



CITY OF TEXARKANA
CITY COUNCIL
MINUTES • JANUARY 26, 2015

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	
Brad Casteel	Ward 1	Present	
Willie Ray	Ward 2	Present	
Tina Veal-Gooch	Ward 3	Present	
Brian Matthews	Ward 4	Present	
Christy P. Paddock	Ward 5	Present	8:05 PM
Josh Davis	Ward 6	Present	

Staff Present: City Manager John Whitson, Jennifer Evans, Shirley Jaster, Charlie Bassett, Kyle Dooley, David Orr, Jim Powell, Sherry Jackson Hawkins, Eric Schlotter, Lisa Thompson, Karey Parker, and Jerry Sparks.

Legal Counsel: None

II. INVOCATION AND PLEDGE BY COUNCILMEMBER JOSH DAVIS

The Pledge of Allegiance was led by Tyler Unger of Cub Scout Pack 22.

III. MAYOR'S OPENING REMARKS

Upcoming City Council Meetings:

Monday, February 9, 2015 at 6:00 p.m.

Wednesday, February 11, 2015 - Special Council Meeting with Texarkana, Arkansas Board of Directors - Leadership Texarkana at Texarkana College, Truman Arnold Center - 11 a.m.

Monday, February 23, 2015 at 6:00 p.m.

Monday, March 9, 2015 at 6:00 p.m.

Monday, March 23, 2015 at 6:00 p.m.

Parks & Recreation Events:

For a complete list of Parks & Recreation activities and information call 903-798-3978.

Other City Events:

Thursday, January 29th - Public Safety Communications Community Update at the Texarkana Convention Center at 3:00 p.m.

Mayor Bruggeman announced to the audience that the Open Forum session would be moved up before the Council goes into closed session. This would allow citizens who would like to address the Council the opportunity to do so before the lengthy recess into closed session.

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".

Betty Williams addressed council concerning a few issues: abandoned apartments at 1902 Wood Street in disrepair, litter at the corner of Pine & 20th streets, traffic sign pole street lights out at Olive and 14th streets, and feral cats in the downtown area.

Appointments to Boards & Commissions

There were no appointments made by council.

IV. CLOSED SESSION

Six residents submitted letters of interest to be considered for appointment to fill the unexpired term of the Ward 5 council position.

Mayor Bruggeman announced that Council Member Veal-Gooch and Council Member Matthews would draw the names for the order of the interviews for the six residents. The names were drawn in the following order:

1. Christy Paddock
2. Michael Unger
3. John Tidwell
4. William Smith
5. Douglas Cogdill
6. Fred Meisenheimer

The City Council convened in closed session pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment of a public officer to fill a vacancy in council membership (Ward 5 Councilmember with an unexpired term ending May 2015) and interviewing persons for that appointment.

(6:13 p.m.)

V. RECONVENE INTO OPEN SESSION

SPECIAL ACTION ITEM

If the Council is ready to take any final action, decision, or vote to fill the vacancy in council membership, the Council will reconvene in open session for this special action item:

If the Council acts on this Resolution and appoints a Council Member then administration of the Oath of Office will immediately follow.

Council reconvened and each member made a choice for round 1 recommendation. City Manager Whitson collected each recommendation form and tallied the votes. City Manager Whitson displayed the Recommendation Tally Round 1 sheet with the following information:

Ward 5 Vacancy**Recommendation Tally Round 1**

	Total	Bruggeman	Veal-Gooch	Casteel	Ray	Matthews	Davis
Cogdill							
Meisenheimer							
Paddock	4	X	X		X	X	
Smith	1						X
Tidwell							
Unger	1			X			
Leave Vacant							

1. Resolution No. 2015-013 filling the vacancy in council membership for the position of Ward 5 Councilmember with an unexpired term ending May 2015.

Public Hearing:

Second Briefing:

Council Vote: January 26, 2015

Christy P. Paddock was sworn in by Judge Sherry Jackson Hawkins as Council Member for Ward 5.

(8:03 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Brian Matthews, Ward 4
AYES:	Bruggeman, Casteel, Ray, Veal-Gooch, Matthews, Davis
EXCUSED:	Paddock

VI. ITEMS FOR CONSIDERATION***Consent Items***

(8:08 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Josh Davis, Ward 6
SECONDER:	Brian Matthews, Ward 4
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Davis, Paddock
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on January 12, 2015 at 6:00 PM.

Document Received - Ward 5 Council Member Miller's Resignation Letter

Document Received - Pastor Donald Ryan's Beverly Community Center's Insurance Adjustment Request (011215).

Action Items

2. Resolution No. 2015-014 calling a Special Meeting of the City Council to meet jointly with the Texarkana, Arkansas Board of Directors in cooperation with Leadership Texarkana.

Public Hearing:

Second Briefing:

Council Vote: January 26, 2015

(8:08 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Willie Ray, Ward 2
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Davis, Paddock
EXCUSED:	Bruggeman

VII. FIRST BRIEFINGS

1. Ordinance No. 2015-010 granting a Specific Use Permit to allow the one additional use of a hair salon on Tracts 26B and 27A, MEP & P HRS, A-421, located at 3901 Texas Boulevard. Real Jo Kent, applicant.

Public Hearing: February 9, 2015

Second Briefing: February 23, 2015

Council Vote: March 9, 2015

David Orr briefed this item.

RESULT:	MOVED FORWARD	Next: 2/9/2015 6:00 PM
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2. Ordinance No. 2015-011 amending PD-03-8(O) for site plan approval to allow a parking area and signage on Tracts 26B and 27A, MEP & P HRS, A-421, located at 3901 Texas Boulevard. Real Jo Kent, applicant.

Public Hearing: February 9, 2015
Second Briefing: February 23, 2015
Council Vote: March 9, 2015

David Orr briefed this item.

RESULT:	MOVED FORWARD	Next: 2/9/2015 6:00 PM
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3. Ordinance No. 2015-012 rezoning Lot 3, Rose Acres Annex Addition, located at 602 South Bishop Street. Industrial-1 to Single Family-2. Verna Cellers, applicant. Alice Bursey Johnson, agent.

Public Hearing: February 9, 2015
Second Briefing: February 23, 2015
Council Vote: March 9, 2015

David Orr briefed this item.

RESULT:	MOVED FORWARD	Next: 2/9/2015 6:00 PM
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VIII. PUBLIC HEARINGS

Motion to move Ordinance No. 2015-001 up for vote.

(8:22 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Brian Matthews, Ward 4
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Davis, Paddock
EXCUSED:	Bruggeman

1. Ordinance No. 2015-001 amending Chapter 7, Section 7-3 of the Code of Ordinances to establish city polling places.

Public Hearing: January 26, 2015
Second Briefing: February 9, 2015
Council Vote: February 23, 2015

(8:23 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Brian Matthews, Ward 4
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Davis, Paddock
EXCUSED:	Bruggeman

Motion to move Ordinance No. 2015-002 up for vote.

(8:21 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brian Matthews, Ward 4
SECONDER:	Willie Ray, Ward 2
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Davis, Paddock
EXCUSED:	Bruggeman

2. Ordinance No. 2015-002 calling for a General City Election to be held on the second Saturday in May, 2015 for the purpose of electing a Council Member for Ward Two, a Council Member for Ward Three, and a Council Member for Ward Five.

Public Hearing:	January 26, 2015
Second Briefing:	February 9, 2015
Council Vote:	February 23, 2015

(8:22 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brian Matthews, Ward 4
SECONDER:	Willie Ray, Ward 2
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Davis, Paddock
EXCUSED:	Bruggeman

Motion to move Ordinance No. 2015-003 up for vote.

(8:18 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Willie Ray, Ward 2
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Davis, Paddock
EXCUSED:	Bruggeman

3. Ordinance No. 2015-003 regulating the speed of motor vehicles upon a certain section of US 67 within the corporate limits of the City of Texarkana, Texas; registering the set speed limits in the City's Traffic Register; authorizing the Texas Department of Transportation to erect signs.

Public Hearing: January 20, 2015
Second Briefing: February 9, 2015
Council Vote: February 23, 2015

(8:19 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Josh Davis, Ward 6
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Davis, Paddock
EXCUSED:	Bruggeman

4. Resolution No. 2015-004 adoption of recommended revisions to Human Resources Handbook.

Public Hearing: January 26, 2015
Second Briefing: February 9, 2015
Council Vote: February 23, 2015

RESULT:	MOVED FORWARD	Next: 2/9/2015 6:00 PM
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Motion to move Ordinance No. 2015-0106 up for vote.

Mayor Bruggeman asked the City Secretary for a roll call vote.

(8:43 p.m.)

RESULT:	ADOPTED [5 TO 1]
MOVER:	Brian Matthews, Ward 4
SECONDER:	Josh Davis, Ward 6
AYES:	Ray, Veal-Gooch, Matthews, Davis, Paddock
NAYS:	Casteel
EXCUSED:	Bruggeman

5. Ordinance No. 2015-006 amending PD-97-4(GR) for site plan approval to allow the location of a new and used boat sales business (Gregg Orr Marine) on Lot 2, Block 1, Richmond West Pavilion Addition, located at 3911 Mall Drive. Gregg Orr, applicant. Kayla Wood, MTG Engineering, agent. (Due to a petition in opposition, a 3/4 vote will be required to approve this request)

Public Hearing: January 26, 2015
Second Briefing: February 9, 2015
Council Vote: February 23, 2015

Mayor Bruggeman asked the City Secretary for a roll call vote.

(8:44 p.m.)

RESULT:	ADOPTED [5 TO 1]
MOVER:	Brian Matthews, Ward 4
SECONDER:	Josh Davis, Ward 6
AYES:	Ray, Veal-Gooch, Matthews, Davis, Paddock
NAYS:	Casteel
EXCUSED:	Bruggeman

Motion to move Ordinance No. 2015-007 up for vote.

Mayor Bruggeman asked the City Secretary for a roll call vote.
(8:48 p.m.)

RESULT:	ADOPTED [5 TO 1]
MOVER:	Josh Davis, Ward 6
SECONDER:	Tina Veal-Gooch, Ward 3
AYES:	Casteel, Ray, Veal-Gooch, Davis, Paddock
NAYS:	Matthews
EXCUSED:	Bruggeman

6. Ordinance No. 2015-007 amending PD-14-1(GR) for site plan revision on Lot 1, Block 1, Walsh Carter Master Tract Second Addition, located at 5002 North Cowhorn Creek Loop Road (proposed Steak 'n Shake Restaurant). John Ryden, applicant. Jeff Whitten, Whitten Engineering, agent.

Public Hearing: January 26, 2015
Second Briefing: February 9, 2015
Council Vote: February 23, 2015

(8:49 p.m.)

Mayor Bruggeman asked the City Secretary for a roll call vote.

RESULT:	ADOPTED [5 TO 1]
MOVER:	Josh Davis, Ward 6
SECONDER:	Tina Veal-Gooch, Ward 3
AYES:	Casteel, Ray, Veal-Gooch, Davis, Paddock
NAYS:	Matthews
EXCUSED:	Bruggeman

Motion to move Ordinance No. 2015-008 up for vote.

(8:50 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Brian Matthews, Ward 4
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Davis, Paddock
EXCUSED:	Bruggeman

7. Ordinance No. 2015-008 rezoning a 3.75 acre tract of land (Tract 51) in the J.A. Talbot HRS, A-564, located at 5808 Richmond Road. Single Family-1 to Planned Development-Office. Dr. Randy Johns, applicant. David Williams, MTG Engineering, agent.

Public Hearing: January 26, 2015
Second Briefing: February 9, 2015
Council Vote: February 23, 2015

(8:51 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Brian Matthews, Ward 4
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Davis, Paddock
EXCUSED:	Bruggeman

Motion to move Ordinance No. 2015-009 up for vote.

(8:53 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Willie Ray, Ward 2
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Davis, Paddock
EXCUSED:	Bruggeman

8. Ordinance No. 2015-009 granting a Specific Use Permit to allow the one additional use of an outdoor auto sales lot on Lots 17-19, Block 3, Feinberg Heights Addition, located at 1502 Summerhill Road. James Wilmoth, applicant.

Public Hearing: January 26, 2015
Second Briefing: February 9, 2015
Council Vote: February 23, 2015

(8:54 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Josh Davis, Ward 6
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Davis, Paddock
EXCUSED:	Bruggeman

IX. SECOND BRIEFING WITH UPDATES

None.

X. SECOND BRIEFING WITHOUT UPDATES

None.

XI. ITEMS FOR DISCUSSION

Staff Updates - None.

XII. ADMINISTRATIVE COMMENTS

Council Members

CM Veal-Gooch asked for the status of clean-up from the property owner of the Masonic Lodge rubble. City Manager Whitson responded that he would contact the owner this week and report his findings back to the Council.

CM Casteel asked for an update on properties scheduled for demolition. Kyle Dooley responded that demolition is still on schedule, since the process began in August 2014, and by the end of this month, 11 scheduled properties should be demolished. CM Casteel asked for a list of the properties already demolished. Kyle Dooley said that he would furnish council with an updated list. City Manager Whitson stated after review and approval, the master list of properties demolished and scheduled to be demolished will soon be on the city's website. Also, Waste Management has been working exceptionally well with the city in this process by providing needed containers and hauling off debris from each property.

CM Matthews asked how voters will be notified of the change to one polling place per ward, adopted by Ordinance No. 2015-001, for future elections. City Manager Whitson responded that the city has one more step to complete with Bowie County Elections Administrator George Stegall. Staff is not sure if that step is going to require the re-issuance of voter registration cards, but will have the discussion with Mr. Stegall and report back to Council.

Mayor Bruggeman, again, welcomed new CM Christy P. Paddock and asked if she would like to address the audience. CM Paddock said it was honor to serve the residents of Ward 5 and the City of Texarkana, Texas. She also said she appreciated the confidence of the Council in appointing her to the position and she looks forward to serving alongside each council member.

City Staff - None.

XIII. ADJOURNMENT

Motion to Adjourn

A motion was made to adjourn the meeting.
(9:01 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Willie Ray, Ward 2
SECONDER:	Brad Casteel, Ward 1
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Davis, Paddock
EXCUSED:	Bruggeman

Minutes Finalized - City Secretary & Mayor



Jennifer Evans
City Secretary



Bob Bruggeman
Mayor

City of Texarkana, Texas

Version: A

Update Date: 1/20/2015 10:49 AM

Briefing Sheet

Lead Department: City Manager **Action Officer:** Pam Burns, Municipal Clerk
Subject: Resolution No. 2015-013 filling the vacancy in council membership for the position of Ward 5 Councilmember with an unexpired term ending May 2015.
Briefing: 1/26/2015 **Public Hearing:** **Second Briefing:** **Council Vote:** 1/26/2015

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Ward 5 Councilmember Bill Miller submitted his resignation and it was accepted by Council January 12, 2015 by Resolution No. 2015-005. Councilmember Bill Miller has been appointed by Governor Perry to serve as the Texas 5th District Judge.

The Council called for letters of interest from qualified, voting citizens in Ward 5 to fill the unexpired term ending May 2015. This Resolution is the appointment of an applicant chosen by the Council after interviews have been conducted.

Potential Options:

- None
-

Fiscal Implications:

NONE

Staff Recommendation:

Staff recommends this action be taken by Council.

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. Goals & Perspectives (DOCX)
- b. ORD 2015-013 Appoint Ward 5 (jcl rev) (DOCX)
- c. Ward 5 Letter of Interest - William T Smith (PDF)
- d. Ward 5 Letter of Interest - Michael R Unger (PDF)
- e. Ward 5 Letter of Interest - John Tidwell (PDF)
- f. Ward 5 Letter of Interest - Fred Meisenheimer (PDF)
- g. Ward 5 Letter of Interest - Douglas Cogdill (PDF)
- h. Ward 5 Letter of Interest - Christy P Paddock (PDF)
- i. Reso. 2015-013 signed (PDF)

Staff Coordination

City Manager	John Whitson	Department Head Review	Completed	
	01/16/2015 3:29 PM			
Public Information Officer		Lisa Thompson	PIO Review	Completed
	01/16/2015 4:01 PM			
City Manager	John Whitson	City Manager Review	Completed	01/16/2015
4:02 PM				
City Council	Jennifer Evans	Meeting	Completed	01/26/2015
6:00 PM				

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

Providing a complete Council to fully represent the citizens until May 2015

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:

RESOLUTION NO. 2015 - 013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, FILLING THE VACANCY IN COUNCIL MEMBERSHIP FOR THE POSITION OF WARD 5 COUNCILMEMBER WITH AN UNEXPIRED TERM ENDING MAY 2015; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Charter, Article II, Sections 6(a) and 6(c), provide that the City Council may, by majority vote of the remaining councilmembers (including the Mayor as a temporary, full-voting member), fill a vacancy in council membership, including the office of Mayor, or may defer filling a vacancy in council membership until the next regular City election; and

WHEREAS, on January 12, 2015, Resolution No. 2015-005, the City Council accepted the resignation of Ward 5 Councilmember Bill Miller and called for applications and letters of interest from qualified Ward 5 residents; and

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

SECTION 1: That the City Council appoints _____ as Ward 5 Councilmember for the remaining unexpired term ending May 2015.

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **26th day of January, 2015.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: ORD 2015-013 Appoint Ward 5 (jcl rev) [Revision 1] (1247 : RES No. 2015-013 Appoint Ward 5 Councilmember)

CITY SECRETARY JENNIFER EVANS
NOTICE TO SEEK APPOINTMENT FOR WARD 5 CITY COUNCIL SEAT
WILLIAM T. SMITH III

William T. Smith, III
6408 Springwood Cir
Texarkana, TX 75503
903.278.0336

220 Texas Blvd
Texarkana, TX 75501
Mayor Bob Bruggeman and City Council Members

1/20/2015

Dear Mayor Bruggeman and Texarkana, Texas City Council Members:

My name is William T Smith, III, but to those I know and love, they call me Trace. I am writing this letter to give notice of my application for Texarkana, Texas City Council Member for Ward 5. When I was approached about whether or not I would be interested in joining the City Council for Ward 5, I took the time to talk the opportunity over with my family and some close friends. After much debate, and a lot of prayer I am happy to say that my decision to apply for this vacancy wasn't made lightly. I truly believe that I can bring new insight and a fresh perspective to the council. I would like to give something back to the community that has been so generous to me and my family. As you will see on my attached resume, I am currently serving on multiple boards for organizations that help write rules, regulations and bills on the state level. I am also familiar with administrative processes and agenda procedures as well as balancing budgets for a wide variety of organizations. I have been a resident of Texarkana, Texas for almost 24 years and am blessed to have 5 children that all attend, or have attended, Pleasant Grove Independent School District.

If appointed to the City Council, I hope to achieve a better community, and city, through listening, researching, communication and a fair and balanced decision making process. Because of the flexibility of my work, I would be able to serve the constituents of Ward 5, and the entire city expeditiously. My schedule allows me to have the time to devote the time necessary to help our community and city grow and prosper. My involvement with various local charities has given me the ability to become very visible in the community, making myself easily accessible to the constituents. As in my own business, following up with customers or constituents, breeds contentment and loyalty. These are two qualities that I feel help build and strengthen our community.

In closing, I would like to thank you all for your time and consideration. It is both flattering and an honor to even be considered to serve amongst you all in our great city!

Sincerely,



William T. Smith, III "Trace"

Attachment: Ward 5 Letter of Interest - William T Smith (1247 : RES No. 2015-013 Appoint Ward 5 Councilmember)

WILLIAM T. SMITH, III

903.278.0336 sfourwheelracer@aol.com

EXPERIENCE

Super Bingo & Super Bingo Too-Texarkana, TX

1988-Present

- Strategic-relationship/partnership building skills – listen attentively, solve problems creatively, and use tact and diplomacy to find common-ground and achieve win-win outcomes.
- Ability to build productive, long-lasting business relationships, resolve complex issues and win customer loyalty.
- 26 + years of experience providing customer support in fast paced environment.
- Licensed Bingo Operator for the multiple charities that conduct at Super Bingo & Super Bingo II.
- Manage a high-volume workload within a deadline-driven environment.
- Manage inventory by evaluating all existing inventory control procedures, arranging and organizing inventory, providing training for new staff on current inventory procedures, and executing supervision methods and demonstrating improved efficacy through their implementation.
- Prize board management; handicapping games accordingly to ensure charitable profit.
- Regular attendance at the Texas Lottery Commission meetings to assist in developing policy and administrative rules through public comment periods and workshops with staff at the Texas Lottery Commission.
- Continually supervise managers and employees to minimize slippage and assist in recovery of slippage.
- Work within the Bingo industry, Texas Legislature, and the Texas Lottery Commission to increase revenue and attendance across the state of Texas by developing new and exciting games and prizes.
- Typing 35 WPM and basic 10-key skills.
- Proficient marketing and networking
- Strong and persuasive communication and intrapersonal skills
- Up selling/consultative selling

Bingo Interest Group

1993-Present

- A group who actively employs a team of lobbyists to draft Legislation and help write rules through workshops with Legislators and the Texas Lottery Commission.
- The Bingo Interest Group has effectively worked to pass multiple bills in the Texas Legislature as well as many rules with the various state agencies that have governed Charitable Bingo in the state of Texas.

Improved Order of Red Men

1997-Present

- America's oldest fraternal organization chartered by Congress. It is a non-profit organization devoted to inspiring a greater love for the United States of America and the principles of American Liberty.
- Currently serving as President of State for 2014-2015.
- President of State 2002-2004
- Member of the Finance Committee 2002-Present
- Elected National Representative for Improved Order of Red Men Great Council of Texas in 2008, 2010, 2012.
- Appointed National Charity Representative 2010 & 2012.
- Roughly 1,000 members within the State of Texas.
- www.redmen.org

Texas Red Men Foundation

2006-Present

- Board member for the Foundation since 2006
- Manage the Red Men Museum & Library in Waco, Texas by working closely with our Museum Curator.
- Work closely with other board members to plan daily, monthly, and yearly budgets to provide the sustainability and acquisitions for the museum and library.

Texas Charity Advocates

2011-Present

- A state-wide organization dedicated to the betterment of Texas Charitable Bingo which believes that through the education of members of the Texas Legislature and the people of Texas, we can have a positive impact on charities. We educate legislators on the importance of charitable bingo and its relief it provides to the communities of Texas that the state would otherwise have to provide. We do this by having an active presence at both the Texas Lottery Commission and the Texas State Capital.
- Elected as Vice Chairman in 2014.
- Currently have over 200 Charity members across the state of Texas.
- Served on the Legislative, Administrative Rules, and Executive Committees.
- www.texascharityadvocates.org

COMMUNITY INVOLVEMENT

- Fund the William T. and Sue Smith Endowed Scholarship at Texarkana College for single mothers who are returning to higher education to pursue their degree.
- Member of First Baptist Church, Moores Ln since 1988.
- Member of the Pleasant Grove Athletic Booster Club. Currently serving as President for the 2014-2015 school year.
- Coaching youth grades K-6 with the Pleasant Grove Youth Association since 1998 in basketball, football, baseball, and soccer.
- Attended Blue Ribbon Committee
- Actively involved with the Texarkana Chamber of Commerce
- Support a myriad of local charitable events such as the Heart Ball, Men of Courage, Songwriters on the Edge of Texas, Pleasant Grove Education Foundation, and many others.
- Served on the D.A.R.E./Explorer program with the Texarkana Texas Police Department for 2 years.

EDUCATION

Pleasant Grove High School-1990

Texarkana College-1990-1991

Ouachita Baptist Universtiy-1991

Unger Law Firm

Michael R. Unger, Attorney & Counselor at Law
 3930 Galleria Oaks, Ste. 126 * Texarkana, Texas * 75503
 T: 903-280-7831 Fax: 888-390-4299 email: mike@mikeungerlaw.com

January 21, 2015

Ms. Jennifer Evans
 City Secretary
 City of Texarkana, Texas
 220 Texas Blvd.
 Texarkana, TX 75501

RE: Letter of Interest: Ward 5 Vacancy

Dear Ms. Evans:

Please accept this as my letter of interest in the vacant Ward 5 seat on the City Council.

I believe I bring a unique skill set to this vacancy. My education has taught me to analyze information, see different sides of an issue, understand the effect laws have on people, and treat others with respect and professionalism. As a business owner, I have a strong work ethic and time management skills.

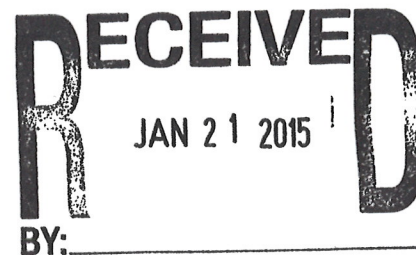
Since moving from Dallas over ten years ago, I have invested myself in Texarkana through community service. I serve on the board of Texarkana Resources for the Disabled, as the Cub Master for Pack 22, and as a volunteer coach for the soccer league. I am also a member of the Texarkana Chamber of Commerce and the Kiwanis Club of Texarkana. In all instances, I believe it is my obligation to return more than has been received.

I believe that by serving on the City Council I can continue investing in Texarkana. This city, these twin cities, and this region have a lot of potential. To help Texarkana grow and flourish by representing Ward 5 would be a tremendous honor and responsibility.

I look forward to discussing this further with the City Council on January 26, 2015. Please do not hesitate to contact me with any questions or concerns you may have.

Very truly yours,

Michael R. Unger



Attachment: Ward 5 Letter of Interest - Michael R Unger (1247 : RES No. 2015-013 Appoint Ward 5 Councilmember)

Attorneys at Law

Licensed in Texas and Arkansas

John R. Mercy

Board Certified - Civil Trial Law, Civil Appellate
Law and Personal Injury Trial Law*

W. David Carter

Board Certified - Civil Trial Law, Consumer and
Commercial Law, and Personal Injury Trial Law*

John L. Tidwell

1724 Galleria Oaks Drive
Texarkana, Texas 75503

(903) 794-9419

(903) 794-1268 - Facsimile

www.texarkanalawyers.com
jtidwell@texarkanalawyers.com

*Texas Board of Legal Specialization

January 19, 2015

Texarkana, Texas City Council
220 Texas Blvd.
Texarkana, Texas 75501

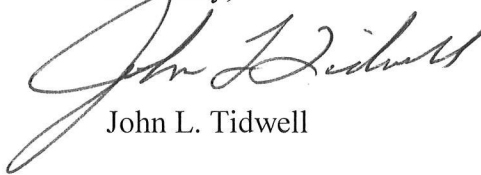
Re: Letter of Interest for vacant Ward 5 position

Dear Mayor Bruggeman and Council:

This letter will serve as a reflection of my desire and intention to seek the Ward 5 Council position. I have lived in Ward 5 since 1989 and have previously represented a large section of Ward 5 during my two terms as a member of the Pleasant Grove ISD Board of Trustees. As a Trustee, I had the opportunity to publically and privately address concerns of the students, parents and taxpayers of the District. Sometimes it simply required putting them in contact with the right person and sometimes it required action of the entire Board to address an issue after the chain of command had been exhausted. While I may not always agree with someone's position, I believe it is important that they have an opportunity to express it.

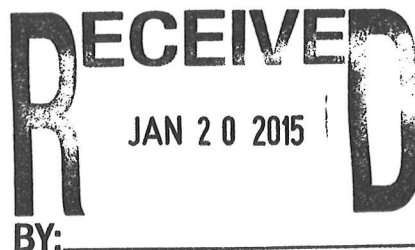
I enjoy helping people work through issues and accomplish their goals. If selected, I will devote the time necessary to not only address matters presented to the Council as a body but also address the individual issues or concerns raised by my constituents. .

Sincerely,



John L. Tidwell

JLT:



Attachment: Ward 5 Letter of Interest - John Tidwell (1247 : RES No. 2015-013 Appoint Ward 5 Councilmember)

January 21, 2015

Mr. John Whitson
City of Texarkana

Texarkana, TX 75503

Dear Mr. Whitson:

I am writing this letter to express my interest in being appointed to the vacancy for Ward 5 on City Council. I have been an active member of this community for the past 10 years, and I feel my experience will be an asset to our Council.

I have always taken an active role in the community I am a part of. I am currently a member of the Planning & Zoning Commission, and the Housing Finance Committee. In addition to these, I have been a part of the Texarkana Blue Ribbon Committee as well as the most recent City Manager Search Committee. Finally, I have held numerous leadership positions and been a part of many non-profit boards and organizations throughout our community. I have included my resume with this letter for your review.

I plan on attending the next City Council meeting on January 26, 2015. I look forward to visiting with you and the City Council at this time. Should you need any further information prior to this meeting, please feel free to contact me at (903) 748-8371.

Sincerely,



Fred Meisenheimer

Fred Meisenheimer

13 Timberwilde St
Texarkana, TX 75503
(903) 748-8371

fmeisenheimer@lonestartruckgroup.com

Experience:

September 2010 – Present

Lonestar Truck Group

Sales Coordinator – Texarkana, Tyler, & Shreveport Truck Centers

- Review, order, and track all Custom Ordered trucks.
- Assist salesmen with truck specifications and updates.
- Responsible for building and tracking all New & Used truck inventory.
- Assist with Accounts Receivables as needed.
- Assist with F&I as needed.

July 2007 – September 2010

Red River Credit Union

Business Loan Officer

- Further developed complete Business Services Department.
- Increased total Business Loan portfolio from \$2MM to over \$20MM.
- Expanded Business Services Department to include a full array of Business Loans as well as Deposit Services.

August 2002 – July 2007

Guaranty Bond Bank

Commercial Loan Officer

- Supported other Loan Officers with Credit Risk Analysis.
- Made both Commercial and Consumer loans.
- Assisted with Customer Service as needed.
- Performed Construction and Inventory inspections.

Education:

Texas A&M University – Texarkana

- Masters of Business Administration

Baylor University

- Bachelors of Business Administration
- Major in Management

Community Involvement:

City of Texarkana, Texas

- Planning & Zoning Commission
- Housing Finance Corporation
- City Manager Search Committee
- Blue Ribbon Committee

Pleasant Grove ISD – Current Board Member

Wadley Foundation – Current Board Member

William's Memorial UMC – Current Board of Trustee

Junior Achievement – Past President

Leadership Texarkana – Past Board Member

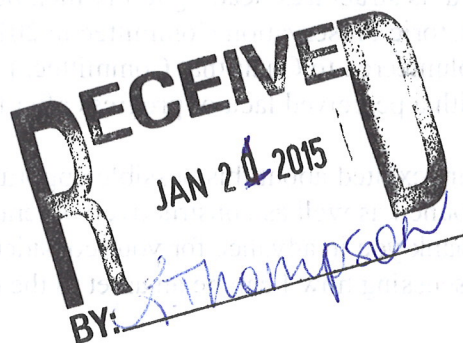
Literacy Council of Miller & Bowie Counties – Past Board Member

Texarkana ISD – Past AVID Mentor

20 January 2015

Texarkana City Council:

- Bob Bruggeman (Mayor)
- Brad Casteel (Ward 1)
- Willie J. Ray (Ward 2)
- Tina Veal-Gooch (Ward 3)
- Dr. Brian Matthews (Ward 4)
- Josh Davis (Ward 6)



City of Texarkana
220 Texas Blvd
Texarkana, TX 755501

Subject: Letter of Interest in vacant City Council seat appointment

This letter is intended to express my interest in appointment to fill the current vacancy on the City of Texarkana City Council (Ward 5).

I, my wife, and our two teenaged children have been residents of Texarkana's Ward 5 since moving to this area in 2008. My children have attended school at every campus of the Pleasant Grove School District since that time, and my wife is currently employed in Ward 5 as well.

I am a pediatrician at Collom & Carney Clinic, having practiced there since moving from Tyler, Texas. My education includes a Bachelor of Arts degree from Hardin-Simmons University (in Abilene, Texas) and a Doctorate of Medicine from University of Texas Health Science Center San Antonio. I received my MD there in 1995, and completed three years of Pediatric Internship/Residency training at Saint Joseph's Hospital and Medical Center (in Phoenix, Arizona) in 1998.

In the six years since opening my practice in Pediatrics here in Texarkana, between the two local hospitals I have had the opportunity to serve on medical Quality Improvement Council, as well as Medical Ethics, Graduate Medical Education, Medical Records, Infection Control, and Credentials committees. I have also served a year as Chief of Staff as well as acting Chairman of the Medical Executive Committee. While each of these opportunities involved overtly medical issues and circumstances, I have learned much regarding the interaction of various personalities and how to motivate change in the pursuit of improvement. Furthermore, the training process for serving as Chief of Staff involved multiple national seminars dealing with management and liability issues. The year of serving in that position also involved dealing with disciplinary and interpersonal issues amongst the medical staff.

My family relocated to Texarkana in 2008 mainly due to the success of local businesses, the growth rates in this area, and the friendliness of the people in and around this unique city. Since my arrival here, I have developed an avid interest in the history of our city

and its structures, leading to my membership in the Texarkana (Texas) Downtown Historic Preservation Committee in 2012. When the acting Chairman resigned in 2013, I volunteered to Chair that Committee, leaving the position in 2014 due to my frustration with a perceived lack of progress after two years of involvement.

I am excited about this possible opportunity to collaborate with the members of the Council as well as constructively interact with the constituents of the Ward I reside in. Thank you in advance for your consideration. I look forward to meeting with you and discussing how I can be an asset to the city of Texarkana.

Respectfully,



Douglas Cogdill, MD
6404 Springwood Circle
Texarkana, TX 75503
(903) 733-0632

January 21, 2015

Mr. John Whitson
City Manager, City of Texarkana, Texas
220 Texas Blvd.
Texarkana, Texas 75501

**Re: Letter of Interest in the Appointment to Position of Ward 5
Council Member**

Dear Mr. Whitson:

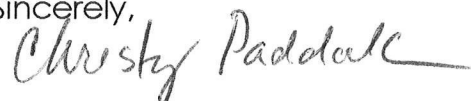
I am writing to express my interest in the recent vacancy of the Ward 5 Position on the Texarkana, Texas City Council. I am a registered voter in Bowie County and otherwise qualified for the position. I would be honored to serve the remaining term of former Ward 5 Member, Bill Miller.

I am a life-long resident of Texarkana, Texas. My family has lived in this area for several generations, and I have resided in what is now Ward 5 for most of my life. I graduated from Pleasant Grove High School in 1987 and went on to attend the University of Texas where I received a degree in finance. I then attended law school at the University of Arkansas at Little Rock. Upon graduation, I returned to Texarkana and practiced law from 1993 until 1999, when I had my first child.

Although I intended to return to the practice of law, I ultimately decided to stay home and be a mom. By November of 2000, I had two girls, Mary Claire and Sarah Jane. Although I have not practiced law during this time, I have been afforded many opportunities to serve as a volunteer in community and school related organizations. The experience gained, people met, and goals achieved during these years of service, has increased my desire to give back to a community that has given me so much.

I am not coming into this position with any personal or political motivations. I am putting my name in the hat due to a pure desire to serve this community. I can promise you that no one will put more time and effort into this position. I will work hard for the residents of Ward 5 and would be proud to be part of the Texarkana, Texas City Council.

Sincerely,



Christy P. Paddock

Attachment: Ward 5 Letter of Interest - Christy P Paddock (1247 : RES No. 2015-013 Appoint Ward 5 Councilmember)

Christy P. Paddock

7108 Gunstock Road, Texarkana, Texas 75503

Phone: 903.278.7266 • E-Mail: paddock@cableone.net

WARD 5 ✓

Objective

I am expressing my interest in being appointed to fill the current vacancy in the Ward 5 position on the City Council for the City of Texarkana, Texas

Education

University of Arkansas School of Law at Little Rock

Juris Doctor – 1993 (licensed to practice law in the states of Arkansas and Texas)

University of Texas, Austin

Bachelors of Business Administration – 1990 (3 year graduate)

Legal Experience (1993 – 1999)

Patton, Tidwell & Paddock, LLP

Texarkana, Texas

Young & Pickett, LLP

Texarkana, Texas

Atchley, Russell, Waldrep & Hlavinka, LLP

Texarkana, Texas

Community Involvement (1993 – Present)

Watersprings Ranch

Current Advisory Board Member

"Change for Children" Campaign Chairperson – 2014 & 2012

Bible Study Fellowship

Class Administrator – 2013 - present

Member since 2003

Heritage Church

Small Group Leader

Texarkana Public Schools Foundation

Current Board Member

Texas High School, Volunteers in Public Schools

Board Member – 2013 – present

Originator & Chairman of 2014 “Dash for Cash” Scholarship Fundraiser

Texas Middle School, Volunteers in Public Schools

Current Vice-President

Josh & Martha Morriss Elementary, Volunteers in Public Schools

Past President & Board Member

Originator & Chairman of “Tiger Tracks” Fundraiser

St. James Day School, Parents’ Club

Past President & Board Member

Junior League of Texarkana

Past Executive Board Member & Current Sustaining Member

Christus St. Michael, Friends of the Foundation

Past Board Member

Theron Jones Early Literacy Center

Tutor/Volunteer - 2011- 2013

Family Legacy, Inc.

“Camp Life” Volunteer in Zambia, Africa - Summers 2013 & 2014

RESOLUTION NO. 2015 - 013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, FILLING THE VACANCY IN COUNCIL MEMBERSHIP FOR THE POSITION OF WARD 5 COUNCILMEMBER WITH AN UNEXPIRED TERM ENDING MAY 2015; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Charter, Article II, Sections 6(a) and 6(c), provide that the City Council may, by majority vote of the remaining councilmembers (including the Mayor as a temporary, full-voting member), fill a vacancy in council membership, including the office of Mayor, or may defer filling a vacancy in council membership until the next regular City election; and

WHEREAS, on January 12, 2015, Resolution No. 2015-005, the City Council accepted the resignation of Ward 5 Councilmember Bill Miller and called for applications and letters of interest from qualified Ward 5 residents; and

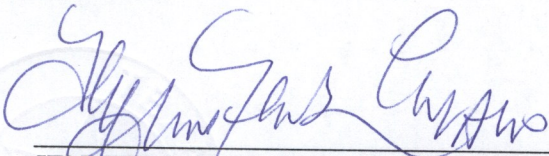
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

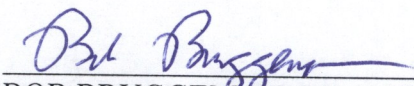
SECTION 1: That the City Council appoints Christy P. Paddock as Ward 5 Councilmember for the remaining unexpired term ending May 2015.

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the 26th day of January, 2015.

ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

8:03 p.m.

Attachment: Reso. 2015-013 signed (1247 : RES No. 2015-013 Appoint Ward 5 Councilmember)



CITY OF TEXARKANA
CITY COUNCIL
MINUTES • JANUARY 12, 2015

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	
Brad Casteel	Ward 1	Present	
Willie Ray	Ward 2	Present	
Tina Veal-Gooch	Ward 3	Present	
Brian Matthews	Ward 4	Present	
Bill Miller	Ward 5	Present	
Josh Davis	Ward 6	Present	

Staff Present: City Manager John Whitson, Jennifer Evans, Shirley Jaster, Jim Powell, Charlie Bassett, Eric Schlotter, Karey Parker, Bill King, Robby Robertson, Kyle Dooley, David Orr, Lisa Thompson, and Jerry Sparks.

Legal Counsel: None

II. INVOCATION AND PLEDGE BY MAYOR BOB BRUGGEMAN

III. MAYOR'S OPENING REMARKS

Upcoming City Council Meetings:

Monday, January 26, 2015 at 6:00 p.m.

Monday, February 9, 2015 at 6:00 p.m.

Monday, February 23, 2015 at 6:00 p.m.

Monday, March 9, 2015 at 6:00 p.m.

Monday, March 23, 2015 at 6:00 p.m.

Parks & Recreation Events:

Tuesday, January 13th - AARP "55 Alive" driving class for senior citizens at the Collins Senior Center - call 903-798-3978.

Saturday, January 17th - 9:00 a.m. - 2:00 p.m. - Community Health Care Event with numerous health checks available; other activities include: pet adoption, financial education, reading corner, face painting, magic show, food, drinks and much more.

Minutes Acceptance: Minutes of Jan 12, 2015 6:00 PM (Consent Items)

For a complete list of Parks & Recreation activities and information call 903-798-3978.

Other City Events:

Thursday, January 29th - Public Safety Communications Community Update at the Texarkana Convention Center at 3:00 p.m.

Mayor Bruggeman announced that the new Wal-Mart Neighborhood Market, located at 3302 Summerhill Road, has an opening scheduled for Wednesday, January 21st from 7:30 a.m. to 9:30 a.m.

Mayor Bruggeman informed the audience that two former Texarkana, Texas mayors had passed away: Neal Courtney who served as mayor from 1964 to 1968 and A.P. Miller, Jr. Who served as mayor from 1954 to 1960. Condolences were expressed to both families.

Mayor Bruggeman, welcomed, recognized and honored the following three citizens with a city lapel pin:

Judge Jack Carter who has retired after 33 years of judicial service.

Reba Kirby who turned 100 years old on December 28, 2014 and served the community through education.

Mayor Ruth Penney Bell who is the first female mayor for Texarkana, Arkansas.

Appointments to Boards & Commissions

There were no appointments made.

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".

Pastor Donald Ryan asked council to consider allowing an adjustment to the insurance coverage requirement specified in the Request for Proposal for the Beverly Community Center. Pastor Ryan submitted the request in writing.

John Mitchell addressed council regarding remedies for properties considered a public nuisance.

V. ITEMS FOR CONSIDERATION

Consent Items

(6:35 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bill Miller, Ward 5
SECONDER:	Brian Matthews, Ward 4
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Miller, Davis
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on December 8, 2014 at 6:00 PM.

Action Items

2. Resolution No. 2015-005 Accepting the resignation of Ward 5 Councilmember Bill Miller and calling for Letters of Interest from Ward 5 Residents who desire to be appointed by the City Council to serve for the remaining Ward 5 Councilmember Term.

Public Hearing:

Second Briefing:

Council Vote: January 12, 2015

Mayor Bruggeman and council members accepted a letter of resignation from Ward 5 Council Member Bill Miller with mixed emotions. Mayor Bruggeman read the letter to the audience. Council Member Miller has served on the city council since 2011. The City Council conveyed their congratulations to Council Member Miller for his appointment, by Governor Rick Perry, to preside as the 5th Judicial District Judge for Bowie and Cass counties. The City Council expressed well wishes for his outstanding service and commitment to the citizens of Ward 5 and his professional and personal friendship to each council member.

Council Member Miller said "Thank You" for all of the kind words and said he appreciated the hard work of the city council and staff for moving Texarkana forward during the last few years. Council Member Miller shook hands with city staff and left the meeting to prepare for his new appointment.

(6:49 p.m.)

RESULT:	ADOPTED [5 TO 0]
MOVER:	Brian Matthews, Ward 4
SECONDER:	Tina Veal-Gooch, Ward 3
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Davis
ABSTAIN:	Miller
EXCUSED:	Bruggeman

VI. FIRST BRIEFINGS

1. Ordinance No. 2015-001 amending Chapter 7, Section 7-3 of the Code of Ordinances to establish city polling places.

Public Hearing: January 26, 2015
 Second Briefing: February 9, 2015
 Council Vote: February 23, 2015

City Manager Whitson briefed this item.

RESULT:	MOVED FORWARD	Next: 1/26/2015 6:00 PM
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2. Ordinance No. 2015-002 calling for a General City Election to be held on the second Saturday in May, 2015 for the purpose of electing a Council Member for Ward Two, a Council Member for Ward Three, and a Council Member for Ward Five.

Public Hearing: January 26, 2015
 Second Briefing: February 9, 2015
 Council Vote: February 23, 2015

City Manager Whitson briefed this item.

RESULT:	MOVED FORWARD	Next: 1/26/2015 6:00 PM
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3. Ordinance No. 2015-003 regulating the speed of motor vehicles upon a certain section of US 67 within the corporate limits of the City of Texarkana, Texas; registering the set speed limits in the City's Traffic Register; authorizing the Texas Department of Transportation to erect signs.

Public Hearing: January 20, 2015
 Second Briefing: February 9, 2015
 Council Vote: February 23, 2015

Kyle Dooley briefed this item.

RESULT:	MOVED FORWARD	Next: 1/26/2015 6:00 PM
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4. Resolution No. 2015-004 adoption of recommended revisions to Human Resources Handbook.

Public Hearing: January 26, 2015
 Second Briefing: February 9, 2015
 Council Vote: February 23, 2015

Jim Powell briefed this item.

RESULT:	MOVED FORWARD
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Next: 1/26/2015 6:00 PM

5. Ordinance No. 2015-009 granting a Specific Use Permit to allow the one additional use of an outdoor auto sales lot on Lots 17-19, Block 3, Feinberg Heights Addition, located at 1502 Summerhill Road. James Wilmoth, applicant.

Public Hearing: January 26, 2015
 Second Briefing: February 9, 2015
 Council Vote: February 23, 2015

David Orr briefed this item.

RESULT:	MOVED FORWARD
----------------	----------------------

Next: 1/26/2015 6:00 PM

6. Ordinance No. 2015-006 amending PD-97-4(GR) for site plan approval to allow the location of a new and used boat sales business (Gregg Orr Marine) on Lot 2, Block 1, Richmond West Pavilion Addition, located at 3911 Mall Drive. Gregg Orr, applicant. Kayla Wood, MTG Engineering, agent. (Due to a petition in opposition, a 3/4 vote will be required to approve this request)

Public Hearing: January 26, 2015
 Second Briefing: February 9, 2015
 Council Vote: February 23, 2015

Kayla Wood, of MTG Engineering, briefed this item.

RESULT:	MOVED FORWARD
----------------	----------------------

Next: 1/26/2015 6:00 PM

7. Ordinance No. 2015-007 amending PD-14-1(GR) for site plan revision on Lot 1, Block 1, Walsh Carter Master Tract Second Addition, located at 5002 North Cowhorn Creek Loop Road (proposed Steak 'n Shake Restaurant). John Ryden, applicant. Jeff Whitten, Whitten Engineering, agent.

Public Hearing: January 26, 2015
 Second Briefing: February 9, 2015
 Council Vote: February 23, 2015

Jeff Whitten, of Whitten Engineering, briefed this item.
 (Council Member Casteel stepped out of the meeting at 8:37 p.m.)

RESULT:	MOVED FORWARD
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Next: 1/26/2015 6:00 PM

8. Ordinance No. 2015-008 rezoning a 3.75 acre tract of land (Tract 51) in the J.A. Talbot HRS, A-564, located at 5808 Richmond Road. Single Family-1 to Planned Development-Office. Dr. Randy Johns, applicant. David Williams, MTG Engineering, agent.

Public Hearing: January 26, 2015
 Second Briefing: February 9, 2015
 Council Vote: February 23, 2015

Kayla Wood, of MTG Engineering, briefed this item.
 (Council Member Casteel returned to the meeting at 8:41 p.m.)

RESULT:	MOVED FORWARD
----------------	----------------------

Next: 1/26/2015 6:00 PM

VII. PUBLIC HEARINGS - NONE.

VIII. SECOND BRIEFING WITH UPDATES - NONE.

IX. SECOND BRIEFING WITHOUT UPDATES - NONE.

X. ITEMS FOR DISCUSSION

Proposed Date for Joint Meeting with City of Texarkana, Arkansas Board of Directors Discussion

City Manager Whitson opened the discussion informing council that Leadership Texarkana would like to sponsor a joint meeting for the two Texarkana governing bodies to address joint issues in Texarkana. The proposed meeting date is Wednesday, February 11, 2015 from 11:00 a.m. to 2:00 p.m. The meeting would be held at Texarkana College.

City Manager Whitson said that staff would prepare a resolution for council to adopt authorizing this special meeting of the council.

Council Member Veal-Gooch asked if a proposed agenda could be obtained and given to council for review prior to voting for this special meeting. City Manager Whitson responded that staff would make the request for the proposed agenda.

Water Tower Discussion

Mayor Bruggeman opened the discussion stating that the council had six water tower logo choices before them to review and to decide which logo should go on the Interstate 30 water tower. After comments from each council member, the consensus of the council was choice number six. (See photo)



XI. ADMINISTRATIVE COMMENTS

1. City Council - Council had no comments.
2. City Staff - Staff had no comments.

XII. ADJOURNMENT

A motion was made to adjourn the meeting.
(8:57 p.m.)

RESULT:	ADOPTED [5 TO 0]
MOVER:	Willie Ray, Ward 2
SECONDER:	Brad Casteel, Ward 1
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Davis
EXCUSED:	Bruggeman
AWAY:	Miller

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

GREER & MILLER

A REGISTERED LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AND COUNSELLORS AT LAW

3512 TEXAS BLVD.

POST OFFICE BOX 6528

TEXARKANA, TEXAS 75503

TELEPHONE 903-791-9300

FACSIMILE 903-791-9301

www.greermiller.com

*MEDIATOR

JOHN B. GREER, III P.C.*

WILLIAM W. MILLER, JR.

January 12, 2015

Mr. Bob Bruggeman
Mayor, Texarkana, Texas
220 Texas Blvd.
Texarkana, TX 75501

RE: Resignation from office of Councilman, Ward 5

Dear Mayor Bruggeman:

As you know, I recently applied to the Governor's office be appointed as the district judge for the 5th Judicial District Court of Bowie and Cass counties, Texas as a result of the judicial vacancy created upon the resignation of Judge Ralph Burgess to assume his duties as a Justice of the 6th Court of Appeals of Texas. On January 8, 2015, Governor Rick Perry appointed me as the new District Judge to fill that vacancy. Accordingly, I must hereby resign my position as the Ward 5 councilmember of the Texarkana, Texas City Council in order to assume those duties.

I have truly enjoyed representing the citizens of Ward 5 during my two terms on the Council and can only hope that I have contributed to leaving the City in a better position than when I joined the Council in 2011. It has truly been a pleasure serving under you as Mayor and with the rest of the Council members. Over my years as a member of the City council, each member of the Council has clearly demonstrated their commitment to making Texarkana a better place to live and work. More importantly, while we may have had a few differences on matters of policy, I can truly say that the professionalism and cordiality of our City Council has made serving the citizens of Ward 5 and Texarkana a pleasure.

I leave wishing you, the Council, and the outstanding City Staff serving the Citizens of Texarkana the best of success in thoughtfully guiding our great City to a better and more prosperous future for the benefit of all of Texarkana's citizens.

Very Truly Yours,



William W. Miller, Jr.

Communication: Document Received - Ward 5 Council Member Miller's Resignation Letter (Consent Items)

To Whom It May Concern,

Re: Page 5 Section 3

Copied below:

Prior to the award of this contract by the City and before commencing work, the successful bidder shall be required, at his own expense, to furnish the city of Texarkana, Texas, General Services Director within ten (10) days of notification of award with certified copies of all insurance certificates showing the following insurance coverage to be in force throughout the term of the contract. The City shall have no duty to pay or perform under this contract until such certification has been delivered to and approved by the city and no offices or employee of the City shall have authority to waive this requirement without written approval from the City Manager.

Concerning the underlined section above:

We read the above in that we would be required to show that our insurance would be in force throughout the duration of the contract. However, it could be considered imprudent if we sign over to a 3 year term with an agency that could potentially be outbid the following year and be unable to leave the first agency. Would we have the option to provide insurance coverage for the first year and updated insurance certificates yearly? We would like the opportunity to re-organize our budgets yearly to be fully capable to serving our community with the maximum amount of funds possible. This could mean then that we find a more reasonably priced insurance for the same coverage when given the year already in service to be able to dig into possible solutions. Again, please let us know if it would be a feasible option to provide insurance certificates on a yearly basis versus a single certificate for the 3 year term of the contract.

Thank you and have a blessed day,

Bryan Garrison
Youth Pastor – Oaklawn Baptist Church
O: 903-838-4631
C: 870-648-5797

City of Texarkana, Texas

Version: A

Update Date: 1/20/2015 11:21 AM

Briefing Sheet

Lead Department: City Manager **Action Officer:** John Whitson, City Manager
Subject: Resolution No. 2015-014 calling a Special Meeting of the City Council to meet jointly with the Texarkana, Arkansas Board of Directors in cooperation with Leadership Texarkana.
Briefing: 1/26/2015 **Public Hearing:** **Second Briefing:** **Council Vote:** 1/26/2015

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Leadership Texarkana has suggested to both Texarkana, Texas and Texarkana, Arkansas governing boards that they meet in a joint public meeting to discuss topics of common interests to the citizens of Texarkana, USA. Texarkana College has offered the use of a meeting room in the Truman Arnold Center and *Leadership Texarkana* is working out details of a joint agenda.

On January 12, 2015, during the regular council meeting of the Texarkana, Texas City Council, councilmembers, by consensus, concurred with the proposed date, time, and place of the meeting. The meeting is to convene at 11:00 a.m., on Wednesday, 11 FEB 15, at the Truman Arnold Center on the campus of Texarkana College.

Potential Options:

- Approve the proposed resolution
- Amend and approve the resolution
- Deny the resolution

Fiscal Implications:

None

Staff Recommendation:

Recommend approval of the proposed resolution.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

City of Texarkana, Texas

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. Goals and Perspectives (DOCX)
- b. 2015-014 RES Calling Special City Council Meeting to Meet Jointly with Texarkana AR (PDF)
- c. 2015-014 ATTH 01 Joint Meeting Outline 20150120 (PDF)
- d. Reso. 2015-014 signed (PDF)

Staff Coordination

City Manager	John Whitson	Department Head Review	Completed
	01/20/2015 11:07 AM		
Public Information Officer		Lisa Thompson	PIO Review Completed
	01/20/2015 11:07 AM		
City Manager	John Whitson	City Manager Review Completed	01/20/2015
11:17 AM			
City Council	Jennifer Evans	Meeting	Completed 01/26/2015
6:00 PM			

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:

Select One By Clicking Here

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:

RESOLUTION NO. 2015 -014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CALLING A SPECIAL COUNCIL MEETING TO CONDUCT A JOINT MEETING WITH THE BOARD OF DIRECTORS OF TEXARKANA, ARKANSAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, *Leadership Texarkana* continues to make strides in promoting cooperation and coordination between Texarkana, Texas and Texarkana, Arkansas including governmental matters of mutual interests to the citizens of Texarkana, USA; and

WHEREAS, *Leadership Texarkana* has recommended that the joint meeting convene at 11:00 a.m. on Wednesday, 11 FEB 15, on the campus of Texarkana College in the Truman Arnold Center; and

WHEREAS, *Leadership Texarkana* continues to work on a proposed agenda but expects that the agenda may be a workshop setting permitting broad discussions of items of common interests for all elected officials of the two cities; and

WHEREAS, the city staff will continue to work with *Leadership Texarkana* to finalize an agenda with more specifics about suggested topics of discussion;

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

SECTION 1: The City Council of Texarkana, Texas welcomes a joint special meeting with the Texarkana, Arkansas Board of Directors.

SECTION 2: Provided that the Texarkana, Arkansas Board of Directors concurs with the suggested date, time, and place for a joint special meeting, the City Council of Texarkana, Texas hereby calls a special meeting of the City Council to be convened at 11:00 a.m. on Wednesday, 11 FEB 15 on the campus of Texarkana College in the Truman Arnold Center, Texarkana, Texas for the purpose of discussing matters of joint interest between the City Council of Texarkana, Texas and the Board of Directors of Texarkana, Arkansas as coordinated with *Leadership Texarkana*.

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

PASSED AND APPROVED in Regular Council Session on this the 26th day of January, 2015.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



PLEASE JOIN US!

WHAT:

A joint meeting of the members of the Texarkana AR Board and the Texarkana TX City Council along with their respective City Managers

Hosted by Leadership Texarkana as part of LIFT: the Leadership Initiative for Texarkana (see attached)

WHEN:

Wednesday, February 11th - from 11-2 PM, including lunch
Texarkana College's Truman Arnold Center - Patman Room

WHO:

Invited participants to include Texarkana, AR and TX city council and board members and City Managers

Facilitated by Pat Heiny and Mary Jo Clark, the individuals who so successfully facilitated LIFT's Joint City Leaders's Summit in January 2013.
Notice would be provided by each city of a public meeting, as with the Summit.

WHY :

To provide the opportunity to foster relationships and conversation among the members of the two groups of city officials which could be foundational to developing potentially useful structures and/or processes for ongoing joint bi-city conversations going forward.

Specifically -

- To get to know one another through the sharing of individual perspectives and/or individual concerns
- To identify concerns or priorities which are shared among those present and to identify one or a few which are priorities throughout the groups
- To determine useful structures and processes for ensuring ongoing joint conversation on issues common to both cities.

This LIFT gathering is motivated by a belief that the foundation for our best collective community efforts will come from the trust, respect, and awareness of common interests and needs, in conjunction with intentionally scheduled ongoing opportunities to develop and maintain connections among the generous elected officials who serve our community.

It is proposed with full acknowledgment and support of the many ongoing joint city conversations which are already in place, from Bi-State Justice to Military Affairs, MPO, ATCOG, etc.



***The MISSION of LEADERSHIP TEXARKANA is to
Cultivate, Connect, and Engage Leaders in Working Together for
Community Excellence, Pride, and Progress.***

Believing that every organization - or community - rises or falls on its commitment to leadership—Leadership Texarkana is invested in pursuing its mission by:

- 1) Educating leaders for our community, most notably through our annual FLAGSHIP program, now in its 35th year. LT grads are EVERYWHERE in our community, with over 600 from every walk of life and demographic currently living and leading within our community. (Go to Leadership Texarkana.com for a full list of graduates by year).

Leadership Texarkana also educates youth leaders through Today's Youth, Tomorrow's Leaders, and the general public and business community through Leadercast.

- 2) Identifying and celebrating models of exemplary community leadership through the annual Wilbur and Idalee Hawkins Awards - because
"...EXAMPLE is not the main thing in influencing others, it is the ONLY thing."
(Albert Schweitzer)

Most importantly - Leadership Texarkana is invested in

- 3) Going beyond the 600+ local and living graduates to engage all citizens throughout the greater Texarkana community in Working Together for Community Excellence, Pride and Progress (since Spring 2012) through

LIFT, the Leadership Initiative for Texarkana.

by providing a unifying voice of vision as well as the resources, motivation and expectation to foster a community that is not only ONE OF A KIND – but also SECOND TO NONE because of our commitment to working together!

WHY SHOULD YOU CARE ABOUT LT's WORK in TEXARKANA USA?

Working Together is the key to our community's best future. For well over a century, our citizens have demonstrated our community's enduring commitment to Community Excellence, achieved when individuals and groups have worked together with common purpose for the benefit of all. When we don't work together, we miss opportunities for excellence that would benefit us all: our businesses, our families, our institutions, our city governments, our region. When we aren't focused on our best, we limit our ability to attract others to our area.

RESOLUTION NO. 2015 -014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CALLING A SPECIAL COUNCIL MEETING TO CONDUCT A JOINT MEETING WITH THE BOARD OF DIRECTORS OF TEXARKANA, ARKANSAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, *Leadership Texarkana* continues to make strides in promoting cooperation and coordination between Texarkana, Texas and Texarkana, Arkansas including governmental matters of mutual interests to the citizens of Texarkana, USA; and

WHEREAS, *Leadership Texarkana* has recommended that the joint meeting convene at 11:00 a.m. on Wednesday, 11 FEB 15, on the campus of Texarkana College in the Truman Arnold Center; and

WHEREAS, *Leadership Texarkana* continues to work on a proposed agenda but expects that the agenda may be a workshop setting permitting broad discussions of items of common interests for all elected officials of the two cities; and

WHEREAS, the city staff will continue to work with *Leadership Texarkana* to finalize an agenda with more specifics about suggested topics of discussion;

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

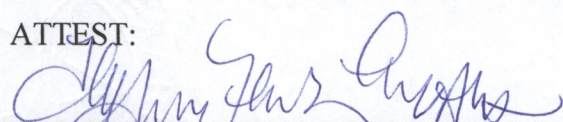
SECTION 1: The City Council of Texarkana, Texas welcomes a joint special meeting with the Texarkana, Arkansas Board of Directors.

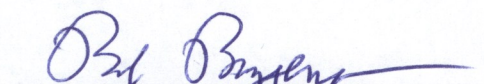
SECTION 2: Provided that the Texarkana, Arkansas Board of Directors concurs with the suggested date, time, and place for a joint special meeting, the City Council of Texarkana, Texas hereby calls a special meeting of the City Council to be convened at 11:00 a.m. on Wednesday, 11 FEB 15 on the campus of Texarkana College in the Truman Arnold Center, Texarkana, Texas for the purpose of discussing matters of joint interest between the City Council of Texarkana, Texas and the Board of Directors of Texarkana, Arkansas as coordinated with *Leadership Texarkana*.

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

PASSED AND APPROVED in Regular Council Session on this the 26th day of January, 2015.

ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

8:08 p.m.

Attachment: Reso. 2015-014 signed (1248 : Calling Special City Council Meeting - Joint Meeting with AR)

City of Texarkana, Texas

Version: B

Update Date: 1/20/2015 7:56 AM

Briefing Sheet

Lead Department: Assistant City Manager **Action Officer:** Debbie Burk,
Ordinance No. 2015-010 granting a Specific Use Permit to allow the one
Subject: additional use of a hair salon on Tracts 26B and 27A, MEP & P HRS, A-421,
located at 3901 Texas Boulevard. Real Jo Kent, applicant.

Public **Second** **Council**
Briefing: 2/9/2015 **Hearing:** 2/9/2015 **Briefing:** February 23,
2015 **Vote:** 3/9/2015

Item Schedule

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

Updates/History of Briefing:

Executive Summary and Background Information:

This is a request by Real Jo Kent, under contract to purchase, for a Specific Use Permit, SUP, to allow the one additional use of a hair salon on Tracts 26B and 27A of the MEP & P HRS, A-421, located at 3901 Texas Boulevard. The current use of the property is a single family residence. The proposed use is a hair salon.

The adjacent zoning is PD-Office to the north and south and Single Family-2 to the east and west. The adjacent land use is residences to the north and west, Texarkana Terminal FCU to the south and a vacant lot to the east.

This property is zoned Planned Development-Office (PD-O). A Specific Use Permit is required to allow the one additional use of a hair salon in this zoning district.

Since the property is located in a Planned Development district, the applicant will also have to obtain site plan approval. See case Amendment to PD-03-8.

This type use is consistent with uses in the area. The Comprehensive Plan has designated this as a Retail area.

The applicant has indicated that hours of operation will be from 9 a.m. to 6 p.m. Tuesday thru Saturday or by appointment.

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

Potential Options:

None

Fiscal Implications:

City of Texarkana, Texas

None

Staff Recommendation:

Staff recommends for approval with the following stipulation:

1. Hours of operation for the hair salon will be from 9 a.m. to 6 p.m., Tuesday thru Saturday or by appointment.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval with the following stipulation:

1. Hours of operation for the hair salon will be from 9 a.m. to 6 p.m., Tuesday thru Saturday or by appointment.

Advisory Board/Committee Meeting Date and Minutes:

January 5, 2015

Attachments

- a. Goals and Perspectives (DOCX)
- b. Ord. No. 2015-010 (DOCX)
- c. Map for Ord. No. 2015-010 (PDF)
- d. Exhibit "A" (PDF)

Staff Coordination

Assistant City Manager	Shirley Jaster	Review	Completed
01/15/2015 4:59 PM			
Planning and Community Development	David Orr	Review	Completed
01/15/2015 5:19 PM			
Public Information Officer	Lisa Thompson	PIO Review	Completed
01/15/2015 5:38 PM			
City Manager	John Whitson	City Manager Review	Completed 01/20/2015
7:56 AM			
City Council	Jennifer Evans	Meeting	Completed 01/26/2015
6:00 PM			

City of Texarkana, Texas

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

None

Resource Impact:

NA

Select One By Clicking Here

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: Goals and Perspectives (1244 : Ord. No. 2015-010:: S-659:: SUP for hair salon at 3901 Texas B)

S-659

ORDINANCE NO. 2015-010

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-659 TO ALLOW THE ONE ADDITIONAL USE OF A HAIR SALON ON TRACTS 26B AND 27A, MEP & P HRS, A-421, LOCATED AT 3901 TEXAS BOULEVARD, 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 so as to grant a **Specific Use Permit** to allow the **one additional use of a hair salon** on Tracts 26B and 27A, MEP & P HRS, A-421 (Exhibit "A"), located at 3901 Texas Boulevard, 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 hair salon** 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 so as to grant **Specific Use Permit numbered S-659 for the purpose of allowing the one additional use of a hair salon** on the following described property, to-wit: **Tracts 26B and 27A, MEP & P HRS, A-421 (Exhibit "A"), located at 3901 Texas Boulevard, in the City of Texarkana, Bowie County, Texas.**

Attachment: Ord. No. 2015-010 [Revision 1] (1244 : Ord. No. 2015-010.: S-659.: SUP for hair salon at 3901 Texas B)

SECTION 2: That the following stipulation is hereby imposed and made a part of this Ordinance:

1. Hours of operation for the hair salon will be from 9 a.m. to 6 p.m., Tuesday through Saturday or by appointment.

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.

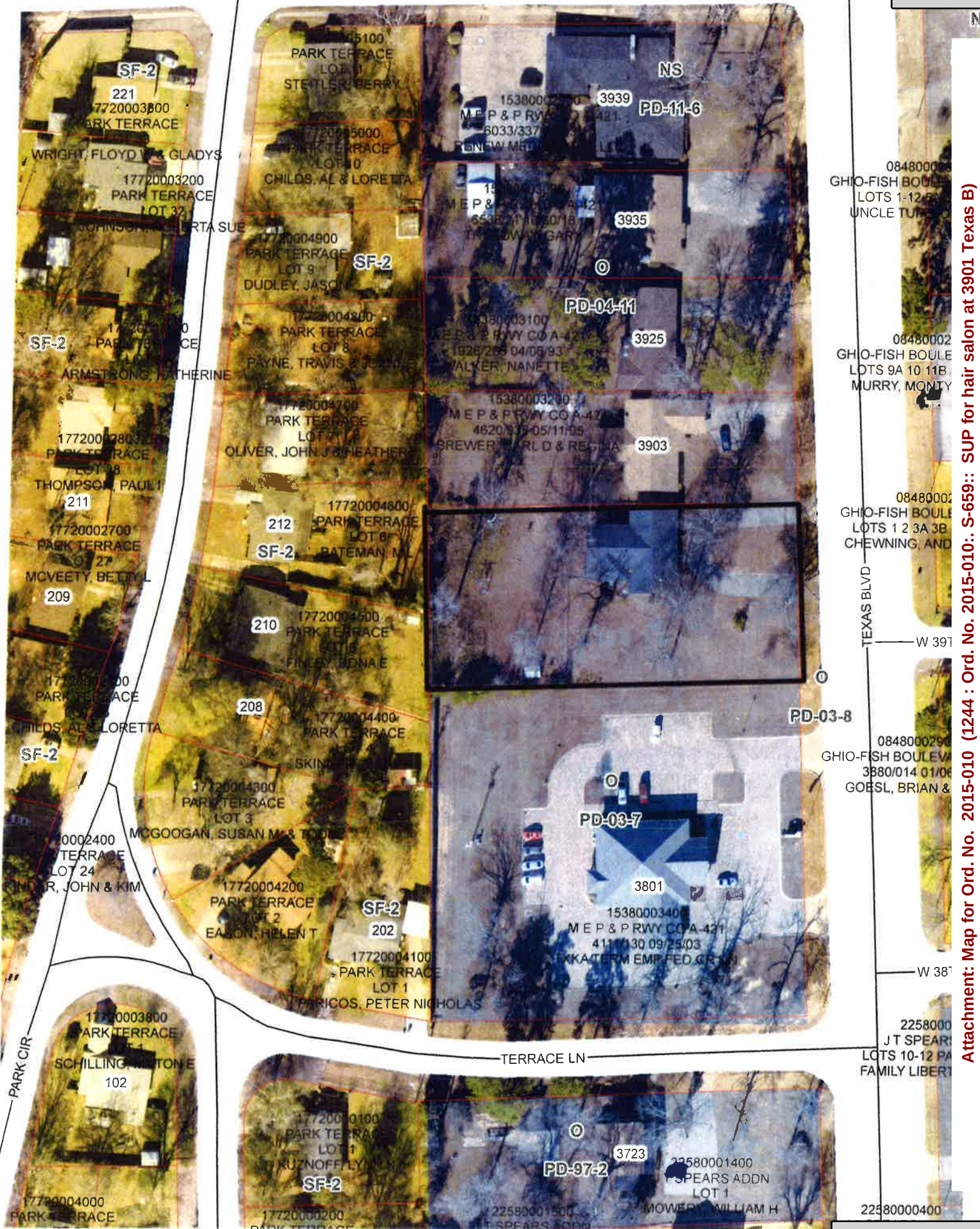
SECTION 5: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in regular Council Session on this the **9th day of March, 2015.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



Attachment: Map for Ord. No. 2015-010 (1244 : Ord. No. 2015-010:: S-659:: SUP for hair salon at 3901 Texas B)

EXHIBIT "A"

TRACT NO. 1:

All that certain tract or parcel of land situated in Bowie County, Texas, being a part of Section No. 3, M.E.P.&P. RAILWAY COMPANY HEADRIGHT SURVEY, Abstract No. 421, and a part of Lot Numbered 1 of the subdivision of Mrs. Augustina Ghio Estate Land conveyed to V. A. Ghio, and described by metes and bounds as follows: BEGINNING at a point on the west boundary line of the Texas Boulevard, said point being 50 feet westerly at right angles from the center line of said Texas Boulevard, and being 75.03 feet South and 0.95 feet East of the intersection of the west boundary line of the Texas Boulevard and the north boundary line of said Lot No. 1; THENCE S 0 deg. 43' 50" E. with the west boundary line of Texas Boulevard, 75.04 feet; THENCE N. 88 deg. 13' 30" W., 273.40 feet along a fence to a fence corner in the east boundary line of Park Terrace Addition to the City of Texarkana, Bowie County, Texas; THENCE North with the east boundary line of Park Terrace Addition, along a fence, 75.0 feet to a stake being 75.0 feet south of the north boundary line of aforesaid Lot Number 1; THENCE S 88 deg. 13' 30" E., 272.45 feet to the POINT OF BEGINNING and containing 0.469 acres of land, more or less.

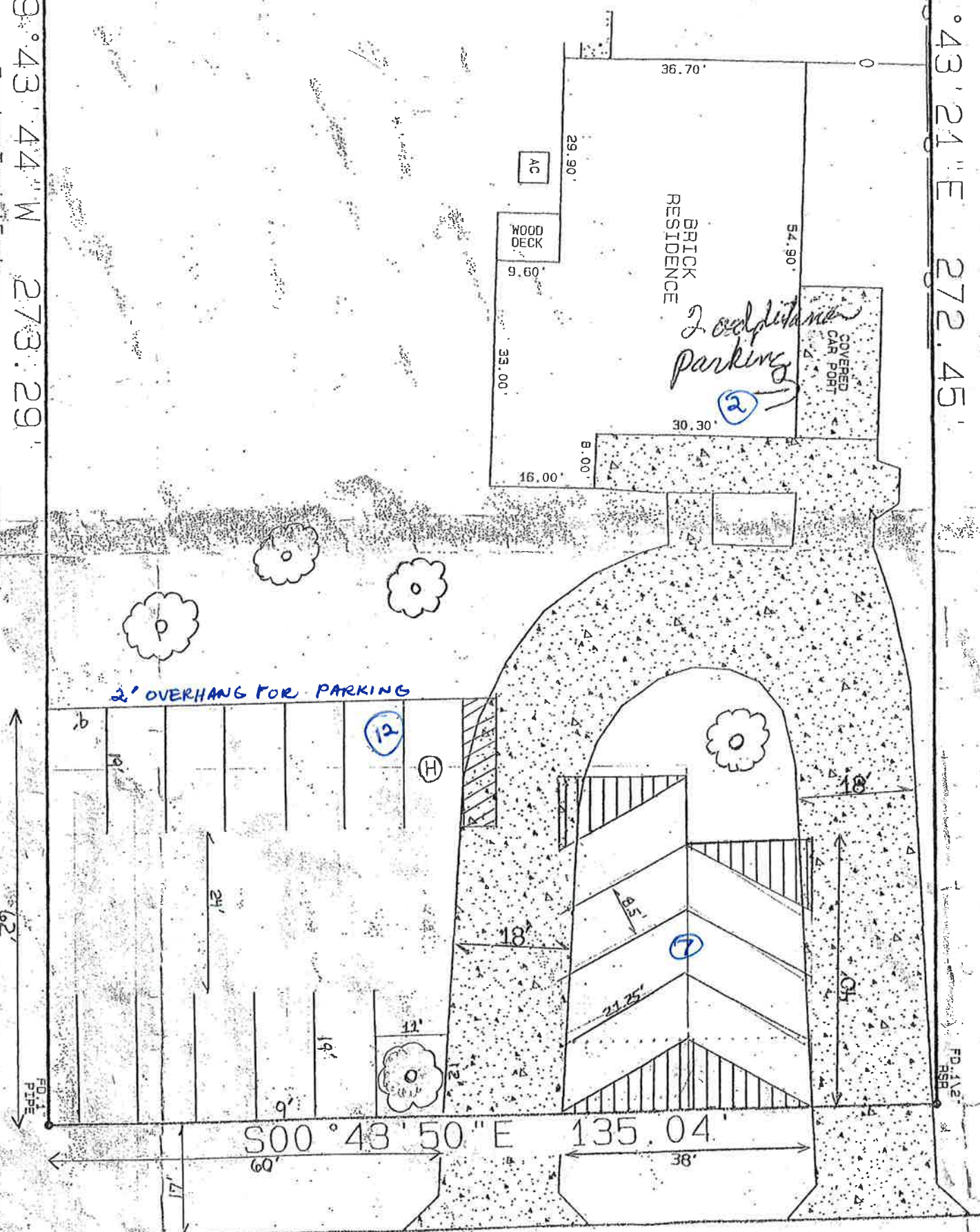
TRACT NO. 2:

All that certain tract or parcel of land situated in Bowie County, Texas, being a part of Section No. 3, M.E.P.&P. RAILWAY COMPANY HEADRIGHT SURVEY, Abstract No. 421, and a part of Lot Numbered 1 of the subdivision of Mrs. Augustina Ghio Estate Land conveyed to V. A. Ghio, and described by metes and bounds as follows: BEGINNING at a point on the west boundary line of Texas Boulevard, said point being 50 feet Westerly and at right angles from the center line of said Texas Boulevard, and being 75.03 feet South and 0.95 feet East of the intersection of the west boundary line of Texas Boulevard and the north boundary line of said Lot No. 1; THENCE S. 0 deg. 43' 50" E., with the west boundary line of Texas Boulevard, 75.04 feet, to the POINT OF BEGINNING for the herein described tract; THENCE N 88 deg. 13' 30" W., 273.40 feet along a fence, and the south boundary line described in that deed from John C. Watts and Edney Ruth Watts Basye to Josh R. Morriss, III and wife, Diana B. Morriss, dated June 30, 1976, and placed of record in Volume 602, Pages 187-189 of the Deed Records of Bowie County, Texas, to a fence corner in the east boundary line of Park Terrace Addition to the City of Texarkana, Bowie County, Texas; THENCE South, with the east boundary line of Park Terrace Addition, to a point for corner in said east boundary line, being 60.00 feet south of said Morriss south boundary line; THENCE S. 88 deg. 13' 30" E, parallel to and 60.00 feet south of the above referenced south boundary line of Morriss, to a point in the west boundary line of Texas Boulevard; THENCE N. 0 deg. 43' 50" W with the west boundary line of Texas Boulevard, 60.00 feet, more or less, to the POINT OF BEGINNING.

S89°43'44"W 273.29'

N9°43'21"E 272.45'

TexasKana Terminal Employees
Federal Credit Union
Volume 4111 Page 130
Real Property Records



21. parking spaces

TEXAS BLVD. 68' ASPHALT

Briefing Sheet

Lead Department: Assistant City Manager **Action Officer:** Debbie Burk,
Ordinance No. 2015-011 amending PD-03-8(O) for site plan approval to allow a
parking area and signage on Tracts 26B and 27A, MEP & P HRS, A-421,
Subject: located at 3901 Texas Boulevard. Real Jo Kent, applicant.

Briefing: <u>2/9/2015</u>	Public Hearing: <u>2/9/2015</u>	Second Briefing: <u>2015</u>	<u>February 23,</u> Council Vote: <u>3/9/2015</u>
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Item Schedule

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

Updates/History of Briefing:

Executive Summary and Background Information:

This is a request by Real Jo Kent, under contract to purchase, for site plan approval on Tracts 26B and 27A of the MEP & P HRS, A-421, located at 3901 Texas Boulevard. The current use of the property is a single family residence. The proposed use is a hair salon.

The adjacent zoning is PD-Office to the north and south and Single Family-2 to the east and west. The adjacent land use is residences to the north and west, Texarkana Terminal FCU to the south and a vacant lot to the east.

The applicant has submitted a site plan (see attached). The existing residential structure will be remodeled for a hair salon with ten (10) stations. Additional parking will be added in front of the proposed salon adjacent to the existing circle drive. A total of 21 parking spaces are shown which should be adequate for clients and employees. Two signs are proposed. One sign is proposed to be located on the front of the building. The second sign is a monument style sign (not to exceed 48 square feet in size) and will be located along Texas Boulevard. Both signs will be metal material and lighted with a spotlight. See attachment for sign rendering.

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

Potential Options:

None

Fiscal Implications:

None

City of Texarkana, Texas

Staff Recommendation:

Staff recommends for approval of the site plan as shown with the following stipulations:

1. A 7' wooden screening device is required along the west side (rear) of the property where it abuts to residentially zoned property.
2. The existing structure must be remodeled to commercial building codes.

Advisory Board/Committee Review:

Planning and Zoning Commission.

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval with the following stipulations:

1. A 7' wooden screening device is required along the west side (rear) of the property where it abuts to residentially zoned property.
2. A wall sign on building and a monument style sign (not to exceed 48' square feet in size) is allowed.
3. The existing residential structure must be remodeled to commercial building codes.
4. Any outdoor directional lighting must be shielded from any adjacent residential properties.
5. No electronic messaging (CEVMS) signage is allowed.

Advisory Board/Committee Meeting Date and Minutes:

January 5, 2015

Attachments

- a. Goals and Perspectives (DOCX)
- b. Ord. No. 2015-011 (DOCX)
- c. Exhibit "A" (PDF)
- d. Exhibit "B" (PDF)
- e. Exhibit "C" (PDF)
- f. Maps for Ord. No. 2015-011 (PDF)

Staff Coordination

Assistant City Manager	Shirley Jaster	Review	Completed
01/15/2015 5:11 PM			

City of Texarkana, Texas

Planning and Community Development	David Orr	Review	Completed
01/16/2015 9:16 AM			
Public Information Officer	Lisa Thompson	PIO Review	Completed
01/16/2015 9:17 AM			
City Manager	John Whitson	City Manager Review	Completed 01/20/2015
7:59 AM			
City Council	Jennifer Evans	Meeting	Completed 01/26/2015
6:00 PM			

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

None

Resource Impact:

NA

Select One By Clicking Here

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:

Amendment to
PD-03-8

ORDINANCE NO. 2015-011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-03-8(O) FOR SITE PLAN APPROVAL TO ALLOW A PARKING AREA AND SIGNAGE ON TRACTS 26B AND 27A, MEP & P HRS, A-421, LOCATED AT 3901 TEXAS BOULEVARD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the **approval of a site plan to allow a parking area and signage** (Exhibit “B & “C”) on Tracts 26B and 27A, MEP & P HRS, A-421 (Exhibit “A”), located at 3901 Texas Boulevard 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 by a vote of five (5) to zero (0) to recommend approval of the petition for the request for the site plan to allow a parking area and signage** (Exhibits “B” and “C”) 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 the approval of the site plan for the above described property is in the best interest of the public health, safety, morals and general welfare of the City;

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

SECTION 1: That the site plan submitted showing the parking area (Exhibit “B”) and signage (Exhibit “C”) on Tracts 26B and 27A, MEP & P HRS, A-421 (Exhibit “A”), located at 3901 Texas Boulevard in the City of Texarkana, Texas, Bowie County, Texas, be and is hereby approved and hereby amends PD-03-8 (O).

Attachment: Ord. No. 2015-011 [Revision 2] (1245 : Ord. No. 2015-011; Amend. to PD-03-8 for site plan app. at 3901 Texas Blvd.)

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

1. A 7' wooden screening device is required along the west side (rear) of the property where it abuts to residentially zoned property.
2. A wall sign on building and a monument style sign (not to exceed 48' square feet in size) is allowed.
3. The existing residential structure must be remodeled to commercial building codes.
4. Any outdoor directional lighting must be shielded from any adjacent residential properties.
5. No electronic messaging (CEVMS) signage is allowed.

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 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 9th day of **March, 2015.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

EXHIBIT "A"

TRACT NO. 1:

All that certain tract or parcel of land situated in Bowie County, Texas, being a part of Section No. 3, M.E.P.&P. RAILWAY COMPANY HEADRIGHT SURVEY, Abstract No. 421, and a part of Lot Numbered 1 of the subdivision of Mrs. Augustina Ghio Estate Land conveyed to V. A. Ghio, and described by metes and bounds as follows: BEGINNING at a point on the west boundary line of the Texas Boulevard, said point being 50 feet westerly at right angles from the center line of said Texas Boulevard, and being 75.03 feet South and 0.95 feet East of the intersection of the west boundary line of the Texas Boulevard and the north boundary line of said Lot No. 1; THENCE S 0 deg. 43' 50" E. with the west boundary line of Texas Boulevard, 75.04 feet; THENCE N. 88 deg. 13' 30" W., 273.40 feet along a fence to a fence corner in the east boundary line of Park Terrace Addition to the City of Texarkana, Bowie County, Texas; THENCE North with the east boundary line of Park Terrace Addition, along a fence, 75.0 feet to a stake being 75.0 feet south of the north boundary line of aforesaid Lot Number 1; THENCE S 88 deg. 13' 30" E., 272.45 feet to the POINT OF BEGINNING and containing 0.469 acres of land, more or less.

TRACT NO. 2:

All that certain tract or parcel of land situated in Bowie County, Texas, being a part of Section No. 3, M.E.P.&P. RAILWAY COMPANY HEADRIGHT SURVEY, Abstract No. 421, and a part of Lot Numbered 1 of the subdivision of Mrs. Augustina Ghio Estate Land conveyed to V. A. Ghio, and described by metes and bounds as follows: BEGINNING at a point on the west boundary line of Texas Boulevard, said point being 50 feet Westerly and at right angles from the center line of said Texas Boulevard, and being 75.03 feet South and 0.95 feet East of the intersection of the west boundary line of Texas Boulevard and the north boundary line of said Lot No. 1; THENCE S. 0 deg. 43' 50" E., with the west boundary line of Texas Boulevard, 75.04 feet, to the POINT OF BEGINNING for the herein described tract; THENCE N 88 deg. 13' 30" W., 273.40 feet along a fence, and the south boundary line described in that deed from John C. Watts and Edney Ruth Watts Basye to Josh R. Morriss, III and wife, Diana B. Morriss, dated June 30, 1976, and placed of record in Volume 602, Pages 187-189 of the Deed Records of Bowie County, Texas, to a fence corner in the east boundary line of Park Terrace Addition to the City of Texarkana, Bowie County, Texas; THENCE South, with the east boundary line of Park Terrace Addition, to a point for corner in said east boundary line, being 60.00 feet south of said Morriss south boundary line; THENCE S. 88 deg. 13' 30" E, parallel to and 60.00 feet south of the above referenced south boundary line of Morriss, to a point in the west boundary line of Texas Boulevard; THENCE N. 0 deg. 43' 50" W with the west boundary line of Texas Boulevard, 60.00 feet, more or less, to the POINT OF BEGINNING.

0.43, 24.15, 27.25

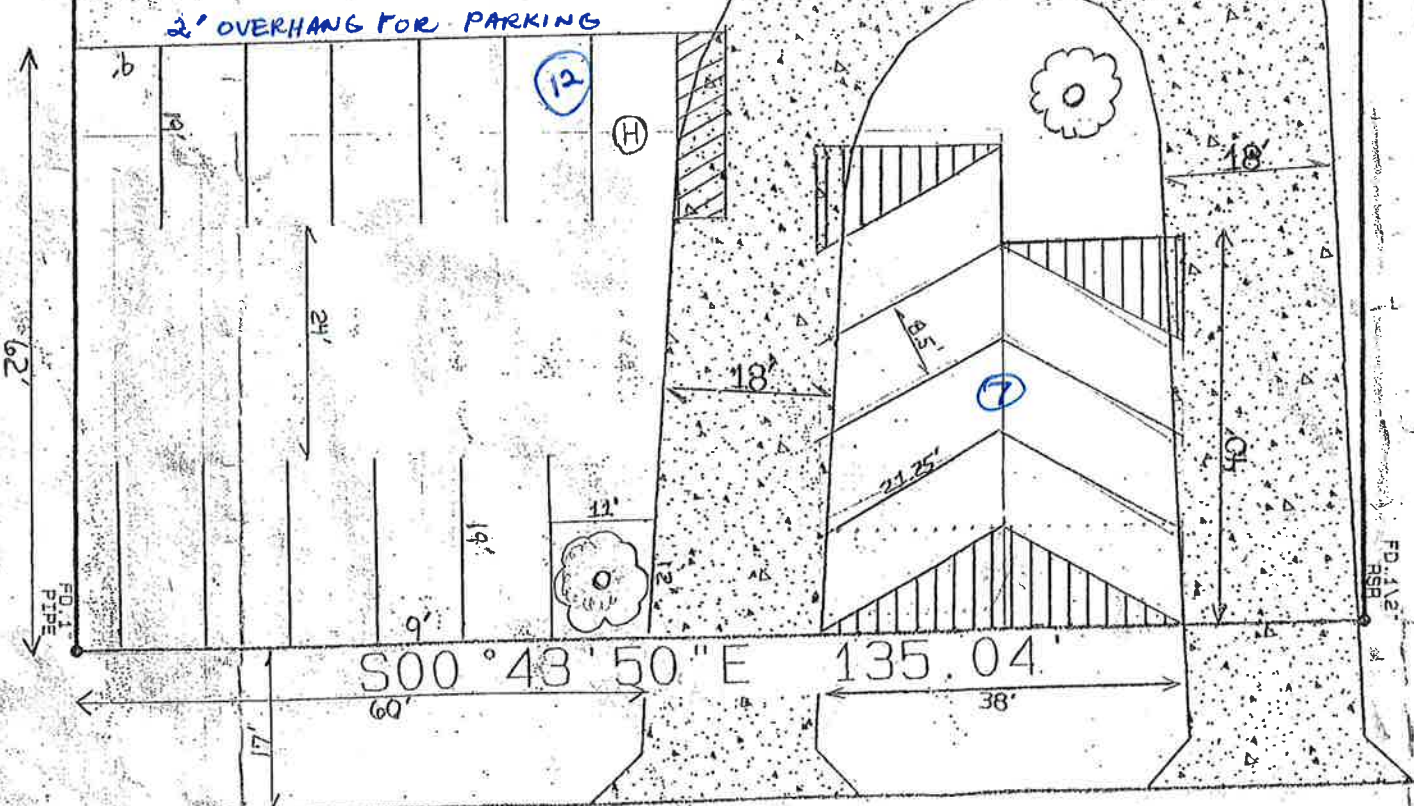
589° 43' 44" W 273° 29'

273:29

Federal Credit Union

Volume 4111, Page 130

Real Property Records



2.1 parking spaces

TEXAS BLVD. 68' ASPHALT

9° 43' 21" E 272.45

Attachment: Exhibit "B" (1245 : Ord. No. 2015-011; Amend. to PD-03-8 for site plan app. at 3901 Texas Blvd.)

2.1. parking spaces

TEXAS BLVD.. 68' ASPHALT

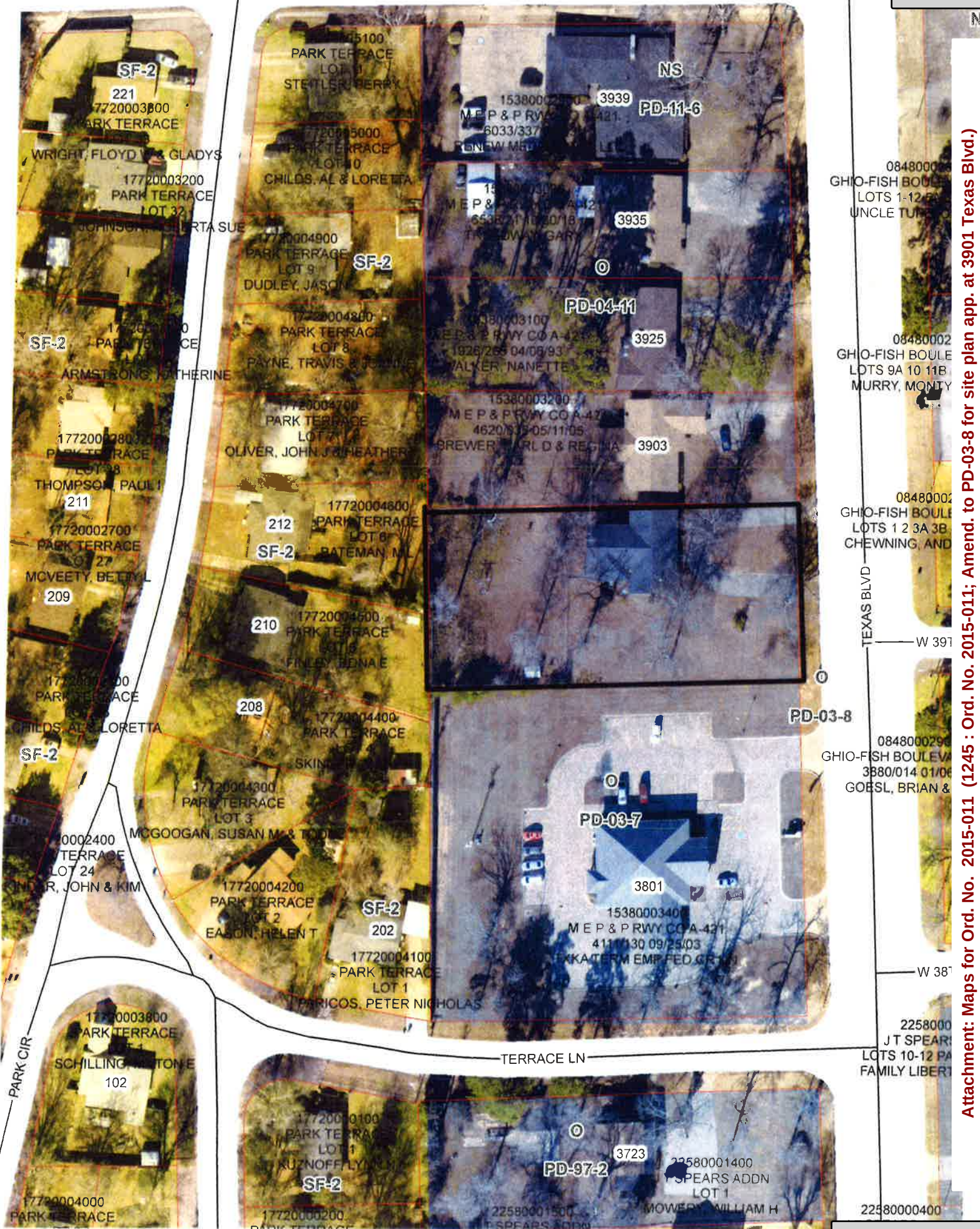
Packet Pg. 65

SAMPLE OF PROPOSED SIGNS

EXHIBIT "C"



Attachment: Exhibit "C" (1245 : Ord. No. 2015-011; Amend. to PD-03-8 for site plan app. at 3901 Texas Blvd.)
exceed 48 square feet in size.



Attachment: Maps for Ord. No. 2015-011 (1245 : Ord. No. 2015-011; Amend. to PD-03-8 for site plan app. at 3901 Texas Blvd.)

City of Texarkana, Texas

Version: A

Update Date: 1/20/2015 8:14 AM

Briefing Sheet

Lead Department: Assistant City Manager **Action Officer:** Debbie Burk,
Ordinance No. 2015-012 rezoning Lot 3, Rose Acres Annex Addition, located
at 602 South Bishop Street. Industrial-1 to Single Family-2. Verna Cellars,
Subject: applicant. Alice Bursey Johnson, agent.

Briefing: 2/23/2015 **Public** **Second** February 23, **Council**
Hearing: 2/9/2015 **Briefing:** 2015 **Vote:** 3/9/2015

Item ScheduleSchedule 1: Brief twice - vote once (six weeks)**Updates/History of Briefing:****Executive Summary and Background Information:**

This is a request by Verna Cellars, owner, and Alice Bursey Johnson, agent, to rezone Lot 3, Rose Acres Annex Addition, located at 602 South Bishop Street from Industrial-1 (I-1) to Single Family-2 (SF-2). This property is currently vacant land. The proposed use is a single family residence.

The adjacent zoning is Industrial-1 to the north and west, SF-2 to the south and Jarvis Parkway to the east. The adjacent land use is an industrial type business to the north, a residence to the south, Jarvis Parkway to the east and vacant property to the west.

The Comprehensive Plan has designated this as an Industrial area.

The applicant has requested to construct a single family residence at this location. Based on the City's Zoning Ordinance, a single family residence is not an allowed use in the Industrial zoning district. Therefore, the applicant is requesting that the property be rezoned to Single Family-2 in order to be in conformance with the Zoning Ordinance.

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

Note: This address will need to be changed to comply with the new addressing for this area. It was previously known as 602 before additional housing was constructed on this street.

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

City of Texarkana, Texas

The property to the south was rezoned to Single Family-2 in 2011 to allow the construction of a new single family residence. In addition, there are several single family residences still located in this area of South Bishop Street. Therefore, staff recommends for approval of this request.

City Manager Comment: Throughout Texarkana there exists “mix-and-mingle” type development patterns where industrial/commercial use will be adjacent to residential and then back to some other higher use development. Some the pattern has been caused by annexations and some by city zoning decisions. While this staff report states that this area is designated to be industrial the city continues to permit more “mix-and-mingle” development. Each approval contrary to the Comprehensive Plan further weakens the Comprehensive Plan. The weaker the Comprehensive Plan the less effect the plan becomes and less likely the plan can ever be used as strong evidence when the city council chooses to deny a rezoning request and cites the plan as the basis for the denial.

Advisory Board/Committee Review:

Planning and Zoning Commission.

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

January 5, 2015.

Attachments

- a. Goals and Perspectives (DOCX)
- b. Ord. No. 2015-012 (DOCX)
- c. Maps for Ord. 2015-012 (PDF)

Staff Coordination

Assistant City Manager	Shirley Jaster	Review	Completed
01/15/2015 5:20 PM			
Planning and Community Development	David Orr	Review	Completed
01/16/2015 9:16 AM			
Public Information Officer	Lisa Thompson	PIO Review	Completed
01/16/2015 9:19 AM			
City Manager	John Whitson	City Manager Review	Completed 01/20/2015
8:14 AM			
City Council	Jennifer Evans	Meeting	Completed 01/26/2015
6:00 PM			

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

None

Resource Impact:

NA

Select One By Clicking Here

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:

Z-15-1

ORDINANCE NO. 2015-012

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 3, ROSE ACRES ANNEX ADDITION, LOCATED AT 602 SOUTH BISHOP STREET IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM INDUSTRIAL-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 Lot 3, Rose Acres Annex Addition, located at 602 South Bishop Street, in the City of Texarkana, Bowie County, Texas, from **Industrial-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 approval of the application for rezoning from Industrial-1 to Single Family-2** 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 **Industrial-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 Lot 3, Rose Acres Annex Addition, located at 602 South Bishop Street in the City of Texarkana, Bowie County, Texas, from **Industrial-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.

Attachment: Ord. No. 2015-012 (1246 : Ord. No. 2015-012: Z-15-1: 602 S. Bishop. I-1 to SF-2)

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 **9th day of March, 2015.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: Ord. No. 2015-012 (1246 : Ord. No. 2015-012: Z-15-1: 602 S. Bishop. I-1 to SF-2)

4415

I-1

I-1

WACO ST

4401

I-1

I-1

I-1

S BISHOP RD

Jarvis Parkway

I-1

I-1

Attachment: Maps for Ord. 2015-012 (1246 : Ord. No. 2015-012: Z-15-1: 602 S. Bishop. I-1 to SF-2)

515

I-1

SF-2

524

605

O

606

I-1

608

607

SF-2

I-1

I-1

I-1



Attachment: Maps for Ord. 2015-012 (1246 : Ord. No. 2015-012: Z-15-1: 602 S. Bishop. I-1 to SF-2)

City of Texarkana, Texas

Version: E

Update Date: 1/7/2015 11:03 AM

Briefing Sheet

Lead Department: City Manager **Action Officer:** Jennifer Evans, City Secretary
Subject: Ordinance No. 2015-001 amending Chapter 7, Section 7-3 of the Code of Ordinances to establish city polling places.
Briefing: 1/26/2015 **Public Hearing:** 1/26/2015 **Second Briefing:** February 9, 2015 **Council Vote:** 2/23/2015

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The city has established and designated by ordinance city wards, precincts and polling places. In the past, the city has consolidated precinct polling places within the wards as outlined in Ordinance No. 037-2012 and Ordinance No. 048-2012. In the interests of efficiency, reduced election costs and ease of voting for Texarkana, Texas citizens, the city desires to designate and establish each of the six city wards as an election precinct, and to designate a single polling place for each election precinct that will be used for City-ordered elections.

Potential Options:

•

Fiscal Implications:

Based on FY 2012 election costs, the proposed ordinance would come close to cutting the election costs in half. (See FY 2012 Election Costs Summary spreadsheet)

Staff Recommendation:

Staff recommends for 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. Goals and Perspectives (DOCX)
- b. Ord. 037-2012 (Wards, Precincts, Polling Places) (PDF)
- c. Ord. 048-2012 (Establish Precinct & Polling Place) (PDF)
- d. Ord. 207-2011 Establishing Ward Boundary Lines (PDF)
- e. txelectionmap CURRENT Exhibit A (PDF)
- f. txelectionmap PROPOSED Exhibit B (PDF)
- g. Ord. No. 2015-001 jcl rev2 (DOC)
- h. Election Costs FY 2012 Summary (PDF)
- i. Ord. 2015-001 signed (PDF)

Staff Coordination

City Manager	John Whitson	Department Head Review	Completed	
	12/18/2014 4:35 PM			
City Attorney	Jeffery C. Lewis	Review	Completed	12/31/2014
	10:33 AM			
Public Information Officer		Lisa Thompson	PIO Review	Completed
	12/31/2014 10:47 AM			
City Manager	John Whitson	City Manager Review	Completed	01/05/2015
	8:13 AM			
City Council	Jennifer Evans	Meeting	Completed	01/12/2015
	6:00 PM			

Meeting History

01/12/15 City Council MOVED FORWARD Next: 01/26/15
 City Manager Whitson briefed this item.

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: [Select One By Clicking Here](#)**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. 037-2012**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING CHAPTER 7, SECTIONS 7-1, 7-2, AND 7-3 OF THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS TO REESTABLISH CITY WARDS, CITY PRECINCTS AND CITY POLLING PLACES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the U. S. Census of 2010 required a redistricting plan which was adopted by the Texarkana, Texas City Council on December 19, 2011, by Ordinance No. 207-2011, redefining the single-member council city ward boundary lines as provided by the retained firm of Bickerstaff Heath Delgado Acosta LLP; and

WHEREAS, the State of Texas has been in litigation regarding the proper redistricting for the State of Texas, causing a delay in redefining certain voting lines in the state; and

WHEREAS, in the interest of economy and stability in the election process, the City of Texarkana, in accordance with Texas Election Code, deems it necessary to redefine by number the election wards, precincts, and polling places that will be used in the City elections, as further defined on the map attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, pursuant to the Department of Justice guidelines, these amendments will be submitted to the Department of Justice for preclearance before these changes are enacted;

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

SECTION 1: That Chapter 7, Sections 7-1, 7-2, and 7-3 of the Code of Ordinances of the City of Texarkana, Texas be amended in their entirety to read as follows:

CHAPTER 7**ELECTIONS****Sec. 7-1. City Wards – Designated and defined by Ordinance.**

- (a) The wards of the city shall be designated and defined by Ordinance of the City of Texarkana, Texas. The City Secretary shall at all times keep a correct and complete description and an official map on file, with any recent annexations and de-annexations.
- (b) The wards of the city shall be numbered as follows and shall remain in effect until changed by Ordinance of the City of Texarkana, Texas.

1. Ward One (1)
2. Ward Two (2)
3. Ward Three (3)
4. Ward Four (4)
5. Ward Five (5)
6. Ward Six (6)

Sec. 7-2. City election precincts; designated and described by Ordinance.

- (a) The election precincts of the city shall be designated and defined by Ordinance of the City of Texarkana, Texas. The City Secretary shall at all times keep a correct and complete description and an official map on file, with any recent annexations and de-annexations.
- (b) The election precincts of the city shall be numbered as follows and shall remain in effect until changed by Ordinance of the City of Texarkana, Texas.
 1. Precinct 1-A, and Precinct 1-B.
 2. Precinct 2-A, Precinct 2-B, and Precinct 2-C.
 3. Precinct 3-A, and Precinct 3-B.
 4. Precinct 4-A, Precinct 4-B, Precinct 4-C, Precinct 4-D, and Precinct 4-E.
 5. Precinct 5-A, Precinct 5-B, and Precinct 5-C.
 6. Precinct 6-A, and Precinct 6-B.

Sec. 7-3. City polling places designated.

Each of the city election precincts, as established in Section 7-2 of the Code of Ordinances of the City of Texarkana, shall be designated to one (1) polling place as follows:

- (a) The polling place for Election Precinct 1-A shall be the Academic Learning Center (Options) located at 3201 Lincoln Avenue.
- (b) The polling place for Election Precinct 1-B shall be the Liberty-Eylau C. K. Bender Elementary School located at 2300 Buchanan Road.
- (c) The polling place for Election Precinct 2-A shall be the Liberty-Eylau Pre-Kindergarten Center /Grandview Campus located at 3105 Norris Cooley Drive.
- (d) The polling place for Election Precinct 2-B and 2-C shall be the Theron Jones Early Literacy Center located at 2600 West 15th Street.
- (e) The polling place for Election Precinct 3-A shall be the Collins Memorial Building located at 3028 Texas Boulevard.
- (f) The polling place for Election Precinct 3-B shall be the Texas City Hall Municipal Building located at 220 Texas Boulevard.

Publish

- (g) The polling place for Election Precinct 4-A, 4-C, 4-D, and 4-E shall be Texarkana College located at 2500 N. Robison Road.
- (h) The polling place for Election Precinct 4-B shall be the Spring Lake Park Elementary School located at 4324 Ghio Fish Boulevard.
- (i) The polling place for Election Precinct 5-A and 5-B shall be the Kenwood Fire Station at 306 S. Kenwood Road.
- (j) The polling place for Election Precinct 5-C shall be the Pleasant Grove High School located at 5406 McKnight Road.
- (k) The polling place for Election Precinct 6-A shall be First Baptist Church located at 3015 Moores Lane.
- (l) The polling place for Election Precinct 6-B shall be the Pleasant Grove Middle School located at 5605 Cooks Lane; and

SECTION 2: That the City Secretary be and is hereby directed to publish the caption of this Ordinance for three (3) successive days in the Texarkana Gazette within ten (10) days of the passage of this Ordinance, as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

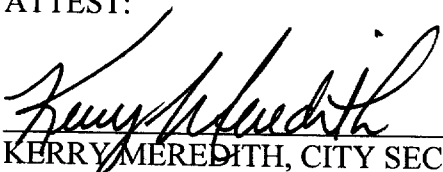
SECTION 3: That in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this Ordinance.

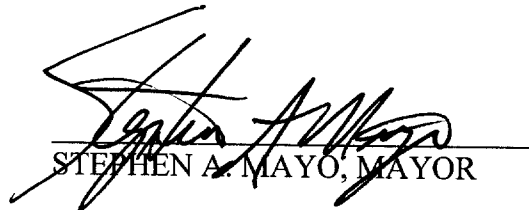
SECTION 4: That all ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 5: That this Ordinance, upon publication as provided herein, shall be in full force and effect ten (10) days after its passage and approval.

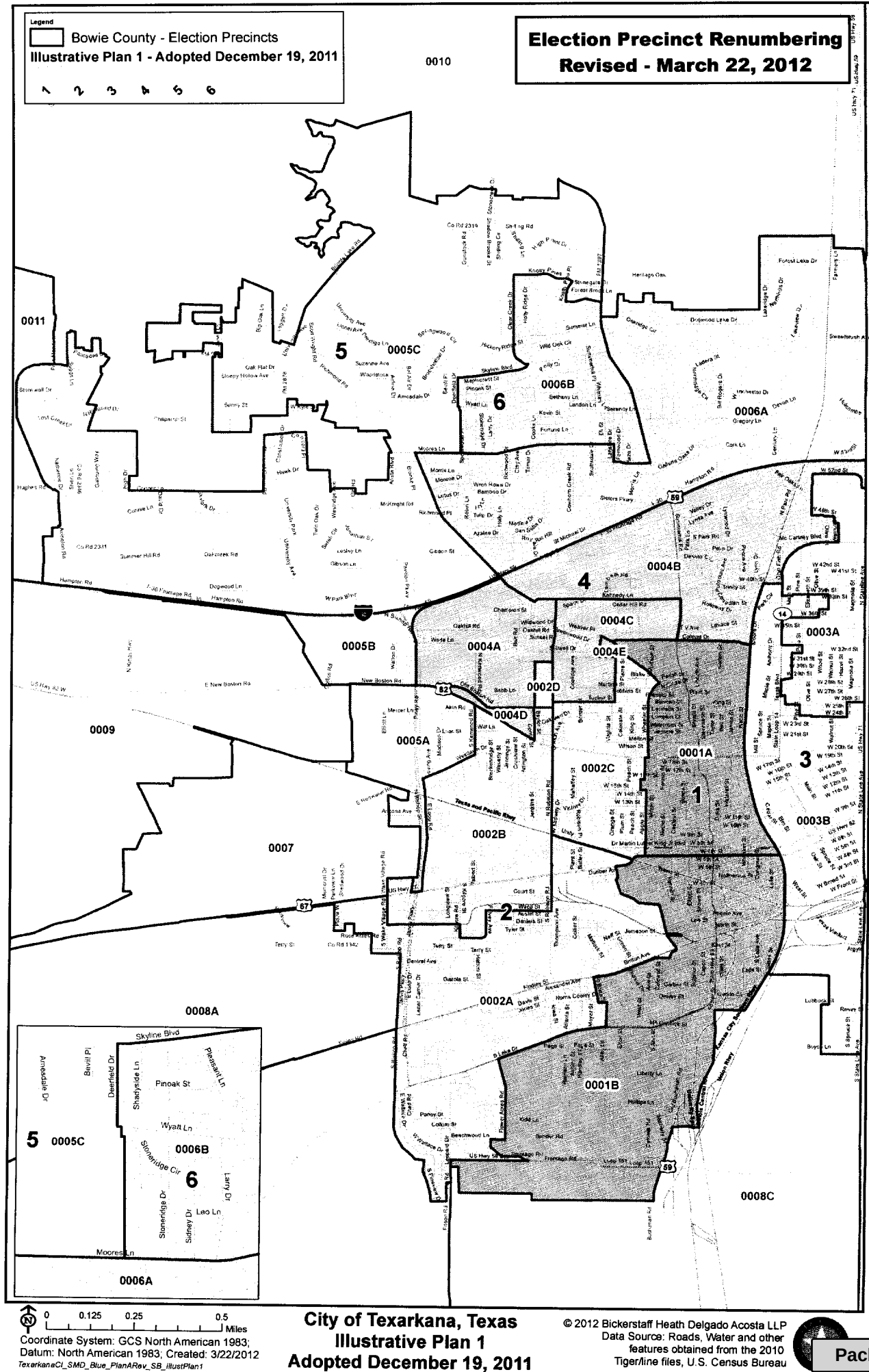
PASSED AND APPROVED in Regular Council Session on this the 26th day of March, 2012.

ATTEST:


 KERRY MEREDITH, CITY SECRETARY


 STEPHEN A. MAYO, MAYOR

Attachment: Ord. 037-2012 (Wards, Precincts, Polling Places) (1229 : Ord. No. 2015-001 Establishing City Polling Places)



ORDINANCE NO. 048-2012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING CHAPTER 7, SECTIONS 7-2(b)(2), AND 7-3(d) OF THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS TO ESTABLISH A CITY PRECINCT AND A CITY POLLING PLACE FOR PRECINCT 2-D; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the U. S. Census of 2010 required a redistricting plan which was adopted by the Texarkana, Texas City Council on December 19, 2011, by Ordinance No. 207-2011, redefining the single-member council city ward boundary lines as provided by the retained firm of Bickerstaff Heath Delgado Acosta LLP; and

WHEREAS, the State of Texas has been in litigation regarding the proper redistricting for the State of Texas, causing a delay in redefining certain voting lines in the state; and

WHEREAS, in the interest of economy and stability in the election process, the City of Texarkana, in accordance with Texas Election Code, redefined the election wards, precincts, and polling places by Ordinance No. 037-2012, dated March 26th, 2012; and

WHEREAS, the area defined as Precinct 2-D was inadvertently omitted from the lists of precincts and the City desires to make this additional change to Chapter 7 to provide the proper number of precincts and polling places for the election process; and

WHEREAS, pursuant to the Department of Justice guidelines, these amendments will be submitted to the Department of Justice for preclearance before these changes are enacted;

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

SECTION 1: That Chapter 7, Sections 7-2(b)(2), and 7-3(d) of the Code of Ordinances of the City of Texarkana, Texas be amended in their entirety to read as follows:

Sec. 7-2(b)(2). City election precincts; designated and described by Ordinance.

The election precincts of the city shall be numbered as follows and shall remain in effect until changed by Ordinance of the City of Texarkana, Texas by amending Sec. 7-2(b)(2) to read as follows:

2. Precinct 2-A, Precinct 2-B, Precinct 2-C, and Precinct 2-D.

Publish

Sec. 7-3(d). City polling places designated.

Each of the city election precincts, as established in Section 7-2 of the Code of Ordinances of the City of Texarkana, shall be designated to one (1) polling place by amending Sec. 7-3(d) to read as follows:

(d) The polling place for Election Precinct 2-B, 2-C, and 2-D shall be the Theron Jones Early Literacy Center located at 2600 West 15th Street.

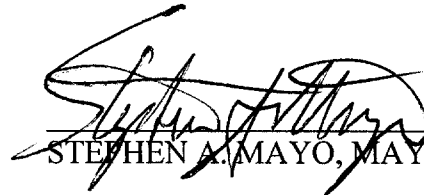
SECTION 2: That the City Secretary be and is hereby directed to publish the caption of this Ordinance for three (3) successive days in the Texarkana Gazette within ten (10) days of the passage of this Ordinance, as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

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

SECTION 5: That this Ordinance, upon publication as provided herein, shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Special Council Session on this the 9th day of April, 2012.


 STEPHEN A. MAYO, MAYOR

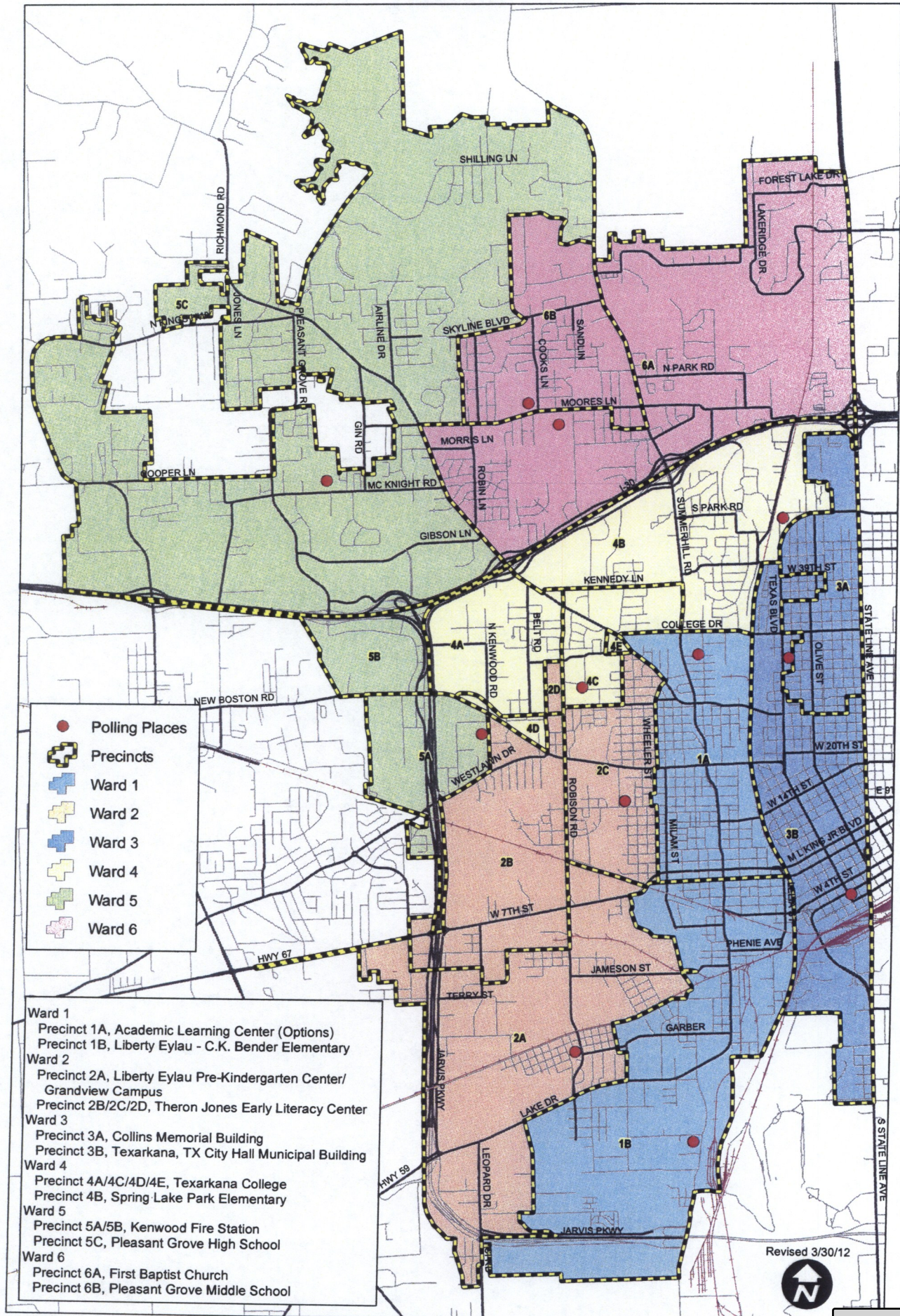
ATTEST:


 KERRY MEREDITH, CITY SECRETARY

Attachment: Ord. 048-2012 (Establish Precinct & Polling Place) (1229 : Ord. No. 2015-001 Establishing City Polling Places)

City Election Map

Texarkana, TX



ORDINANCE NO. 207-2011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE REDISTRICTING OF THE CITY'S SINGLE-MEMBER COUNCIL WARDS AND ESTABLISHING NEW WARD BOUNDARY LINES BASED ON 2010 CENSUS DATA FOR TEXARKANA CITY COUNCIL ELECTIONS; DIRECTING THE CITY'S REDISTRICTING CONSULTANT TO SUBMIT THE ADOPTED PLAN FOR PRECLEARANCE UNDER SECTION 5 OF THE FEDERAL VOTING RIGHTS ACT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the results of the 2010 federal Census have been considered and indicate that the City of Texarkana's single-member council wards are sufficiently out of population balance to require redistricting in order to comply with the "one-person, one-vote" (equal population) principle established by the U.S. Constitution; and

WHEREAS, the City of Texarkana (the "City") engaged the law firm of Bickerstaff Heath Delgado Acosta LLP to act as the City's redistricting consultant, including advising and assisting the City Council in preparation of a new redistricting plan in compliance with applicable requirements of state and federal law; and

WHEREAS, on October 24, 2011, the City Council adopted redistricting criteria to assist the City and the public in developing redistricting plans which comply with applicable federal and state laws, and the adopted redistricting criteria were applied in the development of the City's new redistricting plan; and

WHEREAS, on October 24, 2011, the City Council also adopted redistricting guidelines regarding the submission of comments and proposed plans by the public, to ensure the ability of the City to timely receive and adequately consider them; and

WHEREAS, during the redistricting process the City provided notice to the public of its proposed discussions and development of a redistricting plan through meeting agendas posted in compliance with the Texas Open Meetings Act, notices on the City's website, and publication of newspaper notices, as well as providing certain individual notices regarding public hearings; and

WHEREAS, the City Council has considered the proposed redistricting plan at a public hearing held on December 19, 2011, and a proposed plan regarding the appropriate reconfiguration of the council member city wards; and

WHEREAS, the City Council finds that the attached city council ward redistricting plan is in the best interest of the citizens of the City, complies with the adopted redistricting criteria, and is believed to comply with all state and federal requirements, including requirements for preclearance under Section 5 of the federal Voting Rights Act;

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

SECTION 1: That the existing single-member council city ward boundary lines for the City of Texarkana are hereby amended, and the new districting plan depicted on the map attached hereto as **Exhibit A**, defining new wards, as such new wards are further described in the tables attached hereto as **Exhibit B** reporting populations and demographic statistics for each such new ward, is hereby adopted and designated to define the City's six single-member council wards from and after the Effective Date; that Exhibits A and B are incorporated by reference in and made a part of this ORDINANCE, and shall be kept on file in the City Secretary's Office; and, further, that the City's redistricting consultant is hereby authorized and directed to submit the adopted plan to the United States Department of Justice for preclearance under the Section 5 of the Voting Rights Act.

SECTION 2: That this ORDINANCE shall take and be given effect immediately upon preclearance of the adopted plan under Section 5 of the Voting Rights Act; and that thereafter all Texarkana City Council elections shall be held under and in accordance with the new single-member council ward districting plan here adopted by the City Council and precleared by the Department of Justice, until such time as a subsequent lawfully-enacted districting plan shall be adopted to replace this plan and has been precleared under Section 5 or its successor statute, as applicable.

PASSED AND APPROVED by the City Council of the City of Texarkana, Texas this 19th day of December, 2011.

CITY OF TEXARKANA, TEXAS


STEPHEN A. MAYO, MAYOR

ATTEST:


KERRY MEREDITH, CITY SECRETARY

Attachment: Ord. 207-2011 Establishing Ward Boundary Lines (1229 : Ord. No. 2015-001 Establishing City Polling Places)

EXHIBIT A

EXHIBIT B

City of Texarkana, Texas

Illustrative Plan 1

Summary 2010 Census Total and Voting Age Population

District	Persons	Deviation	Hispanic % of Total Population	Non-Hispanic Anglo % of Total Population	Non-Hispanic Black % of Total Population	Non-Hispanic Asian % of Total Population	Non-Hispanic Other % of Total Population
1	5,782	-4.73%	8.98%	24.35%	63.39%	0.33%	2.96%
2	5,910	-2.62%	7.50%	25.77%	64.48%	0.20%	2.05%
3	6,301	3.82%	8.17%	49.94%	38.53%	0.67%	2.68%
4	6,230	2.65%	5.86%	52.25%	38.30%	1.44%	2.15%
5	6,175	1.75%	4.18%	82.77%	8.87%	2.61%	1.59%
6	6,013	-0.92%	3.92%	81.51%	9.98%	2.66%	1.91%
Totals	36,411		6.42%	53.13%	36.91%	1.33%	2.22%

Ideal Size = 36,411 / 6 = 6,069 per district.

Total Maximum Deviation = 3.82% - (-4.73%) = 8.55%

Some percentages may be subject to rounding error.

District	Total VAP*		Hispanic % of Total VAP	Non-Hispanic Anglo % of Total VAP	Non-Hispanic Black % of Total VAP	Non-Hispanic Asian % of Total VAP	Non-Hispanic Other % of Total VAP
1	4,040		7.15%	27.20%	63.42%	0.40%	1.83%
2	4,250		6.47%	31.15%	60.73%	0.28%	1.36%
3	4,835		7.20%	54.71%	35.49%	0.74%	1.86%
4	4,666		5.25%	58.32%	33.39%	1.50%	1.54%
5	4,604		3.39%	85.23%	7.93%	2.19%	1.26%
6	4,609		3.36%	83.88%	8.81%	2.39%	1.56%
Totals	27,004		5.44%	57.69%	34.02%	1.28%	1.57%

*This report is modified to reflect a split block in District 5 and 6 (Block 1025)

*Voting Age Population

Some percentages may be subject to rounding error.

12/14/2011

City of Texarkana, Texas

Illustrative Plan 1

Detailed 2010 Census Total and Voting Age Population

District	Persons	Ideal Size	Deviation	Hispanic	% of Total Hispanic Population	Anglo	% of Total Anglo Population	Black	% of Total Black Population	American Indian	% of Total American Indian Population	Asian	% of Total Asian Population	Hawaiian-Pacific Islander	% of Total Hawaiian-Pacific Islander Population	Other	% of Total Other Population	Two or More	% of Total Two or More Population
1	5,782	6,069	-4.73%	519	8.98%	1,408	24.35%	3,665	63.39%	17	0.29%	19	0.33%	1	0.02%	9	0.16%	144	2.49%
2	5,910	6,069	-2.62%	443	7.50%	1,523	25.77%	3,811	64.48%	15	0.25%	12	0.20%	1	0.02%	6	0.10%	99	1.68%
3	6,301	6,069	3.82%	515	8.17%	3,147	49.94%	2,428	38.53%	42	0.67%	42	0.67%	0	0.00%	14	0.22%	113	1.79%
4	6,230	6,069	2.65%	365	5.86%	3,255	52.25%	2,366	38.30%	19	0.30%	90	1.44%	3	0.05%	8	0.13%	104	1.67%
5	6,175	6,069	1.75%	258	4.18%	5,111	82.77%	548	8.87%	29	0.47%	161	2.61%	1	0.02%	1	0.02%	67	1.09%
6	6,013	6,069	-0.92%	236	3.92%	4,901	81.51%	600	9.98%	25	0.42%	160	2.66%	3	0.05%	2	0.03%	85	1.41%
Totals	36,411			2,336	6.42%	19,345	53.13%	13,438	36.91%	147	0.40%	484	1.33%	9	0.02%	40	0.11%	612	1.68%

Ideal Size = 36,411 / 6 = 6,069 per district.

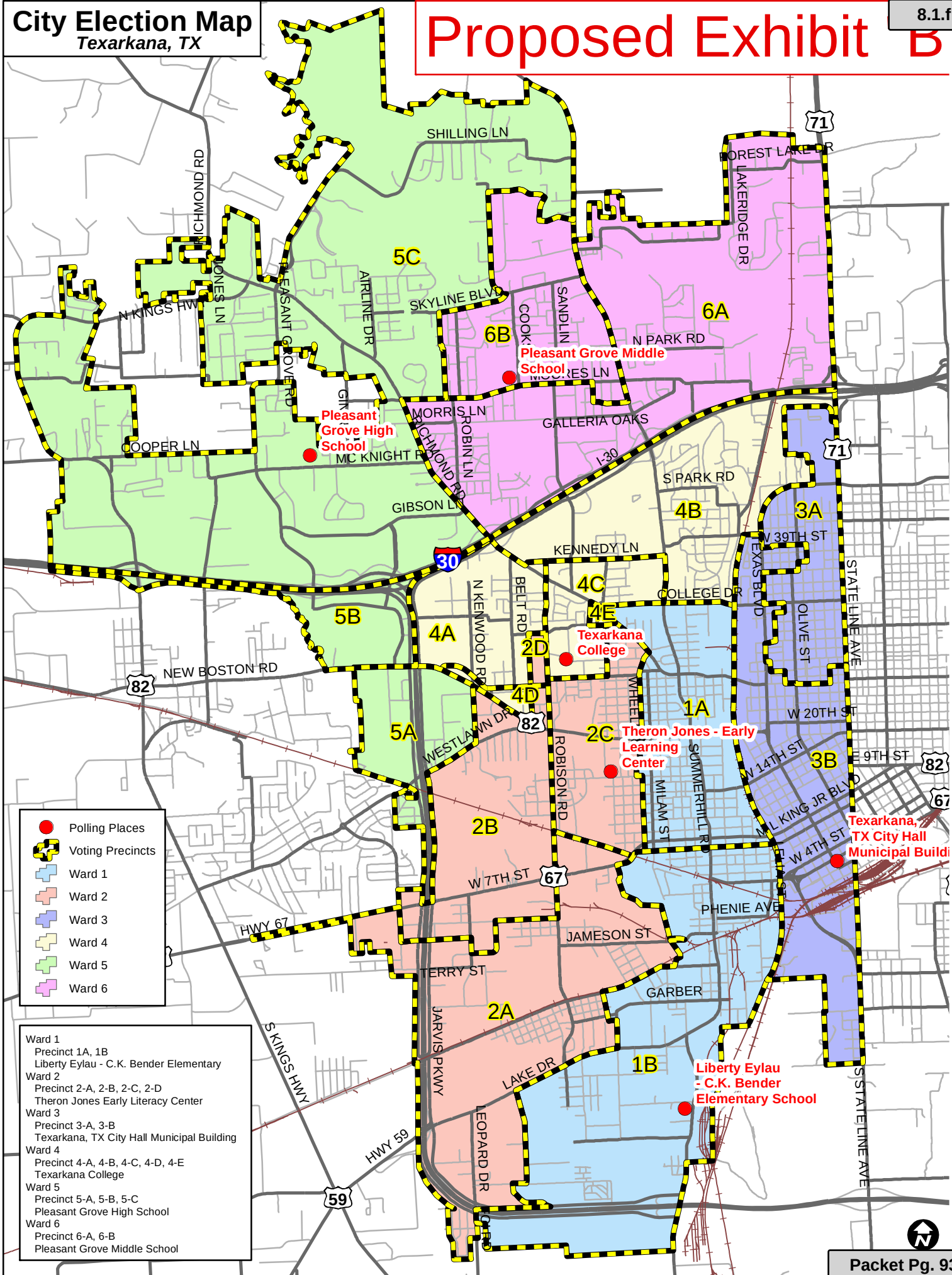
Some percentages may be subject to rounding error.

District	Total VAP*	Hispanic VAP	% of Total Hispanic VAP	Anglo VAP	% of Total Anglo VAP	Black VAP	% of Total Black VAP	American Indian VAP	% of Total American Indian VAP	Asian VAP	% of Total Asian VAP	Hawaiian-Pacific Islander VAP	% of Total Hawaiian-Pacific Islander VAP	Other VAP	% of Total Other VAP	Two or More VAP	% of Total Two or More VAP
1	4,040	289	7.15%	1,099	27.20%	2,562	63.42%	12	0.30%	16	0.40%	1	0.02%	2	0.05%	59	1.46%
2	4,250	275	6.47%	1,324	31.15%	2,581	60.73%	10	0.24%	12	0.28%	1	0.02%	4	0.09%	43	1.01%
3	4,835	348	7.20%	2,645	54.71%	1,716	35.49%	33	0.68%	36	0.74%	0	0.00%	5	0.10%	52	1.08%
4	4,666	245	5.25%	2,721	58.32%	1,558	33.39%	17	0.36%	70	1.50%	3	0.06%	5	0.11%	47	1.01%
5	4,604	156	3.39%	3,924	85.23%	365	7.93%	21	0.46%	101	2.19%	0	0.00%	1	0.02%	36	0.78%
6	4,609	155	3.36%	3,866	83.88%	406	8.81%	19	0.41%	110	2.39%	3	0.07%	2	0.04%	48	1.04%
Totals	27,004	1,468	5.44%	15,579	57.69%	9,188	34.02%	112	0.41%	345	1.28%	8	0.03%	19	0.07%	285	1.06%

*Voting Age Population

Some percentages may be subject to rounding error.





ORDINANCE NO. 2015-001

AN ORDINANCE OF THE CITY OF TEXARKANA, TEXAS; AMENDING CHAPTER 7, SECTIONS 7-2(b) AND 7-3 OF THE CODE OF ORDINANCES TO ESTABLISH EACH CITY WARD AS AN ELECTION PRECINCT, AND DESIGNATING A SINGLE POLLING LOCATION FOR EACH ELECTION PRECINCT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION OF PUBLIC NOTICE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 42.061(a) of the Texas Election Code provides that the governing body of a political subdivision other than a county shall establish the election precincts for elections ordered by an authority of the political subdivision; and

WHEREAS, Section 43.001 of the Texas Election Code states each election precinct established for an election shall be served by a single polling place located within the boundary of the precinct; and

WHEREAS, Article II, Section 1 of the City Charter of the City of Texarkana, Texas, and Chapter 7, Section 7-1 of the Code of Ordinances, divides the city into six wards; and

WHEREAS, the Chapter 7, Section 7-2 of the Code of Ordinances designates and describes the following election precincts which correspond to county election precincts: Precinct 1-A, Precinct 1-B, Precinct 2-A, Precinct 2-B, Precinct 2-C, Precinct 2-D, Precinct 3-A, Precinct 3-B, Precinct 4-A, Precinct 4-B, Precinct 4-C, Precinct 4-D, Precinct 4-E, Precinct 5-A, Precinct 5-B, Precinct 5-C, Precinct 6-A, and Precinct 6-B; and

WHEREAS, Chapter 7, Section 7-3 of the Code of Ordinances designates a single polling place for each election precinct, as follows:

1. The polling place for Election Precinct 1-A shall be the Academic Learning Center (Options) located at 3201 Lincoln Avenue.
2. The polling place for Election Precinct 1-B shall be the Liberty-Eylau C. K. Bender Elementary School located at 2300 Buchanan Road.
3. The polling place for Election Precinct 2-A shall be the Liberty-Eylau Pre-Kindergarten Center/Grandview Campus located at 3105 Norris Cooley Drive.
4. The polling place for Election Precinct 2-B, 2-C, and 2-D shall be the Theron Jones Early Literacy Center located at 2600 West 15th Street.
5. The polling place for Election Precinct 3-A shall be the Collins Memorial Building located at 3028 Texas Boulevard.
6. The polling place for Election Precinct 3-B shall be the Texas City Hall Municipal Building located at 220 Texas Boulevard.
7. The polling place for Election Precinct 4-A, 4-C, 4-D, and 4-E shall be Texarkana College located at 2500 N. Robison Road.

Publish

8. The polling place for Election Precinct 4-B shall be the Spring Lake Park Elementary School located at 4324 Ghio Fish Boulevard.

9. The polling place for Election Precinct 5-A and 5-B shall be the Kenwood Fire Station at 306 S. Kenwood Road.

10. The polling place for Election Precinct 5-C shall be the Pleasant Grove High School located at 5406 McKnight Road.

11. The polling place for Election Precinct 6-A shall be First Baptist Church located at 3015 Moores Lane.

12. The polling place for Election Precinct 6-B shall be the Pleasant Grove Middle School located at 5605 Cooks Lane; as defined on the map attached as Exhibit "A"; and

WHEREAS, county election precincts are not required to be used for municipality-ordered elections held in May (see Section 42.002 of the Texas Election Code); and

WHEREAS, in the interest of efficiency in the election process, reduction of election-related costs, and the ease of voting for the citizens of Texarkana, Texas, the City Council desires to designate and establish each of the six city wards as an election precinct, and to designate a single polling place for each election precinct that will be used for City-ordered elections, as further defined on the map attached as Exhibit "B".

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

SECTION 1: That Section 7-2(b) of the Code of Ordinances of the City of Texarkana, Texas, be amended to read as follows:

- (b) The election precincts of the City shall be numbered as follows and shall remain in effect until changed by ordinance of the City of Texarkana, Texas.
 - (1) Election Precinct 1 (Ward 1)
 - (2) Election Precinct 2 (Ward 2)
 - (3) Election Precinct 3 (Ward 3)
 - (4) Election Precinct 4 (Ward 4)
 - (5) Election Precinct 5 (Ward 5)
 - (6) Election Precinct 6 (Ward 6)

SECTION 2: That Chapter 7, Section 7-3 of the Code of Ordinances of the City of Texarkana, Texas be amended to read as follows:

Sec. 7-3. – City polling places designated.

Each of the City election precincts, as established in section 7-2 of the Code of Ordinances of the City of Texarkana, shall be designated to one (1) polling place as follows:

Publish

1. The polling place for Election Precinct 1 (Ward 1) shall be the Liberty-Eylau C. K. Bender Elementary School located at 2300 Buchanan Road.
2. The polling place for Election Precinct 2 (Ward 2) shall be the Theron Jones Early Literacy Center located at 2600 West 15th Street.
3. The polling place for Election Precinct 3 (Ward 3) shall be the Texas City Hall Municipal Building located at 220 Texas Boulevard.
4. The polling place for Election Precinct 4 (Ward 4) shall be Texarkana College located at 2500 N. Robison Road.
5. The polling place for Election Precinct 5 (Ward 5) shall be the Pleasant Grove High School located at 5406 McKnight Road.
6. The polling place for Election Precinct 6 (Ward 6) shall be the Pleasant Grove Middle School located at 5605 Cooks Lane.

SECTION 3: That the City Secretary be and is hereby directed to publish the caption of this Ordinance for three (3) successive days in the Texarkana Gazette within ten (10) days of the passage of this Ordinance, as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

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

SECTION 6: That this Ordinance, upon publication as provided herein, 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 23rd day of February, 2015.

BOB BRUGGEMAN, MAYOR

ATTEST:

JENNIFER EVANS, CITY SECRETARY

FISCAL YEAR 2012 ELECTION COSTS

Year	DR Amount	Vendor Name	Description
2012	\$50.00	JP Morgan Chase Bank	ELECTION BOOK
2012	\$56.00	JP Morgan Chase Bank	ELECTION LAWS
2012	\$1.28	Brenda Williams	
2012	\$50.00	Texas Municipal Clerks Association	2011 Texas Election Law Supplement
2012	\$488.00	JP Morgan Chase Bank	ELECTION SUPPLIES/CITY SECRETARY
2012	\$97.00	Election Systems & Software Inc.	ballots
2012	\$463.39	Election Systems & Software Inc.	precinct kits
2012	\$0.85	Brenda Williams	
2012	\$30.82	Brenda Williams	
2012	\$32.46	Brenda Williams	
2012	\$32.87	Brenda Williams	
2012	\$33.00	Brenda Williams	
2012	\$20.83	Brenda Williams	
2012	\$104.00	Amy Schulz	
2012	\$91.00	Barbara Trimble	
2012	\$104.00	Betty Williams	
2012	\$104.00	Beverly G. Burks	
2012	\$106.00	Billy R. Roberts	
2012	\$25.00	Billy R. Roberts	
2012	\$1,170.00	Bowie County Elections Office	election machines / services
2012	\$87.50	Chassitty Hemmitt	election judge
2012	\$104.00	Christopher A. West	
2012	\$94.50	Clara I. Scaggs	
2012	\$35.00	Dana Birmingham	
2012	\$76.16	Election Systems & Software Inc.	Election Supplies
2012	\$569.24	Election Systems & Software Inc.	Election Supplies
2012	\$104.00	Essie M. Dodd	
2012	\$25.00	Essie M. Dodd	
2012	\$91.00	Ethel Kelly	
2012	\$104.00	Evelyn Anne West	
2012	\$25.00	Evelyn Anne West	
2012	\$104.00	Floy Gully	
2012	\$25.00	Floy Gully	
2012	\$104.00	George Edwards	election judge
2012	\$25.00	George Edwards	election judge
2012	\$108.00	Gloria Miller	
2012	\$25.00	Gloria Miller	
2012	\$91.00	Gwen Jones	
2012	\$104.00	Harvey Cook	Election Judge
2012	\$104.00	Hattie M. Edwards	
2012	\$89.25	Henry Johnson	

Attachment: Election Costs FY 2012 Summary [Revision 2] (1229 : Ord. No. 2015-001 Establishing City Polling Places)

2012	\$91.00	Ineatta Winn	Election Judge
2012	\$106.00	Janiss Roberts	
2012	\$474.25	Joanne Reavis	EV Election Judge
2012	\$574.00	Joe E. Lane	EV Election Judge
2012	\$114.00	Joe E. Lane	EV Election Judge
2012	\$35.00	Joel Campisi	
2012	\$104.00	Kennessa Pratt	
2012	\$91.00	Kenneth Pratt	
2012	\$104.00	Ladelle Ivey	
2012	\$25.00	Ladelle Ivey	
2012	\$94.50	Lamurle White	
2012	\$92.75	LaRoy Thomas	
2012	\$94.50	Leigh Ann Renfro	
2012	\$77.00	Margaret Lewis	
2012	\$88.00	Mary Hart	
2012	\$25.00	Mary Hart	
2012	\$104.00	Melvin D. (Doug) Williams	
2012	\$88.00	Oliver W Hart	
2012	\$574.00	Patricia A. Lane	EV election judge
2012	\$114.00	Patricia A. Lane	EV election judge
2012	\$91.00	Ruth Mcfadden	
2012	\$104.00	Shirley Casteel	election judge
2012	\$25.00	Shirley Casteel	election judge
2012	\$108.00	Susan Sullivan	
2012	\$106.00	Tom Daniels	
2012	\$25.00	Tom Daniels	
2012	\$80.50	Verlendo Shavers	election judge
2012	\$91.00	Walter A. (Alan) Trimble	
2012	\$104.00	Willie Casteel	election judge
2012	\$36.23	JP Morgan Chase Bank	ELECTION DAY WORKING SUPPER
2012	\$29.75	JP Morgan Chase Bank	ELECTION JUDGE LUNCH
2012	\$33.99	JP Morgan Chase Bank	ELECTION JUDGE LUNCH
2012	\$6.81	JP Morgan Chase Bank	ELECTION JUDGE LUNCH
2012	\$359.40	JP Morgan Chase Bank	ELECTION JUDGE LUNCH FOR ELECTION DAY
2012	\$25.86	JP Morgan Chase Bank	ELECTION TRAINING
2012	\$20.64	JP Morgan Chase Bank	ELECTION WORKING SUPPER
2012	\$11.66	Brenda Williams	Petty Cash
2012	\$9.37	Brenda Williams	Petty Cash
\$9,493.36			
	\$5,787.75	Election Judges	
	\$1,170.00	Election Machines	
	\$1,849.79	Election Supplies	

\$685.82	Election Food
\$9,493.36	

ORDINANCE NO. 2015-001

AN ORDINANCE OF THE CITY OF TEXARKANA, TEXAS; AMENDING CHAPTER 7, SECTIONS 7-2(b) AND 7-3 OF THE CODE OF ORDINANCES TO ESTABLISH EACH CITY WARD AS AN ELECTION PRECINCT, AND DESIGNATING A SINGLE POLLING LOCATION FOR EACH ELECTION PRECINCT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION OF PUBLIC NOTICE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 42.061(a) of the Texas Election Code provides that the governing body of a political subdivision other than a county shall establish the election precincts for elections ordered by an authority of the political subdivision; and

WHEREAS, Section 43.001 of the Texas Election Code states each election precinct established for an election shall be served by a single polling place located within the boundary of the precinct; and

WHEREAS, Article II, Section 1 of the City Charter of the City of Texarkana, Texas, and Chapter 7, Section 7-1 of the Code of Ordinances, divides the city into six wards; and

WHEREAS, the Chapter 7, Section 7-2 of the Code of Ordinances designates and describes the following election precincts which correspond to county election precincts: Precinct 1-A, Precinct 1-B, Precinct 2-A, Precinct 2-B, Precinct 2-C, Precinct 2-D, Precinct 3-A, Precinct 3-B, Precinct 4-A, Precinct 4-B, Precinct 4-C, Precinct 4-D, Precinct 4-E, Precinct 5-A, Precinct, 5-B, Precinct 5-C, Precinct 6-A, and Precinct 6-B; and

WHEREAS, Chapter 7, Section 7-3 of the Code of Ordinances designates a single polling place for each election precinct, as follows:

1. The polling place for Election Precinct 1-A shall be the Academic Learning Center (Options) located at 3201 Lincoln Avenue.
2. The polling place for Election Precinct 1-B shall be the Liberty-Eylau C. K. Bender Elementary School located at 2300 Buchanan Road.
3. The polling place for Election Precinct 2-A shall be the Liberty-Eylau Pre-Kindergarten Center/Grandview Campus located at 3105 Norris Cooley Drive.
4. The polling place for Election Precinct 2-B, 2-C, and 2-D shall be the Theron Jones Early Literacy Center located at 2600 West 15th Street.
5. The polling place for Election Precinct 3-A shall be the Collins Memorial Building located at 3028 Texas Boulevard.
6. The polling place for Election Precinct 3-B shall be the Texas City Hall Municipal Building located at 220 Texas Boulevard.
7. The polling place for Election Precinct 4-A, 4-C, 4-D, and 4-E shall be Texarkana College located at 2500 N. Robison Road.

Publish

8. The polling place for Election Precinct 4-B shall be the Spring Lake Park Elementary School located at 4324 Ghio Fish Boulevard.

9. The polling place for Election Precinct 5-A and 5-B shall be the Kenwood Fire Station at 306 S. Kenwood Road.

10. The polling place for Election Precinct 5-C shall be the Pleasant Grove High School located at 5406 McKnight Road.

11. The polling place for Election Precinct 6-A shall be First Baptist Church located at 3015 Moores Lane.

12. The polling place for Election Precinct 6-B shall be the Pleasant Grove Middle School located at 5605 Cooks Lane; as defined on the map attached as Exhibit "A"; and

WHEREAS, county election precincts are not required to be used for municipality-ordered elections held in May (*see* Section 42.002 of the Texas Election Code); and

WHEREAS, in the interest of efficiency in the election process, reduction of election-related costs, and the ease of voting for the citizens of Texarkana, Texas, the City Council desires to designate and establish each of the six city wards as an election precinct, and to designate a single polling place for each election precinct that will be used for City-ordered elections, as further defined on the map attached as Exhibit "B".

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

SECTION 1: That Section 7-2(b) of the Code of Ordinances of the City of Texarkana, Texas, be amended to read as follows:

- (b) The election precincts of the City shall be numbered as follows and shall remain in effect until changed by ordinance of the City of Texarkana, Texas.
 - (1) Election Precinct 1 (Ward 1)
 - (2) Election Precinct 2 (Ward 2)
 - (3) Election Precinct 3 (Ward 3)
 - (4) Election Precinct 4 (Ward 4)
 - (5) Election Precinct 5 (Ward 5)
 - (6) Election Precinct 6 (Ward 6)

SECTION 2: That Chapter 7, Section 7-3 of the Code of Ordinances of the City of Texarkana, Texas be amended to read as follows:

Sec. 7-3. – City polling places designated.

Each of the City election precincts, as established in section 7-2 of the Code of Ordinances of the City of Texarkana, shall be designated to one (1) polling place as follows:

Publish

1. The polling place for Election Precinct 1 (Ward 1) shall be the Liberty-Eylau C. K. Bender Elementary School located at 2300 Buchanan Road.
2. The polling place for Election Precinct 2 (Ward 2) shall be the Theron Jones Early Literacy Center located at 2600 West 15th Street.
3. The polling place for Election Precinct 3 (Ward 3) shall be the Texas City Hall Municipal Building located at 220 Texas Boulevard.
4. The polling place for Election Precinct 4 (Ward 4) shall be Texarkana College located at 2500 N. Robison Road.
5. The polling place for Election Precinct 5 (Ward 5) shall be the Pleasant Grove High School located at 5406 McKnight Road.
6. The polling place for Election Precinct 6 (Ward 6) shall be the Pleasant Grove Middle School located at 5605 Cooks Lane.

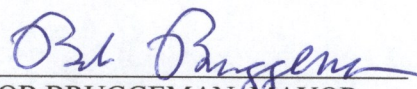
SECTION 3: That the City Secretary be and is hereby directed to publish the caption of this Ordinance for three (3) successive days in the Texarkana Gazette within ten (10) days of the passage of this Ordinance, as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

SECTION 4: 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.

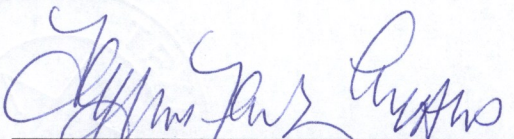
SECTION 5: That all ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 6: That this Ordinance, upon publication as provided herein, 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 26th day of January, 2015.


BOB BRUGGEMAN, MAYOR

ATTEST:


JENNIFER EVANS, CITY SECRETARY

8:23 p.m.

Attachment: Ord. 2015-001 signed (1229 : Ord. No. 2015-001 Establishing City Polling Places)

City of Texarkana, Texas

Briefing Sheet

Version: A

Update Date: 12/19/2014 9:54 AM

Lead Department: City Manager **Action Officer:** Jennifer Evans, City Secretary
Ordinance No. 2015-002 calling for a General City Election to be held on the
second Saturday in May, 2015 for the purpose of electing a Council Member for
Ward Two, a Council Member for Ward Three, and a Council Member for
Subject: Ward Five.

Briefing: 1/26/2015 **Public Hearing:** 1/26/2015 **Second Briefing:** February 9,
2015 **Council Vote:** 2/23/2015

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Calling a General Election to be held on the second Saturday in May to elect a Council Member for Ward Two, a Council Member for Ward Three, and a Council Member for Ward 5.

Potential Options:

- None
-

Fiscal Implications:

None – in budget.

Staff Recommendation:

Staff recommends approval pursuant to state law. (TEC 3.005(c)(2))

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- Goals and Perspectives (DOCX)
- App for Gen. Election Ballot Appendix A Ord. 2015-002 (PDF)

City of Texarkana, Texas

- c. Ord. 2015-002 Calling General May Election (jcl rev) (DOC)
- d. Ord. 2015-002 signed (PDF)

Staff Coordination

City Manager	John Whitson	Department Head Review	Completed	
	12/17/2014 9:44 AM			
City Attorney	Jeffery C. Lewis	Review	Completed	12/17/2014
	10:50 AM			
Public Information Officer		Lisa Thompson	PIO Review	Completed
	12/17/2014 11:24 AM			
City Manager	John Whitson	City Manager Review	Completed	12/17/2014
	12:55 PM			
City Council	Jennifer Evans	Meeting	Completed	01/12/2015
	6:00 PM			

Meeting History

01/12/15 City Council MOVED FORWARD Next: 01/26/15
 City Manager Whitson briefed this item.

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: [Select One By Clicking Here](#)

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:

AW2-15, 7/2011

Prescribed by Secretary of State

Sections 141.031, 143.004, 143.006, Texas Election Code

All information is required to be provided unless indicated as optional.

APPLICATION FOR A PLACE ON THE CITY OF _____ GENERAL ELECTION BALLOT					
TO: City Secretary					
I request that my name be placed on the above-named official ballot as a candidate for the office indicated below.					
OFFICE SOUGHT Include any place number or other distinguishing number, if any.				INDICATE TERM ☐ FULL ☐ UNEXPIRED	
FULL NAME (First, Middle, Last)			PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT		
PERMANENT RESIDENCE ADDRESS (Street address and apartment number. If none, describe location of residence. Do not include P.O. Box or Rural Rt.)			MAILING ADDRESS (If different from residence address)		
CITY	STATE	ZIP	CITY	STATE	ZIP
EMAIL ADDRESS (Optional)		OCCUPATION (Do not leave blank)		DATE OF BIRTH / /	VOTER REGISTRATION VOID NUMBER (if applicable)
TELEPHONE NUMBER (Include area code) (Optional)			Length of Continuous Residence as of Date Application Sworn		
OFFICE:			IN STATE ____ yr(s) ____ mos	IN CITY ____ yr(s) ____ mos	IN DISTRICT OR PRECINCT ¹ ____ yr(s) ____ mos
HOME:					
If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election.					
Before me, the undersigned authority, on this day personally appeared (name) _____, who being by me here and now duly sworn, upon oath says: "I, (name) _____, of _____, County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the Constitution and laws of this state. I have not been finally convicted of a felony for which I have not been pardoned or had my full rights of citizenship restored by other official action. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I further swear that the foregoing statements included in my application are in all things true and correct." X SIGNATURE OF CANDIDATE					
Sworn to and subscribed before me at _____, this the _____ day of _____, _____ SEAL					
Signature of Officer administering oath ²			Title of Officer administering oath		
TO BE COMPLETED BY CITY SECRETARY: (See Section 1.007) Date Received Signature of City Secretary					

INSTRUCTIONS

An application to have the name of a candidate placed on the ballot for any election may not be filed earlier than 30 days before the deadline prescribed by this code for filing the application. An application filed before that day is void.

The filing deadline is 5:00 p.m. 71 days prior to the election day if the election is held in May or November of an odd-numbered year, except in cases where the law specifies the contrary.

The filing deadline is 5:00 p.m. 78 days prior to the election day if the election is held in November of an even-numbered year.

The candidate **must** sign this statement indicating his awareness of the nepotism law. The nepotism prohibitions of chapter 573, Government Code, are summarized below:

No officer may appoint, or vote for or confirm the appointment or employment of any person related within the second degree by affinity (marriage) or the third degree by consanguinity (blood) to himself, or to any other member of the governing body or court on which he serves when the compensation of that person is to be paid out of public funds or fees of office. However, nothing in the law prevents the appointment, voting for, or confirmation of anyone who has been continuously employed in the office or employment for the following period prior to the election or appointment of the officer or member related to the employee in the prohibited degree: six months, if the officer or member is elected at the general election for state and county officers.

No candidate may take action to influence an employee of the office to which the candidate is seeking election or an employee or officer of the governmental body to which the candidate is seeking election regarding the appointment or employment of a person related to the candidate in a prohibited degree as noted above. This prohibition does not apply to a candidate's actions with respect to a bona fide class or category of employees or prospective employees.

Examples of relatives within the third degree of consanguinity are as follows:

- (1) First degree: parent, child;
- (2) Second degree: brother, sister, grandparent, grandchild;
- (3) Third degree: great-grandparent, great-grandchild, uncle, aunt, nephew, niece.

These include relatives by blood, half-blood, and legal adoption.

Examples of relatives within the second degree of affinity are as follows:

- (1) First degree: spouse, spouse's parent, son-in-law, daughter-in-law;
- (2) Second degree: brother's spouse, sister's spouse, spouse's brother, spouse's sister, spouse's grandparent.

Persons related by affinity (marriage) include spouses of relatives by consanguinity, and, if married, the spouse and the spouse's relatives by consanguinity. These examples are not all inclusive.

FOOTNOTE

¹If the territory for which the office is elected is citywide (at large) the length of residence in district/precinct is not required.

²All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace, city secretary, and the Secretary of State of Texas.

AW2-15, 7/2011
 Prescribed by Secretary of State
 Sections 141.031, 143.004, 143.006, Texas Election Code

Se requiere toda la información, a menos que haya alguna indicación que no es obligatoria.

APLICACION PARA UN LUGAR EN LA BOLETA DE LA CIUDAD DE ELECCIÓN GENERAL					
A: Secretario(a) de la Ciudad					
Solicito que mi nombre esté puesto en la arriba nombrada boleta como candidato para puesto oficial indicado abajo.					
PUESTO OFICIAL SOLICITADO Incluya cualquier número de lugar u otro número que hace el puesto oficial diferente a otros, si hay alguno.				INDIQUE TÉRMINO ☐ TÉRMINO COMPLETO ☐ NO COMPLETADO	
NOMBRE COMPLETO (Nombre de Pila, Segundo Nombre, Apellido)			ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA		
DIRECCION DE RESIDENCIA PERMANENTE: Calle y Número de Departamento: si no tiene, describa la localidad de su residencia. No incluya su caja postal o ruta rural.			DIRECCIÓN POSTAL (Si es diferente a su dirección de residencia)		
CIUDAD	ESTADO	ZONA POSTAL	CIUDAD	ESTADO	ZONA POSTAL
CORREO ELECTRÓNICO (Optativo)		EMPLEO (No lo deje en blanco)		FECHA DE NACIMIENTO / /	NUM. DE VUID DE VOTANTE (si aplica)
NÚMERO DE TELEFONO - Incluya el código de área (Optativo) DE SU OFICINA: DE SU DOMICILIO:			TIEMPO EN QUE HA RESIDIDO EN UN SOLO LUGAR EN LA FECHA EN QUE PRESTÓ JURAMENTO SOBRE LA SOLICITUD		
			EN EL ESTADO ____ (año(s)) ____ (mes(es))	EN LA CIUDAD ____ (año(s)) ____ (mes(es))	EN EL DISTRITO O PRECINTO ¹ ____ (año(s)) ____ (mes(es))
Para poder incluir un apodo como parte de su nombre completo el la papeleta, Ud. deberá firmar la siguiente constancia: Además, juro que se me ha conocido por este apodo por más de tres años. Además, juro que el apodo no es un lema político ni una indicación de mis creencias o afiliaciones políticas, económicas, sociales, o religiosas.					
Ante mí, la autoridad, suscrita apareció en persona _____, quien habiendo aquí y ahora prestado juramento debido, bajo juramento dice: "Yo, _____, del condado de _____, Texas, siendo candidato para el puesto oficial de _____ solemnemente juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy ciudadano de los Estados Unidos elegible para ocupar tal puesto oficial bajo la Constitución y las leyes de este Estado. No me han determinado por un juicio final de una corte de la legalización de un testamento, ser totalmente incapacitado mentalmente o parcialmente incapacitado sin el derecho de votar, ni he sido probado culpable finalmente de una felonía por la cual no he sido perdonado o por la cual no se me han restituido enteramente mis derechos de ciudadanía por medio de otra acción oficial. Yo tengo conocimiento de la ley sobre el nepotismo según el capítulo 573 de Código Gobierno. Además juro que las anteriores declaraciones que incluyo en mi solicitud son verdaderas y están correctas en todos sentidos."					
X FIRMA DEL CANDIDATO					
Jurado y suscrito ante mí en _____, este día _____ de _____.					
Firma del oficial administrando el juramento ² _____				Título del oficial administrando el juramento _____	
TO BE COMPLETED BY CITY SECRETARY: (See Section 1.007)					
Date Received _____			Signature of City Secretary _____		

Attachment: App for Gen. Election Ballot Appendix A Ord. 2015-002 (1230 : Ord. No. 2015-002 Calling May General Election)

INSTRUCCIONES

Una aplicación para que le nombre de un candidato aparezca en la boleta para cualquier elección no deberá registrarse antes de 30 días antes del último día para registrar la aplicación como prescribe este código. Una aplicación registrada antes de ese día se declara inválida.

El último día para registrarse es a las 5 de la tarde 71 días antes del día de elección, si la elección es administrada en mayo o en noviembre de los años no pares menos en casos donde la ley especifique lo contrario.

El último día para registrarse es a las 5 de la tarde 78 días antes del día de elección si la elección es administrada en noviembre de los años pares.

El candidato **deberá** firmar esta declaración indicando que él/ella está enterado(a) de la ley sobre el nepotismo. Lo siguiente es un resumen de las prohibiciones del nepotismo al acuerdo al capítulo 573 de Código Gobierno:

Ningún oficial podrá nombrar, o votar por o confirmar el nombramiento o empleo de alguna persona que está emparentada con él dentro del segundo grado por afinidad (matrimonio) o dentro del tercer grado por consanguinidad (sangre), o que está emparentada con cualesquier otro miembro del cuerpo directivo o corte en que él/ella celebra sesión cuando la compensación de esa persona estará pagada con fondos públicos o los honorarios del puesto oficial. Sin embargo, la ley no prohíbe el nombramiento, el votar por, o la confirmación de alguna persona que continuamente ha sido empleado de la oficina o ha sido empleado durante el siguiente plazo antes de la elección o el nombramiento del oficial o miembro que está emparentado con el empleado en el grado prohibido: seis meses, si el oficial o miembro está elegido en una elección otra de la elección general para oficiales del estado y del condado.

Ningún candidato podrá obrar para influir a un empleado del puesto oficial al cual el candidato desea estar elegido o un empleado o oficial del cuerpo fiscal al cual el candidato desea estar elegido en cuanto al nombramiento o al empleo de una persona que está emparentada con el candidato en un grado prohibido como notado arriba. Esta restricción no se dirige a las acciones de un candidato respecto a una clase o categoría de buena fe de empleados o empleados anticipados.

Los ejemplos de parientes dentro del tercer grado de consanguinidad son los siguientes:

- (1) Primer grado: padre, madre, hijo(a);
- (2) Segundo grado: hermano(a), abuelo(a), nieto(a) primo(a);
- (3) Tercer grado: bisabuelo(a), bisnieto(a), tío(a), sobrino(a).

Los siguientes incluyen parientes de linaje (sangre), medios hermanos, y adopción legal.

Los ejemplos de parientes dentro del segundo grado de afinidad son los siguientes:

- (1) Primer grado: esposo(a), suegro(a), yerno(a);
- (2) Segundo grado: cuñado(a), abuelo(a) del esposo o esposa.

Las personas que están emparentadas por afinidad (matrimonio) están incluyen los esposos o esposas de parientes que están emparentados por consanguinidad, y, si casados, el esposo o esposa y los parientes del esposo o esposa por consanguinidad. No todos estos ejemplos son inclusivos.

NOTA

¹Si el territorio del puesto que se elige abarca la ciudad entera (plurinominal), no se requiere la duración de residencia en el distrito/precinto.

²Todo juramento, testimonio o afirmación hecho dentro de este Estado se podrá administrar y se podrá dar un certificado del hecho por un juez, escribano, o comisionado de alguna corte de registro, un notario público, un juez de paz, secretario de la ciudad, y el Secretario del Estado de Texas.

ORDINANCE NO. 2015-002

AN ORDINANCE CALLING FOR A GENERAL CITY ELECTION TO BE HELD ON THE SECOND SATURDAY IN MAY, 2015 FOR THE PURPOSE OF ELECTING A COUNCILMEMBER FOR WARD TWO, A COUNCILMEMBER FOR WARD THREE AND A COUNCILMEMBER FOR WARD FIVE FOR THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS; PRESCRIBING THE TIME, PLACE, MANNER, AND FORM FOR THE HOLDING OF SAID ELECTION; PROVIDING INSTRUCTIONS FOR THE HOLDING OF SAID ELECTION IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS, THE CITY CHARTER, AND ORDINANCES OF THE CITY OF TEXARKANA, TEXAS; PROVIDING FOR A LOYALTY OATH; PROVIDING FOR THE POSTING OF CANDIDATES' NAMES IN THE OFFICE OF THE CITY SECRETARY; DIRECTING THE CITY SECRETARY TO PROVIDE FOR TIMELY PRINTING OF BALLOTS; PROVIDING FOR EARLY VOTING; DIRECTING THAT POLLS BE OPENED FROM 7:00 A.M. TO 7:00 P.M. ON ELECTION DAY; PROVIDING FOR PUBLICATION OF PUBLIC NOTICE OF THIS ELECTION; PROVIDING FOR CANVASS OF THE ELECTION RESULTS BY THE CITY COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 1 of Article V of the Charter of the City of Texarkana, Texas, requires that a general (regular) election be held on the 1st Saturday in May of each year for the purpose of electing Mayor and Councilmembers whose terms are expiring; and

WHEREAS, the Texas Legislature during its **79th Legislative Session** amended Texas Election Code Section 41.001 Uniform Election Dates to provide that the general or special election date scheduled for the month of **May, 2015**, be changed from the first Saturday in May to the second Saturday in May; and

WHEREAS, the Texas Election Code, Section 41.005 General Election of Political Subdivision other than County requires the City to set its election on a date which complies with the Uniform Election Date of the second Saturday in **May, 2015**;

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

SECTION 1: That an election is hereby called and ordered to be held in the City of Texarkana, Texas, at the respective voting places in each ward as set out hereinafter, said election to be held on the **9th day of May, 2015**, for the purpose of electing a Councilmember for Ward Two, a Councilmember for Ward Three and a Councilmember for Ward Five of the City of Texarkana, Texas.

SECTION 2: That said election shall be held in accordance with the laws of the State of Texas, the City Charter and Ordinances of the City of Texarkana, Texas.

SECTION 3: In accordance with revisions to the City Charter as approved by voters of the City in a Special Election on November 12, 1983, and as canvassed by Ordinance 309-83, enacted on November 21, 1983, the Councilmember to be elected from Wards Two, Three and Five, respectively, shall be voted on solely by the voters of each of their respective Wards.

SECTION 4: Candidates for Councilmembers in this election must meet the qualifications for candidacy as set forth in the Texas Election Code, the City Charter, and Ordinances of the City of Texarkana, Texas.

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SECTION 5: That any eligible and qualified person may have his or her name printed upon the official ballot as a candidate for the office of Councilmember of **Ward Two**, Councilmember of **Ward Three** or Councilmember of **Ward Five** by filing the appropriate sworn application with the City Secretary between **January 28, 2015** through 5:00 p.m. on **February 27, 2015**, and by complying with the provisions of the Texas Election Code and applicable Statutes and Ordinances. The application shall be in the form as set forth in Appendix "A" which is attached hereto and made a part hereof as if fully set forth herein. Each candidate must also complete the Loyalty Affidavit as is set forth on the lower portion of Appendix "A" and the City Secretary is hereby directed to refuse any application for which the said affidavit has not been completed and sworn to by the candidate. The City Secretary shall provide a blank copy of Appendix "A" to those persons requesting same.

SECTION 6: That the specimen ballot shall be made available for public inspection in the office of the City Secretary and on the bulletin board in the City Hall as soon as practicable after the official ballots have been prepared for the election, as required by Section 52.007, Texas Election Code.

SECTION 7: That the City Secretary be and is hereby ordered and directed to ensure that the official ballots are printed and on hand so that early voting may commence twelve (12) days before the date of election (**April 27, 2015**). All early balloting shall be conducted in accordance with Title 7 and other applicable portions of the Texas Election Code. Each qualified voter who desires to cast an early voting ballot and who is qualified in accordance with Chapter 82 of the Texas Election Code shall be entitled to an official early voting ballot and the right to cast such ballot. All completed early voting ballots voted by personal appearance must be in the hands of the City Secretary not later than the fourth (4th) day prior to the election (i.e. by 5:00 p.m. on **May 5, 2015**).

The deadline for receipt of applications for mail ballot shall be at 5:00 p.m. on **April 30, 2015** in the City Secretary's Office in accordance with Section 84.007 of the Texas Election Code. The deadline for completed mail ballots shall be 7:00 p.m. on **May 9, 2015**, in the City Secretary's Office. Early voting ballots shall be delivered to and counted by an early voting board to be appointed by separate Ordinance.

SECTION 8: Election Officials shall be appointed hereafter by separate ordinance.

SECTION 9: That said election shall be conducted in accordance with the laws of the State of Texas and with the City Charter and Ordinances of the City of Texarkana, Texas.

SECTION 10: That the polling places for said election shall be as set forth in **Chapter 7, Section 7-3 "City polling places designated."** of the Code of Ordinances of the City of Texarkana, Texas.

SECTION 11: That the City Secretary shall give notice of this election by causing said notice to be published one time in the Texarkana Gazette, the official newspaper of the City. The said publication shall be not more than 30 days or less than 10 days prior to **May 9, 2015**. Such publication meets the requirements set forth in Section 1 of Article V of the Charter of the City of Texarkana, Texas, and the requirement set forth in Texas Election Code, Section 4.003. The City Secretary shall attach the returned certificate of publication from the newspaper editor to the original of this Ordinance on file.

SECTION 12: That the City Council shall, not earlier than the third day and not later than the eleventh day after Election Day, as set forth in Texas Election Code, Section 67.003(a), canvass the returns, investigate the qualifications of the candidate, and declare the official results of the election. The returns of the election shall be recorded in the Minutes of the Council by precinct totals, and the qualified person receiving the highest number of votes cast for each office shall thereupon be declared by said Council to

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have been elected.

SECTION 13: Ward lines for all Wards affected by this election shall be as set forth in **Chapter 7, Section 7-1 “City wards – Designated and defined by ordinance.”** of the Code of Ordinances of the City of Texarkana, Texas.

SECTION 14: Precinct lines for all precincts affected by this election shall be as set forth in **Chapter 7, Section 7-2 “City election precincts; designated and described by ordinance.”** of the Code of Ordinances of the City of Texarkana, Texas.

SECTION 15: That all alleged criminal violations of the election laws of the State of Texas which are noted by election officials in the course of this election shall be examined by the City Attorney, who shall refer appropriate criminal complaints for prosecution to the Criminal District Attorney of Bowie County, Texas, in accordance with the laws of the State of Texas.

SECTION 16: That, by approving and signing this Ordinance, the Mayor officially confirms as his action all matters recited in the Ordinance which by law come within his jurisdiction.

SECTION 17: 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 **23rd day of February, 2015.**

BOB BRUGGEMAN, MAYOR

ATTEST:

JENNIFER EVANS, CITY SECRETARY

ORDINANCE NO. 2015-002

AN ORDINANCE CALLING FOR A GENERAL CITY ELECTION TO BE HELD ON THE SECOND SATURDAY IN MAY, 2015 FOR THE PURPOSE OF ELECTING A COUNCILMEMBER FOR WARD TWO, A COUNCILMEMBER FOR WARD THREE AND A COUNCILMEMBER FOR WARD FIVE FOR THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS; PRESCRIBING THE TIME, PLACE, MANNER, AND FORM FOR THE HOLDING OF SAID ELECTION; PROVIDING INSTRUCTIONS FOR THE HOLDING OF SAID ELECTION IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS, THE CITY CHARTER, AND ORDINANCES OF THE CITY OF TEXARKANA, TEXAS; PROVIDING FOR A LOYALTY OATH; PROVIDING FOR THE POSTING OF CANDIDATES' NAMES IN THE OFFICE OF THE CITY SECRETARY; DIRECTING THE CITY SECRETARY TO PROVIDE FOR TIMELY PRINTING OF BALLOTS; PROVIDING FOR EARLY VOTING; DIRECTING THAT POLLS BE OPENED FROM 7:00 A.M. TO 7:00 P.M. ON ELECTION DAY; PROVIDING FOR PUBLICATION OF PUBLIC NOTICE OF THIS ELECTION; PROVIDING FOR CANVASS OF THE ELECTION RESULTS BY THE CITY COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 1 of Article V of the Charter of the City of Texarkana, Texas, requires that a general (regular) election be held on the 1st Saturday in May of each year for the purpose of electing Mayor and Councilmembers whose terms are expiring; and

WHEREAS, the Texas Legislature during its 79th Legislative Session amended Texas Election Code Section 41.001 Uniform Election Dates to provide that the general or special election date scheduled for the month of **May, 2015**, be changed from the first Saturday in May to the second Saturday in May; and

WHEREAS, the Texas Election Code, Section 41.005 General Election of Political Subdivision other than County requires the City to set its election on a date which complies with the Uniform Election Date of the second Saturday in **May, 2015**;

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SECTION 2: That said election shall be held in accordance with the laws of the State of Texas, the City Charter and Ordinances of the City of Texarkana, Texas.

SECTION 3: In accordance with revisions to the City Charter as approved by voters of the City in a Special Election on November 12, 1983, and as canvassed by Ordinance 309-83, enacted on November 21, 1983, the Councilmember to be elected from Wards Two, Three and Five, respectively, shall be voted on solely by the voters of each of their respective Wards.

SECTION 4: Candidates for Councilmembers in this election must meet the qualifications for candidacy as set forth in the Texas Election Code, the City Charter, and Ordinances of the City of Texarkana, Texas.

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SECTION 5: That any eligible and qualified person may have his or her name printed upon the official ballot as a candidate for the office of Councilmember of **Ward Two**, Councilmember of **Ward Three** or Councilmember of **Ward Five** by filing the appropriate sworn application with the City Secretary between **January 28, 2015** through 5:00 p.m. on **February 27, 2015**, and by complying with the provisions of the Texas Election Code and applicable Statutes and Ordinances. The application shall be in the form as set forth in Appendix "A" which is attached hereto and made a part hereof as if fully set forth herein. Each candidate must also complete the Loyalty Affidavit as is set forth on the lower portion of Appendix "A" and the City Secretary is hereby directed to refuse any application for which the said affidavit has not been completed and sworn to by the candidate. The City Secretary shall provide a blank copy of Appendix "A" to those persons requesting same.

SECTION 6: That the specimen ballot shall be made available for public inspection in the office of the City Secretary and on the bulletin board in the City Hall as soon as practicable after the official ballots have been prepared for the election, as required by Section 52.007, Texas Election Code.

SECTION 7: That the City Secretary be and is hereby ordered and directed to ensure that the official ballots are printed and on hand so that early voting may commence twelve (12) days before the date of election (**April 27, 2015**). All early balloting shall be conducted in accordance with Title 7 and other applicable portions of the Texas Election Code. Each qualified voter who desires to cast an early voting ballot and who is qualified in accordance with Chapter 82 of the Texas Election Code shall be entitled to an official early voting ballot and the right to cast such ballot. All completed early voting ballots voted by personal appearance must be in the hands of the City Secretary not later than the fourth (4th) day prior to the election (i.e. by 5:00 p.m. on **May 5, 2015**).

The deadline for receipt of applications for mail ballot shall be at 5:00 p.m. on **April 30, 2015** in the City Secretary's Office in accordance with Section 84.007 of the Texas Election Code. The deadline for completed mail ballots shall be 7:00 p.m. on **May 9, 2015**, in the City Secretary's Office. Early voting ballots shall be delivered to and counted by an early voting board to be appointed by separate Ordinance.

SECTION 8: Election Officials shall be appointed hereafter by separate ordinance.

SECTION 9: That said election shall be conducted in accordance with the laws of the State of Texas and with the City Charter and Ordinances of the City of Texarkana, Texas.

SECTION 10: That the polling places for said election shall be as set forth in **Chapter 7, Section 7-3 "City polling places designated."** of the Code of Ordinances of the City of Texarkana, Texas.

SECTION 11: That the City Secretary shall give notice of this election by causing said notice to be published one time in the Texarkana Gazette, the official newspaper of the City. The said publication shall be not more than 30 days or less than 10 days prior to **May 9, 2015**. Such publication meets the requirements set forth in Section 1 of Article V of the Charter of the City of Texarkana, Texas, and the requirement set forth in Texas Election Code, Section 4.003. The City Secretary shall attach the returned certificate of publication from the newspaper editor to the original of this Ordinance on file.

SECTION 12: That the City Council shall, not earlier than the third day and not later than the eleventh day after Election Day, as set forth in Texas Election Code, Section 67.003(a), canvass the returns, investigate the qualifications of the candidate, and declare the official results of the election. The returns of the election shall be recorded in the Minutes of the Council by precinct totals, and the qualified person receiving the highest number of votes cast for each office shall thereupon be declared by said Council to

Attachment: Ord. 2015-002 signed (1230 : Ord. No. 2015-002 Calling May General Election)

Publish

have been elected.

SECTION 13: Ward lines for all Wards affected by this election shall be as set forth in **Chapter 7, Section 7-1 "City wards – Designated and defined by ordinance."** of the Code of Ordinances of the City of Texarkana, Texas.

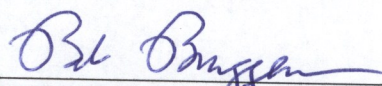
SECTION 14: Precinct lines for all precincts affected by this election shall be as set forth in **Chapter 7, Section 7-2 "City election precincts; designated and described by ordinance."** of the Code of Ordinances of the City of Texarkana, Texas.

SECTION 15: That all alleged criminal violations of the election laws of the State of Texas which are noted by election officials in the course of this election shall be examined by the City Attorney, who shall refer appropriate criminal complaints for prosecution to the Criminal District Attorney of Bowie County, Texas, in accordance with the laws of the State of Texas.

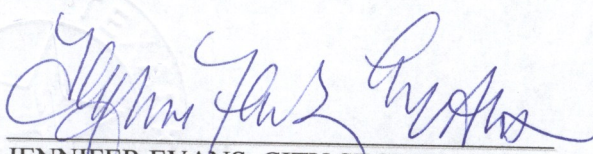
SECTION 16: That, by approving and signing this Ordinance, the Mayor officially confirms as his action all matters recited in the Ordinance which by law come within his jurisdiction.

SECTION 17: 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 26th day of January, 2015.


BOB BRUGGEMAN, MAYOR

ATTEST:


JENNIFER EVANS, CITY SECRETARY

8:22 p.m.

Attachment: Ord. 2015-002 signed (1230 : Ord. No. 2015-002 Calling May General Election)

City of Texarkana, Texas

Version: B

Update Date: 1/5/2015 8:16 AM

Briefing Sheet

Lead Department: Public Works Department **Action Officer:** Kyle Dooley
Ordinance No. 2015-003 regulating the speed of motor vehicles upon a certain
section of US 67 within the corporate limits of the City of Texarkana, Texas;
registering the set speed limits in the City's Traffic Register; authorizing the
Subject: Texas Department of Transportation to erect signs.

Briefing: 1/26/2015 **Public Hearing:** 1/20/2015 **Second Briefing:** February 9, 2015 **Council Vote:** 2/23/2015

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Attached as part of this item is a letter from Rebecca Wells, PE, District Traffic Engineer for the Atlanta District of the Texas Department of Transportation (TxDOT). As per this letter, TxDOT has performed an engineering study and traffic survey on US 67 (7th St.). The results of this study indicate that the appropriate maximum speed limits for US 67 (7th St.) need to be adjusted. The proposed changes to the speed zones are listed below.

- Extend the limits of the existing forty (40) mph speed zone west of the TNER railroad track. This change would include both 7th Street and MLK Boulevard.
- Decrease the speed limit from fifty (50) mph to forty-five (45) mph from west of the TNER railroad track to west of Memorial Drive.
- Create a new fifty (50) mph speed zone west of Memorial Drive to the West City Limits of Texarkana.

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

Potential Options:

- Approve speed zone changes.
- Disapprove speed zone changes.

Fiscal Implications:

None

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

NONE

City of Texarkana, Texas

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. Goals and Perspectives (DOCX)
- b. Ord. No 2015-003 SpeedLimit US67 (DOC)
- c. Exhibit A - Speed Study US 67 (PDF)
- d. TxDot Letter (PDF)
- e. Current US 67 Speed Zones (PDF)
- f. Proposed US 67 Speed Zones (PDF)
- g. Ord. 2015-003 signed (PDF)

Staff Coordination

Public Works Department	Kyle Dooley	Department Head Review	
Completed	12/29/2014 1:54 PM		
Public Information Officer	Lisa Thompson	PIO Review	Completed
12/29/2014 3:27 PM			
Police	Dan Shiner	Review	Completed 12/29/2014
3:33 PM			
Assistant City Manager	Shirley Jaster	Review	Completed
12/29/2014 3:39 PM			
City Manager	John Whitson	City Manager Review	Completed 01/05/2015
8:16 AM			
City Council	Jennifer Evans	Meeting	Completed 01/12/2015
6:00 PM			

Meeting History

01/12/15 City Council MOVED FORWARD Next: 01/26/15
 Kyle Dooley briefed this item.

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:

PUBLISH

ORDINANCE NO. 2015-003

AN ORDINANCE OF THE CITY OF TEXARKANA, TEXAS REGULATING THE SPEED OF MOTOR VEHICLES UPON A CERTAIN SECTION OF US 67 WITHIN THE CORPORATE LIMITS OF THE CITY OF TEXARKANA, TEXAS; REGISTERING THE SET SPEED LIMITS IN THE CITY'S TRAFFIC REGISTER; AUTHORIZING THE TEXAS DEPARTMENT OF TRANSPORTATION TO ERECT SIGNS, PRESCRIBING PENALTIES; PROVIDING FOR PUBLICATION; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Texas Department of Transportation has conducted engineering studies and traffic investigations to determine the reasonable and safe prima facie maximum speeds for motor vehicles upon that section of US 67 within the corporate limits of the City of Texarkana, Texas; and

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

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

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

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

SECTION 1: That the following prescribed section of US 67 as indicated on the attached plan marked "EXHIBIT A" is regulated as to the speed of motor vehicles traveling thereon in the direction indicated, and it shall be unlawful for the driver of any motor vehicle to drive said vehicle within said section in the direction stated at a speed in excess of the following:

A. FOR TRAFFIC TRAVELING WEST ON US 67.

1. Forty (40) miles per hour from the intersection of US 71 (MP 0.000 Cont. 0010-13) west for a distance of 1.771 miles, to a point 471.5 ft. west of TNER Railroad (MP 1.771 Cont. 0010-13).
2. Forty-five (45) miles per hour from a point 471.5 ft. west of TNER Railroad (MP 1.771 Cont. 0010-13) west for a distance of 2.129 miles, to a point 380 ft. west of Memorial Drive (MP 3.900 Cont. 0010-13).
3. Fifty (50) miles per hour from a point 380 ft. west of Memorial Drive (MP 3.900 Cont. 0010-13) west for a distance of 0.618 miles to a point 1,000 ft. east of FM 989 (MP 4.518 Cont. 0010-13) said point being the West City Limits of Texarkana, TX., and also being the point of termination.

B. FOR TRAFFIC TRAVELING EAST ON US 67.

1. Fifty (50) miles per hour from the West City Limits of Texarkana, TX., also being 1,000 ft. east of FM 989 (4.518 Cont. 0010-13) east for a distance of 0.618 miles to a point 380 ft.

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- west of Memorial Drive (MP 3.900 Cont. 0010-13).
2. Forty-five (45) miles per hour from a point 380 ft. west of Memorial Drive (MP 3.900 Cont. 0010-13) east for a distance of 2.129 miles to a point 471.5 ft. west TNER Railroad (MP 1.771 Cont. 0010-13).
 3. Forty (40) miles per hour from a point 471.5 ft. west TNER Railroad (MP 1.771 Cont. 0010-13) east for a distance of 1.771 miles to the intersection of US 71 (MP 0.000 Cont. 0010-13) said point being the point of termination.

SECTION 2: That the hereinabove speeds for vehicular traffic traveling upon the hereinabove designated section of US 67 the direction herein specified be and they are hereby found to be reasonable and safe prima facie speed limits therefore. The fact that this regulation of the speed of motor vehicles is needed, creates an emergency which is for the immediate preservation of public safety and general welfare, requires that this ordinance take effect immediately from and after its passage and it is accordingly so ordained and registered in the City's Traffic Register.

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

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

SECTION 5: That the City Secretary be and is hereby directed to publish the caption of this Ordinance for three (3) successive days in the Texarkana Gazette within ten (10) days of the passage of this Ordinance, as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

SECTION 6: 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 7: That all ordinances or parts of ordinances in conflict herewith are specifically repealed.

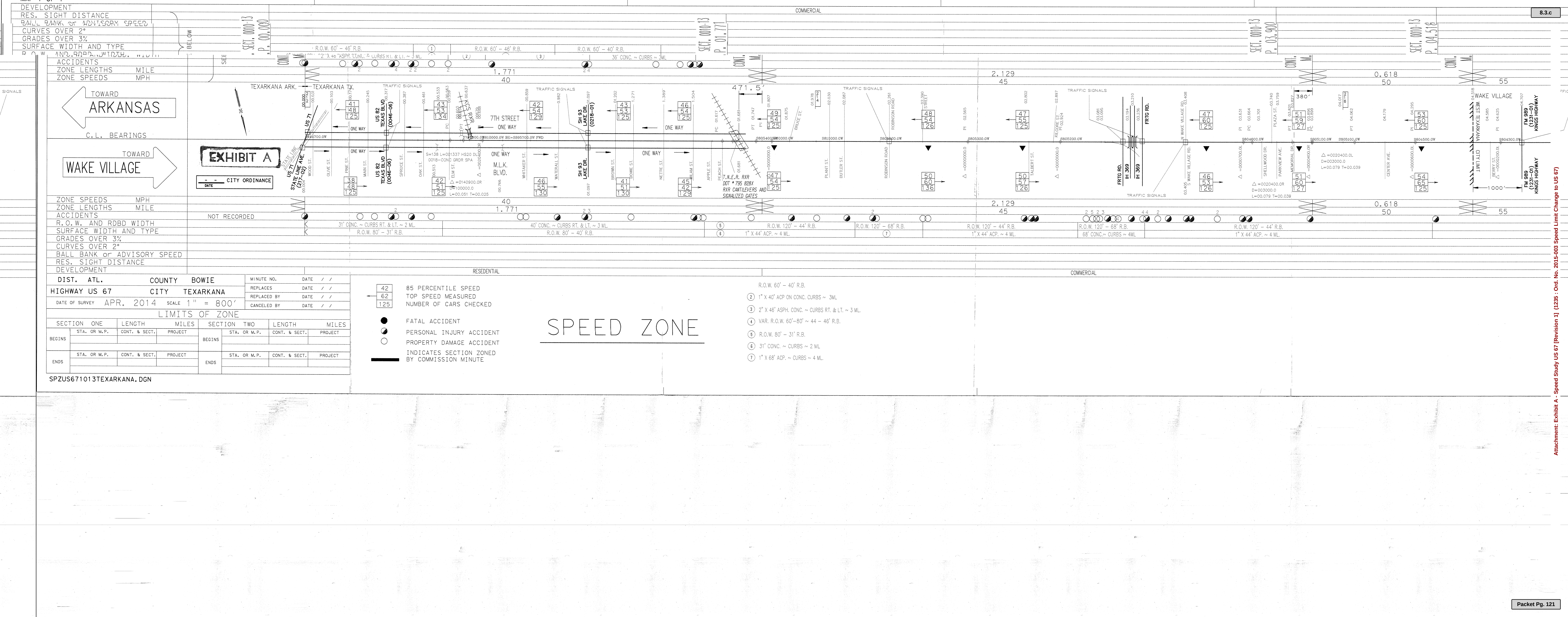
SECTION 8: That this Ordinance, upon publication as provided herein, shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **23rd day of February, 2015.**

BOB BRUGGEMAN, MAYOR

ATTEST:

JENNIFER EVANS, CITY SECRETARY



December 3, 2014

Mr. Kyle Dooley
Director of Public Works
City of Texarkana Texas
919 Elm Street
Texarkana, Tx. 75501

Dear Mr. Dooley:

With reference to a recent engineering study and traffic survey conducted by the Texas Department of Transportation, the appropriate speed zones on US 67 in Texarkana have been determined. An expedient reply is requested on passage of the city ordinance in order that the speed zones may be in compliance with state traffic law.

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

The results of the engineering study above for US 67 in Texarkana reveals the following speed zones:

- Extend the limits of the existing forty (40) mph speed zone west of the TNER railroad track.
- Decrease the speed limit from fifty (50) mph to forty-five (45) mph from west of the TNER railroad track to west of Memorial Drive.
- Create a new fifty (50) mph speed zone west of Memorial Drive to the West City Limits of Texarkana.

Attached are two copies of a strip map for US 67, marked "Exhibit A" with a city ordinance. Please return one strip map and a copy of the city ordinance to our office after adoption by the city.

Your cooperation in this matter is appreciated. If you should have any questions, please call me at (903) 799-1480 or via email at rebecca.wells@txdot.gov

Sincerely,

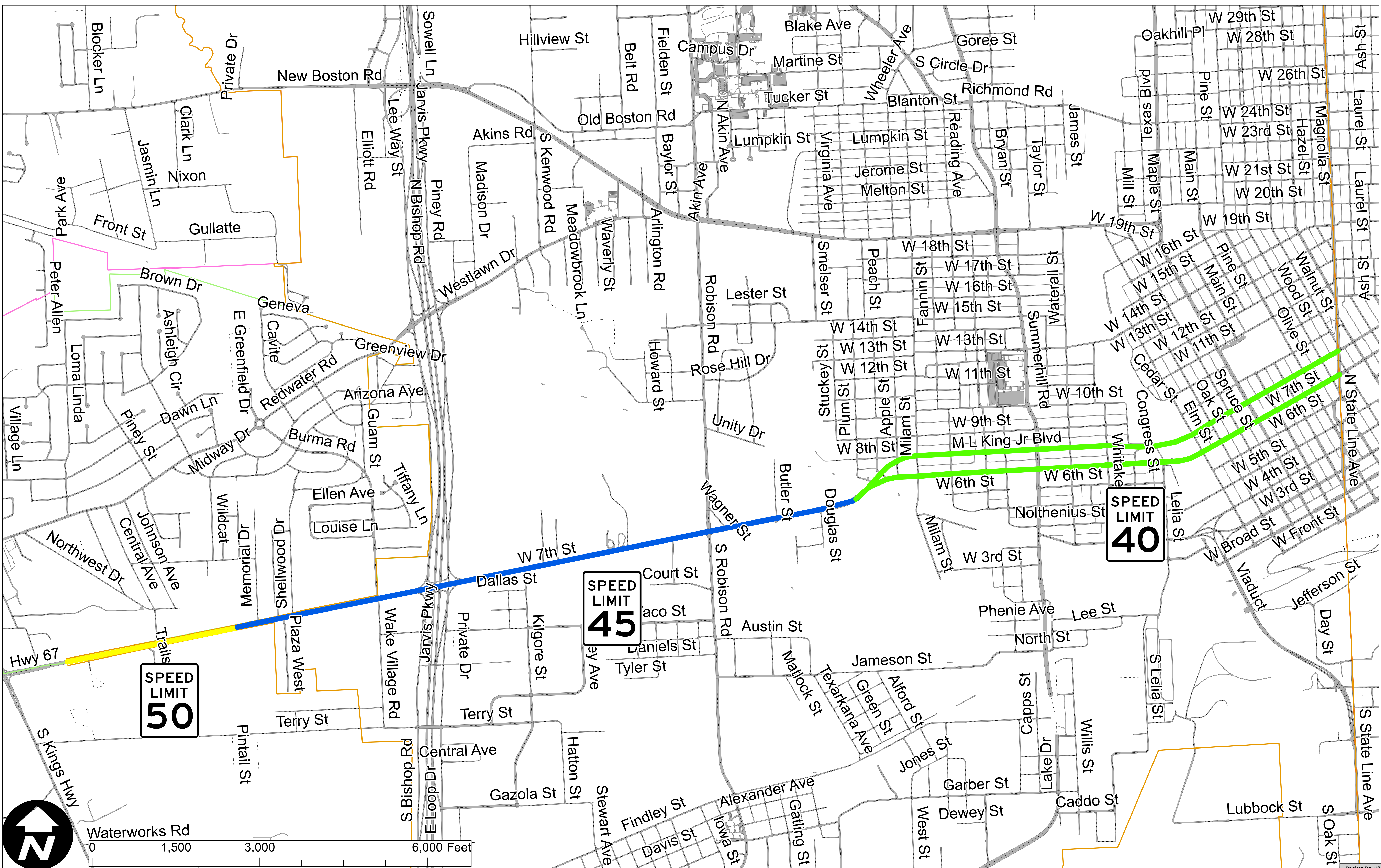


Rebecca Wells P.E.
District Traffic Engineer
Atlanta District

Attachment: TxDot Letter (1235 : Ord. No. 2015-003 Speed Limit Change to US 67)



Proposed Speed Zones for US 67



PUBLISH

ORDINANCE NO. 2015-003

AN ORDINANCE OF THE CITY OF TEXARKANA, TEXAS REGULATING THE SPEED OF MOTOR VEHICLES UPON A CERTAIN SECTION OF US 67 WITHIN THE CORPORATE LIMITS OF THE CITY OF TEXARKANA, TEXAS; REGISTERING THE SET SPEED LIMITS IN THE CITY'S TRAFFIC REGISTER; AUTHORIZING THE TEXAS DEPARTMENT OF TRANSPORTATION TO ERECT SIGNS, PRESCRIBING PENALTIES; PROVIDING FOR PUBLICATION; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Texas Department of Transportation has conducted engineering studies and traffic investigations to determine the reasonable and safe prima facie maximum speeds for motor vehicles upon that section of US 67 within the corporate limits of the City of Texarkana, Texas; and

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

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

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

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

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B. FOR TRAFFIC TRAVELING EAST ON US 67.

1. Fifty (50) miles per hour from the West City Limits of Texarkana, TX., also being 1,000 ft. east of FM 989 (4.518 Cont. 0010-13) east for a distance of 0.618 miles to a point 380 ft.

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west of Memorial Drive (MP 3.900 Cont. 0010-13).

2. Forty-five (45) miles per hour from a point 380 ft. west of Memorial Drive (MP 3.900 Cont. 0010-13) east for a distance of 2.129 miles to a point 471.5 ft. west TNER Railroad (MP 1.771 Cont. 0010-13).
3. Forty (40) miles per hour from a point 471.5 ft. west TNER Railroad (MP 1.771 Cont. 0010-13) east for a distance of 1.771 miles to the intersection of US 71 (MP 0.000 Cont. 0010-13) said point being the point of termination.

SECTION 2: That the hereinabove speeds for vehicular traffic traveling upon the hereinabove designated section of US 67 the direction herein specified be and they are hereby found to be reasonable and safe prima facie speed limits therefore. The fact that this regulation of the speed of motor vehicles is needed, creates an emergency which is for the immediate preservation of public safety and general welfare, requires that this ordinance take effect immediately from and after its passage and it is accordingly so ordained and registered in the City's Traffic Register.

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

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

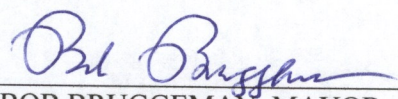
SECTION 5: That the City Secretary be and is hereby directed to publish the caption of this Ordinance for three (3) successive days in the Texarkana Gazette within ten (10) days of the passage of this Ordinance, as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

SECTION 6: 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.

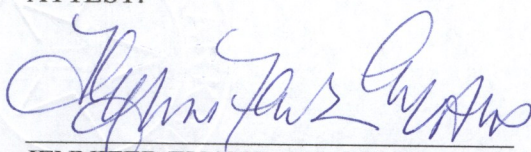
SECTION 7: That all ordinances or parts of ordinances in conflict herewith are specifically repealed.

SECTION 8: That this Ordinance, upon publication as provided herein, 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 **26th** day of January, 2015.


BOB BRUGGEMAN, MAYOR

ATTEST:


JENNIFER EVANS, CITY SECRETARY

8:19 p.m.

City of Texarkana, Texas

Briefing Sheet

Version: B
Update Date: 1/7/2015 2:25 PM

Lead Department: Human Resources **Action Officer:** Jim Powell, Director of Human Resources
Subject: Resolution No. 2015-004 adoption of recommended revisions to Human Resources Handbook.
Briefing: 2/23/2015 **Public Hearing:** 1/26/2015 **Second Briefing:** February 9, 2015 **Council Vote:** 2/23/2015

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

It was determined in August, 2013, that the current Personnel Policy Manual was difficult to navigate and, in some instances, hard to interpret. A few HR issues needed to be addressed for the first time. A significant overhaul of the document was initiated in early 2014. A draft was developed by June, 2014. The draft was reviewed and edited by an evaluation committee, attorney Louise Tausch and senior staff.

Potential Options:

- None
-

Fiscal Implications:

Various reductions in personnel related expenditures.

Staff Recommendation:

Adoption of Human Resources Handbook

Advisory Board/Committee Review:

Employee Review Committee
 City Attorney Review
 Senior Staff Review

Board/Committee Recommendation:

Each review recommended approval with suggested revisions incorporated.

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

City of Texarkana, Texas

Attachments

- a. Goals and Perspectives (DOCX)
- b. 2015-004 resolution (DOC)
- c. Change Summary Doc (DOCX)
- d. HR HANDBOOK PRESENTATION 1 2015 A (PDF)
- e. HR HANDBOOK PRESENTATION 2015 PIO (PDF)
- f. Recommendation for Vacation Pay Options (DOCX)
- g. Recommendation for Overtime Calculation Revision (DOCX)

Staff Coordination

Human Resources	Jim Powell	Department Head Review	Completed	
	12/23/2014 1:06 PM			
Parks, Recreation & Health		Robby Robertson	Review	Completed
	01/06/2015 2:43 PM			
Police	Dan Shiner	Review	Completed	01/06/2015
2:46 PM				
Information Technology		Bobby Bean	Review	Completed
	01/06/2015 2:57 PM			
Building Code Administration		Lynn Henry	Review	Completed
	01/06/2015 3:15 PM			
Fire Department	Eric Schlotter	Review	Completed	01/06/2015
4:12 PM				
Public Works Department		Kyle Dooley	Review	Completed
	01/06/2015 4:18 PM			
Planning and Community Development		David Orr	Review	Completed
	01/06/2015 5:50 PM			
Finance Department	Charlie Bassett	Review	Completed	01/07/2015
3:37 PM				
Water Utilities	Jennifer Evans	Review	Skipped	01/12/2015
6:38 PM				
Assistant City Manager		Jennifer Evans	Review	Skipped
	01/12/2015 6:38 PM			
City Attorney	Jennifer Evans	Review	Skipped	01/12/2015
6:38 PM				
Public Information Officer		Jennifer Evans	PIO Review	Skipped
	01/12/2015 6:38 PM			
City Manager	John Whitson	City Manager Review	Completed	02/05/2015
10:27 AM				
City Council	Jennifer Evans	Meeting	Completed	01/12/2015
6:00 PM				

Meeting History

01/12/15 City Council MOVED FORWARD Next: 01/26/15
 Jim Powell briefed this item.

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:

(Insert Text Here/or say "NONE")

Resource Impact:

Staff time required if item is approved:

Other Potential Impacts:

List or say "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:

RESOLUTION NO. 2015 -004

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING RECOMMENDED REVISIONS TO THE HUMAN RESOURCES HANDBOOK; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Human Resources Handbook has been formulated by the Human Resources Director as a part of a comprehensive review and revision of policy related to employment, personnel actions, leave, compensation, benefits, conduct and work environment; and

WHEREAS, the Human Resources Director reviewed policy recommended by the Texas Municipal Human Resources Association, written and approved by Lynn, Ross and Gannaway, L.L.C.; and

WHEREAS, the Human Resources Director reviewed current policy from the City of Cedar Hill, Texas, Mesquite, Texas, Longview, Texas and Pearland, Texas before proposing revisions to the Human Resources Handbook; and

WHEREAS, an employee evaluation committee representing the Police, Fire, Health, Public Works, Parks, Fleet, Water, and Finance Departments participated in a review of the draft policy document submitted by the Human Resources Director; and

WHEREAS, the completed evaluation committee review was submitted to attorney, Louise Tausch of Atchley, Russell, Waldrop & Hlavinka, L.L.P. for vetting; and

WHEREAS, the completed Human Resources Handbook was submitted to senior staff for final review and completion; and

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

SECTION 1: The recommended revisions to the Human Resources Handbook are hereby approved and adopted in their entirety to read as set forth in Exhibit 1 attached hereto and made a part hereof by reference.

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the 23rd day of February, 2015.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Summary Changes to HR Handbook

Introduction:

Amendment of Policy: Page 4 allows amendments to the HR Handbook by the City Manager. Amendments of substance require Council approval.

Chapter 1 Employment:

- Section 1.0 Page 1: Added reference to Genetic Information Nondiscrimination Act.
- Section 1.06 Page 8: Disqualifications: Added last bullet item to combine all Civil Service rules, orders and directives.
- Section 1.07 Added Employment Relations to communicate expectations for an effective professional work environment.
- Section 1.08 Added Work Ethic to define ethical conduct.
- Section 1.09 Modified Employment Classifications:
 - A. Introduced "Orientation Period" to replace "probation" for non-civil service employees.
 - E. Established a specific time period for the employment of temporary and seasonal workers.
 - G. Retained Exempt Employees are not eligible to receive overtime.
- Section 1.10 Modified Orientation Period to:
 - Allows the use of sick/vacation leave during the orientation period with Director approval.
 - Defines performance evaluation during orientation as a continual process with formal evaluations at 3 and 6 months.
- Section 1.11 Clarified Nepotism: Employees who are related through blood, marriage, adoption, cohabitation or as roommates may work in the same department however, not in the same work unit, division or work in a capacity that poses or may pose a conflict of interest. Additionally, they shall not work directly for, or be supervised by any individual related through blood, marriage, adoption, cohabitation or as roommates. No person related through blood, marriage, adoption, cohabitation or as roommates to the City Manager, Mayor, or any member of the City Council, shall be employed in a paid position in the City. The City prohibits employees from the involvement in the selection, placement or discipline process of those with whom they are related through blood, marriage, adoption, cohabitation or as roommates.
- Section 1.12 Outside Employment: Added to establish procedure for outside employment.
- Section 1.15 Procedural Referral: Added as an additional option to assist employees.
- Section 1.16 Personal Relationships: Added To provide guidance in areas where personal relationships overlap with working relationships and avoid potential conflicts of interest in the workplace.

Summary Changes to HR Handbook

Chapter 2 Personnel Actions and Records:

- Section 2.01 Personnel Files: Added policy regarding maintenance and access to files.
- Section 2.02 Confidentiality of Medical Information: Added policy.
- Section 2.04 Attendance and Work Hours: Added to defined attendance, punctuality and notification procedure.
- Section 2.05 Breaks: Added Break Time for New Mothers and defined practices not permitted such as “banking” rest periods.
- Section 2.09 Separation of Employment: Established the types of separation and the basis for automatic termination.
- Section 2.10 Retirement: Recommended a change to current buyout language for employees hired after January 1, 2010;
 Para. #3
From: 25% of their current sick leave balance, sick leave balance may not exceed 2,080.
To: 720 hours of their sick leave balance.

Retirees shall select cash payment or convert total amount to insurance premium, not both.

para. #5; ceases health and dental insurance to retirees when they become Medicare eligible.

para. #7; allows retiree to insure dependents through buyout and on the retiree medical plan.

Chapter 3 Leave:

- Section 3.01 Attorney suggests adding a floating administrative holiday to replace Good Friday. Evaluation Committee and Cabinet elected to leave Good Friday.
- Section 3.02 Item A,4: recommend adjusting vacation accrual carry over balance from 160 hours to 200 hours.
- Section 3.02 Item 5: Allows Department Directors to approve vacation leave for full time employees during orientation period.
- Section 3.02 C: Requires five years of continuous service to be eligible for vacation pay at termination. Statistically, if an employee leaves the city it will occur in the first five years of employment.
- Section 3.02 E: Added: If the employee is terminated or resigns without a two (2) week notice, or fails to work the final full two (2) weeks after notice, no payment for accrued vacation leave shall be made, unless the two (2) week notice is waived by the Department Directors and the Director of Human Resources.

Summary Changes to HR Handbook

- Section 3.03 Sick Leave: Allows Department Directors to approve sick leave for full time employees during orientation period.
- Section 3.03 Sick Leave: Establishes minimum increments of one hour for sick leave use.
- Section 3.04 and 3.05 Family Medical Leave and Military Leave: Provided more policy detail and application information for clarity.
- Section 3.06 Bereavement Leave: Made bereavement leave chargeable to administrative leave instead of sick leave.
- Section 3.07 Jury and Witness Duty Leave: Defined when jury duty is compensated as actual work hours and when it is charged to administrative leave.
- Section 3.08 Voting Leave: Allows for paid leave to vote under certain restrictive conditions.
- Section 3.11 Leave of Absence: Add this policy that previously did not exist. Expectations are this leave will be rare and must be approved by the City Manager.
- Section 3.12 Leave Donation Program: Allows employees to contribute leave to other employees in need based on specific qualifying events. Previous program was too restrictive and did not achieve the desired results.

Chapter 4 Compensation:

- Section 4.01 para. B, Time Not Worked; defined paid leave does not count as time worked which aligns with the Fair Labor Standards Act.
- Section 4.04 See last para. Under Non-Exempt Employees. The proposed policy removes vacation, holiday and jury duty from the calculation of overtime pay. Evaluation Committee could not reach a consensus and deferred to Department Directors.
- Section 4.04 Compensatory Time: Must be documented on the time sheet, used by the 25th pay period and the employee must be paid for accrued comp time balance on the 26th pay period. Policy allows a 40 hour carryover.
- Section 4.04 Exempt Employees: Evaluation Committee agreed to not allow overtime compensation for exempt employees.
- Section 4.05 Added: Alternative/Compressed Schedule policy. Department Directors have the authority to approve alternative or compressed work schedules.
- Section 4.07 On Call and Call Back; to standardize On Call/Emergency Call Back pay across the City and provide guidelines for employees who are subject to on call or emergency call back pay. Eliminates on-call standby overtime compensation.
- Section 4.09 Certification Pay; opens access to certification pay to all city employees.

Chapter 5:

The purpose of this chapter is to educate employees on the types of benefits available to them.

Summary Changes to HR Handbook

- Section 5.06 Deferred Compensation Plan: Added to inform employees they have access to our 457 deferred compensation plan.
- Section 5.08 Employee Assistance Program: City Manager and Finance Director were instrumental in the establishment of this program. It is the first of it's kind for the city. Several employees have participated and received assistance from the program.
- Section 5.11 Tuition Reimbursement; to provide employees with the procedures to access and utilize the City of Texarkana's Tuition Reimbursement Program. Policy was completely revised. Books and mandatory fees are included at 50% not to exceed the cost of tuition.
- Section 5.12 Education Pay: Eliminated with the adoption of this policy. Contains a grandfather clause.

Chapter 6: Employee Conduct

- Section 6.01 Defined the levels of progressive discipline.
- Section 6.02 Page 5, Lists specific examples of conduct subject to discipline. (A-X)
- Section 6.03 Disciplinary Actions Appeal Process: Created the Employee Disciplinary Review Board also referred to as a peer review. Allows employees to appeal any disciplinary action involving a written reprimand, probation and disciplinary suspension. The decision of the Review Board will be final except suspensions greater than five days may be appealed to the City Manager for final disposition.
- Section 6.04 Grievance: Established a three step process for the filing of grievances.
- Section 6.07 Harassment: Created the guidelines and procedures for defining and preventing inappropriate workplace conduct, including employee harassment, discrimination and retaliation.
- Section 6.09 Political Activity: Adopted the Texas Municipal Human Resources Association model policy.

Chapter 7: Work Environment

- Section 7.01 Cell Phone Use in the Workplace: Addresses personal cell phone use at work and provides for supervisor approval for the privilege.
- Section 7.02 Electronic Communications and System Access Use: This policy governs user behavior pertaining to access and usage of the City's electronic communications systems. This policy applies to all City employees, contractors, volunteers and other affiliates who use the City's electronic communications systems.
- Section 7.03 Social Networking: Adopted the Texas Municipal Human Resources Association model policy. The intent of these standards is to regulate the creation and distribution of information concerning the City, its employees and citizens through electronic media, including, but not limited to online forums, instant messaging and internet social media and blogging sites. This

Summary Changes to HR Handbook

policy is designed to protect the City's reputation and ensure that an employee's communications not only reflect positively on the employee as an individual, but also on the City. This policy was reviewed and edited by the Public Information Officer.

Section 7.04 Arrests, Confinements and Indictments: Adopted the Texas Municipal Human Resources Association model policy. City employees are subject to disciplinary action and/or job restrictions for violations of law. This policy applies to acts prohibited by law that result in charges being filed, arrest, confinement, indictment, and/or conviction, as well as to acts prohibited by law not resulting in charges filed, arrest, confinement, or indictment.

Section 7.05 Weapons Control and Violence Prevention Policy: Adopted the Texas Municipal Human Resources Association model policy. The City strives to provide a safe and secure working environment for its employees. This policy is designed to help prevent incidents of violence from occurring in the workplace and to provide for the appropriate response when and if such incidents do occur. Policy addresses concealed weapons permits.

Section 7.07 City Property/Equipment Use: Adopted the Texas Municipal Human Resources Association model policy. The City attempts to provide employees with adequate tools, equipment, vehicles and facilities for the job being performed, and the City requires all employees to observe safe work practices and lawful, careful and courteous operation of vehicles and equipment. Any City-provided safety equipment must be used at all times. The policy addresses take home vehicles and the likelihood of an employee to incur a federal income tax liability for the use of a take home vehicle not classified as exempt.

Section 7.11 Tobacco Use: Adopted the Texas Municipal Human Resources Association model policy. In keeping with the City's intent to provide a safe and healthful work environment, smoking and the use of smokeless tobacco products (e.g. chewing tobacco, snuff, vapor e-cigarettes, etc.) are prohibited on City property including the parking areas, in City-owned or municipal buildings or in City-owned, rented, or leased vehicles or equipment. No employee shall use tobacco products while making public contact. In City-owned buildings, employees may use tobacco products outdoors, in non-public entrance areas designated by the Department Director, during their break or meal period.

Chapter 8: Miscellaneous

Section 8.01 Media Relations: Adopted the Texas Municipal Human Resources Association model policy. Standardizes the City's communication with the media and assure that information about the City and its policies, practices, and programs are communicated properly and reported accurately to the

Summary Changes to HR Handbook

media. Policy was reviewed and edited for content by the Public Information Officer.

Unless otherwise authorized, the City's spokespersons are:

- Mayor
- City Manager, Assistant City Manager
- Public Information Officer
- Department Directors or their designee have the authority to communicate with the media within areas of their responsibility and expertise. Other staff should refer media requests to their Department Director or Public Information Office without comment.
- The Public Information Office must be notified of all potentially sensitive, contentious, or controversial media inquiries with respect to City activities.

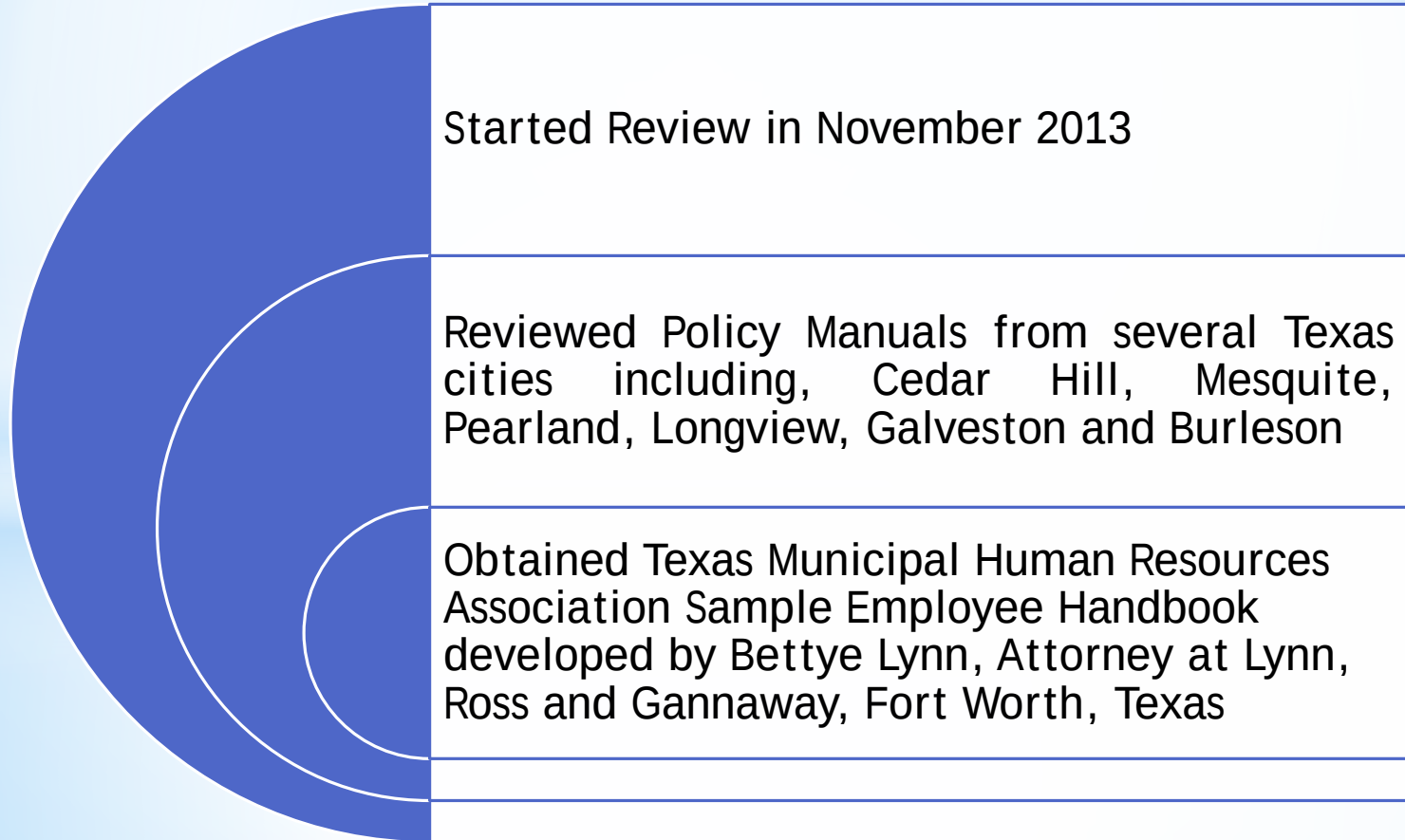


HR HANDBOOK 2015

A Comprehensive Review of Policy

*In the beginning:

8.4.d



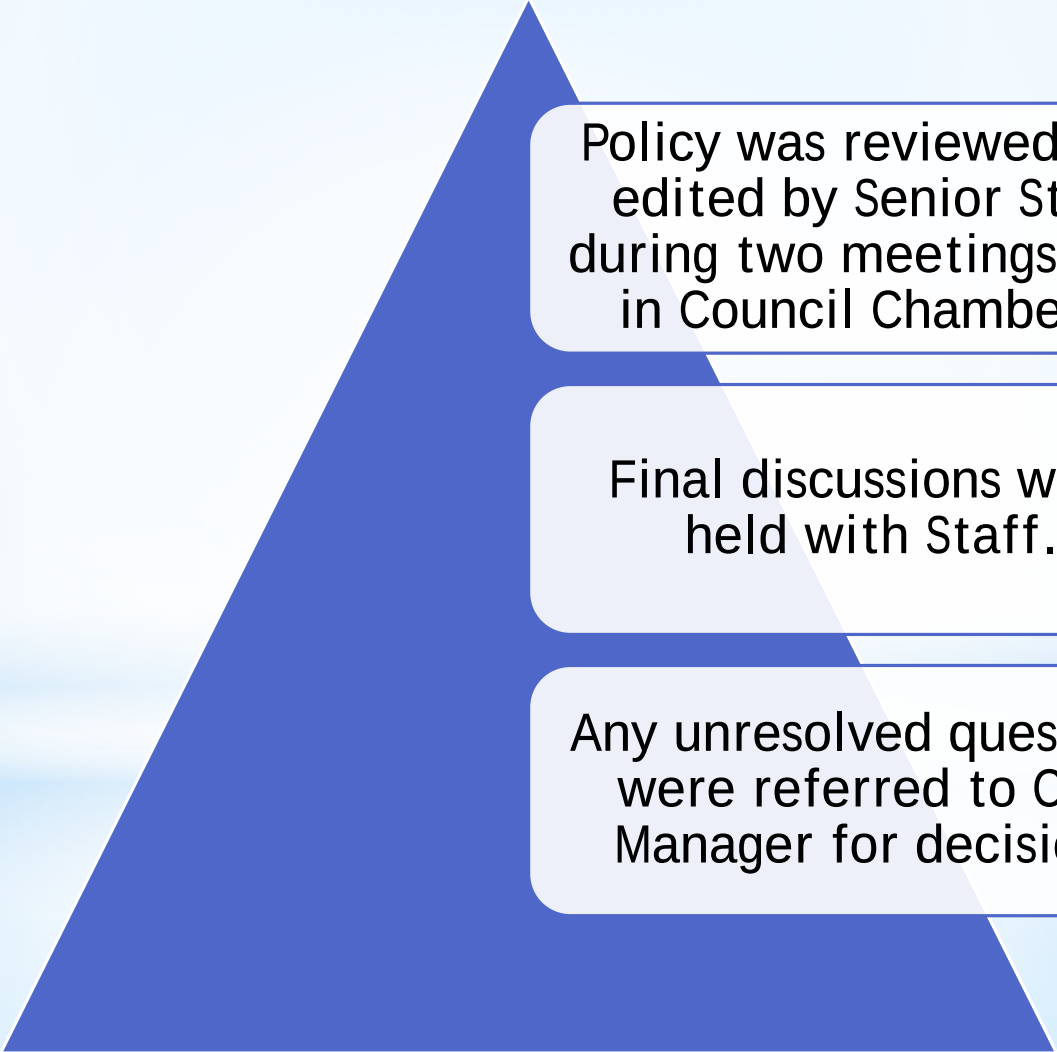
*Review Process

Evaluation Committee was created

- | | |
|--------------------|-----------------------|
| • Paula Jeans | TWU |
| • Charles Kreidler | Police |
| • Kyle Dooley | Public Works |
| • Robby Robertson | Parks |
| • Cheryl Haff | Health |
| • Jeff Heminger | Fleet |
| • Nancy Carter | Finance |
| • Chris Black | Fire |
| • Jennifer Evans | City Manager's Office |

*Staff Review

8.4.d



Policy was reviewed and edited by Senior Staff during two meetings held in Council Chambers.

Final discussions were held with Staff.

Any unresolved questions were referred to City Manager for decision.

*FINAL ATTORNEY REVIEW

8.4.d

The final draft document was submitted for review and editing
by Louise Tausch, City Attorney



SUMMARY OF CHANGES TO HR HANDBOOK

*INTRODUCTION

Amendment of Policy

Page 4 allows amendments to the HR Handbook by the City Manager.

Amendments of substance require Council approval

* Chapter 1 Employment

8.4.d

Section 1.09

Modified Employment Classifications

E. Established a specific time period for the employment of temporary and seasonal workers.

F. Retained Exempt employees are not eligible to receive overtime.

*Chapter 1 Employment

8.4.d

Section 1.10

Modified Orientation Period

Allows the use of sick/vacation leave during the orientation period with Director approval.

* Chapter 1 Employment

8.4.d

Section 1.11

Clarified Nepotism

Employees who are related through blood, marriage, adoption, cohabitation or as roommates may worker in the same department however, not in the same work unit, division or work in a capacity that poses or may pose a conflict of interest. Additionally, they shall not work directly for, or be supervised by any individual related through blood, marriage, adoption, cohabitation or as roommates. No person related through blood, marriage, adoption, cohabitation or as roommates to the City Manager, Mayor, or any member of the City Council, shall be employed in a paid position in the City. The City prohibits employees from the involvement in the selection, placement or discipline process of those with whom they are related through blood, marriage, adoption, cohabitation or as roommates.

* Chapter 2

Personnel Actions and Records

Section 2.10

Retirement

Recommended a change to current buyout language for employees hired after January 1, 2010;

Para.#3

From: 25% of their current sick leave balance, sick leave balance may not exceed 2,080.

To: 720 hours of their leave balance.

Retirees shall select cash payment or convert total amount to insurance premium, not both.

* Chapter 2

Personnel Actions and Records

Section 2.10

Retirement

Para.#5

Ceases health and dental insurance to retirees when they become Medicare eligible.

Para.#7

Allows retiree to insure dependents through buyout and on the retiree medical plan.

* Chapter 3 Leave

8.4.d

Section 3.01

Attorney suggests adding a floating administrative holiday to replace Good Friday. Evaluation Committee and Cabinet elected to leave Good Friday.

Section 3.02

Item A,4:

Recommend adjusting vacation accrual carry over balance from 160 hours to 200 hours.

Item 5:

Allows Department Directors to approve vacation leave for full time employees during orientation period.

* Chapter 3 Leave

8.4.d

Section 3.02 C:

Requires five years of continuous service to be eligible for vacation pay at termination. Statistically, if an employee leaves the city it will occur in the first five years of employment.

* Chapter 3 Leave

8.4.d

Section 3.06

Bereavement Leave:

Made bereavement leave chargeable to administrative leave instead of sick leave.

Section 3.07

Jury and Witness Duty Leave:

Defined when jury duty is compensated as actual work hours and when it is charged to administrative leave.

Section 3.08

Voting Leave:

Allows for paid leave to vote under certain restrictive conditions.

* Chapter 3 Leave

8.4.d

Section 3.11

Leave of Absence:

Add this policy that previously did not exist. Expectations are this leave will be rare and must be approved by the City Manager.

Section 3.12

Leave Donation Program:

Allows employees to contribute leave to other employees in need based on specific qualifying events. Previous program was too restrictive and did not achieve the desired results.

* Chapter 4 Compensation

8.4.d

Section 4.01

Para. B, **Time Not Worked**; defined paid leave does not count as time worked which aligns with the Fair Labor Standards Act.

Section 4.04

See last para. **Under Non-Exempt Employees**. The proposed policy removes vacation, holiday and jury duty from the calculation of overtime pay.

* Chapter 4 Compensation

8.4.d

Section 4.04

Compensatory Time

Must be documented on the time sheet, used by the 25th pay period and the employee must be paid for accrued comp time balance on the 26th pay period. Policy allows a 40 hour carryover.

Section 4.04

Exempt Employees

Evaluation Committee agreed to not allow overtime compensation for exempt employees.

* Chapter 4 Compensation

8.4.d

Section 4.05

Added:

Alternative/Compressed Schedule Policy. Department Directors have the authority to approve alternative or compressed work schedules.

Section 4.07

On Call and Call Back

To standardize On Call/Emergency Call Back pay across the City and provide guidelines for employees who are subject to on call or emergency call back pay. Eliminates on-call standby overtime compensation.

Section 4.09

Certification Pay

Opens access to certification pay to all city employees.

* Chapter 5 Benefits

8.4.d

Section 5.06

Deferred Compensation Plan

Added to inform employees they have access to our 457 deferred compensation plan.

Section 5.08

Employee Assistance Program

City Manager and Finance Director were instrumental in the establishment of this program. It is the first of it's kind for the city. Several employees have participated and received assistance from the program.

* Chapter 5 Benefits

8.4.d

Section 5.11

Tuition Reimbursement

To provide employees with the procedures to access and utilize the City of Texarkana's Tuition Reimbursement Program. Policy was completely revised. Books and mandatory fees are included at 50% not to exceed the cost of tuition.

Section 5.12

Education Pay

Eliminated with the adoption of this policy. Contains a grandfather clause.

* Chapter 6 Employee Conduct

8.4.d

Section 6.03

Disciplinary Actions Appeal Process

Created the Employee Disciplinary Review Board also referred to as a peer review. Allows employees to appeal any disciplinary action involving a written reprimand, probation and disciplinary suspension. The decision of the Review Board will be final except suspensions greater than five days may be appealed to the City Manager for final disposition.

Section 6.04

Grievance

Established a three step process for the filing of grievances.

* Chapter 6 Employee Conduct

8.4.d

Section 6.07

Harassment

Created the guidelines and procedures for defining and preventing inappropriate workplace conduct, including employee harassment, discrimination and retaliation.

Section 6.09

Political Activity

Adopted the Texas Municipal Human Resources Association model policy.

* Chapter 7 Work Environment

8.4.d

Section 7.01

Cell Phone Use in the Workplace

Addresses personal cell phone use at work and provides for supervisor approval for the privilege.

Section 7.02

Electronic Communications and System Access Use

This policy governs user behavior pertaining to access and usage of the City's electronic communications systems. This policy applies to all City employees, contractors, volunteers and other affiliates who use the City's electronic communications systems.

* Chapter 7 Work Environment

8.4.d

Section 7.03

Social Networking

Adopted the Texas Municipal Human Resources Association model policy. The intent of these standards is to regulate the creation and distribution of information concerning the City, its employees and citizens through electronic media, including, but not limited to online forums, instant messaging and internet social media and blogging sites. This policy is designed to protect the City's reputation and ensure that an employee's communications not only reflect positively on the employee as an individual, but also on the City. This policy was reviewed and edited by the Public Information Officer.

* Chapter 7 Work Environment

8.4.d

Section 7.04

Arrests, Confinements and Indictments

Adopted the Texas Municipal Human Resources Association model policy. City employees are subject to disciplinary action and/or job restrictions for violations of law. This policy applies to acts prohibited by law that result in charges being filed, arrest, confinement, indictment, and/or conviction, as well as to acts prohibited by law not resulting in charges filed, arrest, confinement, or indictment.

* Chapter 7

Work Environment

Section 7.05

Weapons Control and Violence Prevention Policy

Adopted the Texas Municipal Human Resources Association model policy. The City strives to provide a safe and secure working environment for its employees. This policy is designed to help prevent incidents of violence from occurring in the workplace and to provide for the appropriate response when and if such incidents do occur. Policy addresses concealed weapons permits.

* Chapter 7 Work Environment

8.4.d

Section 7.07

City Property/Equipment Use

Adopted the Texas Municipal Human Resources Association model policy. The City attempts to provide employees with adequate tools, equipment, vehicles and facilities for the job being performed, and the City requires all employees to observe safe work practices and lawful, careful and courteous operation of vehicles and equipment. Any City-provided safety equipment must be used at all times. The policy addresses take home vehicles and the likelihood of an employee to incur a federal income tax liability for the use of a take home vehicle not classified as exempt.

* Chapter 7 Work Environment

8.4.d

Section 7.11

Tobacco Use

Adopted the Texas Municipal Human Resources Association model policy. In keeping with the City's intent to provide a safe and healthful work environment, smoking and the use of smokeless tobacco products (e.g. chewing tobacco, snuff, vapor e-cigarettes, etc.) are prohibited on City property including the parking areas, in City-owned or municipal buildings or in City-owned, rented, or leased vehicles or equipment. No employee shall use tobacco products while making public contact. In City-owned buildings, employees may use tobacco products outdoors, in non-public entrance areas designated by the Department Director, during their break or meal period.

*QUESTIONS?



CITY OF

TEXARKANA
TEXAS

8.4.e

HR HANDBOOK 2015

A Comprehensive Review of Policy

Attachment: HR HANDBOOK PRESENTATION 2015 PIO (1236 : Res. 2015-004 Adoption of

In the beginning:

- Started Review in November 2013
- Reviewed Policy Manuals from several Texas cities including, Cedar Hill, Mesquite, Pearland, Longview, Galveston and Burleson
- Obtained Texas Municipal Human Resources Association Sample Employee Handbook developed by Bettye Lynn, Attorney at Lynn, Ross and Gannaway, Fort Worth, Texas



Evaluation Committee:

Paula Jeans	TWU
Charles Kreidler	TTPD
Kyle Dooley	Public Works
Robby Robertson	Parks
Cheryl Haff	Health
Jeff Heminger	Fleet
Nancy Carter	Finance
Chris Black	TTFD
Jennifer Evans	City Manager's Office



Staff Review:

- Policy was reviewed and edited by Senior Staff during two meetings held in Council Chambers.
- Final discussions were held with Staff.
- Any unresolved questions were referred to City Manager for decision.

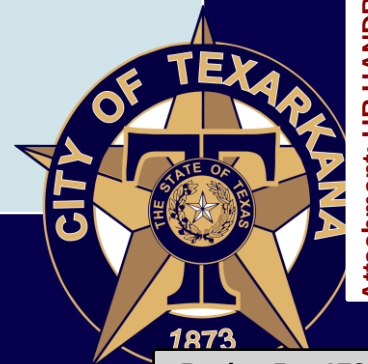
Final Attorney Review:

- The final draft document was submitted for review and editing by Louise Tausch, City Attorney



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Introduction	Page 4 allows amendments to the HR Handbook by the City Manager.	Amendments of substance require council approval.
Chapter 1: Employment Section 1.09 Modified Employment Classifications	Established a specific time period for the employment of temporary and seasonal workers.	
Chapter 1: Employment Section 1.09 Modified Employment Classifications	Retained Exempt employees are not eligible to receive overtime.	



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 1: Employment Section 1.10 Modified Orientation Period	Allows the use of sick/vacation leave during the orientation period with Director approval.	
Chapter 1: Employment Section 1.11 Clarified Nepotism	Employees who are related through blood, marriage, adoption, cohabitation or as roommates may work in the same department. However, they may not work in the same work unit, division or work in a capacity that poses or may pose a conflict of interest. Additionally, they shall not work directly for, or be supervised by any individual related through blood, marriage, adoption, cohabitation or as roommates. (cont.)	No person related through blood, marriage, adoption, cohabitation or as roommates to the City Manager, Mayor, or any member of the City Council, shall be employed in a paid position with the City. The City prohibits employees from the involvement in the selection, placement or discipline process of those with whom they are related through blood, marriage, adoption, cohabitation or as roommates.

Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 2 Personnel Actions and Records: Section 2.10 Retirement	Recommended a change to current buyout language for employees hired after January 1, 2010;	Para.#3 From: 25% of their current sick leave balance, sick leave balance may not exceed 2,080. To: 720 hours of their leave balance. <i>Retirees shall select cash payment or convert total amount to insurance premium, not both.</i>
Chapter 2 Personnel Actions and Records: Section 2.10 Retirement	- Para.#5 Ceases health and dental insurance to retirees when they become Medicare eligible. - Para.#7 Allows retiree to insure dependents through buyout and on the retiree medical plan.	



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 3 Leave: Section 3.01	Attorney suggests adding a floating administrative holiday to replace Good Friday. Evaluation Committee and Cabinet elected to leave Good Friday.	
Chapter 3 Leave: Section 3.02	Item A,4: Recommend adjusting vacation accrual carry over balance from 160 hours to 200 hours.	
Chapter 3 Leave: Section 3.02	Item 5: Allows Department Directors to approve vacation leave for full time employees during orientation period.	



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 3 Leave: Section 3.02 C	Requires five years of continuous service to be eligible for vacation pay at termination.	Statistically, if an employee leaves the city it will occur in the first five years of employment.
Chapter 3 Leave: Section 3.06 Bereavement Leave	Made bereavement leave chargeable to administrative leave instead of sick leave.	
Chapter 3 Leave: Section 3.07 Jury and Witness Duty Leave	Defined when jury duty is compensated as actual work hours and when it is charged to administrative leave.	



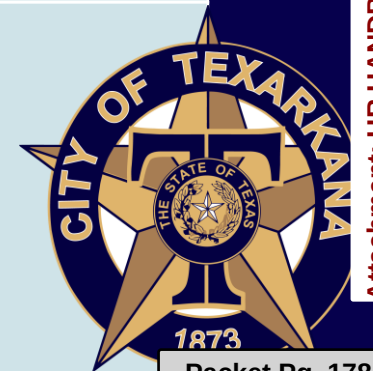
Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 3 Leave: Section 3.08 Voting Leave	Allows for paid leave to vote under certain restrictive conditions.	
Chapter 3 Leave: Section 3.11 Leave of Absence	Add this policy that previously did not exist.	Expectations are this leave will be rare and must be approved by the City Manager.
Chapter 3 Leave: Section 3.12 Leave Donation Program	Allows employees to contribute leave to other employees in need based on specific qualifying events.	Previous program was too restrictive and did not achieve the desired results.



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 4 Compensation Section 4.01	Para. B, Time Not Worked; defined paid leave does not count as time worked which aligns with the Fair Labor Standards Act.	
Chapter 4 Compensation Section 4.04	See last para. Under Non-Exempt Employees. The proposed policy removes vacation, holiday and jury duty from the calculation of overtime pay.	
Chapter 4 Compensation Section 4.04 Compensatory Time	Must be documented on the time sheet, used by the 25th pay period and the employee must be paid for accrued comp time balance on the 26th pay period. Policy allows a 40 hour carryover.	



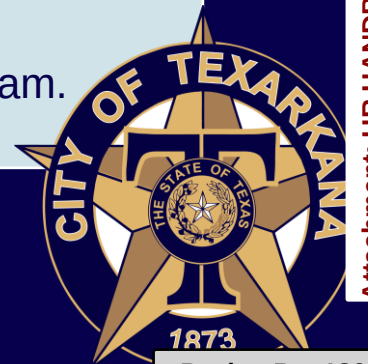
Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 4 Compensation Section 4.04 Exempt Employees	Evaluation Committee agreed to not allow overtime compensation for exempt employees.	
Chapter 4 Compensation Section 4.05	Added: Alternative/Compressed Schedule Policy. Department Directors have the authority to approve alternative or compressed work schedules.	
Chapter 4 Compensation Section 4.07 On Call and Call Back	To standardize On Call/Emergency Call Back pay across the City and provide guidelines for employees who are subject to on call or emergency call back pay. Eliminates on-call standby overtime compensation.	



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 4 Compensation Section 4.09 Certification Pay	Opens access to certification pay to all city employees.	
Chapter 5 Benefits Section 5.06 Deferred Compensation Plan	Added to inform employees they have access to our 457 deferred compensation plan.	
Chapter 5 Benefits Section 5.08 Employee Assistance Program	Added information about EAP	City Manager and Finance Director were instrumental in the establishment of this program. It is the first of its kind for the city. Several employees have participated and received assistance from the program.



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 5 Benefits Section 5.11 Tuition Reimbursement	To provide employees with the procedures to access and utilize the City of Texarkana's Tuition Reimbursement Program. Policy was completely revised.	Books and mandatory fees are included at 50% not to exceed the cost of tuition.
Chapter 5 Benefits Section 5.12 Education Pay	Eliminated with the adoption of this policy.	Contains a grandfather clause.
Chapter 6 Employee Conduct Section 6.03 Disciplinary Actions Appeal Process	Created the Employee Disciplinary Review Board also referred to as a peer review. Allows employees to appeal any disciplinary action involving a written reprimand, probation and disciplinary suspension. The decision of the Review Board will be final except suspensions greater than five days may be appealed to the City Manager for final disposition.	



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 6 Employee Conduct Section 6.04 Grievances	Established a three step process for the filing of grievances.	
Chapter 6 Employee Conduct Section 6.07 Harassment	Created the guidelines and procedures for defining and preventing inappropriate workplace conduct, including employee harassment, discrimination and retaliation.	
Chapter 6 Employee Conduct Section 6.09 Political Activity	Adopted the Texas Municipal Human Resources Association model policy.	



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 7 Work Environment Section 7.01 Cell Phone Use in the Workplace	Addresses personal cell phone use at work and provides for supervisor approval for the privilege.	
Chapter 7 Work Environment Section 7.02 Electronic Communications and System Access Use	This policy governs user behavior pertaining to access and usage of the City's electronic communications systems. This policy applies to all City employees, contractors, volunteers and other affiliates who use the City's electronic communications systems.	
Chapter 7 Work Environment Section 7.03 Social Networking	Adopted the Texas Municipal Human Resources Association model policy. The intent of these standards is to regulate the creation and distribution of information concerning the City, its employees and citizens through electronic media, including, but not limited to online forums, instant messaging and internet social media and blogging sites.	This policy is designed to protect the City's reputation and ensure that an employee's communications not only reflect positively on the employee as an individual, but also on the City. This policy was reviewed and edited by the Public Information Officer.

Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 7 Work Environment Section 7.04 Arrests, Confinements and Indictments	Adopted the Texas Municipal Human Resources Association model policy. City employees are subject to disciplinary action and/or job restrictions for violations of law.	This policy applies to acts prohibited by law that result in charges being filed, arrest, confinement, indictment, and/or conviction, as well as to acts prohibited by law not resulting in charges filed, arrest, confinement, or indictment.
Chapter 7 Work Environment Section 7.05 Weapons Control and Violence Prevention Policy	Adopted the Texas Municipal Human Resources Association model policy. The City strives to provide a safe and secure working environment for its employees. This policy is designed to help prevent incidents of violence from occurring in the workplace and to provide for the appropriate response when and if such incidents do occur.	Policy addresses concealed weapons permits.



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 7 Work Environment Section 7.07 City Property/Equipment Use	Adopted the Texas Municipal Human Resources Association model policy. The City attempts to provide employees with adequate tools, equipment, vehicles and facilities for the job being performed, and the City requires all employees to observe safe work practices and lawful, careful and courteous operation of vehicles and equipment. Any City-provided safety equipment must be used at all times.	The policy addresses take home vehicles and the likelihood of an employee to incur a federal income tax liability for the use of a take home vehicle not classified as exempt.
Chapter 7 Work Environment Section 7.11 Tobacco Use	Adopted the Texas Municipal Human Resources Association model policy. In keeping with the City's intent to provide a safe and healthful work environment, smoking and the use of smokeless tobacco products (e.g. chewing tobacco, snuff, vapor e-cigarettes, etc.) are prohibited on City property including the parking areas, in City-owned or municipal buildings or in City-owned, rented, or leased vehicles or equipment. No employee shall use tobacco products while making public contact.	In City-owned buildings, employees may use tobacco products outdoors, in non-public entrance areas designated by the Department Director, during their break or meal period.



CITY OF

TEXARKANA
TEXASP.O. Box 1967
Texarkana, TX 75504
Phone (903) 798-3900

To: John Whitson, City Manager

From: Jim Powell, Human Resources Director

Date: February 2, 2015

Subject: Options for Vacation Buy Out at Termination

During the City Council meeting on January 26, 2015 Councilmember Casteel expressed concerned with wording used in Chapter 3, Section 3.02 regarding the payment of accrual leave balances (Buy Out) to an employee at separation.

Our proposed policy requires five years of continuous service to be eligible.

A recommendation was made to bring eligibility options for vacation buy out to the council for consideration.

Option 1: Retain the current policy of one year of continuous service.

Option 2: Adopt the proposed policy of five years of continuous service.

Option 3: Raise the benefit from 120 hours to 240 hours and establish vacation pay as a retirement benefit, payable when the employee retires from TMRS.

Recommendation:

All three options were discussed during meetings with the HR Handbook Review Committee. The unanimous consensus of the committee was to adopt option 2.

Attached for your consideration is a listing of seven other Texas cities and their retirement buy out elections.

	<u>Vacation</u>	<u>Sick</u>	<u>Employee Class</u>
San Angelo	240	720	NCS and PD
	360	1080	Fire

Retirement pay out for vacation and sick leave balances: San Angelo pay 240 vacation and 720 sick for non-civil and police. They pay 360 vacation and 1080 sick for fire.

Tyler	240	0	NCS
	240	720	PD and Fire

Retirement pay out for vacation and sick leave balances: Tyler pays 240 vacation to non-civil and civil. Tyler pays 720 sick to civil.

Mesquite	160	720	All Employees
Friendswood	320	0	Not Civil Service City
Round Rock	288	0	NCS and PD
	288	720	Fire

Haltom City	120 to 240	240*	NCS
	180 to 240	240*	PD and Fire Regular Shift
	252 to 360	240*	PD and Fire Shift Work

*Pays excess of 240 hours of sick each November, Max of 96 hours. Pays 240 at retirement.

New Braunfels	240	0	NCS
	240	720	PD and Fire
	240	1080	Fire Operations
Texarkana	120	720	Hired prior to 01/01/2010
		720	Equivalent insurance prem.
	120	720	NCS hired on or after
			01/01/2010 must choose
			Lump sum or insurance only.

NCS = Non-Civil Service



CITY OF
TEXARKANA
TEXAS

P.O. Box 1967
Texarkana, TX 75504
Phone (903) 798-3900

To: John Whitson, City Manager

From: Jim Powell, Human Resources Director

Date: January 23, 2015

Subject: Recommended Revision to Proposed HR Handbook
Regarding the Use of Paid Leave in the Calculation of Overtime

Question:

Is the City of Texarkana required to count leave including vacation, holiday, compensatory, jury duty or military leave counted towards "hours worked" for the purposes of calculating overtime?

Executive Summary:

Under Tex. Loc. Gov't Code Section 142.015 (f)(2), a police officer may not be required to work more than 40 hours per week, except in the instance of an emergency or if a majority of officers executes a waiver of this section's prohibition.

Overtime for firefighters does not accrue until the fire fighter works in excess of 53 hours in a 7 day pay period or 212 hours in a 28 day pay period. Neither 29 U.S.C. Section 207(k) or Tex. Loc. Gov't Code Section 142.015 (f)(2) requires leave to be counted toward hours worked for the purposes of overtime calculation.

Further, the employer is not required under either the Fair Labor and Standards Act (FLSA) or the Texas Local Government Code to schedule or allow an employee to work overtime.

Texas Local Government Code Section 142.015 prohibits police officer from being required to work more than 40 hours in a calendar week. However, in the past, the City of Texarkana has obtained a waiver of this prohibition from a majority of officers as is allowed under Tex. Loc. Gov't Code Section 142.015 (j). These waivers allow for the flexible scheduling of officers during a pay period. For example, an officer may be scheduled to work 4 twelve-hour shifts in week one and only 3 twelve-hour shifts in week two for a total of 80 hours worked per pay period without incurring overtime. This is based upon the normal number of hours

worked by the majority of municipal employees other than fire and police, which you relayed is 40 hours per week. If the officer is scheduled to work or does work more than 80 hours during the two-week pay period, he or she would be entitled to overtime at the rate of one and one-half the regular hourly rate for all time worked over 80 hours.

This is in contrast to employees of the fire department who operate under the exemption allowed by 29 U.S.C. Section 207(k). This section exempts the employer from overtime until the employee has worked more than 53 hours in a seven day work period or 212 hours worked in a 28 day work week.

Also, although the statute is difficult to interpret, Texas Local Government Code Section 142.0015 (f)(1) does not apply to the City of Texarkana based upon the facts, as follows:

- A.) Texarkana does NOT have a population of more than one million residents.
- B.) Texarkana is not subject to 142.017 (which applies exclusively to the City of Houston.)
- C.) Texarkana has NOT adopted Chapter 174, allowing Collective Bargaining with the respective police association.

Instead, Texarkana falls under Tex. Loc. Gov't Code Section 142.015 (f)(2), which applies to Cities not described by section (f)(1). For cities falling under (f)(2), except as provided in Tex. Loc. Gov't Code Section 142.015(g) or (j), the officer may not be required to work more hours during a calendar week than the number of hours in the normal work week of the majority of the employees of the municipality other than fire fighters and police officers. You have expressed that the normal hours worked for general government employees of the City is 40 hours per week. Therefore, waivers as described in section (j) are required to schedule police officers to work more than 40 hours per week.

Importantly, since the City of Texarkana is governed by Tex. Loc. Gov't Code 142.015(f)(2), the City is **NOT** required to count leave toward hours worked in a pay period for the purposes of calculating overtime.

Recommendation:

One of our goals during the revision to the HR Handbook was create as much consistency as possible between civil services and non-civil service employees. I find no statutory requirement to require the city to allow the use of paid leave in the calculation of overtime.

Current policy allows for vacation, holiday and jury duty to be used as work time in the calculation of overtime. It is my recommendation we continue allowing vacation and holiday time to be used in the calculation of overtime, while eliminating jury duty. After a thorough evaluation of our compensation schedule and necessary adjustments are implemented we could revisit the calculation of overtime.

City of Texarkana, Texas

Version: J

Update Date: 1/8/2015 10:14 AM

Briefing Sheet

Lead Department: Assistant City Manager **Action Officer:** Debbie Burk,
Ordinance No. 2015-006 amending PD-97-4(GR) for site plan approval to allow
the location of a new and used boat sales business (Gregg Orr Marine) on Lot 2,
Block 1, Richmond West Pavilion Addition, located at 3911 Mall Drive. Gregg
Orr, applicant. Kayla Wood, MTG Engineering, agent. (Due to a petition in
Subject: opposition, a 3/4 vote will be required to approve this request)

Briefing: 1/26/2015 **Public Hearing:** 1/26/2015 **Second Briefing:** February 9, 2015 **Council Vote:** 2/23/2015

Item Schedule

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

Updates/History of Briefing:

Executive Summary and Background Information:

Amendment to PD-97-4(GR): This is a request by Gregg Orr, under contract to purchase, and Kayla Wood, MTG Engineering, agent, for Site Plan Approval to allow the location of "Gregg Orr Marine" on Lot 2, Block 1, Richmond West Pavilion Addition, located at 3911 Mall Drive. The property is currently undeveloped vacant land.

The adjacent zoning is PD-General Retail to the east and west, Single Family-2 to the south and I-30 to the north. The adjacent land usage is Cavender's Boot Store to the east, vacant land to the south, the corporate office and parking lot area for Gregg Orr Auto Classic to the west, and I-30 to the north.

The Comprehensive Plan has designated this as a retail area. This property is zoned PD-General Retail.

The site plan shows the following:

- An approximate 4,200 square foot office building with rock and metal exterior.
- A 35' tall pylon sign with 50 square foot electronic messaging board at the northwest corner of the property
- 8' ornamental aluminum perimeter fencing (along front and sides of building).
- Boat display in front of the building and along the side of the building under a covered awning. Boat display also inside the building. (Staff was concerned about boats being parked along the frontage road. However, it appears from aerial photographs, there should be plenty of right-of-way to off-set boats being displayed close to the road pavement.
- Cross access on the east and west sides during business hours. A gate will block access to the boat sales area to provide security at this location.
- A current joint driveway between Cavender's Boot Store and this proposed business.
- Customer and employee parking at the rear of the property and front of the building.

City of Texarkana, Texas

- A 7' wooden privacy screening device fence along the south property line.

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

A petition from an adjacent land owner in the form of a written letter has been received on this site plan approval request. (See attachment)

Potential Options:

Approve the request for site plan approval. This will require a $\frac{3}{4}$ th vote of the City Council due to a petition by one land owner to the south of this proposed business which has more than 20 % of land requirement to force a $\frac{3}{4}$ th vote.

Deny the request for site plan approval.

Fiscal Implications:

None

Staff Recommendation:

Staff recommends for approval of the site plan as submitted.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

Planning and Zoning Commission unanimously recommended for approval of the site plan with the following stipulations:

1. An approximate 4,200 square foot office building with rock and metal exterior.
2. A 35' tall pylon sign with 50 square foot electronic messaging board at the northwest corner of the property.
3. 8' ornamental aluminum perimeter fencing (along front and sides of building).
4. Boat display in front of the building and along the side of the building (under a covered awning). Boat display also inside the building.
5. Cross access on the east and west sides during business hours. A gate will block access to the boat sales area to provide security at this location after business hours.
6. A current joint driveway will remain between Cavender's Boot Store and this proposed business.
7. Customer and employee parking at the rear of the property and front of the building.

City of Texarkana, Texas

8. A 7' wooden privacy screening device fence along the south property line.

Advisory Board/Committee Meeting Date and Minutes:

December 1, 2014.

Attachments

- a. Goals and Perspectives (DOCX)
- b. Ord. No. 2015-006 (DOCX)
- c. Exhibit "A" for Ord. No. 2015-006 (PDF)
- d. Maps for Ord. 2015-006 (PDF)
- e. Building elevations for Ord. 2015-006 (PDF)
- f. Floor plan for Ord. No. 2015-006 (PDF)
- g. Sample of ornamental fencing for Ord. 2015-006 (PDF)
- h. Petition in opposition for Ord. 2015-006 (PDF)
- i. 2015-006 Signed Ord. & Exh (PDF)

Staff Coordination

Assistant City Manager	Shirley Jaster	Review	Completed
01/07/2015 1:41 PM			
Public Information Officer	Lisa Thompson	PIO Review	Completed
01/07/2015 1:42 PM			
City Manager	John Whitson	City Manager Review	Completed 01/07/2015
2:10 PM			
City Council	Jennifer Evans	Meeting	Completed 01/12/2015
6:00 PM			

Meeting History

01/12/15 City Council MOVED FORWARD Next: 01/26/15
 Kayla Wood, of MTG Engineering, briefed this item.

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

Select One By Clicking Here

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: Goals and Perspectives [Revision 1] (1238 : Ord, No, 2015-006 Amend. to PD-97-4 for boat sales. 3911 Mall Drive)

ORDINANCE NO. 2015-006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-97-4(GR) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF A NEW AND USED BOAT SALES BUSINESS ON LOT 2, BLOCK 1, RICHMOND WEST PAVILION ADDITION, LOCATED AT 3911 MALL DRIVE, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the **approval of a site plan (Exhibit “A”) to allow the location of a new and used boat sales business** on Lot 2, Block 1, Richmond West Pavilion Addition, located at 3911 Mall Drive, 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 by a vote of Five (5) to Zero (0) to recommend approval of the petition for the request for the site plan to allow the location of a new and used boat sales business (Exhibit “A”)** 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 the approval of the site plan for the above-described property is in the best interest of the public health, safety, morals and general welfare of the City;

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

SECTION 1: That the site plan (Exhibit “A”) submitted to allow a new and used boat sales business on Lot 2, Block 1, Richmond West Pavilion Addition, located at 3911 Mall Drive in the City of Texarkana, Bowie County, Texas, be and is hereby approved and hereby amends PD-97-4(GR).

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

1. An approximate 4,200 square foot office building with rock and metal exterior.
2. A 35' tall pylon sign with 50 square foot electronic messaging board at the northwest corner of the property.
3. 8' ornamental aluminum perimeter fencing (along front and sides of building).
4. Boat display in front of the building and along the side of the building (under a covered awning). Boat display also inside the building.
5. Cross access on the east and west sides during business hours. A gate will block access to the boat sales area to provide security at this location after business hours.
6. A current joint driveway will remain between Cavender's Boot Store and this proposed business.
7. Customer and employee parking at the rear of the property and front of the building.
8. A 7' wooden privacy screening device fence along the south property line.

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 **23rd day of February, 2015.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

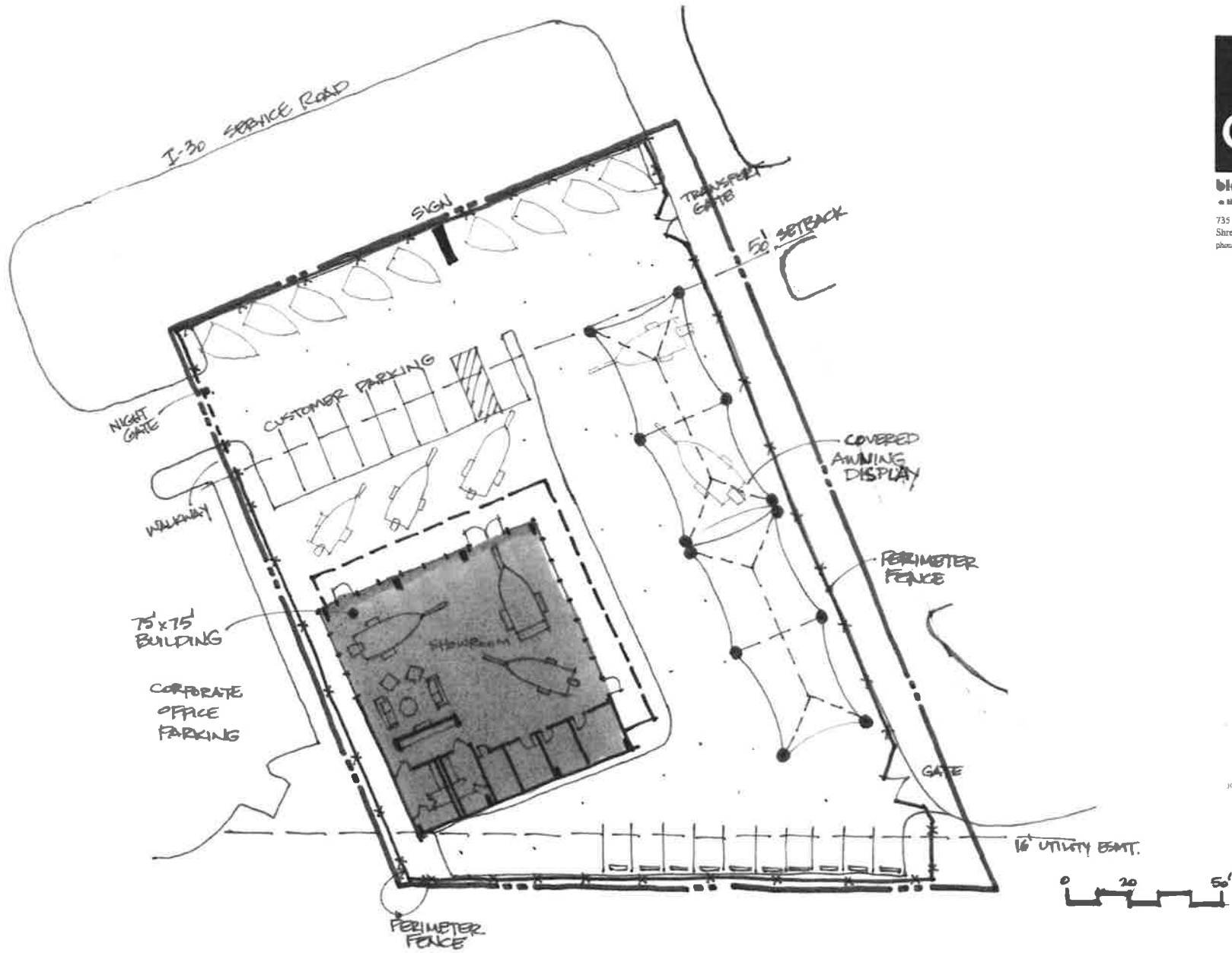
BOB BRUGGEMAN, MAYOR

EXHIBIT "A"



bledsoe architects
a limited liability corporation

735 Robinhood St.
Shreveport, Louisiana 71106
phone 318/219-2293 fax 318/219-2296



GREGG ORR MARINE
Texarkana, Texas

CONCEPT SITE PLAN

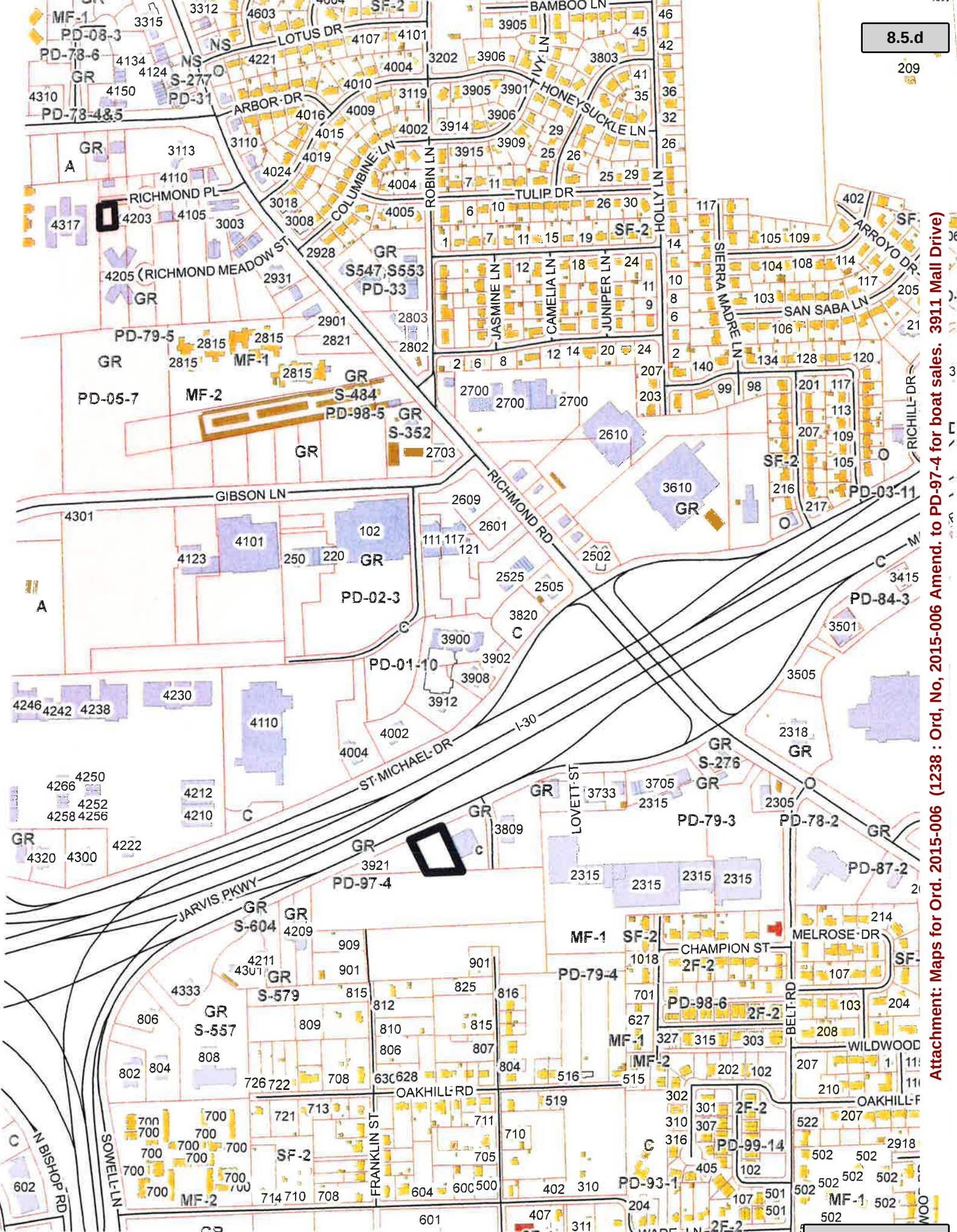
job no. 1431

15 SEP 2014

sheet

A



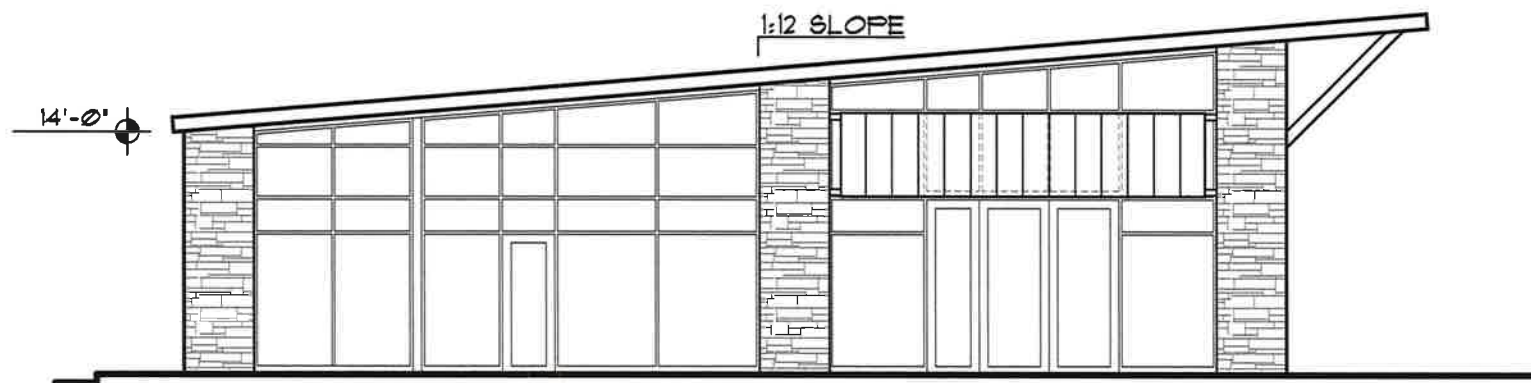




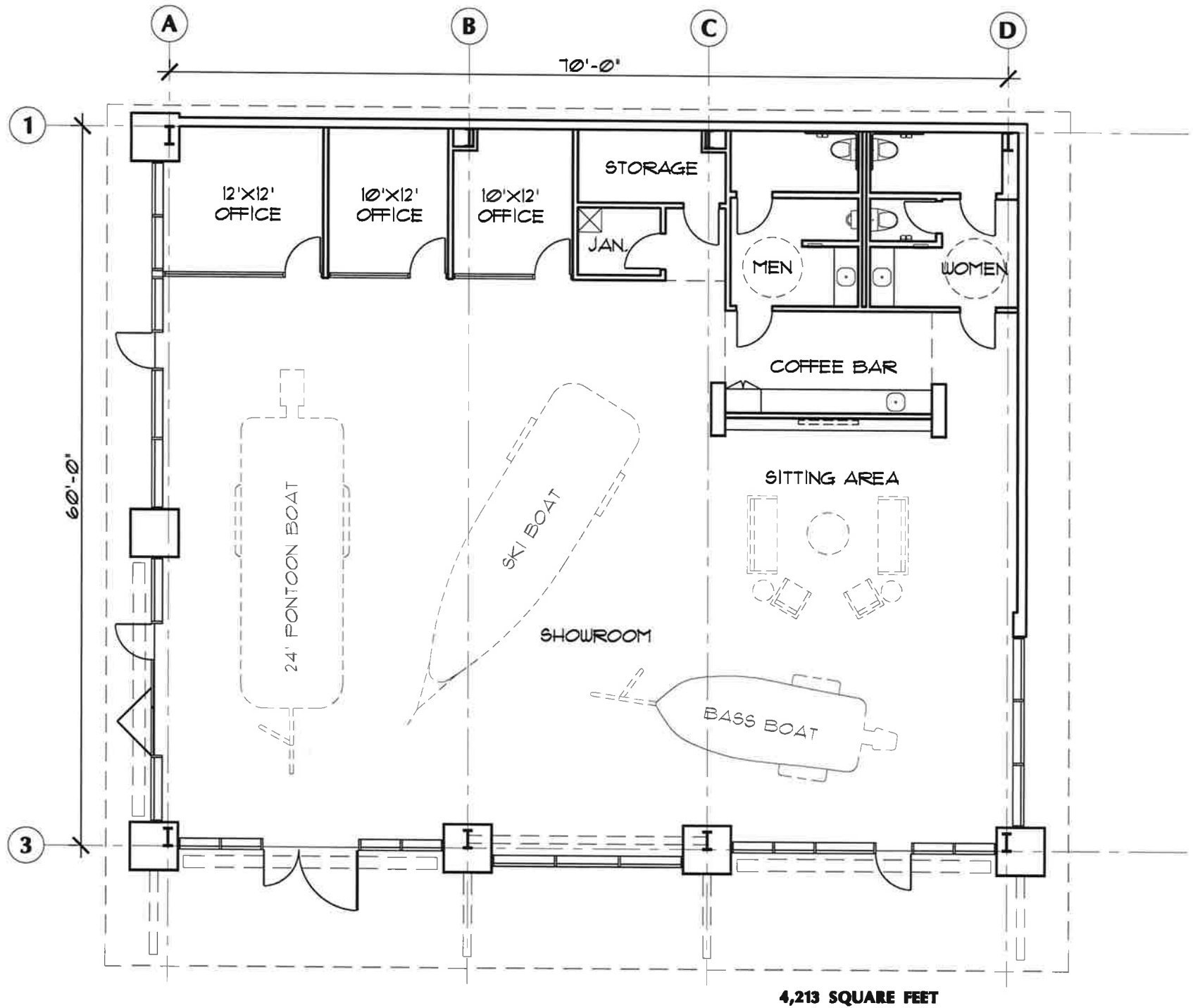
8.5.d

Attachment: Maps for Ord. 2015-006 (1238 : Ord, No, 2015-006 Amend. to PD-97-4 for boat sales. 3911 Mall Drive)





01 EAST ELEVATION
SCALE: 3/32" = 1'-0"



Attachment: Floor plan for Ord. No. 2015-006 (1238 : Ord, No, 2015-006 Amend. to PD-97-4 for boat sales. 3911 Mall Drive)

Fencing shall be an 8' monumental aluminum fence similar to picture. The back fence will be a wooden privacy fence in accordance with city ordinance



PETITION

RE: Amendment to PD-97-4 (GR)

November 25, 2014

This Petition is filed in response to the proposed Planning & Zoning Commission hearing December 1, 2014 and City Council hearing January 26, 2015 in Texarkana, Texas; specifically regarding Gregg Orr's proposed **Amendment to PD-97-4 (GR)** requesting site plan approval to allow the location of a new and used boat sales business (reportedly for Gregg Orr Marine) at 3911 Mall Drive, Texarkana, Texas, a property located on Lot 2, Block 1, Richmond West pavilion Addition.

As the designated Owner of the land immediately south of this tract (PD-97-4), a tract which exceeds 20% of the land within 200 feet of the proposed change, I DO OBJECT to this proposed use, as this proposed retail and non-pedestrian use will be inconsistent with nearby existing family oriented retail - and more importantly, this proposed use is inconsistent with both existing residential uses and new higher density (*and more valuable*) mixed use residential-retail uses now being planned to support improved roadway plans in this area.

Given these development opportunities for this critical tract, this proposed used boat sales business is clearly not the highest and best use for this critical remaining undeveloped tract fronting the I-30 access road, and will be a significant detriment to further development plans for the area.

Again as we noted in an earlier petition, for the record, Mr Orr through an intermediary has proposed to purchase several acres of land from us to make this proposed "boat sales operation" viable, and we do not intend to pursue this transaction, as we believe further development in this overall area needs to be pursued more comprehensively – allowing the City to pursue plans that better serve nearby pedestrian-oriented retail and residential uses.

William T. Adams

6642 Deloache Avenue

Dallas, TX 75225

214.505.3111

Attachment: Petition in opposition for Ord. 2015-006 (1238 : Ord, No, 2015-006 Amend. to PD-97-4 for boat sales. 3911 Mall Drive)

Amendment to
PD-97-4(GR)

ORDINANCE NO. 2015-006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-97-4(GR) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF A NEW AND USED BOAT SALES BUSINESS ON LOT 2, BLOCK 1, RICHMOND WEST PAVILION ADDITION, LOCATED AT 3911 MALL DRIVE, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the **approval of a site plan (Exhibit "A") to allow the location of a new and used boat sales business** on Lot 2, Block 1, Richmond West Pavilion Addition, located at 3911 Mall Drive, 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 by a vote of Five (5) to Zero (0) to recommend approval of the petition for the request for the site plan to allow the location of a new and used boat sales business (Exhibit "A")** 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 the approval of the site plan for the above-described property is in the best interest of the public health, safety, morals and general welfare of the City;

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

SECTION 1: That the site plan (Exhibit "A") submitted to allow a new and used boat sales business on Lot 2, Block 1, Richmond West Pavilion Addition, located at 3911 Mall Drive in the City of Texarkana, Bowie County, Texas, be and is hereby approved and hereby amends PD-97-4(GR).

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

Attachment: 2015-006 Signed Ord. & Exh [Revision 1] (1238 : Ord, No, 2015-006 Amend. to PD-97-4 for boat sales. 3911 Mall Drive)

1. An approximate 4,200 square foot office building with rock and metal exterior.
2. A 35' tall pylon sign with 50 square foot electronic messaging board at the northwest corner of the property.
3. 8' ornamental aluminum perimeter fencing (along front and sides of building).
4. Boat display in front of the building and along the side of the building (under a covered awning). Boat display also inside the building.
5. Cross access on the east and west sides during business hours. A gate will block access to the boat sales area to provide security at this location after business hours.
6. A current joint driveway will remain between Cavender's Boot Store and this proposed business.
7. Customer and employee parking at the rear of the property and front of the building.
8. A 7' wooden privacy screening device fence along the south property line.

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 **26th day of January, 2015.**

ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

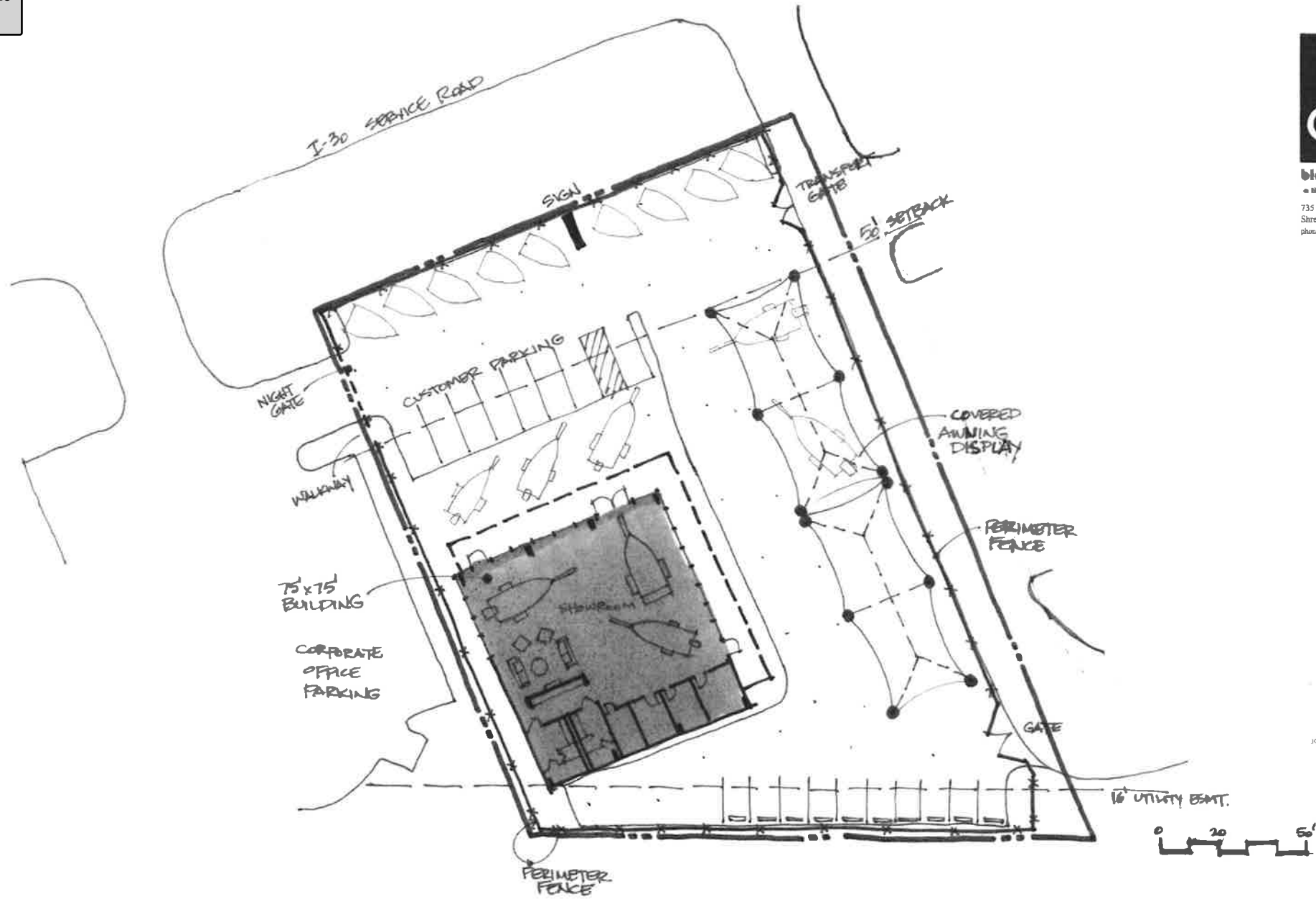
8:44 p.m.

EXHIBIT "A"



bledsoe architects
a limited liability corporation

735 Robinhood St.
Shreveport, Louisiana 71106
phone 318/219-2293 fax 318/219-2296



GREGG ORR MARINE
Texarkana, Texas

CONCEPT SITE PLAN

job no. 1431

15 SEP 2014

sheet

A

0 20 50'

seq 1 of 1

City of Texarkana, Texas

Version: G

Update Date: 1/8/2015 5:08 PM

Briefing Sheet

Lead Department: Assistant City Manager **Action Officer:** Debbie Burk,
Ordinance No. 2015-007 amending PD-14-1(GR) for site plan revision on Lot
1, Block 1, Walsh Carter Master Tract Second Addition, located at 5002 North
Cowhorn Creek Loop Road (proposed Steak 'n Shake Restaurant). John Ryden,
Subject: applicant. Jeff Whitten, Whitten Engineering, agent.

Briefing: 1/26/2015 **Public** **Second** February 9, **Council**
Hearing: 1/26/2015 **Briefing:** 2015 **Vote:** 2/23/2015

Item Schedule

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

Updates/History of Briefing:

Executive Summary and Background Information:

This is a request by John Ryden, owner, and Jeff Whitten, Whitten Engineering, agent for a revision to the site plan to revise the parking and to relocate the proposed monument sign on Lot 1, Block 1, Walsh-Carter Master Tract Second Addition, located at 5002 North Cowhorn Creek Road (proposed location of Steak "n Shake Restaurant).

The adjacent zoning is Agriculture to the north, PD-General Retail and Agriculture to the east, PD-General Retail to the south and PD-Commercial to the west. The adjacent land use is vacant land to the north, Red Lobster Restaurant to the south, a hotel to the east and a hotel and vacant land to the west.

A site plan was approved for the proposed Steak 'n Shake Restaurant in August, 2014. Since that time, the applicant has requested the following changes:

- Move the location of the proposed CEVMS monument sign to the curve of the property on North Cowhorn Creek Loop Road. Please see site plan showing the previous and proposed location of the monument sign as well as the location for the pole sign. The monument sign is proposed to be 9' in height and 8'.3" in width with a 4' 5" x 8'3" electronic messaging (CEVMS) board.
- Remove curbside pick-up and adjust the covered motorcycle parking along the drive-thru.

On the previously approved site plan, both signs (pole and monument) were located at the same location appearing as one sign. Staff has determined that the new proposal on the signage shows two separate signs since they are not together at the same location. It should be noted that additional signage was allowed along the I-30 frontage road where a sign easement currently exists.

Staff has approved some administrative changes to the square footage of the building to accommodate entry access at the front. Also, in reviewing this new site plan, staff would like some additional information concerning the ATM drive-thru previously approved as to

City of Texarkana, Texas

whether a canopy or some type of structure will be used. If a structure will be constructed, elevations need to be provided.

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

Potential Options:

None

Fiscal Implications:

NA

Staff Recommendation:

Staff recommends approval of only one of these signs and adjusting the parking.

Staff has asked the developer to provide a sample of the proposed ATM canopy at this location. (A sample was provided and is attached).

After AEP/SWEPCO reviewed the parking lot changes, it was determined that a power pole will need to be adjusted. This will not affect the number of parking spaces as shown on site plan.

City Manager comment: This development project is an example of a significant shortcoming in the city's development ordinances. The city's ordinances does not require developers (petitioners) to conduct any traffic analysis or to prepare and submit a traffic impact analysis. I feel that this particular development and its associated traffic will cause an adverse impact on traffic in and around the site. A properly conducted analysis and prepared Traffic Impact Analysis (TIA) report would likely show a need for a dedicated right-turn/deceleration lane on Saint Michael Drive and maybe a second right-turn lane on North Cowhorn Creek Loop at Saint Michael Drive or a center-turn on North Cowhorn Creek Loop to enter into the access between Red Lobster and Steak and Shake. This type of infrastructure improvements caused by development should be borne by the development project generally.

Advisory Board/Committee Review:

Planning and Zoning Commission.

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of this request with the following stipulations:

1. Move the location of the proposed electronic messaging (CEVMS) monument sign (Exhibit "B") to the curve of the property on North Cowhorn Creek Loop Road. Monument sign not to exceed 60 square feet in size with no more than one-half being CEVMS.
2. Move 35' pylon pole sign (Exhibit "C") to the northwest corner of the property.

City of Texarkana, Texas

3. Remove curbside pick-up spaces and adjust the covered motorcycle parking along the drive-thru.

Advisory Board/Committee Meeting Date and Minutes:

December 1, 2014

Attachments

- a. Goals and Perspectives (DOCX)
- b. Ord. No. 2015-007 (DOCX)
- c. Exhibit "A" for Ord. 2015-007 (PDF)
- d. Exhibit "B" for Ord. 2015-007 (PDF)
- e. Exhibit "C" for Ord. 2015-007 (PDF)
- f. Maps for Ord. 2015-007 (PDF)
- g. Sample ATM awning for Ord. 2015-007 (PDF)
- h. Ord. 2015-007 signed (PDF)
- i. Exhibit A 26 JAN 2015 Steak N Shake Site Plan C1 2R4 (PDF)
- j. Exhibit B 26 JAN 2015 Steak N Shake Sign 26 Jan 2015 TEXARKANA - FREESTANDING SIGNS - R9 (PDF)

Staff Coordination

Assistant City Manager	Shirley Jaster	Review	Completed
01/09/2015 8:52 AM			
Planning and Community Development	Shirley Jaster	Review	Skipped
01/09/2015 10:19 AM			
Finance Department Charlie Bassett	Finance Review	Completed	01/09/2015
10:25 AM			
Public Information Officer	Lisa Thompson	PIO Review	Completed
01/09/2015 10:35 AM			
City Manager John Whitson	City Manager Review	Completed	01/09/2015
10:48 AM			
City Council Jennifer Evans	Meeting	Completed	01/12/2015
6:00 PM			

Meeting History

01/12/15 City Council MOVED FORWARD Next: 01/26/15
 Jeff Whitten, of Whitten Engineering, briefed this item.
 (Council Member Casteel stepped out of the meeting at 8:37 p.m.)

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

Select One By Clicking Here

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:

Amendment to
PD-14-1(GR)

ORDINANCE NO. 2015-007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-14-1(GR) TO ALLOW REVISIONS TO THE EXISTING SITE PLAN FOR A RESTAURANT ON LOT 1, BLOCK 1, WALSH CARTER MASTER TRACT SECOND ADDITION, LOCATED AT 5002 NORTH COWHORN CREEK LOOP ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting **revisions to the existing site plan (Exhibit “A”) for a Steak and Shake restaurant** on Lot 1, Block 1, Walsh Carter Master Tract Second Addition, located at 5002 North Cowhorn Creek Loop Road 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 by a vote of five (5) to zero (0) to recommend approval of the petition for revisions to the existing site plan (Exhibit “A”)** with stipulations 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 the approval of the revisions to the site plan with stipulations for the above described property is in the best interest of the public health, safety, morals and general welfare of the City;

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

SECTION 1: That the site plan (Exhibit “A”) submitted to allow revisions to the existing site plan on Lot 1, Block 1, Walsh-Carter Master Tract Second Addition, located at 5002 North Cowhorn Creek Loop Road in the City of Texarkana, Texas, Bowie County, Texas, be and is hereby approved and hereby amends PD-14-1(GR).

Attachment: Ord. No. 2015-007 [Revision 1] (1239 : Ord. No. 2015-007 Amend. to PD-14-1 for revision to site plan for Steak n Shake.)

SECTION 2: The original stipulations will remain and the following stipulations are hereby imposed and made a part of this Ordinance.

1. Move the location of the proposed electronic messaging (CEVMS) monument sign (Exhibit “B”) to the curve of the property on North Cowhorn Creek Loop Road. Monument sign not to exceed 60 square feet in size with no more than one-half being CEVMS.
2. Move 35’ pylon pole sign (Exhibit “C”) to the northwest corner of the property.
3. Remove curbside pick-up spaces and adjust the covered motorcycle parking along the drive-thru.

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 **23rd day of February, 2015.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

EXHIBIT "A"

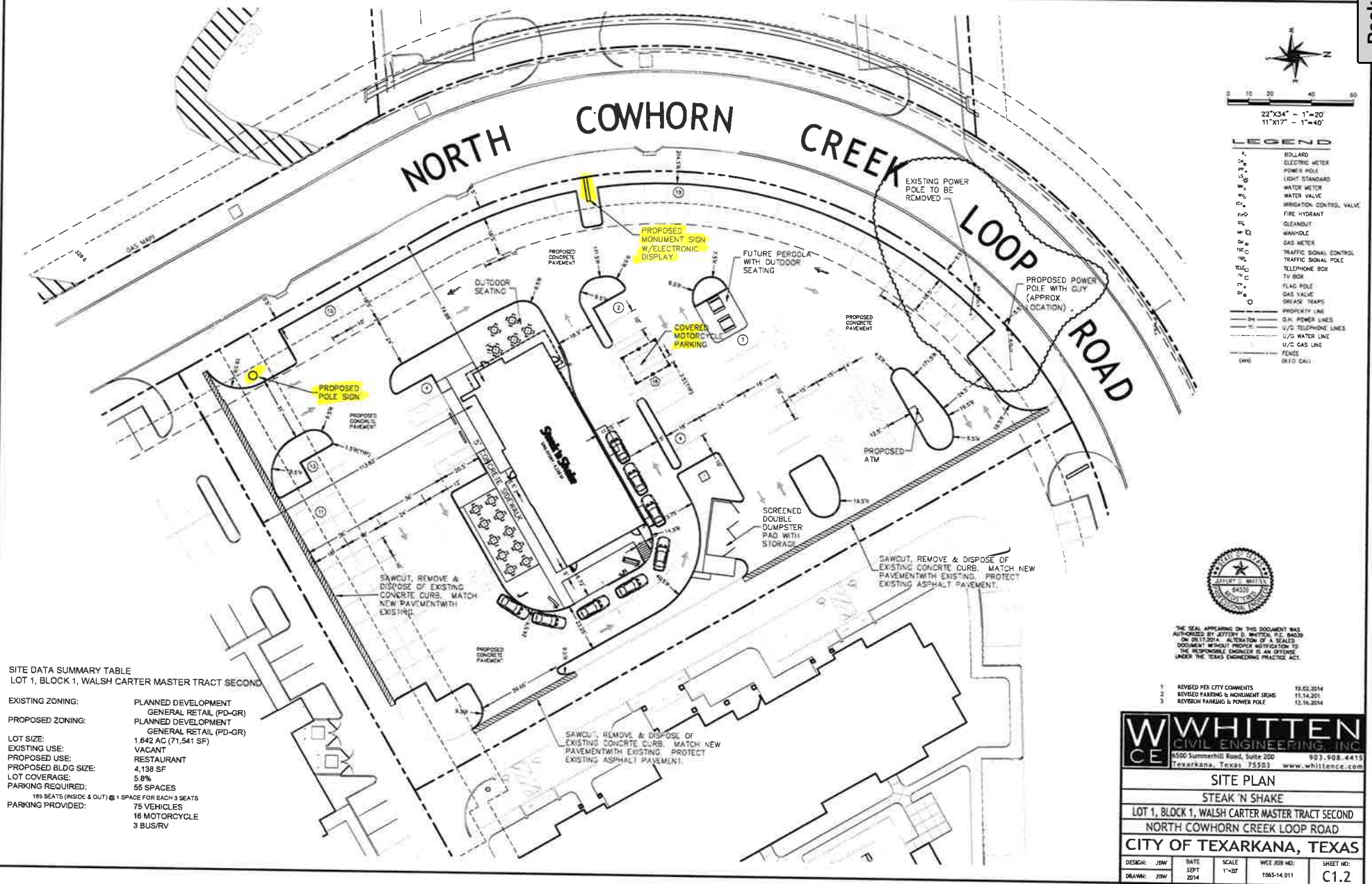




EXHIBIT 'B'
SAMPLE OF MONUMENT SIGN



Sign not to exceed 60 square feet in size with no more than one-half being CEVMS (electronic)



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ENTERA BRANDING. IT IS NOT TO BE SHOWN TO
ANYONE OUTSIDE YOUR ORGANIZATION, NOR
IS IT TO BE USED, REPRODUCED, COPIED, OR
EXHIBITED IN ANY FASHION.

CLIENT:	STEAK 'N' SHAKE	SCALE:	1/2" = 1'-0"
LOCATION:	TEXARKANA, TX	DATE:	10 - 24 - 14
DRAWN BY:	ANT	DWG. NO.:	TEXARKANA, TX

Attachment: Exhibit "B" for Ord. 2015-007 (1239 : Ord. No. 2015-007 Amend. to PD-14-1 for revision to site plan for Steak n Shake.)



200 SF PYLON @ 35' OAH

EXHIBIT "C"



steel tube painted silver
(final coat to be applied
after installation by
installer).
Paint provided by sign mfg.

Electrical service to sign by others -
120V 20 amp circuit with disconnect.

DOUBLE FACE INTERNALLY ILLUMINATED PYLON SIGN

Aluminum cabinet construction.
Panaflex sign faces for "Steak 'n Shake".
Cabinet filler painted red.
White faces with 3M red vinyl copy.
Cabinet wings painted Silver.
Logo can painted gloss black.
Logo face clear acrylic background
decorated with 3M black vinyl (2nd surface) -
copy 3M white vinyl.
1" trim cap.
Tagline can painted gloss black.
Tagline face clear acrylic.
Background decorated with 3M black
vinyl copy (2nd surface) -
copy 3M white vinyl.
Silhouette-Illuminated silver above
cabinets & below SNS cabinet.

LED Illumination - LED by
GE Lighting Solutions.

DOUBLE FACE INTERNALLY ILLUMINATED PYLON SIGN

Description	A	B	C	Actual	Boxed	Max
P200 Pylon Sign	8'-11 3/4"	21'-8 3/4"	1'-10 5/8"	163 sq.ft.	194.8 sq.ft.	12.55

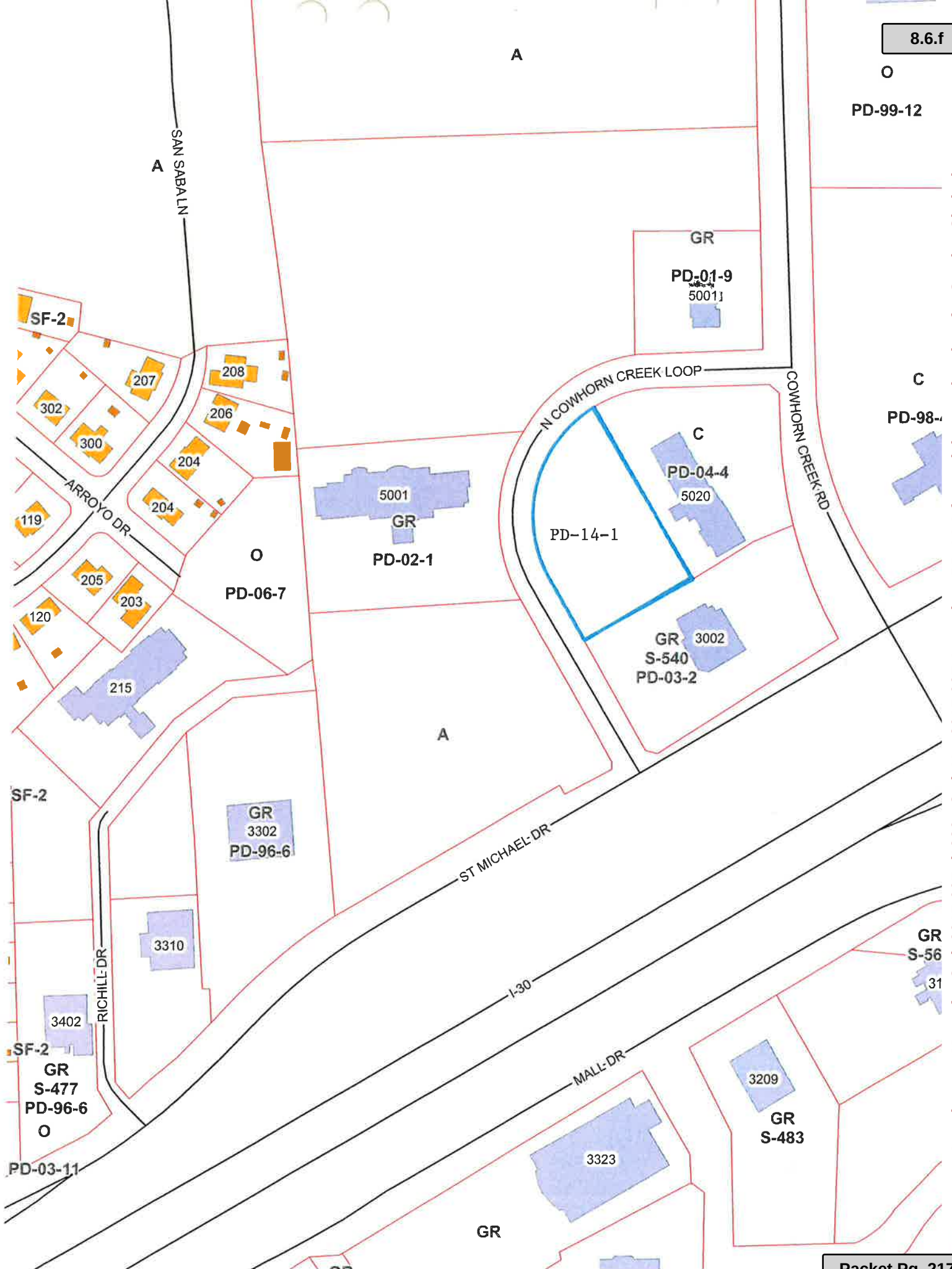
MAXIMUM SIGN HEIGHT OF 35 FEET



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ANYONE OUTSIDE YOUR ORGANIZATION. NOR
IS IT TO BE USED, REPRODUCED, COPIED, OR
EXHIBITED IN ANY FASHION.

CLIENT:	STEAK 'N' SHAKE	SCALE:	NTS
LOCATION:	TEXARKANA, TX	DATE:	10 - 24 - 14
DRAWN BY:	ANT	DWG. NO.:	TEXARKANA, TX

PD-99-12



Attachment: Maps for Ord. 2015-007 (1239 : Ord. No. 2015-007 Amend. to PD-14-1 for revision to site plan for Steak n Shake.)





Amendment to
PD-14-1(GR)

ORDINANCE NO. 2015-007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-14-1(GR) TO ALLOW REVISIONS TO THE EXISTING SITE PLAN FOR A RESTAURANT ON LOT 1, BLOCK 1, WALSH CARTER MASTER TRACT SECOND ADDITION, LOCATED AT 5002 NORTH COWHORN CREEK LOOP ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting **revisions to the existing site plan (Exhibit "A") for a Steak and Shake restaurant** on Lot 1, Block 1, Walsh Carter Master Tract Second Addition, located at 5002 North Cowhorn Creek Loop Road 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 by a vote of five (5) to zero (0) to recommend approval of the petition for revisions to the existing site plan (Exhibit "A")** with stipulations 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 the approval of the revisions to the site plan with stipulations for the above described property is in the best interest of the public health, safety, morals and general welfare of the City;

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

SECTION 1: That the site plan (Exhibit "A") submitted to allow revisions to the existing site plan on Lot 1, Block 1, Walsh-Carter Master Tract Second Addition, located at 5002 North Cowhorn Creek Loop Road in the City of Texarkana, Texas, Bowie County, Texas, be and is hereby approved and hereby amends PD-14-1(GR).

Attachment: Ord. 2015-007 signed (1239 : Ord. No. 2015-007 Amend. to PD-14-1 for revision to site plan for Steak n Shake.)

SECTION 2: The original stipulations will remain and the following stipulations are hereby imposed and made a part of this Ordinance.

1. Move the location of the proposed electronic messaging (CEVMS) monument sign (Exhibit "B") to the curve of the property on North Cowhorn Creek Loop Road. Monument sign not to exceed 60 square feet in size with no more than one-half being CEVMS.
2. Move 35' pylon pole sign (Exhibit "C") to the northwest corner of the property.
3. Remove curbside pick-up spaces and adjust the covered motorcycle parking along the drive-thru.

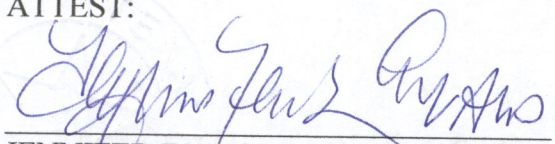
SECTION 3: It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

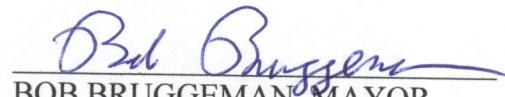
SECTION 4: All Ordinances or parts of Ordinances in conflict herewith are specifically repealed to the extent of such conflict.

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 **26th day of January, 2015.**

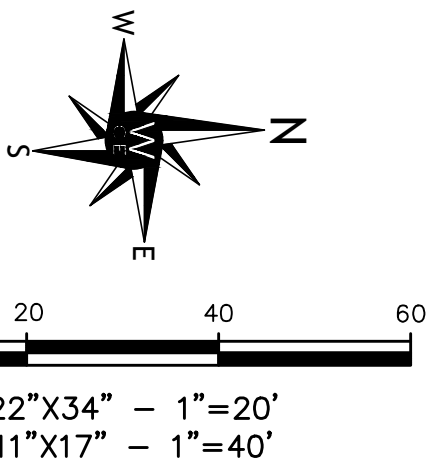
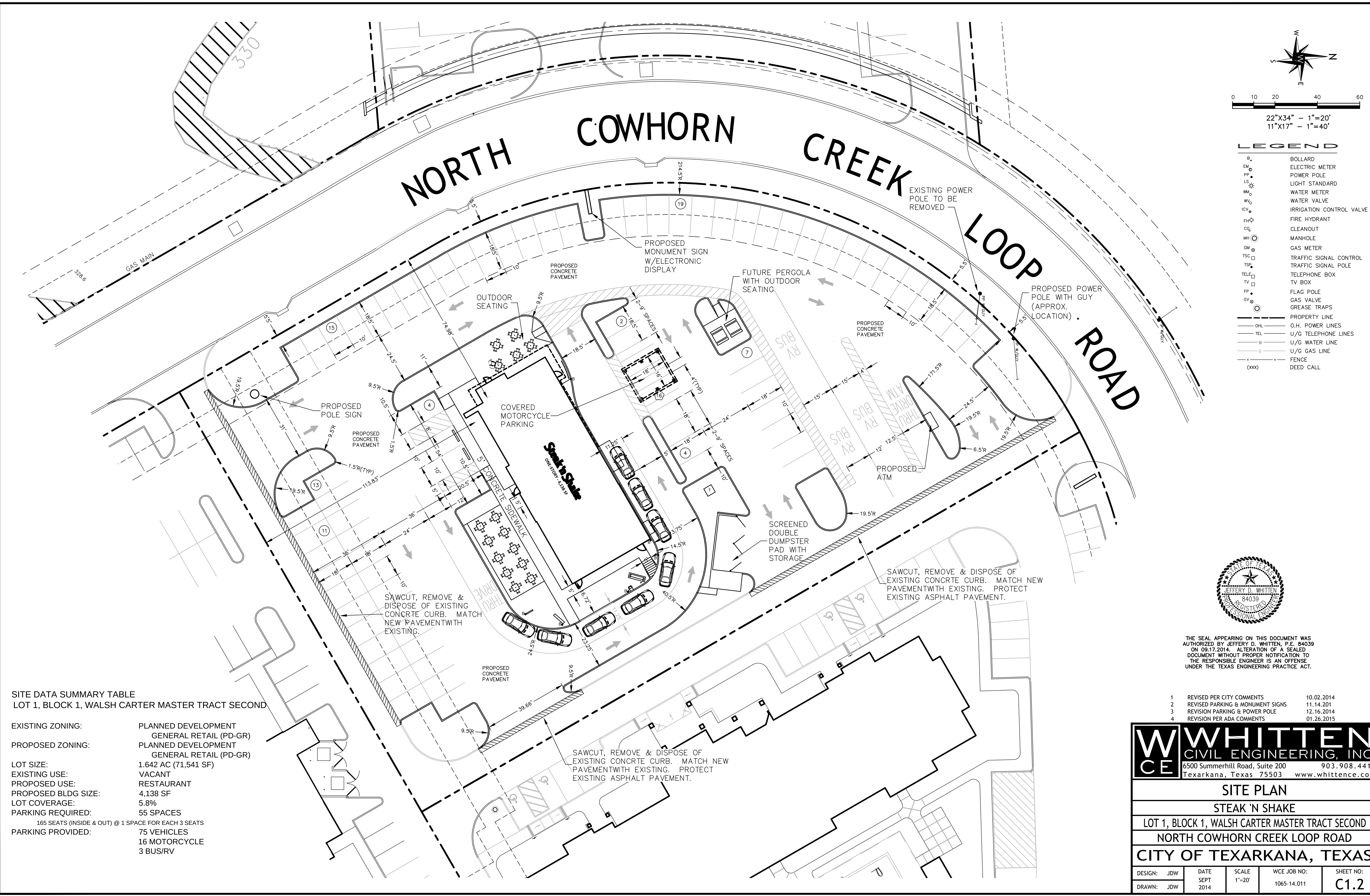
ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

8:49 p.m.

Attachment: Ord. 2015-007 signed (1239 : Ord. No. 2015-007 Amend. to PD-14-1 for revision to site plan for Steak n Shake.)



LEGEND	
B.	BOLLARD
EM	ELECTRIC METER
PP	POWER POLE
LS	LIGHT STANDARD
WM	WATER METER
WV	WATER VALVE
ICV	IRRIGATION CONTROL VALVE
FH	FIRE HYDRANT
CQ	CLEANOUT
MH	MANHOLE
GM	GAS METER
TSC	TRAFFIC SIGNAL CONTROL
TSP	TRAFFIC SIGNAL POLE
TELE	TELEPHONE BOX
TV	TV BOX
FP	FLAG POLE
GV	GAS VALVE
GV	GREASE TRAPS
---	PROPERTY LINE
---	O.H. POWER LINES
---	U/G TELEPHONE LINES
---	U/G WATER LINE
---	U/G GAS LINE
(xxx)	FENCE
(xxx)	DEED CALL



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY JEFFERY D. WHITTEN, P.E. 84039 ON 09.17.2014. ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.

SITE DATA SUMMARY TABLE
LOT 1, BLOCK 1, WALSH CARTER MASTER TRACT SECOND

EXISTING ZONING:	PLANNED DEVELOPMENT GENERAL RETAIL (PD-GR)
PROPOSED ZONING:	PLANNED DEVELOPMENT GENERAL RETAIL (PD-GR)
LOT SIZE:	1.642 AC (71,541 SF)
EXISTING USE:	VACANT
PROPOSED USE:	RESTAURANT
PROPOSED BLDG SIZE:	4,138 SF
LOT COVERAGE:	5.8%
PARKING REQUIRED:	55 SPACES 165 SEATS (INSIDE & OUT) @ 1 SPACE FOR EACH 3 SEATS
PARKING PROVIDED:	75 VEHICLES 16 MOTORCYCLE 3 BUS/RV

1	REVISED PER CITY COMMENTS	10.02.2014
2	REVISED PARKING & MONUMENT SIGNS	11.14.201
3	REVISION PARKING & POWER POLE	12.16.2014
4	REVISION PER ADA COMMENTS	01.26.2015

WCE

WHITTEN
CIVIL ENGINEERING, INC.
6500 Summerhill Road, Suite 200
Texarkana, Texas 75503
903.908.4415
www.whittence.com

SITE PLAN

STEAK 'N SHAKE

LOT 1, BLOCK 1, WALSH CARTER MASTER TRACT SECOND

NORTH COWHORN CREEK LOOP ROAD

CITY OF TEXARKANA, TEXAS

DESIGN: JDW	DATE: SEPT 2014	SCALE: 1"=20'	WCE JOB NO: 1065-14.011	SHEET NO: C1.2
DRAWN: JDW				



EMC MONUMENT @ 7'-1" OAH



3'-5" H x 8'-3" W x 5" D Watchfire 10mm full color Electronic Message Center
BASE TO BE ROUTED & BACKED STAINLESS STEEL. BACK-LIT LETTERS
(ADDRESS & BY BIGLARI TO BE BLACK PERFORATED VINYL)



ENTERA
Your total branding solution



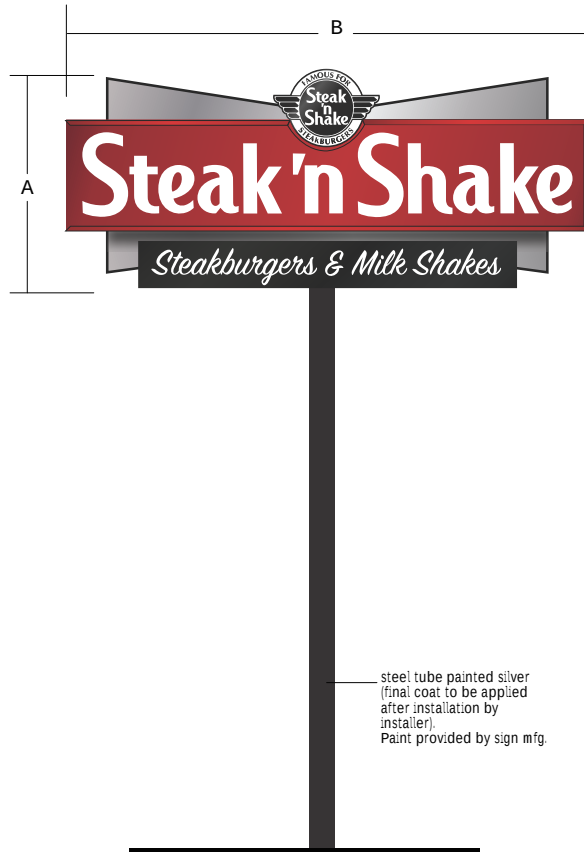
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EXHIBITED IN ANY FASHION.

CLIENT:	STEAK 'N' SHAKE	SCALE:	1/2" = 1'-0"
LOCATION:	TEXARKANA, TX	DATE:	10 - 24 - 14
DRAWN BY:	ANT	DWG. NO.:	TEXARKANA, TX

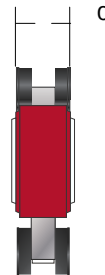


200 SF PYLON @ 35' OAH



steel tube painted silver
(final coat to be applied
after installation by
installer).
Paint provided by sign mfg.

Electrical service to sign by others -
120V 20 amp circuit with disconnect.



DOUBLE FACE INTERNALLY ILLUMINATED PYLON SIGN

Aluminum cabinet construction.
Panaflex sign faces for "Steak 'n Shake".
Cabinet filler painted red.
White faces with 3M red vinyl copy.
Cabinet wings painted Silver.
Logo can painted gloss black.
Logo face clear acrylic background
decorated with 3M black vinyl (2nd surface) -
copy 3M white vinyl.
1" trim cap.
Tagline can painted gloss black.
Tagline face clear acrylic.
Background decorated with 3M black
vinyl copy (2nd surface) -
copy 3M white vinyl.
Silhouette-Illuminated silver above
cabinets & below SNS cabinet.

LED Illumination - LED by
GE Lighting Solutions.

DOUBLE FACE INTERNALLY ILLUMINATED PYLON SIGN

Description	A	B	C	Actual	Boxed	Max
P200 Pylon Sign	8'-11 3/4"	21'-8 3/4"	1'-10 5/8"	163 sq.ft.	194.8 sq.ft.	12.55



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CLIENT: STEAK 'N' SHAKE

SCALE: NTS

LOCATION: TEXARKANA, TX

DATE: 10 - 24 - 14

DRAWN BY: ANT

DWG. NO.: TEXARKANA, TX

City of Texarkana, Texas

Version: D

Update Date: 1/7/2015 2:30 PM

Briefing Sheet

Lead Department: Assistant City Manager **Action Officer:** Debbie Burk,
Ordinance No. 2015-008 rezoning a 3.75 acre tract of land (Tract 51) in the J.A. Talbot HRS, A-564, located at 5808 Richmond Road. Single Family-1 to Planned Development-Office. Dr. Randy Johns, applicant. David Williams, MTG Engineering, agent.

Subject: MTG Engineering, agent.

Briefing: 1/26/2015 **Public Hearing:** 1/26/2015 **Second Briefing:** February 9, 2015 **Council Vote:** 2/23/2015

Item Schedule

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

Updates/History of Briefing:

Executive Summary and Background Information:

This is a request by Dr. Randy Johns, owner, and David Williams, MTG Engineering, agent, to rezone a 3.75 acre tract of land (Tract 51) of the J.A. Talbot HRS, A-564, located at 5808 Richmond Road from Single Family-1 to Office. A single family residence is currently located on the front portion of the property. The proposed use is an assisted living facility.

The adjacent zoning is Single Family-1 to the north, south, east and west. The adjacent land use is residences to the north and west, a church, cemetery and vacant land to the east and a residence and church to the south.

The Comprehensive Plan has designated this as a Mixed Use Area.

This area has seen continued expansion of retail and mixed uses north of Moores Lane. The completed 5 lane widening of Richmond Road to University Avenue has increased the potential for additional business uses along this stretch of roadway. The Comprehensive Plan has designated much of Richmond Road with Mixed Use designation due to the transition of the area.

This is a large tract of land with potential for uses not on application. Several properties in this area of Richmond Road have been rezoned with the Planned Development (PD) designation. If a PD is placed on the property, the following items can be regulated:

- Site plan review by the Planning and Zoning Commission and City Council.
- Certain uses could be prohibited that are currently allowed in the Office zoning district.
- Any signage for the assisted living facility.

City of Texarkana, Texas

The applicant should be aware that a 7' screening device would be required along the north, east and west property lines.

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Staff recommends for approval to Planned Development-Office with the following stipulation:

- The following uses are prohibited: any non-single family residential uses, hotel/motel, sorority or fraternity house, hospital, medical office with more than two doctors, emergency medical care clinic.

Advisory Board/Committee Review:

Planning and Zoning Commission.

Board/Committee Recommendation:

The applicant agreed to amend the application to include the Planned Development designation. The Planning and Zoning Commission unanimously recommended for approval to PD-Office with the following stipulations:

- The following uses are prohibited: any non-single family residential uses, hotel/motel, sorority or fraternity house, hospital, medical office with more than two doctors, and emergency medical care clinic.

Advisory Board/Committee Meeting Date and Minutes:

December 1, 2014

Attachments

- a. Goals and Perspectives (DOCX)
- b. Ord. No. 2015-008 (DOCX)
- c. Exhibit "A" for Ord. No. 2015-008 (PDF)
- d. Maps for Ord. 2015-008 (PDF)
- e. Ord. 2015-008 signed (PDF)

City of Texarkana, Texas

Staff Coordination

Assistant City Manager	Shirley Jaster	Review	Completed
01/07/2015 1:56 PM			
Public Information Officer	Lisa Thompson	PIO Review	Completed
01/07/2015 2:14 PM			
City Manager	John Whitson	City Manager Review	Completed
2:33 PM			01/07/2015
City Council	Jennifer Evans	Meeting	Completed
6:00 PM			01/12/2015

Meeting History

01/12/15 City Council MOVED FORWARD Next: 01/26/15
 Kayla Wood, of MTG Engineering, briefed this item.
 (Council Member Casteel returned to the meeting at 8:41 p.m.)

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

Select One By Clicking Here

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:

Z-14-11

ORDINANCE NO. 2015-008

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 CERTAIN 3.75 ACRE TRACT OF LAND (TRACT 51) LOCATED IN THE J.A. TALBOT HRS, A-564, LOCATED AT 5808 RICHMOND ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM SINGLE FAMILY-1 TO PLANNED DEVELOPMENT-OFFICE; 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 certain 3.75 acre tract of land (Tract 51) located in the J.A. Talbot HRS, A-564 (Exhibit "A"), located at 5808 Richmond Road in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Planned Development-Office**; 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 Planned Development-Office** 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 Planned Development-Office** 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 certain 3.75 acre tract of land (Tract 51) located in the J.A. Talbot HRS, A-421 (Exhibit "A"), located at 5808 Richmond Road in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Planned Development-Office**.

Attachment: Ord. No. 2015-008 [Revision 1] (1240 : Ord. No. 2015-008 Z-14-11- 5808 Richmond. SF-1 to PD-Office.)

SECTION 2: That the following stipulation is hereby imposed and made a part of this Ordinance:

1. The following uses are prohibited: any non-single family residential uses, hotel/motel, sorority or fraternity house, hospital, medical office with more than two doctors, and emergency medical care clinic.

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 **23rd day of February, 2015.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

EXHIBIT "A"

Property: All that certain real property located in Bowie County, Texas, more specifically described as:

All that certain tract or parcel of land being a part of the JOHN A. TALBOT HEADRIGHT SURVEY, Abstract No. 564, Bowie County, Texas, and the herein described tract being a part of a certain 10 acre tract conveyed from A. J. Hetchell and wife, to R. L. McGraw by Deed dated October 13, 1915, and recorded in Volume 164, Page 457 of the Deed Records of Bowie County, Texas, and the herein described tract being a part of that certain called 4.94 acre tract conveyed from R. L. McGraw and wife, Myrtle McGraw to Jim Lusk and wife, Lora Lusk by Deed dated February 13, 1950, and recorded in Volume 263, Page 312 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 1 inch pipe found for corner in an existing fence corner at the Northwest corner of said Lusk tract;

THENCE N 87°16'00" E 252.96 feet primarily with an existing fence line, being the North line of said Lusk tract and the South line of a certain tract conveyed to Dennis R. Burnham by Deed dated November 15, 1976, and recorded in Volume 607, Page 839 of the Deed Records of Bowie County, Texas, to a 1/2 inch reinforcing steel rod found for corner;

THENCE S 06°39'02" W 566.87 feet primarily with an existing fence line, being the West line of a certain tract conveyed to Northwood Presbyterian Church by Deed dated July 14, 1976, and recorded in Volume 592, Page 412 of the Deed Records of Bowie County, Texas, to a 1/2 inch reinforcing steel rod found for corner in the North right-of-way line of F. M. Road No. 559 (Richmond Road);

THENCE N 64°05'16" W, 314.54 feet along the North right-of-way line of F. M. Road No. 559 and being the South line of said Lusk tract, to a 1/2 inch reinforcing steel rod found for corner in an existing fence corner at the Southwest corner of said Lusk tract;

THENCE N 11°43'56" E, 523.85 feet along an existing fence line, being the West line of said Lusk tract and the East line of a certain tract conveyed to S. E. and Ida Dyer by Deed dated November 17, 1961, and recorded in Volume 403, Page 579 of the Deed Records of Bowie County, Texas, to the POINT OF BEGINNING and containing 3.752 acres of land, more or less.

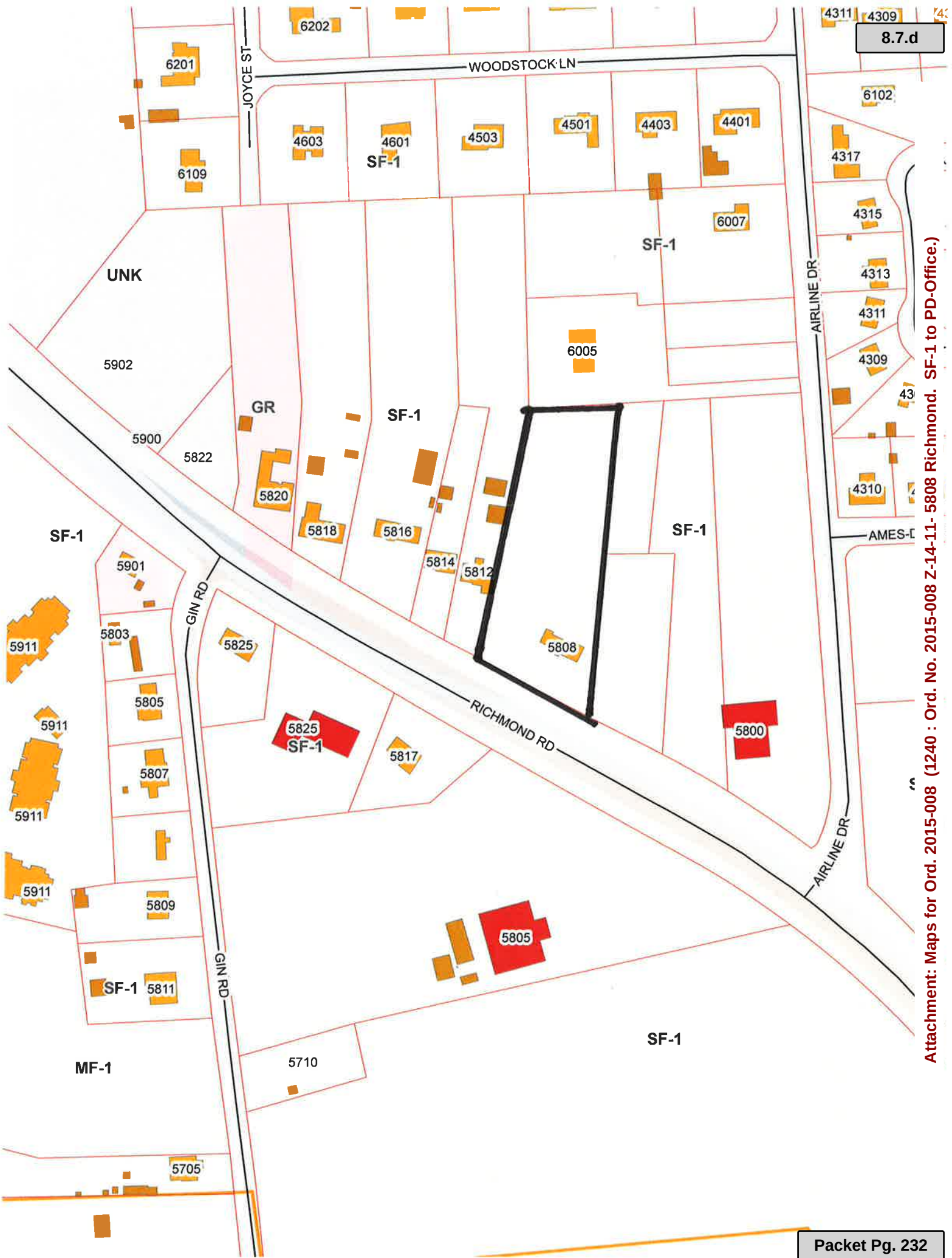
Reservations from Conveyance: None

Exceptions to Conveyance and Warranty: Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken, validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; all rights, obligations, and other matters arising from and existing by reason of all zoning laws regulations and ordinances of municipal and/or other governmental authorities, if any; and taxes for 2004, which Grantee assumes and agrees to pay. A fence that lies both inside and outside of the property line as shown on a survey dated November 15, 2004, by Wallace D. Roy, registered professional land surveyor, Texas, no. 2107.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

*Save + except any ROW for
Richmond Road.*

Attachment: Exhibit "A" for Ord. No. 2015-008 (1240 : Ord. No. 2015-008 Z-14-11- 5808 Richmond. SF-1 to PD-Office.)



Z-14-11

ORDINANCE NO. 2015-008

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 CERTAIN 3.75 ACRE TRACT OF LAND (TRACT 51) LOCATED IN THE J.A. TALBOT HRS, A-564, LOCATED AT 5808 RICHMOND ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM SINGLE FAMILY-1 TO PLANNED DEVELOPMENT-OFFICE; 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 certain 3.75 acre tract of land (Tract 51) located in the J.A. Talbot HRS, A-564 (Exhibit "A"), located at 5808 Richmond Road in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Planned Development-Office**; 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 Planned Development-Office** 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 Planned Development-Office** 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 certain 3.75 acre tract of land (Tract 51) located in the J.A. Talbot HRS, A-421 (Exhibit "A"), located at 5808 Richmond Road in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Planned Development-Office**.

Attachment: Ord. 2015-008 signed (1240 : Ord. No. 2015-008 Z-14-11- 5808 Richmond. SF-1 to PD-Office.)

SECTION 2: That the following stipulation is hereby imposed and made a part of this Ordinance:

1. The following uses are prohibited: any non-single family residential uses, hotel/motel, sorority or fraternity house, hospital, medical office with more than two doctors, and emergency medical care clinic.

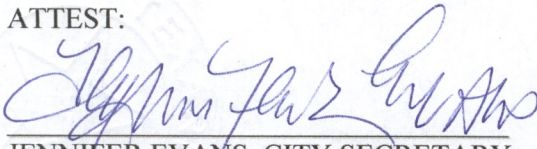
SECTION 3: It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

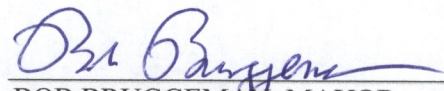
SECTION 4: All Ordinances or parts of Ordinances in conflict herewith are specifically repealed to the extent of such conflict.

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 **26th day of January, 2015.**

ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

8:51 p.m.

City of Texarkana, Texas

Version: G

Update Date: 1/13/2015 9:49 AM

Briefing Sheet

Lead Department: Assistant City Manager **Action Officer:** Debbie Burk,
Ordinance No. 2015-009 granting a Specific Use Permit to allow the one
additional use of an outdoor auto sales lot on Lots 17-19, Block 3, Feinberg
Heights Addition, located at 1502 Summerhill Road. James Wilmoth,
Subject: applicant.

Briefing: 1/26/2015 **Public Hearing:** 1/26/2015 **Second Briefing:** February 9, 2015 **Council Vote:** 2/23/2015

Item Schedule

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

Updates/History of Briefing:

Executive Summary and Background Information:

This is a request by James Wilmoth, owner, for a Specific Use Permit, SUP, to allow the one additional use of "an outdoor automobile sales lot" on Lots 17, 18, & 19, Block 8, Feinberg Heights Addition, located at 1502 Summerhill Road. The property is currently zoned Planned Development-General Retail. The current use is a vacant shaved ice business. (The property was rezoned to General Retail because of the drive-thru for the shaved ice business.)

The adjacent zoning is Single Family-2 to the north, south, east and west. The adjacent land usage is residences to the north, south, east and west.

In July, 2011, this property was rezoned from Single Family-2 to Planned Development-General Retail to allow the location of a shaved ice business. The applicant, Mr. Wilmoth, developed the property for this business and constructed a building for the shaved ice business, a large parking lot and a privacy fence between the business and adjacent residential properties.

Mr. Wilmoth has indicated that the shaved ice business did not do well financially and he began to look for another use for the property. He has stated that he feels the property is a good location for a car sales lot. A Specific Use Permit is required by Section 8-108 of the Zoning Ordinance to allow the one additional use of "outdoor auto sales lot" in the General Retail zoning district.

The Comprehensive Plan has designated this as a mixed use area. Mixed use indicates that there are several types of uses in the area. There is a church and a few office uses along this corridor of Summerhill Road from 7th Street to New Boston Road. Texarkana Independent School District has Tiger Stadium and its bus maintenance facility from West 10th Street to West 18th Streets. But mostly single family residences are located in this corridor.

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

City of Texarkana, Texas

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Staff feels that the “mixed uses” in this corridor of Summerhill Road should be more office or neighborhood service type uses and not include any type of outdoor sales. A car sales lot would be intrusive into this mostly residential use area. Therefore, staff recommends for denial of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of the Specific Use Permit with the following stipulations:

1. No more than five automobiles on sales lot at any one time.
2. Automobiles to be placed behind the existing office building and on a paved surface.
3. Hours of operation will be from 8 a.m. to 5 p.m. Monday through Saturday.
4. Any outdoor lighting will be shielded away from any adjacent residential properties.
5. Decorative perimeter fencing surrounding the property is allowed.

Advisory Board/Committee Meeting Date and Minutes:

December 1, 2014

Attachments

- a. Goals and Perspectives (DOCX)
- b. Ord. No. 2015-009 (DOCX)
- c. Maps for Ord. 2015-009 (PDF)
- d. Site Plan for Ord. 2015-009 (PDF)
- e. Ord. 2015-009 signed (PDF)

Staff Coordination

City of Texarkana, Texas

Assistant City Manager	Shirley Jaster	Review	Completed
01/09/2015 8:47 AM			
Public Information Officer	Lisa Thompson	PIO Review	Completed
01/09/2015 9:28 AM			
City Manager	John Whitson	City Manager Review	Completed 01/09/2015
10:14 AM			
City Council	Jennifer Evans	Meeting	Completed 01/12/2015
6:00 PM			

Meeting History

01/12/15 City Council MOVED FORWARD Next: 01/26/15
David Orr briefed this item.

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

Select One By Clicking Here

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:

ORDINANCE NO. 2015-009

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-658 TO ALLOW THE LOCATION OF OUTDOOR AUTOMOBILE SALES ON LOTS 17-19, BLOCK 3, FEINBERG HEIGHTS ADDITION, LOCATED AT 1502 SUMMERHILL ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an Amendment to the Zoning Ordinance so as to grant a **Specific Use Permit** to allow the **location of outdoor automobile sales** on Lots 17-19, Block 3, Feinberg Heights Addition, located at 1502 Summerhill Road 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 the City of Texarkana, Texas **that a Specific Use Permit be granted to allow the location of outdoor automobile sales** 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 so as to grant a **Specific Use Permit numbered S-658 for the purpose of allowing the location of outdoor automobile sales** on the following described property, to-wit: **Lots 17-19, Block 3, Feinberg Heights Addition, located at 1502 Summerhill Road in the City of Texarkana, Bowie County, Texas.**

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

1. No more than five automobiles on sales lot at any one time.
2. Automobiles to be placed behind the existing office building and on a paved surface.
3. Hours of operation will be from 8 a.m. to 5 p.m. Monday through Saturday.
4. Any outdoor lighting will be shielded away from any adjacent residential properties.
5. Decorative perimeter fencing surrounding the property is allowed.

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.

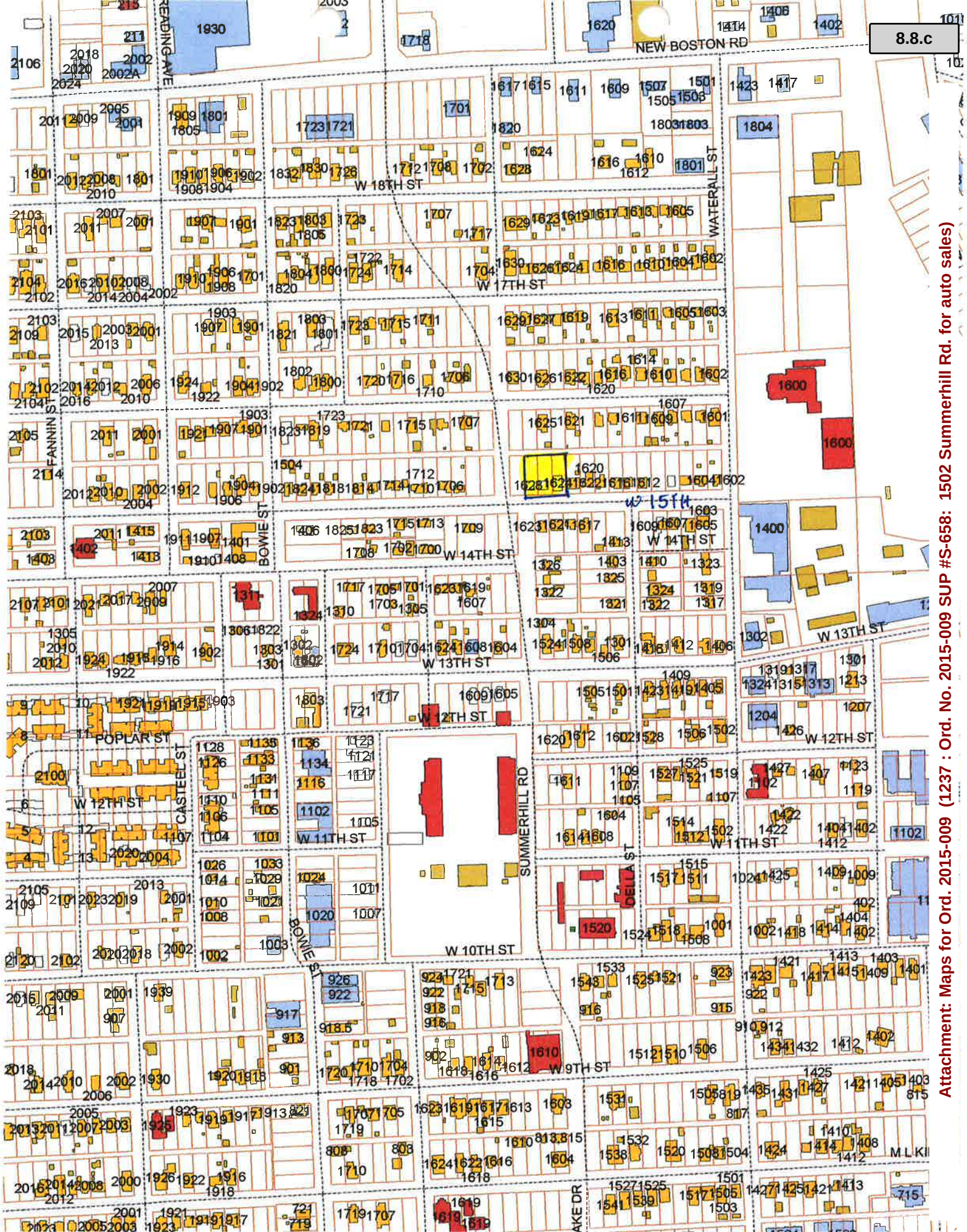
SECTION 5: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in regular Council Session on this the **23rd** day of **February, 2015**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

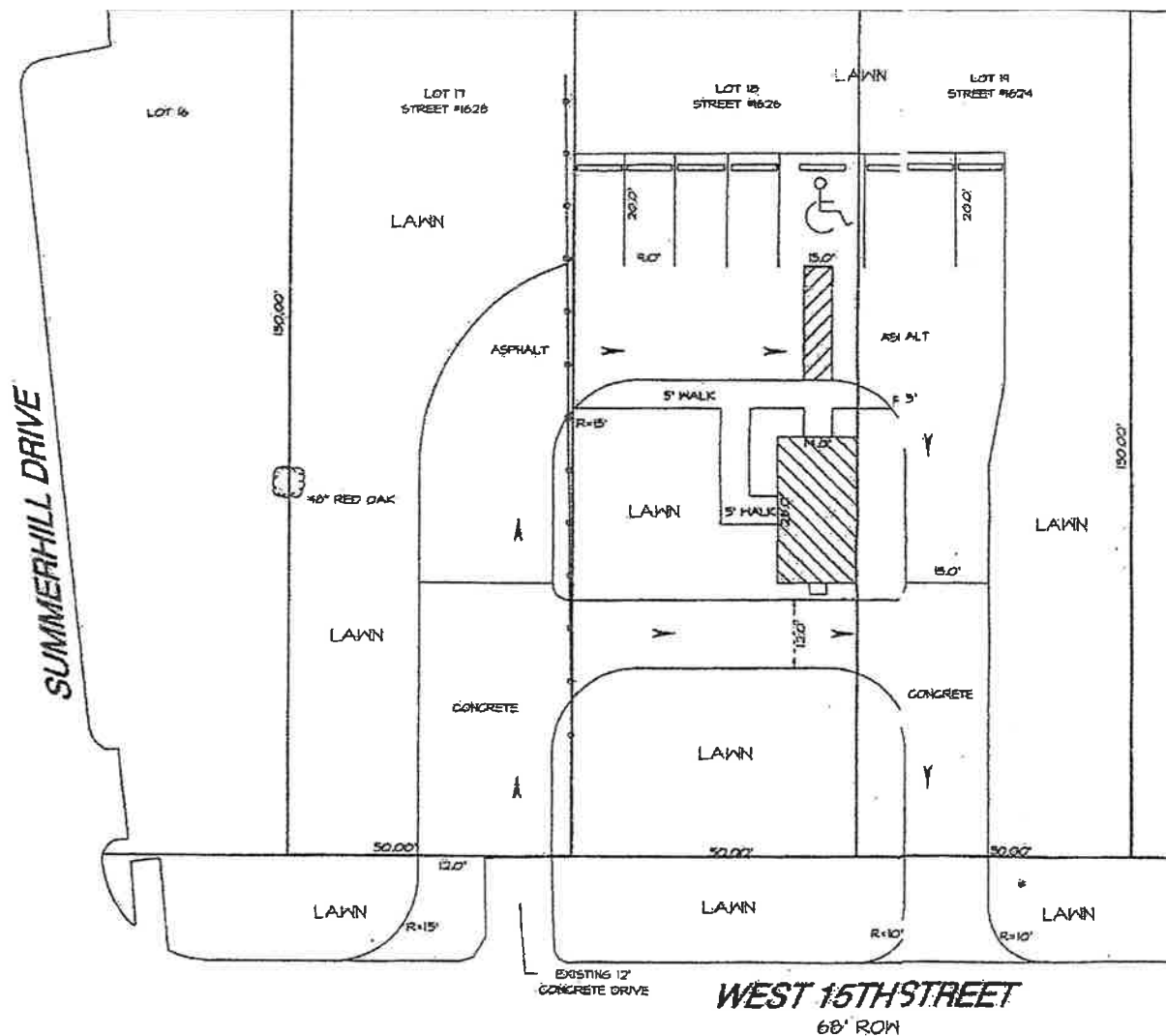


8.8.c

Attachment: Maps for Ord. 2015-009 (1237 : Ord. No. 2015-009 SUP #S-658: 1502 Summerhill Rd. for auto sales)



Attachment: Maps for Ord. 2015-009 (1237 : Ord. No. 2015-009 SUP #S-658: 1502 Summerhill Rd. for auto sales)



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Exhibit "A"

S-658

ORDINANCE NO. 2015-009

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-658 TO ALLOW THE LOCATION OF OUTDOOR AUTOMOBILE SALES ON LOTS 17-19, BLOCK 3, FEINBERG HEIGHTS ADDITION, LOCATED AT 1502 SUMMERHILL ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an Amendment to the Zoning Ordinance so as to grant a **Specific Use Permit** to allow the **location of outdoor automobile sales** on Lots 17-19, Block 3, Feinberg Heights Addition, located at 1502 Summerhill Road 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 the City of Texarkana, Texas **that a Specific Use Permit be granted to allow the location of outdoor automobile sales** 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 so as to grant a **Specific Use Permit numbered S-658 for the purpose of allowing the location of outdoor automobile sales** on the following described property, to-wit: **Lots 17-19, Block 3, Feinberg Heights Addition, located at 1502 Summerhill Road in the City of Texarkana, Bowie County, Texas.**

Attachment: Ord. 2015-009 signed (1237 : Ord. No. 2015-009 SUP #S-658: 1502 Summerhill Rd. for auto sales)

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

1. No more than five automobiles on sales lot at any one time.
2. Automobiles to be placed behind the existing office building and on a paved surface.
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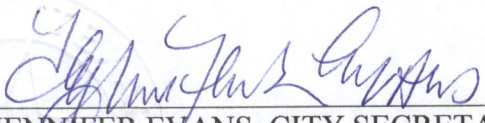
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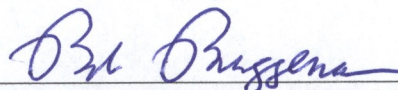
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SECTION 5: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in regular Council Session on this the **26th day of January, 2015.**

ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

8:54 p.m.