to come and share in the Hotel Grim Sign lighting ceremony on January 21st at 5:30 p.m. in front of the Perot Theatre.

2. City Staff

   Staff had no administrative comments for council.

## XI. ADJOURNMENT

A motion was made to adjourn the meeting.
(6:32 p.m.)

| | |
|---|---|
| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Christie Page, Ward 4 |
| **SECONDER:** | Jean H. Matlock, Ward 1 |
| **AYES:** | Matlock, Hart, Williams, Page, Harp, Davis |
| **EXCUSED:** | Bruggeman |

Vicky Coopwood
Asst. City Secretary

Bob Bruggeman
Mayor

# CITY OF TEXARKANA

## CITY COUNCIL

## MINUTES • DECEMBER 9, 2019

**Council Chambers** | **Regular Meeting** | **6:00 PM**

**220 TEXAS BLVD.**
**TEXARKANA, TX 75501**

## I. CALL TO ORDER, ROLL CALL, ESTABLISHMENT OF QUORUM

| Attendee Name | Title | Status | Arrived |
|---|---|---|---|
| Bob Bruggeman | Mayor | Present | |
| Jean H. Matlock | Ward 1 | Present | |
| Mary Hart | Ward 2 | Present | |
| Betty Williams | Ward 3 | Present | |
| Christie Alcorn | Ward 4 | Present | |
| Bill Harp | Ward 5 | Present | |
| Josh Davis | Ward 6 | Present | |

Staff Present: City Manager Shirley Jaster, Jennifer Evans, Jerry Sparks, Sherry Jackson Hawkins, Kristin Peeples, Karey Parker, Dusty Henslee, Mashell Daniel, Eric Schlotter, and David Orr.

Legal Counsel: Jeff Lewis.

## II. INVOCATION AND PLEDGE LED BY MAYOR BOB BRUGGEMAN

## III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

**Upcoming City Council Meetings:**

Monday, January 13, 2020 at 6:00 p.m.
Monday, January 27, 2020 at 6:00 p.m.

**Parks & Recreation Events:**

December 11th Senior Day Out Southwest Center

Additional Parks & Recreation events can be found on the city's website at <http://www.ci.texarkana.tx.us> or call (903) 798-3978 for more information.

**Other City Events:**

Minutes Acceptance: Minutes of Dec 9, 2019 6:00 PM (Consent Items)

Christmas Market, Monday, December 9th, 5:00 p.m. -7:00 p.m. Kress Gap (116 West Broad Street)

Annual Main Street Christmas Parade, Monday, December 9th - beginning at 7:00 p.m.

Holiday Traditions / Holiday Movies at the Perot Theater - Saturday, December 21st

Mayor Bruggeman congratulated the Pleasant Grove Hawks football team for being two wins away from a championship game under the direction of Coach Gibson. The team's next playoff game will be Friday, December 13th at The Star facility in Frisco, Texas.

Students from Mr. Davis' class at Texas High School were welcomed to the meeting.

As December 9th was the last council meeting in 2019, the Mayor personally thanked all the council members for serving the citizens and providing a great year of conducting city business.

The Mayor reported that this year's 21st annual Bramlett Beans & Cornbread event was a great success and had the largest attendance so far. The event is hosted during the holiday season to raise funds and receive nonperishable food items to distribute in food baskets to needy families in the community.

## IV. OPEN FORUM: COMMENTS FROM THE PUBLIC

Per Council rules, comment time is limited to five minutes, or ten minutes if using a translator. Before comments are made, a speaker must complete an information sheet and give to the City Secretary. If your comment pertains to an agenda item with a scheduled public hearing or public comment, the Council requires that you make your comment at that time; you do not need to complete an information sheet.

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Jim Brower, representing Jacob Duke, addressed council concerning a street cut permit on Bringle Ridge. Mr. Brower introduced Jacob Duke, owner of the property in question, and allowed him to speak during this allotted time.

Christopher Redden, Pastor of Greater New Hope Baptist Church, addressed council concerning a water line leak in front of the church which is located at 1101 Phenie Street.

## V. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

There were no appointments or reappointments made by council.

## VI. ITEMS FOR CONSIDERATION

***Consent Items***

(6:18 p.m.)

Minutes Acceptance: Minutes of Dec 9, 2019 6:00 PM (Consent Items)

| | |
|---|---|
| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Bill Harp, Ward 5 |
| **SECONDER:** | Christie Alcorn, Ward 4 |
| **AYES:** | Matlock, Hart, Williams, Alcorn, Harp, Davis |
| **EXCUSED:** | Bruggeman |

1. Consider approval of the minutes of the Regular Meeting of the City Council held on November 25, 2019 at 6:00 PM.

2. Ordinance No. 2019-114 amending the Building Maintenance Fund (Fund 228) budget for the fiscal year ending September 30, 2020 to add unspent funds of $48,643 from the preceding fiscal year.

   Public Hearing:
   Council Vote: December 9, 2019

3. Ordinance No. 2019-115 amending the Major Street Maintenance Fund (Fund 120) budget for the fiscal year ending September 30, 2020 to add unspent funds of $61,732 from the preceding fiscal year.

   Public Hearing:
   Council Vote: December 9, 2019

***Action Items***

4. Resolution No. 2019-113 authorizing the City Manager to enter into a contract with PMAM Corporation for the administration of alarm permits and collection of alarm fees.

   Public Hearing:
   Council Vote: December 9, 2019

   Eric Schlotter briefed this agenda item.
   (6:24 p.m.)

| | |
|---|---|
| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Betty Williams, Ward 3 |
| **SECONDER:** | Jean H. Matlock, Ward 1 |
| **AYES:** | Matlock, Hart, Williams, Alcorn, Harp, Davis |
| **EXCUSED:** | Bruggeman |

5. Resolution No. 2019-116 approving the request of the Texarkana Airport Authority for clear cutting and thinning of approximately 110 acres of timber entrusted to the Authority.

   Public Hearing:
   Council Vote: December 9, 2019

   Dave Snavely, Interim Airport Director, briefed this agenda item. Matt Robertson, chairperson of the Airport Authority board, thanked Mr. Snavely, LifeNet Executive Director David Baumgardner and the LifeNet board for allowing Mr. Snavely to be "on loan" in this capacity.

   Since October, Mr. Snavely has continued essential duties of an airport director and has helped to move along the new terminal and taxiway projects.
   (6:31 p.m.)

| | |
|---|---|
| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Josh Davis, Ward 6 |
| **SECONDER:** | Bill Harp, Ward 5 |
| **AYES:** | Matlock, Hart, Williams, Alcorn, Harp, Davis |
| **EXCUSED:** | Bruggeman |

## VII. FIRST BRIEFINGS - NONE

## VIII. PUBLIC HEARINGS - NONE

## IX. ITEMS FOR DISCUSSION

Staff Updates - None

## X. ADMINISTRATIVE COMMENTS

1. City Council

   Council Member Harp wished city staff a Merry Christmas and Happy Holidays in appreciation of all of the services staff provides to the citizens.

Minutes Acceptance: Minutes of Dec 9, 2019 6:00 PM (Consent Items)

The Mayor thanked the Texas High School students from Mr. Davis' class for their attendance.

2. City Staff

City Manager Jaster wished the council a happy and safe holiday season and said staff appreciates the support of council which enables staff to continue to provide quality services to its citizens.

## XI. ADJOURNMENT

A motion was made to adjourn the meeting.
(6:32 p.m.)

| | |
|---|---|
| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Christie Alcorn, Ward 4 |
| **SECONDER:** | Mary Hart, Ward 2 |
| **AYES:** | Matlock, Hart, Williams, Alcorn, Harp, Davis |
| **EXCUSED:** | Bruggeman |

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

Minutes Acceptance: Minutes of Dec 9, 2019 6:00 PM (Consent Items)

# CITY OF TEXARKANA

## CITY COUNCIL

## MINUTES • JANUARY 6, 2020

**Council Chambers** | **Special Meeting** | **12:30 PM**

**220 TEXAS BLVD.**
**TEXARKANA, TX 75501**

## I. CALL TO ORDER, ROLL CALL, ESTABLISHMENT OF QUORUM

| Attendee Name | Title | Status | Arrived |
|---|---|---|---|
| Bob Bruggeman | Mayor | Present | |
| Jean H. Matlock | Ward 1 | Present | |
| Mary Hart | Ward 2 | Present | |
| Betty Williams | Ward 3 | Present | |
| Christie Alcorn | Ward 4 | Absent | |
| Bill Harp | Ward 5 | Present | |
| Josh Davis | Ward 6 | Present | |

Staff Present: City Manager Shirley Jaster, Jennifer Evans, and Lisa Thompson.

Legal Counsel: Jeff Lewis.

## II. MAYOR'S OPENING REMARKS

Mayor Bruggeman said Council Member Davis announced his candidacy to run for a Bowie County elected position which has created a vacancy for the position of Councilmember for Ward 6. Therefore, the city has called a special election.

The Mayor outlined the dates and times for early voting, which begins on January 13, 2020. Election Day for Ward 6 registered voters will be held on Tuesday, January 28, 2020 on the campus of Pleasant Grove Middle School, located at 5605 Cooks Lane, Texarkana, Texas, in the band hall room.

Jeff Lewis informed the council that since this special election will be held by the city, election officials must be registered voters of the city and council will need to amend the proposed ordinance to delete the name of the Election Day Presiding Judge.

1. Ordinance No. 2020-003 appointing election officials for early voting and election day for a Special Election to be held on January 28, 2020 to fill a council member vacancy of an unexpired term in Ward 6.

   Public Hearing:
   Council Vote: January 6, 2020

Minutes Acceptance: Minutes of Jan 6, 2020 12:30 PM (Consent Items)

An amended motion was made to remove the name of the Election Day Presiding Judge from the proposed ordinance. The Mayor asked the City Secretary for a roll call vote.
(12:40 p.m.)

| | |
|---|---|
| **RESULT:** | **ADOPTED AS AMENDED [5 TO 0]** |
| **MOVER:** | Bill Harp, Ward 5 |
| **SECONDER:** | Jean H. Matlock, Ward 1 |
| **AYES:** | Bruggeman, Matlock, Hart, Williams, Harp |
| **ABSTAIN:** | Davis |
| **ABSENT:** | Alcorn |

## III. ADJOURNMENT

Council Member Harp thanked city staff and Mr. Lewis for their efforts in arranging and holding a special city election.

Mayor Bruggeman also thanked the willing citizens who give of their time and make themselves available to work during this special election.

A motion was made to adjourn the meeting.
(12:41 p.m.)

| | |
|---|---|
| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Bill Harp, Ward 5 |
| **SECONDER:** | Mary Hart, Ward 2 |
| **AYES:** | Bruggeman, Matlock, Hart, Williams, Harp, Davis |
| **ABSENT:** | Alcorn |

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

Minutes Acceptance: Minutes of Jan 6, 2020 12:30 PM (Consent Items)

City of Texarkana, Texas

# Briefing Sheet

Version:
**Update Date:** 1/10/2020 11:12 AM

**Lead Department:** Water Utilities **Action Officer:** Pam White,

**Subject:** Resolution No. 2020-005 authorizing the City Manager to enter into a contract for the Lake Wright Patman Pump Station Improvements Project, with budgeted funds, in an amount not to exceed $431,516.

**Briefing:** 1/13/2020 **Public Hearing:** **Council Vote:** 1/13/2020

**Item Schedule**

Schedule 3: No briefing required (one week)

**Updates/History of Briefing:**

NOT APPLICABLE

**Executive Summary and Background Information:**

Bids were received Thursday, December 12, 2019 for the Lake Wright Patman Pump Station Improvements Project. Three (3) contractors picked up bid packages for the project and three (3) contractors bid on the project. H & K Electric, Inc. of Texarkana, Texas was the apparent low bidder with a low Base Bid of $431,516.00. This project will replace the electrical switch gear at the low service pump station located at Lake Wright Patman. H & K Electric, Inc. is recommended by the Utility and A. L. Franks Engineering.

**Potential Options:**

- None
-

**Fiscal Implications:**

This project was budgeted in the Utility's 2019-2020 Budget in the Lake Texarkana Water Supply Corporation Fund (LTWSC) at $373,000.00. The remaining $58,516.00 is available in the LTWSC Fund.

**Staff Recommendation:**

Utility staff recommends approval.

**Advisory Board/Committee Review:**

NONE

**Board/Committee Recommendation:**

NOT APPLICABLE

**Advisory Board/Committee Meeting Date and Minutes:**

NOT APPLICABLE

**Attachments**

a. 2020-005 RES Lake WP Pump Station (DOCX)
b. 2020-005 ATTH 01 Bid Summary (DOCX)

c. 2020-005 ATTH 02 (PDF)
d. 2020-005 Goals Perspectives (DOCX)
e. 2020-005 RES Lake WP Pump Sta Proj signed (PDF)

## Staff Coordination

| | | | | |
|---|---|---|---|---|
| Water Utilities | Gary Smith | Department Head Review | Completed | 12/31/2019 2:22 PM |
| Water Utilities | JD Phillips | Water Utilities Review | Completed | 12/31/2019 2:23 PM |
| Water Utilities | Jim Cornelius | Review | Completed | 12/31/2019 2:30 PM |
| City Manager | Shirley Jaster | City Manager Review | Completed | 01/03/2020 2:53 PM |
| City Council | Jennifer Evans | Meeting | Completed | 01/13/2020 6:00 PM |

## Meeting History

**RESOLUTION NO. 2020-005**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND ENTER INTO A CONTRACT WITH H & K ELECTRIC, INC. OF TEXARKANA, TEXAS, IN AN AMOUNT NOT TO EXCEED $431,516.00 FOR THE LAKE WRIGHT PATMAN PUMP STATION IMPROVEMENTS PROJECT; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS,** on December 12, 2019, three (3) bids were received, a copy of which is attached hereto as **ATTH 01**, by Texarkana Water Utilities for the Lake Wright Patman Pump Station Improvements Project; and

**WHEREAS,** the project will replace the electrical switch gear at the low service pump station located at Lake Wright Patman, and related appurtenances; and

**WHEREAS,** the lowest and best bid by a responsible vendor for this project was submitted by H & K Electric, Inc. of Texarkana, Texas, a copy of which is attached hereto as **ATTH 02** in an amount not to exceed $431,516.00; and

**WHEREAS,** funds currently budgeted in the Texarkana Water Utilities 2019-2020 Budget in the Lake Texarkana Water Supply Corporation (LTWSC) Fund are available in the amount of $373,000.00. The remaining $58,516.00 is available in the LTWSC Fund.

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

**SECTION 1:** That the lowest and best bid by a responsible vendor, submitted by H & K Electric, Inc. of Texarkana, Texas, a copy of which is attached hereto as **ATTH 02** be and is hereby approved in an amount not to exceed $431,516.00 for the installation of the electrical switch gear and related appurtenances for the Lake Wright Patman Pump Station Improvements Project.

**SECTION 2:** That the City Manager be and is authorized to contract with H & K Electric, Inc. of Texarkana, Texas, for the above-described services.

**SECTION 3:** That this Resolution shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** in Regular Council Session on this the **13th day of January 2020**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2020-005 RES Lake WP Pump Station (2202 : 2020-005 RES Lake Wright Patman Pump Station)

# Bid Summary

## Lake Wright Patman Pump Station Improvements Project

Thursday, December 12, 2019, 2:00 P.M.

| | | Base Bid |
|---|---|---|
| 1. | H &K Electric, Inc.<br>Texarkana, Texas | $ 431,516.00 |
| 2. | Nash Electric<br>Nash, Texas | $ 468,000.00 |
| 3. | Quality Electric Co., Inc.<br>El Dorado, Arkansas | $ 489,506.00 |

| | |
|---|---|
| Time First Bid Opened: | 2:00 P.M |
| Number of Bidders: | 3 |
| Apparent Low Bidder: | H & K Electric, Inc. |

Attachment: 2020-005 ATTH 01 Bid Summary (2202 : 2020-005 RES Lake Wright Patman Pump Station)

A.L. FRANKS ENGINEERING

118 East Broad Street
Texarkana, AR 71854
PHONE 870.216.1906 • FAX 870.216.1907

December 13, 2019

Mr. J.D. Phillips, P.E.
Executive Director
Texarkana Water Utilities
801 Wood Street
Texarkana, Texas 75501

Re: Texarkana Water Utilities
Lake Wright Patman Pump Station Improvements

Dear Mr. Phillips:

As you are aware, sealed bids were received and opened on December 12, 2019 with reference to the captioned project. The successful Contractor was H&K Electric with a Base Bid of $431,516.00, as shown on the attached Bid Tabulation.

I have reviewed the Statement of Qualifications provided by H&K Electric and found it to meet the requirements requested. I, therefore, recommend project award to H&K Electric for the Base Bid in the amount of $431,516.00 with Contract execution and construction to begin as soon as possible.

If you have any questions or require additional information, please contact me.

Sincerely,

A.L. FRANKS ENGINEERING, INC.

Anthony L. (Andy) Franks, P.E.
Principal



Attachment: 2020-005 ATTH 02 (2202 : 2020-005 RES Lake Wright Patman Pump Station)

# TEXARKANA WATER UTILITIES

## LAKE WRIGHT PATMAN PUMP STATION

## THURSDAY, DECEMBER 12TH AT 2:00 P.M.

## BID TABULATION

| | | | | H&K Electric | | Nash Electric | | Quality Electric Co. Inc. | |
|---|---|---|---|---|---|---|---|---|---|
| ITEM | QTY | UNIT | DESCRIPTION | UNIT PRICE | TOTAL PRICE | UNIT PRICE | TOTAL PRICE | UNIT PRICE | TOTAL PRICE |
| 1 | 1 | L.S. | Provide and Install New Switch Gear, Materials and Appurtenances for a complete and operational system | $431,516.00 | $431,516.00 | $468,000.00 | $468,000.00 | $489,506.00 | $489,506.00 |
| | | | **TOTAL BASE BID** | | **$431,516.00** | | **$468,000.00** | | **$489,506.00** |

Anthony L. Franks, P.E.
President/CEO

STATE OF TEXAS
ANTHONY L. FRANKS
86062
LICENSED
PROFESSIONAL ENGINEER





Attachment: 2020-005 ATTH 02 (2202 : 2020-005 RES Lake Wright Patman Pump Station)

# 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<br>☐ Provide a Safe Community<br>☑ Deliver Quality Services<br>☐ Foster a Healthy Community |
| Run the Operations | ☐ Enhance Community Preparedness & Responsiveness<br>☐ Maximize Partnership Opportunities<br>☐ Provide Courteous & Responsive Customer Service<br>☐ Model a Positive City Image<br>☑ Deliver Efficient Services<br>☐ Cultivate Community Involvement & Access |
| Manage the Resources | ☐ Maintain Fiscal Strength<br>☐ Maximize Utilization & Resources<br>☑ Invest in Infrastructure & Transportation |
| Develop Personnel | ☐ Develop a Skilled & Diverse Workforce<br>☐ 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:

Attachment: 2020-005 Goals Perspectives (2202 : 2020-005 RES Lake Wright Patman Pump Station)

# RESOLUTION NO. 2020-005

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND ENTER INTO A CONTRACT WITH H & K ELECTRIC, INC. OF TEXARKANA, TEXAS, IN AN AMOUNT NOT TO EXCEED $431,516.00 FOR THE LAKE WRIGHT PATMAN PUMP STATION IMPROVEMENTS PROJECT; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS,** on December 12, 2019, three (3) bids were received, a copy of which is attached hereto as **ATTH 01**, by Texarkana Water Utilities for the Lake Wright Patman Pump Station Improvements Project; and

**WHEREAS,** the project will replace the electrical switch gear at the low service pump station located at Lake Wright Patman, and related appurtenances; and

**WHEREAS,** the lowest and best bid by a responsible vendor for this project was submitted by H & K Electric, Inc. of Texarkana, Texas, a copy of which is attached hereto as **ATTH 02** in an amount not to exceed $431,516.00; and

**WHEREAS,** funds currently budgeted in the Texarkana Water Utilities 2019-2020 Budget in the Lake Texarkana Water Supply Corporation (LTWSC) Fund are available in the amount of $373,000.00. The remaining $58,516.00 is available in the LTWSC Fund.

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

**SECTION 1:** That the lowest and best bid by a responsible vendor, submitted by H & K Electric, Inc. of Texarkana, Texas, a copy of which is attached hereto as **ATTH 02** be and is hereby approved in an amount not to exceed $431,516.00 for the installation of the electrical switch gear and related appurtenances for the Lake Wright Patman Pump Station Improvements Project.

**SECTION 2:** That the City Manager be and is authorized to contract with H & K Electric, Inc. of Texarkana, Texas, for the above-described services.

**SECTION 3:** That this Resolution shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** in Regular Council Session on this the **13th day of January 2020**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:10 p.m.

Attachment: 2020-005 RES Lake WP Pump Sta Proj signed (2202 : 2020-005 RES Lake Wright Patman Pump Station)

A.L. FRANKS ENGINEERING

118 East Broad Street
Texarkana, AR 71854
PHONE 870.216.1906 • FAX 870.216.1907

RES 2020-005
ATTH 02

December 13, 2019

Mr. J.D. Phillips, P.E.
Executive Director
Texarkana Water Utilities
801 Wood Street
Texarkana, Texas 75501

Re: Texarkana Water Utilities
Lake Wright Patman Pump Station Improvements

Dear Mr. Phillips:

As you are aware, sealed bids were received and opened on December 12, 2019 with reference to the captioned project. The successful Contractor was H&K Electric with a Base Bid of $431,516.00, as shown on the attached Bid Tabulation.

I have reviewed the Statement of Qualifications provided by H&K Electric and found it to meet the requirements requested. I, therefore, recommend project award to H&K Electric for the Base Bid in the amount of $431,516.00 with Contract execution and construction to begin as soon as possible.

If you have any questions or require additional information, please contact me.

Sincerely,

A.L. FRANKS ENGINEERING, INC.

Anthony L. (Andy) Franks, P.E.
Principal



Attachment: 2020-005 RES Lake WP Pump Sta Proj signed (2202 : 2020-005 RES Lake Wright Patman Pump Station)

# TEXARKANA WATER UTILITIES

## LAKE WRIGHT PATMAN PUMP STATION

## THURSDAY, DECEMBER 12TH AT 2:00 P.M.

## BID TABULATION

| | | | | H&K Electric | | Nash Electric | | Quality Electric Co. Inc. | |
|---|---|---|---|---|---|---|---|---|---|
| ITEM | QTY | UNIT | DESCRIPTION | UNIT PRICE | TOTAL PRICE | UNIT PRICE | TOTAL PRICE | UNIT PRICE | TOTAL PRICE |
| 1 | 1 | L.S. | Provide and Install New Switch Gear, Materials and Appurtenances for a complete and operational system | $431,516.00 | $431,516.00 | $468,000.00 | $468,000.00 | $489,506.00 | $489,506.00 |
| | | | **TOTAL BASE BID** | | **$431,516.00** | | **$468,000.00** | | **$489,506.00** |

Anthony L. Franks, P.E.
President/CEO

Attachment: 2020-005 RES Lake WP Pump Sta Proj signed (2202 : 2020-005 RES Lake Wright Patman

RES 2020-005
ATTH 02

**City of Texarkana, Texas**

Version: A

# Briefing Sheet

**Update Date:** 1/10/2020 8:37 AM

**Lead Department:** Finance Department **Action Officer:** Kristin Peeples,

**Subject:** Resolution No. 2020-004 authorizing the City Manager to enter into a three-year contract for the annual audit for the fiscal years ending September 30, 2019, 2020, and 2021, with the option to renew.

**Briefing:** 1/13/2020 **Public Hearing:** **Council Vote:** 1/13/2020

**Item Schedule**

## Updates/History of Briefing:

Not Applicable

## Executive Summary and Background Information:

Staff was notified on November 25, 2019 that due to staffing changes Holliday, Lemons & Cox, P.C. would no longer be able to provide audit services for the City for the fiscal year ended September 30, 2019.

In response to this information, the City issued a request for qualifications (RFQ) for audit services on December 4, 2019 with proposal opening on December 19, 2019 at 2:00 PM. The intent of the RFQ was to obtain independent audit services for the City's annual financial audits for the fiscal years ending September 30, 2019, 2020, 2021 with the option of auditing two subsequent fiscal years, 2022 and 2023, based on satisfactory performance. The City obtained a list of potential audit firms from a Government Finance Officers Association of Texas (GFOAT) forum. These firms were notified of the RFQ through email. Notice of the RFQ was also published in the Texarkana Gazette on December 4, 2019 and December 11, 2019, and on the City's website.

The City received two proposals. One from BKD, LLP of Dallas, TX and one from JWCK, LTD of Hot Springs, Arkansas.

After reviewing both proposals, staff recommends awarding the contract to BKD, LLP of Dallas, TX. Staff believes that BKD's knowledge and experience in governmental accounting will be very beneficial to the City. BKD is one of the largest national CPA firms in the United States, with 40 offices located in 18 states. The Dallas office has 110 personnel. The large number of personnel would allow for very little impact to the City should personnel turn over. As the current auditor of record for the City of Texarkana, Arkansas, BKD is already familiar with the operations of Texarkana Water Utilities.

- BKD has the following municipal clients in Texas and Arkansas:
  - City of Abilene, TX
  - City of Balch Springs, TX

- City of Bentonville, AR
- City of Bryan, TX
- City of Celina, TX
- City of College Station, TX
- City of Conway, AR
- City of Decatur, TX
- City of Fort Smith, AR
- City of Hurst, TX
- City of Keene, TX
- City of Kennedale, TX
- City of Kerrville, TX
- City of Lancaster, TX
- City of Little Rock, AR
- City of McKinney, TX
- City of Mesquite, TX
- City of Midland, TX
- City of Roanoke, TX
- City of Springdale, AR
- City of Texarkana, AR
- City of Tomball, TX
- Town of Addison, TX
- Town of Highland Park, TX

- Proposed Fees:
  - 2019 - $141,000
  - 2020 - $145,250
  - 2021 - $150,000
  - 2022 - $155,000
  - 2023 - $160,000

**Potential Options:**

- Approve
- Deny

**Fiscal Implications:**

To maintain fiscal responsibility and verify that financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles.

**Staff Recommendation:**

Staff recommends approval.

**Advisory Board/Committee Review:**

Not Applicable

**Board/Committee Recommendation:**

Not Applicable.

**Advisory Board/Committee Meeting Date and Minutes:**

Not Applicable.

## Attachments

a. 2020-004 RES Auth CM to enter contract for audit svcs (jcl rev) (DOCX)
b. 2020-004 ATTH 01 HLC letter audit (PDF)
c. 2020-004 Goals & Perspectives (DOCX)
d. 2020-004 RES Approving Audit Firm signed (PDF)

## Staff Coordination

| | | | | |
|---|---|---|---|---|
| Finance Department | Kristin Peeples | Department Head Review | Completed | 12/27/2019 4:41 PM |
| Finance Department | Kristin Peeples | Finance Review | Completed | 12/27/2019 4:41 PM |
| Purchasing and Contracting | Kim Russ | Review | Completed | 01/09/2020 3:47 PM |
| City Manager | Shirley Jaster | City Manager Review | Completed | 01/10/2020 8:36 AM |
| City Council | Jennifer Evans | Meeting | Completed | 01/13/2020 6:00 PM |

## Meeting History

# RESOLUTION NO. 2020-004

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE-YEAR CONTRACT WITH BKD, LLP TO PERFORM THE ANNUAL AUDIT FOR THE CITY OF TEXARKANA, TEXAS, AND TEXARKANA WATER UTILITIES (TWU) FOR THE FISCAL YEARS ENDING SEPTEMBER 30, 2019, 2020, AND 2021, WITH THE OPTION TO RENEW FOR FISCAL YEARS ENDING SEPTEMBER 30, 2022 AND 2023; ACCEPTING THE RESIGNATION OF THE ACCOUNTING FIRM ORIGINALLY CONTRACTED FOR ANNUAL AUDIT SERVICES; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS,** the entity contracted to perform annual audit services for the City of Texarkana, Texas, and Texarkana Water Utilities (TWU) for the fiscal year ending September 30, 2019, Holliday, Lemons & Cox, P.C., has resigned from performing such services; and

**WHEREAS,** in response to a Request for Qualifications, the City received a total of two proposals from qualified accounting firms to perform the annual audits for the City and TWU; and

**WHEREAS,** City staff recommends that the Council accept the proposal from BKD, LLP to perform the above mentioned services for fiscal years ending September 30, 2019, 2020, and 2021, with the option to renew for fiscal years ending September 30, 2022 and 2023, at the total costs set out below in Sections 1 and 2 of this Resolution.

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

**SECTION 1:** The City Council accepts the proposal from BKD, LLP, to perform annual audit services for fiscal years ending September 30, 2019, 2020, and 2021, for the City of Texarkana, Texas, and Texarkana Water Utilities (TWU), and the City Manager is authorized to execute a three-year agreement with said firm to perform the annual audit services at a total cost not to exceed $141,000 for the fiscal year ending September 30, 2019, $145,250 for the fiscal year ending September 30, 2020, and $150,000 for the fiscal year ending September 30, 2021.

**SECTION 2:** The City Council accepts the proposal from BKD, LLP, for an option agreement for BKD, LLP, to renew performance of annual audit services for fiscal years ending September 30, 2022 and 2023 for the City of Texarkana, Texas, and Texarkana Water Utilities (TWU), and the City Manager is authorized to sign an agreement with said firm that specifies a deadline of May 31, 2022 for the exercise of said option, establishes the pricing terms for the option for annual audit services to be fixed at a total cost not to exceed $155,000 for the fiscal year ending September 30, 2022 and $160,000 for the fiscal year ending September 30, 2023, and provides for declination of the option as may be directed by the City Council on or before the option deadline.

**SECTION 3:** The City Council accepts the resignation of Holliday, Lemons & Cox, P.C., and the City Manager is directed to provide a copy of this resolution to said firm to document the acceptance.

Attachment: 2020-004 RES Auth CM to enter contract for audit svcs (jcl rev) (2200 : 2020-004 RES Approving Audit Contract)

**SECTION 4:** That this Resolution shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** in Regular Council Session on this the **13th day of January, 2020**.

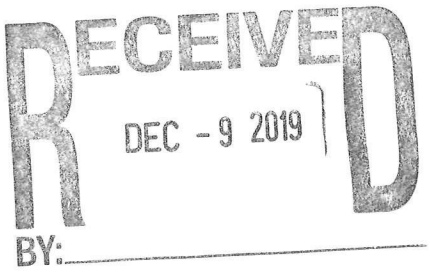
ATTEST:

| | |
|---|---|
| JENNIFER EVANS, CITY SECRETARY | BOB BRUGGEMAN, MAYOR |

Attachment: 2020-004 RES Auth CM to enter contract for audit svcs (jcl rev) (2200 : 2020-004 RES Approving Audit Contract)

# HOLLIDAY, LEMONS & COX, P.C.

CERTIFIED PUBLIC ACCOUNTANTS




November 25, 2019

Ms. Shirley Jaster
City Manager
City of Texarkana, Texas
P. O. Box 1967
Texarkana, TX 75504

Dear Shirley,

As you know Rhonda Easley Jones', the partner responsible for supervising your audit engagement and signing your audit reports, last day of employment with our firm was October 16, 2019. As a result of her departure, we will be unable to provide audit services for the City of Texarkana, Texas for the year ended September 30, 2019. We have reached this decision to resign from the engagement reluctantly and after substantial deliberation. At this time, we do not believe that we are in a position to provide the City with the audit services that you require.

We appreciate your friendship and the long-term relationship we have shared with the City for many years. If you desire, we will continue to be available to provide other accounting services to the City.

Thank you for your understandings and we look forward to helping you make a smooth transition with your new auditors.

Yours very truly,

Troy D. Lemons
Certified Public Accountant

2001 MOORES LANE • TEXARKANA, TEXAS 75503 • (903) 823-2727 • FAX (903) 823-2734
WWW.HLCCPAS.COM

AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS
AICPA'S PRIVATE COMPANIES PRACTICE SECTION
TEXAS SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS
ARKANSAS SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS

Attachment: 2020-004 ATTH 01 HLC letter audit (2200 : 2020-004 RES Approving Audit Contract)

# 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<br>☐ Provide a Safe Community<br>☑ Deliver Quality Services<br>☐ Foster a Healthy Community |
| Run the Operations | ☐ Enhance Community Preparedness & Responsiveness<br>☑ Maximize Partnership Opportunities<br>☐ Provide Courteous & Responsive Customer Service<br>☑ Model a Positive City Image<br>☐ Deliver Efficient Services<br>☐ Cultivate Community Involvement & Access |
| Manage the Resources | ☑ Maintain Fiscal Strength<br>☑ Maximize Utilization & Resources<br>☐ Invest in Infrastructure & Transportation |
| Develop Personnel | ☐ Develop a Skilled & Diverse Workforce<br>☐ Create a Positive & Rewarding Work Culture |

**Perspectives and Goals Additional Comments:**

NONE

**Resource Impact:**

| | |
|---|---|
| Staff time required if item is approved: | High |

**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:

Attachment: 2020-004 Goals & Perspectives (2200 : 2020-004 RES Approving Audit Contract)

# RESOLUTION NO. 2020-004

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE-YEAR CONTRACT WITH BKD, LLP TO PERFORM THE ANNUAL AUDIT FOR THE CITY OF TEXARKANA, TEXAS, AND TEXARKANA WATER UTILITIES (TWU) FOR THE FISCAL YEARS ENDING SEPTEMBER 30, 2019, 2020, AND 2021, WITH THE OPTION TO RENEW FOR FISCAL YEARS ENDING SEPTEMBER 30, 2022 AND 2023; ACCEPTING THE RESIGNATION OF THE ACCOUNTING FIRM ORIGINALLY CONTRACTED FOR ANNUAL AUDIT SERVICES; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS,** the entity contracted to perform annual audit services for the City of Texarkana, Texas, and Texarkana Water Utilities (TWU) for the fiscal year ending September 30, 2019, Holliday, Lemons & Cox, P.C., has resigned from performing such services; and

**WHEREAS,** in response to a Request for Qualifications, the City received a total of two proposals from qualified accounting firms to perform the annual audits for the City and TWU; and

**WHEREAS,** City staff recommends that the Council accept the proposal from BKD, LLP to perform the above mentioned services for fiscal years ending September 30, 2019, 2020, and 2021, with the option to renew for fiscal years ending September 30, 2022 and 2023, at the total costs set out below in Sections 1 and 2 of this Resolution.

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

**SECTION 1:** The City Council accepts the proposal from BKD, LLP, to perform annual audit services for fiscal years ending September 30, 2019, 2020, and 2021, for the City of Texarkana, Texas, and Texarkana Water Utilities (TWU), and the City Manager is authorized to execute a three-year agreement with said firm to perform the annual audit services at a total cost not to exceed $141,000 for the fiscal year ending September 30, 2019, $145,250 for the fiscal year ending September 30, 2020, and $150,000 for the fiscal year ending September 30, 2021.

**SECTION 2:** The City Council accepts the proposal from BKD, LLP, for an option agreement for BKD, LLP, to renew performance of annual audit services for fiscal years ending September 30, 2022 and 2023 for the City of Texarkana, Texas, and Texarkana Water Utilities (TWU), and the City Manager is authorized to sign an agreement with said firm that specifies a deadline of May 31, 2022 for the exercise of said option, establishes the pricing terms for the option for annual audit services to be fixed at a total cost not to exceed $155,000 for the fiscal year ending September 30, 2022 and $160,000 for the fiscal year ending September 30, 2023, and provides for declination of the option as may be directed by the City Council on or before the option deadline.

**SECTION 3:** The City Council accepts the resignation of Holliday, Lemons & Cox, P.C., and the City Manager is directed to provide a copy of this resolution to said firm to document the acceptance.

Attachment: 2020-004 RES Approving Audit Firm signed (2200 : 2020-004 RES Approving Audit Contract)

**SECTION 4:** That this Resolution shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** in Regular Council Session on this the **13th day of January, 2020**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:18 p.m.

Attachment: 2020-004 RES Approving Audit Firm signed (2200 : 2020-004 RES Approving Audit Contract)

City of Texarkana, Texas

# Briefing Sheet

Version:
**Update Date:** 1/9/2020 8:52 AM

**Lead Department:** City Manager **Action Officer:** Jennifer Evans, City Secretary

**Subject:** Ordinance No. 2020-007 appointing an election official as the Election Day Presiding Judge for a Special Election to be held on January 28, 2020 to fill a council member vacancy of an unexpired term in Ward 6.

**Briefing:** 1/13/2020 **Public Hearing:** **Council Vote:** 1/13/2020

**Item Schedule**

**Updates/History of Briefing:**

NOT APPLICABLE

**Executive Summary and Background Information:**

Texas Election Code Section 32.005(a) requires the governing body of a political subdivision (city council) to appoint election judges for elections ordered by an authority of a political subdivision other than a county.

Texas Election Code Sections 65.001 and 65.002 directs the time and manner that ballots shall be counted at the polling place by one or more teams of election officers assigned by the presiding judge.

**Potential Options:**

- None
-

**Fiscal Implications:**

Compensation for the appointed election official is within the current fiscal year budget.

**Staff Recommendation:**

Staff recommends adoption of this ordinance.

**Advisory Board/Committee Review:**

NONE

**Board/Committee Recommendation:**

NOT APPLICABLE

**Advisory Board/Committee Meeting Date and Minutes:**

NOT APPLICABLE

**City of Texarkana, Texas**

## Attachments

a. 2020-007 ORD Spec. Election Day Judge apptd. (NAMED)v3 (DOCX)
b. 2020-007 Goals & Perspectives (DOCX)
c. 2020-007 ORD Appt. of Spec. Election Day Judge signed (PDF)

## Staff Coordination

| | | | | |
|---|---|---|---|---|
| City Manager | Jennifer Evans | Department Head Review | Completed | 01/09/2020 8:52 AM |
| City Attorney | Jennifer Evans | City Attorney Review | Skipped | 01/09/2020 8:54 AM |
| City Manager | Shirley Jaster | City Manager Review | Completed | 01/09/2020 11:18 AM |
| City Council | Jennifer Evans | Meeting | Completed | 01/13/2020 6:00 PM |

## Meeting History

**ORDINANCE NO. 2020-007**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPOINTING AN ELECTION DAY OFFICIAL FOR A SPECIAL ELECTION TO BE HELD ON JANUARY 28, 2020 TO FILL A VACANCY OF AN UNEXPIRED TERM FOR COUNCILMEMBER OF WARD 6; PROVIDING FOR SPECIAL ELECTION DAY VOTING TO BE HELD ON TUESDAY, JANUARY 28, 2020; PROVIDING INSTRUCTIONS FOR THE OFFICIAL; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:**

**SECTION 1:** That the Election Day Judge for the special city election to be held on **January 28, 2020**, is hereby appointed for the voting precinct and is listed as follows:

Election Day Judge – Cheryl Joyce

**SECTION 2:** That said election official and clerks appointed by the election judge shall conduct the election for the entirety of Ward 6 at **Pleasant Grove Middle School, 5605 Cooks Lane, Texarkana, Texas,** as established by City Code Section 12-3(6). As distinguished from county-conducted elections, all registered voters of Ward 6 (Precincts 6A & 6B) will cast votes at this polling location on Election Day.

**SECTION 3:** That in accordance with state law, the hourly compensation for the above judge shall be at a rate of TEN DOLLARS AND FIFTY CENTS ($10.50) per hour with certificate of training or NINE DOLLARS AND FIFTY CENTS ($9.50) per hour without certificate of training, and not to exceed fourteen (14) hours. The City Secretary is authorized to pay the election judge from the precinct who delivers and presents the returns to the City on election night the additional sum of TWENTY-FIVE DOLLARS ($25) as provided by Section 32.092 of the Texas Election Code.

**SECTION 4:** The Election Day Judge herein designated is authorized to employ two election clerks for the purpose of assisting the judge or alternate judge in voting matters and procedures related to the City election process. The hourly compensation for the aforementioned clerks shall be at a rate of NINE DOLLARS AND FIFTY CENTS ($9.50) per hour, not to exceed fourteen (14) hours, as provided by state law. In the event that any appointed presiding judge is unable to serve on election date, the alternate presiding judge shall serve as the presiding judge. Should it become necessary, the Mayor shall appoint successor presiding judges where both the primary and alternate judges cannot serve, with the City Council finding and determining the following: the City has exercised diligence in attempting to secure the services of a judge who meets the qualifications under the requirements set forth in Texas Election Code Section 32.051(a)(1); should the election day judge identified in Section 1 be unable to serve for any reason, then the City cannot find an eligible voter of Ward 6 who is willing to accept the appointment; thus the Mayor shall have appointment authority to appoint an election day judge who is qualified in accordance with the requirements set forth in Texas Election Code Section 32.051(a)(1) and/or Sections 32.051(b) and (c)(3).

**SECTION 5:** The election official herein appointed shall ensure that the polls are open and ready for voting from 7:00 a.m. to 7:00 p.m. on said Election Day. The Election Day judge is encouraged to prepare the polling place on the afternoon prior to **January 28, 2020**, where the situation at the polling place permits.

**SECTION 6:** The City Secretary shall ensure that the election official is properly instructed and that all election supplies and ballots have been provided to the appropriate official.

Attachment: 2020-007 ORD Spec. Election Day Judge apptd. (NAMED)v3 (2207 : 2020-007 ORD Appt. Election Day Judge)

**SECTION 7:** It is further provided that in case a section, clause, sentence or part of this ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this ordinance.

**SECTION 8:** That all ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

**SECTION 9:** That this ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** in Regular Council Session on this the **13th day of January, 2020.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2020-007 ORD Spec. Election Day Judge apptd. (NAMED)v3 (2207 : 2020-007 ORD Appt. Election Day Judge)

# 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<br>☐ Provide a Safe Community<br>☑ Deliver Quality Services<br>☐ Foster a Healthy Community |
| Run the Operations | ☐ Enhance Community Preparedness & Responsiveness<br>☐ Maximize Partnership Opportunities<br>☐ Provide Courteous & Responsive Customer Service<br>☐ Model a Positive City Image<br>☑ Deliver Efficient Services<br>☐ Cultivate Community Involvement & Access |
| Manage the Resources | ☐ Maintain Fiscal Strength<br>☐ Maximize Utilization & Resources<br>☐ Invest in Infrastructure & Transportation |
| Develop Personnel | ☐ Develop a Skilled & Diverse Workforce<br>☐ 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:

Attachment: 2020-007 Goals & Perspectives (2207 : 2020-007 ORD Appt. Election Day Judge)

# ORDINANCE NO. 2020-007

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPOINTING AN ELECTION DAY OFFICIAL FOR A SPECIAL ELECTION TO BE HELD ON JANUARY 28, 2020 TO FILL A VACANCY OF AN UNEXPIRED TERM FOR COUNCILMEMBER OF WARD 6; PROVIDING FOR SPECIAL ELECTION DAY VOTING TO BE HELD ON TUESDAY, JANUARY 28, 2020; PROVIDING INSTRUCTIONS FOR THE OFFICIAL; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:**

**SECTION 1:** That the Election Day Judge for the special city election to be held on **January 28, 2020**, is hereby appointed for the voting precinct and is listed as follows:

Election Day Judge – Cheryl Joyce

**SECTION 2:** That said election official and clerks appointed by the election judge shall conduct the election for the entirety of Ward 6 at **Pleasant Grove Middle School, 5605 Cooks Lane, Texarkana, Texas,** as established by City Code Section 12-3(6). As distinguished from county-conducted elections, all registered voters of Ward 6 (Precincts 6A & 6B) will cast votes at this polling location on Election Day.

**SECTION 3:** That in accordance with state law, the hourly compensation for the above judge shall be at a rate of TEN DOLLARS AND FIFTY CENTS ($10.50) per hour with certificate of training or NINE DOLLARS AND FIFTY CENTS ($9.50) per hour without certificate of training, and not to exceed fourteen (14) hours. The City Secretary is authorized to pay the election judge from the precinct who delivers and presents the returns to the City on election night the additional sum of TWENTY-FIVE DOLLARS ($25) as provided by Section 32.092 of the Texas Election Code.

**SECTION 4:** The Election Day Judge herein designated is authorized to employ two election clerks for the purpose of assisting the judge or alternate judge in voting matters and procedures related to the City election process. The hourly compensation for the aforementioned clerks shall be at a rate of NINE DOLLARS AND FIFTY CENTS ($9.50) per hour, not to exceed fourteen (14) hours, as provided by state law. In the event that any appointed presiding judge is unable to serve on election date, the alternate presiding judge shall serve as the presiding judge. Should it become necessary, the Mayor shall appoint successor presiding judges where both the primary and alternate judges cannot serve, with the City Council finding and determining the following: the City has exercised diligence in attempting to secure the services of a judge who meets the qualifications under the requirements set forth in Texas Election Code Section 32.051(a)(1); should the election day judge identified in Section 1 be unable to serve for any reason, then the City cannot find an eligible voter of Ward 6 who is willing to accept the appointment; thus the Mayor shall have appointment authority to appoint an election day judge who is qualified in accordance with the requirements set forth in Texas Election Code Section 32.051(a)(1) and/or Sections 32.051(b) and (c)(3).

**SECTION 5:** The election official herein appointed shall ensure that the polls are open and ready for voting from 7:00 a.m. to 7:00 p.m. on said Election Day. The Election Day judge is encouraged to prepare the polling place on the afternoon prior to **January 28, 2020**, where the situation at the polling place permits.

**SECTION 6:** The City Secretary shall ensure that the election official is properly instructed and that all election supplies and ballots have been provided to the appropriate official.

Attachment: 2020-007 ORD Appt. of Spec. Election Day Judge signed (2207 : 2020-007 ORD Appt. Election Day Judge)

**SECTION 7:** It is further provided that in case a section, clause, sentence or part of this ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this ordinance.

**SECTION 8:** That all ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

**SECTION 9:** That this ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** in Regular Council Session on this the **13th day of January, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:14 p.m.

Attachment: 2020-007 ORD Appt. of Spec. Election Day Judge signed (2207 : 2020-007 ORD Appt. Election Day Judge)

**City of Texarkana, Texas**

Version: A

# Briefing Sheet

**Update Date:** 1/14/2020 8:49 AM

**Lead Department:** Planning and Community Development **Action Officer:** Debbie Burk,

**Subject:** Ordinance No. 2020-001 amending PD-18-2(C) for revision to the site plan to allow signage for a collision center on a portion of an 8.04 acre tract of land in the George Brinlee HRS, A-18 (Lot 1, Block 2, Classic Auto Park East), located at 924 Kenwood Road. Gregg Orr, applicant. Kayla Wood, MTG Engineers and Surveyors, agent.

**Briefing:** 1/27/2020 **Public Hearing:** 1/27/2020 **Council Vote:** 1/27/2020

**Item Schedule**

Schedule 2: Brief once - vote once (two weeks)

**Updates/History of Briefing:**

"NOT APPLICABLE"

**Executive Summary and Background Information:**

Amendment to PD-18-2(C): This is a request for revision to the site plan to allow signage for a collision center by Gregg Orr, owner, and Kayla Wood, MTG Engineers & Surveyors, agent, on a portion of an 8.04-acre tract of land in the George Brinlee HRS, A-18 (Lot 1, Block 2, Classic Auto Park East), located at 924 Kenwood Road. The proposed collision center for Mr. Orr is currently under construction. See attached site plan for exact location.

The adjacent zoning is Planned Development-General Retail to the north and east, Planned Development-Commercial to the west and General Retail to the south. The adjacent land use is a restaurant (Golden Corral) to the north, vacant land to the south and Gregg Orr's development and property to the west.

This new Orr Classic development includes the collision center, an RV sales building and a marine service center. These different businesses are being constructed in phases. The site plan for these uses was previously approved by the Planning and Zoning Commission and City Council. However, the signage for the collision center was not included in that approval process.

The collision center is being constructed along the new extension of Kenwood Road which is presently under construction. Since the collision center does not front on Mall Drive and is located behind the Golden Corral restaurant, Mr. Orr is wanting as much visibility as possible from Mall Drive. The request for signage for this new business is to allow internally lit 7-foot channel letters or "wall signage" on the exterior of the building.

The applicant submitted two renderings of the proposed signage. The first rendering shows the letters sitting on top of the roof. Per code, a wall sign means a "business sign erected and permanently attached essentially parallel to and extending not more than 24 inches from the

exterior wall of a building with no copy on the sides or edges and must not project above the roofline of the building". The second rendering shows the letters attached to a parapet wall. The second rendering would meet code. See Exhibit 'A'.

Staff recommends for approval of the proposed internally lit channel letter signage if the letters are attached to a parapet wall (second rendering). The applicant agreed at the Planning and Zoning Commission meeting to utilize the second rendering that meets code.
All notification and application requirements have been met to consider this request.

**Potential Options:**

None

**Fiscal Implications:**

None

**Staff Recommendation:**

Staff recommends for approval of the proposed internally lit channel letter signage attached to a parapet wall.

**Advisory Board/Committee Review:**

Planning and Zoning Commission

**Board/Committee Recommendation:**

The Planning and Zoning Commission unanimously recommended for approval of the proposed internally lit channel letter signage attached to a parapet wall.

**Advisory Board/Committee Meeting Date and Minutes:**

December 2, 2019

**Attachments**

a. 2020-001 ORD revising site plan for signage(DOCX)
b. 2020-001 Exhibit 'A' (sign rendering) (PDF)
c. 2020-001 ATTH 01 (maps) (PDF)
d. 2020-001 ATTH 02 (site plan) (PDF)
e. 2020-001 ATTH 03 (wall signage definition) (PDF)
f. 2020-001 Goals & Perspectives (DOCX)

**Staff Coordination**

| | | | | |
|---|---|---|---|---|
| Planning and Community Development | | David Orr | Department Head Review | Completed 01/07/2020 5:05 PM |
| City Manager | Shirley Jaster | City Manager Review | Completed | 01/09/2020 11:25 AM |
| City Council | Jennifer Evans | Meeting | Completed | 01/13/2020 6:00 PM |

**Meeting History**

**City of Texarkana, Texas**

Amendment to
PD-18-2(C)

**ORDINANCE NO. 2020-001**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-18-2(C) FOR REVISION TO THE SITE PLAN TO ALLOW SIGNAGE FOR A COLLISION CENTER LOCATED ON A PORTION OF AN 8.04 ACRE TRACT OF LAND IN THE GEORGE BRINLEE HRS, A-18 (LOT 1, BLOCK 2, CLASSIC AUTO PARK EAST), LOCATED AT 924 KENWOOD ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, an application has been filed requesting a **revision to the site plan to allow signage for a collision center (Exhibit 'A')** on a portion of an 8.04 acre tract of land in the George Brinlee HRS, A-18 (Lot 1, Block 2, Classic Auto Park East), located at 924 Kenwood Road in the City of Texarkana, Bowie County, Texas; and

**WHEREAS**, the subject property is zoned Planned Development-Commercial [PD-18-2(C)] and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-18-2(C); and

**WHEREAS**, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-Commercial; and

**WHEREAS**, the Planning and Zoning Commission of the City of Texarkana, Texas, and the City Council of the City of Texarkana, Texas, in compliance with the laws of the State of Texas with reference to the granting of this amendment, have given the requisite notices by publication and otherwise, and have afforded and held full and fair hearings to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

**WHEREAS**, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously by a vote of five (5) to zero (0) to recommend approval of the petition for revision to the site plan to allow signage (Exhibit 'A')** to the City Council of the City of Texarkana, Texas; and

**WHEREAS**, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that the approval of the site plan for the above described property is in the best interest of the public health, safety, morals and general welfare of the City.

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

**SECTION 1:** That the revision to the site plan to allow signage **(Exhibit 'A')** for a collision center on a portion of an 8.04 acre tract of land in the George Brinlee HRS, A-18 (Lot 1, Block 2, Classic Auto Park East), located at 924 Kenwood Road in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-18-2(C).

Attachment: 2020-001 ORD revising site plan for signage (2203 : 2020-001 ORD amending PD-18-2 for sign app. at 924 Kenwood Rd.)

**SECTION 2:** PD-18-2(C) is hereby amended for a revision to the site plan to allow the following type of signage for a collision center (**Exhibit 'A'**), incorporated herein by reference for all purposes:

- Internally lit 7-foot channel letters or "wall signage" on the front exterior of the building. Signage must be attached to a parapet wall to not project above the roofline of the building.

**SECTON 3:** It is further provided that in case a section, clause, sentence or part of this ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this ordinance.

**SECTION 4:** All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

**SECTION 5:** That this ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** in Regular Council Session on this the **27th day of January, 2020.**

ATTEST:

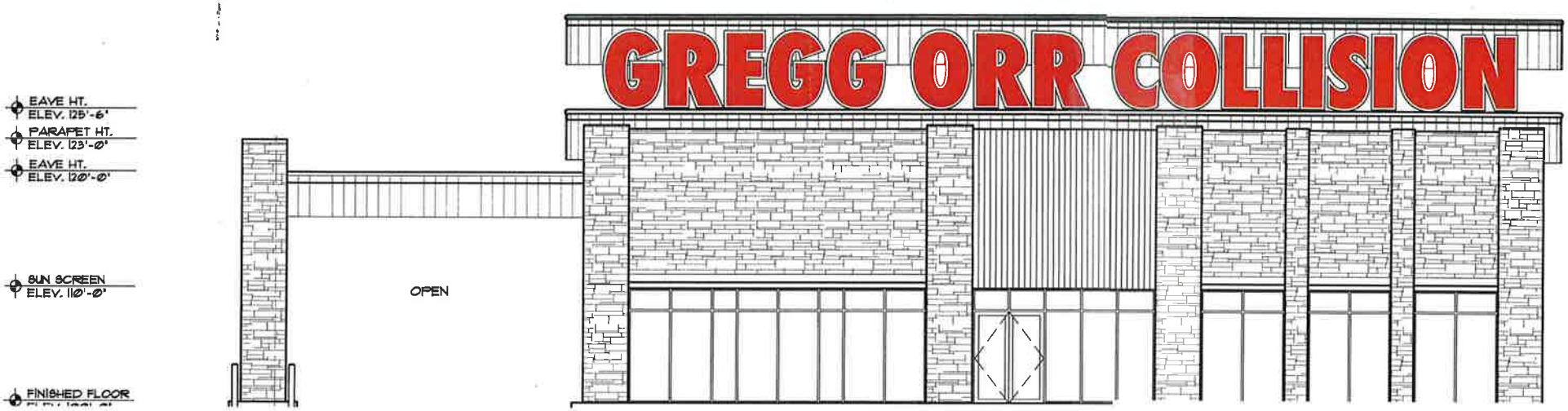
_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2020-001 ORD revising site plan for signage (2203 : 2020-001 ORD amending PD-18-2 for sign app. at 924 Kenwood Rd.)

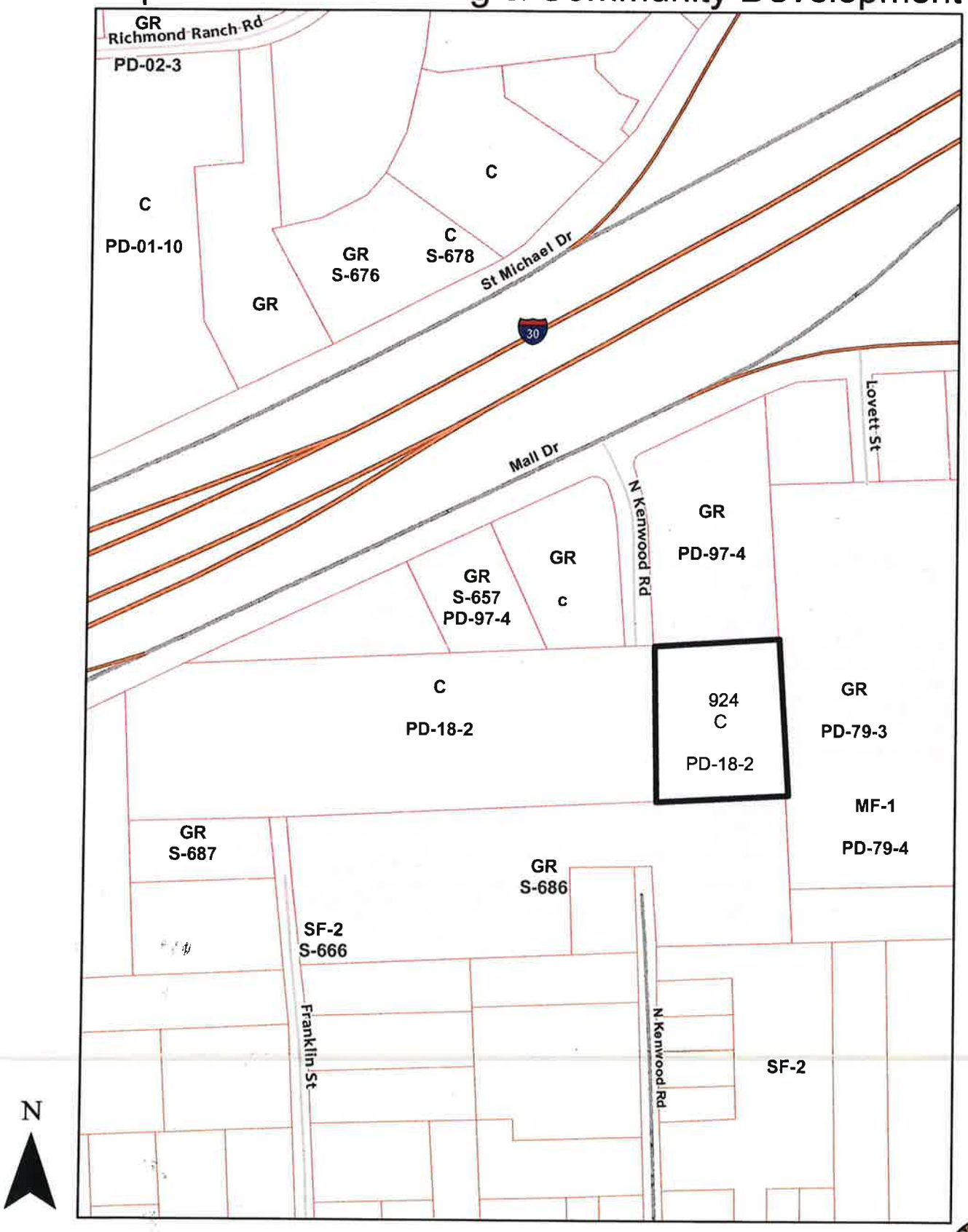
2020-001 EXH 'A'

7'x 80'




Attachment: 2020-001 Exhibit 'A' (sign rendering) (2203 : 2020-001 ORD amending PD-18-2 for sign app.

# 924 Kenwood Drive
# Department of Planning & Community Development




1:3,000

Attachment: 2020-001 ATTH 01 (maps) (2203 : 2020-001 ORD amending PD-18-2 for sign app. at 924 Kenwood Rd.)

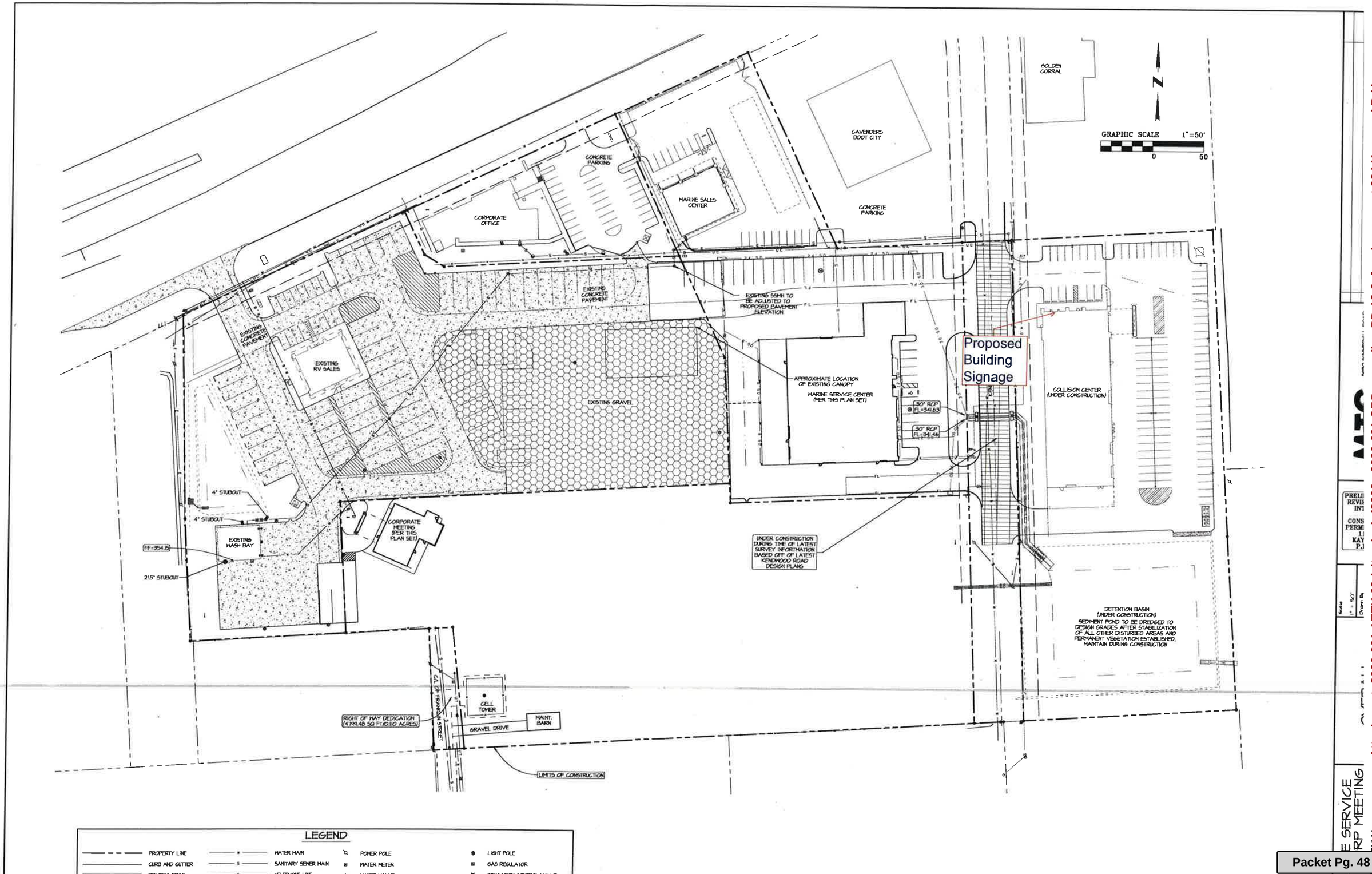
# 924 Kenwood Drive
## Department of Planning & Community Development

N

1:1,500

Attachment: 2020-001 ATTH 01 (maps) (2203 : 2020-001 ORD amending PD-18-2 for sign app. at 924 Kenwood Rd.)

2020-001 ATTH 02 Site plan




Attachment: 2020-001 ATTH 02 (site plan) (2203 : 2020-001 ORD amending PD-18-2 for sign app. at 924 Kenwood Rd.)

*Sign, wall,* means a business sign erected and permanently attached essentially parallel to and extending not more than 24 inches from the exterior wall of a building with no copy on the sides or edges and must not project above the roofline of the building. The term "wall sign" includes painted, individual letter and cabinet signs. A permit from the building official's office will be required.

*Stable (private)* means an accessory building for quartering horses when the stable building is set back from all adjacent property lines at least 100 feet and when the site contains a minimum area of one acre for each animal quartered.

*Swimming pool (commercial)* means a swimming pool with accessory facilities, not part of the municipal or public recreational system and not a private swim club, but where the facilities are available to the general public for a fee.

*Swimming pool (private)* means a swimming pool constructed for the exclusive use of the residents of a one-family, two-family or multiple-family dwellings and located and fenced in accordance with the regulations of the city. A private swimming pool shall not be operated as a business nor maintained in a manner to be hazardous or obnoxious to adjacent property owners.

*Tattoo studio* means an establishment or facility in which the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment, including the application of permanent cosmetics, is performed.

*Temporary field or construction office* means a structure or shelter used in connection with a development or building project for housing on the site of a temporary administrative and supervisory function, and for sheltering employees and equipment.

*Trailer camp or HUD code manufactured home park* means a tract of land designed or being used to accommodate one or more transient portable dwelling units designed to be moved on wheels from location to location by automobile, truck or similar prime mover.

*Transmission or muffler shop* means a place where the primary work being performed at the business is removal, servicing, rebuilding, or installation and/or replacement of trans-axles and/or transmissions and/or mufflers and tailpipes in automobiles, light trucks and vans whose capacity does not exceed one and one-half tons. (Commercial, Industrial-1 and Industrial-2 Districts.)

*Trash transfer stations* mean intermediate solid waste processing facilities where local trash collection trucks transfer and load trash into a larger container or truck where the trash may be compacted prior to hauling to the landfill site. Such transfer station shall be operated in compliance with state department of health municipal solid waste, rules, standards and regulations.



Attachment: 2020-001 ATTH 03 (wall signage definition) (2203 : 2020-001 ORD amending PD-18-2 for sign app. at 924 Kenwood Rd.)

# 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<br>☐ Provide a Safe Community<br>☐ Deliver Quality Services<br>☐ Foster a Healthy Community |
| Run the Operations | ☐ Enhance Community Preparedness & Responsiveness<br>☐ Maximize Partnership Opportunities<br>☐ Provide Courteous & Responsive Customer Service<br>☑ Model a Positive City Image<br>☐ Deliver Efficient Services<br>☑ Cultivate Community Involvement & Access |
| Manage the Resources | ☐ Maintain Fiscal Strength<br>☐ Maximize Utilization & Resources<br>☑ Invest in Infrastructure & Transportation |
| Develop Personnel | ☐ Develop a Skilled & Diverse Workforce<br>☐ Create a Positive & Rewarding Work Culture |

**Perspectives and Goals Additional Comments:**

NONE

**Resource Impact:**

| | |
|---|---|
| NA | No Additional |

**Other Potential Impacts:**

NA

**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 | ☑ | Sign Posted |

Other:

Attachment: 2020-001 Goals & Perspectives (2203 : 2020-001 ORD amending PD-18-2 for sign app. at 924 Kenwood Rd.)

City of Texarkana, Texas

Version: A

# Briefing Sheet

**Update Date:** 1/6/2020 2:29 PM

**Lead Department:** Planning and Community Development **Action Officer:** Debbie Burk,

**Subject:** Ordinance No. 2020-002 rezoning Lot 1, Block 1, Marriott Subdivision, located in the 3000 block of St. Michael Drive. Agriculture to PD-General Retail. Ray Walsh and Barrie Thompson, applicants. David Williams, MTG Engineers and Surveyors, agent.

**Briefing:** 1/27/2020 **Public Hearing:** 1/27/2020 **Council Vote:** 1/27/2020

**Item Schedule**

Schedule 2: Brief once - vote once (two weeks)

**Updates/History of Briefing:**

"NOT APPLICABLE"

**Executive Summary and Background Information:**

Z-19-18: This is a request for rezoning from Agriculture to Planned Development-General Retail by Ray Walsh and Barrie Thompson, owners, and David Williams, MTG Engineers & Surveyors, agent, on Lot 1, Block 1, Marriott Subdivision, located in the 3000 block of St. Michael Drive. Currently, the property is vacant land.

The adjacent zoning is Planned Development-General Retail to the north, east and west. Interstate-30 and St. Michael Drive are located to the south. The adjacent land usage is a hotel to the north and restaurants to the east and west.

The Comprehensive Plan has designated this area as Regional Commercial.

As stated above, this request is to rezone this property to Planned Development-General Retail. The proposed use is future restaurant sites. The applicant or future owner should be aware that a site plan will have to be submitted and approved for each restaurant site if the rezoning request is approved with the PD designation. A large portion of this lot is in a flood plain so the developers will need to work closely with the City's engineering department. Also, this lot will most likely be required to be replatted/subdivided if various restaurants propose to locate on this one lot.

This proposed zoning change aligns with the Comprehensive Plan's future land use map. Plus, there are numerous other restaurants located in this area. Therefore, staff recommends for approval of the rezoning to Planned Development-General Retail to allow for future restaurants.

All notification and application requirements have been met to consider this request.

**Potential Options:**

None

**Fiscal Implications:**

None

**Staff Recommendation:**

Staff recommends for approval of this request.

**Advisory Board/Committee Review:**

Planning and Zoning Commission

**Board/Committee Recommendation:**

The Planning and Zoning Commission unanimously recommended for approval of this request.

**Advisory Board/Committee Meeting Date and Minutes:**

December 2, 2019

**Attachments**

a. 2020-002 ORD rezoning 3000 blk. St. Michael Dr. (DOCX)
b. 2020-002 ATTH 01 (maps) (PDF)
c. 2020-002 Goals & Perspectives (DOCX)

**Staff Coordination**

| | | | | |
|---|---|---|---|---|
| Planning and Community Development | | David Orr | Department Head Review | Completed 01/07/2020 5:06 PM |
| City Manager | Shirley Jaster | City Manager Review | Completed | 01/09/2020 11:21 AM |
| City Council | Jennifer Evans | Meeting | Completed | 01/13/2020 6:00 PM |

**Meeting History**

Z-19-18
(PD-20-1)

# ORDINANCE NO. 2020-002

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOT 1, BLOCK 1, MARRIOTT SUBDIVISION, LOCATED IN THE 3000 BLOCK OF ST. MICHAEL DRIVE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM AGRICULTURE TO PLANNED DEVELOPMENT-GENERAL RETAIL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone Lot 1, Block 1, Marriott Subdivision, located in the 3000 block of St. Michael Drive in the City of Texarkana, Bowie County, Texas, from **Agriculture to PD-General Retail;** and

**WHEREAS**, the Planning and Zoning Commission of the City of Texarkana, Texas, and the City Council of the City of Texarkana, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have afforded and held full and fair hearings to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

**WHEREAS**, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously five (5) to zero (0) to recommend the application for rezoning from Agriculture to PD-General Retail on Lot 1, Block 1, Marriott Subdivision, located in the 3000 block of St. Michael Drive** in the City of Texarkana, Texas; and

**WHEREAS**, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Agriculture to PD-General Retail** is in the best interest of the public health, safety, morals and general welfare of the City.

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

**SECTION 1:** That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone Lot 1, Block 1, Marriott Subdivision, located in the 3000 block of St. Michael Drive in the City of Texarkana, Bowie County, Texas, from **Agriculture to PD-General Retail.**

Attachment: 2020-002 ORD rezoning 3000 blk. St. Michael Dr. (2205 : 2020-002 ORD rezoning from A to PD-GR in 3000 blk. St. Michael Dr.)

**SECTION 2:** It is further provided that in case a section, clause, sentence or part of this ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this ordinance.

**SECTION 3:** All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

**SECTION 4:** That this ordinance shall be in full force and effect from and after its passage and approval.

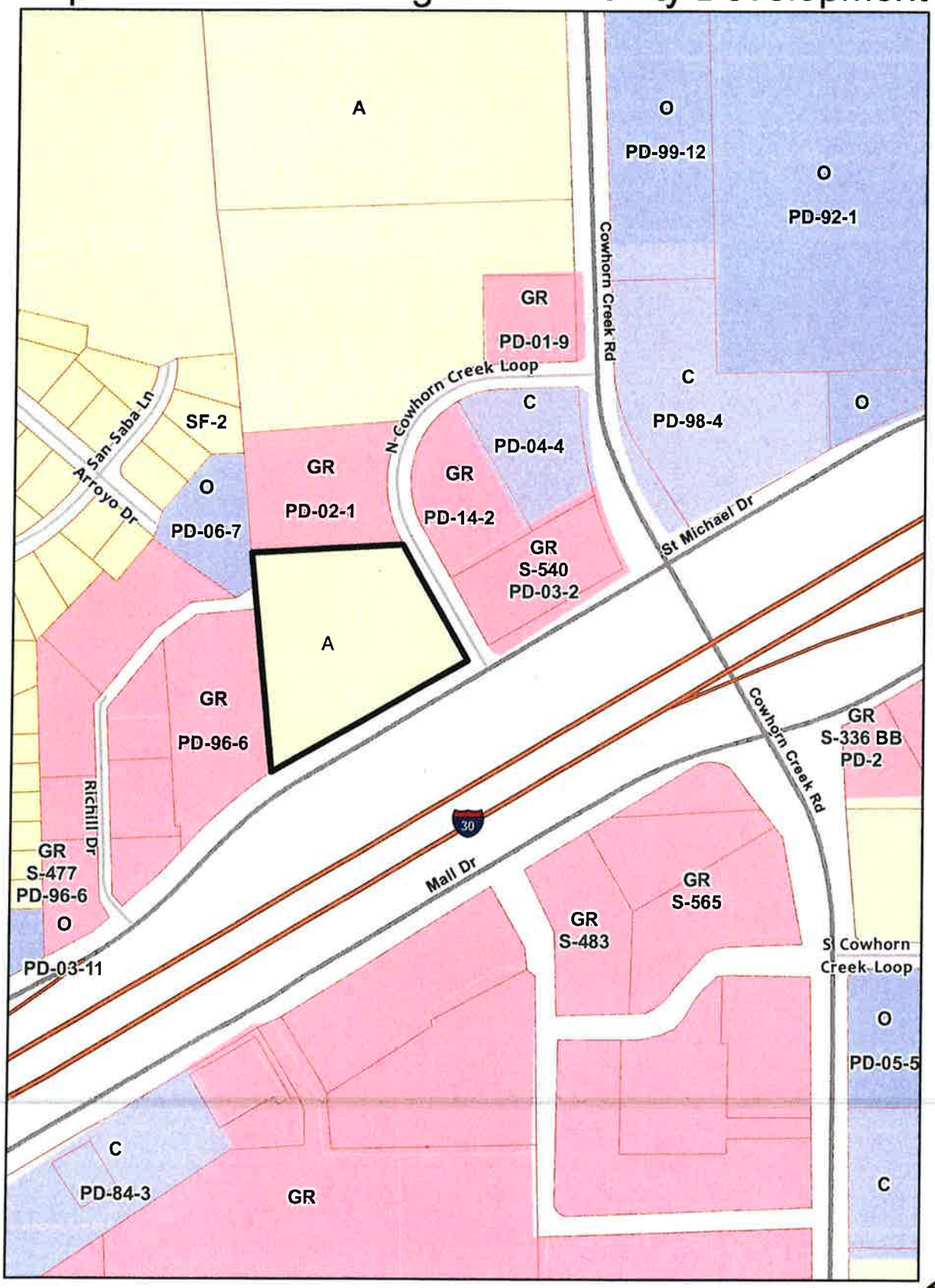
**PASSED AND APPROVED** in Regular Council Session on this the **27th day of January, 2020.**

ATTEST:

| | |
|---|---|
| _____ | _____ |
| JENNIFER EVANS, CITY SECRETARY | BOB BRUGGEMAN, MAYOR |

Attachment: 2020-002 ORD rezoning 3000 blk. St. Michael Dr. (2205 : 2020-002 ORD rezoning from A to PD-GR in 3000 blk. St. Michael Dr.)

# 3000 blk. St. Michael Drive (Lot 1, Block 1, Marriott Subdivision)
## Department of Planning & Community Development




1:4,000

Attachment: 2020-002 ATTH 01 (maps) (2205 : 2020-002 ORD rezoning from A to PD-GR in 3000 blk. St. Michael Dr.)

# 3000 blk. St. Michael Drive (Lot 1, Block 1, Marriott Subdivisior`
## Department of Planning & Community Development

N

1:2,000

Attachment: 2020-002 ATTH 01 (maps) (2205 : 2020-002 ORD rezoning from A to PD-GR in 3000 blk. St. Michael Dr.)

# 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<br>☐ Provide a Safe Community<br>☐ Deliver Quality Services<br>☐ Foster a Healthy Community |
| Run the Operations | ☐ Enhance Community Preparedness & Responsiveness<br>☐ Maximize Partnership Opportunities<br>☐ Provide Courteous & Responsive Customer Service<br>☑ Model a Positive City Image<br>☐ Deliver Efficient Services<br>☑ Cultivate Community Involvement & Access |
| Manage the Resources | ☐ Maintain Fiscal Strength<br>☐ Maximize Utilization & Resources<br>☑ Invest in Infrastructure & Transportation |
| Develop Personnel | ☐ Develop a Skilled & Diverse Workforce<br>☐ Create a Positive & Rewarding Work Culture |

**Perspectives and Goals Additional Comments:**

NONE

**Resource Impact:**

| | |
|---|---|
| NA | No Additional |

**Other Potential Impacts:**

NA

**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 | ☑ | Sign Posted |

Other:

Attachment: 2020-002 Goals & Perspectives (2205 : 2020-002 ORD rezoning from A to PD-GR in 3000 blk. St. Michael Dr.)

**City of Texarkana, Texas**

Version: B

# Briefing Sheet

**Update Date:** 1/10/2020 11:43 AM

**Lead Department:** Public Works Department **Action Officer:** Dusty Henslee,

**Subject:** Ordinance No. 2020-006 regulating the speed of motor vehicles upon a certain section of FM 559 within the corporate limits of the City of Texarkana, Texas; registering the set speed limits in the City's Traffic Register; and authorizing the Texas Department of Transportation to erect signs.

**Briefing:** 1/27/2020 **Public Hearing:** 1/27/2020 **Council Vote:** 1/27/2020

| Item Schedule |
| --- |
| Schedule 2: Brief once - vote once (two weeks) |

**Updates/History of Briefing:**

NOT APPLICABLE

**Executive Summary and Background Information:**

Attached as part of this item is a letter from Rebecca Wells, PE, District Traffic Engineer for the Atlanta District of the Texas Department of Transportation (TxDOT). As per this letter, TxDOT has performed an engineering study and traffic survey on FM 559 (Richmond Rd.). The results of this study indicate that the appropriate maximum speed limits for FM 559 (Richmond Rd.) need to be adjusted. The results of the engineering study above for FM 559 in Texarkana reveals the following speed zones:

- The existing speed zones have changed on the north and south ends of FM 559. The 40 MPH zone on the southern end has been extended north past Moore's Ln. The 45 MPH zone has been eliminated. The city limit has been adjusted to meet the new northern Texarkana city limits. The proposed speed limits will be 40 mph for north and south bound traffic from SH 93 (Summerhill Rd.) to a point 1,100 feet south of Airline Drive, and 50 mph from a point 1,100 feet south of Airline Drive to the north City limit line.

If approved, these changes to the speed limits will be added and kept in the Traffic Register.

**Potential Options:**

- Approve speed limit change
- Not approve speed limit change

**Fiscal Implications:**

None

# City of Texarkana, Texas

**Staff Recommendation:**

Staff recommends approval

**Advisory Board/Committee Review:**

NONE

**Board/Committee Recommendation:**

NOT APPLICABLE

**Advisory Board/Committee Meeting Date and Minutes:**

NOT APPLICABLE

**Attachments**

a. 2020-006 Goals & Perspectives (DOCX)
b. 2020-006 ATTH 01 TxDOT Letter (PDF)
c. 2020-006 ATTH 02 TxDOT Proposed Speed Zone Map (PDF)
d. 2020-006 ATTH 03 TxDOT Existing Speed Zone Map (PDF)
e. 2020-006 EXH 'A' Speed Plan (PDF)
f. 2020-006 ATTH 04 FM 559 Existing Speed Limit Map (PDF)
g. 2020-006 ATTH 05 FM 559 Proposed Speed Limit Map (PDF)
h. 2020-006 ORD Changing Speed Limit on FM 559 (DOC)

**Staff Coordination**

| | | | | |
|---|---|---|---|---|
| Public Works Department | Completed | Dusty Henslee 01/02/2020 3:36 PM | Department Head Review | |
| Police | Kevin Schutte | Review | Completed | 01/03/2020 11:18 AM |
| Economic Development | 01/03/2020 2:38 PM | Lisa Thompson | Review | Completed |
| City Manager | Shirley Jaster | City Manager Review | Completed | 01/08/2020 1:44 PM |
| City Council | Jennifer Evans | Meeting | Completed | 01/13/2020 6:00 PM |

**Meeting History**

# 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<br>☑ Provide a Safe Community<br>☐ Deliver Quality Services<br>☐ Foster a Healthy Community |
| Run the Operations | ☐ Enhance Community Preparedness & Responsiveness<br>☐ Maximize Partnership Opportunities<br>☐ Provide Courteous & Responsive Customer Service<br>☐ Model a Positive City Image<br>☑ Deliver Efficient Services<br>☐ Cultivate Community Involvement & Access |
| Manage the Resources | ☐ Maintain Fiscal Strength<br>☐ Maximize Utilization & Resources<br>☐ Invest in Infrastructure & Transportation |
| Develop Personnel | ☐ Develop a Skilled & Diverse Workforce<br>☐ 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:

Attachment: 2020-006 Goals & Perspectives (2204 : 2020-006 ORD Speed Limit Change to FM 559)

Texas Department of Transportation
125 EAST 11TH STREET | AUSTIN, TEXAS 78701-2483 | (512) 463-8700 | WWW.TXDOT.GOV

January 2, 2020

Control: 1020-01
Highway: FM 559
City: Texarkana
County: Bowie
Subject: Speed Zoning

Honorable Bob Bruggeman, Mayor
City of Texarkana
P.O. Box 1967
Texarkana, Texas 75504

Dear Mayor Bruggeman,

With reference to a recent engineering study and traffic survey conducted by the Texas Department of Transportation, the appropriate speed zones on FM 559 have been determined. An expedient reply is requested on passage of the city ordinance in order that the speed zones may be in compliance with state traffic law.

The method Texas Department of Transportation uses to set speed limits is a standard used throughout the country. The speed study method is known as the 85th percentile.

The results of the engineering study above for FM 559 in Texarkana reveals the following speed zones:

- The existing speed zones have changed on the north and south ends of FM 559. The 40 MPH zone on the southern end has been extended north past Moores Ln.. The 45 MPH zone has been eliminated. The city limit has been adjusted to meet the new northern Texarkana city limits.

Attached are two copies of a strip map for FM 559, marked "Exhibit A" with a city ordinance. Please return one strip map and a copy of the city ordinance to our office after adoption by the city.

If we can be of any assistance in reviewing these proposals, please feel free to call myself at 903-799-1482 or Henry Snider of this office at 903-799-1312.

Attachment: 2020-006 ATTH 01 TxDOT Letter (2204 : 2020-006 ORD Speed Limit Change to FM 559)

Sincerely,

Rebecca Wells, P.E.
Director of Transportation Operations
Atlanta District

HS
Attachment

Attachment: 2020-006 ATTH 01 TxDOT Letter (2204 : 2020-006 ORD Speed Limit Change to FM 559)

| DIST. ATLANTA | COUNTY BOWIE | MINUTE NO. | DATE |
|---|---|---|---|
| HIGHWAY FM 559 | CITY TEXARKANA | REPLACES | DATE |
| DATE OF SURVEY 2-23-2018 | SCALE 1"=800' | REPLACED BY | DATE / / |
| | | CANCELED BY | DATE / / |

LIMITS OF ZONE

| SECTION ONE | | LENGTH 1.834 MILES | | SECTION TWO | | LENGTH 3.047 MILES | |
|---|---|---|---|---|---|---|---|
| | STA. OR M.P. | CONT. & SECT. | PROJECT | | STA. OR M.P. | CONT. & SECT. | PROJECT |
| BEGINS | 11.347 | 1020-01 | | BEGINS | 13.180 | 1020-01 | |
| | STA. OR M.P. | CONT. & SECT. | PROJECT | | STA. OR M.P. | CONT. & SECT. | PROJECT |
| ENDS | 13.180 | 1020-01 | | ENDS | 16.226 | 1020-01 | |

SPZ10201TEXARKANA2006.dgn

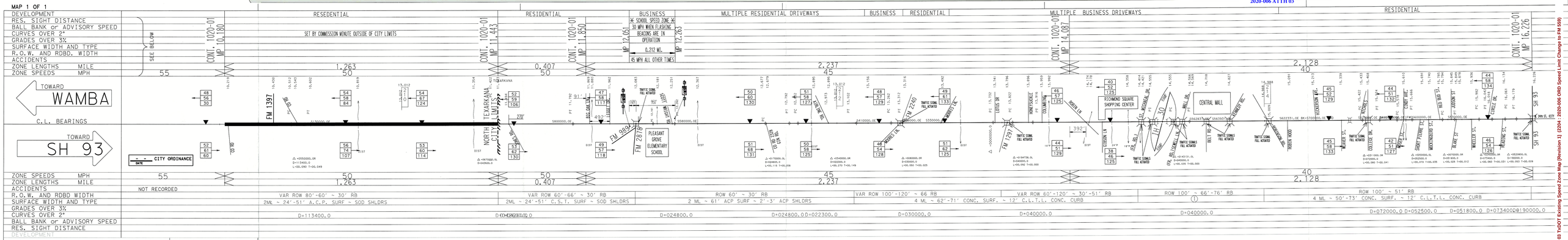
| | |
|---|---|
| 42 | 85 PERCENTILE SPEED |
| 62 | TOP SPEED MEASURED |
| 125 | NUMBER OF CARS CHECKED |
| ● | FATAL ACCIDENT |
| ◐ | PERSONAL INJURY ACCIDENT |
| ○ | PROPERTY DAMAGE ACCIDENT |
| ▬ | INDICATES SECTION ZONED BY COMMISSION MINUTE |

# SPEED ZONE

Attachment: 2020-006 ATTH 02 TxDOT Proposed Speed Zone Map [Revision 2] (2204 : 2020-006 ORD Speed Limit Change to FM 559)

MAP 1 OF 1






| | |
|---|---|
| DIST. ATLANTA | COUNTY BOWIE |
| HIGHWAY FM 559 | CITY TEXARKANA |
| DATE OF SURVEY 7-24-2006 | SCALE 1"=800' |

| | |
|---|---|
| MINUTE NO. | DATE |
| REPLACES 109445 | DATE 9-25-03 |
| REPLACED BY | DATE / / |
| CANCELLED BY | DATE / / |

LIMITS OF ZONE

| SECTION ONE | STA. OR M.P. | LENGTH CONT. & SECT. | MILES PROJECT | SECTION TWO | STA. OR M.P. | LENGTH CONT. & SECT. | MILES PROJECT |
|---|---|---|---|---|---|---|---|
| BEGINS | | | | BEGINS | | | |
| ENDS | | | | ENDS | | | |

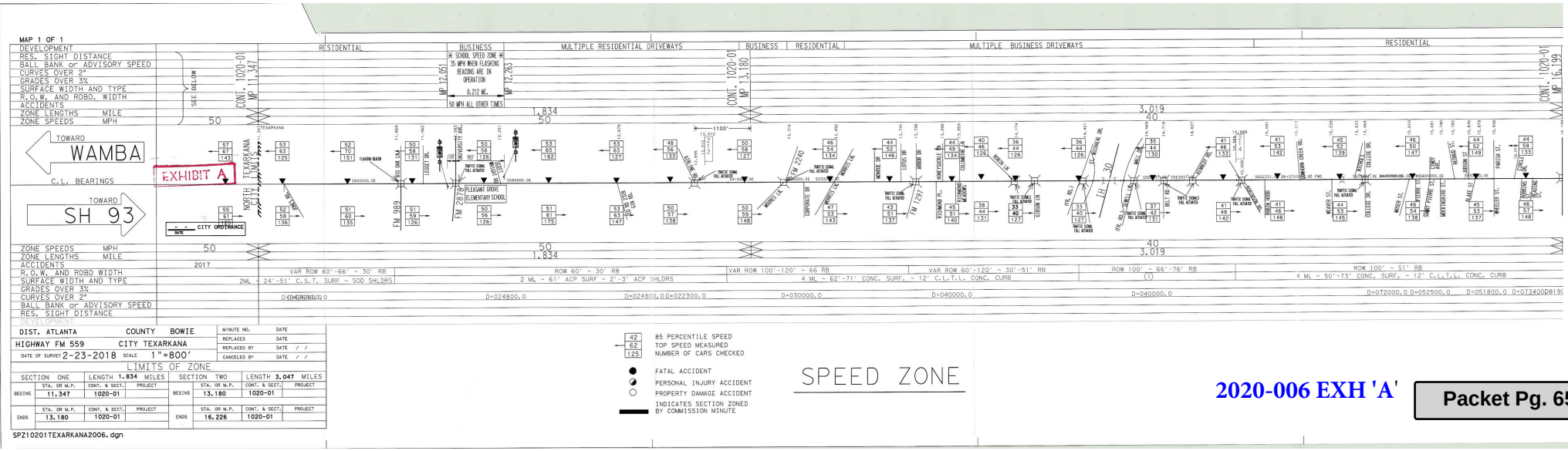
SPZ10201TEXARKANA2006.dgn

42 — 85 PERCENTILE SPEED
62 — TOP SPEED MEASURED
125 — NUMBER OF CARS CHECKED

FATAL ACCIDENT
PERSONAL INJURY ACCIDENT
PROPERTY DAMAGE ACCIDENT
INDICATES SECTION ZONED BY COMMISSION MINUTE

# SPEED ZONE

Attachment: 2020-006 ATTH 03 TxDOT Existing Speed Zone Map [Revision 1] (2204 : 2020-006 ORD Speed Limit Change to FM 559)




| | | | |
|---|---|---|---|
| DIST. ATLANTA | COUNTY BOWIE | MINUTE NO. | DATE |
| HIGHWAY FM 559 | CITY TEXARKANA | REPLACES | DATE |
| DATE OF SURVEY 2-23-2018 | SCALE 1"=800' | REPLACED BY | DATE / / |
| | | CANCELED BY | DATE / / |

LIMITS OF ZONE

| SECTION ONE | | LENGTH 1.834 MILES | | SECTION TWO | | LENGTH 3.047 MILES | |
|---|---|---|---|---|---|---|---|
| | STA. OR M.P. | CONT. & SECT. | PROJECT | | STA. OR M.P. | CONT. & SECT. | PROJECT |
| BEGINS | 11.347 | 1020-01 | | BEGINS | 13.180 | 1020-01 | |
| ENDS | 13.180 | 1020-01 | | ENDS | 16.226 | 1020-01 | |

SPZ1020 1TEXARKANA2006.dgn

42 85 PERCENTILE SPEED
62 TOP SPEED MEASURED
125 NUMBER OF CARS CHECKED

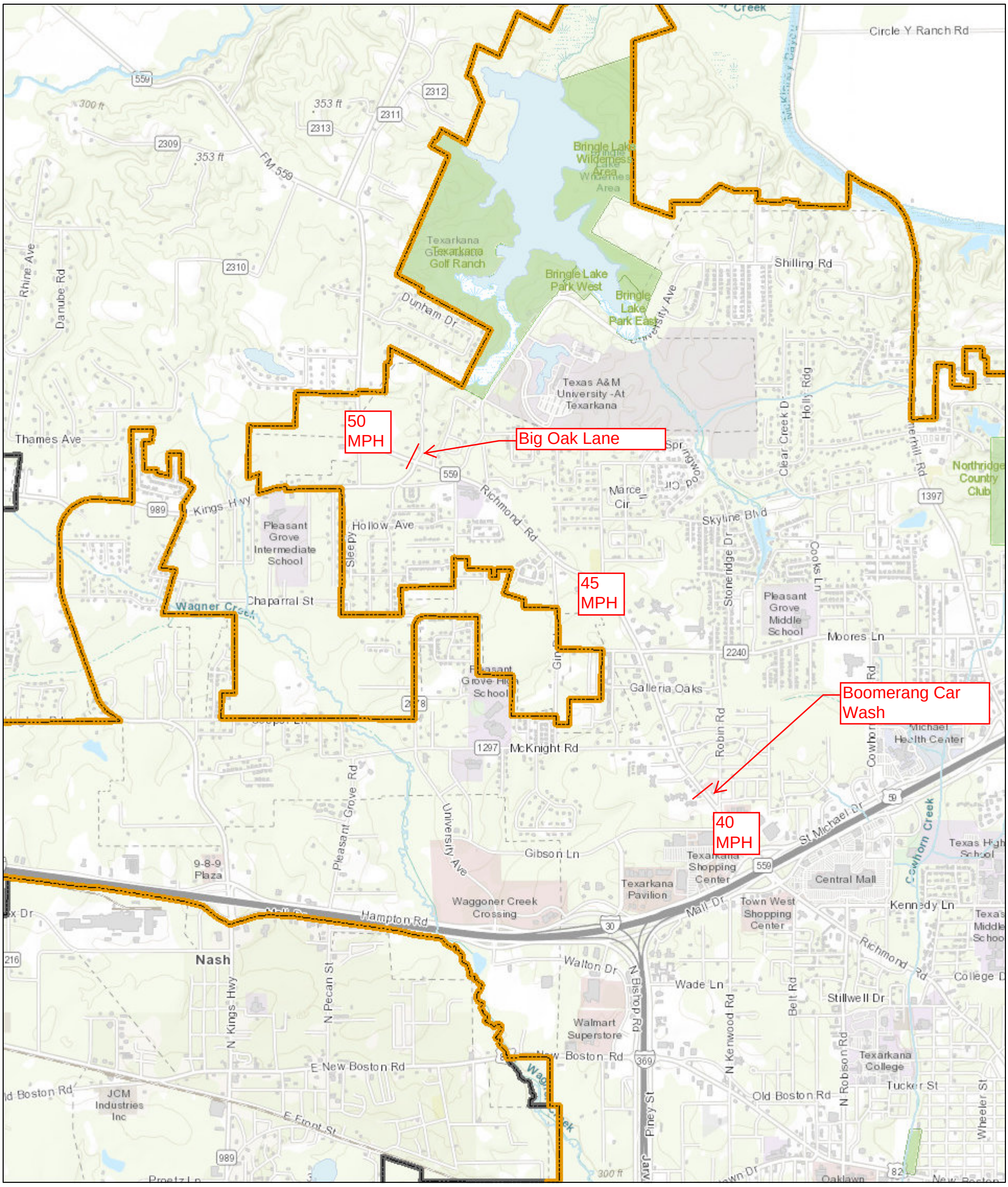
FATAL ACCIDENT
PERSONAL INJURY ACCIDENT
PROPERTY DAMAGE ACCIDENT
INDICATES SECTION ZONED BY COMMISSION MINUTE

# SPEED ZONE

**2020-006 EXH 'A'**

# FM 559 Existing Speed Zones






1/7/2020 12:57:19 PM

1:36,112

0 0.4 0.8 1.6 mi

0 0.5 1 2 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community
TWU-GIS

City of Texarkana, Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA | Pictometry, TWU | TWU-GIS | TWU, Miller Cou

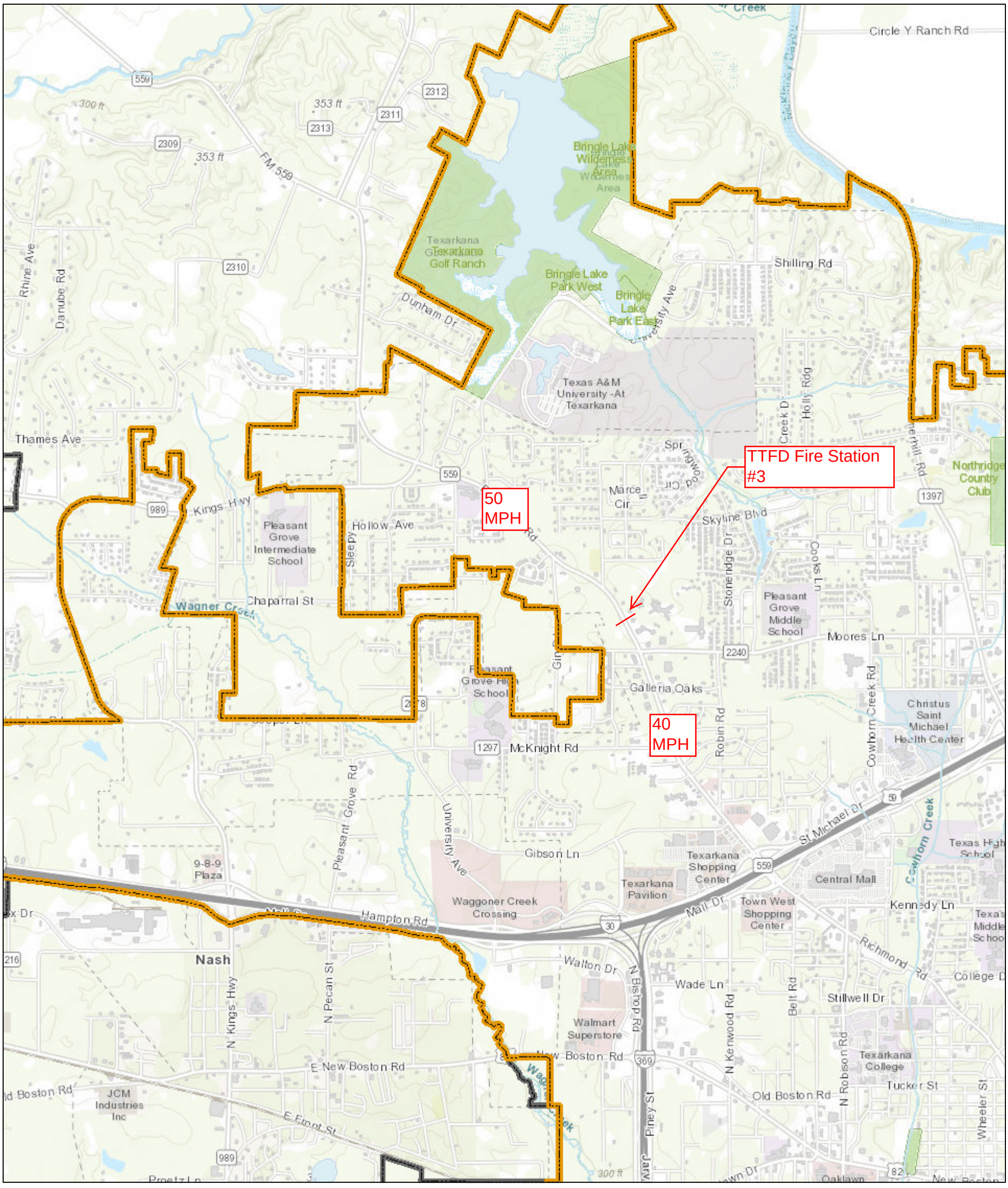
Web AppBuilder for



Attachment: 2020-006 ATTH 04 FM 559 Existing Speed Limit Map (2204 : 2020-006 ORD Speed Limit Change to FM 559)

# FM 559 Proposed Speed Zones






1/7/2020 12:57:50 PM

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0 0.4 0.8 1.6 mi

0 0.5 1 2 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community
TWU-GIS

City of Texarkana, Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA | Pictometry, TWU | TWU-GIS | TWU, Miller Cou

Web AppBuilder for



Attachment: 2020-006 ATTH 05 FM 559 Proposed Speed Limit Map (2204 : 2020-006 ORD Speed Limit Change to FM 559)

PUBLISH

# ORDINANCE NO. 2020-006

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, REGULATING THE SPEED OF MOTOR VEHICLES UPON A CERTAIN SECTION OF FM 559 WITHIN THE CORPORATE LIMITS OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE TEXAS DEPARTMENT OF TRANSPORTATION TO ERECT SIGNS, PRESCRIBING PENALTIES, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SAVINGS CLAUSE, DECLARING AN EMERGENCY AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS,** the City of Texarkana, Texas and the Texas Department of Transportation have conducted engineering studies and traffic investigations to determine the reasonable and safe prima facie maximum speeds for motor vehicles upon that section of FM 559 within the corporate limits of the City of Texarkana, Texas; and

**WHEREAS,** it has been determined by engineering studies and traffic investigations that the reasonable and safe prima facie maximum speeds for motor vehicles traveling upon said section of the hereinabove mentioned highway in the City of Texarkana, Texas should be as set out hereinafter; and

**WHEREAS,** said section with said reasonable and safe prima facie speed limits as hereinafter set forth has been approved by the Texas Department of Transportation upon its own independent investigations; and

**WHEREAS,** the Texas Department of Transportation has indicated a willingness to erect signs indicating the reasonable and safe facie maximum speed limits, along said portions of the above mentioned highways within the City of Texarkana, Texas.

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

**SECTION 1.** That the following prescribed section of FM 559 as indicated on the attached plan marked "**EXHIBIT A"** is regulated as to the speed of motor vehicles traveling thereon in the direction indicated, and it shall be unlawful for the driver of any motor vehicle to drive said vehicle within said section in the direction stated at a speed in excess of the following:

**A. FOR TRAFFIC TRAVELING IN A NORTHERNLY DIRECTION ON FM 559.**

**1.** Forty (40) miles per hour from SH 93 (MP 16.199 - Cont.1020-01), north for a distance of 3.019 miles, to a point 1100 feet south of Airline Dr. (MP 13.180 - Cont. 1020-01).

**2.** Fifty (50) miles per hour from a point 1100 feet south of Airline Dr. (MP 13.180 - Cont. 1020-01) north for a distance of 1.834 miles, to the north Texarkana city limits (MP 11.347 - Cont. 1020-01), except for that portion from a point 950 feet south of FM 2878 (MP 12.263 - Cont. 1020-01) to a point 169 feet north of FM 2878 (MP 12.051 - Cont. 1020-01) north for

Attachment: 2020-006 ORD Changing Speed Limit on FM 559 (2204 : 2020-006 ORD Speed Limit Change to FM 559)

PUBLISH

a distance of 0.212 miles, the speed limit shall be thirty-five (35) miles per hour when the school speed zone flashing beacons are in operation on school days.

**B. FOR TRAFFIC TRAVELING IN A SOUTHERNLY DIRECTION ON FM 559.**

**1.** Fifty (50) miles per hour from the north city limits of Texarkana (MP 11.347 - Cont. 1020-01) south for a distance of 1.834 miles, to a point 1100 feet south of Airline Dr. (MP 13.180 - Cont. 1020-01), except for that portion from a point 169 feet north of FM 2878 (MP 12.051 - Cont. 1020-01) to a point 950 feet south of FM 2878 (MP 12.263 - Cont. 1020-01) south for a distance of 0.212 miles, the speed limit shall be thirty-five (35) miles per hour when the school speed zone flashing beacons are in operation on school days.

**2.** Forty (40) miles per hour from a point 1100 feet south of Airline Dr. (MP 13.180 - Cont. 1020-01) south for a distance of 3.019 miles, to SH 93 (MP 16.199 - Cont.1020-01).

**SECTION 2.** That the hereinabove speeds for vehicular traffic traveling upon the hereinabove designated section of FM 559 in the direction herein specified be and they are hereby found to be reasonable and safe prima facie speed limits therefore. The fact that this regulation of the speed of motor vehicles is needed, creates an emergency which is for the immediate preservation of public safety and general welfare, requires that this ordinance take effect immediately from and after its passage and it is accordingly so ordained.

**SECTION 3.** The Texas Department of Transportation is authorized to erect signs indicating the speed limits herein designated.

**SECTION 4.** That any person violating any provisions of this ordinance shall upon conviction be deemed guilty of a misdemeanor and shall be fined in any sum not to exceed two hundred dollars ($200.00)

**SECTION 5.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 6.** If any portion of this ordinance shall be judicially determined to be invalid such invalidity shall affect only that portion thereby so found and it shall not be construed so as to affect or otherwise impair the validity of the remaining portions thereof.

**PASSED AND APPROVED** in Regular Council Session on this the **27th day of Janaury, 2020.**

**ATTEST:**

Jennifer Evans, City Secretary

Bob Bruggeman, Mayor

Attachment: 2020-006 ORD Changing Speed Limit on FM 559 (2204 : 2020-006 ORD Speed Limit Change to FM 559)

City of Texarkana, Texas

# Briefing Sheet

Version:
**Update Date:** 1/10/2020 11:45 AM

**Lead Department:** Public Works Department **Action Officer:** Dusty Henslee,

**Subject:** Ordinance No. 2020-008 amending Article IV (access driveways) of Chapter 130 of the Code of Ordinances by adding subsection 130-120(1-a) to provide for limited authority and minimum construction requirements for a singular access driveway from a public street to an abutting rear yard of a single residential unit.

**Briefing:** 1/27/2020 **Public Hearing:** 1/27/2020 **Council Vote:** 1/27/2020

**Item Schedule**

Schedule 2: Brief once - vote once (two weeks)

**Updates/History of Briefing:**

NOT APPLICABLE

**Executive Summary and Background Information:**

**Executive Summary and Background Information:**

Article II, section 4, of the City Charter vests the City Council with broad authority over public areas, including streets:

> The city council, subject to the provisions of this Charter, shall have the power to lay out, establish, open, restore, widen, extend, grade, narrow, care for, pave, supervise, maintain and improve streets, alleys, sidewalks, squares, parks, public places and bridges and shall have exclusive power and control over the same and over such streets, alleys, sidewalks and public places and bridges that now or which shall hereafter exist in said city, and shall have the power to vacate and close them, and to regulate the use thereof, to prevent the construction on or to require the removal from the streets, alleys, highways, public places and sidewalks of said city of obstruction telegraph poles, telephone poles, street railway and other poles carrying electric current or wires, signs, fruit stands, showcases and encroachments of every kind and character upon said streets and sidewalks, provided the same does not interfere with or violate the provisions of any franchise heretofore granted by the City of Texarkana, Texas, or contracts now existing.

Article IV of Chapter 130 of the Code of Ordinances—the "streets and sidewalks" chapter—governs "Access Driveways". Section 130-120 governs minimum construction requirements for access driveways. There are two broad categories of access driveways identified in the chapter. The first subsection of Section 130-120 identifies one category of driveways as providing singular access to a single residential unit. Code § 130-120(1). The next subsection contains a second category applicable to driveways providing access to parking lots; private drives or streets serving multiple-residential units, driveways to educational, medical or religious facilities; driveways to public or private office facilities; and driveways to any retail,

commercial or industrial type facilities. Code §§ 130-120(2). Additional subsections broadly require compliance with drainage requirements and owner responsibility for construction and maintenance. Code §§ 130-120(3), (4). Compliance with Article IV and issuance of a permit to construct an access driveway relieves the grantee of the obligation to secure a curb cut permit. Code § 130-123(c).

The proposed amendment to Chapter 130 would expand the categories of residential access driveways to include, in limited circumstances, an access driveway from a public street to an abutting "rear yard". Up to now, the City Council has not granted such authority nor set minimum construction requirements for such a driveway. As proposed, the authority granted for such a driveway would require the exercise of discretion by the city engineer when evaluating if the rear yard cannot be reasonably accessed from a driveway to a residential unit; the factors for the city engineer to consider when exercising such discretion include a change in elevation, natural barriers (e.g., creek or drainage ditch), drainage facilities (e.g., box culvert or improved stormwater drain), the existence of other natural or artificial barriers, or, if applicable, the flood plain. Exhibit A to the briefing materials depicts a front yard and a rear yard abutting different public streets and a physical barrier separating the front and rear yards.

The proposed amendment to Chapter 130 would also limit any "rear yard" access driveway to only a singular access (that is, only one "curb cut" or access from the street to the rear yard). Minimum construction requirements would include the same requirements applicable to an access driveway for a residential unit in addition to a minimum width of twelve feet (12') and a maximum width of fifteen feet (15').

Placing this new category of access driveway within Article IV of Chapter 130, and specifically within Section 130-120, would make applicable the same plan submission, permit requirements, and other criteria which pertain to access driveway requests generally. Exhibit B to the briefing materials contains the entirety of the "Access Driveways" chapter of the Code with the proposed addition of Section 130-120(a-1) highlighted.

The proposed amendment does not place any restriction on bicycle or pedestrian facilities.

The proposed amendment does not authorize – and makes clear that nothing in the Code authorizes – a driveway connecting the streets of lots that have double frontage.

**Potential Options:**

- Authorize an access driveway to a rear yard abutting a public street by either approving the proposed ordinance without changes or directing staff to revise the proposed ordinance per Council direction
- Decline granting authority for an access driveway to a rear yard abutting a public street.

**Fiscal Implications:**

None

**Staff Recommendation:**

The Council has the sole discretion whether to authorize or not authorize an access driveway to a rear yard abutting a public street.

If the Council chooses to authorize such an access driveway, then staff recommends approval of this ordinance.

**Advisory Board/Committee Review:**

None

**Board/Committee Recommendation:**

NOT APPLICABLE

**Advisory Board/Committee Meeting Date and Minutes:**

NOT APPLICABLE

**Attachments**

a. 2020-008 Goals & Perspectives (DOCX)
b. 2020-008 Exhibit 'A' Diagram (PDF)
c. 2020-008 Exhibit 'B' - Code Revision Section (DOCX)
d. 2020-008 ORD Amend 130-120 rear yard access v3 (DOCX)

**Staff Coordination**

| | | | | |
|---|---|---|---|---|
| Public Works Department | Dusty Henslee | Department Head Review | Completed | 01/07/2020 3:12 PM |
| Planning and Community Development | David Orr | Review | Completed | 01/07/2020 5:05 PM |
| Building Code Administration | Jennifer Evans | Review | Skipped | 01/09/2020 3:00 PM |
| City Attorney | Jennifer Evans | Review | Skipped | 01/09/2020 10:14 AM |
| City Manager | Shirley Jaster | City Manager Review | Completed | 01/10/2020 8:44 AM |
| City Council | Jennifer Evans | Meeting | Completed | 01/13/2020 6:00 PM |

**Meeting History**

# 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:**

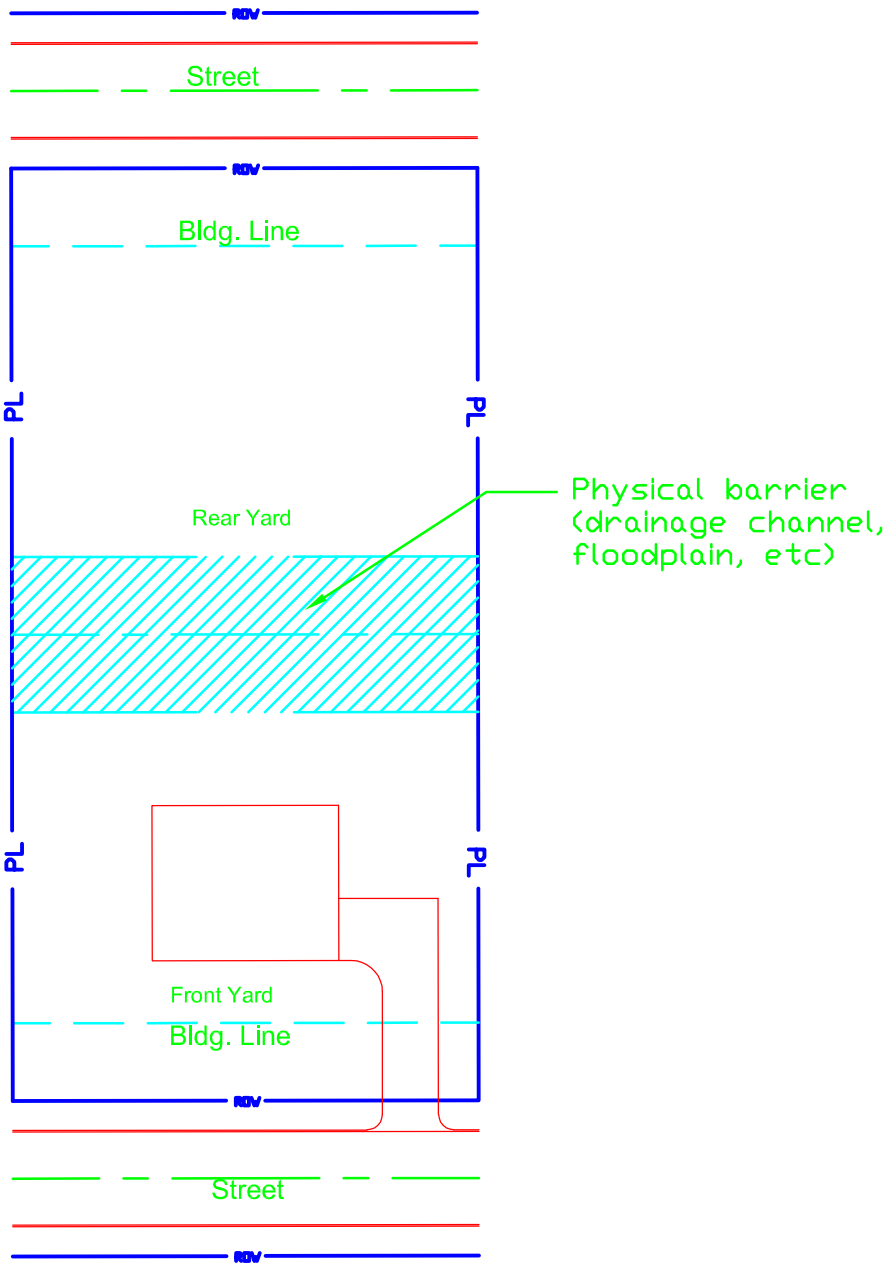
| | | | |
|---|---|---|---|
| ☐ | Newspaper Notice (Required by Statute) | ☑ | Public Hearing (Required by Statute) |
| ☐ | Public Forum/Input Session | ☐ | Press Release |
| ☐ | E-News Distribution | ☐ | Website Notice |
| ☐ | Social Media (Twitter, Facebook, etc.) | ☐ | Special Mailing |
| ☐ | Flyers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

Other:

Attachment: 2020-008 Goals & Perspectives (2206 : 2020-008 ORD Amending Article IV of Chapter 130 of the Code of Ordinances)

# Exhibit "A"

2020-008 EXH 'A'




Attachment: 2020-008 Exhibit 'A' Diagram (2206 : 2020-008 ORD Amending Article IV of Chapter 130 of the

# Exhibit B

## ARTICLE IV. - ACCESS DRIVEWAYS

### Sec. 130-117. - State regulations—Adopted.

The pamphlet known as the "Access Management Manual," published July 2011, by the Texas Department of Transportation, is hereby adopted by the city council as though set out herein in full.

(Code 1961, § 24-61; Ord. of 4-27-1954, § 1; Ord. No. 40-65, § 1, 5-10-1965)

### Sec. 130-118. - Same—Filing and distribution of copies.

The city secretary shall maintain a copy of the pamphlet "Access Management Manual," adopted by section 130-117, on file in the secretary's office at all times, and the secretary shall procure extra copies for distribution at a reasonable fee.

(Code 1961, § 24-62; Ord. of 4-27-1954, § 5)

### Sec. 130-119. - Curbs for new driveways.

Commercial access driveways within the city under construction on April 27, 1954, or altered, repaired or rebuilt after such date, and any commercial access driveways built after such date anywhere within the city limits shall be provided with a curb not less than ten feet from the corner of the intersection streets' right-of-way, such curb shall conform to that line established for curbs for each of the intersection streets.

(Code 1961, § 24-63; Ord. of 4-27-1954, § 2; Ord. No. 40-65, § 2, 5-10-1965)

### Sec. 130-120. - Minimum construction requirements.

That portion of access driveway constructed upon public street rights-of-way (i.e., from curbline or pavement edge to street right-of-way line) shall meet the minimum criteria for use classification as follows:

(1) Driveways providing singular access from the street to a single residential unit shall be constructed of Class "A" (3,000 psi test) concrete. Minimum slab thickness shall be four inches, if reinforced with six inches by six inches by ten gauge welded wire mesh or its equivalent, or five inches if nonreinforced. Subgrade shall be well compacted, and an expansion joint shall be installed at the right-of-way line. Where existing curb, gutter and/or street pavement must be removed to allow proper construction, the limits of the area to be removed shall be saw-cut or scored in an approved manner, and the removal accomplished so as to provide a neat line and a vertical face exposed. The use of alternate materials and methods will be considered, provided a detailed design by a registered professional engineer is submitted, including the engineer's certification that the alternate proposed will provide equal or greater strength and durability than those specified above.

Attachment: 2020-008 Exhibit 'B' - Code Revision Section (2206 : 2020-008 ORD Amending Article IV of Chapter 130 of the Code of Ordinances)

(1-a) When a rear yard of a single residential unit abuts a street, the city engineer may approve a driveway providing singular access from the street to the rear yard if, in the discretion of the city engineer, the rear yard cannot be reasonably accessed from a driveway described in section 130-120(1). Factors to be considered by the city engineer when exercising such discretion may include a change in elevation, natural barriers (e.g., creek or drainage ditch), drainage facilities (e.g., box culvert or improved stormwater drain), the existence of other natural or artificial barriers, or, if applicable, the flood plain. Any driveway approved under this subsection must meet the minimum construction requirements of section 130-120(1), have a minimum width of twelve feet (12'), and not exceed a maximum width of fifteen feet (15'). This subsection does not restrict bicycle or pedestrian facilities. Where lots have double frontage, running through from one street to another, nothing in this Code authorizes a driveway connecting both streets.

(2) Driveways providing access from a street to a parking lot; to a private drive or street serving multiple-residential units; to educational, medical or religious facilities; to public or private office facilities and to any retail, commercial or industrial type facilities shall be constructed of Class "A" (3,000 psi test) concrete on a well compacted subgrade. Minimum slab thickness shall be five inches, if reinforced with six inches by six inches by six gauge welded wire mesh, or six inches if nonreinforced. Removal of existing curb, gutter and/or street pavement shall conform to the requirements set forth in subsection (1) of this section, as will consideration of use of alternate materials and methods of construction.

(3) All driveways shall be constructed to maintain or improve the drainage conditions in the area of the driveway. Gutter line grade shall be carefully maintained and driveway construction shall be such that storm flow is maintained in the gutter. Where driveways cross drainage ditches or swales, the city engineer's office shall determine pipe size or capacity requirements for driveway culverts or swale sections as conditions dictate. In general, the minimum pipe size allowed will be 18 inches in diameter. Fifteen-inch diameter pipe may be allowed only in instances where larger diameter pipe is not needed and could not function properly due to conditions. In general, the minimum culvert length shall be the paved driveway width, plus two foot shoulders each side if vertical headwalls are constructed. Otherwise, add a minimum additional two feet length each side for each one foot depth from top of driveway to bottom of ditch to provide a maximum 2:1 end slope on backfill. Culvert pipe shall be of approved reinforced concrete construction. Alternate pipe material that will be considered, includes metals and plastics which are designed to carry H-15 loadings, are coated or treated to withstand corrosion, and provided that ends are protected by headwalls or concrete sloped end treatment. In general, the location of the culvert pipe in relation to the street pavement edge shall be a minimum of three feet for shoulder width plus three feet for each foot of ditch depth to provide a maximum 3:1 front slope for the ditch. Adjacent ditch lines shall be transitioned and reshaped as necessary to accommodate the culvert location. The driveway over the culvert pipe should be swaled where possible to provide overflow capability.

(4) Construction and maintenance of the access driveway is the responsibility of the owner of the property served. When requested, the city may, at its option, assist in the construction or reconstruction of driveway culverts only to the extent of installing and backfilling the culvert pipe furnished by the property owner and reshaping adjacent ditches.

(Code 1961, § 24-63.1; Ord. No. 11-88, § 1, 1-25-1988)

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**Sec. 130-121. - Curbs for existing driveways.**

At access driveways existing in the city prior to April 27, 1954, should the city council find, by resolution with notice to the property owner, lessee and any person having any interest in the property, that the lack of curbing at the corner of intersecting streets constitutes a traffic hazard and that curbing is necessary to the public convenience for the control of traffic, the city council may order the city engineer to erect a proper curb on the right-of-way, at the expense of the city.

(Code 1961, § 24-64; Ord. of 4-27-1954, § 4)

**Sec. 130-122. - Parking aprons for angle parking between curb or pavement edge and property line.**

Permits for the construction of parking aprons for angle parking between the curb or pavement edge and the property line shall be issued only for city streets classed as secondary or minor and only under the following conditions:

(1) The parking apron shall extend the full length of the block from curb radii to curb radii of adjoining side streets.

(2) The parking apron shall be constructed of Class "A" (five sack, 3000 psi test) concrete, reinforced with six inches by six inches by six welded wire mesh. The apron slab shall be a minimum of six-inch thickness and shall be placed on a prepared, well compacted subbase. An integral concrete curb shall be constructed along the edges of the parking apron which do not connect to the street proper. Said curb shall be six inches minimum thickness and extend a minimum vertical distance of six inches above the parking slab.

(3) The grantee shall construct and maintain an unobstructed pedestrian walk along and adjoining the curb of the parking apron for the length thereof. The walk shall be constructed of Class "A" concrete (five sack, 3,000 psi test), it shall be a minimum of four feet wide and four inches thick and shall be poured on a prepared, well compacted subbase.

(4) Drainage shall be maintained by the installation of drainage tile where necessary and/or by grading the parking apron to drain to existing gutters, catchbasins or drainageways.

(Code 1961, § 24-64.1; Ord. No. 40-65, § 3, 5-10-1965)

**Sec. 130-123. - Plans and specifications; compliance with article; permit required; fees.**

(a) *Application for permit.* Any person desiring to construct an access driveway or single parking apron connecting to any street or highway within the corporate limits of the city shall make application for a permit from the department of public works of the city. The applicant for such permit shall submit plans and specifications covering the work proposed showing all dimensions, property lines, sizes and other pertinent information necessary for review. Such information may be included on plat plans presented for building permits in case of new construction. In the event such work is contemplated along a state highway, two sets of plans and specifications will be required.

(b) *Permit required.* A valid permit to construct access driveways and/or angle parking aprons will be required in addition to building permits.

(c) *Fees set.* The fee for the issuance of a permit to construct access driveways or parking aprons along any street or highway in the corporate limits of the city shall be in an amount as

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established by the city council from time to time and is on file in the city secretary's office or city website. The issuance of this permit shall relieve the grantee of the grantees obligation to secure a curb cut permit as required in article III of this chapter.

(d) *Compliance with article.* The city engineer shall require all plans and specifications to be submitted to the engineer by either the contractor, property owner or other person having an interest in the property, who applies for a building permit, to show compliance with this article, and should the person applying for a building permit refuse to comply with this article, the permit shall not be issued. If the plans and specifications show a compliance with this article and the permit is issued, and the construction fails to comply with this article, the city engineer shall immediately notify the contractor, owner or person authorizing the building and construction, and the chief executive officer of the city and, if necessary, the chief executive officer may instruct the city attorney to institute proceedings in any court to require compliance with this article, or cessation of the work until the article is complied with.

(Code 1961, § 24-65; Ord. of 4-27-1954, § 3; Ord. No. 40-65, § 4, 5-10-1965; Ord. No. 11-88, § 2, 1-25-1988)

**Secs. 130-124—130-144. - Reserved.**

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**ORDINANCE NO. 2020-008**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING ARTICLE IV (ACCESS DRIVEWAYS) OF CHAPTER 130 OF THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS, BY ADDING SUBSECTION 130-120(1-a) TO PROVIDE FOR LIMITED AUTHORITY AND MINIMUM CONSTRUCTION REQUIREMENTS FOR A SINGULAR ACCESS DRIVEWAY FROM A PUBLIC STREET TO AN ABUTTING REAR YARD OF A SINGLE RESIDENTIAL UNIT; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Article II, Section 4 of the City Charter vests the City Council with broad power and discretion over public streets; and

**WHEREAS**, Article IV of Chapter 130 of the City's Code of Ordinances regulates access driveways, and Section 130-120 establishes minimum construction requirements for various categories of access driveways; and

**WHEREAS**, the Code of Ordinances expressly recognizes that a "rear yard" may abut a public street [*see* Code § 140-142(b)]; and

**WHEREAS**, heretofore, the City Council has ordained neither authority nor minimum construction requirements in the Code of Ordinances for an access driveway from a public street to an abutting "rear yard"; and

**WHEREAS,** the City Council finds and determines that limited authority should be ordained together with establishing minimum construction requirements for an access driveway from a public street to an abutting "rear yard".

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

**SECTION 1:** Article IV of Chapter 130 of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended to add the following new subsection 130-120(1-a), to read as follows:

(1-a) When a rear yard of a single residential unit abuts a street, the city engineer may approve a driveway providing singular access from the street to the rear yard if, in the discretion of the city engineer, the rear yard cannot be reasonably accessed from a driveway described in section 130-120(1). Factors to be considered by the city engineer when exercising such discretion may include a change in elevation, natural barriers (e.g., creek or drainage ditch), drainage facilities (e.g., box culvert or improved stormwater drain), the existence of other natural or artificial barriers, or, if applicable, the flood plain. Any driveway approved under this subsection must meet the minimum construction requirements of section 130-120(1), have a minimum width of twelve feet (12'), and not exceed a maximum

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width of fifteen feet (15'). This subsection does not restrict bicycle or pedestrian facilities. Where lots have double frontage, running through from one street to another, nothing in this Code authorizes a driveway connecting both streets.

**SECTION 2:** The City Secretary shall give notice of the passage of this ordinance as provided in Article XI, Section 3 of the City Charter of the City of Texarkana, Texas.

**SECTION 3:** This Ordinance shall be in full force and effect ten (10) days after its passage and approval.

**PASSED AND APPROVED** in Regular Council Session on this the **27th day of January, 2020**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

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