CITY OF TEXARKANA

CITY COUNCIL

AGENDA ● FEBRUARY 12, 2018

Council Chambers	Regular Meeting	6:00 PM

220 TEXAS BLVD.
TEXARKANA, TX 75501

Mayor

Bob Bruggeman

Ward 1	Ward 3	Ward 5
Jean H. Matlock	Betty Williams	Bill Harp
Ward 2	**Ward 4**	**Ward 6**
Mary Hart	Christie Alcorn	Josh Davis

For any agenda item, the City Council reserves the right to advance the "Council Vote" date to a hearing or briefing date.

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

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

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

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER JEAN MATLOCK

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

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

Upcoming Joint City Meeting:

The Texarkana Chamber of Commerce will host a "Joint Texarkana Community Committee" meeting with Texarkana, Arkansas, on Tuesday, February 13, 2018 at 3:00 p.m. The meeting will be held at the Ark-Tex Council of Governments building located at 4808 Elizabeth Street, Texarkana, Texas. The topic of the meeting is "Opioids" and it is open to the public.

Parks & Recreation Events:

February 13th	Texas A&M Texarkana Intramural League Begins	Southwest Center
February 18th	Run the Line Marathon	Spring Lake Park / City Wide
February 22nd & 23rd	26th Annual Fishing Derby	Wallace Park *Moved From Spring Lake Park*

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

Feature Presentation

Waste Management's 2017 Annual Report - by Public Sector Solutions Manager Doug Sims

Appointments to Boards & Commissions

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".

V. ITEMS FOR CONSIDERATION

Consent Items

1. Consider approval of the minutes of the Regular Meeting of the City Council held on January 22, 2018 at 6:00 PM.

2. Consider approval of the minutes of the Workshop Meeting of the City Council held on January 29, 2018 at 5:30 PM.

Action Items

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

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

4. Resolution No. 2018-017 authorizing the City Manager to enter into a contract for seal coat services as needed by Street Maintenance.

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

5. Resolution No. 2018-018 authorizing the City Manager to enter into a contract for concrete replacement services as needed by Street Maintenance.

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

6. Resolution No. 2018-019 authorizing the City Manager to enter into a contract for one-inch overlay paving services as needed by Street Maintenance.

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

7. Resolution No. 2018-020 authorizing the City Manager to enter into a contract for street reconstruction services as needed by Street Maintenance.

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

8. Resolution No. 2018-022 authorizing the City Manager to enter into a contract for the Wright Patman Water Treatment plant filter basin troughs in an amount not to exceed $127,680.

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

9. Resolution No. 2018-025 authorizing the City Manager to enter into a contract for the Wright Patman Water Treatment plant filter media replacement in an amount not to exceed $284,400.

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

VI. FIRST BRIEFINGS

1. Resolution No. 2018-015 authorizing a Texas Department of Housing and Community Affairs (TDHCA) housing tax credit development application for the Housing Authority of Texarkana, Texas (HATT).

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

2. Resolution No. 2018-016 confirming the City has more than twice the state average of units per capita supported by Housing Tax Credits or Private Activity Bonds.

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

3. Ordinance No. 2018-021 amending the Code of Ordinances Chapter 20, Food & Food Establishments.

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

VII. PUBLIC HEARINGS

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

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

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

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

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

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

4. Ordinance No. 2018-006 revoking Specific Use Permit No. S-447 that allowed a treatment center for psychiatric, alcoholic and narcotic patients on Lots 1-4, Block 124, City Triggs Addition, located at 1217 Hazel Street. City of Texarkana, Texas, applicant.

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

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

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

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

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

7. Ordinance No. 2018-009 rezoning Lot 1, Block 2, Cooper Lane Estates, located in the 3700 block of Trotter Lane from Two Family-2 to Multiple Family-1. Robert Buford, applicant.

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

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

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

VIII. SECOND BRIEFING WITH UPDATES

IX. SECOND BRIEFING WITHOUT UPDATES

X. ITEMS FOR DISCUSSION

Staff Update - Health Inspections by Mashell Daniel

XI. ADMINISTRATIVE COMMENTS

1. City Council
2. City Staff

   Discussion of upcoming Council workshop.

XII. ADJOURNMENT

Jennifer Evans
City Secretary

This open meeting of a governmental entity is subject to the Texas Open Meetings Act (Chapter 551, Government Code). The "Council Chambers" is the room or property where the City Council holds this meeting.

Pursuant to Section 46.035(c), Penal Code (unlawful carrying of handgun by license holder), a license holder commits an offense if the license holder intentionally, knowingly, or recklessly carries a handgun under the authority of Subchapter H, Chapter 411, Government Code, regardless of whether the handgun is concealed or carried in a shoulder or belt holster, in the room or rooms where a meeting of a governmental entity is held and if the meeting is an open meeting subject to Chapter 551, Government Code, and the entity provided notice as required by that chapter.

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

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

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

Briefing Sheet

Version:
Update Date: 2/2/2018 9:24 AM

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

Subject: Waste Management's 2017 Annual Report - by Public Sector Solutions Manager Doug Sims

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Doug Sims, Public Sector Solutions Manager with Waste Management, will be making a presentation of the 2017 Waste Management Annual Report. Mr. Sims will be discussing collection services, the recycling program totals, and partnership projects from 2017.

Potential Options:

- None
-

Fiscal Implications:

None

Staff Recommendation:

This will be an informational presentation by Waste Management.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. Texarkana 2017 Annual Report and Outdoor School pictures
b. Waste Mgmt 2017 Report Goals & Perspectives

CITY OF TEXARKANA

CITY COUNCIL

MINUTES • JANUARY 22, 2018

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

220 TEXAS BLVD.
TEXARKANA, TX 75501

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

ee Name	Title	Status	Arrived
ggeman	Mayor	Present	
Matlock	Ward 1	Present	
art	Ward 2	Present	
illiams	Ward 3	Present	
Alcorn	Ward 4	Present	
p	Ward 5	Present	
vis	Ward 6	Present	

Staff Present: City Manager Shirley Jaster, Jennifer Evans, Kyle Dooley, Kristin Peeples, Dusty Henslee, Robby Robertson, David Orr, Karey Parker, Sherry Jackson Hawkins, Lisa Thompson, J.D. Phillips, Mashell Daniel, and Jerry Sparks.

Legal Counsel: Jeff Lewis

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER BETTY WILLIAMS

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

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

Parks & Recreation Events:

February 22nd & 23rd 26th Annual Fishing Derby Wallace Park
Moved from Spring Lake Park

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

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

Proclamation Presentation

National Wear Red Day - February 2, 2018

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

Appointments to Boards & Commissions

There were no appointments made to any board or commission.

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

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

There were no public comments made at Open Forum.

V. ITEMS FOR CONSIDERATION

Consent Items

(6:13 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Josh Davis, Ward 6
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on January 8, 2018 at 6:00 PM.

Action Items - None

VI. FIRST BRIEFINGS

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

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

   David Orr briefed this agenda item.

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

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

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

   David Orr briefed this agenda item.

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

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

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

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

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

4. Ordinance No. 2018-006 revoking Specific Use Permit No. S-447 that allowed a treatment center for psychiatric, alcoholic and narcotic patients on Lots 1-4, Block 124, City Triggs Addition, located at 1217 Hazel Street. City of Texarkana, Texas, applicant.

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

   David Orr briefed this agenda item.

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

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

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

   David Orr briefed this agenda item.

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

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

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

   David Orr briefed this agenda item.

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

7. Ordinance No. 2018-009 rezoning Lot 1, Block 2, Cooper Lane Estates, located in the 3700 block of Trotter Lane from Two Family-2 to Multiple Family-1. Robert Buford, applicant.

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

   David Orr briefed this agenda item.

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

8. Ordinance No. 2018-011 amending the Building Maintenance Fund (Fund 228) budget for fiscal year 2018.

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

Robby Robertson briefed this agenda item.
(6:27 p.m.)

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

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

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

Kristin Peeples briefed this agenda item.
(6:30 p.m.)

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

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

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

Mashell Daniel briefed this agenda item.

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

Closed Session

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

Reconvened Into Open Session

13. Joint Resolution No. 2018-013 delineating the authority for submission of federal and state permit applications related to the development and location of a new intake structure at Lake Wright Patman.

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

Liz Fazio Hale briefed this agenda item and provided background information about Riverbend Water Resources District. Ms. Hale was accompanied by Riverbend board members Fred Milton, Kelly Mitchell and Marshall Wood.
(7:30 p.m.)

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

VII. PUBLIC HEARINGS - NONE

VIII. SECOND BRIEFING WITH UPDATES - NONE

IX. SECOND BRIEFING WITHOUT UPDATES - NONE

X. ITEMS FOR DISCUSSION

Staff Updates - None

XI. ADMINISTRATIVE COMMENTS

1. City Council

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

2. City Staff

   Staff had no administrative comments for council.

XII. ADJOURNMENT

A motion was made to adjourn the meeting.

7:32 p.m.

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

CITY OF TEXARKANA

CITY COUNCIL

MINUTES ● JANUARY 29, 2018

Conference Room	Workshop Meeting	5:30 PM

220 TEXAS BLVD.
TEXARKANA, TX 75501

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

ee Name	Title	Status	Arrived
ggeman	Mayor	Present	
Matlock	Ward 1	Late	5:45 PM
art	Ward 2	Present	
illiams	Ward 3	Present	
Alcorn	Ward 4	Absent	
p	Ward 5	Present	
vis	Ward 6	Present	

Staff Present: City Manager Shirley Jaster, Jennifer Evans, Kyle Dooley, J.D. Phillips, Jim Powell, J.W. Bramlett, and Lisa Thompson.

Legal Counsel: Jeff Lewis.

Appointed Regional Water Liaison: Steve Mayo.

RIVERBEND ROLL CALL

Mayor Bruggeman introduced Marshall Wood who then proceeded with a roll call for Riverbend Water Resources District members.

Present: Jim Green, Fred Milton, Kelly Mitchell, and Marshall Wood.
Absent: Sean Rommel.

Also in attendance was Riverbend Executive Director/CEO Liz Fazio Hale.

II. MAYOR'S OPENING REMARKS

Mayor Bruggeman welcomed all in attendance and reminded everyone that the last council meeting held on January 22, 2018 had an agenda item related to the development and location of a new water intake structure at Lake Wright Patman.

Council had questions and Mr. Mayo was not in attendance at that council meeting. Council decided to postpone the vote on that agenda item and host this workshop to gain additional insight.

Mr. Mayo said he had additional information to share with the city attorney and city council and therefore asked for a closed session.

III. CLOSED SESSION

Mayor Bruggeman stated that additional legal matters needed to be brought to the attention of the council before proceeding with the agenda item. Participation of the appointed regional water liaison and former mayor, Steve Mayo, would be necessary to the legal matter under consideration.

The City Council then convened into closed session pursuant to Texas Government Code Section 551.071 to consult with the city attorney on additional legal matters regarding the agenda item pertaining to the water intake structure at Lake Wright Patman.

IV. RECONVENED INTO OPEN SESSION

V. GUESTS FOR DISCUSSION - RIVERBEND WATER RESOURCES DISTRICT

VI. ITEM FOR DISCUSSION - WATER INTAKE STRUCTURE AT LAKE WRIGHT PATMAN

Riverbend Members in Summary: Riverbend is a good choice to facilitate the intake structure project overall. While water rates remain low for citizens, infrastructure is aging rapidly so there is much work to be done. It is vitally important to keep the process moving forward in order to meet the growing region's future water needs. Riverbend has been working diligently to represent the city's interests and asked the council for its support.

City Council in Summary: There is a need for solid understanding before casting a vote on a matter that will affect Texarkana for the next several decades. New council members should be fully informed in order to understand why the joint resolution is before the council. The council has a huge responsibility and accountability to its citizens. The council shares the mission of Riverbend and is willing to work together. The council thanked Riverbend for its patience, enduring work, and service in its behalf.

Steve Mayo gave his assurance to facilitate better future communications. It is important that new council members are comfortable with their decision making. The City Council and Riverbend are on the same team and each want the process to be done right.

VII. MAYOR'S CLOSING REMARKS

Mayor Bruggeman thanked all in the audience for attending the meeting which included: Texarkana, Arkansas Mayor Ruth Penney Bell and Ward 6 Director Terri Peavy, Scott Norton -TexAmericas Center Executive Director/CEO, Jimmy Cochran - Mayor of Hooks, Texas, Tom Whitten - Bowie County Commissioner, and Van Alexander - Texarkana, Texas Budget Advisory Committee Member.

Minutes Acceptance: Minutes of Jan 29, 2018 5:30 PM (Consent Items)

VIII. ADJOURNMENT

A motion was made to adjourn the meeting.
7:22 p.m.

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

City of Texarkana, Texas

Version: C

Briefing Sheet

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

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

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

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

Item Schedule

Updates/History of Briefing:

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

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

Executive Summary and Background Information:

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

Potential Options:

- Approve , amend or deny
-
-

Fiscal Implications:

Staff Recommendation:

Approval

Advisory Board/Committee Review:

City of Texarkana, Texas

None

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

Attachments

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

Staff Coordination

City Manager	Shirley Jaster	Department Head Review	Completed	01/19/2018 10:21 AM
Deputy City Manager - Review	Kyle Dooley Skipped	Jennifer Evans	Deputy City Manager	01/19/2018 10:24 AM
Water Utilities	JD Phillips	Review	Completed	01/19/2018 10:31 AM
City Attorney	Jeffery C. Lewis	Review	Completed	01/19/2018 12:12 PM
Public Information Officer		Lisa Thompson	PIO Review	Completed 01/19/2018 12:22 PM
City Manager	Shirley Jaster	City Manager Review	Completed	01/19/2018 3:38 PM
City Council	Jennifer Evans	Meeting	Completed	01/22/2018 6:00 PM

Meeting History

01/22/18 City Council POSTPONED (VOTE) Next: 02/12/18

Liz Fazio Hale briefed this agenda item and provided background information about Riverbend Water Resources District. Ms. Hale was accompanied by Riverbend board members Fred Milton, Kelly Mitchell and Marshall Wood.
(7:30 p.m.)

Texarkana Resolution No. 2018-013

Riverbend Resolution No. 2018_____

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

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

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

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

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

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

Attachment: RES 2018-013 Joint Riverbend LWP intake [rev Feb 9 2018] (1765 : 2018-013 RES Riverbend Authority to sign for Water Intake)

Schedule A

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

1. Acting as City's agent in coordination with the City Council and City Manager of City in the following matters:

a. negotiating with the United States Army Corps of Engineers regarding contractual rights and responsibilities with respect to the entire pool in the Lake Wright Patman Reservoir;

b. securing water permits and permissions from the Texas Water Development Board, Texas Commission on Environmental Quality, and any other state or federal agency, with respect to the entire pool in the Lake Wright Patman Reservoir, corresponding with item 1a, above;

c. negotiating with governmental entities or political subdivisions outside of Texas Regional Water Planning Group - Region D regarding the purchase of water in the Lake Wright Patman Reservoir, corresponding with items 1a and 1b, above; and

d. attendance at and participation in state and regional water planning and development meetings.

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

- Notifying the Mayor and City Manager in advance of any meetings or engagements which correspond with items 1a, 1b, 1c, or 1d, that Agent intends to either attend or participate in, so as to facilitate City attendance; and regardless of City attendance, submitting a written summary of such meetings or engagements to the Mayor and City Manager, detailing any tasks or commitments Agent proposes or recommends for City.

- Submitting a monthly status report to the City Council on all major efforts which correspond with items 1a, 1b, 1c, or 1d, including securing water rights, providing water resources to the region, funding of recommended goals and efforts (including identification of revenues, sources of revenue, and expenditures), and defining any impediments towards achieving the recommended goals and efforts.

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

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

Attachment: RES 2018-013 Joint Riverbend LWP intake [rev Feb 9 2018] (1765 : 2018-013 RES Riverbend Authority to sign for Water Intake)

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

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

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

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

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

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

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

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

Attachment: RES 2018-013 Joint Riverbend LWP intake [rev Feb 9 2018] (1765 : 2018-013 RES Riverbend Authority to sign for Water Intake)

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

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

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

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

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

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

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

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

Attachment: RES 2018-013 Joint Riverbend LWP intake [rev Feb 9 2018] (1765 : 2018-013 RES Riverbend Authority to sign for Water Intake)

effectuate the intended purpose of this Joint Resolution.

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

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

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

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

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

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

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

Section 6. In case a section, clause, sentence or part of this Resolution shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this resolution.

Attachment: RES 2018-013 Joint Riverbend LWP intake [rev Feb 9 2018] (1765 : 2018-013 RES Riverbend Authority to sign for Water Intake)

TEXARKANA:

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

_____
BOB BRUGGEMAN, MAYOR

ATTEST:

_____
JENNIFER EVANS, CITY SECRETARY

RIVERBEND:

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

_____
MARSHALL WOOD, PRESIDENT

ATTEST:

_____
SEAN ROMMEL, SECRETARY

Attachment: RES 2018-013 Joint Riverbend LWP intake [rev Feb 9 2018] (1765 : 2018-013 RES Riverbend Authority to sign for Water Intake)

TEX-Coopwood, Vicky

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

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

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

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

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

Shirley –

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

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

Best,

Liz

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

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

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

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

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

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

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

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

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

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2018-013 Goals & Perspectives (1765 : 2018-013 RES Riverbend Authority to sign for Water Intake)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TCEQ WATER RIGHTS PERMITTING APPLICATION

ADMINISTRATIVE INFORMATION CHECKLIST

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

APPLICANT(S): Ý·¬§ ±º Ì»¨¿®µ¿²¿_____

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

Y/N

Ç_____**Administrative Information Report**
Ò_____Additional Co-Applicant Information
Ò_____Additional Co-Applicant Signature Pages
Ç_____Written Evidence of Signature Authority
Ç_____**Technical Information Report**
Ò_____ USGS Map (or equivalent)
Ç_____ Map Showing Project Details
Ò_____Original Photographs
Ò_____Water Availability Analysis
Ò_____**Worksheet 1.0**
_____Recorded Deeds for Irrigated Land
_____Consent For Irrigation Land
Ò_____**Worksheet 1.1**
_____ Addendum to Worksheet 1.1
Ç_____**Worksheet 1.2**
Ç_____Addendum to Worksheet 1.2
Ò_____**Worksheet 2.0**
_____Additional W.S 2.0 for Each Reservoir
_____Dam Safety Documents
_____Notice(s) to Governing Bodies
_____Recorded Deeds for Inundated Land
_____Consent For Inundation Land

Y/N

Ç_____**Worksheet 3.0**
_____Additional W.S 3.0 for each Point
_____Recorded Deeds for Diversion Points
_____Consent For Diversion Access
Ò_____**Worksheet 4.0**
_____TPDES Permit(s)
_____ WWTP Discharge Data
_____24-hour Pump Test
_____ Groundwater Well Permit
_____ Signed Water Supply Contract
Ò_____**Worksheet 4.1**
Ò_____**Worksheet 5.0**
_____Addendum to Worksheet 5.0
Ò_____**Worksheet 6.0**
_____Water Conservation Plan(s)
_____Drought Contingency Plan(s)
_____Documentation of Adoption
Ò_____**Worksheet 7.0**
_____Accounting Plan
Ç_____**Worksheet 8.0**
Ç_____Fees

For Commission Use Only:
Proposed/Current Water Right Number: _____
Basin: _____ Watermaster area Y/N: _____

Attachment: TCEQ Water Rights Permitting Application Administrative Information Report.pdf (1765 : 2018-013 RES Riverbend Authority to

ADMINISTRATIVE INFORMATION REPORT

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

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

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

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

____New Appropriation of State Water

Ò____Amendment to a Water Right *

____ Bed and Banks

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

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

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Attachment: TCEQ Water Rights Permitting Application Administrative Information Report.pdf (1765 : 2018-013 RES Riverbend Authority to

2. APPLICANT INFORMATION (Instructions, Page. 6)

a. Applicant

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

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

Ý·¬§ ±º Ì»¨¿®µ¿²¿

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

If the applicant is currently a customer with the TCEQ, what is the Customer Number (CN)? You may search for your CN on the TCEQ website at
http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch

CN :êðð í íëè í ð_____(leave blank if you do not yet have a CN).

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

First/Last Name: Í ¸·®´»§ Ö¿-¬»®

Title: Ý·¬§ Ó¿²¿¹»®

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

What is the applicant's mailing address as recognized by the US Postal Service (USPS)? You may verify the address on the USPS website at
https://tools.usps.com/go/ZipLookupAction!input.action.

Name: Ý·¬§ ±º Ì»¨¿®µ¿²¿

Mailing Address: Ðò Ñò Þ±¨ îððè

City: Ì»¨¿®µ¿²¿ State: ÌÈ ZIP Code: éëëðï

Indicate an X next to the type of Applicant:

___Individual ___Sole Proprietorship-D.B.A.

___Partnership ___Corporation

___Trust ___Estate

___Federal Government ___State Government

___County Government È___City Government

___Other Government ___Other_____

For Corporations or Limited Partnerships, provide:
State Franchise Tax ID Number: _____SOS Charter (filing) Number: _____

Attachment: TCEQ Water Rights Permitting Application Administrative Information Report.pdf (1765 : 2018-013 RES Riverbend Authority to

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

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

First and Last Name: Ô·¦ Ú¿¦·± Ø¿´»

Title: Û¨»½«¬·ª» Ü·®»½¬±®

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

Mailing Address: îîè Ì»¨¿- ßª»²«»ô Í«·¬» ß

City: Ò»© Þ±-¬±² State: ÌÈ ZIP Code: éëëéð

Phone No.: çðíóèíïóððçï Extension:

Fax No.: E-mail Address: ´·¦º¿¦·± à®©®¼ò±®¹

Attachment: TCEQ Water Rights Permitting Application Administrative Information Report.pdf (1765 : 2018-013 RES Riverbend Authority to

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

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

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

First and Last Name:

Title:

Organization Name:

Mailing Address:

City: State: ZIP Code:

Phone No.: Extension:

Fax No.: E-mail Address:

Attachment: TCEQ Water Rights Permitting Application Administrative Information Report.pdf (1765 : 2018-013 RES Riverbend Authority to

5. MISCELLANEOUS INFORMATION (Instructions, Page. 9)

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

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

   If **yes**, provide the following information:
   Account number: Amount past due:

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

   If **yes**, please provide the following information:
   Enforcement order number: Amount past due:

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

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

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

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

Attachment: TCEQ Water Rights Permitting Application Administrative Information Report.pdf (1765 : 2018-013 RES Riverbend Authority to

6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

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

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

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

Signature: _____ Date: _____
(Use blue ink)

Subscribed and Sworn to before me by the said

on this_____day of_____, 20_____.

My commission expires on the_____day of_____, 20_____.

Notary Public [SEAL]

County, Texas

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

Attachment: TCEQ Water Rights Permitting Application Administrative Information Report.pdf (1765 : 2018-013 RES Riverbend Authority to

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 2/6/2018 3:40 PM

Lead Department: Purchasing and Contracting **Action Officer:** Sharon Moore, Purchasing Manager

Subject: Resolution No. 2018-017 authorizing the City Manager to enter into a contract for seal coat services as needed by Street Maintenance.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

Authorizing the City Manager to enter into a contract for one year with an option for four additional one year renewal options for Seal Coat Services with Gibson Asphalt Construction of Wake Village, Texas.

Potential Options:

- None
-

Fiscal Implications:

Funds are available in the major maintenance fund

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

Attachments

a. 2018-017 RES seal coat contract (DOC)
b. 2018-017 EXH A Bid Tab (XLSX)
c. 2018-017 Goals & Perspectives (DOCX)

City of Texarkana, Texas

Staff Coordination

Purchasing and Contracting	Sharon Moore	Department Head Review	Completed	02/02/2018 2:28 PM
Finance Department	Kristin Peeples	Finance Review	Completed	02/05/2018 8:25 AM
Public Works Department	Dusty Henslee	Review	Completed	02/05/2018 8:28 AM
Deputy City Manager - Kyle Dooley Review	Kyle Dooley	Deputy City Manager	Completed	02/05/2018 8:31 AM
Public Information Officer	Lisa Thompson	PIO Review	Completed	02/05/2018 8:51 AM
City Manager	Shirley Jaster	City Manager Review	Completed	02/06/2018 4:16 PM
City Council	Vicky Coopwood	Meeting	Pending	02/12/2018 6:00 PM

Meeting History

RESOLUTION NO. 2018 - 017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE (1) YEAR CONTRACT WITH FOUR (4) ADDITIONAL ONE (1) YEAR RENEWAL OPTIONS WITH GIBSON ASPHALT CONSTRUCTION OF WAKE VILLAGE, TEXAS, FOR SEAL COAT SERVICES AS NEEDED BY THE PUBLIC WORKS AND STREET DEPARTMENT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, issued invitations for bid on an annual seal coat services contract; and

WHEREAS, in response to the bid, one bid was received by Gibson Asphalt Construction of Wake Village, Texas, and is summarized in the Bid Tab Sheet on the attached **Exhibit "A"**; and

WHEREAS, funds are available in the Major Maintenance Fund budget for fiscal year 2018.

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

SECTION 1: That the responsible bid to supply seal coat services for the street maintenance department of the City of Texarkana, Texas, is hereby declared to be Gibson Asphalt Construction of Wake Village, Texas, and therefore its bid is accepted.

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

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2018-017 RES seal coat contract [Revision 2] (1778 : 2018-017 RES Seal Coat Services Contract)

Bid Tabulation
for
Seal Coat Contract

			Gibson Asphalt	
	18-1901-01			
Item #	Description		500 SY-1000 SY	Over 1000 SY
1	Type PB Grade 4 Rock or Approved Equal	Square Yard	$5.80	$3.99

Attachment: 2018-017 EXH A Bid Tab (1778 : 2018-017 RES Seal Coat Services Contract)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	☑	Promote an Environmentally Sensitive & Livable Community
	☐	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:	Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2018-017 Goals & Perspectives (1778 : 2018-017 RES Seal Coat Services Contract)

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 2/6/2018 4:13 PM

Lead Department: Purchasing and Contracting **Action Officer:** Sharon Moore, Purchasing Manager

Subject: Resolution No. 2018-018 authorizing the City Manager to enter into a contract for concrete replacement services as needed by Street Maintenance.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

Authorizing the City Manager to enter into a one year contract with four one year renewal options for concrete replacement services with Stan Excavation Company of Texakana, Texas.

Potential Options:

- None
-

Fiscal Implications:

Funds are in the major maintenance fund

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

Not Applicable

Attachments

a. 2018-018 RES Concrete Replacement Services (DOC)
b. 2018-018 EXH A Bid Tab (XLSX)
c. 2018-018 Goals & Perspectives (DOCX)

Staff Coordination

Purchasing and Contracting	Sharon Moore	Review	Completed 02/02/2018 2:30 PM

City of Texarkana, Texas

Finance Department	Kristin Peeples	Finance Review	Completed	02/05/2018 8:27 AM
Public Works Department		Dusty Henslee	Review	Completed 02/05/2018 8:28 AM
Deputy City Manager - Kyle Dooley Review	Completed	Kyle Dooley 02/05/2018 8:30 AM	Deputy City Manager	
Public Information Officer		Lisa Thompson	PIO Review	Completed 02/05/2018 8:50 AM
City Manager	Shirley Jaster	City Manager Review	Completed	02/06/2018 4:16 PM
City Council	Vicky Coopwood	Meeting	Pending	02/12/2018 6:00 PM

Meeting History

RESOLUTION NO. 2018 - 018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE (1) YEAR CONTRACT WITH FOUR (4) ADDITIONAL ONE (1) YEAR RENEWAL OPTIONS WITH STAN EXCAVATING COMPANY OF TEXARKANA, TEXAS, FOR CONCRETE REPLACEMENT SERVICES AS NEEDED BY THE PUBLIC WORKS AND STREET DEPARTMENTS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, issued invitations for bid on an annual concrete replacement services contract; and

WHEREAS, in response to the bid, five (5) bids were received and are summarized in the Bid Tab Sheet on the attached **Exhibit "A"**; and

WHEREAS, the overall lowest and responsible bid was submitted by Stan Excavating Company of Texarkana, Texas; and

WHEREAS, funds are available in the Major Maintenance Fund budget for fiscal year 2018.

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

SECTION 1: That the responsible bid to supply concrete replacement services for the street maintenance department of the City of Texarkana, Texas, is hereby declared to be Stan Excavating Company of Texarkana, Texas, and therefore its bid is accepted.

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

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2018-018 RES Concrete Replacement Services (1779 : 2018-018 RES Concrete Replacement Contract)

Bid Tabulation
Concrete Replacement

18-1901-02

Item #	Description		J R Pope		Francis Excavation		Stan Excavating		Contech Contractors		Phase 1 Concrete	
			500 SY-1000 SY	Over 1000 SY	500 SY-1000 SY	Over 1000 SY	500 SY-1000 SY	Over 1000 SY	500 SY-1000 SY	Over 1000 SY	500 SY-1000 SY	Over 1000 SY
1	6" Reinforced Street Pavement including curb. Class "P" Concrete. Concrete shall be reinforced with #4 rebar, 24' O.C.E.W.	SY	$70.65	$68.75	$74.50	$73.50	$57.58	$56.10	$71.50	$71.50	$67.53	$66.18
2	7" Reinforced Street Pavement including curb. Class "P" Concrete. Concrete shall be reinforced with #4 rebar, 24' O.C.E.W.	SY	$75.80	$78.75	$77.50	$76.50	$61.54	$60.06	$75.60	$75.60	$71.13	$69.78
3	8" Reinforced Street Pavement including curb. Class "P" Concrete. Concrete shall be reinforced with #4 rebar, 24' O.C.E.W.	SY	$82.75	$81.25	$80.50	$79.50	$65.50	$64.00	$82.50	$82.50	$74.73	$73.38
4	9" Reinforced Street Pavement including curb. Class "P" Concrete. Concrete shall be reinforced with #4 rebar, 24' O.C.E.W.	SY	$85.51	$85.75	$83.50	$82.50	$69.46	$68.00	$87.00	$87.00	$78.33	$76.98
5	4" Reinforced Sidewalk. Class "A" Concrete.	SY	***	$59.25	***	$90.83	***	$61.00	***	$64.00	***	$45.00
6	Standard 24" Curb and Gutter. Class "A" Concrete.	LF	***	$36.10	***	$32.23	***	$42.00	***	$31.00	***	$18.00

Attachment: 2018-018 EXH A Bid Tab (1779 : 2018-018 RES Concrete Replacement Contract)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	☑	Promote an Environmentally Sensitive & Livable Community
	☐	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:	Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2018-018 Goals & Perspectives (1779 : 2018-018 RES Concrete Replacement Contract)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 2/6/2018 4:17 PM

Lead Department: Purchasing and Contracting **Action Officer:** Sharon Moore, Purchasing Manager

Subject: Resolution No. 2018-019 authorizing the City Manager to enter into a contract for one-inch overlay paving services as needed by Street Maintenance.

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

Item Schedule
Schedule 3: No briefing required (one week)

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

Authorizing the City Manager to enter into a one year contract with four one year renewal options for one inch overlay paving services with Gibson Asphalt Construction of Wake Village, Texas.

Potential Options:

- None
-

Fiscal Implications:

Funds are available in major maintenance fund

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

Not Applicable

Attachments

a. 2018-019 RES One Inch Overlay Services (DOC)
b. 2018-019 EXH A Bid Tab (XLSX)
c. 2018-019 Goals & Perspectives (DOCX)

City of Texarkana, Texas

Staff Coordination

Purchasing and Contracting	Completed	Sharon Moore 02/02/2018 2:19 PM	Department Head Review	
Finance Department	Kristin Peeples	Finance Review	Completed	02/05/2018 8:29 AM
Public Works Department	02/05/2018 8:30 AM	Dusty Henslee	Review	Completed
Deputy City Manager - Kyle Dooley Review	Completed	Kyle Dooley 02/05/2018 8:31 AM	Deputy City Manager	
Public Information Officer	02/05/2018 8:52 AM	Lisa Thompson	PIO Review	Completed
City Manager	Shirley Jaster	City Manager Review	Completed	02/06/2018 4:17 PM
City Council	Vicky Coopwood	Meeting	Pending	02/12/2018 6:00 PM

Meeting History

RESOLUTION NO. 2018 - 019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE (1) YEAR CONTRACT WITH FOUR (4) ADDITIONAL ONE (1) YEAR RENEWAL OPTIONS WITH GIBSON ASPHALT CONSTRUCTION OF WAKE VILLAGE, TEXAS, FOR ONE INCH OVERLAY PAVING SERVICES AS NEEDED BY THE PUBLIC WORKS AND STREET DEPARTMENTS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, issued invitations for bid on an annual one inch overlay paving services contract; and

WHEREAS, in response to the bid, one bid was received by Gibson Asphalt Construction of Wake Village, Texas, and is summarized in the Bid Tab Sheet on the attached **Exhibit "A"**; and

WHEREAS, funds are available in the Major Maintenance Fund budget for fiscal year 2018.

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

SECTION 1: That the responsible bid to supply one inch overlay paving services for the street maintenance department of the City of Texarkana, Texas, is hereby declared to be Gibson Asphalt Construction of Wake Village, Texas, and therefore its bid is accepted.

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

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2018-019 RES One Inch Overlay Services [Revision 2] (1780 : 2018-019 RES One Inch Overlay Paving Contract)

Bid Tabulation
for
1" Overlay Paving

			Gibson Asphalt	
	18-1901-03			
Item #	Description		500 SY-1000 SY	Over 1000 SY
1	1" Thick Type C Texas Specifications Overlay on Selected Streets	Square Yard	$10.60	$5.08

Attachment: 2018-019 EXH A Bid Tab (1780 : 2018-019 RES One Inch Overlay Paving Contract)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	☑	Promote an Environmentally Sensitive & Livable Community
	☐	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:	Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2018-019 Goals & Perspectives (1780 : 2018-019 RES One Inch Overlay Paving Contract)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 2/6/2018 4:16 PM

Lead Department: Purchasing and Contracting **Action Officer:** Sharon Moore, Purchasing Manager

Subject: Resolution No. 2018-020 authorizing the City Manager to enter into a contract for street reconstruction services as needed by Street Maintenance.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

Authorizing the City Manager to enter into a one year contract with four one year renewal options for street reconstruction services with Stan Excavation Company of Texakana, Texas.

Potential Options:

- None
-

Fiscal Implications:

Fund are available in major maintenance fund.

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

Not Applicble

Attachments

a. 2018-020 RES Street Reconstruction Services Contract (DOC)
b. 2018-020 EXH A Bid Tab (XLSX)
c. 2018-020 Goals & Perspectives (DOCX)

Staff Coordination

City of Texarkana, Texas

Purchasing and Contracting	Sharon Moore	Department Head Review	Completed	02/02/2018 2:20 PM
Finance Department	Kristin Peeples	Finance Review	Completed	02/05/2018 8:31 AM
Public Works Department	Dusty Henslee	Review	Completed	02/05/2018 8:31 AM
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager Review	Completed	02/05/2018 8:32 AM
Public Information Officer	Lisa Thompson	PIO Review	Completed	02/05/2018 8:53 AM
City Manager	Shirley Jaster	City Manager Review	Completed	02/06/2018 4:18 PM
City Council	Vicky Coopwood	Meeting	Pending	02/12/2018 6:00 PM

Meeting History

RESOLUTION NO. 2018 - 020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE (1) YEAR CONTRACT WITH FOUR (4) ADDITIONAL ONE (1) YEAR RENEWAL OPTIONS WITH STAN EXCAVATING COMPANY OF TEXARKANA, TEXAS, FOR STREET RECONSTRUCTION SERVICES AS NEEDED BY THE PUBLIC WORKS AND STREET DEPARTMENTS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, issued invitations for bid on an annual street reconstruction services contract; and

WHEREAS, in response to the bid, three bids were received and are summarized in the Bid Tab Sheet on the attached **Exhibit "A"**; and

WHEREAS, the overall lowest and responsible bid was submitted by Stan Excavating Company or Texarkana, Texas; and

WHEREAS, funds are available in the Major Maintenance Fund budget for fiscal year 2018.

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

SECTION 1: That the responsible bid to supply street reconstruction services for the street maintenance department of the City of Texarkana, Texas, is hereby declared to be Stan Excavating Company of Texarkana, Texas, and therefore its bid is accepted.

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

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2018-020 RES Street Reconstruction Services Contract [Revision 2] (1781 : 2018-020 RES Street Reconstruction Contract)

Bid Tabulation for Street Reconstruction

			TEC		Stan Excavating		Francis Excavation	
	18-1901-04							
Item #	**Description**		**500 SY-1000 SY**	**Over 1000 SY**	**500 SY-1000 SY**	**Over 1000 SY**	**500 SY-1000 SY**	**Over 1000 SY**
1	Full Depth Street Reconstruction as per specifications.	Square Yard	$21.81	$12.08	$10.00	$9.00	$16.85	$14.75
2	ADDITIVE ALTERNATE: 2" Asphalt Type "C" Asphalt Pavement.	Square Yard	$14.31	$11.13	$11.15	$11.15	$11.13	$11.13

Attachment: 2018-020 EXH A Bid Tab (1781 : 2018-020 RES Street Reconstruction Contract)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	☑	Promote an Environmentally Sensitive & Livable Community
	☐	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:	Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2018-020 Goals & Perspectives (1781 : 2018-020 RES Street Reconstruction Contract)

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 2/6/2018 4:22 PM

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

Subject: Resolution No. 2018-022 authorizing the City Manager to enter into a contract for the Wright Patman Water Treatment plant filter basin troughs in an amount not to exceed $127,680.

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

Item Schedule
Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Bids were received Tuesday, January 23, 2018 for the Wright Patman Water Treatment Plant (WPWTP) – Filter Basin Troughs. Five (5) contractors picked up bid packages for the project and three (3) contractors bid on the project. Heritage Constructors, Inc. of Texarkana, Texas was the apparent low bidder with a low Base Bid of $127,680.00. This project consists of the replacement of twelve filter troughs and the associated surface wash piping, as required by the Texas Commission on Environmental Quality Agreed Order. Heritage Constructors, Inc. has successfully completed several jobs for the Utility including the Filter Media Replacement Project at our WPWTP.

Potential Options:

None

Fiscal Implications:

This project will remove and replace the existing filter troughs and surface wash piping in basins #3 and #4 at our WPWTP. This project was budgeted in the Utility's 2017-2018 Budget in the Lake Texarkana Water Supply Corporation Capital Improvement Fund at $300,000.00.

Staff Recommendation:

Utility staff recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

City of Texarkana, Texas

a. 2018-022 RES WP WTP Filter Troughs (DOCX)
b. 2018-022 ATTH01 Bid Tab (DOCX)
c. 2018-022 ATTH02 Bid Tab (PDF)
d. 2018-022 Goals & Perspectives (DOCX)

Staff Coordination

Water Utilities	Gary Smith	Department Head Review	Completed	02/01/2018 2:48 PM
Water Utilities	Jim Cornelius	Review	Completed	02/01/2018 4:16 PM
Water Utilities	JD Phillips	Water Utilities Review	Completed	02/01/2018 4:17 PM
Public Information Officer	Lisa Thompson	PIO Review	Completed	02/01/2018 4:24 PM
City Manager	Shirley Jaster	City Manager Review	Completed	02/06/2018 4:22 PM
City Council	Vicky Coopwood	Meeting	Pending	02/12/2018 6:00 PM

Meeting History

RESOLUTION NO. 2018-022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND ENTER INTO A CONTRACT WITH HERITAGE CONSTRUCTORS, INC. OF TEXARKANA, TEXAS, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY-SEVEN THOUSAND SIX HUNDRED EIGHTY DOLLARS ($127,680) FOR THE WRIGHT PATMAN WATER TREATMENT PLANT FILTER BASIN TROUGHS PROJECT TO REMOVE AND REPLACE THE BACKWASH TROUGHS IN FILTER BASINS #3 AND #4; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on January 23, 2018, three (3) bids were received, a copy of which is attached hereto as **ATTH01**, by Texarkana Water Utilities for the Wright Patman WTP – Filter Basin Troughs Project; and

WHEREAS, the project will consist of removing and installing 12 filter troughs and the associated surface wash piping and related appurtenances; and

WHEREAS, the lowest and best bid by a responsible vendor for this project was submitted by Heritage Constructors, Inc. Texarkana, Texas, a copy of which is attached hereto as **ATTH02** in an amount not to exceed ONE HUNDRED TWENTY-SEVEN THOUSAND SIX HUNDRED EIGHTY DOLLARS ($127,680); and

WHEREAS, funds currently budgeted in the Texarkana Water Utilities 2017-2018 Budget in the Lake Texarkana Water Supply Corporation Capital Improvement Fund are available in the amount of ONE HUNDRED TWENTY-SEVEN THOUSAND SIX HUNDRED EIGHTY DOLLARS ($127,680) for the Wright Patman WTP Filter Basin Troughs Project.

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

SECTION 1: That the lowest and best bid by a responsible vendor, submitted by Heritage Constructors, Inc. Texarkana, Texas, a copy of which is attached hereto as **ATTH02** be and is hereby approved in an amount not to exceed ONE HUNDRED TWENTY-SEVEN THOUSAND SIX HUNDRED EIGHTY DOLLARS ($127,680) for the removal and installation of 12 filter troughs and the associated surface wash piping and related appurtenances for the Wright Patman WTP – Filter Basin Troughs Project.

SECTION 2: That the City Manager be and is authorized to contract with Heritage Constructors, Inc. Texarkana, Texas, for the above-described services.

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

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

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2018-022 RES WP WTP Filter Troughs [Revision 2] (1784 : 2018-022 RES Wright Patman WTP filter basin troughs)

RES 2018-022
ATTH01

Bid Tabulation

Wright Patman WTP
Filter Basin Troughs

2:00 P.M. Tuesday, January 23, 2018

		Base Bid	Deductive Alt. Bid A
1.	Heritage Constructors, Inc. Texarkana, Texas	$ 127,680.00	$ 127,680.00
2.	J. S. Haren Co. Athens, Tennessee	$ 196,000.00	$ 316,000.00
3.	Belt Construction, Inc. Texarkana, Arkansas	$ 249,726.00	$ 249,726.00
4.	Kampco, Inc. Texarkana, Arkansas	No Bid	No Bid
5.	RBIS, LLC Texarkana, Arkansas	No Bid	No Bid
	Time First Bid Opened:	2:00 P.M	
	Number of Bidders:	3	
	Apparent Low Bidder:	Heritage Constructors, Inc.	

Attachment: 2018-022 ATTH01 Bid Tab (1784 : 2018-022 RES Wright Patman WTP filter basin troughs)

Bid Tabulation
WRIGHT PATMAN WTP
FILTER BASIN TROUGHS

Project No. 63-000-135111-L121710
JANUARY 23, 2018 @ 2:00

RES 2018-022
ATTH02

BASE BID:									
				HERITAGE CONTRUCTORS INC.		***J. S. HAREN COMPANY***		***BELT CONSTRUCTION, INC.***	
				Texarkana, TX.		*Athens, TN.*		*Texarkana, AR.*	
Item	**Quantity**	**Unit**	**Description**	**Amount**	**Total**	**Amount**	**Total**	**Amount**	**Total**
1	1	LS	Mobilization, Bonds & Submittals	$3,000.00	$3,000.00	$9,000.00	$9,000.00	$54,612.00	$54,612.00
2	12	EA	Remove Existing Filter Troughs	$200.00	$2,400.00	$3,000.00	$36,000.00	$3,493.00	$41,916.00
3	12	EA	New Fiberglass Filter Troughs & Appurtenances	$9,190.00	$110,280.00	$10,000.00	$120,000.00	$11,934.00	$143,208.00
4	1	LS	Remove & Replace Exist. Surface Wash Piping & Appurtenances Basin #3	$7,000.00	$7,000.00	$15,500.00	$15,500.00	$4,995.00	$4,995.00
5	1	LS	Remove & Replace Exist. Surface Wash Piping & Appurtenances Basin #4	$5,000.00	$5,000.00	$15,500.00	$15,500.00	$4,995.00	$4,995.00
			Total Base Bid:		**$127,680.00**		**$196,000.00**		**$249,726.00**

DEDUCTIVE ALTERNATE BID "A":									
				HERITAGE CONTRUCTORS INC.		***J. S. HAREN COMPANY***		***BELT CONSTRUCTION, INC.***	
				Texarkana, TX.		*Athens, TN.*		*Texarkana, AR.*	
Item	**Quantity**	**Unit**	**Description**	**Amount**	**Total**	**Amount**	**Total**	**Amount**	**Total**
Delete:									
3	12	EA	New Fiberglass Filter Troughs & Appurtenances	$0.00	$0.00	$10,000.00	$120,000.00	$0.00	$0.00
			Sub-Total Deletions:		**$0.00**		**$120,000.00**		**$0.00**
Add:									
3	12	EA	New Pre-Cast Concrete Filter Troughs & Appurtenances	$0.00	$0.00	$20,000.00	$240,000.00	$0.00	$0.00
			Sub-Total Additions:		**$0.00**		**$240,000.00**		**$0.00**
			Sub-Total Difference:		$0.00		$120,000.00		$0.00
			Total of Bid Using Deductive Alternate Bid A:		**$127,680.00**		**$316,000.00**		**$249,726.00**

Attachment: 2018-022 ATTH02 Bid Tab (1784 : 2018-022 RES Wright Patman WTP filter basin troughs)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2018-022 Goals & Perspectives (1784 : 2018-022 RES Wright Patman WTP filter basin troughs)

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 2/6/2018 4:25 PM

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

Subject: Resolution No. 2018-025 authorizing the City Manager to enter into a contract for the Wright Patman Water Treatment plant filter media replacement in an amount not to exceed $284,400.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Bids were received Tuesday, January 23, 2018 for the Wright Patman Water Treatment Plant – Filter Media Replacement. Four (4) contractors picked up bid packages for the project and three (3) contractors bid on the project. Heritage Constructors, Inc. of Texarkana, Texas was the apparent low bidder with a low Base Bid of $284,400.00. This project consists of the removal and replacement of the filter media in four of the filter basins. Heritage Constructors, Inc. has successfully completed several jobs for the Utility including the Filter Media Replacement Project at our Wright Patman WTP.

Potential Options:

None

Fiscal Implications:

This project will remove and replace the existing filter media in four of the filter basins at our Wright Patman WTP. This project was budgeted in the Utility's 2017-2018 Budget in the Lake Texarkana Water Supply Corporation Capital Improvement Fund at $300,000.

Staff Recommendation:

Utility staff recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

City of Texarkana, Texas

Attachments

a. 2018-025 RES WP WTP Filter Media (DOCX)
b. 2018-025 ATTH01 Bid Tab (DOCX)
c. 2018-025 ATTH02 Bid Tab (PDF)
d. 2018-025 Goals & Perspectives (DOCX)

Staff Coordination

Water Utilities	Gary Smith	Department Head Review	Completed	02/01/2018 2:47 PM
Water Utilities	Jim Cornelius	Review	Completed	02/01/2018 4:13 PM
Water Utilities	JD Phillips	Water Utilities Review	Completed	02/01/2018 4:16 PM
Public Information Officer	Lisa Thompson	PIO Review	Completed	02/01/2018 4:23 PM
City Manager	Shirley Jaster	City Manager Review	Completed	02/06/2018 4:25 PM
City Council	Vicky Coopwood	Meeting	Pending	02/12/2018 6:00 PM

Meeting History

Attachment: 2018-025 RES WP WTP Filter Media [Revision 1] (1785 : 2018-025 RES authorizing the City Manager to enter into a contract for the

RESOLUTION NO. 2018-025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND ENTER INTO A CONTRACT WITH HERITAGE CONSTRUCTORS, INC. OF TEXARKANA, TEXAS, IN AN AMOUNT NOT TO EXCEED TWO HUNDRED EIGHTY-FOUR THOUSAND FOUR HUNDRED DOLLARS ($284,400) FOR THE WRIGHT PATMAN WATER TREATMENT PLANT FILTER MEDIA REPLACEMENT PROJECT TO REMOVE AND REPLACE THE FILTER MEDIA IN FOUR OF THE FILTER BASINS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on January 23, 2018, three (3) bids were received, a copy of which is attached hereto as **ATTH01**, by Texarkana Water Utilities for the Wright Patman WTP – Filter Media Replacement Project; and

WHEREAS, the project will consist of removing and replacing the filter media in four of the filter basins and related appurtenances; and

WHEREAS, the lowest and best bid by a responsible vendor for this project was submitted by Heritage Constructors, Inc. Texarkana, Texas, a copy of which is attached hereto as **ATTH02** in an amount not to exceed TWO HUNDRED EIGHTY-FOUR THOUSAND FOUR HUNDRED DOLLARS ($284,400); and

WHEREAS, funds currently budgeted in the Texarkana Water Utilities 2017-2018 Budget in the Lake Texarkana Water Supply Corporation Capital Improvement Fund are available in the amount of TWO HUNDRED EIGHTY-FOUR THOUSAND FOUR HUNDRED DOLLARS ($284,400) for the Wright Patman WTP Filter Media Replacement Project.

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

SECTION 1: That the lowest and best bid by a responsible vendor, submitted by Heritage Constructors, Inc. Texarkana, Texas, a copy of which is attached hereto as **ATTH02** be and is hereby approved in an amount not to exceed TWO HUNDRED EIGHTY-FOUR THOUSAND FOUR HUNDRED DOLLARS ($284,400) for the removal and replacement of the filter media in four of the filter basins and related appurtenances for the Wright Patman WTP – Filter Media Replacement Project.

SECTION 2: That the City Manager be and is authorized to contract with Heritage Constructors, Inc. Texarkana, Texas, for the above-described services.

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

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

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

RES 2018-025
ATTH01

Bid Tabulation

Wright Patman WTP
Filter Media Replacement

3:00 P.M. Tuesday, January 23, 2018

		Base Bid
1.	Heritage Constructors, Inc. Texarkana, Texas	$ 284,400.00
2.	J. S. Haren Co. Athens, Tennessee	$ 429,000.00
3.	Belt Construction, Inc. Texarkana, Arkansas	$ 580,500.00
4.	RBIS, LLC Texarkana, Arkansas	No Bid

Time First Bid Opened:	3:00 P.M
Number of Bidders:	3
Apparent Low Bidder:	Heritage Constructors, Inc.

Attachment: 2018-025 ATTH01 Bid Tab (1785 : 2018-025 RES authorizing the City Manager to enter into a contract for the Wright Patman WTP)

Bid Tabulation
WRIGHT PATMAN WTP
FILTER MEDIA REPLACEMENT

Project No. 63-000-135111-L121707
JANUARY 23, 2018 @ 3:00

2018-025 ATTH02

BASE BID:									
				HERITAGE CONTRUCTORS INC.		***J. S. HAREN COMPANY***		***BELT CONSTRUCTION, INC.***	
				Texarkana, TX.		*Athens, TN.*		*Texarkana, AR.*	
Item	**Quantity**	**Unit**	**Description**	**Amount**	**Total**	**Amount**	**Total**	**Amount**	**Total**
1	1	LS	Mobilization, Bonds & Submittals	$5,000.00	$5,000.00	$21,000.00	$21,000.00	$27,000.00	$27,000.00
2	4	EA	Remove & Dispose of Existing Filter Media/Gravel	$3,000.00	$12,000.00	$35,000.00	$140,000.00	$10,665.00	$42,660.00
3	4	EA	New Filter Media/Gravel	$66,550.00	$266,200.00	$65,000.00	$260,000.00	$121,770.00	$487,080.00
4	4	EA	Clean & Test Filters	$300.00	$1,200.00	$2,000.00	$8,000.00	$5,940.00	$23,760.00
			Total Base Bid:		**$284,400.00**		**$429,000.00**		**$580,500.00**

Attachment: 2018-025 ATTH02 Bid Tab (1785 : 2018-025 RES authorizing the City Manager to enter into a

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2018-025 Goals & Perspectives (1785 : 2018-025 RES authorizing the City Manager to enter into a contract for the Wright Patman

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/2/2018 4:44 PM

Lead Department:	Planning and Community Development	**Action Officer:**	David Orr, Planning & Community Development Director
Subject:	Resolution No. 2018-015 authorizing a Texas Department of Housing and Community Affairs (TDHCA) housing tax credit development application for the Housing Authority of Texarkana, Texas (HATT).		
Briefing: 2/12/2018	**Public Hearing:** 2/26/2018	**Second Briefing:**	**Council Vote:** 2/26/2018

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The City of Texarkana, Texas has received a request to authorize a TDHCA Tax Credit Application for the Housing Authority of Texarkana, Texas. **Texarkana Housing Partners LP** has proposed a development for affordable rental housing of **294** units that will be located at:

- **1010 Dan Haskins Way, Texarkana, Bowie County, Texas 75501**
- **1001 Dan Haskins Way, Texarkana, Bowie County, Texas 75501**
- **3301 W. 15th St. and 1400 Jenkins St., Texarkana, Bowie County, Texas 75501**
- **3101-3139 and 3201 Bright St., Texarkana, Bowie County, Texas 75501**
- **115 Akins Rd., Texarkana, Bowie County, Texas 75501**
- **2001 Allen Ln., Texarkana, Bowie County, Texas 75501**
- **2001 Pine St., Texarkana, Bowie County, Texas 75501**
- **2001 Wood St., Texarkana, Bowie County, Texas 75501;** and

Texarkana Housing Partners LP has submitted an application to the Texas Department of Housing and Community Affairs for **2018** Housing Tax Credits for **Robison Terrace, Williams Homes, Hampton Homes, Bright Street, and HATT Scattered Sites (consisting of 4 communities)**.

Potential Options:

- Approve
- Deny

Fiscal Implications:

None

City of Texarkana, Texas

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

Attachments

a. 2018-015 RES Support HATT TDHCA Application (DOCX)
b. 2018-016 ATTH 01 HATT Resolution (MSG)
c. 2018-015 ATTH 02 HATT RAD Phase II Map (PDF)
d. 2018-015 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development		David Orr	Department Head Review	
	Completed	01/30/2018 5:23 PM		
Deputy City Manager - Kyle Dooley		Kyle Dooley	Deputy City Manager	
Review	Completed	01/31/2018 1:44 PM		
Public Information Officer		Lisa Thompson	PIO Review	Completed
	01/31/2018 2:33 PM			
City Manager	Shirley Jaster	City Manager Review	Completed	02/07/2018
3:05 PM				
City Council	Vicky Coopwood	Meeting	Pending	02/12/2018
6:00 PM				

Meeting History

RESOLUTION NO. 2018-015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ISSUING SUPPORT FOR THE SUBMISSION OF AN APPLICATION TO THE 2018 COMPETITIVE HOUSING TAX CREDIT (HTC) PROGRAM THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) BY TEXARKANA HOUSING PARTNERS, LP., AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Texarkana Housing Partners, LP. has proposed a development for affordable rental housing of 294 units that will be located at:

- 1010 Dan Haskins Way, Texarkana, Bowie County, Texas 75501
- 1001 Dan Haskins Way, Texarkana, Bowie County, Texas 75501
- 3301 W. 15th St. and 1400 Jenkins St., Texarkana, Bowie County, Texas 75501
- 3101-3139 and 3201 Bright St., Texarkana, Bowie County, Texas 75501
- 115 Akins Rd., Texarkana, Bowie County, Texas 75501
- 2001 Allen Ln., Texarkana, Bowie County, Texas 75501
- 2001 Pine St., Texarkana, Bowie County, Texas 75501
- 2001 Wood St., Texarkana, Bowie County, Texas 75501; and

WHEREAS, Texarkana Housing Partners LP. has submitted an application to the Texas Department of Housing and Community Affairs for 2018 Housing Tax Credits for Robison Terrace, Williams Homes, Hampton Homes, Bright Street, and HATT Scattered Sites (consisting of four communities).

IT IS HEREBY RESOLVED BY THE City Council of the City of Texarkana, Texas, that:

Section 1. As provided for in §11.3(b) of the Qualified Allocation Plan ("QAP"), it is expressly acknowledged and confirmed that the City of Texarkana has more than twice the state average of units per capita supported by Housing Tax Credits or Private Activity Bonds.

Section 2. The City of Texarkana, acting through its governing body, hereby issues support for the proposed **Robison Terrace, TDHCA #18404**, **Williams Homes, TDHCA #18405**, **Hampton Homes, TDHCA #18402**, **Bright Street, TDHCA #18406**, and **HATT Scattered Sites, TDHCA #18403**, confirms that its governing body has voted specifically to issue support for the construction of the Development and to authorize an allocation of Housing Tax Credits for the Development pursuant to Tex. Gov't Code §2306.6703(a)(4), and that this formal action has been taken to put on record the opinion expressed by the City on this ____ day of February, 2018.

Attachment: 2018-015 RES Support HATT TDHCA Application (1775 : 2018-015 RES authorizing TDHCA Housing Tax Credit Development

Section 3. For and on behalf of the Governing Body, Bob Bruggeman, Mayor, is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

Section 4. 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 **26th day of February, 2018**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2018-015 RES Support HATT TDHCA Application (1775 : 2018-015 RES authorizing TDHCA Housing Tax Credit Development

TEX-Coopwood, Vicky

From: Antonio Williams <awilliams@texarkanaha.org>
Sent: Friday, January 26, 2018 2:40 PM
To: Tex-Orr, David
Subject: HATT Resolution

Hello David,

I would like to provide you the dynamics and schedule the we face getting to TDHCA's March Board Meeting. If HATT does not meet the deadline there will be a threshold deficiency that will cause the rejection of the application by TDHCA.

As a result, we are asking that the Resolutions be presented and read during first meeting in February. Staff recommendations and a second reading of the Resolution can be presented at second meeting in February, at which time, due to emergency of deadline and because the Council has the perogative anyway, the third reading should be waived and the Resolution voted upon.

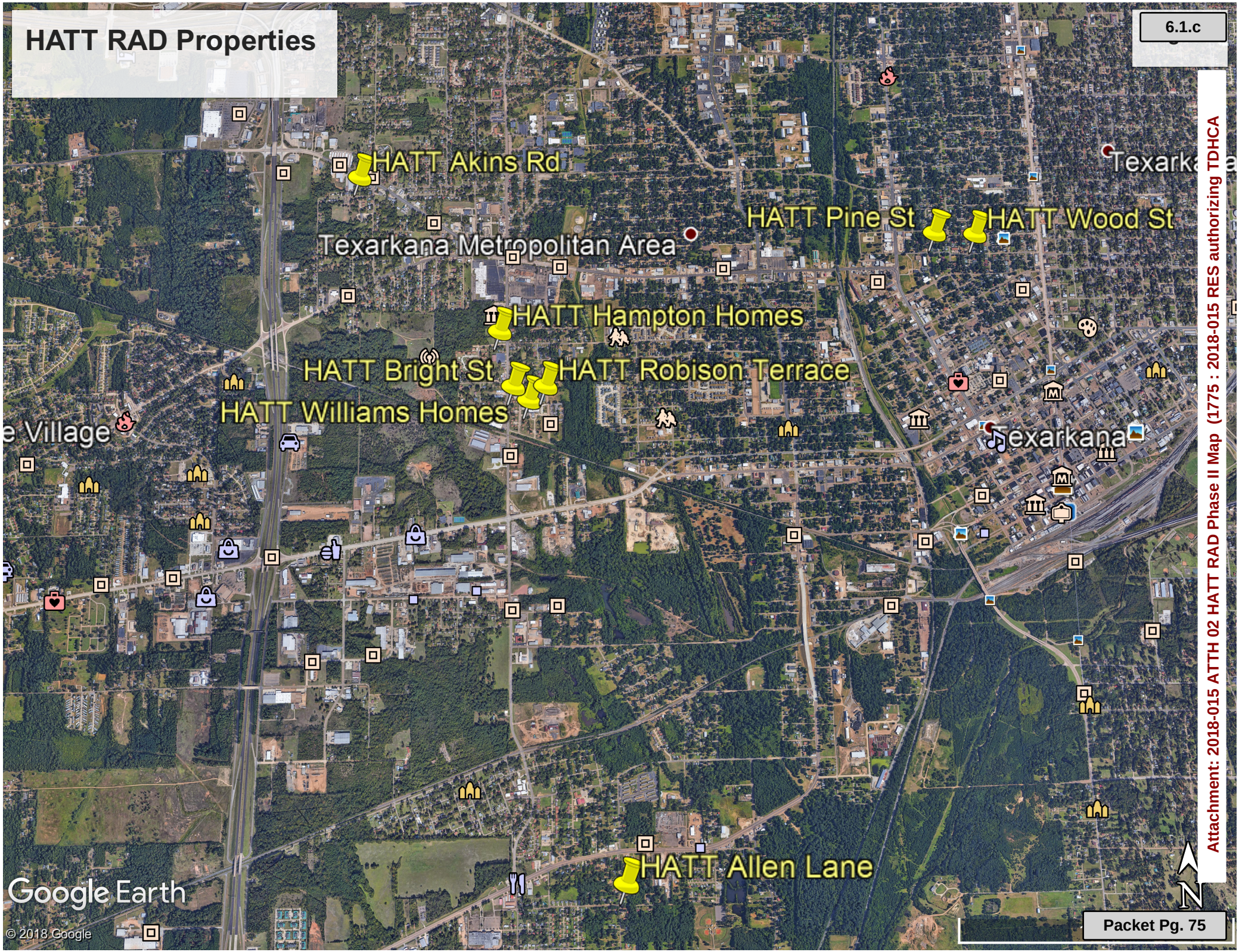
Your thoughts?

Best,

Antonio D. Williams

... Sent from my iPhone

HATT RAD Properties



Attachment: 2018-015 ATTH 02 HATT RAD Phase II Map (1775 : 2018-015 RES authorizing TDHCA

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
	X	Deliver Quality Services
	☐	Foster a Healthy Community
Run the Operations	☐	Enhance Community Preparedness & Responsiveness
	X	Maximize Partnership Opportunities
	☐	Provide Courteous & Responsive Customer Service
	☐	Model a Positive City Image
	X	Deliver Efficient Services
	☐	Cultivate Community Involvement & Access
Manage the Resources	☐	Maintain Fiscal Strength
	☐	Maximize Utilization & Resources
	X	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:	Medium

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
X	None Required	☐	

Other:

Attachment: 2018-015 Goals & Perspectives (1775 : 2018-015 RES authorizing TDHCA Housing Tax Credit Development Application - HATT)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/2/2018 9:16 AM

Lead Department:	Planning and Community Development	**Action Officer:**	David Orr, Planning & Community Development Director
Subject:	Resolution No. 2018-016 confirming the City has more than twice the state average of units per capita supported by Housing Tax Credits or Private Activity Bonds.		

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

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

According to the Texas Department of Housing and Community Affairs (TDHCA), the City must acknowledge and confirm that the City of Texarkana, Texas has more than twice the state average of units per capita supported by Housing Tax Credits or Private Activity Bonds.

This designation is due to the number of Housing Tax Credits Properties currently within the City. Furthermore, it is a result of the HATT Hope VI Grant and the revitalization of the HATT Rosehill properties using Housing Tax Credits and/or Private Activity Bonds.

The City of Texarkana, Texas has received a request to authorize a TDHCA Tax Credit Application for the Housing Authority of Texarkana, Texas. **Texarkana Housing Partners LP** has proposed a development for affordable rental housing of **294** units that will be located at:

- **1010 Dan Haskins Way, Texarkana, Bowie County, Texas 75501**
- **1001 Dan Haskins Way, Texarkana, Bowie County, Texas 75501**
- **3301 W. 15th St. and 1400 Jenkins St., Texarkana, Bowie County, Texas 75501**
- **3101-3139 and 3201 Bright St., Texarkana, Bowie County, Texas 75501**
- **115 Akins Rd., Texarkana, Bowie County, Texas 75501**
- **2001 Allen Ln., Texarkana, Bowie County, Texas 75501**
- **2001 Pine St., Texarkana, Bowie County, Texas 75501**
- **2001 Wood St., Texarkana, Bowie County, Texas 75501;** and

Texarkana Housing Partners LP has submitted an application to the Texas Department of Housing and Community Affairs for **2018** Housing Tax Credits for **Robison Terrace, Williams Homes, Hampton Homes, Bright Street, and HATT Scattered Sites (consisting of 4 communities)**.

City of Texarkana, Texas

Potential Options:

- Approve
- Disapprove

Fiscal Implications:

None

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

Attachments

a. 2018-016 RES Twice State Average Tax Credit Properties (DOC)
b. 2018-016 ATTH 01 HATT Resolution (MSG)
c. 2018-016 ATTH 02 HATT RAD Phase II Map (PDF)
d. 2018-016 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development		David Orr	Department Head Review	
	Completed	01/30/2018 5:23 PM		
Deputy City Manager - Kyle Dooley		Kyle Dooley	Deputy City Manager	
Review	Completed	01/31/2018 1:51 PM		
Public Information Officer		Lisa Thompson	PIO Review	Completed
	01/31/2018 2:33 PM			
City Manager	Shirley Jaster	City Manager Review	Completed	02/06/2018
4:12 PM				
City Council	Vicky Coopwood	Meeting	Pending	02/12/2018
6:00 PM				

Meeting History

RESOLUTION NO. 2018 - 016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, IN SUPPORT OF THE SUBMISSION OF AN APPLICATION TO THE 2018 COMPETITIVE HOUSING TAX CREDIT (HTC) PROGRAM THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) BY THE HOUSING AUTHORITY OF THE CITY OF TEXARKANA, TEXAS, AS TEXARKANA HOUSING PARTNERS LP FOR THE PROJECTS KNOWN AS ROBISON TERRACE, WILLIAMS HOMES, HAMPTON HOMES, BRIGHT STREET AND HATT SCATTERED SITES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, **Texarkana Housing Partners LP** has proposed a development for affordable rental housing of **294** units that will be located at:

- **1010 Dan Haskins Way, Texarkana, Bowie County, Texas 75501**
- **1001 Dan Haskins Way, Texarkana, Bowie County, Texas 75501**
- **3301 W. 15th St. and 1400 Jenkins St., Texarkana, Bowie County, Texas 75501**
- **3101-3139 and 3201 Bright St., Texarkana, Bowie County, Texas 75501**
- **115 Akins Rd., Texarkana, Bowie County, Texas 75501**
- **2001 Allen Ln., Texarkana, Bowie County, Texas 75501**
- **2001 Pine St., Texarkana, Bowie County, Texas 75501**
- **2001 Wood St., Texarkana, Bowie County, Texas 75501;** and

WHEREAS, **Texarkana Housing Partners LP** has submitted an application to the Texas Department of Housing and Community Affairs for **2018** Housing Tax Credits for **Robison Terrace, Williams Homes, Hampton Homes, Bright Street, and HATT Scattered Sites (consisting of four communities)**.

IT IS HEREBY:

RESOLVED, that as provided for in §11.3(c) of the Qualified Allocation Plan, it is expressly acknowledged and confirmed that the **City of Texarkana, Texas, County of Bowie** has more than twice the state average of units per capita supported by Housing Tax Credits or Private Activity Bonds and

FURTHER RESOLVED, that the **City of Texarkana, Texas, County of Bowie** hereby supports the proposed **Robison Terrace, Williams Homes, Hampton Homes, Bright Street, and HATT Scattered Sites (consisting of four communities)**, and confirms that its governing body has voted specifically to approve the construction and/or rehabilitation of the Development and to authorize an allocation of Housing Tax Credits for the Development pursuant to Tex. Gov't Code §2306.6703(a)(4), and

FURTHER RESOLVED, that for and on behalf of the Governing Body, Bob Bruggeman, Mayor, is hereby authorized, empowered, and directed to certify this resolution to the Texas Department of Housing and Community Affairs.

Attachment: 2018-016 RES Twice State Average Tax Credit Properties (1783 : 2018-016 RES Twice State Average Tax Credit Properties)

FURTHER RESOLVED, 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 February, 2018**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2018-016 RES Twice State Average Tax Credit Properties (1783 : 2018-016 RES Twice State Average Tax Credit Properties)

TEX-Coopwood, Vicky

From: Antonio Williams <awilliams@texarkanaha.org>
Sent: Friday, January 26, 2018 2:40 PM
To: Tex-Orr, David
Subject: HATT Resolution

Hello David,

I would like to provide you the dynamics and schedule the we face getting to TDHCA's March Board Meeting. If HATT does not meet the deadline there will be a threshold deficiency that will cause the rejection of the application by TDHCA.

As a result, we are asking that the Resolutions be presented and read during first meeting in February. Staff recommendations and a second reading of the Resolution can be presented at second meeting in February, at which time, due to emergency of deadline and because the Council has the perogative anyway, the third reading should be waived and the Resolution voted upon.

Your thoughts?

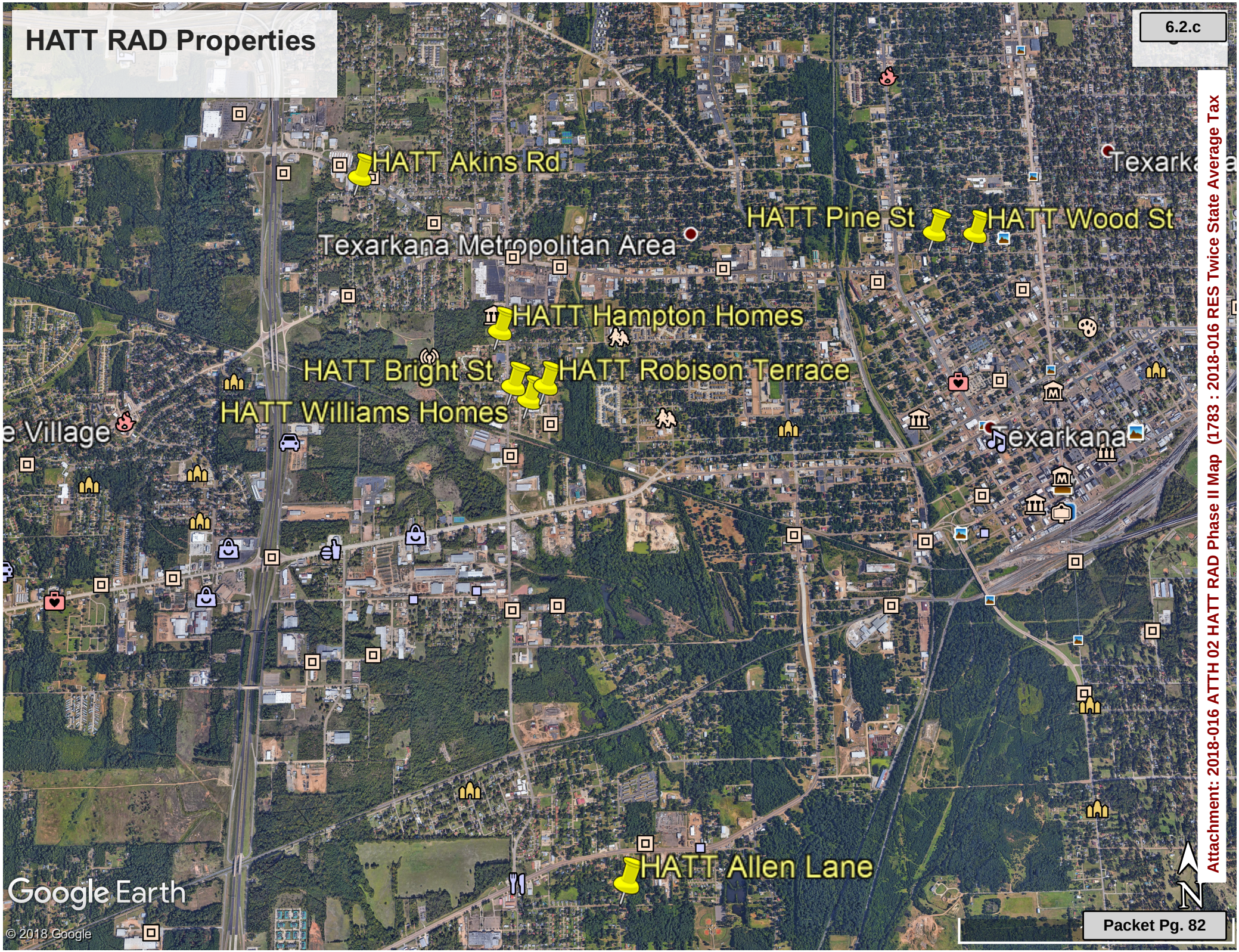
Best,

Antonio D. Williams

... Sent from my iPhone

Attachment: 2018-016 ATTH 01 HATT Resolution (1783 : 2018-016 RES Twice State Average Tax Credit Properties)

HATT RAD Properties



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
	X	Deliver Quality Services
	☐	Foster a Healthy Community
Run the Operations	☐	Enhance Community Preparedness & Responsiveness
	X	Maximize Partnership Opportunities
	☐	Provide Courteous & Responsive Customer Service
	☐	Model a Positive City Image
	X	Deliver Efficient Services
	☐	Cultivate Community Involvement & Access
Manage the Resources	☐	Maintain Fiscal Strength
	☐	Maximize Utilization & Resources
	X	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:	Medium

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
X	None Required	☐	

Other:

Attachment: 2018-016 Goals & Perspectives (1783 : 2018-016 RES Twice State Average Tax Credit Properties)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/8/2018 10:09 AM

Lead Department: Building Code Administration **Action Officer:** Mashell Daniel,

Subject: Ordinance No. 2018-021 amending the Code of Ordinances Chapter 20, Food & Food Establishments.

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

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The existing Chapter 20 of the Code of Ordinances, "Food and Food Establishments" has not been updated since the Texas state laws have changed. These changes are being made for the health and safety of all citizens of Texarkana, Texas.

Potential Options:

- Approve Ordinance Change
- Disapprove Ordinance Change

Fiscal Implications:

None

Staff Recommendation:

Approve Ordinance Change

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2018-021 ORD amending Ch 20 (rev Feb 7 2018 - jcl) (DOCX)
b. Redline copy w revisions from JCL (DOC)

c. 2018-021 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration	Mashell Daniel	Department Head Review	Completed	02/07/2018 1:40 PM
Municipal Prosecutor	Deborah Jones	Asst. City Attorney Review	Completed	02/08/2018 8:36 AM
City Manager	Shirley Jaster	Deputy City Manager Review	Completed	02/08/2018 8:58 AM
City Attorney	Jeffery C. Lewis	City Attorney Review	Completed	02/08/2018 9:41 AM
Deputy City Manager - Kyle Dooley Review	Kyle Dooley	Deputy City Manager	Completed	02/08/2018 9:49 AM
Public Information Officer	Lisa Thompson	PIO Review	Completed	02/08/2018 10:13 AM
City Manager	Shirley Jaster	City Manager Review	Completed	02/08/2018 10:31 AM
City Council	Vicky Coopwood	Meeting	Pending	02/12/2018 6:00 PM

Meeting History

PUBLISH

ORDINANCE NO. 2018 - 021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 20, "FOOD AND FOOD ESTABLISHMENTS", BY AMENDING ARTICLE I, "IN GENERAL", AND ARTICLE II. - "FOOD SERVICE AND RETAIL FOOD STORE SANITATION", SECTIONS 20-58 AND 20-59; PROVIDING FOR PUBLICATION; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the existing Chapter 20 of the Code of Ordinances, "Food and Food Establishments" has not been amended since state laws have been amended; and

WHEREAS, City staff recommends amending the specific sections of Chapter 20 set out below; and

WHEREAS, the City Council of the City of Texarkana, Texas, finds and determines that such amendments as set forth below are in the best interest of citizens and the City's health, safety, and welfare.

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

SECTION 1: Chapter 20 - Food and Food Establishments, Article I. - In General, of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended as follows:

a. Section 20-1 is hereby repealed and shall be noted as "[reserved]" in the Code.

b. Section 20-2 is hereby repealed and shall be noted as "[reserved]" in the Code.

c. Section 20-3 is hereby amended in its entirety and replaced with the following:

Sec. 20-3. - Definitions.

For the purposes of this chapter, the following words shall have the meanings herein ascribed to them, except where the context clearly indicates a different meaning:

Mobile Barbecue Trailer means a Mobile Food Unit at which meat, fish, or other food is cooked outdoors on a rack over an open fire or grill.

Central Preparation Facility (*Commissary*) means a facility in a fixed location that is an approved and permitted Retail Food Establishment at which food is prepared, stored, and wrapped. Use of a private residence as a Central Preparation Facility (Commissary) is prohibited.

Attachment: 2018-021 ORD amending Ch 20 (rev Feb 7 2018 - jcl) (1777 : 2018-021 ORD Amending Ch 20 Food and Food Establishments)

Commissary Log means a record kept at the fixed Central Preparation Facility (Commissary) location that contains the date of servicing and signature of each Mobile Food Unit operator.

Food Establishment means any place at a fixed location where food is manufactured, packaged, produced, processed, transported, stored, sold, commercially prepared, vended, or otherwise handled, regardless of the duration of any applicable permit or whether the food there is a monetary charge for the food. The term includes Mobile Food Units and Self-contained Mobile Food Units. The term does not include private homes where food is prepared or served for consumption by the home dweller, family members, or guests.

Mobile Food Unit means a vehicle-mounted food service operation designed to be readily movable and used as a food establishment.

Mobile Food Unit Log means a record kept on the Mobile Food Unit that contains the date of servicing and the signature of the Commissary operator or Commissary manager.

Potentially hazardous food (PHF) means any food that requires time and temperature control for safety (TCS) to limit pathogen growth or toxin production; a food that must be held under proper temperature controls, such as refrigeration, to prevent the growth of bacteria that may cause human illness; a food that contains protein, moisture (water activity greater than 0.85) and is neutral to slightly acidic (pH between 4.6 – 7.5).

Regulatory Authority means the Health Inspections Office of the City of Texarkana, Texas, which is responsible for enforcing public health laws and regulations within the City's jurisdiction.

Retail Food Establishment means any Food Establishment, including a section of an establishment and vehicles, where prepackaged, uncooked, and/or cooked food and food products are offered to a consumer or customer. The term does not include roadside markets that offer only whole and non-altered fruits and vegetables for sale, farmer's markets, or food and beverage vending machines.

Seasonal Food Establishment means any Food Establishment, not associated with a special event, which operates more than fourteen (14) consecutive days but less than one hundred eighty (180) days each year.

Self-contained Mobile Food Unit means a Mobile Food Unit that has all of the necessary functions of a Food Establishment within the confines of a mobile construct.

Servicing Area means a base location to which a Mobile Food Unit or transportation vehicle returns regularly for vehicle cleaning, discharging liquid or solid waste, refilling water tanks and ice bins, boarding food, and other functions necessary for the unit or vehicle to maintain compliance with public health laws and regulations. No food preparation, service, or utensil / ware washing is conducted at a Servicing Area.

Temporary Food Establishment means a food establishment that operates at a fixed location for not more than fourteen (14) consecutive days in conjunction with a single event or celebration.

Attachment: 2018-021 ORD amending Ch 20 (rev Feb 7 2018 - jcl) (1777 : 2018-021 ORD Amending Ch 20 Food and Food Establishments)

PUBLISH

Attachment: 2018-021 ORD amending Ch 20 (rev Feb 7 2018 - jcl) (1777 : 2018-021 ORD Amending Ch 20 Food and Food Establishments)

SECTION 2: Chapter 20 - Food and Food Establishments, Article II. - Food Service And Retail Food Store Sanitation, Sections 20-58 and 20-59 of the Code of Ordinances of the City of Texarkana, Texas, are hereby amended in their entirety and replaced with the following:

Sec. 20-58. – Rules on food service sanitation.

The City Council hereby adopts the regulations set out in Title 25, Texas Administrative Code, Sections 228 and 229, inclusive.

Sec. 20-59. - Mobile food units; mobile ice cream units; general service pushcarts; additional requirements.

The following provisions shall apply as specified to Mobile Food Units, mobile ice cream units, and general service pushcarts operated within the City and are in addition to the requirements of state law and regulations.

(1) *Mobile Food Units.*

a. The owner or driver of a mobile food unit shall provide a valid driver's license to the Health Inspections Office and at any time upon request of the Health Inspector.

b. Requirement of Commissary or Food Establishment.

1. Mobile Food Units and general service pushcarts handling open, potentially hazardous foods:

(a) shall operate from a Commissary or other Food Establishment that is regularly inspected by a regulatory health agency; and

(b) shall report at least once a day to its Commissary or Food Establishment to perform the following: supply the Mobile Food Unit with fresh water and ice; empty the Mobile Food Unit of waste water into a proper waste disposal system; and clean the Mobile Food Unit, including but not limited to washing, rinsing and sanitizing of the food-contact surfaces or items not capable of being immersed in the Mobile Food Unit utensil-washing sink.

2 Mobile Food Units and general service pushcarts handling only nonhazardous, pre-packaged food are exempt from the requirements of subsections 20-59(1)b.1 of this Section.

c. Mobile Food Units shall have affixed to both the driver and passenger sides of the vehicle their business name and permit number in three-inch letters.

d. Self-contained mobile food units; additional requirements for Servicing Area.

1. Self-contained mobile food units and general service pushcarts handling open foods shall have a Servicing Area equipped with overhead protection, a City- approved location(s) for draining and flushing liquid wastes, and a City-approved location(s) for the loading and unloading of food and related supplies.

2. Flushing and draining activities shall be conducted daily in the Servicing Area. All liquid waste containers shall be thoroughly flushed and drained during servicing operations. No flushing or draining of liquid waste shall be permitted on public streets or in any area other than the Servicing Area.

e. Mobile food units shall provide an itinerary of service or vending locations by the first day of the month to the Health Inspections Office.

f. Mobile food units shall not sell, distribute or offer for sale food that has been prepared in a private residence.

g. The cooking surfaces of a Mobile Barbecue Trailer shall be tightly enclosed and constructed in such a way as to protect all food contact surfaces from possible contamination both in transit and during use. A Mobile Barbecue Trailer shall only be used in conjunction with an approved and permitted Commissary and Mobile Food Unit.

h. The Commissary Log and Mobile Food Unit Log shall be made available to the Health Inspector at any time upon request.

i. Mobile Food Units and caterers may operate at temporary events by either possessing a valid Mobile Food Unit permit or by meeting the requirements of a Temporary Food Service Establishment and obtaining a temporary food service establishment permit.

j. All seasonally or annually permitted Mobile Food Units that operate at the same location for a minimum of two (2) hours shall:

1. Have access at the operating location to a commercially-plumbed restroom within three hundred (300) feet of the Mobile Food Unit that is accessible during all hours of food preparation and vending, and provides hot and cold running water through a mixing valve or combination faucet.

2. Provide the Health Inspector with the address of the operating location; and in the event of a change in the operating location during the period of the permit, the operator must provide the Health Inspector with the new operating address seven days prior to moving to the new location.

Attachment: 2018-021 ORD amending Ch 20 (rev Feb 7 2018 - jcl) (1777 : 2018-021 ORD Amending Ch 20 Food and Food Establishments)

3. Have available for inspection at all times, upon request of the Health Inspector, a sworn declaration from (i) the premises owner evidencing the owner's permission to operate on the premises, and (ii) the owner of the commercially-plumbed restroom evidencing permission of the restroom access required by subsection 20-59(1)j.1 of this Section.

k. All Mobile Food Units selling from a fixed location shall sell only from properly zoned private property that provides adequate space where customers can park in accordance with the applicable zoning classification. Mobile Food Unit sales from a fixed location are prohibited if either the unit or the customer is parked on a City street, City right-of-way or easement adjacent to a City street or state highway, or any state right-of-way adjacent to a state highway within the city limits.

l. Mobile food units are only allowed in the following zoning areas unless otherwise approved by an approved permit issued in connection with a Special Events Application: General Retail; Commercial; Central Business District; Industrial 1; and Industrial 2.

m. In city parks, approved Mobile Food Units are only allowed in areas designated by the Parks Director from 10:00 AM to 3:00 PM unless special permission has been granted in writing by the Parks Director.

n. No Mobile Food Units are allowed in any city park during a league or sanctioned sporting event when a concession stand is in operation.

o. The area around the Mobile Food Unit shall be kept clean and free from litter, garbage, and debris; and solid waste shall be contained in an easily cleanable, self-closing, lidded trash receptacle which shall be kept on or near the Mobile Food Unit at all times.

(2) *Mobile ice cream units.* In addition to the guidelines in subsection 20-59(1) of this Section, the following shall apply to mobile ice cream units:

a. Mobile ice cream units must be equipped with safety stickers that state either **"Watch for Children"** or **"Stop for Children"** in five-inch letters on both the driver and passenger sides of the vehicle.

b. Mobile ice cream units must be equipped with safety features, including mirrors, four-way hazard lights, and at least one permanently affixed amber light on top of the vehicle.

c. Mobile ice cream units shall not sell, distribute or offer for sale, any products or services within two city blocks or 600 feet, whichever is greater, of the grounds of any public, private, parochial, elementary or secondary school between the hours of 2:30 p.m. and 4:30 p.m. on days when school is in session.

(3) *General service pushcarts.* In addition to the guidelines in subsection 20-59(1) of this Section, the following shall apply to general service pushcarts:

Attachment: 2018-021 ORD amending Ch 20 (rev Feb 7 2018 - jcl) (1777 : 2018-021 ORD Amending Ch 20 Food and Food Establishments)

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a. General service pushcarts shall be equipped with a propane tank properly anchored in an upright position to the outside of the cart.

b. General service pushcarts shall be equipped with a five-pound or larger multipurpose dry chemical fire extinguisher.

c. Cooking in the form of grilling, baking or frying shall not be allowed on a general service pushcart; however, reheating of cooked foods by boiling or steaming shall be allowed.

d. General service pushcarts shall be equipped with a mechanical oven or refrigeration system to maintain proper food temperature.

e. General service pushcarts shall be equipped with a thermometer conspicuously located in each hot or cold food storage unit.

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

SECTION 4: 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: This Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **26th day of March, 2018**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2018-021 ORD amending Ch 20 (rev Feb 7 2018 - jcl) (1777 : 2018-021 ORD Amending Ch 20 Food and Food Establishments)

Chapter 20 - FOOD AND FOOD ESTABLISHMENTS[1]

ARTICLE I. - IN GENERAL

~~Sec. 20-1. - Sale of meat and fish prohibited.~~

~~It shall be unlawful for any person to hawk, peddle, sell or barter any meat or fish from any mobile unit, including wagons, carts, booths, counters or stands parked or set up in, on or upon any right-of-way, gutter, sidewalk or alley in the city.~~

Sec. 20-1 - [reserved]

~~**Sec. 20-2. - Inspection and condemnation of fruits and vegetables.**~~

~~All fruits and vegetables bought and sold at wholesale shall be regularly inspected by the food inspector and the inspector shall have the power and authority to condemn any and all fruits and vegetables which are unfit for human consumption or which have been misrepresented as to grade, quality or condition.~~

Sec. 20-2 – [reserved]

Sec. 20-3. - Definitions.

For the purposes of this chapter, the following words shall have the meanings herein ascribed to them, except where the context clearly indicates a different meaning:

Mobile Barbecue Trailer means a Mobile Food Unit at which meat, fish, or other food is cooked outdoors on a rack over an open fire or grill.

~~*Commissary* means a catering establishment, restaurant, or any other place in which food, containers or supplies are kept, handled, prepared, packaged or stored.~~

Central Preparation Facility (*Commissary*) means a facility in a fixed location that is an approved and permitted Retail Food Establishment at which food is prepared, stored, and wrapped. Use of a private residence as a Central Preparation Facility (Commissary) is prohibited.

Commissary Log means a record kept at the fixed Central Preparation Facility (Commissary) location that contains the date of servicing and signature of each Mobile Food Unit operator.

Food Establishment means any place at a fixed location where food is manufactured, packaged, produced, processed, transported, stored, sold, commercially prepared, vended, or otherwise handled, regardless of the duration of any applicable permit or whether the food there is a monetary charge for the food. The term includes Mobile Food Units and Self-contained Mobile Food Units. The term does not include private homes where food is prepared or served for consumption by the home dweller, family members, or guests.

Mobile Food Unit means a vehicle-mounted food service operation designed to be readily movable and used as a food establishment.

Mobile Food Unit Log means a record kept on the Mobile Food Unit that contains the date of servicing and the signature of the Commissary operator or Commissary manager.

~~*Potentially hazardous food* means any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea, or other ingredients, including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms. The term "potentially hazardous food" does not include clean, whole, uncracked, odor-free shell eggs or foods which have a pH level of 4.5 or below or a water activity (Aw) value of 0.85 or less.~~

Potentially hazardous food (PHF) means any food that requires time and temperature control for safety (TCS) to limit pathogen growth or toxin production; a food that must be held under proper temperature controls, such as refrigeration, to prevent the growth of bacteria that may cause human illness; a food that contains protein, moisture (water activity greater than 0.85) and is neutral to slightly acidic (pH between 4.6 – 7.5).

~~*Regulatory authority* means the state and/or local enforcement authority having jurisdiction over the food service establishment, or those determined by the commissioner of health as having jurisdiction~~.

Regulatory Authority means the Health Inspections Office of the City of Texarkana, Texas, which is responsible for enforcing public health laws and regulations within the City's jurisdiction

~~*Retail food establishment* means any establishment, vehicle or section of an establishment where prepackaged or uncooked food and food products are offered to the consumer. The term "retail food establishment" includes delicatessens, meat markets and seafood establishments that offer prepared food in bulk quantities only. The term "retail food establishment" does not include roadside markets that offer only fruits and vegetables for sale; food service establishments; farmer's markets; or food and beverage vending machines as defined in the Vending of Food and Beverages, 1978, Department of Health, Educational and Welfare Publication No. (FDA) 78-2091.~~

Retail Food Establishment means any Food Establishment, including a section of an establishment and vehicles, where prepackaged, uncooked, and/or cooked food and food products are offered to a consumer or customer. The term does not include roadside markets that offer only whole and non-altered fruits and vegetables for sale, farmer's markets, or food and beverage vending machines.

Seasonal Food Establishment means any Food Establishment, not associated with a special event, which operates more than fourteen (14) consecutive days but less than one hundred eighty (180) days each year.

Self-contained Mobile Food Unit means a Mobile Food Unit that has all of the necessary functions of a Food Establishment within the confines of a mobile construct.

Servicing Area means a base location to which a Mobile Food Unit or transportation vehicle returns regularly for vehicle cleaning, discharging liquid or solid waste, refilling water tanks and ice bins, boarding food, and other functions necessary for the unit or vehicle to maintain compliance with public health laws and regulations. No food preparation, service, or utensil / ware washing is conducted at a Servicing Area.

Temporary Food Establishment means a food establishment that operates at a fixed location for not more than fourteen (14) consecutive days in conjunction with a single event or celebration.

ARTICLE II. – FOOD SERVICE AND RETAIL FOOD STORE SANITATION

Sec. 20-58. – Rules on food service sanitation.

~~The city council hereby adopts the state department of health, bureau of food and drug safety "Texas Food Establishment Rules, 25 TAC §§ 229.161—229.171, 229.173—229.175," three certified copies of which shall be kept on file in the office of the city secretary. The words "regulatory authority," used in said rules, shall be understood to refer to the Texarkana-Bowie County Family Health Center.~~

The City Council hereby adopts the regulations set out in Title 25, Texas Administrative Code, Sections 228 and 229, inclusive.

Sec. 20-59. - Mobile food units; mobile ice cream units; general service pushcarts; additional requirements.

~~The following guidelines are applicable to mobile food units operated within the city and are in addition to guidelines required by the "Texas Food Establishment Rules, 25 TAC § 229.169 Mobile Food Establishments."~~

The following provisions shall apply as specified to Mobile Food Units, mobile ice cream units, and general service pushcarts operated within the City and are in addition to the requirements of state law and regulations.

(1) *Mobile Food Units.* ~~The following additional guidelines shall apply:~~

a. The owner or driver of a mobile food unit shall provide a valid driver's license to the ~~Texarkana-Bowie County Health Center~~ Health Inspections Office and at any time upon request of the Health Inspector.

~~b. Mobile food units shall return to their commissary daily for servicing and cleaning.~~

b. Requirement of Commissary or Food Establishment.

1. Mobile Food Units and general service pushcarts handling open, potentially hazardous foods:

(a) shall operate from a Commissary or other Food Establishment that is regularly inspected by a regulatory health agency; and

(b) shall report at least once a day to its Commissary or Food Establishment to perform the following: supply the Mobile Food Unit with fresh water and ice; empty the Mobile Food Unit of waste water into a proper waste disposal system; and clean the Mobile Food Unit, including but not limited to washing, rinsing and sanitizing of the food-contact surfaces or items not capable of being immersed in the Mobile Food Unit utensil-washing sink.

2. Mobile Food Units and general service pushcarts handling only nonhazardous, pre-packaged food are exempt from the requirements of subsections 20-59(1)b.1 of this Section.

Attachment: Redline copy w revisions from JCL (1777 : 2018-021 ORD Amending Ch 20 Food and Food Establishments)

c. Mobile food units shall have their business name and permit number affixed to both the driver and passenger sides of the vehicle in three-inch letters.

~~d. Mobile food units shall have their menu affixed to both the driver and passenger sides of the vehicle.~~

d. Self-contained mobile food units; additional requirements for Servicing Area

1. Self-contained mobile food units and general service pushcarts handling open foods shall have a Servicing Area equipped with overhead protection, a City-approved location(s) for draining and flushing liquid wastes, and a City-approved location(s) for the loading and unloading of food and related supplies.

2. Flushing and draining activities shall be conducted daily in the Servicing Area. All liquid waste containers shall be thoroughly flushed and drained during servicing operations. No flushing or draining of liquid waste shall be permitted on public streets or in any area other than the Servicing Area.

~~e. Mobile food units shall provide to the Texarkana-Bowie County Health Center by the first day of the month an itinerary of locations for each month.~~

e. Mobile food units shall provide an itinerary of service or vending locations by the first day of the month to the Health Inspections Office.

f. Mobile food units shall not sell, distribute or offer for sale food that has been prepared in a private ~~home.~~ residence.

g. The cooking surfaces of a Mobile Barbecue Trailer shall be tightly enclosed and constructed in such a way as to protect all food contact surfaces from possible contamination both in transit and during use. A Mobile Barbecue Trailer shall only be used in conjunction with an approved and permitted Commissary and Mobile Food Unit.

h. The Commissary Log and Mobile Food Unit Log shall be made available to the Health Inspector at any time upon request.

i. Mobile Food Units and caterers may operate at temporary events by either possessing a valid Mobile Food Unit permit or by meeting the requirements of a Temporary Food Service Establishment and obtaining a temporary food service establishment permit

j. All seasonally or annually permitted Mobile Food Units that operate at the same location for a minimum of two (2) hours shall:

1. Have access at the location to the primary business owner's commercially-plumbed restroom that is within three hundred (300) feet of the Mobile Food Unit that is accessible during all hours of food preparation and vending, and provides hot and cold running water through a mixing valve or combination faucet.
2. Provide the Health Inspector with the address of the operating location; and in the event of a change in the operating location during the period

of the permit, the operator must provide the Health Inspector with the new operating address seven days prior to moving to the new location.

3. Have available for inspection at all times, upon request of the Health Inspector, a sworn declaration from (i) the premises owner evidencing the owner's permission to operate on the premises, and (ii) the owner of the commercially-plumbed restroom evidencing permission of the restroom access required by subsection 20-59(1)j.1 of this Section.

k. All Mobile Food Units selling from a fixed location shall sell only from properly zoned private property that provides adequate space where customers can park in accordance with the applicable zoning classification. Mobile Food Unit sales from a fixed location are prohibited if either the unit or the customer is parked on a City street, City right-of-way or easement adjacent to a City street or state highway, or any state right-of-way adjacent to a state highway within the city limits.

l. Mobile food units are only allowed in the following zoning areas unless otherwise approved by an approved permit issued in connection with a Special Events Application: General Retail; Commercial; Central Business District; Industrial 1; and Industrial 2.

m. In city parks, approved Mobile Food Units are only allowed in areas designated by the Parks Director from 10:00 AM to 3:00 PM unless special permission has been granted in writing by the Parks Director.

n. No Mobile Food Units are allowed in any city park during a league or sanctioned sporting event when a concession stand is in operation.

o. The area around the Mobile Food Unit shall be kept clean and free from litter, garbage, and debris; and solid waste shall be contained in an easily cleanable, self-closing, lidded trash receptacle which shall be kept on or near the Mobile Food Unit at all times.

(2) *Mobile ice cream units.* In addition to the guidelines in subsection (1) of this section, the following shall apply to mobile ice cream units:

a. Mobile ice cream units must be equipped with safety stickers that state: either "**Watch for Children**" or "**Stop for Children**" in five-inch letters on both the driver and passenger sides of the vehicle.

b. Mobile ice cream units must be equipped with safety features, including mirrors, four-way hazard lights, and at least one permanently affixed amber light on top of the vehicle.

c. Mobile ice cream units shall not sell, distribute or offer for sale, any products or services within two city blocks or 600 feet, whichever is greater, of the grounds of any public, private, parochial, elementary or secondary school between the hours of 2:30 p.m. and 4:30 p.m. on days when school is in session.

(3) *General service pushcarts.* In addition to the guidelines in subsection (1) of this section, the following shall apply to general service pushcarts:

a. General service pushcarts shall be equipped with a propane tank properly anchored in an upright position to the outside of the cart.

b. General service pushcarts shall be equipped with a five-pound or larger multipurpose dry chemical fire extinguisher.

c. Cooking in the form of grilling, baking or frying shall not be allowed on a general service pushcart; however, reheating of cooked foods by boiling or steaming shall be allowed.

d. General service pushcarts shall be equipped with a mechanical oven or refrigeration system to maintain proper food temperature.

e. General service pushcarts shall be equipped with a thermometer conspicuously located in each hot or cold food storage unit.

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Low

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2018-021 Goals & Perspectives (1777 : 2018-021 ORD Amending Ch 20 Food and Food Establishments)

City of Texarkana, Texas

Briefing Sheet

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

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

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE.

Executive Summary and Background Information:

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

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

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

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

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

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

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Since the current Comprehensive plan has designated this is a low density residential area and Single Family-2 is considered low density, staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission.

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval.

Advisory Board/Committee Meeting Date and Minutes:

January 2, 2018.

Attachments

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

Staff Coordination

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

Meeting History

01/22/18	City Council	MOVED FORWARD	Next: 02/12/18

David Orr briefed this agenda item.

Z-18-1

ORDINANCE NO. 2018-003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING A 9.321 ACRE TRACT OF LAND IN THE F.V. EVANS HRS, A-742, LOCATED IN THE 6800 BLOCK OF RICHMOND ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-1 TO SINGLE FAMILY-2; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone a 9.321 acre tract of land in the F.V. Evans HRS, A-742 **(Exhibit 'A')**, located in the 6800 block of Richmond Road in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Single Family-2;** and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted five (5) to zero (0) to recommend the application for rezoning** from **Single Family-1 to Single Family-2 on a 9.321 acre tract of land in the F.V. Evans HRS, A-742 (Exhibit 'A'), located in the 6800 block of Richmond Road** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-1 to Single Family-2** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone a 9.321 acre tract of land in the F.V. Evans HRS, A-742 **(Exhibit 'A')**, located in the 6800 block of Richmond Road in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Single Family-2.**

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

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

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

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

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

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

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

EXHIBIT 'A'

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

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

BEGINNING at a 1/2 inch steel rod capped MTG 101011-00, set for a corner, the Southeast corner of the said 10.66 acre tract, the Northeast corner of that certain tract of land described as 1.34 acres in the deed from Joe W. Shipp, et ux, to David Wayne Shipp, et ux, dated September 18, 1980, recorded in Volume 668, Page 289 of the Deed Records of Bowie County, Texas and lying in the West line of that certain tract of land described as 9.9407 acres in the deed from Curtis Wayne Pierce, et ux, to Stephen Morris, dated November 18, 1997, recorded in Volume 2755, Page 308 of the Real Property Records of Bowie County, Texas, same being described as 10 acres by deed of record from Ovie Hancock, et ux, to J.R. Poulk, Jr., dated July 25, 1950, recorded in Volume 274, Page 64 of the Deed Records of Bowie County, Texas, said corner bears South 02 degrees 02 minutes 25 seconds East a distance of 360.04 feet to a 1/2 inch steel rod (control monument), found for a corner, lying in the North right-of-way line of Farm-To-Market Road No. 559 (Richmond Road), the Southeast corner of the said 1.34 acre tract and the Southwest corner of the said 9.9407 acre tract;

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

THENCE South 24 degrees 59 minutes 53 seconds West a distance of 250.43 feet to a 1/2 inch steel rod capped MTG 101011-00, set for a corner, lying in the North right-of-way line of Richmond Road, at the beginning of a circular curve to the right, said corner bears South 57 degrees 34 minutes 58 seconds East a distance of 65.71 to a 1/2 inch steel rod (control monument), found for a corner, the Southwest corner of the said 1.34 acre tract;

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

THENCE North 01 degrees 40 minutes 58 seconds West a distance of 1272.11 feet along the West line of the said 10.66 acre tract, East line of the said 0.70 acre tract, the East line of that certain tract of land described as 1.57 acres in the deed from Bobby J. Smith, et ux to Jeffrey D. Stone, et ux, dated October 22, 2001, recorded in Volume 3566, Page 125 of the Real Property Records of Bowie County, Texas and the East line of that certain tract of land described as 10 acres in the deed from Lenora D. Boyer to Herbert Ray Boyer dated February 4, 1999, recorded in Volume 3003, Page 344 of the Real Property Records of Bowie County, Texas, same being described as 10 acres by deed of record from O.D. Akin, et ux to J.H. Moores, dated December 9, 1922, recorded in Volume 101, Page 380 of the Deed Records of Bowie County, Texas, to a 8 inch wood fence post, found for a corner, the Northwest corner of the said 10.66 acre tract, the Northeast corner of the said 10 acre tract and lying in the South line of that certain tract of land described as 4.356 acres in the deed from F. Pierce Noble, et al, to Janet Sisson, et vir, dated June 15, 1994 of the Real Property Records of Bowie County, Texas;

THENCE North 88 degrees 02 minutes 33 seconds East a distance of 43.98 feet along the North line of the said 10.66 acre tract and the South line of the said 4.356 acre tract to a 3/8 inch steel rod, found for a corner, the Southeast corner of the said 4.356 acre tract and the Southwest corner of that certain tract of land described as Tract 3 w/10.1 acres in the deed from F. Pierce Noble, et ux, to Janet Chynoweth Sisson, dated January 8, 2004, recorded in Volume 4202, Page 159 of the Real Property Records of Bowie County, Texas and continuing along the North line of the said 10.66 acre tract and the South line of the said 10.1 acre tract a distance of 295.80 feet for a total distance of 339.78 feet to a 1/2 inch steel rod capped MTG 101011-00, set for a corner, lying in the South line of the said 10.1 acre tract, the Northeast corner of the said 10.66 acre tract and the Northwest corner of the said 9.9407 acre tract, said corner bears North 88 degrees 02 minutes 33 seconds East a distance of 284.53 feet to a 5/8 inch steel rod, found for a corner, the Northeast corner of the said 9.9407 acre tract;

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

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

THE BEARINGS ARE BASED ON GRID NORTH WITHIN THE "TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE", NAD83 (CORS96, EPOCH 2002.0), AT THE SURFACE, WITH A BEARING OF SOUTH 84 DEGREES 06 MINUTES 54 SECONDS EAST. THE COMBINED SCALE FACTOR TO GO FROM SURFACE TO GRID IS 0.999860014398. THE FOLLOWING CONTROL MONUMENTS WERE USED TO ESTABLISH THE BASIS OF BEARINGS:

CONTROL MONUMENT #1	CONTROL MONUMENT #2
N=7251902.3459	N=7252013.2027
E=3304693.7587	E=3304465.3193

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

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

EXHIBIT 'A'

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CONTROL MONUMENT #1	CONTROL MONUMENT #2
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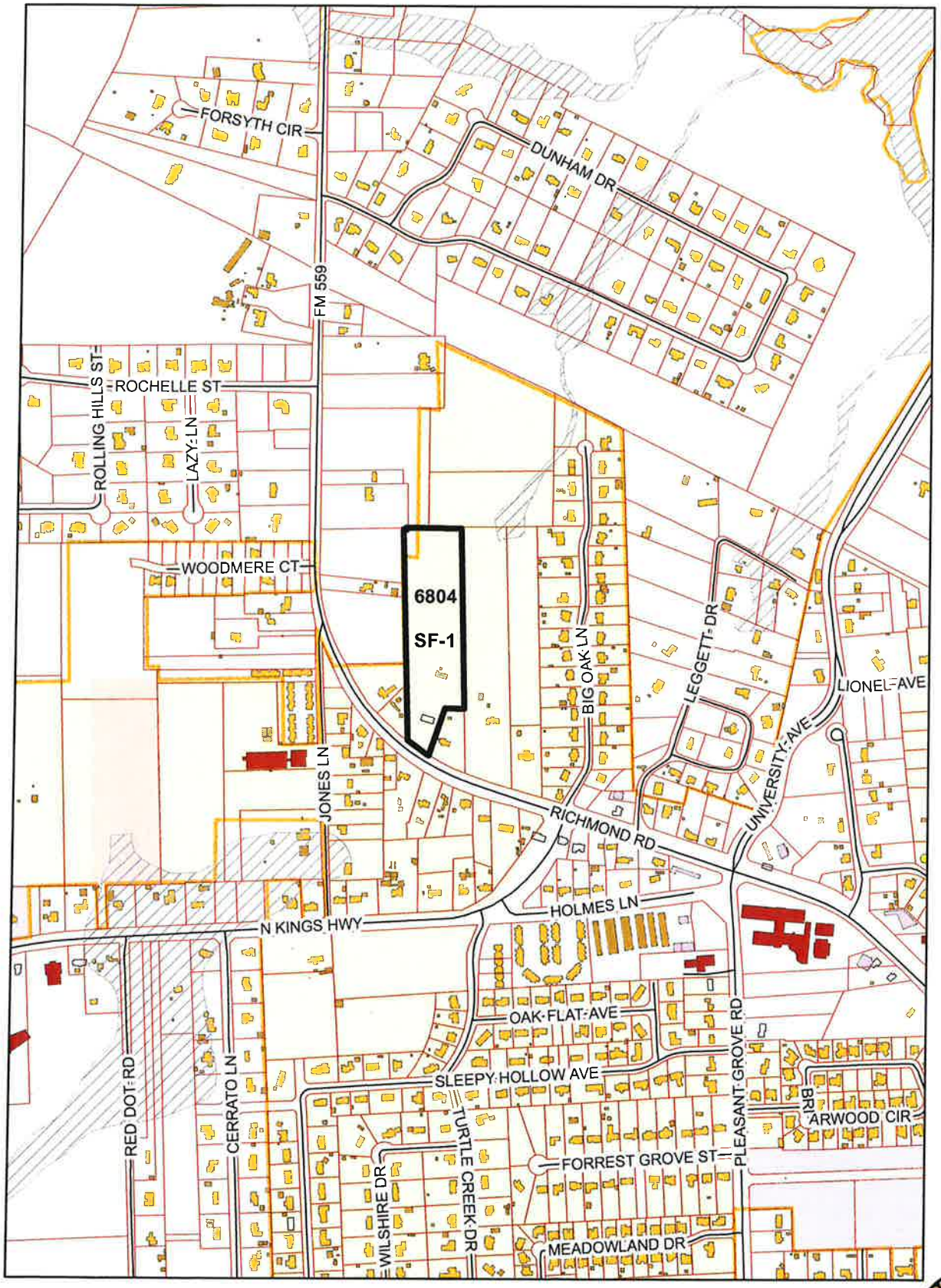
Attachment: 2018-003 EXH 'A' (legal description) (1767 : 2018-003 ORD rezoning in 6800 blk of Richmond Road)

6804 Richmond Rd.
Department of Planning and Community Development



N

1:10,000

Attachment: 2018-003 ATTH 01 (maps) (1767 : 2018-003 ORD rezoning in 6800 blk of Richmond Road)

6804 Richmond Rd.
Department of Planning and Community Development

N

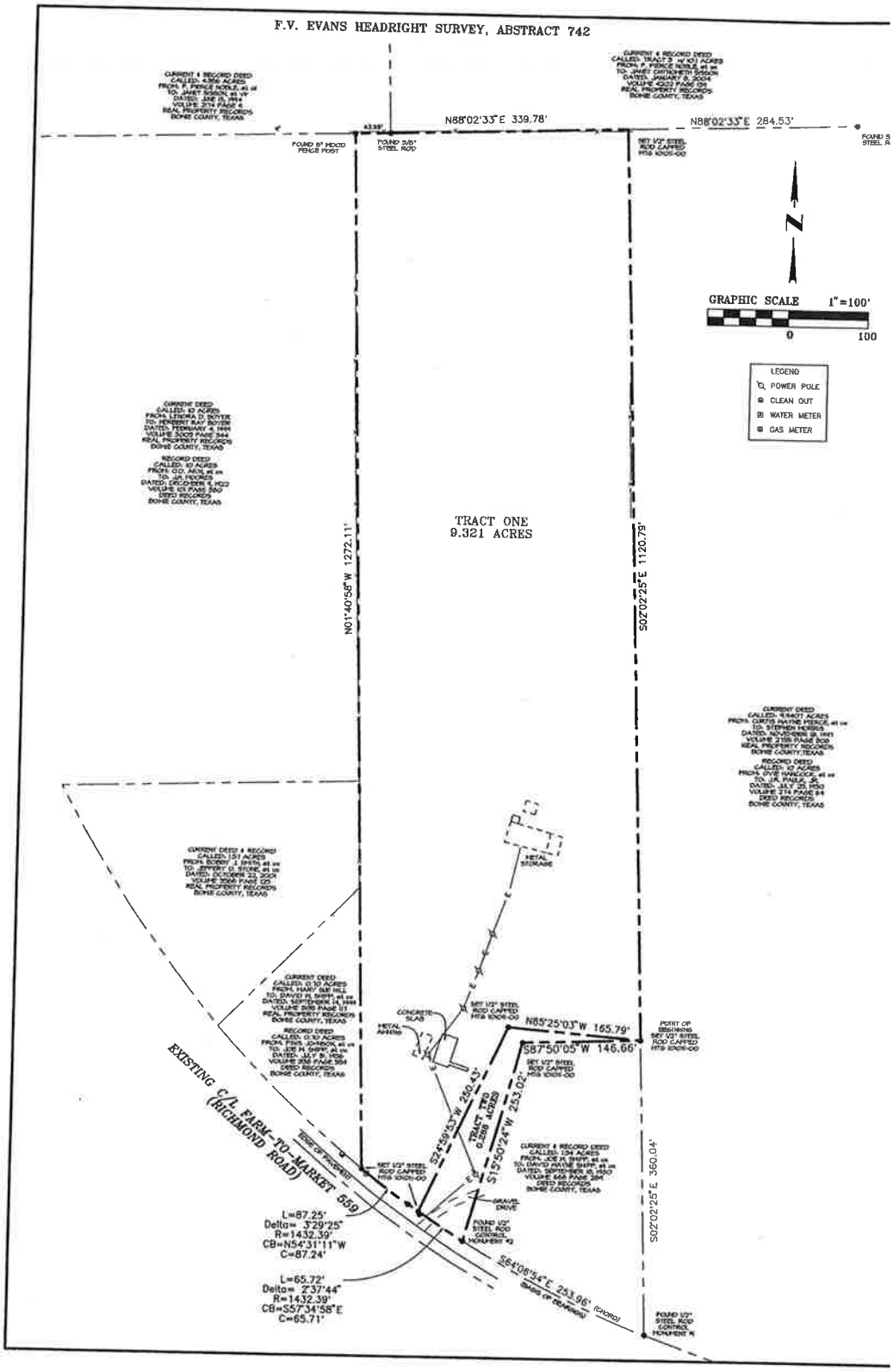
1:4,000

Attachment: 2018-003 ATTH 01 (maps) (1767 : 2018-003 ORD rezoning in 6800 blk of Richmond Road)

6804 Richmond Rd.
Department of Planning and Community Development

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

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



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

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

Attachment: 2018-003 Goals & Perspectives (1767 : 2018-003 ORD rezoning in 6800 blk of Richmond Road)

City of Texarkana, Texas

Briefing Sheet

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

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

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

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

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

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

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

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

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

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

City of Texarkana, Texas

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

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

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

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

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

Advisory Board/Committee Meeting Date and Minutes:

January 2, 2018.

Attachments

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

Staff Coordination

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

City of Texarkana, Texas

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

Meeting History

01/22/18 City Council MOVED FORWARD Next: 02/12/18

David Orr briefed this agenda item.

Z-18-2
(PD-18-1)

ORDINANCE NO. 2018-004

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING A 1.7776 ACRE TRACT OF LAND IN THE THOMAS PRICE HRS, A-466, LOCATED AT 3102 NEW BOSTON ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM GENERAL RETAIL TO PLANNED DEVELOPMENT-COMMERCIAL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone a 1.7776 acre tract of land in the Thomas Price HRS, A-466 **(Exhibit 'A')**, located at 3102 New Boston Road in the City of Texarkana, Bowie County, Texas, from **General Retail to Commercial;** and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted five (5) to zero (0) to recommend the application for rezoning** from **General Retail to Planned Development-Commercial on a 1.7776 acre tract of land in the Thomas Price HRS, A-466 (Exhibit 'A'), located at 3102 New Boston Road** to the City Council of Texarkana, Texas; and

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

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

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone a 1.7776 acre tract of land in the Thomas Price HRS, A-466 **(Exhibit 'A')**, located at 3102 New Boston Road in the City of Texarkana, Bowie County, Texas, from **General Retail to Planned Development-Commercial.**

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

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

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

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

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

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

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

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

EXHIBIT 'A'

All that certain tract or parcel of land being situated in the THOMAS PRICE HEADRIGHT SURVEY, Abstract No. 466, Bowie County, Texas, and being a part of those certain 2 tracts of land as conveyed from Otto Kinsey, et al, to H. S. Carter by Deed dated February 15, 1928, and recorded in Volume 126, Page 302, of the Deed Records of Bowie County, Texas, and conveyed from Otto Kinsey, et al, to J. W. Temple by Deed dated June 27, 1928, of record in Volume 126, Page 561, of the Deed Records of Bowie County, Texas, and the above mentioned tract or tracts being the same land conveyed from J. B. Phelps, et ux, Patty Phelps, to Nette Kate Ector by Deed dated May 4, 1964, and recorded in Volume 440, Pages 348-349, of the Deed Records of Bowie County, Texas, and the subject tract being more particularly described by metes and bounds as follows:

BEGINNING at a concrete right-of-way marker set in the North right-of-way line of U. S. Highway No. 82, being 71.28 feet at right angles from centerline station No. 82+05.48, and being on the East line of the above mentioned Ector tract and the West boundary line of a street known as Cornell Street;

THENCE: S 60 deg. 46' 57" W, 18.30 feet with the North right-of-way line of U. S. Highway No. 82 to a concrete right-of-way marker set at 54.87 feet at right angles from centerline station No. 82+13.59;

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

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

THENCE: S 89 deg. 10' 00" E, 215.00 feet with an existing fence line, being the North line of said Ector tract and the South line of a certain tract owned by H. J. & J. Cabe Trammell, of record in Volume 2184, Page 151, of the Real Property Records of Bowie County, Texas, to a 1/2 inch reinforcing steel rod set for corner at an existing fence corner, at the Northeast corner of said Ector tract;

THENCE: S 01 deg. 31' 52" E, 408.72 feet along an existing fence line, being the East line of said Ector tract and the West line of said Cornel Street to the Point of beginning, and containing 1.7776 acres of land, more or less.

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

EXHIBIT 'A'

All that certain tract or parcel of land being situated in the THOMAS PRICE HEADRIGHT SURVEY, Abstract No. 466, Bowie County, Texas, and being a part of those certain 2 tracts of land as conveyed from Otto Kinsey, et al, to H. S. Carter by Deed dated February 15, 1928, and recorded in Volume 126, Page 302, of the Deed Records of Bowie County, Texas, and conveyed from Otto Kinsey, et al, to J. W. Temple by Deed dated June 27, 1928, of record in Volume 126, Page 561, of the Deed Records of Bowie County, Texas, and the above mentioned tract or tracts being the same land conveyed from J. B. Phelps, et ux, Patty Phelps, to Nette Kate Ector by Deed dated May 4, 1964, and recorded in Volume 440, Pages 348-349, of the Deed Records of Bowie County, Texas, and the subject tract being more particularly described by metes and bounds as follows:

BEGINNING at a concrete right-of-way marker set in the North right-of-way line of U. S. Highway No. 82, being 71.28 feet at right angles from centerline station No. 82+05.48, and being on the East line of the above mentioned Ector tract and the West boundary line of a street known as Cornell Street;

THENCE: S 60 deg. 46' 57" W, 18.30 feet with the North right-of-way line of U. S. Highway No. 82 to a concrete right-of-way marker set at 54.87 feet at right angles from centerline station No. 82+13.59;

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

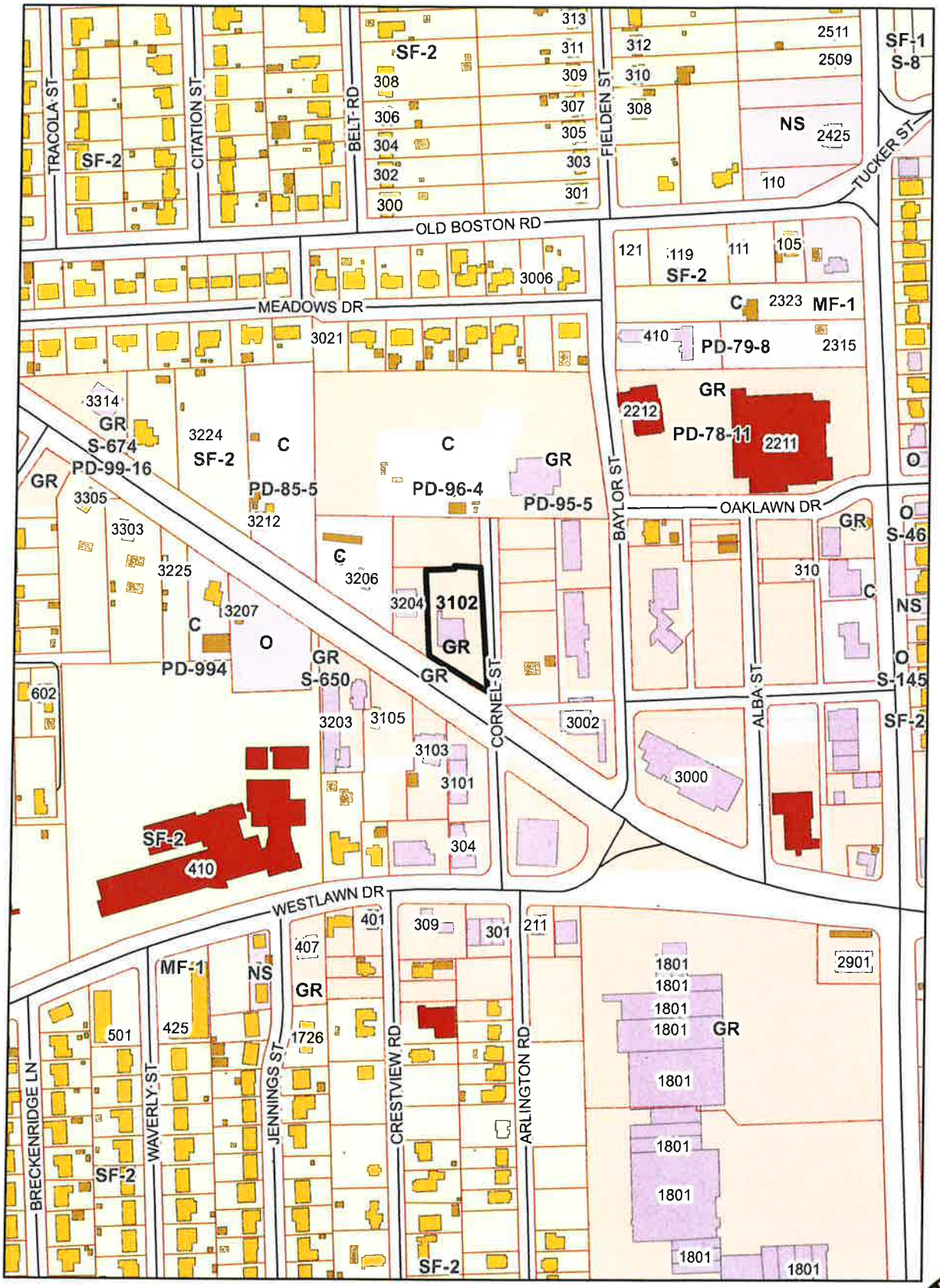
THENCE: N 00 deg. 27' 00" W, 283.00 feet with the West line of said Ector tract and the East line of a certain tract owned by Fred Butler, of record in Volume 601, Page 223, of the Deed Records of Bowie County, Texas, to a 1/2 inch reinforcing steel rod set for corner at an existing fence corner, being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

THENCE: S 89 deg. 10' 00" E, 215.00 feet with an existing fence line, being the North line of said Ector tract and the South line of a certain tract owned by H. J. & J. Cabe Trammell, of record in Volume 2184, Page 151, of the Real Property Records of Bowie County, Texas, to a 1/2 inch reinforcing steel rod set for corner at an existing fence corner, at the Northeast corner of said Ector tract;

THENCE: S 01 deg. 31' 52" E, 488.72 feet along an existing fence line, being the East line of said Ector tract and the West line of said Cornel Street to the Point of beginning, and containing 1.7776 acres of land, more or less.

Attachment: 2018-004 EXH 'A' (legal description) (1768 : 2018-004 ORD rezoning 3102 New Boston Road)

3102 New Boston Rd.
Department of Planning and Community Development



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

3102 New Boston Rd.
Department of Planning and Community Development

N

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

Texarkana Water Utility - GIS

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

3102 New Boston Rd.
Department of Planning and Community Development

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

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

Attachment: 2018-004 Goals & Perspectives (1768 : 2018-004 ORD rezoning 3102 New Boston Road)

City of Texarkana, Texas

Briefing Sheet

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

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

Subject: Ordinance No. 2018-005 granting a Specific Use Permit to allow a residential treatment center (for women only) on Lots 1-4, Block 124, City Trigg Addition, located at 1217 Hazel Street. Integrated Health Care, applicant. Nelda Shavers, agent.

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

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

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

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

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

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

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

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

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

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

January 2, 2018

Attachments

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

Staff Coordination

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

Meeting History

City of Texarkana, Texas

01/22/18 City Council MOVED FORWARD Next: 02/12/18
David Orr briefed this agenda item. Shaneka Shavers and Nelda Shavers answered questions for council.

S-683

ORDINANCE NO. 2018-005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-683 TO ALLOW THE ONE ADDITIONAL USE OF A RESIDENTIAL TREATMENT CENTER (WOMEN ONLY) ON LOTS 1-4, BLOCK 124, CITY TRIGG ADDITION, LOCATED AT 1217 HAZEL STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an Amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the **one additional use of a residential treatment center for sex trafficking females** on Lots 1-4, Block 124, City Trigg Addition, located at 1217 Hazel Street, in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously five (5) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the one additional use of a residential treatment center for sex trafficking females** on said property; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that granting the **Specific Use Permit** is in the best interest of the public health, safety, morals and general welfare of the City;

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant Specific **Use Permit Numbered S-683 for the purpose of allowing the one additional use of a residential treatment center for sex trafficking females** on the following described property, to-wit: **Lots 1-4, Block 124, City Trigg Addition, located at 1217 Hazel Street,** in **the City of Texarkana, Bowie County, Texas.**

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

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

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

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

SECTION 4: It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

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

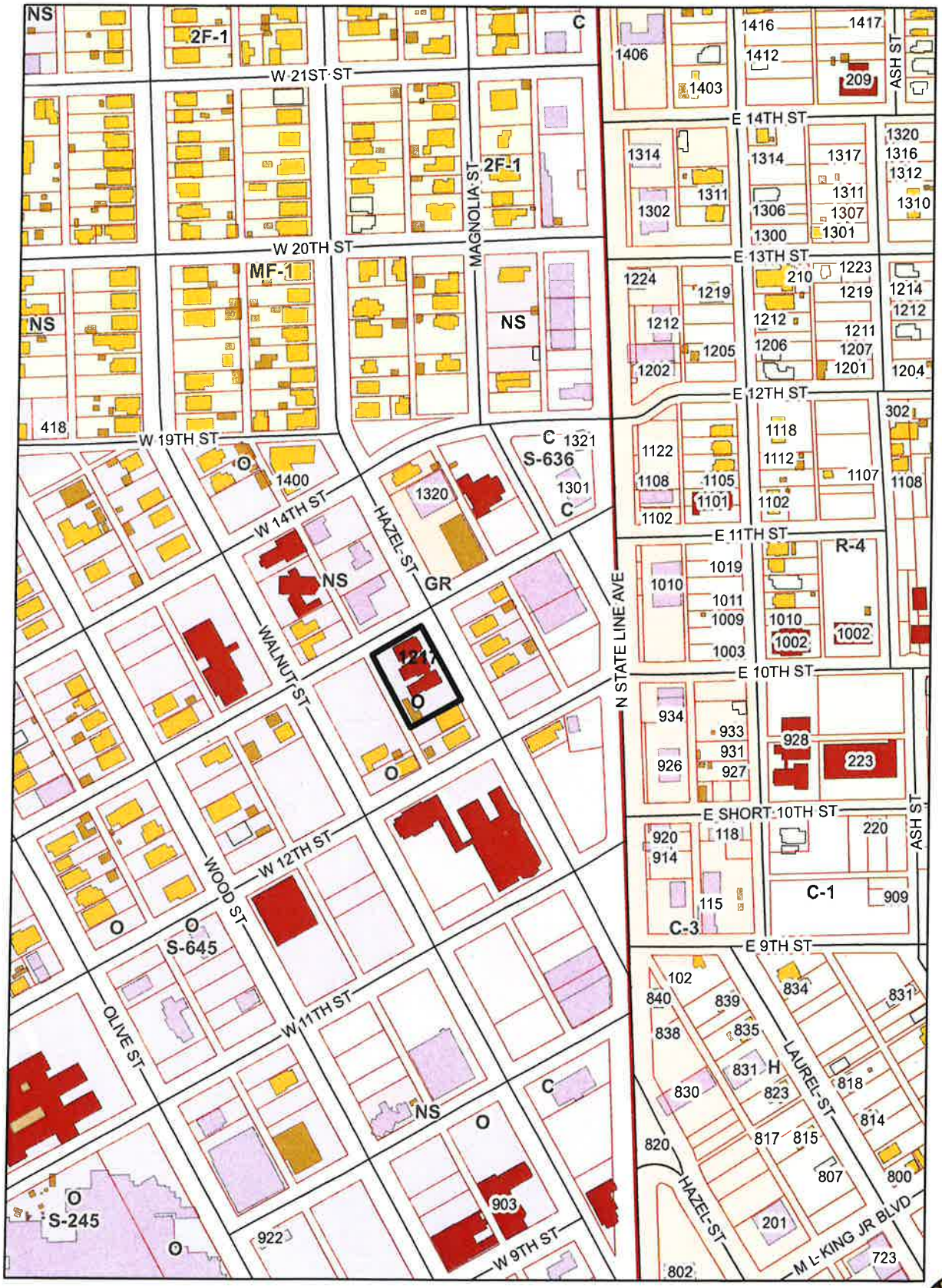
PASSED AND APPROVED in regular Council Session on this the **12th day of March 2018.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

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

1217 Hazel
Department of Planning and Community Development



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Attachment: 2018-005 ATTH 01 (Maps) (1769 : 2018-005 ORD granting SUP at 1217 Hazel Street)

1217 Hazel
Department of Planning and Community Development

N

1:2,000

Attachment: 2018-005 ATTH 01 (Maps) (1769 : 2018-005 ORD granting SUP at 1217 Hazel Street)

1217 Hazel St.

Department of Planning and Community Development

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

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

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

City of Texarkana, Texas

Version: B

Briefing Sheet

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

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

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

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

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

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

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

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

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Staff recommends for approval.

Advisory Board/Committee Review:

Planning and Zoning Commission.

City of Texarkana, Texas

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval.

Advisory Board/Committee Meeting Date and Minutes:

January 2, 2018

Attachments

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

Staff Coordination

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

Meeting History

01/22/18 City Council MOVED FORWARD Next: 02/12/18
David Orr briefed this agenda item.

Revoke S-447

ORDINANCE NO. 2018-006

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

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

WHEREAS, the City has determined that the residential treatment center for psychiatric, alcoholic or narcotic patients (men only) for which Specific Use Permit No. S-447 was issued is no longer in business at 1217 Hazel Street and that the premises are not being used for such business; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously five (5) to zero (0) to recommend** to the City Council of Texarkana, Texas, that **Specific Use Permit No. S-447 be revoked** on said property; and

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

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

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

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

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

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

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

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

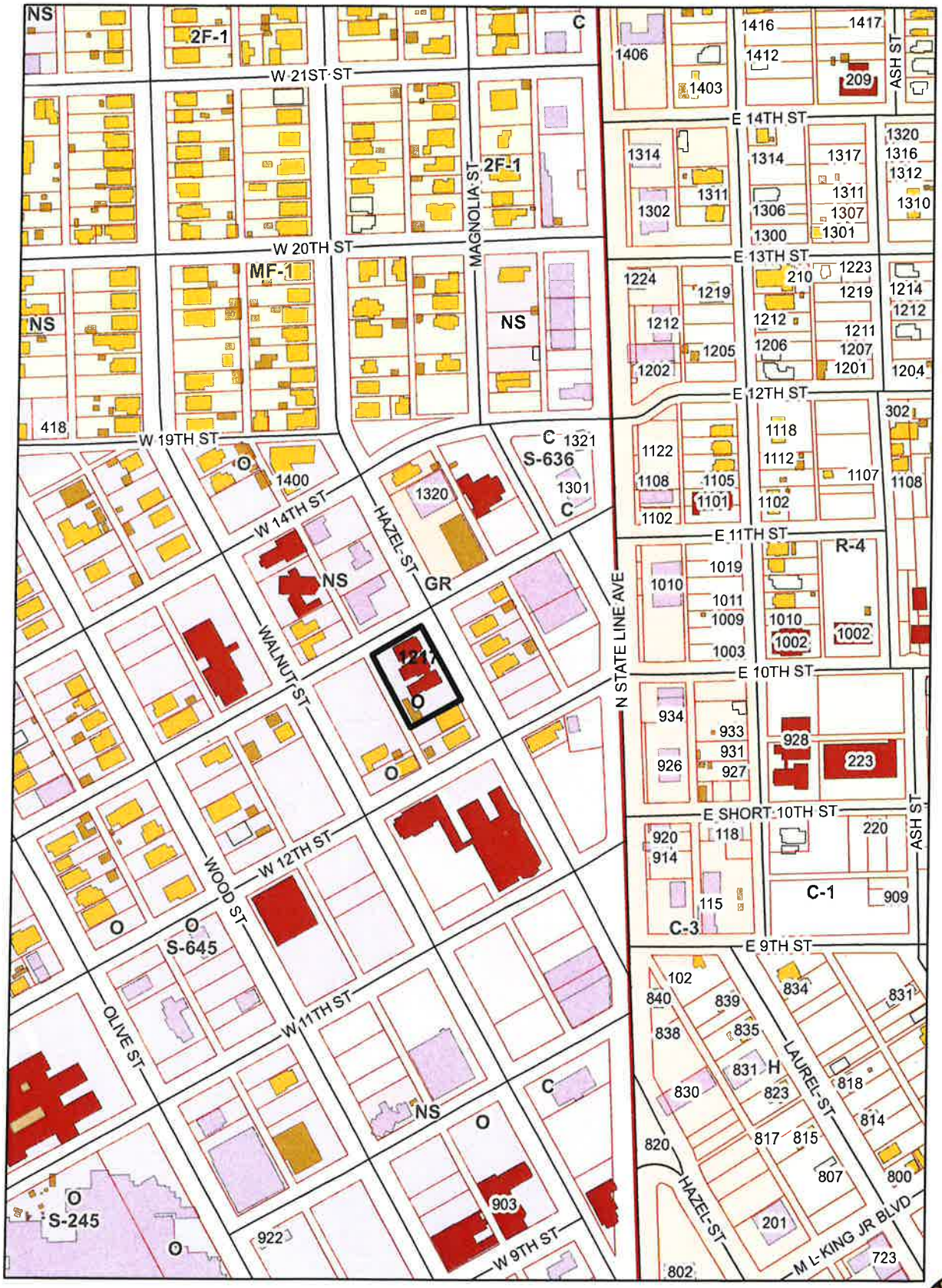
ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

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

1217 Hazel
Department of Planning and Community Development



N

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Attachment: 2018-006 ATTH 01 (Maps) (1770 : 2018-006 ORD revoking SUP at 1217 Hazel Street)

1217 Hazel
Department of Planning and Community Development

N

1:2,000

Attachment: 2018-006 ATTH 01 (Maps) (1770 : 2018-006 ORD revoking SUP at 1217 Hazel Street)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

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

City of Texarkana, Texas

Briefing Sheet

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

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

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

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

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

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

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

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

City of Texarkana, Texas

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

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval.

Advisory Board/Committee Meeting Date and Minutes:

January 2, 2018

Attachments

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

Staff Coordination

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

Meeting History

01/22/18 City Council MOVED FORWARD Next: 02/12/18
David Orr briefed this agenda item.

Z-18-3

ORDINANCE NO. 2018-007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOTS 13, 14 & ½ OF LOT 15, BLOCK 7, WATT'S ADDITION, LOCATED AT 2107 WEST 14TH STREET IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM MULTIPLE FAMILY-1 TO SINGLE FAMILY-3; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone Lots 13, 14 & ½ of Lot 15, Block 7, Watt's Addition, located at 2107 West 14th Street in the City of Texarkana, Bowie County, Texas, from **Multiple Family-1 to Single Family-3**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted five (5) to zero (0) to recommend the application for rezoning** from **Multiple Family-1 to Single Family-3 on Lots 13, 14 & ½ of Lot 15, Block 7, Watt's Addition, located at 2107 West 14th Street** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Multiple Family-1 to Single Family-3** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone Lots 13, 14 & ½ of Lot 15, Block 7, Watt's Addition, located at 2107 West 14th Street in the City of Texarkana, Bowie County, Texas, from **Multiple Family-1 to Single Family-3.**

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

Attachment: 2018-007 ORD rezoning 2107 West 14th Street (1771 : 2018-007 ORD rezoning at 2107 West 14th Street)

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

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

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

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2018-007 ORD rezoning 2107 West 14th Street (1771 : 2018-007 ORD rezoning at 2107 West 14th Street)

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

1:2,500

Attachment: 2018-007 ATTH 01 (Maps) (1771 : 2018-007 ORD rezoning at 2107 West 14th Street)

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

N

1:1,500

Attachment: 2018-007 ATTH 01 (Maps) (1771 : 2018-007 ORD rezoning at 2107 West 14th Street)

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

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

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

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

City of Texarkana, Texas

Briefing Sheet

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

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

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

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

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

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

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

Please see attached photographs of the proposed manufactured home.

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

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

Potential Options:

None

City of Texarkana, Texas

Fiscal Implications:

None

Staff Recommendation:

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

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

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

January 2, 2018

Attachments

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

Staff Coordination

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

City of Texarkana, Texas

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

Meeting History

01/22/18 City Council MOVED FORWARD Next: 02/12/18

David Orr briefed this agenda item.

S-684

ORDINANCE NO. 2018-008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-684 TO ALLOW THE LOCATION OF A DOUBLE WIDE HUD CODE MANUFACTURED HOME ON LOTS 13, 14 & ½ OF LOT 15, BLOCK 7, WATT'S ADDITION, LOCATED AT 2107 WEST 14TH STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the **location of a double wide HUD code manufactured home** on Lots 13, 14 & ½ of Lot 15, Block 7, Watt's Addition, located at 2107 West 14th Street, in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously five (5) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the location of a double wide HUD code manufactured home** on said property; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that granting the **Specific Use Permit** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit No. S-684 to allow the location of a double wide HUD code manufactured home on Lots 13, 14 & ½ of Lot 15, Block 7, Watt's Addition, located at 2107 West 14th Street** in the City of Texarkana, Bowie County, Texas.

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

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

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

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

SECTION 4: It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

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

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

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

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

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

1:2,500

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

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

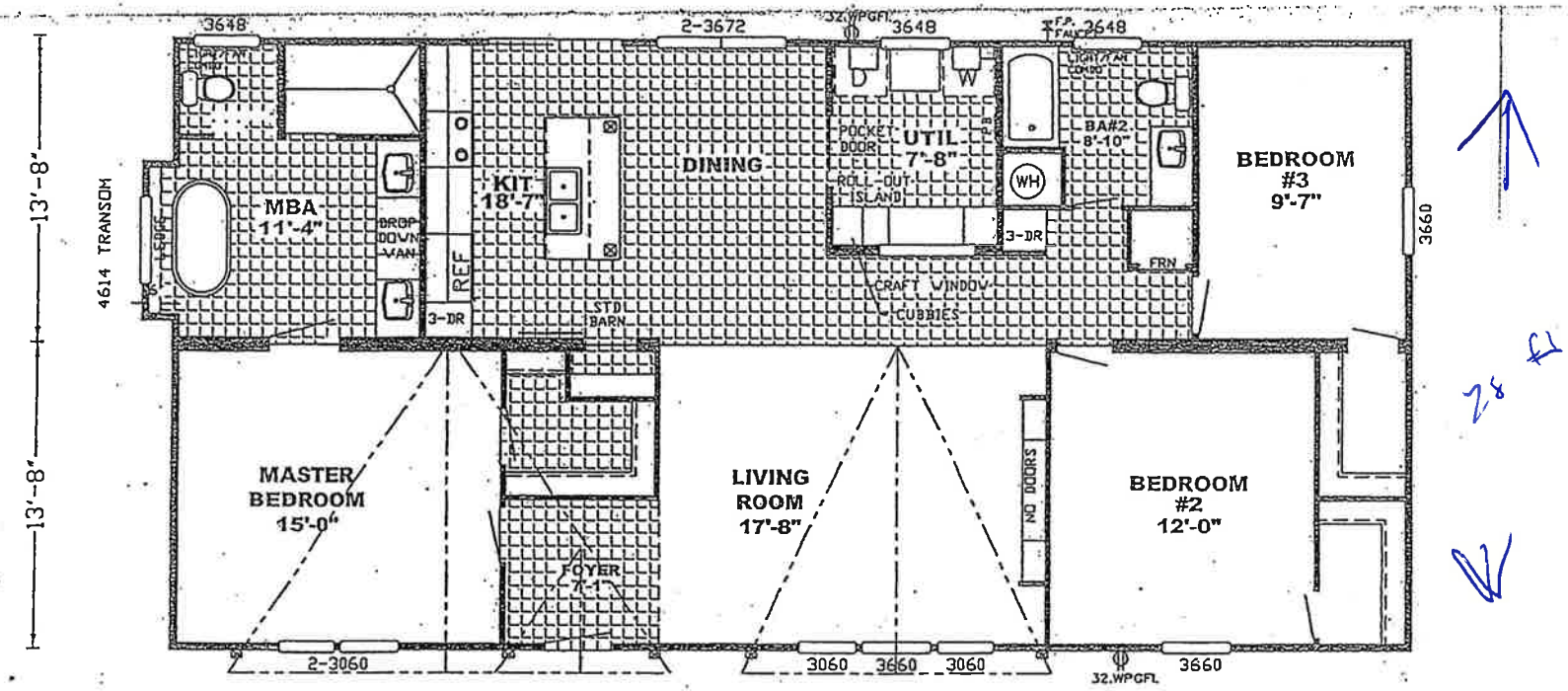
N

1:1,500

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

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

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



28 ft

** PATRIOT PLAN

56 ft

2017 or newer.

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

Attachment: 2018-008 ATTH 04 (Floor plan) (1772 : 2018-008 ORD granting SUP at 2107 West 14th Street)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

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

City of Texarkana, Texas

Briefing Sheet

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

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

Subject: Ordinance No. 2018-009 rezoning Lot 1, Block 2, Cooper Lane Estates, located in the 3700 block of Trotter Lane from Two Family-2 to Multiple Family-1. Robert Buford, applicant.

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

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

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

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

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

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

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

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

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

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval.

Advisory Board/Committee Meeting Date and Minutes:

January 2, 2018.

Attachments

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

Staff Coordination

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

Meeting History

01/22/18 City Council MOVED FORWARD Next: 02/12/18
David Orr briefed this agenda item.

Z-18-4

ORDINANCE NO. 2018-009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOT 1, BLOCK 2, COOPER LANE ESTATES, LOCATED IN THE 3700 BLOCK OF TROTTER LANE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM TWO FAMILY-2 TO MULTIPLE FAMILY-1; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone Lot 1, Block 2, Cooper Lane Estates, located in the 3700 block of Trotter Lane in the City of Texarkana, Bowie County, Texas, from **Two Family-2 to Multiple Family-1;** and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted five (5) to zero (0) to recommend the application for rezoning** from **Two Family-2 to Multiple Family-1 on Lot 1, Block 2, Cooper Lane Estates, located in the 3700 block of Trotter Lane** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Two Family-2 to Multiple Family-1** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone Lot 1, Block 2, Cooper Lane Estates, located in the 3700 block of Trotter Lane in the City of Texarkana, Bowie County, Texas, from **Two Family-2 to Multiple Family-1.**

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

Attachment: 2018-009 ORD rezoning 3700 blk. of Trotter Lane (1773 : 2018-009 ORD rezoning 3700 block of Trotter Lane)

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

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

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

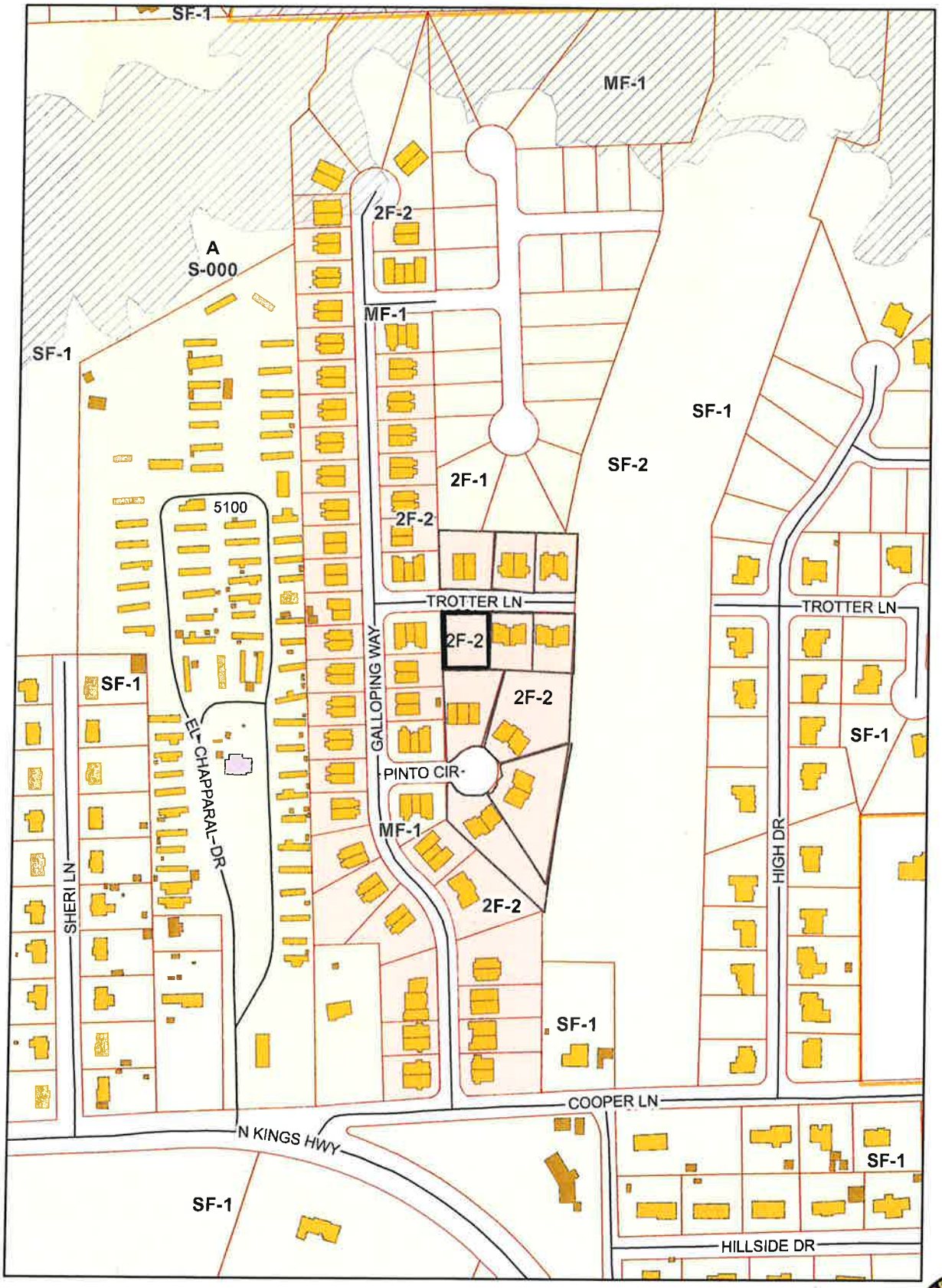
ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2018-009 ORD rezoning 3700 blk. of Trotter Lane (1773 : 2018-009 ORD rezoning 3700 block of Trotter Lane)

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



N

1:4,000

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

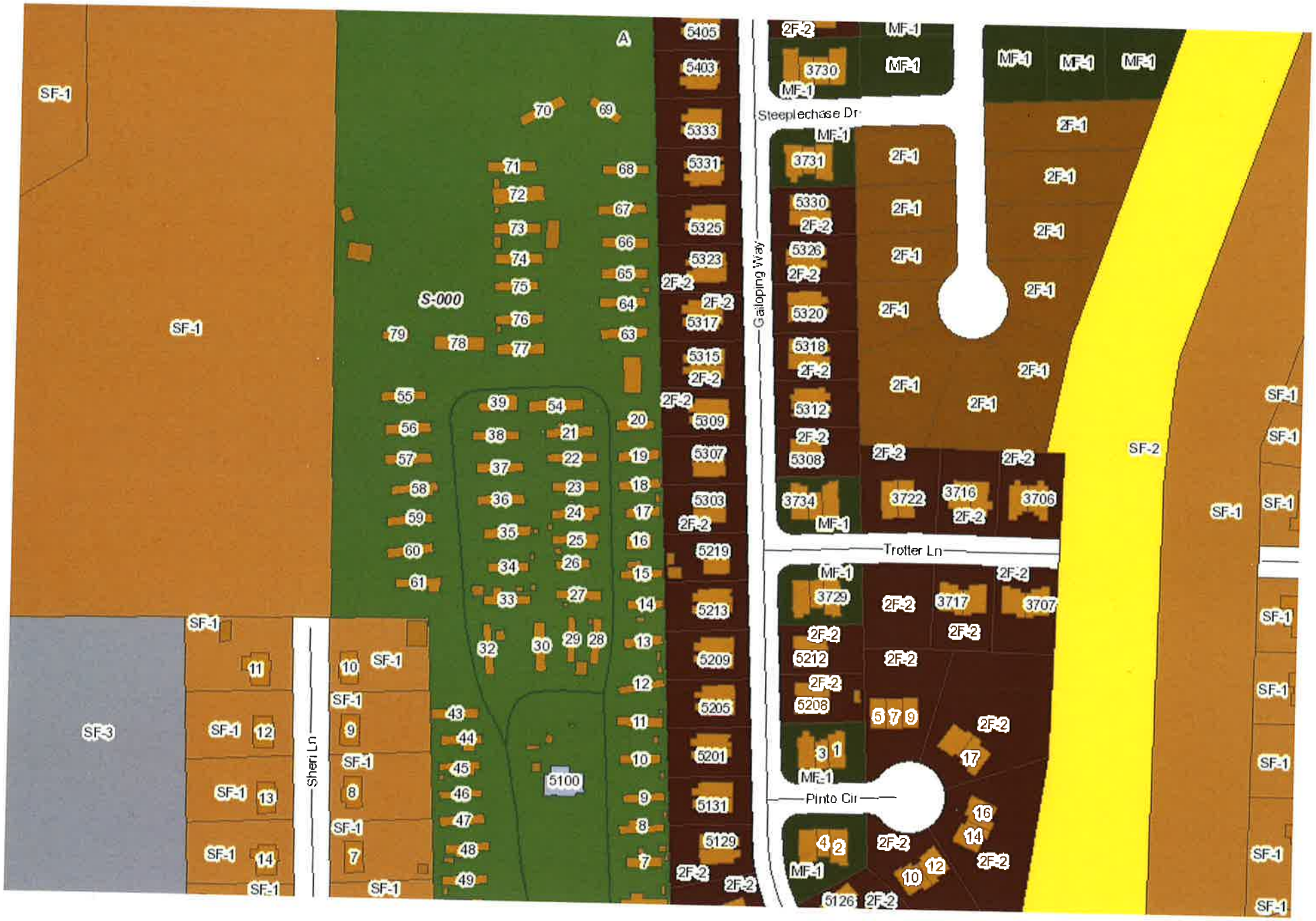
Lot 1, Block 2, Cooper Lane Estates
Department of Planning and Community Development

N

1:2,000

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

Texarkana Water Utility - GIS



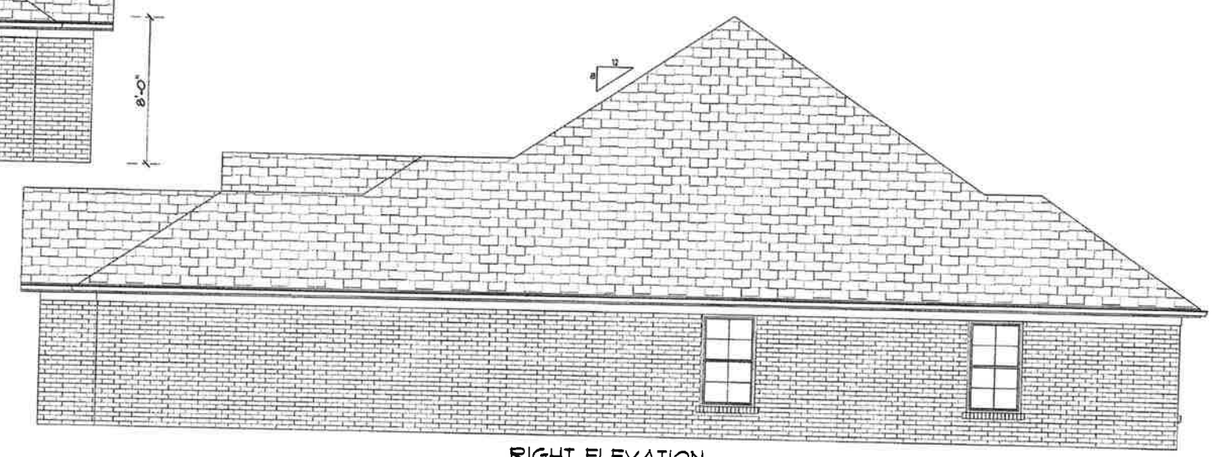
Attachment: 2018-009 ATTH 02 (Map showing other MF properties) (1773 : 2018-009 ORD rezoning 3700

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

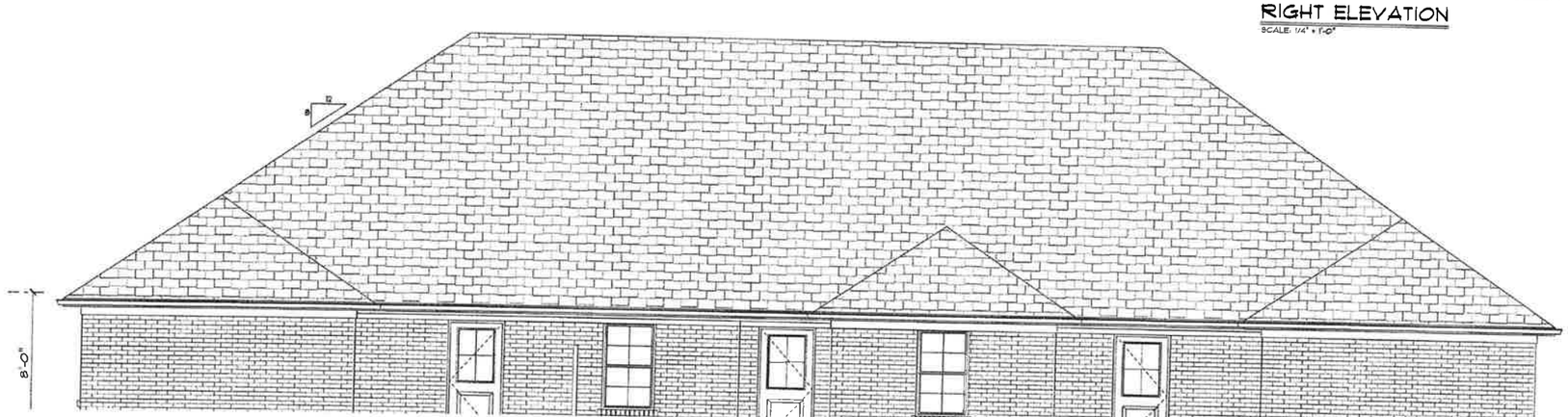
Attachment: 2018-009 ATTH 03 (Photo of property) (1773 : 2018-009 ORD rezoning 3700 block of Trotter

FRONT ELEVATION
SCALE: 1/4" = 1'-0"

LEFT ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



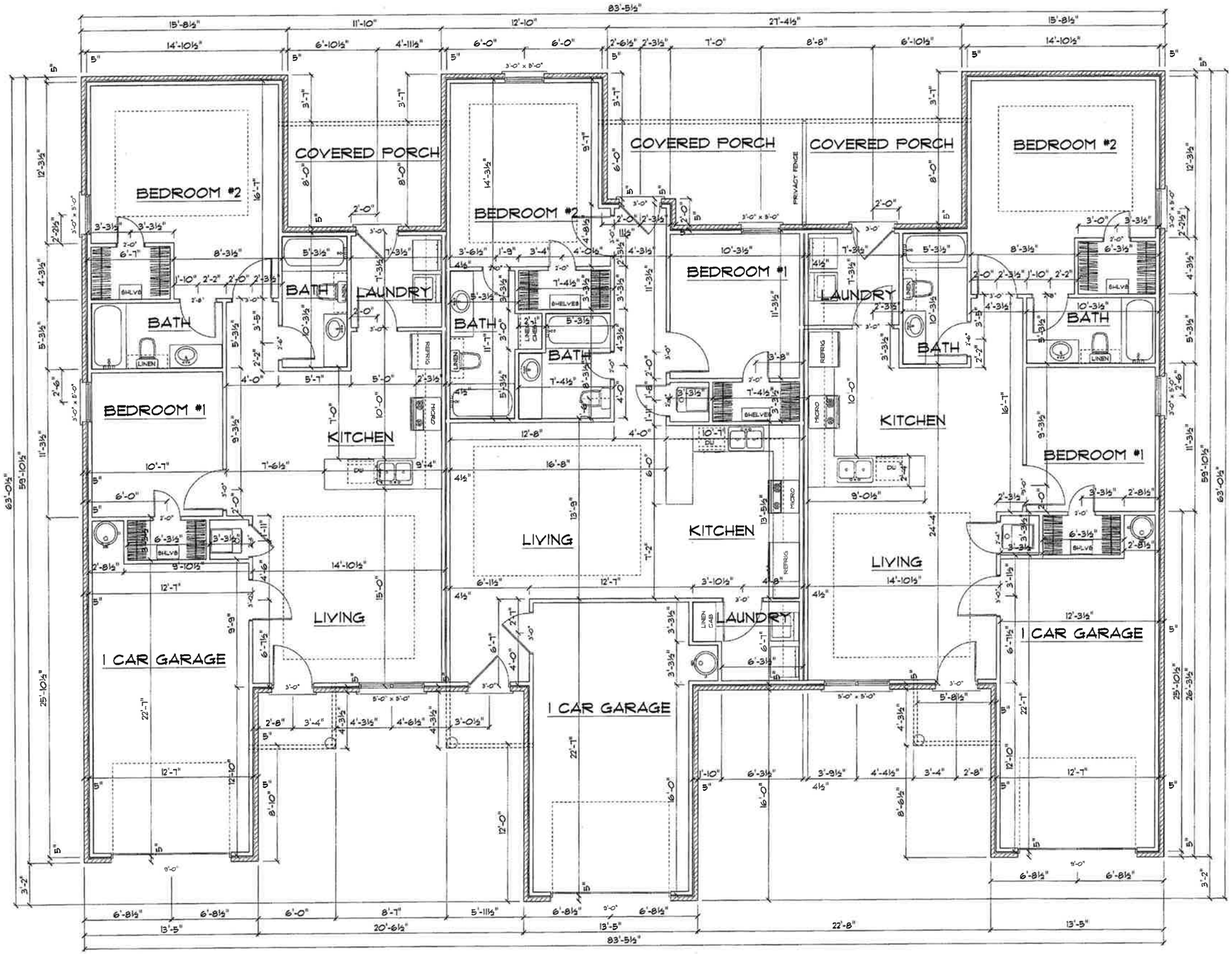
date sept, 2011

scale: 1/4" = 1'

plans for the
robert buford tri-plex

3500 fm 1398, hooks, texas 75561
903.547.9406

rickland



SIDE A
1035 SQ. FT. HEATED

SIDE B
1047 SQ. FT. HEATED

SIDE C
1035 SQ. FT. HEATED

TOTAL AREA 4422 SQ. FT.

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

date sept. 2017

scale: 1/4" = 1'

plans for the
robert buford tri-plex

3500 fm 1398, hooks, texas 75561
903.547.9406

strickland

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

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

Attachment: 2018-009 Goals & Perspectives (1773 : 2018-009 ORD rezoning 3700 block of Trotter Lane)

City of Texarkana, Texas

Version: C

Briefing Sheet

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

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

Item Schedule

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

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

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

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

Potential Options:

- Approve Omitting Ordinance
- Disapprove Omitting Ordinance

Fiscal Implications:

Not Applicable

Staff Recommendation:

Staff Recommends Approval

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

City of Texarkana, Texas

Not Applicable

Attachments

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

Staff Coordination

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

Meeting History

01/22/18 City Council MOVED FORWARD Next: 02/12/18
Mashell Daniel briefed this agenda item.

PUBLISH

ORDINANCE NO. 2018 – 014

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

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

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

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

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

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

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

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

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

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

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

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2018-014 Goals & Perspectives (1766 : 2018-014 ORD Omitting Section 105-333 (c) from Code of Ordinances)