



CITY OF TEXARKANA
CITY COUNCIL
MINUTES • JANUARY 22, 2018

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, Kyle Dooley, Kristin Peeples, Dusty Henslee, Robby Robertson, David Orr, Karey Parker, Sherry Jackson Hawkins, Lisa Thompson, J.D. Phillips, Mashell Daniel, and Jerry Sparks.

Legal Counsel: Jeff Lewis

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER BETTY WILLIAMS

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, February 12, 2018 at 6:00 p.m.

Monday, February 26, 2018 at 6:00 p.m.

Monday, March 12, 2018 at 6:00 p.m.

Monday, March 26, 2018 at 6:00 p.m.

Parks & Recreation Events:

February 22nd & 23rd 26th Annual Fishing Derby Wallace Park

Moved from Spring Lake Park

For a complete list of Parks & Recreation activities and information call 903-798-3978 or visit the city website at <http://tx-texarkana.civicplus.com>

Mayor Bruggeman welcomed students from Mr. Littman's government class at Texas High and a student from Arkansas Tech University.

Proclamation Presentation

National Wear Red Day - February 2, 2018

Mayor Bruggeman read the proclamation and reminded the audience that the annual 'Heart Ball' is scheduled for February 10th.

Appointments to Boards & Commissions

There were no appointments made to any board or commission.

IV. OPEN FORUM: COMMENTS FROM THE PUBLIC (LIMIT 5 MINUTES EACH)

Items scheduled for "Public Hearing" or have been heard at a previous "Public Hearing" are not to be addressed at the "Open Forum".

There were no public comments made at Open Forum.

V. ITEMS FOR CONSIDERATION

Consent Items

(6:13 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Josh Davis, Ward 6
SECONDER:	Jean H. Matlock, Ward 1
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 January 8, 2018 at 6:00 PM.

Action Items - None

VI. FIRST BRIEFINGS

1. Ordinance No. 2018-003 rezoning a 9.321 acre tract of land in the F.V. Evans HRS, A-742, located in the 6800 block of Richmond Road. Single Family-1 to Single Family-2. Nick Hibbs, applicant. Kayla Wood, MTG Engineers and Surveyors, agent.

Public Hearing: February 12, 2018
Second Briefing: February 26, 2018
Council Vote: March 12, 2018

David Orr briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 2/12/2018 6:00 PM
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2. Ordinance No. 2018-004 rezoning a 1.7776 acre tract of land in the Thomas Price HRS, A-466, located at 3102 New Boston Road. General Retail to Planned Development-Commercial. Currie and Walker, LLC, applicant. Michael Kelly, agent.

Public Hearing: February 12, 2018
Second Briefing: February 26, 2018
Council Vote: March 12, 2018

David Orr briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 2/12/2018 6:00 PM
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3. Ordinance No. 2018-005 granting a Specific Use Permit to allow a residential treatment center (for women only) on Lots 1-4, Block 124, City Trigg Addition, located at 1217 Hazel Street. Integrated Health Care, applicant. Nelda Shavers, agent.

Public Hearing: February 12, 2018
Second Briefing: February 26, 2018
Council Vote: March 12, 2018

David Orr briefed this agenda item. Shaneka Shavers and Nelda Shavers answered questions for council.

RESULT:	MOVED FORWARD	Next: 2/12/2018 6:00 PM
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4. Ordinance No. 2018-006 revoking Specific Use Permit No. S-447 that allowed a treatment center for psychiatric, alcoholic and narcotic patients on Lots 1-4, Block 124, City Triggs Addition, located at 1217 Hazel Street. City of Texarkana, Texas, applicant.

Public Hearing: February 12, 2018
Second Briefing: February 26, 2018
Council Vote: March 12, 2018

David Orr briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 2/12/2018 6:00 PM
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5. Ordinance No. 2018-007 rezoning Lots 13, 14 & 1/2 of Lot 15, Block 7, Watt's Addition, located at 2107 West 14th Street. Multiple Family-1 to Single Family-3. Almer Thomas, applicant.

Public Hearing: February 12, 2018
Second Briefing: February 26, 2018
Council Vote: March 12, 2018

David Orr briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 2/12/2018 6:00 PM
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6. Ordinance No. 2018-008 granting a Specific Use Permit to allow a double wide HUD code manufactured home on Lots 13, 14 and 1/2 of Lot 15, Block 7, Watt's Addition, located at 2107 West 14th Street. Almer Thomas, applicant.

Public Hearing: February 12, 2018
Second Briefing: February 26, 2018
Council Vote: March 12, 2018

David Orr briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 2/12/2018 6:00 PM
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7. Ordinance No. 2018-009 rezoning Lot 1, Block 2, Cooper Lane Estates, located in the 3700 block of Trotter Lane from Two Family-2 to Multiple Family-1. Robert Buford, applicant.

Public Hearing: February 12, 2018
Second Briefing: February 26, 2018
Council Vote: March 12, 2018

David Orr briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 2/12/2018 6:00 PM
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8. Ordinance No. 2018-011 amending the Building Maintenance Fund (Fund 228) budget for fiscal year 2018.

Public Hearing:
Second Briefing:
Council Vote: January 22, 2018

Robby Robertson briefed this agenda item.

(6:27 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bill Harp, Ward 5
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

9. Ordinance No. 2018-012 amending the budget for the fiscal year ending September 30, 2018 and creating a Major Maintenance Fund.

Public Hearing:

Second Briefing:

Council Vote: January 22, 2018

Kristin Peeples briefed this agenda item.

(6:30 p.m.)

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

10. Ordinance No. 2018-014 omitting Section 105-333 (c), under Section 105-333 "Abatement Actions by the City and Lien for Cost", from the Code of Ordinances for the City of Texarkana, Texas.

Public Hearing: February 12, 2018

Second Briefing: February 26, 2018

Council Vote: March 12, 2018

Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 2/12/2018 6:00 PM
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Closed Session

The City Council convened into closed session pursuant to Texas Government Code Section 551.071 to consult with the city attorney on certain legal matters regarding Resolution No. 2018-013.

Reconvened Into Open Session

13. Joint Resolution No. 2018-013 with Riverbend Water Resources District authorizing Riverbend's Executive Director/CEO to sign and submit federal and state permit applications and permit amendments for the limited purpose of developing and locating additional, new diversion locations and intake structures at Lake Wright Patman.

Public Hearing:

Second Briefing:

Council Vote: February 12, 2018

Liz Fazio Hale briefed this agenda item and provided background information about Riverbend Water Resources District. Ms. Hale was accompanied by Riverbend board members Fred Milton, Kelly Mitchell and Marshall Wood.

(7:30 p.m.)

RESULT:	POSTPONED (VOTE) [UNANIMOUS]	Next: 2/12/2018 6:00 PM
MOVER:	Josh Davis, Ward 6	
SECONDER:	Betty Williams, Ward 3	
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis	
EXCUSED:	Bruggeman	

VII. PUBLIC HEARINGS - NONE

VIII. SECOND BRIEFING WITH UPDATES - NONE

IX. SECOND BRIEFING WITHOUT UPDATES - NONE

X. ITEMS FOR DISCUSSION

Staff Updates - None

XI. ADMINISTRATIVE COMMENTS

1. City Council

Council Member Harp thanked city staff, especially the Fire and Police Departments, for excellent response and assistance during last week's snow and icy weather conditions in Texarkana.

2. City Staff

Staff had no administrative comments for council.

XII. ADJOURNMENT

A motion was made to adjourn the meeting.
7:32 p.m.

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



Jennifer Evans
City Secretary



Bob Bruggeman
Mayor

Briefing Sheet

Version:
Update Date: 1/4/2018 9:27 AM

Lead Department: City Manager

Action Officer: Jennifer Evans, City Secretary

Subject: National Wear Red Day - February 2, 2018

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

None

Potential Options:

- None
-

Fiscal Implications:

None

Staff Recommendation:

For Mayor to proclaim February 2, 2018 as National Wear Red Day.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- Wear Red Day Proc. 020218 (PDF)



A Texarkana Joint Proclamation

National Wear Red Day

WHEREAS, cardiovascular diseases kill one in three women in the U.S., yet 80% of cardiovascular diseases may be prevented; and

WHEREAS, cardiovascular diseases and stroke kill one woman every 80 seconds in the U.S.; and

WHEREAS, an estimated 44 million women in the U.S. are affected by cardiovascular diseases; and

WHEREAS, 90% of women have one or more risk factors for developing heart disease or stroke; and

WHEREAS, women are less likely to call 911 for themselves when experiencing symptoms of a heart attack than they are if someone else were having a heart attack; and

WHEREAS, only 36% of African American women and 34% of Hispanic women know that heart disease is their greatest health risk, compared with 65% of Caucasian women; and

WHEREAS, the American Heart Association's **Go Red For Women®** movement motivates women to learn their family history and to meet with a healthcare provider to determine their risk for cardiovascular diseases and stroke; and

WHEREAS, women involved with the **Go Red For Women** movement live healthier lives; and

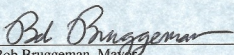
WHEREAS, **Go Red For Women®** encourages women to take control of their heart health by knowing and managing these five numbers:

1. Total Cholesterol
2. HDL (good) Cholesterol
3. Blood Pressure
4. Blood Sugar
5. Body Mass Index (BMI)

NOW, THEREFORE, WE, Bob Bruggeman, Mayor of Texarkana, Texas, and Ruth Penney Bell, Mayor of Texarkana, Arkansas, in recognition of the importance of the ongoing fight against heart disease and stroke, do hereby proclaim Friday, February 2, 2018 to be

“National Wear Red Day”

in Texarkana USA and urge all citizens to show their support for women and the fight against heart disease by commemorating this day by wearing the color red. By increasing awareness, speaking out about heart disease and empowering women to reduce their risk for cardiovascular diseases, we can save thousands of lives each year.


Bob Bruggeman, Mayor


Ruth Penney Bell, Mayor

Attest:


Jennifer Evans, City Secretary

Attest:


Heather Soyars, City Clerk

Attachment: Wear Red Day Proc. 020218 (1752 : National Wear Red Day



CITY OF TEXARKANA
CITY COUNCIL
MINUTES • JANUARY 8, 2018

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, Kyle Dooley, Kristin Peeples, Jim Powell, Robby Robertson, Eric Schlotter, Karey Parker, Dusty Henslee, David Orr, Mashell Daniel, Lisa Thompson, Craig Hicks, Rea Donna Jones, and Jerry Sparks.

Legal Counsel: Jeff Lewis

II. INVOCATION AND PLEDGE BY MAYOR BOB BRUGGEMAN

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, January 22, 2018 at 6:00 p.m.
Monday, February 12, 2018 at 6:00 p.m.
Monday, February 26, 2018 at 6:00 p.m.

Parks & Recreation Events:

No events are scheduled.

For a complete list of Parks & Recreation activities and information call 903-798-3978 or visit the city website at <http://tx-texarkana.civicplus.com>

Minutes Acceptance: Minutes of Jan 8, 2018 6:00 PM (Consent Items)

Mayor Bruggeman gave a special "Congratulations" to his aunt Virginia Latimer for turning 100 years old on January 1, 2018!

The Pleasant Grove "Hawks" high school football team won the state championship with a 16 & 0 perfect record. What an outstanding season!

Citizens were reminded that the Joint Texarkana City meeting is scheduled for Tuesday, February 13th. The topic is still pending.

Monday, January 15th, is Martin Luther King Jr. Day. Citizens were encouraged to enjoy the many activities in Texarkana related to this holiday weekend. A prayer breakfast will be held on Saturday, January 13th and an evening Gala celebration will be held on Sunday, January 14th.

Finance Director Kristin Peeples and her staff were congratulated for receiving the Distinguished Budget Presentation Award from the Government Finance Officers Association. This award is the highest form of recognition in governmental budgeting and represents a significant achievement.

Council Members Hart and Alcorn were wished Happy "January" Birthdays and Council Member Williams was wished a belated Happy "December" Birthday.

Feature Presentation

2017 Internship Program Recognition

Ranece Graves, a sophomore at Texarkana College, was a public service intern under the direction of the Planning & Community Development (PCD) Department. Her work focused on a number of projects involving the Historic Landmark Preservation Committee.

Mayor Bruggeman thanked Ms. Graves for her service to the city and presented her with a certificate recognizing her completion of the internship program.

Ms. Graves thanked PCD Director David Orr for the opportunity to learn about professionalism and work ethics during the project.

Appointments to Boards & Commissions

There were no appointments made to any board or commission.

IV. OPEN FORUM: COMMENTS FROM THE PUBLIC (LIMIT 5 MINUTES EACH)

Items scheduled for "Public Hearing" or have been heard at a previous "Public Hearing" are not to be addressed at the "Open Forum".

Lorenzo Paxton, Sr. addressed council concerning street paving issues on state highways 82 and 59. Mr. Paxton also related drainage issues on Findley Street and Alexander Avenue.

Steve McCowan addressed council concerning improving collaboration and communication efforts with Bowie County officials in dealing with red-tagged homes around the city.

V. ITEMS FOR CONSIDERATION

Consent Items

(6:38 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Hart, Ward 2
SECONDER:	Jean H. Matlock, Ward 1
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 December 11, 2017 at 6:00 PM.

Action Items

2. Resolution No. 2018-001 recognizing collective bargaining for the Fire Department.

Public Hearing:

Second Briefing:

Council Vote: January 8, 2018

Jim Powell made opening comments prior to the vote on this resolution.

(6:40 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Betty Williams, Ward 3
SECONDER:	Mary Hart, Ward 2
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

VI. FIRST BRIEFINGS

1. Resolution No. 2018-002 renewing the designation of the portion of West 3rd Street, from Oak Street to Main Street, as "Scott Joplin Way".

Public Hearing:

Second Briefing:

Council Vote: January 8, 2018

Dusty Henslee briefed this agenda item.

(6:41 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Josh Davis, Ward 6
SECONDER:	Christie Alcorn, Ward 4
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

VII. PUBLIC HEARINGS - NONE

VIII. SECOND BRIEFING WITH UPDATES - NONE

IX. SECOND BRIEFING WITHOUT UPDATES

1. Motion to move Ordinance No. 2017-122 up for council vote.

(6:43 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Mary Hart, Ward 2
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

2. Ordinance No. 2017-122 granting a specific use permit to allow the location of a tattoo studio in a tenant space (Suite 110A) in Oaklawn Center, located at 2729 New Boston Road (part of a 25.334 acre tract of land in the Eli Moore HRS, A-401). New Boston Retail Group, LLC, applicant. Nathan Biddle, agent.

Public Hearing: December 11, 2017

Second Briefing: January 8, 2018

Council Vote: January 22, 2018

(6:44 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Mary Hart, Ward 2
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

X. ITEMS FOR DISCUSSION

Staff Updates - Military Affairs by Jerry Sparks

Mr. Sparks reported on the value of the military's presence in the community. Supporting the defense industry is a cornerstone of the city's business retention effort. Much work is done behind the scenes, such as reminding Pentagon and Congressional officials that defense employees are not just a number. Defense complex employees are involved in local schools, churches, governments, and volunteer agencies.

Economic Development staff and collaborating partners work hard to ensure that the local message is heard by the decision makers. They also work to protect Red River Army Depot from adverse legislation.

Mayor Bruggeman, who is a member of the Texas Mayors of Military Communities, especially thanked Mr. Sparks and Dennis Lewis for representing him when he is not able to attend a meeting.

XI. ADMINISTRATIVE COMMENTS

1. City Council

Mayor Bruggeman welcomed back Finance Director Kristin Peebles to the council meeting.

2. City Staff

Staff had no administrative comments for council.

XII. CLOSED SESSION

The City Council convened into closed session pursuant to Texas Government Code Section 551.071 (consultation with Attorney).

XIII. RECONVENED INTO OPEN SESSION

XIV. ADJOURNMENT

1.

A motion was made to adjourn the meeting.
(8:20 p.m.)

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



Jennifer Evans
City Secretary



Bob Bruggeman
Mayor

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 1/19/2018 2:37 PM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk
Subject: Ordinance No. 2018-003 rezoning a 9.321 acre tract of land in the F.V. Evans HRS, A-742, located in the 6800 block of Richmond Road. Single Family-1 to Single Family-2. Nick Hibbs, applicant. Kayla Wood, MTG Engineers and Surveyors, agent.
Briefing: 2/12/2018 **Public Hearing:** 2/12/2018 **Second Briefing:** February 26, 2018 **Council Vote:** 3/12/2018

Item Schedule

Schedule 1: Brief twice - vote once (six weeks)

Updates/History of Briefing:

NOT APPLICABLE.

Executive Summary and Background Information:

Z-18-1: This is a request by Nick Hibbs, under contract to purchase. and Kayla Wood, MTG Engineers and Surveyors, agent, to rezone a 9.321 acre tract of land in the F.V. Evans HRS, A-742, located in the 6800 block of Richmond Road from Single Family-1 to Single Family-2. The proposed use is a residential subdivision. The current use is vacant land with a few outbuildings.

The adjacent zoning is Single Family-1 to the north, south, east, and west. The adjacent land use is vacant land to the north, a residence across Richmond Road to the south, a mobile home and residences to the west and vacant land and residences to the east.

The City's current Comprehensive Plan has designated this as low density residential area.

The proposed use of this property is a 27-32 lot residential subdivision. The applicant is wanting to create a subdivision with narrower lots than Single Family-1 zoning allows. A subdivision plat will be required prior to construction of the residences.

Per the Zoning Ordinance, Single Family-1 allows single family homes on lots of 12,000 square feet or more and Single Family-2 allows single family homes on lots of 7,200 square feet or more.

The applicant should be aware that if this zoning change is approved, all other applicable city code/ordinance requirements must be met including but not limited to building codes, setbacks, subdivision, fire, parking, drainage, water and sewer prior to the issuance of building permits.

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

Potential Options:

None

City of Texarkana, Texas

Fiscal Implications:

None

Staff Recommendation:

Since the current Comprehensive plan has designated this is a low density residential area and Single Family-2 is considered low density, 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.

Advisory Board/Committee Meeting Date and Minutes:

January 2, 2018.

Attachments

- a. 2018-003 ORD rezoning 6800 blk. of Richmond Road (PDF)
- b. 2018-003 EXH 'A' (legal description) (PDF)
- c. 2018-003 ATTH 01 (maps) (PDF)
- d. 2018-003 ATTH 02 (photo of property) (PDF)
- e. 2018-003 ATTH 03 (proposed plat layout) (PDF)
- f. 2018-003 ATTH 04 (plat) (PDF)
- g. 2018-003 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	
Completed	01/17/2018 5:19 PM		
Public Works Department	Dusty Henslee	Reviewer	Completed
	01/19/2018 9:06 AM		
Deputy City Manager - Kyle Dooley	Vicky Coopwood	Deputy City Manager	
Review	01/19/2018 8:54 AM		
Public Information Officer	Vicky Coopwood	PIO Review	Skipped
	01/19/2018 2:36 PM		
City Manager	Shirley Jaster	City Manager Review	Completed 01/19/2018
3:24 PM			
City Council	Jennifer Evans	Meeting	Completed 01/22/2018
6:00 PM			

City of Texarkana, Texas

Meeting History

ORDINANCE NO. 2018-003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING A 9.321 ACRE TRACT OF LAND IN THE F.V. EVANS HRS, A-742, LOCATED IN THE 6800 BLOCK OF RICHMOND ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-1 TO SINGLE FAMILY-2; 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 a 9.321 acre tract of land in the F.V. Evans HRS, A-742 (**Exhibit 'A'**), located in the 6800 block of Richmond Road in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Single Family-2**; 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 after holding hearings and affording a full and fair hearing 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 five (5) to zero (0) to recommend the application for rezoning from Single Family-1 to Single Family-2 on a 9.321 acre tract of land in the F.V. Evans HRS, A-742 (Exhibit 'A'), located in the 6800 block of Richmond Road** to the City Council 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 **Single Family-1 to Single Family-2** 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 a 9.321 acre tract of land in the F.V. Evans HRS, A-742 (**Exhibit 'A'**), located in the 6800 block of Richmond Road in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Single Family-2**.

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 **12th day of March, 2018.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

EXHIBIT 'A'

✓ Property Description
Tract One w/9.321 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the F.V. Evans Headright Survey, Abstract 742, Bowie County, Texas, being all of that certain tract of land described as 10.66 acres in the deed from Marilyn Kay Posey, as Independent Executor of the Estate of Joe W. Shipp and Josephine Shipp to Marilyn Kay Posey, et al, dated May 8, 2012, recorded in Volume 6228, Page 201 of the Real Property Records of Bowie County, Texas, some being described as 10.66 acres by deed of record from Joe W. Shipp and Josephine Shipp, as Trustees of the Joe W. Shipp and Josephine Shipp Revocable Living Trust, dated February 20, 1998, recorded in Volume 2806, Page 295 of the Real Property Records of Bowie County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch steel rod capped MTG 101011-00, set for a corner, the Southeast corner of the said 10.66 acre tract, the Northeast corner of that certain tract of land described as 1.34 acres in the deed from Joe W. Shipp, et ux, to David Wayne Shipp, et ux, dated September 18, 1980, recorded in Volume 668, Page 289 of the Deed Records of Bowie County, Texas and lying in the West line of that certain tract of land described as 9.9407 acres in the deed from Curtis Wayne Pierce, et ux, to Stephen Morris, dated November 18, 1997, recorded in Volume 2755, Page 308 of the Real Property Records of Bowie County, Texas, some being described as 10 acres by deed of record from Ovie Hancock, et ux, to J.R. Pouik, Jr., dated July 25, 1950, recorded in Volume 274, Page 84 of the Deed Records of Bowie County, Texas, said corner bears South 02 degrees 02 minutes 25 seconds East a distance of 350.04 feet to a 1/2 inch steel rod (control monument), found for a corner, lying in the North right-of-way line of Farm-to-Market Road No. 359 (Richmond Road), the Southeast corner of the said 1.34 acre tract and the Southwest corner of the said 9.9407 acre tract;

THENCE North 85 degrees 25 minutes 03 seconds West a distance of 165.79 feet along to a 1/2 inch steel rod capped MTG 101011-00, set for a corner;

THENCE South 24 degrees 59 minutes 53 seconds West a distance of 250.43 feet to a 1/2 inch steel rod capped MTG 101011-00, set for a corner, lying in the North right-of-way line of Richmond Road, at the beginning of a circular curve to the right, said corner bears South 27 degrees 34 minutes 58 seconds East a distance of 65.71 to a 1/2 inch steel rod (control monument), found for a corner, the Southwest corner of the said 1.34 acre tract;

THENCE in a Northwesterly direction along the arc of the said circular curve, the South line of the said 10.66 acre tract and the North right-of-way line of said Richmond Road a distance of 87.25 feet, with a delta angle of 03 degrees 29 minutes 25 seconds, a radius of 1432.39 feet, a chord bearing of North 54 degrees 31 minutes 11 seconds West, and a chord distance of 87.24 feet to a 1/2 inch steel rod capped MTG 101011-00, set for a corner, the Southwest corner of the said 10.66 acre tract, the Southeast corner of that certain tract of land described as 0.70 acres in the deed from Mary Sue Hill to David W. Shipp, et ux, dated September 14, 1999, recorded in Volume 3135, Page 117 of the Real Property Records of Bowie County, Texas, some being described as 0.70 acres by deed of record from Fina Johnson, et ux, to Joe W. Shipp, et ux, dated July 31, 1956, recorded in Volume 338, Page 559 of the Deed Records of Bowie County, Texas;

THENCE North 01 degrees 40 minutes 58 seconds West a distance of 1272.11 feet along the West line of the said 10.66 acre tract, East line of the said 0.70 acre tract, the East line of that certain tract of land described as 1.57 acres in the deed from Bobby J. Smith, et ux to Jeffery D. Stone, et ux, dated October 22, 2001, recorded in Volume 3586, Page 125 of the Real Property Records of Bowie County, Texas and the East line of that certain tract of land described as 10 acres in the deed from Lenora D. Boyer to Herbert Ray Boyer dated February 4, 1999, recorded in Volume 3003, Page 344 of the Real Property Records of Bowie County, Texas, some being described as 10 acres by deed of record from O.D. Akin, et ux to J.H. Moores, dated December 9, 1922, recorded in Volume 101, Page 380 of the Deed Records of Bowie County, Texas, to a 8 inch wood fence post, found for a corner, the Northwest corner of the said 10.66 acre tract, the Northeast corner of the said 10 acre tract and lying in the South line of that certain tract of land described as 4.356 acres in the deed from F. Pierce Noble, et al, to Janet Sison, et vir, dated June 15, 1994 of the Real Property Records of Bowie County, Texas;

THENCE North 88 degrees 02 minutes 33 seconds East a distance of 43.98 feet along the North line of the said 10.66 acre tract and the South line of the said 4.356 acre tract to a 3/8 inch steel rod, found for a corner, the Southeast corner of the said 4.356 acre tract and the Southwest corner of that certain tract of land described as Tract 3 w/10.1 acres in the deed from F. Pierce Noble, et ux, to Janet Chynoweth Sison, dated January 8, 2004, recorded in Volume 4202, Page 155 of the Real Property Records of Bowie County, Texas and continuing along the North line of the said 10.66 acre tract and the South line of the said 10.1 acre tract a distance of 295.80 feet for a total distance of 339.78 feet to a 1/2 inch steel rod capped MTG 101011-00, set for a corner, lying in the South line of the said 10.1 acre tract, the Northeast corner of the said 10.66 acre tract and the Northwest corner of the said 9.9407 acre tract, said corner bears North 08 degrees 02 minutes 33 seconds East a distance of 284.53 feet to a 5/8 inch steel rod, found for a corner, the Northeast corner of the said 9.9407 acre tract;

THENCE South 02 degrees 02 minutes 25 seconds East a distance of 1120.79 feet along the East line of the said 10.66 acre tract and the West line of the said 9.9407 acre tract to the point of beginning and containing 9.321 acres of land, at the line of this survey.

This description is based on the survey and plat made by Jeffrey A. Wood, Registered Professional Land Surveyor No. 6220, on July 21, 2017.

THE BEARINGS ARE BASED ON GRID NORTH WITHIN THE "TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE", NAD83 (GRS85, EPOCH 2002.0), AT THE SURFACE, WITH A BEARING OF SOUTH 84 DEGREES 06 MINUTES 54 SECONDS EAST, THE COMBINED SCALE FACTOR TO GO FROM SURFACE TO GRID IS 0.999980014598. THE FOLLOWING CONTROL MONUMENTS WERE USED TO ESTABLISH THE BASIS OF BEARINGS:

CONTROL MONUMENT #1	CONTROL MONUMENT #2
N=7251902.3458	N=7252013.2027
E=3304693.7587	E=3304465.3193

NOTE:
In providing this boundary survey, no attempt has been made to obtain or show data concerning existence, size, depth, condition, capacity or location of any utility existing on the site, whether streets, municipal or public owned. Subsurface and environmental conditions were not surveyed or examined or statement is made concerning the existence of underground or overhead conditions, containers or facilities that may affect the use or development of this property. Extensive research was not done for this property by the surveyor, nor was a current title policy provided prior to this survey.

EXHIBIT 'A'

✓ Property Description
Tract One w/9.321 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the F.V. Evans Headright Survey, Abstract 742, Bowie County, Texas, being all of that certain tract of land described as 10.66 acres in the deed from Marilyn Kay Posey, as Independent Executor of the Estate of Joe W. Shipp and Josephine Shipp to Marilyn Kay Posey, et al, dated May 8, 2012, recorded in Volume 6228, Page 201 of the Real Property Records of Bowie County, Texas, some being described as 10.66 acres by deed of record from Joe W. Shipp and Josephine Shipp, as Trustees of the Joe W. Shipp and Josephine Shipp Revocable Living Trust, dated February 20, 1998, recorded in Volume 2806, Page 295 of the Real Property Records of Bowie County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch steel rod capped MTG 101011-00, set for a corner, the Southeast corner of the said 10.66 acre tract, the Northeast corner of that certain tract of land described as 1.34 acres in the deed from Joe W. Shipp, et ux, to David Wayne Shipp, et ux, dated September 18, 1980, recorded in Volume 668, Page 289 of the Deed Records of Bowie County, Texas and lying in the West line of that certain tract of land described as 9.9407 acres in the deed from Curtis Wayne Pierce, et ux, to Stephen Morris, dated November 18, 1997, recorded in Volume 2755, Page 308 of the Real Property Records of Bowie County, Texas, some being described as 10 acres by deed of record from Ovie Hancock, et ux, to J.R. Poulik, Jr., dated July 25, 1950, recorded in Volume 274, Page 84 of the Deed Records of Bowie County, Texas, said corner bears South 02 degrees 02 minutes 25 seconds East a distance of 350.04 feet to a 1/2 inch steel rod (control monument), found for a corner, lying in the North right-of-way line of Farm-to-Market Road No. 359 (Richmond Road), the Southeast corner of the said 1.34 acre tract and the Southwest corner of the said 9.9407 acre tract;

THENCE North 85 degrees 25 minutes 03 seconds West a distance of 165.79 feet along to a 1/2 inch steel rod capped MTG 101011-00, set for a corner;

THENCE South 24 degrees 59 minutes 53 seconds West a distance of 250.43 feet to a 1/2 inch steel rod capped MTG 101011-00, set for a corner, lying in the North right-of-way line of Richmond Road, at the beginning of a circular curve to the right, said corner bears South 27 degrees 34 minutes 58 seconds East a distance of 65.71 to a 1/2 inch steel rod (control monument), found for a corner, the Southwest corner of the said 1.34 acre tract;

THENCE in a Northwesterly direction along the arc of the said circular curve, the South line of the said 10.66 acre tract and the North right-of-way line of said Richmond Road a distance of 87.25 feet, with a delta angle of 03 degrees 29 minutes 25 seconds, a radius of 1432.39 feet, a chord bearing of North 54 degrees 31 minutes 11 seconds West, and a chord distance of 87.24 feet to a 1/2 inch steel rod capped MTG 101011-00, set for a corner, the Southwest corner of the said 10.66 acre tract, the Southeast corner of that certain tract of land described as 0.70 acres in the deed from Mary Sue Hill to David W. Shipp, et ux, dated September 14, 1999, recorded in Volume 3135, Page 117 of the Real Property Records of Bowie County, Texas, some being described as 0.70 acres by deed of record from Fina Johnson, et ux, to Joe W. Shipp, et ux, dated July 31, 1956, recorded in Volume 338, Page 559 of the Deed Records of Bowie County, Texas;

THENCE North 01 degrees 40 minutes 58 seconds West a distance of 1272.11 feet along the West line of the said 10.66 acre tract, East line of the said 0.70 acre tract, the East line of that certain tract of land described as 1.57 acres in the deed from Bobby J. Smith, et ux to Jeffery D. Stone, et ux, dated October 22, 2001, recorded in Volume 3586, Page 125 of the Real Property Records of Bowie County, Texas and the East line of that certain tract of land described as 10 acres in the deed from Lenora D. Boyer to Herbert Ray Boyer dated February 4, 1999, recorded in Volume 3003, Page 344 of the Real Property Records of Bowie County, Texas, some being described as 10 acres by deed of record from O.D. Akin, et ux to J.H. Moores, dated December 9, 1922, recorded in Volume 101, Page 380 of the Deed Records of Bowie County, Texas, to a 8 inch wood fence post, found for a corner, the Northwest corner of the said 10.66 acre tract, the Northeast corner of the said 10 acre tract and lying in the South line of that certain tract of land described as 4.356 acres in the deed from F. Pierce Noble, et al, to Janet Sison, et vir, dated June 15, 1994 of the Real Property Records of Bowie County, Texas;

THENCE North 88 degrees 02 minutes 33 seconds East a distance of 43.98 feet along the North line of the said 10.66 acre tract and the South line of the said 4.356 acre tract to a 3/8 inch steel rod, found for a corner, the Southeast corner of the said 4.356 acre tract and the Southwest corner of that certain tract of land described as Tract 3 w/10.1 acres in the deed from F. Pierce Noble, et ux, to Janet Chynoweth Sison, dated January 8, 2004, recorded in Volume 4202, Page 155 of the Real Property Records of Bowie County, Texas and continuing along the North line of the said 10.66 acre tract and the South line of the said 10.1 acre tract a distance of 295.80 feet for a total distance of 339.78 feet to a 1/2 inch steel rod capped MTG 101011-00, set for a corner, lying in the South line of the said 10.1 acre tract, the Northeast corner of the said 10.66 acre tract and the Northwest corner of the said 9.9407 acre tract, said corner bears North 08 degrees 02 minutes 33 seconds East a distance of 284.53 feet to a 5/8 inch steel rod, found for a corner, the Northeast corner of the said 9.9407 acre tract;

THENCE South 02 degrees 02 minutes 25 seconds East a distance of 1120.79 feet along the East line of the said 10.66 acre tract and the West line of the said 9.9407 acre tract to the point of beginning and containing 9.321 acres of land, at the line of this survey.

This description is based on the survey and plat made by Jeffrey A. Wood, Registered Professional Land Surveyor No. 6220, on July 21, 2017.

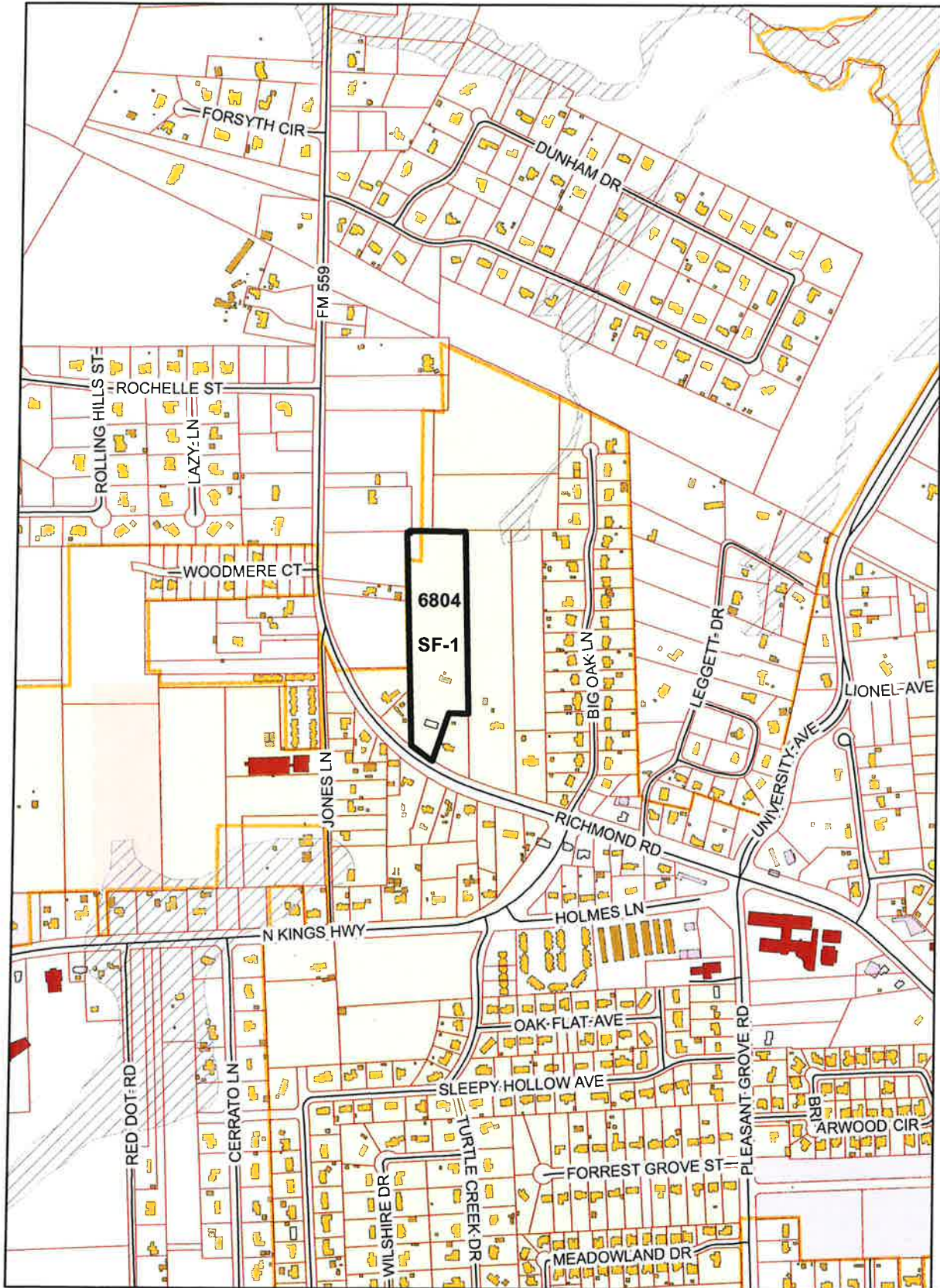
THE BEARINGS ARE BASED ON GRID NORTH WITHIN THE "TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE", NAD83 (GRS85, EPOCH 2002.0), AT THE SURFACE, WITH A BEARING OF SOUTH 84 DEGREES 06 MINUTES 54 SECONDS EAST. THE COMBINED SCALE FACTOR TO GO FROM SURFACE TO GRID IS 0.999980014598. THE FOLLOWING CONTROL MONUMENTS WERE USED TO ESTABLISH THE BASIS OF BEARINGS:

CONTROL MONUMENT #1	CONTROL MONUMENT #2
N=7251902.3458	N=7252013.2027
E=3304693.7587	E=3304465.3193

NOTE:
In providing this boundary survey, no attempt has been made to obtain or show data concerning existence, size, depth, condition, capacity or location of any utility existing on the site, whether streets, municipal or public owned. Subsurface and environmental conditions were not surveyed or examined or statement is made concerning the existence of underground or overhead conditions, containers or facilities that may affect the use or development of this property. Extensive research was not done for this property by the surveyor, nor was a current title policy provided prior to this survey.

Attachment: 2018-003 EXH 'A' (legal description) (1767 : 2018-003 ORD rezoning in 6800 blk of Richmond Road)

6804 Richmond Rd. Department of Planning and Community Development



1:10,000



6804 Richmond Rd. Department of Planning and Community Development



1:4,000



6804 Richmond Rd.
Department of Planning and Community Development



<https://www.instantstreetview.com>

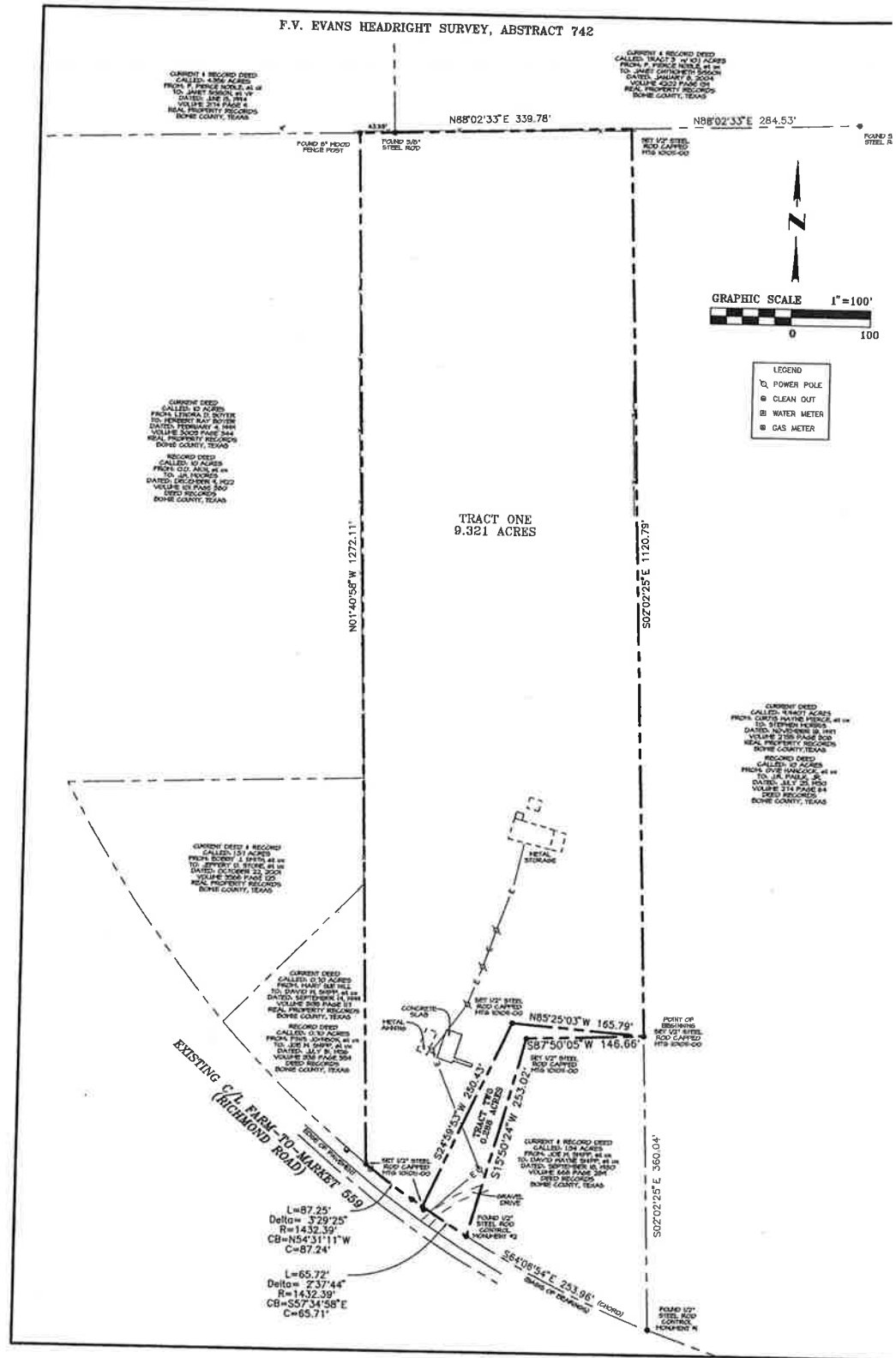
© 2017 Google - Image Date: January 2013 Terms of Use Report a problem

Attachment: 2018-003 ATTH 02 (photo of property) (1767 : 2018-003 ORD rezoning in 6800 blk of





Attachment: 2018-003 ATTH 03 (proposed plat layout) (1767 : 2018-003 ORD rezoning in 6800 blk of Richmond Road)



Attachment: 2018-003 ATTH 04 (plat) (1767 : 2018-003 ORD rezoning in 6800 blk of Richmond Road)

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:

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:

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 1/19/2018 4:04 PM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk
Ordinance No. 2018-004 rezoning a 1.7776 acre tract of land in the Thomas Price HRS, A-466, located at 3102 New Boston Road. General Retail to Planned Development-Commercial. Currie and Walker, LLC, applicant.
Subject: Michael Kelly, agent.
Briefing: 2/26/2018 **Public Hearing:** 2/12/2018 **Second Briefing:** February 26, 2018 **Council Vote:** 3/12/2018

Item Schedule

Schedule 1: Brief twice - vote once (six weeks)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Z-18-2: This is a request by Currie and Walker, LLC, applicant and Michael Kelly, agent, to rezone a 1.776-acre tract of land in the Thomas Price HRS, A-466, located at 3102 New Boston Road from General Retail to Commercial. The proposed use is a wine distribution business. A vacant commercial building is currently located on the property.

The adjacent zoning is General Retail to the north, south, east, and west. The adjacent land use is businesses to the west and south, a plant nursery to the east and vacant land to the north.

The City's current Comprehensive Plan has designated this as a retail area.

The proposed use of this property is the distribution of wine products which includes production, manufacturing and storage of wine. The City recently amended the Zoning Ordinance to add the new use and definition of a "winery". This proposed use falls under the definition of "winery" and requires Commercial zoning. Per the applicant, at the current time no on-site consumption is being proposed.

The Planning and Zoning Commission suggested rezoning to include the Planned Development designation. The applicant amended the application to include the Planned Development designation. The Commission unanimously recommended for approval to PD-Commercial with the following stipulations:

1. A 35' maximum sign height is allowed.
2. The following uses are prohibited: a wrecking, scrap or auto salvage yard, a tire retreading or capping business.

The applicant should be aware that if this zoning change is approved, all other applicable city code/ordinance requirements must be met including but not limited to building codes, setbacks, subdivision, fire, parking, drainage, water and sewer prior to the issuance of building permits.

City of Texarkana, Texas

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

There are two large tracts of Commercial zoning and two tracts of Planned Development-Commercial zoning in the 3100 and 3200 blocks of New Boston Road. Therefore, staff recommends for approval of the request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval to Planned Development-Commercial with the following stipulations:

3. A 35' maximum sign height is allowed.
4. The following uses are prohibited: a wrecking, scrap or auto salvage yard, a tire retreading or capping business.

The applicant amended the application to include the Planned Development designation.

Advisory Board/Committee Meeting Date and Minutes:

January 2, 2018.

Attachments

- a. 2018-004 ORD rezoning 3102 New Boston Road (PDF)
- b. 2018-004 EXH 'A' (legal description) (PDF)
- c. 2018-004 ATTH 01 (Maps) (PDF)
- d. 2018-004 ATTH 02 (Map showing other Commercial properties) (PDF)
- e. 2018-004 ATTH 03 (Photo of property) (PDF)
- f. 2018-004 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	01/17/2018 5:18 PM	
Public Works Department	Dusty Henslee	Reviewer Completed
01/19/2018 9:07 AM		

City of Texarkana, Texas

Deputy City Manager - Kyle Dooley	Vicky Coopwood	Deputy City Manager
Review	01/19/2018 9:44 AM	
Public Information Officer	Vicky Coopwood	PIO Review
	01/19/2018 2:37 PM	Skipped
City Manager	Shirley Jaster	City Manager Review Completed
3:24 PM		01/19/2018
City Council	Jennifer Evans	Meeting
6:00 PM		Completed
		01/22/2018

Meeting History

ORDINANCE NO. 2018-004

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING A 1.7776 ACRE TRACT OF LAND IN THE THOMAS PRICE HRS, A-466, LOCATED AT 3102 NEW BOSTON ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM GENERAL RETAIL TO PLANNED DEVELOPMENT-COMMERCIAL; 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 a 1.7776 acre tract of land in the Thomas Price HRS, A-466 (**Exhibit ‘A’**), located at 3102 New Boston Road in the City of Texarkana, Bowie County, Texas, from **General Retail to 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 zoning classifications and changes, have given the requisite notices by publication and otherwise, and after holding hearings and affording a full and fair hearing 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 five (5) to zero (0) to recommend the application for rezoning from General Retail to Planned Development-Commercial on a 1.7776 acre tract of land in the Thomas Price HRS, A-466 (Exhibit ‘A’), located at 3102 New Boston Road** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the applicant agreed to amend the application for rezoning from **General Retail to Planned Development-Commercial on a 1.7776 acre tract of land in the Thomas Price HRS, A-466 (Exhibit A’), located at 3102 New Boston Road**; 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 **General Retail to Planned Development-Commercial** 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 a 1.7776 acre tract of land in the Thomas Price HRS, A-466 (**Exhibit 'A'**), located at 3102 New Boston Road in the City of Texarkana, Bowie County, Texas, from **General Retail to Planned Development-Commercial**.

SECTION 2: That the following stipulations are hereby imposed and made a part of this Ordinance:

1. A 35' maximum sign height is allowed.
2. The following uses are prohibited: A wrecking, scrap or auto salvage yard, a tire retreading or capping business.

SECTION 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 **12th day of March, 2018**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

EXHIBIT 'A'

All that certain tract or parcel of land being situated in the THOMAS PRICE HEADRIGHT SURVEY, Abstract No. 466, Bowie County, Texas, and being a part of those certain 2 tracts of land as conveyed from Otto Kinsey, et al, to H. S. Carter by Deed dated February 15, 1928, and recorded in Volume 126, Page 382, of the Deed Records of Bowie County, Texas, and conveyed from Otto Kinsey, et al, to J. W. Temple by Deed dated June 27, 1928, of record in Volume 126, Page 561, of the Deed Records of Bowie County, Texas, and the above mentioned tract or tracts being the same land conveyed from J. B. Phelps, et ux, Patty Phelps, to Nettie Kate Ector by Deed dated May 4, 1964, and recorded in Volume 448, Pages 348-349, of the Deed Records of Bowie County, Texas, and the subject tract being more particularly described by metes and bounds as follows:

BEGINNING at a concrete right-of-way marker set in the North right-of-way line of U. S. Highway No. 82, being 71.28 feet at right angles from centerline station No. 82+03.48, and being on the East line of the above mentioned Ector tract and the West boundary line of a street known as Cornell Street;

THENCE: S 60 deg. 46' 37" W, 18.30 feet with the North right-of-way line of U. S. Highway No. 82 to a concrete right-of-way marker set at 54.87 feet at right angles from centerline station No. 82+13.59;

THENCE: N 56 deg. 28' 00" W, 249.17 feet with the North right-of-way line of U. S. highway No. 82 to a 1/2 inch reinforcing steel rod set for corner in the West line of said Ector tract;

THENCE: N 00 deg. 27' 00" W, 283.00 feet with the West line of said Ector tract and the East line of a certain tract owned by Fred Butler, of record in Volume 601, Page 223, of the Deed Records of Bowie County, Texas, to a 1/2 inch reinforcing steel rod set for corner at an existing fence corner, being the Northwest corner of said Ector tract, and the Northeast corner of said Butler tract;

THENCE: S 09 deg. 10' 00" E, 213.00 feet with an existing fence line, being the North line of said Ector tract and the South line of a certain tract owned by H.

J. & J. Cabe Trammell, of record in Volume 2184, Page 151, of the Real Property Records of Bowie County, Texas, to a 1/2 inch reinforcing steel rod set for corner at an existing fence corner, at the Northeast corner of said Ector tract;

THENCE: S 01 deg. 31' 32" E, 488.72 feet along an existing fence line, being the East line of said Ector tract and the West line of said Cornell Street to the Point of beginning, and containing 1.7776 acres of land, more or less.

EXHIBIT 'A'

All that certain tract or parcel of land being situated in the THOMAS PRICE HEADRIGHT SURVEY, Abstract No. 466, Bowie County, Texas, and being a part of those certain 2 tracts of land as conveyed from Otto Kinsey, et al, to H. S. Carter by Deed dated February 15, 1928, and recorded in Volume 126, Page 382, of the Deed Records of Bowie County, Texas, and conveyed from Otto Kinsey, et al, to J. W. Temple by Deed dated June 27, 1928, of record in Volume 126, Page 561, of the Deed Records of Bowie County, Texas, and the above mentioned tract or tracts being the same land conveyed from J. B. Phelps, et ux, Patty Phelps, to Nettie Kate Ector by Deed dated May 4, 1964, and recorded in Volume 448, Pages 348-349, of the Deed Records of Bowie County, Texas, and the subject tract being more particularly described by metes and bounds as follows:

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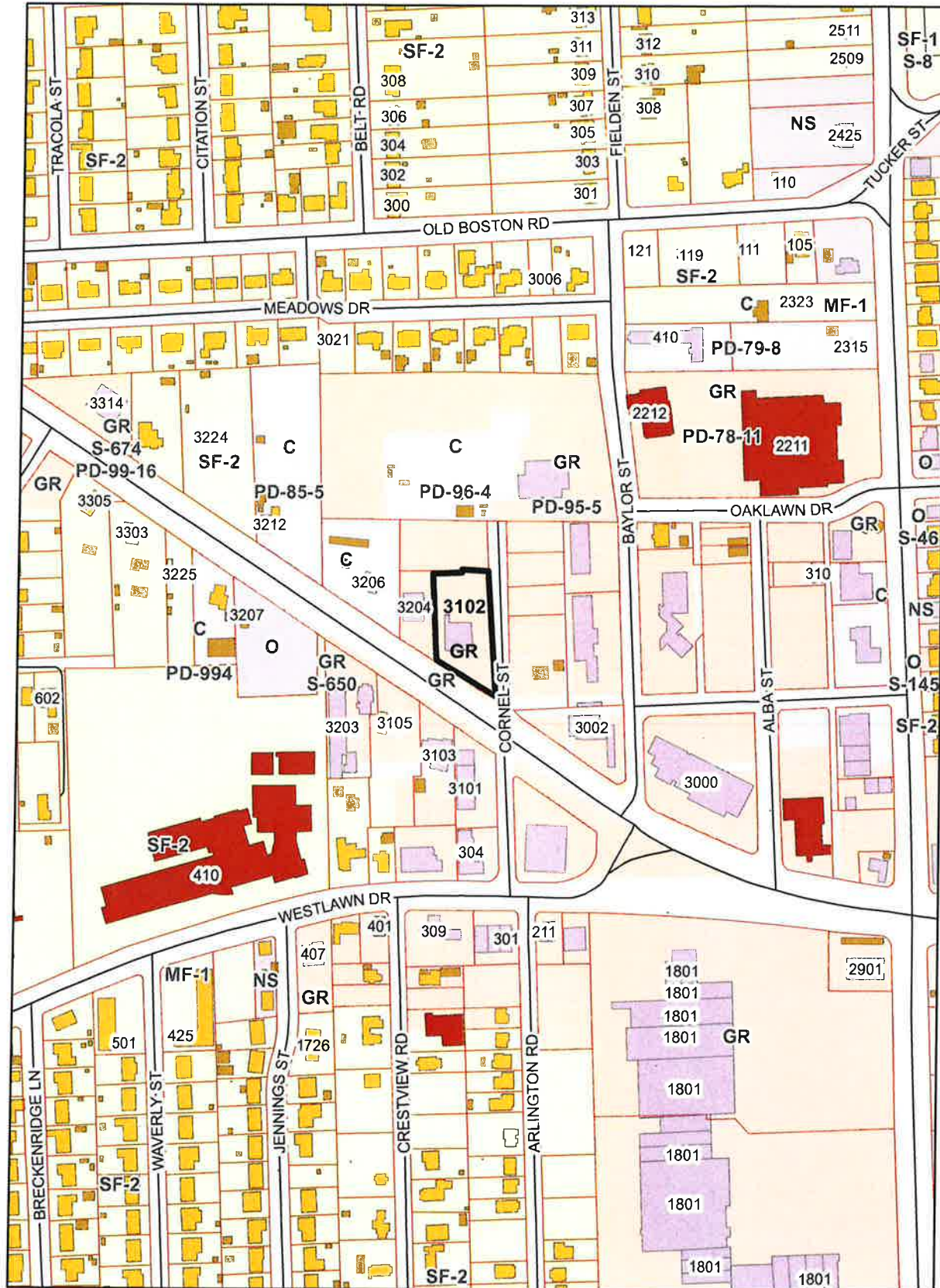
THENCE: N 00 deg. 27' 00" W, 283.00 feet with the West line of said Ector tract and the East line of a certain tract owned by Fred Butler, of record in Volume 601, Page 223, of the Deed Records of Bowie County, Texas, to a 1/2 inch reinforcing steel rod set for corner at an existing fence corner, being the Northwest corner of said Ector tract, and the Northeast corner of said Butler tract;

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3102 New Boston Rd. Department of Planning and Community Development



1:4,000

Attachment: 2018-004 ATTH 01 (Maps) (1768 : 2018-004 ORD rezoning 3102 New Boston Road)



3102 New Boston Rd. Department of Planning and Community Development



1:1,800

Attachment: 2018-004 ATTH 01 (Maps) (1768 : 2018-004 ORD rezoning 3102 New Boston Road)



Texarkana Water Utility - GIS



Attachment: 2018-004 ATTH 02 (Map showing other Commercial properties) (1768 : 2018-004 ORD

3102 New Boston Rd. Department of Planning and Community Development



Attachment: 2018-004 ATTH 03 (Photo of property) (1768 : 2018-004 ORD rezoning 3102 New Boston



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:

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:

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 1/17/2018 2:44 PM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk
Ordinance No. 2018-005 granting a Specific Use Permit to allow a residential treatment center (for women only) on Lots 1-4, Block 124, City Trigg Addition, located at 1217 Hazel Street. Integrated Health Care, applicant. Nelda Shavers, agent.

Subject: Public **Second** February 26, **Council**
Briefing: 2/12/2018 **Hearing:** 2/12/2018 **Briefing:** 2018 **Vote:** 3/12/2018

Item Schedule

Schedule 1: Brief twice - vote once (six weeks)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

S-683: This is a request by Integrated Health Care, applicant and Nelda Shavers, agent, for a Specific Use Permit to allow a residential treatment center for women. This property consists of three connected buildings on Lots 1-4, Block 124, City Trigg Addition, located at 1217 Hazel Street.

The adjacent zoning is Office to the north, south, east and west. The adjacent land use is residences to east, an office to the north, a burned residence to the south and vacant lots that are fenced and used as recreational space for the center to the west.

The agent, Nelda Shavers, has stated that she provides a ministry for abused and neglected youth. See attached letter from Ms. Shavers. Ms. Shavers states in the letter that her ministry's mission is to positively impact the lives of women and children by providing a "safe haven". Ms. Shavers is proposing to open a residential treatment center for sex trafficking females. The treatment center will be a 24-hour shelter and can house approximately 20 young women. The center will provide 24-hour security and nursing and counseling staff. Additional plans are to offer general education courses, GED classes, and preparation courses for college and jobs.

This facility was previously used as a licensed residential treatment center for psychiatric, alcoholic and narcotic patients (men only). That center has since closed and that Specific Use Permit will be revoked.

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

Potential Options:

None

City of Texarkana, Texas

Fiscal Implications:

None

Staff Recommendation:

Staff recommends for approval of the Specific Use Permit with the following stipulations:

1. The center be a “women only” facility.
2. All city and state codes and licensing requirements be met.
3. The City has the right to revoke the Specific Use Permit if:
 - a. The center closes or moves to another location
 - b. The property becomes in disrepair
 - c. The City receives excessive police reports

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval with staff stipulations.

Advisory Board/Committee Meeting Date and Minutes:

January 2, 2018

Attachments

- a. 2018-005 ORD granting SUP at 1217 Hazel Street (DOCX)
- b. 2018-005 ATTH 01 (Maps) (PDF)
- c. 2018-005 ATTH 02 (Photo of property) (PDF)
- d. 2018-005 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	
Completed	01/17/2018 5:16 PM		
Public Works Department	Dusty Henslee	Reviwer	Completed
	01/19/2018 9:08 AM		
Deputy City Manager - Kyle Dooley	Vicky Coopwood	Deputy City Manager	
Review	01/19/2018 8:55 AM		
Public Information Officer	Vicky Coopwood	PIO Review	Skipped
	01/19/2018 2:37 PM		
City Manager	Shirley Jaster	City Manager Review	Completed 01/19/2018
3:27 PM			
City Council	Jennifer Evans	Meeting	Completed 01/22/2018
6:00 PM			

Meeting History

City of Texarkana, Texas

S-683

ORDINANCE NO. 2018-005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-683 TO ALLOW THE ONE ADDITIONAL USE OF A RESIDENTIAL TREATMENT CENTER (WOMEN ONLY) ON LOTS 1-4, BLOCK 124, CITY TRIGG ADDITION, LOCATED AT 1217 HAZEL STREET, 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 with the City of Texarkana, Texas, requesting an Amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the **one additional use of a residential treatment center for sex trafficking females** on Lots 1-4, Block 124, City Trigg Addition, located at 1217 Hazel Street, in the City of Texarkana, Bowie County, Texas; 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 after holding hearings and affording a full and fair hearing 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** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the one additional use of a residential treatment center for sex trafficking females** on said property; 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 granting the **Specific Use Permit** 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 further amended to grant **Specific Use Permit Numbered S-683 for the purpose of allowing the one additional use of a residential treatment center for sex trafficking females** on the following described property, to-wit: **Lots 1-4, Block 124, City Trigg Addition, located at 1217 Hazel Street, in the City of Texarkana, Bowie County, Texas.**

Attachment: 2018-005 ORD granting SUP at 1217 Hazel Street (1769 : 2018-005 ORD granting SUP at 1217 Hazel Street)

SECTION 2: That the following stipulations are hereby imposed and made a part of this Ordinance:

1. The center be a “women only” facility.
2. All city and state codes and licensing requirements be met.
3. The city has the right to revoke the Specific Use Permit if:
 - a. The center closes or moves to another location.
 - b. The property becomes in disrepair.
 - c. The city receives excessive police reports.

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

SECTION 4: 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 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 **12th day of March 2018.**

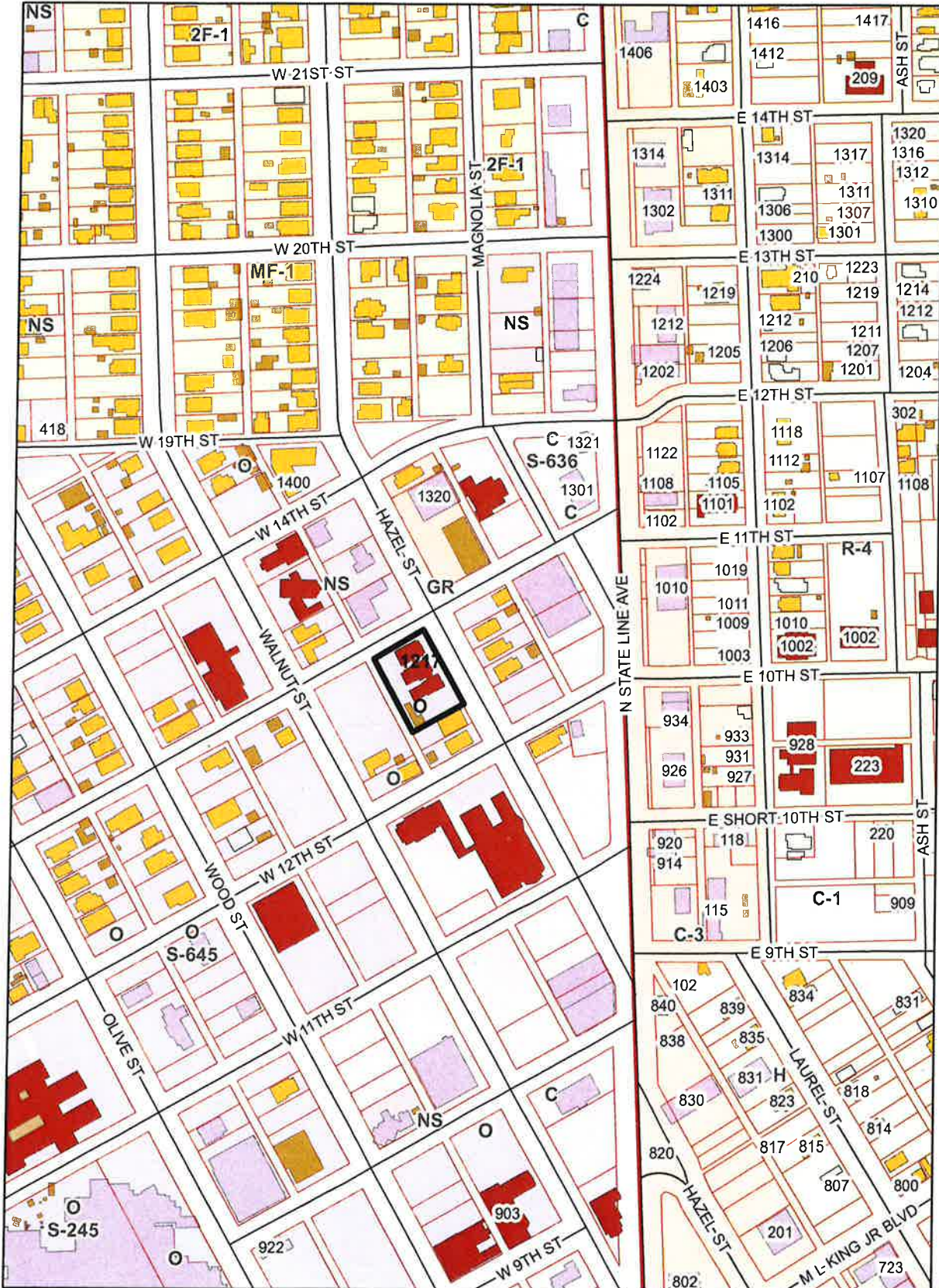
ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

1217 Hazel

Department of Planning and Community Development



1:4,000



1217 Hazel

Department of Planning and Community Development



1:2,000



1217 Hazel St. Department of Planning and Community Development



Attachment: 2018-005 ATTH 02 (Photo of property) (1769 : 2018-005 ORD granting SUP at 1217 Hazel



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:

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:

City of Texarkana, Texas

Version: B

Update Date: 1/17/2018 2:43 PM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,
Ordinance No. 2018-006 revoking Specific Use Permit No. S-447 that allowed a
treatment center for psychiatric, alcoholic and narcotic patients on Lots 1-4,
Block 124, City Triggs Addition, located at 1217 Hazel Street. City of
Subject: Texarkana, Texas, applicant.

Briefing: 2/12/2018 **Public Hearing:** 2/12/2018 **Second Briefing:** February 26, 2018 **Council Vote:** 3/12/2018

Item ScheduleSchedule 1: Brief twice - vote once (six weeks)**Updates/History of Briefing:**

NOT APPLICABLE

Executive Summary and Background Information:

Revoke S-447: This Specific Use Permit was previously approved to allow a residential treatment center for psychiatric, alcoholic and narcotic patients (men only) at 1217 Hazel Street (Lots 1-4, Block 124, City Trigg Addition). That center has since closed.

The adjacent zoning is Office to the north, south, east and west. The adjacent land use is residences to east, an office to the north, a burned residence to the south and vacant lots that are fenced and used as recreational space for the previous treatment center.

Therefore, staff recommends that Specific Use Permit No. S-447 be revoked.

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Staff recommends for approval.

Advisory Board/Committee Review:

Planning and Zoning Commission.

City of Texarkana, Texas

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval.

Advisory Board/Committee Meeting Date and Minutes:

January 2, 2018

Attachments

- a. 2018-006 ORD revoking SUP at 1217 Hazel Street (DOCX)
- b. 2018-006 ATTH 01 (Maps) (PDF)
- c. 2018-006 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	
Completed	01/17/2018 5:13 PM		
Public Works Department	Dusty Henslee	Reviwer	Completed
	01/19/2018 9:09 AM		
Deputy City Manager - Kyle Dooley	Vicky Coopwood	Deputy City Manager	
Review	Skipped	01/19/2018 8:56 AM	
Public Information Officer	Vicky Coopwood	PIO Review	Skipped
	01/19/2018 2:36 PM		
City Manager	Shirley Jaster	City Manager Review	Completed 01/19/2018
3:28 PM			
City Council	Jennifer Evans	Meeting	Completed 01/22/2018
6:00 PM			

Meeting History

Revoke S-447

ORDINANCE NO. 2018-006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, REVOKING SPECIFIC USE PERMIT NO. S-447 THAT PERMITTED THE LOCATION OF A RESIDENTIAL TREATMENT CENTER FOR PSYCHIATRIC, ALCOHOLIC AND NARCOTIC PATIENTS (MEN ONLY) ON LOTS 1-4, BLOCK 124, CITY TRIGG ADDITION, LOCATED AT 1217 HAZEL STREET IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, by Ordinance No. 360-96, dated November 11, 1996, the City Council approved the issuance of Specific Use Permit No. S-447 that permitted the location of a residential treatment center for psychiatric, alcoholic or narcotic patients (men only) on Lots 1-4, Block 124, City Trigg Addition, located at 1217 Hazel Street in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the City has determined that the residential treatment center for psychiatric, alcoholic or narcotic patients (men only) for which Specific Use Permit No. S-447 was issued is no longer in business at 1217 Hazel Street and that the premises are not being used for such business; 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 after holding hearings and affording a full and fair hearing 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** to the City Council of Texarkana, Texas, that **Specific Use Permit No. S-447 be revoked** on said property; and

WHEREAS, after consideration of said application and the recommendation by the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby determine that the use as the location of residential treatment center for psychiatric, alcoholic or narcotic patients (men only) for which the Council granted Specific Use Permit No. S-447 under Ordinance No. 360-96 has ceased and that, given such cessation, Specific Use Permit No. S-447 should be revoked in accordance with the special terms and conditions therein.

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

Attachment: 2018-006 ORD revoking SUP at 1217 Hazel Street (1770 : 2018-006 ORD revoking SUP at 1217 Hazel Street)

SECTION 1: That Specific Use Permit No. S-447 permitting the location of residential treatment center for psychiatric, alcoholic or narcotic patients (men only) on Lots 1-4, Block 124, City/Trigg Addition, located at 1217 Hazel Street in the City of Texarkana, Bowie County, Texas, be and is hereby revoked.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 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: 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 **12th day of March, 2018.**

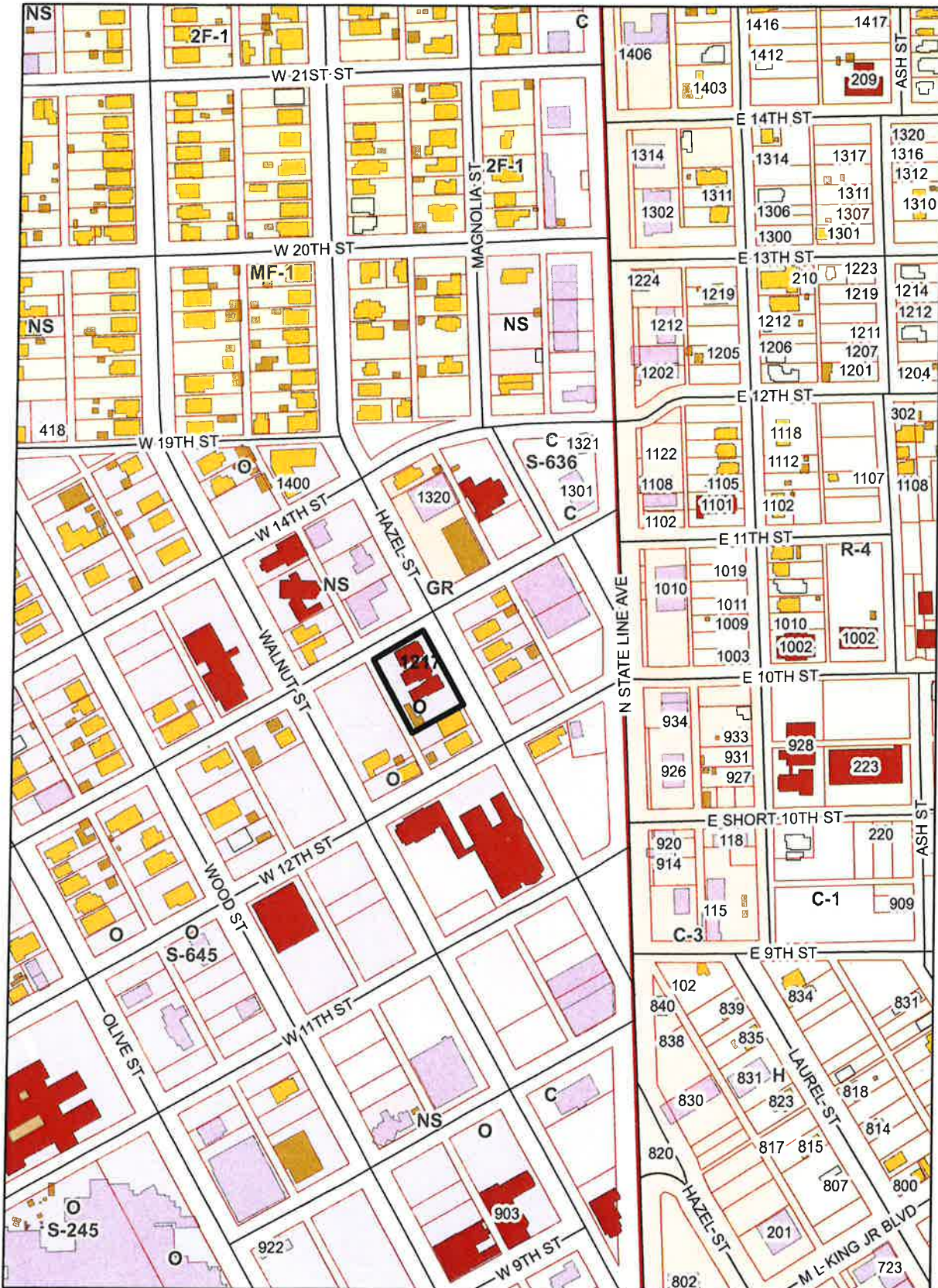
ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

1217 Hazel

Department of Planning and Community Development



1:4,000



1217 Hazel

Department of Planning and Community Development



1:2,000



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:

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:

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 2/1/2018 10:43 AM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk
Subject: Ordinance No. 2018-007 rezoning Lots 13, 14 & 1/2 of Lot 15, Block 7, Watt's Addition, located at 2107 West 14th Street. Multiple Family-1 to Single Family-3. Almer Thomas, applicant.
Briefing: 2/12/2018 **Public Hearing:** 2/12/2018 **Second Briefing:** February 26, 2018 **Council Vote:** 3/12/2018

Item Schedule

Schedule 1: Brief twice - vote once (six weeks)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Z-18-3: This is a request by Almer Thomas, owner, to rezone Lots 13 & 14 and ½ of 15, Block 7, Watt's Addition, located at 2107 West 14th Street from Multiple Family-1 to Single Family-3. A burned residence is currently located on this property. The burned residence will have to be removed prior to placing the manufactured home on the property.

The adjacent zoning is Multiple Family-1 to the south and east and west and Multiple Family-1 and Neighborhood Service to the north. The adjacent land use is residences to the north and east, a vacant lot to the south and a neighborhood store and fish market to the west.

The Comprehensive Plan has designated this as a low density residential area.

The applicant should be aware that if this zoning change is approved, all other applicable city code/ordinance requirements must be met including but not limited to building codes, setbacks, subdivision, fire, parking, drainage, water and sewer prior to the issuance of building permits.

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

City of Texarkana, Texas

Double wide manufactured housing looks like some of the existing frame pier and beam houses in the area. This type housing could be a revitalization housing alternative to traditional site built homes. Therefore, 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.

Advisory Board/Committee Meeting Date and Minutes:

January 2, 2018

Attachments

- a. 2018-007 ORD rezoning 2107 West 14th Street (DOCX)
- b. 2018-007 ATTH 01 (Maps) (PDF)
- c. 2018-007 ATTH 02 (Photo of property) - (PDF)
- d. 2018-007 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	
Completed	01/17/2018 5:17 PM		
Public Works Department	Dusty Henslee	Reviewer	Completed
	01/19/2018 9:09 AM		
Deputy City Manager - Kyle Dooley	Vicky Coopwood	Deputy City Manager	
Review	01/19/2018 8:56 AM		
Public Information Officer	Vicky Coopwood	PIO Review	Skipped
	01/19/2018 2:38 PM		
City Manager	Shirley Jaster	City Manager Review	Completed 01/19/2018
3:34 PM			
City Council	Jennifer Evans	Meeting	Completed 01/22/2018
6:00 PM			

Meeting History

ORDINANCE NO. 2018-007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOTS 13, 14 & ½ OF LOT 15, BLOCK 7, WATT'S ADDITION, LOCATED AT 2107 WEST 14TH STREET IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM MULTIPLE FAMILY-1 TO SINGLE FAMILY-3; 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 Lots 13, 14 & ½ of Lot 15, Block 7, Watt's Addition, located at 2107 West 14th Street in the City of Texarkana, Bowie County, Texas, from **Multiple Family-1 to Single Family-3**; 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 after holding hearings and affording a full and fair hearing 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 five (5) to zero (0) to recommend the application for rezoning from Multiple Family-1 to Single Family-3 on Lots 13, 14 & ½ of Lot 15, Block 7, Watt's Addition, located at 2107 West 14th Street** to the City Council 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 **Multiple Family-1 to Single Family-3** 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 Lots 13, 14 & ½ of Lot 15, Block 7, Watt's Addition, located at 2107 West 14th Street in the City of Texarkana, Bowie County, Texas, from **Multiple Family-1 to Single Family-3**.

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.

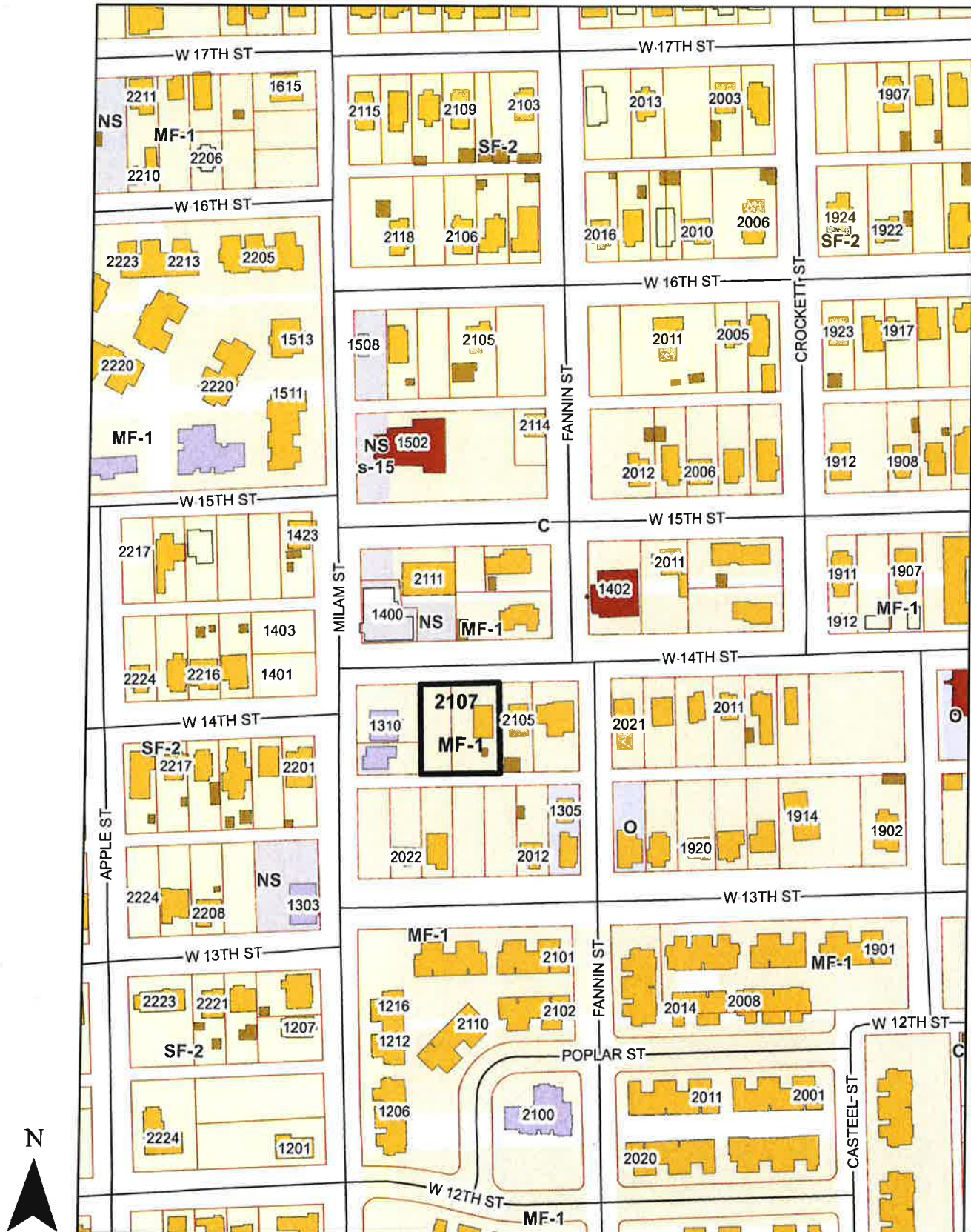
PASSED AND APPROVED in Regular Council Session on this the **12th day of March, 2018.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

2107 West 14th St. Department of Planning and Community Development



1:2,500



2107 West 14th St. Department of Planning and Community Development



1:1,500



2107 W 14th St. Department of Planning and Community Development



<https://www.instantstreetview.com>

Attachment: 2018-007 ATTH 02 (Photo of property) - (1771 : 2018-007 ORD rezoning at 2107 West 14th



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:

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: 2018-007 Goals & Perspectives (1771 : 2018-007 ORD rezoning at 2107 West 14th Street)

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 2/1/2018 10:43 AM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk
Subject: Ordinance No. 2018-008 granting a Specific Use Permit to allow a double wide HUD code manufactured home on Lots 13, 14 and 1/2 of Lot 15, Block 7, Watt's Addition, located at 2107 West 14th Street. Almer Thomas, applicant.
Briefing: 2/12/2018 **Public Hearing:** 2/12/2018 **Second Briefing:** February 26, 2018 **Council Vote:** 3/12/2018

Item Schedule

Schedule 1: Brief twice - vote once (six weeks)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

S-684: This is a request by Almer Thomas, owner, to rezone Lots 13 & 14 and ½ of 15, Block 7, Watt's Addition, located at 2107 West 14th Street from Multiple Family-1 to Single Family-3. A burned residence is currently located on this property.

The adjacent zoning is Multiple Family-1 to the south and east and west and Multiple Family-1 and Neighborhood Service to the north. The adjacent land use is residences to the north and east, a vacant lot to the south and a neighborhood store and fish market to the west.

The City's Zoning Ordinance was amended to comply with the state law in 2002, requiring that all manufactured housing be HUD code building standard. This amendment also stipulated that all HUD code manufactured homes inside the city limits be placed in the Single Family-3 zoning district along with the approval of a Specific Use Permit. Any home built after 1976 is considered HUD code standard.

Please see attached photographs of the proposed manufactured home.

Double wide manufactured housing looks like some of the existing frame pier and beam houses in the area. This type housing could be a revitalization housing alternative to traditional site built homes. Due to this fact, staff recommends for approval of this request.

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

Potential Options:

None

City of Texarkana, Texas

Fiscal Implications:

None

Staff Recommendation:

Staff recommends for approval of this request with the following stipulations:

1. That one 2017 or newer Patriot, 3-bedroom, 2 baths, double wide HUD code manufactured home be allowed on this property.
2. That the existing burned residence be removed before this new manufactured home can be placed on the property.
3. That the double wide HUD code manufactured home be tied down/skirted/underpinned.
4. That the double wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
5. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this Ordinance. It is the owner's responsibility to renew this permit.
6. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.
7. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements be in accordance with the City of Texarkana, Texas codes.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval with staff stipulations.

Advisory Board/Committee Meeting Date and Minutes:

January 2, 2018

Attachments

- a. 2018-008 ORD granting SUP at 2107 West 14th Street (DOCX)
- b. 2018-008 ATTH 01 (Maps) (PDF)
- c. 2018-008 ATTH 02 (Photo of property) - (PDF)
- d. 2018-008 ATTH 03 (Photo of home) (PDF)
- e. 2018-008 ATTH 04 (Floor plan) (PDF)
- f. 2018-008 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	01/17/2018 5:16 PM	
Public Works Department	Dusty Henslee	Reviewer Completed
01/19/2018 9:10 AM		

City of Texarkana, Texas

Deputy City Manager - Kyle Dooley	Vicky Coopwood	Deputy City Manager
Review	01/19/2018 8:57 AM	
Public Information Officer	Vicky Coopwood	PIO Review
	01/19/2018 2:39 PM	Skipped
City Manager	Shirley Jaster	City Manager Review Completed
3:34 PM		01/19/2018
City Council	Jennifer Evans	Meeting
6:00 PM		Completed
		01/22/2018

Meeting History

S-684

ORDINANCE NO. 2018-008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-684 TO ALLOW THE LOCATION OF A DOUBLE WIDE HUD CODE MANUFACTURED HOME ON LOTS 13, 14 & ½ OF LOT 15, BLOCK 7, WATT'S ADDITION, LOCATED AT 2107 WEST 14TH STREET, 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 with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the **location of a double wide HUD code manufactured home** on Lots 13, 14 & ½ of Lot 15, Block 7, Watt's Addition, located at 2107 West 14th Street, in the City of Texarkana, Bowie County, Texas; 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 after holding hearings and affording a full and fair hearing 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** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the location of a double wide HUD code manufactured home** on said property; 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 granting the **Specific Use Permit** 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 further amended to grant **Specific Use Permit No. S-684 to allow the location of a double wide HUD code manufactured home on Lots 13, 14 & ½ of Lot 15, Block 7, Watt's Addition, located at 2107 West 14th Street** in the City of Texarkana, Bowie County, Texas.

Attachment: 2018-008 ORD granting SUP at 2107 West 14th Street (1772 : 2018-008 ORD granting SUP at 2107 West 14th Street)

SECTION 2: That the following stipulations are hereby imposed and made a part of this Ordinance:

1. That one 2017 or newer Patriot, 3-bedroom, 2 baths, double wide HUD code manufactured home be allowed on this property.
2. That the existing burned residence be removed before this new manufactured home can be placed on the property.
3. That the double wide HUD code manufactured home be tied down/skirted/underpinned.
4. That the double wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
5. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this Ordinance. It is the owner's responsibility to renew this permit.
6. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.
7. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements be in accordance with the City of Texarkana, Texas, codes.

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

SECTION 4: 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 5: That this Ordinance shall be in full force and effect from and after its passage and approval.

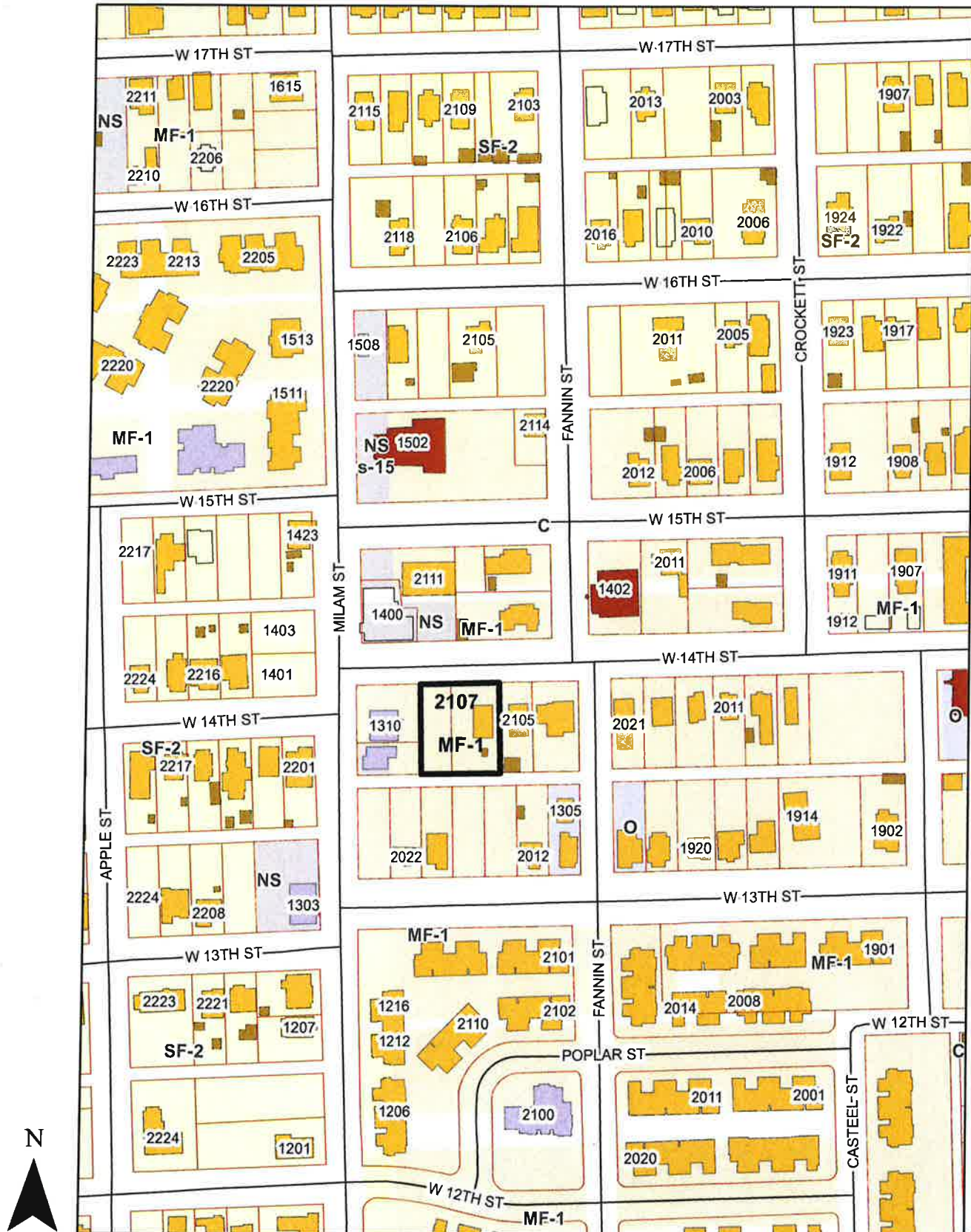
PASSED AND APPROVED in Regular Council Session on this the **12th day of March, 2018.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

2107 West 14th St. Department of Planning and Community Development



Attachment: 2018-008 ATTH 01 (Maps) (1772 : 2018-008 ORD granting SUP at 2107 West 14th Street)



2107 West 14th St. Department of Planning and Community Development



1:1,500

Attachment: 2018-008 ATTH 01 (Maps) (1772 : 2018-008 ORD granting SUP at 2107 West 14th Street)



2107 W 14th St. Department of Planning and Community Development



<https://www.instantstreetview.com>

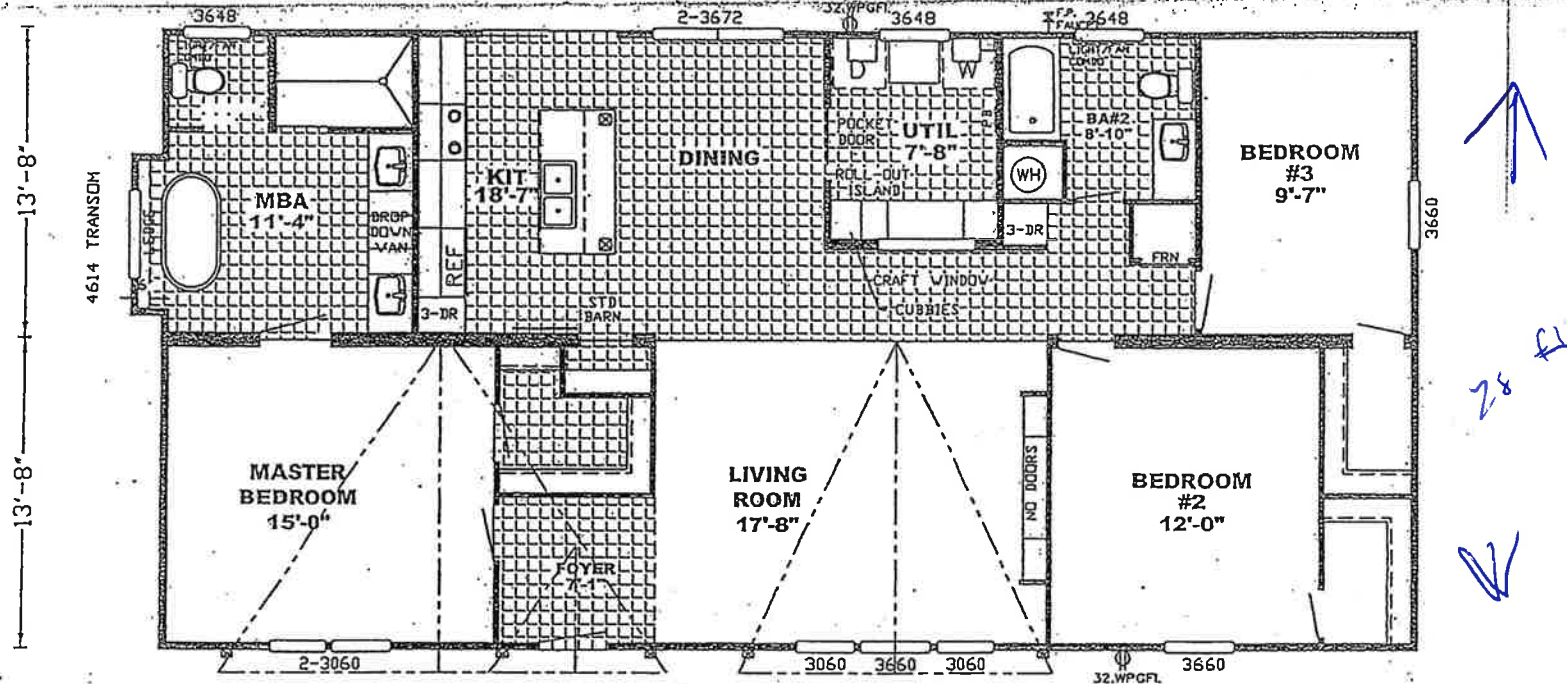
© 2017 Google - Image Date: January 2013 - Terms of Use - Report a problem

Attachment: 2018-008 ATTH 02 (Photo of property) - (1772 : 2018-008 ORD granting SUP at 2107 West





Attachment: 2018-008 ATTH 03 (Photo of home) (1772 : 2018-008 ORD granting SUP at 2107 West 14th Street)



**** PATRIOT PLAN**



4401 South Lake Dr.
 Texarkana, Texas 75501
 (903) 832-5571
 Fax (903) 832-7648

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:

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:

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 1/17/2018 5:27 PM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk
Subject: Ordinance No. 2018-009 rezoning Lot 1, Block 2, Cooper Lane Estates, located in the 3700 block of Trotter Lane from Two Family-2 to Multiple Family-1. Robert Buford, applicant.
Briefing: 2/12/2018 **Public Hearing:** 2/12/2018 **Second Briefing:** February 26, 2018 **Council Vote:** 3/12/2018

Item Schedule

Schedule 1: Brief twice - vote once (six weeks)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Z-18-4: This is a request by Robert Buford, owner, to rezone Lot 1, Block 2, Cooper Lane Estates, located in the 3700 block of Trotter Lane from Two Family-2 to Multiple Family-1 to allow the location of a triplex. The existing use is a vacant lot.

The adjacent zoning is Two Family-2 to the north, east, and south and Multiple Family-1 to the west. The adjacent land use is a duplex to the north and east and a triplex to the west and south.

The City's current Comprehensive Plan has designated this lot as a low density residential area. There are mostly duplexes located in this area (Galloping Way, Trotter Lane, Steeplechase Drive) but there are a few triplexes scattered about.

See attached copy of floor plan and elevations of the proposed triplex.

The applicant should be aware that if this zoning change is approved, all other applicable city code/ordinance requirements must be met including but not limited to building codes, setbacks, subdivision, fire, parking, drainage, water and sewer prior to the issuance of building permits.

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

Potential Options:

None

Fiscal Implications:

None

City of Texarkana, Texas

Staff Recommendation:

Since triplexes are currently located to the north, west and south of this lot, staff recommends for approval to Multiple Family-1 to allow the location of a triplex.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval.

Advisory Board/Committee Meeting Date and Minutes:

January 2, 2018.

Attachments

- a. 2018-009 ORD rezoning 3700 blk. of Trotter Lane (DOCX)
- b. 2018-009 ATTH 01 (Maps) (PDF)
- c. 2018-009 ATTH 02 (Map showing other MF properties) (PDF)
- d. 2018-009 ATTH 03 (Photo of property) (PDF)
- e. 2018-009 ATTH 04 (Proposed elevations) (PDF)
- f. 2018-009 ATTH 05 (Proposed floor plan) (PDF)
- g. 2018-009 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	
Completed	01/17/2018 5:31 PM		
Public Works Department	Dusty Henslee	Reviewer	Completed
01/19/2018 9:11 AM			
Deputy City Manager - Kyle Dooley	Vicky Coopwood	Deputy City Manager	
Review	01/19/2018 8:57 AM		
Public Information Officer	Vicky Coopwood	PIO Review	Skipped
01/19/2018 2:39 PM			
City Manager	Shirley Jaster	City Manager Review	Completed 01/19/2018
3:35 PM			
City Council	Jennifer Evans	Meeting	Completed 01/22/2018
6:00 PM			

Meeting History

ORDINANCE NO. 2018-009

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 2, COOPER LANE ESTATES, LOCATED IN THE 3700 BLOCK OF TROTTER LANE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM TWO FAMILY-2 TO MULTIPLE FAMILY-1; 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 2, Cooper Lane Estates, located in the 3700 block of Trotter Lane in the City of Texarkana, Bowie County, Texas, from **Two Family-2 to Multiple Family-1**; 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 after holding hearings and affording a full and fair hearing 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 five (5) to zero (0) to recommend the application for rezoning from Two Family-2 to Multiple Family-1 on Lot 1, Block 2, Cooper Lane Estates, located in the 3700 block of Trotter Lane** to the City Council 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 **Two Family-2 to Multiple Family-1** 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 2, Cooper Lane Estates, located in the 3700 block of Trotter Lane in the City of Texarkana, Bowie County, Texas, from **Two Family-2 to Multiple Family-1**.

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.

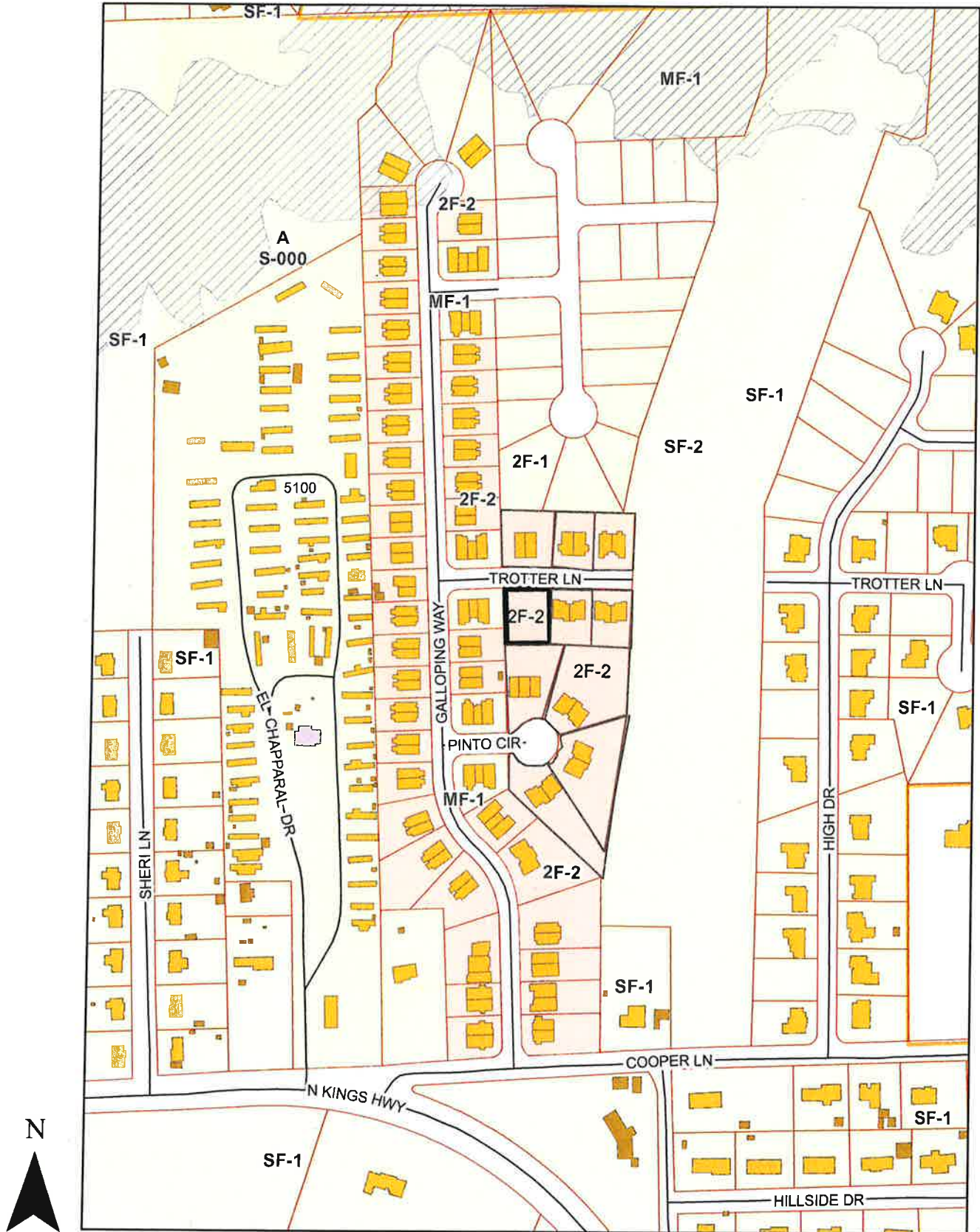
PASSED AND APPROVED in Regular Council Session on this the **12th day of March, 2018.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Lot 1, Block 2, Cooper Lane Estates Department of Planning and Community Development



1:4,000



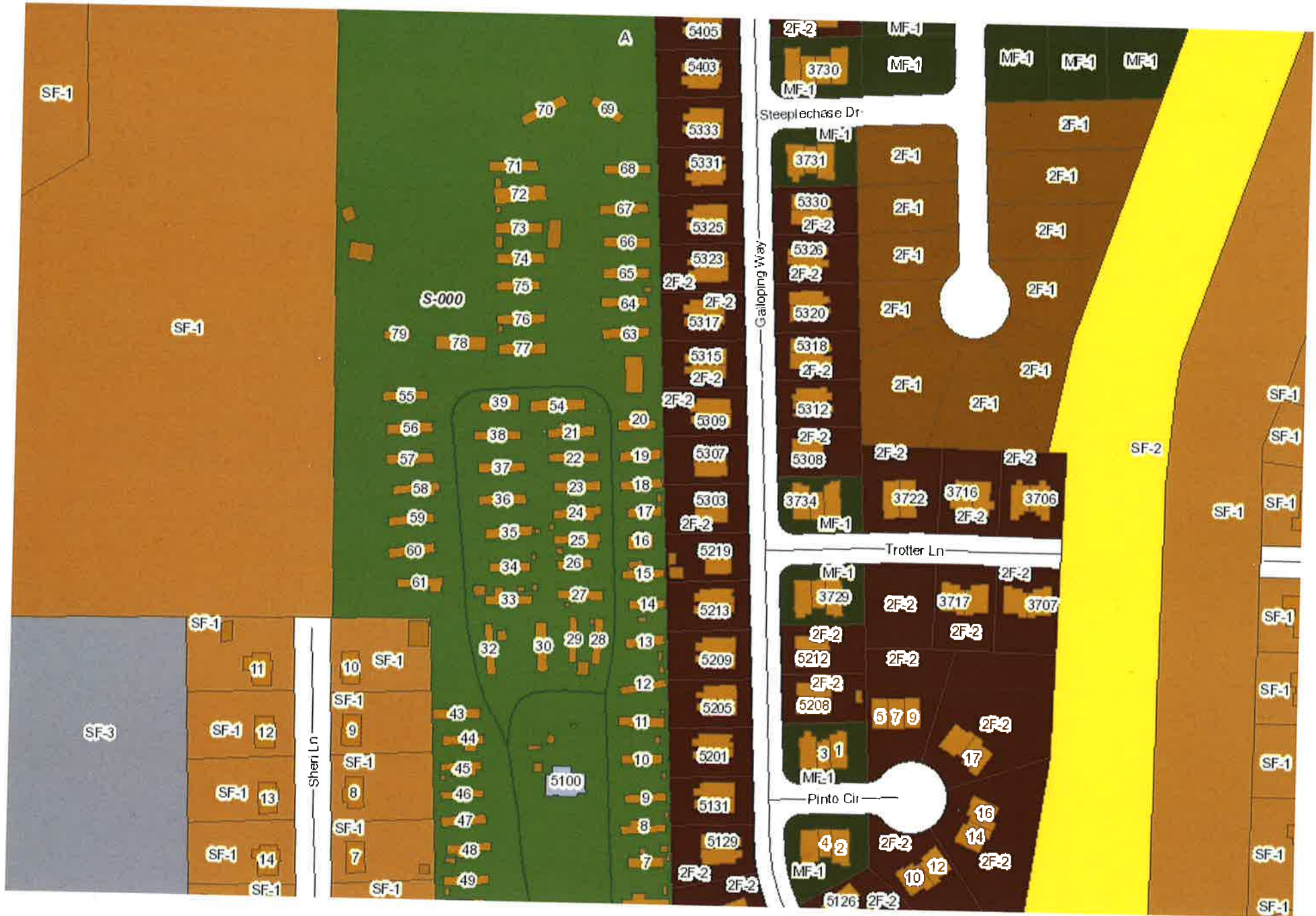
Lot 1, Block 2, Cooper Lane Estates Department of Planning and Community Development



Attachment: 2018-009 ATTH 01 (Maps) (1773 : 2018-009 ORD rezoning 3700 block of Trotter Lane)



Texarkana Water Utility - GIS



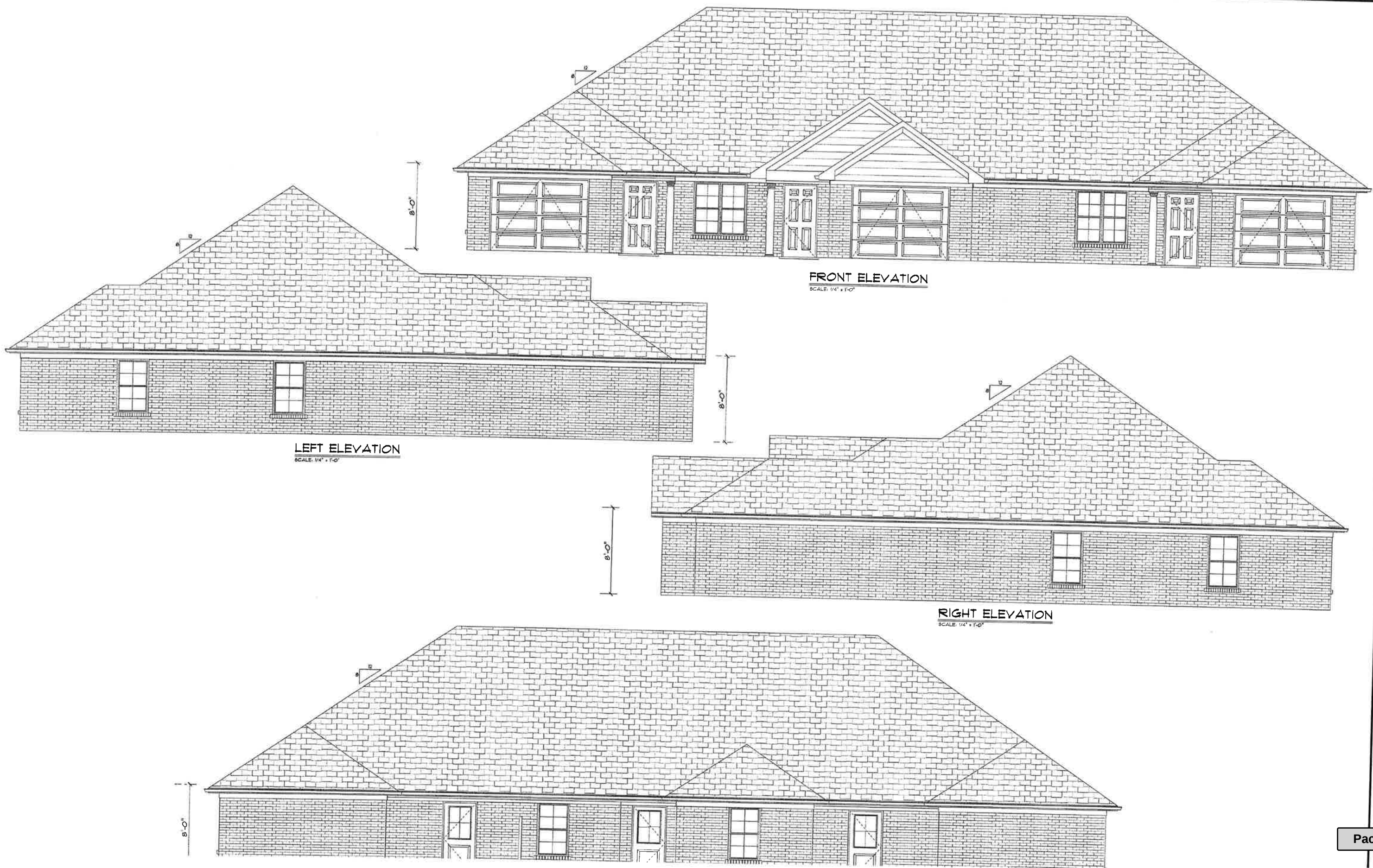
Attachment: 2018-009 ATTH 02 (Map showing other MF properties) (1773 : 2018-009 ORD rezoning 3700

Lot 1, Block 2, Cooper Lane Estates Department of Planning and Community Development



Attachment: 2018-009 ATTH 03 (Photo of property) (1773 : 2018-009 ORD rezoning 3700 block of Trotter





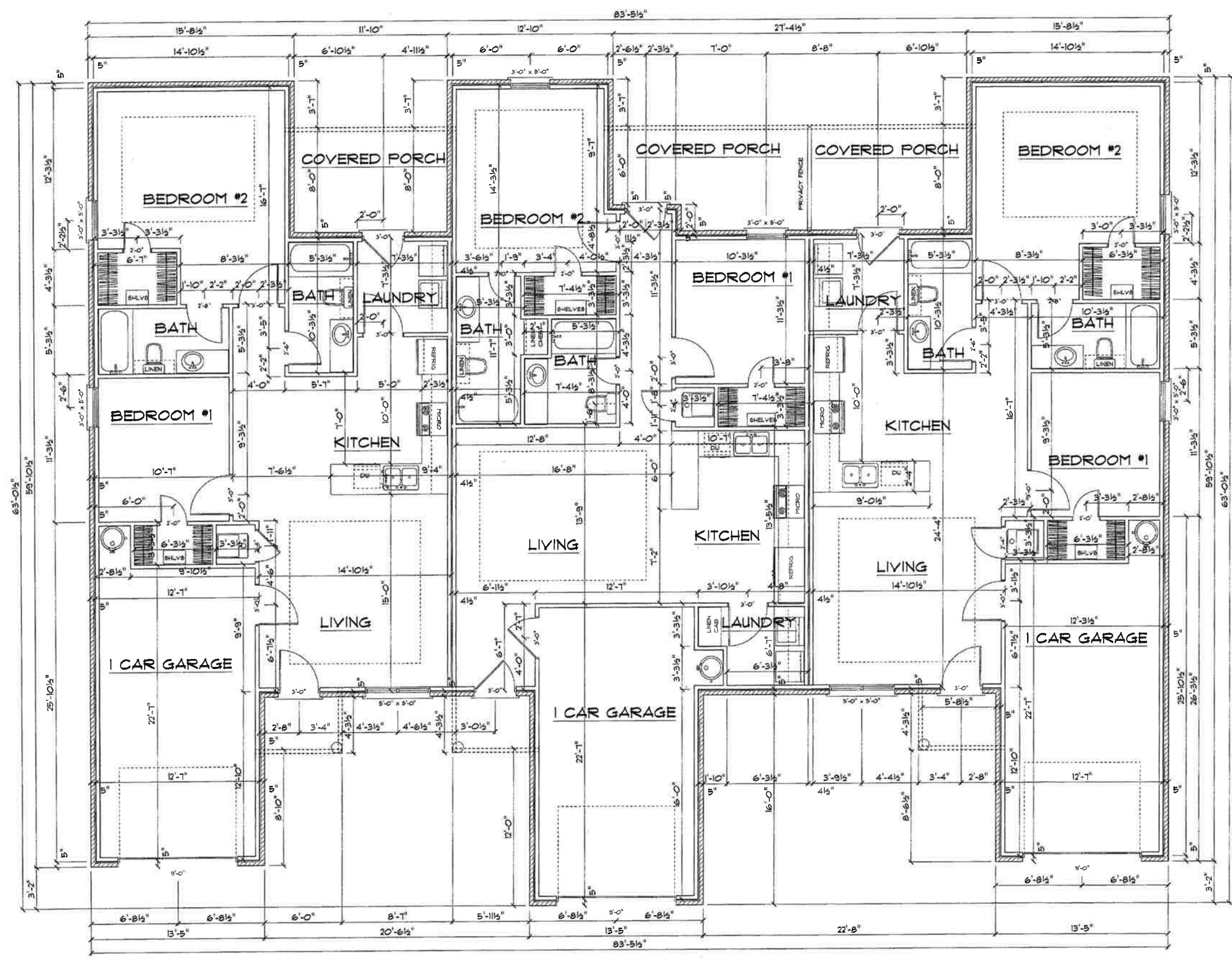
date: sept, 2011

scale: 1/4" = 1'

plans for the
robert buford tri-plex

3500 fm 1398, hooks, texas 75561
903.547.9406

Attachment: 2018-009 ATTH 04 (Proposed elevations) (1773 : 2018-009 ORD rezoning 3700 block of Trotter Lane)



SIDE A
1035 SQ. FT. HEATED

SIDE B
1047 SQ. FT. HEATED

SIDE C
1035 SQ. FT. HEATED

TOTAL AREA 4422 SQ. FT.

NOTES:
PLEASE VERIFY ALL MEASUREMENTS BEFORE BEGINNING CONSTRUCTION.
CONTRACTOR MUST VERIFY ROOF DESIGN WITH FRAMER BEFORE FOUNDATION BEGINS.
ALL WORK IS TO COMPLY WITH THE LATEST VERSION OF THE UNIFORM BUILDING CODE
AND ANY APPLICABLE STATE, COUNTY, OR LOCAL REGULATIONS. THE CONTRACTOR
IS RESPONSIBLE TO CHECK THE PLANS AND NOTIFY THE DESIGNER OF ANY ERRORS
OR OMISSIONS BEFORE PROCEEDING WITH WORK.

date sept. 2017

scale: 1/4" = 1'

plans for the
robert buford tri-plex

3500 fm 1398, hooks, texas 75561
903.547.9406

strickland

Attachment: 2018-009 ATTH 05 (Proposed floor plan) (1773 : 2018-009 ORD rezoning 3700 block of Trotter Lane)

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:

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:

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 1/12/2018 8:26 AM

Lead Department: Finance Department **Action Officer:** Kristin Peeples,
Subject: Ordinance No. 2018-011 amending the Building Maintenance Fund (Fund 228)
budget for fiscal year 2018.

Briefing: 1/22/2018 **Public Hearing:** **Second Briefing:** **Council Vote:** 1/22/2018

Item Schedule

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

In Fiscal Year 2017 the Building Maintenance Fund was established to account for the general maintenance of City buildings. It's source of revenue is an annual transfer from the General Fund. Revenue and expenditures for building maintenance are accounted for separately in this fund, which allows for the fund to maintain a rolling fund balance exclusively for building maintenance needs. Expenditures originally budgeted for Fiscal Year 2017 were \$263,633. At the end of Fiscal Year 2017, total actual expenditures amounted to \$232,318, a difference of \$31,315 in unspent funds. Staff is requesting to amend budget expenditures for the Fiscal Year Ending September 30, 2018 for the Building Maintenance Fund (Fund 228) in the amount of \$31,315 for funds unspent in the Fiscal Year Ending September 30, 2017.

Potential Options:

- Approve
- Deny

Fiscal Implications:

Reallocation of expenditures from the Fiscal Year 2017 budget to the Fiscal Year 2018 budget.

Staff Recommendation:

Staff recommends approval

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. 2018-011 ORD Amending Building Maintenance Fund FY 18 Budget (jcl rev) (DOC)
- b. 2018-011 ATTH 01 Fund 228 Detail for FY 2017 (PDF)
- c. 2018-011 Goals & Perspectives (DOCX)
- d. 2018-011 ORD Amending Building Maint Fund FY 18 Budget (jcl rev) signed (PDF)

Staff Coordination

Finance Department	Kristin Peeples	Department Head Review	Completed	
	01/10/2018 12:26 PM			
Finance Department	Kristin Peeples	Finance Review	Completed	01/10/2018
	12:28 PM			
Parks, Recreation & Health		Robby Robertson	Review	Completed
	01/10/2018 12:50 PM			
Deputy City Manager - Kyle Dooley		Kyle Dooley	Deputy City Manager	
Review	Completed	01/10/2018 2:58 PM		
Public Information Officer		Lisa Thompson	PIO Review	Completed
	01/11/2018 10:02 AM			
City Manager	Shirley Jaster	City Manager Review	Completed	01/11/2018
	12:42 PM			
City Council	Jennifer Evans	Meeting	Completed	01/22/2018
	6:00 PM			

Meeting History

ORDINANCE NO. 2018-011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGET EXPENDITURES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018, ADDING THE AMOUNT OF THIRTY-ONE THOUSAND THREE HUNDRED FIFTEEN DOLLARS (\$31,315) TO THE BUILDING MAINTENANCE FUND IN THE FISCAL YEAR ENDING SEPTEMBER 30, 2017; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Building Maintenance Fund (Fund 228) originally budgeted expenditures of **TWO HUNDRED SIXTY-THREE THOUSAND SIX HUNDRED THIRTY-THREE DOLLARS (\$263,633)** to be spent in the fiscal year ending September 30, 2017; and

WHEREAS, actual expenditures for Fund 228 for the fiscal year ending September 30, 2017 totaled **TWO HUNDRED THIRTY-TWO THOUSAND THREE HUNDRED EIGHTEEN DOLLARS (\$232,318)**, with unspent budgeted funds in said fiscal year totaling **THIRTY-ONE THOUSAND THREE HUNDRED FIFTEEN DOLLARS (\$31,315)**; and

WHEREAS, the unspent \$31,315 budgeted funds from the preceding fiscal year may be effectively utilized for additional building maintenance needs, and City staff recommends amending the budget estimate of the City's expenditures for the fiscal year beginning October 1, 2017 and ending September 30, 2018, by adding the unspent funds to Fund 228.

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

SECTION 1: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2017 and ending September 30, 2018, be amended to reflect additional expenditures appropriated of **THIRTY-ONE THOUSAND THREE HUNDRED FIFTEEN DOLLARS (\$31,315)** added to the Building Maintenance Fund (Fund 228).

SECTION 2: 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 22nd day of January, 2018.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

General Ledger

Summary Trial Balance

User: kristin.peeples
 Printed: 01/08/2018 - 3:06PM
 Period: 01 to 13, 2017



Account Number	Description	Budget Amount	Beginning Balance	Debit This Period	Credit This Period	Ending Balance
Fund 228	Building Maintenance					
EXPENSE						
228-0000-41000	Interest Revenue	0.00	0.00	0.00	472.85	-472.85
Dept 2202						
228-2202-53301	Buildings	213,633.00	0.00	205,472.51	985.38	204,487.13
228-2202-54501	Communications-Cellular	0.00	0.00	540.67	0.00	540.67
228-2202-54507	Utilities - Electricity	0.00	0.00	6,990.71	6,990.71	0.00
228-2202-54508	Utilities-Water & Sewer	0.00	0.00	301.21	301.21	0.00
228-2202-55801	Buildings & Facilities	50,000.00	0.00	27,290.00	0.00	27,290.00
	228-2202 EXPENSE Totals:	263,633.00	0.00	240,595.10	8,277.30	232,317.80
	EXPENSE Totals:	263,633.00	0.00	240,595.10	8,750.15	231,844.95
	Fund 228 Totals:	-263,633.00	0.00	240,595.10	8,750.15	231,844.95
	Report Totals:	-263,633.00	0.00	240,595.10	8,750.15	231,844.95

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: Low

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:

ORDINANCE NO. 2018-011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGET EXPENDITURES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018, ADDING THE AMOUNT OF THIRTY-ONE THOUSAND THREE HUNDRED FIFTEEN DOLLARS (\$31,315) TO THE BUILDING MAINTENANCE FUND IN THE FISCAL YEAR ENDING SEPTEMBER 30, 2017; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Building Maintenance Fund (Fund 228) originally budgeted expenditures of **TWO HUNDRED SIXTY-THREE THOUSAND SIX HUNDRED THIRTY-THREE DOLLARS (\$263,633)** to be spent in the fiscal year ending September 30, 2017; and

WHEREAS, actual expenditures for Fund 228 for the fiscal year ending September 30, 2017 totaled **TWO HUNDRED THIRTY-TWO THOUSAND THREE HUNDRED EIGHTEEN DOLLARS (\$232,318)**, with unspent budgeted funds in said fiscal year totaling **THIRTY-ONE THOUSAND THREE HUNDRED FIFTEEN DOLLARS (\$31,315)**; and

WHEREAS, the unspent \$31,315 budgeted funds from the preceding fiscal year may be effectively utilized for additional building maintenance needs, and City staff recommends amending the budget estimate of the City's expenditures for the fiscal year beginning October 1, 2017 and ending September 30, 2018, by adding the unspent funds to Fund 228.

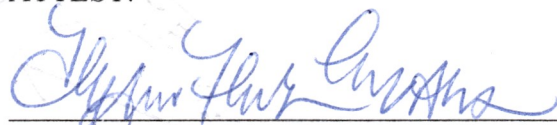
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

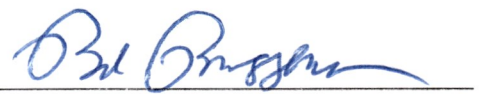
SECTION 1: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2017 and ending September 30, 2018, be amended to reflect additional expenditures appropriated of **THIRTY-ONE THOUSAND THREE HUNDRED FIFTEEN DOLLARS (\$31,315)** added to the Building Maintenance Fund (Fund 228).

SECTION 2: 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 **22nd** day of **January, 2018**.

ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

6:27 p.m.

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 1/12/2018 8:27 AM

Lead Department: Finance Department **Action Officer:** Kristin Peeples,
Subject: Ordinance No. 2018-012 amending the budget for the fiscal year ending
September 30, 2018 and creating a Major Maintenance Fund.

Briefing: 1/22/2018 **Public Hearing:** **Second Briefing:** **Council Vote:** 1/22/2018

Item Schedule

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

On September 11, 2017, the City Council adopted the budget for the Fiscal Year Ending September 30, 2018. This adopted budget included a six-million-dollar transfer to the City's General Fund from the water department. On January 2, 2018, the City received a check for three-million dollars from the water department to satisfy a portion of the budgeted transfer. Staff recommends transferring the money received from the water department to a separate fund set aside for major maintenance projects based on the recommendation from the Budget Advisory Committee. A separate fund will allow for tracking revenue and expenditures associated with major maintenance in one location. It will also provide a rolling fund balance from year to year that is set aside for major maintenance projects. To create the new fund, staff recommends amending the budget for the Fiscal Year Ending September 30, 2018 to appropriate expenditures in the General Fund non-operating budget that will allow for transfer of the three-million dollars received to the Major Maintenance Fund. In addition, the budget for the Fiscal Year Ending September 30, 2018 would be amended to create a Major Maintenance Fund that includes a three-million-dollar revenue transfer from the City's General Fund and three-million dollars in appropriated expenditures.

In FY 17, the City contracted with Data Transfer Solutions, LLC (DTS) to perform a Pavement Condition Report for all streets inside the City Limits. Each street was analyzed and assigned a Pavement Condition Index (PCI). All data was then loaded into their pavement management software called VueWorks. One of the capabilities of this software is that it can run budget scenarios and optimize how to best use the funding we have available. Also with this will be a 5-year list of projects that are recommended based on this optimization. Staff is still currently working with DTS on this optimization, and once we have completed this, Staff will update City Council on this report and list of projects. Our plan is to present the list of projects to City Council for FY18 this spring for approval so we can start on these projects this summer.

Potential Options:

- Approve
- Deny

Fiscal Implications:

City of Texarkana, Texas

This ordinance allows for the creation of a separate Major Maintenance Fund and the appropriation of three-million dollars in budgeted expenditures for major maintenance projects.

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. 2018-012 Amending the FY 18 Budget and Creating Major Maintenance Fund (jcl rev) (DOC)
- b. 2018-012 Goals & Perspectives (DOCX)
- c. 2018-012 ORD Establ. Major Maint Fund signed (PDF)

Staff Coordination

Finance Department	Kristin Peebles	Department Head Review	Completed	
	01/10/2018 3:42 PM			
Finance Department	Kristin Peebles	Finance Review	Completed	01/10/2018
	3:42 PM			
Public Works Department		Dusty Henslee	Review	Completed
	01/10/2018 3:53 PM			
Deputy City Manager - Kyle Dooley		Kyle Dooley	Deputy City Manager	
Review	Completed	01/11/2018 8:21 AM		
Public Information Officer		Lisa Thompson	PIO Review	Completed
	01/11/2018 10:02 AM			
City Manager	Shirley Jaster	City Manager Review	Completed	01/11/2018
	12:45 PM			
City Council	Jennifer Evans	Meeting	Completed	01/22/2018
	6:00 PM			

Meeting History

ORDINANCE NO. 2018-012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGETED REVENUE FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018, CREATING A MAJOR MAINTENANCE FUND, ADDING TO THE GENERAL FUND ADDITIONAL EXPENDITURES OF THREE MILLION DOLLARS (\$3,000,000), ADDING TO THE MAJOR MAINTENANCE FUND ADDITIONAL EXPENDITURES OF THREE MILLION DOLLARS (\$3,000,000), AND REFLECTING ADDITIONAL REVENUE IN THE MAJOR MAINTENANCE FUND OF THREE MILLION DOLLARS (\$3,000,000) FOR FUNDS RECEIVED FROM THE WATER DEPARTMENT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City General Fund received revenue in the amount of **THREE MILLION DOLLARS (\$3,000,000)** from the Water Department on January 2, 2018, which will be used for major maintenance projects; and

WHEREAS, City staff recommends amending the General Fund budget for the fiscal year beginning October 1, 2017 and ending September 30, 2018, (i) to establish a separate Major Maintenance Fund, to be referenced as Fund 120, (ii) to reflect additional expenditures appropriated in the amount of \$3,000,000 added to the General Fund (Fund 101), (iii) to reflect additional expenditures appropriated in the amount of \$3,000,000 added to the new Fund 120, and (iv) to reflect additional revenue in the amount of \$3,000,000 in the new Fund 120 for funds received from the Water Department.

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

SECTION 1: That the General Fund budget of the City of Texarkana, Texas, for the fiscal year beginning October 1, 2017 and ending September 30, 2018, be amended to create and establish a separate Major Maintenance Fund, to be referenced as Fund 120.

SECTION 2: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2017 and ending September 30, 2018, be amended to reflect additional expenditures appropriated in the amount of **THREE MILLION DOLLARS (\$3,000,000)** added to the General Fund (Fund 101).

SECTION 3: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2017 and ending September 30, 2018, be amended to reflect additional expenditures

appropriated in the amount of **THREE MILLION DOLLARS (\$3,000,000)** added to the Major Maintenance Fund (Fund 120).

SECTION 4: That the budget estimate of the revenues of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2017 and ending September 30, 2018, be amended to reflect additional revenue in the amount of **THREE MILLION DOLLARS (\$3,000,000)** in the Major Maintenance Fund (Fund 120) for funds received from the Water Department.

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 **22nd day of January, 2018.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: Low

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:

ORDINANCE NO. 2018-012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGETED REVENUE FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018, CREATING A MAJOR MAINTENANCE FUND, ADDING TO THE GENERAL FUND ADDITIONAL EXPENDITURES OF THREE MILLION DOLLARS (\$3,000,000), ADDING TO THE MAJOR MAINTENANCE FUND ADDITIONAL EXPENDITURES OF THREE MILLION DOLLARS (\$3,000,000), AND REFLECTING ADDITIONAL REVENUE IN THE MAJOR MAINTENANCE FUND OF THREE MILLION DOLLARS (\$3,000,000) FOR FUNDS RECEIVED FROM THE WATER DEPARTMENT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City General Fund received revenue in the amount of **THREE MILLION DOLLARS (\$3,000,000)** from the Water Department on January 2, 2018, which will be used for major maintenance projects; and

WHEREAS, City staff recommends amending the General Fund budget for the fiscal year beginning October 1, 2017 and ending September 30, 2018, (i) to establish a separate Major Maintenance Fund, to be referenced as Fund 120, (ii) to reflect additional expenditures appropriated in the amount of \$3,000,000 added to the General Fund (Fund 101), (iii) to reflect additional expenditures appropriated in the amount of \$3,000,000 added to the new Fund 120, and (iv) to reflect additional revenue in the amount of \$3,000,000 in the new Fund 120 for funds received from the Water Department.

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

SECTION 1: That the General Fund budget of the City of Texarkana, Texas, for the fiscal year beginning October 1, 2017 and ending September 30, 2018, be amended to create and establish a separate Major Maintenance Fund, to be referenced as Fund 120.

SECTION 2: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2017 and ending September 30, 2018, be amended to reflect additional expenditures appropriated in the amount of **THREE MILLION DOLLARS (\$3,000,000)** added to the General Fund (Fund 101).

SECTION 3: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2017 and ending September 30, 2018, be amended to reflect additional expenditures

Attachment: 2018-012 ORD Establ. Major Maint Fund signed (1764 : 2018-012 ORD Establishing a Major Maintenance Fund)

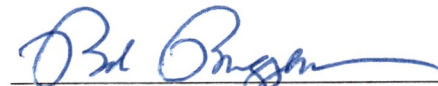
appropriated in the amount of **THREE MILLION DOLLARS (\$3,000,000)** added to the Major Maintenance Fund (Fund 120).

SECTION 4: That the budget estimate of the revenues of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2017 and ending September 30, 2018, be amended to reflect additional revenue in the amount of **THREE MILLION DOLLARS (\$3,000,000)** in the Major Maintenance Fund (Fund 120) for funds received from the Water Department.

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 **22nd** day of **January, 2018**.

ATTEST:


JENNIFER EVANS, CITY SECRETARY
BOB BRUGGEMAN, MAYOR

6:30 p.m.

City of Texarkana, Texas

Version: C

Update Date: 1/19/2018 4:04 PM

Briefing Sheet

Lead Department: Building Code Administration **Action Officer:** Mashell Daniel
Subject: Ordinance No. 2018-014 omitting Section 105-333 (c), under Section 105-333 "Abatement Actions by the City and Lien for Cost", from the Code of Ordinances for the City of Texarkana, Texas.
Briefing: 2/12/2018 **Public Hearing:** 2/12/2018 **Second Briefing:** February 26, 2018 **Council Vote:** 3/12/2018

Item ScheduleSchedule 1: Brief twice - vote once (six weeks)**Updates/History of Briefing:**

Not Applicable

Executive Summary and Background Information:

The Code of Ordinances for the City of Texarkana, Texas, Section 105-333 (C) states the following:
 "If the property owner agrees to transfer ownership of the property to the city and the city takes ownership of the property, then the city may waive expenses incurred for the demolition of a building or structure or otherwise bringing the building or property into compliance with city ordinance."

Several years ago, the City was able to use Federal funds for the demolition of structures. These funds are no longer available, and the City does not foresee these funds being available in the future. Therefore, this section of the ordinance needs to be omitted.

Potential Options:

- Approve Omitting Ordinance
- Disapprove Omitting Ordinance

Fiscal Implications:

Not Applicable

Staff Recommendation:

Staff Recommends Approval

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

City of Texarkana, Texas

Not Applicable

Attachments

- a. 2018-014 ORD Omitting 105-333 (c) JCL rev (DOC)
- b. 2018-014 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration	Mashell Daniel	Department Head Review	
Completed	01/12/2018 2:44 PM		
City Attorney	Mashell Daniel	Action	Skipped 01/12/2018
2:05 PM			
City Attorney	Jeffery C. Lewis	Review	Completed 01/15/2018
4:28 PM			
Purchasing and Contracting	Mashell Daniel	Purchasing Review	
Skipped	01/12/2018 2:03 PM		
Finance Department	Kristin Peebles	Finance Review	Completed 01/17/2018
11:34 AM			
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager	
Review	Completed	01/17/2018 2:03 PM	
Public Information Officer	Lisa Thompson	PIO Review	Completed
	01/17/2018 2:18 PM		
City Manager	Shirley Jaster	City Manager Review	Completed 01/17/2018
3:38 PM			
City Council	Jennifer Evans	Meeting	Completed 01/22/2018
6:00 PM			

Meeting History

PUBLISH

ORDINANCE NO. 2018 – 014

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE CODE OF ORDINANCES, LAND DEVELOPMENT CODE, CHAPTER 105, “BUILDINGS AND CONSTRUCTION”, ARTICLE VI, “UNSAFE BUILDINGS AND STRUCTURES”, SECTION 105-333, “ABATEMENT ACTIONS BY THE CITY AND LIEN FOR COST”, BY REPEALING AND DELETING SECTION 105-333(c); PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 105-333(c) of the Land Development Code of the City of Texarkana, Texas, provides as follows:

If the property owner [of an unsafe structure] agrees to transfer ownership of the property to the city and the city takes ownership of the property, then the city may waive expenses incurred for the demolition of a building or structure or otherwise bringing the building or property into compliance with city ordinance.

WHEREAS, while federal funds had been available in the past for City use to demolish substandard structures, such funds are no longer available and therefore City staff recommends amending the Land Development Code by repealing and deleting Section 105-333(c).

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

SECTION 1: The City Council finds and determines that amending the Code of Ordinances, Land Development Code, Chapter 105, “Buildings and Construction”, Article VI, “Unsafe Buildings and Structures”, Section 105-333, “Abatement Actions by the City and Lien for Cost”, by repealing and deleting Section 105-333(c) is in the best interest of the City’s financial future, and therefore Section 105-333(c) is hereby repealed and deleted in its entirety.

SECTION 2: The City Secretary shall give notice of the passage of this ordinance as provided in Article XI, Section 3 of the 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 **day 12th day of March, 2018.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2018-014 ORD Omitting 105-333 (c) JCL rev (1766 : 2018-014 ORD Omitting Section 105-333 (c) from Code of Ordinances)

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:

City of Texarkana, Texas

Version: C

Update Date: 2/9/2018 11:17 AM

Briefing Sheet

Lead Department: City Manager **Action Officer:** Jennifer Evans, City Secretary
Joint Resolution No. 2018-013 with Riverbend Water Resources District
authorizing Riverbend's Executive Director/CEO to sign and submit federal and
state permit applications and permit amendments for the limited purpose of
developing and locating additional, new diversion locations and intake
Subject: structures at Lake Wright Patman.

Briefing: 2/12/2018 **Public Hearing:** **Second Briefing:** **Council Vote:** 2/12/2018

Item Schedule**Updates/History of Briefing:**

The current intake system at Lake Wright Patman has limiting characteristics which could negatively impact access to current water rights and to the current production of water supply, and developing and implementing a new intake structure would be in the best interest of Texarkana.

Since the Council's first briefing on this matter on January 22, 2018, and a workshop on January 29, 2018, the City and Riverbend have collaborated on a revised joint resolution, addressing in greater detail the scope of the authorization requested by Riverbend from the City Council for proceeding with developing and implementing a new intake structure.

Executive Summary and Background Information:

Please refer to the "whereas" sections of the joint resolution, which detail the background information pertinent to Riverbend's request to the City Council.

Potential Options:

- Approve , amend or deny
-
-

Fiscal Implications:**Staff Recommendation:**

Approval

Advisory Board/Committee Review:

City of Texarkana, Texas

None

Board/Committee Recommendation:

NOT APPLICABLE

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

- a. RES 2018-013 Joint Riverbend LWP intake [rev Feb 9 2018] (PDF)
- b. 2018-013 ATTH 01 E-mail Approval(PDF)
- c. TCEQ Water Rights Permitting Application Administrative Information Report.pdf (PDF)
- d. 2018-013 Goals & Perspectives (DOCX)

Staff Coordination

City Manager	Shirley Jaster	Department Head Review	Completed	
	01/19/2018 10:21 AM			
Deputy City Manager - Review	Kyle Dooley	Jennifer Evans	Deputy City Manager	
	Skipped	01/19/2018 10:24 AM		
Water Utilities	JD Phillips	Review	Completed	01/19/2018
City Attorney	Jeffery C. Lewis	Review	Completed	01/19/2018
Public Information Officer		Lisa Thompson	PIO Review	Completed
	01/19/2018 12:22 PM			
City Manager	Shirley Jaster	City Manager Review	Completed	01/19/2018
City Council	Jennifer Evans	Meeting	Completed	01/22/2018

Meeting History

Texarkana Resolution No. 2018-013

Riverbend Resolution No. 2018_____

A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AND THE BOARD OF DIRECTORS OF RIVERBEND WATER RESOURCES DISTRICT, DELEGATING AUTHORITY TO RIVERBEND'S EXECUTIVE DIRECTOR/CEO, ELIZABETH FAZIO HALE, TO SIGN AND SUBMIT FEDERAL AND STATE PERMIT APPLICATIONS, PERMIT AMENDMENTS, AND AMENDMENTS TO TEXARKANA'S CERTIFICATE OF ADJUDICATION NO. 03-4836 FOR THE LIMITED PURPOSE OF DEVELOPING AND LOCATING ADDITIONAL, NEW DIVERSION LOCATIONS AND INTAKE STRUCTURES AT LAKE WRIGHT PATMAN; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas ("Texarkana"), formed in 1873, is a home-rule municipality operating under a municipal charter adopted as authorized by Article XI, Section 5, of the Texas Constitution and as recognized by Texas Local Government Code Section 5.004 and having full power of local self-government.

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

WHEREAS, in 2011, the Texas Legislature reconstituted the Board of Directors of Riverbend to be composed of five qualified voters who are residents of the district, not otherwise serving as an elected official or as an employee of a Riverbend member, selected by the local governing bodies of the Riverbend members (the Counties of Bowie, Cass, and Red River, TexAmericas Center, and the Cities of Annona, Atlanta, Avery, DeKalb, Hooks, Leary, Maud, Nash, New Boston, Redwater, Texarkana, and Wake Village) as provided by law.

WHEREAS, Texarkana holds rights to appropriate, divert, and use waters of the State of Texas in the Sulphur River Basin under multiple permits issued to Texarkana by the State of Texas, as recognized by final decree of the 202nd Judicial District Court of Bowie County, Texas, Cause No. 86-C1702-202, In re: The Adjudication of Water Rights in the Sulphur River Basin dated December 17, 1986, with those rights and the priority dates associated with those rights certified by the Texas Water Commission in *Certificate of Adjudication* No. 03-4836, issued on March 31, 1987 (collectively, hereinafter, "Texarkana's Water Rights").

WHEREAS, Texarkana and Riverbend entered into an Interlocal Cooperation Agreement in 2010, revised in 2015, which, among other provisions, detailed specific services to be provided by Riverbend to Texarkana as set forth in Schedule A appended to the agreement, stating in pertinent part:

Schedule A

Services to be provided by Riverbend under this Interlocal Cooperation Agreement shall include the following:

1. Acting as City's agent in coordination with the City Council and City Manager of City in the following matters:
 - a. negotiating with the United States Army Corps of Engineers regarding contractual rights and responsibilities with respect to the entire pool in the Lake Wright Patman Reservoir;
 - b. securing water permits and permissions from the Texas Water Development Board, Texas Commission on Environmental Quality, and any other state or federal agency, with respect to the entire pool in the Lake Wright Patman Reservoir, corresponding with item 1a, above;
 - c. negotiating with governmental entities or political subdivisions outside of Texas Regional Water Planning Group - Region D regarding the purchase of water in the Lake Wright Patman Reservoir, corresponding with items 1a and 1b, above; and
 - d. attendance at and participation in state and regional water planning and development meetings.

The term "coordination" as used in this Section 1 shall include the following:

- Notifying the Mayor and City Manager in advance of any meetings or engagements which correspond with items 1a, 1b, 1c, or 1d, that Agent intends to either attend or participate in, so as to facilitate City attendance; and regardless of City attendance, submitting a written summary of such meetings or engagements to the Mayor and City Manager, detailing any tasks or commitments Agent proposes or recommends for City.
- Submitting a monthly status report to the City Council on all major efforts which correspond with items 1a, 1b, 1c, or 1d, including securing water rights, providing water resources to the region, funding of recommended goals and efforts (including identification of revenues, sources of revenue, and expenditures), and defining any impediments towards achieving the recommended goals and efforts.

Agent shall have no authority to bind the City or the City Council on any matter. The City Council may revoke this Section 1 at any time with or without cause.

WHEREAS, in 2016, the City Council of Texarkana and the Board of Directors of Riverbend, by joint resolution (Texarkana Res. No. 2016-118 and Riverbend Res. No. 20160817-03), confirmed that representatives of the U.S. Army Corps of Engineers may contact Texarkana City Liaison Stephen A. Mayo and Riverbend Executive Director / CEO Elizabeth Fazio Hale as authorized points of contact with regard to the subject matters set forth in the resolution, stating in pertinent part:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AND THE BOARD OF DIRECTORS OF RIVERBEND WATER RESOURCES DISTRICT THAT:

Section 1. The City Council of Texarkana, Texas, and the Board of Directors of Riverbend continue to concur with and affirm the multiple requests made to Col. Calvin C. Hudson, II, Commander, U.S. Army Corps of Engineers, Fort Worth District, that Texarkana and its surrounding entities through Riverbend remain local sponsors for any existing or new water reallocated or developed out of Lake Wright Patman Reservoir. The City Council of Texarkana, Texas, and the Board of Directors of Riverbend support the full utilization of Lake Wright Patman Reservoir to its highest and best use as a responsible strategy that produces a water supply that would be plentiful, immediate, and least costly, with minimal negative impact on the region as compared to the creation of any new reservoirs.

Section 2. The City Council of Texarkana, Texas, and the Board of Directors of Riverbend respectfully submit that Texarkana and its surrounding entities through Riverbend should be included as formal local sponsors to the Sulphur River Basin Feasibility Study given the inclusion of the Lake Wright Patman Reservoir dam safety study into the feasibility study.

Section 3. Consistent with the previous authorizations recited herein, the City Council of Texarkana, Texas, and the Board of Directors of Riverbend Water District confirm that representatives of the U.S. Army Corps of Engineers may contact Texarkana City Liaison Stephen A. Mayo and Riverbend Executive Director / CEO Elizabeth Fazio Hale as authorized points of contact with regard to the subject matters set forth in this Resolution.

WHEREAS, in 2017, the City Council of Texarkana and the Board of Directors of Riverbend, by joint resolution (Texarkana Res. No. 2017-038 and Riverbend Res. No. 20170510-04), identified Riverbend's role with regard to future water rights in Lake Wright Patman, stating in pertinent part:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS AND THE BOARD OF DIRECTORS OF RIVERBEND WATER RESOURCES DISTRICT:

Section 1. Riverbend Water Resources District is the appropriate entity and authority to move forward with implementing the Ultimate Rule Curve on behalf of the City of Texarkana, Texas, in cooperation with the United States Army Corps of Engineers, and further that Riverbend Water Resources District is the appropriate entity and authority to apply at the Texas Commission on Environmental Quality for future water rights between the interim level and the permanent level "ultimate rule curve" that may become available once the Ultimate Rule Curve is fully implemented on behalf of all of the Northeast Texas region and all of Riverbend's member entities.

WHEREAS, Section 3.A of Texarkana's *Certificate of Adjudication* No. 03-4836 specifies authorized diversion locations, but at least one of those locations corresponding to a current intake system in Bowie County at Lake Wright Patman has limiting characteristics which could negatively impact both access to Texarkana's water rights and current production of water supply, and therefore developing and implementing a new intake structure would be in the best interest of the Riverbend members, including Texarkana.

WHEREAS, in 2017, the Board of Directors of Riverbend authorized Riverbend's Executive Director/CEO to begin implementation of a new intake structure by Res. No. 20171024-03:

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Riverbend Water Resources District hereby authorizes the Executive Director/CEO, Elizabeth Fazio Hale, to take all necessary steps to begin development and implementation of a new intake structure at Lake Wright Patman and to further present to the Board of Directors at a later date all costs associated with implementation of the project for further approval.

WHEREAS, Section 404 of the federal Clean Water Act establishes a program which regulates, among other matters, activities in waters of the United States such as water resource projects, with the U.S. Army Corps of Engineers enforcing Section 404 provisions and administering the day-to-day regulatory program, including individual and general permit decisions.

WHEREAS, Riverbend's Executive Director/CEO contacted the U.S. Army Corps of Engineers to begin the process for implementation of a new intake structure at Lake Wright Patman, and a regulatory project manager has been assigned for the subject project.

WHEREAS, as part of the Section 404 permit process, Riverbend's Executive Director/CEO anticipates the scheduling of an in-person pre-application meeting with the U.S. Army Corps of Engineers for the eventual submission of an application for the placement of a new intake structure at Wright Patman Lake.

WHEREAS, Riverbend's Executive Director/CEO also anticipates the need to submit an application to the Texas Commission on Environmental Quality ("TCEQ") amending Texarkana's current water rights permits and Texarkana's *Certificate of Adjudication* No. 03-4836 for inclusion of additional, new diversion locations and intake structures anywhere along the perimeter of Lake Wright Patman.

WHEREAS, for the limited purpose of facilitating the development and location of additional, new intake structures on Lake Wright Patman, the City Council of Texarkana and the Board of Directors of Riverbend intend for this resolution to delegate signature authority to Riverbend's Executive Director/CEO, Elizabeth Fazio Hale, for signature and submission to the U.S. Army Corps of Engineers of Section 404 permit applications and, after review and approval within thirty (30) days by Texarkana's City Manager, for signature and submission to TCEQ of any applications amending Texarkana's water permits and Section 3.A of Texarkana's *Certificate of Adjudication* No. 03-4836 for the inclusion of additional, new diversion locations and intake structures anywhere along the perimeter of Lake Wright Patman.

WHEREAS, the City Council of Texarkana and the Board of Directors of Riverbend acknowledge that Schedule A of the Interlocal Cooperation Agreement between Texarkana and Riverbend does not extend to Riverbend, as Texarkana's agent, any authority to bind the City or the City Council on any matter, and therefore the parties intend for the specific authority detailed in this Joint Resolution to constitute an amendment to Schedule A as may be necessary to

effectuate the intended purpose of this Joint Resolution.

WHEREAS, the City Council of Texarkana and the Board of Directors of Riverbend do not intend for this Joint Resolution to abrogate Texarkana's Water Rights.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AND THE BOARD OF DIRECTORS OF RIVERBEND WATER RESOURCES DISTRICT:

Section 1. For the limited purpose of facilitating the development and location of additional, new diversion locations and intake structures on Lake Wright Patman, the City Council of Texarkana and the Board of Directors of Riverbend authorize Riverbend's Executive Director/CEO, Elizabeth Fazio Hale, (i) to prepare, execute, submit, prosecute, negotiate, settle, and compromise Section 404 permit applications to the U.S. Army Corps of Engineers, and (ii) after review and approval within thirty (30) days by Texarkana's City Manager, to prepare, execute, submit, prosecute, negotiate, settle, and compromise water right applications to TCEQ necessary to amend Texarkana's water permits and Section 3.A of Texarkana's *Certificate of Adjudication* No. 03-4836 for the inclusion of additional, new diversion locations and intake structures anywhere along the perimeter of Lake Wright Patman.

Section 2. This Joint Resolution shall be deemed as providing written evidence of signature authority as required by Title 30, Texas Administrative Code § 295.14; provided, however, that such signature authority is limited solely to Elizabeth Fazio Hale in her official capacity as Riverbend's Executive Director/CEO and shall not be transferrable to any successor Executive Director/CEO of Riverbend.

Section 3. This Joint Resolution shall constitute a limited amendment to the Interlocal Cooperation Agreement between Texarkana and Riverbend, signed in 2010 and revised in 2015, by providing for an exception to the sentence in Schedule A of the agreement which reads, "Agent shall have no authority to bind the City or the City Council on any matter.", solely to effectuate the limited purpose set forth in Section 1. This Joint Resolution shall not be construed to amend any other provisions of the Interlocal Cooperation Agreement between Texarkana and Riverbend or to delegate to Riverbend any other authority to bind Texarkana or the City Council of Texarkana on any matter.

Section 4. This Joint Resolution shall not be construed to abrogate Texarkana's Water Rights.

Section 5. This Joint Resolution shall expire on January 31, 2021, unless renewed by the City Council of Texarkana and the Board of Directors of Riverbend.

Section 6. In case a section, clause, sentence or part of this Resolution 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 resolution.

TEXARKANA:

PASSED AND APPROVED in Regular Council Session on this the **12th day of February, 2018.**

BOB BRUGGEMAN, MAYOR

ATTEST:

JENNIFER EVANS, CITY SECRETARY

RIVERBEND:

PASSED AND APPROVED in Regular Board Meeting on this the _____ day of February, 2018.

MARSHALL WOOD, PRESIDENT

ATTEST:

SEAN ROMMEL, SECRETARY

TEX-Coopwood, Vicky

From: TEX-Jaster, Shirley
Sent: Friday, February 09, 2018 11:08 AM
To: TEX-Coopwood, Vicky
Subject: FW: Riverbend Joint Resolution update FINAL Feb 9 2018
Attachments: RES 2018-013 Joint Riverbend LWP intake rev Feb 9 2018.pdf

Let's attach this to the briefing sheet. Res. 2018-013
 Thanks

Shirley Jaster
City Manager
City of Texarkana, Texas
jaster@txkusa.org
903-798-3949

Email communications through this office may be subject to Texas Public Records laws and may be shared with others.

From: Liz Fazio [mailto:lizfazio@rwr.org]
Sent: Friday, February 09, 2018 11:00 AM
To: TEX-Jaster, Shirley <jaster@txkusa.org>
Cc: TEX-Dooley, Kyle <kdooley@txkusa.org>
Subject: RE: Riverbend Joint Resolution update FINAL Feb 9 2018

Shirley –

Yes, thank you to so many for working through the language on this Resolution. I have reviewed the attached Resolution dated February 9, 2018 that you sent this morning and am in agreement with the changes included in this last draft.

We look forward to seeing you all at Monday night's Council meeting.

Best,

Liz

Elizabeth A. Fazio Hale, J.D., LL.M.
 Executive Director/ CEO
 Riverbend Water Resources District
We never know the worth of water, 'til the well is dry.

228 Texas Avenue, Suite A
 New Boston, Texas 75570
 (903) 831-0091 phone
 (903) 831-0096 fax
www.rwr.org

lizfazio@rwr.org
 (303) 888-7353 cell

Attachment: 2018-013 ATTH 01 E-mail Approval (1765 : 2018-013 RES Riverbend Authority to sign for Water Intake)

From: TEX-Jaster, Shirley [<mailto:Jaster@txkusa.org>]
Sent: Friday, February 9, 2018 9:52 AM
To: Liz Fazio <lizfazio@rwr.org>
Cc: TEX-Dooley, Kyle <kdooley@txkusa.org>;
Subject: FW: Riverbend Joint Resolution update FINAL

Liz,
The change to the joint resolution has been made. Attached is the final version that will be posted for the agenda.
Thanks to everyone for working to get this accomplished.

Shirley Jaster
City Manager
City of Texarkana, Texas
jaster@txkusa.org
903-798-3949

Email communications through this office may be subject to Texas Public Records laws and may be shared with others.

Attachment: 2018-013 ATTH 01 E-mail Approval (1765 : 2018-013 RES Riverbend Authority to sign for Water Intake)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TCEQ WATER RIGHTS PERMITTING APPLICATION

ADMINISTRATIVE INFORMATION CHECKLIST

Complete and submit this checklist for each application. See Instructions Page. 5.

APPLICANT(S): Yates ±0 I »" 2 2

Indicate whether the following items are included in your application by writing either Y (for yes) or N (for no) next to each item (all items are not required for every application).

Y/N

- ☒ **Administrative Information Report**
- ☐ Additional Co-Applicant Information
- ☐ Additional Co-Applicant Signature Pages
- ☒ Written Evidence of Signature Authority
- ☒ **Technical Information Report**
- ☐ USGS Map (or equivalent)
- ☒ Map Showing Project Details
- ☐ Original Photographs
- ☐ Water Availability Analysis
- ☐ **Worksheet 1.0**
- ☐ Recorded Deeds for Irrigated Land
- ☐ Consent For Irrigation Land
- ☐ **Worksheet 1.1**
- ☐ Addendum to Worksheet 1.1
- ☒ **Worksheet 1.2**
- ☒ Addendum to Worksheet 1.2
- ☐ **Worksheet 2.0**
- ☐ Additional W.S 2.0 for Each Reservoir
- ☐ Dam Safety Documents
- ☐ Notice(s) to Governing Bodies
- ☐ Recorded Deeds for Inundated Land
- ☐ Consent For Inundation Land

Y/N

- ☒ **Worksheet 3.0**
- ☐ Additional W.S 3.0 for each Point
- ☐ Recorded Deeds for Diversion Points
- ☐ Consent For Diversion Access
- ☐ **Worksheet 4.0**
- ☐ TPDES Permit(s)
- ☐ WWTP Discharge Data
- ☐ 24-hour Pump Test
- ☐ Groundwater Well Permit
- ☐ Signed Water Supply Contract
- ☐ **Worksheet 4.1**
- ☐ **Worksheet 5.0**
- ☐ Addendum to Worksheet 5.0
- ☐ **Worksheet 6.0**
- ☐ Water Conservation Plan(s)
- ☐ Drought Contingency Plan(s)
- ☐ Documentation of Adoption
- ☐ **Worksheet 7.0**
- ☐ Accounting Plan
- ☒ **Worksheet 8.0**
- ☒ Fees

For Commission Use Only:

Proposed/Current Water Right Number: _____

Basin: _____ Watermaster area Y/N: _____

ADMINISTRATIVE INFORMATION REPORT

The following information **is required** for **all** new applications and amendments.

***** Applicants are strongly encouraged to schedule a pre-application meeting with TCEQ Staff to discuss Applicant's needs prior to submitting an application. Call the Water Rights Permitting Team to schedule a meeting at (512) 239-4691.**

1. TYPE OF APPLICATION (Instructions, Page. 6)

Indicate, by marking X, next to the following authorizations you are seeking.

- ☐ New Appropriation of State Water
☒ Amendment to a Water Right *
☐ Bed and Banks

***If you are seeking an amendment to an existing water rights authorization, you must be the owner of record of the authorization. If the name of the Applicant in Section 2, does not match the name of the current owner(s) of record for the permit or certificate or if any of the co-owners is not included as an applicant in this amendment request, your application could be returned. If you or a co-applicant are a new owner, but ownership is not reflected in the records of the TCEQ, submit a change of ownership request (Form TCEQ-10204) prior to submitting the application for an amendment. See Instructions page. 6. Please note that an amendment application may be returned, and the Applicant may resubmit once the change of ownership is complete.**

Please summarize the authorizations or amendments you are seeking in the space below or attach a narrative description entitled "Summary of Request."

2. APPLICANT INFORMATION (Instructions, Page. 6)

a. Applicant

Indicate the number of Applicants/Co-Applicants 1
(Include a copy of this section for each Co-Applicant, if any)

What is the Full Legal Name of the individual or entity (applicant) applying for this permit?

Y. S. ± 1 » " 2 2

(If the Applicant is an entity, the legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal documents forming the entity.)

If the applicant is currently a customer with the TCEQ, what is the Customer Number (CN)?
You may search for your CN on the TCEQ website at

<http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN : êððí íëèíð (leave blank if you do not yet have a CN).

What is the name and title of the person or persons signing the application? Unless an application is signed by an individual applicant, the person or persons must submit written evidence that they meet the signatory requirements in 30 TAC § 295.14.

First/Last Name: Í . 0' » § Ö 2 - 7 » 0

Title: Y. S. Ó 2 2 1 » 0

Have you provided written evidence meeting the signatory requirements in 30 TAC § 295.14, as an attachment to this application? Ç

What is the applicant's mailing address as recognized by the US Postal Service (USPS)? You may verify the address on the USPS website at

<https://tools.usps.com/go/ZipLookupAction!input.action>.

Name: Y. S. ± 1 » " 2 2

Mailing Address: Đò Ñò P ± " î ððè

City: 1 » " 2 2

State: İ È

ZIP Code: éëèðï

Indicate an X next to the type of Applicant:

☐ Individual	☐ Sole Proprietorship-D.B.A.
☐ Partnership	☐ Corporation
☐ Trust	☐ Estate
☐ Federal Government	☐ State Government
☐ County Government	☒ City Government
☐ Other Government	☐ Other _____

For Corporations or Limited Partnerships, provide:

State Franchise Tax ID Number: _____ SOS Charter (filing) Number: _____

3. APPLICATION CONTACT INFORMATION (Instructions, Page. 9)

If the TCEQ needs additional information during the review of the application, who should be contacted? Applicant may submit their own contact information if Applicant wishes to be the point of contact.

First and Last Name: Ô! Ú!± Ø'»

Title: Û»½«¬.ª» Ü.®»½¬±®

Organization Name: Î.ª»®¾»²¼ É¿»® Î»-±«®½±

Mailing Address: îîè î»"¿- ßª»²«»ô Í«¬» ß

City: Ò»© Þ±-¬±²

State: ìÈ

ZIP Code: éëëéð

Phone No.: çðíóèíïóðçï

Extension:

Fax No.:

E-mail Address: '!'¿!± à ©®¾±®¹

4. WATER RIGHT CONSOLIDATED CONTACT INFORMATION (Instructions, Page. 9)

This section applies only if there are multiple Owners of the same authorization. Unless otherwise requested, Co-Owners will each receive future correspondence from the Commission regarding this water right (after a permit has been issued), such as notices and water use reports. Multiple copies will be sent to the same address if Co-Owners share the same address. Complete this section if there will be multiple owners and **all** owners agree to let one owner receive correspondence from the Commission. Leave this section blank if you would like all future notices to be sent to the address of each of the applicants listed in section 2 above.

I/We authorize all future notices be received on my/our behalf at the following:

First and Last Name:

Title:

Organization Name:

Mailing Address:

City:

State:

ZIP Code:

Phone No.:

Extension:

Fax No.:

E-mail Address:

5. MISCELLANEOUS INFORMATION (Instructions, Page. 9)

- a. The application will not be processed unless all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol by all applicants/co-applicants. If you need assistance determining whether you owe delinquent penalties or fees, please call the Water Rights Permitting Team at (512) 239-4691, prior to submitting your application.

1. Does Applicant or Co-Applicant owe any fees to the TCEQ? **Yes / No** ☐ ☐

If **yes**, provide the following information:

Account number:

Amount past due:

2. Does Applicant or Co-Applicant owe any penalties to the TCEQ? **Yes / No** ☐ ☐

If **yes**, please provide the following information:

Enforcement order number:

Amount past due:

- b. If the Applicant is a taxable entity (corporation or limited partnership), the Applicant must be in good standing with the Comptroller or the right of the entity to transact business in the State may be forfeited. See Texas Tax Code, Subchapter F. Applicant's may check their status with the Comptroller at <https://mycpa.cpa.state.tx.us/coa/>

Is the Applicant or Co-Applicant in good standing with the Comptroller? **Yes / No**

- c. The commission will not grant an application for a water right unless the applicant has submitted all Texas Water Development Board (TWDB) surveys of groundwater and surface water use – if required. See TWC §16.012(m) and 30 TAC § 297.41(a)(5).

Applicant has submitted all required TWDB surveys of groundwater and surface water? **Yes / No**

6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

I, _____
 (Typed or printed name) (Title)

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under Title 30 Texas Administrative Code §295.14 to sign and submit this document and I have submitted written evidence of my signature authority.

Signature: _____ Date: _____
 (Use blue ink)

Subscribed and Sworn to before me by the said

on this _____ day of _____, 20____.

My commission expires on the _____ day of _____, 20____.

Notary Public

[SEAL]

County, Texas

If the Application includes Co-Applicants, each Applicant and Co-Applicant must submit an original, separate signature page

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: