CITY OF TEXARKANA

CITY COUNCIL

MINUTES ● FEBRUARY 13, 2017

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

220 TEXAS BLVD.
TEXARKANA, TX 75501

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

Attendee Name	Title	Status	Arrived
Bob Bruggeman	Mayor	Present	
Jean H. Matlock	Ward 1	Present	
Willie Ray	Ward 2	Present	
Betty Williams	Ward 3	Present	
Brian Matthews	Ward 4	Present	
Christy P. Paddock	Ward 5	Present	
Josh Davis	Ward 6	Present	

Staff Present: City Manager John Whitson, Vicky Coopwood, Shirley Jaster, Kristin Peeples, Kyle Dooley, Dustin Henslee, David Orr, Karey Parker, Ann Treadway, Rea Donna Jones, Robby Robertson, Eric Schlotter, J. D. Phillips, Lisa Thompson and Jerry Sparks.

Legal Counsel: Jeff Lewis

II. INVOCATION BY COUNCIL MEMBER DR. BRIAN MATTHEWS AND PLEDGE LED BY GIRL SCOUT TROOP 2061

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, February 27, 2017 at 6:00 p.m.
Monday, March 13, 2017 at 6:00 p.m.
Monday, March 27, 2017 at 6:00 p.m.

Parks & Recreation Events:

February 23rd & 24th 25th Annual Fishing Derby Spring Lake Park

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

Mayor Bruggeman attended the celebration for the complete renovation of St. Paul's Baptist Church in the Liberty Eylau community this past Saturday. Pastor Robertson and the congregation were commended on their beautiful building.

Mayor Bruggeman commended Girl Scout Troop Leader Trish Mitchell and the girl scouts for their community service library project. The project was called "Little Free Library Book Exchange".

Mayor Bruggeman welcomed Texas High School students from Mr. Littman's government class.

Appointments to Boards & Commissions

Council Member Paddock recommended the appointment of George Merrill as an alternate member to the Planning and Zoning Commission.

1. Motion to appoint George Merrill to the Planning and Zoning Commission.

(6:15 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Josh Davis, Ward 6
SECONDER:	Brian Matthews, Ward 4
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

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".

Mike Malone, President of the Texarkana Chamber of Commerce, addressed council regarding the Northeast Texas Regional Coalition Reception to be held in Austin on March 8, 2017.

V. ITEMS FOR CONSIDERATION

Consent Items

(6:18 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christy P. Paddock, Ward 5
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on January 23, 2017 at 6:00 PM.

2. Consider approval of the minutes of the Special Joint Meeting of the City Council, Riverbend Water Resources District, and Sulphur River Basin Authority held on January 10, 2017 at 6:00 PM.

3. Ordinance No. 2017-015 amending Ordinance No. 2016-086 concerning the fiscal year 2016-17 budget to allow for non-expended funds from the FY2015 Edward Byrne Memorial Justice Assistance Grant in the amount totaling $14,005.42.

   Public Hearing:
   Second Briefing:
   Council Vote: February 13, 2017

Action Items - None

VI. FIRST BRIEFINGS

1. Resolution No. 2017-010 authorizing the City Manager to enter into a contract with Mid-Continental Restoration Company, Inc. in an amount not to exceed Ninety-Nine Thousand Nine Hundred Seventy Dollars ($99,970.00) for the Millwood Water Treatment Plant settling basin concrete repairs.

   Public Hearing: February 27, 2017
   Second Briefing: March 13, 2017
   Council Vote: March 27, 2017

   J. D. Phillips briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 2/27/2017 6:00 PM**

2. Resolution No. 2017-011 approving the 2017 fiscal year Ark-Tex Council of Governments Homeland Security Grant submission to the Office of the Governor.

Public Hearing:
Second Briefing:
Council Vote: February 13, 2017

Eric Schlotter briefed this item.
(6:25 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Josh Davis, Ward 6
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

3. Resolution No. 2017-013 authorizing support for a Texas Department of Housing and Community Affairs (TDHCA) housing tax credit development application for the "Residences at Texarkana".

Public Hearing: February 27, 2017
Second Briefing: March 13, 2017
Council Vote: March 27, 2017

David Orr briefed this item. Len Vilicic, of NuRock Companies, gave a video presentation concerning the project.

RESULT:	**MOVED FORWARD**	**Next: 2/27/2017 6:00 PM**

4. Resolution No. 2017-014 authorizing the City Manager to enter into an addendum to Contract 16-2001-00 in an amount not to exceed $200,000.00 utilizing EPA Brownfields grant funds for the hazardous materials remediation of 203/205 W. Broad Street.

Public Hearing:
Second Briefing:
Council Vote: February 13, 2017

David Orr briefed this item.
(6:41 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christy P. Paddock, Ward 5
SECONDER:	Brian Matthews, Ward 4
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

5. Resolution No. 2017-016 approving and authorizing publication of notice of intention to issue certificates of obligation and declaring expectation to reimburse expenditures with proceeds of future debt.

Public Hearing:
Second Briefing:
Council Vote: February 13, 2017

Kristin Peeples briefed this item.
(6:43 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Betty Williams, Ward 3
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

VII. PUBLIC HEARINGS

1. Motion to move Ordinance No. 2017-007 up for council vote.

(6:45 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian Matthews, Ward 4
SECONDER:	Christy P. Paddock, Ward 5
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

2. Ordinance No. 2017-007 amending PD-85-1(GR) for site plan approval on a 1.781 acre tract of land being all of Tracts 5 and 5A in the Mary E. Willis Subdivision (proposed Lot 1, Richmond Road Runner Subdivision), located at 1632 Richmond Road. John D. Harris, applicant. MTG Engineers and Surveyors, agent.

Public Hearing: February 13, 2017
Second Briefing: February 27, 2017
Council Vote: March 13, 2017

Bob Murray, of MTG Engineers & Surveyors, asked council for an expedited vote on this item.
(6:47 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian Matthews, Ward 4
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

3. Motion to move Ordinance No. 2017-008 up for council vote.

(6:49 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian Matthews, Ward 4
SECONDER:	Willie Ray, Ward 2
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

4. Ordinance No. 2017-008 amending PD-99-9(C) for site plan approval on a 2.176 acre tract of land being part of Tract 339B in the Nancy Dycus HRS, A-145 (proposed Lot 1, Highway 67 Road Runner Subdivision), located at 4603 West 7th Street. John D. Harris, applicant. MTG Engineers and Surveyors, agent.

   Public Hearing: February 13, 2017
   Second Briefing: February 27, 2017
   Council Vote: March 13, 2017

   Bob Murray, of MTG Engineers & Surveyors, asked council for an expedited vote on this item.
   (6:50 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian Matthews, Ward 4
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

5. Motion to move Ordinance No. 2017-009 up for council vote.

   (6:51 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian Matthews, Ward 4
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

6. Ordinance No. 2017-009 revoking Specific Use Permit No. S-499 that permitted the location of the outdoor display of an above ground pool business on an approximate 0.637 acre tract of land in the Thomas Price HRS, A-466, located at 3314 New Boston Road. City of Texarkana, Texas, applicant.

   Public Hearing: February 13, 2017
   Second Briefing: February 27, 2017
   Council Vote: March 13, 2017

   There were no public comments made at this hearing.
   (6:52 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

VIII. SECOND BRIEFING WITH UPDATES - NONE

IX. SECOND BRIEFING WITHOUT UPDATES - NONE

X. ITEMS FOR DISCUSSION

Staff Updates

Staff had no updates for council.

XI. ADMINISTRATIVE COMMENTS

1. City Council

   Mayor Bruggeman said it was exciting to see progress moving along on the gateway welcome sign.

2. City Staff

   Staff had no administrative comments for council.

XII. ADJOURNMENT

1.

A motion was made to adjourn the meeting.
(6:54 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Willie Ray, Ward 2
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

Vicky Coopwood

Bob Bruggeman

Asst. City Secretary

Mayor

CITY OF TEXARKANA

CITY COUNCIL

MINUTES • JANUARY 23, 2017

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

220 TEXAS BLVD.
TEXARKANA, TX 75501

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

Attendee Name	Title	Status	Arrived
Bob Bruggeman	Mayor	Present	
Jean H. Matlock	Ward 1	Present	
Willie Ray	Ward 2	Present	
Betty Williams	Ward 3	Present	
Brian Matthews	Ward 4	Present	
Christy P. Paddock	Ward 5	Present	
Josh Davis	Ward 6	Present	

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

Legal Counsel: Jeff Lewis

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER CHRISTY PADDOCK

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, February 13, 2017 at 6:00 p.m.
Monday, February 27, 2017 at 6:00 p.m.

Parks & Recreation Events:

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

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

Mayor Bruggeman welcomed a Texas High School student from Mr. Littman's government class to the meeting.

Mayor Bruggeman congratulated Council Member Matthews for his well written article in this past Sunday's Texarkana Gazette on the subject of "Entrepreneurs".

Presentation - Update on Live United Bowl

Allen & Shelby Brown and Jerry and Vicki Huckabee thanked the council for its support of the Live United Bowl and presented the city with a commemorative coin.

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:	Christy P. Paddock, Ward 5
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on January 9, 2017 at 6:00 PM.

   Withdrawal of Consideration for Ward 3 Appointment - Johnny Riley

2. Consider approval of the minutes of the Joint City Committee Special Meeting of the City Council held on January 10, 2017 at 3:00 PM.

Action Items - None

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

VI. FIRST BRIEFINGS

1. Ordinance No. 2017-007 amending PD-85-1(GR) for site plan approval on a 1.781 acre tract of land being all of Tracts 5 and 5A in the Mary E. Willis Subdivision (proposed Lot 1, Richmond Road Runner Subdivision), located at 1632 Richmond Road. John D. Harris, applicant. MTG Engineers and Surveyors, agent.

   Public Hearing: February 13, 2017
   Second Briefing: February 27, 2017
   Council Vote: March 13, 2017

   David Orr briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 2/13/2017 6:00 PM**

2. Ordinance No. 2017-008 amending PD-99-9(C) for site plan approval on a 2.176 acre tract of land being part of Tract 339B in the Nancy Dycus HRS, A-145 (proposed Lot 1, Highway 67 Road Runner Subdivision), located at 4603 West 7th Street. John D. Harris, applicant. MTG Engineers and Surveyors, agent.

   Public Hearing: February 13, 2017
   Second Briefing: February 27, 2017
   Council Vote: March 13, 2017

   David Orr briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 2/13/2017 6:00 PM**

3. Ordinance No. 2017-009 revoking Specific Use Permit No. S-499 that permitted the location of the outdoor display of an above ground pool business on an approximate 0.637 acre tract of land in the Thomas Price HRS, A-466, located at 3314 New Boston Road. City of Texarkana, Texas, applicant.

   Public Hearing: February 13, 2017
   Second Briefing: February 27, 2017
   Council Vote: March 13, 2017

   David Orr briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 2/13/2017 6:00 PM**

VII. PUBLIC HEARINGS

1. Motion to move Resolution No. 2017-002 up for council vote.

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

(6:20 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Willie Ray, Ward 2
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

2. Resolution No. 2017-002 designating the portion of West 3rd Street, from Oak Street to Main Street, as "Scott Joplin Way" to coincide with 2017 planned centennial celebrations honoring Scott Joplin.

   Public Hearing: January 23, 2017
   Second Briefing: February 13, 2017
   Council Vote: February 27, 2017

   The resolution was adopted with the following amendment: "That the portion of the West 3rd Street corridor from Oak Street to State Line Avenue be officially designated as **Scott Joplin Way**...." Carolyn Collins-Miles thanked council for granting the amendment and expediting the vote on this resolution.
   (6:21 p.m.)

RESULT:	**ADOPTED AS AMENDED [UNANIMOUS]**
MOVER:	Christy P. Paddock, Ward 5
SECONDER:	Willie Ray, Ward 2
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

3. Motion to move Resolution No. 2017-004 up for council vote.

   (6:24 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christy P. Paddock, Ward 5
SECONDER:	Brian Matthews, Ward 4
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

4. Resolution No. 2017-004 authorizing the City Manager to enter into a contract for the member cities ground storage tank repairs for Texarkana Water Utilities in an amount not to exceed $198,155.95.

   Public Hearing: January 23, 2017
   Second Briefing: February 13, 2017
   Council Vote: February 27, 2017

   There were no public comments made at this hearing.
   (6:24 p.m.)

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian Matthews, Ward 4
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

5. Motion to move Ordinance No. 2017-005 up for council vote.

(6:26 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian Matthews, Ward 4
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

6. Ordinance No. 2017-005 granting a Specific Use Permit for an in-home adult day care on the north 40' of Lot 7 and the south 1/2 of Lot 8, Block 14, Rochelle Heights Addition, located at 3700 Olive Street. Darlene Ndogo, applicant.

Public Hearing: January 23, 2017
Second Briefing: February 13, 2017
Council Vote: February 27, 2017

Darlene Ndogo thanked council for the expedited vote on this ordinance.
(6:26 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian Matthews, Ward 4
SECONDER:	Willie Ray, Ward 2
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

VIII. SECOND BRIEFING WITH UPDATES - NONE

IX. SECOND BRIEFING WITHOUT UPDATES - NONE

X. ITEMS FOR DISCUSSION

Staff Updates

City Manager Whitson announced promotions of the following staff:

Kyle Dooley - Deputy City Manager
Shirley Jaster - Deputy City Manager
Dustin Henslee - Public Works Director

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

Mashell Daniel - Director of Inspections
Keith Lee - Senior Building Official
Lisa Thompson - Communications and Marketing Manager

The two Deputy City Managers will oversee the daily operations of the city. Mr. Dooley will be responsible for operations pertaining to Parks & Wellness, Public Works, Fire Department and Police Department. Ms. Jaster will be responsible for development services pertaining to Inspections Department, Planning & Community Development, and Municipal Court. Both Mr. Dooley & Ms. Jaster are enrolled in the Certified Public Managers program at University of Texas in Arlington.

The adjustment of various city staff will help to move the city forward and allow the City Manager to concentrate on other areas of city business such as, improving the city's bond rating, capital improvement plan projects, strategic planning and regional water issues. Mr. Whitson added that all 14 capital improvement plan projects are progressing and on schedule.

Council Member Paddock asked what are the financial implications with the staff reorganization. Mr. Whitson said costs were increased because of the raises but one position was eliminated in the Public Works Department with the promotion of Mashell Daniel. There was a net increase within the various budgets but not very significant.

Council Member Davis requested a written total cost of the financial implications associated with the staff reorganization. Mr. Whitson said he would provide the total costs to the council in one document.

Mayor Bruggeman thanked Mr. Whitson for his forward thinking and preparing city employees for the future.

XI. ADMINISTRATIVE COMMENTS

1. City Council

   Mayor Bruggeman said he noticed construction underway for the new gateway welcome sign. Council will be looking forward to that project completion. Mayor Bruggeman welcomed Council Member Williams to her first full city council meeting as the newest member of the council.

2. City Staff

   Mr. Whitson reminded everyone that the retirement farewell for Lynn Henry is scheduled for Monday, January 30th at 3:00 p.m. The festivities will be held on the second floor outside of the council chambers.

XII. ADJOURNMENT

A motion was made to adjourn the meeting.
(6:39 p.m.)

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Willie Ray, Ward 2
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/2/2017 8:46 AM

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

Subject: Consider approval of the minutes of the Special Joint Meeting of the City Council, Riverbend Water Resources District, and Sulphur River Basin Authority held on January 10, 2017 at 6:00 PM.

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Potential Options:

- None
-

Fiscal Implications:

None

Staff Recommendation:

To accept the minutes as presented.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. RWRD-SRBA-CityofTexarkana_Joint Meeting_01102017_MINUTES (RTF)

MINUTES

SPECIAL JOINT MEETING
CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS

BOARD OF DIRECTORS OF THE SULPHUR RIVER BASIN AUTHORITY

BOARD OF DIRECTORS OF THE RIVERBEND WATER RESOURCES DISTRICT

TUESDAY, JANUARY 10, 2017
6:00 P.M.

TEXARKANA CONVENTION CENTER
BALLROOM B
2910 SOUTH COWHORN CREEK LOOP
TEXARKANA, TX 75503

I. CALL TO ORDER, ROLL CALL, & INTRODUCTIONS - Mayor Bob Bruggeman, Marshall Wood, Presiding Officer of SRBA (absent), and Steve Mayo, respectively, for each entity.

City Council Present:	Bob Bruggeman, Mayor Jean Matlock, Ward 1 Betty Williams, Ward 3 Dr. Brian Matthews, Ward 4 Christy Paddock, Ward 5 Josh Davis, Ward 6
Staff Present:	City Manager John Whitson Jennifer Evans Rea Donna Jones
Legal Counsel Present:	Jeff Lewis

II. INVOCATION – Council Member Dr. Brian Matthews

Attachment: RWRD-SRBA-CityofTexarkana_Joint Meeting_01102017_MINUTES (1600 : Joint City Meeting SRBA/RWRD Minutes 011017)

III. ITEMS OF DISCUSSION

A. ***A History of Leading Up to the Joint Meeting – Steve Mayo***

Mr. Mayo provided an overview of events leading up to the joint meeting. Currently, all the Bowie County cities have good inter-relationships and are stronger as they work together.

B. ***What is Being Done Right Now Affecting Lake Wright Patman and the Sulphur River Basin and What Are Our Mutual Goals? – Liz Fazio Hale***

Discussion of the current state of Water Planning in Sulphur River Basin, including:

1. Status Update on Reallocation of Lake Wright Patman.

    a. 2016 Region D Plan – The state of Texas undertakes water planning on a cyclical basis every five years through a bottom-up process through 16 regions across the state that incorporate local water supply and demands. Texas' population is expected to increase more than 70 percent between 2020 and 2070. In 2020, there is a potential water shortage of 4.8 million acre-feet per year and in 2070 a shortfall of 8.9 million acre-feet per year in drought of record conditions.
    b. 2017 State Water Plan – The 2017 State Water Plan identifies more than 2,500 water management strategy projects that would provide additional water supply needed to meet this future demand. The cost for implementing the 2017 State Water Plan is $63 billion. Each of these projects is to be implemented at the regional level by local entities.
    c. Mediation Agreement between Regions C and D – The state placed a moratorium on funding any projects in Region C or D because of a conflict in the state water plan related to the Marvin Nichols resovoir. The mediation agreement ended pushing that resovoir off until 2070. Region C agreed to support Region D on looking for funds as an alterntive to the Marvin Nichols resovoir. Additionally, Region D agreed, as an entity, to not object to the status of Marvin Nichols as a state designated resovoir location. Reaching this agreement has enabled both regions to be eligible to receive funding.

2. Status Update of Sulphur River Basin Feasibility Study, including the current scope of the study, studies conducted/current findings, funding, and timeline of completion. – It was believed that the original scope of the feasibility study was to identify all available water to meet the needs of Region C going forward. It has since been narrowed to focus on reallocation with Lake Wright Patman. Information is continually being sought from the Corps of Engineers and the Sulphur River Basin Authority to more specifically define and detail the scope of the study. Funding for the feasibility study is currently through the metroplex and an entity known as the Joint Commission on Planning and Development (JCPD). The timeline for completion has not been met (three years) and therefore an extension is being sought.

Attachment: RWRD-SRBA-CityofTexarkana_Joint Meeting_01102017_MINUTES (1600 : Joint City Meeting SRBA/RWRD Minutes 011017)

3. Status Update on Regional Water Master Plan. – In 2016, Riverbend undertook to develop an extensive Regional Water Master Plan that quantifies this region's actual water demand and supply through population projections, municipal and industrial demands for potable and raw water, agricultural demands, and environmental flow demands. This data is designed to feed directly into the regional water planning process for inclusion in the State Water Plan.

C. ***How Can We Be Partners Regarding Lake Wright Patman Studies, Better Communicating With One Another and Combining Efforts? - Panel***

Discussions are moving forward with all entities working together as partners in a collaborative and communicative manner to protect and manage regional water resources, including identifying any opportunities to do joint studies, projects, etc. Meetings continue with the local area mayors. These meetings help to foster trust and keep all cities moving in the same direction. Riverbend is continuing to move forward with its goal of protecting Wright Patman's water rights.

IV. PUBLIC COMMENTS

1. George Frost, Region D Water Board Vice Chairman, made comments.
2. Gabe Tarr, TexAmericas Board Member, made comments.
3. Michael Green, 17 year resident in Texarkana area, made comments.
4. Charlene Granbury, Cass County resident, made comments.
5. Sarah Whitaker, representative of International Paper, made comments.
6. Baker Bledsoe, Cass County resident, made comments.
7. Nancy Clements, Cass County resident, made comments.

V. NEXT MEETING

Riverbend Water Resources District will host a town hall meeting on Tuesday, January 31, 2017 at 6:00 p.m. at the Texarkana Convention Center, 2910 So. Cowhorn Creek Loop, Texarkana, Texas. Guest Speaker will be Susan Roth. Topic of discussion for this public input session is "Regional Master Water Plan".

VI. ADJOURNMENT

Motion made by: Jean Matlock, Ward 1
Second made by: Dr. Brian Matthews, Ward 4

The meeting was adjourned at 7:53 p.m.

Attachment: RWRD-SRBA-CityofTexarkana_Joint Meeting_01102017_MINUTES (1600 : Joint City Meeting SRBA/RWRD Minutes 011017)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 2/14/2017 1:22 PM

Lead Department: Police **Action Officer:** Kevin Schutte,

Subject: Ordinance No. 2017-015 amending Ordinance No. 2016-086 concerning the fiscal year 2016-17 budget to allow for non-expended funds from the FY2015 Edward Byrne Memorial Justice Assistance Grant in the amount totaling $14,005.42.

	Public	Second	Council
Briefing: 2/13/2017	**Hearing:**	**Briefing:**	**Vote:** 2/13/2017

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The police department applied for and received the FY2015 Edward Byrne Memorial Justice Assistance Grant. Those funds were allocated for the FY2016 City of Texarkana Texas budget. All funds awarded were expended with the exception of $14,005.42 due to product availability issues. At this time, the product is available for purchase. The police department is requesting to move the non-expended $14,005.42 to the Law Enforcement Block Grant Fund (217) of the FY 2017 City of Texarkana Texas Budget.

Potential Options:

- NONE
-

Fiscal Implications:

Increase of $14,005.42 of non-expended FY2016 grant funds allocated to FY2017 Budget

Staff Recommendation:

Staff recommends pulling the non-expended funds forward and allocating the funds to FY2017 Budget.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2017-015 ORD FY2017 Budget Amendment (DOC)
b. 2017-015 ORD FY2017 budget amendment signed (PDF)
c. 2017-015 Goals & Perspectives (DOCX)

Staff Coordination

Police	Dan Shiner	Department Head Review	Completed	02/07/2017 3:30 PM
Purchasing and Contracting	Sharon Moore	Purchasing Review	Completed	02/07/2017 3:35 PM
Finance Department	Kristin Peeples	Finance Review	Completed	02/08/2017 8:04 AM
Deputy City Manager - Shirley Jaster Review	Shirley Jaster	Deputy City Manager	Completed	02/08/2017 8:39 AM
Deputy City Manager - Kyle Dooley Review	Kyle Dooley	Deputy City Manager	Completed	02/08/2017 11:18 AM
Public Information Officer	Lisa Thompson	PIO Review	Completed	02/08/2017 12:00 PM
City Manager	John Whitson	City Manager Review	Completed	02/08/2017 3:02 PM
City Council	Jennifer Evans	Meeting	Completed	02/13/2017 6:00 PM

Meeting History

ORDINANCE NO. 2017 - 015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGET EXPENDITURES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017 TO APPROPRIATE ADDITIONAL GRANT FUNDING IN THE AMOUNT OF FOURTEEN THOUSAND FIVE DOLLARS AND FORTY-TWO CENTS ($14,005.42) BEING NON-EXPENDED GRANT FUNDS ALLOCATED FOR THE FY2016 BUDGET; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the police department did not expend all of the Edward Byrne Memorial Justice Assistance Grant funds allocated in the FY 2016 budget; and

WHEREAS, the non-expended funds in the amount of **FOURTEEN THOUSAND FIVE DOLLARS AND FORTY-TWO CENTS ($14,005.42)** must be pulled forward and allocated to the Law Enforcement Block Grant Fund (217) of the FY2017 budget; and

WHEREAS, the budget for the fiscal year ending September 30, 2017 should be amended to reflect the allocation of said non-expended funds.

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

SECTION 1: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2016 and ending September 30, 2017, be amended to reflect additional expenditures with the addition of **FOURTEEN THOUSAND FIVE DOLLARS AND FORTY-TWO CENTS ($14,005.42)** of non-expended FY 2016 grant funds.

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of February, 2017**.

ATTEST:

_____ _____

VICKY COOPWOOD, ASST. CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-015 ORD FY2017 Budget Amendment [Revision 2] (1602 : 2017-015 ORD Amending FY2017 Police Department Budget)

ORDINANCE NO. 2017 - 015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGET EXPENDITURES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017 TO APPROPRIATE ADDITIONAL GRANT FUNDING IN THE AMOUNT OF FOURTEEN THOUSAND FIVE DOLLARS AND FORTY-TWO CENTS ($14,005.42) BEING NON-EXPENDED GRANT FUNDS ALLOCATED FOR THE FY2016 BUDGET; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the police department did not expend all of the Edward Byrne Memorial Justice Assistance Grant funds allocated in the FY 2016 budget; and

WHEREAS, the non-expended funds in the amount of **FOURTEEN THOUSAND FIVE DOLLARS AND FORTY-TWO CENTS ($14,005.42)** must be pulled forward and allocated to the Law Enforcement Block Grant Fund (217) of the FY2017 budget; and

WHEREAS, the budget for the fiscal year ending September 30, 2017 should be amended to reflect the allocation of said non-expended funds.

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

SECTION 1: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2016 and ending September 30, 2017, be amended to reflect additional expenditures with the addition of **FOURTEEN THOUSAND FIVE DOLLARS AND FORTY-TWO CENTS ($14,005.42)** of non-expended FY 2016 grant funds.

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of February, 2017**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-015 ORD FY2017 budget amendment signed (1602 : 2017-015 ORD Amending FY2017 Police Department Budget)

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: 2017-015 Goals & Perspectives (1602 : 2017-015 ORD Amending FY2017 Police Department Budget)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/20/2017 10:59 AM

Lead Department: Water Utilities **Action Officer:** Gary Smith,

Subject: Resolution No. 2017-010 authorizing the City Manager to enter into a contract with Mid-Continental Restoration Company, Inc. in an amount not to exceed Ninety-Nine Thousand Nine Hundred Seventy Dollars ($99,970.00) for the Millwood Water Treatment Plant settling basin concrete repairs.

	Public	Second	Council
Briefing: 3/27/2017	**Hearing:** 2/27/2017	**Briefing:** March 13, 2017	**Vote:** 3/27/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Bids were received Tuesday, January 24, 2017 for the Millwood Water Treatment Plant (WTP) Settling Basin Concrete Repairs Project. Six (6) contractors picked up bid packages for the project and two bids were received. Mid-Continental Restoration Company, Inc of Fort Worth, Texas was the apparent low bidder with a low bid of $99,970.00. Funds are available for this project in the Utility's 2016-2017 Budget in the Millwood Depreciation Fund. The project will consist of repairing several areas of deteriorated concrete and cracks on the settling basins at our Millwood WTP in Ashdown, Arkansas. There will be a total of 540 linear feet of crack sealant and 136 square feet of spalled area repairs. Mid-Continental Restoration Company, Inc has satisfactorily completed several jobs for the Utility including the Wright Patman North Clearwell Concrete Repairs and the Wright Patman WTP Settling Basin Crack Repairs.

Potential Options:

- None

Fiscal Implications:

This project will repair several areas of spalled/deteriorated concrete and cracks on the settling basins at the Millwood WTP in Ashdown, Arkansas. The repairs will not only help extend the life of the basins, but will help improve the functioning of the water treatment plant. Funds are available in the Millwood Depreciation Fund. The Texas portion of this project is $62,611.21.

Staff Recommendation:

Utility staff recommends approval.

Advisory Board/Committee Review:
NONE

Board/Committee Recommendation:
NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:
NOT APPLICABLE

Attachments

a. 2017-010 RES Millwood WTP Settling Basin Repairs (DOCX)
b. 2017-010 ATTH01 Millwood WTP Basin Repairs (DOC)
c. 2017-010 ATTH02 Millwood WTP Basin Repairs (PDF)
d. 2017-010 Goals & Perspectives (DOCX)

Staff Coordination

Water Utilities	Gary Smith	Department Head Review	Completed	02/01/2017 10:02 AM
Water Utilities	Jim Cornelius	Review	Completed	02/01/2017 10:09 AM
Water Utilities	JD Phillips	Review	Completed	02/01/2017 10:14 AM
Public Information Officer	Lisa Thompson	PIO Review	Completed	02/01/2017 10:19 AM
City Manager	John Whitson	City Manager Review	Completed	02/05/2017 4:45 PM
City Council	Jennifer Evans	Meeting	Completed	02/13/2017 6:00 PM

Meeting History

RESOLUTION NO. 2017-010

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 MID-CONTINENTAL RESTORATION COMPANY, INC. OF FORT WORTH, TEXAS FOR THE MILLWOOD WTP SETTLING BASIN CONCRETE REPAIRS, IN AN AMOUNT WITH THE TEXAS PORTION NOT TO EXCEED SIXTY TWO THOUSAND SIX HUNDRED ELEVEN AND 21/100 DOLLARS ($62,611.21) AND THE TOTAL AMOUNT NOT TO EXCEED NINETY NINE THOUSAND NINE HUNDRED SEVENTY AND 00/100 DOLLARS ($99,970.00); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on January 24, 2017, two (2) bids were received, a copy of which is attached hereto as **ATTH01**, by Texarkana Water Utilities for the Millwood WTP – Settling Basin Concrete Repairs Project which will consist of repairing several areas of deteriorated concrete and cracks on the settling basins at the Millwood Water Treatment Plant in Ashdown, Arkansas; and

WHEREAS, the project will consist of repairing approximately 540 linear feet of cracks and 136 square feet of spalled/deteriorated concrete and related appurtenances; and

WHEREAS, the lowest and best bid by a responsible vendor for this project was submitted by Mid-Continental Restoration Company, Inc. of Fort Worth, Texas, a copy of which is attached hereto as **ATTH02** in an amount not to exceed $99,970; and

WHEREAS, funds are currently available in the Texarkana Water Utilities 2015-2016 Budget in the Millwood Depreciation Fund in the amount of $99,970 with the Texas portion being $62,611.21.

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 Mid-Continental Restoration Company, Inc. of Fort Worth, Texas, a copy of which is attached hereto as **ATTH02** be and is hereby approved in an amount with the Texas portion not to exceed $62,611.21 and the total amount not to exceed $99,970.00 for the installation of approximately 540 linear feet of crack repair and 136 square feet of spalled/deteriorated concrete repair and related appurtenances for the Millwood WTP – Settling Basin Concrete Repairs.

SECTION 2: That the City Manager be and is authorized to contract with Mid-Continental Restoration Company, Inc. of Fort Worth, 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 **27th day of March, 2017**.

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-010 RES Millwood WTP Settling Basin Repairs [Revision 1] (1595 : 2017-010 RES Millwood WTP settling basin concrete

2017-010 ATTH01

Bid Tabulation

MILLWOOD WTP
SETLLING BASIN CONCRETE REPAIRS
Project 61/62-000-135112-A/T131620

2:00 P.M. Tuesday, January 24, 2017

	Base Bid
1. Mid-Continental Restoration Co., Inc. Fort Worth, Texas	$ 99,970.00
2. J R Pope Company, Inc. Texarkana, Texas	$198,975.00
3. H & H Concrete Texarkana, Arkansas	No Bid
4. TEC, Inc. Texarkana, Texas	No Bid
5. Champion Coating, Inc. Savage, Minnesota	No Bid
6. Heritage Constructors, Inc. Texarkana, Texas	No Bid

Time First Bid Opened: 2:00 P.M.

Number of Bidders: Two

Apparent Low Bidder: Mid-Continental Restoration Co., Inc.

BIDTAB

Attachment: 2017-010 ATTH01 Millwood WTP Basin Repairs (1595 : 2017-010 RES Millwood WTP settling basin concrete repairs)

Bid Tabulation
MILLWOOD WTP
SETTLING BASIN CONCRETE REPAIRS

Project No. 61/62-000-135112-A/T131719
JANUARY 24, 2017 @ 2:00

BASE BID:							
				Mid-Continental Inc.		*J R Pope Company, Inc.*	
				Fort Worth, TX		*Texarkana, TX*	
Item	**Quantity**	**Unit**	**Description**	**Amount**	**Total**	**Amount**	**Total**
1	1	LS	Mobilization, Bonds, and Submittals	$22,500.00	$22,500.00	$20,000.00	$20,000.00
2	540	LF	Crack Repair	$97.00	$52,380.00	$300.00	$162,000.00
3	45	GAL	SikaFix HH LV	$74.00	$3,330.00	$75.00	$3,375.00
4	136	SF	Concrete Patch	$160.00	$21,760.00	$100.00	$13,600.00
			TOTAL BASE BID		**$99,970.00**		**$198,975.00**

Attachment: 2017-010 ATTH02 Millwood WTP Basin Repairs (1595 : 2017-010 RES Millwood WTP settling basin concrete repairs)

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: 2017-010 Goals & Perspectives (1595 : 2017-010 RES Millwood WTP settling basin concrete repairs)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 2/14/2017 1:19 PM

Lead Department: Fire Department **Action Officer:** Eric Schlotter, Fire Chief

Subject: Resolution No. 2017-011 approving the 2017 fiscal year Ark-Tex Council of Governments Homeland Security Grant submission to the Office of the Governor.

Briefing: 2/13/2017	**Public Hearing:**	**Second Briefing:**	**Council Vote:** 2/13/2017

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

The State of Texas through the Office of the Governor has provided grant opportunities for cities to enhance their operational capacity and safety in regard to acts of terrorism. The grant program is titled under Homeland Security and is administered by way of the local Council of Governments. The City of Texarkana has received many grants from this program in recent years. This year we have applied for ballistic vests to be carried on fire apparatus and a remote camera that can be used under doors and in confined spaces. The camera will be assigned to the Special Operations group with the police department. The ballistic vests will be used to protect firefighters who respond to dangerous situations where there is a need for our personnel to enter an unstable environment to provide emergency medical treatment.

Potential Options:

- List or "None"
-

Fiscal Implications:

The Homeland Security Grant is a 100% reimbursed grant and as such has no financial impact on the City.

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. 2017-011 Goals & Perspectives (DOCX)
b. 2017-011 RES Approving grant application to ARTEX signed (PDF)
c. 2017-011 RES Approving Grant Application to ARTEX (DOC)

Staff Coordination

Fire Department	Eric Schlotter 01/30/2017 4:01 PM	Department Head Review	Completed	
Deputy City Manager - Kyle Dooley	Kyle Dooley 01/31/2017 1:28 PM	Review	Completed	
Finance Department	Kristin Peeples	Finance Review	Completed	01/31/2017 1:54 PM
Deputy City Manager - Shirley Jaster Review	Shirley Jaster Completed	01/31/2017 3:28 PM	Assistant City Manager	
Public Information Officer	Lisa Thompson 01/31/2017 3:30 PM	PIO Review	Completed	
City Manager	John Whitson	City Manager Review	Completed	02/05/2017 4:48 PM
City Council	Jennifer Evans	Meeting	Completed	02/13/2017 6:00 PM

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2017-011 Goals & Perspectives (1596 : 2017-011 RES Approving Grant Application to ARTEX Council of Governments)

RESOLUTION NO. 2017 - 011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE FISCAL YEAR 2017 ARK-TEX COUNCIL OF GOVERNMENTS HOMELAND SECURITY GRANT PROJECT SUBMISSION TO THE OFFICE OF THE GOVERNOR; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council finds the First Responder Safety project to be operated from January 1, 2017 through September 30, 2017 to be in the best interest of the citizens of Texarkana; and

WHEREAS, the City Council agrees to return, in full, any grant funds lost or otherwise misused to the Office of the Governor; and

WHEREAS, the City Council designates Mayor Bob Bruggeman as the grantee's authorized official; and

WHEREAS, the authorized official is granted the authority to apply for, reject, alter or terminate the grant on behalf of the applicant agency.

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

SECTION 1: That the First Responder Safety Project submission to the Office of the Governor is approved.

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 **13th day of February, 2017**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-011 RES Approving grant application to ARTEX signed (1596 : 2017-011 RES Approving Grant Application to ARTEX Council

Attachment: 2017-011 RES Approving Grant Application to ARTEX [Revision 2] (1596 : 2017-011 RES Approving Grant Application to ARTEX

RESOLUTION NO. 2017 - 011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE FISCAL YEAR 2017 ARK-TEX COUNCIL OF GOVERNMENTS HOMELAND SECURITY GRANT PROJECT SUBMISSION TO THE OFFICE OF THE GOVERNOR; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council finds the First Responder Safety project to be operated from January 1, 2017 through September 30, 2017 to be in the best interest of the citizens of Texarkana; and

WHEREAS, the City Council agrees to return, in full, any grant funds lost or otherwise misused to the Office of the Governor; and

WHEREAS, the City Council designates Mayor Bob Bruggeman as the grantee's authorized official; and

WHEREAS, the authorized official is granted the authority to apply for, reject, alter or terminate the grant on behalf of the applicant agency.

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

SECTION 1: That the First Responder Safety Project submission to the Office of the Governor is approved.

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 **13th day of February, 2017**.

ATTEST:

_____ _____

VICKY COOPWOOD, ASST. CITY SECRETARY BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 3/3/2017 3:11 PM

Lead Department:	Planning and Community Development	**Action Officer:**	David Orr, Planning & Community Development Director
Subject:	Resolution No. 2017-013 authorizing support for a Texas Department of Housing and Community Affairs (TDHCA) housing tax credit development application for the "Residences at Texarkana".		

Briefing:	3/13/2017	**Public Hearing:**	2/27/2017	**Second Briefing:**	March 13, 2017	**Council Vote:**	3/27/2017

Item Schedule

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

Updates/History of Briefing:

None

Executive Summary and Background Information:

The City of Texarkana, Texas, has received requests for resolutions of support for the Texas Department of Housing and Community Affairs (TDHCA) 2017 Competitive 9% Housing Tax Credits Competition. The proposed developments include:

Heritage Pines located at 4015 New Boston Road application #17701
Residences at Texarkana located at 1521 Moores Lane application # 17703

Potential Options:

- None
-

Fiscal Implications:

None. Applicant is requesting in-kind support in the form of staff time.

Staff Recommendation:

The proposed Housing Tax Credit Application is not located within the City's designated revitalization areas, CDBG Consolidated Action Plan Target Areas or the Rosehill Community Revitalization Plan. Furthermore, the property will need to request rezoning for the proposed multi-family use and the process as not been initiated at this time. As a result, staff recommends issuing a resolution of no Support for this application.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2017-013 Goals & Perspectives (DOCX)
b. 2017-013 RES No Objection for Residences at Texarkana (DOCX)
c. 2017-013 RES Support for Residences at Texarkana (DOCX)
d. 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (PDF)
e. 2017-013 ATTH 02 Legal Descr - Moores Lane (DOCX)
f. 2017-013 ATTH 03 Map - Ward 6 (PDF)
g. 2017-013 ATTH 04 Moores ln site (JPG)
h. 2017-013 ATTH 05 TDHCA Applications Notification 2017 (PDF)
i. 2017-013 ATTH 07 Citizen Petition & e-mails (PDF)
j. 2017-013 ATTH 08 Residences at Texarkana withdrawal (MSG)
k. 2017-013 ATTH 06 Support Resolution info for Residences at Texarkana (MSG)

Staff Coordination

Planning and Community Development Review	Completed	David Orr 02/01/2017 8:31 AM	Department Head Review	
Deputy City Manager - Shirley Jaster Review	Completed	Shirley Jaster 02/01/2017 3:41 PM	Assistant City Manager	
Public Information Officer	02/01/2017 3:45 PM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	02/05/2017 4:53 PM
City Council	Jennifer Evans	Meeting	Completed	02/13/2017 6:00 PM

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	☐	Promote an Environmentally Sensitive & Livable Community
		Provide a Safe Community
	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: 2017-013 Goals & Perspectives (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at Texarkana)

RESOLUTION NO. 2017-013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, DECLARING NO OBJECTION FOR THE SUBMISSION OF AN APPLICATION TO THE 2017 COMPETITIVE HOUSING TAX CREDIT (HTC) PROGRAM THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) BY MOORES HOUSING PARTNERS, LTD., FOR THE PROJECT KNOWN AS "RESIDENCES AT TEXARKANA" LOCATED AT 1521 MOORES LANE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Moores Housing Partners, Ltd. has proposed a development for affordable rental housing at 1521 Moores Lane named "Residences at Texarkana" in the City of Texarkana, Texas; and

WHEREAS, Moores Housing Partners, Ltd. has communicated that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2017 Competitive 9% Housing Tax Credits for "Residences at Texarkana".

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

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 has no objection to the proposed "Residences at Texarkana" located at 1521 Moores Lane (TDHCA # 17703), confirms that its governing body has voted specifically to issue no objection to 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, 2017.

Section 3. In accordance with §11.9(d)(2) of the QAP, the city hereby commits to an in-kind contribution to the housing in the form of an in-kind contribution such as a grant or contribution of other value for the benefit of the housing.

Section 4. This support does not relinquish any procedures or rights the city might have in the rezoning process for the "Residences at Texarkana" property, nor does it alleviate any requirement of Moores Housing Partners, Ltd. to submit and follow all applicable applications, procedures and policies with the city and the Planning and Zoning Commission.

Attachment: 2017-013 RES No Objection for Residences at Texarkana (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Section 5. 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 6. 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 **27th day of March, 2017**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-013 RES No Objection for Residences at Texarkana (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Attachment: 2017-013 RES Support for Residences at Texarkana (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences

RESOLUTION NO. 2017-013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, SUPPORTING THE SUBMISSION OF AN APPLICATION TO THE 2017 COMPETITIVE HOUSING TAX CREDIT (HTC) PROGRAM THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) BY MOORES HOUSING PARTNERS, LTD., FOR THE PROJECT KNOWN AS "RESIDENCES AT TEXARKANA" LOCATED AT 1521 MOORES LANE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Moores Housing Partners, Ltd. has proposed a development for affordable rental housing at 1521 Moores Lane named "Residences at Texarkana" in the City of Texarkana, Texas; and

WHEREAS, Moores Housing Partners, Ltd. has communicated that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2017 Competitive 9% Housing Tax Credits for "Residences at Texarkana".

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

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 supports the proposed "Residences at Texarkana" located at 1521 Moores Lane (TDHCA # 17703), confirms that its governing body has voted specifically to approve 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, 2017.

Section 3. In accordance with §11.9(d)(2) of the QAP, the city hereby commits to an in-kind contribution to the housing in the form of an in-kind contribution such as a grant or contribution of other value for the benefit of the housing.

Section 4. This support does not relinquish any procedures or rights the city might have in the rezoning process for the "Residences at Texarkana" property, nor does it alleviate any requirement of Moores Housing Partners, Ltd. to submit and follow all applicable applications, procedures and policies with the city and the Planning and Zoning Commission.

Section 5. 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 6. 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 **27th day of February, 2017**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-013 RES Support for Residences at Texarkana (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences

RESIDENCES AT TEXARKANA

Residences at Texarkana is a proposed 88 unit multifamily community for households of all ages, located on 8.2 acres at 1521 Moores Lane, Texarkana, Texas.

Project Description:

3-story suburban garden style buildings, plus clubhouse, all a combination of brick, stone, and fiber-cement siding.

16 one bedroom - 1 bath units @ ~700 square feet, rents from $243 to $548
44 two bedroom - 2 bath units @ ~950 square feet, rents from $282 to $647
28 three bedroom - 2 bath units @ ~1,100 square feet, rents from $401 to $941

(Rents for units will be based on residents' income)

Site Features:

- On-site management & maintenance
- Fully-equipped fitness center
- Community room with full kitchen
- Flex-room and library
- Fenced with controlled gated access
- Swimming pool & playground
- Picnic areas with BBQ
- Some covered parking

Attachment: 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Unit Features:

- Energy saving features including:
  - 14 SEER AC with programmable thermostat
  - Energy Star rated lights and appliances
  - Energy Star rated windows with screens
  - Passive solar features
- 9-foot ceilings
- Designer kitchen with pantry
- Full-size washer/dryer connections
- Ceiling Fans in living and bedrooms
- Walk-in closets
- Water-conserving fixtures

Services:

- Award-winning BreakOut™ youth program
- Crime watch
- Annual health fair
- Nutritional courses
- Notary service
- Exercise classes
- Financial counseling
- Book clubs
- Income tax preparation
- Pot-lucks & game nights
- Movie nights & birthday parties

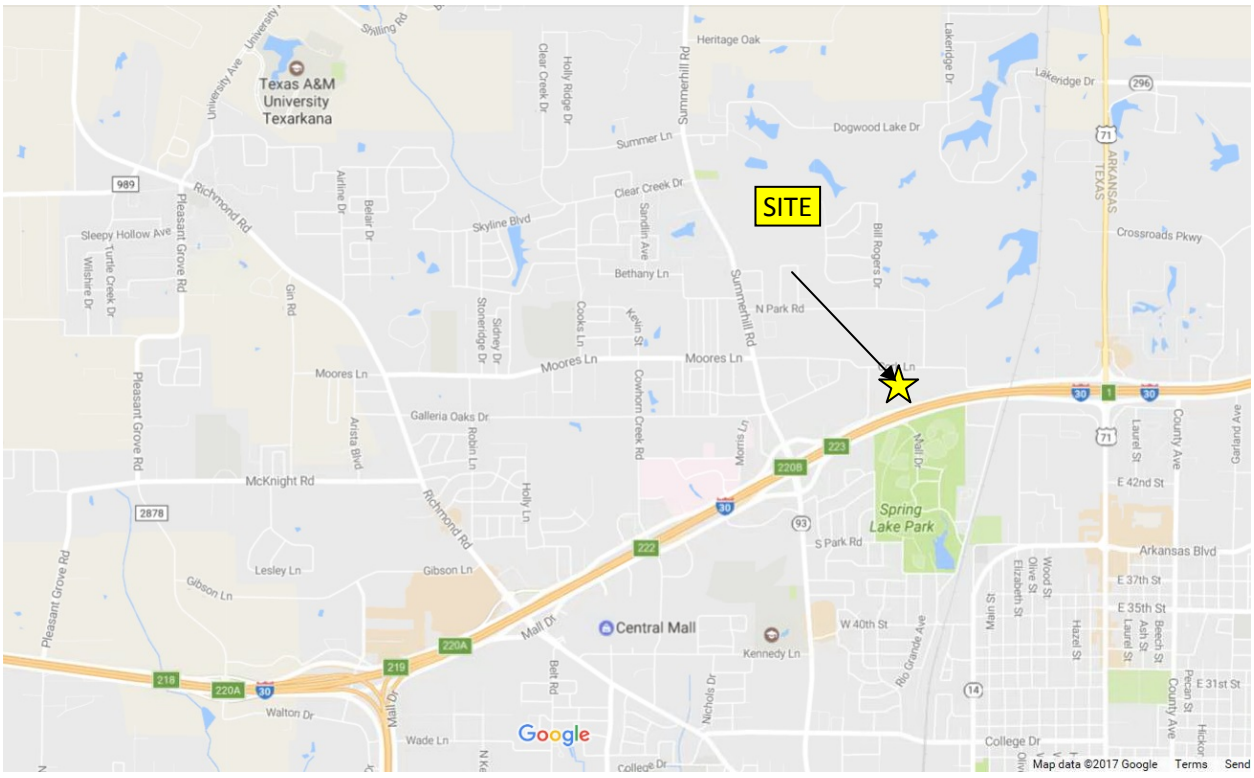
Attachment: 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Economics:

- Overall project cost – $13,690,000
- Sources of Funds
  - Debt from conventional lender
  - Equity from sale of housing tax credits
- Creation of ~100 jobs during construction
- Creation of ~4 permanent jobs after construction
- Permitting and fees to Texarkana
- Property taxes paid annually to Texarkana

Location:

Residences at Texarkana is conveniently located on the I-30 service road, giving it easy access to all the shops, restaurants, and health facilities off the freeway. Just south is the Spring Lake Park recreation area. Downtown Texarkana is a few minutes south. Texas A&M Texarkana is a short 3 miles to the northwest and Texarkana College is 2 miles to the southwest.



Attachment: 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Housing tax credits are federal income tax credits. They are sold to large publicly traded companies like Google, J.P. Morgan/Chase, and General Motors. These companies are betting they will make money over the next ten years and can apply these credits to their federal income tax bill. The local effect is the input of over $9,800,000 of equity into the local economy. The Statewide effect of the annual allocation of over $60 million of tax credits is an influx of over half a billion dollars of equity into the state each year.

This project will create short term construction jobs, as well as permanent jobs for operation of the property, and increase local business. According to the National Home Builders there are 3 phases of economic impact from construction of housing. First, there is the construction phase, which adds an average of $52,430 to the local economy and $4,000 to local taxes (both property and sales taxes) per house or apartment. Next is the first year's impact which adds $24,150 to the local economy and $3,530 in taxes. Finally there is the ongoing impact adding $23,570 to the local economy and an average of $4,270 in tax revenue. How does this happen? Contractors hire local labor, house employees locally, buy materials and pay fees. The construction workers eat, buy gas and shop locally. The long term effects are because residents use banks, car repair, dry cleaners, day care, dentists, electricity, lawyers, and medical services, read newspapers and eat out, among other things. Additionally, *Residences at Texarkana* will pay property taxes to the City, County, and the School District.

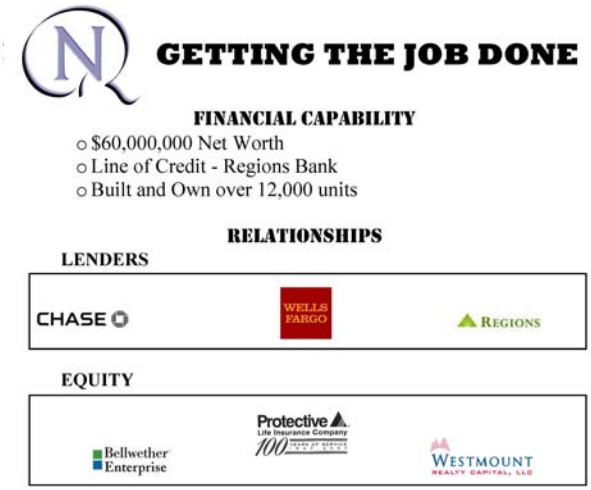
Attachment: 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

The NuRock Companies

Since its inception over twenty years ago, The NuRock Companies ("NuRock"), has been built on the expertise of its people to develop, operate and manage the highest quality housing and supplement that housing. Quite simply, NuRock's product is service --- service delivered with a commitment to excellence. Our successes are based on attention to detail and a dedication to quality, both accomplished while anticipating and satisfying the demands of the marketplace and focusing on the needs of our residents.

NuRock's operations encompass all aspects of real estate activity, including acquisition analysis, development support, construction, property management, governmental regulatory compliance services, and due diligence support work. Additionally NuRock provides our award winning Breakout™ after school and summer program for resident's children at no cost to the resident.

With over 8,000 units in its portfolio, NuRock is one of the largest developers, owners and managers of multifamily housing in the southwest. NuRock has the financial capability, banking, mortgage and equity relationships to complete any multifamily project from the acquisition and rehabilitation of an affordable property to construction of luxury lofts over retail.



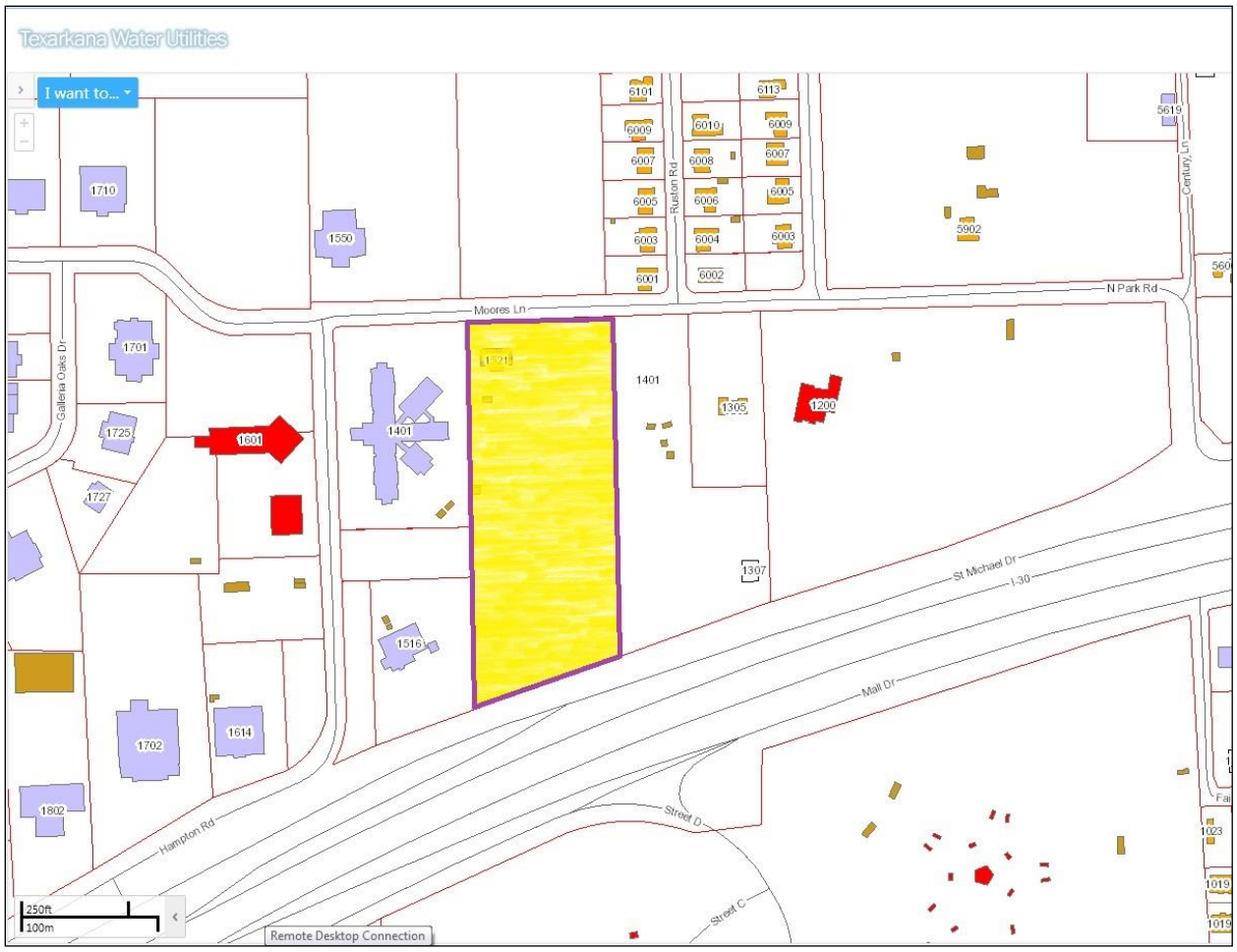
The NuRock Companies
4925 Greenville Avenue
Suite 1305
Dallas, TX 75206
(972) 573-3400

Attachment: 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

EXHIBIT "A"

Legal Description

A part of Willis Oldham A-458 subdivision, Block/Tract 28, Bowie County, Texarkana, Texas.

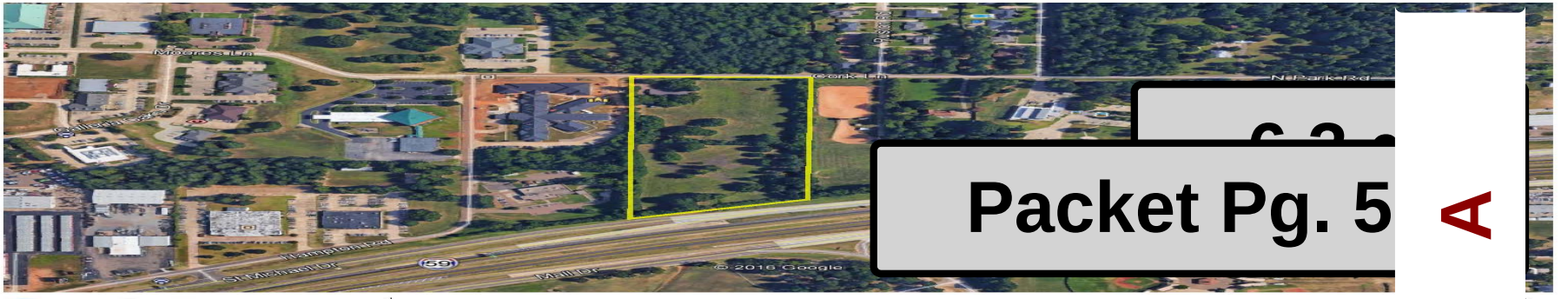


Attachment: 2017-013 ATTH 02 Legal Descr - Moores Lane (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Texarkana, TX - Ward 6

SITE
Residences at Texarkana

Attachment: 2017-013 ATTH 03 Map - Ward 6 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at Texarkana)


Morris Ln
Clark Ln
Nebraska Rd
St Michael Dr
Hampton Rd
59
Miller
© 2016 Google
Google Earth
feet
meters
2000
600

A

Texas Department of Housing and Community Affairs
Multifamily Finance Division
Notification of Submission of Affordable Housing Applications

January 20, 2017

RECEIVED
JAN 30 2017
BY:

The Honorable Bob Bruggeman
Mayor of Texarkana
P.O. Box 1967
Texarkana, TX 75504-1967

Re: Notification of Affordable Rental Housing Application(s) Proposed in Your City

Dear Mayor Bruggeman:

The Texas Department of Housing and Community Affairs (the "Department") is in receipt of a preliminary application(s) for possible funding through the Competitive Housing Tax Credit Program to develop or acquire affordable multifamily rental housing in your community.

This notification is made in accordance with Tex. Gov't Code §2306.1114 to ensure that you are fully informed of the housing activity in your district and so that you can provide input on the proposed application(s) if you so choose. The Department greatly values your views concerning the need for affordable rental housing within your community and how the proposed development(s) may address that need. Additionally, state law provides an opportunity for the applicable local jurisdiction (the city and/or county)to affect the scoring of an application by issuing a local resolution of support or neutrality in accordance with Tex. Gov't Code §2306.6710(b)(1)(B). In order to affect the scoring of an application within its jurisdiction, the local government resolution must be submitted on or before March 1, 2017, identify the specific development, and clearly state support or no objection. Once submitted, the resolution cannot be withdrawn or amended. More information can be found on page 25 of the 2017 Qualified Allocation Plan found at http://www.tdhca.state.tx.us/multifamily/docs/17-QAP.pdf

Should the applicant(s) submit a full application to the Department on or before March 1, 2017, the Department will notify you again with more detailed information about the proposed development and provide provide information related to general public comment including statewide hearings The Department's mission is to administer its assigned programs efficiently, transparently, and lawfully and to invest its resources strategically while developing high quality affordable housing which allows Texas communities to thrive. Through our rental production programs, the Department encourages the new construction or rehabilitation of affordable multifamily housing, primarily through private developers. These developments benefit Texans in your community by providing potential employment, local tax revenue, and affordable, safe, and high quality housing for eligible households.

If you have any questions or need additional information, please contact Michael Lyttle, Chief of External Affairs, at 512.475.4542 or michael.lyttle@tdhca.state.tx.us.

Sincerely,

Marni Holloway

Marni Holloway
Director, Multifamily Finance

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
221 East 11th Street, Austin, TX 78701
PO Box 13941, Austin, TX 78711
Main Number: 512-475-3800
Toll Free: 1-800-525-0657
Email: info@tdhca.state.tx.us
Web: www.tdhca.state.tx.us
Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities.
Relay Texas: 800-735-2989 (TTY) and 711 (Voice).

Attachment: 2017-013 ATTH 05 TDHCA Applications Notification 2017 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Relevant Development Information as Presented by the Applicant:

Project Number: 17701

Development Name: Heritage Pines

Development Address: 4015 New Boston Rd

Development City: Texarkana **Development Zip:** 75501 **Region:** 4

Regional Allocation: Urban **Target Population:** Elderly Limitation

Set Aside: ☐ Nonprofit ☐ USDA ☐ At-Risk

Construction Type: New Construction

Credit/ Funding Request: $1,050,506

Total Low Income Units: 80 **Total Market Rate Units:** 16 **Total Units:** 96

Applicant Information:

Owner Contact: Len Vilicic

Owner Address: 4925 Greenville Ave, Ste. 1305

Owner City: Dallas **Owner State:** TX **Owner Zip:** 75206

Owner Phone: (972) 573-3400

Owner Email: lvilicic@nurock.com

Attachment: 2017-013 ATTH 05 TDHCA Applications Notification 2017 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Relevant Development Information as Presented by the Applicant:

Project Number:	17703				
Development Name:	Residences at Texarkana				
Development Address:	1521 Moores Lane				
Development City:	Texarkana	**Development Zip:**	75503	**Region:**	4
Regional Allocation:	Urban	**Target Population:**	General		
Set Aside:	☐ Nonprofit ☐ USDA ☐ At-Risk				
Construction Type:	New Construction				
Credit/ Funding Request:	$1,050,506				
Total Low Income Units:	88	**Total Market Rate Units:**	0	**Total Units:**	88

Applicant Information:

Owner Contact:	Len Vilicic				
Owner Address:	4925 Greenville Ave, Ste. 1305				
Owner City:	Dallas	**Owner State:**	TX	**Owner Zip:**	75206
Owner Phone:	(972) 573-3400				
Owner Email:	lvilicic@nurock.com				

Attachment: 2017-013 ATTH 05 TDHCA Applications Notification 2017 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Rec'd - Vicky Coopwood

Neighbors Against Multi-family Development
1201 Moores Lane

RECEIVED
FEB 27 2017
BY:

Whereas, NuRock Companies, an Atlanta Georgia developer, proposes to construct a tax credit multi-family residential facility at 1201 Moores Lane. Whereas, the undersigned citizens who reside in the vicinity of proposed development oppose the development for the following reasons:

1) the development will negatively impact the property values in the vicinity.
2) the street infrastructure adjacent to the property was not designed to handle the additional traffic.
3) similar developments by NuRock in Texas have resident complaints of poor management.

The undersigned request the City Council to reject the proposed NuRock development located at 1201 Moores Lane.

Name	Address	Signature
Marsha Burris	6007 Ruston Rd.	Marsha R Burris
Ricky Burris	6007 Ruston Rd.	Ricky R Burris
Michael Bradford	6009 Ruston Rd	Michael Bradford
	6101 Ruston Rd.	
Kelly McFall	6002 Ruston Rd	Kelly McFall
Ray McFall	6002 Ruston Rd	[illegible]
Candice Keith	6001 Ruston Rd.	Candice Keith
Michael Keith	6001 Ruston Rd.	[illegible]
Joey Merrell	6004 Ruston Rd	[illegible]
Carla Merrell	6004 Ruston Rd	[illegible]
SCOTT SHIRK	6006 RUSTON RD	[illegible]
JOHN R. REVELS	6010 RUSTON RD.	John R Revels
Megan Revels	6010 Ruston Rd.	Megan Revels
Jimmy C. Murry Jr.	6008 RUSTON Rd.	Jimmy C. Murry Jr
Karen Murry	6008 Ruston Rd	Karen D. Murry
Carl Keely	6009 Ruston Rd	CARL Keely
Brenda Keely	6009 Ruston Rd	Brenda Keely
David Dart	6101 Ruston Rd	[illegible]
Lori Dart	6101 Ruston Rd	Lori L Dart
Larry Faulkner	6103 Ruston Rd	Larry L. Faulkner
Judy Faulkner	6103 Ruston Rd	Judy Faulkner

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Rec'd Vicky Coopwood

RECEIVED
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Name	Address	Signature
Cindy Porter	34 Northridge Cr	[signature]
Kaye Ellison	35 Northridge Cir	Kaye C. Ellison
TOM ELLISON	35 NORTHRIDGE CIR	[signature]
JAMES MCPHAIL	30 Northridge Cr.	[signature]
Bobbie Guillot	31 Northridge Cr	Bobbie Guillot
Sara Cartha	29 Northridge Cir	Sara Cartha
Marour Lucy	12 Northridge Circ	Marour Lucy
DAVID CHRISTIAN	11 Northridge Cir	[signature]
JOHN B GREER III	6 NORTHRIDGE Circ	[signature]
David Baumgardner	3 Northridge	David B[illegible]
MARCUS R. HARRIS	4 Northridge Cir	Markus R Harris
SHERRY G. HARRIS	4 NORTHRIDGE	Sherry Harris
Ben Floyd Jr.	1 Northridge Cir	Ben Floyd Jr.
Ed + Dottie Miller	2 Dreyer Place	[signature]
Helen Mobley	7 Dreyer Place	Helen Mobley
Jill Launius	9 Dreyer Place	Jill Launius
BRIAN Purtle	14 Dreyer Place	Brian Purtle
Michelle Purtle	14 Dreyer Place	Michelle Purtle

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Reid Tucky Cogswood

RECEIVED
FEB 27 2017
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Neighbors Against Multi-family Development

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Name	Address	Signature
Betty Pesek	13 Cindywood	Betty Pesek
Katie Pesek	13 Cindywood	Katie Pesek
Haley Aven	4 Cindywood	Haley Aven
Chuck Eastman	9 Cindywood	Chuck Eastman
W R Beaty	9 Cindywood Cir	W R Beaty
Tony Potter	9 Ladera Drive	Tony Potter
J Cook	11 Ladera Dr	J Cook
Susan Stanley	3 Ladera Dr.	Susan V. Stanley
John P. Stanley	3 Ladera Dr	John P. Stanley
Malcolm Smith	26 Northridge Circle	Malcolm Smith
James Clem	22 Bill Rogers	James Clem
Carol Hoffman	20 Bill Rogers Dr.	Carol Hoffman
Carol Yazel	14 Bill Rogers Dr	Carol Yazel
Beverly Tye	4600 N. Park Rd	Beverly Tye
Paul Tye	4600 N. Park Rd	Paul Tye
Danette Power	32 Northridge Cr	Danette Power
Sam J Warren	5 Cindywood ST	SAM J WARREN
Bobbie Warren	5 Cindywood	Bobbie J. Warren

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Reid Dungcopwood

RECEIVED
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BY:

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The undersigned request the City Council to reject the proposed NuRock development located at 1201 Moores Lane.

Name	Address	Signature
Kay Thomas	17 Northridge Cr.	Kay Thomas
Wilson Garrett	6501 N. Park Rd.	Wilson Garrett
Janella Garrett	6501 N Park Rd	Janella Garrett
[illegible]	1 Devon Loe	[illegible]
Vicki Orr	1 Devon Lane	
Jerry Rochelle	8 Dreyer Place	Jerry Rochelle
Jane Rochelle	8 Dreyer Place	Jane Rochelle
Janis Robbins	21 Northridge Circle	Janis Robbins
Matt Sowers	4 Ladera Drive	Matt Sowers
Lisa Sowers	4 Ladera	Lisa Sowers
SEAN ROMMEL	23 NORTHRIDGE	[illegible]
Jameson Rommel	23 Northridge Cir	Jameson Rommel
JOHN POWER	32 NORTHRIDGE	[illegible]
Allen Clements	21 Northridge Circle	Allen Clements
Patti Thomas	6604 N. Park Rd.	Patti Thomas
William Thomas	6604 N. Park Rd.	With yours
[illegible]	21 Northridge	[illegible]
Sandra Payette	5637 CENTURY	Sandra Payette

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Rec'd Supp Corporation

RECEIVED
FEB 27 2017
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Name	Address	Signature
Steve and Sue Gibbs	3 Gregory Lane Texarkana 75503	Steve Gibbs
Scott + Tanya Austin	9 Gregory Lane Texarkana 75503	Scott A
Rhonda + Paul Bollman	6 Gregory Lane Texarkana 75503	R Bollman
Linda Rogers	5 Gregory Lane	Linda Rogers
Kevin + Dobbie Ashford	6203 N. Park Rd Texarkana 75503	Kevin Ashford
JEFF HARRELL	6009 N. Park Rd. Texarkana 75503	J H Harrell
J.J. CAMPBELL	6113 N. PARK RD 75503	[illegible]
Sandra K. Hoover	8 Gregory Ln. Texarkana, Tx.	Sandra K. Hoover
Darius Scott	6115 North Park Rd Tx Tx	Darius Scott
Burl & Sharon Fant	4 Gregory Ln Texarkana Tx	[illegible]
Loriann Turner	6205 N. Park Rd	Loriann Turner
Rick Boyette	5627 Century Ln	[illegible]

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Rec'd Duplicate

RECEIVED
FEB 27 2017
BY:

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Name	Address	Signature
Pam Revels	6010 Ruston Road	Pamela Revels
JONATHAN REVELS	6010 RUSTON RD.	
CASEY BOYETTE	5622 CENTURA LN	
Paul Miller	5915 Winchester	

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Rec'd: During Council

RECEIVED
FEB 27 2017
BY:

Neighbors Against Multi-family Development
1201 Moores Lane

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The undersigned request the City Council to reject the proposed NuRock development located at 1201 Moores Lane.

Name	Address	Signature
DONNIE STARNES	5 OVERCUP	Donnie Starnes
James Bethel	5709 Meadowland	James Bethel
Teresa Bethel	5709 Meadowland	Teresa Bethel
MICHAEL BLOKKER	4007 COLUMBINE LN	Michael Blokker
Janice Moore	6104 Ruston Rd	Janice Moore
Kathrina Walters	6105 Ruston Rd	Kathrina Walters
Payne Walters	6105 Ruston Rd	Payne Walters

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

NuRock Report Card
Tenant Reviews of Similar Projects

Project Name	Location	% Recommending NuRock	% Recommending City Average	
Onion Creek Luxury Apts	Austin, TX	33%	73%	(1)
Eagles Landing Apts	Austin, TX	62%	73%	(1)
Residences at Diamond Hill	Fort Worth, TX	34%	62%	(1)
Sunset Pointe Apts	Fort Worth, TX	49%	62%	(1)
Saddlebrook	East Point, GA	12%	53%	(1)
Chapel Run Apts	Decatur, GA	20%	54%	(1)
Tuscany Village Apts	Clarkston, GA	11%	44%	(1)
Hidden Crest Apts	Atlanta, GA	10%	64%	(1)

(1) www.apartmentratings.com

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

33%

Onion Creek Luxury Apartments
(formerly Alexan at Onion Creek)

10701 S. IH 35, Austin, TX 78747

83 **12**

Rent at Onion Creek Luxury Apartments and get a **$200 reward** from ApartmentSearch!

Reviews

83	33%	73%
Reviews	% Recommended	City Average

Overall:

Noise:	**Maintenance:**
Safety:	**Neighborhood:**
Grounds:	**Office Staff:**

Write Review

Sort Most Recent

RESIDENT Dec 22, 2016
LIVED HERE: 2014 - 2016

✖ I do not recommmend this property

Overall:

Noise:	
Maintenance:	
Safety:	
Neighborhood:	
Grounds:	
Office Staff:	

This is not even an Eeek. This is a disgust. I lived there 2 years, always gave them the benefit of the doubt. I always found something positive to say. Not anymore. My mistake was giving them TOO much credit. I moved from a 1 to a 2 bedroom. My first apartment was a positive experience. There were the occasional calls for leaks and they maintenance came right away. Right before I moved out, a leak caused a flood on my floor. They did not give any credit for the days we were out of water. I let that go. They kept all but $4 of my deposit and NEVER gave me a detailed bill. I asked them about it and STILL never got it. I move into a 2 bedroom, and it was a nightmare the whole time. I was given the option to get new appliances or $10 off the rent. I took the $10 off. I did not get any new appliances and now am told i have to pay for damages to them. Again, something I did NOT cause. The washer kept breaking. I got a new washer shortly after moving in because it wouldn't work. They had one maintenance guy who was rude and not even worth calling them for help. The courtesy patrol NEVER answers my calls for loud music at 4am. One girl kept calling and asking for serial numbers to the washer/

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

62% Eagles Landing Apartments

8000 Decker Lane, Austin, TX 78724

44 **6**

Reviews

44	62%	73%
Reviews	% Recommended	City Average

Overall:

Noise:	**Maintenance:**
Safety:	**Neighborhood:**
Grounds:	**Office Staff:**

Write Review

Sort Most Recent

PROSPECTIVE RESIDENT Jun 23, 2016
VISITED : 2016

✔ **I recommend this property**

To respond to all the previous ratings, Residents who are unhappy with late fees, lease violations, along with rules & regulations will post here thinking it will result in the apartment community losing buisness. Well you are mistaken, affordable housing will always have clients that have friends and family who will make the community bad. All tenants are screened that are tenants the office cannot and will not be held responsible for tenants guests or family members who are out of control. I feel the ratings should be based on the apartment itself because the prices are extremely low compared to what they actually are worth so mad tenants need to get over it!

Overall:

Noise:
Maintenance:
Safety:
Neighborhood:
Grounds:
Office Staff:

No comments

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

34% **Residences of Diamond Hill**

3601 Deen Road, Fort Worth, TX 76106

33 2

Reviews

33	34%	62%
Reviews	% Recommended	City Average

Overall:

Noise:	**Maintenance:**
Safety:	**Neighborhood:**
Grounds:	**Office Staff:**

Write Review

Sort Most Recent

PROSPECTIVE RESIDENT Sep 26, 2016
VISITED : 2016

✖ **I do not recommmend this property**

Overall:

Noise:	
Maintenance:	
Safety:	
Neighborhood:	
Grounds:	
Office Staff:	

Before I applied I looked at the reviews online and I ignored it now I've lost $225. Please don't do the same this place is a scam. If I could put zero stars I would. I put 225 down and was told I would be getting 150 back if I was declined because of my criminal backgroud. She failed to tell me to put it in my application under comments. If you are dealing with Joanne, just walk away, she is very unprofessional. She is to worried about how my boyfriend looks like pitbull instead of making sure she tells me details about my application. It is very hard to find a place when having a criminal record and it is not cheap. Application after application, She told me she would put a good word in and I got a call saying that the 150 fee won't be given backnowledge due to me not saying anything about my criminal record. Like if I'm going to be going around trying to hide it and just throw my money away. Just save yourself some time, that all bills included sign is bs just to draw you in and screw you over.

No comments

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

49% Sunset Pointe Apartments

5400 Sycamore School Road, Fort Worth, TX 76123

71 **4**

Reviews

71	49%	62%
Reviews	% Recommended	City Average

Overall:

Noise:	**Maintenance:**
Safety:	**Neighborhood:**
Grounds:	**Office Staff:**

Write Review

Sort Most Recent

RESIDENT Nov 29, 2016
LIVED HERE: 2009 - 2016

✔ **I recommend this property**

Overall:

Noise:	
Maintenance:	
Safety:	
Neighborhood:	
Grounds:	
Office Staff:	

Hello, everyone, I've never had any ants or roaches, don't know why anybody does. Try using pesticides, it works. Apartments are for people to live their life at with their families. It's not a place to hang out and mingle with others, that's what you do at the school yard. It's your home, and everyone else's around you. As for the staff, please do not believe the bad that was said about them. They are Magnificent 100%. They're doing what they are supposed to do, they don't get paid to fix people's personal problems, they get paid to do exactly what they come to work for everyday. That's it. It's been high time for some people to grow up, and get a grip on Reality. Nobody owes no one anything except LOVE. And one more thing, find out about the extra bills that would be bundled with your rent, your lease also explains a lot of important details. Hope this helps. Have a great year!

No comments

SEARCH

Home / Georgia / East Point / SaddleBrook

12% **SaddleBrook**

4171 Washingon Road, East Point, GA 30344

9 2

Reviews

9	12%	53%
Reviews	% Recommended	City Average

Overall:

Noise:	**Maintenance:**
Safety:	**Neighborhood:**
Grounds:	**Office Staff:**

Write Review

Sort Most Recent

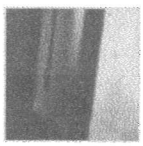
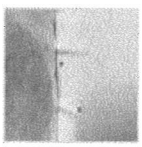
RESIDENT Dec 19, 2016
LIVED HERE: 2016

✖ **I do not recommmend this property**

Don't move here i never have hot water and I live with bugs . I am not a dirty person my apartment was filled with them on top of that my carpet was filthy when I moved in . If you wanna have sex with nats cause they sleep with you move here .... This place is nasty looks good on the outside horrible inside the walls are very thin to you hear everything. And I mean everything

Overall:

Noise:
Maintenance:
Safety:
Neighborhood:
Grounds:
Office Staff:

No comments

Write a response

RESIDENT Nov 04, 2015

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

SEARCH

Home / Georgia / Decatur / Chapel Run Apartments

20% **Chapel Run Apartments**

4522 Snapfinger Woods Drive, Decatur, GA 30035

25 **3**

Reviews

25	20%	54%
Reviews	% Recommended	City Average

Overall:

Noise:	**Maintenance:**
Safety:	**Neighborhood:**
Grounds:	**Office Staff:**

Write Review

Sort Most Recent

RESIDENT Nov 15, 2016
LIVED HERE: 2016

✖ **I do not recommmend this property**

They have roaches and the property manager Nina is unprofessional rude with a bad attitude my water bill is unreal. I pay about $100 monthly. I do not recommend these apartments they look way better on the outside than what they really are. What you pay is not what you get You'll be very disappointed

Overall:

Noise:
Maintenance:
Safety:
Neighborhood:
Grounds:
Office Staff:

No comments

Write a response

PROSPECTIVE RESIDENT Sep 27, 2016
VISITED : 2016

✖ **I do not recommmend this property**

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SEARCH

Home / Georgia / Clarkston / Tuscany Village Apartments

11% **Tuscany Village Apartments**

600 Northern Ave, Clarkston, GA 30021

10 0

Reviews

10	11%	44%
Reviews	% Recommended	City Average

Overall:

Noise: **Maintenance:**

Safety: **Neighborhood:**

Grounds: **Office Staff:**

Write Review Sort Most Recent

PROSPECTIVE RESIDENT Sep 05, 2015
VISITED : 2015

✖ **I do not recommmend this property**

Everything is beautiful, however, I am a prospective resident, and the staff is already very unorganized and 1 lady in particular is very unprofessional. I am disappointed at how slack they are about new tenants. My documents were in a folder that didn't have my name on it, and my application still has yet to be reviewed for approval. I am starting to think I should receive a refund for my application and look else where.

Overall:

Noise:

Maintenance:

Safety:

Neighborhood:

Grounds:

Office Staff:

No comments

Write a response

RESIDENT Apr 03, 2015
LIVED HERE: 2015

✖ **I do not recommmend this property**

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SEARCH

Home / Georgia / Atlanta / Hidden Crest Apartments

10% **Hidden Crest Apartments**

3200 Stone Road Southwest, Atlanta, GA 30331

51 13

Reviews

51	10%	64%
Reviews	% Recommended	City Average

Overall:

Noise: **Maintenance:**

Safety: **Neighborhood:**

Grounds: **Office Staff:**

Write Review Sort Most Recent

RESIDENT Aug 22, 2016
LIVED HERE: 2014 - 2016

✖ **I do not recommmend this property**

This was one of the most unorganized ghetto operations i have ever experienced.The management was rude, unprofessional and inexperienced.

Overall:

Noise:

Maintenance:

Safety:

Neighborhood:

Grounds:

Office Staff:

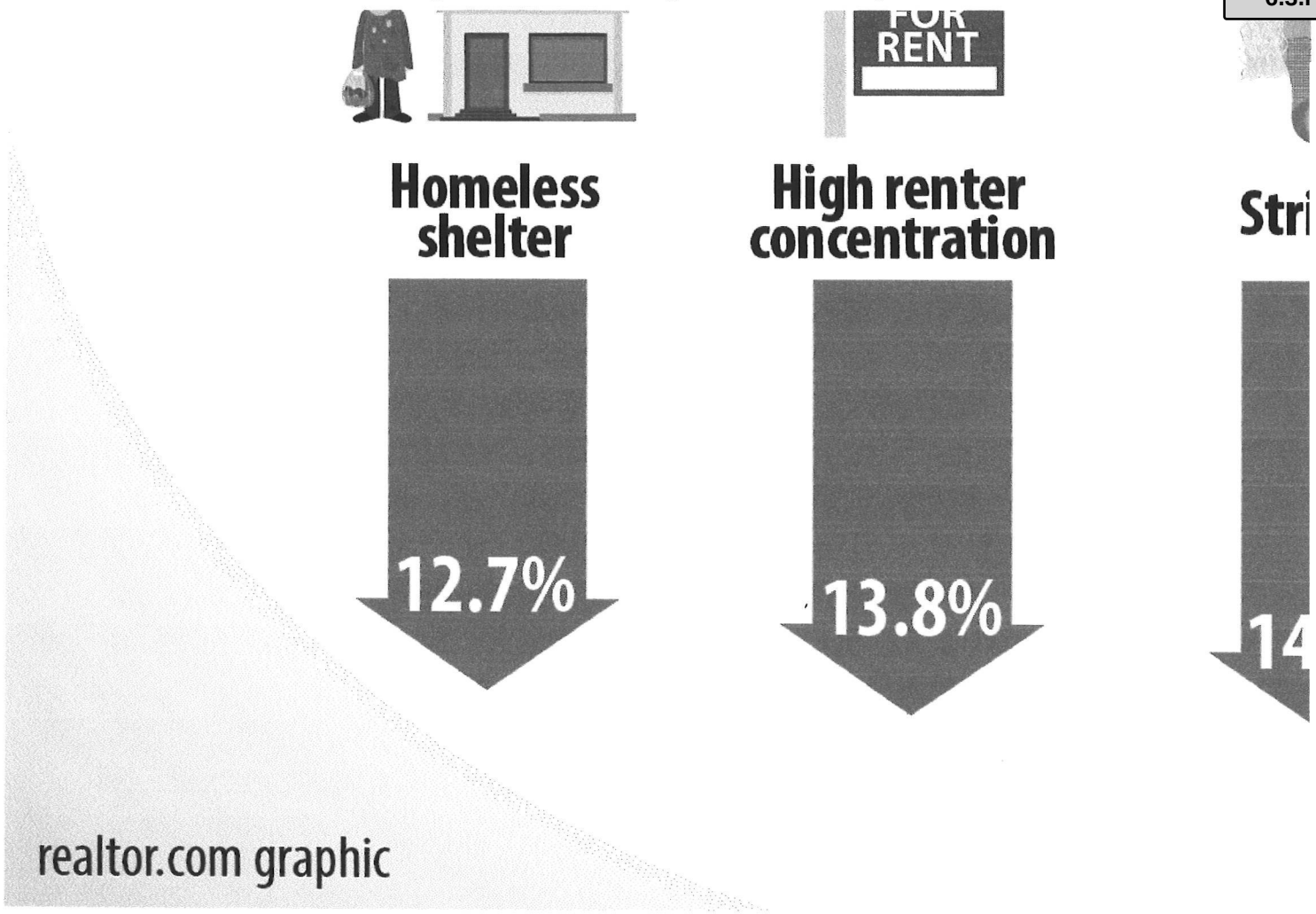
No comments

Write a response

RESIDENT Feb 04, 2016
LIVED HERE: 2014

✖ **I do not recommmend this property**

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at



Keep in mind the difference between **causation** and **correlation**: Does having a cemetery or shooting range in the neighborhood cause home prices to drop? Or are those businesses drawn to the area because of cheap real estate? We don't have a definite answer, but their presence is generally a sign that a neighborhood is the opposite of up-and-coming. Judge your investment accordingly.

Hospital

The drag: 3.2%

Hospitals are awesome, right? Having a great one within easy access is just about every homeowner's goal. But easy access is one thing, and being woken up by ambulance sirens—or, god forbid, medical helicopters—at 3 a.m. is quite another. Among homeowners who sold in 2015, those near a hospital generally got 3% less than an average home in the same county would get, based on our sales deed records and hospital location data from data.medical.gov. In the world of real estate price demerits, 3% isn't a lot, so clearly plenty of people are willing to overlook some noise and chaos in favor of nearby medical care.

Shooting range

The drag: 3.7%

According to most research, it's not the guns or the people who shoot them that the neighbors of shooting ranges object to most; it's more the *idea* of the places and, in some cases, the noise of gunfire, especially outdoor gun ranges. More perceived problems: environmental concerns, including the lead that leaches off spent shells, potentially poisoning soil and water. Last year, a closed gun club in San Francisco triggered $22 million in cleanup fees, the San Francisco Chronicle reported. We used gun range locations from wheretoshoot.org.

Power plant

The drag: 5.3%

There are more than 8,000 power plants across the U.S., according to the Environmental Information Agency. Much as we are grateful for the modern convenience of electricity (thanks, **Ben Franklin**!), the huge facilities spur more NIMBY ("not in my backyard") movements than anything this side of waste treatment facilities. The most frequently cited reason: safety concerns. The perceived dangers of living near a power plant vary dramatically depending on type, from the seemingly harmless solar to the dreaded nuclear. In general, having a power plant in the neighborhood is associated with lower property prices.

Funeral home

The drag: 6.5%

Some people believe you get bad spiritual energy from living near a funeral home; some just dislike the traffic caused by service workers and funeral attendees; and others fear that the smoke from a crematorium is toxic. But plenty of folks just find them seriously *creepy*, an unpleasant constant reminder of our own mortality. Our analysis of property values near funeral homes listed on legacy.com seems to confirm the stigma. Properties near a funeral home see a 6.5% drop in price compared to all homes in the same county.

Cemetery

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The drag: 12.3%

Call it superstition, call it irrational fear, but there's an awful lot of people who find the prospect of living near lots of buried bodies unpleasant or downright terrifying (see: Funeral homes). To be fair, there are some people who seriously dig how quiet the neighbors are, but they're outnumbered by the haters. To do the research, we used a list of federal and state cemeteries operated by the Department of Veterans Affairs and found that the median price of ZIP codes with a cemetery is about 12% lower than neighboring areas.

Homeless shelter

The drag: 12.7%

Homeless shelters can be unloved and unwanted misfits in residential areas. Even though there's no rule that homeless shelters are usually accompanied by higher rates of crime, shelters *do* certainly attract motley groups of people, necessitate emergency calls, and require more police in otherwise quiet, safe neighborhoods. Shelter locations, listed on homelessshelterdirectory.org, are often limited to less prime areas in the city where home values are about 13% less.

High concentration of renters

The drag: 13.8%

Does a cluster of rental buildings—or lots of them—lower the property value in a neighborhood? Many homeowners have pondered this. While it's hard to do an analysis down to every property, we found that ZIP codes with a higher-than-average concentration of renters have lower property values compared to the county they are located in—by 14%. The data are from the American Community Survey.

Strip club

The drag: 14.7%

Catering to adult vices—and often (rightly) associated with loud music and less-than-savory visitors—a "gentlemen's club" is an unwelcome neighbor on the block. We tracked nearly 2,000 strip joints listed on stripclublist.com and ranked the category high on our "unwanted" list. In one extreme case, the crime-plagued neighborhood of Washington Park in East St. Louis, IL—the ZIP code 62204—has 10 strip clubs. *10!* How do they all compete? It saw only a handful of homes sold in the past three years, with a median price of $10,000.

Bad school

The drag: 22.2%

While a top-performing school is definitely a plus for your property value, a bad school is a complete, out-and-out disaster. A school where one teacher handles a class of 40 students with a slim graduation rate is usually an indicator of a deprived neighborhood. The median home price of ZIP codes with schools that receive a 1 to 3 rating (out of a possible 10) from GreatSchools.org is only $155,000.

Related: The Features That Help a Home Sell Fastest—and the Ones That Don't

Yuqing Pan, a Stanford graduate with a multimedia journalism background, writes data-driven stories for realtor.com. Follow @YuqingPan

Related topics: data journalism home prices

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TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Monday, February 27, 2017 4:30 PM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: city council meeting tonight

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Monday, February 27, 2017 4:28 PM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: city council meeting tonight

Sent from my iPad

Begin forwarded message:

> **From:** Janis Holliday <jholliday@hlccpas.com>
> **Date:** February 27, 2017 at 10:20:08 AM CST
> **To:** "joshd@cableone.net" <joshd@cableone.net>
> **Subject: city council meeting tonight**
>
> Hi Josh,
>
> I telephoned and left a message for you earlier today. You represent the ward that I both live and work in.
>
> I just wanted to convey to you **my opposition** to the City granting resolutions of support for Moores Housing Partners in their bid for competitive tax credits related to plans to build affordable apartments at 1521 Moores Lane.
>
> I offer these thoughts in support of my opposition –
>
> 1) The traffic is heavy and fast at certain times of the day on Moores Lane and Galleria Oaks Drive in this area. The traffic from these apartments would place an additional burden on this infrastructure already in need of resurfacing and not originally constructed to handle a high volume of traffic.

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2) It is my understanding that there are drainage problems in the area which extends to the frontage of Interstate 30,

3) It is my understanding that the appropriate zoning is not currently in place to accommodate apartments at 1521 Moores Lane,

4) our firm made a substantial investment in the Galleria Oaks Area to locate to a professional office park. It seems the noise and activity of apartments would not be appropriate for the professional office environment.

Thanks for your consideration and all you do to help our City.

Janis

Janis Fischer Holliday, CPA
Holliday, Lemons & Cox, P. C.
Certified Public Accountants
2001 Moores Lane
Texarkana, TX 75503
903-823-2727
903-823-2734 fax

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Monday, February 27, 2017 4:29 PM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: Opposition to resolution of support

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Monday, February 27, 2017 4:27 PM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Opposition to resolution of support

Sent from my iPad

Begin forwarded message:

From: Troy Lemons <tlemons@hlccpas.com>
Date: February 27, 2017 at 12:11:16 PM CST
To: "joshd@cableone.net" <joshd@cableone.net>
Subject: Opposition to resolution of support

Mr. Davis,

I live and work in your ward and want to express opposition to the City passing a resolution of support for Moores Housing Partners in their attempt to get competitive tax credits from the Texas Department of Housing and Community Affairs in relation to proposed construction of apartments at 1521 Moores Lane.

I don't believe that the area is zoned for an apartment complex and the area is currently made up primarily of offices for professional services. The constructions of multi-family residential housing in this area would, I believe, have a negative impact on the value of the professional buildings in the area and greatly increase the traffic volume and related street problems. I have also heard that there may be drainage issues in this area that could be made worse by this construction.

Thank you for your consideration,

Troy Lemons

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

903-823-2727
Home - 908 Clear Creek Drive
Office - 2001 Moores Lane

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Monday, February 27, 2017 4:29 PM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: Rezoning Request

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Monday, February 27, 2017 4:26 PM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Rezoning Request

Sent from my iPad

Begin forwarded message:

> **From:** "Tony Orihuela" <tony@yamahasportscenter.com>
> **Date:** February 27, 2017 at 2:53:28 PM CST
> **To:** <joshd@cableone.net>
> **Subject: Rezoning Request**
>
> Josh,
>
> As a resident and taxpayer of the Northridge area, I am deeply opposed to the proposed zoning request on Moore's lane next to the Boot's & Saddle Club property. In my opinion, this would not be good for the area or for the taxpayers. This area contributes greatly to the tax base in Texarkana and having multi-family housing I believe would undermine the values of our properties.
>
> Thank you for your time and consideration concerning this request.
>
> Regards,
>
> Tony Orihuela

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

5804 Greenbriar Forest Circle
Texarkana, TX 75503
903.748.7782

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Monday, February 27, 2017 4:28 PM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: Zoning

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Monday, February 27, 2017 4:26 PM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Zoning

Sent from my iPad

Begin forwarded message:

> **From:** WILLIAM PATTERSON <treypatterson@me.com>
> **Date:** February 27, 2017 at 2:56:05 PM CST
> **To:** joshd@cableone.net
> **Subject: Zoning**
>
> Sir,
> My name is Trey Patterson and I live in your ward. I'm emailing to tell you I adamantly oppose any low end type housing on Moore's lane. It will substantially lower property values and I believe ultimately lower taxes paid into city.
> Thanks in advance for considering
> Trey Patterson
>
> Trey Patterson
> Patterson Nissan
> 1201 McCann Rd.
> Longview TX. 75601
> Work 903-758-4135
> Cell 903-235-3471

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Check us out online @
Longviewnissan.com
Sent from my iPad

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Monday, February 27, 2017 4:26 PM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: Tax credits- new rock housing

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Monday, February 27, 2017 4:24 PM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Tax credits- new rock housing

Sent from my iPad

Begin forwarded message:

From: Alan Schimming <alan@schimmingcompany.com>
Date: February 27, 2017 at 3:47:00 PM CST
To: joshd@cableone.net
Subject: Tax credits- new rock housing

Josh Davis, Ward 6 Councilman,
As I mentioned in our conversation earlier today I am extremely opposed to any type of sec 8 or "low income housing" at this location on Moores Lane.This type of housing will increase traffic on Moores Lane in the Galleria Oaks. Moores Lane is in dire need of repair and increased traffic would only add to the deterioration of Moores. Additionally, this is not in keeping with development in the area. I have office property nearby and represent property owners in the area and this development would certainly hurt property values there. I respectfully request you oppose this request by New Rock Development.
Thanks,
Alan Schimming

Sent from my iPhone

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Monday, February 27, 2017 4:28 PM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: Rezoning application for 1521 Moores Lane

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Monday, February 27, 2017 4:25 PM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Rezoning application for 1521 Moores Lane

Sent from my iPad

Begin forwarded message:

From: "William C. Gooding" <billgooding@goodingpc.com>
Date: February 27, 2017 at 3:39:18 PM CST
To: <joshd@cableone.net>
Subject: Rezoning application for 1521 Moores Lane

Mr. Davis,

This email is a follow-up to my call to you today regarding the application by a group that I understand to be, "Moore Housing Partners," to rezone the property located at 1521 Moores Lane in connection with their expressed intent to build a low income section 8 housing project at that location. I have several significant concerns with this request for rezoning.

First, this property is either adjacent or nearly adjacent to Galleria Oaks professional office development to the west. An entity, Gooding & Dodson Holdings, LLC, of which I am a substantial owner, owns the building at 2005

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Moores Lane. The requested zoning change would likely negatively impact properties located in Galleria Oaks that are used for professional offices, and I expect would have the potential to decrease, perhaps substantially, the property value at 2005 Moores Lane, where I have an interest. Galleria Oaks is almost fully developed with owners having invested substantial funds relying upon the building restrictions and zoning currently in place.

Secondly, although there would be ingress and egress to the subject property by means of North Park road, from a practical standpoint, ingress and egress to the subject property would likely be exclusively by Moores Lane directly through Galleria Oaks to access retail businesses, grocery stores, service stations, health care, as well as Interstate 30. The portion of Moores Lane east of Summerhill Road is already in need of repairs. The extra traffic would further deteriorate the road, as well as substantially increase the traffic congestion on Moores Lane, especially during early morning and late evening when people are travelling to and from work and school.

For these reasons, I oppose the requested rezoning and request that when you consider this matter that you include consideration of the concerns I have expressed above. I believe a vote against the requested rezoning is in the best interest of the substantial investments made in Galleria Oaks. I do appreciate your listening to my concerns and your careful consideration of this matter.

Thanks,
Bill Gooding

William C. Gooding
Gooding Law, P.C.
903.244.5780 - Phone
billgooding@goodingpc.com
Mailing Address:
3702 Maplecrest St.
Texarkana, TX 75503

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Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Tuesday, February 28, 2017 10:48 AM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: Rezoning request concern

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Tuesday, February 28, 2017 10:18 AM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Rezoning request concern

Sent from my iPhone

Begin forwarded message:

From: "Higginbotham,Paulette" <Paulette.Higginbotham@edwardjones.com>
Date: February 28, 2017 at 10:11:29 AM CST
To: "joshd@cableone.net" <joshd@cableone.net>
Subject: Rezoning request concern

Mr. Davis,

I am a resident on North Park Road. My home sits behind the Tourism Bureau. My husband and I have seen improvements in our area over the years such as the Partnership Pathway.

My family loves where we are located. Our six year old enjoys playing t ball at Spring Lake Park. We can walk or ride bikes to the park and back. My husband works from home and enjoys a quiet environment in which to work and has easy access to 1-30, and either Texas or Arkansas sides at anytime. We even enjoy hearing the Boots and Saddle Club practice for upcoming Fall events. Our son is thriving as a student at Morriss Elementary.

We have noticed the rezoning request and today saw the article in the paper about the request being for low income apartments. This is a big concern for us, not only for our home value but for the safety of our neighborhood.

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

As you are our representative for Ward 6, we ask you to please cast your vote to Not approve the rezoning request for low income apartments in our area.

Sincerely,
Paulette & Jeremy Higginbotham
6005 North Park Rd
Texarkana, TX 75503

Paulette Higginbotham
Senior Branch Office Administrator
Edward Jones
4115 North Kings Hwy Suite 104
Texarkana, TX 75503
(903) 831-7335
www.edwardjones.com

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Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Tuesday, February 28, 2017 10:48 AM
To: Tex-Orr, David; TEX-Coopwood, Vicky; TEX-Jaster, Shirley
Subject: FW: Proposed Cork Lane Apartment Complex

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Tuesday, February 28, 2017 10:17 AM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Proposed Cork Lane Apartment Complex

Sent from my iPhone

Begin forwarded message:

From: Randy Kimpfbeck <kimpfran@yahoo.com>
Date: February 28, 2017 at 9:24:41 AM CST
To: "joshd@cableone.net" <joshd@cableone.net>
Subject: Proposed Cork Lane Apartment Complex
Reply-To: Randy Kimpfbeck <kimpfran@yahoo.com>

Mr. Davis,
I wish to voice my strong opposition to the proposed 88-apartment complex on Moores/Cork Lane.

First, this complex, if built, would have a negative effect on the property values in a wide-ranging area. We live on Yarborough Court, in Greenbriar Forest Estates, and believe this complex would lower our property value and well as the values in Winchester, Northridge and The Enclave. These areas contribute substantially to the tax revenue of the city, county and school district.

Second is the traffic situation. As you are aware, North Park Road is already in poor condition and any additional traffic

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

will add to the deuteriation of the roadway. In addition, it is quite narrow for the amount of traffic being handled currently. Cork Lane is not in any better condition. When traveling on North Park from our location toward Spring Lake Park the intersection of North Park and Cork Lane present a traffic issue. When attempting to make the left turn the site line is impaired by the trees and undergrowth along the road as well as the offset in the road. Adding additional traffic to this area will simply add to an already hazardous situation.

Last is the expected increase in the crime rate. Low income housing is synonymous with crime and drug dealing, whether this is fact or simple perception, this is the case in the mind of most people. We attend Sacred Heart Church and are being warned about the number autos that are being broken into in the church parking lot. It would naturally be assumed those doing the break-ins live in the low income apartments directly across from the church. There is no reason to believe this complex would be any different.

Please oppose the building of this apartment complex.

Thank you,

Randy Kimpfbeck

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: Len Vilicic <lvilicic@nurock.com>
Sent: Wednesday, March 01, 2017 2:05 PM
To: Tex-Orr, David
Cc: John Boyd
Subject: Residences at Texarkana withdrawal

David,

Because we were unable to obtain the support of the City Council for our Residences at Texarkana multifamily proposal at 1521 Moores Lane, we are withdrawing our request for rezoning. Additionally, please remove our proposal from upcoming Council Meetings.

We still believe Texarkana has a viable market for a multifamily tax credit development, and we will be in contact with you in the near future to explore options. Thank you for all your help.

Sincerely,

Len Vilicic
NuRock Companies
4925 Greenville Avenue
Suite 1305
Dallas, TX 75206

(972) 573-3400 x 2 Office
(972) 322-7211 Cell

Attachment: 2017-013 ATTH 08 Residences at Texarkana withdrawal (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

TEX-Coopwood, Vicky

From: Len Vilicic <lvilicic@nurock.com>
Sent: Wednesday, January 25, 2017 2:21 PM
To: Tex-Orr, David
Cc: John Boyd
Subject: Support Resolution info for Residences at Texarkana
Attachments: Brochure Residences Moores 2017-0118.pdf; Map - Ward 6.pdf; Moores ln site.jpg; Legal Descr - Moores Lane.docx; City Resolution - Moores.docx

Hi David,

Attached is information for the Support Resolution for Residences at Texarkana, a proposal for a family deal. I have attached:

1. Brochure for the development
2. Ward map indicating site location
3. Aerial of the site
4. Legal Description from our contract
5. Draft resolution

The address "1521 Moores Lane" came from a water utilities map, which I can't seem to duplicate presently, and unfortunately I covered over the house address in yellow, but it did say 1521 under it. I don't know why all city maps indicate the road as Moores Lane, and yet Google Maps and Google Earth say Cork Lane. I deferred to the city maps, since you folks would have it right.

The resolution is for Support and Twice the State Average of TC Units, and I also added a section for a nominal amount of city financial contribution. I don't know if you handle that through a resolution or just an administrative letter. We are asking for a nominal amount of a fee waiver, can be very small, but will give us one point in the application.

Please let me know if you need anything else.

Len Vilicic
NuRock Companies
4925 Greenville Avenue
Suite 1305
Dallas, TX 75206

(972) 573-3400 x 2 Office
(972) 322-7211 Cell

Attachment: 2017-013 ATTH 06 Support Resolution info for Residences at Texarkana (1598 : 2017-013 RES Support for TDHCA Tax Credit

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/14/2017 1:18 PM

Lead Department: Planning and Community Development **Action Officer:** Daphnea Ryan,

Subject: Resolution No. 2017-014 authorizing the City Manager to enter into an addendum to Contract 16-2001-00 in an amount not to exceed $200,000.00 utilizing EPA Brownfields grant funds for the hazardous materials remediation of 203/205 W. Broad Street.

	Public	Second	Council
Briefing: 2/13/2017	**Hearing:**	**Briefing:**	**Vote:** 2/13/2017

Item Schedule

Schedule 3: No briefing required (one week)

under

Updates/History of Briefing:

Resolution 2016-071 authorizing the City Manager to enter into a contract or contracts with one or more parties for the environmental cleanup of 203/205 West Broad Street utilizing EPA Brownfields Multi-Purpose Grant Funds up to $440,000.00.

Executive Summary and Background Information:

The City entered into a contract with Pacific Environmental in the amount of $89,365.00 under Resolution 2016-071 utilizing a $440,000.00 EPA Multi-Purpose Grant for the cleanup of 203/205 W. Broad. Structural engineers with Pacific Environmental determined that after removal of partial debris additional shoring of the structure would be needed. The attached addendum changes the total contract amount to $179,122.00 to allow for additional shoring to protect the safety of the public.

In consultation with legal counsel, it was determined that Local Government Code 252.048 regarding change orders does not apply to this addendum, as Section 252.022 states that this chapter does not apply to an expenditure for (a)(2) “a procurement necessary to preserve or protect the public health or safety of the municipality’s residents;” or (a)(3) “a procurement necessary because of unforeseen damage to public machinery, equipment or other property.” However, since the addendum to the contract is over $50,000.00, staff is requesting Council approval prior to work recommencing on the project.

Potential Options:

- NONE
-

Fiscal Implications:

Grant funded with no new fiscal implications

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. 2017-014 ATTH 01 Addendum to Hazardous Materials Remediation 203 205 W. Broad Street Contract (PDF)
b. 2017-014 RES Authorizing City Manager to amend contract 2016-001-00 signed (PDF)
c. 2017-014 ATTH 02 Original Resolution 2016-071 (PDF)
d. 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (PDF)
e. 2017-014 RES Authorizing City Manager to Ammend Contract 2016-2001-00 (DOC)
f. 2017-014 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development		David Orr	Department Head Review	Completed 02/08/2017 3:54 PM
Finance Department	Kristin Peeples	Finance Review	Completed	02/08/2017 4:27 PM
Purchasing and Contracting		Sharon Moore	Purchasing Review	Completed 02/09/2017 7:58 AM
Deputy City Manager - Shirley Jaster Review		Shirley Jaster	Deputy City Manager	Completed 02/08/2017 4:28 PM
Deputy City Manager - Kyle Dooley Review		Kyle Dooley	Deputy City Manager	Completed 02/08/2017 4:32 PM
Public Information Officer		Lisa Thompson	PIO Review	Completed 02/08/2017 6:35 PM
City Manager	John Whitson	City Manager Review	Completed	02/09/2017 3:26 PM
City Council	Jennifer Evans	Meeting	Completed	02/13/2017 6:00 PM

Meeting History

ADDENDUM TO
HAZARDOUS MATERIALS REMEDIATION CONTRACT

THIS FIRST ADDENDUM TO HAZARDOUS MATERIALS REMEDIATION CONTRACT (this "Addendum") is to resolve and amend certain obligations under that certain Hazardous Materials Remediation Agreement by and between the City of Texarkana, Texas ("City") and Pacific Environmental Group, LLC ("Pacific") dated effective July 22, 2016 (the "Agreement") regarding the property located at 203/205 West Broad Street, Texarkana, Bowie County, Texas (the "Property"), under which Pacific was to perform all services for remediation of the Property as set forth in the contract documents ("Work"). The City and Pacific are collectively referred to herein as the "Parties".

Under Section III, paragraph (d), the City agreed to pay Pacific's bid amount for completion of the Work set forth under the contract documents, said bid amount being set forth in the contract documents as $89,365.00 ("Bid Amount").

The Parties have determined that heavy equipment will be needed for completion of the project and therefore, the Parties desire to amend the Bid Amount from $89,365.00 to the total contract sum of $179,122.00.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

1. The Bid Amount of $89,365.00 for completion of the Work shall be increased to the total contract sum of $179,122.00, less any payments made by the City to Pacific for the Work.

2. Pacific agrees and commits to complete the Work as set forth in the Contract Documents no later than March 31, 2017.

3. Except as expressly provided herein, all of the terms and conditions of the Agreement and any and all other documents described in or executed in connection with the Agreement shall continue in full force and effect and are hereby reaffirmed.

4. Time is of the essence in respect to the performance of each provision of this Addendum.

EXECUTED to be effective the 25th day of January, 2017.

[SIGNATURES FOLLOW ON NEXT PAGE]

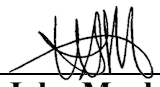
Attachment: 2017-014 ATTH 01 Addendum to Hazardous Materials Remediation 203 205 W. Broad Street Contract (1601 : 2017-014 RES

CITY OF TEXARKANA, TEXAS

_____

By: John A. Whitson
City Manager, ICMA-CM

CONTRACTOR:
PACIFIC ENVIRONMENTAL GROUP, LLC



_____

By: W. John Moala, Vice President

Attachment: 2017-014 ATTH 01 Addendum to Hazardous Materials Remediation 203 205 W. Broad Street Contract (1601 : 2017-014 RES

RESOLUTION NO. 2017 - 014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ADDENDUM TO CONTRACT 16-2001-00 WITH PACIFIC ENVIRONMENTAL IN AN AMOUNT NOT TO EXCEED $200,000.00 UTILIZING EPA BROWNFIELDS GRANT FUNDS FOR THE HAZARDOUS MATERIALS REMEDIATION OF 203/205 W. BROAD STREET; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City was awarded $440,000.00 in 2012 specific to the environmental assessment and cleanup of 203/205 West Broad Street; and

WHEREAS, the City entered into a contract with Pacific Environmental in the amount of $89,365.00 under Resolution 2016-071; and

WHEREAS, structural engineers have determined that more extensive shoring will be necessary than originally bid; and

WHEREAS, the health and safety of the general public is at risk.

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

SECTION 1: That the City Manager be and is hereby authorized to enter into an addendum to contract 16-2001-00 not to exceed $200,000.00 with Pacific Environmental to ensure the public's health and safety while completing the environmental remediation of 203/205 W. Broad Street and fulfilling the requirements of the EPA Brownfields Multi-Purpose Grant.

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 **13th day of February, 2017**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-014 RES Authorizing City Manager to amend contract 2016-001-00 signed (1601 : 2017-014 RES Addendum to Contract for

RESOLUTION NO. 2016 -071

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT OR CONTRACTS WITH ONE OR MORE PARTIES FOR THE ENVIRONMENTAL CLEANUP OF 203/205 WEST BROAD STREET UTILIZING EPA BROWNFIELDS MULTI-PURPOSE GRANT FUNDS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City was awarded $440,000.00 in 2012 specific to the environmental assessment and cleanup of 203/205 West Broad Street; and

WHEREAS, the grant period will end September 30, 2016; and

WHEREAS, the City released a Request for Proposals with a deadline of July 6, 2016 to secure a contractor to complete the cleanup of this project.

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

SECTION 1: That the City Manager be and is hereby authorized to enter into a contract with an environmental cleanup contractor to complete the EPA Brownfields Multi-Purpose Grant requirements.

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 11th **day of July, 2016.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:54 p.m.

Attachment: 2017-014 ATTH 02 Original Resolution 2016-071 (1601 : 2017-014 RES Addendum to Contract for Hazardous Materials Remediation of 203/205

HAZARDOUS MATERIALS REMEDIATION
203/205 W. BROAD STREET, TEXARKANA, TEXAS
CONTRACT

STATE OF TEXAS
COUNTY OF BOWIE

This HAZARDOUS MATERIALS REMEDIATION CONTRACT (the "Agreement") made and entered into this 22nd day of July, 2016 by and between the **City of Texarkana, Texas** in the County of Bowie, State of Texas, acting by and through the City Manager, City of Texarkana, thereunto authorized to do so, (hereinafter referred to as "CITY"), and Pacific Environmental Group, LLC, a Texas Limited Liability Company with an address of 2435 Southwell Road, Ste 3, in the County of Dallas, State of Texas (hereinafter termed "Contractor"), (collectively referred to herein as the "Parties") is for the environmental cleanup of the real property located at 203 and 205 W. Broad Street in Texarkana, Bowie County, Texas pursuant to the requirements of City and in accordance with the Texas Commission on Environmental Quality (TCEQ) Voluntary Cleanup Program and in compliance with all Federal, State and local laws and regulations (the "Work").

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the City and under the conditions expressed in this document and all referenced documents, the Contractor hereby agrees with City to commence and complete the Work described as follows:

I.
Scope

a. The Contractor agrees to perform all described Services and comply with all requirements specified in this Agreement, which shall include, but not be limited to all terms and conditions contained in the Request for Proposal, EPA and TCEQ approved Cleanup Plan, General Terms and Conditions, Insurance Requirements, Bond Requirements, Scope of Work, Site Health and Safety Plan, and Standard Operating Procedures (together with this Agreement known as the "Contract Documents")(attached hereto).

b. Contractor acknowledges that Contractor has examined the site of the Work and fully informed himself regarding all pertinent conditions at the work site. Further, Contractor has examined the Contract Documents, including all Addenda for the Work relative thereto, and Contractor has satisfied himself as to Contractor's ability to perform the Work.

c. Contractor will perform all work in conjunction and coordination with Terracon, City's retained environmental specialist.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

d. Contractor will take necessary steps to preserve the façade of the Work, stabilize the party walls to maintain the integrity of neighboring buildings and stabilize any remaining structure of 203/205 W. Broad Street, protect neighboring buildings, and to fulfill all the terms set forth in this Agreement, including all Contract Documents.

II.
Term and Hours of Operation

a. The term of this Agreement will begin on the last date this Agreement is signed by all required parties. **The anticipated start date is July 25, 2016 with the date of completion to be coordinated with City.**

b. Contractor shall perform or have performed all Work in compliance with the City's Code of Ordinances, including Section 28.237 which prohibits Work to be performed on Sundays and between the hours of 6:00 p.m. and 7:00 a.m. on any other day.

III.
Compensation

a. City agrees to pay invoices which define the percentage of completion of each phase, or their undisputed portions within 30 days of receipt, less a 10% retainage (the "Retainage") to be held by City until completion of the Work. The invoice shall breakdown in such detail as may be required by City the amounts expended and/or costs incurred for work done, materials supplied, labor and other costs.

b. Payment of all undisputed invoices shall be made by City within thirty (30) days after the invoice has been approved and accepted by City.

c. Final payment, including the retainage, shall be made by City after (1) completion of all Phases; (2) all requisite documents have been provided; (3) City finds the work acceptable and completed; (4) Contractor has provided a release executed by each supplier and subcontractor stating they have been paid in full by Contractor and no liens have been filed within 30 days after completion; and (4) the requirements of this Agreement have been fully satisfied.

d. Nothing herein shall require City to exceed the accepted bid amount, and any expenses beyond that bid amount not approved by City are at Contractor's own risk.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

III.
Responsibility

a. Contractor shall follow the standard practices of the applicable and relevant profession to make findings, provide opinions, make factual presentations, and provide professional advice and recommendations.

b. Contractor shall, at its own expense, obtain prior to any access to the Property, and maintain during the term of work, all governmental approvals of whatever nature from any governmental authorities necessary to perform the work. Contractor shall, and shall cause its representatives to, comply with all applicable laws, as well as any applicable site safety rules.

c. Contractor shall provide a copy of any correspondence or documentation, including any report, data, work plan, analysis or evaluation, prepared by Contractor or its representatives regarding Work performed to City.

d. Contractor's review or supervision of Work prepared or performed by other individuals or firms employed by the City shall not relieve those individuals or firms of complete responsibility for the adequacy of their work.

e. Contractor shall provide an assessment of the Work, and perform the cleanup of the real property located at 203 and 205 W. Broad Street in Texarkana, Bowie County, Texas pursuant to the requirements of City and in accordance with the Texas Commission on Environmental Quality (TCEQ) Voluntary Cleanup Program and in compliance with all Federal, State and local laws and regulation.

f. Contractor shall, or shall cause its representative to, remove all equipment or other materials belong to Contractor and/or its representatives at reasonable intervals but no later than at the conclusion of the Work. As soon as practicable after the Work is completed, Contractor shall restore the Property to the condition that existed prior such Work to the extent possible. If any portion of the property suffers damage by reason of the access of Contractor or its representatives, Contractor, at its own expense, shall promptly repair all such damage and restore the property to the same condition as before such damage occurred.

IV.
Independent Contractor

a. Contractor shall be an independent Contractor. The Contractor is not an employee, agent or representative of City. Contractor shall obtain and maintain, at the Contractor's expense, all permits, license, or approvals that may be necessary for the performance of the Services or Work. Contractor shall furnish copies of all such permits, licenses or approvals to City.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

b. Contractor shall operate as an independent contractor and does not have the authority to bind City to any third person or otherwise act in any way as the representative of City, unless otherwise expressly agreed to in writing signed by both parties. Contractor agrees not to represent itself as the City's agent for any purpose to any party or to allow any employee of Contractor to do so, unless specifically authorized, in advance and in writing, to do so, and then only for the limited purpose stated in such authorization. Contractor shall assume full liability for any contracts or agreements Contractor enters into on behalf of City without the express knowledge and prior written consent of City.

V.
Indemnification

Contractor agrees to indemnify City from and against liabilities, suits, actions, legal proceedings, claims, demands, damages, costs and expenses (including reimbursement of reasonable attorney's fees) to the extent arising out of the negligent act or omission of the Contractor, its agents, subcontractors, or employees in the performance of this Agreement or the Work

VI.
Insurance

Contractor agrees to maintain during the life of the Agreement the following minimum insurance:

A. Commercial general liability insurance, including personal injury liability, blanket contractual liability, and broad form property damage liability. The limit shall be not less than $1,000,000.00 per-occurrence and $2,000,000.general aggregate for bodily injury and property damage.
B. Automobile bodily injury and property damage liability insurance with a limit of not less than $1,000,000.00
C. Statutory workers compensation and employers liability insurance as required by state law.
D. Professional liability insurance in the amount of $2,000,000.00 per claim and in the aggregate.

All insurance must meet the requirements of Section 00040 in Exhibit A attached hereto.

VII.
Dispute resolution provisions

a. The initial resolution process shall require the party raising a dispute to provide written notice to the other party with sufficient detail describing

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

the provision of the Agreement alleged to be breached, the underlying facts of the dispute, a proposed solution consistent with the terms of the Agreement, and the relief sought.

b. A meeting consisting of the designated representatives of the parties shall take place within thirty (30) days following receipt of the written notice to discuss the dispute.

c. In the event the initial resolution process results in an impasse, mandatory mediation shall be held in accordance with and governed by Texas state law. City and Contractor shall each select a disinterested representative, and the two selected representatives shall then choose a third person similarly qualified. The three persons shall comprise the "arbitration panel", with authority as provided under Chapter 171 of the Texas Civil Practice and Remedies Code, to render a binding decision on the matter in dispute. Each party shall compensate its respective panel member and also shall equally share responsibility for compensating the third panel member, with the breaching party, as determined by the arbitration panel, paying the non-breaching party's costs, expenses, attorney's fees, expert fees, and fees and costs for arbitration panel members.

VIII.
Miscellaneous Provisions

a. **Bonds**

Contractor agrees to maintain during the life of the Agreement the following bonds in an amount of not less than 5% of the bid amount:

(1) Bid Bond
(2) Performance Bond
(3) Payment Bond

All bonds must meet the requirements of Section 00050 in Exhibit A attached hereto.

b. **Subcontracts**

Contractor shall be entitled to the extent determined appropriate by Contractor, to subcontract any portion of the work described in the Scope of Services; however, Contractor shall still be responsible for the performance and provision of all Services under this Agreement.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

c. **Assignment**

This Agreement is binding on the heirs, successors, and assigns of the parties hereto. Neither this Agreement, nor any claims, rights, obligations, or duties associated hereto shall be assigned or assignable by either Contractor or City without the prior written consent of the other party.

d. **No Third Party Beneficiaries**

Nothing in the Agreement should be construed to benefit any person or entity not a signatory to the Agreement.

e. **Construction**

In construing the Agreement, none of the parties shall have any term or provision, or any uncertainty or ambiguity as to any provisions, construed against such party solely by reason of such party having drafted the same.

f. **No Liability of City Officials**

No City councilmember, officer, agent, employee, or independent contractor shall be personally responsible for any liability arising under or growing out of the Agreement.

g. **Execution of Agreement**

The Agreement shall be approved by all applicable and requisite corporate or company actions of Contractor, with a representation that the signatory on behalf of Contractor has legal authority to enter into the Agreement.

h. **Integration**

The terms and conditions of this Agreement the Contract Documents, Contractor's proposal, and any other exhibits attached to this Agreement ("Services" or "Contract Documents"") represent the entire understanding of City and Contractor as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered herein. The Agreement may not be modified or altered except in writing signed by both parties.

i. **Jurisdiction and Venue**

This Agreement shall be administered and interpreted under the laws of the State of Texas. Exclusive jurisdiction and venue of litigation arising from or related to the Agreement shall be in any court of competent jurisdiction in Bowie County Texas.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

j. **Termination of Work**

Any other provisions of this Agreement notwithstanding, each party has the right to terminate this Agreement if the other party breaches or is in default of any obligation hereunder which default or breach is incapable of cure or which, being capable of cure, has not been cured within five (5) days after receipt of written notice of such default (or such additional cure period as the non-defaulting party may authorize) In addition, if at any time after commencement of the Services, City shall, in its sole reasonable judgment, determine that such Services are inadequate, unsatisfactory, no longer needed, or substantially not conforming to the applicable standard of care or representations contained herein, City may terminate this Agreement upon five (5) days written notice to Contractor without any liability to City.

k. **FUNDING:**

The City of Texarkana, Texas is a Home-Rule Municipal Corporation operated and funded on an October 1 to September 30 basis; accordingly, the City reserves the right to terminate, without liability to the City, any contract for which the funding is not annually approved by the City Council.

l. **Taxes**

The City of Texarkana, Texas is exempt from federal manufacturer's excise and state sales tax. Tax must not be included, and City shall not be responsible for any taxes charged. Tax exemption certificates will be executed by the City and furnished upon request.

m. **Severability**

In case any one or more of the provisions contained in this Agreement shall for any reason be held to be void, invalid, illegal, or unenforceable in any respect, such voiding, invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Agreement shall be considered as if the entirety of such void, invalid, illegal, or unenforceable provision had never been contained in this Agreement.

n. **Timeliness of Performance**

Contractor agrees to perform its services with due and reasonable diligence consistent with sound professional practices and will strive to meet the schedules defined in the Contract Documents.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

o. **Waiver**

Any failure by Contractor or City to require strict compliance with any provision of this Agreement shall not be construed as a waiver of such provision, and Contractor or City may subsequently require strict compliance at any time, notwithstanding any prior failure to do so.

IN WITNESS HEREOF, the parties to these presents have executed this agreement in Texarkana, Bowie County, Texas in the year and day first above written.

CITY OF TEXARKANA, TEXAS (CITY)

By: _____
John A. Whitson
City Manager, ICMA-CM

APPROVED AS TO CONTENT:

By: _____
David Orr, Director
Planning and Community Development

CONTRACTOR:

PACIFIC ENVIRONMENTAL GROUP, LLC

By: _____
W. John Moala

TITLE: VP

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY
CERTIFICATION OF FILING

Certificate Number:
2016-89201

Date Filed:
07/22/2016

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
Pacific Environmental Group, LLC
Dallas, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.
City of Texarkana

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.
RFP# 16-2001-07
Asbestos Abatement - Commercial Building 203/205 W Broad Street Texarkana, Texas

4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
		Controlling	Intermediary
Moala, William J	Dallas, TX United States	X	
Moala, Edward J	Dallas, TX United States	X	

5 Check only if there is NO Interested Party. ☐

6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

ARACELY GARZA
Notary Public, State of Texas
Comm. Expires 04-23-2018
Notary ID 129795355

AFFIX NOTARY STAMP / SEAL ABOVE

Signature of authorized agent of contracting business entity

Sworn to and subscribed before me, by the said William J Moala, Authorized Agent, this the 22nd day of July, 2016, to certify which, witness my hand and seal of office.

Signature of officer administering oath	Aracely Garza Printed name of officer administering oath	Admin Title of officer administering oath

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

EXHIBIT "A"

CONTRACT DOCUMENTS

Attached hereto:

1. Request For Proposal
2. Contractor's Proposal Form for Hazardous Materials Remediation
3. Scope of Work
4. Insurance Requirements
5. Bond Requirements
6. General Terms and Conditions
7. Site Cleanup Plan
8. Site Health and Safety Plan
9. Standard Operating Procedure for Asbestos
10. Standard Operating Procedure for Lead Based Paint
11. Standard Operating Procedure for Avian Pathogen Sampling – Airborne
12. Standard Operating Procedure for Avian Pathogen Sampling – Bulk Material
13. Standard Operating Procedure for Bioaerosol Sampling
14. Standard Operating Procedure for Fungal Growth

** If there is any conflict between Contractor's Proposal Form for Hazardous Materials and this Agreement and the Contract Documents, the terms contained in this Agreement and the Contract Documents shall govern. By executing this Agreement, Contractor acknowledges it has read this Agreement and all of the Contract Documents, acknowledges, understands, and agrees with these terms.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

EXHIBIT "A"

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Terracon

SECTION 00020 - PROPOSAL FORM FOR HAZARDOUS MATERIALS REMEDIATION

Project: Commercial Building
203/205 W Broad Street
Texarkana, Texas

Company: Pacific Environmental Group, LLC
Contact: W. John Moala
Phone: 214-989-4044
Email: john@pacific-environmental.com

Terracon Project No.: 94137464B

PROPOSAL FORM

To: Ms. Sharon Moore, Purchasing Manager City of Texarkana Date: 7/1/16

In compliance with your Request for Proposals and subject to all the conditions thereof the undersigned:

Pacific Environmental Group, LLC

Name of Proposer

A Corporation organized and existing under the laws of the State of _____ , a Partnership consisting of an LLC or an Individual trading as _____, having principal offices in the city of Dallas , hereby proposes to furnish all labor and materials and perform all Work required for the following Project:

ACKNOWLEDGMENTS: The proposer declares that he himself has examined the site of the Work and fully informed himself regarding all pertinent conditions, and that he has examined the Scope of Work (including all Addenda received) for the work relative thereto, and that he has satisfied himself relative to the Work to be performed.

1. BASE PROPOSAL (Time Frame 1): The Proposer herewith submits for the portion of the Work identified as "Base Proposer" a lump sum cost of: $89,365

2. ADDENDA: The Proposer acknowledges receipt of Addenda No's: —

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Terracon

3. PROJECT SCHEDULE: The Proposer submits the following work schedule:

The proposer agrees to start work within 11 consecutive calendar days of receipt of notice to proceed and complete the Contract within:

SCHEDULE & STAFF

Total number of work days to complete:	17
Number of days per week Contractor will work:	7 Prohibited on Sundays, Sec. 28-237- Work hours be in Contract (DR)
Hours per day the Contractor will work:	10
Number of TDSHS Supervisors/Workers:	12

PRICE

A. Total Base Proposal (includes labor, materials, disposal & reporting:	$89,365
B. Performance and Payment Bonding Rate:	3%

CERTIFICATIONS: The undersigned certifies that he is authorized to execute contracts on behalf of the Proposer as legally named, that this proposal is submitted in good faith without fraud or collusion with any other Proposer, that the data indicated below is true and complete, and that the proposal is made in good faith and in full accord with State Law. Notice or acceptance may be sent to the undersigned at the address set forth below:

PACIFIC ENVIRONMENTAL GROUP, LLC LIMITED LIABILITY SEAL 2014 TEXAS COMPANY

Legal Name of Proposer*:	Pacific Environmental Group, LLC
Mailing Address:	2435 Southwell Rd. Ste. 3 Dallas, Texas 75229
By (Legal Signature):	
Name Typed:	W. John Moala
Title:	Partner

DATA ON PROPOSER:

Abatement Contractor's State Licenses: Submit Copies of Licenses.

If a partnership, list all partners and their addresses. If a corporation, affix corporate seal: If proposal is signed by other than the president or vice president, attach written authority to bind the corporation. If an individual, then so state. Any modifications to a proposal shall be over the initials of the person signing the proposal or of an agent who supplied written authority with the modification.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Terracon

The Proposer as part of the proposal package shall submit a list of a minimum of five (5) previous asbestos, fungal, lead paint and avian pathogen abatement projects of a similar scope and size, successfully completed by the Proposer along with the Owner's name, address and telephone number. If the projects were handled by a consulting firm, the name, address, contact and telephone number of the firm shall also be included.

LIST FIVE PREVIOUS HAZARDOUS MATERIAL ABATEMENT PROJECTS OF SIMILAR SCOPE (highlight historical projects and note if scope of work included a deteriorated structure with common walls to adjoining, sound structures):

1. Owner: Please see attached list Phone No.: _____
   Contract Amount: _____ Completion Date: _____
   Consultant: _____ Phone No.: _____
   Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No

2. Owner: _____ Phone No.: _____
   Contract Amount: _____ Completion Date: _____
   Consultant: _____ Phone No.: _____
   Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No

3. Owner: _____ Phone No.: _____
   Contract Amount: _____ Completion Date: _____
   Consultant: _____ Phone No.: _____
   Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No

4. Owner: _____ Phone No.: _____
   Contract Amount: _____ Completion Date: _____
   Consultant: _____ Phone No.: _____
   Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No

5. Owner: _____ Phone No.: _____
   Contract Amount: _____ Completion Date: _____
   Consultant: _____ Phone No.: _____
   Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No

ADDITIONAL ITEMS REQUIRED WITH PROPOSAL: The following items are additionally required as part of this proposal submittal.

1. INSURANCE CERTIFICATES.
2. CONTRACTOR'S QUALIFICATION STATEMENT: Completed AIA Document A305.
3. A notarized statement, signed by an officer of the company, containing the following information of a statement of negative of the same:

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Pacific Environmental Group, LLC

General Contractor / Environmental Specialty Contractor

Environmental Services Projects

Arapaho Village Dallas, TX
PRIME GC - Asbestos Abatement Contractor
Complete Date: February 2015
Value: $31,119.00
POC: Kris Schuster (469)232-0000

Richardson ISD 400 S. Greenville Avenue Richardson, TX 75081
Asbestos Abatement / Mold Remediation Contractor
Master Contract: Ongoing
Value: $250,000.00+
Owner POC: Melanie Rhea
469-593-0044

Dallas ISD 3801 Herschel Dallas, TX 75219
Asbestos Abatement Contractor
Master Contract: Ongoing
Value: $225,000.00+
Owner POC: Russ Pounds
972-925-7304

Fort Worth ISD 100 North University Drive Fort Worth, TX 76107
Abatement Contractor
Master Contract: Ongoing
Value: $20,000.00+
Owner POC: Steven Furlough
817-871-3296

Carswell Air Force Base Prison Ft. Worth, TX
Prime GC - Asbestos Abatement/Mold Remediation/Construction
Completion Date: 2014
Value $173,000.00
POC: Don Sambrookes (817) 782-4028

**All projects were not historical and did not have deteriorated walls.

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Terracon

a) A record of citations issued by Federal, State, or Local regulatory agencies relating to asbestos, fungal(mold) and lead paint abatement activity for the Contracting company and any and all affiliates. Include projects, dates and resolutions.

b) Situations in which an asbestos and lead related contract has been terminated including projects, dates and reasons for terminations.

c) A listing of any asbestos or lead-related legal proceedings/claims in which the Proposer (or employees scheduled to participate in this project) have participated or are currently involved. Include descriptions of role, issue and resolution to date.

4. Name of supervisor and/or supervisors who will work on the project. Include a detailed description of his/her experience with references and years of experience.

5. Contractor will provide the name and appropriate permit information of the waste transporter and their insurance certificate.

6. Contractor will provide the name of the landfill at which the asbestos and lead waste will be disposed.

END OF PROPOSAL FORM

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 6/28/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Baldwin-Cox Agency, LLC 5930 Preston View Blvd Ste 200 Dallas TX 75240	CONTACT NAME: Judy Lozano PHONE (A/C, No, Ext): (972) 644-2688 FAX (A/C, No): (972) 644-8035 E-MAIL ADDRESS:
INSURED Pacific Environmental Group, LLC 2435 Southwell Road Ste 3 Dallas TX 75229	INSURER(S) AFFORDING COVERAGE — NAIC # INSURER A: Homeland Insurance Co of New York — 34452 INSURER B: Texas Mutual Insurance Company — 22945 INSURER C: Liberty Mutual Insurance Company — 23043 INSURER D: INSURER E: INSURER F:

COVERAGES **CERTIFICATE NUMBER:** Master **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRO-JECT LOC OTHER:			7930045910000	4/29/2016	4/29/2017	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG (blank)	$ 1,000,000 $ 50,000 $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000 $ 1,000,000
C	AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS X HIRED AUTOS X NON-OWNED AUTOS			BAS (16) 56345210	10/10/2015	10/10/2016	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) (blank)	$ 1,000,000 $ $ $ $
A	UMBRELLA LIAB X OCCUR X EXCESS LIAB CLAIMS-MADE DED RETENTION $			7930045920000	4/29/2016	4/29/2017	EACH OCCURRENCE AGGREGATE (blank)	$ 10,000,000 $ 10,000,000 $
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N: N N/A If yes, describe under DESCRIPTION OF OPERATIONS below			TSF-0001276880	10/04/2015	10/04/2016	X PER STATUTE OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 1,000,000 $ 1,000,000 $ 1,000,000
A	Professional Services Liab & Contractors Pollution			7930045910000	04/29/2016	04/29/2017	Liability Deductible/Claims Made	$1,000,000 $2,500/5,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The general liability,professional Liability, pollution liability, Umbrella Liability and Auto Liability policies includes a blanket automatic additional insured endorsement that provides additional insured status to the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status.

A Blanket Endorsement for Ongoing and Completed Operations is attached to the Certificate holder only when there is a written contract between the named insued and the Certificate Holder that requires such

CERTIFICATE HOLDER

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Bill Baldwin/YJL

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ACORD 25 (2014/01)
INS025 (2014/01)

The ACORD name and logo are registered marks of ACORD

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COMMENTS/REMARKS

Status.

The general liability, professional Liability, Pollution Liability and Excess Liability policy contains a special endorsement with "primary and non-contributory" wording.

Excess Liability coverage is on a Follow Form

The general liability, professional Liability,pollution liability, Umbrella Liability, Auto Liability and Workers Compensation policies includes a blanket automatic waiver of subrogation endorsement that provides this feature only when there is a written contract between the named insured and the certificate holder that requires it.

The general liability, professional liability, pollution liability,umbrella policies and workers Compensation includes a blanket notice of cancellation to the certificate holders endorsement, providing for 30 days advance notice if the policy is cancelled by the company other than for nonpayment of premium, for which 10 days notice is given. Notice is sent to the certificate holders with mailing addresses on file withthe agent or the company. The endorsement does not provide for notice of cancellation if the named insured requests cancellation.

OFREMARK COPYRIGHT 2000, AMS SERVICES INC.

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Pacific Environmental Group, LLC

General Contractor / Environmental Specialty Contractor

Commercial Building
203/205 W Broad Street
Texarkana, TX
Terracon Bid Number: 94137464B

a. **Violations:** Pacific Environmental Group, LLC RCO1200
Dallas Baptist University, 3000 Mountain Creek Pkwy, Dallas
295.325(b) – Failure to submit an amended notification – later start date
Penalty: $250 01/12/2016

b. Contract terminations: None

c. Asbestos legal proceedings/claims – None

4. Marco Fernandez Supervisor, 28 years experience – Resume Attached

5. Waste Transporter – Pacific Environmental Group, LLC License Number 40-0525
License Attached

6. Landfill:
DFW Landfill
1600 S. Railroad
Lewisville, TX 75067
1025B Permit Number

Sincerely,
Pacific Environmental Group, LLC

William John Moala
Partner

STATE OF TEXAS

COUNTY OF Dallas

The foregoing instrument was signed, sealed and acknowledged before me this 5th day of July, 2016, by the aforesaid representative, having been duly sworn and stating and affirming that he/she is duly authorized to give this Affidavit and that the foregoing

2435 Southwell Rd, Ste. 3 Dallas, TX 75229
Office (214)989-4044 Fax (877)865-8203
info@pacific-environmental.com /pacific-environmental.com

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Pacific Environmental Group, LLC

General Contractor / Environmental Specialty Contractor

statements are true.

Signed: _____
Notary Public

My Commission expires: Oct 14, 2016

MEGAN HURD
Notary Public, State of Texas
My Commission Expires
October 14, 2016

(Notary Seal)

2435 Southwell Rd, Ste. 3 Dallas, TX 75229
Office (214)989-4044 Fax (877)865-8203
info@pacific-environmental.com /pacific-environmental.com

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Marco Fernandez
2510 N. Highway 175 Trl. 417
Seagoville, TX 75159
marco@pacific-environmental.com

Objective: Ready to excel as an asbestos environmental specialist, where I can use my extensive skills and experience to measurably improve environmental compliance and provide the support and dedication it takes to get the job done.

Highlights of Qualifications

- Oversaw removal of ACM material, non-friable asbestos and non-regulated material at the CVS Pharmacy in Bay City, TX.
- Supervised all projects at Hitchcock Independent School District. Work included mold remediation, removing mold walls and ceiling tiles, build-back, and asbestos removal of floor tile and mastic at the Crosby Middle School Library.
- Supervised projects at City of Denison Fire Station. Work included removal of mastic of the lettering, and also cleaning the plaster walls surrounding the fire station.
- Supervised removal of duct insulation, mastic removal, and roof flashing of the Former Luby's Cafeteria in Irving, Texas.

On-The-Job Experiences

Prepare and review reports. Consult with supervisors for corrective steps to be taken where health violations or deficiencies exist. Ensure that programs are being carried out and that control measures are adequate. Provide guidance and supervision in selecting protective equipment, and monitor its use in the industrial environment. Review plans, work orders, contracts, and specifications for compliance with environmental and occupational health directives. Serve as a member on committees for occupational health and environmental protection matters. Evaluate domestic waste treatment and solid waste disposal systems and procedures. Identify and evaluate potential pollution sources. Investigate chemical spills and other environmental releases, collect samples and coordinate necessary corrective actions with state, federal, and local officials. Perform source and ambient air monitoring. Conduct evaluations and review procedures for compliance with pollutant discharge limits. Collect industrial hygiene data on noise, ionizing and non-ionizing radiation, illumination, ventilation, air quality, ergonomics, and survey equipment. Perform and direct surveys to detect and identify chemical, biological, and radiological contaminants. Survey facilities, equipment, materials, and operations for ionizing and non-ionizing radiation hazards and monitor radioactive waste disposal and shipment to ensure compliance with current environmental, safety, and health standards, and licensing or permit requirements.

Training/Certificates

- Asbestos Contractor/Supervisor in Texas
- Asbestos Contractor/Supervisor Missouri
- Mold Remediation Worker
- Mold Remediation Contractor
- Resilient Floor Covering Removal Supervisor
- Lead Abatement Supervisor

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TEXAS DEPARTMENT OF STATE HEALTH SERVICES

PACIFIC ENVIRONMENTAL GROUP LLC

is certified to perform as a

Asbestos Abatement Contractor

in the State of Texas within the purview of Texas Occupations Code, chapter 1954, so long as this license is not suspended or revoked and is renewed according to the rules adopted by the Texas Board of Health.

JOHN HELLERSTEDT, M.D.
COMMISSIONER OF HEALTH

License Number: 801057

Expiration Date: 5/18/2018

Control Number: 96305

(Void After Expiration Date)

VOID IF ALTERED NON-TRANSFERABLE

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TEXAS DEPARTMENT OF STATE HEALTH SERVICES

PACIFIC ENVIRONMENTAL GROUP LLC

is certified to perform as a

Asbestos Transporter

in the State of Texas within the purview of Texas Occupations Code, chapter 1954, so long as this license is not suspended or revoked and is renewed according to the rules adopted by the Texas Board of Health.

KIRK COLE, INTERIM
COMMISSIONER OF HEALTH

License Number: 400525

Control Number: 96167

Expiration Date: 7/6/2017

(Void After Expiration Date)

VOID IF ALTERED NON-TRANSFERABLE

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Pacific Environmental Group, LLC

General Contractor / Environmental Specialty Contractor

CONTRACTOR QUALIFICATIONS STATEMENT

Pacific Environmental Group has great interest in this contract opportunity. Our owners have a proven track record of helping numerous entities get the most for their dollars when it comes to their environmental needs. Our experience correlates perfectly with the opportunity presented in this solicitation.

Pacific Environmental has been a leader in the environmental field over the last 16 years, providing quality services to various public and private entities, property managers, building management, project managers, and consulting firms. Our time tested operating procedures are designed to deliver the best quality of services at the lowest possible cost.

The firms' owners, Jared Moala and John Moala, have successfully bid and executed contracts over the last nearly 16 years on thousands of projects for Bank of America (National Contract), USPS, WFAA, Walgreens, City of Corsicana, City of Hutchins, TXDPS, TX National Guard, Parkland Hospital, Medical Center of Arlington, Dallas ISD, Denton ISD, Hitchcock ISD, Arlington ISD, Richardson ISD, Dallas Baptist College, Arlington Baptist College, CB Richard Ellis, CVS, Comerica, the Federal Government, including an Army IDIQ and Air Force IDIQ, etc.

Pacific Environmental employs only the top personnel in the remediation field. With a combined personnel experience of over 75 years, Pacific Environmental is dedicated to keeping employees top notch with up-to-date training on industry regulations and practice, to include the latest technology and methods.

Pacific Environmental has the infrastructure in place to provide the airport with quality work and services, while adhering to the airport's calendar of operations and activities. Pacific will work around those timetables to provide whatever hazardous material abatement work is required and in agreement with the logistics of the project(s). Each contract is assigned a specific Project Manager with support from the Superintendent, Office Coordinator and General Manager in addition to the assigned Supervisor and field staff.

Pacific Environmental services each client and the many activities involved by using many of the core values Pacific Environmental is based, such as communication, preparedness and problem solving.

Communication - All aspects of any project undertaken by Pacific Environmental are communicated to everybody possibly involved. From primary project discussion through jobsite work to closeout, all parties are involved on Pacific Environmental

2435 Southwell Rd, Ste. 3 Dallas, TX 75229
Office (214)989-4044 Fax (877)865-8203
info@pacific-environmental.com / www.pacific-environmental.com

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communications. Pacific Environmental personnel are available 24/7/365 days a year, day or night to answer questions, updates, etc.

Preparedness - Pacific Environmental strives to stay ahead of the curve on environmental projects by being prepared prior to ever stepping foot on the jobsite. By completing all required paperwork, submittals, training, schedules, communications and any and all project management items, we try to make sure we have covered all the bases.

Problem Solving - Pacific Environmental understands that there are unique challenges that arise on projects. Pacific Environmental solves these challenges by thinking outside the box, and using the best solutions possible for the client.

CURRENT PROJECTS

- *Federal Medical Center Bureau of Prisons* - Asbestos Abatement
- *Arapaho Village Shopping Center* - Asbestos Abatement
- *Shell Gas Station* – Asbestos Abatement
- *Goodfellow Air Force Base* – Goodfellow, Texas – Demolition
- *WFAA* – Asbestos Abatement
- *Sheraton Dallas* – Asbestos Abatement
- *Dallas Baptist University* – Mold Remediation
- *Lake Granbury Medical Center* – Asbestos Abatement
- *Arlington Baptist College* – Asbestos Abatement
- *Various Residences* – Asbestos Abatement / Mold Remediation
- *US Army Core of Engineers* – Asbestos Abatement
- *Dallas ISD Master Agreement* – Asbestos Abatement
- *Richardson ISD* – Asbestos Abatement

LICENSES AND CERTIFICATIONS

Pacific Environmental maintains the following licenses and certifications:

- Texas Department of State Health Services (TDSHS) Licensed Asbestos Abatement Contractor – License # 80-1057
- TDSHS Licensed Asbestos Abatement Transporter – License # 40-0525
- TDSHS Licensed Mold Remediation Contractor – Marco Fernandez - License # MRC1130

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Pacific Environmental Group, LLC

General Contractor / Environmental Specialty Contractor

- TDSHS Licensed Mold Remediation Company- License # RCO1200
- TDSHS Licensed Lead Abatement Firm - License # 2110608
- United States EPA Lead Certification #NAT-F147048-1
- Federal HUBZone Certification - 53206

MINORITY DESIGNATION

Pacific Environmental is a minority owned business.

- Dallas Fort Worth Minority Supplier Development Council – DL02146

SAFETY RECORD

- *Experience Modification Rate (EMR): .85*
- *Number of lost time accidents: Zero*
- *Number of recordable cases: Zero*
- *Fatalities: Zero*
- *Number of direct hire fixed hours worked (in round 1,000's): 30,000*
  - Current EMR - .85
  - OSHA 300 Recordable – Zero accidents or injuries

Bonding Capacity

$1,000,000

DUNS/CAGE Code number

DUNS – 079359158
CAGE – 77VS4

Principals

Jared Moala
504 Oakwood
Euless, Texas 76040
John Moala
1710 Glen Aerie
Corinth, Texas 76210

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Organization Chart - Prime

Role	Name	Responsibility
Partner	E. Jared Moala	Oversees all aspects of operations
Partner	W. John Moala	Oversees all aspects of operations
Director of Marketing & Business Development	Alfred Vaituulala	Provides strategic direction and high level planning
Chief of Construction & Engineering Services	Donald Dragoo	Oversees all operations
Superintendent	Scyler Hurd	Supervises and directs the project managers and supervisors
Project Manager	John Vi	Concentrates on a certain number of projects and oversees each aspect of it
Project Manager	Jenna Rasmussen	Concentrates on a certain number of projects and oversees each aspect of it
Project Supervisor	Marco A. Fernandez	Licensed by the state and covers all tasks related to asbestos abatement
Project Supervisor	David Barnes	Licensed by the state and covers all tasks related to asbestos abatement
Project Coordinator Office Manager	Lisia Moala	Oversees Office

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Pacific Environmental Group, LLC

General Contractor / Environmental Specialty Contractor

Supervisory Personnel

John Moala
Asbestos Abatement Supervisor – 12 years experience
Mold Remediation Contractor – 7 years experience

Marco Fernandez
Asbestos Abatement Supervisor – 20 years experience
Mold Remediation Contractor – 7 years experience
Lead Abatement Supervisor – 3 years experience

Ruben Garcia
Asbestos Abatement Supervisor – 9 years experience
Mold Remediation Worker – 9 years experience
Lead Abatement Worker – 5 years experience

Pedro Leija
Asbestos Abatement Supervisor – 10 years experience

David Barnes
Asbestos Abatement Supervisor – 30 years experience

CAPABILITIES - In House

Asbestos Abatement

Mold and Microbial Remediation

Lead Abatement

Nationwide Disaster Response Support
IAQ Services

Pacific Environmental Group, LLC (Contractor) certifies:

Contractor agrees that services covered by this contract shall be performed by qualified, responsible, trained employees, in the strictest conformity with the best practices and standards as may be prescribed by the Airport, industry standards, and/or manufacturer's recommendations throughout the duration of this contract. The Airport and contractor agree that the conduct of service personnel is to be guided by a set of rules mutually agreed upon and any special instructions deemed applicable by the Airport. It shall be agreed that service personnel's personal grooming habits will be subject to standards set by the Airport. Contractor further agrees that upon request by the Airport, contractor will immediately remove from service any

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employee who, in the Airport's opinion, is guilty of improper conduct, is not qualified or needed to perform the work assigned, or by reason of being in the best interest of the Airport. All service personnel will be required to communicate well, both verbally and in writing, project a professional image in their duties and deal with all people in a courteous and positive manner. All service personnel must wear Photo ID cards while on District property. Full background checks are performed on each employee and laborer.

Regulatory Compliance History

Pacific Environmental has no TDSHS violations nor has it received warnings, citations, penalties, damages, shutdowns, claims, proceedings, or the like.

Available Work Force & Response Time

Pacific Environmental has the background checked and available work force needed to complete this project on budget adhering to the Airport's schedule. Pacific highly values the DFW Airport as a top client and can respond as needed to its requests.

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SECTION 00030 – GENERAL TERMS AND CONDITIONS

****** PLEASE READ CAREFULLY ******

THESE GENERAL CONDITIONS APPLY TO ALL PROPOSALS AND BECOME A PART OF THE TERMS AND CONDITIONS OF ANY PROPOSAL SUBMITTED AND SUBSEQUENT PURCHASE ORDER OR CONTRACT. THE CITY SHALL MEAN THE CITY OF TEXARKANA, TEXAS.

1. **REQUIRED INFORMATION:** The proposal form section of the proposal packet must be completed prior to the date and time set for the proposal opening and included with the proposal packet or the vendor will be found non-responsive.

2. **INSTRUCTIONS:** These instructions apply to all quotations and become a part of terms and conditions of any proposal packet submitted and subsequent purchase order or contract.

3. **ERROR-QUANTITY:** Proposal price must be submitted on units of quantity specified, extend, and total shown. In the event of discrepancies in extensions, the unit price shall govern.

4. **AWARD:** The City of Texarkana, Texas reserves the right to accept or reject any and all proposals in whole or in part and waive any minor technicality and enter into contract deemed to provide the **best value** to the City.
The City of Texarkana, Texas reserves the right to award a separate contract to separate vendors for each item/group or to award one contract for the entire proposal.

4.1 The contract may be awarded either to the lowest responsible proposer or to the proposer who provides goods or services at the best value for the City of Texarkana, Texas. In determining the best value for the City of Texarkana, Texas, the City may consider:

(a) The purchase price;
(b) The reputation of the proposer and of the proposer's goods or services;
(c) The quality of the proposer's goods or services;
(d) The extent to which the goods or services meet the City's needs;
(e) The proposer's past relationship with the City;
(f) The impact on the ability of the City to comply with laws and rules relating to contracting with Historically Underutilized Businesses and non-profit organizations employing persons with disabilities;
(g) The total long-term cost to the City to acquire goods or services; and
(h) Any relevant criteria specifically listed in the Request for Proposal.

4.2 All proposals are evaluated for compliance with specifications before the proposal price is considered. Failure to comply with the listed General Conditions may result in disqualification of proposal.

4.3 In case of tie proposals, preference will be given to local proposers.

4.4 Any contract made, or purchase order issued, as a result of this Request for Proposal, shall be entered into the State of Texas and under the laws of the State of Texas. In connection with the performance of work, the Proposer agrees to comply with the Fair Labor Standard Act, Equal Opportunity Employment Act, and all other applicable Federal, State, and Local laws, regulations, and executive orders to the extent that the same may be applicable.

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Responsible Proposer Criteria: The City shall consider only responsible Proposers. Responsible Proposers are those that have, in the sole judgment of the City, the financial ability, experience, resources, skills, capability, reliability and business integrity necessary to perform the requirements of the contract. The City may also consider references and financial stability in determining a responsible Proposer.

5. **INVOICES:** Invoices shall be submitted by the successful proposer to the City of Texarkana, Texas, Purchasing, P. O. Box 1967, Texarkana, Texas 75504

6. **PAYMENT TERMS:** Net 30 days.

7. **TAXES:** The City of Texarkana, Texas is exempt from Federal Manufacturer's excise and state sales tax. Tax must not be included in proposal. Tax exemption certificates will be executed by the City and furnished upon request.

8. **DELIVERY PROMISE:** Proposals must show the number of calendar days required to place the materials in the possession of the City. Do not quote shipping dates.

9. **FUNDING:** The City of Texarkana, Texas is a home-rule municipal corporation operated and funded on an October 1 to September 30 basis; accordingly, the City reserves the right to terminate, without liability to the City, any contract for which funding is not available.

10. **ASSIGNMENT:** The successful proposer shall not sell, assign, transfer or convey this contract in whole, or part, without the prior written consent of the Purchasing Department.

11. **LATE PROPOSALS:** Proposal packets received after submission deadline shall be returned unopened and will be considered void and unacceptable. The City of Texarkana, Texas is not responsible for the lateness of mail carrier, weather conditions, etc.

12. **ALTERING PROPOSALS**: Proposal prices cannot be altered or amended after submission deadline. Any interlineation alteration or erasure made before opening time must be initialed by the signer of the proposal, guaranteeing authenticity.

13. **WITHDRAWAL OF PROPOSALS**: A proposal price may not be withdrawn or canceled by the proposer for a period of ninety (90) days following the date designated for the receipt of proposals without written approval of Purchasing Director, and proposer so agrees upon submittal of proposal.

14. **CHANGE ORDERS**: No oral statement of any person shall modify or otherwise change, or affect the terms, conditions or specifications stated in the resulting contract. All change orders to the contract will be made in writing by the City of Texarkana, Texas.

15. **ADDENDA**: Any interpretations, corrections or changes to this proposal packet will be made by addenda. Sole issuing authority shall be vested in the City of Texarkana, Texas Purchasing Department. Addenda will be sent to all who are known to have received a copy of this proposal packet. If the addenda contain changes to the "specification" or "proposal form", proposers shall acknowledge receipt of all addenda or they will be declared non-responsive.

16. **Contractor shall release, defend, indemnify and hold harmless the City** and its officers, agents and employees from and against all damages, injuries (including death), claims, property damages (including loss of use), losses, demands, suits, judgments and costs, including reasonable attorney's fees and expenses, in any way arising out of,

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related to, or resulting from the performance of the work or caused by the negligent act or omission of contractor, its officers, agents, employees, subcontractors, licensees, invitees or any other third parties for whom contractor is legally responsible (hereinafter "claims"). Contractor is expressly required to defend City against all such claims.
In its sole discretion, City shall have the right to select or to approve defense counsel to be retained by contractor in fulfilling its obligation hereunder to defend and indemnify City, unless such right is expressly waived by City in writing. City reserves the right to provide a portion or its own entire defense; however, City is under no obligation to do so. Any such action by City is not to be construed as a waiver of contractor's obligation to defend City or as a waiver of contractor's obligation to indemnify City pursuant to this contract. Contractor shall retain City approved defense counsel within seven (7) business days of City's written notice that City is invoking its right to indemnification under this contract. If contractor fails to retain counsel within such time period, City shall have the right to retain defense council on its own behalf, and contractor shall be liable for all costs incurred by City.

17. **TERMINATION**: The City of Texarkana, Texas reserves the right to enforce the performance of this contract in any manner prescribed by law or deemed to be in the best interest of the City in the event of breach or default of this contract. The City reserves the right to terminate the contract immediately in the event the successful proposer fails to 1) meet delivery schedules or 2) otherwise perform in accordance with these specifications or 3) the City of Texarkana may terminate this contract for any reason with 30 days written notice.

18. **VENUE:** This agreement will be governed and constructed according to the laws of the State of Texas. This agreement is performable in Bowie County, Texas.

19. **NO PROHIBITED INTEREST:** Proposer acknowledges and represents that they are aware of the laws, City charter, and City code of conduct regarding conflicts of interest. The City charter states that "no officer or employee of the City shall have a financial interest, direct or indirect, in any contract with the City, nor shall be financially interested, directly or indirectly, in the sale to the City of any land, or rights or interest in any land, materials, supplies or service".

20. **PREPARATION COST:** The City will not be liable for any costs associated with the preparation, transmittal, or presentation of any proposals or materials submitted in response to any proposal, quotation, or proposal.

21. **MINOR DEFECT:** The City reserves the right to waive any minor defect, irregularity, or informality in any proposal. The City may also reject any or all proposals without cause prior to award.

22. **PROPOSAL OPENINGS:** All proposals submitted will be read at the City's regularly scheduled proposal opening for the designated project. However, the reading of a proposal at proposal opening should not be construed as a comment on the responsiveness of such proposal or as any indication that the City accepts such proposal as responsive. The City will make a determination as to the responsiveness of proposals submitted based upon compliance with all applicable laws, City of Texarkana, Texas purchasing guidelines, and project documents, including but not limited to the project specifications and contract documents. The City will notify the successful proposer upon award of the contract and, according to state law; all proposals received will be available for inspection at that time.

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23. **FORCE MAJEURE:** Neither party shall be held responsible for losses or damages hereunder, if the fulfillment of any terms of provisions of the contract is delayed or prevented by strike, walkouts, acts of god, or public enemy, fire, or flood.

24. **PRICE:** The price or prices for the work shall include full compensation for all taxes, permits, etc. that the proposer is or may be required to pay.

25. **CONFLICT OF INTEREST:** The proposer shall not offer or accept gifts or anything of value nor enter into any business arrangement with any employee, official or agent of the City of Texarkana, Texas.

    By signing and executing this proposal, the proposer certifies and represents to the City the proposer has not offered, conferred or agreed to confer any pecuniary benefit or other thing of value for the receipt of special treatment, advantage, information, recipient's decision, opinion, recommendation, vote or any other exercise of discretion concerning this proposal.

26. **PERMITS:** Successful proposer is responsible for obtaining any and all City permits when job requires.

27. **CONFLICT OF INTEREST DISCLOSURE:** Disclosure requirements of potential conflicts of interest involving counties, cities, and other local government entities must be filed after January 1, 2006. The disclosures must be filed by vendors or potential vendors to local government entities. The new requirements are set forth in a new Chapter 176 of the Texas Local Government Code added by H.B. No. 914 of the last Texas Legislature.

    A “local government entity” includes counties, municipalities, school districts, and other political subdivisions of the state or any entity to which a member is appointed by a county commissioner’s court or the mayor or governing body of a municipality. A “local government officer” means a member of the governing body of a local government entity and the person designated as the chief executive officer of the local government entity.

    Companies and individuals who contract, or seek to contract, with the City of Texarkana, Texas and its agents (including employees involved in the business with the entity) must file with the City Secretary’s Office at 220 Texas Blvd., Room 102, Texarkana, Texas 75504 a Conflict of Interest Questionnaire that describes, among other things, affiliations or business relationships with City of Texarkana, Texas officers, or certain family members or other businesses of the City of Texarkana, Texas officer, and certain employees or other contractors of the City of Texarkana, Texas with which such persons do business.

    The new requirements are in addition to any other disclosures required by law. The dates for filing disclosure statements begin on January 1, 2006. A violation of the filing requirements is a Class C misdemeanor.

    The Conflict of Interest Questionnaire (Form CIQ) may be downloaded from http://www.ethics.state.tx.us/conflict_forms.htm.

28. **Disclosing “Interested Parties” to a Contract, HB1295**: A governmental entity (the City) or state agency may not enter into a contract described by Subsection (b) with a business entity unless the business entity, in accordance with this section and rules adopted under this section submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency.

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"controlling interest" means: (1) an ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stock or otherwise that exceeds 10%; (2) membership on a board of directors or other governing body of a business entity of which the board or other governing body is composed of not more than 10 members; or (3) service as an officer of business entity that has four or fewer officers or service as one of the four officers most highly compensated by a business entity that has more than four officers.

"Interested party" means a person who has a controlling interest in the business entity with whom a governmental entity or state agency contracts or who actively participated in facilitating the contract or negotiating the terms of the contract, including a broker, intermediary, adviser or attorney for the business entity.

The disclosure of interested parties must be submitted on a form prescribed by the Texas Ethics Commission that includes:

(1) A list of each interested party for the contract of which the contracting business entity is aware; and

(2) The signature of the authorized agent of the contracting business entity, acknowledging that the disclosure is made under oath and under penalty of perjury.

A copy of this form can be found on the Texas Ethics Commission website with instructions. https://www.ethics.state.tx.us/tec/1295-info.htm

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SECTION 00040 - INSURANCE REQUIREMENTS

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

(a) Commercial General Liability (CGL) insurance at minimum combined single limits of $1,000,000 per-occurrence and $2,000,000 general aggregate for bodily injury and property damage. Coverage must be written on an occurrence form. Contractual liability must be maintained with respect to the contractor's obligations contained in the contract. The general aggregate limit must be at least two (2) times the per-occurrence limit. CGL shall include coverage for:

1. Premises/Operations
2. Products Completed Operations
3. Personal Injury

(b) Workers Compensation insurance at statutory limits.

(c) Commercial Automobile Liability insurance at minimum combined single limits of $1,000,000 per-occurrence for bodily injury and property damage, including owned, non-owned, and hired vehicle coverage.

The required limits may be satisfied by any combination of primary, excess or umbrella liability insurances, provided the primary policy complies with the above requirements and the excess umbrella is following form. The successful proposer may maintain reasonable and customary deductibles, subject to approval by the City.

A comprehensive general liability insurance form may be used in lieu of a commercial general liability insurance form. In this event, coverage must be written on an occurrence basis, at limits of $500,000 per occurrence, combined single limit; and coverage must include a broad form comprehensive general liability endorsement, coverage for products/completed operations, and broad form contractual liability covering the obligations included in the contract.

With reference to the foregoing insurance requirement, the successful proposer shall specifically endorse applicable insurance policies as follows:

(1) The City shall be named as an additional insured with respect to general liability.

(2) A waiver of subrogation in favor of the City of Texarkana, Texas shall be contained in the workers compensation coverage.

(3) All insurance policies shall be endorsed to require the insurer to immediately notify the City of any material change in the insurance coverage.

(4) All insurance policies shall be endorsed to the effect that the City will receive at least 10 days notice prior to cancellation, non-renewal or termination of the insurance.

(5) All copies of Certificates of Insurance shall reference the project/contract number for which the insurance is being supplied.

The City prefers that all insurance be purchased from an insurance company that meets the following requirements:

1) A financial rating of A:VII or better as assigned by the BEST rating Company or A or better by Standard and Poor's.
2) Written by companies approved by the State of Texas and acceptable to the City of Texarkana, Texas.

All insurance must be written on forms filed with and approved by the Texas State Board of Insurance. Certificates of Insurance shall be prepared and executed by the insurance company or it's authorized agent, and shall contain provisions representing and warranting the following:

1) The insurance set forth by the insurance company are underwritten on forms, which have been approved by the Texas State Board of Insurance.

2) Sets forth all endorsements and insurance coverage according to requirements and instructions contained herein.

3) Shall specifically set forth the notice of cancellation or termination provisions to the City of Texarkana, Texas.

CONTRACTOR SHALL:

(1) provide coverage for its employees providing services on a project, for the duration of the project based on proper reporting of classification codes and payroll amounts and filling of any coverage agreements;

(2) provide a certificate of coverage showing workers' compensation coverage to the governmental entity prior to beginning work on the project;

(3) provide the governmental entity, prior to the end of the coverage period, a new certificate of coverage showing extension of coverage, if the coverage period shown on the contractor's current certificate of coverage ends during the duration of the project;

(4) obtain from each person providing services on a project, and provide to the governmental entity:

(A) a certificate of coverage, prior to that person beginning work on the project, so the governmental entity will have on file certificates of coverage showing coverage for all persons providing services on the project; and

(B) no later than seven days after receipt by the contractor, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

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(5) retain all required certificates of coverage on file for the duration of the project and for one year thereafter;

(6) notify the governmental entity in writing by certified mail or personal delivery, within ten (10) days after the contractor knew or should have known, of any change that materially affects the provision of coverage of any person providing services on the project;

(7) post a notice on each project site informing all persons providing services on the project that they are required to be covered, and stating how a person may verify current coverage and report failure to provide coverage. This notice does not satisfy other posting requirements imposed by the Act or other commission rules. This notice must be printed in at least 19-point normal type, and shall be in both English and Spanish and any other language common to the worker population. The text for the notices shall be the following text provided by the commission on the sample notice, without any additional words or changes:

REQUIRED WORKERS' COMPENSATION COVERAGE

"The law requires that each person working on this site or providing services related to this construction project must (see reverse) be covered by workers' compensation insurance. This includes persons providing, hauling, or delivering equipment and materials, or providing labor or transportation or other service related to the project, regardless of the identity of their employer or status as an employee."

"Call the Texas Workers' Compensation Commission at 512-305-7238 to receive information on the legal requirement for coverage, to verify whether your employer has provided the required coverage, or to report an employer's failure to provide coverage." and

(8) contractually require each person with whom it contracts to provide services on a project, to:

(A) provide coverage based on proper reporting of classification codes and payroll amounts and filing of any coverage agreements for all of its employees providing services on the project, for the duration of the project;

(B) provide a certificate of coverage to the contractor prior to that person beginning work on the project;

(C) include in all contracts to provide services on the project the language in subsection (e) (3) of this rule;

(D) provide the contractor, prior to the end of the coverage period, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

(E) obtain from each other person with whom it contracts, and provide to the contractor:

(i) a certificate of coverage, prior to the other person beginning work on the project; and

(ii) prior to the end of the coverage period, a new certificate of coverage showing extension of the coverage period, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

(F) retain all required certificates of coverage on file for the duration of the project and for one year thereafter;

(G) notify the governmental entity in writing by certified mail or personal delivery, within (ten) 10 days after the person knew or should have known, of any change that materially affects the provision of coverage of any person providing services on the project; and

(H) contractually require each other person with whom it contracts, to perform as required by paragraphs (A) - (H), with the certificate of coverage to be provided to the person for whom they are providing services.

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SECTION 00050 –BOND REQUIREMENTS

BID BOND

An acceptable Bid Bond, certified check or cashier's check (bid/proposal security) payable without recourse to the order of the City of Texarkana, Texas, in an amount not less than **five percent (5%)** of the amount of the bid/proposal must accompany each bid/proposal as guarantee that, if awarded the contract, the bidder/proposer will enter into a contract within ten (10) days of the presentation of such contract to the bidder/proposer by the City. The Bid Bond must be on a form acceptable to City and the bonding company supplying the Bid Bond must be authorized to do business in the State of Texas.

The bid/proposal security submitted with each bid/proposal shall be considered as the amount of the liquidated damages which the City of Texarkana will sustain by the failure, neglect or refusal of the bidder/proposer to execute and deliver the agreement should the contract be awarded him.

If the bidder/proposer defaults in executing the agreement within ten (10) days after presentation of the contract to him, the bid/proposal security shall become the property of the City of Texarkana.

Bidder/Proposer warrants that the bid/proposal he submits has been checked for mathematical correctness and same is correct. Bidder/proposer agrees that should he desire to withdraw his bid/proposal after bid/proposal opening because of a mathematical mistake that the City of Texarkana may retain the bid/proposal security as liquidated damages and not as penalty and the bidder/proposer hereby waives any legal defense available to bidder/proposer for such mistake. (i.e. unilateral mistake).

The Bid Bond shall be retained by the City of Texarkana as liquidated damages in the event the successful bidder/proposer, after the award, fails to comply with the terms of this bid/proposal.

Bond rating must be A- or better.

PERFORMANCE BOND

Successful bidders/proposers must provide a performance bond for 100 percent of the contract price to ensure fulfillment of the Contractor’s obligations under the contract.

PAYMENT BOND

Successful bidders/proposers must provide a payment bond for 100 percent of the contract price. Said payment bond is to ensure payment as required by statute to all persons suppling labor and material under the contract.

Terracon

SECTION 00100 – INSTRUCTIONS TO PROPOSERS

A complete set of the proposal documents will be provided by Terracon. A complete set of proposal documents shall be used in preparing proposals; neither Owner, nor Terracon assume any responsibility for errors or misinterpretations resulting from the use of incomplete sets of proposal documents.

Owner by making available copies of the proposal documents on the above terms, does so only for the purpose of obtaining proposals on the work and does not confer a license or grant for any other use.

Qualification of Proposers

All proposers must demonstrate qualifications to perform work. Each proposer must submit the required documents including previous work experience and proof of authority to conduct business in the jurisdiction in the area in which the work is to be performed.

Contractors submitting proposals must comply with requirements of the Davis-Bacon Act and associated U.S. Department of Labor regulations for all construction, alteration and repair activities. Cleanup activities will involve construction, alteration and repair activities and are, therefore, subject to the Davis-Bacon Act. The remediation of asbestos- and lead-containing materials are considered "Building Construction" under the Davis-Bacon Act. These requirements include, but are not limited to, payment of prevailing wages, weekly payment of wages, and specific job-site postings. More information is available at https://www.dol.gov/whd/govcontracts/dbra.htm.

Contractor proposals must include:

- Davis-Bacon Wage Determinations; available at www.wdol.gov Wage Determinations
- Federal Labor Standards Clauses

Proposal Submittal: Required Documents Summary

Insurance Certificate

Bid Bond (5%) will be required for this project.

Performance Bond and Labor and Material Payment Bond will be required for this project.

AIA A305 Contractor's Qualification Statement

State of Texas Asbestos, Lead and Mold Contractor Licenses

State of Texas Supervisor License and Work Experience (Asbestos, Lead and Mold)

Name of the Proposed Landfill at which the Waste will be Disposed

Name of the Waste Transporter and a Certificate of Insurance

Notarized Statement of Compliances

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Scoring and Selection

The following criteria will be used to score the proposals:

Experience Specific to Deteriorated Structures that Include Common Walls – 25 Points
Experience Specific to Façade Preservation of Deteriorated Structures – 20 Points
Experience Specific to Federally Funded State Environmental Cleanups – 15 Points
References – 15 Points
Demonstrated Ability to Adhere to Project Timelines – 15 Points
Total Project Cost - 10 Points

In the event of a tie score, the Owner will break the tie amongst the tying proposers using the following method:

(1) The first tie breaker, if needed, will be preference to local contractor as shown in "General Terms and Conditions" Section 4.3.
(2) The second tie breaker, if needed, will be the highest score for the "Total Project Cost" criterion.
(3) The third tie breaker, if needed, will be the highest score for the "Demonstrated Ability to Adhere to Project Timelines" criterion.
(4) The fourth tie breaker, if needed, will be the highest score for the "References" criterion.

Timeline

Contractor is required to meet the following timeline:

- Begin field work – no later than July 25, 2016
- Abatement/remediation and clearance completion – by August 12, 2016
- Closeout submittals – within 7 working days following completion of abatement.
- All invoices must be submtted within 14 days following completion of abatement.

Upon Proposal Award the Contractor will submit the Following Items:

Hazardous Communication Program

Respiratory Protection Program

Material Safety Data Sheets

Current Worker Licensing and Registration

Medical Surveillance Information for Personnel

Original Certificate of Insurance

Safety Plan

Examination of Proposal Documents and Site

Before submitting a proposal, each proposer must:

a) Examine the contract documents thoroughly.

b) Attend the mandatory pre-proposal walk-through to familiarize the proposer with variances that may affect cost, progress, or performance of the work.

c) Familiarize himself with local, federal and state laws, ordinances, rules and regulations that may affect cost, progress or performance of the work.

d) Study and carefully correlate proposer's observations with the contract documents.

The Owner reserves the right to award only one contract to one contractor after receipt of proposals.

Before submitting a proposal, each proposer will, at his own expense, make any investigations and tests as the proposer may deem necessary to determine his proposal for performance of the work in accordance with the time, price and other terms and conditions of the contract documents.

Interpretation:

Questions about the meaning or intent of the Proposal Package shall be submitted to Terracon via electronic mail. Replies will be issued by addenda transmitted via electronic mail to all parties recorded by Terracon as having received the proposal package. Questions received less than two (2) days prior to the date for opening of proposals will not be answered. Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.

END OF SECTION 00100

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SECTION 00040 - INSURANCE REQUIREMENTS

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

(a) Commercial General Liability (CGL) insurance at minimum combined single limits of $1,000,000 per-occurrence and $2,000,000 general aggregate for bodily injury and property damage. Coverage must be written on an occurrence form. Contractual liability must be maintained with respect to the contractor's obligations contained in the contract. The general aggregate limit must be at least two (2) times the per-occurrence limit. CGL shall include coverage for:

1. Premises/Operations
2. Products Completed Operations
3. Personal Injury

(b) Workers Compensation insurance at statutory limits.

(c) Commercial Automobile Liability insurance at minimum combined single limits of $1,000,000 per-occurrence for bodily injury and property damage, including owned, non-owned, and hired vehicle coverage.

The required limits may be satisfied by any combination of primary, excess or umbrella liability insurances, provided the primary policy complies with the above requirements and the excess umbrella is following form. The successful proposer may maintain reasonable and customary deductibles, subject to approval by the City.

A comprehensive general liability insurance form may be used in lieu of a commercial general liability insurance form. In this event, coverage must be written on an occurrence basis, at limits of $500,000 per occurrence, combined single limit; and coverage must include a broad form comprehensive general liability endorsement, coverage for products/completed operations, and broad form contractual liability covering the obligations included in the contract.

With reference to the foregoing insurance requirement, the successful proposer shall specifically endorse applicable insurance policies as follows:

(1) The City shall be named as an additional insured with respect to general liability.

(2) A waiver of subrogation in favor of the City of Texarkana, Texas shall be contained in the workers compensation coverage.

(3) All insurance policies shall be endorsed to require the insurer to immediately notify the City of any material change in the insurance coverage.

(4) All insurance policies shall be endorsed to the effect that the City will receive at least 10 days notice prior to cancellation, non-renewal or termination of the insurance.

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(5) All copies of Certificates of Insurance shall reference the project/contract number for which the insurance is being supplied.

The City prefers that all insurance be purchased from an insurance company that meets the following requirements:

1) A financial rating of A:VII or better as assigned by the BEST rating Company or A or better by Standard and Poor's.
2) Written by companies approved by the State of Texas and acceptable to the City of Texarkana, Texas.

All insurance must be written on forms filed with and approved by the Texas State Board of Insurance. Certificates of Insurance shall be prepared and executed by the insurance company or it's authorized agent, and shall contain provisions representing and warranting the following:

1) The insurance set forth by the insurance company are underwritten on forms, which have been approved by the Texas State Board of Insurance.

2) Sets forth all endorsements and insurance coverage according to requirements and instructions contained herein.

3) Shall specifically set forth the notice of cancellation or termination provisions to the City of Texarkana, Texas.

CONTRACTOR SHALL:

(1) provide coverage for its employees providing services on a project, for the duration of the project based on proper reporting of classification codes and payroll amounts and filling of any coverage agreements;

(2) provide a certificate of coverage showing workers' compensation coverage to the governmental entity prior to beginning work on the project;

(3) provide the governmental entity, prior to the end of the coverage period, a new certificate of coverage showing extension of coverage, if the coverage period shown on the contractor's current certificate of coverage ends during the duration of the project;

(4) obtain from each person providing services on a project, and provide to the governmental entity:

(A) a certificate of coverage, prior to that person beginning work on the project, so the governmental entity will have on file certificates of coverage showing coverage for all persons providing services on the project; and

(B) no later than seven days after receipt by the contractor, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

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(5) retain all required certificates of coverage on file for the duration of the project and for one year thereafter;

(6) notify the governmental entity in writing by certified mail or personal delivery, within ten (10) days after the contractor knew or should have known, of any change that materially affects the provision of coverage of any person providing services on the project;

(7) post a notice on each project site informing all persons providing services on the project that they are required to be covered, and stating how a person may verify current coverage and report failure to provide coverage. This notice does not satisfy other posting requirements imposed by the Act or other commission rules. This notice must be printed in at least 19-point normal type, and shall be in both English and Spanish and any other language common to the worker population. The text for the notices shall be the following text provided by the commission on the sample notice, without any additional words or changes:

REQUIRED WORKERS' COMPENSATION COVERAGE

"The law requires that each person working on this site or providing services related to this construction project must (see reverse) be covered by workers' compensation insurance. This includes persons providing, hauling, or delivering equipment and materials, or providing labor or transportation or other service related to the project, regardless of the identity of their employer or status as an employee."

"Call the Texas Workers' Compensation Commission at 512-305-7238 to receive information on the legal requirement for coverage, to verify whether your employer has provided the required coverage, or to report an employer's failure to provide coverage." and

(8) contractually require each person with whom it contracts to provide services on a project, to:

(A) provide coverage based on proper reporting of classification codes and payroll amounts and filing of any coverage agreements for all of its employees providing services on the project, for the duration of the project;

(B) provide a certificate of coverage to the contractor prior to that person beginning work on the project;

(C) include in all contracts to provide services on the project the language in subsection (e) (3) of this rule;

(D) provide the contractor, prior to the end of the coverage period, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

(E) obtain from each other person with whom it contracts, and provide to the contractor:

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(i) a certificate of coverage, prior to the other person beginning work on the project; and

(ii) prior to the end of the coverage period, a new certificate of coverage showing extension of the coverage period, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

(F) retain all required certificates of coverage on file for the duration of the project and for one year thereafter;

(G) notify the governmental entity in writing by certified mail or personal delivery, within (ten) 10 days after the person knew or should have known, of any change that materially affects the provision of coverage of any person providing services on the project; and

(H) contractually require each other person with whom it contracts, to perform as required by paragraphs (A) - (H), with the certificate of coverage to be provided to the person for whom they are providing services.

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SECTION 00050 –BOND REQUIREMENTS

BID BOND

An acceptable Bid Bond, certified check or cashier's check (bid/proposal security) payable without recourse to the order of the City of Texarkana, Texas, in an amount not less than **five percent (5%)** of the amount of the bid/proposal must accompany each bid/proposal as guarantee that, if awarded the contract, the bidder/proposer will enter into a contract within ten (10) days of the presentation of such contract to the bidder/proposer by the City. The Bid Bond must be on a form acceptable to City and the bonding company supplying the Bid Bond must be authorized to do business in the State of Texas.

The bid/proposal security submitted with each bid/proposal shall be considered as the amount of the liquidated damages which the City of Texarkana will sustain by the failure, neglect or refusal of the bidder/proposer to execute and deliver the agreement should the contract be awarded him.

If the bidder/proposer defaults in executing the agreement within ten (10) days after presentation of the contract to him, the bid/proposal security shall become the property of the City of Texarkana.

Bidder/Proposer warrants that the bid/proposal he submits has been checked for mathematical correctness and same is correct. Bidder/proposer agrees that should he desire to withdraw his bid/proposal after bid/proposal opening because of a mathematical mistake that the City of Texarkana may retain the bid/proposal security as liquidated damages and not as penalty and the bidder/proposer hereby waives any legal defense available to bidder/proposer for such mistake. (i.e. unilateral mistake).

The Bid Bond shall be retained by the City of Texarkana as liquidated damages in the event the successful bidder/proposer, after the award, fails to comply with the terms of this bid/proposal.

Bond rating must be A- or better.

PERFORMANCE BOND

Successful bidders/proposers must provide a performance bond for 100 percent of the contract price to ensure fulfillment of the Contractor's obligations under the contract.

PAYMENT BOND

Successful bidders/proposers must provide a payment bond for 100 percent of the contract price. Said payment bond is to ensure payment as required by statute to all persons suppling labor and material under the contract.

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SITE CLEANUP PLAN

COMMERCIAL BUILDING
203/205 W Broad Street
Texarkana, Texas
EPA ACRES ID Nos. 72441/72421

United States Environmental Protection Agency, Region 6
Brownfields Multi-Purpose Pilot
Hazardous Substances
Cooperative Agreement No. BF-00F62801

February 25, 2016
Terracon Project No. 94137464B

Prepared for:
City of Texarkana
Texarkana, Texas

Prepared by:

Greg Calhoun
TDSHS Individual Asbestos Consultant
License No. 10-5510
Expires 10.19.17

Terracon Consultants, Inc.
Dallas, Texas
TDSHS Asbestos Consultant Agency License No. 10-0157
TDSHS Lead Firm License No. 2110106
TDSHS Mold Assessment Company License No. ACO0117

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Raley & Associates, Inc., July 2015

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SITE CLEANUP PLAN

Commercial Building
203/205 W Broad Street, Texarkana, Texas 75501
EPA ACRES ID Nos. 72441/72421

Brownfields Multi-Purpose Pilot Grant, Cooperative Agreement No. BF-00F62801
U.S. Environmental Protection Agency, Region 6
Terracon Project No. 94137464B

Prepared by: Terracon Consultants, Inc., Dallas, Texas
TDSHS Asbestos Consultant Agency License No. 10-0157
TDSHS Lead Firm License No. 2110106
TDSHS Mold Assessment Company License No. ACO0117

1.0 TITLES AND APPROVALS

1.1 Contractor Project Manager

Date 3/28/16

Greg Calhoun / Terracon Consultants, Inc.
TDSHS Individual Asbestos Consultant, License No. 10-5510, Expires 10.19.17

1.2 Contractor Quality Assurance Reviewer

Date 3/28/16

David E. Koch / Terracon Consultants, Inc.

1.3 Grantee Brownfields Program Manager

Daphnea Ryan

Date 3/24/16

Daphnea Ryan / City of Texarkana

1.4 Grantee Quality Assurance Manager

Adra Hallford

Date 3/28/16

Adra Hallford / City of Texarkana

1.5 EPA Region 6 Grant Manager

Camisha Scott

Date 3/24/16

Camisha Scott/ USEPA Region 6

Greg Calhoun
TDSHS Asbestos Consultant License #10-5510
Expires 10.19.17

2.0 INTRODUCTION

The U.S. Environmental Protection Agency (EPA) Brownfields Program announced in 2011 a pilot program that combined environmental assessment and cleanup funds into one grant. The Multi-Purpose Pilot Grant award required a government entity to apply for a specific site that passed CERCLA liability requirements and was owned by the applying government entity.

The objectives of the City of Texarkana, Texas' Brownfields Program include improving public health and safety, increasing jobs, increasing revenue for the City, increasing industrial, commercial and housing development, increasing green space, conserving energy, protecting natural resources, enhancing community pride and improving the overall quality of life for our citizens. Brownfields revitalization of real property is integral to all these objectives. The City submitted a FY2012 application for 203/205 West Broad Street in the Fiscal Year 2012 national grant competition. EPA awarded Texarkana a $400,000 Multi-Purpose Pilot Grant to conduct environmental assessment and cleanup of this property to improve environmental health conditions in our community and stimulate redevelopment interest.

The downtown West Broad Street property is a catalyst site identified by previous environmental assessments and planning. Catalysts sites have elevated potential to initiate community change if they can be revitalized. The purpose of this grant project is to assess and clean up this Downtown Brownfields site to a point where residual environmental issues do not reasonably obstruct active re-use of the structures and redevelopment.

3.0 THE PROJECT

The site has been physically developed with structure(s) since at least 1885. The current commercial building consists of two physically adjoined 0.08-acre parcels located at 203 and 205 West Broad Street in Texarkana, Bowie County, Texas. Both parcels are developed with single story retail buildings which are adjoined to other commercial structures on the block in a manner typical of historic downtown development. Both buildings are vacant. Prior to City of Texarkana acquisition in 2012 the buildings had not been maintained for several years. Water infiltration had severely damaged the roof and flooring of both buildings, to the point of partial collapse.

203 West Broad Street. This portion of the project is a one story former bail bonds office in a multi-tenant retail center. The structure is constructed on a slab on grade and pier and beam foundation and consists of approximately 2,800 square feet. The exterior

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of the building consists of wood, brick, and hard plaster. The roof consists of a flat, built-up roofing system. The interior of the structure consists of former sales floor, office, restrooms, storage rooms, stockroom, and crawlspace. Multiple areas of the interior are currently deemed unsafe and not accessible for other than remote visual evaluation. The interior walls consist of textured drywall, unfinished drywall with wallpaper, unfinished drywall, wood, brick and hard plaster. The ceiling consists of a drop ceiling, hard plaster, and wood ceiling system suspended from a wood deck. The floors consist of vinyl floor tile on a concrete and wood substrate. Fungal growth as mold is visible and analytically documented at multiple locations in the interior of the building on gypsum wallboard walls, ceiling tiles, wood sub-flooring, ceiling and roof decks, plaster walls and exposed wood framing and beams. The roof and/or ceiling systems are collapsed in various locations of the indoor spaces allowing inclement weather to directly impact the interior building materials. Portions of the floor system are collapsed, exposing the crawlspace.

205 West Broad Street. This portion of the project is a one-story former key store in a multi-tenant retail center. The structure is constructed on a slab on grade and pier and beam foundation and consists of approximately 3,500 square feet. The exterior of the building consists of wood, brick, and hard plaster. The roof consists of a flat, built-up roofing system. The interior of the site consists of a north entrance area, sales floor, safe room, mezzanine area, mechanical room, restroom, and crawlspace. The interior walls consist of textured drywall, wood, brick, and hard plaster. The ceiling consists of a drop ceiling, drywall, hard plaster, and interlocking tiles ceiling system suspended from a wood deck. The floors consist of carpet, vinyl floor tile, and terrazzo on a concrete and wood substrate. Fungal growth as mold is visible and analytically documented at multiple locations in the interior of the building on gypsum wallboard walls, ceiling tiles, wood sub-flooring, ceiling and roof decks, plaster walls and exposed wood framing and beams. The roof and/or ceiling systems are collapsed in various locations of the indoor spaces allowing inclement weather to directly impact the interior building materials. Portions of the floor system are collapsed, exposing the crawlspace.

3.1 Original Approach

The City of Texarkana expected to encounter asbestos-containing and -contaminated materials, lead paint-coated building components, avian pathogen-contaminated materials and fungal-contaminated (mold) materials based on the findings of previous ASTM E1527 Phase I environmental site assessments and limited historical testing. As grantee Texarkana proposed to complete a traditional series of EPA-approved plans to assess and cleanup the property.

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Central to grant activities was structural integrity of the 2-story commercial property. Developed more than 130 years ago, the walls, roof, structural members and street façade had deteriorated to a degree it was suspected unsafe to conduct physical sampling activities. City ownership was requisite of the grant. Raley & Associates, Inc. (RAI), Bossier City, Louisiana conducted a visual observation of the connected buildings in October 2012 as part of grant proposal preparation. In the interests of worker and public safety, the grant application provided for additional structural integrity analysis of the building before EPA-approved Phase II assessment occurred. In the interim, the City of Texarkana has secured and maintained doors, windows, and structural openings of the premises to prevent access by unauthorized persons consistent with *Chapter 5, Article III, of the Code of Ordinances* of the City of Texarkana, Texas for substandard structures.

Under the Multi-Purpose Pilot Grant Texarkana competitively procured Qualified Environmental Professional (QEP) consultant services to develop grant plans and conduct assessment as physical sampling and analysis. Assessment would develop an improved understanding of the distribution of contaminants known to be in and possibly beneath the structures. This information would then be used to quantify contaminants. Contaminant quantities would be used to decide a cleanup strategy and plan to mitigate or manage contaminants consistent with Texas regulatory programs and goals for re-use.

Under this approach, the following were completed toward grant implementation;

- Negotiated with *EPA Cooperative Agreement # BF-00F62801*, 2012
- A supporting cooperative agreement work plan as *Brownfields Multi-Purpose Pilot Grant Milestones and Schedule, City of Texarkana, Texas, 203/205 West Broad Street Site, ($200,000 Hazardous Substances Assessment, $200,000 Hazardous Substances Clean Up)*; 2012
- Competitive selection process to secure Qualified Environmental Professional services, *Consultant Services, Qualified Environmental Professional To Assist in the Implementation and Management of the EPA Brownfields Multi-Purpose Grant*, Texarkana Request For Qualifications #13-2001-02, May 2013
- Selection of Terracon Consultants, Inc. for Qualified Environmental Professional (QEP) services, initiating first services with Texarkana Purchase Order #01204, June 2013
- Qualitative interior observation and testing limited by safety and physical access;
    - *Hazardous Materials Consulting Report: Visual Mold Assessment, 203 and 205 West Broad Street, Texarkana, Texas*, Terracon Project No. 94137464, September 20, 2013
    - *Lead-Based Paint Vacant Commercial Structures, 203 & 205 West Broad Street, Texarkana, Texas 75165*; Terracon Project No. 94137464, September 23, 2013

Greg Calhoun

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- *Asbestos Survey, Vacant Commercial Structures, 203 & 205 West Broad Street, Texarkana, Texas*; Terracon Project No. 94137464, October 1, 2013

- *EPA-approved Site-Specific Quality Assurance Project Plan for Assessment and Cleanup (Revision 1)*, Terracon Project No. 94137464B, March 31, 2014
- *Property-Specific Sampling And Analysis Plan (PSAP) – Asbestos, Lead-Paint, Mold and Guano Sampling, Commercial Building, 203 & 205 W Broad Street, Texarkana, Texas 75501; Brownfields Multi-Purpose Pilot Grant, U.S. Environmental Protection Agency, Region 6, EPA Cooperative Agreement No. BF-00F62801, Terracon Project No. 94137464B*, July 2014 (reference Appendix B)
- *Property-Specific Sampling and Analysis Plan (PSAP) – Soil And Groundwater Assessment, Commercial Building, 203 & 205 W Broad Street, Texarkana, Texas 75501; Brownfields Multi-Purpose Pilot Grant, U.S. Environmental Protection Agency, Region 6, EPA Cooperative Agreement No. BF-00F62801, Terracon Project No. 94137464B*, July 2014

3.2 Changed Conditions

Terracon conducted September 2013 observations and limited qualitative sampling and testing of materials of the structures' interiors where safe access allowed. This testing was external to the grant budget. Testing was conducted and results evaluated by Texas-licensed professionals. Testing produced quantitative data, but is considered qualitative in that it was developed external to the final quality assurance project plan and cannot be used for critical grant process decisions. Qualitative data identified measured asbestos-containing materials, lead-based paint and mold. The data was considered in developing technical sampling plans under the grant. At that time Terracon observed the southern section of the roof and sub-floor at the 203 West Brown Street location were collapsed. The sub-floor and roof visually appeared structurally damaged throughout the interior of 205. Building debris was observed throughout the interior of both 203 and205 consisting of wood, ceiling tile, floor tile and mastic, drywall, plaster materials and roofing materials.

During 2013 and 2014 although the structure was secured against access, it could not be sealed against all weather. Seasonal weather fluctuations, often severe, further impacted and degraded the structure. High winds associated with rain penetrated the building further. In one instance on April 27, 2014 the metropolitan area of the twin cities of Texarkana, Texas and Texarkana, Arkansas was hit by damaging hail ranging in size up to 1.75 inches in diameter. In that extensive band of weather, 25 miles south of the city a single hailstone 4.5 inches in diameter was reported.[1] On _____, 2015 the City observed the effects of further deterioration of the structure as crumbling facade debris on

1 *DamageRecon, Event Details Texarkana Apr 27 2014*,online https://damagerecon.donan.com/map-central/texarkana-tx, February 2016

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the street front side and structural wall movement evidenced by exterior widening of cracks.

The City with structural engineer Jeff Raley, RAI, were on-site July 29, 2015 for observation to re-evaluate and report project conditions relative to structural integrity and safety to implement the EPA-approved sampling plans. In the subsequent RAI report it was stated;

> "As of this date, the building structures appear to be unstable and not safe for persons to enter the structures for the purpose of sampling. It is our opinion that it would not be cost effective to do temporary shoring for the purpose of sampling since sampling can be done during material removal (see photos).
>
> The adjacent buildings to the east and west will need to be protected during the removal of materials for assessment and clean up."

3.3 Adjusted Approach

There followed discussions and meetings by City of Texarkana with EPA, Texas Commission on Environmental Quality (TCEQ), the community and the QEP on alternatives to successfully complete the Multi-Purpose Grant in support of redeveloping 203/205 W Broad Street. The following issues were considered;

- The project site remains a viable redevelopment catalyst site for the community. To discontinue and stabilize without cleanup for redevelopment would be detrimental to the community brownfield revitalization goals and investment to date
- Contaminated materials and debris need to be removed from the structure so that routine architectural and structural stabilizations can be done
- Technically the traditional sequence of assessment and cleanup as "sample-test-report- design-cleanup-confirm-report" cannot be not be completed safely with reasonable cost
- In removing mixed and jointly degraded materials not readily segregated from the interior of structures, asbestos contamination pre-empts lead-, mold- and avian waste-impacted materials for regulation of handling and disposal. Unsegregated materials become subject to Texas Asbestos Health Protection Rules (TAHPR), Texas Administrative Code (TAC), Title 25, Part 1, Chapter C, Subchapter 295, which require that any asbestos-related activity be performed by an individual licensed by the State of Texas through the Texas Department of State Health Services (TDSHS)

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- Quality process and methods of EPA-approved PSAPs remain valid for sampling and analysis relative to assessment and cleanup, although rationale and number of samples change

The following were completed toward adjusting the grant approach and implementation as a result of changed conditions;

- City of Texarkana negotiated 1-year extension of project period to September 30, 2016 for cooperative agreement #BF-00F62801
- Updated structural integrity observations and report, Raley and Associates, Inc., July 31, 2015 (reference Appendix A)
- City of Texarkana met with Ms. Mary Kemp and Ms. Camisha Scott / EPA Region 6 on November 12, 2015 on an adjusted approach consistent with changed conditions
- Open House and Public Meeting was advertised and held by City of Texarkana on December 10, 2015 to update the community on Multi-Purpose Grant adjustments and solicit input on the project

It has evolved that a combined cleanup with simultaneous assessment of debris and materials from the interior of 203/205 can occur. In general here and later set forth in more detail in this plan, the adjusted approach is to have a licensed abatement contractor stabilize the structure sufficient to remove unsegregated hazardous materials to a processing station on the exterior of the building. The adjusted plan is to conduct hazardous substance assessments on-site and in-process at a safe staging area to determine whether waste/debris should be handled and disposed as asbestos-, mold-, avian pathogen- or lead-impacted waste material as part of cleanup.

With pre-emption by asbestos, debris will initially be assumed to be asbestos-containing material (ACM) or asbestos-contaminated and appropriately collected, handled and removed through the rear of the structure to a staging and assessment area in the alley.

In the staging area, materials will be first visually assessed and segregated as suspect materials or asbestos materials. Under Texas rule determination that materials do or do not contain asbestos have to be submitted to a third party laboratory as set forth in the EPA-approved PSAP (Appendix B); this may require temporary containment and staging with rush analyses. Alternatively, a Texas-licensed asbestos consultant, inspector or management planner may assume materials contain asbestos.

Secondly, materials will be visually segregated as having mold or adhered or mixed avian waste (e.g. bird or bat guano). If possible, these materials will be cleaned of mold or avian waste contamination.

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Thirdly, materials will be visually segregated for suspect lead-containing coatings and tested on-site using x-ray fluorescence (XRF) field technology.

The remaining materials once cleaned of potentially adhering *de minimis* ACM, mold or avian waste will be handled and disposed as demolition debris.

Assessment and cleanup testing will be subject to the EPA-approved PSAP and related QAPP, modified for locations and sample quantities as the adjusted approach requires. Some anticipated adjustments are addressed in Section *4.1 Deviations from Assessment Sampling Plan*. All testing will be documented in final reports.

Alley control and security will be coordinated with the City of Texarkana. The City will communicate and work with adjacent property owners and businesses prior to, during and after cleanup.

4.0 SAMPLING FOR ASSESSMENT AND CLEANUP

Public readers of this document should understand that the Multi-Purpose Pilot is a 'trial' process used by EPA to explore the effectiveness and implementability of programs. Not all pilots programs evolve beyond to full-scale grants or programs. Prior to 2002, all EPA Brownfield grants were pilots. The Multi-Purpose Pilot Grant program provides a single grant to an eligible entity for both assessment and cleanup work at a specific brownfield site owned by the applicant.

Although they are often technically identical, sampling and testing of structure-related materials falls into two different programmatic categories under the Multi-Purpose Grant. These categories are Assessment and Cleanup. They are allocated to separate Multi-Purpose grant budgets. Assessment involves characterization of materials as part of quantitation for design of remedy and plans to implement it. The latter involves sampling and analysis that is part of the actual cleanup to document compliance for regulatory closure.

4.1 Deviations from Assessment Sampling Plan

Sampling and analysis as part of assessment will be done by the QEP. This will involve assessing materials as practically feasible immediately after they are removed from the structure and staged. Methods, operating procedures and analyses will occur as set forth in the EPA-approved *Property-Specific Sampling and Analysis Plan (PSAP) for Asbestos, Lead-Paint, Mold and Guano Sampling, Commercial Building, 203 & 205 W Broad Street, Texarkana, Texas 75501, July 2014* (reference Appendix B).

The following deviations are planned relative to data quality indicators and data quality objectives in applying the EPA-approved PSAP to the adjusted approach;

PSAP 4.2 Precision. Testing was specified for typical substrates and surfaces which will now be removed, physically reduced and likely mixed together as debris consistent with interior demolition practices. Testing will now be done as needed on materials, partial surfaces or broken fixtures as identified in the bulk debris removed and staged. Selection of materials for sampling will make use of professional judgment by the **QEP**. Heterogeneity of sample matrices can produce wide-ranging variability of media and effect strict comparisons of precision. Failure of precision as a data quality indicator will not invalidate data providing the minimums are met necessary to document regulatory closures or suitability to the needed project decisions. These will be discussed as part of data usability and quality in final reports.

PSAP 4.3 Accuracy. The use of fluid decontamination and cleaning blanks of QAPP A.7.3.2 will not apply to asbestos, fungal or avian pathogen sampling due to the technical method of collection.

PSAP 4.5 Completeness. The PSAP estimated the number of samples as in-situ structure sampling, often to represent homogenous areas or rooms. The adjusted approach for safety will not allow in-situ testing or an accurate estimate of the number of samples. While it is believed that the estimated number of samples is adequate, fewer samples may be needed. Failure of completeness will not invalidate data providing the minimums are met necessary to document regulatory closures or suitability to the needed project decisions. These will be discussed as part of data usability and quality in final reports.

PSAP 7.0 Sampling Rationale and Methodology. The overall governance of regulatory programs cited will remain the same. The rationale for sampling is adjusted for typical substrates and surfaces which will now be removed, physically reduced and likely mixed together as debris consistent with interior demolition practices. Testing will now be done as needed on materials, partial surfaces or broken fixtures as identified in the bulk debris removed and staged. Selection of materials for sampling will make use of professional judgment by the **QEP** to select representative material as the debris is segregated as described above in *1.3 Adjusted Approach* and later hereafter. Significant or special deviations from adjusted rationale will be discussed in final reports.

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4.2 Sampling and Testing by Contractor

Sampling and analysis in the field or by fixed-based laboratory conducted by contractor for safety, abatement, disposal, clearance or otherwise required as part of the cleanup of materials relative to state or federal regulations or other law shall be to the requirements and documentation of those programs. Where sampling and analysis of the QEP and contractor overlap or are coordinated in staging areas, the data may be shared. Texarkana and the QEP may rely on the contractor data for qualitative project decision-making.

5.0 IMPLEMENTATION OF THE CLEANUP PLAN

The following sets forth the technical details necessary by the successful contractor competitively selected by the City of Texarkana with assistance from Terracon as QEP within the requirements of the Cooperative Agreement, hereafter **CONTRACTOR.**

Traditionally, prior assessment would better provide quantities for abatement contractors to bid and implement contractor elements of the cleanup plan. The adjusted approach will necessarily require use of experienced, licensed abatement contractors capable of making initial estimates, with overage and underage contingencies, to fully implement the cleanup plan. With unknown quantities and multiple handling exterior to traditional building containment, the remainder of the plan further focuses on strict control of materials and process in close coordination with the City and QEP.

6.0 MATERIAL DESCRIPTION AND QUANTITIES

Briefly and without force and effect upon the contract documents, the work of the Contract can be summarized as the removal and disposal of the following suspect asbestos-containing and -contaminated materials, lead containing components, avian pathogen-contaminated materials and fungal-contaminated materials:

- Floor tile and mastic
- Carpet and mastic
- Resilient sheet flooring
- Drywall wall/ceiling systems
- Ceiling tile
- Wall/ceiling plaster
- Ceramic wall and floor tile grout/thinset
- Cove base and mastic
- Duct insulation and mastic
- Cementitious pipe

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- Rolled-out roofing materials
- Built-up roofing materials
- Roof cement
- Roof flashing
- Assorted unsegregated building material debris

The preceding list should be considered representative only and not a comprehensive catalog of subject materials present on the site. The **CONTRACTOR** is responsible for verifying site conditions and material quantities prior to submission of bid. The **CONTRACTOR** will perform work for materials and locations indicated, regardless of actual quantities, and no increase in Contract amount will be allowed for quantity adjustment.

The subject commercial building structure has been vacant for an extended period of time. As noted above, the structure has significant structural degradation, including roof collapse; items that are porous (i.e. carpet, furnishings) exposed to damaged suspect asbestos containing materials, avian pathogens or fungal contamination will be disposed of asbestos, fungal- or avian pathogen-contaminated waste in accordance with applicable regulation and this scope of work.

Non-porous items which are not suspect asbestos-containing materials and bear no paint or lacquer coatings may be cleaned and decontaminated, then removed through the processing area and disposed of as general construction debris. Non-porous items with paint or lacquer coatings will be cleaned of surface contamination and disposed of as lead-paint waste

The **CONTRACTOR** will be responsible for providing power and water to the work areas. **NOTE: NEGATIVE PRESSURE MUST BE MAINTAINED WITHIN THE WASTE PROCESSING STATION UNTIL CLEARANCE HAS BEEN ACHIEVED.** "Fire watch" is required while active work areas are in place at the site.

7.0 WORK PRACTICES

CONTRACTOR shall maintain personnel on the site at all times any portion of the work area(s) is open or not properly secured. **CONTRACTOR** will ensure that at least one (1) **CONTRACTOR** representative is on-site at all times during work hours, including during lunch break. **CONTRACTOR** will ensure that work areas are secure at the end of each work day. **CONTRACTOR** will have a company representative stay on-site to maintain security during times other than normal working hours.

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If a regulatory inspection is conducted by the Texas Department of State Health Services (TDSHS) inspector, the **CONTRACTOR'S** abatement project supervisor must immediately cease all abatement activities and give his complete and undivided attention to the inspector. Should the TDSHS inspector don personal protective equipment (PPE) and enter the containment, the abatement project supervisor will also don PPE and enter the containment to accompany the inspector on his inspection. If any deficiency/deficiencies are noted by the TDSHS inspector, the abatement project supervisor will direct the workers to immediately correct the deficiency/deficiencies.

The abatement project supervisor will accompany the TDSHS inspector throughout the duration of the inspection process, whether inside or outside the containment. Upon the TDSHS inspector's departure from the site, the supervisor will resume abatement activities.

7.1 Respiratory Protection

During asbestos related activities, the **CONTRACTOR** will provide respirators which are applicable and suitable for the purpose intended in accordance with OSHA 1910.134 – Respirator Standard. Terracon recommends use of powered air purifying respirators (PAPR) pending receipt of air monitoring data collected on-site; Terracon further recommends use of combination HEPA/organic vapor combination respirator filters.

7.2 Protective Clothing

During preparation, removal and cleanup activities in interior areas, at least one protective suit will be worn by each worker. Boots and gloves will be made available to each worker as needed. All protective suits will be properly disposed of at the conclusion of each work-shift. Prior to exiting the work area, the workers performing the cleanup will decontaminate thoroughly in three-chambered wet decontamination system attached to the work area.

During cleanup in exterior regulated areas, each worker will wear two (2) protective suits and proper respiratory protection. Upon completion of cleanup activities in each or regulated area, workers will thoroughly HEPA vacuum the outer suit. Workers will then remove the outer suit and, still wearing the inner suit, proceed to either (a) the next regulated work area, where a new outer suit will donned over the inner suit, or (b) a central decontamination area as defined below. All protective suits will be properly disposed of at the conclusion of each work shift.

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7.3 Containment/Regulated Area

The **CONTRACTOR** will establish the waste processing station and regulated work area(s) in compliance with applicable local, state and federal regulations.

Preparation of the work area will include, but may not be limited to, the cleanup of asbestos-containing and -contaminated materials, lead paint-coated components, avian pathogen-contaminated materials and fungal-contaminated materials. These activities will be performed after the installation of critical barriers and establishment of HEPA-filtered circulatory air flow. The **CONTRACTOR** will install a three chambered personnel decontamination system as described below and place HEPA-filtered negative air machines in the work area and exhausted to the outside prior to beginning precleaning activities.

The **CONTRACTOR** will establish a waste processing station on the exterior of the structure. This waste processing station will be subdivided into separate dedicated chambers for the processing of (a) general construction debris, (b) asbestos-, avian pathogen-, or fungal-contaminated materials, and (c) lead-paint waste. Please refer to Appendix C for a conceptual sketch of the waste processing station.

The waste processing station will be constructed with a rigid frame and provide protection from overhead hazards as necessary. Waste processing station walls, floors and ceilings will constructed of or covered with two (2) layers of minimum 6-mil polyethylene sheeting. Damaged polyethylene sheeting will be repaired or replaced immediately. The **CONTRACTOR** will provide one additional floor layer of 6-mil polyethylene sheeting per shift change and remove contaminated layer after each shift.

The floor of the waste processing station will be kept clean and clear of waste and debris. Accumulated water will be collected through a HEPA-filtered vacuum and disposed of through storm drain or sanitary sewer.

The **CONTRACTOR** will be responsible for providing power and water to the work areas. **NOTE: NEGATIVE PRESSURE MUST BE MAINTAINED WITHIN THE WASTE PROCESSING STATION UNTIL CLEARANCE HAS BEEN ACHIEVED.** "Fire watch" is required while active work areas are in place at the site.

Exterior asbestos containing materials (e.g. window glazing, roof flashing, cementitious siding, cementitious debris) will be abated in accordance with the National Emission Standard for Hazardous Air Pollutants (NESHAP) within a series of regulated areas, each employing asbestos warning signs and barrier tape at all approaches to the work area, drop-cloths consisting 6-mil polyethylene sheeting in and around all removal areas,

localized HEPA vacuum systems, critical barriers at all openings into the structure within and adjoining the regulated area, and a central three-chambered wet decontamination system.

Provide a Personnel Decontamination Unit consisting of a serial arrangement of connected rooms or spaces, Changing Room, Shower Room, and Equipment Room. **NOTE: disposable/pop-up units displaying excessive use or wear will not be permitted for the decontamination system.** Require all persons without exception to pass through this decontamination unit for entry into and exiting from the work area for any purpose. Do not allow parallel routes for entry or exit.

Changing Room (clean room): Provide a room that is physically and visually separated from the rest of the building for the purpose of changing into protective clothing. Construct using polyethylene sheeting, at least 6-mil in thickness, to provide an airtight seal between the Changing Room and the rest of the building. Locate so that access to Work Area from Changing Room is through Shower Room. Separate Changing Room from the building by a sheet polyethylene flapped doorway.

Maintain floor of changing room dry and clean at all times. Do not allow overflow water from shower to wet floor in changing room. Damp wipe all surfaces twice after each shift change with a disinfectant solution.

Provide a continuously adequate supply of disposable bath towels.

Provide posted information for all emergency phone numbers and procedures.

Shower Room: Provide a completely water tight operational shower to be used for transit by cleanly dressed workers entering the Work Area from the Changing Room, or for showering by workers exiting the Work Area after undressing in the Equipment Room.

Construct room by providing a shower pan and 2 shower walls in a configuration that will cause water running down walls to drip into pan. Install a freely draining floor in the shower pan at an elevation that is at the top of pan.

Separate this room from the rest of the building with airtight walls fabricated of 6-mil polyethylene sheeting.

Separate this room from the Changing and Equipment Rooms with airtight walls fabricated of 6-mil polyethylene sheeting.

Provide splash-proof entrances to Changing and Equipment Rooms with 2 doors arranged

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in the following configuration:

At each entrance to the Shower Room construct a doorframe out of lumber, PVC Pipe or equivalent. Attach to this door frame two overlapping flaps fastened at the head (top) and jambs (sides). Overlap the flaps that present a shingle-like configuration to the water stream from the shower. Arrange so that any air movement out of the Work Area will cause the flaps to seal against the door frame.

Provide shower head and controls. Provide temporary extensions of existing hot and cold water and drainage, as necessary for a complete and operable shower.

Provide a continuously adequate supply of soap and maintain in sanitary condition. Arrange so that water from showering does not splash into the Changing or Equipment Rooms.

Provide flexible hose showerhead. Pump wastewater to drain or to storage for use in amended water. If pumped to drain, provide 20 micron and 5 micron waste water filters in line to drain or waste water storage. Change filters daily or more often if necessary. Provide Hose Bib.

Equipment Room (contaminated area): Require work equipment, footwear and additional contaminated work clothing to be left here. This is a change and transit area for workers. Separate this room from the work area by a 6-mil polyethylene flap doorway. Separate this room from the rest of the building with airtight walls fabricated of 6-mil polyethylene sheeting. Separate this room from the Shower Room and Work Area with airtight walls fabricated of 6-mil polyethylene sheeting.

Work Area: Separate work area from the Equipment Room by polyethylene barriers. If the airborne asbestos level in the work area is expected to be high, as in dry removal, add an intermediate cleaning space between the Equipment room and the Work area. Damp wipe clean all surfaces after each shift change. Provide one additional floor layer of 6-mil polyethylene sheeting per shift change and remove contaminated layer after each shift.

Waste Load-out Area: the **CONTRACTOR** will conduct the waste load out in areas separate from any non-project personnel or passers-by.

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7.4 Removal

The **CONTRACTOR** will perform the removal and disposal in accordance with current local, state and federal regulations.

The **CONTRACTOR** will be responsible for providing power and water to the work areas. **NOTE: NEGATIVE PRESSURE MUST BE MAINTAINED WITHIN THE WASTE PROCESSING STATION UNTIL CLEARANCE HAS BEEN ACHIEVED.** "Fire watch" is required while active work areas are in place at the site.

Suspect asbestos-containing and -contaminated materials, lead containing components, avian pathogen-contaminated materials and fungal-contaminated materials will be abated in a series of regulated work areas constructed in accordance with applicable regulations and these specifications. Spray these materials with amended water or removal encapsulant. Allow time for amended water or removal encapsulant to saturate the material. Do not over saturate to cause excess dripping. The **CONTRACTOR** will insure that associated nails/screws/fasteners and associated structural wall components are removed or thoroughly cleaned as part of the abatement process. If amended water is used, spray material repeatedly during the work process to maintain a continuously wet condition. If a removal encapsulant is used, apply in strict accordance with manufacturer's written instruction. The use of mechanical methods for removal will not be permitted. The clean surfaces will be encapsulated after passing a visual inspection conducted by a Terracon representative.

Following removal of loose or accumulated building debris, the **CONTRACTOR** will establish install splashguards of minimum 6-mil polyethylene sheeting extending a minimum four vertical feet (4') from the floor, two (2) layers of minimum 6-mil polyethylene sheeting on the floors (where applicable) prior to removing adhered flooring materials from their substrate(s).

Asbestos containing flooring materials may be applied to wood substrates. Removal of these materials through demolition of the wood substrate requires installation of a critical barrier in crawlspace(s) beneath the abatement area, if present.

7.5 Disposal of Asbestos-Containing or -Contaminated Materials, Mold-Contaminated Materials, and Avian Waste-Contaminated Materials

1. As the subject materials are removed, they will be double bagged and labeled In accordance with Texas Department of State Health Services (TDSHS) and OSHA guidelines. Pre-printed Generator Labels shall be affixed to each bag or wrapped component prior to being placed in the lined waste disposal dumpster or trailer. **The**

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use of bladder bags, onion bags or any other disposal bags deemed unconventional by the QEP will not be permitted, unless authorized in writing by the QEP prior to contract award.

2. Asbestos-containing or -contaminated waste will be labeled in accordance with 29 CFR 1910.1200 (f) of OSHA's Hazard Communication standard, and will contain the following information:

DANGER
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
CANCER AND LUNG DISEASE HAZARD

3. The area between the bag-out area and the prepared waste receptacle shall be regulated with barrier tape during bag-out operations. The waste dumpster or trailer shall remain secured during all other periods.

4. The waste will be disposed in an approved landfill. The waste will be transported to the landfill in a lined closed top receptacle. Verification of disposal at the landfill will be provided to the **OWNER** by **CONTRACTOR** via the Uniform Hazardous Waste Manifest signed by the landfill.

5. The waste will be transported to the landfill in a lined closed top receptacle. Verification of disposal at the landfill will be provided to the **OWNER** by **CONTRACTOR** via the Uniform Hazardous Waste Manifest.

7.6 Disposal of Lead-Containing or -Contaminated Materials

This section describes the disposal of lead containing or lead contaminated components and/or waste materials. Disposal includes packaging of all non-metal waste materials and shall be accomplished by land filling or incineration as appropriate. Approval by **OWNER** is required prior to all recycling or disposal activities.

Absent testing of waste to determine disposal requirements, suspect lead-containing or -contaminated materials will be disposed of as lead-containing. Testing, if conducted, shall be conducted by the **QEP**. The **QEP** shall verify that the waste has been properly segregated, containerized, and classified in the following categories:

Hazardous Solid Waste:

- Paint chips
- Rags, sponges, mops, HEPA vacuum filters and contents, respirator

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cartridges, protective clothing, shower water filter(s) and other materials used during abatement.
- Building components if applicable

Hazardous Liquid Waste (as determined by testing)
- Waste water

Place all lead waste generated during the project in a DOT approved drum lined with a 6-mil disposal bag in an enclosed dumpster, truck or designated secure storage area. Separate waste materials into the following categories and label all disposal drums.

All waste shall be handled and disposed of according to local, city, state, and federal regulations. All waste assumed to be hazardous shall be transported off-site to the approved disposal site by **CONTRACTOR**.

Disposal of Hazardous Liquid or Solid Wastes (as categorized by QEP):

a. Comply with Resource Conservation Recovery Act (RCRA), Department of Transportation (DOT), state and local regulations.

b. Comply with DOT and state regulations for containers. The most stringent regulation shall apply.

c. All waste is to be hauled by a licensed waste hauler with all required licenses from all state and local authorities with jurisdiction.

d. Load all waste material into properly sized disposal bags or polyethylene sheeting prior to being placed in lead-tight drums. Prior to transporting, all materials are to be contained in a DOT approved sealable steel drum with one of the following:

   - One, 6-mil layer of sheet polyethylene, duct tape all seams or
   - One, 6-mil disposal bag; or
   - Two, 4-mil disposal bags

e. Protect interior of truck or dumpster with two (2) layers of 6-mil polyethylene sheeting will all seams sealed with duct tape.

f. Load containerized waste in fully enclosed dumpsters or trucks for transport.

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g. Do not store containerized materials outside of the Work Area. Take containers from the Work Area directly to the designated storage area or enclosed dumpster or truck.

h. At completion of hauling and disposal of each load submit copy of Uniform Hazardous Waste Manifest to **QEP**.

7.7 Disposal of Non-Hazardous Waste

Non-Hazardous Solid Waste:

- After thorough cleaning, plastic sheeting and duct tape used during abatement.

Disposal of Non-Hazardous Solid Waste (as categorized by QEP)

Materials are to remain in 6-mil disposal bags or wrapped in polyethylene sheeting.

Transport waste in enclosed trucks or dumpsters.

Disposal of Non-Hazardous Liquid Waste (as categorized by QEP)

Dispose of liquid waste by pouring into sanitary sewage system if permission is received from publicly owned treatment works facility (POTW). Do not dispose of liquid waste by pouring onto ground or into storm drain. If the liquid waste contains phosphates or other chemicals, advise treatment facility of quantity of liquid and that it is likely to contain phosphates.

Properly filtered shower water shall be disposed of as non-hazardous liquid waste. All filters hall be disposed of in accordance with applicable regulations.

7.8 Clearance

Removal will considered complete following a visual inspection by the **QEP**. The **QEP** will inspect all interior surfaces for dust, debris or other evidence of the subject materials.

Asbestos

Asbestos final air clearance sampling will be conducted in interior work areas, negative-pressure enclosures, full containments and the waste processing station; sampling will be performed in accordance with the Texas Asbestos Health Protection Rules (TAHPR) 295.58(i)(3). Clearance samples will be collected using aggressive sampling techniques

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as described in TAHPR 295.58(i)(3)(A). Equipment used in aggressive sampling should be properly cleaned and decontaminated before use. Air filtration units shall remain on during the clearance air-monitoring period. Prior to air sample collection, floors, ceiling and walls shall be swept with the exhaust of a minimum one (1) horsepower leaf blower. A minimum of eight (8) complete air changes will occur within any containment prior to collection of clearance samples.

A minimum of three (3) samples will be collected inside each negative-pressure enclosure or full containment; at the QEP'S direction, one additional sample will be collected for each 10,000 cubic feet of containment volume (or fraction thereof) in excess of 30,000 cubic feet. The PCM analysis will be performed in accordance with the most current NIOSH 7400 Method and A Counting Rule for the determination of final clearance. The release criteria for PCM analysis is complete if all PCM air samples are determined below 0.01 fibers per cubic centimeter. If the PCM results fail to meet the release criteria, then the decontamination is incomplete and recleaning per the specification is required.

Mold

The project will be cleared by: 1) visual inspection; and, 2) total bioaerosol analysis. The post remedial inspection and air sample collection will be conducted while the containment is in place and properly ventilated. The containment must be on direct exhaust ventilation to the outdoor environment or sealed and in air scrub mode for a cumulative of 24 hours after final cleaning and prior to the PRV final clearance air sample collection. The containment(s) may not be removed or depressurized until final clearance criteria has been achieved and written, interim notice provided by the MAC to the MRC.

The visual evaluation criteria will consist of an evaluation of the remediation area to determine if the remediation has been properly conducted in accordance with the project specifications and procedures, applicable state regulations, and visible fungal growth and extraneous debris within the work areas has been properly removed.

Representative air samples shall be collected from within the containment, the outdoor environment, and analyzed by standard optical light microscopy methods. Total bioaerosol analysis must be conducted by a licensed Mold Analysis Laboratory. Any area whose air test does not meet post remediation criteria will be re-tested following cleaning and air scrubbing of those areas.

Total bioaerosol analytical clearance criteria will be based on qualitative and quantitative similarity between the indoor samples and the ambient outdoor control samples collected contemporaneously. Air samples will be collected and analyzed in a manner that provides a

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minimum detection limit of 43 spores/m^3. Fungal aerosols in the indoor environment should not exceed the contemporaneously collected outdoor control samples by more than 650 spores/m^3 (2), or, fungal spores that are unique to the indoor environment should not exceed more than 50 % of the "high" results for Typical Outdoor Spore Levels (Texas) as reported in the EMLab P & K IAQ Pocket Reference Guide, 6th Edition (3). The consultant may make numeric exceptions for frequently isolated genera such as *Cladosporium* or other typical mesophillic fungi.

Lead

The **QEP** shall confirm removal of lead waste through visual inspection and wipe sampling for lead dust concentrations conducted as follows:

a) Post-abatement or removal to determine if previously specified clearance criteria has been met in each area of remediation. The clearance level has been established at 40 micrograms per square foot ($\mu g/ft^2$) on horizontal surfaces.

b) The specific location and number of samples will be determined upon conclusion of the remediation. If at any time the post-abatement or removal wipe samples exceed the clearance levels identified. The **CONTRACTOR** shall be responsible additional cleaning of the area to attempt to achieve clearance levels. If additional cleaning is required, the **CONTRACTOR** will perform the re-cleaning with no adjustment in the contract price.

8.0 CONTRACTOR SUBMITTALS

Submittals required for proper execution include but are not limited to the following:

Pre-Construction Submittals (submitted to **QEP**):
Regulatory Notification Information
Plan of Action
Fire Action Plan
Emergency Phone List
Project Schedule

2 ***"Post Remedial Assessment and Clearance Criteria for Mold Remediation Projects"*** **L. D. Robertson, H. L. Horner, Mycological Society of America Annual Conference, Louisiana State University, August 9, 2007.**
3 *IAQ Pocket Reference Guide – 6th Edition*, EMLab P & K.

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Copy of Written Respirator Program which conforms to 29 CFR 1910.134(b)
OSHA Material Safety and Data Sheets (Product Handling)
Negative Initial Exposure Assessment
Copy of EPA "uniform hazardous waste manifest" form
Sample of disposal bag and labels to be used.

Construction Submittals (submitted to **QEP** before start of work on-site)
Licenses: Contractor, Supervisor, Transporter(s)
NESHAP Training Certificate
Personal Air Monitoring Lab Results
List of Workers
Worker Registration Certificates
Medical Examination Results
Pre-project lead blood level monitoring testing for each supervisor and worker
Worker Training Certificates
Respiratory Fit Test Certificate
Certificates of Worker Acknowledgement

Project Closeout (submitted to **QEP**)
Contractor's Daily Log
Worker Registration Certificates for Personnel
Waste Disposal Manifest Copies
Company Licenses/Certifications
Worker Training Certificates
Respiratory Fit Test Certificate
Certificate of Completion
Releases, Occupancy Permits (if applicable)
Personal Air Monitoring Lab Results
Post-project lead blood level monitoring testing for each supervisor and worker
Personal Air Monitoring Lab Results

RESUBMISSION:

Revise submittals as required and resubmit as specified for initial submittal. Indicate any changes which have been made other than those requested by **QEP**.

CONTRACTOR RESPONSIBILITIES:

Illegible submittals will be rejected and returned for re-submittal.

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Schedule submittals according to general flow of Work and so as to allow for adequate and timely review of submittals by **QEP**.

Review submittals prior to submission and submit to **QEP** in accordance with provisions herein.

Verify field measurements, construction criteria, catalog numbers and similar data. Coordinate submittals with requirements of Work and Contract Documents.

CONTRACTOR'S responsibility for errors or omissions is not relieved by **QEP's** review.

CONTRACTOR'S responsibility for deviations from requirements of Contract Documents is not relieved by **QEP'S** review, unless **QEP** is notified of deviations in writing at time of submittal, and gives written consent to specific deviations.

Do not begin work which requires submittals until reviewed submittals have been reviewed and approved by **QEP**.

If required, reproduce and distribute copies after **QEP'S** review.

QEP'S RESPONSIBILITIES:

The responsibility of performing the final visual inspection and the final air clearance is delegated to Terracon's on-site State of Texas licensed project manager.

Review submittals within two working days or indicate in writing reasons for reviews which require additional time.

Review for conformance with design concept of project and information given in Contract Documents.

Indicate results of review and return submittals to **CONTRACTOR** for distribution.

QEP is not responsible for verification of field measurements, construction criteria, catalog numbers and other similar data.

Review of separate items does not constitute review of an assembly in which items function.

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9.0 CONSTRUCTION NOTES

The **CONTRACTOR** is responsible for filing and managing the 10-Day Notification to the Texas Department of State Health Services (TDSHS) and is responsible for communicating amendments of changes to the local TDSHS staff. The **OWNER** shall be responsible for payment of notification fees included in the Demolition/Renovation Notification Form. On Notification form, **OWNER** shall be listed as stated on front cover.

The **CONTRACTOR** will be responsible for providing power and water to the containment areas. **NOTE: NEGATIVE PRESSURE MUST BE MAINTAINED WITHIN ANY CONTAINED AREA UNTIL CLEARANCE HAS BEEN ACHIEVED.** Terracon recommends that "fire watch" be performed while active containments are in place at the site.

The **CONTRACTOR** is to be current and in good standing on all asbestos abatement notification fees. The **OWNER** reserves the right to verify **CONTRACTOR'S** standing.

The **CONTRACTOR** shall maintain all records required by TDSHS Texas Asbestos Health Protection Rules, Texas Environmental Lead Reduction Rules, and Texas Mold Assessment and Remediation Rules, as applicable.

CONTRACTOR parking and disposal dumpster areas will be as designated by the **OWNER**. The **CONTRACTOR** will keep work and parking areas clean.

Prior to any commencement of work, the **CONTRACTOR** will provide a licensed electrician to provide power lock-out and tag-out of all circuits to be affected by the asbestos abatement activities. Lock-out/Tag-out must meet OSHA 1910.147 requirements. All electrical circuits in the regulated and/or contained area shall have ground-fault interrupter (GFCI) units installed.

Exhaust negative pressure ventilation system to outside of building.

The **CONTRACTOR** shall be responsible for installing hard barriers in any window openings utilized for exhaust of negative pressure and shall ensure that the building can be secured between work periods. If necessary, a hard barrier decontamination unit shall be constructed at the site to ensure building security.

The **CONTRACTOR** shall provide temporary self-contained toilet units for use by **CONTRACTOR** and **QEP** personnel throughout the duration of abatement activities.

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The **CONTRACTOR** shall install one fire extinguisher in the work area for each 1,000 square feet of work area or fraction thereof. Additional fire extinguishers shall be installed in the Equipment Room and Clean Room of the decontamination unit.

The **CONTRACTOR** shall conduct a safety meeting for **CONTRACTOR'S** employees with emphasis on operation of fire extinguishers and emergency exits in case of fire. **CONTRACTOR** shall have posted emergency phone numbers for the fire department and police.

CONTRACTOR shall store a minimum of volatile substances on the job site and in fire resistant containers only.

10.0 PRODUCTS

Amended Water: Provide water to which a surfactant has been added. Use a mixture of surfactant and water which results in wetting of the ACM and retardation of fiber release during disturbance of the material.

Disposal Bags: Provide as a minimum, individual, 6-mil thick, leak-tight, manufactured polyethylene bags.

Disposal Bag Labels: Provide labels with **OWNER'S** name, **CONTRACTOR'S** name, project site address and the following warnings and labels, in accordance with regulatory requirements. Labels shall be lettered with indelible ink.

First Label:

CAUTION
CONTAINS ASBESTOS FIBERS
AVOID OPENING OR BREAKING CONTAINER
BREATHING ASBESTOS IS HAZARDOUS TO YOUR HEALTH

Second Label: Provide in accordance with 29 CFR 1910.1200(f) of OSHA's Hazard Communication standard:

DANGER
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
CANCER AND LUNG DISEASE HAZARD
BREATHING AIRBORNE ASBESTOS, TREMOLITE, ANTHOPHYLLITE, OR ACTINOLITE FIBERS IS HAZARDOUS TO YOUR HEALTH

Greg Calhoun

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Third Label: Provide in accordance with U.S. Department of Transportation Regulation on hazardous waste marking. 49 CFR parts 171 and 172. Hazardous Substances: Final Rule:

RQ HAZARDOUS
SUBSTANCE,
CLASS 9,
NA 2212, PG III
(ASBESTOS)

Polyethylene Wrap: Provide minimum 6-mil polyethylene sheeting as a wrapping for large sections of rigid waste material and for construction of floors and critical barriers in the containment areas. Provide minimum 4-mil polyethylene sheeting for construction of walls of the containment.

Removal Encapsulant: Provide a penetrating type encapsulant designed specifically for removal of ACM. Utilize an encapsulant that will meet or exceed the results produced by use of Amended Water, as described above.

11.0 AIR MONITORING SERVICES

The responsibility for performing visual inspections and air monitoring services is delegated to Terracon's on-site State of Texas licensed project manager/air monitoring technician.

The **QEP** shall verify that the Work performed is in compliance with applicable regulations and that the building areas beyond the Work Area and the outside environment remain free of contamination. This section also sets forth airborne fiber levels both inside and outside the Work Area as permissible exposure limits (PELs), and describes the action required by the **CONTRACTOR** if a permissible exposure limit is met or exceeded.

AIR MONITORING:

The **QEP** will be conducting air monitoring throughout the course of the project.

Work Area Isolation: The **QEP** will monitor airborne fiber counts outside the Work Area. The purpose of this air monitoring will be to detect faults in the Work Area isolation including, but not limited to, contamination of the building outside of the Work Area with airborne asbestos fibers, failure of filtration or rupture in the ventilation system, or contamination of the exterior of the building with airborne asbestos fibers.

Should any of the above occur, the **CONTRACTOR** shall immediately cease asbestos

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abatement activities until the fault is corrected. Work shall not recommence until authorized by the **QEP**.

Work Area Airborne Fiber Count: The **QEP** will monitor airborne fiber counts in the Work Area. The purpose of this air monitoring will be to detect airborne fiber counts which may significantly challenge the integrity of Work Area isolation procedures that protect the balance of the building or outside of the building from contamination by airborne fibers.

AIRBORNE FIBER COUNTS:

Inside Work Area: Maintain an average airborne count in the Work Area of less than 0.1 fibers per cubic centimeter. If the fiber counts rise above this figure for any sample taken, revise work procedures to lower fiber counts. If the Time Weighted Average (TWA) fiber count for any Work shift or eight (8) hour period exceeds 0.1 fibers per cubic centimeter, stop work and leave ventilation system in operation. Do not recommence work until authorized by the **QEP**.

Outside Work Area: Maintain an average airborne count outside the Work Area of less than the Permissible Exposure Limit (PEL) of 0.1 f/cc of air.

If any air sample taken outside the Work Area exceeds the PEL, immediately stop work until the source of the elevated fiber readings can be determined by the **QEP**. Immediately take corrective as instructed by the **QEP**.

Decontaminate the affected area in accordance industry standard methods.

ANALYTICAL METHODS:

The following methods will be utilized at the discretion of the **QEP** in collecting and analyzing air samples:
Phase Contrast Microscopy (NIOSH 7400 Method, Issue 2, Revision 3 or OSHA Reference Method)

Transmission Electron Microscopy (40 CFR Part 763, Subpart E, Appendix A)

SAMPLE PROTOCOLS:

General: The number and volume of air samples taken by the **QEP** will generally be in accordance with the following schedule. Sample quantities, locations, volumes and methodologies may vary depending upon the analytical method, project layout, procedures used and at the discretion of the **QEP**.

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SCHEDULE OF AIR SAMPLES FOR WORK AREAS & WASTE PROCESSING STATION(S):

Base Line Sample Schedule: The **QEP** will secure the following air samples to establish a Base Line before start of Work. The number of samples may vary according to site plan and on authorization of **QEP**.

Location Sampled	Minimum Number of Samples	Minimum Sample Volume	Planned Analytical Method
Each Work Area	3	1,250 Liters	PCM

Daily Sample Schedule (per 8-hour work period): The **QEP** will generally take the following samples on a daily (8-hour work period) basis. The number of samples may vary according to site plan and on authorization of **QEP**.

Location Sampled	Minimum Number of Samples	Minimum Sample Volume	Planned Analytical Method
Each Interior Work Area	1	500 Liters	PCM
Outside Each Interior Work Area/Inside Building	1	500 Liters	PCM
Decon Unit Clean Room	1	500 Liters	PCM
Output of Negative Pressure Ventilation System	1	500 Liters	PCM

Clearance Sample Schedule: The **QEP** will secure the following air samples to determine air clearance at the conclusion of abatement. The number of samples may vary according to site plan and on authorization of **QEP**.

Location Sampled	Minimum Number of Samples	Minimum Sample Volume	Planned Analytical Method
Each Interior Work Area	3	1,250 Liters	PCM

If airborne fiber counts exceed baseline limits, additional samples will be taken (and classified as retests) as necessary to monitor fiber levels and confirm sources.

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Please refer to Section 3.8 Clearance for mold and lead clearance procedures.

SCHEDULE OF AIR SAMPLES FOR EXTERIOR WORK AREA(S):

Daily Sample Schedule (per 8-hour work period): The **QEP** will generally take the following samples on a daily (8-hour work period) basis. The number of samples may vary according to site plan and on authorization of **QEP**.

Location Sampled	Minimum Number of Samples	Minimum Sample Volume	Planned Analytical Method
"Upwind" of Work Area	1	500 Liters	PCM
"Downwind" of Work Area	1	500 Liters	PCM

The **QEP**, in addition to providing air monitoring services, will provide full-time, on-site inspection of work activities. Work shall not proceed without prior notice to the **QEP** and presence of the **QEP** on the work site (requires 48 hours advance notice of work).

The **QEP** will conduct the following key Project inspections and no work by the **CONTRACTOR** will proceed beyond these points until all discrepancies noted during the inspection have been corrected.

The **QEP'S** inspections do not relieve the **CONTRACTOR** of Contract obligations and are not designed to locate all project discrepancies. The **CONTRACTOR** is responsible for project quality.

First Key Inspection:

Inspection of Work Area Prior to Start of Removal: Removal operations shall not proceed until the **QEP** has completed inspection of the Work Area preparations and until all discrepancies noted have been corrected.

Second Key Inspection:

Inspection during Removal: Removal Work shall not be conducted unless the **QEP** is on the Project site. Daily inspection of the Work Area and Work practices will be conducted; upon discovery and report of a discrepancy the **CONTRACTOR** shall immediately stop Work and correct the discrepancy.

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Third Key Inspection:

Inspection of Work Area after Completion of Removal Work, but Prior to Encapsulation and Containment Disassembly: A visual inspection of the Work site and/or Containment areas and removal surfaces will be conducted at this point by the **QEP** and encapsulation and/or containment disassembly shall not proceed until discrepancies noted have been corrected.

Fourth Key Inspection:

Final Clearance: After encapsulation and final clean-up of the Work Area, but prior to removal of Critical Barriers, the **QEP** will conduct a visual inspection.

Final Key Inspection:

Project Closeout Inspection: A final inspection will be conducted by the **QEP** after the **CONTRACTOR** has removed all barrier tape, drop-cloths, equipment, and supplies. A project "Punch List" will be provided of any items requiring correction or completion. Punch List items shall be completed prior to issuance of final completion notice by the **CONTRACTOR**.

Discrepancies or needed corrective measures observed by the **QEP** will be reported to the **CONTRACTOR'S** Superintendent on-site and shall be immediately corrected.

The above inspections are not necessarily single events. Failed inspections will be re-conducted and time classified as retests and charged back to the **CONTRACTOR** in accordance with the project documents. Inspections will require 24 hours advance notice to the **QEP**.

PERSONAL MONITORING:

The **CONTRACTOR** shall perform air monitoring as required to meet OSHA requirements for maintenance of Time Weighted Average (TWA) and excursion limit fiber counts for types of respiratory protection provided. The **OWNER** will not be providing air monitoring services to meet these OSHA requirements. Note: Results of Personal Monitoring shall be submitted to the **QEP** within 72 hours of the time samples are obtained. A listing of all personal monitoring results obtained during the project shall be submitted to the **QEP** with the **CONTRACTOR** closeout submittals.

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LABORATORY TESTING:

The **QEP** will perform field analysis of the air samples. A microscope and field laboratory will be set up at the jobsite, at the option of the **QEP**, so that verbal reports on air samples can be obtained promptly after collection.

Reports to the **OWNER** by the **QEP** will include air monitoring data and pertinent information on work being conducted such as: work hours, number of workers, procedures used, contractor discrepancies and corrective measures, containment methods and construction, and amount of ACM removed.

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APPENDIX A
STRUCTURAL ASSESSMENT
RALEY & ASSOCIATES, INC.
July 2015

RALEY AND ASSOCIATES, INC.
Civil & Structural Engineering, Surveying, Planning & Consulting
4913 Shed Road, Bossier City, LA 71111 · Phone 318-752-9023 · Fax 318-752-9025

July 31, 2015

Ms. Daphnea Ryan
Manager of Environmental Services
City of Texarkana, TX
P.O. Box 1967
Texarkana, TX 75504

Re: 203 and 205 W. Broad
Texarkana, TX

Dear Ms. Ryan,

Per your request, this office made a visual observation of the subject buildings on Wednesday, July 29, 2015. We had made a previous observation on October 4, 2012. The purpose of this visit was to observe the buildings for the possibility of shoring the structure while Phase II environmental sampling could be done. For the record, Jeff Raley, P.E. and Heather Ochoa, City of Texarkana, were present during this visit.

As of this date, the building structures appear to be unstable and not safe for persons to enter the structures for the purpose of sampling. It is our opinion that it would not be cost effective to do temporary shoring for the purpose of sampling since sampling can be done during material removal (see photos).

The adjacent buildings to the east and west will need to be protected during the removal of materials for assessment and clean up.

Once the buildings are cleared of rubble and debris, we can assess the front walls to determine the feasibility of saving them in place. It has been our experience that more times than not, this is a possibility. The rear walls have been damaged from the roof collapses and most likely will have to be rebuilt. The adjacent side walls will need to be reinforced once the removal is complete.

We are not able to determine the type of shoring or reinforcing that will be required for the front and sidewalls at this time. We are available to make that assessment as soon as the removal is complete.

This report is based upon our experience, readily accessible visible defects and certain assumptions that conventional methods of construction were used to build the buildings. We cannot normally see irregularities inside structures. Nature through excessive rain, droughts and differing soil characteristics cause extremes we cannot anticipate. Also, remodeling and changes

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in the building alter conditions that affect the building. Because of all these unknowns, this firm offers no warranty or guaranty with this report.

This report is intended to generally educate the client about the structural condition of the building and does not apply to the condition of any mechanical, electrical or plumbing items that may exist in the building. This report does not apply to the possible presence and/or danger from harmful substances such as toxic chemicals, lead paint, carbon monoxide, airborne hazards, mold, etc.

This report has been written for your sole use and only you have the authority to distribute this report to others. Raley and Associates, Inc. and its agents and employees do not have and do disclaim any contractual relationship with, or duty or obligation to, any party other than the addressee of this report. Only the engineer(s) who signed this document has the authority to change its contents and then only in writing to you. This report addresses the results of work completed to date. Should any additional information become available, we reserve the right to amend, as warranted, any of our conclusions or recommendations.

If you have any questions or need additional information, please call.

Sincerely,

Jeff Raley
Professional Engineer
TX-F594

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APPENDIX B
PROPERTY-SPECIFIC SAMPLING AND ANALYSIS PLAN (PSAP)
ASBESTOS, LEAD-PAINT, MOLD AND GUANO SAMPLING

Commercial Building
203 & 205 W Broad Street
Texarkana, Texas 75501

Brownfields Multi-Purpose Pilot Grant
United States Environmental Protection Agency, Region 6
EPA Cooperative Agreement No. BF-00F62801
Terracon Project No. 94137464B
July 2014

PROPERTY-SPECIFIC SAMPLING AND ANALYSIS PLAN (PSAP) – ASBESTOS, LEAD-PAINT, MOLD AND GUANO SAMPLING

Commercial Building
203 & 205 W Broad Street
Texarkana, Texas 75501

Brownfields Multi-Purpose Pilot Grant
United States Environmental Protection Agency, Region 6
EPA Cooperative Agreement No. BF-00F62801
Terracon Project No. 94137464B

1.0 TITLE AND APPROVALS

1.1 Contractor Project Manager

_____ Date _____
Greg Calhoun / Terracon Consultants, Inc.

1.2 Contractor QA Reviewer

_____ Date _____
John Sallman, P.G. / Terracon Consultants, Inc.

1.3 Grantee Brownfields Project Manager

_____ Date _____
Craig Lindholm / City of Texarkana

1.4 Grantee QA Manager

_____ Date _____
Daphnea Ryan/ City of Texarkana

1.5 EPA Region 6 Grant Manager

_____ Date _____
Camisha Scott/ USEPA Region 6

The project Quality Assurance Project Plan (QAPP) and this Property-Specific Sampling and Analysis Plan (PSAP) incorporate TRIAD elements of systematic planning, a dynamic work plan and use of on-site analytical tools. This document makes direct use of the most current QAPP approved by USEPA, providing numerical references to the QAPP where appropriate.

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ATTACHMENTS

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3.0 PROPERTY IDENTIFICATION AND ELIGIBILITY

3.1 City Identifications

City Riggs Addition Lot 2 Tract 27, 203 West Broad Street, Bowie County, Texas
City Riggs Addition Lot 2 Tract 27, 205 West Broad Street, Bowie County, Texas

Property ID Number(s): 203 W Broad Street - Parcel No. 03840017100
205 W Broad Street - Parcel No. 03840017200

3.2 Agency Approvals to Allow Assessment

Hazardous Substance by EPA		**_X_ Yes**	**__ NO-STOP**
Petroleum	**by State (provide Attachment D)**	**__Yes**	**__ NO-STOP**
Co-mingled Hazardous and Petroleum by EPA	**by State**	**__Yes***	**__ NO-STOP**

3.3 All Appropriate Inquiries Completed per Cooperative Agreement

ASTM E1527-05 **__X__ Yes** **-_ NO-STOP**

Phase I ESA report completed February 3, 2012

3.4 Access By Owner/Other Authority, Referenced or Attached

_X_ Yes **___ NO–STOP**

The current owner will grant access the site.

3.5 Have Property Conditions changed since Phase I Assessment?

_X_ No **__Yes** **__Not Applicable**

3.6 Site Description

The site is located at 203 and 205 West Broad Street in Texarkana, Bowie County, Texas. The site consists of two contiguous commercial buildings totaling approximately 3,500 square-feet.

4.0 PURPOSE AND OBJECTIVES

(Expanded in QAPP Section A5.2) The United States Environmental Protection Agency (EPA) selected the City of Texarkana, Texas (City and Grantee) for a Brownfields Multi-Purpose Pilot Grant (Grant). The purpose of this project is to fully assess the Downtown Texarkana, Texas 203/205 W. Broad Street Brownfields site (Project)

4.1 Data Quality Indicators (DQIs)

(QAPP A7.3) When conducting this investigation, all measurements will be made so that results are reflective of the medium and conditions being measured. DQIs will be assessed by

evaluating Precision, Accuracy, Representativeness, Completeness, Comparability, Sensitivity and Bias of the data collection process.

4.2 Precision

A measure of the reproducibility of analyses under a given set of conditions calculated at data check per QAPP Section A7.3.1.

4.3 Accuracy

A measure of the bias that exists in a measurement system, calculated at data check per QAPP Section A7.3.2.

4.4 Representativeness

The degree of how well sampling data accurately and precisely depict selected characteristics, calculated at data check per QAPP Section A7.3.4.

4.5 Completeness

The measure of the amount of valid data obtained from a measurement system compared to the amount that was expected to be obtained under “normal” conditions, calculated at data check per QAPP Section A7.3.3.

4.6 Comparability

The degree of confidence with which one data set can be compared to another, determined at data check per QAPP Section A7.3.5.

4.7 Sensitivity

Sensitivity is the ability of the method or instrument to detect target compounds at the level of interest, determined at data check per QAPP Section A7.3.6.

4.8 Bias

Bias is the systematic or persistent distortion of a measurement process that causes errors in one direction, determined at data check per QAPP Section A7.3.7.

5.0 NEEDED PROJECT DECISIONS

(Expanded in QAPP Section A5) The Brownfields project decision is the same for all eligible properties of assessment. The data collected is used to determine whether or not a property with an ASTM REC identified in Phase I assessment is or is not impacted relative to Texas environmental standards. Based on the outcome of the data collection, there are two actions:

- The property is “clean” and presents, due to measured conditions of environmental impairment compared to state cleanup standards, no reasonable impediment to consideration for redevelopment than would normally be exercised by the Grantee; or,

- The property is impacted and presents, based on measured conditions of environmental impairment compared to state cleanup standards, a need for additional evaluation above

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that normally exercised by the Grantee in considering a property as feasible for redevelopment.

6.0 STATEMENT OF RECOGNIZED ENVIRONMENTAL CONDITIONS

With the support provided through the EPA Brownfields Multi-Purpose Pilot Grant, the City of Texarkana, Texas will assess, cleanup, and prepare the derelict property site located at heart of the Texarkana's Historic Central Business District, 203 and 205 W. Broad Street, Texarkana, Texas 75501-5609, for commercial redevelopment.

The City conducted a Phase I ESA using EPA Brownfields Assessment Grant funds while the property was under the ownership of Josh and Dianna Morriss. Phase I ESA's were also performed through the AR-Tex Council of Governments with EPA Brownfields funds (2005) and TCEQ (2008). There are no less than 20 recognized environmental conditions (REC's) for the site. RECs are conditions observed by the environmental professional that could potentially produce environmental impairment. In and of themselves, RECs do not require action. This is an opportunity for Texarkana to address asbestos, lead paint, pigeon guano and mold contamination, as well as possible subsurface contamination (see separate PSAP).

6.1 Hazardous Materials

__ **Petroleum REC** **X Hazardous Substance REC** __ **Co-mingled REC**

During the Phase I site reconnaissance, the buildings were observed to be in extremely poor condition. Water infiltration has severely damaged the roof and flooring of both buildings, with a significant portion of the roof at 203 W Broad Street collapsed, as well as the floor of 205 W Broad Street. Based on the age and deteriorated condition of the buildings, asbestos-containing materials, lead-based paint, mold, and bird guano may be present on the site.

The City of Texarkana is requesting asbestos, lead-based paint, mold and bird guano surveys prior to renovation of the on-site structures. The survey reports will include quantities and locations of various types of the respective hazardous materials.

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7.0 SAMPLING RATIONALE AND METHODOLOGY

This PSAP describes the type and frequency of samples that will be collected for this project. Any significant modifications to this PSAP that are the result of field conditions will be discussed with the EPA. The rationale for location and type of sample indicated at these locations is indicated in Table 1 below.

Table 1. Rationale for Sample Locations

Location	Media	Project Rationale
A-1 thru A-200	Suspect Asbestos-Containing Building Materials	Sample suspect asbestos-containing building materials in accordance with NESHAP, AHERA and TAHPR requirements; Protect human health by determining if suspect building materials are asbestos containing.
L-1 thru L-30	Suspect Lead-Based Paint Coatings	Sample suspect lead-based paint coatings with TELRR requirements; Protect human health by determining if suspect paint coatings are lead containing.
M-1 thru M-15	Suspect Fungal Growth	Sample suspect fungal growth in accordance with TMARR guidelines. Protect human health by determining if suspect fungal growth is hazardous and provide OSHA Right to Know information related to dealing with hazardous materials.
G-1 thru G-7	Bat/Bird Guano/Debris	Bulk materials of Bat/Bird guano/debris will be aseptically sampled and analyzed by PCR to determine if *Histoplasma capsulatum, Cryptococcus neoformans* and *Chlamydiaphila psittaci* are present and provide OSHA Right to Know information related to dealing with hazardous material, develop appropriate PPE based on laboratory results.

Building material samples collected for asbestos analysis will be collected following the applicable Asbestos Hazard Emergency Response Act (AHERA) and Texas Department of State Health Services (TSDHS) protocols, including the Texas Asbestos Health Protection Rules (TAHPR), TAC 295.31 through 295.73 and discussed in detail in the Asbestos Survey Protocol (ASP) included as Appendix B. The building materials samples will be collected by TSDHS licensed inspectors; the samples will be analyzed by TDSHS licensed and National Voluntary Laboratory Accreditation Program (NVLAP) accredited laboratories.

Building material samples collected for lead analysis will be collected following the applicable protocols, including the Texas Environmental Lead Reduction Rules (TELRR), TAC 295.201 through 295.220 and discussed in detail in the Lead-Based Paint Survey Protocol (LBPSP) included as Appendix B. The building materials samples will be collected by TSDHS certified inspectors; the samples will be analyzed by a NVLAP accredited laboratory.

An evaluation of building materials for visible mold contamination will be conducted in general accordance with guidelines published by the TDSHS (*Texas Mold Assessment and Remediation Rules*, 2004), the American Conference of Governmental Industrial Hygienist (*Bioaerosols; Assessment and Control*, 1999) and American Standard Test Methods (*Standard Guide for Assessment of Fungal Growth in Buildings,* ASTM D7338-10). The TDSHS regulates fungal assessment and remediation activities under the Texas Mold Assessment and Remediation Rules (TMARR). The TMARR requires that fungal assessments be performed by a TDSHS-licensed Mold Assessment Technician (MAT) or Mold Assessment Consultant (MAC) following specified minimum work practices and procedures. Bulk, surface and air samples collected during a fungal assessment must be analyzed by a TDSHS-licensed mold analysis laboratory.

Visible fungal growth that exceeds twenty-five (25) contiguous square feet is considered a regulated quantity in accordance with the TMARR.

Bat/Bird guano and debris associated with Bat/Bird nesting materials are well documented as a reservoir for pathogenic microorganisms. The microorganisms of interest include the avian pathogens *Histoplasma capsulatum, Cryptococcus neoformans* and *Chlamydiaphila psittaci*. There are no federal, state or local regulatory limits related to the referenced avian pathogens; however, qualitative and quantitative information developed by bulk and air sample collection will satisfy OSHA Right to Know information related to handling hazardous materials and assist in making judgments regarding the level of PPE required at various stages of the project. Bulk materials of Bat/Bird guano/debris will be aseptically sampled by trained staff and analyzed by Polymerase Chain Reaction (PCR) to determine if these pathogens are present. Bulk and air samples will be analyzed by a laboratory participates in custody (COC) protocol to NAME Laboratories, accredited by the American Industrial Hygiene Association (AHIA®) Laboratory Accreditation Programs, LLC under the Environmental Microbiology Laboratory Accreditation Program (EMLAP) and is Texas licensed Mold Analysis Laboratory under the TMARR.

7.1 Sample Summary

Samples will be collected in a manner consistent with the QAPP and Survey Protocols as summarized below.

It is estimated that 200 building material samples will be collected and analyzed for asbestos through Polarized Light Microscopy (PLM) analysis. Current TDSHS and EPA regulations require that a minimum number of samples from each homogeneous area be obtained in order to characterize a material as non-ACM. In accordance with sampling protocols established in EPA AHERA and NESHAP, and the TAHPR, sample collection points will be randomly selected dependent on locations of homogenous areas of suspect asbestos containing materials. A minimum of three samples will be collected from each homogenous area in accordance with the AHERA 3, 5 and 7 rule; therefore, additional quality control samples are not anticipated, as all three samples will be analyzed for each homogeneous material. In addition, where applicable, samples of surfacing materials will be collected in accordance with guidelines referenced above, which may require the collection of more than three samples from each homogenous area depending on the quantity of material.

It is estimated that 30 paint chip samples will be collected from representative building component surfaces and analyzed for lead content through Flame Atomic Absorption Spectrophotometer (AAS) analysis. Representative building component surfaces that may be sampled include, but are not necessarily limited to, woodwork/molding, door jambs and trim, window sills and sashes, cabinets, walls, ceilings, counter tops, stair railings, floors, radiators, balcony railings, and baseboards. The LBP sampling will be conducted in general accordance with applicable protocols.

The indoor environment will be evaluated for visual evidence of moisture intrusion or visible fungal growth that could impact indoor air quality. It is estimated that 10-15 tape lift samples will be

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collected from suspect building material substrates. Criteria to establish fungal growth on the substrates sampled will be microscopic confirmation of fungal somatic and reproductive structures. Tape lift samples will be submitted under chain of custody (COC) to a laboratory accredited by the AHIA® Laboratory Accreditation Programs, LLC under EMLAP and is Texas licensed Mold Analysis Laboratory under the TMARR.

Bulk materials of Bat/Bird guano/debris will be aseptically sampled by trained staff and transferred to appropriately labeled sterile containers. Additionally, air samples will be collected on 37-millimeter cassettes containing sterile filter media at flow rates between 3 liters/minute (l/m) and 15 l/m. Target air volumes will range from 540 liters and 1800 liters. The air samples will be shipped under COC to a laboratory accredited by the AHIA® Laboratory Accreditation Programs, LLC under EMLAP and is Texas licensed Mold Analysis Laboratory under the TMARR for analysis. Analysis of the bulk and air samples will be conducted by PCR for both qualitative and quantitative information on the concentrations of the avian pathogens *Histoplasma capsulatum, Cryptococcus neoformans* and *Chlamydiaphila psittaci.*

7.2 Laboratory Methodology

Sample collection, preservation and analytical methods will be consistent with QAPP B2.2 and the Survey Protocols included as Appendix B as summarized below.

Table 2. Preservation, Storage and Container Requirements

Analysis	State or EPA Approved Method	Water				Soil/Solid		
		Volume (ml)	Container	Preservation	Holding Time	Volume (oz)/ Quantity	Container	Holding Time
Asbestos	Polarized Light Microscopy (PLM)	---	---	---	---	N/A	Sealable Plastic Bag	---
Lead-based Paint	NIOSH 7300	---	---	---	---	2 square inches	Sealable Plastic Bag	---
Mold (tape lift method)	---	---	---	---	---	N/A	Sealable Plastic Bag	---
Guano						N/A	Sealable, Rigid, Sterile Container	--

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8.0 QUALITY CONTROL

Terracon does not anticipate collecting Quality Control samples as stipulated in Section B5 of the QAPP. The following is a field summary of quality control checks.

9.0 HEALTH AND SAFETY

(QAPP A8.1.4, Default Approval Limited to D & D-Modified Levels) Provide Attachment A as completed Terracon Health and Safety Plan per QAPP and referenced corporate plans and management requirements.

_X_ Level D Personal Protective Equipment (PPE): equip, monitor and record accordingly.
___ Level D-Modified Personal Protective Equipment (PPE): equip, monitor and record accordingly.
___ Level C Personal Protective Equipment (PPE): **STOP - Contact Project Manager or Safety Officer**

10.0 DEVIATIONS FROM APPROVED QAPP

No deviations from the approved QAPP are projected.

11.0 PERSONNEL

Persons involved at this property and their roles and/or responsibilities consistent with section A4 of the approved QAPP are summarized below.

Table 3. Key Personnel

Title	Name	Responsibilities	Phone Number
City Brownfields Coordinator	Craig Lindholm	General grant project coordination and management; EPA, Terracon, and landowner contact; financial oversight and budget approvals; scope development; report reviews	903-798-3902
Terracon Project Manager	Greg Calhoun	General project oversight and management; EPA and Client contact; scope and PSAP development and implementation; field oversight, data validation; report development	214-630-1010
Coordinator	Greg Calhoun	Field implementation of PSAP; field quality control and documentation; contractor administration	214-630-1010
Terracon Field Captain & Site Health and Safety Officer	David Ladage	Health and Safety Plan (HASP) development; utility locates; project safety briefings; field implementation of HASP	214-630-1010
Terracon Quality Assurance Reviewer	John Sallman	Internal project audits; data validation; draft report reviews	913-577-0403
Contractor Personnel			
Steve Moody Micro Services	Bruce Crabb	Laboratory analytical procedures and reporting; laboratory quality control	877-606-0788
Cates Laboratories, Inc.	John Cates	Laboratory analytical procedures and reporting; laboratory quality control	972-564-4723
Environmental Hazards Services, LLC	Julie Dickerson	Laboratory analytical procedures and reporting; laboratory quality control	800-347-4010

Title	Name	Responsibilities	Phone Number
ESC	Peter Schulert	Laboratory analytical procedures and reporting; laboratory quality control	615-758-5858
EMLab P&K	Marcella Hodges	Laboratory analytical procedures and reporting; laboratory quality control	623-445-6111

12.0 SCHEDULE OF ASSESSMENT

Activities are scheduled for this property as follows;

Table 4. Proposed Project Schedule

Task	Anticipated Completion Timeline
Submission of Revised PSAP	- - -
EPA Review, PSAP Revision, and EPA Approval	- - -
Field Activities Completed	Within 15 days of EPA PSAP approval
Laboratory Work Completed	Within 25 days of EPA PSAP approval
Submission of Draft Report	Within 35 days of EPA PSAP approval
Report Review, Revision, and Submission of Final Report	Within 10 days of City approval of draft report

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APPENDIX A: HEALTH & SAFETY PLAN

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Terracon

SITE HEALTH AND SAFETY PLAN

HAZARDOUS MATERIALS SURVEY
Commercial Buildings
203 & 205 W Broad Street
Texarkana, Texas
Terracon Project No. 94137464B

1.0 INTRODUCTION

This Site Health and Safety Plan has been developed to define the protocols and requirements to be followed by Terracon personnel during hazardous materials sampling activities at the Commercial Buildings, 203 & 205 W Broad Street in Texarkana, Texas.

Prior to the start of site activities, the designated Site Safety Officer will conduct a safety briefing and review the contents of this plan with participating field personnel. Project participants will review this plan and sign the Acknowledgment of Instruction page prior to the start of hazardous material-related project activities.

The guidelines contained in this Health and Safety Plan are based upon potential health hazards from exposure to asbestos, lead-based paint, mold and guano. Sampling activities will be performed in accordance with applicable federal/state health and safety regulations. The Site Safety Officer is responsible for enforcing the provisions contained in this Plan.

2.0 TRAINING AND MEDICAL SURVEILLANCE REQUIREMENTS

Project participants actively engaged in asbestos sample collection must have received State of Texas accredited Building Inspector training and will possess a current State of Texas asbestos inspection license. All Terracon field personnel and will be medically cleared for asbestos work in accordance with OSHA 29 CFR 1926.1101.

Project participants actively engaged in lead-based paint sample collection must have received State of Texas accredited Lead Inspector training and will possess a current State of Texas lead inspector certification.

Project participants actively engaged in mold inspection or guano inspection activities must have received State of Texas accredited Mold Inspector training and will possess a current State of Texas mold inspector license.

Terracon personnel will also be medically cleared, trained and properly fit-tested for respirator use in accordance with OSHA 29 CFR 1910.134.

3.0 PROJECT ORGANIZATIONAL STRUCTURE

Project Manager:	Greg Calhoun Terracon	214-630-1010
Corporate Health and Safety Mgr.:	Mark Huddleston, CSP, Terracon	913-577-0419
Site Safety Officer/Project Supervisor	David Ladage Terracon	214-630-1010

4.0 SCOPE OF SERVICES

Terracon personnel will mobilize to the project site to conduct surveys of suspect asbestos containing materials (ACM), lead-based paint (LBP), mold and guano may be present in the building at the site.

Bulk asbestos samples will be collected in general accordance with the Texas Department of State Health Services (TDSHS) and AHERA sampling protocols and will be submitted to a NVLAP-accredited and TDSHS-licensed laboratory for analysis by polarized light microscopy.

Lead-based paint samples will be collected following the applicable United States Department of Housing and Urban Development (HUD) 24 CFR Part 35 and TSDHS protocols, including the Texas Environmental Lead Reduction Rules (TELRR) and will be submitted to a NVLAP-accredited laboratory for analysis through Flame Atomic Absorption Spectrophotometer (AAS).

Building materials will be evaluated for visible mold contamination in general accordance with guidelines published by the TDSHS (*Texas Mold Assessment and Remediation Rules*, 2004), the American Conference of Governmental Industrial Hygienist (*Bioaerosols; Assessment and Control*, 1999) and American Standard Test Methods (*Standard Guide for Assessment of Fungal Growth in Buildings,* ASTM D7338-10). Bulk, surface and air samples collected during a fungal assessment will be submitted for analysis by TDSHS-licensed mold analysis laboratory.

Bulk materials of bat/bird guano/debris will be aseptically sampled by trained staff and analyzed by Polymerase Chain Reaction (PCR) to determine if these pathogens are present. Bulk and air samples will be analyzed by a laboratory accredited by the American Industrial Hygiene Association (AHIA®) Laboratory Accreditation Programs, LLC under the Environmental Microbiology Laboratory Accreditation Program (EMLAP) and is Texas licensed Mold Analysis Laboratory under the TMARR.

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The primary purpose of this Plan is to ensure that Terracon personnel are aware that site activities will be conducted in a facility where asbestos, lead-based paint, mold and guano hazards may be present. A separate job hazard analysis of facility-specific hazards is required to help assure that project personnel are protected against these potential hazards through controlled sampling techniques and appropriate personal protective equipment. The following procedures are designed to provide standardization with respect to location and number of samples collected and method of labeling sample locations.

4.1 Asbestos Sampling Equipment Requirements

In addition to the personal protective equipment outlined below, each project participant should mobilize an asbestos sampling equipment kit similar to that outlined below. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Wet methods will be employed in collecting all suspect ACM samples. Absolutely no bulk asbestos samples will be collected over the heads of or in near proximity to non-project personnel.

- Utility knife
- Coring tool
- Duct tape
- Sample containers (preferably ziplock style clear plastic bags)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Spray atomizer containing detergent amended water
- Spray adhesive
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.2 Fiber Release

Asbestos bulk sampling activities must be conducted in a manner which minimizes the generation of dusts and airborne fibers. Each sample team member will assess the condition of ACM prior to sampling or otherwise disturbing the material. Sampling will not be conducted in buildings occupied by non-project personnel, or over the heads of any personnel. Wherever possible, sample collection will be conducted at a level below the breathing zone of the sampler.

If sampling impregnated materials or other ACMs appear non-friable (floor tiles, mastic, roofing felt or sealant, ceiling tile, etc.), respiratory protection should not be required. If collecting samples of friable ACM or normally non-friable materials which are in deteriorated condition,

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precautions must be taken to prevent the release of fibers to the work area. Precautions include isolation of the material prior to disturbance (i.e., glove bagging) and the use of wet sampling methods as described below.

4.3 Lead-Based Paint Sampling Equipment Requirements

LBP analysis will be conducted by collecting paint chip samples. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Absolutely no lead-based paint samples will be collected over the heads of or in near proximity to non-project personnel.

- Heating tool and extension cord
- Tape measure or template
- Chisel
- Chipping hammer or scraper (lead paint samples from metal structures)
- Face shield or chipping goggles
- Sample containers (preferably sturdy, clear plastic vials)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.3 Mold Sampling Equipment Requirements

Mold analysis will be conducted by collecting tape lift samples. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Absolutely no mold samples will be collected over the heads of or in near proximity to non-project personnel.

- Transparent tape
- Sample retention sheet
- Laboratory chain of custody for mold sample analysis
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.3 Guano Sampling Equipment Requirements

Bulk materials of bat/bird guano/debris will be aseptically sampled by trained staff and transferred to appropriately labeled sterile containers. Additionally, air samples will be collected

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on 37-millimeter cassettes containing sterile filter media at flow rates between 3 liters/minute (l/m) and 15 l/m. Target air volumes will range from 540 liters and 1800 liters. The air samples will be shipped under COC to a laboratory accredited by the AHIA® Laboratory Accreditation Programs, LLC under EMLAP and is Texas licensed Mold Analysis Laboratory under the TMARR for analysis. Analysis of the bulk and air samples will be conducted by PCR for both qualitative and quantitative information on the concentrations of the avian pathogens *Histoplasma capsulatum, Cryptococcus neoformans* and *Chlamydiaphila psittaci.*

- Utility knife
- Sterile sample containers (preferably rigid, sealable plastic bottles)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Sampling pumps
- 37 millimeter sterile media cassettes
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

5.0 PERSONAL PROTECTIVE EQUIPMENT

5.1 Hazardous Material Inspection and Sample Collection

The Terracon Project Safety Officer will ensure that all project personnel mobilize the following personal protective equipment to the project site on each day of sample collection:

- Polylaminated Tyvek protective coveralls
- Half face or full face air purifying respirator equipped with HEPA cartridges
- Cut-resistant impermeable gloves (nitrile or latex).
- Tyvek boot covers or washable outer footwear
- ANSI specification Safety eyewear

If fiber release appears likely during asbestos sampling activities, sampling personnel will upgrade to **LEVEL C** personal protective equipment as itemized above. Personnel will remove protective clothing before proceeding out of the building at the project site.

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6.0 SAMPLING GUIDELINES AND PRECAUTIONS

6.1 Asbestos Sampling Guidelines and Precautions

- Collect samples of each type of ACM identified during the visual survey. This includes but is not limited to pipe wrapping and elbows, ceiling tiles, floor tiles and mastic, sprayed or troweled on surfacing materials.

- Samples of surfacing material (sprayed or troweled fireproofing material), should be collected in a statistically random manner that is representative of a homogenous area. At least 3 samples should be collected from each homogeneous area of 1,000 ft^2 or less. At least 5 bulk samples should be collected from each homogeneous area that is greater than 1,000 $ft.^2$ but less than or equal to 5,000 $ft.^2$. At least 7 bulk samples should be collected from each homogeneous area that is larger than 5,000 $ft.^2$.

- At least 3 bulk samples should be collected from each homogeneous area of thermal system insulation (pipe lagging and boiler system insulation) and miscellaneous suspect ACM.

- Areas to be sampled will be misted with detergent-amended water *prior* to sample collection. Minimal misting force should be used to reduce the potential for fiber release.

- Use water mister to rinse sampling tools in the sample container after sample collection.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container.

- Repair pipe lagging or other disturbed areas with spray adhesive and duct tape as appropriate to prevent potential fiber release.

6.2 Lead-Based Paint Sampling Guidelines and Precautions

- Identify areas with coated or prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and should be included in the survey. Some ceramic tiles have a lead-containing glaze and should also be assessed, particularly where required by state or local regulatory agencies.

- Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in

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general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995revision.

- Conduct paint-chip sampling on selected surfaces. Document descriptions of each surface sampled on the field log.

- Use tape measure or template to delineate proper sample size. Use heating tool to loosen paint coating. Remove coating with chisel, chipping hammer or scraper. Transfer sample to sample container.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container.

6.3 Mold Sampling Guidelines and Precautions

- Evaluate building materials for areas of suspect mold contamination. Select appropriate materials and locations to be sampled.

- Use transparent tape to collect tape lift sample of suspect mold contamination. Transfer tape, contaminated side down, to the sample retention sheet. Log sample location information on laboratory chain of custody.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample retention sheet with the sample number.

6.4 Guano Sampling Guidelines and Precautions

- Collect bulk samples of suspect guano.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container. Log sample location information on laboratory chain of custody.

- Collect air samples on 37-millimeter cassettes containing sterile filter media at flow rates between 3 liters/minute (l/m) and 15 l/m. Target air volumes will range from 540 liters and 1800 liters.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container. Log sample location information on laboratory chain of custody.

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7.0 HAZARD ASSESSMENT

7.1 Chemical Hazards

Asbestos is a recognized human carcinogen. It causes asbestosis, cancer of the lungs and digestive tract and mesothelioma. Asbestosis is a lung disorder characterized by a diffuse interstitial (between cell) fibrosis. The onset of asbestosis probably depends upon the asbestos dust concentration, the morphology of the fiber and length of exposure. Cigarette smoking is strongly implicated as a co-carcinogenic among asbestos workers. The OSHA Permissible Exposure Limit for asbestos is 0.1 fiber per cubic centimeter (0.1f/cc) of air.

Sample team members are advised to practice proper personal hygiene throughout the course of this project. Wash hands frequently during the course of sample collection and always prior to drinking, eating, smoking or any other activity which could increase the likelihood of hand to mouth transfer of site contaminants.

7.2 Physical Hazards

7.2.1 Ladders

Asbestos sampling activities may involve the use of ladders to gain access to overhead structures. Personnel will ensure that proper ladder or other suitable means of access (cherry picker, scaffold, etc.) is used to obtain access to elevated areas. Ladders will be inspected prior to use. Spreaders will be fully extended on all step ladders and firmly positioned prior to use. Where footing is uncertain, a sample team member will hold or otherwise secure ladders while in use by another sample team member. Personnel must always face ladders during both ascent and descent. Extension ladders will be placed at an angle of no more than one fourth of its working length. Sample team personnel will not walk on steeply pitched roof surfaces and will not walk on low pitched roofing surfaces while wet. Remain on designated roof walkways wherever present.

7.2.2 Personnel Lifts (“Cherry Pickers”)

If elevated sample collection is required which precludes the safe use of extension ladders, sample team personnel may be required to use basket lifts (manlift, cherry picker). No Terracon personnel will attempt to operate or position personnel lift until they are trained in the proper use of the equipment. Personnel being elevated in a cherry picker basket will be secured at all times with a safety belt and safety lanyard. Lanyards used in basket lifts will not exceed 6 feet in length.

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7.2.3 Confined Space Entry

No sample team member will enter any pit, shaft, or tunnel which has limited means of egress, the potential for an oxygen deficient or toxic atmosphere or which was not designed for human occupancy. Pipe tunnels accessible from a utility room in which personnel may stand can be entered to a maximum of 6 feet from the tunnel entrance if, and only if, a stand-by team member remains at the tunnel entrance in continuous visual and verbal communication with the sample team member. Terracon personnel will mobilize adequate portable lighting during the course of this assessment. Confined space entry is not anticipated during the course of this asbestos sampling project. If entry to pipe tunnels, pits, tanks or other structure which could be defined as a confined spaces becomes necessary during the course of this project, the Site Health and Safety Officer will contact the Terracon Corporate Health and Safety Manager to discuss conditions and to obtain a task-specific confined space entry addendum to this plan and confined space entry permits. No personnel will enter confined spaces until the addendum and any rescue, air monitoring or other equipment required for the task has been received, and personnel are briefed in site hazards, precautions, and safe work practices.

7.2.4 Electrical Contact Hazards

Asbestos sample team members will be continuously cognizant of potential electrical contact hazards during asbestos sample collection activities. A visual assessment of each work space will be made prior to sample collection and electrical contact hazards will be evaluated. Unguarded junction boxes, exposed wiring, knife switches, etc. will be avoided in collection of bulk samples of suspect materials.

8.0 DECONTAMINATION

Decontamination as part of abatement activities are not planned as part of this project.

9.0 SITE CONTROL

Samples of suspect ACM will not be collected in the presence of non-project personnel. Sample team members will ensure that non-project participants are well clear of proposed sample collection areas prior to obtaining bulk ACM samples. Terracon will coordinate sampling activities with the site representatives to prevent sample collection in occupied structures.

If unauthorized personnel attempt to enter a sampling area, sample team member will immediately curtail bulk sample collection activities and request that the individual leave the project area. If unauthorized personnel refuse to leave the sample collection area, immediately contact the

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Terracon Site Health and Safety Officer. Sample collection activities will continue only after unauthorized personnel have left the project site.

10.0 EMERGENCY RESPONSE

This section describes emergency planning procedures which will be implemented during assessment activities at project site. The Project Safety Officer will remind all personnel of the provisions of this section during daily site safety briefings. It is the responsibility of the Site Safety Officer to mobilize emergency equipment required by this section.

10.1 First Aid Requirements

The Project Safety Officer will ensure that a first aid kit is mobilized to the site on each day of sampling activity.

10.2 Emergency Contact/Notification System

The following list provides names and telephone numbers for emergency contact personnel. In the event of a medical emergency, personnel will take direction from the Project Safety Officer and notify the appropriate emergency agency.

EMERGENCY TELEPHONE NUMBERS

Organization	Contact	Telephone Number
Hospital	Wadley Regional Medical Center	(903) 798-8000
Ambulance Service		911
Fire Department		911
Facility Representative	Holly Wall	903-798-3934
Project Manager	Greg Calhoun	214-630-1010
Terracon Safety & Health Mgr.	Mark Huddleston	913-577-0419

10.3 Route to Emergency Facility

The Terracon Corporate Health and Safety Manager will be contacted following all site emergencies. Medical emergencies will be taken to Wadley Regional Medical Center. The route to the facility from the site is: See attached map

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10.4 Emergency Medical Treatment Procedures

Any person who becomes ill or injured during the course of this project must be decontaminated to the maximum possible extent. If the injury or illness is minor, full decontamination should be completed and first aid administered prior to transport. If the patient's condition is serious, at least partial decontamination should be completed prior to transport of the injured site worker.

If rescue is required from an area of obvious fiber release, Terracon personnel will inform rescue personnel of site contaminants and will assist emergency personnel in transporting the injured employee if requested. Terracon personnel will don the appropriate personal protective equipment prior to entering sites with signs of obvious fiber release.

10.5 In the Event of Fiber Release

In the event that small amounts of suspect asbestos containing materials such as thermal system insulation, sprayed on or troweled-on surfacing materials, ceiling texture, etc. are released during the course of sampling, sampling team members will immediately evacuate the area and don Level C personal protective equipment. The area of potential ACM release will then be approached and suspect materials will be thoroughly wetted with detergent-amended water, slowly and deliberately swept to a centralized pile, re-wetted, double bagged in asbestos disposal bags and sealed with duct tape. Affected surfaces will be re-wetted and swabbed with clean cloths or paper towels. Used wipes will be placed in asbestos disposal bags which will be containerized pending proper removal and disposal in an approved disposal facility.

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ACKNOWLEDGMENT OF INSTRUCTION

I understand that this project will involve asbestos sampling in the building located at 203 & 205 W Broad Street, Texarkana, Texas. Asbestos activities outlined in this Plan could expose project participants to physical hazards and potential chemical hazards (see plant specific job hazard analysis attached). Potential fiber releases will be controlled by deliberate collection techniques and wet sampling methods. If potential fiber releases appear likely, sampling personnel will upgrade to Level C personal protective equipment as specified in this Health and Safety plan. I have read this Health and Safety plan and have received instructions for procedures to be followed. I understand that if at any time I have questions concerning health and safety precautions at this site, I am to contact the Site Health and Safety Officer. The Site Health and Safety Officer will contact the Terracon Corporate Health and Safety Manager at (913) 577-0419.

ASBESTOS SURVEY
TERRACON PROJECT NO. 94137464B

Name: (Please Print)	**Signature**	**Date**

Site Safety briefing performed by: _____ **Date** _____

Level of PPE: __ D _**X**_ Dmod (Stand-by) _**X**_ C **(Stand-by)**

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CHEMICAL NAME
ASBESTOS

CHEMICAL FORMULA
VARIES

SYNONYMS
CHRYSOTILE, CROCIDOLITE, ACTINOLITE, AMOSITE, ANTHOPHYLLITE,TREMOLITE

PERMISSIBLE EXPOSURE LIMIT AND TOXICOLOGY
0.1 FIBER/CC
TUMORIGENIC DATA (RTECS)
MUTAGENIC DATA (RTECS)

CERCLA HAZARD RATINGS
TOXICITY -- 3 IGNITABILITY -- 0 REACTIVITY -- 0 PERSISTENCE -- 3

OSHA CARCINOGEN
KNOWN HUMAN CARCINOGEN (NTP)
ACGIH A1-CONFIRMED HUMAN CARCINOGEN
HUMAN SUFFICIENT EVIDENCE FOR CARCINOGENICITY (IARC GROUP-1)
ANIMAL SUFFICIENT EVIDENCE FOR CARCINOGENICITY (IARC GROUP-1)

TOXICOLOGY
ASBESTOS MAY BE IRRITATING TO THE EYES, SKIN AND MUCOUS MEMBRANES. THERE IS INSUFFICIENT DATA TO QUANTIFY THE TOXICITY. POISONING MAY AFFECT THE LUNGS. REPEATED OR PROLONGED EXPOSURE TO ASBESTOS MAY CAUSE ASBESTOSIS, AN INTERSTITIAL FIBROSIS OF THE LUNG TISSUE WHICH MAY DEVELOP FULLY WITHIN 7-9 YEARS, BUT ONSET IS TYPICALLY DELAYED 20-40 YEARS AFTER THE FIRST EXPOSURE. THE INITIAL SYMPTOM IS A PROGRESSIVE EXERTIONAL DYSPNEA. OCCUPATIONAL EXPOSURE TO CHRYSOTILE, AMOSITE, MIXTURES CONTAINING CROCIDOLITE, AND OTHER FORMS OF ASBESTOS HAS RESULTED IN A HIGH INCIDENCE OF LUNG CANCER AND PLEURAL AND PERITONEAL MESOTHELIOMAS. GASTROINTESTINAL CANCERS WERE INCREASED IN WORKERS EXPOSED TO AMOSITE, CHRYSOTILE, OR MIXED FIBERS CONTAINING CROCIDOLITE. THE LATENT PERIOD FOR MESOTHELIOMAS IS 3.5-30 YEARS; FOR LUNG CANCER, 15-30 YEARS.

THE THRESHOLD LIMIT VALUE WAS ESTABLISHED BASED ON HEALTH EFFECTS DATA. SMOKING ENHANCES THE RISK OF LUNG CANCER.
IHL-HMN TCLO: 1.2 FIBERS/CC/19 YRS-C

ASBESTOS (CONT'D)

PHYSICAL DESCRIPTION
FIBERS OR FILAMENTS WHICH MAY BE WHITE, BLUE, BROWN, GRAY, GREEN OR YELLOW IN COLOR.

CHEMICAL AND PHYSICAL PROPERTIES
MOLECULAR WEIGHT: VARIES
BOILING POINT AT 1 ATM, F: NOT AVAILABLE
SOLUBILITY IN WATER, G/100 G WATER AT 20ºC: INSOLUBLE
FLASH POINT, CLOSED CUP, F (OR OPEN CUP IF 0C): NONCOMBUSTIBLE SOLID
VAPOR PRESSURE @ 20ºC, MMHG: NOT AVAILABLE
MELTING POINT, F: >1832ºF (>1000ºC)
UPPER EXPLOSIVE LIMIT IN AIR, % BY VOLUME: NONFLAMMABLE
LOWER EXPLOSIVE LIMIT IN AIR, % BY VOLUME: NONFLAMMABLE
SPECIFIC GRAVITY: 2.4-3.3

ROUTE OF ENTRY INTO BODY
INHALATION, INGESTION, SKIN OR EYE CONTACT

SYMPTOMS
EYE IRRITATION, SKIN IRRITATION, MUCOUS MEMBRANE IRRITATION, COUGHING, CHEST PAIN, LUNG FIBROSIS, DYSPNEA, DECREASED VITAL CAPACITY, TACHYPNEA, PULMONARY RALES, CYANOSIS, ANOREXIA, WEAKNESS, WEIGHT LOSS, FINGER CLUBBING, FATIGUE, DERMATITIS, CONJUNCTIVITIS, GASTROINTESTINAL IRRITATION, PLEURAL MESOTHELIOMA, UREMIA MESOTHELIOMA, LUNG CANCER, GASTRO-INTESTINAL CANCER, LARYNX CANCER

ORGANS AFFECTED BY THE SUBSTANCE
LUNGS
RESPIRATORY SYSTEM
GASTROINTESTINAL
SKIN

LEAK AND SPILL PROCEDURES
REPORTABLE QUANTITY (RQ): 1 LB. (0.454 KG)
A REPORTABLE QUANTITY OF ONE POUND APPLIES TO THIS SUBSTANCE ESTABLISHED BY SECTIONS 101(14) AND 102(B) OR ADJUSTED UNDER SECTION 102(A) OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT OF 1980 (CERCLA). SECTIONS 103(A) AND 103(B) REQUIRE THAT PERSONS IN CHARGE OF A VESSEL OR FACILITY FROM WHICH A HAZARDOUS SUBSTANCE HAS BEEN RELEASED IN A QUANTITY EQUAL TO OR GREATER THAN THE REPORTABLE QUANTITY FOR THAT SUBSTANCE IMMEDIATELY NOTIFY THE NATIONAL RESPONSE CENTER (800) 424-8820; IN THE WASHINGTON, D.C.METROPOLITAN AREA (202)426-2675.

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Wadley Regional Medical Center
Texarkana Water Utilities
Burger King
The Chute
Texas Blvd
W 12th St
W 11th St
W 10th St
W 9th St
W 6th St
W 5th St
W 4th St
Oak St
Spruce St
Elm St
Olive St
Pine St
Wood St
Walnut St
Laurel St
Hazel St
Ash St
E 5th St
Arkansas Corrections Dept
Zapata's
Texarkana Gazette
N State Line Ave
Arkansas Texas
4 min
0.7 mile
3 min
0.7 mile
Perot Theatre
Texarkana Public Library
Kidtopia Park
Texarkana Amtrak
W Broad St
W Front St
E Front St
Viaduct Rd
Google
Map data ©2014 Google
Lite mode
Terms
Privacy

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APPENDIX B: SURVEY PROTOCOLS

Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.3000
BULK SAMPLING OF SUSPECT ASBSETOS-CONTAINING MATERIAL (ACM)

Last Review or Revision: June 2010

I. PURPOSE

The purpose of this standard operating procedure (SOP) is to provide information on the hazards of asbestos and procedures to follow to sample suspect materials for laboratory analysis. The following guidelines contained in this document apply to Terracon personnel who engage in bulk sampling of suspect ACM and are designed to provide standardization with respect to sample collection. This procedure should ensure that potential asbestos-containing material samples are collected in a manner which allows for accurate analysis of the material and that sampling personnel are protected against potential asbestos fiber releases through controlled sampling techniques or appropriate personal protective equipment.

The objective of bulk sampling building materials and components suspected to contain asbestos is to characterize the items that contain asbestos in quantities equal to or greater than 1% or other contaent limit as specified by local or state guidelines. By characterizing the locations and quantities of asbestos-containing materials (ACM), exposure hazards can be greatly reduced.

II. BACKGROUND AND REFERENCE

Asbestos has been a common component used in several building materials because of its strength enhancing and fire resisting properties. However, asbestos has been recognized as a human carcinogen and respiratory hazard. Due to its health hazards, building inspections and asbestos bulk sampling is requested for schools and many public or commercial properties prior to building renovation or demolition activities. Therefore, identifying, locating and quantifying materials containing asbestos is essential in the effort to prevent worker exposure to asbestos and prevent environmental contamination.

As a consequence of inhalation of asbestos fibers, a body of federal and state regulations has been developed. Federal regulations pertaining to asbestos are included in AHERA (Asbestos Hazard Emergency Response Act) US EPA 40 CFR 763, Subparts E, F; NESHAP (National Emissions Standards for Hazardous Air Pollutants (EPA 40 CFR 61); OSHA Asbestos Standards (29 CFR 1910.1001 and 29 CFR 1926.1101), and ASHARA (Asbestos School Hazard Abatement Reauthorization Act). Many states and local authorities have additional requirements including state-specific licensing and certification.

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Terracon will comply with applicable federal, state and local regulations when conducting asbestos-related services.

III. EQUIPMENT

The minimum equipment necessary to conduct bulk sampling of suspect materials, in addition to the personal protective equipment outlined below in the Health and Safety Section, is listed below.

- Utility Knife, Chisel, Hammer, Screwdriver, Coring Tool
- Duct Tape
- Sample Containers (preferably ziplock-style clear plastic bags)
- Sample Labels and Indelible Marker
- Spray Atomizer containing Detergent Amended Water, Paper Towels/Wet Wipes
- Spray Adhesive
- Roof Patch Kit (if necessary)
- Measuring Wheel
- Camera
- Flashlight
- Field ACM Sample Log

IV. CERTIFICATION

Individuals conducting asbestos sampling must have the certifications listed below. Copies of these certifications and licenses should be taken to the site during the sampling event.

- United States Environmental Protection Agency Building Inspector training (and refresher training, if applicable)
- Asbestos Inspector State-license for the state of the project location (where necessary)

In addition, Terracon requires company-based training courses and hands-on experience of employees prior to commencing asbestos-related field services. Each employee must also receive respirator training, be medically monitored and successfully pass a fit-test utilizing issued respirator(s).

V. HEALTH AND SAFETY

Asbestos has been recognized to cause asbestosis, cancer of the lungs and digestive tract and mesothelioma. Asbestosis is a lung disorder characterized by a diffuse interstitial (between cell) fibrosis. The onset of asbestosis probably depends upon the asbestos dust

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concentration, the morphology of the fiber and length of exposure. Cigarette smoking is strongly implicated as a co-carcinogenic among asbestos workers.

Under the OSHA asbestos standards, the employer has an obligation to protect employees against exposure to asbestos fibers in excess of 0.1 fibers per cubic centimeter of air (0.1f/cc). Personnel engaged in asbestos-related activities (including building inspections) must be trained, medically cleared and fit-tested for respiratory protection. Therefore, enrollment in a medical surveillance program in compliance with the OSHA asbestos and respiratory protection standards is mandatory. Terracon employees are not permitted to engage in asbestos-related activities unless they are enrolled in the Terracon medical surveillance program and have been medically cleared for respirator use by a physician.

The following safety and health protocols apply to Terracon personnel who engage in asbestos-related services. The guidelines contained in this document are based upon potential health hazards from exposure to asbestos fibers and physical hazards which may be encountered on survey project sites. Field activities will be performed in accordance with the procedures outlined in this document and applicable federal/state health and safety regulations.

Terracon personnel will use professional judgment during sample collection to prevent exposure to other building occupants. If unauthorized personnel attempt to enter a sampling area which could reasonably pose a fiber release hazard, the inspector will curtail bulk asbestos sample collection activity and request that the individual(s) leave the work area. If unauthorized personnel refuse to leave the work area, immediately contact the Project Safety Officer and/or a client representative. Sample collection activities should recommence only after unauthorized personnel have left the work area.

In the event that minor amounts of suspect asbestos containing materials such as thermal system insulation, sprayed-on or trowled-on surfacing materials, ceiling texture, etc. are released during the course of sampling, sampling team members will immediately evacuate the area and don Level C personal protective equipment. The area of potential ACM release will then be approached and suspect materials will be thoroughly wetted with amended water, slowly and deliberately swept to a centralized pile, re-wetted, and containerized in heavy mil asbestos disposal bags. Affected surfaces will then be re-wetted and swabbed with clean cloths or paper towels. Used wipes will be disposed of as asbestos-containing waste.

In the event that large quantities of potential ACM is released during sample collection activities, personnel will immediately evacuate the area and notify the Project Safety Officer and the client representative. The Project Safety Officer will request that the area be sealed until a properly attired response team can be mobilized to the area with a high efficiency particulate air filter (HEPA) vacuum and other equipment necessitated by site conditions.

If suspect materials are in deteriorated condition and fiber release appears likely, or if sampling must be conducted overhead and/or above drop ceilings, personnel will upgrade to Level C personal protective equipment as itemized above. Level C personal protective

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equipment should be donned before moving drop ceiling panels, attic access panels, etc. where friable fireproofing or thermal system insulation are known to be present.

The indicated personal protective equipment shall be mobilized to asbestos sampling project sites on each day of sample collection and utilized, if necessary:

- Tyvek (standard) protective coveralls
- Half face or full face air purifying respirator equipped with HEPA (P-100) cartridges
- Impermeable gloves (nitrile or latex).
- Tyvek boot covers or washable outer footwear

Additional Health and Safety protocols such as those established by the owner/operator of the project site and Terracon's company policy regarding ladder safety, confined space entry and electrical hazards shall be followed.

VI. SAMPLING HAZARDS

a. Elevated Surfaces

Asbestos building inspections may include roofing materials and ceiling spaces containing suspect ACM. Appropriate ladders or other suitable devices (e.g., manlifts) will be used for gaining access to elevated sampling locations. Ladders will be inspected prior to use. Spreaders will be fully extended on all step ladders and firmly positioned prior to use. Where footing is uncertain, a sample team member will hold or otherwise secure ladders while in use by another sample team member. Personnel must always face ladders during both ascent and descent. Extension ladders will not be positioned more than one-quarter of their working length from buildings, walls, etc. (4:1 pitch). Sample team personnel will not walk on steeply pitched roof surfaces and will not walk on low pitched roofing surfaces while wet. Remain on designated roof walkways wherever present. Terracon personnel will visually inspect roofs prior to beginning sample collection activities and will avoid all areas which appear to be structurally unsound.

b. Confined Space Entry

Terracon asbestos inspectors will not enter any pit, shaft, tunnel, etc. which has limited means of egress, the potential for an oxygen deficient or toxic atmosphere or which was not designed for human occupancy without first developing a written safety plan which includes a confined space entry permit and procedures. Readily accessible spaces such as pipe tunnels in which personnel may stand can be entered to a distance where continuous visual and verbal communication can be maintained with another sample team member.

Adequate portable lighting must be utilized during sample collection in tunnels and similar spaces. No Terracon or sample team member may attempt to walk through a pipe tunnel,

etc. beyond the sight of a stand-by team member unless written confined space entry procedures have been prepared for the project.

c. Electrical Contact Hazards

Personnel will remain cognizant of the location and condition of electrical wiring during the collection of bulk asbestos samples. A visual assessment of each work space will be made prior to sample collection and electrical contact hazards will be evaluated. Unguarded junction boxes, exposed wiring, knife switches, etc. will be avoided during the collection of bulk ACM samples, and coring tools will not be used in near proximity to electrical switches or receptacles.

VII. PROCEDURES FOR BULK SAMPLING OF SUSPECT ACM

The primary purpose of this section is to identify the methods and techniques of controlled sampling, sampling site control and use of appropriate personal protective equipment to protect Terracon personnel and members of the general public from exposure to asbestos fibers during sampling activities. Adherence to these procedures should enhance personnel safety during sample collection activities and aid in the suitability of samples for analysis. Field activities will be performed in accordance with the procedures outlined in this document and applicable federal/state health and safety regulations.

Protocols for inspection and bulk sampling are defined in AHERA regulations. These are applicable for any type of survey; for example, a school, an area prior to renovation, a building prior to demolition and inspections undertaken to rebut the OSHA presumption that certain materials contain asbestos.

An accredited Building Inspector must perform the inspection. A summary of AHERA sampling protocols is as follows:

1. Visually inspect the building interior and/or exterior and identify locations of suspect ACM. Identify homogenous areas of friable and non-friable suspect ACM. Document locations, condition, classification and estimated quantities of each suspect material. It is recommended to depict locations of materials on a building diagram and take photographs of sampled materials.

2. Touch each suspect ACM to determine its friablity.

3. Collect representative samples of suspect ACM. Terracon recommends a minimum of three (3) samples of each material be collected from each homogeneous area. However, specific materials may require additional samples such as surfacing material and insulation

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as described below. Judgment should be used on the need for and quantity of additional sample collection.

Surfacing materials: Collect, in a statistically random manner, at least 3 bulk samples from each homogenous area of 1,000 sq. ft. or less, at least 5 bulk samples from each homogenous area that is greater than 1,000 sq. ft. but less than or equal to 5,000 sq. ft., and at least 7 bulk samples of each homogenous area larger than 5,000 sq. ft.

Thermal System Insulation (TSI): Collect, in a randomly distributed manner, at least three bulk samples from each homogeneous area of TSI; collect at least one bulk sample from each homogeneous area of patched TSI if the patched section is less than 6 linear or square feet; collect bulk samples from each insulated mechanical system where cement or plaster is used on tees, elbows, etc. in a manner sufficient to assess whether the material is ACM.

If fiber release appears likely, wet methods will be employed in the collection of suspect ACM samples. Water amended with a minimum of 10% commercially available window cleaning solution or other suitable surfactant should be used to moisten materials prior to sampling. Bulk asbestos samples will not be collected over the heads of, or in near proximity to, non-project personnel. Respiratory protection is not required when sampling non-friable suspect materials or materials below the breathing zone which are adequately wetted with amended water.

4. Bulk ACM samples should be immediately placed in sample containers and sealed while the materials are wet. If collecting samples of friable ACM or normally non-friable materials which are in deteriorated condition, precautions must be taken to prevent the release of fibers to the work area. Precautions include aggressively wetting the surface or potentially isolating the material (e.g. glove bagging) prior to disturbance.

5. Reusable sampling equipment will be gently rinsed with amended water. Dry the equipment with paper towels to be disposed of as contaminated materials.

6. The following decontamination sequence should be used following sample collection activities requiring Level C personal protective equipment:

- Remove coveralls slowly turning the outside inward.
- Place in heavy mil asbestos disposal bag.
- Remove gloves and shoe covers (if utilized)
- Remove respirator and carefully dispose of respirator cartridges in asbestos disposal bag.
- Securely seal protective clothing and any potentially contaminated disposable sampling equipment in heavy mil asbestos disposal bags.
- Do not smoke or eat with soiled hands.

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Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4000
SAMPLING OF POTENTIAL LEAD-BASED PAINT

Last Review or Revision: June 2010

I. PURPOSE

The purpose of this standard operating procedure (SOP) is to provide information on the hazards of lead-based paint (LBP) and describe procedures for identificationand proper LBP sampling techniques. The following procedures for sampling potential LBP using a direct reading instrument and paint chip collection are designed to provide standardization with respect to location and number of samples collected and method of labeling sample locations. In addition, this procedure should ensure that potential LBP samples are collected in a manner which allows for accurate analysis of the material. Finally, this procedure will help to ensure that sampling personnel are protected against potential lead dust releases through controlled sampling techniques or appropriate use of personal protective equipment.

The objective of sampling coated (i.e., painted, pigmented or stained) surfaces for LBP (LBP) is to characterize materials and components that contain lead in surface coatings and compare them to established limits such as the Environmental Protection Agency (EPA) or Housing Urban Development (HUD) standards and guidelines such as at quantities greater than 1.0 milligram per square centimeter (mg/cm^2) or 0.5% by weight or other regulated quantity as specified by state or local authority. By characterizing the locations and quantities of LBPs, exposure hazards can be greatly reduced.

II. BACKGROUND AND REFERENCE

Lead is a toxic heavy metal which may cause blood, kidney and nervous system disorders if inhaled or ingested. Metallic lead and lead contained in dusts are not readily absorbed through the skin. However, skin contact with potentially contaminated site materials should be avoided.

The United States EPA and HUD have established an action level for LBP of 1.0 milligram per square centimeter (mg/cm^2) or 0.5% by weight. Coatings with quantities equal to or greater than these values are considered LBP. The Occupational Safety and Health Administration (OSHA) does not establish a LBP quantity but regulates the amount of lead that can become airborne and either inhaled or ingested by setting limits for air concentrations of 0.05 milligram per cubic meter (mg/m^3) of air over a work shift and blood values of 50 micrograms per deciliter of blood.

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Lead was a common ingredient in paint until 1978 when the Consumer Product Safety Commission (CPSC) banned the sale of LBP for use in residences in quantities greater than 0.06% by weight. However, some industrial paints still contain lead today and are used in several applications. Lead can be introduced into the air by sanding or abrading surfaces containing LBP, and inhalation or ingestion of the dust is possible. Ingestion of lead can occur when children consume deteriorated paint chips, children place exposed toys or body parts into their mouths or when industrial workers exposed to lead-containing dust eat or smoke without washing their hands.

The lead content of paint can be determined with direct-reading instrumentation or by analysis of a bulk paint chip sample. An X-ray fluorescence (XRF) type analyzer is recommended to obtain direct readouts of lead content in coated surfaces. The XRF analyzes for lead by atomic absorption spectroscopy (AAS). Results are in milligrams of lead per square centimeter. Paint chip sample analysis is performed by inductively coupled plasma-atomic emission spectrometry (ICP-AES) in accordance with EPA SW-846 Method 6010B. Results are typically reported as lead percent per paint chip weight.

When sampling for LBP in buildings classified under the United States Department of Housing and Urban Development (HUD) or other child occupied-facilities (i.e., publicly and privately owned-housing, public buildings, daycares, etc.), procedures stated in the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995 revision will be used.

Lead is also regulated by the Occupational Safety and Health Administration (OSHA) and the EPA. Occupational exposure to lead occurring in the course of construction work, including maintenance activities, painting, renovation and demolition, is subject to OSHA standard (29 CFR 1926.62), Lead Exposure in Construction. Construction work covered by 29 CFR 1926.62 includes any repair or renovation activities or other activities that disturb in-place, lead-containing materials. Employers must assure that no employee will be exposed to lead at concentrations greater than 0.05 mg/m^3 averaged over an eight-hour period without adequate protection.

The Resource Conservation and Recovery Act (RCRA) provides the EPA with the authority to regulate the waste status of demolition or renovation debris, including lead-containing materials. Specific notification and testing requirements must be addressed prior to transporting, treating, storing or disposing of hazardous wastes. Lead containing wastes are considered hazardous waste under RCRA if Toxicity Characteristic Leachate Procedure (TCLP) results exceed 5 milligrams per liter (mg/L). EPA exempts from most RCRA requirements those generators whose combined hazardous waste generation is less than 100 kilograms (kg) per month.

III. EQUIPMENT

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LBP analysis can be conducted by using a direct reading XRF analyzer or by collecting paint chip samples. Equipment necessary to conduct both methods is listed below.

For direct reading sampling:

- X-ray fluorescence (XRF) analyzer and accessories
- XRF result field log (optional if downloading software is used)

For paint chip sampling:

- Heating tool and extension cord
- Tape measure or template
- Chisel
- Chipping hammer or scraper (lead paint samples from metal structures)
- Face shield or chipping goggles
- Sample containers (preferably sturdy, clear plastic vials)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis

IV. CERTIFICATION

Individuals conducting LBP inspection services should have the certifications listed below. Copies of these certifications and licenses should be taken to the site.

- EPA lead inspector and risk assessor certification
- As applicable, local- or State-licensed lead inspector/risk assessor (required for HUD projects)
- Manufacturer training certification for the XRF analyzer

V. HEALTH AND SAFETY

The OSHA personal exposure limit (PEL) for lead is 0.05 milligram per cubic meter (mg/m^3) and the action level is 0.03 mg/m^3. The primary route of exposure of lead is through inhalation of contaminated dusts or by accidental ingestion; however, collection of small sample volumes required for analysis is not expected to generate significant dust. Although, if painted surfaces are being disturbed and dust is generated in the vicinity, personnel will take protective measures as indicated below. Project activities may be conducted in Level D personal protective equipment modified as specified below.

- Lead sampling activities will be performed in Level D personal protective equipment to include standard work uniform, safety footwear and hard hat if overhead hazards are present.

- Protective goggles or a full face shield will be worn during chipping hammer operations.
- Protective gloves should also be worn during lead chip sampling to prevent abrasion and contact with site materials. Half face disposable dust/fume/mist respirators (3M 9920 "surgical style" masks) or half-face air purifying respirators equipped with HEPA filter cartridges will be worn if dusty conditions develop on-site.

Due to the potential of accidental ingestion when working in areas with lead dust, do not smoke or eat with soiled hands. Wash thoroughly before eating, drinking or smoking. Shower thoroughly as soon as possible upon leaving the site.

The XRF analyzer contains a radioactive source and should be transported and used according to the manufacturer's instructions. Personnel utilizing the equipment shall have the proper training and certifications required for use of the equipment.

VI. PROCEDURES FOR XRF ANALYSIS

1. Identify areas with coated or prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and should be included in the survey. Some ceramic tiles have a lead-containing glaze and should also be assessed, particularly where required by state or local regulatory agencies.

2. Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995revision.

3. Calibrate the XRF unit according to the manufacturer's instructions before and after the survey. This involves taking calibration sample readings from a known source provided by the manufacturer.

4. Conduct XRF sampling on selected surfaces. Document descriptions of each surface sampled on the XRF result field log or using the manufacture's software. Record results on the XRF result field log if software is not used.

If results yield 1.0 mg/cm^2 (inconclusive), then a paint chip sample should be collected using the applicable procedures indicated in the following section.

If results indicate the presence of lead in quantities greater than 1.0 mg/cm^2, it is recommended that a photograph depicting the material and location be taken.

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VII. PROCEDURES FOR PAINT CHIP SAMPLING

1. Identify areas with prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and these areas should be included in the survey.

2. Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995revision.

3. A heating tool and chisel is recommended to collect representative samples of painted surfaces, but a knife, chipping hammer or paint scraper may also be used. Minimum force should be used to prevent the generation of dusts and particles. Wear protective goggles, abrasion resistant gloves and/or particulate respirator as appropriate to the task.

Check with the analytical laboratory you will use to determine minimum sample size required. A two square inch (2 in^2) sample is recommended for each sample. The sample size should be documented on the sample log. Some laboratories conducting toxic characteristic leaching procedures (TCLP) analysis may request up to ten grams (10 g) per sample. Lead-based paint samples must be removed down to the bare substrate to ensure each layer of paint has been collected. Use a brush or mini-vacuum to clean up residual material and place it in the sample container.

4. Assign a sample number to each sample collected. Affix a label or mark the sample container indelibly with a sample identification number. Seal the sample container securely. Document descriptions and locations of each surface sampled on a field log. It is recommended that a photograph depicting the material and location be taken.

5. Send results and chain or custody to an American Industrial Hygiene Association (AIHA) accredited laboratory for analysis.

- Wash hands, face and forearms thoroughly before eating, drinking smoking or using toilet facilities.
- Shower thoroughly as soon as possible upon leaving the project site.

7. Bulk sample analysis for asbestos content is performed by polarized light microscopy (PLM). The analytical testing procedure is based on U.S. Environmental Protection Agency (EPA) methods and National Voluntary Laboratory Accreditation Program (NVLAP) requirements. Terracon will use NVLAP accredited and appropriately licensed laboratories for analysis of asbestos bulk samples. Samples will be controlled with the analytical laboratory through chain of custody documentation.

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Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4020
AVIAN PATHOGEN SAMPLING - AIRBORNE
(Bat and Pigeon Droppings)

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Indoor air sampling requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged for when sampling for airborne contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

The following procedure is for collection of samples for the determination of the avian pathogens *Histoplasma capsulatum*, *Cryptococcus neoformans* and *Chlamydiaphila psittaci* by the Polymerase Chain Reaction (PCR) analytical method. The PCR method is qualitative for *H. capsulatum* and quantitative for *C. neoformans* and *C. psittaci*. For *H. capsulatum*, EMLab P&K (1501 W. Knudsen Drive, Phoenix, AZ) utilizes the National Institute of Occupational Safety and Health (NIOSH) two-stage PCR method as published by T. M. Reid and M. P. Schafer, *Molecular and Cellular Probes*, (1999) 13:269-273.The PCR method for *C. neoformans* and *C. psittaci* is a proprietary real time analytical developed by EMLab P&K using species-specific sequences published in Genbank for PCR primers (single strand of DNA specific for the species of interest) and probes (fluorescent molecules attached to primers to allow detection).

Equipment

The following equipment and supplies will be needed for this testing:

- Air monitoring cassettes are obtained from EMLab P&K. The sterile, 37 millimeter (mm) three piece cassettes contain a polycarbonate filter with a 0.4 micrometer pore size.
- Rotometer or other flowmeter accurate to 0.1 L/min. Flowmeters used for calibration of air sample pumps will be calibrated against a primary standard on a quarterly basis.
- Air monitoring pump (battery operated or ac powered depending on application) capable of providing 10 to 15 L/min flow rate for ambient air samples and a 1 to 4 L/min flow rate for personal air samples.
- Cassette holders (SKC Model 225-1).
- Vinyl tubing to connect pump to cassette holder.
- Cassette stand or other means to fix cassette in place as appropriate for ambient air sample testing locations. Cassette holders affix to the lapel or similar location in the personal breathing zone (PBZ) when collecting personal air samples.
- Chain of Custody.

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Procedures

Label cassette and record laboratory identification number on chain of custody. For ambient air samples, select a location for the sample that is subject to ambient air flow and representative of the location(s) to be tested. For personal air samples, clip the cassette/cassette holder to the individual's lapel, shoulder or other location in the PBZ and secure with duct tape as needed. Secure the low flow personal pump to the workers belt or similar location. A location protected from precipitation should be selected. Excessive moisture will interfere with sample analysis and could affect the flow rate.

Assemble sampling pump, tubing and stand in sample collection location. The cassette should be placed in the cassette holder and the tubing from the pump attached to the base of the cassette holder at the nipple. The joint between the tubing and cassette may be reinforced with tape if site conditions make this necessary. Cassette must be tilted downward at a 45º angle from horizontal. Cassette and pump should be placed so that the sample does not have to be moved after sample calibration.

A short section of vinyl tubing should be used to connect the flowmeter to the inlet port of the cassette holder. An adapter fitting may be needed to connect the tubing to the cassette. If a rotometer is used for flow calibration, the instrument must be held upright for accurate readings. Turn on the pump and measure the flow rate. Using the flow control on the pump, adjust the flow to the desired reading between 10 and 15 L/min for ambient air samples and 1.0 and 4.0 L/min for personal air samples. Record the sampling start time and beginning flow rate. The target total air sample volume for ambient and personal air samples is generally 1,400 L to 1,800 L. For personal samples collected while workers are physically disturbing Bat/Bird guano or related debris and visible emissions are observed, the target total air sample volume may be adjusted to 360 L to 720 L.

After completion of the sample collection, inspect the pump and cassette for any problems that may affect the sample validity and record any problems noted. Measure the post collection flow rate using the procedure described above. The average of the two flow rates will be used by the laboratory to calculate the sample volume. Turn off the pump and cap the inlet and outlet ports on the 37 mm filter cassette. Record the sampling completion time and ending flow rate.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

- Average flow rate (average of beginning and ending readings)
- Sample duration
- Filter number
- Requested analytical method (Avian Pathogens by PCR)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- Industrial Hygiene Technical Manual – Chapter II: Standard Methods for Sampling Air Contaminants
- EMLab P&K, 1501 W. Knudsen Drive, Phoenix, AZ

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STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4022
AVIAN PATHOGEN SAMPLING – BULK MATERIAL
(Bat and Pigeon Droppings)

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bulk sample collection of potentially hazardous materials requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for microbial contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

The following procedure is for the collection of bulk samples of Bat/Bird guano and related debris for the determination of the avian pathogens *Histoplasma capsulatum*, *Cryptococcus neoformans* and *Chlamydiaphila psittaci* by the Polymerase Chain Reaction (PCR) analytical method. The PCR method is qualitative for *H. capsulatum* and quantitative for *C. neoformans* and *C. psittaci*. For *H. capsulatum*, EMLab P&K (1501 W. Knudsen Drive, Phoenix, AZ) utilizes the National Institute of Occupational Safety and Health (NIOSH) two-stage PCR method as published by T. M. Reid and M. P. Schafer, *Molecular and Cellular Probes*, (1999) 13:269-273.The PCR method for *C. neoformans* and *C. psittaci* is a proprietary real time analytical developed by EMLab P&K using species-specific sequences published in Genbank for PCR primers (single strand of DNA specific for the species of interest) and probes (fluorescent molecules attached to primers to allow detection).

Personal Protective Equipment (PPE)

Because the target microorganisms are inherently hazardous/pathogenic, PPE is required for the collection of bulk samples. Bulk sample collection disturbs the matrix being sampled and may result in aerosolization of pathogenic spores or other viable propagules and proper dermal and respiratory protection is required during sample collection.

The following PPE will be needed for this testing:

- Prior to sample collection, don Tyvek disposable coveralls, safety glasses, nitrile or latex gloves and respiratory protection. Depending on the level of substrate disturbance or visible airborne dust/emissions in the general sample collection area either an N-95 or N-100 respirator will be worn during sample collection. If a full face respirator is worn, safety glasses are not required.

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Equipment

The following equipment and supplies will be needed for this testing:

- Sterile sample containers obtained from EMLab P&K. The sterile sample containers are typically 100 to 250 milliliter plastic bottles.
- Pre-cleaned metal bulk sample collection spatulas or an equivalent single use sterile bulk sample device. Metal spatulas must be pre-cleaned with 70% isopropyl alcohol, flamed with a Bunsen burner, Bic® lighter, or equivalent flame source, cooled in air and then stored in zip-lock bags or similar clean containers. To avoid cross contamination, use only one bulk collection device per sample.
- Appropriate marking pens to label containers or pre-printed labels to affix to the containers.
- Chain of Custody.

Procedures

Don the required PPE. Locate Bat/Bird guano or related debris that will be sampled and note the location in field notes and/or on a floor plan.

Label sample containers and record laboratory identification number on chain of custody.

With one hand, scoop approximately 10-100 milligrams (1-5 level tablespoons) of the Bat/Bird guano or related debris with the single use bulk sample collection device and promptly transfer to the sterile, lab supplied bulk sample container in the other hand. The bulk sample device and the sterile bulk sample container should not be placed on the ground or other surfaces near the sample location during sample collection. The pre-labeled sterile bulk sample container should be sealed and placed in a zip-lock bag prior to transfer to the laboratory.

If only sampling from one Bat/Bird guano or related debris location, collect a minimum of two samples.

Prepare a blank sample by opening the bulk sample container for 5-10 seconds in the immediate sample collection location, then sealing the container. Label accordingly.

Each metal spatula used to collect the bulk material should be transferred to a separate zip-lock bag and the bag sealed. After completion of the sample collection, re-clean the metal spatulas by placing the metal spatulas in a solution of non-ionic detergent amended with household bleach (Joy liquid dishwashing soap and 1 cup household bleach/gallon water) and soak for 24 hours. The metal spatulas may then be final cleaned as previously described. Sterile single use disposable bulk sample devices should be placed in a separate zip-lock bag and discarded.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

- Sample location
- Requested analytical method (Avian Pathogens by PCR)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- Industrial Hygiene Technical Manual – Chapter II: Standard Methods for Sampling Air Contaminants
- EMLab P&K, 1501 W. Knudsen Drive, Phoenix, AZ

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Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4030
BIOAEROSOL SAMPLING, TOTAL
(Airborne Mold Spores)

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bioaerosol sampling requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for airborne contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

An airborne biogenic particle, such as a fungal spore, is a bioaerosol. Fungal spores are ubiquitous in the environment, and have specific requirements for survival, germination, and growth. Although fungal bioaerosols have not been conclusively associated with adverse health effects commonly noted in typically building-related complaints (e.g., mucous membrane irritation, headache, and fatigue), they are known in the medical literature to be associated with common allergies, or more serious respiratory disease. Some studies, and case histories have shown correlations between allergy, or more serious respiratory symptoms, and fungal contamination of heating, ventilating, air conditioning (HVAC) systems.

The spore trap sampling method used for total bioaerosol sampling is capable of determining total fungal spore concentrations per cubic meter of air (spores/m^3). Bioparticulate such as pollen grains, insect exoskeletons, or fungal spores that require specific substrates in order to germinate and/or produce taxonomically identifiable reproductive structures (e.g., Ascospores and Basidiospores) are detected by this technique. While many fungal spores can be identified by this method, others, which are morphologically similar, cannot be positively assigned a genus designation and are grouped based on similar spore morphology (e.g. *Aspergillus/Penicillium, Drechslera/Bipolaris*). High variability in fungal spore concentrations will exist in different geographic locations, during different seasons, and weather patterns, and over the course of a given day. As a general rule, indoor fungal spore concentrations in an HVAC-supplied building are typically less than, but qualitatively similar to, fungal spore concentrations found in the outside environment. To assist in the interpretation of bioaerosol sampling results, a comparative sampling strategy is employed.

Equipment

The following equipment and supplies will be needed for this testing:

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- Bioaerosol sample cassettes are obtained directly from laboratory supply companies or from the laboratory that will analyze the air samples. Allergenco-D™ or Air-O-Cell™ bioaerosol sample cassettes are recommended.
- Rotometer or other flowmeter accurate to 0.1 L/min. Flowmeters used for calibration of ac powered air sample pumps will be calibrated against a primary standard on a quarterly basis.
- a) Air monitoring pump (ac powered) capable of providing 15 L/min flow rate; b) Buck BioAire Bioaerosol Sampling Pump, Model B520 with rotometer for calibration; c) Zefon Bio-Pump Plus with rotometer for calibration; d) or equivalent battery operated air sampling devices capable of using the Allergenco-D™ or Air-O-Cell™ sample cassettes at a flow rate of 15 L/min.
- Vinyl tubing to connect air sampling cassette to ac powered air monitoring pump.
- Gloves, 1 gallon zip-lock bags, alcohol based hand wash, marker pen, field sampling logs, extension cords and camera.
- Cassette stand or other means to fix cassette in place as appropriate for ac powered air monitoring pump applications.
- Chain of Custody (COC).

Sample Collection Considerations

The bioaerosol sampling cassettes are designed to operate at a recommended flow rate of 15 L/min. It is important not to run the sampling pumps at lower flow rates for longer times to achieve the recommended air volume, as lower flow rates may result in a loss of some spores and the accumulation of others in a non-uniform manner. Higher flow rates may damage the spores.

The sampling time is dependent on the density of particulate in the environment. It is important not to overload the sample, otherwise it will be impossible to assess the types of spores, pollen and particulates that are present. The following table represents typical sample times to attain a sharply defined sample trace with good dispersion of the spores:

Environmental Conditions	Sampling time at 15 L/min
Drywall renovation or heavy industrial dust	1 minute
Dusty, dirty, visible particles in the air	3 minutes
Indoor environment, high activity and personnel present	5 minutes
Outdoors (collect a minimum of 2 outdoor samples)	5 minutes

Sampling Procedures

1. Prior to sampling, calibrate the pump to 15 liters per minute.
2. Record sampling location on field data sheet.
3. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
4. Inspect cassette for quality control mark indicating that sampling cassette has been inspected by manufacturer and approved for use.
5. Remove and retain tape seal covering outlet.
6. Attach the outlet (round hole) to the supplied tubing adapter (available from bioaerosol cassette supplier), or use standard ½" PVC tubing (for use with high volume pumps only).

Using a sampling stand, the cassette should be located approximately 4 to 5 feet above the floor surface.

7. Remove and retain tape seal covering inlet.
8. Start the sampling pump, and record sampling start time. Sample for an appropriate period of time (see table above).
9. Stop the sampling pump and seal inlet with the original tape. Record sampling stop time. Remove cassette from tubing, and reseal outlet with the original tape. Label sample and place into I gallon zip lock bag.
10. Repeat steps 1-9 for remaining samples to be collected.
11. A minimum of 2 samples should be collected in complaint area(s) and the outdoor environment. A comparative sample should be collected in a non-complaint area and duplicate samples at the building exterior, preferably adjacent to the air handling system's air intake or main point of egress. The outdoor environment should be sampled prior to entering the building and again at the end of the site assessment. It is recommended that sample field blanks should be included with the samples submitted to the laboratory.
12. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number(s), description of area, volume of air collected, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
13. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

QUALITY CONTROL SUGGESTIONS

1. Initial air sampling should be performed prior to disturbance of mold and mold contaminated materials by investigative and surface/bulk sampling activities.
2. An effective interpretation is based on the comparison of indoor and outdoor samples. Outdoor control samples will help demonstrate whether spore amplification is occurring indoors.
3. Obtain an indoor control sample from a non-complaint area for comparison.
4. Sending a blank cassette for analysis is a good practice. The recommended industry practice for the number of field blanks is to provide two field blanks for each lot of bioaerosol sampling cassettes.
5. Flow rate is critical for accurate results. Remember to calibrate the pump at 15 L/min prior to sampling.
6. Never use cassettes that are damaged, expired, or do not have the manufacturers quality control mark.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

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- Sample duration and flow rate
- Sample number
- Requested analytical method (total bioaerosol analysis)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- American Conference of Governmental Industrial Hygienist: Bioaerosols, Assessment and Control, 1999.
- Terracon Mold Practice Guidelines.

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Terracon
STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4033
FUNGAL GROWTH (MOLD) – SURFACE/BULK COLLECTION

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bulk sample collection of potentially hazardous materials requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for microbial contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

Because many building materials can provide a source of nutrients for fungal growth, water is the limiting factor in minimizing the potential for fungal growth. Therefore, visible fungal growth, excessive dirt and water-damaged building materials should not be observed. When these conditions are observed, it indicates a need to conduct additional assessment, cleaning, and/or remediation activities.

Tape lift and bulk sampling are techniques used for direct examination. A direct exam allows for the immediate determination of the presence of fungal growth as well as what types of fungi are present. The criteria to establish fungal growth on the substrate sampled is microscopic confirmation of fungal somatic and reproductive structures. Direct examinations should only be used to sample visible or suspect fungal growth in a contaminated area. Most surfaces naturally collect a mixture of fungal spores that are normally present as background debris in the environment.

The direct exam is inexpensive and can be performed quickly. It is a useful test for initial site sampling. Direct examination of a surface indicates the fungi present in a given sample location.

Health problems related to indoor microbial growth are generally caused by the inhalation of substantial numbers of airborne spores, sometimes over a long period of time. The presence of biological contamination on a particular surface is not a direct indication of what may be in the air.

Equipment

The following equipment and supplies will be needed for this testing:

- Gloves, 1 gallon zip-lock bags, alcohol based hand wash, marker pen, field sampling logs and camera.
- Tape lift kit(s) may be obtained from the laboratory, or standard clear “Scotch” tape may be used.

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- Chain of Custody (COC).

SAMPLING PROCEDURE

Tape Lift:

1. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
2. Remove tape applicator from slide provided in the tape lift kit or remove a few inches of clear tape from tape roll. Avoid touching the sticky side of the tape.
3. Apply the designated area of the lift kit tape applicator or central inch of tape to the sample area. Apply light pressure to the non-adhesive side.
4. Pull the lift kit tape applicator or tape off of the surface with slow, steady pressure, holding the tape edges only.
5. Apply sticky side of the lift kit tape applicator to the slide provided in the lift kit. For tape method, gently apply sticky side of the tape to a field sampling log, ensuring that there are no folds or creases in the tape. Do not fold tape onto itself.
6. Label samples and place into 1 gallon zip lock bag.
7. Record sampling location on COC. Photograph sample location.
8. Repeat steps 1-7 for remaining samples to be collected.
9. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number, description of area, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
10. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

Bulk:

1. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
2. Collect a small sample of the suspect material and place in a clean zip lock bag and close.
3. Prepare sample label and place on the 1 gallon zip lock bag.
4. Record sampling location on field data sheet. Photograph sample location.
5. Repeat steps 1-4 for remaining samples to be collected.
6. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number, description of area, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
7. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

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- Sample location
- Requested analytical method (fungal identification)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- American Conference of Governmental Industrial Hygienist: Bioaerosols, Assessment and Control, 1999.
- Terracon Mold Practice Guidelines.

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APPENDIX C: SITE ACCESS AGGREMENT

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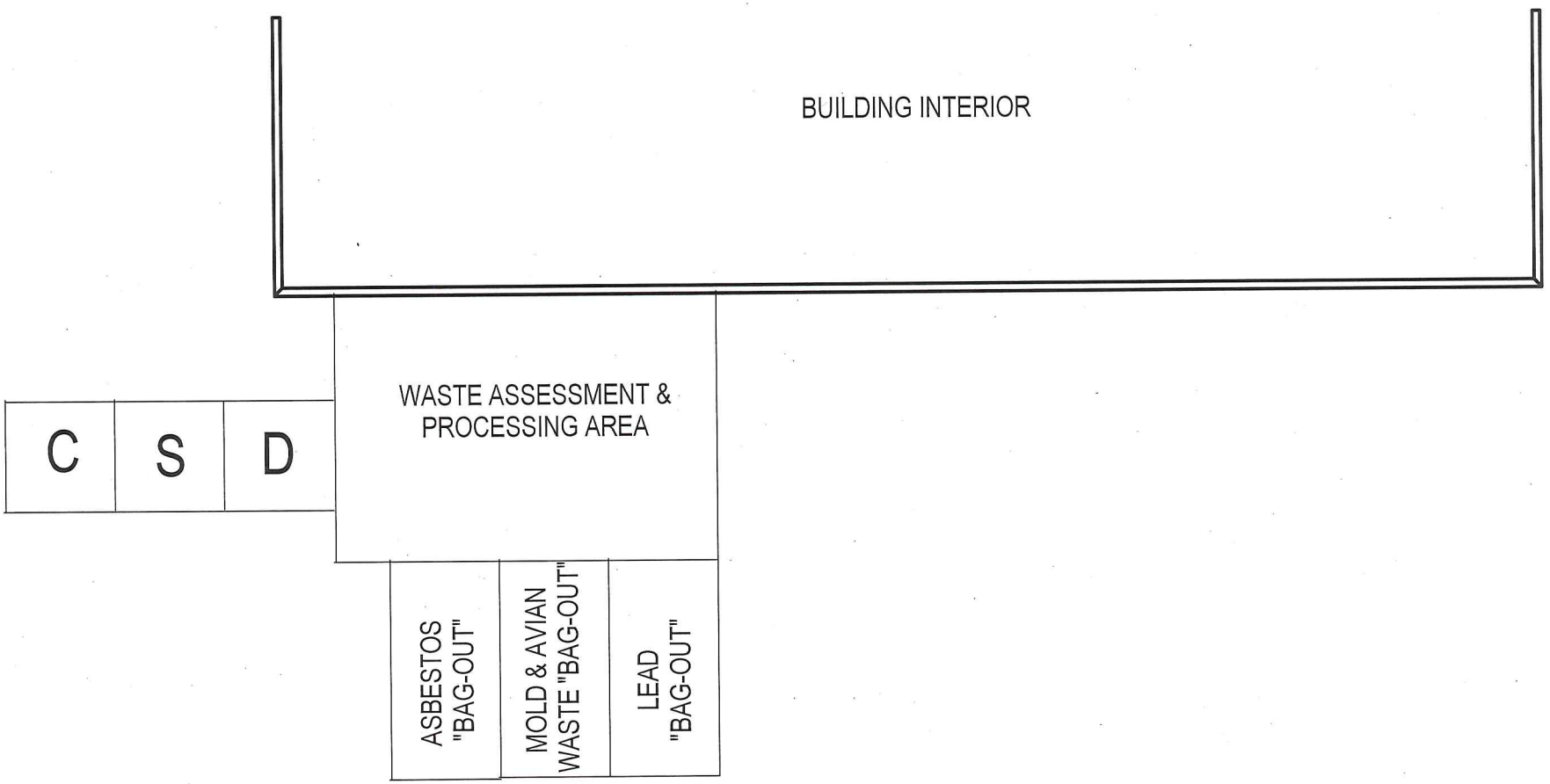
APPENDIX C
CONCEPTUAL DRAWING
OF
WASTE PROCESSING STATION



CONCEPTUAL DRAW
NOT FOR CONSTRUCT

Commercial Building 203/205 W Broad Street Texarkana, Texas	
Conceptual Drawing	
Project #: 94137464B	Drawing: #1
Drawn by: GBC	Date: 2/25/16

Terracor
8901 Carpenter Freeway
Suite 100
Dallas Texas 75247

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Terracon

SITE HEALTH AND SAFETY PLAN

HAZARDOUS MATERIALS SURVEY
Commercial Buildings
203 & 205 W Broad Street
Texarkana, Texas
Terracon Project No. 94137464B

1.0 INTRODUCTION

This Site Health and Safety Plan has been developed to define the protocols and requirements to be followed by Terracon personnel during hazardous materials sampling activities at the Commercial Buildings, 203 & 205 W Broad Street in Texarkana, Texas.

Prior to the start of site activities, the designated Site Safety Officer will conduct a safety briefing and review the contents of this plan with participating field personnel. Project participants will review this plan and sign the Acknowledgment of Instruction page prior to the start of hazardous material-related project activities.

The guidelines contained in this Health and Safety Plan are based upon potential health hazards from exposure to asbestos, lead-based paint, mold and guano. Sampling activities will be performed in accordance with applicable federal/state health and safety regulations. The Site Safety Officer is responsible for enforcing the provisions contained in this Plan.

2.0 TRAINING AND MEDICAL SURVEILLANCE REQUIREMENTS

Project participants actively engaged in asbestos sample collection must have received State of Texas accredited Building Inspector training and will possess a current State of Texas asbestos inspection license. All Terracon field personnel and will be medically cleared for asbestos work in accordance with OSHA 29 CFR 1926.1101.

Project participants actively engaged in lead-based paint sample collection must have received State of Texas accredited Lead Inspector training and will possess a current State of Texas lead inspector certification.

Project participants actively engaged in mold inspection or guano inspection activities must have received State of Texas accredited Mold Inspector training and will possess a current State of Texas mold inspector license.

Terracon personnel will also be medically cleared, trained and properly fit-tested for respirator use in accordance with OSHA 29 CFR 1910.134.

3.0 PROJECT ORGANIZATIONAL STRUCTURE

Project Manager:	Greg Calhoun Terracon	214-630-1010
Corporate Health and Safety Mgr.:	Mark Huddleston, CSP, Terracon	913-577-0419
Site Safety Officer/Project Supervisor	David Ladage Terracon	214-630-1010

4.0 SCOPE OF SERVICES

Terracon personnel will mobilize to the project site to conduct surveys of suspect asbestos containing materials (ACM), lead-based paint (LBP), mold and guano may be present in the building at the site.

Bulk asbestos samples will be collected in general accordance with the Texas Department of State Health Services (TDSHS) and AHERA sampling protocols and will be submitted to a NVLAP-accredited and TDSHS-licensed laboratory for analysis by polarized light microscopy.

Lead-based paint samples will be collected following the applicable United States Department of Housing and Urban Development (HUD) 24 CFR Part 35 and TSDHS protocols, including the Texas Environmental Lead Reduction Rules (TELRR) and will be submitted to a NVLAP-accredited laboratory for analysis through Flame Atomic Absorption Spectrophotometer (AAS).

Building materials will be evaluated for visible mold contamination in general accordance with guidelines published by the TDSHS (*Texas Mold Assessment and Remediation Rules*, 2004), the American Conference of Governmental Industrial Hygienist (*Bioaerosols; Assessment and Control*, 1999) and American Standard Test Methods (*Standard Guide for Assessment of Fungal Growth in Buildings,* ASTM D7338-10). Bulk, surface and air samples collected during a fungal assessment will be submitted for analysis by TDSHS-licensed mold analysis laboratory.

Bulk materials of bat/bird guano/debris will be aseptically sampled by trained staff and analyzed by Polymerase Chain Reaction (PCR) to determine if these pathogens are present. Bulk and air samples will be analyzed by a laboratory accredited by the American Industrial Hygiene Association (AHIA®) Laboratory Accreditation Programs, LLC under the Environmental Microbiology Laboratory Accreditation Program (EMLAP) and is Texas licensed Mold Analysis Laboratory under the TMARR.

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The primary purpose of this Plan is to ensure that Terracon personnel are aware that site activities will be conducted in a facility where asbestos, lead-based paint, mold and guano hazards may be present. A separate job hazard analysis of facility-specific hazards is required to help assure that project personnel are protected against these potential hazards through controlled sampling techniques and appropriate personal protective equipment. The following procedures are designed to provide standardization with respect to location and number of samples collected and method of labeling sample locations.

4.1 Asbestos Sampling Equipment Requirements

In addition to the personal protective equipment outlined below, each project participant should mobilize an asbestos sampling equipment kit similar to that outlined below. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Wet methods will be employed in collecting all suspect ACM samples. Absolutely no bulk asbestos samples will be collected over the heads of or in near proximity to non-project personnel.

- Utility knife
- Coring tool
- Duct tape
- Sample containers (preferably ziplock style clear plastic bags)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Spray atomizer containing detergent amended water
- Spray adhesive
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.2 Fiber Release

Asbestos bulk sampling activities must be conducted in a manner which minimizes the generation of dusts and airborne fibers. Each sample team member will assess the condition of ACM prior to sampling or otherwise disturbing the material. Sampling will not be conducted in buildings occupied by non-project personnel, or over the heads of any personnel. Wherever possible, sample collection will be conducted at a level below the breathing zone of the sampler.

If sampling impregnated materials or other ACMs appear non-friable (floor tiles, mastic, roofing felt or sealant, ceiling tile, etc.), respiratory protection should not be required. If collecting samples of friable ACM or normally non-friable materials which are in deteriorated condition,

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precautions must be taken to prevent the release of fibers to the work area. Precautions include isolation of the material prior to disturbance (i.e., glove bagging) and the use of wet sampling methods as described below.

4.3 Lead-Based Paint Sampling Equipment Requirements

LBP analysis will be conducted by collecting paint chip samples. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Absolutely no lead-based paint samples will be collected over the heads of or in near proximity to non-project personnel.

- Heating tool and extension cord
- Tape measure or template
- Chisel
- Chipping hammer or scraper (lead paint samples from metal structures)
- Face shield or chipping goggles
- Sample containers (preferably sturdy, clear plastic vials)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.3 Mold Sampling Equipment Requirements

Mold analysis will be conducted by collecting tape lift samples. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Absolutely no mold samples will be collected over the heads of or in near proximity to non-project personnel.

- Transparent tape
- Sample retention sheet
- Laboratory chain of custody for mold sample analysis
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.3 Guano Sampling Equipment Requirements

Bulk materials of bat/bird guano/debris will be aseptically sampled by trained staff and transferred to appropriately labeled sterile containers. Additionally, air samples will be collected

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on 37-millimeter cassettes containing sterile filter media at flow rates between 3 liters/minute (l/m) and 15 l/m. Target air volumes will range from 540 liters and 1800 liters. The air samples will be shipped under COC to a laboratory accredited by the AHIA® Laboratory Accreditation Programs, LLC under EMLAP and is Texas licensed Mold Analysis Laboratory under the TMARR for analysis. Analysis of the bulk and air samples will be conducted by PCR for both qualitative and quantitative information on the concentrations of the avian pathogens *Histoplasma capsulatum, Cryptococcus neoformans* and *Chlamydiaphila psittaci.*

- Utility knife
- Sterile sample containers (preferably rigid, sealable plastic bottles)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Sampling pumps
- 37 millimeter sterile media cassettes
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

5.0 PERSONAL PROTECTIVE EQUIPMENT

5.1 Hazardous Material Inspection and Sample Collection

The Terracon Project Safety Officer will ensure that all project personnel mobilize the following personal protective equipment to the project site on each day of sample collection:

- Polylaminated Tyvek protective coveralls
- Half face or full face air purifying respirator equipped with HEPA cartridges
- Cut-resistant impermeable gloves (nitrile or latex).
- Tyvek boot covers or washable outer footwear
- ANSI specification Safety eyewear

If fiber release appears likely during asbestos sampling activities, sampling personnel will upgrade to **LEVEL C** personal protective equipment as itemized above. Personnel will remove protective clothing before proceeding out of the building at the project site.

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6.0 SAMPLING GUIDELINES AND PRECAUTIONS

6.1 Asbestos Sampling Guidelines and Precautions

- Collect samples of each type of ACM identified during the visual survey. This includes but is not limited to pipe wrapping and elbows, ceiling tiles, floor tiles and mastic, sprayed or troweled on surfacing materials.

- Samples of surfacing material (sprayed or troweled fireproofing material), should be collected in a statistically random manner that is representative of a homogenous area. At least 3 samples should be collected from each homogeneous area of 1,000 ft^2 or less. At least 5 bulk samples should be collected from each homogeneous area that is greater than 1,000 $ft.^2$ but less than or equal to 5,000 $ft.^2$. At least 7 bulk samples should be collected from each homogeneous area that is larger than 5,000 $ft.^2$.

- At least 3 bulk samples should be collected from each homogeneous area of thermal system insulation (pipe lagging and boiler system insulation) and miscellaneous suspect ACM.

- Areas to be sampled will be misted with detergent-amended water *prior* to sample collection. Minimal misting force should be used to reduce the potential for fiber release.

- Use water mister to rinse sampling tools in the sample container after sample collection.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container.

- Repair pipe lagging or other disturbed areas with spray adhesive and duct tape as appropriate to prevent potential fiber release.

6.2 Lead-Based Paint Sampling Guidelines and Precautions

- Identify areas with coated or prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and should be included in the survey. Some ceramic tiles have a lead-containing glaze and should also be assessed, particularly where required by state or local regulatory agencies.

- Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in

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general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995revision.

- Conduct paint-chip sampling on selected surfaces. Document descriptions of each surface sampled on the field log.

- Use tape measure or template to delineate proper sample size. Use heating tool to loosen paint coating. Remove coating with chisel, chipping hammer or scraper. Transfer sample to sample container.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container.

6.3 Mold Sampling Guidelines and Precautions

- Evaluate building materials for areas of suspect mold contamination. Select appropriate materials and locations to be sampled.

- Use transparent tape to collect tape lift sample of suspect mold contamination. Transfer tape, contaminated side down, to the sample retention sheet. Log sample location information on laboratory chain of custody.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample retention sheet with the sample number.

6.4 Guano Sampling Guidelines and Precautions

- Collect bulk samples of suspect guano.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container. Log sample location information on laboratory chain of custody.

- Collect air samples on 37-millimeter cassettes containing sterile filter media at flow rates between 3 liters/minute (l/m) and 15 l/m. Target air volumes will range from 540 liters and 1800 liters.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container. Log sample location information on laboratory chain of custody.

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7.0 HAZARD ASSESSMENT

7.1 Chemical Hazards

Asbestos is a recognized human carcinogen. It causes asbestosis, cancer of the lungs and digestive tract and mesothelioma. Asbestosis is a lung disorder characterized by a diffuse interstitial (between cell) fibrosis. The onset of asbestosis probably depends upon the asbestos dust concentration, the morphology of the fiber and length of exposure. Cigarette smoking is strongly implicated as a co-carcinogenic among asbestos workers. The OSHA Permissible Exposure Limit for asbestos is 0.1 fiber per cubic centimeter (0.1f/cc) of air.

Sample team members are advised to practice proper personal hygiene throughout the course of this project. Wash hands frequently during the course of sample collection and always prior to drinking, eating, smoking or any other activity which could increase the likelihood of hand to mouth transfer of site contaminants.

7.2 Physical Hazards

7.2.1 Ladders

Asbestos sampling activities may involve the use of ladders to gain access to overhead structures. Personnel will ensure that proper ladder or other suitable means of access (cherry picker, scaffold, etc.) is used to obtain access to elevated areas. Ladders will be inspected prior to use. Spreaders will be fully extended on all step ladders and firmly positioned prior to use. Where footing is uncertain, a sample team member will hold or otherwise secure ladders while in use by another sample team member. Personnel must always face ladders during both ascent and descent. Extension ladders will be placed at an angle of no more than one fourth of its working length. Sample team personnel will not walk on steeply pitched roof surfaces and will not walk on low pitched roofing surfaces while wet. Remain on designated roof walkways wherever present.

7.2.2 Personnel Lifts (“Cherry Pickers”)

If elevated sample collection is required which precludes the safe use of extension ladders, sample team personnel may be required to use basket lifts (manlift, cherry picker). No Terracon personnel will attempt to operate or position personnel lift until they are trained in the proper use of the equipment. Personnel being elevated in a cherry picker basket will be secured at all times with a safety belt and safety lanyard. Lanyards used in basket lifts will not exceed 6 feet in length.

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7.2.3 Confined Space Entry

No sample team member will enter any pit, shaft, or tunnel which has limited means of egress, the potential for an oxygen deficient or toxic atmosphere or which was not designed for human occupancy. Pipe tunnels accessible from a utility room in which personnel may stand can be entered to a maximum of 6 feet from the tunnel entrance if, and only if, a stand-by team member remains at the tunnel entrance in continuous visual and verbal communication with the sample team member. Terracon personnel will mobilize adequate portable lighting during the course of this assessment. Confined space entry is not anticipated during the course of this asbestos sampling project. If entry to pipe tunnels, pits, tanks or other structure which could be defined as a confined spaces becomes necessary during the course of this project, the Site Health and Safety Officer will contact the Terracon Corporate Health and Safety Manager to discuss conditions and to obtain a task-specific confined space entry addendum to this plan and confined space entry permits. No personnel will enter confined spaces until the addendum and any rescue, air monitoring or other equipment required for the task has been received, and personnel are briefed in site hazards, precautions, and safe work practices.

7.2.4 Electrical Contact Hazards

Asbestos sample team members will be continuously cognizant of potential electrical contact hazards during asbestos sample collection activities. A visual assessment of each work space will be made prior to sample collection and electrical contact hazards will be evaluated. Unguarded junction boxes, exposed wiring, knife switches, etc. will be avoided in collection of bulk samples of suspect materials.

8.0 DECONTAMINATION

Decontamination as part of abatement activities are not planned as part of this project.

9.0 SITE CONTROL

Samples of suspect ACM will not be collected in the presence of non-project personnel. Sample team members will ensure that non-project participants are well clear of proposed sample collection areas prior to obtaining bulk ACM samples. Terracon will coordinate sampling activities with the site representatives to prevent sample collection in occupied structures.

If unauthorized personnel attempt to enter a sampling area, sample team member will immediately curtail bulk sample collection activities and request that the individual leave the project area. If unauthorized personnel refuse to leave the sample collection area, immediately contact the

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Terracon Site Health and Safety Officer. Sample collection activities will continue only after unauthorized personnel have left the project site.

10.0 EMERGENCY RESPONSE

This section describes emergency planning procedures which will be implemented during assessment activities at project site. The Project Safety Officer will remind all personnel of the provisions of this section during daily site safety briefings. It is the responsibility of the Site Safety Officer to mobilize emergency equipment required by this section.

10.1 First Aid Requirements

The Project Safety Officer will ensure that a first aid kit is mobilized to the site on each day of sampling activity.

10.2 Emergency Contact/Notification System

The following list provides names and telephone numbers for emergency contact personnel. In the event of a medical emergency, personnel will take direction from the Project Safety Officer and notify the appropriate emergency agency.

EMERGENCY TELEPHONE NUMBERS

Organization	Contact	Telephone Number
Hospital	Wadley Regional Medical Center	(903) 798-8000
Ambulance Service		911
Fire Department		911
Facility Representative	Holly Wall	903-798-3934
Project Manager	Greg Calhoun	214-630-1010
Terracon Safety & Health Mgr.	Mark Huddleston	913-577-0419

10.3 Route to Emergency Facility

The Terracon Corporate Health and Safety Manager will be contacted following all site emergencies. Medical emergencies will be taken to Wadley Regional Medical Center. The route to the facility from the site is: See attached map

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10.4 Emergency Medical Treatment Procedures

Any person who becomes ill or injured during the course of this project must be decontaminated to the maximum possible extent. If the injury or illness is minor, full decontamination should be completed and first aid administered prior to transport. If the patient's condition is serious, at least partial decontamination should be completed prior to transport of the injured site worker.

If rescue is required from an area of obvious fiber release, Terracon personnel will inform rescue personnel of site contaminants and will assist emergency personnel in transporting the injured employee if requested. Terracon personnel will don the appropriate personal protective equipment prior to entering sites with signs of obvious fiber release.

10.5 In the Event of Fiber Release

In the event that small amounts of suspect asbestos containing materials such as thermal system insulation, sprayed on or troweled-on surfacing materials, ceiling texture, etc. are released during the course of sampling, sampling team members will immediately evacuate the area and don Level C personal protective equipment. The area of potential ACM release will then be approached and suspect materials will be thoroughly wetted with detergent-amended water, slowly and deliberately swept to a centralized pile, re-wetted, double bagged in asbestos disposal bags and sealed with duct tape. Affected surfaces will be re-wetted and swabbed with clean cloths or paper towels. Used wipes will be placed in asbestos disposal bags which will be containerized pending proper removal and disposal in an approved disposal facility.

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ACKNOWLEDGMENT OF INSTRUCTION

I understand that this project will involve asbestos sampling in the building located at 203 & 205 W Broad Street, Texarkana, Texas. Asbestos activities outlined in this Plan could expose project participants to physical hazards and potential chemical hazards (see plant specific job hazard analysis attached). Potential fiber releases will be controlled by deliberate collection techniques and wet sampling methods. If potential fiber releases appear likely, sampling personnel will upgrade to Level C personal protective equipment as specified in this Health and Safety plan. I have read this Health and Safety plan and have received instructions for procedures to be followed. I understand that if at any time I have questions concerning health and safety precautions at this site, I am to contact the Site Health and Safety Officer. The Site Health and Safety Officer will contact the Terracon Corporate Health and Safety Manager at (913) 577-0419.

ASBESTOS SURVEY
TERRACON PROJECT NO. 94137464B

Name: (Please Print)	**Signature**	**Date**

Site Safety briefing performed by: _____ **Date** _____

Level of PPE: __ D _**X**_ Dmod (Stand-by) _**X**_ C **(Stand-by)**

Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4020
AVIAN PATHOGEN SAMPLING - AIRBORNE
(Bat and Pigeon Droppings)

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Indoor air sampling requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged for when sampling for airborne contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

The following procedure is for collection of samples for the determination of the avian pathogens *Histoplasma capsulatum*, *Cryptococcus neoformans* and *Chlamydiaphila psittaci* by the Polymerase Chain Reaction (PCR) analytical method. The PCR method is qualitative for *H. capsulatum* and quantitative for *C. neoformans* and *C. psittaci*. For *H. capsulatum*, EMLab P&K (1501 W. Knudsen Drive, Phoenix, AZ) utilizes the National Institute of Occupational Safety and Health (NIOSH) two-stage PCR method as published by T. M. Reid and M. P. Schafer, *Molecular and Cellular Probes*, (1999) 13:269-273.The PCR method for *C. neoformans* and *C. psittaci* is a proprietary real time analytical developed by EMLab P&K using species-specific sequences published in Genbank for PCR primers (single strand of DNA specific for the species of interest) and probes (fluorescent molecules attached to primers to allow detection).

Equipment

The following equipment and supplies will be needed for this testing:

- Air monitoring cassettes are obtained from EMLab P&K. The sterile, 37 millimeter (mm) three piece cassettes contain a polycarbonate filter with a 0.4 micrometer pore size.
- Rotometer or other flowmeter accurate to 0.1 L/min. Flowmeters used for calibration of air sample pumps will be calibrated against a primary standard on a quarterly basis.
- Air monitoring pump (battery operated or ac powered depending on application) capable of providing 10 to 15 L/min flow rate for ambient air samples and a 1 to 4 L/min flow rate for personal air samples.
- Cassette holders (SKC Model 225-1).
- Vinyl tubing to connect pump to cassette holder.
- Cassette stand or other means to fix cassette in place as appropriate for ambient air sample testing locations. Cassette holders affix to the lapel or similar location in the personal breathing zone (PBZ) when collecting personal air samples.
- Chain of Custody.

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Procedures

Label cassette and record laboratory identification number on chain of custody. For ambient air samples, select a location for the sample that is subject to ambient air flow and representative of the location(s) to be tested. For personal air samples, clip the cassette/cassette holder to the individual's lapel, shoulder or other location in the PBZ and secure with duct tape as needed. Secure the low flow personal pump to the workers belt or similar location. A location protected from precipitation should be selected. Excessive moisture will interfere with sample analysis and could affect the flow rate.

Assemble sampling pump, tubing and stand in sample collection location. The cassette should be placed in the cassette holder and the tubing from the pump attached to the base of the cassette holder at the nipple. The joint between the tubing and cassette may be reinforced with tape if site conditions make this necessary. Cassette must be tilted downward at a 45º angle from horizontal. Cassette and pump should be placed so that the sample does not have to be moved after sample calibration.

A short section of vinyl tubing should be used to connect the flowmeter to the inlet port of the cassette holder. An adapter fitting may be needed to connect the tubing to the cassette. If a rotometer is used for flow calibration, the instrument must be held upright for accurate readings. Turn on the pump and measure the flow rate. Using the flow control on the pump, adjust the flow to the desired reading between 10 and 15 L/min for ambient air samples and 1.0 and 4.0 L/min for personal air samples. Record the sampling start time and beginning flow rate. The target total air sample volume for ambient and personal air samples is generally 1,400 L to 1,800 L. For personal samples collected while workers are physically disturbing Bat/Bird guano or related debris and visible emissions are observed, the target total air sample volume may be adjusted to 360 L to 720 L.

After completion of the sample collection, inspect the pump and cassette for any problems that may affect the sample validity and record any problems noted. Measure the post collection flow rate using the procedure described above. The average of the two flow rates will be used by the laboratory to calculate the sample volume. Turn off the pump and cap the inlet and outlet ports on the 37 mm filter cassette. Record the sampling completion time and ending flow rate.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

- Average flow rate (average of beginning and ending readings)
- Sample duration
- Filter number
- Requested analytical method (Avian Pathogens by PCR)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- Industrial Hygiene Technical Manual – Chapter II: Standard Methods for Sampling Air Contaminants
- EMLab P&K, 1501 W. Knudsen Drive, Phoenix, AZ

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E.3000
BULK SAMPLING OF SUSPECT ASBSETOS-CONTAINING MATERIAL (ACM)

Last Review or Revision: June 2010

I. PURPOSE

The purpose of this standard operating procedure (SOP) is to provide information on the hazards of asbestos and procedures to follow to sample suspect materials for laboratory analysis. The following guidelines contained in this document apply to Terracon personnel who engage in bulk sampling of suspect ACM and are designed to provide standardization with respect to sample collection. This procedure should ensure that potential asbestos-containing material samples are collected in a manner which allows for accurate analysis of the material and that sampling personnel are protected against potential asbestos fiber releases through controlled sampling techniques or appropriate personal protective equipment.

The objective of bulk sampling building materials and components suspected to contain asbestos is to characterize the items that contain asbestos in quantities equal to or greater than 1% or other contaent limit as specified by local or state guidelines. By characterizing the locations and quantities of asbestos-containing materials (ACM), exposure hazards can be greatly reduced.

II. BACKGROUND AND REFERENCE

Asbestos has been a common component used in several building materials because of its strength enhancing and fire resisting properties. However, asbestos has been recognized as a human carcinogen and respiratory hazard. Due to its health hazards, building inspections and asbestos bulk sampling is requested for schools and many public or commercial properties prior to building renovation or demolition activities. Therefore, identifying, locating and quantifying materials containing asbestos is essential in the effort to prevent worker exposure to asbestos and prevent environmental contamination.

As a consequence of inhalation of asbestos fibers, a body of federal and state regulations has been developed. Federal regulations pertaining to asbestos are included in AHERA (Asbestos Hazard Emergency Response Act) US EPA 40 CFR 763, Subparts E, F; NESHAP (National Emissions Standards for Hazardous Air Pollutants (EPA 40 CFR 61); OSHA Asbestos Standards (29 CFR 1910.1001 and 29 CFR 1926.1101), and ASHARA (Asbestos School Hazard Abatement Reauthorization Act). Many states and local authorities have additional requirements including state-specific licensing and certification.

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Terracon will comply with applicable federal, state and local regulations when conducting asbestos-related services.

III. EQUIPMENT

The minimum equipment necessary to conduct bulk sampling of suspect materials, in addition to the personal protective equipment outlined below in the Health and Safety Section, is listed below.

- Utility Knife, Chisel, Hammer, Screwdriver, Coring Tool
- Duct Tape
- Sample Containers (preferably ziplock-style clear plastic bags)
- Sample Labels and Indelible Marker
- Spray Atomizer containing Detergent Amended Water, Paper Towels/Wet Wipes
- Spray Adhesive
- Roof Patch Kit (if necessary)
- Measuring Wheel
- Camera
- Flashlight
- Field ACM Sample Log

IV. CERTIFICATION

Individuals conducting asbestos sampling must have the certifications listed below. Copies of these certifications and licenses should be taken to the site during the sampling event.

- United States Environmental Protection Agency Building Inspector training (and refresher training, if applicable)
- Asbestos Inspector State-license for the state of the project location (where necessary)

In addition, Terracon requires company-based training courses and hands-on experience of employees prior to commencing asbestos-related field services. Each employee must also receive respirator training, be medically monitored and successfully pass a fit-test utilizing issued respirator(s).

V. HEALTH AND SAFETY

Asbestos has been recognized to cause asbestosis, cancer of the lungs and digestive tract and mesothelioma. Asbestosis is a lung disorder characterized by a diffuse interstitial (between cell) fibrosis. The onset of asbestosis probably depends upon the asbestos dust

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concentration, the morphology of the fiber and length of exposure. Cigarette smoking is strongly implicated as a co-carcinogenic among asbestos workers.

Under the OSHA asbestos standards, the employer has an obligation to protect employees against exposure to asbestos fibers in excess of 0.1 fibers per cubic centimeter of air (0.1f/cc). Personnel engaged in asbestos-related activities (including building inspections) must be trained, medically cleared and fit-tested for respiratory protection. Therefore, enrollment in a medical surveillance program in compliance with the OSHA asbestos and respiratory protection standards is mandatory. Terracon employees are not permitted to engage in asbestos-related activities unless they are enrolled in the Terracon medical surveillance program and have been medically cleared for respirator use by a physician.

The following safety and health protocols apply to Terracon personnel who engage in asbestos-related services. The guidelines contained in this document are based upon potential health hazards from exposure to asbestos fibers and physical hazards which may be encountered on survey project sites. Field activities will be performed in accordance with the procedures outlined in this document and applicable federal/state health and safety regulations.

Terracon personnel will use professional judgment during sample collection to prevent exposure to other building occupants. If unauthorized personnel attempt to enter a sampling area which could reasonably pose a fiber release hazard, the inspector will curtail bulk asbestos sample collection activity and request that the individual(s) leave the work area. If unauthorized personnel refuse to leave the work area, immediately contact the Project Safety Officer and/or a client representative. Sample collection activities should recommence only after unauthorized personnel have left the work area.

In the event that minor amounts of suspect asbestos containing materials such as thermal system insulation, sprayed-on or trowled-on surfacing materials, ceiling texture, etc. are released during the course of sampling, sampling team members will immediately evacuate the area and don Level C personal protective equipment. The area of potential ACM release will then be approached and suspect materials will be thoroughly wetted with amended water, slowly and deliberately swept to a centralized pile, re-wetted, and containerized in heavy mil asbestos disposal bags. Affected surfaces will then be re-wetted and swabbed with clean cloths or paper towels. Used wipes will be disposed of as asbestos-containing waste.

In the event that large quantities of potential ACM is released during sample collection activities, personnel will immediately evacuate the area and notify the Project Safety Officer and the client representative. The Project Safety Officer will request that the area be sealed until a properly attired response team can be mobilized to the area with a high efficiency particulate air filter (HEPA) vacuum and other equipment necessitated by site conditions.

If suspect materials are in deteriorated condition and fiber release appears likely, or if sampling must be conducted overhead and/or above drop ceilings, personnel will upgrade to Level C personal protective equipment as itemized above. Level C personal protective

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equipment should be donned before moving drop ceiling panels, attic access panels, etc. where friable fireproofing or thermal system insulation are known to be present.

The indicated personal protective equipment shall be mobilized to asbestos sampling project sites on each day of sample collection and utilized, if necessary:

- Tyvek (standard) protective coveralls
- Half face or full face air purifying respirator equipped with HEPA (P-100) cartridges
- Impermeable gloves (nitrile or latex).
- Tyvek boot covers or washable outer footwear

Additional Health and Safety protocols such as those established by the owner/operator of the project site and Terracon's company policy regarding ladder safety, confined space entry and electrical hazards shall be followed.

VI. SAMPLING HAZARDS

a. Elevated Surfaces

Asbestos building inspections may include roofing materials and ceiling spaces containing suspect ACM. Appropriate ladders or other suitable devices (e.g., manlifts) will be used for gaining access to elevated sampling locations. Ladders will be inspected prior to use. Spreaders will be fully extended on all step ladders and firmly positioned prior to use. Where footing is uncertain, a sample team member will hold or otherwise secure ladders while in use by another sample team member. Personnel must always face ladders during both ascent and descent. Extension ladders will not be positioned more than one-quarter of their working length from buildings, walls, etc. (4:1 pitch). Sample team personnel will not walk on steeply pitched roof surfaces and will not walk on low pitched roofing surfaces while wet. Remain on designated roof walkways wherever present. Terracon personnel will visually inspect roofs prior to beginning sample collection activities and will avoid all areas which appear to be structurally unsound.

b. Confined Space Entry

Terracon asbestos inspectors will not enter any pit, shaft, tunnel, etc. which has limited means of egress, the potential for an oxygen deficient or toxic atmosphere or which was not designed for human occupancy without first developing a written safety plan which includes a confined space entry permit and procedures. Readily accessible spaces such as pipe tunnels in which personnel may stand can be entered to a distance where continuous visual and verbal communication can be maintained with another sample team member.

Adequate portable lighting must be utilized during sample collection in tunnels and similar spaces. No Terracon or sample team member may attempt to walk through a pipe tunnel,

etc. beyond the sight of a stand-by team member unless written confined space entry procedures have been prepared for the project.

c. Electrical Contact Hazards

Personnel will remain cognizant of the location and condition of electrical wiring during the collection of bulk asbestos samples. A visual assessment of each work space will be made prior to sample collection and electrical contact hazards will be evaluated. Unguarded junction boxes, exposed wiring, knife switches, etc. will be avoided during the collection of bulk ACM samples, and coring tools will not be used in near proximity to electrical switches or receptacles.

VII. PROCEDURES FOR BULK SAMPLING OF SUSPECT ACM

The primary purpose of this section is to identify the methods and techniques of controlled sampling, sampling site control and use of appropriate personal protective equipment to protect Terracon personnel and members of the general public from exposure to asbestos fibers during sampling activities. Adherence to these procedures should enhance personnel safety during sample collection activities and aid in the suitability of samples for analysis. Field activities will be performed in accordance with the procedures outlined in this document and applicable federal/state health and safety regulations.

Protocols for inspection and bulk sampling are defined in AHERA regulations. These are applicable for any type of survey; for example, a school, an area prior to renovation, a building prior to demolition and inspections undertaken to rebut the OSHA presumption that certain materials contain asbestos.

An accredited Building Inspector must perform the inspection. A summary of AHERA sampling protocols is as follows:

1. Visually inspect the building interior and/or exterior and identify locations of suspect ACM. Identify homogenous areas of friable and non-friable suspect ACM. Document locations, condition, classification and estimated quantities of each suspect material. It is recommended to depict locations of materials on a building diagram and take photographs of sampled materials.

2. Touch each suspect ACM to determine its friablity.

3. Collect representative samples of suspect ACM. Terracon recommends a minimum of three (3) samples of each material be collected from each homogeneous area. However, specific materials may require additional samples such as surfacing material and insulation

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as described below. Judgment should be used on the need for and quantity of additional sample collection.

Surfacing materials: Collect, in a statistically random manner, at least 3 bulk samples from each homogenous area of 1,000 sq. ft. or less, at least 5 bulk samples from each homogenous area that is greater than 1,000 sq. ft. but less than or equal to 5,000 sq. ft., and at least 7 bulk samples of each homogenous area larger than 5,000 sq. ft.

Thermal System Insulation (TSI): Collect, in a randomly distributed manner, at least three bulk samples from each homogeneous area of TSI; collect at least one bulk sample from each homogeneous area of patched TSI if the patched section is less than 6 linear or square feet; collect bulk samples from each insulated mechanical system where cement or plaster is used on tees, elbows, etc. in a manner sufficient to assess whether the material is ACM.

If fiber release appears likely, wet methods will be employed in the collection of suspect ACM samples. Water amended with a minimum of 10% commercially available window cleaning solution or other suitable surfactant should be used to moisten materials prior to sampling. Bulk asbestos samples will not be collected over the heads of, or in near proximity to, non-project personnel. Respiratory protection is not required when sampling non-friable suspect materials or materials below the breathing zone which are adequately wetted with amended water.

4. Bulk ACM samples should be immediately placed in sample containers and sealed while the materials are wet. If collecting samples of friable ACM or normally non-friable materials which are in deteriorated condition, precautions must be taken to prevent the release of fibers to the work area. Precautions include aggressively wetting the surface or potentially isolating the material (e.g. glove bagging) prior to disturbance.

5. Reusable sampling equipment will be gently rinsed with amended water. Dry the equipment with paper towels to be disposed of as contaminated materials.

6. The following decontamination sequence should be used following sample collection activities requiring Level C personal protective equipment:

- Remove coveralls slowly turning the outside inward.
- Place in heavy mil asbestos disposal bag.
- Remove gloves and shoe covers (if utilized)
- Remove respirator and carefully dispose of respirator cartridges in asbestos disposal bag.
- Securely seal protective clothing and any potentially contaminated disposable sampling equipment in heavy mil asbestos disposal bags.
- Do not smoke or eat with soiled hands.

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- Wash hands, face and forearms thoroughly before eating, drinking smoking or using toilet facilities.
- Shower thoroughly as soon as possible upon leaving the project site.

7. Bulk sample analysis for asbestos content is performed by polarized light microscopy (PLM). The analytical testing procedure is based on U.S. Environmental Protection Agency (EPA) methods and National Voluntary Laboratory Accreditation Program (NVLAP) requirements. Terracon will use NVLAP accredited and appropriately licensed laboratories for analysis of asbestos bulk samples. Samples will be controlled with the analytical laboratory through chain of custody documentation.

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Terracon
STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4030
BIOAEROSOL SAMPLING, TOTAL
(Airborne Mold Spores)

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bioaerosol sampling requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for airborne contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

An airborne biogenic particle, such as a fungal spore, is a bioaerosol. Fungal spores are ubiquitous in the environment, and have specific requirements for survival, germination, and growth. Although fungal bioaerosols have not been conclusively associated with adverse health effects commonly noted in typically building-related complaints (e.g., mucous membrane irritation, headache, and fatigue), they are known in the medical literature to be associated with common allergies, or more serious respiratory disease. Some studies, and case histories have shown correlations between allergy, or more serious respiratory symptoms, and fungal contamination of heating, ventilating, air conditioning (HVAC) systems.

The spore trap sampling method used for total bioaerosol sampling is capable of determining total fungal spore concentrations per cubic meter of air (spores/m^3). Bioparticulate such as pollen grains, insect exoskeletons, or fungal spores that require specific substrates in order to germinate and/or produce taxonomically identifiable reproductive structures (e.g., Ascospores and Basidiospores) are detected by this technique. While many fungal spores can be identified by this method, others, which are morphologically similar, cannot be positively assigned a genus designation and are grouped based on similar spore morphology (e.g. *Aspergillus/Penicillium, Drechslera/Bipolaris*). High variability in fungal spore concentrations will exist in different geographic locations, during different seasons, and weather patterns, and over the course of a given day. As a general rule, indoor fungal spore concentrations in an HVAC-supplied building are typically less than, but qualitatively similar to, fungal spore concentrations found in the outside environment. To assist in the interpretation of bioaerosol sampling results, a comparative sampling strategy is employed.

Equipment

The following equipment and supplies will be needed for this testing:

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

- Bioaerosol sample cassettes are obtained directly from laboratory supply companies or from the laboratory that will analyze the air samples. Allergenco-D™ or Air-O-Cell™ bioaerosol sample cassettes are recommended.
- Rotometer or other flowmeter accurate to 0.1 L/min. Flowmeters used for calibration of ac powered air sample pumps will be calibrated against a primary standard on a quarterly basis.
- a) Air monitoring pump (ac powered) capable of providing 15 L/min flow rate; b) Buck BioAire Bioaerosol Sampling Pump, Model B520 with rotometer for calibration; c) Zefon Bio-Pump Plus with rotometer for calibration; d) or equivalent battery operated air sampling devices capable of using the Allergenco-D™ or Air-O-Cell™ sample cassettes at a flow rate of 15 L/min.
- Vinyl tubing to connect air sampling cassette to ac powered air monitoring pump.
- Gloves, 1 gallon zip-lock bags, alcohol based hand wash, marker pen, field sampling logs, extension cords and camera.
- Cassette stand or other means to fix cassette in place as appropriate for ac powered air monitoring pump applications.
- Chain of Custody (COC).

Sample Collection Considerations

The bioaerosol sampling cassettes are designed to operate at a recommended flow rate of 15 L/min. It is important not to run the sampling pumps at lower flow rates for longer times to achieve the recommended air volume, as lower flow rates may result in a loss of some spores and the accumulation of others in a non-uniform manner. Higher flow rates may damage the spores.

The sampling time is dependent on the density of particulate in the environment. It is important not to overload the sample, otherwise it will be impossible to assess the types of spores, pollen and particulates that are present. The following table represents typical sample times to attain a sharply defined sample trace with good dispersion of the spores:

Environmental Conditions	Sampling time at 15 L/min
Drywall renovation or heavy industrial dust	1 minute
Dusty, dirty, visible particles in the air	3 minutes
Indoor environment, high activity and personnel present	5 minutes
Outdoors (collect a minimum of 2 outdoor samples)	5 minutes

Sampling Procedures

1. Prior to sampling, calibrate the pump to 15 liters per minute.
2. Record sampling location on field data sheet.
3. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
4. Inspect cassette for quality control mark indicating that sampling cassette has been inspected by manufacturer and approved for use.
5. Remove and retain tape seal covering outlet.
6. Attach the outlet (round hole) to the supplied tubing adapter (available from bioaerosol cassette supplier), or use standard ½" PVC tubing (for use with high volume pumps only).

Using a sampling stand, the cassette should be located approximately 4 to 5 feet above the floor surface.

7. Remove and retain tape seal covering inlet.
8. Start the sampling pump, and record sampling start time. Sample for an appropriate period of time (see table above).
9. Stop the sampling pump and seal inlet with the original tape. Record sampling stop time. Remove cassette from tubing, and reseal outlet with the original tape. Label sample and place into I gallon zip lock bag.
10. Repeat steps 1-9 for remaining samples to be collected.
11. A minimum of 2 samples should be collected in complaint area(s) and the outdoor environment. A comparative sample should be collected in a non-complaint area and duplicate samples at the building exterior, preferably adjacent to the air handling system's air intake or main point of egress. The outdoor environment should be sampled prior to entering the building and again at the end of the site assessment. It is recommended that sample field blanks should be included with the samples submitted to the laboratory.
12. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number(s), description of area, volume of air collected, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
13. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

QUALITY CONTROL SUGGESTIONS

1. Initial air sampling should be performed prior to disturbance of mold and mold contaminated materials by investigative and surface/bulk sampling activities.
2. An effective interpretation is based on the comparison of indoor and outdoor samples. Outdoor control samples will help demonstrate whether spore amplification is occurring indoors.
3. Obtain an indoor control sample from a non-complaint area for comparison.
4. Sending a blank cassette for analysis is a good practice. The recommended industry practice for the number of field blanks is to provide two field blanks for each lot of bioaerosol sampling cassettes.
5. Flow rate is critical for accurate results. Remember to calibrate the pump at 15 L/min prior to sampling.
6. Never use cassettes that are damaged, expired, or do not have the manufacturers quality control mark.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

- Sample duration and flow rate
- Sample number
- Requested analytical method (total bioaerosol analysis)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- American Conference of Governmental Industrial Hygienist: Bioaerosols, Assessment and Control, 1999.
- Terracon Mold Practice Guidelines.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4022
AVIAN PATHOGEN SAMPLING – BULK MATERIAL
(Bat and Pigeon Droppings)

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bulk sample collection of potentially hazardous materials requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for microbial contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

The following procedure is for the collection of bulk samples of Bat/Bird guano and related debris for the determination of the avian pathogens *Histoplasma capsulatum*, *Cryptococcus neoformans* and *Chlamydiaphila psittaci* by the Polymerase Chain Reaction (PCR) analytical method. The PCR method is qualitative for *H. capsulatum* and quantitative for *C. neoformans* and *C. psittaci*. For *H. capsulatum*, EMLab P&K (1501 W. Knudsen Drive, Phoenix, AZ) utilizes the National Institute of Occupational Safety and Health (NIOSH) two-stage PCR method as published by T. M. Reid and M. P. Schafer, *Molecular and Cellular Probes*, (1999) 13:269-273.The PCR method for *C. neoformans* and *C. psittaci* is a proprietary real time analytical developed by EMLab P&K using species-specific sequences published in Genbank for PCR primers (single strand of DNA specific for the species of interest) and probes (fluorescent molecules attached to primers to allow detection).

Personal Protective Equipment (PPE)

Because the target microorganisms are inherently hazardous/pathogenic, PPE is required for the collection of bulk samples. Bulk sample collection disturbs the matrix being sampled and may result in aerosolization of pathogenic spores or other viable propagules and proper dermal and respiratory protection is required during sample collection.

The following PPE will be needed for this testing:

- Prior to sample collection, don Tyvek disposable coveralls, safety glasses, nitrile or latex gloves and respiratory protection. Depending on the level of substrate disturbance or visible airborne dust/emissions in the general sample collection area either an N-95 or N-100 respirator will be worn during sample collection. If a full face respirator is worn, safety glasses are not required.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Equipment

The following equipment and supplies will be needed for this testing:

- Sterile sample containers obtained from EMLab P&K. The sterile sample containers are typically 100 to 250 milliliter plastic bottles.
- Pre-cleaned metal bulk sample collection spatulas or an equivalent single use sterile bulk sample device. Metal spatulas must be pre-cleaned with 70% isopropyl alcohol, flamed with a Bunsen burner, Bic® lighter, or equivalent flame source, cooled in air and then stored in zip-lock bags or similar clean containers. To avoid cross contamination, use only one bulk collection device per sample.
- Appropriate marking pens to label containers or pre-printed labels to affix to the containers.
- Chain of Custody.

Procedures

Don the required PPE. Locate Bat/Bird guano or related debris that will be sampled and note the location in field notes and/or on a floor plan.

Label sample containers and record laboratory identification number on chain of custody.

With one hand, scoop approximately 10-100 milligrams (1-5 level tablespoons) of the Bat/Bird guano or related debris with the single use bulk sample collection device and promptly transfer to the sterile, lab supplied bulk sample container in the other hand. The bulk sample device and the sterile bulk sample container should not be placed on the ground or other surfaces near the sample location during sample collection. The pre-labeled sterile bulk sample container should be sealed and placed in a zip-lock bag prior to transfer to the laboratory.

If only sampling from one Bat/Bird guano or related debris location, collect a minimum of two samples.

Prepare a blank sample by opening the bulk sample container for 5-10 seconds in the immediate sample collection location, then sealing the container. Label accordingly.

Each metal spatula used to collect the bulk material should be transferred to a separate zip-lock bag and the bag sealed. After completion of the sample collection, re-clean the metal spatulas by placing the metal spatulas in a solution of non-ionic detergent amended with household bleach (Joy liquid dishwashing soap and 1 cup household bleach/gallon water) and soak for 24 hours. The metal spatulas may then be final cleaned as previously described. Sterile single use disposable bulk sample devices should be placed in a separate zip-lock bag and discarded.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

- Sample location
- Requested analytical method (Avian Pathogens by PCR)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- Industrial Hygiene Technical Manual – Chapter II: Standard Methods for Sampling Air Contaminants
- EMLab P&K, 1501 W. Knudsen Drive, Phoenix, AZ

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Terracon
STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4033
FUNGAL GROWTH (MOLD) – SURFACE/BULK COLLECTION

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bulk sample collection of potentially hazardous materials requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for microbial contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

Because many building materials can provide a source of nutrients for fungal growth, water is the limiting factor in minimizing the potential for fungal growth. Therefore, visible fungal growth, excessive dirt and water-damaged building materials should not be observed. When these conditions are observed, it indicates a need to conduct additional assessment, cleaning, and/or remediation activities.

Tape lift and bulk sampling are techniques used for direct examination. A direct exam allows for the immediate determination of the presence of fungal growth as well as what types of fungi are present. The criteria to establish fungal growth on the substrate sampled is microscopic confirmation of fungal somatic and reproductive structures. Direct examinations should only be used to sample visible or suspect fungal growth in a contaminated area. Most surfaces naturally collect a mixture of fungal spores that are normally present as background debris in the environment.

The direct exam is inexpensive and can be performed quickly. It is a useful test for initial site sampling. Direct examination of a surface indicates the fungi present in a given sample location.

Health problems related to indoor microbial growth are generally caused by the inhalation of substantial numbers of airborne spores, sometimes over a long period of time. The presence of biological contamination on a particular surface is not a direct indication of what may be in the air.

Equipment

The following equipment and supplies will be needed for this testing:

- Gloves, 1 gallon zip-lock bags, alcohol based hand wash, marker pen, field sampling logs and camera.
- Tape lift kit(s) may be obtained from the laboratory, or standard clear “Scotch” tape may be used.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

- Chain of Custody (COC).

SAMPLING PROCEDURE

Tape Lift:

1. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
2. Remove tape applicator from slide provided in the tape lift kit or remove a few inches of clear tape from tape roll. Avoid touching the sticky side of the tape.
3. Apply the designated area of the lift kit tape applicator or central inch of tape to the sample area. Apply light pressure to the non-adhesive side.
4. Pull the lift kit tape applicator or tape off of the surface with slow, steady pressure, holding the tape edges only.
5. Apply sticky side of the lift kit tape applicator to the slide provided in the lift kit. For tape method, gently apply sticky side of the tape to a field sampling log, ensuring that there are no folds or creases in the tape. Do not fold tape onto itself.
6. Label samples and place into 1 gallon zip lock bag.
7. Record sampling location on COC. Photograph sample location.
8. Repeat steps 1-7 for remaining samples to be collected.
9. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number, description of area, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
10. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

Bulk:

1. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
2. Collect a small sample of the suspect material and place in a clean zip lock bag and close.
3. Prepare sample label and place on the 1 gallon zip lock bag.
4. Record sampling location on field data sheet. Photograph sample location.
5. Repeat steps 1-4 for remaining samples to be collected.
6. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number, description of area, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
7. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

- Sample location
- Requested analytical method (fungal identification)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- American Conference of Governmental Industrial Hygienist: Bioaerosols, Assessment and Control, 1999.
- Terracon Mold Practice Guidelines.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4000
SAMPLING OF POTENTIAL LEAD-BASED PAINT

Last Review or Revision: June 2010

I. PURPOSE

The purpose of this standard operating procedure (SOP) is to provide information on the hazards of lead-based paint (LBP) and describe procedures for identificationand proper LBP sampling techniques. The following procedures for sampling potential LBP using a direct reading instrument and paint chip collection are designed to provide standardization with respect to location and number of samples collected and method of labeling sample locations. In addition, this procedure should ensure that potential LBP samples are collected in a manner which allows for accurate analysis of the material. Finally, this procedure will help to ensure that sampling personnel are protected against potential lead dust releases through controlled sampling techniques or appropriate use of personal protective equipment.

The objective of sampling coated (i.e., painted, pigmented or stained) surfaces for LBP (LBP) is to characterize materials and components that contain lead in surface coatings and compare them to established limits such as the Environmental Protection Agency (EPA) or Housing Urban Development (HUD) standards and guidelines such as at quantities greater than 1.0 milligram per square centimeter (mg/cm^2) or 0.5% by weight or other regulated quantity as specified by state or local authority. By characterizing the locations and quantities of LBPs, exposure hazards can be greatly reduced.

II. BACKGROUND AND REFERENCE

Lead is a toxic heavy metal which may cause blood, kidney and nervous system disorders if inhaled or ingested. Metallic lead and lead contained in dusts are not readily absorbed through the skin. However, skin contact with potentially contaminated site materials should be avoided.

The United States EPA and HUD have established an action level for LBP of 1.0 milligram per square centimeter (mg/cm^2) or 0.5% by weight. Coatings with quantities equal to or greater than these values are considered LBP. The Occupational Safety and Health Administration (OSHA) does not establish a LBP quantity but regulates the amount of lead that can become airborne and either inhaled or ingested by setting limits for air concentrations of 0.05 milligram per cubic meter (mg/m^3) of air over a work shift and blood values of 50 micrograms per deciliter of blood.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Lead was a common ingredient in paint until 1978 when the Consumer Product Safety Commission (CPSC) banned the sale of LBP for use in residences in quantities greater than 0.06% by weight. However, some industrial paints still contain lead today and are used in several applications. Lead can be introduced into the air by sanding or abrading surfaces containing LBP, and inhalation or ingestion of the dust is possible. Ingestion of lead can occur when children consume deteriorated paint chips, children place exposed toys or body parts into their mouths or when industrial workers exposed to lead-containing dust eat or smoke without washing their hands.

The lead content of paint can be determined with direct-reading instrumentation or by analysis of a bulk paint chip sample. An X-ray fluorescence (XRF) type analyzer is recommended to obtain direct readouts of lead content in coated surfaces. The XRF analyzes for lead by atomic absorption spectroscopy (AAS). Results are in milligrams of lead per square centimeter. Paint chip sample analysis is performed by inductively coupled plasma-atomic emission spectrometry (ICP-AES) in accordance with EPA SW-846 Method 6010B. Results are typically reported as lead percent per paint chip weight.

When sampling for LBP in buildings classified under the United States Department of Housing and Urban Development (HUD) or other child occupied-facilities (i.e., publicly and privately owned-housing, public buildings, daycares, etc.), procedures stated in the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995 revision will be used.

Lead is also regulated by the Occupational Safety and Health Administration (OSHA) and the EPA. Occupational exposure to lead occurring in the course of construction work, including maintenance activities, painting, renovation and demolition, is subject to OSHA standard (29 CFR 1926.62), Lead Exposure in Construction. Construction work covered by 29 CFR 1926.62 includes any repair or renovation activities or other activities that disturb in-place, lead-containing materials. Employers must assure that no employee will be exposed to lead at concentrations greater than 0.05 mg/m^3 averaged over an eight-hour period without adequate protection.

The Resource Conservation and Recovery Act (RCRA) provides the EPA with the authority to regulate the waste status of demolition or renovation debris, including lead-containing materials. Specific notification and testing requirements must be addressed prior to transporting, treating, storing or disposing of hazardous wastes. Lead containing wastes are considered hazardous waste under RCRA if Toxicity Characteristic Leachate Procedure (TCLP) results exceed 5 milligrams per liter (mg/L). EPA exempts from most RCRA requirements those generators whose combined hazardous waste generation is less than 100 kilograms (kg) per month.

III. EQUIPMENT

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

LBP analysis can be conducted by using a direct reading XRF analyzer or by collecting paint chip samples. Equipment necessary to conduct both methods is listed below.

For direct reading sampling:

- X-ray fluorescence (XRF) analyzer and accessories
- XRF result field log (optional if downloading software is used)

For paint chip sampling:

- Heating tool and extension cord
- Tape measure or template
- Chisel
- Chipping hammer or scraper (lead paint samples from metal structures)
- Face shield or chipping goggles
- Sample containers (preferably sturdy, clear plastic vials)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis

IV. CERTIFICATION

Individuals conducting LBP inspection services should have the certifications listed below. Copies of these certifications and licenses should be taken to the site.

- EPA lead inspector and risk assessor certification
- As applicable, local- or State-licensed lead inspector/risk assessor (required for HUD projects)
- Manufacturer training certification for the XRF analyzer

V. HEALTH AND SAFETY

The OSHA personal exposure limit (PEL) for lead is 0.05 milligram per cubic meter (mg/m^3) and the action level is 0.03 mg/m^3. The primary route of exposure of lead is through inhalation of contaminated dusts or by accidental ingestion; however, collection of small sample volumes required for analysis is not expected to generate significant dust. Although, if painted surfaces are being disturbed and dust is generated in the vicinity, personnel will take protective measures as indicated below. Project activities may be conducted in Level D personal protective equipment modified as specified below.

- Lead sampling activities will be performed in Level D personal protective equipment to include standard work uniform, safety footwear and hard hat if overhead hazards are present.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

- Protective goggles or a full face shield will be worn during chipping hammer operations.
- Protective gloves should also be worn during lead chip sampling to prevent abrasion and contact with site materials. Half face disposable dust/fume/mist respirators (3M 9920 "surgical style" masks) or half-face air purifying respirators equipped with HEPA filter cartridges will be worn if dusty conditions develop on-site.

Due to the potential of accidental ingestion when working in areas with lead dust, do not smoke or eat with soiled hands. Wash thoroughly before eating, drinking or smoking. Shower thoroughly as soon as possible upon leaving the site.

The XRF analyzer contains a radioactive source and should be transported and used according to the manufacturer's instructions. Personnel utilizing the equipment shall have the proper training and certifications required for use of the equipment.

VI. PROCEDURES FOR XRF ANALYSIS

1. Identify areas with coated or prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and should be included in the survey. Some ceramic tiles have a lead-containing glaze and should also be assessed, particularly where required by state or local regulatory agencies.

2. Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995revision.

3. Calibrate the XRF unit according to the manufacturer's instructions before and after the survey. This involves taking calibration sample readings from a known source provided by the manufacturer.

4. Conduct XRF sampling on selected surfaces. Document descriptions of each surface sampled on the XRF result field log or using the manufacture's software. Record results on the XRF result field log if software is not used.

If results yield 1.0 mg/cm^2 (inconclusive), then a paint chip sample should be collected using the applicable procedures indicated in the following section.

If results indicate the presence of lead in quantities greater than 1.0 mg/cm^2, it is recommended that a photograph depicting the material and location be taken.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

VII. PROCEDURES FOR PAINT CHIP SAMPLING

1. Identify areas with prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and these areas should be included in the survey.

2. Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995revision.

3. A heating tool and chisel is recommended to collect representative samples of painted surfaces, but a knife, chipping hammer or paint scraper may also be used. Minimum force should be used to prevent the generation of dusts and particles. Wear protective goggles, abrasion resistant gloves and/or particulate respirator as appropriate to the task.

Check with the analytical laboratory you will use to determine minimum sample size required. A two square inch (2 in^2) sample is recommended for each sample. The sample size should be documented on the sample log. Some laboratories conducting toxic characteristic leaching procedures (TCLP) analysis may request up to ten grams (10 g) per sample. Lead-based paint samples must be removed down to the bare substrate to ensure each layer of paint has been collected. Use a brush or mini-vacuum to clean up residual material and place it in the sample container.

4. Assign a sample number to each sample collected. Affix a label or mark the sample container indelibly with a sample identification number. Seal the sample container securely. Document descriptions and locations of each surface sampled on a field log. It is recommended that a photograph depicting the material and location be taken.

5. Send results and chain or custody to an American Industrial Hygiene Association (AIHA) accredited laboratory for analysis.

RESOLUTION NO. 2017 - 014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ADDENDUM TO CONTRACT 16-2001-00 WITH PACIFIC ENVIRONMENTAL IN AN AMOUNT NOT TO EXCEED $200,000.00 UTILIZING EPA BROWNFIELDS GRANT FUNDS FOR THE HAZARDOUS MATERIALS REMEDIATION OF 203/205 W. BROAD STREET; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City was awarded $440,000.00 in 2012 specific to the environmental assessment and cleanup of 203/205 West Broad Street; and

WHEREAS, the City entered into a contract with Pacific Environmental in the amount of $89,365.00 under Resolution 2016-071; and

WHEREAS, structural engineers have determined that more extensive shoring will be necessary than originally bid; and

WHEREAS, the health and safety of the general public is at risk.

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

SECTION 1: That the City Manager be and is hereby authorized to enter into an addendum to contract 16-2001-00 not to exceed $200,000.00 with Pacific Environmental to ensure the public's health and safety while completing the environmental remediation of 203/205 W. Broad Street and fulfilling the requirements of the EPA Brownfields Multi-Purpose Grant.

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 **13th day of February, 2017**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-014 RES Authorizing City Manager to Ammend Contract 2016-2001-00 (1601 : 2017-014 RES Addendum to Contract for

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: 2017-014 Goals & Perspectives (1601 : 2017-014 RES Addendum to Contract for Hazardous Materials Remediation of 203/205 W.

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/14/2017 1:25 PM

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

Subject: Resolution No. 2017-016 approving and authorizing publication of notice of intention to issue certificates of obligation and declaring expectation to reimburse expenditures with proceeds of future debt.

Briefing: 2/13/2017	**Public Hearing:**	**Second Briefing:**	**Council Vote:** 2/13/2017

Item Schedule

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

On September 12, 2016 the City Council adopted the Fiscal Year 2017 budget which included the City's Capital Improvement Plan. Since that time, staff has been actively working to implement the CIP. On January 20, 2017 the City Manager and Finance Department met with First Southwest, a division of Hilltop Securities, to discuss the bond issuance needed to finance the CIP projects outlined for Fiscal Year 2017 along with the soft costs associated with Fiscal Year 2018 projects. First Southwest provided the City with a schedule of events associated with the bond issuance. This schedule has been provided for your reference as 2017-016 ATTH 01 Preliminary Schedule of Events. In order to issue the Certificates of Obligation, the Council must first approve a publication for Notice of Intent.

Potential Options:

- Approve
- Deny

Fiscal Implications:

The proposed Certificates of Obligation will replace retired debt and have been built into the Capital Improvement Plan to be paid with current resources based on normal growth factors.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

Not Applicable

Board/Committee Recommendation:

Not Applicable

City of Texarkana, Texas

Advisory Board/Committee Meeting Date and Minutes:

Not Applicable

Attachments

a. 2017-016 RES Notice of Intent to Issue Certificates of Obligation (DOC)
b. 2017-016 RES Notice of intent to issue certificates fo obligation signed (PDF)
c. 2017-016 EXH 'A' Notice of Intent (DOCX)
d. 2017-016 ATTH 01 Preliminary Schedule of Events (PDF)
e. 2017-016 Goals & Perspectives (DOCX)

Staff Coordination

Finance Department	Kristin Peeples	Department Head Review	Completed	02/09/2017 1:58 PM
Finance Department	Vicky Coopwood	Finance Review	Skipped	02/09/2017 2:05 PM
Deputy City Manager - Shirley Jaster Review	Vicky Coopwood Skipped	Deputy City Manager 02/09/2017 2:05 PM		
Deputy City Manager - Kyle Dooley Review	Vicky Coopwood Skipped	Deputy City Manager 02/09/2017 2:05 PM		
Public Information Officer	Vicky Coopwood	PIO Review	Skipped	02/09/2017 3:15 PM
City Manager	John Whitson	City Manager Review	Completed	02/09/2017 3:34 PM
City Council	Jennifer Evans	Meeting	Completed	02/13/2017 6:00 PM

Meeting History

RESOLUTION NO. 2017 - 016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION AND DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Texarkana, Texas (the "City"), has determined that certificates of obligation (the "Certificates") should be issued under and pursuant to the provisions of Subchapter C of Chapter 271, Texas Local Government Code, as amended, for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping public safety facilities, (ii) street improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor, (iii) drainage improvements, including the acquisition of land and rights- of-way therefor, (iv) constructing, improving and equipping park and recreational facilities, (v) roof replacements to existing municipal buildings, (vi) building and parking improvements for the public works department, (vii) constructing, improving and equipping municipal airport facilities, including design costs (collectively, the "Projects") and (viii) professional services rendered in relation to such projects and the financing thereof; and

WHEREAS, the City further intends to make certain capital expenditures with respect to the Projects and currently desires and expects to reimburse the capital expenditures with proceeds of the Certificates; and

WHEREAS, under Treas. Reg. § 1.150-2 (the "Regulation"), to fund such reimbursement with proceeds of tax-exempt obligations, the City must declare its expectation to make such reimbursement; and

WHEREAS, the City desires to preserve its ability to reimburse the capital expenditures with proceeds of tax-exempt obligations; and

WHEREAS, prior to the issuance of such Certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City, said notice stating (i) the time and place the Council tentatively proposes to pass the ordinance authorizing the issuance of the Certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the Certificates are to be issued and (iv) the manner in which the Council proposes to pay the Certificates.

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

SECTION 1: That the City Secretary is hereby authorized and directed to cause notice to be published of the Council's intention to issue certificates of obligation, in one or more series, in a principal amount not to exceed $15,600,000 for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping public safety facilities, (ii) street improvements, including landscaping, drainage, curbs, gutters, medians,

Attachment: 2017-016 RES Notice of Intent to Issue Certificates of Obligation (1603 : 2017-016 RES Notice of Intent to Issue Certificates of

sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor, (iii) drainage improvements, including the acquisition of land and rights-of-way therefor, (iv) constructing, improving and equipping park and recreational facilities, (v) roof replacements to existing municipal buildings, (vi) building and parking improvements for the public works department, (vii) constructing, improving and equipping municipal airport facilities, including design costs (collectively, the "Projects") and (viii) professional services rendered in relation to such projects and the financing thereof; such Certificates to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's combined Waterworks and Sewer System. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit A** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

SECTION 2: The City Secretary shall cause the aforesaid notice to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least thirty-one (31) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the Certificates.

SECTION 3: The City reasonably expects to reimburse capital expenditures with respect to the Projects with proceeds of debt hereafter to be incurred by the City, and this resolution shall constitute a declaration of official intent under the Regulation.

SECTION 4: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of February, 2017**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-016 RES Notice of Intent to Issue Certificates of Obligation (1603 : 2017-016 RES Notice of Intent to Issue Certificates of

RESOLUTION NO. 2017 - 016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION AND DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Texarkana, Texas (the "City"), has determined that certificates of obligation (the "Certificates") should be issued under and pursuant to the provisions of Subchapter C of Chapter 271, Texas Local Government Code, as amended, for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping public safety facilities, (ii) street improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor, (iii) drainage improvements, including the acquisition of land and rights- of-way therefor, (iv) constructing, improving and equipping park and recreational facilities, (v) roof replacements to existing municipal buildings, (vi) building and parking improvements for the public works department, (vii) constructing, improving and equipping municipal airport facilities, including design costs (collectively, the "Projects") and (viii) professional services rendered in relation to such projects and the financing thereof; and

WHEREAS, the City further intends to make certain capital expenditures with respect to the Projects and currently desires and expects to reimburse the capital expenditures with proceeds of the Certificates; and

WHEREAS, under Treas. Reg. § 1.150-2 (the "Regulation"), to fund such reimbursement with proceeds of tax-exempt obligations, the City must declare its expectation to make such reimbursement; and

WHEREAS, the City desires to preserve its ability to reimburse the capital expenditures with proceeds of tax-exempt obligations; and

WHEREAS, prior to the issuance of such Certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City, said notice stating (i) the time and place the Council tentatively proposes to pass the ordinance authorizing the issuance of the Certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the Certificates are to be issued and (iv) the manner in which the Council proposes to pay the Certificates.

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Attachment: 2017-016 RES Notice of intent to issue certificates fo obligation signed (1603 : 2017-016 RES Notice of Intent to Issue Certificates

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SECTION 3: The City reasonably expects to reimburse capital expenditures with respect to the Projects with proceeds of debt hereafter to be incurred by the City, and this resolution shall constitute a declaration of official intent under the Regulation.

SECTION 4: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of February, 2017**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-016 RES Notice of intent to issue certificates fo obligation signed (1603 : 2017-016 RES Notice of Intent to Issue Certificates

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CITY OF TEXARKANA, TEXAS, CERTIFICATES OF OBLIGATION

TAKE NOTICE the City Council of the City of Texarkana, Texas, shall convene at 6:00 o'clock P.M. on March 27, 2017, at its regular meeting place in the City Hall, 3rd and Texas Avenue, Texarkana, Texas, and, during such meeting, the City Council will consider the passage of an ordinance authorizing the issuance of certificates of obligation, in one or more series, in a principal amount not to exceed $15,600,000 for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping public safety facilities, (ii) street improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor, (iii) drainage improvements, including the acquisition of land and rights-of-way therefor, (iv) constructing, improving and equipping park and recreational facilities, (v) roof replacements to existing municipal buildings, (vi) building and parking improvements for the public works department, (vii) constructing, improving and equipping municipal airport facilities, including design costs (collectively, the "Projects") and (viii) professional services rendered in relation to such projects and the financing thereof; and such certificates are to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's combined Waterworks and Sewer System. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas, Local Government Code, Subchapter C of Chapter 271.

City Secretary
City of Texarkana, Texas

Attachment: 2017-016 RES Notice of intent to issue certificates fo obligation signed (1603 : 2017-016 RES Notice of Intent to Issue Certificates

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CITY OF TEXARKANA, TEXAS, CERTIFICATES OF OBLIGATION

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City Secretary
City of Texarkana, Texas

Attachment: 2017-016 EXH 'A' Notice of Intent (1603 : 2017-016 RES Notice of Intent to Issue Certificates of Obligation)

City of Texarkana, TX

Combination Tax and Revenue Certificates of Obligation, Series 2017

Acct. TBD

1/25/2017

Preliminary Schedule of Events

Jan-17						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Feb-17						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

Mar-17						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Apr-17				
S	M	T	W	T
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30				

Complete By	Day	Event
30-Jan-17	Monday	First Southwest requests information for preparation of the Official Statement
8-Feb-17	Wednesday	First Southwest receives requested information. First Southwest begins preparation of the Official Statement
13-Feb-17	**Monday**	**Council meeting to approve publication of Notice of Intent for the CO's**
15-Feb-17	Wednesday	Draft Preliminary Official Statement distributed to the City and Bond Counsel
16-Feb-17	**Thursday**	**1st Notice of Intent published for CO's**
22-Feb-17	Wednesday	First Southwest receives comments on Preliminary Official Statement
23-Feb-17	**Thursday**	**2nd Notice of Intent published for CO's**
27-Feb-17	Monday	Distribute POS to Ratings
Week of March 6th - 10th		Rating Meeting
16-Mar-17	Thursday	Receive Ratings
17-Mar-17	Friday	Electronically mail Official Statement to Potential Purchasers
27-Mar-17	Monday	Pricing
27-Mar-17	**Monday**	**City Council passes Ordinance authorizing issuance of the Certificates**
26-Apr-17	Wednesday	Certificate Closing and Delivery of Funds to the City

Attachment: 2017-016 ATTH 01 Preliminary Schedule of Events (1603 : 2017-016 RES Notice of Intent to Issue Certificates of Obligation)

Bold Indicates Council action

Prepared by: First Southw

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:	High

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2017-016 Goals & Perspectives (1603 : 2017-016 RES Notice of Intent to Issue Certificates of Obligation)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 2/14/2017 1:07 PM

Lead Department:	Planning and Community Development **Action Officer:** Debbie Burk,
Subject:	Ordinance No. 2017-007 amending PD-85-1(GR) for site plan approval on a 1.781 acre tract of land being all of Tracts 5 and 5A in the Mary E. Willis Subdivision (proposed Lot 1, Richmond Road Runner Subdivision), located at 1632 Richmond Road. John D. Harris, applicant. MTG Engineers and Surveyors, agent.

Briefing: 2/13/2017	**Public Hearing:** 2/13/2017	**Second Briefing:**	February 27, 2017	**Council Vote:**	3/13/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Amendment to PD-85-1(GR): This is a request for site plan approval by John D. Harris, owner, and MTG Engineering and Surveying, agent on a 1.781 acre tract being all of Tract 5 and Tract 5A in the Mary E. Willis Subdivision (proposed Lot 1, Richmond Road Runner Subdivision), located at 1632 Richmond Road. The proposed use is a convenience store. The current use is vacant property.

The adjacent zoning is PD-General Retail to the north and west, General Retail to the east and Single Family-2 across Richmond Road to the south. The adjacent land use is residences to the north and south, vacant land to the east and a restaurant to the west.

A new subdivision plat has been provided for this tract of land that includes one lot. This proposed Road Runner Convenience Store is shown to be located on Lot 1, Richmond Road Runner Subdivision. The site plan consists of the following:

- A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 8 fuel pumps.
- The building façade consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia. See attached elevations.
- 20 parking spaces are shown on site plan with 2 handicapped spaces. (6 spaces are required for the gas station and 5 spaces are required for the restaurant per Ordinance).
- A 35’ pylon sign. See attached photo.
- Two new driveways are shown off Cowhorn Creek Road and one new driveway is shown off Richmond Road. The new drive off Richmond Road will require TXDOT approval.

Following are comments from the Public Works and Engineering Department pertaining to the driveways along Cowhorn Creek Road:
The proposed southern driveway along Cowhorn Creek is being shown for fuel truck access. This concerns staff due to the close proximity of the location with the intersection of Cowhorn Creek Road and Richmond Road from a safety stand point. This intersection is very busy and traffic backs up along Cowhorn Creek Road. Also, Cowhorn Creek Road is a two- lane road in this location and truck traffic along Cowhorn Creek Road could possibly cause more traffic to back up. We also have concerns with truck traffic movements at the Cowhorn Creek Road and Kennedy Lane Intersection. This section of Cowhorn Creek Road and Kennedy Lane was not intended for truck traffic. Therefore, staff recommends allowing two access drives off of Cowhorn Creek Rd, but the southernmost driveway should be an "entrance only" (similar to the driveway across the street at Golden Chick). Staff also recommends that all truck traffic (WB-40 or greater) ingress and egress the site only on Richmond Road.

Staff is also concerned about the proposed 35' pole sign at this location. In recent planned development cases along this corridor, monument style signage with a sign face not to exceed 48 sq. ft. in size were allowed at the Golden Chick Restaurant (1702 Richmond Rd) located across Cowhorn Creek Road to the west and at Grandy's Restaurant (1720 Richmond Rd) further west along Richmond Road. Both of those properties are located in a Planned Development district. Also, there are numerous single family residences located to the south and north of this tract of land. **T**herefore, staff recommends that a 48 square foot monument style sign be allowed for this development. The monument sign can be located on top of a berm, planter or pedestal.

The applicant should be aware that if this site plan is approved as submitted, there may be additional applicable city code/ordinance requirements in addition to those listed including but not limited to building, subdivision, fire, 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:

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

1. The southernmost driveway along Cowhorn Creek Road be "entrance only".
2. All truck traffic (WB-40 or greater) ingress and egress the site only on Richmond Road.
3. A 48 square foot size monument style sign be allowed that can be located on top of a berm, planter or pedestal.
4. Any lighting be shielded from adjacent residential properties.
5. A screening device be constructed along the northern property line that abuts to residential uses.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

After discussion between staff, commission members and the developers concerning the driveways and signage, the Planning and Zoning Commission unanimously recommended for approval of the site plan with the following stipulations:

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 8 fuel pumps as shown on attached site plan.
2. Building façade that consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia.
3. 20 parking spaces with 2 handicapped spaces.
4. Two new driveways off Cowhorn Creek Road and one new driveway off Richmond Road. The new drive off Richmond Road will require TXDOT approval.
5. The southernmost driveway along Cowhorn Creek Road shall be "entrance only".
6. Striping shall be added for a continuous left turn lane along Cowhorn Creek Road.
7. Two monument style signs not to exceed 48 square feet in size that can be located on top of a berm, planter or pedestal shall be allowed at the entrance off Richmond Road and at the north entrance off Cowhorn Creek Road.
8. Price point signage allowed on gas canopy.
9. Any lighting to be shielded from adjacent residential properties.
10. A screening device is to be constructed along the northern property line that abuts to residential uses.

Advisory Board/Committee Meeting Date and Minutes:

January 3, 2017

Attachments

a. 2017-007 ORD amending PD-85-1(GR) for site plan approval (PDF)
b. 2017-007 ORD Amending PD-85-1 signed (PDF)
c. 2017-007 ATTH 01 Maps (PDF)
d. 2017-007 ATTH 02 Floor plan (PDF)
e. 2017-007 ATTH 03 Front elevation and bldg. materials (PDF)
f. 2017-007 ATTH 04 Elevations (PDF)
g. 2017-007 ATTH 05 Fuel canopy elevations (PDF)
h. 2017-007 ATTH 06 Monument Sign (PDF)
i. 2017-007 EXH 'A' Site Plan (PDF)
j. 2017-007 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	Completed	David Orr 01/18/2017 11:49 AM	Department Head Review
Deputy City Manager - Shirley Jaster Review	Completed	Shirley Jaster 01/19/2017 11:14 AM	Assistant City Manager
Public Information Officer	01/19/2017 11:18 AM	Lisa Thompson	PIO Review Completed

City of Texarkana, Texas

City Manager 2:41 PM	John Whitson	City Manager Review	Completed	01/19/2017
City Council 6:00 PM	Jennifer Evans	Meeting	Completed	01/23/2017

Meeting History

01/23/17	City Council	MOVED FORWARD	Next: 02/13/17

Amendment to
PD-85-1(GR)

ORDINANCE NO. 2017-007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-85-1(GR) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF A CONVENIENCE STORE ON A 1.781 ACRE TRACT OF LAND BEING ALL OF TRACTS 5 AND 5A IN THE MARY E. WILLIS SUBDIVISION (PROPOSED LOT 1, RICHMOND ROAD RUNNER SUBDIVISION), LOCATED AT 1632 RICHMOND ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a site plan **(Exhibit 'A')** to allow the location of a convenience store on a 1.781 acre tract of land being Tracts 5 and 5A in the Mary E. Willis Subdivision, (proposed Lot 1, Richmond Road Runner Subdivision), located at 1632 Richmond Road in the City of Texarkana, Bowie County, Texas; and

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

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

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

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

SECTION 1: That the site plan **(Exhibit 'A')** submitted to allow a convenience store on a 1.781 acre tract of land being Tracts 5 and 5A in the Mary E. Wills Subdivision (proposed Richmond Road Runner Subdivision), located at 1632 Richmond Road in the City of Texarkana, Texas, Bowie County, Texas, be and is hereby approved and hereby amends PD-85-1(GR).

Attachment: 2017-007 ORD amending PD-85-1(GR) for site plan approval (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

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

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 8 fuel pumps as shown on attached site plan.
2. Building façade that consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia.
3. Twenty parking spaces with two handicapped spaces.
4. Two new driveways off Cowhorn Creek Road and one new driveway off Richmond Road. The new drive off Richmond Road will require TxDOT approval.
5. The southernmost driveway along Cowhorn Creek Road shall be "entrance only".
6. Striping shall be added for a continuous left turn lane along Cowhorn Creek Road.
7. Two monument style signs, not to exceed 48 square feet in size that can be located on top of a berm, planter or pedestal, shall be allowed at the entrance off Richmond Road and at the north entrance off Cowhorn Creek Road.
8. Electronic price point signage shall be allowed on gas canopy. No CEVMS.
9. Any lighting is to be shielded from adjacent residential properties.
10. A screening device is to be constructed along the northern property line that abuts to residential uses.

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 **13th day of March, 2017.**

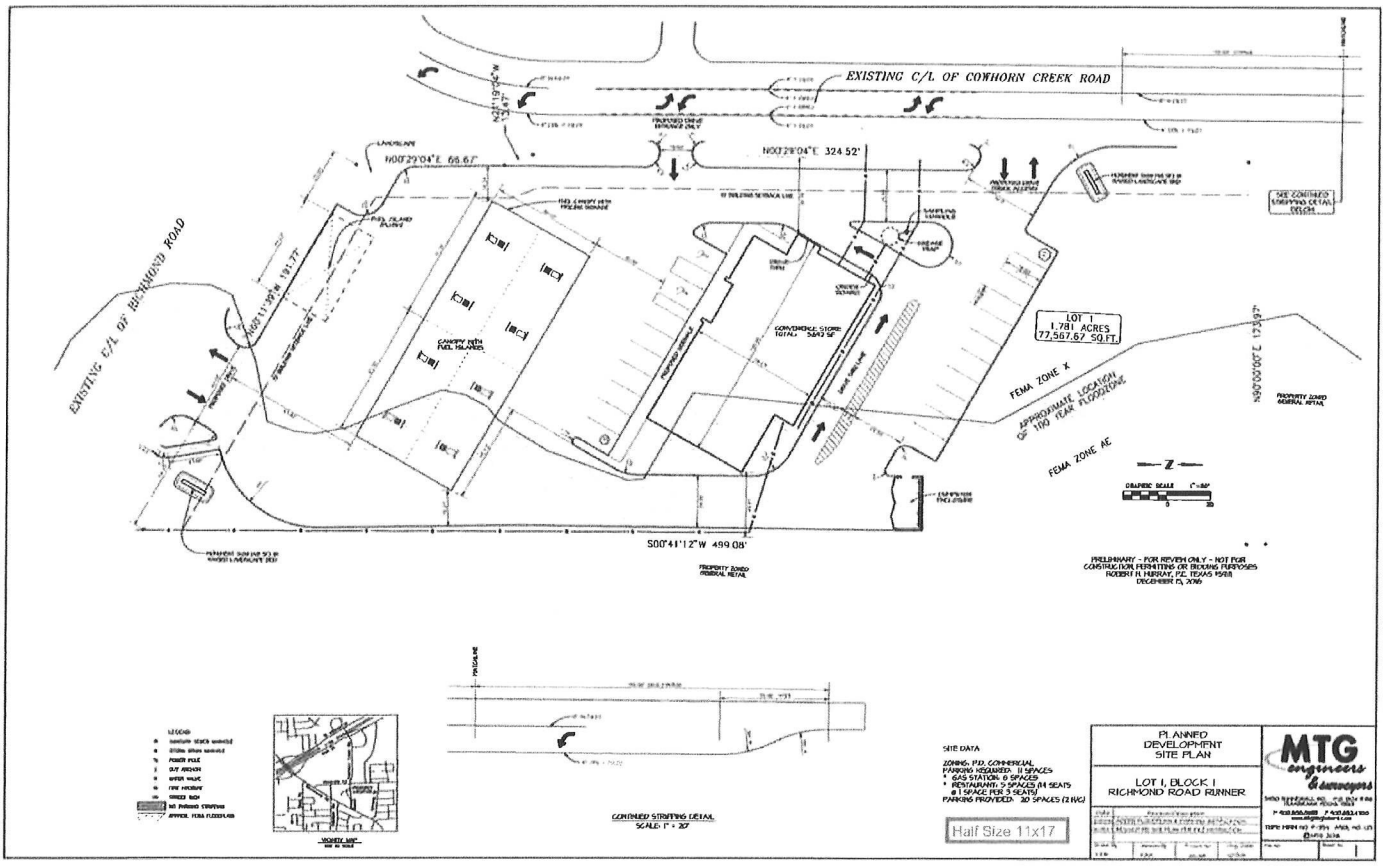
ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-007 ORD amending PD-85-1(GR) for site plan approval (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

EXHIBIT 'A'



Attachment: 2017-007 ORD amending PD-85-1(GR) for site plan approval (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

Amendment to
PD-85-1(GR)

ORDINANCE NO. 2017-007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-85-1(GR) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF A CONVENIENCE STORE ON A 1.781 ACRE TRACT OF LAND BEING ALL OF TRACTS 5 AND 5A IN THE MARY E. WILLIS SUBDIVISION (PROPOSED LOT 1, RICHMOND ROAD RUNNER SUBDIVISION), LOCATED AT 1632 RICHMOND ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a site plan **(Exhibit 'A')** to allow the location of a convenience store on a 1.781 acre tract of land being Tracts 5 and 5A in the Mary E. Willis Subdivision, (proposed Lot 1, Richmond Road Runner Subdivision), located at 1632 Richmond Road in the City of Texarkana, Bowie County, Texas; and

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

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

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

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

SECTION 1: That the site plan (**Exhibit 'A'**) submitted to allow a convenience store on a 1.781 acre tract of land being Tracts 5 and 5A in the Mary E. Wills Subdivision (proposed Richmond Road Runner Subdivision), located at 1632 Richmond Road in the City of Texarkana, Texas, Bowie County, Texas, be and is hereby approved and hereby amends PD-85-1(GR).

Attachment: 2017-007 ORD Amending PD-85-1 signed (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

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

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 8 fuel pumps as shown on attached site plan.
2. Building façade that consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia.
3. Twenty parking spaces with two handicapped spaces.
4. Two new driveways off Cowhorn Creek Road and one new driveway off Richmond Road. The new drive off Richmond Road will require TxDOT approval.
5. The southernmost driveway along Cowhorn Creek Road shall be "entrance only".
6. Striping shall be added for a continuous left turn lane along Cowhorn Creek Road.
7. Two monument style signs, not to exceed 48 square feet in size that can be located on top of a berm, planter or pedestal, shall be allowed at the entrance off Richmond Road and at the north entrance off Cowhorn Creek Road.
8. Electronic price point signage shall be allowed on gas canopy. No CEVMS.
9. Any lighting is to be shielded from adjacent residential properties.
10. A screening device is to be constructed along the northern property line that abuts to residential uses.

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 **13th day of February, 2017.**

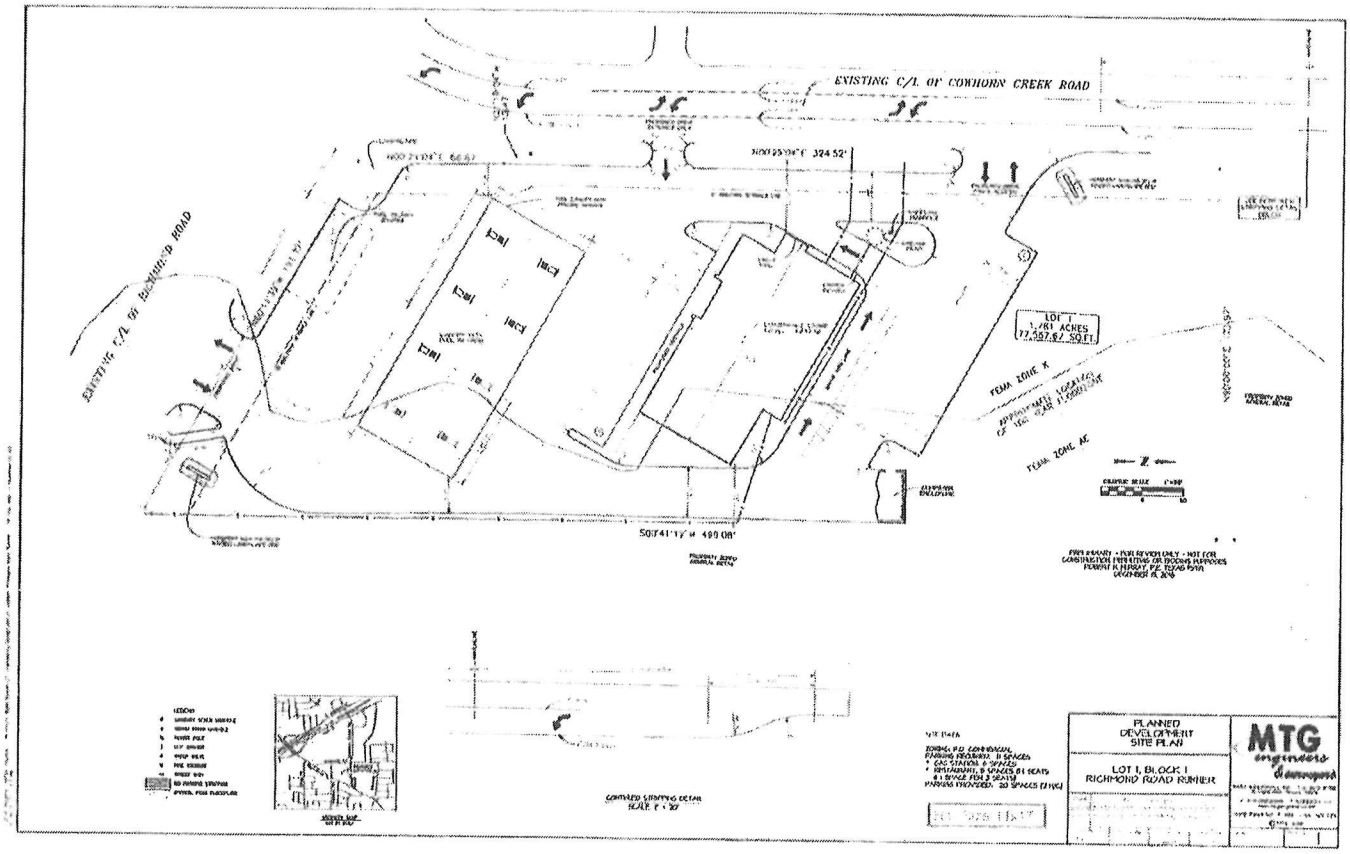
ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-007 ORD Amending PD-85-1 signed (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

EXHIBIT 'A'



Attachment: 2017-007 ORD Amending PD-85-1 signed (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

Attachment: 2017-007 ATTH 01 Maps (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

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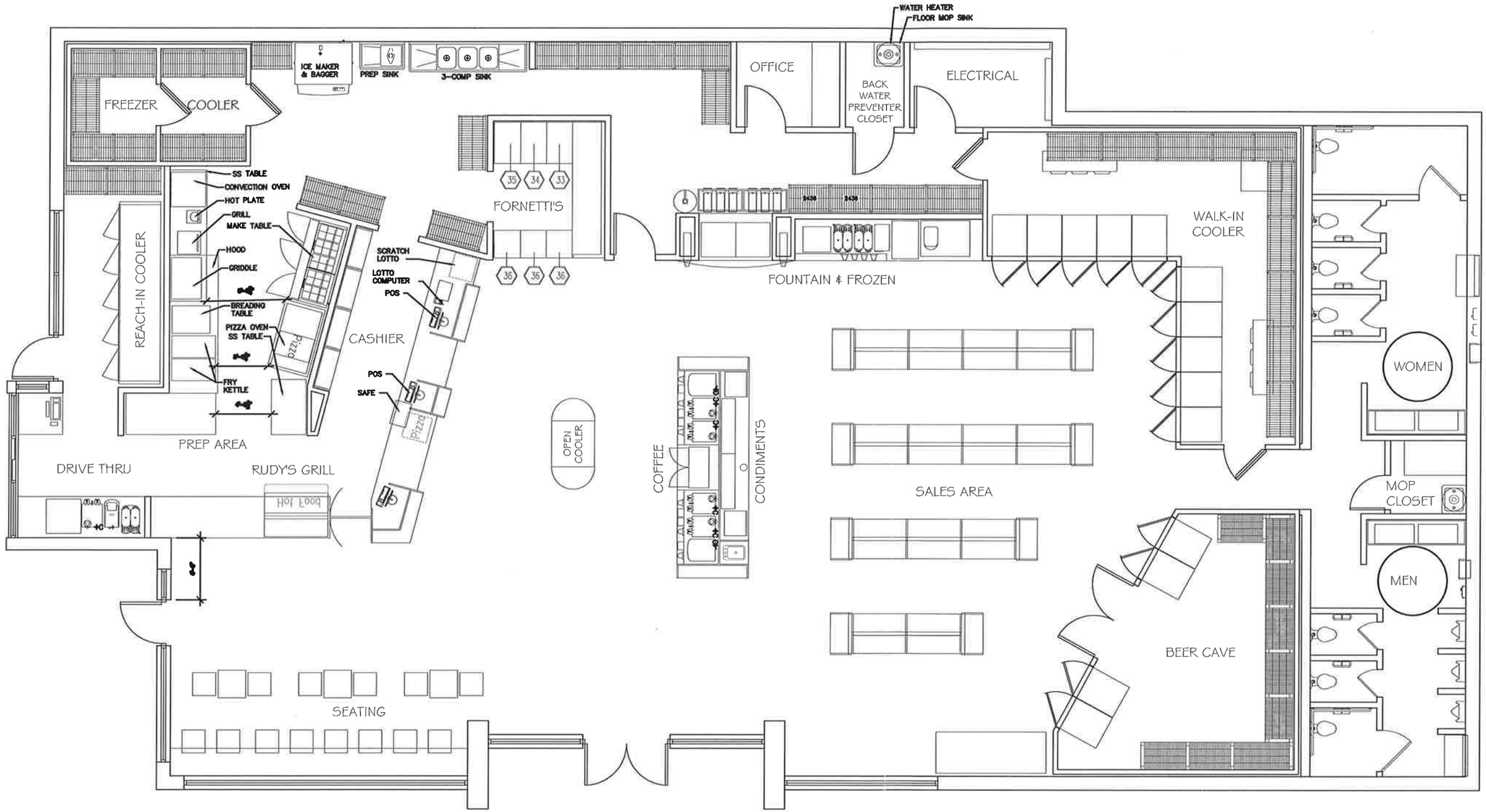


FLOOR PLAN

SCALE: 1/8" = 1'-0"

ARCHITECTURE PLUS, INC.
907 South 21st Street Fort Smith, Arkansas 479/783-8395

TEXARKANA STORE#XX
RICHMOND RD TEXARKANA, TX

DRAWING NO.: 1 OF 5
DATE: 12-09-2016
PROJECT: 14-38.01

Attachment: 2017-007 ATTH 02 Floor plan (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

Modular Brick | Split Face CMU (painted) | Stone Veneer

FRONT ELEVATION

SCALE: NTS

ARCHITECTURE PLUS, INC.
907 South 21st Street Fort Smith, Arkansas 479/783-8395

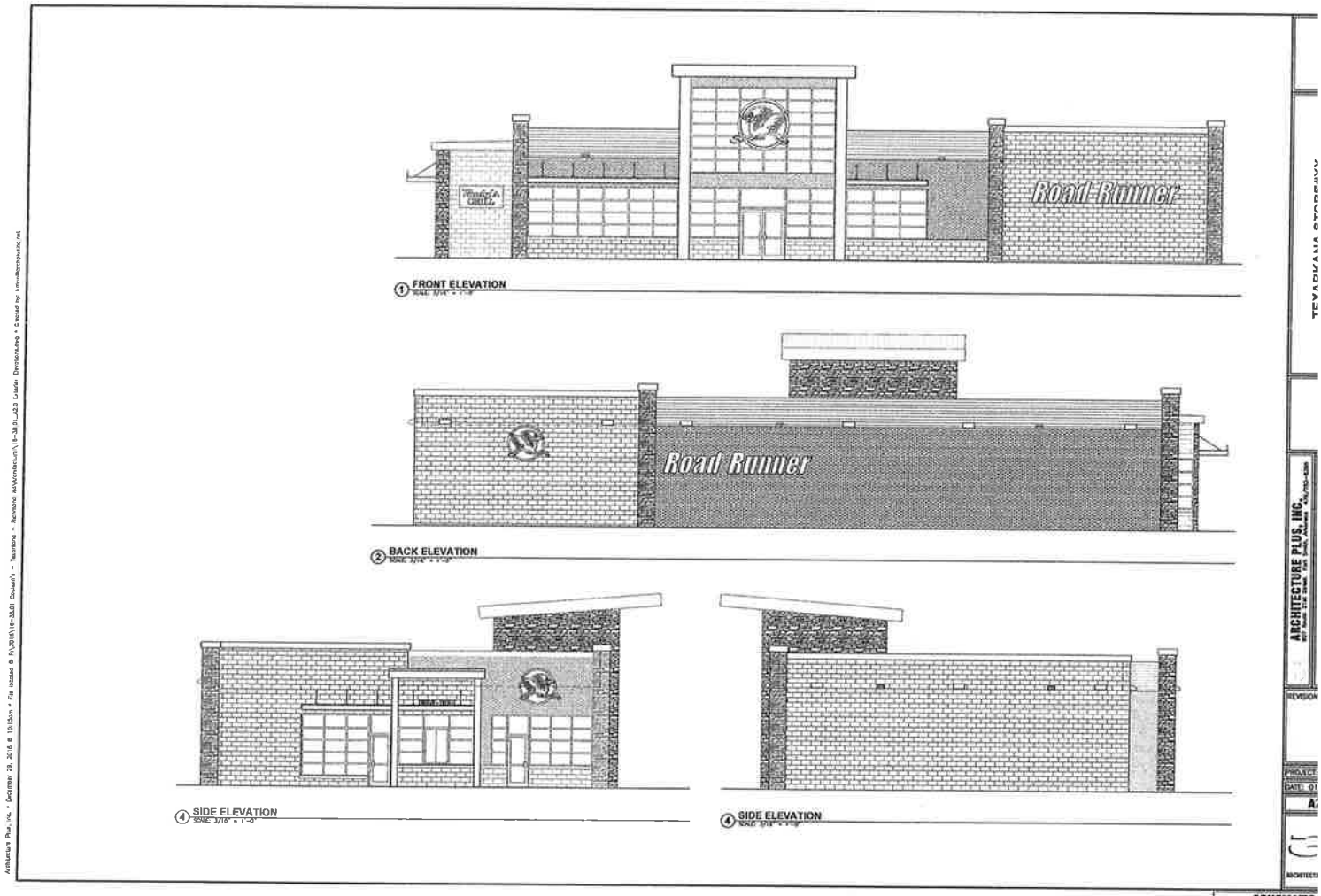
TEXARKANA STORE#XX
RICHMOND RD TEXARKANA, TX

DRAWING NO.: 2 of 2

DATE: 12-09-2016

PROJECT: 14-38.01

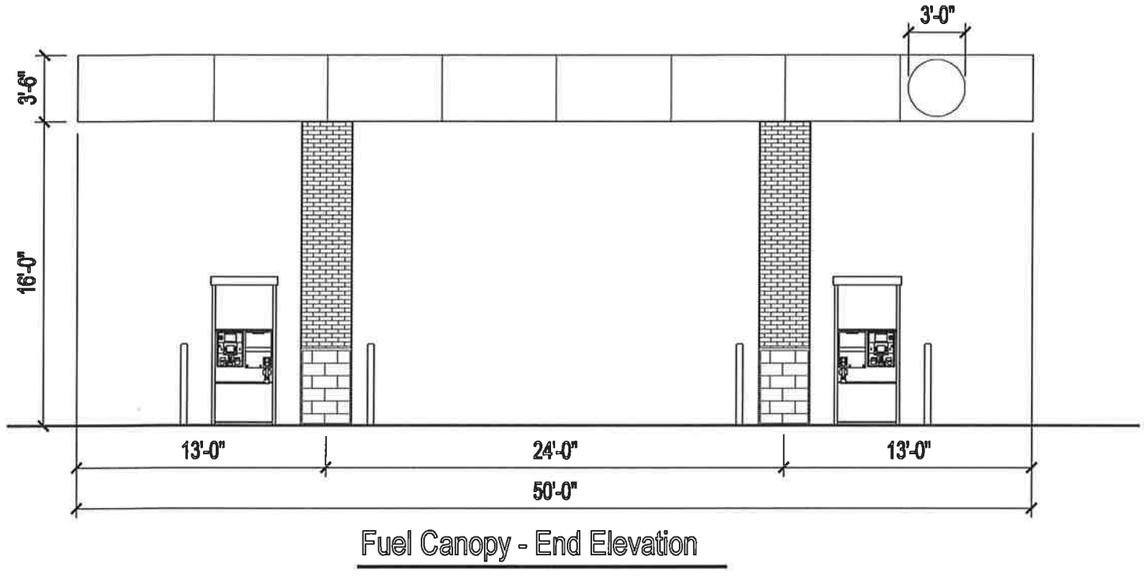
Attachment: 2017-007 ATTH 03 Front elevation and bldg. materials (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)



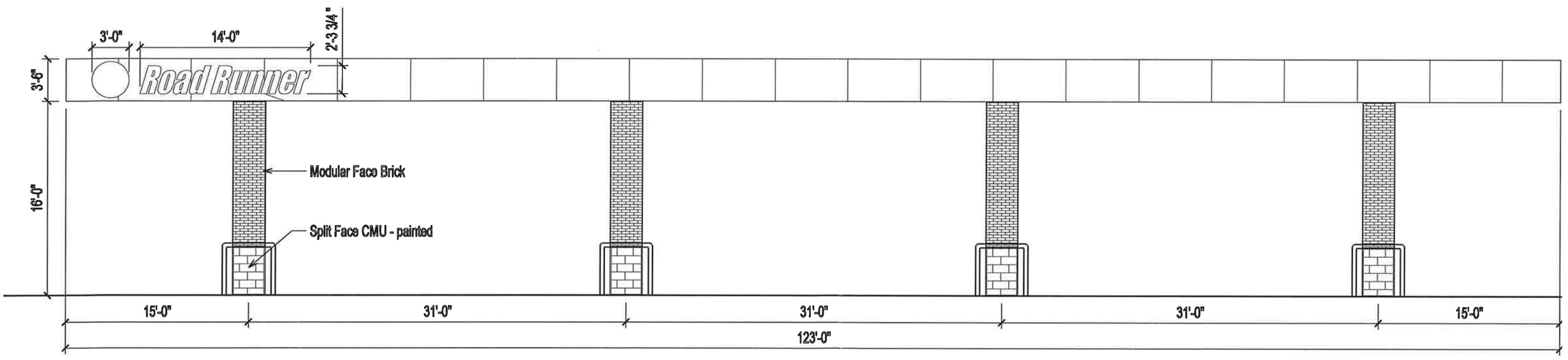
ARCHITECTURE PLUS, INC.

SCHEMATIC

Attachment: 2017-007 ATTH 04 Elevations (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)



Fuel Canopy - End Elevation

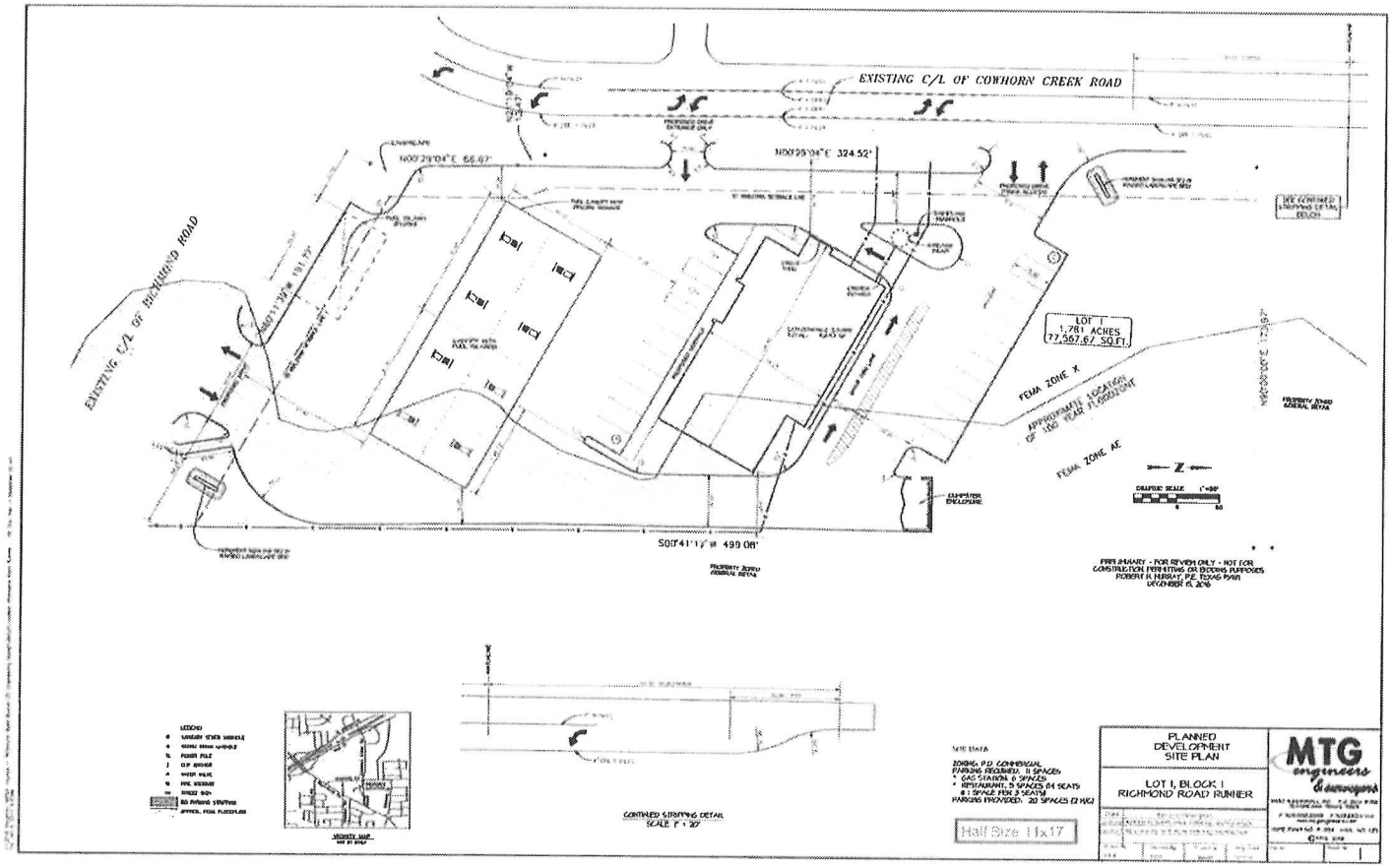


Fuel Canopy - Side Elevation

Attachment: 2017-007 ATTH 05 Fuel canopy elevations (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

Attachment: 2017-007 ATTH 06 Monument Sign (1592 : 2017-007 ORD site plan approval at 1632

EXHIBIT 'A'



Attachment: 2017-007 EXH 'A' Site Plan (1592 : 2017-007 ORD site plan approval at 1632 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: 2017-007 Goals & Perspectives (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 2/14/2017 1:10 PM

Lead Department:	Planning and Community Development **Action Officer:** Debbie Burk,
Subject:	Ordinance No. 2017-008 amending PD-99-9(C) for site plan approval on a 2.176 acre tract of land being part of Tract 339B in the Nancy Dycus HRS, A-145 (proposed Lot 1, Highway 67 Road Runner Subdivision), located at 4603 West 7th Street. John D. Harris, applicant. MTG Engineers and Surveyors, agent.

Briefing: 2/13/2017	**Public Hearing:** 2/13/2017	**Second Briefing:**	February 27, 2017	**Council Vote:**	3/13/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Amendment to PD-99-9(C): This is a request for site plan approval by John D. Harris, owner, and MTG Engineering and Surveying, agent on a 2.176 acre tract being part of Tract 339B in the Nancy Dycus HRS, A-145 (proposed Lot 1, Highway 67 Road Runner Subdivision), located at 4603 West 7th Street. The proposed use is a convenience store. The current use is vacant property.

The adjacent zoning is outside the city limits to the north, Planned Development-Commercial to the east and south and Office to the west. The adjacent land use is Wake Village city limits to the north, a bank to the east, a medical clinic to the west and vacant land to the south.

A new subdivision plat has been provided for this tract of land that includes two lots. This proposed Road Runner Convenience Store is shown to be located on Lot 1, Highway 67 Road Runner Subdivision.

The site plan consists of the following:

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 10 fuel pumps as shown on attached site plan.
2. Building façade that consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia.
3. 31 parking spaces with 2 handicapped spaces.
4. A 35' pylon sign.
5. New driveways off South Wake Village Road and off West 7th Street. The new drive off West 7th Street will require TXDOT approval. In the event that TXDOT does not permit the new driveway off West 7th Street, the existing drive off West 7th Street will be modified to provide adequate turning radii.

The applicant should be aware that if this site plan is approved, there may be additional applicable city code/ordinance requirements in addition to those listed including but not limited to building, subdivision, fire, 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:

Staff recommends for approval of the proposed site plan with the following stipulations.

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 10 fuel pumps as shown on attached site plan.
2. Building façade that consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia.
3. 31 parking spaces with 2 handicapped spaces.
4. A 35' pylon sign.
5. New driveways off South Wake Village Road and off West 7th Street. The new drive off West 7th Street will require TXDOT approval. In the event that TXDOT does not permit the new driveway off West 7th Street, the existing drive off West 7th Street will be modified to provide adequate turning radii.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of the site plan with staff stipulations.

Advisory Board/Committee Meeting Date and Minutes:

January 3, 2017

Attachments

a. 2017-008 ORD amending PD-99-9(C) for site plan approval at 4603 West 7th (PDF)
b. 2017-008 ORD Amending PD-99-9 (C) signed (PDF)
c. 2017-008 ATTH 01 Maps (PDF)
d. 2017-008 ATTH 02 Floor plan (PDF)
e. 2017-008 ATTH 03 Front elevation and bldg. materials (PDF)
f. 2017-008 ATTH 04 Elevations (PDF)
g. 2017-008 ATTH 05 Fuel canopy elevations (PDF)
h. 2017-008 ATTH 06 Aerial site plan (PDF)
i. 2017-008 ATTH 07 Pylon Sign (PDF)
j. 2017-008 EXH 'A' Site plan (PDF)
k. 2017-008 ORD Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	Completed	David Orr 01/18/2017 11:49 AM	Department Head Review	
Deputy City Manager - Shirley Jaster Review	Completed	Shirley Jaster 01/19/2017 11:12 AM	Assistant City Manager	
Public Information Officer	01/19/2017 11:13 AM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	01/19/2017 2:46 PM
City Council	Jennifer Evans	Meeting	Completed	01/23/2017 6:00 PM

Meeting History

01/23/17	City Council	MOVED FORWARD	Next: 02/13/17

Amendment to
PD-99-9(C)

ORDINANCE NO. 2017-008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-99-9(C) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF A CONVENIENCE STORE ON A 2.176 ACRE TRACT OF LAND BEING A PART OF TRACT 339B IN THE NANCY DYCUS HRS, A-145 (PROPOSED LOT 1, HIGHWAY 67 ROAD RUNNER SUBDIVISION), LOCATED AT 4603 WEST 7TH 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 requesting the approval of a site plan **(Exhibit 'A')** to allow the location of a convenience store on a 2.176 acre tract of land being a part of Tract 339B in the Nancy Dycus HRS, A-145 (proposed Lot 1, Highway 67 Road Runner Subdivision), located at 4603 West 7th 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 by a vote of five (5) to zero (0) to recommend approval of the petition for a site plan to allow the location of a convenience store (Exhibit 'A')** to the City Council of Texarkana, Texas; and

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

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

SECTION 1: That the site plan **(Exhibit 'A')** submitted to allow a convenience store on a 2.176 acre tract of land being a part of Tract 339B in the Nancy Dycus HRS, A-145 (proposed Lot 1, Highway 67 Road Runner Subdivision), located at 4603 West 7th Street in the City of Texarkana, Bowie County, Texas, be and is hereby approved and hereby amends PD-99-9(C).

Attachment: 2017-008 ORD amending PD-99-9(C) for site plan approval at 4603 West 7th (1593 : 2017-008 ORD site plan approval at 4603 West

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

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 10 fuel pumps as shown on attached site plan.
2. Building façade that consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia.
3. Thirty-one parking spaces with two handicapped spaces.
4. A 35' pylon sign.
5. New driveways off South Wake Village Road and off West 7th Street. The new drive off West 7th Street will require TxDOT approval. In the event that TxDOT does not permit the new driveway off West 7th Street, the existing drive off West 7th Street will be modified to provide adequate turning radii.

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 **13th day of March, 2017.**

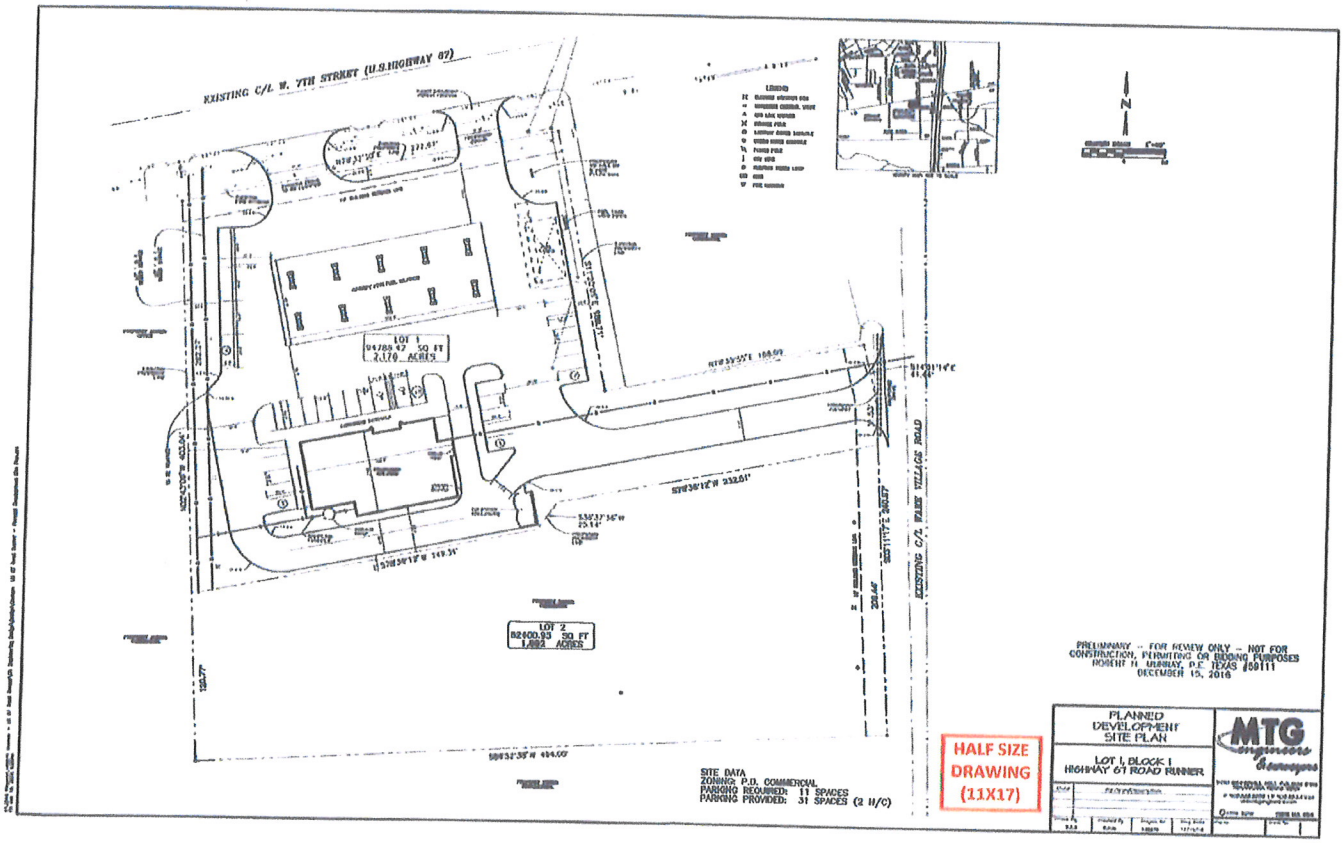
ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-008 ORD amending PD-99-9(C) for site plan approval at 4603 West 7th (1593 : 2017-008 ORD site plan approval at 4603 West

EXHIBIT 'A'



Attachment: 2017-008 ORD amending PD-99-9(C) for site plan approval at 4603 West 7th (1593 : 2017-008 ORD site plan approval at 4603 West

Amendment to
PD-99-9(C)

ORDINANCE NO. 2017-008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-99-9(C) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF A CONVENIENCE STORE ON A 2.176 ACRE TRACT OF LAND BEING A PART OF TRACT 339B IN THE NANCY DYCUS HRS, A-145 (PROPOSED LOT 1, HIGHWAY 67 ROAD RUNNER SUBDIVISION), LOCATED AT 4603 WEST 7TH 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 requesting the approval of a site plan **(Exhibit 'A')** to allow the location of a convenience store on a 2.176 acre tract of land being a part of Tract 339B in the Nancy Dycus HRS, A-145 (proposed Lot 1, Highway 67 Road Runner Subdivision), located at 4603 West 7th 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 by a vote of five (5) to zero (0) to recommend approval of the petition for a site plan to allow the location of a convenience store (Exhibit 'A')** to the City Council of Texarkana, Texas; and

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

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

SECTION 1: That the site plan **(Exhibit 'A')** submitted to allow a convenience store on a 2.176 acre tract of land being a part of Tract 339B in the Nancy Dycus HRS, A-145 (proposed Lot 1, Highway 67 Road Runner Subdivision), located at 4603 West 7th Street in the City of Texarkana, Bowie County, Texas, be and is hereby approved and hereby amends PD-99-9(C).

Attachment: 2017-008 ORD Amending PD-99-9 (C) signed (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)

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

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 10 fuel pumps as shown on attached site plan.
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PASSED AND APPROVED in Regular Council Session on this the **13th day of February, 2017.**

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

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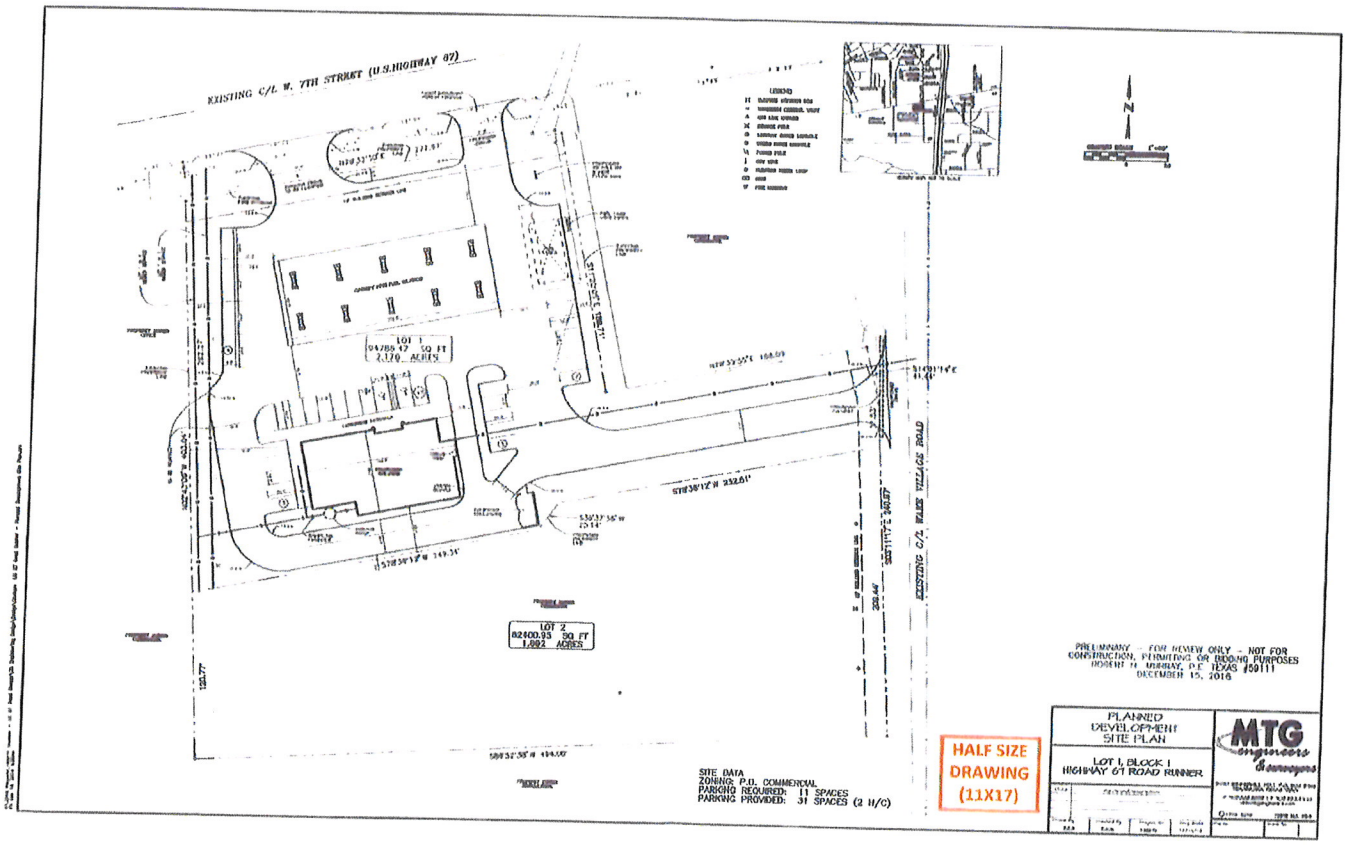

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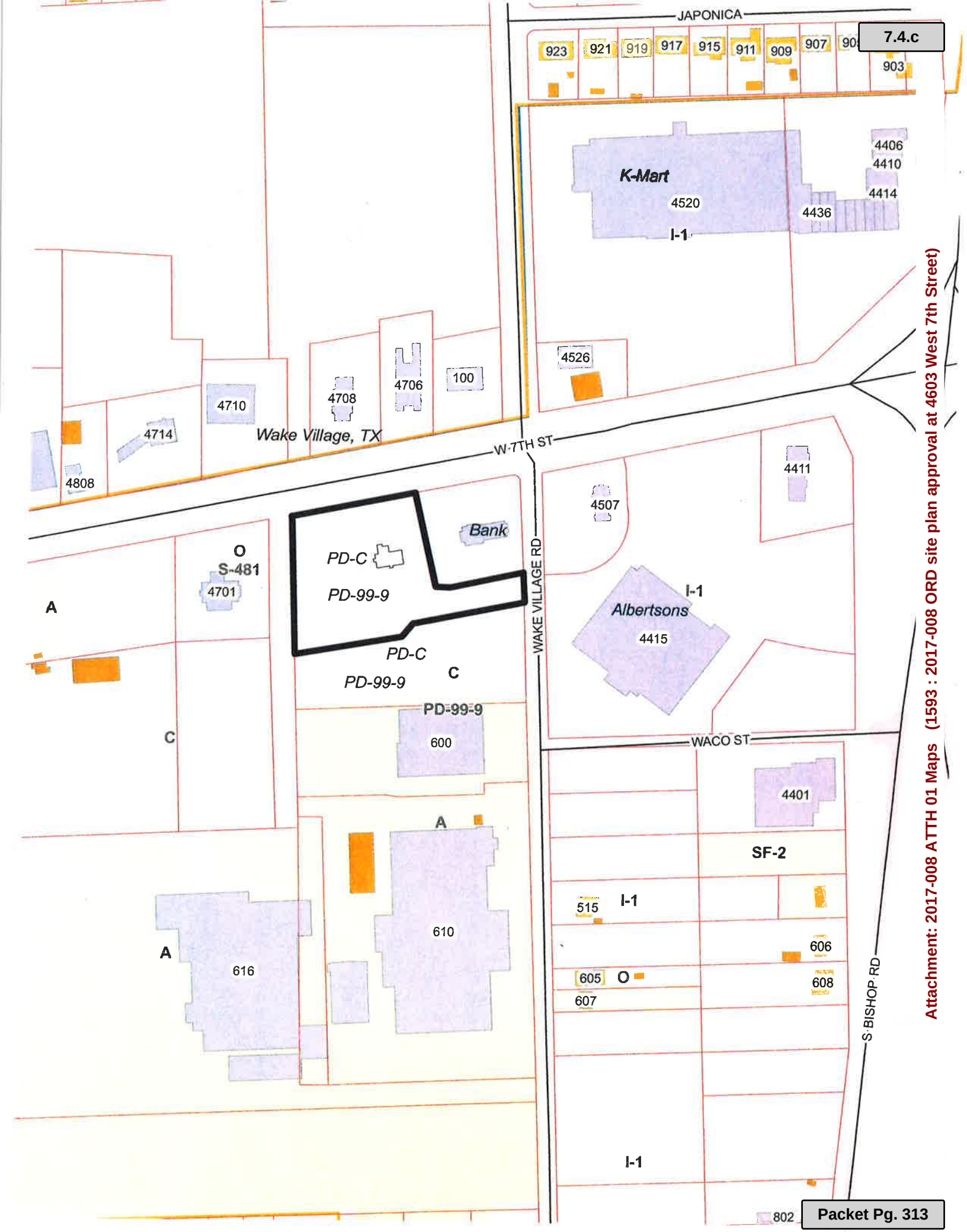

Attachment: 2017-008 ATTH 01 Maps (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)

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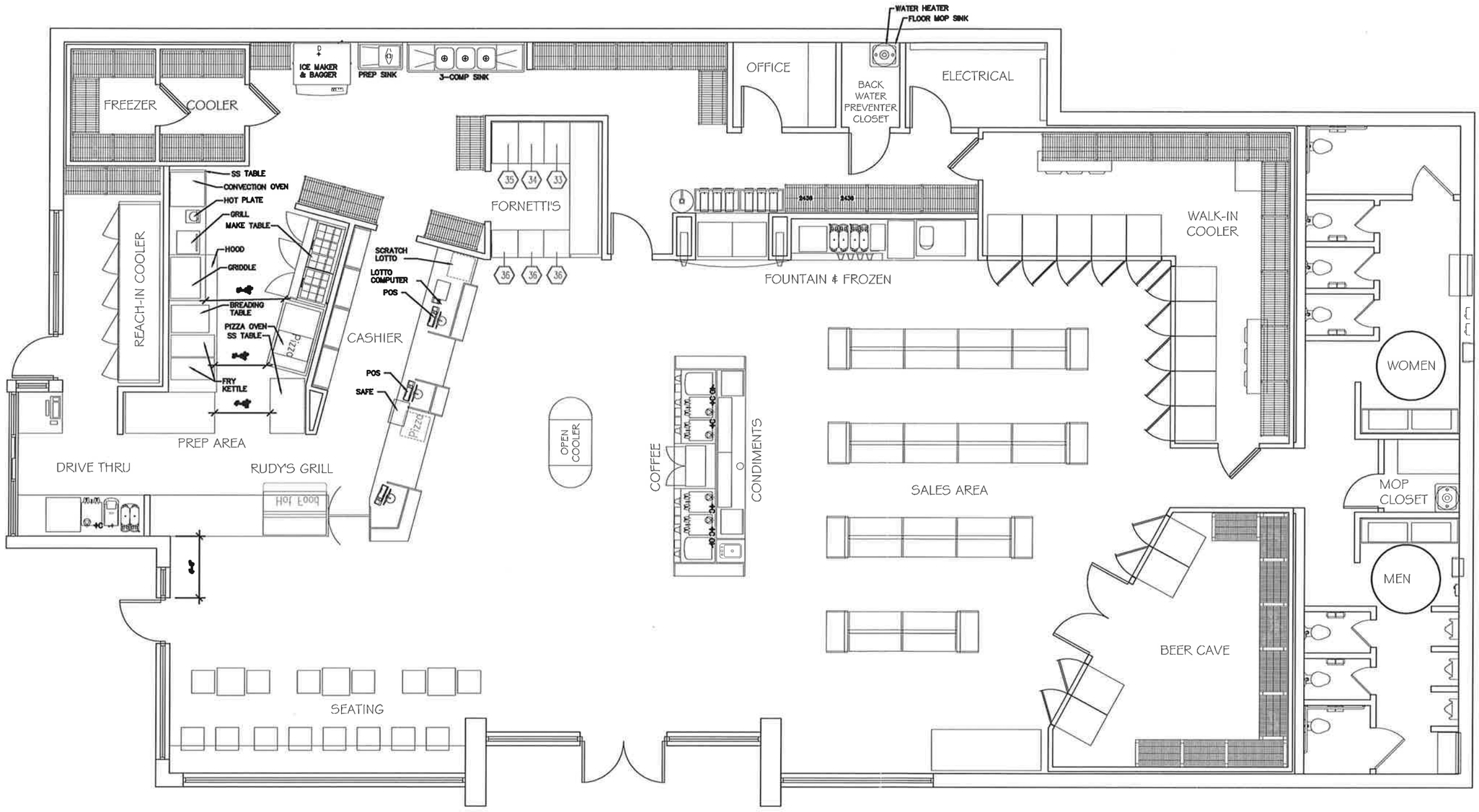


FLOOR PLAN

SCALE: 1/8" = 1'-0"

ARCHITECTURE PLUS, INC.
907 South 21st Street Fort Smith, Arkansas 479/783-8395

TEXARKANA STORE#XX
RICHMOND RD TEXARKANA, TX

DRAWING NO.: 1 OF 5

DATE: 12-09-2016

PROJECT: 14-38.01

Attachment: 2017-008 ATTH 02 Floor plan (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)

Modular Brick | Split Face CMU (painted) | Stone Veneer

FRONT ELEVATION

SCALE: NTS

ARCHITECTURE PLUS, INC.
907 South 21st Street Fort Smith, Arkansas 479/783-8395

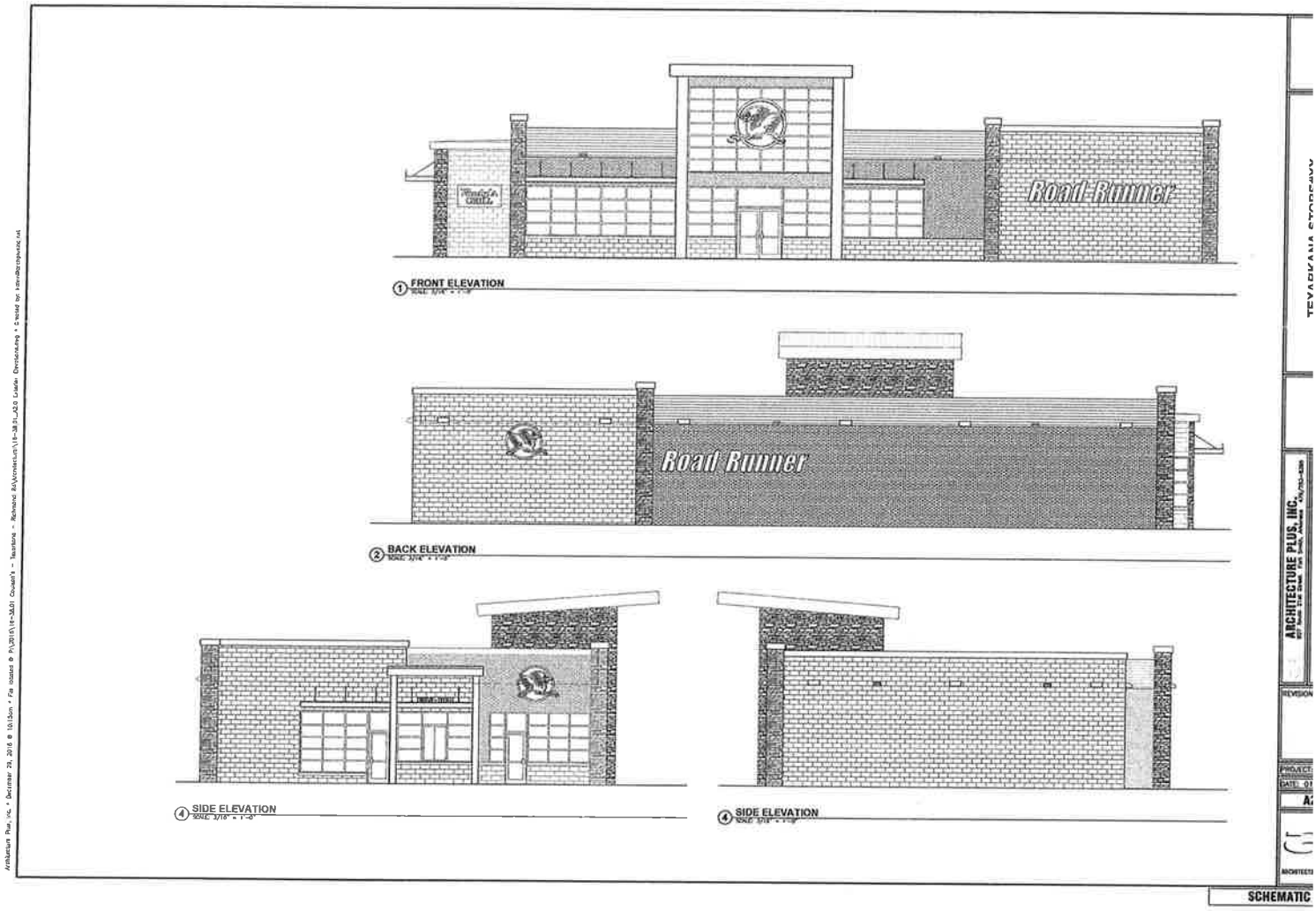
TEXARKANA STORE#XX
RICHMOND RD TEXARKANA, TX

DRAWING NO.: 2 of 2

DATE: 12-09-2016

PROJECT: 14-38.01

Attachment: 2017-008 ATTH 03 Front elevation and bldg. materials (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)



1 FRONT ELEVATION

2 BACK ELEVATION

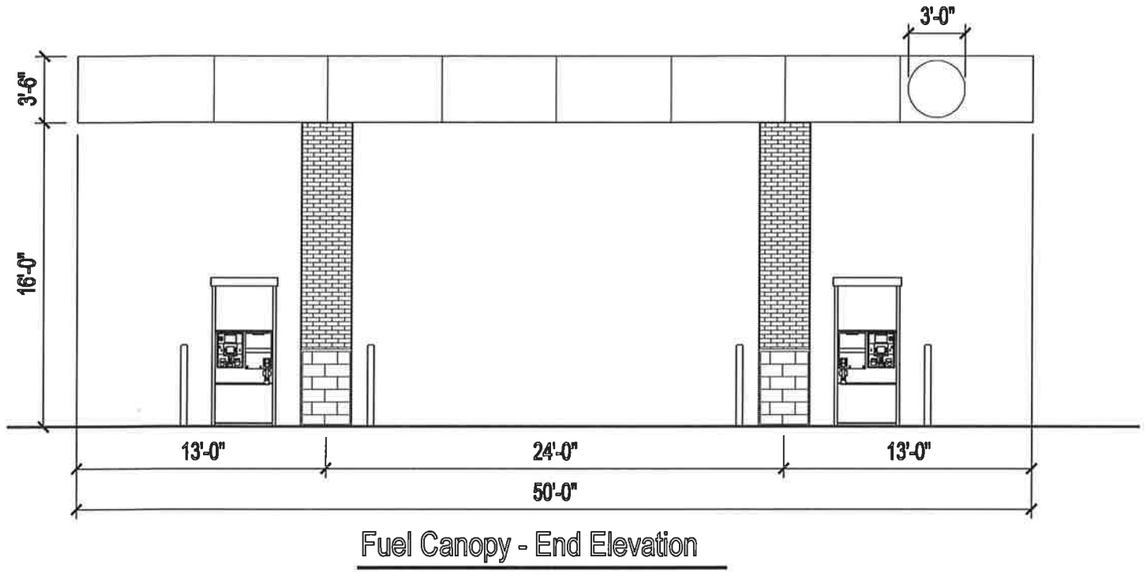
4 SIDE ELEVATION

4 SIDE ELEVATION

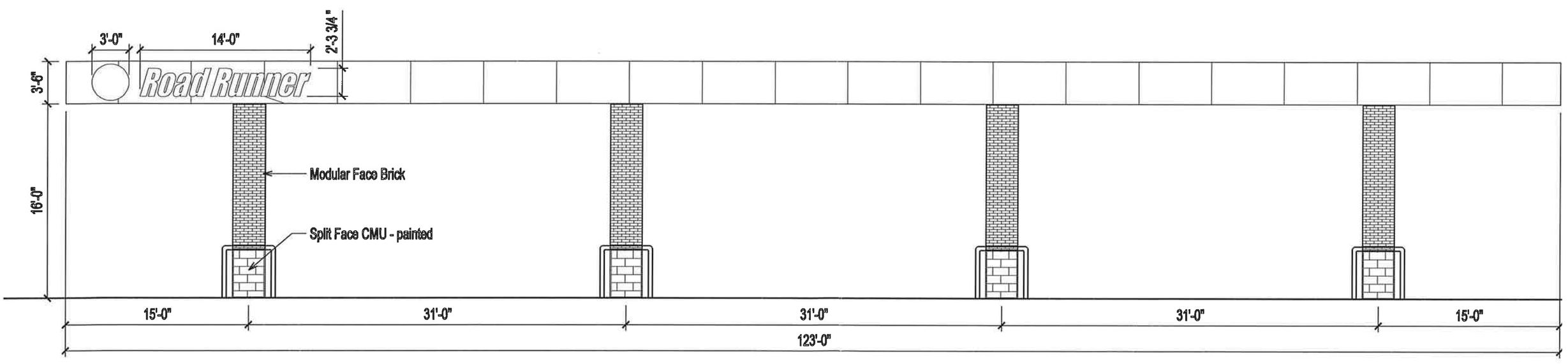
ARCHITECTURE PLUS, INC.

SCHEMATIC

Attachment: 2017-008 ATTH 04 Elevations (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)



Fuel Canopy - End Elevation



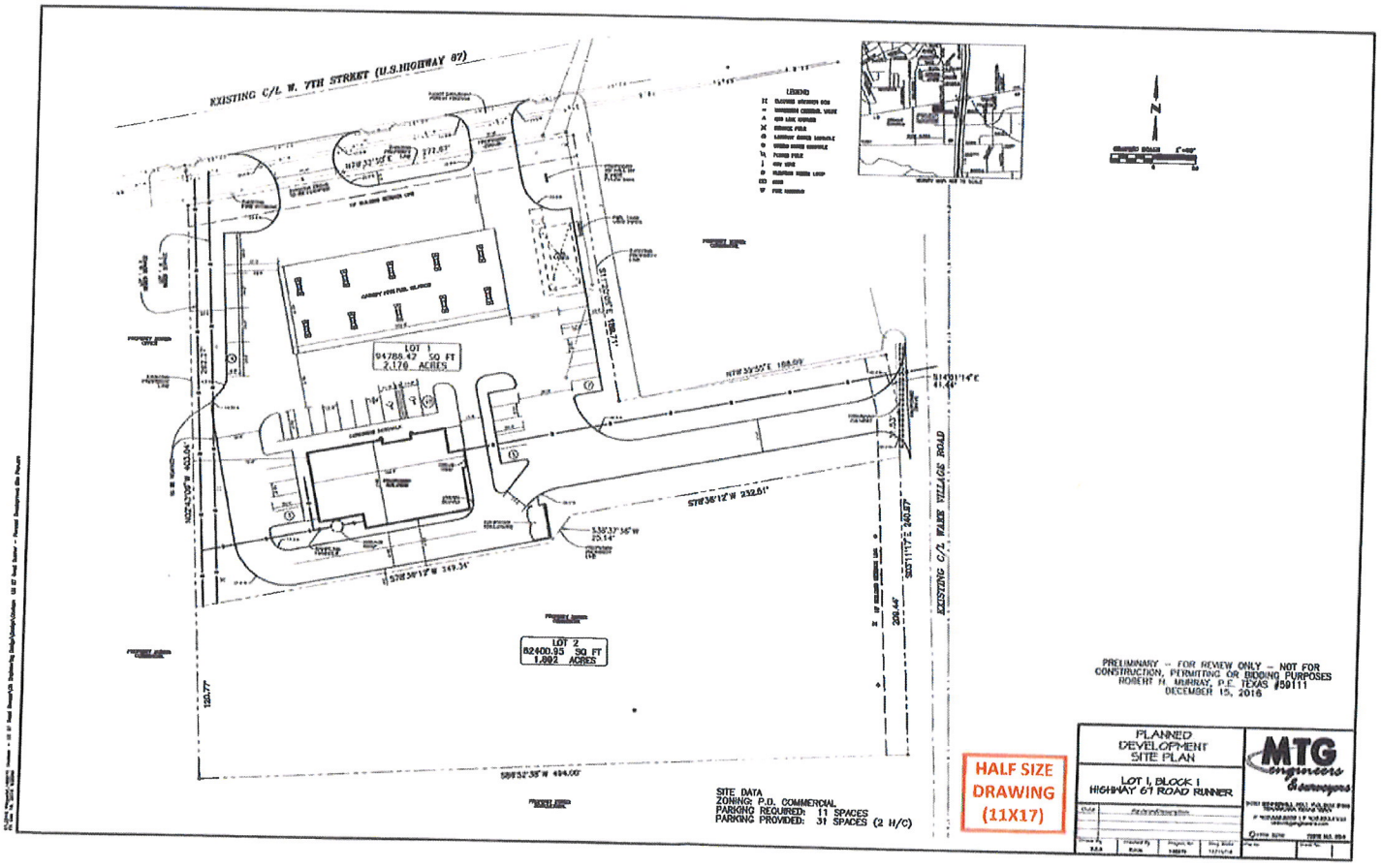
Fuel Canopy - Side Elevation

Attachment: 2017-008 ATTH 05 Fuel canopy elevations (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)

Attachment: 2017-008 ATTH 06 Aerial site plan (1593 : 2017-008 ORD site plan approval at 4603 West 7th

Attachment: 2017-008 ATTH 07 Pylon Sign (1593 : 2017-008 ORD site plan approval at 4603 West 7th

EXHIBIT 'A'



Attachment: 2017-008 EXH 'A' Site plan (1593 : 2017-008 ORD site plan approval at 4603 West 7th 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: 2017-008 ORD Goals & Perspectives (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 2/14/2017 1:11 PM

Lead Department:	Planning and Community Development	**Action Officer:**	Debbie Burk,		
Subject:	Ordinance No. 2017-009 revoking Specific Use Permit No. S-499 that permitted the location of the outdoor display of an above ground pool business on an approximate 0.637 acre tract of land in the Thomas Price HRS, A-466, located at 3314 New Boston Road. City of Texarkana, Texas, applicant.				
Briefing: 2/13/2017	**Public Hearing:** 2/13/2017	**Second Briefing:**	February 27, 2017	**Council Vote:**	3/13/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by the City of Texarkana, Texas to revoke Specific Use Permit No. S-499 that permitted the location of outdoor display of an above ground pool business on an approximate 0.637 acre tract in the Thomas Price HRS, A-466, located at 3314 New Boston Road.

The adjacent zoning is SF-2 to the north and east and General Retail to the south and west. The adjacent land usage is residences to the north and east, a vacant lot and car wash to the south and a convenience store to the west.

The Comprehensive Plan has designated this as a retail area.

The swimming pool business no longer exists at this location at 3314 New Boston Road. Specific Use Permit No. S-499 was originally approved on December 13, 1999 to allow the outdoor display of pools in this General Retail zoning district. A new Specific Use Permit No. S-674 that allows an outdoor automobile sales lot at this location was recently approved by the Planning and Zoning Commission and City Council by Ordinance No. 2016-140 which was adopted and approved by the Council on December 12, 2016.

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Since the pool business is no longer operating at this location and another Specific Use Permit has been approved at this location for a new business, staff recommends that Specific Use Permit S-499 be revoked.

City of Texarkana, Texas

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended to revoke Specific Use Permit No. S-499.

Advisory Board/Committee Meeting Date and Minutes:

January 3, 2017

Attachments

a. 2017-009 ORD revoking S-499 at 3314 New Boston Road (PDF)
b. 2017-009 ORD Revoking S-499 at 3314 NBR signed (PDF)
c. 2017-009 ATTH 01 Maps (PDF)
d. 2017-009 EXH 'A' Lot Description (PDF)
e. 2017-009 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	Completed	David Orr 01/18/2017 11:50 AM	Department Head Review	
Deputy City Manager - Shirley Jaster Review	Completed	Shirley Jaster 01/18/2017 4:52 PM	Assistant City Manager	
Public Information Officer	01/18/2017 8:38 PM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	01/19/2017 2:48 PM
City Council	Jennifer Evans	Meeting	Completed	01/23/2017 6:00 PM

Meeting History

01/23/17	City Council	MOVED FORWARD	Next: 02/13/17

Revoke S-499

ORDINANCE NO. 2017-009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, REVOKING SPECIFIC USE PERMIT NO. S-499 THAT PERMITTED THE LOCATION OF THE OUTDOOR DISPLAY OF AN ABOVE GROUND POOL BUSINESS ON AN APPROXIMATE 0.637 ACRE TRACT OF LAND LOCATED IN THE THOMAS PRICE HRS, A-466, LOCATED AT 3314 NEW BOSTON ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, by Ordinance No. 448-09, dated December 13, 1999, the City Council approved the issuance of Specific Use Permit No. S-499 that permitted the location of the outdoor display of an above ground pool business on an approximate 0.637 acre tract of land located in the Thomas Price HRS, A-466 **(Exhibit "A"),** located at 3314 New Boston Road in the City of Texarkana, Bowie County, Texas; and

WHEREAS, said Ordinance imposed several special terms and conditions including one that if the use approved under said Ordinance ever ceases at that location the City may revoke the specific use permit granted thereunder for a tattoo studio; and

WHEREAS, the City has determined that the outdoor display of an above ground pool business for which Specific Use Permit No. S-499 was issued is no longer in business at 3314 New Boston Road and that the premises at 3314 New Boston Road are not being used for such business; and

WHEREAS, after consideration of said application and the recommendation by city staff and the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby determine that the use as the location of the outdoor display of an above ground pool business for which the Council granted Specific Use Permit No. S-499 under Ordinance No. 448-09 has ceased and that, given such cessation, Specific Use Permit No.S-499 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:

SECTION 1: That Specific Use Permit No. S-499 permitting the location of the outdoor display of an above ground pool business on an approximate 0.637 acre tract of land located in the Thomas Price HRS, A-466 **(Exhibit "A")**, located at 3314 New Boston Road 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.

Attachment: 2017-009 ORD revoking S-499 at 3314 New Boston Road [Revision 2] (1594 : 2017-009 ORD revoking specific use permit at 3314

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 **13th day of March, 2017.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-009 ORD revoking S-499 at 3314 New Boston Road [Revision 2] (1594 : 2017-009 ORD revoking specific use permit at 3314

EXHIBIT 'A'

All that certain lot, tract or parcel of land situated in the County of Bowie, State of Texas, being 3/4 acre, more or less, situated about one-half mile West of the City of Texarkana, Texas, on New Boston Highway and being a part of the THOMAS PRICE H. R. SURVEY, and a part of a certain ten (10) acre tract heretofore sold by G. W. Ragland to Frank Hawkins as per deed of record in Vol. 121, Page 557 of the Deed Records of Bowie County, Texas, and described by metes and bounds as follows:

BEGINNING at a stake at the intersection of the North boundary line of the said ten acre tract with the North boundary line of the concrete Highway designated as State Highway No. 5;
THENCE East with the North boundary line of said ten acre tract two hundred ninety-eight (298) feet to a stake;
THENCE South to a stake on line of Highway No. 5;
THENCE Northwest with line of Highway No. 5 to place of beginning,
CONTAINING three-fourths (3/4) of an acre.

SAVE AND EXCEPT that portion of the above described property conveyed to the State of Texas for right-of-way purposes.

Attachment: 2017-009 ORD revoking S-499 at 3314 New Boston Road [Revision 2] (1594 : 2017-009 ORD revoking specific use permit at 3314

Revoke S-499

ORDINANCE NO. 2017-009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, REVOKING SPECIFIC USE PERMIT NO. S-499 THAT PERMITTED THE LOCATION OF THE OUTDOOR DISPLAY OF AN ABOVE GROUND POOL BUSINESS ON AN APPROXIMATE 0.637 ACRE TRACT OF LAND LOCATED IN THE THOMAS PRICE HRS, A-466, LOCATED AT 3314 NEW BOSTON ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

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Attachment: 2017-009 ORD Revoking S-499 at 3314 NBR signed (1594 : 2017-009 ORD revoking specific use permit at 3314 New Boston Road)

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 **13th day of Febraury, 2017.**

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-009 ORD Revoking S-499 at 3314 NBR signed (1594 : 2017-009 ORD revoking specific use permit at 3314 New Boston Road)

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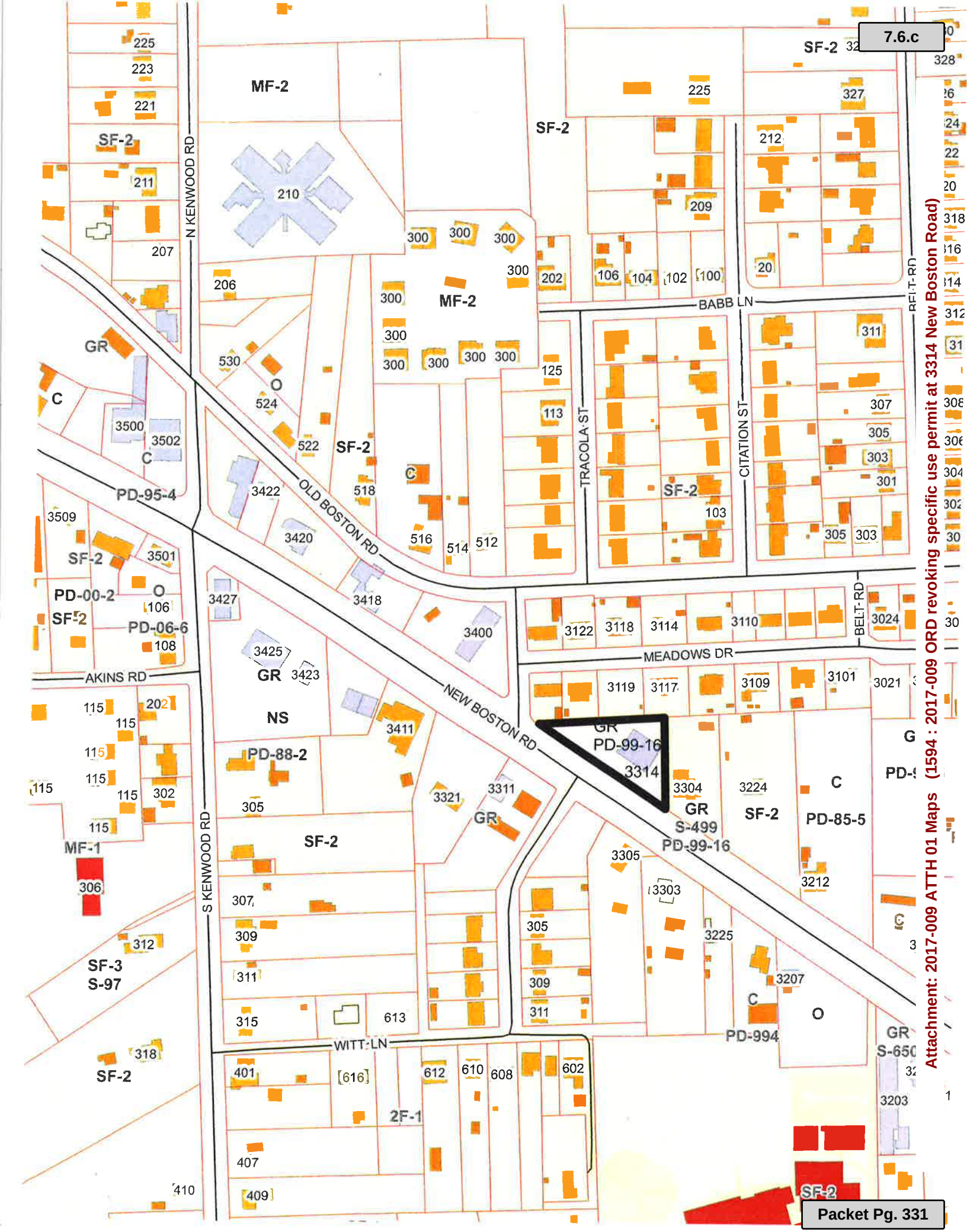
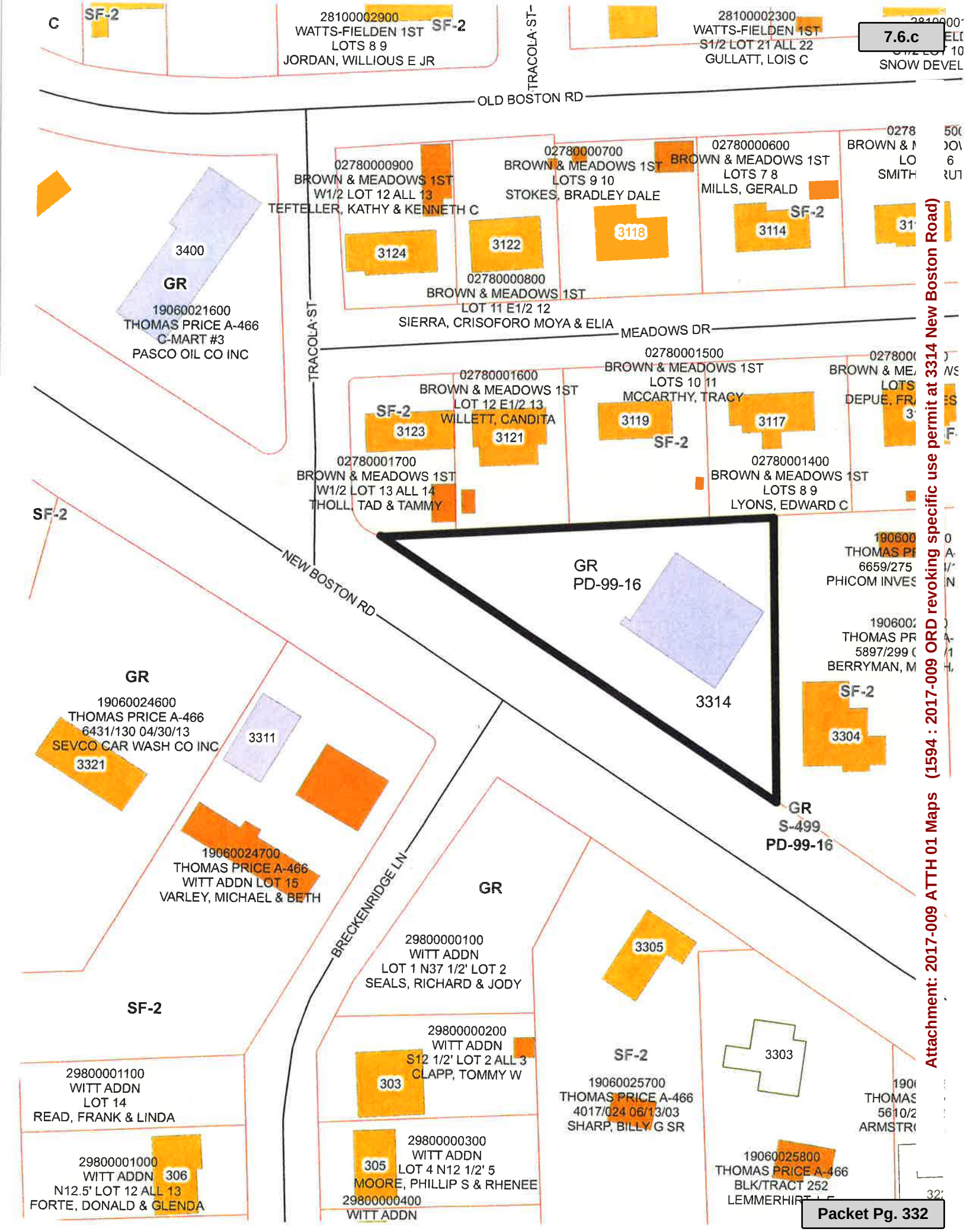


Attachment: 2017-009 ATTH 01 Maps (1594 : 2017-009 ORD revoking specific use permit at 3314 New Boston Road)


7.6.c
SF-2
28100002900
WATTS-FIELDEN 1ST
LOTS 8 9
JORDAN, WILLIOUS E JR
TRACOLA ST
28100002300
WATTS-FIELDEN 1ST
S1/2 LOT 21 ALL 22
GULLATT, LOIS C
SNOW DEVEL
OLD BOSTON RD
02780000900
BROWN & MEADOWS 1ST
W1/2 LOT 12 ALL 13
TEFTELLER, KATHY & KENNETH C
02780000700
BROWN & MEADOWS 1ST
LOTS 9 10
STOKES, BRADLEY DALE
02780000600
BROWN & MEADOWS 1ST
LOTS 7 8
MILLS, GERALD
BROWN & M
LO
SMITH
3400
GR
19060021600
THOMAS PRICE A-466
C-MART #3
PASCO OIL CO INC
3124
3122
3118
3114
02780000800
BROWN & MEADOWS 1ST
LOT 11 E1/2 12
SIERRA, CRISOFORO MOYA & ELIA
TRACOLA ST
MEADOWS DR
02780001600
BROWN & MEADOWS 1ST
LOT 12 E1/2 13
WILLETT, CANDITA
02780001500
BROWN & MEADOWS 1ST
LOTS 10 11
MCCARTHY, TRACY
BROWN & ME
LOTS
DEPUE, FR
SF-2
3123
3121
3119
3117
02780001700
BROWN & MEADOWS 1ST
W1/2 LOT 13 ALL 14
THOLL, TAD & TAMMY
02780001400
BROWN & MEADOWS 1ST
LOTS 8 9
LYONS, EDWARD C
SF-2
NEW BOSTON RD
GR
PD-99-16
3314
THOMAS PR
6659/275
PHICOM INVES
THOMAS PR
5897/299
BERRYMAN, M
GR
19060024600
THOMAS PRICE A-466
6431/130 04/30/13
SEVCO CAR WASH CO INC
3321
3311
SF-2
3304
GR
S-499
PD-99-16
19060024700
THOMAS PRICE A-466
WITT ADDN LOT 15
VARLEY, MICHAEL & BETH
BRECKENRIDGE LN
GR
29800000100
WITT ADDN
LOT 1 N37 1/2' LOT 2
SEALS, RICHARD & JODY
3305
SF-2
29800000200
WITT ADDN
S12 1/2' LOT 2 ALL 3
CLAPP, TOMMY W
303
SF-2
19060025700
THOMAS PRICE A-466
4017/024 06/13/03
SHARP, BILLY G SR
3303
29800001100
WITT ADDN
LOT 14
READ, FRANK & LINDA
29800001000
WITT ADDN
N12.5' LOT 12 ALL 13
FORTE, DONALD & GLENDA
306
305
29800000300
WITT ADDN
LOT 4 N12 1/2' 5
MOORE, PHILLIP S & RHENEE
29800000400
WITT ADDN
19060025800
THOMAS PRICE A-466
BLK/TRACT 252
LEMMERHIRT
Attachment: 2017-009 ATTH 01 Maps (1594 : 2017-009 ORD revoking specific use permit at 3314 New Boston Road)
Packet Pg. 332

Attachment: 2017-009 ATTH 01 Maps (1594 : 2017-009 ORD revoking specific use permit at 3314 New Boston Road)

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CONTAINING three-fourths (3/4) of an acre.

SAVE AND EXCEPT that portion of the above described property conveyed to the State of Texas for right-of-way purposes.

Attachment: 2017-009 EXH 'A' Lot Description (1594 : 2017-009 ORD revoking specific use permit at 3314 New Boston 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: 2017-009 Goals & Perspectives (1594 : 2017-009 ORD revoking specific use permit at 3314 New Boston Road)

CITY OF TEXARKANA

CITY COUNCIL

MINUTES • JANUARY 23, 2017

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

220 TEXAS BLVD.
TEXARKANA, TX 75501

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

Attendee Name	Title	Status	Arrived
Bob Bruggeman	Mayor	Present	
Jean H. Matlock	Ward 1	Present	
Willie Ray	Ward 2	Present	
Betty Williams	Ward 3	Present	
Brian Matthews	Ward 4	Present	
Christy P. Paddock	Ward 5	Present	
Josh Davis	Ward 6	Present	

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

Legal Counsel: Jeff Lewis

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER CHRISTY PADDOCK

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, February 13, 2017 at 6:00 p.m.
Monday, February 27, 2017 at 6:00 p.m.

Parks & Recreation Events:

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

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

Mayor Bruggeman welcomed a Texas High School student from Mr. Littman's government class to the meeting.

Mayor Bruggeman congratulated Council Member Matthews for his well written article in this past Sunday's Texarkana Gazette on the subject of "Entrepreneurs".

Presentation - Update on Live United Bowl

Allen & Shelby Brown and Jerry and Vicki Huckabee thanked the council for its support of the Live United Bowl and presented the city with a commemorative coin.

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:	Christy P. Paddock, Ward 5
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on January 9, 2017 at 6:00 PM.

   Withdrawal of Consideration for Ward 3 Appointment - Johnny Riley

2. Consider approval of the minutes of the Joint City Committee Special Meeting of the City Council held on January 10, 2017 at 3:00 PM.

Action Items - None

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

VI. FIRST BRIEFINGS

1. Ordinance No. 2017-007 amending PD-85-1(GR) for site plan approval on a 1.781 acre tract of land being all of Tracts 5 and 5A in the Mary E. Willis Subdivision (proposed Lot 1, Richmond Road Runner Subdivision), located at 1632 Richmond Road. John D. Harris, applicant. MTG Engineers and Surveyors, agent.

   Public Hearing: February 13, 2017
   Second Briefing: February 27, 2017
   Council Vote: March 13, 2017

   David Orr briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 2/13/2017 6:00 PM**

2. Ordinance No. 2017-008 amending PD-99-9(C) for site plan approval on a 2.176 acre tract of land being part of Tract 339B in the Nancy Dycus HRS, A-145 (proposed Lot 1, Highway 67 Road Runner Subdivision), located at 4603 West 7th Street. John D. Harris, applicant. MTG Engineers and Surveyors, agent.

   Public Hearing: February 13, 2017
   Second Briefing: February 27, 2017
   Council Vote: March 13, 2017

   David Orr briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 2/13/2017 6:00 PM**

3. Ordinance No. 2017-009 revoking Specific Use Permit No. S-499 that permitted the location of the outdoor display of an above ground pool business on an approximate 0.637 acre tract of land in the Thomas Price HRS, A-466, located at 3314 New Boston Road. City of Texarkana, Texas, applicant.

   Public Hearing: February 13, 2017
   Second Briefing: February 27, 2017
   Council Vote: March 13, 2017

   David Orr briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 2/13/2017 6:00 PM**

VII. PUBLIC HEARINGS

1. Motion to move Resolution No. 2017-002 up for council vote.

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

(6:20 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Willie Ray, Ward 2
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

2. Resolution No. 2017-002 designating the portion of West 3rd Street, from Oak Street to Main Street, as "Scott Joplin Way" to coincide with 2017 planned centennial celebrations honoring Scott Joplin.

   Public Hearing: January 23, 2017
   Second Briefing: February 13, 2017
   Council Vote: February 27, 2017

   The resolution was adopted with the following amendment: "That the portion of the West 3rd Street corridor from Oak Street to State Line Avenue be officially designated as **Scott Joplin Way**...." Carolyn Collins-Miles thanked council for granting the amendment and expediting the vote on this resolution.
   (6:21 p.m.)

RESULT:	**ADOPTED AS AMENDED [UNANIMOUS]**
MOVER:	Christy P. Paddock, Ward 5
SECONDER:	Willie Ray, Ward 2
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

3. Motion to move Resolution No. 2017-004 up for council vote.

   (6:24 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christy P. Paddock, Ward 5
SECONDER:	Brian Matthews, Ward 4
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

4. Resolution No. 2017-004 authorizing the City Manager to enter into a contract for the member cities ground storage tank repairs for Texarkana Water Utilities in an amount not to exceed $198,155.95.

   Public Hearing: January 23, 2017
   Second Briefing: February 13, 2017
   Council Vote: February 27, 2017

   There were no public comments made at this hearing.
   (6:24 p.m.)

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian Matthews, Ward 4
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

5. Motion to move Ordinance No. 2017-005 up for council vote.

(6:26 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian Matthews, Ward 4
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

6. Ordinance No. 2017-005 granting a Specific Use Permit for an in-home adult day care on the north 40' of Lot 7 and the south 1/2 of Lot 8, Block 14, Rochelle Heights Addition, located at 3700 Olive Street. Darlene Ndogo, applicant.

Public Hearing: January 23, 2017
Second Briefing: February 13, 2017
Council Vote: February 27, 2017

Darlene Ndogo thanked council for the expedited vote on this ordinance.
(6:26 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian Matthews, Ward 4
SECONDER:	Willie Ray, Ward 2
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

VIII. SECOND BRIEFING WITH UPDATES - NONE

IX. SECOND BRIEFING WITHOUT UPDATES - NONE

X. ITEMS FOR DISCUSSION

Staff Updates

City Manager Whitson announced promotions of the following staff:

Kyle Dooley - Deputy City Manager
Shirley Jaster - Deputy City Manager
Dustin Henslee - Public Works Director

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

Mashell Daniel - Director of Inspections
Keith Lee - Senior Building Official
Lisa Thompson - Communications and Marketing Manager

The two Deputy City Managers will oversee the daily operations of the city. Mr. Dooley will be responsible for operations pertaining to Parks & Wellness, Public Works, Fire Department and Police Department. Ms. Jaster will be responsible for development services pertaining to Inspections Department, Planning & Community Development, and Municipal Court. Both Mr. Dooley & Ms. Jaster are enrolled in the Certified Public Managers program at University of Texas in Arlington.

The adjustment of various city staff will help to move the city forward and allow the City Manager to concentrate on other areas of city business such as, improving the city's bond rating, capital improvement plan projects, strategic planning and regional water issues. Mr. Whitson added that all 14 capital improvement plan projects are progressing and on schedule.

Council Member Paddock asked what are the financial implications with the staff reorganization. Mr. Whitson said costs were increased because of the raises but one position was eliminated in the Public Works Department with the promotion of Mashell Daniel. There was a net increase within the various budgets but not very significant.

Council Member Davis requested a written total cost of the financial implications associated with the staff reorganization. Mr. Whitson said he would provide the total costs to the council in one document.

Mayor Bruggeman thanked Mr. Whitson for his forward thinking and preparing city employees for the future.

XI. ADMINISTRATIVE COMMENTS

1. City Council

   Mayor Bruggeman said he noticed construction underway for the new gateway welcome sign. Council will be looking forward to that project completion. Mayor Bruggeman welcomed Council Member Williams to her first full city council meeting as the newest member of the council.

2. City Staff

   Mr. Whitson reminded everyone that the retirement farewell for Lynn Henry is scheduled for Monday, January 30th at 3:00 p.m. The festivities will be held on the second floor outside of the council chambers.

XII. ADJOURNMENT

A motion was made to adjourn the meeting.
(6:39 p.m.)

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Willie Ray, Ward 2
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/2/2017 8:46 AM

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

Subject: Consider approval of the minutes of the Special Joint Meeting of the City Council, Riverbend Water Resources District, and Sulphur River Basin Authority held on January 10, 2017 at 6:00 PM.

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Potential Options:

- None
-

Fiscal Implications:

None

Staff Recommendation:

To accept the minutes as presented.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. RWRD-SRBA-CityofTexarkana_Joint Meeting_01102017_MINUTES (RTF)

MINUTES

SPECIAL JOINT MEETING
CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS

BOARD OF DIRECTORS OF THE SULPHUR RIVER BASIN AUTHORITY

BOARD OF DIRECTORS OF THE RIVERBEND WATER RESOURCES DISTRICT

TUESDAY, JANUARY 10, 2017
6:00 P.M.

TEXARKANA CONVENTION CENTER
BALLROOM B
2910 SOUTH COWHORN CREEK LOOP
TEXARKANA, TX 75503

I. CALL TO ORDER, ROLL CALL, & INTRODUCTIONS - Mayor Bob Bruggeman, Marshall Wood, Presiding Officer of SRBA (absent), and Steve Mayo, respectively, for each entity.

City Council Present:	Bob Bruggeman, Mayor Jean Matlock, Ward 1 Betty Williams, Ward 3 Dr. Brian Matthews, Ward 4 Christy Paddock, Ward 5 Josh Davis, Ward 6
Staff Present:	City Manager John Whitson Jennifer Evans Rea Donna Jones
Legal Counsel Present:	Jeff Lewis

II. INVOCATION – Council Member Dr. Brian Matthews

Attachment: RWRD-SRBA-CityofTexarkana_Joint Meeting_01102017_MINUTES (1600 : Joint City Meeting SRBA/RWRD Minutes 011017)

III. ITEMS OF DISCUSSION

A. ***A History of Leading Up to the Joint Meeting – Steve Mayo***

Mr. Mayo provided an overview of events leading up to the joint meeting. Currently, all the Bowie County cities have good inter-relationships and are stronger as they work together.

B. ***What is Being Done Right Now Affecting Lake Wright Patman and the Sulphur River Basin and What Are Our Mutual Goals? – Liz Fazio Hale***

Discussion of the current state of Water Planning in Sulphur River Basin, including:

1. Status Update on Reallocation of Lake Wright Patman.

    a. 2016 Region D Plan – The state of Texas undertakes water planning on a cyclical basis every five years through a bottom-up process through 16 regions across the state that incorporate local water supply and demands. Texas' population is expected to increase more than 70 percent between 2020 and 2070. In 2020, there is a potential water shortage of 4.8 million acre-feet per year and in 2070 a shortfall of 8.9 million acre-feet per year in drought of record conditions.
    b. 2017 State Water Plan – The 2017 State Water Plan identifies more than 2,500 water management strategy projects that would provide additional water supply needed to meet this future demand. The cost for implementing the 2017 State Water Plan is $63 billion. Each of these projects is to be implemented at the regional level by local entities.
    c. Mediation Agreement between Regions C and D – The state placed a moratorium on funding any projects in Region C or D because of a conflict in the state water plan related to the Marvin Nichols resovoir. The mediation agreement ended pushing that resovoir off until 2070. Region C agreed to support Region D on looking for funds as an alterntive to the Marvin Nichols resovoir. Additionally, Region D agreed, as an entity, to not object to the status of Marvin Nichols as a state designated resovoir location. Reaching this agreement has enabled both regions to be eligible to receive funding.

2. Status Update of Sulphur River Basin Feasibility Study, including the current scope of the study, studies conducted/current findings, funding, and timeline of completion. – It was believed that the original scope of the feasibility study was to identify all available water to meet the needs of Region C going forward. It has since been narrowed to focus on reallocation with Lake Wright Patman. Information is continually being sought from the Corps of Engineers and the Sulphur River Basin Authority to more specifically define and detail the scope of the study. Funding for the feasibility study is currently through the metroplex and an entity known as the Joint Commission on Planning and Development (JCPD). The timeline for completion has not been met (three years) and therefore an extension is being sought.

Attachment: RWRD-SRBA-CityofTexarkana_Joint Meeting_01102017_MINUTES (1600 : Joint City Meeting SRBA/RWRD Minutes 011017)

3. Status Update on Regional Water Master Plan. – In 2016, Riverbend undertook to develop an extensive Regional Water Master Plan that quantifies this region's actual water demand and supply through population projections, municipal and industrial demands for potable and raw water, agricultural demands, and environmental flow demands. This data is designed to feed directly into the regional water planning process for inclusion in the State Water Plan.

C. ***How Can We Be Partners Regarding Lake Wright Patman Studies, Better Communicating With One Another and Combining Efforts? - Panel***

Discussions are moving forward with all entities working together as partners in a collaborative and communicative manner to protect and manage regional water resources, including identifying any opportunities to do joint studies, projects, etc. Meetings continue with the local area mayors. These meetings help to foster trust and keep all cities moving in the same direction. Riverbend is continuing to move forward with its goal of protecting Wright Patman's water rights.

IV. PUBLIC COMMENTS

1. George Frost, Region D Water Board Vice Chairman, made comments.
2. Gabe Tarr, TexAmericas Board Member, made comments.
3. Michael Green, 17 year resident in Texarkana area, made comments.
4. Charlene Granbury, Cass County resident, made comments.
5. Sarah Whitaker, representative of International Paper, made comments.
6. Baker Bledsoe, Cass County resident, made comments.
7. Nancy Clements, Cass County resident, made comments.

V. NEXT MEETING

Riverbend Water Resources District will host a town hall meeting on Tuesday, January 31, 2017 at 6:00 p.m. at the Texarkana Convention Center, 2910 So. Cowhorn Creek Loop, Texarkana, Texas. Guest Speaker will be Susan Roth. Topic of discussion for this public input session is "Regional Master Water Plan".

VI. ADJOURNMENT

Motion made by: Jean Matlock, Ward 1
Second made by: Dr. Brian Matthews, Ward 4

The meeting was adjourned at 7:53 p.m.

Attachment: RWRD-SRBA-CityofTexarkana_Joint Meeting_01102017_MINUTES (1600 : Joint City Meeting SRBA/RWRD Minutes 011017)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/14/2017 1:22 PM

Lead Department: Police **Action Officer:** Kevin Schutte,

Subject: Ordinance No. 2017-015 amending Ordinance No. 2016-086 concerning the fiscal year 2016-17 budget to allow for non-expended funds from the FY2015 Edward Byrne Memorial Justice Assistance Grant in the amount totaling $14,005.42.

	Public	Second	Council
Briefing: 2/13/2017	**Hearing:**	**Briefing:**	**Vote:** 2/13/2017

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The police department applied for and received the FY2015 Edward Byrne Memorial Justice Assistance Grant. Those funds were allocated for the FY2016 City of Texarkana Texas budget. All funds awarded were expended with the exception of $14,005.42 due to product availability issues. At this time, the product is available for purchase. The police department is requesting to move the non-expended $14,005.42 to the Law Enforcement Block Grant Fund (217) of the FY 2017 City of Texarkana Texas Budget.

Potential Options:

- NONE
-

Fiscal Implications:

Increase of $14,005.42 of non-expended FY2016 grant funds allocated to FY2017 Budget

Staff Recommendation:

Staff recommends pulling the non-expended funds forward and allocating the funds to FY2017 Budget.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2017-015 ORD FY2017 Budget Amendment (DOC)
b. 2017-015 ORD FY2017 budget amendment signed (PDF)
c. 2017-015 Goals & Perspectives (DOCX)

Staff Coordination

Police	Dan Shiner	Department Head Review	Completed	02/07/2017 3:30 PM
Purchasing and Contracting	Sharon Moore	Purchasing Review	Completed	02/07/2017 3:35 PM
Finance Department	Kristin Peeples	Finance Review	Completed	02/08/2017 8:04 AM
Deputy City Manager - Shirley Jaster Review	Shirley Jaster	Deputy City Manager	Completed	02/08/2017 8:39 AM
Deputy City Manager - Kyle Dooley Review	Kyle Dooley	Deputy City Manager	Completed	02/08/2017 11:18 AM
Public Information Officer	Lisa Thompson	PIO Review	Completed	02/08/2017 12:00 PM
City Manager	John Whitson	City Manager Review	Completed	02/08/2017 3:02 PM
City Council	Jennifer Evans	Meeting	Completed	02/13/2017 6:00 PM

Meeting History

ORDINANCE NO. 2017 - 015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGET EXPENDITURES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017 TO APPROPRIATE ADDITIONAL GRANT FUNDING IN THE AMOUNT OF FOURTEEN THOUSAND FIVE DOLLARS AND FORTY-TWO CENTS ($14,005.42) BEING NON-EXPENDED GRANT FUNDS ALLOCATED FOR THE FY2016 BUDGET; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the police department did not expend all of the Edward Byrne Memorial Justice Assistance Grant funds allocated in the FY 2016 budget; and

WHEREAS, the non-expended funds in the amount of **FOURTEEN THOUSAND FIVE DOLLARS AND FORTY-TWO CENTS ($14,005.42)** must be pulled forward and allocated to the Law Enforcement Block Grant Fund (217) of the FY2017 budget; and

WHEREAS, the budget for the fiscal year ending September 30, 2017 should be amended to reflect the allocation of said non-expended funds.

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

SECTION 1: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2016 and ending September 30, 2017, be amended to reflect additional expenditures with the addition of **FOURTEEN THOUSAND FIVE DOLLARS AND FORTY-TWO CENTS ($14,005.42)** of non-expended FY 2016 grant funds.

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of February, 2017**.

ATTEST:

_____ _____

VICKY COOPWOOD, ASST. CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-015 ORD FY2017 Budget Amendment [Revision 2] (1602 : 2017-015 ORD Amending FY2017 Police Department Budget)

ORDINANCE NO. 2017 - 015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGET EXPENDITURES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017 TO APPROPRIATE ADDITIONAL GRANT FUNDING IN THE AMOUNT OF FOURTEEN THOUSAND FIVE DOLLARS AND FORTY-TWO CENTS ($14,005.42) BEING NON-EXPENDED GRANT FUNDS ALLOCATED FOR THE FY2016 BUDGET; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the police department did not expend all of the Edward Byrne Memorial Justice Assistance Grant funds allocated in the FY 2016 budget; and

WHEREAS, the non-expended funds in the amount of **FOURTEEN THOUSAND FIVE DOLLARS AND FORTY-TWO CENTS ($14,005.42)** must be pulled forward and allocated to the Law Enforcement Block Grant Fund (217) of the FY2017 budget; and

WHEREAS, the budget for the fiscal year ending September 30, 2017 should be amended to reflect the allocation of said non-expended funds.

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

SECTION 1: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2016 and ending September 30, 2017, be amended to reflect additional expenditures with the addition of **FOURTEEN THOUSAND FIVE DOLLARS AND FORTY-TWO CENTS ($14,005.42)** of non-expended FY 2016 grant funds.

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of February, 2017**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-015 ORD FY2017 budget amendment signed (1602 : 2017-015 ORD Amending FY2017 Police Department Budget)

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: 2017-015 Goals & Perspectives (1602 : 2017-015 ORD Amending FY2017 Police Department Budget)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/20/2017 10:59 AM

Lead Department: Water Utilities **Action Officer:** Gary Smith,

Subject: Resolution No. 2017-010 authorizing the City Manager to enter into a contract with Mid-Continental Restoration Company, Inc. in an amount not to exceed Ninety-Nine Thousand Nine Hundred Seventy Dollars ($99,970.00) for the Millwood Water Treatment Plant settling basin concrete repairs.

	Public	Second	Council
Briefing: 3/27/2017	**Hearing:** 2/27/2017	**Briefing:** March 13, 2017	**Vote:** 3/27/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Bids were received Tuesday, January 24, 2017 for the Millwood Water Treatment Plant (WTP) Settling Basin Concrete Repairs Project. Six (6) contractors picked up bid packages for the project and two bids were received. Mid-Continental Restoration Company, Inc of Fort Worth, Texas was the apparent low bidder with a low bid of $99,970.00. Funds are available for this project in the Utility's 2016-2017 Budget in the Millwood Depreciation Fund. The project will consist of repairing several areas of deteriorated concrete and cracks on the settling basins at our Millwood WTP in Ashdown, Arkansas. There will be a total of 540 linear feet of crack sealant and 136 square feet of spalled area repairs. Mid-Continental Restoration Company, Inc has satisfactorily completed several jobs for the Utility including the Wright Patman North Clearwell Concrete Repairs and the Wright Patman WTP Settling Basin Crack Repairs.

Potential Options:

- None

Fiscal Implications:

This project will repair several areas of spalled/deteriorated concrete and cracks on the settling basins at the Millwood WTP in Ashdown, Arkansas. The repairs will not only help extend the life of the basins, but will help improve the functioning of the water treatment plant. Funds are available in the Millwood Depreciation Fund. The Texas portion of this project is $62,611.21.

Staff Recommendation:

Utility staff recommends approval.

Advisory Board/Committee Review:
NONE

Board/Committee Recommendation:
NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:
NOT APPLICABLE

Attachments

a. 2017-010 RES Millwood WTP Settling Basin Repairs (DOCX)
b. 2017-010 ATTH01 Millwood WTP Basin Repairs (DOC)
c. 2017-010 ATTH02 Millwood WTP Basin Repairs (PDF)
d. 2017-010 Goals & Perspectives (DOCX)

Staff Coordination

Water Utilities	Gary Smith	Department Head Review	Completed	02/01/2017 10:02 AM
Water Utilities	Jim Cornelius	Review	Completed	02/01/2017 10:09 AM
Water Utilities	JD Phillips	Review	Completed	02/01/2017 10:14 AM
Public Information Officer	Lisa Thompson	PIO Review	Completed	02/01/2017 10:19 AM
City Manager	John Whitson	City Manager Review	Completed	02/05/2017 4:45 PM
City Council	Jennifer Evans	Meeting	Completed	02/13/2017 6:00 PM

Meeting History

RESOLUTION NO. 2017-010

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 MID-CONTINENTAL RESTORATION COMPANY, INC. OF FORT WORTH, TEXAS FOR THE MILLWOOD WTP SETTLING BASIN CONCRETE REPAIRS, IN AN AMOUNT WITH THE TEXAS PORTION NOT TO EXCEED SIXTY TWO THOUSAND SIX HUNDRED ELEVEN AND 21/100 DOLLARS ($62,611.21) AND THE TOTAL AMOUNT NOT TO EXCEED NINETY NINE THOUSAND NINE HUNDRED SEVENTY AND 00/100 DOLLARS ($99,970.00); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on January 24, 2017, two (2) bids were received, a copy of which is attached hereto as **ATTH01**, by Texarkana Water Utilities for the Millwood WTP – Settling Basin Concrete Repairs Project which will consist of repairing several areas of deteriorated concrete and cracks on the settling basins at the Millwood Water Treatment Plant in Ashdown, Arkansas; and

WHEREAS, the project will consist of repairing approximately 540 linear feet of cracks and 136 square feet of spalled/deteriorated concrete and related appurtenances; and

WHEREAS, the lowest and best bid by a responsible vendor for this project was submitted by Mid-Continental Restoration Company, Inc. of Fort Worth, Texas, a copy of which is attached hereto as **ATTH02** in an amount not to exceed $99,970; and

WHEREAS, funds are currently available in the Texarkana Water Utilities 2015-2016 Budget in the Millwood Depreciation Fund in the amount of $99,970 with the Texas portion being $62,611.21.

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 Mid-Continental Restoration Company, Inc. of Fort Worth, Texas, a copy of which is attached hereto as **ATTH02** be and is hereby approved in an amount with the Texas portion not to exceed $62,611.21 and the total amount not to exceed $99,970.00 for the installation of approximately 540 linear feet of crack repair and 136 square feet of spalled/deteriorated concrete repair and related appurtenances for the Millwood WTP – Settling Basin Concrete Repairs.

SECTION 2: That the City Manager be and is authorized to contract with Mid-Continental Restoration Company, Inc. of Fort Worth, 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 **27th day of March, 2017**.

_____ JENNIFER EVANS, CITY SECRETARY

_____ BOB BRUGGEMAN, MAYOR

Attachment: 2017-010 RES Millwood WTP Settling Basin Repairs [Revision 1] (1595 : 2017-010 RES Millwood WTP settling basin concrete

2017-010 ATTH01

Bid Tabulation

MILLWOOD WTP
SETLLING BASIN CONCRETE REPAIRS
Project 61/62-000-135112-A/T131620

2:00 P.M. Tuesday, January 24, 2017

	Base Bid
1. Mid-Continental Restoration Co., Inc. Fort Worth, Texas	$ 99,970.00
2. J R Pope Company, Inc. Texarkana, Texas	$198,975.00
3. H & H Concrete Texarkana, Arkansas	No Bid
4. TEC, Inc. Texarkana, Texas	No Bid
5. Champion Coating, Inc. Savage, Minnesota	No Bid
6. Heritage Constructors, Inc. Texarkana, Texas	No Bid

Time First Bid Opened: 2:00 P.M.

Number of Bidders: Two

Apparent Low Bidder: Mid-Continental Restoration Co., Inc.

BIDTAB

Attachment: 2017-010 ATTH01 Millwood WTP Basin Repairs (1595 : 2017-010 RES Millwood WTP settling basin concrete repairs)

Bid Tabulation
MILLWOOD WTP
SETTLING BASIN CONCRETE REPAIRS

Project No. 61/62-000-135112-A/T131719
JANUARY 24, 2017 @ 2:00

BASE BID:							
				Mid-Continental Inc.		*J R Pope Company, Inc.*	
				Fort Worth, TX		*Texarkana, TX*	
Item	**Quantity**	**Unit**	**Description**	**Amount**	**Total**	**Amount**	**Total**
1	1	LS	Mobilization, Bonds, and Submittals	$22,500.00	$22,500.00	$20,000.00	$20,000.00
2	540	LF	Crack Repair	$97.00	$52,380.00	$300.00	$162,000.00
3	45	GAL	SikaFix HH LV	$74.00	$3,330.00	$75.00	$3,375.00
4	136	SF	Concrete Patch	$160.00	$21,760.00	$100.00	$13,600.00
			TOTAL BASE BID		**$99,970.00**		**$198,975.00**

Attachment: 2017-010 ATTH02 Millwood WTP Basin Repairs (1595 : 2017-010 RES Millwood WTP settling basin concrete repairs)

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: 2017-010 Goals & Perspectives (1595 : 2017-010 RES Millwood WTP settling basin concrete repairs)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 2/14/2017 1:19 PM

Lead Department: Fire Department **Action Officer:** Eric Schlotter, Fire Chief

Subject: Resolution No. 2017-011 approving the 2017 fiscal year Ark-Tex Council of Governments Homeland Security Grant submission to the Office of the Governor.

Briefing: 2/13/2017	**Public Hearing:**	**Second Briefing:**	**Council Vote:** 2/13/2017

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

The State of Texas through the Office of the Governor has provided grant opportunities for cities to enhance their operational capacity and safety in regard to acts of terrorism. The grant program is titled under Homeland Security and is administered by way of the local Council of Governments. The City of Texarkana has received many grants from this program in recent years. This year we have applied for ballistic vests to be carried on fire apparatus and a remote camera that can be used under doors and in confined spaces. The camera will be assigned to the Special Operations group with the police department. The ballistic vests will be used to protect firefighters who respond to dangerous situations where there is a need for our personnel to enter an unstable environment to provide emergency medical treatment.

Potential Options:

- List or "None"
-

Fiscal Implications:

The Homeland Security Grant is a 100% reimbursed grant and as such has no financial impact on the City.

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. 2017-011 Goals & Perspectives (DOCX)
b. 2017-011 RES Approving grant application to ARTEX signed (PDF)
c. 2017-011 RES Approving Grant Application to ARTEX (DOC)

Staff Coordination

Fire Department	Eric Schlotter 01/30/2017 4:01 PM	Department Head Review	Completed	
Deputy City Manager - Kyle Dooley	Kyle Dooley 01/31/2017 1:28 PM	Review	Completed	
Finance Department	Kristin Peeples	Finance Review	Completed	01/31/2017 1:54 PM
Deputy City Manager - Shirley Jaster Review	Shirley Jaster Completed 01/31/2017 3:28 PM	Assistant City Manager		
Public Information Officer	Lisa Thompson 01/31/2017 3:30 PM	PIO Review	Completed	
City Manager	John Whitson	City Manager Review	Completed	02/05/2017 4:48 PM
City Council	Jennifer Evans	Meeting	Completed	02/13/2017 6:00 PM

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2017-011 Goals & Perspectives (1596 : 2017-011 RES Approving Grant Application to ARTEX Council of Governments)

RESOLUTION NO. 2017 - 011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE FISCAL YEAR 2017 ARK-TEX COUNCIL OF GOVERNMENTS HOMELAND SECURITY GRANT PROJECT SUBMISSION TO THE OFFICE OF THE GOVERNOR; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council finds the First Responder Safety project to be operated from January 1, 2017 through September 30, 2017 to be in the best interest of the citizens of Texarkana; and

WHEREAS, the City Council agrees to return, in full, any grant funds lost or otherwise misused to the Office of the Governor; and

WHEREAS, the City Council designates Mayor Bob Bruggeman as the grantee's authorized official; and

WHEREAS, the authorized official is granted the authority to apply for, reject, alter or terminate the grant on behalf of the applicant agency.

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

SECTION 1: That the First Responder Safety Project submission to the Office of the Governor is approved.

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 **13th day of February, 2017**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-011 RES Approving grant application to ARTEX signed (1596 : 2017-011 RES Approving Grant Application to ARTEX Council

Attachment: 2017-011 RES Approving Grant Application to ARTEX [Revision 2] (1596 : 2017-011 RES Approving Grant Application to ARTEX

RESOLUTION NO. 2017 - 011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE FISCAL YEAR 2017 ARK-TEX COUNCIL OF GOVERNMENTS HOMELAND SECURITY GRANT PROJECT SUBMISSION TO THE OFFICE OF THE GOVERNOR; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council finds the First Responder Safety project to be operated from January 1, 2017 through September 30, 2017 to be in the best interest of the citizens of Texarkana; and

WHEREAS, the City Council agrees to return, in full, any grant funds lost or otherwise misused to the Office of the Governor; and

WHEREAS, the City Council designates Mayor Bob Bruggeman as the grantee's authorized official; and

WHEREAS, the authorized official is granted the authority to apply for, reject, alter or terminate the grant on behalf of the applicant agency.

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

SECTION 1: That the First Responder Safety Project submission to the Office of the Governor is approved.

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 **13th day of February, 2017**.

ATTEST:

_____ _____

VICKY COOPWOOD, ASST. CITY SECRETARY BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 3/3/2017 3:11 PM

Lead Department:	Planning and Community Development	**Action Officer:**	David Orr, Planning & Community Development Director
Subject:	Resolution No. 2017-013 authorizing support for a Texas Department of Housing and Community Affairs (TDHCA) housing tax credit development application for the "Residences at Texarkana".		

Briefing:	3/13/2017	**Public Hearing:**	2/27/2017	**Second Briefing:**	March 13, 2017	**Council Vote:**	3/27/2017

Item Schedule

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

Updates/History of Briefing:

None

Executive Summary and Background Information:

The City of Texarkana, Texas, has received requests for resolutions of support for the Texas Department of Housing and Community Affairs (TDHCA) 2017 Competitive 9% Housing Tax Credits Competition. The proposed developments include:

Heritage Pines located at 4015 New Boston Road application #17701
Residences at Texarkana located at 1521 Moores Lane application # 17703

Potential Options:

- None
-

Fiscal Implications:

None. Applicant is requesting in-kind support in the form of staff time.

Staff Recommendation:

The proposed Housing Tax Credit Application is not located within the City's designated revitalization areas, CDBG Consolidated Action Plan Target Areas or the Rosehill Community Revitalization Plan. Furthermore, the property will need to request rezoning for the proposed multi-family use and the process as not been initiated at this time. As a result, staff recommends issuing a resolution of no Support for this application.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2017-013 Goals & Perspectives (DOCX)
b. 2017-013 RES No Objection for Residences at Texarkana (DOCX)
c. 2017-013 RES Support for Residences at Texarkana (DOCX)
d. 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (PDF)
e. 2017-013 ATTH 02 Legal Descr - Moores Lane (DOCX)
f. 2017-013 ATTH 03 Map - Ward 6 (PDF)
g. 2017-013 ATTH 04 Moores ln site (JPG)
h. 2017-013 ATTH 05 TDHCA Applications Notification 2017 (PDF)
i. 2017-013 ATTH 07 Citizen Petition & e-mails (PDF)
j. 2017-013 ATTH 08 Residences at Texarkana withdrawal (MSG)
k. 2017-013 ATTH 06 Support Resolution info for Residences at Texarkana (MSG)

Staff Coordination

Planning and Community Development Review		David Orr Completed 02/01/2017 8:31 AM	Department Head Review	
Deputy City Manager - Shirley Jaster Review		Shirley Jaster Completed 02/01/2017 3:41 PM	Assistant City Manager	
Public Information Officer		Lisa Thompson 02/01/2017 3:45 PM	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	02/05/2017 4:53 PM
City Council	Jennifer Evans	Meeting	Completed	02/13/2017 6:00 PM

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	☐	Promote an Environmentally Sensitive & Livable Community
		Provide a Safe Community
	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: 2017-013 Goals & Perspectives (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at Texarkana)

RESOLUTION NO. 2017-013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, DECLARING NO OBJECTION FOR THE SUBMISSION OF AN APPLICATION TO THE 2017 COMPETITIVE HOUSING TAX CREDIT (HTC) PROGRAM THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) BY MOORES HOUSING PARTNERS, LTD., FOR THE PROJECT KNOWN AS "RESIDENCES AT TEXARKANA" LOCATED AT 1521 MOORES LANE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Moores Housing Partners, Ltd. has proposed a development for affordable rental housing at 1521 Moores Lane named "Residences at Texarkana" in the City of Texarkana, Texas; and

WHEREAS, Moores Housing Partners, Ltd. has communicated that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2017 Competitive 9% Housing Tax Credits for "Residences at Texarkana".

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

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 has no objection to the proposed "Residences at Texarkana" located at 1521 Moores Lane (TDHCA # 17703), confirms that its governing body has voted specifically to issue no objection to 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, 2017.

Section 3. In accordance with §11.9(d)(2) of the QAP, the city hereby commits to an in-kind contribution to the housing in the form of an in-kind contribution such as a grant or contribution of other value for the benefit of the housing.

Section 4. This support does not relinquish any procedures or rights the city might have in the rezoning process for the "Residences at Texarkana" property, nor does it alleviate any requirement of Moores Housing Partners, Ltd. to submit and follow all applicable applications, procedures and policies with the city and the Planning and Zoning Commission.

Attachment: 2017-013 RES No Objection for Residences at Texarkana (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Section 5. 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 6. 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 **27th day of March, 2017**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-013 RES No Objection for Residences at Texarkana (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Attachment: 2017-013 RES Support for Residences at Texarkana (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences

RESOLUTION NO. 2017-013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, SUPPORTING THE SUBMISSION OF AN APPLICATION TO THE 2017 COMPETITIVE HOUSING TAX CREDIT (HTC) PROGRAM THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) BY MOORES HOUSING PARTNERS, LTD., FOR THE PROJECT KNOWN AS "RESIDENCES AT TEXARKANA" LOCATED AT 1521 MOORES LANE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Moores Housing Partners, Ltd. has proposed a development for affordable rental housing at 1521 Moores Lane named "Residences at Texarkana" in the City of Texarkana, Texas; and

WHEREAS, Moores Housing Partners, Ltd. has communicated that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2017 Competitive 9% Housing Tax Credits for "Residences at Texarkana".

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

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 supports the proposed "Residences at Texarkana" located at 1521 Moores Lane (TDHCA # 17703), confirms that its governing body has voted specifically to approve 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, 2017.

Section 3. In accordance with §11.9(d)(2) of the QAP, the city hereby commits to an in-kind contribution to the housing in the form of an in-kind contribution such as a grant or contribution of other value for the benefit of the housing.

Section 4. This support does not relinquish any procedures or rights the city might have in the rezoning process for the "Residences at Texarkana" property, nor does it alleviate any requirement of Moores Housing Partners, Ltd. to submit and follow all applicable applications, procedures and policies with the city and the Planning and Zoning Commission.

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Section 6. 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 **27th day of February, 2017**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-013 RES Support for Residences at Texarkana (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences

RESIDENCES AT TEXARKANA

Residences at Texarkana is a proposed 88 unit multifamily community for households of all ages, located on 8.2 acres at 1521 Moores Lane, Texarkana, Texas.

Project Description:

3-story suburban garden style buildings, plus clubhouse, all a combination of brick, stone, and fiber-cement siding.

16 one bedroom - 1 bath units @ ~700 square feet, rents from $243 to $548
44 two bedroom - 2 bath units @ ~950 square feet, rents from $282 to $647
28 three bedroom - 2 bath units @ ~1,100 square feet, rents from $401 to $941

(Rents for units will be based on residents' income)

Site Features:

- On-site management & maintenance
- Fully-equipped fitness center
- Community room with full kitchen
- Flex-room and library
- Fenced with controlled gated access
- Swimming pool & playground
- Picnic areas with BBQ
- Some covered parking

Attachment: 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Unit Features:

- Energy saving features including:
  - 14 SEER AC with programmable thermostat
  - Energy Star rated lights and appliances
  - Energy Star rated windows with screens
  - Passive solar features
- 9-foot ceilings
- Designer kitchen with pantry
- Full-size washer/dryer connections
- Ceiling Fans in living and bedrooms
- Walk-in closets
- Water-conserving fixtures

Services:

- Award-winning BreakOut™ youth program
- Crime watch
- Annual health fair
- Nutritional courses
- Notary service
- Exercise classes
- Financial counseling
- Book clubs
- Income tax preparation
- Pot-lucks & game nights
- Movie nights & birthday parties

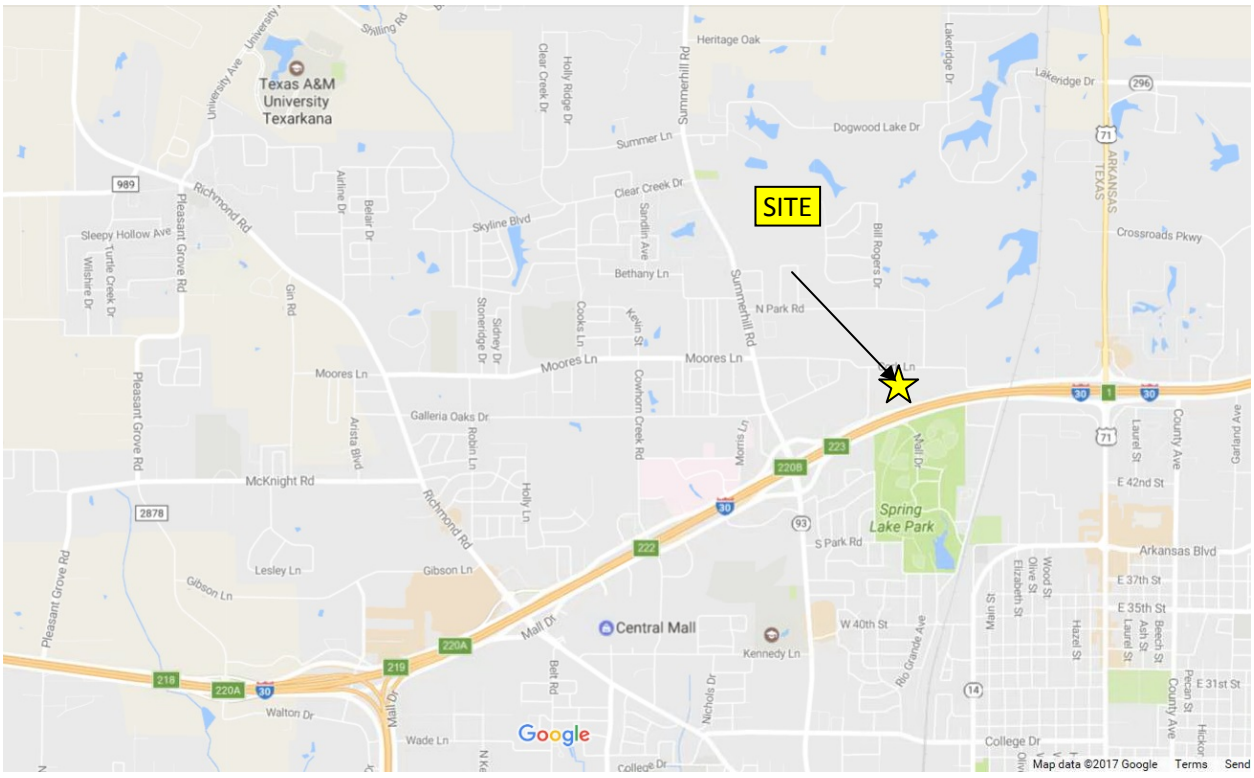
Attachment: 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Economics:

- Overall project cost – $13,690,000
- Sources of Funds
  - Debt from conventional lender
  - Equity from sale of housing tax credits
- Creation of ~100 jobs during construction
- Creation of ~4 permanent jobs after construction
- Permitting and fees to Texarkana
- Property taxes paid annually to Texarkana

Location:

Residences at Texarkana is conveniently located on the I-30 service road, giving it easy access to all the shops, restaurants, and health facilities off the freeway. Just south is the Spring Lake Park recreation area. Downtown Texarkana is a few minutes south. Texas A&M Texarkana is a short 3 miles to the northwest and Texarkana College is 2 miles to the southwest.



Attachment: 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Housing tax credits are federal income tax credits. They are sold to large publicly traded companies like Google, J.P. Morgan/Chase, and General Motors. These companies are betting they will make money over the next ten years and can apply these credits to their federal income tax bill. The local effect is the input of over $9,800,000 of equity into the local economy. The Statewide effect of the annual allocation of over $60 million of tax credits is an influx of over half a billion dollars of equity into the state each year.

This project will create short term construction jobs, as well as permanent jobs for operation of the property, and increase local business. According to the National Home Builders there are 3 phases of economic impact from construction of housing. First, there is the construction phase, which adds an average of $52,430 to the local economy and $4,000 to local taxes (both property and sales taxes) per house or apartment. Next is the first year's impact which adds $24,150 to the local economy and $3,530 in taxes. Finally there is the ongoing impact adding $23,570 to the local economy and an average of $4,270 in tax revenue. How does this happen? Contractors hire local labor, house employees locally, buy materials and pay fees. The construction workers eat, buy gas and shop locally. The long term effects are because residents use banks, car repair, dry cleaners, day care, dentists, electricity, lawyers, and medical services, read newspapers and eat out, among other things. Additionally, *Residences at Texarkana* will pay property taxes to the City, County, and the School District.

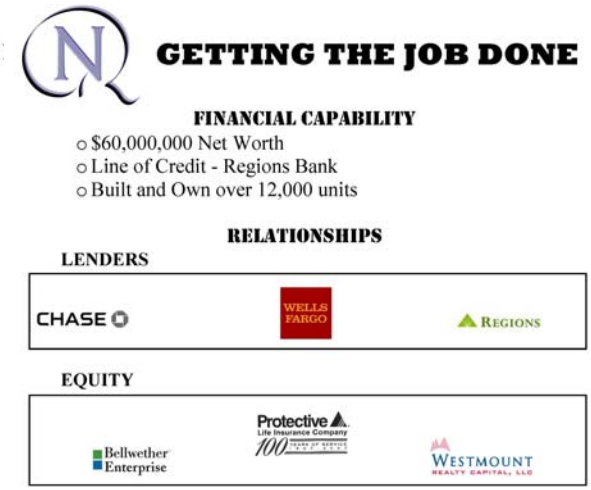
Attachment: 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

The NuRock Companies

Since its inception over twenty years ago, The NuRock Companies ("NuRock"), has been built on the expertise of its people to develop, operate and manage the highest quality housing and supplement that housing. Quite simply, NuRock's product is service --- service delivered with a commitment to excellence. Our successes are based on attention to detail and a dedication to quality, both accomplished while anticipating and satisfying the demands of the marketplace and focusing on the needs of our residents.

NuRock's operations encompass all aspects of real estate activity, including acquisition analysis, development support, construction, property management, governmental regulatory compliance services, and due diligence support work. Additionally NuRock provides our award winning Breakout™ after school and summer program for resident's children at no cost to the resident.

With over 8,000 units in its portfolio, NuRock is one of the largest developers, owners and managers of multifamily housing in the southwest. NuRock has the financial capability, banking, mortgage and equity relationships to complete any multifamily project from the acquisition and rehabilitation of an affordable property to construction of luxury lofts over retail.



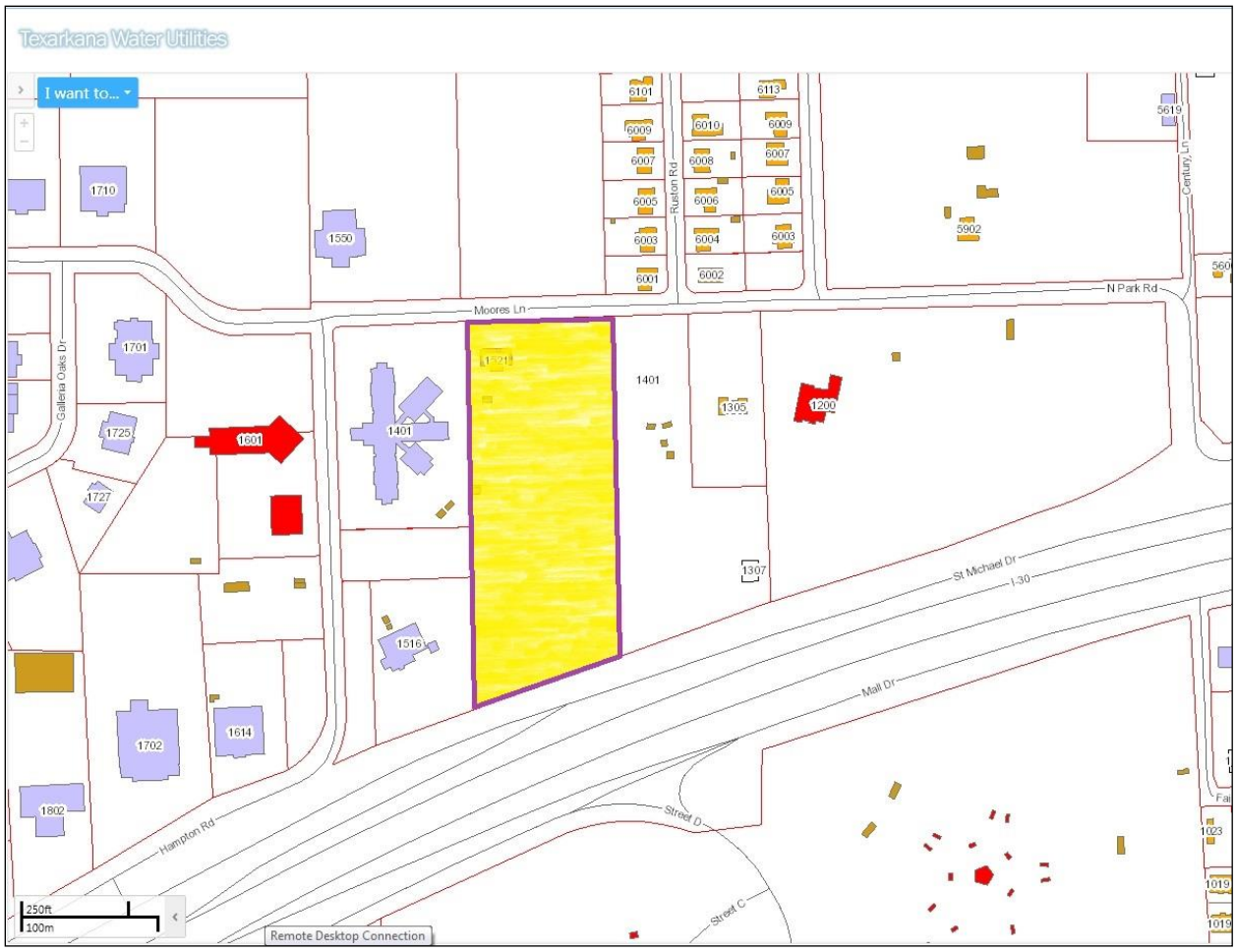
The NuRock Companies
4925 Greenville Avenue
Suite 1305
Dallas, TX 75206
(972) 573-3400

Attachment: 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

EXHIBIT "A"

Legal Description

A part of Willis Oldham A-458 subdivision, Block/Tract 28, Bowie County, Texarkana, Texas.

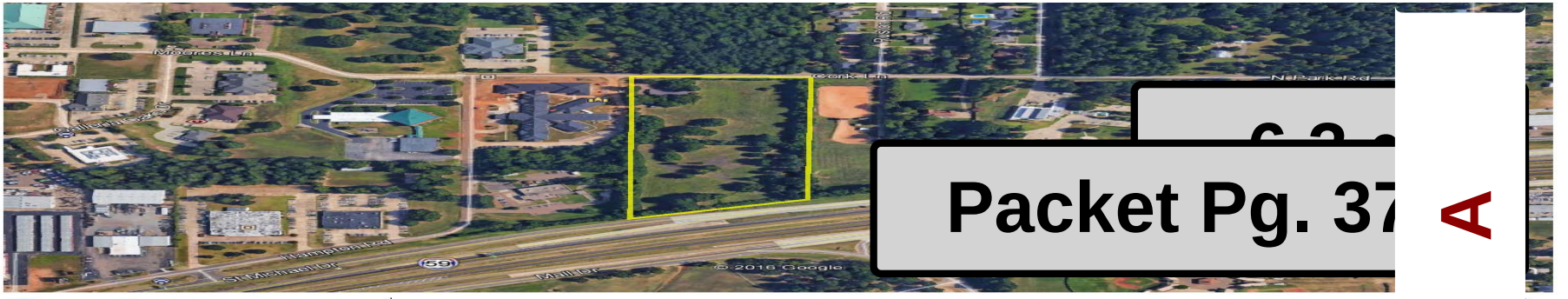


Attachment: 2017-013 ATTH 02 Legal Descr - Moores Lane (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Texarkana, TX - Ward 6

SITE
Residences at Texarkana

Attachment: 2017-013 ATTH 03 Map - Ward 6 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at Texarkana)



Packet Pg. 37

A

Texas Department of Housing and Community Affairs
Multifamily Finance Division
Notification of Submission of Affordable Housing Applications

January 20, 2017

30 JAN 17
DAVID ORR

RECEIVED
JAN 30 2017
BY:

The Honorable Bob Bruggeman
Mayor of Texarkana
P.O. Box 1967
Texarkana, TX 75504-1967

Re: Notification of Affordable Rental Housing Application(s) Proposed in Your City

Dear Mayor Bruggeman:

The Texas Department of Housing and Community Affairs (the "Department") is in receipt of a preliminary application(s) for possible funding through the Competitive Housing Tax Credit Program to develop or acquire affordable multifamily rental housing in your community.

This notification is made in accordance with Tex. Gov't Code §2306.1114 to ensure that you are fully informed of the housing activity in your district and so that you can provide input on the proposed application(s) if you so choose. The Department greatly values your views concerning the need for affordable rental housing within your community and how the proposed development(s) may address that need. Additionally, state law provides an opportunity for the applicable local jurisdiction (the city and/or county)to affect the scoring of an application by issuing a local resolution of support or neutrality in accordance with Tex. Gov't Code §2306.6710(b)(1)(B). In order to affect the scoring of an application within its jurisdiction, the local government resolution must be submitted on or before March 1, 2017, identify the specific development, and clearly state support or no objection. Once submitted, the resolution cannot be withdrawn or amended. More information can be found on page 25 of the 2017 Qualified Allocation Plan found at http://www.tdhca.state.tx.us/multifamily/docs/17-QAP.pdf

Should the applicant(s) submit a full application to the Department on or before March 1, 2017, the Department will notify you again with more detailed information about the proposed development and provide provide information related to general public comment including statewide hearings The Department's mission is to administer its assigned programs efficiently, transparently, and lawfully and to invest its resources strategically while developing high quality affordable housing which allows Texas communities to thrive. Through our rental production programs, the Department encourages the new construction or rehabilitation of affordable multifamily housing, primarily through private developers. These developments benefit Texans in your community by providing potential employment, local tax revenue, and affordable, safe, and high quality housing for eligible households.

If you have any questions or need additional information, please contact Michael Lyttle, Chief of External Affairs, at 512.475.4542 or michael.lyttle@tdhca.state.tx.us.

Sincerely,

Marni Holloway

Marni Holloway
Director, Multifamily Finance

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
221 East 11th Street, Austin, TX 78701
PO Box 13941, Austin, TX 78711
Main Number: 512-475-3800
Toll Free: 1-800-525-0657
Email: info@tdhca.state.tx.us
Web: www.tdhca.state.tx.us
Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities.
Relay Texas: 800-735-2989 (TTY) and 711 (Voice).

Attachment: 2017-013 ATTH 05 TDHCA Applications Notification 2017 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Relevant Development Information as Presented by the Applicant:

Project Number: 17701

Development Name: Heritage Pines

Development Address: 4015 New Boston Rd

Development City: Texarkana **Development Zip:** 75501 **Region:** 4

Regional Allocation: Urban **Target Population:** Elderly Limitation

Set Aside: ☐ Nonprofit ☐ USDA ☐ At-Risk

Construction Type: New Construction

Credit/ Funding Request: $1,050,506

Total Low Income Units: 80 **Total Market Rate Units:** 16 **Total Units:** 96

Applicant Information:

Owner Contact: Len Vilicic

Owner Address: 4925 Greenville Ave, Ste. 1305

Owner City: Dallas **Owner State:** TX **Owner Zip:** 75206

Owner Phone: (972) 573-3400

Owner Email: lvilicic@nurock.com

Attachment: 2017-013 ATTH 05 TDHCA Applications Notification 2017 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Relevant Development Information as Presented by the Applicant:

Project Number: 17703

Development Name: Residences at Texarkana

Development Address: 1521 Moores Lane

Development City: Texarkana **Development Zip:** 75503 **Region:** 4

Regional Allocation: Urban **Target Population:** General

Set Aside: ☐ Nonprofit ☐ USDA ☐ At-Risk

Construction Type: New Construction

Credit/ Funding Request: $1,050,506

Total Low Income Units: 88 **Total Market Rate Units:** 0 **Total Units:** 88

Applicant Information:

Owner Contact: Len Vilicic

Owner Address: 4925 Greenville Ave, Ste. 1305

Owner City: Dallas **Owner State:** TX **Owner Zip:** 75206

Owner Phone: (972) 573-3400

Owner Email: lvilicic@nurock.com

Attachment: 2017-013 ATTH 05 TDHCA Applications Notification 2017 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Rec'd - Ruby Cooper

RECEIVED
FEB 27 2017
BY:

Neighbors Against Multi-family Development
1201 Moores Lane

Whereas, NuRock Companies, an Atlanta Georgia developer, proposes to construct a tax credit multi-family residential facility at 1201 Moores Lane. Whereas, the undersigned citizens who reside in the vicinity of proposed development oppose the development for the following reasons:

1) the development will negatively impact the property values in the vicinity.
2) the street infrastructure adjacent to the property was not designed to handle the additional traffic.
3) similar developments by NuRock in Texas have resident complaints of poor management.

The undersigned request the City Council to reject the proposed NuRock development located at 1201 Moores Lane.

Name	Address	Signature
Marsha Burris	6007 Ruston Rd.	Marsha R Burris
Ricky Burris	6007 Ruston Rd.	Ricky R Burris
Michael Bradford	6009 Ruston Rd	Michael Bradford
	6101 Ruston Rd.	
Kelly McFall	6002 Ruston Rd	Kelly McFall
Ray McFall	6002 Ruston Rd	
Candice Keith	6001 Ruston Rd.	Candice Keith
Michael Keith	6001 Ruston Rd.	
Joey Merrell	6004 Ruston Rd	
Carla Merrell	6004 Ruston Rd	
SCOTT SHIER	6006 RUSTON RD	
JOHN R. REVELS	6010 RUSTON RD.	
Megan Revels	6010 Ruston Rd.	
Jimmy C. Murry Jr.	6008 Ruston Rd.	
Karen Murry	6008 Ruston Rd	
Carl Keely	6009 Ruston Rd	CARL Keely
Brenda Keely	6009 Ruston Rd	Brenda Keely
David Dart	6101 Ruston Rd	
Loni Dart	6101 Ruston Rd	Loni Dart
Larry Faulkner	6103 Ruston Rd	
Judy Faulkner	6103 Ruston Rd	

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Reid Dury Coopwood

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MAR 27 2017
BY:

Neighbors Against Multi-family Development

1201 Moores Lane

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Name	Address	Signature
Cindy Porter	34 Northridge Cr	
Kaye Ellison	35 Northridge Cir	Kaye C. Ellison
TOM ELLISON	35 NORTHRIDGE CIR	
JAMES MCMAHAN	30 Northridge Cr.	
Bobbie Guillot	31 Northridge Cr	Bobbie Guillot
Scott Canto	29 Northridge Cir	Scott Canto
Mavour Lucy	12 Northridge Circ	Mavour Lucy
DAVID CHRISTIAN	11 Northridge Cir	
JOHN B GREER III	6 NORTHRIDGE Cir	
David Baumgardner	3 Northridge	David Bg
MARCUS R. HARRIS	4 Northridge Cir	Marcus R Harris
SHERRY G. HARRIS	4 NORTHRIDGE	Sherry Harris
Ben Floyd Jr.	1 Northridge Cir	Ben Floyd Jr.
Ed + Dottie Miller	2 Dreyer Place	Ed Miller
Helen Mobley	7 Dreyer Place	Helen Mobley
Jill Laurius	9 Dreyer Place	Jill Laurius
BRIAN Purtle	14 Dreyer Place	Brian Purtle
Michelle Purtle	14 Dreyer Place	Michelle Purtle

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Reid Tucky Cogswood

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Name	Address	Signature
Betty Pesek	13 Cindywood	Betty Pesek
Katie Pesek	13 Cindywood	Katie Pesek
Haley Aven	4 Cindywood	Haley Aven
Chuck Eastman	9 Cindywood	Chuck Eastman
W R Beaty	9 Cindywood Cir	W R Beaty
Tony Potter	9 Ladera Drive	Tony Potter
J Cook	11 Ladera Dr	J Cook
Susan Stanley	3 Ladera Dr.	Susan V. Stanley
John P. Stanley	3 Ladera Dr	John P. Stanley
Malcolm Smith	26 Northridge Circle	Malcolm Smith
James Clem	22 Bill Rogers	James Clem
Carol Hoffman	20 Bill Rogers Dr.	Carol Hoffman
Carol Yazel	14 Bill Rogers Dr	Carol Yazel
Beverly Tye	4600 N. Park Rd	Beverly Tye
Paul Tye	4600 N. Park Rd	Paul Tye
Danette Power	32 Northridge Cr	Danette Power
Sam J Warren	5 Cindywood ST	SAM J WARREN
Bobbie Warren	5 Cindywood	Bobbie J. Warren

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Rec'd Vicky Cooperwood

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Name	Address	Signature
Kay Thomas	17 Northridge Cr.	Kay Thomas
Wilson Garrett	6501 N. Park Rd.	Wilson Garrett
Janella A Garrett	6501 N Park Rd	Janella Garrett
Maurice Orr	1 Devon Lane	[illegible]
Vicki Orr	1 Devon Lane	
Jerry A. Rochelle	8 Dreyer Place	Jerry Rochelle
Jane Rochelle	8 Dreyer Place	Jane Rochelle
Janis Robbins	21 Northridge Circle	Janis Robbins
Matt Soyars	4 Ladera Drive	Matt Soyars
Lisa Soyars	4 Ladera	Lisa Soyars
SEAN ROMMEL	23 NORTHRIDGE	[illegible]
Jameson Rommel	23 Northridge Cir	Jameson Rommel
JOHN POWER	32 NORTHRIDGE	[illegible]
Allen Clement	21 Northridge Circle	Allen Clement
Patti Thomas	6604 N. Park Rd.	Patti Thomas
William Thomas	6604 N. Park RD.	William Thomas
[illegible]	26 Northridge	[illegible]
Sanda Boyette	5627 CENTURY	Sanda Boyette

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Rec'd Supp Corporation

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BY:

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Name	Address	Signature
Steve and Sue Gibbs	3 Gregory Lane Texarkana 75503	Steve Gibbs
Scott + Tanya Austin	9 Gregory Lane Texarkana 75503	Scott A
Rhonda + Paul Bullman	6 Gregory Lane Texarkana 75503	R Bullman
Linda Rogers	5 Gregory Lane	Linda Rogers
Kevin + Dobbie Ashford	6203 N. Park Rd Texarkana 75503	Kevin Ashford
JEFF HARRELL	6009 N. Park Rd. Texarkana 75503	J H Harrell
J.J. CAMPBELL	6113 N. PARK RD 75503	[illegible]
Sandra K. Hoover	8 Gregory Ln. Texarkana, Tx.	Sandra K. Hoover
Darius Scott	6115 North Park Rd Tx Tx	Darius Scott
Burl & Sharon Fant	4 Gregory Ln Texarkana Tx	[illegible]
Loriann Turner	6205 N. Park Rd	Loriann Turner
Rick Boyette	5627 Century Ln	[illegible]

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Rec'd Duplicate

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BY:

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Name	Address	Signature
Pam Revels	6010 Ruston Road	Pamela Revels
JONATHAN REVELS	6010 RUSTON RD.	
CASEY BOYETTE	5622 CENTURA LN	
Paul Miller	5915 Winchester	

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Rec'd: [illegible]

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Name	Address	Signature
DONNIE STARNES	5 OVERCUP	Donnie Starnes
James Bethel	5709 Meadowland	James Bethel
Teresa Bethel	5709 Meadowland	Teresa Bethel
MICHAEL BLOKKER	4007 COLUMBINE LN	Michael Blokker
Janice Moore	6104 Ruston Rd	Janice Moore
Kathrina Walters	6105 Ruston Rd	Kathrina Walters
Payne Walters	6105 Ruston Rd	Payne Walters

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NuRock Report Card
Tenant Reviews of Similar Projects

Project Name	Location	% Recommending NuRock	% Recommending City Average	
Onion Creek Luxury Apts	Austin, TX	33%	73%	(1)
Eagles Landing Apts	Austin, TX	62%	73%	(1)
Residences at Diamond Hill	Fort Worth, TX	34%	62%	(1)
Sunset Pointe Apts	Fort Worth, TX	49%	62%	(1)
Saddlebrook	East Point, GA	12%	53%	(1)
Chapel Run Apts	Decatur, GA	20%	54%	(1)
Tuscany Village Apts	Clarkston, GA	11%	44%	(1)
Hidden Crest Apts	Atlanta, GA	10%	64%	(1)

(1) www.apartmentratings.com

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33%

Onion Creek Luxury Apartments
(formerly Alexan at Onion Creek)

10701 S. IH 35, Austin, TX 78747

83 **12**

Rent at Onion Creek Luxury Apartments and get a **$200 reward** from ApartmentSearch!

Reviews

83	33%	73%
Reviews	% Recommended	City Average

Overall:

Noise:	**Maintenance:**
Safety:	**Neighborhood:**
Grounds:	**Office Staff:**

Write Review

Sort Most Recent

RESIDENT Dec 22, 2016
LIVED HERE: 2014 - 2016

✖ **I do not recommmend this property**

Overall:

Noise:
Maintenance:
Safety:
Neighborhood:
Grounds:
Office Staff:

This is not even an Eeek. This is a disgust. I lived there 2 years, always gave them the benefit of the doubt. I always found something positive to say. Not anymore. My mistake was giving them TOO much credit. I moved from a 1 to a 2 bedroom. My first apartment was a positive experience. There were the occasional calls for leaks and they maintenance came right away. Right before I moved out, a leak caused a flood on my floor. They did not give any credit for the days we were out of water. I let that go. They kept all but $4 of my deposit and NEVER gave me a detailed bill. I asked them about it and STILL never got it. I move into a 2 bedroom, and it was a nightmare the whole time. I was given the option to get new appliances or $10 off the rent. I took the $10 off. I did not get any new appliances and now am told i have to pay for damages to them. Again, something I did NOT cause. The washer kept breaking. I got a new washer shortly after moving in because it wouldn't work. They had one maintenance guy who was rude and not even worth calling them for help. The courtesy patrol NEVER answers my calls for loud music at 4am. One girl kept calling and asking for serial numbers to the washer/

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SEARCH

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

62% Eagles Landing Apartments

8000 Decker Lane, Austin, TX 78724

44 **6**

Reviews

44	62%	73%
Reviews	% Recommended	City Average

Overall:

Noise:	**Maintenance:**
Safety:	**Neighborhood:**
Grounds:	**Office Staff:**

Write Review

Sort Most Recent

PROSPECTIVE RESIDENT Jun 23, 2016
VISITED : 2016

✔ **I recommend this property**

To respond to all the previous ratings, Residents who are unhappy with late fees, lease violations, along with rules & regulations will post here thinking it will result in the apartment community losing buisness. Well you are mistaken, affordable housing will always have clients that have friends and family who will make the community bad. All tenants are screened that are tenants the office cannot and will not be held responsible for tenants guests or family members who are out of control. I feel the ratings should be based on the apartment itself because the prices are extremely low compared to what they actually are worth so mad tenants need to get over it!

Overall:

Noise:
Maintenance:
Safety:
Neighborhood:
Grounds:
Office Staff:

No comments

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34% Residences of Diamond Hill

3601 Deen Road, Fort Worth, TX 76106

33 2

Reviews

33	34%	62%
Reviews	% Recommended	City Average

Overall:	
Noise:	Maintenance:
Safety:	Neighborhood:
Grounds:	Office Staff:

Write Review

Sort Most Recent

PROSPECTIVE RESIDENT Sep 26, 2016
VISITED : 2016

✖ I do not recommmend this property

Overall:	
Noise:	
Maintenance:	
Safety:	
Neighborhood:	
Grounds:	
Office Staff:	

Before I applied I looked at the reviews online and I ignored it now I've lost $225. Please don't do the same this place is a scam. If I could put zero stars I would. I put 225 down and was told I would be getting 150 back if I was declined because of my criminal backgroud. She failed to tell me to put it in my application under comments. If you are dealing with Joanne, just walk away, she is very unprofessional. She is to worried about how my boyfriend looks like pitbull instead of making sure she tells me details about my application. It is very hard to find a place when having a criminal record and it is not cheap. Application after application, She told me she would put a good word in and I got a call saying that the 150 fee won't be given backnowledge due to me not saying anything about my criminal record. Like if I'm going to be going around trying to hide it and just throw my money away. Just save yourself some time, that all bills included sign is bs just to draw you in and screw you over.

No comments

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49% Sunset Pointe Apartments

5400 Sycamore School Road, Fort Worth, TX 76123

71 4

Reviews

71	49%	62%
Reviews	% Recommended	City Average

Overall:

Noise:	Maintenance:
Safety:	Neighborhood:
Grounds:	Office Staff:

Write Review Sort Most Recent

RESIDENT Nov 29, 2016
LIVED HERE: 2009 - 2016

✔ I recommend this property

Overall:

Noise:
Maintenance:
Safety:
Neighborhood:
Grounds:
Office Staff:

Hello, everyone, I've never had any ants or roaches, don't know why anybody does. Try using pesticides, it works. Apartments are for people to live their life at with their families. It's not a place to hang out and mingle with others, that's what you do at the school yard. It's your home, and everyone else's around you. As for the staff, please do not believe the bad that was said about them. They are Magnificent 100%. They're doing what they are supposed to do, they don't get paid to fix people's personal problems, they get paid to do exactly what they come to work for everyday. That's it. It's been high time for some people to grow up, and get a grip on Reality. Nobody owes no one anything except LOVE. And one more thing, find out about the extra bills that would be bundled with your rent, your lease also explains a lot of important details. Hope this helps. Have a great year!

No comments

SEARCH

Home / Georgia / East Point / SaddleBrook

12% **SaddleBrook**

4171 Washingon Road, East Point, GA 30344

9 2

Reviews

9	12%	53%
Reviews	% Recommended	City Average

Overall:

Noise:	**Maintenance:**
Safety:	**Neighborhood:**
Grounds:	**Office Staff:**

Write Review

Sort Most Recent

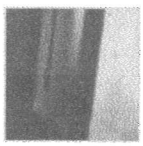
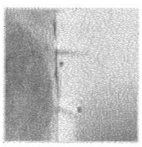
RESIDENT Dec 19, 2016
LIVED HERE: 2016

✖ **I do not recommmend this property**

Don't move here i never have hot water and I live with bugs . I am not a dirty person my apartment was filled with them on top of that my carpet was filthy when I moved in . If you wanna have sex with nats cause they sleep with you move here .... This place is nasty looks good on the outside horrible inside the walls are very thin to you hear everything. And I mean everything

Overall:

Noise:
Maintenance:
Safety:
Neighborhood:
Grounds:
Office Staff:

No comments

Write a response

RESIDENT Nov 04, 2015

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SEARCH

Home / Georgia / Decatur / Chapel Run Apartments

20% **Chapel Run Apartments**

4522 Snapfinger Woods Drive, Decatur, GA 30035

25 **3**

Reviews

25	20%	54%
Reviews	% Recommended	City Average

Overall:

Noise:	**Maintenance:**
Safety:	**Neighborhood:**
Grounds:	**Office Staff:**

Write Review

Sort Most Recent

RESIDENT Nov 15, 2016
LIVED HERE: 2016

✖ **I do not recommmend this property**

They have roaches and the property manager Nina is unprofessional rude with a bad attitude my water bill is unreal. I pay about $100 monthly. I do not recommend these apartments they look way better on the outside than what they really are. What you pay is not what you get You'll be very disappointed

Overall:

Noise:
Maintenance:
Safety:
Neighborhood:
Grounds:
Office Staff:

No comments

Write a response

PROSPECTIVE RESIDENT Sep 27, 2016
VISITED : 2016

✖ **I do not recommmend this property**

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SEARCH

Home / Georgia / Clarkston / Tuscany Village Apartments

11% **Tuscany Village Apartments**

600 Northern Ave, Clarkston, GA 30021

10 0

Reviews

10	11%	44%
Reviews	% Recommended	City Average

Overall:

Noise: **Maintenance:**

Safety: **Neighborhood:**

Grounds: **Office Staff:**

Write Review Sort Most Recent

PROSPECTIVE RESIDENT Sep 05, 2015
VISITED : 2015

✖ **I do not recommmend this property**

Everything is beautiful, however, I am a prospective resident, and the staff is already very unorganized and 1 lady in particular is very unprofessional. I am disappointed at how slack they are about new tenants. My documents were in a folder that didn't have my name on it, and my application still has yet to be reviewed for approval. I am starting to think I should receive a refund for my application and look else where.

Overall:

Noise:

Maintenance:

Safety:

Neighborhood:

Grounds:

Office Staff:

No comments

Write a response

RESIDENT Apr 03, 2015
LIVED HERE: 2015

✖ **I do not recommmend this property**

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SEARCH

10% **Hidden Crest Apartments**

3200 Stone Road Southwest, Atlanta, GA 30331

51 13

Reviews

51	10%	64%
Reviews	% Recommended	City Average

Overall:

Noise: **Maintenance:**

Safety: **Neighborhood:**

Grounds: **Office Staff:**

Write Review Sort Most Recent

RESIDENT Aug 22, 2016
LIVED HERE: 2014 - 2016

✖ **I do not recommmend this property**

This was one of the most unorganized ghetto operations i have ever experienced.The management was rude, unprofessional and inexperienced.

Overall:

Noise:

Maintenance:

Safety:

Neighborhood:

Grounds:

Office Staff:

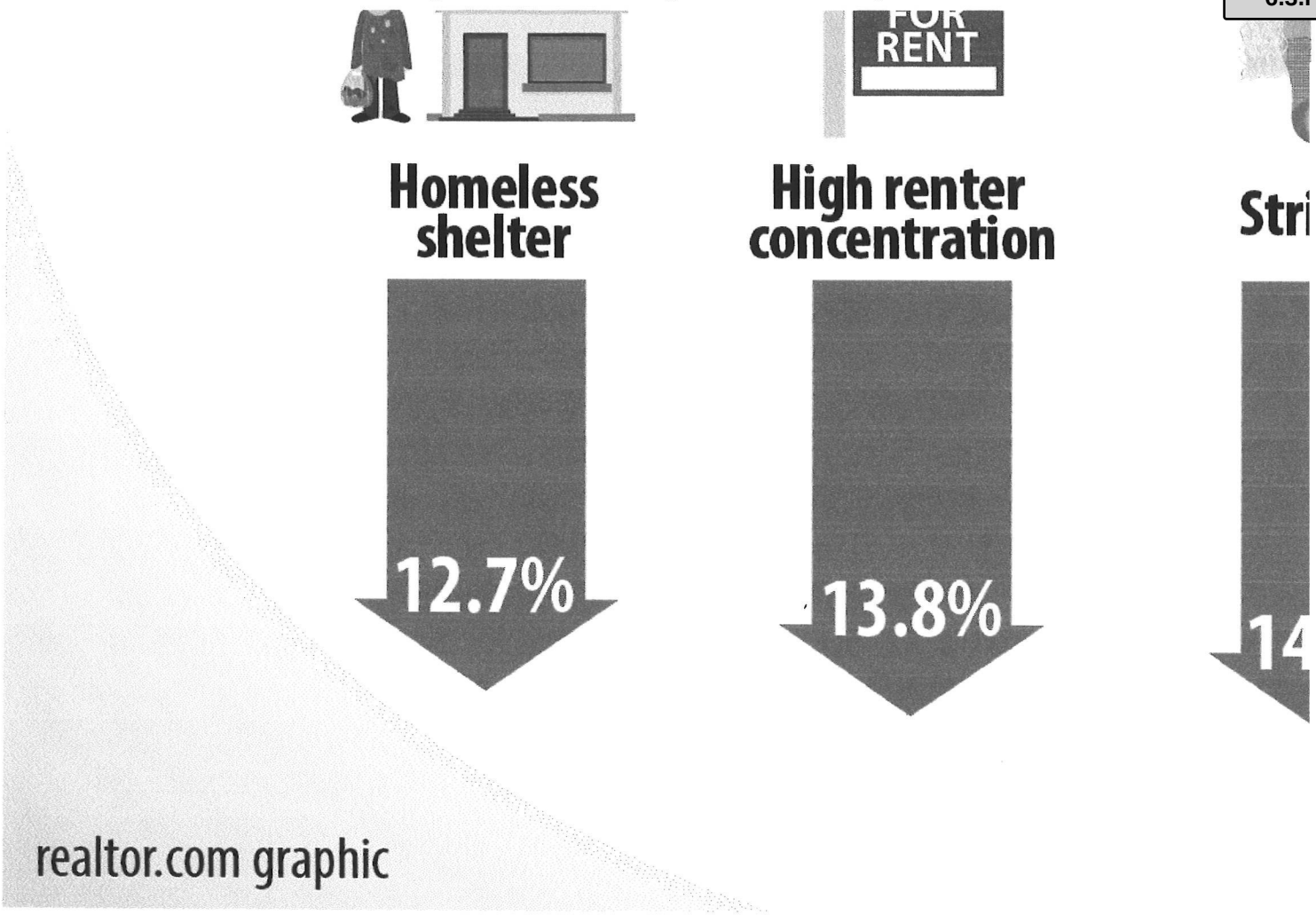
No comments

Write a response

RESIDENT Feb 04, 2016
LIVED HERE: 2014

✖ **I do not recommmend this property**

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at



Keep in mind the difference between **causation** and **correlation**: Does having a cemetery or shooting range in the neighborhood cause home prices to drop? Or are those businesses drawn to the area because of cheap real estate? We don't have a definite answer, but their presence is generally a sign that a neighborhood is the opposite of up-and-coming. Judge your investment accordingly.

Hospital

The drag: 3.2%

Hospitals are awesome, right? Having a great one within easy access is just about every homeowner's goal. But easy access is one thing, and being woken up by ambulance sirens—or, god forbid, medical helicopters—at 3 a.m. is quite another. Among homeowners who sold in 2015, those near a hospital generally got 3% less than an average home in the same county would get, based on our sales deed records and hospital location data from data.medical.gov. In the world of real estate price demerits, 3% isn't a lot, so clearly plenty of people are willing to overlook some noise and chaos in favor of nearby medical care.

Shooting range

The drag: 3.7%

According to most research, it's not the guns or the people who shoot them that the neighbors of shooting ranges object to most; it's more the *idea* of the places and, in some cases, the noise of gunfire, especially outdoor gun ranges. More perceived problems: environmental concerns, including the lead that leaches off spent shells, potentially poisoning soil and water. Last year, a closed gun club in San Francisco triggered $22 million in cleanup fees, the San Francisco Chronicle reported. We used gun range locations from wheretoshoot.org.

Power plant

The drag: 5.3%

There are more than 8,000 power plants across the U.S., according to the Environmental Information Agency. Much as we are grateful for the modern convenience of electricity (thanks, **Ben Franklin**!), the huge facilities spur more NIMBY ("not in my backyard") movements than anything this side of waste treatment facilities. The most frequently cited reason: safety concerns. The perceived dangers of living near a power plant vary dramatically depending on type, from the seemingly harmless solar to the dreaded nuclear. In general, having a power plant in the neighborhood is associated with lower property prices.

Funeral home

The drag: 6.5%

Some people believe you get bad spiritual energy from living near a funeral home; some just dislike the traffic caused by service workers and funeral attendees; and others fear that the smoke from a crematorium is toxic. But plenty of folks just find them seriously *creepy*, an unpleasant constant reminder of our own mortality. Our analysis of property values near funeral homes listed on legacy.com seems to confirm the stigma. Properties near a funeral home see a 6.5% drop in price compared to all homes in the same county.

Cemetery

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The drag: 12.3%

Call it superstition, call it irrational fear, but there's an awful lot of people who find the prospect of living near lots of buried bodies unpleasant or downright terrifying (see: Funeral homes). To be fair, there are some people who seriously dig how quiet the neighbors are, but they're outnumbered by the haters. To do the research, we used a list of federal and state cemeteries operated by the Department of Veterans Affairs and found that the median price of ZIP codes with a cemetery is about 12% lower than neighboring areas.

Homeless shelter

The drag: 12.7%

Homeless shelters can be unloved and unwanted misfits in residential areas. Even though there's no rule that homeless shelters are usually accompanied by higher rates of crime, shelters *do* certainly attract motley groups of people, necessitate emergency calls, and require more police in otherwise quiet, safe neighborhoods. Shelter locations, listed on homelessshelterdirectory.org, are often limited to less prime areas in the city where home values are about 13% less.

High concentration of renters

The drag: 13.8%

Does a cluster of rental buildings—or lots of them—lower the property value in a neighborhood? Many homeowners have pondered this. While it's hard to do an analysis down to every property, we found that ZIP codes with a higher-than-average concentration of renters have lower property values compared to the county they are located in—by 14%. The data are from the American Community Survey.

Strip club

The drag: 14.7%

Catering to adult vices—and often (rightly) associated with loud music and less-than-savory visitors—a "gentlemen's club" is an unwelcome neighbor on the block. We tracked nearly 2,000 strip joints listed on stripclublist.com and ranked the category high on our "unwanted" list. In one extreme case, the crime-plagued neighborhood of Washington Park in East St. Louis, IL—the ZIP code 62204—has 10 strip clubs. *10!* How do they all compete? It saw only a handful of homes sold in the past three years, with a median price of $10,000.

Bad school

The drag: 22.2%

While a top-performing school is definitely a plus for your property value, a bad school is a complete, out-and-out disaster. A school where one teacher handles a class of 40 students with a slim graduation rate is usually an indicator of a deprived neighborhood. The median home price of ZIP codes with schools that receive a 1 to 3 rating (out of a possible 10) from GreatSchools.org is only $155,000.

Related: The Features That Help a Home Sell Fastest—and the Ones That Don't

Yuqing Pan, a Stanford graduate with a multimedia journalism background, writes data-driven stories for realtor.com. Follow @YuqingPan

Related topics: data journalism home prices

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TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Monday, February 27, 2017 4:30 PM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: city council meeting tonight

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Monday, February 27, 2017 4:28 PM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: city council meeting tonight

Sent from my iPad

Begin forwarded message:

> **From:** Janis Holliday <jholliday@hlccpas.com>
> **Date:** February 27, 2017 at 10:20:08 AM CST
> **To:** "joshd@cableone.net" <joshd@cableone.net>
> **Subject: city council meeting tonight**
>
> Hi Josh,
>
> I telephoned and left a message for you earlier today. You represent the ward that I both live and work in.
>
> I just wanted to convey to you **my opposition** to the City granting resolutions of support for Moores Housing Partners in their bid for competitive tax credits related to plans to build affordable apartments at 1521 Moores Lane.
>
> I offer these thoughts in support of my opposition –
>
> 1) The traffic is heavy and fast at certain times of the day on Moores Lane and Galleria Oaks Drive in this area. The traffic from these apartments would place an additional burden on this infrastructure already in need of resurfacing and not originally constructed to handle a high volume of traffic.

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

2) It is my understanding that there are drainage problems in the area which extends to the frontage of Interstate 30,

3) It is my understanding that the appropriate zoning is not currently in place to accommodate apartments at 1521 Moores Lane,

4) our firm made a substantial investment in the Galleria Oaks Area to locate to a professional office park. It seems the noise and activity of apartments would not be appropriate for the professional office environment.

Thanks for your consideration and all you do to help our City.

Janis

Janis Fischer Holliday, CPA
Holliday, Lemons & Cox, P. C.
Certified Public Accountants
2001 Moores Lane
Texarkana, TX 75503
903-823-2727
903-823-2734 fax

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Monday, February 27, 2017 4:29 PM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: Opposition to resolution of support

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Monday, February 27, 2017 4:27 PM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Opposition to resolution of support

Sent from my iPad

Begin forwarded message:

From: Troy Lemons <tlemons@hlccpas.com>
Date: February 27, 2017 at 12:11:16 PM CST
To: "joshd@cableone.net" <joshd@cableone.net>
Subject: Opposition to resolution of support

Mr. Davis,

I live and work in your ward and want to express opposition to the City passing a resolution of support for Moores Housing Partners in their attempt to get competitive tax credits from the Texas Department of Housing and Community Affairs in relation to proposed construction of apartments at 1521 Moores Lane.

I don't believe that the area is zoned for an apartment complex and the area is currently made up primarily of offices for professional services. The constructions of multi-family residential housing in this area would, I believe, have a negative impact on the value of the professional buildings in the area and greatly increase the traffic volume and related street problems. I have also heard that there may be drainage issues in this area that could be made worse by this construction.

Thank you for your consideration,

Troy Lemons

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

903-823-2727
Home - 908 Clear Creek Drive
Office - 2001 Moores Lane

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Monday, February 27, 2017 4:29 PM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: Rezoning Request

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Monday, February 27, 2017 4:26 PM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Rezoning Request

Sent from my iPad

Begin forwarded message:

> **From:** "Tony Orihuela" <tony@yamahasportscenter.com>
> **Date:** February 27, 2017 at 2:53:28 PM CST
> **To:** <joshd@cableone.net>
> **Subject: Rezoning Request**
>
> Josh,
>
> As a resident and taxpayer of the Northridge area, I am deeply opposed to the proposed zoning request on Moore's lane next to the Boot's & Saddle Club property. In my opinion, this would not be good for the area or for the taxpayers. This area contributes greatly to the tax base in Texarkana and having multi-family housing I believe would undermine the values of our properties.
>
> Thank you for your time and consideration concerning this request.
>
> Regards,
>
> Tony Orihuela

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

5804 Greenbriar Forest Circle
Texarkana, TX 75503
903.748.7782

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Monday, February 27, 2017 4:28 PM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: Zoning

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Monday, February 27, 2017 4:26 PM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Zoning

Sent from my iPad

Begin forwarded message:

> **From:** WILLIAM PATTERSON <treypatterson@me.com>
> **Date:** February 27, 2017 at 2:56:05 PM CST
> **To:** joshd@cableone.net
> **Subject: Zoning**
>
> Sir,
> My name is Trey Patterson and I live in your ward. I'm emailing to tell you I adamantly oppose any low end type housing on Moore's lane. It will substantially lower property values and I believe ultimately lower taxes paid into city.
> Thanks in advance for considering
> Trey Patterson
>
> Trey Patterson
> Patterson Nissan
> 1201 McCann Rd.
> Longview TX. 75601
> Work 903-758-4135
> Cell 903-235-3471

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Check us out online @
Longviewnissan.com
Sent from my iPad

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Monday, February 27, 2017 4:26 PM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: Tax credits- new rock housing

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Monday, February 27, 2017 4:24 PM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Tax credits- new rock housing

Sent from my iPad

Begin forwarded message:

From: Alan Schimming <alan@schimmingcompany.com>
Date: February 27, 2017 at 3:47:00 PM CST
To: joshd@cableone.net
Subject: Tax credits- new rock housing

Josh Davis, Ward 6 Councilman,
As I mentioned in our conversation earlier today I am extremely opposed to any type of sec 8 or "low income housing" at this location on Moores Lane.This type of housing will increase traffic on Moores Lane in the Galleria Oaks. Moores Lane is in dire need of repair and increased traffic would only add to the deterioration of Moores. Additionally, this is not in keeping with development in the area. I have office property nearby and represent property owners in the area and this development would certainly hurt property values there. I respectfully request you oppose this request by New Rock Development.
Thanks,
Alan Schimming

Sent from my iPhone

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Monday, February 27, 2017 4:28 PM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: Rezoning application for 1521 Moores Lane

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Monday, February 27, 2017 4:25 PM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Rezoning application for 1521 Moores Lane

Sent from my iPad

Begin forwarded message:

From: "William C. Gooding" <billgooding@goodingpc.com>
Date: February 27, 2017 at 3:39:18 PM CST
To: <joshd@cableone.net>
Subject: Rezoning application for 1521 Moores Lane

Mr. Davis,

This email is a follow-up to my call to you today regarding the application by a group that I understand to be, "Moore Housing Partners," to rezone the property located at 1521 Moores Lane in connection with their expressed intent to build a low income section 8 housing project at that location. I have several significant concerns with this request for rezoning.

First, this property is either adjacent or nearly adjacent to Galleria Oaks professional office development to the west. An entity, Gooding & Dodson Holdings, LLC, of which I am a substantial owner, owns the building at 2005

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Moores Lane. The requested zoning change would likely negatively impact properties located in Galleria Oaks that are used for professional offices, and I expect would have the potential to decrease, perhaps substantially, the property value at 2005 Moores Lane, where I have an interest. Galleria Oaks is almost fully developed with owners having invested substantial funds relying upon the building restrictions and zoning currently in place.

Secondly, although there would be ingress and egress to the subject property by means of North Park road, from a practical standpoint, ingress and egress to the subject property would likely be exclusively by Moores Lane directly through Galleria Oaks to access retail businesses, grocery stores, service stations, health care, as well as Interstate 30. The portion of Moores Lane east of Summerhill Road is already in need of repairs. The extra traffic would further deteriorate the road, as well as substantially increase the traffic congestion on Moores Lane, especially during early morning and late evening when people are travelling to and from work and school.

For these reasons, I oppose the requested rezoning and request that when you consider this matter that you include consideration of the concerns I have expressed above. I believe a vote against the requested rezoning is in the best interest of the substantial investments made in Galleria Oaks. I do appreciate your listening to my concerns and your careful consideration of this matter.

Thanks,
Bill Gooding

William C. Gooding
Gooding Law, P.C.
903.244.5780 - Phone
billgooding@goodingpc.com
Mailing Address:
3702 Maplecrest St.
Texarkana, TX 75503

Important/Confidential: This communication and any files or documents attached to it are intended only for the use of the person or entity to which it is addressed. It contains information that may be privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient of this communication, you are hereby notified that the copying, distribution or other use of this communication is strictly prohibited. If you have received this communication by mistake, please notify the sender immediately by electronic mail and destroy all forms of this communication (electronic or paper). Thank you.

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Tuesday, February 28, 2017 10:48 AM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: Rezoning request concern

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Tuesday, February 28, 2017 10:18 AM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Rezoning request concern

Sent from my iPhone

Begin forwarded message:

From: "Higginbotham,Paulette" <Paulette.Higginbotham@edwardjones.com>
Date: February 28, 2017 at 10:11:29 AM CST
To: "joshd@cableone.net" <joshd@cableone.net>
Subject: Rezoning request concern

Mr. Davis,

I am a resident on North Park Road. My home sits behind the Tourism Bureau. My husband and I have seen improvements in our area over the years such as the Partnership Pathway.

My family loves where we are located. Our six year old enjoys playing t ball at Spring Lake Park. We can walk or ride bikes to the park and back. My husband works from home and enjoys a quiet environment in which to work and has easy access to 1-30, and either Texas or Arkansas sides at anytime. We even enjoy hearing the Boots and Saddle Club practice for upcoming Fall events. Our son is thriving as a student at Morriss Elementary.

We have noticed the rezoning request and today saw the article in the paper about the request being for low income apartments. This is a big concern for us, not only for our home value but for the safety of our neighborhood.

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

As you are our representative for Ward 6, we ask you to please cast your vote to Not approve the rezoning request for low income apartments in our area.

Sincerely,
Paulette & Jeremy Higginbotham
6005 North Park Rd
Texarkana, TX 75503

Paulette Higginbotham
Senior Branch Office Administrator
Edward Jones
4115 North Kings Hwy Suite 104
Texarkana, TX 75503
(903) 831-7335
www.edwardjones.com

If you are not the intended recipient of this message (including attachments) or if you have received this message in error, immediately notify us and delete it and any attachments.

If you do not wish to receive any email messages from Edward Jones, excluding administrative communications, please email this request to Opt-Out@edwardjones.com from the email address you wish to unsubscribe.

For important additional information related to this email, visit www.edwardjones.com/disclosures/email.html. Edward D. Jones & Co., L.P. d/b/a Edward Jones, 12555 Manchester Road, St. Louis, MO 63131 © Edward Jones. All rights reserved.

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Tuesday, February 28, 2017 10:48 AM
To: Tex-Orr, David; TEX-Coopwood, Vicky; TEX-Jaster, Shirley
Subject: FW: Proposed Cork Lane Apartment Complex

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Tuesday, February 28, 2017 10:17 AM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Proposed Cork Lane Apartment Complex

Sent from my iPhone

Begin forwarded message:

From: Randy Kimpfbeck <kimpfran@yahoo.com>
Date: February 28, 2017 at 9:24:41 AM CST
To: "joshd@cableone.net" <joshd@cableone.net>
Subject: Proposed Cork Lane Apartment Complex
Reply-To: Randy Kimpfbeck <kimpfran@yahoo.com>

Mr. Davis,
I wish to voice my strong opposition to the proposed 88-apartment complex on Moores/Cork Lane.

First, this complex, if built, would have a negative effect on the property values in a wide-ranging area. We live on Yarborough Court, in Greenbriar Forest Estates, and believe this complex would lower our property value and well as the values in Winchester, Northridge and The Enclave. These areas contribute substantially to the tax revenue of the city, county and school district.

Second is the traffic situation. As you are aware, North Park Road is already in poor condition and any additional traffic

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

will add to the deuteriation of the roadway. In addition, it is quite narrow for the amount of traffic being handled currently. Cork Lane is not in any better condition. When traveling on North Park from our location toward Spring Lake Park the intersection of North Park and Cork Lane present a traffic issue. When attempting to make the left turn the site line is impaired by the trees and undergrowth along the road as well as the offset in the road. Adding additional traffic to this area will simply add to an already hazardous situation.

Last is the expected increase in the crime rate. Low income housing is synonymous with crime and drug dealing, whether this is fact or simple perception, this is the case in the mind of most people. We attend Sacred Heart Church and are being warned about the number autos that are being broken into in the church parking lot. It would naturally be assumed those doing the break-ins live in the low income apartments directly across from the church. There is no reason to believe this complex would be any different.

Please oppose the building of this apartment complex.

Thank you,

Randy Kimpfbeck

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: Len Vilicic <lvilicic@nurock.com>
Sent: Wednesday, March 01, 2017 2:05 PM
To: Tex-Orr, David
Cc: John Boyd
Subject: Residences at Texarkana withdrawal

David,

Because we were unable to obtain the support of the City Council for our Residences at Texarkana multifamily proposal at 1521 Moores Lane, we are withdrawing our request for rezoning. Additionally, please remove our proposal from upcoming Council Meetings.

We still believe Texarkana has a viable market for a multifamily tax credit development, and we will be in contact with you in the near future to explore options. Thank you for all your help.

Sincerely,

Len Vilicic
NuRock Companies
4925 Greenville Avenue
Suite 1305
Dallas, TX 75206

(972) 573-3400 x 2 Office
(972) 322-7211 Cell

Attachment: 2017-013 ATTH 08 Residences at Texarkana withdrawal (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

TEX-Coopwood, Vicky

From: Len Vilicic <lvilicic@nurock.com>
Sent: Wednesday, January 25, 2017 2:21 PM
To: Tex-Orr, David
Cc: John Boyd
Subject: Support Resolution info for Residences at Texarkana
Attachments: Brochure Residences Moores 2017-0118.pdf; Map - Ward 6.pdf; Moores ln site.jpg; Legal Descr - Moores Lane.docx; City Resolution - Moores.docx

Hi David,

Attached is information for the Support Resolution for Residences at Texarkana, a proposal for a family deal. I have attached:

1. Brochure for the development
2. Ward map indicating site location
3. Aerial of the site
4. Legal Description from our contract
5. Draft resolution

The address "1521 Moores Lane" came from a water utilities map, which I can't seem to duplicate presently, and unfortunately I covered over the house address in yellow, but it did say 1521 under it. I don't know why all city maps indicate the road as Moores Lane, and yet Google Maps and Google Earth say Cork Lane. I deferred to the city maps, since you folks would have it right.

The resolution is for Support and Twice the State Average of TC Units, and I also added a section for a nominal amount of city financial contribution. I don't know if you handle that through a resolution or just an administrative letter. We are asking for a nominal amount of a fee waiver, can be very small, but will give us one point in the application.

Please let me know if you need anything else.

Len Vilicic
NuRock Companies
4925 Greenville Avenue
Suite 1305
Dallas, TX 75206

(972) 573-3400 x 2 Office
(972) 322-7211 Cell

Attachment: 2017-013 ATTH 06 Support Resolution info for Residences at Texarkana (1598 : 2017-013 RES Support for TDHCA Tax Credit

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/14/2017 1:18 PM

Lead Department: Planning and Community Development **Action Officer:** Daphnea Ryan,

Subject: Resolution No. 2017-014 authorizing the City Manager to enter into an addendum to Contract 16-2001-00 in an amount not to exceed $200,000.00 utilizing EPA Brownfields grant funds for the hazardous materials remediation of 203/205 W. Broad Street.

Briefing: 2/13/2017	**Public Hearing:**	**Second Briefing:**	**Council Vote:** 2/13/2017

Item Schedule

Schedule 3: No briefing required (one week)

under

Updates/History of Briefing:

Resolution 2016-071 authorizing the City Manager to enter into a contract or contracts with one or more parties for the environmental cleanup of 203/205 West Broad Street utilizing EPA Brownfields Multi-Purpose Grant Funds up to $440,000.00.

Executive Summary and Background Information:

The City entered into a contract with Pacific Environmental in the amount of $89,365.00 under Resolution 2016-071 utilizing a $440,000.00 EPA Multi-Purpose Grant for the cleanup of 203/205 W. Broad. Structural engineers with Pacific Environmental determined that after removal of partial debris additional shoring of the structure would be needed. The attached addendum changes the total contract amount to $179,122.00 to allow for additional shoring to protect the safety of the public.

In consultation with legal counsel, it was determined that Local Government Code 252.048 regarding change orders does not apply to this addendum, as Section 252.022 states that this chapter does not apply to an expenditure for (a)(2) “a procurement necessary to preserve or protect the public health or safety of the municipality’s residents;” or (a)(3) “a procurement necessary because of unforeseen damage to public machinery, equipment or other property.” However, since the addendum to the contract is over $50,000.00, staff is requesting Council approval prior to work recommencing on the project.

Potential Options:

- NONE
-

Fiscal Implications:

Grant funded with no new fiscal implications

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. 2017-014 ATTH 01 Addendum to Hazardous Materials Remediation 203 205 W. Broad Street Contract (PDF)
b. 2017-014 RES Authorizing City Manager to amend contract 2016-001-00 signed (PDF)
c. 2017-014 ATTH 02 Original Resolution 2016-071 (PDF)
d. 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (PDF)
e. 2017-014 RES Authorizing City Manager to Ammend Contract 2016-2001-00 (DOC)
f. 2017-014 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development		David Orr	Department Head Review	Completed 02/08/2017 3:54 PM
Finance Department	Kristin Peeples	Finance Review	Completed	02/08/2017 4:27 PM
Purchasing and Contracting		Sharon Moore	Purchasing Review	Completed 02/09/2017 7:58 AM
Deputy City Manager - Shirley Jaster Review		Shirley Jaster	Deputy City Manager	Completed 02/08/2017 4:28 PM
Deputy City Manager - Kyle Dooley Review		Kyle Dooley	Deputy City Manager	Completed 02/08/2017 4:32 PM
Public Information Officer		Lisa Thompson	PIO Review	Completed 02/08/2017 6:35 PM
City Manager	John Whitson	City Manager Review	Completed	02/09/2017 3:26 PM
City Council	Jennifer Evans	Meeting	Completed	02/13/2017 6:00 PM

Meeting History

ADDENDUM TO
HAZARDOUS MATERIALS REMEDIATION CONTRACT

THIS FIRST ADDENDUM TO HAZARDOUS MATERIALS REMEDIATION CONTRACT (this "Addendum") is to resolve and amend certain obligations under that certain Hazardous Materials Remediation Agreement by and between the City of Texarkana, Texas ("City") and Pacific Environmental Group, LLC ("Pacific") dated effective July 22, 2016 (the "Agreement") regarding the property located at 203/205 West Broad Street, Texarkana, Bowie County, Texas (the "Property"), under which Pacific was to perform all services for remediation of the Property as set forth in the contract documents ("Work"). The City and Pacific are collectively referred to herein as the "Parties".

Under Section III, paragraph (d), the City agreed to pay Pacific's bid amount for completion of the Work set forth under the contract documents, said bid amount being set forth in the contract documents as $89,365.00 ("Bid Amount").

The Parties have determined that heavy equipment will be needed for completion of the project and therefore, the Parties desire to amend the Bid Amount from $89,365.00 to the total contract sum of $179,122.00.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

1. The Bid Amount of $89,365.00 for completion of the Work shall be increased to the total contract sum of $179,122.00, less any payments made by the City to Pacific for the Work.

2. Pacific agrees and commits to complete the Work as set forth in the Contract Documents no later than March 31, 2017.

3. Except as expressly provided herein, all of the terms and conditions of the Agreement and any and all other documents described in or executed in connection with the Agreement shall continue in full force and effect and are hereby reaffirmed.

4. Time is of the essence in respect to the performance of each provision of this Addendum.

EXECUTED to be effective the 25th day of January, 2017.

[SIGNATURES FOLLOW ON NEXT PAGE]

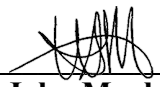
Attachment: 2017-014 ATTH 01 Addendum to Hazardous Materials Remediation 203 205 W. Broad Street Contract (1601 : 2017-014 RES

CITY OF TEXARKANA, TEXAS

_____

By: John A. Whitson
City Manager, ICMA-CM

CONTRACTOR:
PACIFIC ENVIRONMENTAL GROUP, LLC



_____

By: W. John Moala, Vice President

Attachment: 2017-014 ATTH 01 Addendum to Hazardous Materials Remediation 203 205 W. Broad Street Contract (1601 : 2017-014 RES

RESOLUTION NO. 2017 - 014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ADDENDUM TO CONTRACT 16-2001-00 WITH PACIFIC ENVIRONMENTAL IN AN AMOUNT NOT TO EXCEED $200,000.00 UTILIZING EPA BROWNFIELDS GRANT FUNDS FOR THE HAZARDOUS MATERIALS REMEDIATION OF 203/205 W. BROAD STREET; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City was awarded $440,000.00 in 2012 specific to the environmental assessment and cleanup of 203/205 West Broad Street; and

WHEREAS, the City entered into a contract with Pacific Environmental in the amount of $89,365.00 under Resolution 2016-071; and

WHEREAS, structural engineers have determined that more extensive shoring will be necessary than originally bid; and

WHEREAS, the health and safety of the general public is at risk.

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

SECTION 1: That the City Manager be and is hereby authorized to enter into an addendum to contract 16-2001-00 not to exceed $200,000.00 with Pacific Environmental to ensure the public's health and safety while completing the environmental remediation of 203/205 W. Broad Street and fulfilling the requirements of the EPA Brownfields Multi-Purpose Grant.

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 **13th day of February, 2017**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-014 RES Authorizing City Manager to amend contract 2016-001-00 signed (1601 : 2017-014 RES Addendum to Contract for

RESOLUTION NO. 2016 -071

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT OR CONTRACTS WITH ONE OR MORE PARTIES FOR THE ENVIRONMENTAL CLEANUP OF 203/205 WEST BROAD STREET UTILIZING EPA BROWNFIELDS MULTI-PURPOSE GRANT FUNDS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City was awarded $440,000.00 in 2012 specific to the environmental assessment and cleanup of 203/205 West Broad Street; and

WHEREAS, the grant period will end September 30, 2016; and

WHEREAS, the City released a Request for Proposals with a deadline of July 6, 2016 to secure a contractor to complete the cleanup of this project.

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

SECTION 1: That the City Manager be and is hereby authorized to enter into a contract with an environmental cleanup contractor to complete the EPA Brownfields Multi-Purpose Grant requirements.

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 11th **day of July, 2016.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:54 p.m.

Attachment: 2017-014 ATTH 02 Original Resolution 2016-071 (1601 : 2017-014 RES Addendum to Contract for Hazardous Materials Remediation of 203/205

HAZARDOUS MATERIALS REMEDIATION
203/205 W. BROAD STREET, TEXARKANA, TEXAS
CONTRACT

STATE OF TEXAS
COUNTY OF BOWIE

This HAZARDOUS MATERIALS REMEDIATION CONTRACT (the "Agreement") made and entered into this 22nd day of July, 2016 by and between the **City of Texarkana, Texas** in the County of Bowie, State of Texas, acting by and through the City Manager, City of Texarkana, thereunto authorized to do so, (hereinafter referred to as "CITY"), and Pacific Environmental Group, LLC, a Texas Limited Liability Company with an address of 2435 Southwell Road, Ste 3, in the County of Dallas, State of Texas (hereinafter termed "Contractor"), (collectively referred to herein as the "Parties") is for the environmental cleanup of the real property located at 203 and 205 W. Broad Street in Texarkana, Bowie County, Texas pursuant to the requirements of City and in accordance with the Texas Commission on Environmental Quality (TCEQ) Voluntary Cleanup Program and in compliance with all Federal, State and local laws and regulations (the "Work").

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the City and under the conditions expressed in this document and all referenced documents, the Contractor hereby agrees with City to commence and complete the Work described as follows:

I.
Scope

a. The Contractor agrees to perform all described Services and comply with all requirements specified in this Agreement, which shall include, but not be limited to all terms and conditions contained in the Request for Proposal, EPA and TCEQ approved Cleanup Plan, General Terms and Conditions, Insurance Requirements, Bond Requirements, Scope of Work, Site Health and Safety Plan, and Standard Operating Procedures (together with this Agreement known as the "Contract Documents")(attached hereto).

b. Contractor acknowledges that Contractor has examined the site of the Work and fully informed himself regarding all pertinent conditions at the work site. Further, Contractor has examined the Contract Documents, including all Addenda for the Work relative thereto, and Contractor has satisfied himself as to Contractor's ability to perform the Work.

c. Contractor will perform all work in conjunction and coordination with Terracon, City's retained environmental specialist.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

d. Contractor will take necessary steps to preserve the façade of the Work, stabilize the party walls to maintain the integrity of neighboring buildings and stabilize any remaining structure of 203/205 W. Broad Street, protect neighboring buildings, and to fulfill all the terms set forth in this Agreement, including all Contract Documents.

II.
Term and Hours of Operation

a. The term of this Agreement will begin on the last date this Agreement is signed by all required parties. **The anticipated start date is July 25, 2016 with the date of completion to be coordinated with City.**

b. Contractor shall perform or have performed all Work in compliance with the City's Code of Ordinances, including Section 28.237 which prohibits Work to be performed on Sundays and between the hours of 6:00 p.m. and 7:00 a.m. on any other day.

III.
Compensation

a. City agrees to pay invoices which define the percentage of completion of each phase, or their undisputed portions within 30 days of receipt, less a 10% retainage (the "Retainage") to be held by City until completion of the Work. The invoice shall breakdown in such detail as may be required by City the amounts expended and/or costs incurred for work done, materials supplied, labor and other costs.

b. Payment of all undisputed invoices shall be made by City within thirty (30) days after the invoice has been approved and accepted by City.

c. Final payment, including the retainage, shall be made by City after (1) completion of all Phases; (2) all requisite documents have been provided; (3) City finds the work acceptable and completed; (4) Contractor has provided a release executed by each supplier and subcontractor stating they have been paid in full by Contractor and no liens have been filed within 30 days after completion; and (4) the requirements of this Agreement have been fully satisfied.

d. Nothing herein shall require City to exceed the accepted bid amount, and any expenses beyond that bid amount not approved by City are at Contractor's own risk.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

III.
Responsibility

a. Contractor shall follow the standard practices of the applicable and relevant profession to make findings, provide opinions, make factual presentations, and provide professional advice and recommendations.

b. Contractor shall, at its own expense, obtain prior to any access to the Property, and maintain during the term of work, all governmental approvals of whatever nature from any governmental authorities necessary to perform the work. Contractor shall, and shall cause its representatives to, comply with all applicable laws, as well as any applicable site safety rules.

c. Contractor shall provide a copy of any correspondence or documentation, including any report, data, work plan, analysis or evaluation, prepared by Contractor or its representatives regarding Work performed to City.

d. Contractor's review or supervision of Work prepared or performed by other individuals or firms employed by the City shall not relieve those individuals or firms of complete responsibility for the adequacy of their work.

e. Contractor shall provide an assessment of the Work, and perform the cleanup of the real property located at 203 and 205 W. Broad Street in Texarkana, Bowie County, Texas pursuant to the requirements of City and in accordance with the Texas Commission on Environmental Quality (TCEQ) Voluntary Cleanup Program and in compliance with all Federal, State and local laws and regulation.

f. Contractor shall, or shall cause its representative to, remove all equipment or other materials belong to Contractor and/or its representatives at reasonable intervals but no later than at the conclusion of the Work. As soon as practicable after the Work is completed, Contractor shall restore the Property to the condition that existed prior such Work to the extent possible. If any portion of the property suffers damage by reason of the access of Contractor or its representatives, Contractor, at its own expense, shall promptly repair all such damage and restore the property to the same condition as before such damage occurred.

IV.
Independent Contractor

a. Contractor shall be an independent Contractor. The Contractor is not an employee, agent or representative of City. Contractor shall obtain and maintain, at the Contractor's expense, all permits, license, or approvals that may be necessary for the performance of the Services or Work. Contractor shall furnish copies of all such permits, licenses or approvals to City.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

b. Contractor shall operate as an independent contractor and does not have the authority to bind City to any third person or otherwise act in any way as the representative of City, unless otherwise expressly agreed to in writing signed by both parties. Contractor agrees not to represent itself as the City's agent for any purpose to any party or to allow any employee of Contractor to do so, unless specifically authorized, in advance and in writing, to do so, and then only for the limited purpose stated in such authorization. Contractor shall assume full liability for any contracts or agreements Contractor enters into on behalf of City without the express knowledge and prior written consent of City.

V.
Indemnification

Contractor agrees to indemnify City from and against liabilities, suits, actions, legal proceedings, claims, demands, damages, costs and expenses (including reimbursement of reasonable attorney's fees) to the extent arising out of the negligent act or omission of the Contractor, its agents, subcontractors, or employees in the performance of this Agreement or the Work

VI.
Insurance

Contractor agrees to maintain during the life of the Agreement the following minimum insurance:

A. Commercial general liability insurance, including personal injury liability, blanket contractual liability, and broad form property damage liability. The limit shall be not less than $1,000,000.00 per-occurrence and $2,000,000.general aggregate for bodily injury and property damage.
B. Automobile bodily injury and property damage liability insurance with a limit of not less than $1,000,000.00
C. Statutory workers compensation and employers liability insurance as required by state law.
D. Professional liability insurance in the amount of $2,000,000.00 per claim and in the aggregate.

All insurance must meet the requirements of Section 00040 in Exhibit A attached hereto.

VII.
Dispute resolution provisions

a. The initial resolution process shall require the party raising a dispute to provide written notice to the other party with sufficient detail describing

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

the provision of the Agreement alleged to be breached, the underlying facts of the dispute, a proposed solution consistent with the terms of the Agreement, and the relief sought.

b. A meeting consisting of the designated representatives of the parties shall take place within thirty (30) days following receipt of the written notice to discuss the dispute.

c. In the event the initial resolution process results in an impasse, mandatory mediation shall be held in accordance with and governed by Texas state law. City and Contractor shall each select a disinterested representative, and the two selected representatives shall then choose a third person similarly qualified. The three persons shall comprise the "arbitration panel", with authority as provided under Chapter 171 of the Texas Civil Practice and Remedies Code, to render a binding decision on the matter in dispute. Each party shall compensate its respective panel member and also shall equally share responsibility for compensating the third panel member, with the breaching party, as determined by the arbitration panel, paying the non-breaching party's costs, expenses, attorney's fees, expert fees, and fees and costs for arbitration panel members.

VIII.
Miscellaneous Provisions

a. **Bonds**

Contractor agrees to maintain during the life of the Agreement the following bonds in an amount of not less than 5% of the bid amount:

(1) Bid Bond
(2) Performance Bond
(3) Payment Bond

All bonds must meet the requirements of Section 00050 in Exhibit A attached hereto.

b. **Subcontracts**

Contractor shall be entitled to the extent determined appropriate by Contractor, to subcontract any portion of the work described in the Scope of Services; however, Contractor shall still be responsible for the performance and provision of all Services under this Agreement.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

c. **Assignment**

This Agreement is binding on the heirs, successors, and assigns of the parties hereto. Neither this Agreement, nor any claims, rights, obligations, or duties associated hereto shall be assigned or assignable by either Contractor or City without the prior written consent of the other party.

d. **No Third Party Beneficiaries**

Nothing in the Agreement should be construed to benefit any person or entity not a signatory to the Agreement.

e. **Construction**

In construing the Agreement, none of the parties shall have any term or provision, or any uncertainty or ambiguity as to any provisions, construed against such party solely by reason of such party having drafted the same.

f. **No Liability of City Officials**

No City councilmember, officer, agent, employee, or independent contractor shall be personally responsible for any liability arising under or growing out of the Agreement.

g. **Execution of Agreement**

The Agreement shall be approved by all applicable and requisite corporate or company actions of Contractor, with a representation that the signatory on behalf of Contractor has legal authority to enter into the Agreement.

h. **Integration**

The terms and conditions of this Agreement the Contract Documents, Contractor's proposal, and any other exhibits attached to this Agreement ("Services" or "Contract Documents"") represent the entire understanding of City and Contractor as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered herein. The Agreement may not be modified or altered except in writing signed by both parties.

i. **Jurisdiction and Venue**

This Agreement shall be administered and interpreted under the laws of the State of Texas. Exclusive jurisdiction and venue of litigation arising from or related to the Agreement shall be in any court of competent jurisdiction in Bowie County Texas.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

j. **Termination of Work**

Any other provisions of this Agreement notwithstanding, each party has the right to terminate this Agreement if the other party breaches or is in default of any obligation hereunder which default or breach is incapable of cure or which, being capable of cure, has not been cured within five (5) days after receipt of written notice of such default (or such additional cure period as the non-defaulting party may authorize) In addition, if at any time after commencement of the Services, City shall, in its sole reasonable judgment, determine that such Services are inadequate, unsatisfactory, no longer needed, or substantially not conforming to the applicable standard of care or representations contained herein, City may terminate this Agreement upon five (5) days written notice to Contractor without any liability to City.

k. **FUNDING:**

The City of Texarkana, Texas is a Home-Rule Municipal Corporation operated and funded on an October 1 to September 30 basis; accordingly, the City reserves the right to terminate, without liability to the City, any contract for which the funding is not annually approved by the City Council.

l. **Taxes**

The City of Texarkana, Texas is exempt from federal manufacturer's excise and state sales tax. Tax must not be included, and City shall not be responsible for any taxes charged. Tax exemption certificates will be executed by the City and furnished upon request.

m. **Severability**

In case any one or more of the provisions contained in this Agreement shall for any reason be held to be void, invalid, illegal, or unenforceable in any respect, such voiding, invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Agreement shall be considered as if the entirety of such void, invalid, illegal, or unenforceable provision had never been contained in this Agreement.

n. **Timeliness of Performance**

Contractor agrees to perform its services with due and reasonable diligence consistent with sound professional practices and will strive to meet the schedules defined in the Contract Documents.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

o. **Waiver**

Any failure by Contractor or City to require strict compliance with any provision of this Agreement shall not be construed as a waiver of such provision, and Contractor or City may subsequently require strict compliance at any time, notwithstanding any prior failure to do so.

IN WITNESS HEREOF, the parties to these presents have executed this agreement in Texarkana, Bowie County, Texas in the year and day first above written.

CITY OF TEXARKANA, TEXAS (CITY)

By: _____
John A. Whitson
City Manager, ICMA-CM

APPROVED AS TO CONTENT:

By: _____
David Orr, Director
Planning and Community Development

CONTRACTOR:

PACIFIC ENVIRONMENTAL GROUP, LLC

By: _____
W. John Moala

TITLE: VP

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY
CERTIFICATION OF FILING

Certificate Number:
2016-89201

Date Filed:
07/22/2016

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
Pacific Environmental Group, LLC
Dallas, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.
City of Texarkana

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.
RFP# 16-2001-07
Asbestos Abatement - Commercial Building 203/205 W Broad Street Texarkana, Texas

4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
		Controlling	Intermediary
Moala, William J	Dallas, TX United States	X	
Moala, Edward J	Dallas, TX United States	X	

5 Check only if there is NO Interested Party. ☐

6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

ARACELY GARZA
Notary Public, State of Texas
Comm. Expires 04-23-2018
Notary ID 129795355

AFFIX NOTARY STAMP / SEAL ABOVE

Signature of authorized agent of contracting business entity

Sworn to and subscribed before me, by the said William J Moala, Authorized Agent, this the 22nd day of July, 2016, to certify which, witness my hand and seal of office.

Signature of officer administering oath	Aracely Garza Printed name of officer administering oath	Admin Title of officer administering oath

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

EXHIBIT "A"

CONTRACT DOCUMENTS

Attached hereto:

1. Request For Proposal
2. Contractor's Proposal Form for Hazardous Materials Remediation
3. Scope of Work
4. Insurance Requirements
5. Bond Requirements
6. General Terms and Conditions
7. Site Cleanup Plan
8. Site Health and Safety Plan
9. Standard Operating Procedure for Asbestos
10. Standard Operating Procedure for Lead Based Paint
11. Standard Operating Procedure for Avian Pathogen Sampling – Airborne
12. Standard Operating Procedure for Avian Pathogen Sampling – Bulk Material
13. Standard Operating Procedure for Bioaerosol Sampling
14. Standard Operating Procedure for Fungal Growth

** If there is any conflict between Contractor's Proposal Form for Hazardous Materials and this Agreement and the Contract Documents, the terms contained in this Agreement and the Contract Documents shall govern. By executing this Agreement, Contractor acknowledges it has read this Agreement and all of the Contract Documents, acknowledges, understands, and agrees with these terms.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

EXHIBIT "A"

CONTRACT DOCUMENTS

Attached hereto:

1. Request For Proposal
2. Contractor's Proposal Form for Hazardous Materials Remediation
3. Scope of Work
4. Insurance Requirements
5. Bond Requirements
6. General Terms and Conditions
7. Site Cleanup Plan
8. Site Health and Safety Plan
9. Standard Operating Procedure for Asbestos
10. Standard Operating Procedure for Lead Based Paint
11. Standard Operating Procedure for Avian Pathogen Sampling – Airborne
12. Standard Operating Procedure for Avian Pathogen Sampling – Bulk Material
13. Standard Operating Procedure for Bioaerosol Sampling
14. Standard Operating Procedure for Fungal Growth

** If there is any conflict between Contractor's Proposal Form for Hazardous Materials and this Agreement and the Contract Documents, the terms contained in this Agreement and the Contract Documents shall govern. By executing this Agreement, Contractor acknowledges it has read this Agreement and all of the Contract Documents, acknowledges, understands, and agrees with these terms.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Terracon

SECTION 00020 - PROPOSAL FORM FOR HAZARDOUS MATERIALS REMEDIATION

Project: Commercial Building
203/205 W Broad Street
Texarkana, Texas

Company: Pacific Environmental Group, LLC
Contact: W. John Moala
Phone: 214-989-4044
Email: john@pacific-environmental.com

Terracon Project No.: 94137464B

PROPOSAL FORM

To: Ms. Sharon Moore, Purchasing Manager City of Texarkana Date: 7/1/16

In compliance with your Request for Proposals and subject to all the conditions thereof the undersigned:

Pacific Environmental Group, LLC

Name of Proposer

A Corporation organized and existing under the laws of the State of _____ , a Partnership consisting of an LLC or an Individual trading as _____, having principal offices in the city of Dallas , hereby proposes to furnish all labor and materials and perform all Work required for the following Project:

ACKNOWLEDGMENTS: The proposer declares that he himself has examined the site of the Work and fully informed himself regarding all pertinent conditions, and that he has examined the Scope of Work (including all Addenda received) for the work relative thereto, and that he has satisfied himself relative to the Work to be performed.

1. BASE PROPOSAL (Time Frame 1): The Proposer herewith submits for the portion of the Work identified as "Base Proposer" a lump sum cost of: $89,365

2. ADDENDA: The Proposer acknowledges receipt of Addenda No's: —

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Terracon

3. PROJECT SCHEDULE: The Proposer submits the following work schedule:

The proposer agrees to start work within 11 consecutive calendar days of receipt of notice to proceed and complete the Contract within:

SCHEDULE & STAFF

Total number of work days to complete:	17
Number of days per week Contractor will work:	7 Prohibited on Sundays, Sec. 28-237- Work hours be in Contract (DR)
Hours per day the Contractor will work:	10
Number of TDSHS Supervisors/Workers:	12

PRICE

A. Total Base Proposal (includes labor, materials, disposal & reporting:	$89,365
B. Performance and Payment Bonding Rate:	3%

CERTIFICATIONS: The undersigned certifies that he is authorized to execute contracts on behalf of the Proposer as legally named, that this proposal is submitted in good faith without fraud or collusion with any other Proposer, that the data indicated below is true and complete, and that the proposal is made in good faith and in full accord with State Law. Notice or acceptance may be sent to the undersigned at the address set forth below:

PACIFIC ENVIRONMENTAL GROUP, LLC LIMITED LIABILITY SEAL 2014 TEXAS COMPANY

Legal Name of Proposer*:	Pacific Environmental Group, LLC
Mailing Address:	2435 Southwell Rd. Ste. 3 Dallas, Texas 75229
By (Legal Signature):	
Name Typed:	W. John Moala
Title:	Partner

DATA ON PROPOSER:

Abatement Contractor's State Licenses: Submit Copies of Licenses.

If a partnership, list all partners and their addresses. If a corporation, affix corporate seal: If proposal is signed by other than the president or vice president, attach written authority to bind the corporation. If an individual, then so state. Any modifications to a proposal shall be over the initials of the person signing the proposal or of an agent who supplied written authority with the modification.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Terracon

The Proposer as part of the proposal package shall submit a list of a minimum of five (5) previous asbestos, fungal, lead paint and avian pathogen abatement projects of a similar scope and size, successfully completed by the Proposer along with the Owner's name, address and telephone number. If the projects were handled by a consulting firm, the name, address, contact and telephone number of the firm shall also be included.

LIST FIVE PREVIOUS HAZARDOUS MATERIAL ABATEMENT PROJECTS OF SIMILAR SCOPE (highlight historical projects and note if scope of work included a deteriorated structure with common walls to adjoining, sound structures):

1. Owner: Please see attached list Phone No.: _____
   Contract Amount: _____ Completion Date: _____
   Consultant: _____ Phone No.: _____
   Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No

2. Owner: _____ Phone No.: _____
   Contract Amount: _____ Completion Date: _____
   Consultant: _____ Phone No.: _____
   Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No

3. Owner: _____ Phone No.: _____
   Contract Amount: _____ Completion Date: _____
   Consultant: _____ Phone No.: _____
   Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No

4. Owner: _____ Phone No.: _____
   Contract Amount: _____ Completion Date: _____
   Consultant: _____ Phone No.: _____
   Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No

5. Owner: _____ Phone No.: _____
   Contract Amount: _____ Completion Date: _____
   Consultant: _____ Phone No.: _____
   Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No

ADDITIONAL ITEMS REQUIRED WITH PROPOSAL: The following items are additionally required as part of this proposal submittal.

1. INSURANCE CERTIFICATES.

2. CONTRACTOR'S QUALIFICATION STATEMENT: Completed AIA Document A305.

3. A notarized statement, signed by an officer of the company, containing the following information of a statement of negative of the same:

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Pacific Environmental Group, LLC

General Contractor / Environmental Specialty Contractor

Environmental Services Projects

Arapaho Village Dallas, TX
PRIME GC - Asbestos Abatement Contractor
Complete Date: February 2015
Value: $31,119.00
POC: Kris Schuster (469)232-0000

Richardson ISD 400 S. Greenville Avenue Richardson, TX 75081
Asbestos Abatement / Mold Remediation Contractor
Master Contract: Ongoing
Value: $250,000.00+
Owner POC: Melanie Rhea
469-593-0044

Dallas ISD 3801 Herschel Dallas, TX 75219
Asbestos Abatement Contractor
Master Contract: Ongoing
Value: $225,000.00+
Owner POC: Russ Pounds
972-925-7304

Fort Worth ISD 100 North University Drive Fort Worth, TX 76107
Abatement Contractor
Master Contract: Ongoing
Value: $20,000.00+
Owner POC: Steven Furlough
817-871-3296

Carswell Air Force Base Prison Ft. Worth, TX
Prime GC - Asbestos Abatement/Mold Remediation/Construction
Completion Date: 2014
Value $173,000.00
POC: Don Sambrookes (817) 782-4028

**All projects were not historical and did not have deteriorated walls.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Terracon

a) A record of citations issued by Federal, State, or Local regulatory agencies relating to asbestos, fungal(mold) and lead paint abatement activity for the Contracting company and any and all affiliates. Include projects, dates and resolutions.

b) Situations in which an asbestos and lead related contract has been terminated including projects, dates and reasons for terminations.

c) A listing of any asbestos or lead-related legal proceedings/claims in which the Proposer (or employees scheduled to participate in this project) have participated or are currently involved. Include descriptions of role, issue and resolution to date.

4. Name of supervisor and/or supervisors who will work on the project. Include a detailed description of his/her experience with references and years of experience.

5. Contractor will provide the name and appropriate permit information of the waste transporter and their insurance certificate.

6. Contractor will provide the name of the landfill at which the asbestos and lead waste will be disposed.

END OF PROPOSAL FORM

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 6/28/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Baldwin-Cox Agency, LLC 5930 Preston View Blvd Ste 200 Dallas TX 75240	CONTACT NAME: Judy Lozano PHONE (A/C, No, Ext): (972) 644-2688 FAX (A/C, No): (972) 644-8035 E-MAIL ADDRESS:
INSURED Pacific Environmental Group, LLC 2435 Southwell Road Ste 3 Dallas TX 75229	INSURER(S) AFFORDING COVERAGE — NAIC # INSURER A: Homeland Insurance Co of New York — 34452 INSURER B: Texas Mutual Insurance Company — 22945 INSURER C: Liberty Mutual Insurance Company — 23043 INSURER D: INSURER E: INSURER F:

COVERAGES **CERTIFICATE NUMBER:** Master **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRO-JECT LOC OTHER:			7930045910000	4/29/2016	4/29/2017	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG [blank]	$ 1,000,000 $ 50,000 $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000 $ 1,000,000
C	AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS X HIRED AUTOS X NON-OWNED AUTOS			BAS (16) 56345210	10/10/2015	10/10/2016	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) [blank]	$ 1,000,000 $ $ $ $
A	UMBRELLA LIAB X OCCUR X EXCESS LIAB CLAIMS-MADE DED RETENTION $			7930045920000	4/29/2016	4/29/2017	EACH OCCURRENCE AGGREGATE [blank]	$ 10,000,000 $ 10,000,000 $
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N: N N/A If yes, describe under DESCRIPTION OF OPERATIONS below			TSF-0001276880	10/04/2015	10/04/2016	X PER STATUTE OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 1,000,000 $ 1,000,000 $ 1,000,000
A	Professional Services Liab & Contractors Pollution			7930045910000	04/29/2016	04/29/2017	Liability Deductible/Claims Made	$1,000,000 $2,500/5,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The general liability,professional Liability, pollution liability, Umbrella Liability and Auto Liability policies includes a blanket automatic additional insured endorsement that provides additional insured status to the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status.

A Blanket Endorsement for Ongoing and Completed Operations is attached to the Certificate holder only when there is a written contract between the named insued and the Certificate Holder that requires such

CERTIFICATE HOLDER

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Bill Baldwin/YJL

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COMMENTS/REMARKS

Status.

The general liability, professional Liability, Pollution Liability and Excess Liability policy contains a special endorsement with "primary and non-contributory" wording.

Excess Liability coverage is on a Follow Form

The general liability, professional Liability,pollution liability, Umbrella Liability, Auto Liability and Workers Compensation policies includes a blanket automatic waiver of subrogation endorsement that provides this feature only when there is a written contract between the named insured and the certificate holder that requires it.

The general liability, professional liability, pollution liability,umbrella policies and workers Compensation includes a blanket notice of cancellation to the certificate holders endorsement, providing for 30 days advance notice if the policy is cancelled by the company other than for nonpayment of premium, for which 10 days notice is given. Notice is sent to the certificate holders with mailing addresses on file withthe agent or the company. The endorsement does not provide for notice of cancellation if the named insured requests cancellation.

OFREMARK COPYRIGHT 2000, AMS SERVICES INC.

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Pacific Environmental Group, LLC

General Contractor / Environmental Specialty Contractor

Commercial Building
203/205 W Broad Street
Texarkana, TX
Terracon Bid Number: 94137464B

a. **Violations:** Pacific Environmental Group, LLC RCO1200
Dallas Baptist University, 3000 Mountain Creek Pkwy, Dallas
295.325(b) – Failure to submit an amended notification – later start date
Penalty: $250 01/12/2016

b. Contract terminations: None

c. Asbestos legal proceedings/claims – None

4. Marco Fernandez Supervisor, 28 years experience – Resume Attached

5. Waste Transporter – Pacific Environmental Group, LLC License Number 40-0525
License Attached

6. Landfill:
DFW Landfill
1600 S. Railroad
Lewisville, TX 75067
1025B Permit Number

Sincerely,
Pacific Environmental Group, LLC

William John Moala
Partner

STATE OF TEXAS

COUNTY OF Dallas

The foregoing instrument was signed, sealed and acknowledged before me this 5th day of July, 2016, by the aforesaid representative, having been duly sworn and stating and affirming that he/she is duly authorized to give this Affidavit and that the foregoing

2435 Southwell Rd, Ste. 3 Dallas, TX 75229
Office (214)989-4044 Fax (877)865-8203
info@pacific-environmental.com /pacific-environmental.com

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statements are true.

Signed: Megan Hurd
Notary Public

My Commission expires: Oct 14, 2016

(Notary Seal)

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Marco Fernandez
2510 N. Highway 175 Trl. 417
Seagoville, TX 75159
marco@pacific-environmental.com

Objective: Ready to excel as an asbestos environmental specialist, where I can use my extensive skills and experience to measurably improve environmental compliance and provide the support and dedication it takes to get the job done.

Highlights of Qualifications

- Oversaw removal of ACM material, non-friable asbestos and non-regulated material at the CVS Pharmacy in Bay City, TX.
- Supervised all projects at Hitchcock Independent School District. Work included mold remediation, removing mold walls and ceiling tiles, build-back, and asbestos removal of floor tile and mastic at the Crosby Middle School Library.
- Supervised projects at City of Denison Fire Station. Work included removal of mastic of the lettering, and also cleaning the plaster walls surrounding the fire station.
- Supervised removal of duct insulation, mastic removal, and roof flashing of the Former Luby's Cafeteria in Irving, Texas.

On-The-Job Experiences

Prepare and review reports. Consult with supervisors for corrective steps to be taken where health violations or deficiencies exist. Ensure that programs are being carried out and that control measures are adequate. Provide guidance and supervision in selecting protective equipment, and monitor its use in the industrial environment. Review plans, work orders, contracts, and specifications for compliance with environmental and occupational health directives. Serve as a member on committees for occupational health and environmental protection matters. Evaluate domestic waste treatment and solid waste disposal systems and procedures. Identify and evaluate potential pollution sources. Investigate chemical spills and other environmental releases, collect samples and coordinate necessary corrective actions with state, federal, and local officials. Perform source and ambient air monitoring. Conduct evaluations and review procedures for compliance with pollutant discharge limits. Collect industrial hygiene data on noise, ionizing and non-ionizing radiation, illumination, ventilation, air quality, ergonomics, and survey equipment. Perform and direct surveys to detect and identify chemical, biological, and radiological contaminants. Survey facilities, equipment, materials, and operations for ionizing and non-ionizing radiation hazards and monitor radioactive waste disposal and shipment to ensure compliance with current environmental, safety, and health standards, and licensing or permit requirements.

Training/Certificates

- Asbestos Contractor/Supervisor in Texas
- Asbestos Contractor/Supervisor Missouri
- Mold Remediation Worker
- Mold Remediation Contractor
- Resilient Floor Covering Removal Supervisor
- Lead Abatement Supervisor

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TEXAS DEPARTMENT OF STATE HEALTH SERVICES

PACIFIC ENVIRONMENTAL GROUP LLC

is certified to perform as a

Asbestos Abatement Contractor

in the State of Texas within the purview of Texas Occupations Code, chapter 1954, so long as this license is not suspended or revoked and is renewed according to the rules adopted by the Texas Board of Health.

JOHN HELLERSTEDT, M.D.
COMMISSIONER OF HEALTH

License Number: 801057

Expiration Date: 5/18/2018

Control Number: 96305

(Void After Expiration Date)

VOID IF ALTERED NON-TRANSFERABLE

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TEXAS DEPARTMENT OF STATE HEALTH SERVICES

PACIFIC ENVIRONMENTAL GROUP LLC

is certified to perform as a

Asbestos Transporter

in the State of Texas within the purview of Texas Occupations Code, chapter 1954, so long as this license is not suspended or revoked and is renewed according to the rules adopted by the Texas Board of Health.

KIRK COLE, INTERIM
COMMISSIONER OF HEALTH

License Number: 400525

Control Number: 96167

Expiration Date: 7/6/2017

(Void After Expiration Date)

VOID IF ALTERED NON-TRANSFERABLE

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Pacific Environmental Group, LLC

General Contractor / Environmental Specialty Contractor

CONTRACTOR QUALIFICATIONS STATEMENT

Pacific Environmental Group has great interest in this contract opportunity. Our owners have a proven track record of helping numerous entities get the most for their dollars when it comes to their environmental needs. Our experience correlates perfectly with the opportunity presented in this solicitation.

Pacific Environmental has been a leader in the environmental field over the last 16 years, providing quality services to various public and private entities, property managers, building management, project managers, and consulting firms. Our time tested operating procedures are designed to deliver the best quality of services at the lowest possible cost.

The firms' owners, Jared Moala and John Moala, have successfully bid and executed contracts over the last nearly 16 years on thousands of projects for Bank of America (National Contract), USPS, WFAA, Walgreens, City of Corsicana, City of Hutchins, TXDPS, TX National Guard, Parkland Hospital, Medical Center of Arlington, Dallas ISD, Denton ISD, Hitchcock ISD, Arlington ISD, Richardson ISD, Dallas Baptist College, Arlington Baptist College, CB Richard Ellis, CVS, Comerica, the Federal Government, including an Army IDIQ and Air Force IDIQ, etc.

Pacific Environmental employs only the top personnel in the remediation field. With a combined personnel experience of over 75 years, Pacific Environmental is dedicated to keeping employees top notch with up-to-date training on industry regulations and practice, to include the latest technology and methods.

Pacific Environmental has the infrastructure in place to provide the airport with quality work and services, while adhering to the airport's calendar of operations and activities. Pacific will work around those timetables to provide whatever hazardous material abatement work is required and in agreement with the logistics of the project(s). Each contract is assigned a specific Project Manager with support from the Superintendent, Office Coordinator and General Manager in addition to the assigned Supervisor and field staff.

Pacific Environmental services each client and the many activities involved by using many of the core values Pacific Environmental is based, such as communication, preparedness and problem solving.

Communication - All aspects of any project undertaken by Pacific Environmental are communicated to everybody possibly involved. From primary project discussion through jobsite work to closeout, all parties are involved on Pacific Environmental

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communications. Pacific Environmental personnel are available 24/7/365 days a year, day or night to answer questions, updates, etc.

Preparedness - Pacific Environmental strives to stay ahead of the curve on environmental projects by being prepared prior to ever stepping foot on the jobsite. By completing all required paperwork, submittals, training, schedules, communications and any and all project management items, we try to make sure we have covered all the bases.

Problem Solving - Pacific Environmental understands that there are unique challenges that arise on projects. Pacific Environmental solves these challenges by thinking outside the box, and using the best solutions possible for the client.

CURRENT PROJECTS

- *Federal Medical Center Bureau of Prisons* - Asbestos Abatement
- *Arapaho Village Shopping Center* - Asbestos Abatement
- *Shell Gas Station* – Asbestos Abatement
- *Goodfellow Air Force Base* – Goodfellow, Texas – Demolition
- *WFAA* – Asbestos Abatement
- *Sheraton Dallas* – Asbestos Abatement
- *Dallas Baptist University* – Mold Remediation
- *Lake Granbury Medical Center* – Asbestos Abatement
- *Arlington Baptist College* – Asbestos Abatement
- *Various Residences* – Asbestos Abatement / Mold Remediation
- *US Army Core of Engineers* – Asbestos Abatement
- *Dallas ISD Master Agreement* – Asbestos Abatement
- *Richardson ISD* – Asbestos Abatement

LICENSES AND CERTIFICATIONS

Pacific Environmental maintains the following licenses and certifications:

- Texas Department of State Health Services (TDSHS) Licensed Asbestos Abatement Contractor – License # 80-1057
- TDSHS Licensed Asbestos Abatement Transporter – License # 40-0525
- TDSHS Licensed Mold Remediation Contractor – Marco Fernandez - License # MRC1130

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- TDSHS Licensed Mold Remediation Company- License # RCO1200
- TDSHS Licensed Lead Abatement Firm - License # 2110608
- United States EPA Lead Certification #NAT-F147048-1
- Federal HUBZone Certification - 53206

MINORITY DESIGNATION

Pacific Environmental is a minority owned business.

- Dallas Fort Worth Minority Supplier Development Council – DL02146

SAFETY RECORD

- *Experience Modification Rate (EMR): .85*
- *Number of lost time accidents: Zero*
- *Number of recordable cases: Zero*
- *Fatalities: Zero*
- *Number of direct hire fixed hours worked (in round 1,000's): 30,000*
  - Current EMR - .85
  - OSHA 300 Recordable – Zero accidents or injuries

Bonding Capacity

$1,000,000

DUNS/CAGE Code number

DUNS – 079359158
CAGE – 77VS4

Principals

Jared Moala
504 Oakwood
Euless, Texas 76040
John Moala
1710 Glen Aerie
Corinth, Texas 76210

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Organization Chart - Prime

Role	Name	Responsibility
Partner	E. Jared Moala	Oversees all aspects of operations
Partner	W. John Moala	Oversees all aspects of operations
Director of Marketing & Business Development	Alfred Vaituulala	Provides strategic direction and high level planning
Chief of Construction & Engineering Services	Donald Dragoo	Oversees all operations
Superintendent	Scyler Hurd	Supervises and directs the project managers and supervisors
Project Manager	John Vi	Concentrates on a certain number of projects and oversees each aspect of it
Project Manager	Jenna Rasmussen	Concentrates on a certain number of projects and oversees each aspect of it
Project Supervisor	Marco A. Fernandez	Licensed by the state and covers all tasks related to asbestos abatement
Project Supervisor	David Barnes	Licensed by the state and covers all tasks related to asbestos abatement
Project Coordinator Office Manager	Lisia Moala	Oversees Office

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Pacific Environmental Group, LLC

General Contractor / Environmental Specialty Contractor

Supervisory Personnel

John Moala
Asbestos Abatement Supervisor – 12 years experience
Mold Remediation Contractor – 7 years experience

Marco Fernandez
Asbestos Abatement Supervisor – 20 years experience
Mold Remediation Contractor – 7 years experience
Lead Abatement Supervisor – 3 years experience

Ruben Garcia
Asbestos Abatement Supervisor – 9 years experience
Mold Remediation Worker – 9 years experience
Lead Abatement Worker – 5 years experience

Pedro Leija
Asbestos Abatement Supervisor – 10 years experience

David Barnes
Asbestos Abatement Supervisor – 30 years experience

CAPABILITIES - In House

Asbestos Abatement

Mold and Microbial Remediation

Lead Abatement

Nationwide Disaster Response Support
IAQ Services

Pacific Environmental Group, LLC (Contractor) certifies:

Contractor agrees that services covered by this contract shall be performed by qualified, responsible, trained employees, in the strictest conformity with the best practices and standards as may be prescribed by the Airport, industry standards, and/or manufacturer's recommendations throughout the duration of this contract. The Airport and contractor agree that the conduct of service personnel is to be guided by a set of rules mutually agreed upon and any special instructions deemed applicable by the Airport. It shall be agreed that service personnel's personal grooming habits will be subject to standards set by the Airport. Contractor further agrees that upon request by the Airport, contractor will immediately remove from service any

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employee who, in the Airport's opinion, is guilty of improper conduct, is not qualified or needed to perform the work assigned, or by reason of being in the best interest of the Airport. All service personnel will be required to communicate well, both verbally and in writing, project a professional image in their duties and deal with all people in a courteous and positive manner. All service personnel must wear Photo ID cards while on District property. Full background checks are performed on each employee and laborer.

Regulatory Compliance History

Pacific Environmental has no TDSHS violations nor has it received warnings, citations, penalties, damages, shutdowns, claims, proceedings, or the like.

Available Work Force & Response Time

Pacific Environmental has the background checked and available work force needed to complete this project on budget adhering to the Airport's schedule. Pacific highly values the DFW Airport as a top client and can respond as needed to its requests.

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SECTION 00030 – GENERAL TERMS AND CONDITIONS

****** PLEASE READ CAREFULLY ******

THESE GENERAL CONDITIONS APPLY TO ALL PROPOSALS AND BECOME A PART OF THE TERMS AND CONDITIONS OF ANY PROPOSAL SUBMITTED AND SUBSEQUENT PURCHASE ORDER OR CONTRACT. THE CITY SHALL MEAN THE CITY OF TEXARKANA, TEXAS.

1. **REQUIRED INFORMATION:** The proposal form section of the proposal packet must be completed prior to the date and time set for the proposal opening and included with the proposal packet or the vendor will be found non-responsive.

2. **INSTRUCTIONS:** These instructions apply to all quotations and become a part of terms and conditions of any proposal packet submitted and subsequent purchase order or contract.

3. **ERROR-QUANTITY:** Proposal price must be submitted on units of quantity specified, extend, and total shown. In the event of discrepancies in extensions, the unit price shall govern.

4. **AWARD:** The City of Texarkana, Texas reserves the right to accept or reject any and all proposals in whole or in part and waive any minor technicality and enter into contract deemed to provide the **best value** to the City.
The City of Texarkana, Texas reserves the right to award a separate contract to separate vendors for each item/group or to award one contract for the entire proposal.

4.1 The contract may be awarded either to the lowest responsible proposer or to the proposer who provides goods or services at the best value for the City of Texarkana, Texas. In determining the best value for the City of Texarkana, Texas, the City may consider:

(a) The purchase price;
(b) The reputation of the proposer and of the proposer's goods or services;
(c) The quality of the proposer's goods or services;
(d) The extent to which the goods or services meet the City's needs;
(e) The proposer's past relationship with the City;
(f) The impact on the ability of the City to comply with laws and rules relating to contracting with Historically Underutilized Businesses and non-profit organizations employing persons with disabilities;
(g) The total long-term cost to the City to acquire goods or services; and
(h) Any relevant criteria specifically listed in the Request for Proposal.

4.2 All proposals are evaluated for compliance with specifications before the proposal price is considered. Failure to comply with the listed General Conditions may result in disqualification of proposal.

4.3 In case of tie proposals, preference will be given to local proposers.

4.4 Any contract made, or purchase order issued, as a result of this Request for Proposal, shall be entered into the State of Texas and under the laws of the State of Texas. In connection with the performance of work, the Proposer agrees to comply with the Fair Labor Standard Act, Equal Opportunity Employment Act, and all other applicable Federal, State, and Local laws, regulations, and executive orders to the extent that the same may be applicable.

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Responsible Proposer Criteria: The City shall consider only responsible Proposers. Responsible Proposers are those that have, in the sole judgment of the City, the financial ability, experience, resources, skills, capability, reliability and business integrity necessary to perform the requirements of the contract. The City may also consider references and financial stability in determining a responsible Proposer.

5. **INVOICES:** Invoices shall be submitted by the successful proposer to the City of Texarkana, Texas, Purchasing, P. O. Box 1967, Texarkana, Texas 75504

6. **PAYMENT TERMS:** Net 30 days.

7. **TAXES:** The City of Texarkana, Texas is exempt from Federal Manufacturer's excise and state sales tax. Tax must not be included in proposal. Tax exemption certificates will be executed by the City and furnished upon request.

8. **DELIVERY PROMISE:** Proposals must show the number of calendar days required to place the materials in the possession of the City. Do not quote shipping dates.

9. **FUNDING:** The City of Texarkana, Texas is a home-rule municipal corporation operated and funded on an October 1 to September 30 basis; accordingly, the City reserves the right to terminate, without liability to the City, any contract for which funding is not available.

10. **ASSIGNMENT:** The successful proposer shall not sell, assign, transfer or convey this contract in whole, or part, without the prior written consent of the Purchasing Department.

11. **LATE PROPOSALS:** Proposal packets received after submission deadline shall be returned unopened and will be considered void and unacceptable. The City of Texarkana, Texas is not responsible for the lateness of mail carrier, weather conditions, etc.

12. **ALTERING PROPOSALS**: Proposal prices cannot be altered or amended after submission deadline. Any interlineation alteration or erasure made before opening time must be initialed by the signer of the proposal, guaranteeing authenticity.

13. **WITHDRAWAL OF PROPOSALS**: A proposal price may not be withdrawn or canceled by the proposer for a period of ninety (90) days following the date designated for the receipt of proposals without written approval of Purchasing Director, and proposer so agrees upon submittal of proposal.

14. **CHANGE ORDERS**: No oral statement of any person shall modify or otherwise change, or affect the terms, conditions or specifications stated in the resulting contract. All change orders to the contract will be made in writing by the City of Texarkana, Texas.

15. **ADDENDA**: Any interpretations, corrections or changes to this proposal packet will be made by addenda. Sole issuing authority shall be vested in the City of Texarkana, Texas Purchasing Department. Addenda will be sent to all who are known to have received a copy of this proposal packet. If the addenda contain changes to the "specification" or "proposal form", proposers shall acknowledge receipt of all addenda or they will be declared non-responsive.

16. **Contractor shall release, defend, indemnify and hold harmless the City** and its officers, agents and employees from and against all damages, injuries (including death), claims, property damages (including loss of use), losses, demands, suits, judgments and costs, including reasonable attorney's fees and expenses, in any way arising out of,

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related to, or resulting from the performance of the work or caused by the negligent act or omission of contractor, its officers, agents, employees, subcontractors, licensees, invitees or any other third parties for whom contractor is legally responsible (hereinafter "claims"). Contractor is expressly required to defend City against all such claims.
In its sole discretion, City shall have the right to select or to approve defense counsel to be retained by contractor in fulfilling its obligation hereunder to defend and indemnify City, unless such right is expressly waived by City in writing. City reserves the right to provide a portion or its own entire defense; however, City is under no obligation to do so. Any such action by City is not to be construed as a waiver of contractor's obligation to defend City or as a waiver of contractor's obligation to indemnify City pursuant to this contract. Contractor shall retain City approved defense counsel within seven (7) business days of City's written notice that City is invoking its right to indemnification under this contract. If contractor fails to retain counsel within such time period, City shall have the right to retain defense council on its own behalf, and contractor shall be liable for all costs incurred by City.

17. **TERMINATION**: The City of Texarkana, Texas reserves the right to enforce the performance of this contract in any manner prescribed by law or deemed to be in the best interest of the City in the event of breach or default of this contract. The City reserves the right to terminate the contract immediately in the event the successful proposer fails to 1) meet delivery schedules or 2) otherwise perform in accordance with these specifications or 3) the City of Texarkana may terminate this contract for any reason with 30 days written notice.

18. **VENUE:** This agreement will be governed and constructed according to the laws of the State of Texas. This agreement is performable in Bowie County, Texas.

19. **NO PROHIBITED INTEREST:** Proposer acknowledges and represents that they are aware of the laws, City charter, and City code of conduct regarding conflicts of interest. The City charter states that "no officer or employee of the City shall have a financial interest, direct or indirect, in any contract with the City, nor shall be financially interested, directly or indirectly, in the sale to the City of any land, or rights or interest in any land, materials, supplies or service".

20. **PREPARATION COST:** The City will not be liable for any costs associated with the preparation, transmittal, or presentation of any proposals or materials submitted in response to any proposal, quotation, or proposal.

21. **MINOR DEFECT:** The City reserves the right to waive any minor defect, irregularity, or informality in any proposal. The City may also reject any or all proposals without cause prior to award.

22. **PROPOSAL OPENINGS:** All proposals submitted will be read at the City's regularly scheduled proposal opening for the designated project. However, the reading of a proposal at proposal opening should not be construed as a comment on the responsiveness of such proposal or as any indication that the City accepts such proposal as responsive. The City will make a determination as to the responsiveness of proposals submitted based upon compliance with all applicable laws, City of Texarkana, Texas purchasing guidelines, and project documents, including but not limited to the project specifications and contract documents. The City will notify the successful proposer upon award of the contract and, according to state law; all proposals received will be available for inspection at that time.

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23. **FORCE MAJEURE:** Neither party shall be held responsible for losses or damages hereunder, if the fulfillment of any terms of provisions of the contract is delayed or prevented by strike, walkouts, acts of god, or public enemy, fire, or flood.

24. **PRICE:** The price or prices for the work shall include full compensation for all taxes, permits, etc. that the proposer is or may be required to pay.

25. **CONFLICT OF INTEREST:** The proposer shall not offer or accept gifts or anything of value nor enter into any business arrangement with any employee, official or agent of the City of Texarkana, Texas.

    By signing and executing this proposal, the proposer certifies and represents to the City the proposer has not offered, conferred or agreed to confer any pecuniary benefit or other thing of value for the receipt of special treatment, advantage, information, recipient's decision, opinion, recommendation, vote or any other exercise of discretion concerning this proposal.

26. **PERMITS:** Successful proposer is responsible for obtaining any and all City permits when job requires.

27. **CONFLICT OF INTEREST DISCLOSURE:** Disclosure requirements of potential conflicts of interest involving counties, cities, and other local government entities must be filed after January 1, 2006. The disclosures must be filed by vendors or potential vendors to local government entities. The new requirements are set forth in a new Chapter 176 of the Texas Local Government Code added by H.B. No. 914 of the last Texas Legislature.

    A "local government entity" includes counties, municipalities, school districts, and other political subdivisions of the state or any entity to which a member is appointed by a county commissioner's court or the mayor or governing body of a municipality. A "local government officer" means a member of the governing body of a local government entity and the person designated as the chief executive officer of the local government entity.

    Companies and individuals who contract, or seek to contract, with the City of Texarkana, Texas and its agents (including employees involved in the business with the entity) must file with the City Secretary's Office at 220 Texas Blvd., Room 102, Texarkana, Texas 75504 a Conflict of Interest Questionnaire that describes, among other things, affiliations or business relationships with City of Texarkana, Texas officers, or certain family members or other businesses of the City of Texarkana, Texas officer, and certain employees or other contractors of the City of Texarkana, Texas with which such persons do business.

    The new requirements are in addition to any other disclosures required by law. The dates for filing disclosure statements begin on January 1, 2006. A violation of the filing requirements is a Class C misdemeanor.

    The Conflict of Interest Questionnaire (Form CIQ) may be downloaded from http://www.ethics.state.tx.us/conflict_forms.htm.

28. **Disclosing "Interested Parties" to a Contract, HB1295**: A governmental entity (the City) or state agency may not enter into a contract described by Subsection (b) with a business entity unless the business entity, in accordance with this section and rules adopted under this section submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency.

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"controlling interest" means: (1) an ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stock or otherwise that exceeds 10%; (2) membership on a board of directors or other governing body of a business entity of which the board or other governing body is composed of not more than 10 members; or (3) service as an officer of business entity that has four or fewer officers or service as one of the four officers most highly compensated by a business entity that has more than four officers.

"Interested party" means a person who has a controlling interest in the business entity with whom a governmental entity or state agency contracts or who actively participated in facilitating the contract or negotiating the terms of the contract, including a broker, intermediary, adviser or attorney for the business entity.

The disclosure of interested parties must be submitted on a form prescribed by the Texas Ethics Commission that includes:

(1) A list of each interested party for the contract of which the contracting business entity is aware; and

(2) The signature of the authorized agent of the contracting business entity, acknowledging that the disclosure is made under oath and under penalty of perjury.

A copy of this form can be found on the Texas Ethics Commission website with instructions. https://www.ethics.state.tx.us/tec/1295-info.htm

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SECTION 00040 - INSURANCE REQUIREMENTS

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

(a) Commercial General Liability (CGL) insurance at minimum combined single limits of $1,000,000 per-occurrence and $2,000,000 general aggregate for bodily injury and property damage. Coverage must be written on an occurrence form. Contractual liability must be maintained with respect to the contractor's obligations contained in the contract. The general aggregate limit must be at least two (2) times the per-occurrence limit. CGL shall include coverage for:

1. Premises/Operations
2. Products Completed Operations
3. Personal Injury

(b) Workers Compensation insurance at statutory limits.

(c) Commercial Automobile Liability insurance at minimum combined single limits of $1,000,000 per-occurrence for bodily injury and property damage, including owned, non-owned, and hired vehicle coverage.

The required limits may be satisfied by any combination of primary, excess or umbrella liability insurances, provided the primary policy complies with the above requirements and the excess umbrella is following form. The successful proposer may maintain reasonable and customary deductibles, subject to approval by the City.

A comprehensive general liability insurance form may be used in lieu of a commercial general liability insurance form. In this event, coverage must be written on an occurrence basis, at limits of $500,000 per occurrence, combined single limit; and coverage must include a broad form comprehensive general liability endorsement, coverage for products/completed operations, and broad form contractual liability covering the obligations included in the contract.

With reference to the foregoing insurance requirement, the successful proposer shall specifically endorse applicable insurance policies as follows:

(1) The City shall be named as an additional insured with respect to general liability.

(2) A waiver of subrogation in favor of the City of Texarkana, Texas shall be contained in the workers compensation coverage.

(3) All insurance policies shall be endorsed to require the insurer to immediately notify the City of any material change in the insurance coverage.

(4) All insurance policies shall be endorsed to the effect that the City will receive at least 10 days notice prior to cancellation, non-renewal or termination of the insurance.

(5) All copies of Certificates of Insurance shall reference the project/contract number for which the insurance is being supplied.

The City prefers that all insurance be purchased from an insurance company that meets the following requirements:

1) A financial rating of A:VII or better as assigned by the BEST rating Company or A or better by Standard and Poor's.
2) Written by companies approved by the State of Texas and acceptable to the City of Texarkana, Texas.

All insurance must be written on forms filed with and approved by the Texas State Board of Insurance. Certificates of Insurance shall be prepared and executed by the insurance company or it's authorized agent, and shall contain provisions representing and warranting the following:

1) The insurance set forth by the insurance company are underwritten on forms, which have been approved by the Texas State Board of Insurance.

2) Sets forth all endorsements and insurance coverage according to requirements and instructions contained herein.

3) Shall specifically set forth the notice of cancellation or termination provisions to the City of Texarkana, Texas.

CONTRACTOR SHALL:

(1) provide coverage for its employees providing services on a project, for the duration of the project based on proper reporting of classification codes and payroll amounts and filling of any coverage agreements;

(2) provide a certificate of coverage showing workers' compensation coverage to the governmental entity prior to beginning work on the project;

(3) provide the governmental entity, prior to the end of the coverage period, a new certificate of coverage showing extension of coverage, if the coverage period shown on the contractor's current certificate of coverage ends during the duration of the project;

(4) obtain from each person providing services on a project, and provide to the governmental entity:

(A) a certificate of coverage, prior to that person beginning work on the project, so the governmental entity will have on file certificates of coverage showing coverage for all persons providing services on the project; and

(B) no later than seven days after receipt by the contractor, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

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(5) retain all required certificates of coverage on file for the duration of the project and for one year thereafter;

(6) notify the governmental entity in writing by certified mail or personal delivery, within ten (10) days after the contractor knew or should have known, of any change that materially affects the provision of coverage of any person providing services on the project;

(7) post a notice on each project site informing all persons providing services on the project that they are required to be covered, and stating how a person may verify current coverage and report failure to provide coverage. This notice does not satisfy other posting requirements imposed by the Act or other commission rules. This notice must be printed in at least 19-point normal type, and shall be in both English and Spanish and any other language common to the worker population. The text for the notices shall be the following text provided by the commission on the sample notice, without any additional words or changes:

REQUIRED WORKERS' COMPENSATION COVERAGE

"The law requires that each person working on this site or providing services related to this construction project must (see reverse) be covered by workers' compensation insurance. This includes persons providing, hauling, or delivering equipment and materials, or providing labor or transportation or other service related to the project, regardless of the identity of their employer or status as an employee."

"Call the Texas Workers' Compensation Commission at 512-305-7238 to receive information on the legal requirement for coverage, to verify whether your employer has provided the required coverage, or to report an employer's failure to provide coverage." and

(8) contractually require each person with whom it contracts to provide services on a project, to:

(A) provide coverage based on proper reporting of classification codes and payroll amounts and filing of any coverage agreements for all of its employees providing services on the project, for the duration of the project;

(B) provide a certificate of coverage to the contractor prior to that person beginning work on the project;

(C) include in all contracts to provide services on the project the language in subsection (e) (3) of this rule;

(D) provide the contractor, prior to the end of the coverage period, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

(E) obtain from each other person with whom it contracts, and provide to the contractor:

(i) a certificate of coverage, prior to the other person beginning work on the project; and

(ii) prior to the end of the coverage period, a new certificate of coverage showing extension of the coverage period, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

(F) retain all required certificates of coverage on file for the duration of the project and for one year thereafter;

(G) notify the governmental entity in writing by certified mail or personal delivery, within (ten) 10 days after the person knew or should have known, of any change that materially affects the provision of coverage of any person providing services on the project; and

(H) contractually require each other person with whom it contracts, to perform as required by paragraphs (A) - (H), with the certificate of coverage to be provided to the person for whom they are providing services.

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SECTION 00050 –BOND REQUIREMENTS

BID BOND

An acceptable Bid Bond, certified check or cashier's check (bid/proposal security) payable without recourse to the order of the City of Texarkana, Texas, in an amount not less than **five percent (5%)** of the amount of the bid/proposal must accompany each bid/proposal as guarantee that, if awarded the contract, the bidder/proposer will enter into a contract within ten (10) days of the presentation of such contract to the bidder/proposer by the City. The Bid Bond must be on a form acceptable to City and the bonding company supplying the Bid Bond must be authorized to do business in the State of Texas.

The bid/proposal security submitted with each bid/proposal shall be considered as the amount of the liquidated damages which the City of Texarkana will sustain by the failure, neglect or refusal of the bidder/proposer to execute and deliver the agreement should the contract be awarded him.

If the bidder/proposer defaults in executing the agreement within ten (10) days after presentation of the contract to him, the bid/proposal security shall become the property of the City of Texarkana.

Bidder/Proposer warrants that the bid/proposal he submits has been checked for mathematical correctness and same is correct. Bidder/proposer agrees that should he desire to withdraw his bid/proposal after bid/proposal opening because of a mathematical mistake that the City of Texarkana may retain the bid/proposal security as liquidated damages and not as penalty and the bidder/proposer hereby waives any legal defense available to bidder/proposer for such mistake. (i.e. unilateral mistake).

The Bid Bond shall be retained by the City of Texarkana as liquidated damages in the event the successful bidder/proposer, after the award, fails to comply with the terms of this bid/proposal.

Bond rating must be A- or better.

PERFORMANCE BOND

Successful bidders/proposers must provide a performance bond for 100 percent of the contract price to ensure fulfillment of the Contractor’s obligations under the contract.

PAYMENT BOND

Successful bidders/proposers must provide a payment bond for 100 percent of the contract price. Said payment bond is to ensure payment as required by statute to all persons suppling labor and material under the contract.

Terracon

SECTION 00100 – INSTRUCTIONS TO PROPOSERS

A complete set of the proposal documents will be provided by Terracon. A complete set of proposal documents shall be used in preparing proposals; neither Owner, nor Terracon assume any responsibility for errors or misinterpretations resulting from the use of incomplete sets of proposal documents.

Owner by making available copies of the proposal documents on the above terms, does so only for the purpose of obtaining proposals on the work and does not confer a license or grant for any other use.

Qualification of Proposers

All proposers must demonstrate qualifications to perform work. Each proposer must submit the required documents including previous work experience and proof of authority to conduct business in the jurisdiction in the area in which the work is to be performed.

Contractors submitting proposals must comply with requirements of the Davis-Bacon Act and associated U.S. Department of Labor regulations for all construction, alteration and repair activities. Cleanup activities will involve construction, alteration and repair activities and are, therefore, subject to the Davis-Bacon Act. The remediation of asbestos- and lead-containing materials are considered "Building Construction" under the Davis-Bacon Act. These requirements include, but are not limited to, payment of prevailing wages, weekly payment of wages, and specific job-site postings. More information is available at https://www.dol.gov/whd/govcontracts/dbra.htm.

Contractor proposals must include:

- Davis-Bacon Wage Determinations; available at www.wdol.gov Wage Determinations
- Federal Labor Standards Clauses

Proposal Submittal: Required Documents Summary

Insurance Certificate

Bid Bond (5%) will be required for this project.

Performance Bond and Labor and Material Payment Bond will be required for this project.

AIA A305 Contractor's Qualification Statement

State of Texas Asbestos, Lead and Mold Contractor Licenses

State of Texas Supervisor License and Work Experience (Asbestos, Lead and Mold)

Name of the Proposed Landfill at which the Waste will be Disposed

Name of the Waste Transporter and a Certificate of Insurance

Notarized Statement of Compliances

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Scoring and Selection

The following criteria will be used to score the proposals:

Experience Specific to Deteriorated Structures that Include Common Walls – 25 Points
Experience Specific to Façade Preservation of Deteriorated Structures – 20 Points
Experience Specific to Federally Funded State Environmental Cleanups – 15 Points
References – 15 Points
Demonstrated Ability to Adhere to Project Timelines – 15 Points
Total Project Cost - 10 Points

In the event of a tie score, the Owner will break the tie amongst the tying proposers using the following method:

(1) The first tie breaker, if needed, will be preference to local contractor as shown in "General Terms and Conditions" Section 4.3.
(2) The second tie breaker, if needed, will be the highest score for the "Total Project Cost" criterion.
(3) The third tie breaker, if needed, will be the highest score for the "Demonstrated Ability to Adhere to Project Timelines" criterion.
(4) The fourth tie breaker, if needed, will be the highest score for the "References" criterion.

Timeline

Contractor is required to meet the following timeline:

- Begin field work – no later than July 25, 2016
- Abatement/remediation and clearance completion – by August 12, 2016
- Closeout submittals – within 7 working days following completion of abatement.
- All invoices must be submtted within 14 days following completion of abatement.

Upon Proposal Award the Contractor will submit the Following Items:

Hazardous Communication Program

Respiratory Protection Program

Material Safety Data Sheets

Current Worker Licensing and Registration

Medical Surveillance Information for Personnel

Original Certificate of Insurance

Safety Plan

Examination of Proposal Documents and Site

Before submitting a proposal, each proposer must:

a) Examine the contract documents thoroughly.

b) Attend the mandatory pre-proposal walk-through to familiarize the proposer with variances that may affect cost, progress, or performance of the work.

c) Familiarize himself with local, federal and state laws, ordinances, rules and regulations that may affect cost, progress or performance of the work.

d) Study and carefully correlate proposer's observations with the contract documents.

The Owner reserves the right to award only one contract to one contractor after receipt of proposals.

Before submitting a proposal, each proposer will, at his own expense, make any investigations and tests as the proposer may deem necessary to determine his proposal for performance of the work in accordance with the time, price and other terms and conditions of the contract documents.

Interpretation:

Questions about the meaning or intent of the Proposal Package shall be submitted to Terracon via electronic mail. Replies will be issued by addenda transmitted via electronic mail to all parties recorded by Terracon as having received the proposal package. Questions received less than two (2) days prior to the date for opening of proposals will not be answered. Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.

END OF SECTION 00100

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SECTION 00040 - INSURANCE REQUIREMENTS

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

(a) Commercial General Liability (CGL) insurance at minimum combined single limits of $1,000,000 per-occurrence and $2,000,000 general aggregate for bodily injury and property damage. Coverage must be written on an occurrence form. Contractual liability must be maintained with respect to the contractor's obligations contained in the contract. The general aggregate limit must be at least two (2) times the per-occurrence limit. CGL shall include coverage for:

1. Premises/Operations
2. Products Completed Operations
3. Personal Injury

(b) Workers Compensation insurance at statutory limits.

(c) Commercial Automobile Liability insurance at minimum combined single limits of $1,000,000 per-occurrence for bodily injury and property damage, including owned, non-owned, and hired vehicle coverage.

The required limits may be satisfied by any combination of primary, excess or umbrella liability insurances, provided the primary policy complies with the above requirements and the excess umbrella is following form. The successful proposer may maintain reasonable and customary deductibles, subject to approval by the City.

A comprehensive general liability insurance form may be used in lieu of a commercial general liability insurance form. In this event, coverage must be written on an occurrence basis, at limits of $500,000 per occurrence, combined single limit; and coverage must include a broad form comprehensive general liability endorsement, coverage for products/completed operations, and broad form contractual liability covering the obligations included in the contract.

With reference to the foregoing insurance requirement, the successful proposer shall specifically endorse applicable insurance policies as follows:

(1) The City shall be named as an additional insured with respect to general liability.

(2) A waiver of subrogation in favor of the City of Texarkana, Texas shall be contained in the workers compensation coverage.

(3) All insurance policies shall be endorsed to require the insurer to immediately notify the City of any material change in the insurance coverage.

(4) All insurance policies shall be endorsed to the effect that the City will receive at least 10 days notice prior to cancellation, non-renewal or termination of the insurance.

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(5) All copies of Certificates of Insurance shall reference the project/contract number for which the insurance is being supplied.

The City prefers that all insurance be purchased from an insurance company that meets the following requirements:

1) A financial rating of A:VII or better as assigned by the BEST rating Company or A or better by Standard and Poor's.
2) Written by companies approved by the State of Texas and acceptable to the City of Texarkana, Texas.

All insurance must be written on forms filed with and approved by the Texas State Board of Insurance. Certificates of Insurance shall be prepared and executed by the insurance company or it's authorized agent, and shall contain provisions representing and warranting the following:

1) The insurance set forth by the insurance company are underwritten on forms, which have been approved by the Texas State Board of Insurance.

2) Sets forth all endorsements and insurance coverage according to requirements and instructions contained herein.

3) Shall specifically set forth the notice of cancellation or termination provisions to the City of Texarkana, Texas.

CONTRACTOR SHALL:

(1) provide coverage for its employees providing services on a project, for the duration of the project based on proper reporting of classification codes and payroll amounts and filling of any coverage agreements;

(2) provide a certificate of coverage showing workers' compensation coverage to the governmental entity prior to beginning work on the project;

(3) provide the governmental entity, prior to the end of the coverage period, a new certificate of coverage showing extension of coverage, if the coverage period shown on the contractor's current certificate of coverage ends during the duration of the project;

(4) obtain from each person providing services on a project, and provide to the governmental entity:

(A) a certificate of coverage, prior to that person beginning work on the project, so the governmental entity will have on file certificates of coverage showing coverage for all persons providing services on the project; and

(B) no later than seven days after receipt by the contractor, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

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(5) retain all required certificates of coverage on file for the duration of the project and for one year thereafter;

(6) notify the governmental entity in writing by certified mail or personal delivery, within ten (10) days after the contractor knew or should have known, of any change that materially affects the provision of coverage of any person providing services on the project;

(7) post a notice on each project site informing all persons providing services on the project that they are required to be covered, and stating how a person may verify current coverage and report failure to provide coverage. This notice does not satisfy other posting requirements imposed by the Act or other commission rules. This notice must be printed in at least 19-point normal type, and shall be in both English and Spanish and any other language common to the worker population. The text for the notices shall be the following text provided by the commission on the sample notice, without any additional words or changes:

REQUIRED WORKERS' COMPENSATION COVERAGE

"The law requires that each person working on this site or providing services related to this construction project must (see reverse) be covered by workers' compensation insurance. This includes persons providing, hauling, or delivering equipment and materials, or providing labor or transportation or other service related to the project, regardless of the identity of their employer or status as an employee."

"Call the Texas Workers' Compensation Commission at 512-305-7238 to receive information on the legal requirement for coverage, to verify whether your employer has provided the required coverage, or to report an employer's failure to provide coverage." and

(8) contractually require each person with whom it contracts to provide services on a project, to:

(A) provide coverage based on proper reporting of classification codes and payroll amounts and filing of any coverage agreements for all of its employees providing services on the project, for the duration of the project;

(B) provide a certificate of coverage to the contractor prior to that person beginning work on the project;

(C) include in all contracts to provide services on the project the language in subsection (e) (3) of this rule;

(D) provide the contractor, prior to the end of the coverage period, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

(E) obtain from each other person with whom it contracts, and provide to the contractor:

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(i) a certificate of coverage, prior to the other person beginning work on the project; and

(ii) prior to the end of the coverage period, a new certificate of coverage showing extension of the coverage period, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

(F) retain all required certificates of coverage on file for the duration of the project and for one year thereafter;

(G) notify the governmental entity in writing by certified mail or personal delivery, within (ten) 10 days after the person knew or should have known, of any change that materially affects the provision of coverage of any person providing services on the project; and

(H) contractually require each other person with whom it contracts, to perform as required by paragraphs (A) - (H), with the certificate of coverage to be provided to the person for whom they are providing services.

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SECTION 00050 –BOND REQUIREMENTS

BID BOND

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Bidder/Proposer warrants that the bid/proposal he submits has been checked for mathematical correctness and same is correct. Bidder/proposer agrees that should he desire to withdraw his bid/proposal after bid/proposal opening because of a mathematical mistake that the City of Texarkana may retain the bid/proposal security as liquidated damages and not as penalty and the bidder/proposer hereby waives any legal defense available to bidder/proposer for such mistake. (i.e. unilateral mistake).

The Bid Bond shall be retained by the City of Texarkana as liquidated damages in the event the successful bidder/proposer, after the award, fails to comply with the terms of this bid/proposal.

Bond rating must be A- or better.

PERFORMANCE BOND

Successful bidders/proposers must provide a performance bond for 100 percent of the contract price to ensure fulfillment of the Contractor's obligations under the contract.

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Successful bidders/proposers must provide a payment bond for 100 percent of the contract price. Said payment bond is to ensure payment as required by statute to all persons suppling labor and material under the contract.

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6.4.d

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SITE CLEANUP PLAN

COMMERCIAL BUILDING
203/205 W Broad Street
Texarkana, Texas
EPA ACRES ID Nos. 72441/72421

United States Environmental Protection Agency, Region 6
Brownfields Multi-Purpose Pilot
Hazardous Substances
Cooperative Agreement No. BF-00F62801

February 25, 2016
Terracon Project No. 94137464B

Prepared for:
City of Texarkana
Texarkana, Texas

Prepared by:

Greg Calhoun
TDSHS Individual Asbestos Consultant
License No. 10-5510
Expires 10.19.17

Terracon Consultants, Inc.
Dallas, Texas
TDSHS Asbestos Consultant Agency License No. 10-0157
TDSHS Lead Firm License No. 2110106
TDSHS Mold Assessment Company License No. ACO0117

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Environmental ■ Facilities ■ Geotechnical ■ Materials

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APPENDICES

APPENDIX A — Structural Assessment Letter
Raley & Associates, Inc., July 2015

APPENDIX B — Property-Specific Sampling and Analysis Plan (PSAP)
Terracon Consultants, Inc., July 2014

APPENDIX C — CONCEPTUAL Drawing of Waste Processing Station

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SITE CLEANUP PLAN

Commercial Building
203/205 W Broad Street, Texarkana, Texas 75501
EPA ACRES ID Nos. 72441/72421

Brownfields Multi-Purpose Pilot Grant, Cooperative Agreement No. BF-00F62801
U.S. Environmental Protection Agency, Region 6
Terracon Project No. 94137464B

Prepared by: Terracon Consultants, Inc., Dallas, Texas
TDSHS Asbestos Consultant Agency License No. 10-0157
TDSHS Lead Firm License No. 2110106
TDSHS Mold Assessment Company License No. ACO0117

1.0 TITLES AND APPROVALS

1.1 Contractor Project Manager

Date 3/28/16

Greg Calhoun / Terracon Consultants, Inc.
TDSHS Individual Asbestos Consultant, License No. 10-5510, Expires 10.19.17

1.2 Contractor Quality Assurance Reviewer

Date 3/28/16

David E. Koch / Terracon Consultants, Inc.

1.3 Grantee Brownfields Program Manager

Daphnea Ryan

Date 3/24/16

Daphnea Ryan / City of Texarkana

1.4 Grantee Quality Assurance Manager

Adra Hallford

Date 3/28/16

Adra Hallford / City of Texarkana

1.5 EPA Region 6 Grant Manager

Camisha Scott

Date 3/24/16

Camisha Scott/ USEPA Region 6

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2.0 INTRODUCTION

The U.S. Environmental Protection Agency (EPA) Brownfields Program announced in 2011 a pilot program that combined environmental assessment and cleanup funds into one grant. The Multi-Purpose Pilot Grant award required a government entity to apply for a specific site that passed CERCLA liability requirements and was owned by the applying government entity.

The objectives of the City of Texarkana, Texas' Brownfields Program include improving public health and safety, increasing jobs, increasing revenue for the City, increasing industrial, commercial and housing development, increasing green space, conserving energy, protecting natural resources, enhancing community pride and improving the overall quality of life for our citizens. Brownfields revitalization of real property is integral to all these objectives. The City submitted a FY2012 application for 203/205 West Broad Street in the Fiscal Year 2012 national grant competition. EPA awarded Texarkana a $400,000 Multi-Purpose Pilot Grant to conduct environmental assessment and cleanup of this property to improve environmental health conditions in our community and stimulate redevelopment interest.

The downtown West Broad Street property is a catalyst site identified by previous environmental assessments and planning. Catalysts sites have elevated potential to initiate community change if they can be revitalized. The purpose of this grant project is to assess and clean up this Downtown Brownfields site to a point where residual environmental issues do not reasonably obstruct active re-use of the structures and redevelopment.

3.0 THE PROJECT

The site has been physically developed with structure(s) since at least 1885. The current commercial building consists of two physically adjoined 0.08-acre parcels located at 203 and 205 West Broad Street in Texarkana, Bowie County, Texas. Both parcels are developed with single story retail buildings which are adjoined to other commercial structures on the block in a manner typical of historic downtown development. Both buildings are vacant. Prior to City of Texarkana acquisition in 2012 the buildings had not been maintained for several years. Water infiltration had severely damaged the roof and flooring of both buildings, to the point of partial collapse.

203 West Broad Street. This portion of the project is a one story former bail bonds office in a multi-tenant retail center. The structure is constructed on a slab on grade and pier and beam foundation and consists of approximately 2,800 square feet. The exterior

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of the building consists of wood, brick, and hard plaster. The roof consists of a flat, built-up roofing system. The interior of the structure consists of former sales floor, office, restrooms, storage rooms, stockroom, and crawlspace. Multiple areas of the interior are currently deemed unsafe and not accessible for other than remote visual evaluation. The interior walls consist of textured drywall, unfinished drywall with wallpaper, unfinished drywall, wood, brick and hard plaster. The ceiling consists of a drop ceiling, hard plaster, and wood ceiling system suspended from a wood deck. The floors consist of vinyl floor tile on a concrete and wood substrate. Fungal growth as mold is visible and analytically documented at multiple locations in the interior of the building on gypsum wallboard walls, ceiling tiles, wood sub-flooring, ceiling and roof decks, plaster walls and exposed wood framing and beams. The roof and/or ceiling systems are collapsed in various locations of the indoor spaces allowing inclement weather to directly impact the interior building materials. Portions of the floor system are collapsed, exposing the crawlspace.

205 West Broad Street. This portion of the project is a one-story former key store in a multi-tenant retail center. The structure is constructed on a slab on grade and pier and beam foundation and consists of approximately 3,500 square feet. The exterior of the building consists of wood, brick, and hard plaster. The roof consists of a flat, built-up roofing system. The interior of the site consists of a north entrance area, sales floor, safe room, mezzanine area, mechanical room, restroom, and crawlspace. The interior walls consist of textured drywall, wood, brick, and hard plaster. The ceiling consists of a drop ceiling, drywall, hard plaster, and interlocking tiles ceiling system suspended from a wood deck. The floors consist of carpet, vinyl floor tile, and terrazzo on a concrete and wood substrate. Fungal growth as mold is visible and analytically documented at multiple locations in the interior of the building on gypsum wallboard walls, ceiling tiles, wood sub-flooring, ceiling and roof decks, plaster walls and exposed wood framing and beams. The roof and/or ceiling systems are collapsed in various locations of the indoor spaces allowing inclement weather to directly impact the interior building materials. Portions of the floor system are collapsed, exposing the crawlspace.

3.1 Original Approach

The City of Texarkana expected to encounter asbestos-containing and -contaminated materials, lead paint-coated building components, avian pathogen-contaminated materials and fungal-contaminated (mold) materials based on the findings of previous ASTM E1527 Phase I environmental site assessments and limited historical testing. As grantee Texarkana proposed to complete a traditional series of EPA-approved plans to assess and cleanup the property.

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Central to grant activities was structural integrity of the 2-story commercial property. Developed more than 130 years ago, the walls, roof, structural members and street façade had deteriorated to a degree it was suspected unsafe to conduct physical sampling activities. City ownership was requisite of the grant. Raley & Associates, Inc. (RAI), Bossier City, Louisiana conducted a visual observation of the connected buildings in October 2012 as part of grant proposal preparation. In the interests of worker and public safety, the grant application provided for additional structural integrity analysis of the building before EPA-approved Phase II assessment occurred. In the interim, the City of Texarkana has secured and maintained doors, windows, and structural openings of the premises to prevent access by unauthorized persons consistent with *Chapter 5, Article III, of the Code of Ordinances* of the City of Texarkana, Texas for substandard structures.

Under the Multi-Purpose Pilot Grant Texarkana competitively procured Qualified Environmental Professional (QEP) consultant services to develop grant plans and conduct assessment as physical sampling and analysis. Assessment would develop an improved understanding of the distribution of contaminants known to be in and possibly beneath the structures. This information would then be used to quantify contaminants. Contaminant quantities would be used to decide a cleanup strategy and plan to mitigate or manage contaminants consistent with Texas regulatory programs and goals for re-use.

Under this approach, the following were completed toward grant implementation;

- Negotiated with *EPA Cooperative Agreement # BF-00F62801*, 2012
- A supporting cooperative agreement work plan as *Brownfields Multi-Purpose Pilot Grant Milestones and Schedule, City of Texarkana, Texas, 203/205 West Broad Street Site, ($200,000 Hazardous Substances Assessment, $200,000 Hazardous Substances Clean Up)*; 2012
- Competitive selection process to secure Qualified Environmental Professional services, *Consultant Services, Qualified Environmental Professional To Assist in the Implementation and Management of the EPA Brownfields Multi-Purpose Grant*, Texarkana Request For Qualifications #13-2001-02, May 2013
- Selection of Terracon Consultants, Inc. for Qualified Environmental Professional (QEP) services, initiating first services with Texarkana Purchase Order #01204, June 2013
- Qualitative interior observation and testing limited by safety and physical access;
    - *Hazardous Materials Consulting Report: Visual Mold Assessment, 203 and 205 West Broad Street, Texarkana, Texas*, Terracon Project No. 94137464, September 20, 2013
    - *Lead-Based Paint Vacant Commercial Structures, 203 & 205 West Broad Street, Texarkana, Texas 75165*; Terracon Project No. 94137464, September 23, 2013

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- *Asbestos Survey, Vacant Commercial Structures, 203 & 205 West Broad Street, Texarkana, Texas*; Terracon Project No. 94137464, October 1, 2013

- *EPA-approved Site-Specific Quality Assurance Project Plan for Assessment and Cleanup (Revision 1)*, Terracon Project No. 94137464B, March 31, 2014
- *Property-Specific Sampling And Analysis Plan (PSAP) – Asbestos, Lead-Paint, Mold and Guano Sampling, Commercial Building, 203 & 205 W Broad Street, Texarkana, Texas 75501; Brownfields Multi-Purpose Pilot Grant, U.S. Environmental Protection Agency, Region 6, EPA Cooperative Agreement No. BF-00F62801, Terracon Project No. 94137464B*, July 2014 (reference Appendix B)
- *Property-Specific Sampling and Analysis Plan (PSAP) – Soil And Groundwater Assessment, Commercial Building, 203 & 205 W Broad Street, Texarkana, Texas 75501; Brownfields Multi-Purpose Pilot Grant, U.S. Environmental Protection Agency, Region 6, EPA Cooperative Agreement No. BF-00F62801, Terracon Project No. 94137464B*, July 2014

3.2 Changed Conditions

Terracon conducted September 2013 observations and limited qualitative sampling and testing of materials of the structures' interiors where safe access allowed. This testing was external to the grant budget. Testing was conducted and results evaluated by Texas-licensed professionals. Testing produced quantitative data, but is considered qualitative in that it was developed external to the final quality assurance project plan and cannot be used for critical grant process decisions. Qualitative data identified measured asbestos-containing materials, lead-based paint and mold. The data was considered in developing technical sampling plans under the grant. At that time Terracon observed the southern section of the roof and sub-floor at the 203 West Brown Street location were collapsed. The sub-floor and roof visually appeared structurally damaged throughout the interior of 205. Building debris was observed throughout the interior of both 203 and205 consisting of wood, ceiling tile, floor tile and mastic, drywall, plaster materials and roofing materials.

During 2013 and 2014 although the structure was secured against access, it could not be sealed against all weather. Seasonal weather fluctuations, often severe, further impacted and degraded the structure. High winds associated with rain penetrated the building further. In one instance on April 27, 2014 the metropolitan area of the twin cities of Texarkana, Texas and Texarkana, Arkansas was hit by damaging hail ranging in size up to 1.75 inches in diameter. In that extensive band of weather, 25 miles south of the city a single hailstone 4.5 inches in diameter was reported.[1] On _____, 2015 the City observed the effects of further deterioration of the structure as crumbling facade debris on

1 *DamageRecon, Event Details Texarkana Apr 27 2014*,online https://damagerecon.donan.com/map-central/texarkana-tx, February 2016

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the street front side and structural wall movement evidenced by exterior widening of cracks.

The City with structural engineer Jeff Raley, RAI, were on-site July 29, 2015 for observation to re-evaluate and report project conditions relative to structural integrity and safety to implement the EPA-approved sampling plans. In the subsequent RAI report it was stated;

> "As of this date, the building structures appear to be unstable and not safe for persons to enter the structures for the purpose of sampling. It is our opinion that it would not be cost effective to do temporary shoring for the purpose of sampling since sampling can be done during material removal (see photos).
>
> The adjacent buildings to the east and west will need to be protected during the removal of materials for assessment and clean up."

3.3 Adjusted Approach

There followed discussions and meetings by City of Texarkana with EPA, Texas Commission on Environmental Quality (TCEQ), the community and the QEP on alternatives to successfully complete the Multi-Purpose Grant in support of redeveloping 203/205 W Broad Street. The following issues were considered;

- The project site remains a viable redevelopment catalyst site for the community. To discontinue and stabilize without cleanup for redevelopment would be detrimental to the community brownfield revitalization goals and investment to date

- Contaminated materials and debris need to be removed from the structure so that routine architectural and structural stabilizations can be done

- Technically the traditional sequence of assessment and cleanup as "sample-test-report- design-cleanup-confirm-report" cannot be not be completed safely with reasonable cost

- In removing mixed and jointly degraded materials not readily segregated from the interior of structures, asbestos contamination pre-empts lead-, mold- and avian waste-impacted materials for regulation of handling and disposal. Unsegregated materials become subject to Texas Asbestos Health Protection Rules (TAHPR), Texas Administrative Code (TAC), Title 25, Part 1, Chapter C, Subchapter 295, which require that any asbestos-related activity be performed by an individual licensed by the State of Texas through the Texas Department of State Health Services (TDSHS)

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- Quality process and methods of EPA-approved PSAPs remain valid for sampling and analysis relative to assessment and cleanup, although rationale and number of samples change

The following were completed toward adjusting the grant approach and implementation as a result of changed conditions;

- City of Texarkana negotiated 1-year extension of project period to September 30, 2016 for cooperative agreement #BF-00F62801
- Updated structural integrity observations and report, Raley and Associates, Inc., July 31, 2015 (reference Appendix A)
- City of Texarkana met with Ms. Mary Kemp and Ms. Camisha Scott / EPA Region 6 on November 12, 2015 on an adjusted approach consistent with changed conditions
- Open House and Public Meeting was advertised and held by City of Texarkana on December 10, 2015 to update the community on Multi-Purpose Grant adjustments and solicit input on the project

It has evolved that a combined cleanup with simultaneous assessment of debris and materials from the interior of 203/205 can occur. In general here and later set forth in more detail in this plan, the adjusted approach is to have a licensed abatement contractor stabilize the structure sufficient to remove unsegregated hazardous materials to a processing station on the exterior of the building. The adjusted plan is to conduct hazardous substance assessments on-site and in-process at a safe staging area to determine whether waste/debris should be handled and disposed as asbestos-, mold-, avian pathogen- or lead-impacted waste material as part of cleanup.

With pre-emption by asbestos, debris will initially be assumed to be asbestos-containing material (ACM) or asbestos-contaminated and appropriately collected, handled and removed through the rear of the structure to a staging and assessment area in the alley.

In the staging area, materials will be first visually assessed and segregated as suspect materials or asbestos materials. Under Texas rule determination that materials do or do not contain asbestos have to be submitted to a third party laboratory as set forth in the EPA-approved PSAP (Appendix B); this may require temporary containment and staging with rush analyses. Alternatively, a Texas-licensed asbestos consultant, inspector or management planner may assume materials contain asbestos.

Secondly, materials will be visually segregated as having mold or adhered or mixed avian waste (e.g. bird or bat guano). If possible, these materials will be cleaned of mold or avian waste contamination.

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Thirdly, materials will be visually segregated for suspect lead-containing coatings and tested on-site using x-ray fluorescence (XRF) field technology.

The remaining materials once cleaned of potentially adhering *de minimis* ACM, mold or avian waste will be handled and disposed as demolition debris.

Assessment and cleanup testing will be subject to the EPA-approved PSAP and related QAPP, modified for locations and sample quantities as the adjusted approach requires. Some anticipated adjustments are addressed in Section *4.1 Deviations from Assessment Sampling Plan*. All testing will be documented in final reports.

Alley control and security will be coordinated with the City of Texarkana. The City will communicate and work with adjacent property owners and businesses prior to, during and after cleanup.

4.0 SAMPLING FOR ASSESSMENT AND CLEANUP

Public readers of this document should understand that the Multi-Purpose Pilot is a 'trial' process used by EPA to explore the effectiveness and implementability of programs. Not all pilots programs evolve beyond to full-scale grants or programs. Prior to 2002, all EPA Brownfield grants were pilots. The Multi-Purpose Pilot Grant program provides a single grant to an eligible entity for both assessment and cleanup work at a specific brownfield site owned by the applicant.

Although they are often technically identical, sampling and testing of structure-related materials falls into two different programmatic categories under the Multi-Purpose Grant. These categories are Assessment and Cleanup. They are allocated to separate Multi-Purpose grant budgets. Assessment involves characterization of materials as part of quantitation for design of remedy and plans to implement it. The latter involves sampling and analysis that is part of the actual cleanup to document compliance for regulatory closure.

4.1 Deviations from Assessment Sampling Plan

Sampling and analysis as part of assessment will be done by the QEP. This will involve assessing materials as practically feasible immediately after they are removed from the structure and staged. Methods, operating procedures and analyses will occur as set forth in the EPA-approved *Property-Specific Sampling and Analysis Plan (PSAP) for Asbestos, Lead-Paint, Mold and Guano Sampling, Commercial Building, 203 & 205 W Broad Street, Texarkana, Texas 75501, July 2014* (reference Appendix B).

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The following deviations are planned relative to data quality indicators and data quality objectives in applying the EPA-approved PSAP to the adjusted approach;

PSAP 4.2 Precision. Testing was specified for typical substrates and surfaces which will now be removed, physically reduced and likely mixed together as debris consistent with interior demolition practices. Testing will now be done as needed on materials, partial surfaces or broken fixtures as identified in the bulk debris removed and staged. Selection of materials for sampling will make use of professional judgment by the **QEP**. Heterogeneity of sample matrices can produce wide-ranging variability of media and effect strict comparisons of precision. Failure of precision as a data quality indicator will not invalidate data providing the minimums are met necessary to document regulatory closures or suitability to the needed project decisions. These will be discussed as part of data usability and quality in final reports.

PSAP 4.3 Accuracy. The use of fluid decontamination and cleaning blanks of QAPP A.7.3.2 will not apply to asbestos, fungal or avian pathogen sampling due to the technical method of collection.

PSAP 4.5 Completeness. The PSAP estimated the number of samples as in-situ structure sampling, often to represent homogenous areas or rooms. The adjusted approach for safety will not allow in-situ testing or an accurate estimate of the number of samples. While it is believed that the estimated number of samples is adequate, fewer samples may be needed. Failure of completeness will not invalidate data providing the minimums are met necessary to document regulatory closures or suitability to the needed project decisions. These will be discussed as part of data usability and quality in final reports.

PSAP 7.0 Sampling Rationale and Methodology. The overall governance of regulatory programs cited will remain the same. The rationale for sampling is adjusted for typical substrates and surfaces which will now be removed, physically reduced and likely mixed together as debris consistent with interior demolition practices. Testing will now be done as needed on materials, partial surfaces or broken fixtures as identified in the bulk debris removed and staged. Selection of materials for sampling will make use of professional judgment by the **QEP** to select representative material as the debris is segregated as described above in *1.3 Adjusted Approach* and later hereafter. Significant or special deviations from adjusted rationale will be discussed in final reports.

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4.2 Sampling and Testing by Contractor

Sampling and analysis in the field or by fixed-based laboratory conducted by contractor for safety, abatement, disposal, clearance or otherwise required as part of the cleanup of materials relative to state or federal regulations or other law shall be to the requirements and documentation of those programs. Where sampling and analysis of the QEP and contractor overlap or are coordinated in staging areas, the data may be shared. Texarkana and the QEP may rely on the contractor data for qualitative project decision-making.

5.0 IMPLEMENTATION OF THE CLEANUP PLAN

The following sets forth the technical details necessary by the successful contractor competitively selected by the City of Texarkana with assistance from Terracon as QEP within the requirements of the Cooperative Agreement, hereafter **CONTRACTOR.**

Traditionally, prior assessment would better provide quantities for abatement contractors to bid and implement contractor elements of the cleanup plan. The adjusted approach will necessarily require use of experienced, licensed abatement contractors capable of making initial estimates, with overage and underage contingencies, to fully implement the cleanup plan. With unknown quantities and multiple handling exterior to traditional building containment, the remainder of the plan further focuses on strict control of materials and process in close coordination with the City and QEP.

6.0 MATERIAL DESCRIPTION AND QUANTITIES

Briefly and without force and effect upon the contract documents, the work of the Contract can be summarized as the removal and disposal of the following suspect asbestos-containing and -contaminated materials, lead containing components, avian pathogen-contaminated materials and fungal-contaminated materials:

- Floor tile and mastic
- Carpet and mastic
- Resilient sheet flooring
- Drywall wall/ceiling systems
- Ceiling tile
- Wall/ceiling plaster
- Ceramic wall and floor tile grout/thinset
- Cove base and mastic
- Duct insulation and mastic
- Cementitious pipe

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- Rolled-out roofing materials
- Built-up roofing materials
- Roof cement
- Roof flashing
- Assorted unsegregated building material debris

The preceding list should be considered representative only and not a comprehensive catalog of subject materials present on the site. The **CONTRACTOR** is responsible for verifying site conditions and material quantities prior to submission of bid. The **CONTRACTOR** will perform work for materials and locations indicated, regardless of actual quantities, and no increase in Contract amount will be allowed for quantity adjustment.

The subject commercial building structure has been vacant for an extended period of time. As noted above, the structure has significant structural degradation, including roof collapse; items that are porous (i.e. carpet, furnishings) exposed to damaged suspect asbestos containing materials, avian pathogens or fungal contamination will be disposed of asbestos, fungal- or avian pathogen-contaminated waste in accordance with applicable regulation and this scope of work.

Non-porous items which are not suspect asbestos-containing materials and bear no paint or lacquer coatings may be cleaned and decontaminated, then removed through the processing area and disposed of as general construction debris. Non-porous items with paint or lacquer coatings will be cleaned of surface contamination and disposed of as lead-paint waste

The **CONTRACTOR** will be responsible for providing power and water to the work areas. **NOTE: NEGATIVE PRESSURE MUST BE MAINTAINED WITHIN THE WASTE PROCESSING STATION UNTIL CLEARANCE HAS BEEN ACHIEVED.** "Fire watch" is required while active work areas are in place at the site.

7.0 WORK PRACTICES

CONTRACTOR shall maintain personnel on the site at all times any portion of the work area(s) is open or not properly secured. **CONTRACTOR** will ensure that at least one (1) **CONTRACTOR** representative is on-site at all times during work hours, including during lunch break. **CONTRACTOR** will ensure that work areas are secure at the end of each work day. **CONTRACTOR** will have a company representative stay on-site to maintain security during times other than normal working hours.

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If a regulatory inspection is conducted by the Texas Department of State Health Services (TDSHS) inspector, the **CONTRACTOR'S** abatement project supervisor must immediately cease all abatement activities and give his complete and undivided attention to the inspector. Should the TDSHS inspector don personal protective equipment (PPE) and enter the containment, the abatement project supervisor will also don PPE and enter the containment to accompany the inspector on his inspection. If any deficiency/deficiencies are noted by the TDSHS inspector, the abatement project supervisor will direct the workers to immediately correct the deficiency/deficiencies.

The abatement project supervisor will accompany the TDSHS inspector throughout the duration of the inspection process, whether inside or outside the containment. Upon the TDSHS inspector's departure from the site, the supervisor will resume abatement activities.

7.1 Respiratory Protection

During asbestos related activities, the **CONTRACTOR** will provide respirators which are applicable and suitable for the purpose intended in accordance with OSHA 1910.134 – Respirator Standard. Terracon recommends use of powered air purifying respirators (PAPR) pending receipt of air monitoring data collected on-site; Terracon further recommends use of combination HEPA/organic vapor combination respirator filters.

7.2 Protective Clothing

During preparation, removal and cleanup activities in interior areas, at least one protective suit will be worn by each worker. Boots and gloves will be made available to each worker as needed. All protective suits will be properly disposed of at the conclusion of each work-shift. Prior to exiting the work area, the workers performing the cleanup will decontaminate thoroughly in three-chambered wet decontamination system attached to the work area.

During cleanup in exterior regulated areas, each worker will wear two (2) protective suits and proper respiratory protection. Upon completion of cleanup activities in each or regulated area, workers will thoroughly HEPA vacuum the outer suit. Workers will then remove the outer suit and, still wearing the inner suit, proceed to either (a) the next regulated work area, where a new outer suit will donned over the inner suit, or (b) a central decontamination area as defined below. All protective suits will be properly disposed of at the conclusion of each work shift.

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7.3 Containment/Regulated Area

The **CONTRACTOR** will establish the waste processing station and regulated work area(s) in compliance with applicable local, state and federal regulations.

Preparation of the work area will include, but may not be limited to, the cleanup of asbestos-containing and -contaminated materials, lead paint-coated components, avian pathogen-contaminated materials and fungal-contaminated materials. These activities will be performed after the installation of critical barriers and establishment of HEPA-filtered circulatory air flow. The **CONTRACTOR** will install a three chambered personnel decontamination system as described below and place HEPA-filtered negative air machines in the work area and exhausted to the outside prior to beginning precleaning activities.

The **CONTRACTOR** will establish a waste processing station on the exterior of the structure. This waste processing station will be subdivided into separate dedicated chambers for the processing of (a) general construction debris, (b) asbestos-, avian pathogen-, or fungal-contaminated materials, and (c) lead-paint waste. Please refer to Appendix C for a conceptual sketch of the waste processing station.

The waste processing station will be constructed with a rigid frame and provide protection from overhead hazards as necessary. Waste processing station walls, floors and ceilings will constructed of or covered with two (2) layers of minimum 6-mil polyethylene sheeting. Damaged polyethylene sheeting will be repaired or replaced immediately. The **CONTRACTOR** will provide one additional floor layer of 6-mil polyethylene sheeting per shift change and remove contaminated layer after each shift.

The floor of the waste processing station will be kept clean and clear of waste and debris. Accumulated water will be collected through a HEPA-filtered vacuum and disposed of through storm drain or sanitary sewer.

The **CONTRACTOR** will be responsible for providing power and water to the work areas. **NOTE: NEGATIVE PRESSURE MUST BE MAINTAINED WITHIN THE WASTE PROCESSING STATION UNTIL CLEARANCE HAS BEEN ACHIEVED.** "Fire watch" is required while active work areas are in place at the site.

Exterior asbestos containing materials (e.g. window glazing, roof flashing, cementitious siding, cementitious debris) will be abated in accordance with the National Emission Standard for Hazardous Air Pollutants (NESHAP) within a series of regulated areas, each employing asbestos warning signs and barrier tape at all approaches to the work area, drop-cloths consisting 6-mil polyethylene sheeting in and around all removal areas,

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localized HEPA vacuum systems, critical barriers at all openings into the structure within and adjoining the regulated area, and a central three-chambered wet decontamination system.

Provide a Personnel Decontamination Unit consisting of a serial arrangement of connected rooms or spaces, Changing Room, Shower Room, and Equipment Room. **NOTE: disposable/pop-up units displaying excessive use or wear will not be permitted for the decontamination system.** Require all persons without exception to pass through this decontamination unit for entry into and exiting from the work area for any purpose. Do not allow parallel routes for entry or exit.

Changing Room (clean room): Provide a room that is physically and visually separated from the rest of the building for the purpose of changing into protective clothing. Construct using polyethylene sheeting, at least 6-mil in thickness, to provide an airtight seal between the Changing Room and the rest of the building. Locate so that access to Work Area from Changing Room is through Shower Room. Separate Changing Room from the building by a sheet polyethylene flapped doorway.

Maintain floor of changing room dry and clean at all times. Do not allow overflow water from shower to wet floor in changing room. Damp wipe all surfaces twice after each shift change with a disinfectant solution.

Provide a continuously adequate supply of disposable bath towels.

Provide posted information for all emergency phone numbers and procedures.

Shower Room: Provide a completely water tight operational shower to be used for transit by cleanly dressed workers entering the Work Area from the Changing Room, or for showering by workers exiting the Work Area after undressing in the Equipment Room.

Construct room by providing a shower pan and 2 shower walls in a configuration that will cause water running down walls to drip into pan. Install a freely draining floor in the shower pan at an elevation that is at the top of pan.

Separate this room from the rest of the building with airtight walls fabricated of 6-mil polyethylene sheeting.

Separate this room from the Changing and Equipment Rooms with airtight walls fabricated of 6-mil polyethylene sheeting.

Provide splash-proof entrances to Changing and Equipment Rooms with 2 doors arranged

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in the following configuration:

At each entrance to the Shower Room construct a doorframe out of lumber, PVC Pipe or equivalent. Attach to this door frame two overlapping flaps fastened at the head (top) and jambs (sides). Overlap the flaps that present a shingle-like configuration to the water stream from the shower. Arrange so that any air movement out of the Work Area will cause the flaps to seal against the door frame.

Provide shower head and controls. Provide temporary extensions of existing hot and cold water and drainage, as necessary for a complete and operable shower.

Provide a continuously adequate supply of soap and maintain in sanitary condition. Arrange so that water from showering does not splash into the Changing or Equipment Rooms.

Provide flexible hose showerhead. Pump wastewater to drain or to storage for use in amended water. If pumped to drain, provide 20 micron and 5 micron waste water filters in line to drain or waste water storage. Change filters daily or more often if necessary. Provide Hose Bib.

Equipment Room (contaminated area): Require work equipment, footwear and additional contaminated work clothing to be left here. This is a change and transit area for workers. Separate this room from the work area by a 6-mil polyethylene flap doorway. Separate this room from the rest of the building with airtight walls fabricated of 6-mil polyethylene sheeting. Separate this room from the Shower Room and Work Area with airtight walls fabricated of 6-mil polyethylene sheeting.

Work Area: Separate work area from the Equipment Room by polyethylene barriers. If the airborne asbestos level in the work area is expected to be high, as in dry removal, add an intermediate cleaning space between the Equipment room and the Work area. Damp wipe clean all surfaces after each shift change. Provide one additional floor layer of 6-mil polyethylene sheeting per shift change and remove contaminated layer after each shift.

Waste Load-out Area: the **CONTRACTOR** will conduct the waste load out in areas separate from any non-project personnel or passers-by.

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7.4 Removal

The **CONTRACTOR** will perform the removal and disposal in accordance with current local, state and federal regulations.

The **CONTRACTOR** will be responsible for providing power and water to the work areas. **NOTE: NEGATIVE PRESSURE MUST BE MAINTAINED WITHIN THE WASTE PROCESSING STATION UNTIL CLEARANCE HAS BEEN ACHIEVED.** "Fire watch" is required while active work areas are in place at the site.

Suspect asbestos-containing and -contaminated materials, lead containing components, avian pathogen-contaminated materials and fungal-contaminated materials will be abated in a series of regulated work areas constructed in accordance with applicable regulations and these specifications. Spray these materials with amended water or removal encapsulant. Allow time for amended water or removal encapsulant to saturate the material. Do not over saturate to cause excess dripping. The **CONTRACTOR** will insure that associated nails/screws/fasteners and associated structural wall components are removed or thoroughly cleaned as part of the abatement process. If amended water is used, spray material repeatedly during the work process to maintain a continuously wet condition. If a removal encapsulant is used, apply in strict accordance with manufacturer's written instruction. The use of mechanical methods for removal will not be permitted. The clean surfaces will be encapsulated after passing a visual inspection conducted by a Terracon representative.

Following removal of loose or accumulated building debris, the **CONTRACTOR** will establish install splashguards of minimum 6-mil polyethylene sheeting extending a minimum four vertical feet (4') from the floor, two (2) layers of minimum 6-mil polyethylene sheeting on the floors (where applicable) prior to removing adhered flooring materials from their substrate(s).

Asbestos containing flooring materials may be applied to wood substrates. Removal of these materials through demolition of the wood substrate requires installation of a critical barrier in crawlspace(s) beneath the abatement area, if present.

7.5 Disposal of Asbestos-Containing or -Contaminated Materials, Mold-Contaminated Materials, and Avian Waste-Contaminated Materials

1. As the subject materials are removed, they will be double bagged and labeled In accordance with Texas Department of State Health Services (TDSHS) and OSHA guidelines. Pre-printed Generator Labels shall be affixed to each bag or wrapped component prior to being placed in the lined waste disposal dumpster or trailer. **The**

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use of bladder bags, onion bags or any other disposal bags deemed unconventional by the QEP will not be permitted, unless authorized in writing by the QEP prior to contract award.

2. Asbestos-containing or -contaminated waste will be labeled in accordance with 29 CFR 1910.1200 (f) of OSHA's Hazard Communication standard, and will contain the following information:

DANGER
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
CANCER AND LUNG DISEASE HAZARD

3. The area between the bag-out area and the prepared waste receptacle shall be regulated with barrier tape during bag-out operations. The waste dumpster or trailer shall remain secured during all other periods.

4. The waste will be disposed in an approved landfill. The waste will be transported to the landfill in a lined closed top receptacle. Verification of disposal at the landfill will be provided to the **OWNER** by **CONTRACTOR** via the Uniform Hazardous Waste Manifest signed by the landfill.

5. The waste will be transported to the landfill in a lined closed top receptacle. Verification of disposal at the landfill will be provided to the **OWNER** by **CONTRACTOR** via the Uniform Hazardous Waste Manifest.

7.6 Disposal of Lead-Containing or -Contaminated Materials

This section describes the disposal of lead containing or lead contaminated components and/or waste materials. Disposal includes packaging of all non-metal waste materials and shall be accomplished by land filling or incineration as appropriate. Approval by **OWNER** is required prior to all recycling or disposal activities.

Absent testing of waste to determine disposal requirements, suspect lead-containing or -contaminated materials will be disposed of as lead-containing. Testing, if conducted, shall be conducted by the **QEP**. The **QEP** shall verify that the waste has been properly segregated, containerized, and classified in the following categories:

Hazardous Solid Waste:

- Paint chips
- Rags, sponges, mops, HEPA vacuum filters and contents, respirator

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cartridges, protective clothing, shower water filter(s) and other materials used during abatement.
- Building components if applicable

Hazardous Liquid Waste (as determined by testing)
- Waste water

Place all lead waste generated during the project in a DOT approved drum lined with a 6-mil disposal bag in an enclosed dumpster, truck or designated secure storage area. Separate waste materials into the following categories and label all disposal drums.

All waste shall be handled and disposed of according to local, city, state, and federal regulations. All waste assumed to be hazardous shall be transported off-site to the approved disposal site by **CONTRACTOR**.

Disposal of Hazardous Liquid or Solid Wastes (as categorized by QEP):

a. Comply with Resource Conservation Recovery Act (RCRA), Department of Transportation (DOT), state and local regulations.

b. Comply with DOT and state regulations for containers. The most stringent regulation shall apply.

c. All waste is to be hauled by a licensed waste hauler with all required licenses from all state and local authorities with jurisdiction.

d. Load all waste material into properly sized disposal bags or polyethylene sheeting prior to being placed in lead-tight drums. Prior to transporting, all materials are to be contained in a DOT approved sealable steel drum with one of the following:

   - One, 6-mil layer of sheet polyethylene, duct tape all seams or
   - One, 6-mil disposal bag; or
   - Two, 4-mil disposal bags

e. Protect interior of truck or dumpster with two (2) layers of 6-mil polyethylene sheeting will all seams sealed with duct tape.

f. Load containerized waste in fully enclosed dumpsters or trucks for transport.

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g. Do not store containerized materials outside of the Work Area. Take containers from the Work Area directly to the designated storage area or enclosed dumpster or truck.

h. At completion of hauling and disposal of each load submit copy of Uniform Hazardous Waste Manifest to **QEP**.

7.7 Disposal of Non-Hazardous Waste

Non-Hazardous Solid Waste:

- After thorough cleaning, plastic sheeting and duct tape used during abatement.

Disposal of Non-Hazardous Solid Waste (as categorized by QEP)

Materials are to remain in 6-mil disposal bags or wrapped in polyethylene sheeting.

Transport waste in enclosed trucks or dumpsters.

Disposal of Non-Hazardous Liquid Waste (as categorized by QEP)

Dispose of liquid waste by pouring into sanitary sewage system if permission is received from publicly owned treatment works facility (POTW). Do not dispose of liquid waste by pouring onto ground or into storm drain. If the liquid waste contains phosphates or other chemicals, advise treatment facility of quantity of liquid and that it is likely to contain phosphates.

Properly filtered shower water shall be disposed of as non-hazardous liquid waste. All filters hall be disposed of in accordance with applicable regulations.

7.8 Clearance

Removal will considered complete following a visual inspection by the **QEP**. The **QEP** will inspect all interior surfaces for dust, debris or other evidence of the subject materials.

Asbestos

Asbestos final air clearance sampling will be conducted in interior work areas, negative-pressure enclosures, full containments and the waste processing station; sampling will be performed in accordance with the Texas Asbestos Health Protection Rules (TAHPR) 295.58(i)(3). Clearance samples will be collected using aggressive sampling techniques

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as described in TAHPR 295.58(i)(3)(A). Equipment used in aggressive sampling should be properly cleaned and decontaminated before use. Air filtration units shall remain on during the clearance air-monitoring period. Prior to air sample collection, floors, ceiling and walls shall be swept with the exhaust of a minimum one (1) horsepower leaf blower. A minimum of eight (8) complete air changes will occur within any containment prior to collection of clearance samples.

A minimum of three (3) samples will be collected inside each negative-pressure enclosure or full containment; at the QEP'S direction, one additional sample will be collected for each 10,000 cubic feet of containment volume (or fraction thereof) in excess of 30,000 cubic feet. The PCM analysis will be performed in accordance with the most current NIOSH 7400 Method and A Counting Rule for the determination of final clearance. The release criteria for PCM analysis is complete if all PCM air samples are determined below 0.01 fibers per cubic centimeter. If the PCM results fail to meet the release criteria, then the decontamination is incomplete and recleaning per the specification is required.

Mold

The project will be cleared by: 1) visual inspection; and, 2) total bioaerosol analysis. The post remedial inspection and air sample collection will be conducted while the containment is in place and properly ventilated. The containment must be on direct exhaust ventilation to the outdoor environment or sealed and in air scrub mode for a cumulative of 24 hours after final cleaning and prior to the PRV final clearance air sample collection. The containment(s) may not be removed or depressurized until final clearance criteria has been achieved and written, interim notice provided by the MAC to the MRC.

The visual evaluation criteria will consist of an evaluation of the remediation area to determine if the remediation has been properly conducted in accordance with the project specifications and procedures, applicable state regulations, and visible fungal growth and extraneous debris within the work areas has been properly removed.

Representative air samples shall be collected from within the containment, the outdoor environment, and analyzed by standard optical light microscopy methods. Total bioaerosol analysis must be conducted by a licensed Mold Analysis Laboratory. Any area whose air test does not meet post remediation criteria will be re-tested following cleaning and air scrubbing of those areas.

Total bioaerosol analytical clearance criteria will be based on qualitative and quantitative similarity between the indoor samples and the ambient outdoor control samples collected contemporaneously. Air samples will be collected and analyzed in a manner that provides a

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minimum detection limit of 43 spores/m^3. Fungal aerosols in the indoor environment should not exceed the contemporaneously collected outdoor control samples by more than 650 spores/m^3 (2), or, fungal spores that are unique to the indoor environment should not exceed more than 50 % of the "high" results for Typical Outdoor Spore Levels (Texas) as reported in the EMLab P & K IAQ Pocket Reference Guide, 6th Edition (3). The consultant may make numeric exceptions for frequently isolated genera such as *Cladosporium* or other typical mesophillic fungi.

Lead

The **QEP** shall confirm removal of lead waste through visual inspection and wipe sampling for lead dust concentrations conducted as follows:

a) Post-abatement or removal to determine if previously specified clearance criteria has been met in each area of remediation. The clearance level has been established at 40 micrograms per square foot ($\mu g/ft^2$) on horizontal surfaces.

b) The specific location and number of samples will be determined upon conclusion of the remediation. If at any time the post-abatement or removal wipe samples exceed the clearance levels identified. The **CONTRACTOR** shall be responsible additional cleaning of the area to attempt to achieve clearance levels. If additional cleaning is required, the **CONTRACTOR** will perform the re-cleaning with no adjustment in the contract price.

8.0 CONTRACTOR SUBMITTALS

Submittals required for proper execution include but are not limited to the following:

Pre-Construction Submittals (submitted to **QEP**):
Regulatory Notification Information
Plan of Action
Fire Action Plan
Emergency Phone List
Project Schedule

2 ***"Post Remedial Assessment and Clearance Criteria for Mold Remediation Projects"*** **L. D. Robertson, H. L. Horner, Mycological Society of America Annual Conference, Louisiana State University, August 9, 2007.**
3 *IAQ Pocket Reference Guide – 6th Edition*, EMLab P & K.

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Copy of Written Respirator Program which conforms to 29 CFR 1910.134(b)
OSHA Material Safety and Data Sheets (Product Handling)
Negative Initial Exposure Assessment
Copy of EPA "uniform hazardous waste manifest" form
Sample of disposal bag and labels to be used.

Construction Submittals (submitted to **QEP** before start of work on-site)
Licenses: Contractor, Supervisor, Transporter(s)
NESHAP Training Certificate
Personal Air Monitoring Lab Results
List of Workers
Worker Registration Certificates
Medical Examination Results
Pre-project lead blood level monitoring testing for each supervisor and worker
Worker Training Certificates
Respiratory Fit Test Certificate
Certificates of Worker Acknowledgement

Project Closeout (submitted to **QEP**)
Contractor's Daily Log
Worker Registration Certificates for Personnel
Waste Disposal Manifest Copies
Company Licenses/Certifications
Worker Training Certificates
Respiratory Fit Test Certificate
Certificate of Completion
Releases, Occupancy Permits (if applicable)
Personal Air Monitoring Lab Results
Post-project lead blood level monitoring testing for each supervisor and worker
Personal Air Monitoring Lab Results

RESUBMISSION:

Revise submittals as required and resubmit as specified for initial submittal. Indicate any changes which have been made other than those requested by **QEP**.

CONTRACTOR RESPONSIBILITIES:

Illegible submittals will be rejected and returned for re-submittal.

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Schedule submittals according to general flow of Work and so as to allow for adequate and timely review of submittals by **QEP**.

Review submittals prior to submission and submit to **QEP** in accordance with provisions herein.

Verify field measurements, construction criteria, catalog numbers and similar data. Coordinate submittals with requirements of Work and Contract Documents.

CONTRACTOR'S responsibility for errors or omissions is not relieved by **QEP's** review.

CONTRACTOR'S responsibility for deviations from requirements of Contract Documents is not relieved by **QEP'S** review, unless **QEP** is notified of deviations in writing at time of submittal, and gives written consent to specific deviations.

Do not begin work which requires submittals until reviewed submittals have been reviewed and approved by **QEP**.

If required, reproduce and distribute copies after **QEP'S** review.

QEP'S RESPONSIBILITIES:

The responsibility of performing the final visual inspection and the final air clearance is delegated to Terracon's on-site State of Texas licensed project manager.

Review submittals within two working days or indicate in writing reasons for reviews which require additional time.

Review for conformance with design concept of project and information given in Contract Documents.

Indicate results of review and return submittals to **CONTRACTOR** for distribution.

QEP is not responsible for verification of field measurements, construction criteria, catalog numbers and other similar data.

Review of separate items does not constitute review of an assembly in which items function.

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9.0 CONSTRUCTION NOTES

The **CONTRACTOR** is responsible for filing and managing the 10-Day Notification to the Texas Department of State Health Services (TDSHS) and is responsible for communicating amendments of changes to the local TDSHS staff. The **OWNER** shall be responsible for payment of notification fees included in the Demolition/Renovation Notification Form. On Notification form, **OWNER** shall be listed as stated on front cover.

The **CONTRACTOR** will be responsible for providing power and water to the containment areas. **NOTE: NEGATIVE PRESSURE MUST BE MAINTAINED WITHIN ANY CONTAINED AREA UNTIL CLEARANCE HAS BEEN ACHIEVED.** Terracon recommends that "fire watch" be performed while active containments are in place at the site.

The **CONTRACTOR** is to be current and in good standing on all asbestos abatement notification fees. The **OWNER** reserves the right to verify **CONTRACTOR'S** standing.

The **CONTRACTOR** shall maintain all records required by TDSHS Texas Asbestos Health Protection Rules, Texas Environmental Lead Reduction Rules, and Texas Mold Assessment and Remediation Rules, as applicable.

CONTRACTOR parking and disposal dumpster areas will be as designated by the **OWNER**. The **CONTRACTOR** will keep work and parking areas clean.

Prior to any commencement of work, the **CONTRACTOR** will provide a licensed electrician to provide power lock-out and tag-out of all circuits to be affected by the asbestos abatement activities. Lock-out/Tag-out must meet OSHA 1910.147 requirements. All electrical circuits in the regulated and/or contained area shall have ground-fault interrupter (GFCI) units installed.

Exhaust negative pressure ventilation system to outside of building.

The **CONTRACTOR** shall be responsible for installing hard barriers in any window openings utilized for exhaust of negative pressure and shall ensure that the building can be secured between work periods. If necessary, a hard barrier decontamination unit shall be constructed at the site to ensure building security.

The **CONTRACTOR** shall provide temporary self-contained toilet units for use by **CONTRACTOR** and **QEP** personnel throughout the duration of abatement activities.

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The **CONTRACTOR** shall install one fire extinguisher in the work area for each 1,000 square feet of work area or fraction thereof. Additional fire extinguishers shall be installed in the Equipment Room and Clean Room of the decontamination unit.

The **CONTRACTOR** shall conduct a safety meeting for **CONTRACTOR'S** employees with emphasis on operation of fire extinguishers and emergency exits in case of fire. **CONTRACTOR** shall have posted emergency phone numbers for the fire department and police.

CONTRACTOR shall store a minimum of volatile substances on the job site and in fire resistant containers only.

10.0 PRODUCTS

Amended Water: Provide water to which a surfactant has been added. Use a mixture of surfactant and water which results in wetting of the ACM and retardation of fiber release during disturbance of the material.

Disposal Bags: Provide as a minimum, individual, 6-mil thick, leak-tight, manufactured polyethylene bags.

Disposal Bag Labels: Provide labels with **OWNER'S** name, **CONTRACTOR'S** name, project site address and the following warnings and labels, in accordance with regulatory requirements. Labels shall be lettered with indelible ink.

First Label:

CAUTION
CONTAINS ASBESTOS FIBERS
AVOID OPENING OR BREAKING CONTAINER
BREATHING ASBESTOS IS HAZARDOUS TO YOUR HEALTH

Second Label: Provide in accordance with 29 CFR 1910.1200(f) of OSHA's Hazard Communication standard:

DANGER
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
CANCER AND LUNG DISEASE HAZARD
BREATHING AIRBORNE ASBESTOS, TREMOLITE, ANTHOPHYLLITE, OR ACTINOLITE FIBERS IS HAZARDOUS TO YOUR HEALTH

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Third Label: Provide in accordance with U.S. Department of Transportation Regulation on hazardous waste marking. 49 CFR parts 171 and 172. Hazardous Substances: Final Rule:

RQ HAZARDOUS
SUBSTANCE,
CLASS 9,
NA 2212, PG III
(ASBESTOS)

Polyethylene Wrap: Provide minimum 6-mil polyethylene sheeting as a wrapping for large sections of rigid waste material and for construction of floors and critical barriers in the containment areas. Provide minimum 4-mil polyethylene sheeting for construction of walls of the containment.

Removal Encapsulant: Provide a penetrating type encapsulant designed specifically for removal of ACM. Utilize an encapsulant that will meet or exceed the results produced by use of Amended Water, as described above.

11.0 AIR MONITORING SERVICES

The responsibility for performing visual inspections and air monitoring services is delegated to Terracon's on-site State of Texas licensed project manager/air monitoring technician.

The **QEP** shall verify that the Work performed is in compliance with applicable regulations and that the building areas beyond the Work Area and the outside environment remain free of contamination. This section also sets forth airborne fiber levels both inside and outside the Work Area as permissible exposure limits (PELs), and describes the action required by the **CONTRACTOR** if a permissible exposure limit is met or exceeded.

AIR MONITORING:

The **QEP** will be conducting air monitoring throughout the course of the project.

Work Area Isolation: The **QEP** will monitor airborne fiber counts outside the Work Area. The purpose of this air monitoring will be to detect faults in the Work Area isolation including, but not limited to, contamination of the building outside of the Work Area with airborne asbestos fibers, failure of filtration or rupture in the ventilation system, or contamination of the exterior of the building with airborne asbestos fibers.

Should any of the above occur, the **CONTRACTOR** shall immediately cease asbestos

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abatement activities until the fault is corrected. Work shall not recommence until authorized by the **QEP**.

Work Area Airborne Fiber Count: The **QEP** will monitor airborne fiber counts in the Work Area. The purpose of this air monitoring will be to detect airborne fiber counts which may significantly challenge the integrity of Work Area isolation procedures that protect the balance of the building or outside of the building from contamination by airborne fibers.

AIRBORNE FIBER COUNTS:

Inside Work Area: Maintain an average airborne count in the Work Area of less than 0.1 fibers per cubic centimeter. If the fiber counts rise above this figure for any sample taken, revise work procedures to lower fiber counts. If the Time Weighted Average (TWA) fiber count for any Work shift or eight (8) hour period exceeds 0.1 fibers per cubic centimeter, stop work and leave ventilation system in operation. Do not recommence work until authorized by the **QEP**.

Outside Work Area: Maintain an average airborne count outside the Work Area of less than the Permissible Exposure Limit (PEL) of 0.1 f/cc of air.

If any air sample taken outside the Work Area exceeds the PEL, immediately stop work until the source of the elevated fiber readings can be determined by the **QEP**. Immediately take corrective as instructed by the **QEP**.

Decontaminate the affected area in accordance industry standard methods.

ANALYTICAL METHODS:

The following methods will be utilized at the discretion of the **QEP** in collecting and analyzing air samples:
Phase Contrast Microscopy (NIOSH 7400 Method, Issue 2, Revision 3 or OSHA Reference Method)

Transmission Electron Microscopy (40 CFR Part 763, Subpart E, Appendix A)

SAMPLE PROTOCOLS:

General: The number and volume of air samples taken by the **QEP** will generally be in accordance with the following schedule. Sample quantities, locations, volumes and methodologies may vary depending upon the analytical method, project layout, procedures used and at the discretion of the **QEP**.

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SCHEDULE OF AIR SAMPLES FOR WORK AREAS & WASTE PROCESSING STATION(S):

Base Line Sample Schedule: The **QEP** will secure the following air samples to establish a Base Line before start of Work. The number of samples may vary according to site plan and on authorization of **QEP**.

Location Sampled	Minimum Number of Samples	Minimum Sample Volume	Planned Analytical Method
Each Work Area	3	1,250 Liters	PCM

Daily Sample Schedule (per 8-hour work period): The **QEP** will generally take the following samples on a daily (8-hour work period) basis. The number of samples may vary according to site plan and on authorization of **QEP**.

Location Sampled	Minimum Number of Samples	Minimum Sample Volume	Planned Analytical Method
Each Interior Work Area	1	500 Liters	PCM
Outside Each Interior Work Area/Inside Building	1	500 Liters	PCM
Decon Unit Clean Room	1	500 Liters	PCM
Output of Negative Pressure Ventilation System	1	500 Liters	PCM

Clearance Sample Schedule: The **QEP** will secure the following air samples to determine air clearance at the conclusion of abatement. The number of samples may vary according to site plan and on authorization of **QEP**.

Location Sampled	Minimum Number of Samples	Minimum Sample Volume	Planned Analytical Method
Each Interior Work Area	3	1,250 Liters	PCM

If airborne fiber counts exceed baseline limits, additional samples will be taken (and classified as retests) as necessary to monitor fiber levels and confirm sources.

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Please refer to Section 3.8 Clearance for mold and lead clearance procedures.

SCHEDULE OF AIR SAMPLES FOR EXTERIOR WORK AREA(S):

Daily Sample Schedule (per 8-hour work period): The **QEP** will generally take the following samples on a daily (8-hour work period) basis. The number of samples may vary according to site plan and on authorization of **QEP**.

Location Sampled	Minimum Number of Samples	Minimum Sample Volume	Planned Analytical Method
"Upwind" of Work Area	1	500 Liters	PCM
"Downwind" of Work Area	1	500 Liters	PCM

The **QEP**, in addition to providing air monitoring services, will provide full-time, on-site inspection of work activities. Work shall not proceed without prior notice to the **QEP** and presence of the **QEP** on the work site (requires 48 hours advance notice of work).

The **QEP** will conduct the following key Project inspections and no work by the **CONTRACTOR** will proceed beyond these points until all discrepancies noted during the inspection have been corrected.

The **QEP'S** inspections do not relieve the **CONTRACTOR** of Contract obligations and are not designed to locate all project discrepancies. The **CONTRACTOR** is responsible for project quality.

First Key Inspection:

Inspection of Work Area Prior to Start of Removal: Removal operations shall not proceed until the **QEP** has completed inspection of the Work Area preparations and until all discrepancies noted have been corrected.

Second Key Inspection:

Inspection during Removal: Removal Work shall not be conducted unless the **QEP** is on the Project site. Daily inspection of the Work Area and Work practices will be conducted; upon discovery and report of a discrepancy the **CONTRACTOR** shall immediately stop Work and correct the discrepancy.

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Third Key Inspection:

Inspection of Work Area after Completion of Removal Work, but Prior to Encapsulation and Containment Disassembly: A visual inspection of the Work site and/or Containment areas and removal surfaces will be conducted at this point by the **QEP** and encapsulation and/or containment disassembly shall not proceed until discrepancies noted have been corrected.

Fourth Key Inspection:

Final Clearance: After encapsulation and final clean-up of the Work Area, but prior to removal of Critical Barriers, the **QEP** will conduct a visual inspection.

Final Key Inspection:

Project Closeout Inspection: A final inspection will be conducted by the **QEP** after the **CONTRACTOR** has removed all barrier tape, drop-cloths, equipment, and supplies. A project "Punch List" will be provided of any items requiring correction or completion. Punch List items shall be completed prior to issuance of final completion notice by the **CONTRACTOR**.

Discrepancies or needed corrective measures observed by the **QEP** will be reported to the **CONTRACTOR'S** Superintendent on-site and shall be immediately corrected.

The above inspections are not necessarily single events. Failed inspections will be re-conducted and time classified as retests and charged back to the **CONTRACTOR** in accordance with the project documents. Inspections will require 24 hours advance notice to the **QEP**.

PERSONAL MONITORING:

The **CONTRACTOR** shall perform air monitoring as required to meet OSHA requirements for maintenance of Time Weighted Average (TWA) and excursion limit fiber counts for types of respiratory protection provided. The **OWNER** will not be providing air monitoring services to meet these OSHA requirements. Note: Results of Personal Monitoring shall be submitted to the **QEP** within 72 hours of the time samples are obtained. A listing of all personal monitoring results obtained during the project shall be submitted to the **QEP** with the **CONTRACTOR** closeout submittals.

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LABORATORY TESTING:

The **QEP** will perform field analysis of the air samples. A microscope and field laboratory will be set up at the jobsite, at the option of the **QEP**, so that verbal reports on air samples can be obtained promptly after collection.

Reports to the **OWNER** by the **QEP** will include air monitoring data and pertinent information on work being conducted such as: work hours, number of workers, procedures used, contractor discrepancies and corrective measures, containment methods and construction, and amount of ACM removed.

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APPENDIX A
STRUCTURAL ASSESSMENT
RALEY & ASSOCIATES, INC.
July 2015

RALEY AND ASSOCIATES, INC.
Civil & Structural Engineering, Surveying, Planning & Consulting
4913 Shed Road, Bossier City, LA 71111 · Phone 318-752-9023 · Fax 318-752-9025

July 31, 2015

Ms. Daphnea Ryan
Manager of Environmental Services
City of Texarkana, TX
P.O. Box 1967
Texarkana, TX 75504

Re: 203 and 205 W. Broad
Texarkana, TX

Dear Ms. Ryan,

Per your request, this office made a visual observation of the subject buildings on Wednesday, July 29, 2015. We had made a previous observation on October 4, 2012. The purpose of this visit was to observe the buildings for the possibility of shoring the structure while Phase II environmental sampling could be done. For the record, Jeff Raley, P.E. and Heather Ochoa, City of Texarkana, were present during this visit.

As of this date, the building structures appear to be unstable and not safe for persons to enter the structures for the purpose of sampling. It is our opinion that it would not be cost effective to do temporary shoring for the purpose of sampling since sampling can be done during material removal (see photos).

The adjacent buildings to the east and west will need to be protected during the removal of materials for assessment and clean up.

Once the buildings are cleared of rubble and debris, we can assess the front walls to determine the feasibility of saving them in place. It has been our experience that more times than not, this is a possibility. The rear walls have been damaged from the roof collapses and most likely will have to be rebuilt. The adjacent side walls will need to be reinforced once the removal is complete.

We are not able to determine the type of shoring or reinforcing that will be required for the front and sidewalls at this time. We are available to make that assessment as soon as the removal is complete.

This report is based upon our experience, readily accessible visible defects and certain assumptions that conventional methods of construction were used to build the buildings. We cannot normally see irregularities inside structures. Nature through excessive rain, droughts and differing soil characteristics cause extremes we cannot anticipate. Also, remodeling and changes

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in the building alter conditions that affect the building. Because of all these unknowns, this firm offers no warranty or guaranty with this report.

This report is intended to generally educate the client about the structural condition of the building and does not apply to the condition of any mechanical, electrical or plumbing items that may exist in the building. This report does not apply to the possible presence and/or danger from harmful substances such as toxic chemicals, lead paint, carbon monoxide, airborne hazards, mold, etc.

This report has been written for your sole use and only you have the authority to distribute this report to others. Raley and Associates, Inc. and its agents and employees do not have and do disclaim any contractual relationship with, or duty or obligation to, any party other than the addressee of this report. Only the engineer(s) who signed this document has the authority to change its contents and then only in writing to you. This report addresses the results of work completed to date. Should any additional information become available, we reserve the right to amend, as warranted, any of our conclusions or recommendations.

If you have any questions or need additional information, please call.

Sincerely,

Jeff Raley
Professional Engineer
TX-F594

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6.4.d

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APPENDIX B
PROPERTY-SPECIFIC SAMPLING AND ANALYSIS PLAN (PSAP)
ASBESTOS, LEAD-PAINT, MOLD AND GUANO SAMPLING

Commercial Building
203 & 205 W Broad Street
Texarkana, Texas 75501

Brownfields Multi-Purpose Pilot Grant
United States Environmental Protection Agency, Region 6
EPA Cooperative Agreement No. BF-00F62801
Terracon Project No. 94137464B
July 2014

PROPERTY-SPECIFIC SAMPLING AND ANALYSIS PLAN (PSAP) – ASBESTOS, LEAD-PAINT, MOLD AND GUANO SAMPLING

Commercial Building
203 & 205 W Broad Street
Texarkana, Texas 75501

Brownfields Multi-Purpose Pilot Grant
United States Environmental Protection Agency, Region 6
EPA Cooperative Agreement No. BF-00F62801
Terracon Project No. 94137464B

1.0 TITLE AND APPROVALS

1.1 Contractor Project Manager

_____ Date _____
Greg Calhoun / Terracon Consultants, Inc.

1.2 Contractor QA Reviewer

_____ Date _____
John Sallman, P.G. / Terracon Consultants, Inc.

1.3 Grantee Brownfields Project Manager

_____ Date _____
Craig Lindholm / City of Texarkana

1.4 Grantee QA Manager

_____ Date _____
Daphnea Ryan/ City of Texarkana

1.5 EPA Region 6 Grant Manager

_____ Date _____
Camisha Scott/ USEPA Region 6

The project Quality Assurance Project Plan (QAPP) and this Property-Specific Sampling and Analysis Plan (PSAP) incorporate TRIAD elements of systematic planning, a dynamic work plan and use of on-site analytical tools. This document makes direct use of the most current QAPP approved by USEPA, providing numerical references to the QAPP where appropriate.

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3.0 PROPERTY IDENTIFICATION AND ELIGIBILITY

3.1 City Identifications

City Riggs Addition Lot 2 Tract 27, 203 West Broad Street, Bowie County, Texas
City Riggs Addition Lot 2 Tract 27, 205 West Broad Street, Bowie County, Texas

Property ID Number(s): 203 W Broad Street - Parcel No. 03840017100
205 W Broad Street - Parcel No. 03840017200

3.2 Agency Approvals to Allow Assessment

Hazardous Substance by EPA **_X_ Yes** **__ NO-STOP**
Petroleum by State (provide Attachment D) **__Yes** **__ NO-STOP**
Co-mingled Hazardous and Petroleum by EPA by State **__Yes*** **__ NO-STOP**

3.3 All Appropriate Inquiries Completed per Cooperative Agreement

ASTM E1527-05 **__X__ Yes** **-_ NO-STOP**

Phase I ESA report completed February 3, 2012

3.4 Access By Owner/Other Authority, Referenced or Attached

_X_ Yes **___ NO–STOP**

The current owner will grant access the site.

3.5 Have Property Conditions changed since Phase I Assessment?

_X_ No **__Yes** **__Not Applicable**

3.6 Site Description

The site is located at 203 and 205 West Broad Street in Texarkana, Bowie County, Texas. The site consists of two contiguous commercial buildings totaling approximately 3,500 square-feet.

4.0 PURPOSE AND OBJECTIVES

(Expanded in QAPP Section A5.2) The United States Environmental Protection Agency (EPA) selected the City of Texarkana, Texas (City and Grantee) for a Brownfields Multi-Purpose Pilot Grant (Grant). The purpose of this project is to fully assess the Downtown Texarkana, Texas 203/205 W. Broad Street Brownfields site (Project)

4.1 Data Quality Indicators (DQIs)

(QAPP A7.3) When conducting this investigation, all measurements will be made so that results are reflective of the medium and conditions being measured. DQIs will be assessed by

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evaluating Precision, Accuracy, Representativeness, Completeness, Comparability, Sensitivity and Bias of the data collection process.

4.2 Precision

A measure of the reproducibility of analyses under a given set of conditions calculated at data check per QAPP Section A7.3.1.

4.3 Accuracy

A measure of the bias that exists in a measurement system, calculated at data check per QAPP Section A7.3.2.

4.4 Representativeness

The degree of how well sampling data accurately and precisely depict selected characteristics, calculated at data check per QAPP Section A7.3.4.

4.5 Completeness

The measure of the amount of valid data obtained from a measurement system compared to the amount that was expected to be obtained under “normal” conditions, calculated at data check per QAPP Section A7.3.3.

4.6 Comparability

The degree of confidence with which one data set can be compared to another, determined at data check per QAPP Section A7.3.5.

4.7 Sensitivity

Sensitivity is the ability of the method or instrument to detect target compounds at the level of interest, determined at data check per QAPP Section A7.3.6.

4.8 Bias

Bias is the systematic or persistent distortion of a measurement process that causes errors in one direction, determined at data check per QAPP Section A7.3.7.

5.0 NEEDED PROJECT DECISIONS

(Expanded in QAPP Section A5) The Brownfields project decision is the same for all eligible properties of assessment. The data collected is used to determine whether or not a property with an ASTM REC identified in Phase I assessment is or is not impacted relative to Texas environmental standards. Based on the outcome of the data collection, there are two actions:

- The property is “clean” and presents, due to measured conditions of environmental impairment compared to state cleanup standards, no reasonable impediment to consideration for redevelopment than would normally be exercised by the Grantee; or,

- The property is impacted and presents, based on measured conditions of environmental impairment compared to state cleanup standards, a need for additional evaluation above

that normally exercised by the Grantee in considering a property as feasible for redevelopment.

6.0 STATEMENT OF RECOGNIZED ENVIRONMENTAL CONDITIONS

With the support provided through the EPA Brownfields Multi-Purpose Pilot Grant, the City of Texarkana, Texas will assess, cleanup, and prepare the derelict property site located at heart of the Texarkana's Historic Central Business District, 203 and 205 W. Broad Street, Texarkana, Texas 75501-5609, for commercial redevelopment.

The City conducted a Phase I ESA using EPA Brownfields Assessment Grant funds while the property was under the ownership of Josh and Dianna Morriss. Phase I ESA's were also performed through the AR-Tex Council of Governments with EPA Brownfields funds (2005) and TCEQ (2008). There are no less than 20 recognized environmental conditions (REC's) for the site. RECs are conditions observed by the environmental professional that could potentially produce environmental impairment. In and of themselves, RECs do not require action. This is an opportunity for Texarkana to address asbestos, lead paint, pigeon guano and mold contamination, as well as possible subsurface contamination (see separate PSAP).

6.1 Hazardous Materials

__ **Petroleum REC** **X Hazardous Substance REC** __ **Co-mingled REC**

During the Phase I site reconnaissance, the buildings were observed to be in extremely poor condition. Water infiltration has severely damaged the roof and flooring of both buildings, with a significant portion of the roof at 203 W Broad Street collapsed, as well as the floor of 205 W Broad Street. Based on the age and deteriorated condition of the buildings, asbestos-containing materials, lead-based paint, mold, and bird guano may be present on the site.

The City of Texarkana is requesting asbestos, lead-based paint, mold and bird guano surveys prior to renovation of the on-site structures. The survey reports will include quantities and locations of various types of the respective hazardous materials.

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7.0 SAMPLING RATIONALE AND METHODOLOGY

This PSAP describes the type and frequency of samples that will be collected for this project. Any significant modifications to this PSAP that are the result of field conditions will be discussed with the EPA. The rationale for location and type of sample indicated at these locations is indicated in Table 1 below.

Table 1. Rationale for Sample Locations

Location	Media	Project Rationale
A-1 thru A-200	Suspect Asbestos-Containing Building Materials	Sample suspect asbestos-containing building materials in accordance with NESHAP, AHERA and TAHPR requirements; Protect human health by determining if suspect building materials are asbestos containing.
L-1 thru L-30	Suspect Lead-Based Paint Coatings	Sample suspect lead-based paint coatings with TELRR requirements; Protect human health by determining if suspect paint coatings are lead containing.
M-1 thru M-15	Suspect Fungal Growth	Sample suspect fungal growth in accordance with TMARR guidelines. Protect human health by determining if suspect fungal growth is hazardous and provide OSHA Right to Know information related to dealing with hazardous materials.
G-1 thru G-7	Bat/Bird Guano/Debris	Bulk materials of Bat/Bird guano/debris will be aseptically sampled and analyzed by PCR to determine if *Histoplasma capsulatum, Cryptococcus neoformans* and *Chlamydiaphila psittaci* are present and provide OSHA Right to Know information related to dealing with hazardous material, develop appropriate PPE based on laboratory results.

Building material samples collected for asbestos analysis will be collected following the applicable Asbestos Hazard Emergency Response Act (AHERA) and Texas Department of State Health Services (TSDHS) protocols, including the Texas Asbestos Health Protection Rules (TAHPR), TAC 295.31 through 295.73 and discussed in detail in the Asbestos Survey Protocol (ASP) included as Appendix B. The building materials samples will be collected by TSDHS licensed inspectors; the samples will be analyzed by TDSHS licensed and National Voluntary Laboratory Accreditation Program (NVLAP) accredited laboratories.

Building material samples collected for lead analysis will be collected following the applicable protocols, including the Texas Environmental Lead Reduction Rules (TELRR), TAC 295.201 through 295.220 and discussed in detail in the Lead-Based Paint Survey Protocol (LBPSP) included as Appendix B. The building materials samples will be collected by TSDHS certified inspectors; the samples will be analyzed by a NVLAP accredited laboratory.

An evaluation of building materials for visible mold contamination will be conducted in general accordance with guidelines published by the TDSHS (*Texas Mold Assessment and Remediation Rules*, 2004), the American Conference of Governmental Industrial Hygienist (*Bioaerosols; Assessment and Control*, 1999) and American Standard Test Methods (*Standard Guide for Assessment of Fungal Growth in Buildings,* ASTM D7338-10). The TDSHS regulates fungal assessment and remediation activities under the Texas Mold Assessment and Remediation Rules (TMARR). The TMARR requires that fungal assessments be performed by a TDSHS-licensed Mold Assessment Technician (MAT) or Mold Assessment Consultant (MAC) following specified minimum work practices and procedures. Bulk, surface and air samples collected during a fungal assessment must be analyzed by a TDSHS-licensed mold analysis laboratory.

Visible fungal growth that exceeds twenty-five (25) contiguous square feet is considered a regulated quantity in accordance with the TMARR.

Bat/Bird guano and debris associated with Bat/Bird nesting materials are well documented as a reservoir for pathogenic microorganisms. The microorganisms of interest include the avian pathogens *Histoplasma capsulatum, Cryptococcus neoformans* and *Chlamydiaphila psittaci*. There are no federal, state or local regulatory limits related to the referenced avian pathogens; however, qualitative and quantitative information developed by bulk and air sample collection will satisfy OSHA Right to Know information related to handling hazardous materials and assist in making judgments regarding the level of PPE required at various stages of the project. Bulk materials of Bat/Bird guano/debris will be aseptically sampled by trained staff and analyzed by Polymerase Chain Reaction (PCR) to determine if these pathogens are present. Bulk and air samples will be analyzed by a laboratory participates in custody (COC) protocol to NAME Laboratories, accredited by the American Industrial Hygiene Association (AHIA®) Laboratory Accreditation Programs, LLC under the Environmental Microbiology Laboratory Accreditation Program (EMLAP) and is Texas licensed Mold Analysis Laboratory under the TMARR.

7.1 Sample Summary

Samples will be collected in a manner consistent with the QAPP and Survey Protocols as summarized below.

It is estimated that 200 building material samples will be collected and analyzed for asbestos through Polarized Light Microscopy (PLM) analysis. Current TDSHS and EPA regulations require that a minimum number of samples from each homogeneous area be obtained in order to characterize a material as non-ACM. In accordance with sampling protocols established in EPA AHERA and NESHAP, and the TAHPR, sample collection points will be randomly selected dependent on locations of homogenous areas of suspect asbestos containing materials. A minimum of three samples will be collected from each homogenous area in accordance with the AHERA 3, 5 and 7 rule; therefore, additional quality control samples are not anticipated, as all three samples will be analyzed for each homogeneous material. In addition, where applicable, samples of surfacing materials will be collected in accordance with guidelines referenced above, which may require the collection of more than three samples from each homogenous area depending on the quantity of material.

It is estimated that 30 paint chip samples will be collected from representative building component surfaces and analyzed for lead content through Flame Atomic Absorption Spectrophotometer (AAS) analysis. Representative building component surfaces that may be sampled include, but are not necessarily limited to, woodwork/molding, door jambs and trim, window sills and sashes, cabinets, walls, ceilings, counter tops, stair railings, floors, radiators, balcony railings, and baseboards. The LBP sampling will be conducted in general accordance with applicable protocols.

The indoor environment will be evaluated for visual evidence of moisture intrusion or visible fungal growth that could impact indoor air quality. It is estimated that 10-15 tape lift samples will be

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collected from suspect building material substrates. Criteria to establish fungal growth on the substrates sampled will be microscopic confirmation of fungal somatic and reproductive structures. Tape lift samples will be submitted under chain of custody (COC) to a laboratory accredited by the AHIA® Laboratory Accreditation Programs, LLC under EMLAP and is Texas licensed Mold Analysis Laboratory under the TMARR.

Bulk materials of Bat/Bird guano/debris will be aseptically sampled by trained staff and transferred to appropriately labeled sterile containers. Additionally, air samples will be collected on 37-millimeter cassettes containing sterile filter media at flow rates between 3 liters/minute (l/m) and 15 l/m. Target air volumes will range from 540 liters and 1800 liters. The air samples will be shipped under COC to a laboratory accredited by the AHIA® Laboratory Accreditation Programs, LLC under EMLAP and is Texas licensed Mold Analysis Laboratory under the TMARR for analysis. Analysis of the bulk and air samples will be conducted by PCR for both qualitative and quantitative information on the concentrations of the avian pathogens *Histoplasma capsulatum, Cryptococcus neoformans* and *Chlamydiaphila psittaci.*

7.2 Laboratory Methodology

Sample collection, preservation and analytical methods will be consistent with QAPP B2.2 and the Survey Protocols included as Appendix B as summarized below.

Table 2. Preservation, Storage and Container Requirements

Analysis	State or EPA Approved Method	Water				Soil/Solid		
		Volume (ml)	Container	Preservation	Holding Time	Volume (oz)/ Quantity	Container	Holding Time
Asbestos	Polarized Light Microscopy (PLM)	---	---	---	---	N/A	Sealable Plastic Bag	---
Lead-based Paint	NIOSH 7300	---	---	---	---	2 square inches	Sealable Plastic Bag	---
Mold (tape lift method)	---	---	---	---	---	N/A	Sealable Plastic Bag	---
Guano						N/A	Sealable, Rigid, Sterile Container	--

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8.0 QUALITY CONTROL

Terracon does not anticipate collecting Quality Control samples as stipulated in Section B5 of the QAPP. The following is a field summary of quality control checks.

9.0 HEALTH AND SAFETY

(QAPP A8.1.4, Default Approval Limited to D & D-Modified Levels) Provide Attachment A as completed Terracon Health and Safety Plan per QAPP and referenced corporate plans and management requirements.

_X_ Level D Personal Protective Equipment (PPE): equip, monitor and record accordingly.
___ Level D-Modified Personal Protective Equipment (PPE): equip, monitor and record accordingly.
___ Level C Personal Protective Equipment (PPE): **STOP - Contact Project Manager or Safety Officer**

10.0 DEVIATIONS FROM APPROVED QAPP

No deviations from the approved QAPP are projected.

11.0 PERSONNEL

Persons involved at this property and their roles and/or responsibilities consistent with section A4 of the approved QAPP are summarized below.

Table 3. Key Personnel

Title	Name	Responsibilities	Phone Number
City Brownfields Coordinator	Craig Lindholm	General grant project coordination and management; EPA, Terracon, and landowner contact; financial oversight and budget approvals; scope development; report reviews	903-798-3902
Terracon Project Manager	Greg Calhoun	General project oversight and management; EPA and Client contact; scope and PSAP development and implementation; field oversight, data validation; report development	214-630-1010
Coordinator	Greg Calhoun	Field implementation of PSAP; field quality control and documentation; contractor administration	214-630-1010
Terracon Field Captain & Site Health and Safety Officer	David Ladage	Health and Safety Plan (HASP) development; utility locates; project safety briefings; field implementation of HASP	214-630-1010
Terracon Quality Assurance Reviewer	John Sallman	Internal project audits; data validation; draft report reviews	913-577-0403
Contractor Personnel			
Steve Moody Micro Services	Bruce Crabb	Laboratory analytical procedures and reporting; laboratory quality control	877-606-0788
Cates Laboratories, Inc.	John Cates	Laboratory analytical procedures and reporting; laboratory quality control	972-564-4723
Environmental Hazards Services, LLC	Julie Dickerson	Laboratory analytical procedures and reporting; laboratory quality control	800-347-4010

Title	Name	Responsibilities	Phone Number
ESC	Peter Schulert	Laboratory analytical procedures and reporting; laboratory quality control	615-758-5858
EMLab P&K	Marcella Hodges	Laboratory analytical procedures and reporting; laboratory quality control	623-445-6111

12.0 SCHEDULE OF ASSESSMENT

Activities are scheduled for this property as follows;

Table 4. Proposed Project Schedule

Task	Anticipated Completion Timeline
Submission of Revised PSAP	- - -
EPA Review, PSAP Revision, and EPA Approval	- - -
Field Activities Completed	Within 15 days of EPA PSAP approval
Laboratory Work Completed	Within 25 days of EPA PSAP approval
Submission of Draft Report	Within 35 days of EPA PSAP approval
Report Review, Revision, and Submission of Final Report	Within 10 days of City approval of draft report

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APPENDIX A: HEALTH & SAFETY PLAN

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Terracon

SITE HEALTH AND SAFETY PLAN

HAZARDOUS MATERIALS SURVEY
Commercial Buildings
203 & 205 W Broad Street
Texarkana, Texas
Terracon Project No. 94137464B

1.0 INTRODUCTION

This Site Health and Safety Plan has been developed to define the protocols and requirements to be followed by Terracon personnel during hazardous materials sampling activities at the Commercial Buildings, 203 & 205 W Broad Street in Texarkana, Texas.

Prior to the start of site activities, the designated Site Safety Officer will conduct a safety briefing and review the contents of this plan with participating field personnel. Project participants will review this plan and sign the Acknowledgment of Instruction page prior to the start of hazardous material-related project activities.

The guidelines contained in this Health and Safety Plan are based upon potential health hazards from exposure to asbestos, lead-based paint, mold and guano. Sampling activities will be performed in accordance with applicable federal/state health and safety regulations. The Site Safety Officer is responsible for enforcing the provisions contained in this Plan.

2.0 TRAINING AND MEDICAL SURVEILLANCE REQUIREMENTS

Project participants actively engaged in asbestos sample collection must have received State of Texas accredited Building Inspector training and will possess a current State of Texas asbestos inspection license. All Terracon field personnel and will be medically cleared for asbestos work in accordance with OSHA 29 CFR 1926.1101.

Project participants actively engaged in lead-based paint sample collection must have received State of Texas accredited Lead Inspector training and will possess a current State of Texas lead inspector certification.

Project participants actively engaged in mold inspection or guano inspection activities must have received State of Texas accredited Mold Inspector training and will possess a current State of Texas mold inspector license.

Terracon personnel will also be medically cleared, trained and properly fit-tested for respirator use in accordance with OSHA 29 CFR 1910.134.

3.0 PROJECT ORGANIZATIONAL STRUCTURE

Project Manager:	Greg Calhoun Terracon	214-630-1010
Corporate Health and Safety Mgr.:	Mark Huddleston, CSP, Terracon	913-577-0419
Site Safety Officer/Project Supervisor	David Ladage Terracon	214-630-1010

4.0 SCOPE OF SERVICES

Terracon personnel will mobilize to the project site to conduct surveys of suspect asbestos containing materials (ACM), lead-based paint (LBP), mold and guano may be present in the building at the site.

Bulk asbestos samples will be collected in general accordance with the Texas Department of State Health Services (TDSHS) and AHERA sampling protocols and will be submitted to a NVLAP-accredited and TDSHS-licensed laboratory for analysis by polarized light microscopy.

Lead-based paint samples will be collected following the applicable United States Department of Housing and Urban Development (HUD) 24 CFR Part 35 and TSDHS protocols, including the Texas Environmental Lead Reduction Rules (TELRR) and will be submitted to a NVLAP-accredited laboratory for analysis through Flame Atomic Absorption Spectrophotometer (AAS).

Building materials will be evaluated for visible mold contamination in general accordance with guidelines published by the TDSHS (*Texas Mold Assessment and Remediation Rules*, 2004), the American Conference of Governmental Industrial Hygienist (*Bioaerosols; Assessment and Control*, 1999) and American Standard Test Methods (*Standard Guide for Assessment of Fungal Growth in Buildings,* ASTM D7338-10). Bulk, surface and air samples collected during a fungal assessment will be submitted for analysis by TDSHS-licensed mold analysis laboratory.

Bulk materials of bat/bird guano/debris will be aseptically sampled by trained staff and analyzed by Polymerase Chain Reaction (PCR) to determine if these pathogens are present. Bulk and air samples will be analyzed by a laboratory accredited by the American Industrial Hygiene Association (AHIA®) Laboratory Accreditation Programs, LLC under the Environmental Microbiology Laboratory Accreditation Program (EMLAP) and is Texas licensed Mold Analysis Laboratory under the TMARR.

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The primary purpose of this Plan is to ensure that Terracon personnel are aware that site activities will be conducted in a facility where asbestos, lead-based paint, mold and guano hazards may be present. A separate job hazard analysis of facility-specific hazards is required to help assure that project personnel are protected against these potential hazards through controlled sampling techniques and appropriate personal protective equipment. The following procedures are designed to provide standardization with respect to location and number of samples collected and method of labeling sample locations.

4.1 Asbestos Sampling Equipment Requirements

In addition to the personal protective equipment outlined below, each project participant should mobilize an asbestos sampling equipment kit similar to that outlined below. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Wet methods will be employed in collecting all suspect ACM samples. Absolutely no bulk asbestos samples will be collected over the heads of or in near proximity to non-project personnel.

- Utility knife
- Coring tool
- Duct tape
- Sample containers (preferably ziplock style clear plastic bags)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Spray atomizer containing detergent amended water
- Spray adhesive
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.2 Fiber Release

Asbestos bulk sampling activities must be conducted in a manner which minimizes the generation of dusts and airborne fibers. Each sample team member will assess the condition of ACM prior to sampling or otherwise disturbing the material. Sampling will not be conducted in buildings occupied by non-project personnel, or over the heads of any personnel. Wherever possible, sample collection will be conducted at a level below the breathing zone of the sampler.

If sampling impregnated materials or other ACMs appear non-friable (floor tiles, mastic, roofing felt or sealant, ceiling tile, etc.), respiratory protection should not be required. If collecting samples of friable ACM or normally non-friable materials which are in deteriorated condition,

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precautions must be taken to prevent the release of fibers to the work area. Precautions include isolation of the material prior to disturbance (i.e., glove bagging) and the use of wet sampling methods as described below.

4.3 Lead-Based Paint Sampling Equipment Requirements

LBP analysis will be conducted by collecting paint chip samples. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Absolutely no lead-based paint samples will be collected over the heads of or in near proximity to non-project personnel.

- Heating tool and extension cord
- Tape measure or template
- Chisel
- Chipping hammer or scraper (lead paint samples from metal structures)
- Face shield or chipping goggles
- Sample containers (preferably sturdy, clear plastic vials)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.3 Mold Sampling Equipment Requirements

Mold analysis will be conducted by collecting tape lift samples. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Absolutely no mold samples will be collected over the heads of or in near proximity to non-project personnel.

- Transparent tape
- Sample retention sheet
- Laboratory chain of custody for mold sample analysis
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.3 Guano Sampling Equipment Requirements

Bulk materials of bat/bird guano/debris will be aseptically sampled by trained staff and transferred to appropriately labeled sterile containers. Additionally, air samples will be collected

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on 37-millimeter cassettes containing sterile filter media at flow rates between 3 liters/minute (l/m) and 15 l/m. Target air volumes will range from 540 liters and 1800 liters. The air samples will be shipped under COC to a laboratory accredited by the AHIA® Laboratory Accreditation Programs, LLC under EMLAP and is Texas licensed Mold Analysis Laboratory under the TMARR for analysis. Analysis of the bulk and air samples will be conducted by PCR for both qualitative and quantitative information on the concentrations of the avian pathogens *Histoplasma capsulatum, Cryptococcus neoformans* and *Chlamydiaphila psittaci.*

- Utility knife
- Sterile sample containers (preferably rigid, sealable plastic bottles)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Sampling pumps
- 37 millimeter sterile media cassettes
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

5.0 PERSONAL PROTECTIVE EQUIPMENT

5.1 Hazardous Material Inspection and Sample Collection

The Terracon Project Safety Officer will ensure that all project personnel mobilize the following personal protective equipment to the project site on each day of sample collection:

- Polylaminated Tyvek protective coveralls
- Half face or full face air purifying respirator equipped with HEPA cartridges
- Cut-resistant impermeable gloves (nitrile or latex).
- Tyvek boot covers or washable outer footwear
- ANSI specification Safety eyewear

If fiber release appears likely during asbestos sampling activities, sampling personnel will upgrade to **LEVEL C** personal protective equipment as itemized above. Personnel will remove protective clothing before proceeding out of the building at the project site.

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6.0 SAMPLING GUIDELINES AND PRECAUTIONS

6.1 Asbestos Sampling Guidelines and Precautions

- Collect samples of each type of ACM identified during the visual survey. This includes but is not limited to pipe wrapping and elbows, ceiling tiles, floor tiles and mastic, sprayed or troweled on surfacing materials.

- Samples of surfacing material (sprayed or troweled fireproofing material), should be collected in a statistically random manner that is representative of a homogenous area. At least 3 samples should be collected from each homogeneous area of 1,000 ft^2 or less. At least 5 bulk samples should be collected from each homogeneous area that is greater than 1,000 $ft.^2$ but less than or equal to 5,000 $ft.^2$. At least 7 bulk samples should be collected from each homogeneous area that is larger than 5,000 $ft.^2$.

- At least 3 bulk samples should be collected from each homogeneous area of thermal system insulation (pipe lagging and boiler system insulation) and miscellaneous suspect ACM.

- Areas to be sampled will be misted with detergent-amended water *prior* to sample collection. Minimal misting force should be used to reduce the potential for fiber release.

- Use water mister to rinse sampling tools in the sample container after sample collection.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container.

- Repair pipe lagging or other disturbed areas with spray adhesive and duct tape as appropriate to prevent potential fiber release.

6.2 Lead-Based Paint Sampling Guidelines and Precautions

- Identify areas with coated or prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and should be included in the survey. Some ceramic tiles have a lead-containing glaze and should also be assessed, particularly where required by state or local regulatory agencies.

- Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in

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general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995revision.

- Conduct paint-chip sampling on selected surfaces. Document descriptions of each surface sampled on the field log.

- Use tape measure or template to delineate proper sample size. Use heating tool to loosen paint coating. Remove coating with chisel, chipping hammer or scraper. Transfer sample to sample container.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container.

6.3 Mold Sampling Guidelines and Precautions

- Evaluate building materials for areas of suspect mold contamination. Select appropriate materials and locations to be sampled.

- Use transparent tape to collect tape lift sample of suspect mold contamination. Transfer tape, contaminated side down, to the sample retention sheet. Log sample location information on laboratory chain of custody.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample retention sheet with the sample number.

6.4 Guano Sampling Guidelines and Precautions

- Collect bulk samples of suspect guano.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container. Log sample location information on laboratory chain of custody.

- Collect air samples on 37-millimeter cassettes containing sterile filter media at flow rates between 3 liters/minute (l/m) and 15 l/m. Target air volumes will range from 540 liters and 1800 liters.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container. Log sample location information on laboratory chain of custody.

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7.0 HAZARD ASSESSMENT

7.1 Chemical Hazards

Asbestos is a recognized human carcinogen. It causes asbestosis, cancer of the lungs and digestive tract and mesothelioma. Asbestosis is a lung disorder characterized by a diffuse interstitial (between cell) fibrosis. The onset of asbestosis probably depends upon the asbestos dust concentration, the morphology of the fiber and length of exposure. Cigarette smoking is strongly implicated as a co-carcinogenic among asbestos workers. The OSHA Permissible Exposure Limit for asbestos is 0.1 fiber per cubic centimeter (0.1f/cc) of air.

Sample team members are advised to practice proper personal hygiene throughout the course of this project. Wash hands frequently during the course of sample collection and always prior to drinking, eating, smoking or any other activity which could increase the likelihood of hand to mouth transfer of site contaminants.

7.2 Physical Hazards

7.2.1 Ladders

Asbestos sampling activities may involve the use of ladders to gain access to overhead structures. Personnel will ensure that proper ladder or other suitable means of access (cherry picker, scaffold, etc.) is used to obtain access to elevated areas. Ladders will be inspected prior to use. Spreaders will be fully extended on all step ladders and firmly positioned prior to use. Where footing is uncertain, a sample team member will hold or otherwise secure ladders while in use by another sample team member. Personnel must always face ladders during both ascent and descent. Extension ladders will be placed at an angle of no more than one fourth of its working length. Sample team personnel will not walk on steeply pitched roof surfaces and will not walk on low pitched roofing surfaces while wet. Remain on designated roof walkways wherever present.

7.2.2 Personnel Lifts (“Cherry Pickers”)

If elevated sample collection is required which precludes the safe use of extension ladders, sample team personnel may be required to use basket lifts (manlift, cherry picker). No Terracon personnel will attempt to operate or position personnel lift until they are trained in the proper use of the equipment. Personnel being elevated in a cherry picker basket will be secured at all times with a safety belt and safety lanyard. Lanyards used in basket lifts will not exceed 6 feet in length.

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7.2.3 Confined Space Entry

No sample team member will enter any pit, shaft, or tunnel which has limited means of egress, the potential for an oxygen deficient or toxic atmosphere or which was not designed for human occupancy. Pipe tunnels accessible from a utility room in which personnel may stand can be entered to a maximum of 6 feet from the tunnel entrance if, and only if, a stand-by team member remains at the tunnel entrance in continuous visual and verbal communication with the sample team member. Terracon personnel will mobilize adequate portable lighting during the course of this assessment. Confined space entry is not anticipated during the course of this asbestos sampling project. If entry to pipe tunnels, pits, tanks or other structure which could be defined as a confined spaces becomes necessary during the course of this project, the Site Health and Safety Officer will contact the Terracon Corporate Health and Safety Manager to discuss conditions and to obtain a task-specific confined space entry addendum to this plan and confined space entry permits. No personnel will enter confined spaces until the addendum and any rescue, air monitoring or other equipment required for the task has been received, and personnel are briefed in site hazards, precautions, and safe work practices.

7.2.4 Electrical Contact Hazards

Asbestos sample team members will be continuously cognizant of potential electrical contact hazards during asbestos sample collection activities. A visual assessment of each work space will be made prior to sample collection and electrical contact hazards will be evaluated. Unguarded junction boxes, exposed wiring, knife switches, etc. will be avoided in collection of bulk samples of suspect materials.

8.0 DECONTAMINATION

Decontamination as part of abatement activities are not planned as part of this project.

9.0 SITE CONTROL

Samples of suspect ACM will not be collected in the presence of non-project personnel. Sample team members will ensure that non-project participants are well clear of proposed sample collection areas prior to obtaining bulk ACM samples. Terracon will coordinate sampling activities with the site representatives to prevent sample collection in occupied structures.

If unauthorized personnel attempt to enter a sampling area, sample team member will immediately curtail bulk sample collection activities and request that the individual leave the project area. If unauthorized personnel refuse to leave the sample collection area, immediately contact the

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Terracon Site Health and Safety Officer. Sample collection activities will continue only after unauthorized personnel have left the project site.

10.0 EMERGENCY RESPONSE

This section describes emergency planning procedures which will be implemented during assessment activities at project site. The Project Safety Officer will remind all personnel of the provisions of this section during daily site safety briefings. It is the responsibility of the Site Safety Officer to mobilize emergency equipment required by this section.

10.1 First Aid Requirements

The Project Safety Officer will ensure that a first aid kit is mobilized to the site on each day of sampling activity.

10.2 Emergency Contact/Notification System

The following list provides names and telephone numbers for emergency contact personnel. In the event of a medical emergency, personnel will take direction from the Project Safety Officer and notify the appropriate emergency agency.

EMERGENCY TELEPHONE NUMBERS

Organization	Contact	Telephone Number
Hospital	Wadley Regional Medical Center	(903) 798-8000
Ambulance Service		911
Fire Department		911
Facility Representative	Holly Wall	903-798-3934
Project Manager	Greg Calhoun	214-630-1010
Terracon Safety & Health Mgr.	Mark Huddleston	913-577-0419

10.3 Route to Emergency Facility

The Terracon Corporate Health and Safety Manager will be contacted following all site emergencies. Medical emergencies will be taken to Wadley Regional Medical Center. The route to the facility from the site is: See attached map

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10.4 Emergency Medical Treatment Procedures

Any person who becomes ill or injured during the course of this project must be decontaminated to the maximum possible extent. If the injury or illness is minor, full decontamination should be completed and first aid administered prior to transport. If the patient's condition is serious, at least partial decontamination should be completed prior to transport of the injured site worker.

If rescue is required from an area of obvious fiber release, Terracon personnel will inform rescue personnel of site contaminants and will assist emergency personnel in transporting the injured employee if requested. Terracon personnel will don the appropriate personal protective equipment prior to entering sites with signs of obvious fiber release.

10.5 In the Event of Fiber Release

In the event that small amounts of suspect asbestos containing materials such as thermal system insulation, sprayed on or troweled-on surfacing materials, ceiling texture, etc. are released during the course of sampling, sampling team members will immediately evacuate the area and don Level C personal protective equipment. The area of potential ACM release will then be approached and suspect materials will be thoroughly wetted with detergent-amended water, slowly and deliberately swept to a centralized pile, re-wetted, double bagged in asbestos disposal bags and sealed with duct tape. Affected surfaces will be re-wetted and swabbed with clean cloths or paper towels. Used wipes will be placed in asbestos disposal bags which will be containerized pending proper removal and disposal in an approved disposal facility.

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ACKNOWLEDGMENT OF INSTRUCTION

I understand that this project will involve asbestos sampling in the building located at 203 & 205 W Broad Street, Texarkana, Texas. Asbestos activities outlined in this Plan could expose project participants to physical hazards and potential chemical hazards (see plant specific job hazard analysis attached). Potential fiber releases will be controlled by deliberate collection techniques and wet sampling methods. If potential fiber releases appear likely, sampling personnel will upgrade to Level C personal protective equipment as specified in this Health and Safety plan. I have read this Health and Safety plan and have received instructions for procedures to be followed. I understand that if at any time I have questions concerning health and safety precautions at this site, I am to contact the Site Health and Safety Officer. The Site Health and Safety Officer will contact the Terracon Corporate Health and Safety Manager at (913) 577-0419.

ASBESTOS SURVEY
TERRACON PROJECT NO. 94137464B

Name: (Please Print)	**Signature**	**Date**

Site Safety briefing performed by: _____ **Date** _____

Level of PPE: __ D _**X**_ Dmod (Stand-by) _**X**_ C **(Stand-by)**

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HAZARDLINE
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NEW YORK, NEW YORK 10036
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CHEMICAL NAME
ASBESTOS

CHEMICAL FORMULA
VARIES

SYNONYMS
CHRYSOTILE, CROCIDOLITE, ACTINOLITE, AMOSITE, ANTHOPHYLLITE,TREMOLITE

PERMISSIBLE EXPOSURE LIMIT AND TOXICOLOGY
0.1 FIBER/CC
TUMORIGENIC DATA (RTECS)
MUTAGENIC DATA (RTECS)

CERCLA HAZARD RATINGS
TOXICITY -- 3 IGNITABILITY -- 0 REACTIVITY -- 0 PERSISTENCE -- 3

OSHA CARCINOGEN
KNOWN HUMAN CARCINOGEN (NTP)
ACGIH A1-CONFIRMED HUMAN CARCINOGEN
HUMAN SUFFICIENT EVIDENCE FOR CARCINOGENICITY (IARC GROUP-1)
ANIMAL SUFFICIENT EVIDENCE FOR CARCINOGENICITY (IARC GROUP-1)

TOXICOLOGY
ASBESTOS MAY BE IRRITATING TO THE EYES, SKIN AND MUCOUS MEMBRANES. THERE IS INSUFFICIENT DATA TO QUANTIFY THE TOXICITY. POISONING MAY AFFECT THE LUNGS. REPEATED OR PROLONGED EXPOSURE TO ASBESTOS MAY CAUSE ASBESTOSIS, AN INTERSTITIAL FIBROSIS OF THE LUNG TISSUE WHICH MAY DEVELOP FULLY WITHIN 7-9 YEARS, BUT ONSET IS TYPICALLY DELAYED 20-40 YEARS AFTER THE FIRST EXPOSURE. THE INITIAL SYMPTOM IS A PROGRESSIVE EXERTIONAL DYSPNEA. OCCUPATIONAL EXPOSURE TO CHRYSOTILE, AMOSITE, MIXTURES CONTAINING CROCIDOLITE, AND OTHER FORMS OF ASBESTOS HAS RESULTED IN A HIGH INCIDENCE OF LUNG CANCER AND PLEURAL AND PERITONEAL MESOTHELIOMAS. GASTROINTESTINAL CANCERS WERE INCREASED IN WORKERS EXPOSED TO AMOSITE, CHRYSOTILE, OR MIXED FIBERS CONTAINING CROCIDOLITE. THE LATENT PERIOD FOR MESOTHELIOMAS IS 3.5-30 YEARS; FOR LUNG CANCER, 15-30 YEARS.

THE THRESHOLD LIMIT VALUE WAS ESTABLISHED BASED ON HEALTH EFFECTS DATA. SMOKING ENHANCES THE RISK OF LUNG CANCER.
IHL-HMN TCLO: 1.2 FIBERS/CC/19 YRS-C

ASBESTOS (CONT'D)

PHYSICAL DESCRIPTION
FIBERS OR FILAMENTS WHICH MAY BE WHITE, BLUE, BROWN, GRAY, GREEN OR YELLOW IN COLOR.

CHEMICAL AND PHYSICAL PROPERTIES
MOLECULAR WEIGHT: VARIES
BOILING POINT AT 1 ATM, F: NOT AVAILABLE
SOLUBILITY IN WATER, G/100 G WATER AT 20ºC: INSOLUBLE
FLASH POINT, CLOSED CUP, F (OR OPEN CUP IF 0C): NONCOMBUSTIBLE SOLID
VAPOR PRESSURE @ 20ºC, MMHG: NOT AVAILABLE
MELTING POINT, F: >1832ºF (>1000ºC)
UPPER EXPLOSIVE LIMIT IN AIR, % BY VOLUME: NONFLAMMABLE
LOWER EXPLOSIVE LIMIT IN AIR, % BY VOLUME: NONFLAMMABLE
SPECIFIC GRAVITY: 2.4-3.3

ROUTE OF ENTRY INTO BODY
INHALATION, INGESTION, SKIN OR EYE CONTACT

SYMPTOMS
EYE IRRITATION, SKIN IRRITATION, MUCOUS MEMBRANE IRRITATION, COUGHING, CHEST PAIN, LUNG FIBROSIS, DYSPNEA, DECREASED VITAL CAPACITY, TACHYPNEA, PULMONARY RALES, CYANOSIS, ANOREXIA, WEAKNESS, WEIGHT LOSS, FINGER CLUBBING, FATIGUE, DERMATITIS, CONJUNCTIVITIS, GASTROINTESTINAL IRRITATION, PLEURAL MESOTHELIOMA, UREMIA MESOTHELIOMA, LUNG CANCER, GASTRO-INTESTINAL CANCER, LARYNX CANCER

ORGANS AFFECTED BY THE SUBSTANCE
LUNGS
RESPIRATORY SYSTEM
GASTROINTESTINAL
SKIN

LEAK AND SPILL PROCEDURES
REPORTABLE QUANTITY (RQ): 1 LB. (0.454 KG)
A REPORTABLE QUANTITY OF ONE POUND APPLIES TO THIS SUBSTANCE ESTABLISHED BY SECTIONS 101(14) AND 102(B) OR ADJUSTED UNDER SECTION 102(A) OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT OF 1980 (CERCLA). SECTIONS 103(A) AND 103(B) REQUIRE THAT PERSONS IN CHARGE OF A VESSEL OR FACILITY FROM WHICH A HAZARDOUS SUBSTANCE HAS BEEN RELEASED IN A QUANTITY EQUAL TO OR GREATER THAN THE REPORTABLE QUANTITY FOR THAT SUBSTANCE IMMEDIATELY NOTIFY THE NATIONAL RESPONSE CENTER (800) 424-8820; IN THE WASHINGTON, D.C.METROPOLITAN AREA (202)426-2675.

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Wadley Regional Medical Center
Texarkana Water Utilities
Burger King
The Chute
Arkansas Corrections Dept
Zapata's
Texarkana Gazette
Perot Theatre
Texarkana Public Library
Kidtopia Park
Texarkana Amtrak
4 min
0.7 mile
3 min
0.7 mile
Texas Blvd
Olive St
Spruce St
Oak St
Elm St
Pine St
Wood St
Walnut St
Hazel St
Laurel St
Ash St
N State Line Ave
W 12th St
W 11th St
W 10th St
W 9th St
W 6th St
W 5th St
W 4th St
E 5th St
E Front St
W Front St
W Broad St
Viaduct Rd
Google
Map data ©2014 Google
Lite mode
Terms
Privacy

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APPENDIX B: SURVEY PROTOCOLS

E.3000
BULK SAMPLING OF SUSPECT ASBSETOS-CONTAINING MATERIAL (ACM)

Last Review or Revision: June 2010

I. PURPOSE

The purpose of this standard operating procedure (SOP) is to provide information on the hazards of asbestos and procedures to follow to sample suspect materials for laboratory analysis. The following guidelines contained in this document apply to Terracon personnel who engage in bulk sampling of suspect ACM and are designed to provide standardization with respect to sample collection. This procedure should ensure that potential asbestos-containing material samples are collected in a manner which allows for accurate analysis of the material and that sampling personnel are protected against potential asbestos fiber releases through controlled sampling techniques or appropriate personal protective equipment.

The objective of bulk sampling building materials and components suspected to contain asbestos is to characterize the items that contain asbestos in quantities equal to or greater than 1% or other contaent limit as specified by local or state guidelines. By characterizing the locations and quantities of asbestos-containing materials (ACM), exposure hazards can be greatly reduced.

II. BACKGROUND AND REFERENCE

Asbestos has been a common component used in several building materials because of its strength enhancing and fire resisting properties. However, asbestos has been recognized as a human carcinogen and respiratory hazard. Due to its health hazards, building inspections and asbestos bulk sampling is requested for schools and many public or commercial properties prior to building renovation or demolition activities. Therefore, identifying, locating and quantifying materials containing asbestos is essential in the effort to prevent worker exposure to asbestos and prevent environmental contamination.

As a consequence of inhalation of asbestos fibers, a body of federal and state regulations has been developed. Federal regulations pertaining to asbestos are included in AHERA (Asbestos Hazard Emergency Response Act) US EPA 40 CFR 763, Subparts E, F; NESHAP (National Emissions Standards for Hazardous Air Pollutants (EPA 40 CFR 61); OSHA Asbestos Standards (29 CFR 1910.1001 and 29 CFR 1926.1101), and ASHARA (Asbestos School Hazard Abatement Reauthorization Act). Many states and local authorities have additional requirements including state-specific licensing and certification.

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Terracon will comply with applicable federal, state and local regulations when conducting asbestos-related services.

III. EQUIPMENT

The minimum equipment necessary to conduct bulk sampling of suspect materials, in addition to the personal protective equipment outlined below in the Health and Safety Section, is listed below.

- Utility Knife, Chisel, Hammer, Screwdriver, Coring Tool
- Duct Tape
- Sample Containers (preferably ziplock-style clear plastic bags)
- Sample Labels and Indelible Marker
- Spray Atomizer containing Detergent Amended Water, Paper Towels/Wet Wipes
- Spray Adhesive
- Roof Patch Kit (if necessary)
- Measuring Wheel
- Camera
- Flashlight
- Field ACM Sample Log

IV. CERTIFICATION

Individuals conducting asbestos sampling must have the certifications listed below. Copies of these certifications and licenses should be taken to the site during the sampling event.

- United States Environmental Protection Agency Building Inspector training (and refresher training, if applicable)
- Asbestos Inspector State-license for the state of the project location (where necessary)

In addition, Terracon requires company-based training courses and hands-on experience of employees prior to commencing asbestos-related field services. Each employee must also receive respirator training, be medically monitored and successfully pass a fit-test utilizing issued respirator(s).

V. HEALTH AND SAFETY

Asbestos has been recognized to cause asbestosis, cancer of the lungs and digestive tract and mesothelioma. Asbestosis is a lung disorder characterized by a diffuse interstitial (between cell) fibrosis. The onset of asbestosis probably depends upon the asbestos dust

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concentration, the morphology of the fiber and length of exposure. Cigarette smoking is strongly implicated as a co-carcinogenic among asbestos workers.

Under the OSHA asbestos standards, the employer has an obligation to protect employees against exposure to asbestos fibers in excess of 0.1 fibers per cubic centimeter of air (0.1f/cc). Personnel engaged in asbestos-related activities (including building inspections) must be trained, medically cleared and fit-tested for respiratory protection. Therefore, enrollment in a medical surveillance program in compliance with the OSHA asbestos and respiratory protection standards is mandatory. Terracon employees are not permitted to engage in asbestos-related activities unless they are enrolled in the Terracon medical surveillance program and have been medically cleared for respirator use by a physician.

The following safety and health protocols apply to Terracon personnel who engage in asbestos-related services. The guidelines contained in this document are based upon potential health hazards from exposure to asbestos fibers and physical hazards which may be encountered on survey project sites. Field activities will be performed in accordance with the procedures outlined in this document and applicable federal/state health and safety regulations.

Terracon personnel will use professional judgment during sample collection to prevent exposure to other building occupants. If unauthorized personnel attempt to enter a sampling area which could reasonably pose a fiber release hazard, the inspector will curtail bulk asbestos sample collection activity and request that the individual(s) leave the work area. If unauthorized personnel refuse to leave the work area, immediately contact the Project Safety Officer and/or a client representative. Sample collection activities should recommence only after unauthorized personnel have left the work area.

In the event that minor amounts of suspect asbestos containing materials such as thermal system insulation, sprayed-on or trowled-on surfacing materials, ceiling texture, etc. are released during the course of sampling, sampling team members will immediately evacuate the area and don Level C personal protective equipment. The area of potential ACM release will then be approached and suspect materials will be thoroughly wetted with amended water, slowly and deliberately swept to a centralized pile, re-wetted, and containerized in heavy mil asbestos disposal bags. Affected surfaces will then be re-wetted and swabbed with clean cloths or paper towels. Used wipes will be disposed of as asbestos-containing waste.

In the event that large quantities of potential ACM is released during sample collection activities, personnel will immediately evacuate the area and notify the Project Safety Officer and the client representative. The Project Safety Officer will request that the area be sealed until a properly attired response team can be mobilized to the area with a high efficiency particulate air filter (HEPA) vacuum and other equipment necessitated by site conditions.

If suspect materials are in deteriorated condition and fiber release appears likely, or if sampling must be conducted overhead and/or above drop ceilings, personnel will upgrade to Level C personal protective equipment as itemized above. Level C personal protective

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equipment should be donned before moving drop ceiling panels, attic access panels, etc. where friable fireproofing or thermal system insulation are known to be present.

The indicated personal protective equipment shall be mobilized to asbestos sampling project sites on each day of sample collection and utilized, if necessary:

- Tyvek (standard) protective coveralls
- Half face or full face air purifying respirator equipped with HEPA (P-100) cartridges
- Impermeable gloves (nitrile or latex).
- Tyvek boot covers or washable outer footwear

Additional Health and Safety protocols such as those established by the owner/operator of the project site and Terracon's company policy regarding ladder safety, confined space entry and electrical hazards shall be followed.

VI. SAMPLING HAZARDS

a. Elevated Surfaces

Asbestos building inspections may include roofing materials and ceiling spaces containing suspect ACM. Appropriate ladders or other suitable devices (e.g., manlifts) will be used for gaining access to elevated sampling locations. Ladders will be inspected prior to use. Spreaders will be fully extended on all step ladders and firmly positioned prior to use. Where footing is uncertain, a sample team member will hold or otherwise secure ladders while in use by another sample team member. Personnel must always face ladders during both ascent and descent. Extension ladders will not be positioned more than one-quarter of their working length from buildings, walls, etc. (4:1 pitch). Sample team personnel will not walk on steeply pitched roof surfaces and will not walk on low pitched roofing surfaces while wet. Remain on designated roof walkways wherever present. Terracon personnel will visually inspect roofs prior to beginning sample collection activities and will avoid all areas which appear to be structurally unsound.

b. Confined Space Entry

Terracon asbestos inspectors will not enter any pit, shaft, tunnel, etc. which has limited means of egress, the potential for an oxygen deficient or toxic atmosphere or which was not designed for human occupancy without first developing a written safety plan which includes a confined space entry permit and procedures. Readily accessible spaces such as pipe tunnels in which personnel may stand can be entered to a distance where continuous visual and verbal communication can be maintained with another sample team member.

Adequate portable lighting must be utilized during sample collection in tunnels and similar spaces. No Terracon or sample team member may attempt to walk through a pipe tunnel,

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etc. beyond the sight of a stand-by team member unless written confined space entry procedures have been prepared for the project.

c. Electrical Contact Hazards

Personnel will remain cognizant of the location and condition of electrical wiring during the collection of bulk asbestos samples. A visual assessment of each work space will be made prior to sample collection and electrical contact hazards will be evaluated. Unguarded junction boxes, exposed wiring, knife switches, etc. will be avoided during the collection of bulk ACM samples, and coring tools will not be used in near proximity to electrical switches or receptacles.

VII. PROCEDURES FOR BULK SAMPLING OF SUSPECT ACM

The primary purpose of this section is to identify the methods and techniques of controlled sampling, sampling site control and use of appropriate personal protective equipment to protect Terracon personnel and members of the general public from exposure to asbestos fibers during sampling activities. Adherence to these procedures should enhance personnel safety during sample collection activities and aid in the suitability of samples for analysis. Field activities will be performed in accordance with the procedures outlined in this document and applicable federal/state health and safety regulations.

Protocols for inspection and bulk sampling are defined in AHERA regulations. These are applicable for any type of survey; for example, a school, an area prior to renovation, a building prior to demolition and inspections undertaken to rebut the OSHA presumption that certain materials contain asbestos.

An accredited Building Inspector must perform the inspection. A summary of AHERA sampling protocols is as follows:

1. Visually inspect the building interior and/or exterior and identify locations of suspect ACM. Identify homogenous areas of friable and non-friable suspect ACM. Document locations, condition, classification and estimated quantities of each suspect material. It is recommended to depict locations of materials on a building diagram and take photographs of sampled materials.

2. Touch each suspect ACM to determine its friablity.

3. Collect representative samples of suspect ACM. Terracon recommends a minimum of three (3) samples of each material be collected from each homogeneous area. However, specific materials may require additional samples such as surfacing material and insulation

as described below. Judgment should be used on the need for and quantity of additional sample collection.

Surfacing materials: Collect, in a statistically random manner, at least 3 bulk samples from each homogenous area of 1,000 sq. ft. or less, at least 5 bulk samples from each homogenous area that is greater than 1,000 sq. ft. but less than or equal to 5,000 sq. ft., and at least 7 bulk samples of each homogenous area larger than 5,000 sq. ft.

Thermal System Insulation (TSI): Collect, in a randomly distributed manner, at least three bulk samples from each homogeneous area of TSI; collect at least one bulk sample from each homogeneous area of patched TSI if the patched section is less than 6 linear or square feet; collect bulk samples from each insulated mechanical system where cement or plaster is used on tees, elbows, etc. in a manner sufficient to assess whether the material is ACM.

If fiber release appears likely, wet methods will be employed in the collection of suspect ACM samples. Water amended with a minimum of 10% commercially available window cleaning solution or other suitable surfactant should be used to moisten materials prior to sampling. Bulk asbestos samples will not be collected over the heads of, or in near proximity to, non-project personnel. Respiratory protection is not required when sampling non-friable suspect materials or materials below the breathing zone which are adequately wetted with amended water.

4. Bulk ACM samples should be immediately placed in sample containers and sealed while the materials are wet. If collecting samples of friable ACM or normally non-friable materials which are in deteriorated condition, precautions must be taken to prevent the release of fibers to the work area. Precautions include aggressively wetting the surface or potentially isolating the material (e.g. glove bagging) prior to disturbance.

5. Reusable sampling equipment will be gently rinsed with amended water. Dry the equipment with paper towels to be disposed of as contaminated materials.

6. The following decontamination sequence should be used following sample collection activities requiring Level C personal protective equipment:

- Remove coveralls slowly turning the outside inward.
- Place in heavy mil asbestos disposal bag.
- Remove gloves and shoe covers (if utilized)
- Remove respirator and carefully dispose of respirator cartridges in asbestos disposal bag.
- Securely seal protective clothing and any potentially contaminated disposable sampling equipment in heavy mil asbestos disposal bags.
- Do not smoke or eat with soiled hands.

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Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4000
SAMPLING OF POTENTIAL LEAD-BASED PAINT

Last Review or Revision: June 2010

I. PURPOSE

The purpose of this standard operating procedure (SOP) is to provide information on the hazards of lead-based paint (LBP) and describe procedures for identificationand proper LBP sampling techniques. The following procedures for sampling potential LBP using a direct reading instrument and paint chip collection are designed to provide standardization with respect to location and number of samples collected and method of labeling sample locations. In addition, this procedure should ensure that potential LBP samples are collected in a manner which allows for accurate analysis of the material. Finally, this procedure will help to ensure that sampling personnel are protected against potential lead dust releases through controlled sampling techniques or appropriate use of personal protective equipment.

The objective of sampling coated (i.e., painted, pigmented or stained) surfaces for LBP (LBP) is to characterize materials and components that contain lead in surface coatings and compare them to established limits such as the Environmental Protection Agency (EPA) or Housing Urban Development (HUD) standards and guidelines such as at quantities greater than 1.0 milligram per square centimeter (mg/cm^2) or 0.5% by weight or other regulated quantity as specified by state or local authority. By characterizing the locations and quantities of LBPs, exposure hazards can be greatly reduced.

II. BACKGROUND AND REFERENCE

Lead is a toxic heavy metal which may cause blood, kidney and nervous system disorders if inhaled or ingested. Metallic lead and lead contained in dusts are not readily absorbed through the skin. However, skin contact with potentially contaminated site materials should be avoided.

The United States EPA and HUD have established an action level for LBP of 1.0 milligram per square centimeter (mg/cm^2) or 0.5% by weight. Coatings with quantities equal to or greater than these values are considered LBP. The Occupational Safety and Health Administration (OSHA) does not establish a LBP quantity but regulates the amount of lead that can become airborne and either inhaled or ingested by setting limits for air concentrations of 0.05 milligram per cubic meter (mg/m^3) of air over a work shift and blood values of 50 micrograms per deciliter of blood.

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Lead was a common ingredient in paint until 1978 when the Consumer Product Safety Commission (CPSC) banned the sale of LBP for use in residences in quantities greater than 0.06% by weight. However, some industrial paints still contain lead today and are used in several applications. Lead can be introduced into the air by sanding or abrading surfaces containing LBP, and inhalation or ingestion of the dust is possible. Ingestion of lead can occur when children consume deteriorated paint chips, children place exposed toys or body parts into their mouths or when industrial workers exposed to lead-containing dust eat or smoke without washing their hands.

The lead content of paint can be determined with direct-reading instrumentation or by analysis of a bulk paint chip sample. An X-ray fluorescence (XRF) type analyzer is recommended to obtain direct readouts of lead content in coated surfaces. The XRF analyzes for lead by atomic absorption spectroscopy (AAS). Results are in milligrams of lead per square centimeter. Paint chip sample analysis is performed by inductively coupled plasma-atomic emission spectrometry (ICP-AES) in accordance with EPA SW-846 Method 6010B. Results are typically reported as lead percent per paint chip weight.

When sampling for LBP in buildings classified under the United States Department of Housing and Urban Development (HUD) or other child occupied-facilities (i.e., publicly and privately owned-housing, public buildings, daycares, etc.), procedures stated in the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995 revision will be used.

Lead is also regulated by the Occupational Safety and Health Administration (OSHA) and the EPA. Occupational exposure to lead occurring in the course of construction work, including maintenance activities, painting, renovation and demolition, is subject to OSHA standard (29 CFR 1926.62), Lead Exposure in Construction. Construction work covered by 29 CFR 1926.62 includes any repair or renovation activities or other activities that disturb in-place, lead-containing materials. Employers must assure that no employee will be exposed to lead at concentrations greater than 0.05 mg/m^3 averaged over an eight-hour period without adequate protection.

The Resource Conservation and Recovery Act (RCRA) provides the EPA with the authority to regulate the waste status of demolition or renovation debris, including lead-containing materials. Specific notification and testing requirements must be addressed prior to transporting, treating, storing or disposing of hazardous wastes. Lead containing wastes are considered hazardous waste under RCRA if Toxicity Characteristic Leachate Procedure (TCLP) results exceed 5 milligrams per liter (mg/L). EPA exempts from most RCRA requirements those generators whose combined hazardous waste generation is less than 100 kilograms (kg) per month.

III. EQUIPMENT

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LBP analysis can be conducted by using a direct reading XRF analyzer or by collecting paint chip samples. Equipment necessary to conduct both methods is listed below.

For direct reading sampling:

- X-ray fluorescence (XRF) analyzer and accessories
- XRF result field log (optional if downloading software is used)

For paint chip sampling:

- Heating tool and extension cord
- Tape measure or template
- Chisel
- Chipping hammer or scraper (lead paint samples from metal structures)
- Face shield or chipping goggles
- Sample containers (preferably sturdy, clear plastic vials)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis

IV. CERTIFICATION

Individuals conducting LBP inspection services should have the certifications listed below. Copies of these certifications and licenses should be taken to the site.

- EPA lead inspector and risk assessor certification
- As applicable, local- or State-licensed lead inspector/risk assessor (required for HUD projects)
- Manufacturer training certification for the XRF analyzer

V. HEALTH AND SAFETY

The OSHA personal exposure limit (PEL) for lead is 0.05 milligram per cubic meter (mg/m^3) and the action level is 0.03 mg/m^3. The primary route of exposure of lead is through inhalation of contaminated dusts or by accidental ingestion; however, collection of small sample volumes required for analysis is not expected to generate significant dust. Although, if painted surfaces are being disturbed and dust is generated in the vicinity, personnel will take protective measures as indicated below. Project activities may be conducted in Level D personal protective equipment modified as specified below.

- Lead sampling activities will be performed in Level D personal protective equipment to include standard work uniform, safety footwear and hard hat if overhead hazards are present.

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- Protective goggles or a full face shield will be worn during chipping hammer operations.
- Protective gloves should also be worn during lead chip sampling to prevent abrasion and contact with site materials. Half face disposable dust/fume/mist respirators (3M 9920 "surgical style" masks) or half-face air purifying respirators equipped with HEPA filter cartridges will be worn if dusty conditions develop on-site.

Due to the potential of accidental ingestion when working in areas with lead dust, do not smoke or eat with soiled hands. Wash thoroughly before eating, drinking or smoking. Shower thoroughly as soon as possible upon leaving the site.

The XRF analyzer contains a radioactive source and should be transported and used according to the manufacturer's instructions. Personnel utilizing the equipment shall have the proper training and certifications required for use of the equipment.

VI. PROCEDURES FOR XRF ANALYSIS

1. Identify areas with coated or prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and should be included in the survey. Some ceramic tiles have a lead-containing glaze and should also be assessed, particularly where required by state or local regulatory agencies.

2. Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995revision.

3. Calibrate the XRF unit according to the manufacturer's instructions before and after the survey. This involves taking calibration sample readings from a known source provided by the manufacturer.

4. Conduct XRF sampling on selected surfaces. Document descriptions of each surface sampled on the XRF result field log or using the manufacture's software. Record results on the XRF result field log if software is not used.

If results yield 1.0 mg/cm^2 (inconclusive), then a paint chip sample should be collected using the applicable procedures indicated in the following section.

If results indicate the presence of lead in quantities greater than 1.0 mg/cm^2, it is recommended that a photograph depicting the material and location be taken.

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VII. PROCEDURES FOR PAINT CHIP SAMPLING

1. Identify areas with prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and these areas should be included in the survey.

2. Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995revision.

3. A heating tool and chisel is recommended to collect representative samples of painted surfaces, but a knife, chipping hammer or paint scraper may also be used. Minimum force should be used to prevent the generation of dusts and particles. Wear protective goggles, abrasion resistant gloves and/or particulate respirator as appropriate to the task.

Check with the analytical laboratory you will use to determine minimum sample size required. A two square inch (2 in^2) sample is recommended for each sample. The sample size should be documented on the sample log. Some laboratories conducting toxic characteristic leaching procedures (TCLP) analysis may request up to ten grams (10 g) per sample. Lead-based paint samples must be removed down to the bare substrate to ensure each layer of paint has been collected. Use a brush or mini-vacuum to clean up residual material and place it in the sample container.

4. Assign a sample number to each sample collected. Affix a label or mark the sample container indelibly with a sample identification number. Seal the sample container securely. Document descriptions and locations of each surface sampled on a field log. It is recommended that a photograph depicting the material and location be taken.

5. Send results and chain or custody to an American Industrial Hygiene Association (AIHA) accredited laboratory for analysis.

- Wash hands, face and forearms thoroughly before eating, drinking smoking or using toilet facilities.
- Shower thoroughly as soon as possible upon leaving the project site.

7. Bulk sample analysis for asbestos content is performed by polarized light microscopy (PLM). The analytical testing procedure is based on U.S. Environmental Protection Agency (EPA) methods and National Voluntary Laboratory Accreditation Program (NVLAP) requirements. Terracon will use NVLAP accredited and appropriately licensed laboratories for analysis of asbestos bulk samples. Samples will be controlled with the analytical laboratory through chain of custody documentation.

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Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4020
AVIAN PATHOGEN SAMPLING - AIRBORNE
(Bat and Pigeon Droppings)

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Indoor air sampling requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged for when sampling for airborne contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

The following procedure is for collection of samples for the determination of the avian pathogens *Histoplasma capsulatum*, *Cryptococcus neoformans* and *Chlamydiaphila psittaci* by the Polymerase Chain Reaction (PCR) analytical method. The PCR method is qualitative for *H. capsulatum* and quantitative for *C. neoformans* and *C. psittaci*. For *H. capsulatum*, EMLab P&K (1501 W. Knudsen Drive, Phoenix, AZ) utilizes the National Institute of Occupational Safety and Health (NIOSH) two-stage PCR method as published by T. M. Reid and M. P. Schafer, *Molecular and Cellular Probes*, (1999) 13:269-273.The PCR method for *C. neoformans* and *C. psittaci* is a proprietary real time analytical developed by EMLab P&K using species-specific sequences published in Genbank for PCR primers (single strand of DNA specific for the species of interest) and probes (fluorescent molecules attached to primers to allow detection).

Equipment

The following equipment and supplies will be needed for this testing:

- Air monitoring cassettes are obtained from EMLab P&K. The sterile, 37 millimeter (mm) three piece cassettes contain a polycarbonate filter with a 0.4 micrometer pore size.
- Rotometer or other flowmeter accurate to 0.1 L/min. Flowmeters used for calibration of air sample pumps will be calibrated against a primary standard on a quarterly basis.
- Air monitoring pump (battery operated or ac powered depending on application) capable of providing 10 to 15 L/min flow rate for ambient air samples and a 1 to 4 L/min flow rate for personal air samples.
- Cassette holders (SKC Model 225-1).
- Vinyl tubing to connect pump to cassette holder.
- Cassette stand or other means to fix cassette in place as appropriate for ambient air sample testing locations. Cassette holders affix to the lapel or similar location in the personal breathing zone (PBZ) when collecting personal air samples.
- Chain of Custody.

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Procedures

Label cassette and record laboratory identification number on chain of custody. For ambient air samples, select a location for the sample that is subject to ambient air flow and representative of the location(s) to be tested. For personal air samples, clip the cassette/cassette holder to the individual's lapel, shoulder or other location in the PBZ and secure with duct tape as needed. Secure the low flow personal pump to the workers belt or similar location. A location protected from precipitation should be selected. Excessive moisture will interfere with sample analysis and could affect the flow rate.

Assemble sampling pump, tubing and stand in sample collection location. The cassette should be placed in the cassette holder and the tubing from the pump attached to the base of the cassette holder at the nipple. The joint between the tubing and cassette may be reinforced with tape if site conditions make this necessary. Cassette must be tilted downward at a 45º angle from horizontal. Cassette and pump should be placed so that the sample does not have to be moved after sample calibration.

A short section of vinyl tubing should be used to connect the flowmeter to the inlet port of the cassette holder. An adapter fitting may be needed to connect the tubing to the cassette. If a rotometer is used for flow calibration, the instrument must be held upright for accurate readings. Turn on the pump and measure the flow rate. Using the flow control on the pump, adjust the flow to the desired reading between 10 and 15 L/min for ambient air samples and 1.0 and 4.0 L/min for personal air samples. Record the sampling start time and beginning flow rate. The target total air sample volume for ambient and personal air samples is generally 1,400 L to 1,800 L. For personal samples collected while workers are physically disturbing Bat/Bird guano or related debris and visible emissions are observed, the target total air sample volume may be adjusted to 360 L to 720 L.

After completion of the sample collection, inspect the pump and cassette for any problems that may affect the sample validity and record any problems noted. Measure the post collection flow rate using the procedure described above. The average of the two flow rates will be used by the laboratory to calculate the sample volume. Turn off the pump and cap the inlet and outlet ports on the 37 mm filter cassette. Record the sampling completion time and ending flow rate.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

- Average flow rate (average of beginning and ending readings)
- Sample duration
- Filter number
- Requested analytical method (Avian Pathogens by PCR)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- Industrial Hygiene Technical Manual – Chapter II: Standard Methods for Sampling Air Contaminants
- EMLab P&K, 1501 W. Knudsen Drive, Phoenix, AZ

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Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4022
AVIAN PATHOGEN SAMPLING – BULK MATERIAL
(Bat and Pigeon Droppings)

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bulk sample collection of potentially hazardous materials requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for microbial contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

The following procedure is for the collection of bulk samples of Bat/Bird guano and related debris for the determination of the avian pathogens *Histoplasma capsulatum*, *Cryptococcus neoformans* and *Chlamydiaphila psittaci* by the Polymerase Chain Reaction (PCR) analytical method. The PCR method is qualitative for *H. capsulatum* and quantitative for *C. neoformans* and *C. psittaci*. For *H. capsulatum*, EMLab P&K (1501 W. Knudsen Drive, Phoenix, AZ) utilizes the National Institute of Occupational Safety and Health (NIOSH) two-stage PCR method as published by T. M. Reid and M. P. Schafer, *Molecular and Cellular Probes*, (1999) 13:269-273.The PCR method for *C. neoformans* and *C. psittaci* is a proprietary real time analytical developed by EMLab P&K using species-specific sequences published in Genbank for PCR primers (single strand of DNA specific for the species of interest) and probes (fluorescent molecules attached to primers to allow detection).

Personal Protective Equipment (PPE)

Because the target microorganisms are inherently hazardous/pathogenic, PPE is required for the collection of bulk samples. Bulk sample collection disturbs the matrix being sampled and may result in aerosolization of pathogenic spores or other viable propagules and proper dermal and respiratory protection is required during sample collection.

The following PPE will be needed for this testing:

- Prior to sample collection, don Tyvek disposable coveralls, safety glasses, nitrile or latex gloves and respiratory protection. Depending on the level of substrate disturbance or visible airborne dust/emissions in the general sample collection area either an N-95 or N-100 respirator will be worn during sample collection. If a full face respirator is worn, safety glasses are not required.

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Equipment

The following equipment and supplies will be needed for this testing:

- Sterile sample containers obtained from EMLab P&K. The sterile sample containers are typically 100 to 250 milliliter plastic bottles.
- Pre-cleaned metal bulk sample collection spatulas or an equivalent single use sterile bulk sample device. Metal spatulas must be pre-cleaned with 70% isopropyl alcohol, flamed with a Bunsen burner, Bic® lighter, or equivalent flame source, cooled in air and then stored in zip-lock bags or similar clean containers. To avoid cross contamination, use only one bulk collection device per sample.
- Appropriate marking pens to label containers or pre-printed labels to affix to the containers.
- Chain of Custody.

Procedures

Don the required PPE. Locate Bat/Bird guano or related debris that will be sampled and note the location in field notes and/or on a floor plan.

Label sample containers and record laboratory identification number on chain of custody.

With one hand, scoop approximately 10-100 milligrams (1-5 level tablespoons) of the Bat/Bird guano or related debris with the single use bulk sample collection device and promptly transfer to the sterile, lab supplied bulk sample container in the other hand. The bulk sample device and the sterile bulk sample container should not be placed on the ground or other surfaces near the sample location during sample collection. The pre-labeled sterile bulk sample container should be sealed and placed in a zip-lock bag prior to transfer to the laboratory.

If only sampling from one Bat/Bird guano or related debris location, collect a minimum of two samples.

Prepare a blank sample by opening the bulk sample container for 5-10 seconds in the immediate sample collection location, then sealing the container. Label accordingly.

Each metal spatula used to collect the bulk material should be transferred to a separate zip-lock bag and the bag sealed. After completion of the sample collection, re-clean the metal spatulas by placing the metal spatulas in a solution of non-ionic detergent amended with household bleach (Joy liquid dishwashing soap and 1 cup household bleach/gallon water) and soak for 24 hours. The metal spatulas may then be final cleaned as previously described. Sterile single use disposable bulk sample devices should be placed in a separate zip-lock bag and discarded.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

- Sample location
- Requested analytical method (Avian Pathogens by PCR)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- Industrial Hygiene Technical Manual – Chapter II: Standard Methods for Sampling Air Contaminants
- EMLab P&K, 1501 W. Knudsen Drive, Phoenix, AZ

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Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4030
BIOAEROSOL SAMPLING, TOTAL
(Airborne Mold Spores)

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bioaerosol sampling requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for airborne contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

An airborne biogenic particle, such as a fungal spore, is a bioaerosol. Fungal spores are ubiquitous in the environment, and have specific requirements for survival, germination, and growth. Although fungal bioaerosols have not been conclusively associated with adverse health effects commonly noted in typically building-related complaints (e.g., mucous membrane irritation, headache, and fatigue), they are known in the medical literature to be associated with common allergies, or more serious respiratory disease. Some studies, and case histories have shown correlations between allergy, or more serious respiratory symptoms, and fungal contamination of heating, ventilating, air conditioning (HVAC) systems.

The spore trap sampling method used for total bioaerosol sampling is capable of determining total fungal spore concentrations per cubic meter of air (spores/m^3). Bioparticulate such as pollen grains, insect exoskeletons, or fungal spores that require specific substrates in order to germinate and/or produce taxonomically identifiable reproductive structures (e.g., Ascospores and Basidiospores) are detected by this technique. While many fungal spores can be identified by this method, others, which are morphologically similar, cannot be positively assigned a genus designation and are grouped based on similar spore morphology (e.g. *Aspergillus/Penicillium, Drechslera/Bipolaris*). High variability in fungal spore concentrations will exist in different geographic locations, during different seasons, and weather patterns, and over the course of a given day. As a general rule, indoor fungal spore concentrations in an HVAC-supplied building are typically less than, but qualitatively similar to, fungal spore concentrations found in the outside environment. To assist in the interpretation of bioaerosol sampling results, a comparative sampling strategy is employed.

Equipment

The following equipment and supplies will be needed for this testing:

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- Bioaerosol sample cassettes are obtained directly from laboratory supply companies or from the laboratory that will analyze the air samples. Allergenco-D™ or Air-O-Cell™ bioaerosol sample cassettes are recommended.
- Rotometer or other flowmeter accurate to 0.1 L/min. Flowmeters used for calibration of ac powered air sample pumps will be calibrated against a primary standard on a quarterly basis.
- a) Air monitoring pump (ac powered) capable of providing 15 L/min flow rate; b) Buck BioAire Bioaerosol Sampling Pump, Model B520 with rotometer for calibration; c) Zefon Bio-Pump Plus with rotometer for calibration; d) or equivalent battery operated air sampling devices capable of using the Allergenco-D™ or Air-O-Cell™ sample cassettes at a flow rate of 15 L/min.
- Vinyl tubing to connect air sampling cassette to ac powered air monitoring pump.
- Gloves, 1 gallon zip-lock bags, alcohol based hand wash, marker pen, field sampling logs, extension cords and camera.
- Cassette stand or other means to fix cassette in place as appropriate for ac powered air monitoring pump applications.
- Chain of Custody (COC).

Sample Collection Considerations

The bioaerosol sampling cassettes are designed to operate at a recommended flow rate of 15 L/min. It is important not to run the sampling pumps at lower flow rates for longer times to achieve the recommended air volume, as lower flow rates may result in a loss of some spores and the accumulation of others in a non-uniform manner. Higher flow rates may damage the spores.

The sampling time is dependent on the density of particulate in the environment. It is important not to overload the sample, otherwise it will be impossible to assess the types of spores, pollen and particulates that are present. The following table represents typical sample times to attain a sharply defined sample trace with good dispersion of the spores:

Environmental Conditions	Sampling time at 15 L/min
Drywall renovation or heavy industrial dust	1 minute
Dusty, dirty, visible particles in the air	3 minutes
Indoor environment, high activity and personnel present	5 minutes
Outdoors (collect a minimum of 2 outdoor samples)	5 minutes

Sampling Procedures

1. Prior to sampling, calibrate the pump to 15 liters per minute.
2. Record sampling location on field data sheet.
3. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
4. Inspect cassette for quality control mark indicating that sampling cassette has been inspected by manufacturer and approved for use.
5. Remove and retain tape seal covering outlet.
6. Attach the outlet (round hole) to the supplied tubing adapter (available from bioaerosol cassette supplier), or use standard ½" PVC tubing (for use with high volume pumps only).

Using a sampling stand, the cassette should be located approximately 4 to 5 feet above the floor surface.

7. Remove and retain tape seal covering inlet.
8. Start the sampling pump, and record sampling start time. Sample for an appropriate period of time (see table above).
9. Stop the sampling pump and seal inlet with the original tape. Record sampling stop time. Remove cassette from tubing, and reseal outlet with the original tape. Label sample and place into I gallon zip lock bag.
10. Repeat steps 1-9 for remaining samples to be collected.
11. A minimum of 2 samples should be collected in complaint area(s) and the outdoor environment. A comparative sample should be collected in a non-complaint area and duplicate samples at the building exterior, preferably adjacent to the air handling system's air intake or main point of egress. The outdoor environment should be sampled prior to entering the building and again at the end of the site assessment. It is recommended that sample field blanks should be included with the samples submitted to the laboratory.
12. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number(s), description of area, volume of air collected, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
13. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

QUALITY CONTROL SUGGESTIONS

1. Initial air sampling should be performed prior to disturbance of mold and mold contaminated materials by investigative and surface/bulk sampling activities.
2. An effective interpretation is based on the comparison of indoor and outdoor samples. Outdoor control samples will help demonstrate whether spore amplification is occurring indoors.
3. Obtain an indoor control sample from a non-complaint area for comparison.
4. Sending a blank cassette for analysis is a good practice. The recommended industry practice for the number of field blanks is to provide two field blanks for each lot of bioaerosol sampling cassettes.
5. Flow rate is critical for accurate results. Remember to calibrate the pump at 15 L/min prior to sampling.
6. Never use cassettes that are damaged, expired, or do not have the manufacturers quality control mark.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

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- Sample duration and flow rate
- Sample number
- Requested analytical method (total bioaerosol analysis)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- American Conference of Governmental Industrial Hygienist: Bioaerosols, Assessment and Control, 1999.
- Terracon Mold Practice Guidelines.

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Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4033
FUNGAL GROWTH (MOLD) – SURFACE/BULK COLLECTION

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bulk sample collection of potentially hazardous materials requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for microbial contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

Because many building materials can provide a source of nutrients for fungal growth, water is the limiting factor in minimizing the potential for fungal growth. Therefore, visible fungal growth, excessive dirt and water-damaged building materials should not be observed. When these conditions are observed, it indicates a need to conduct additional assessment, cleaning, and/or remediation activities.

Tape lift and bulk sampling are techniques used for direct examination. A direct exam allows for the immediate determination of the presence of fungal growth as well as what types of fungi are present. The criteria to establish fungal growth on the substrate sampled is microscopic confirmation of fungal somatic and reproductive structures. Direct examinations should only be used to sample visible or suspect fungal growth in a contaminated area. Most surfaces naturally collect a mixture of fungal spores that are normally present as background debris in the environment.

The direct exam is inexpensive and can be performed quickly. It is a useful test for initial site sampling. Direct examination of a surface indicates the fungi present in a given sample location.

Health problems related to indoor microbial growth are generally caused by the inhalation of substantial numbers of airborne spores, sometimes over a long period of time. The presence of biological contamination on a particular surface is not a direct indication of what may be in the air.

Equipment

The following equipment and supplies will be needed for this testing:

- Gloves, 1 gallon zip-lock bags, alcohol based hand wash, marker pen, field sampling logs and camera.
- Tape lift kit(s) may be obtained from the laboratory, or standard clear “Scotch” tape may be used.

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- Chain of Custody (COC).

SAMPLING PROCEDURE

Tape Lift:

1. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
2. Remove tape applicator from slide provided in the tape lift kit or remove a few inches of clear tape from tape roll. Avoid touching the sticky side of the tape.
3. Apply the designated area of the lift kit tape applicator or central inch of tape to the sample area. Apply light pressure to the non-adhesive side.
4. Pull the lift kit tape applicator or tape off of the surface with slow, steady pressure, holding the tape edges only.
5. Apply sticky side of the lift kit tape applicator to the slide provided in the lift kit. For tape method, gently apply sticky side of the tape to a field sampling log, ensuring that there are no folds or creases in the tape. Do not fold tape onto itself.
6. Label samples and place into 1 gallon zip lock bag.
7. Record sampling location on COC. Photograph sample location.
8. Repeat steps 1-7 for remaining samples to be collected.
9. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number, description of area, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
10. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

Bulk:

1. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
2. Collect a small sample of the suspect material and place in a clean zip lock bag and close.
3. Prepare sample label and place on the 1 gallon zip lock bag.
4. Record sampling location on field data sheet. Photograph sample location.
5. Repeat steps 1-4 for remaining samples to be collected.
6. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number, description of area, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
7. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

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- Sample location
- Requested analytical method (fungal identification)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- American Conference of Governmental Industrial Hygienist: Bioaerosols, Assessment and Control, 1999.
- Terracon Mold Practice Guidelines.

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APPENDIX C: SITE ACCESS AGGREMENT

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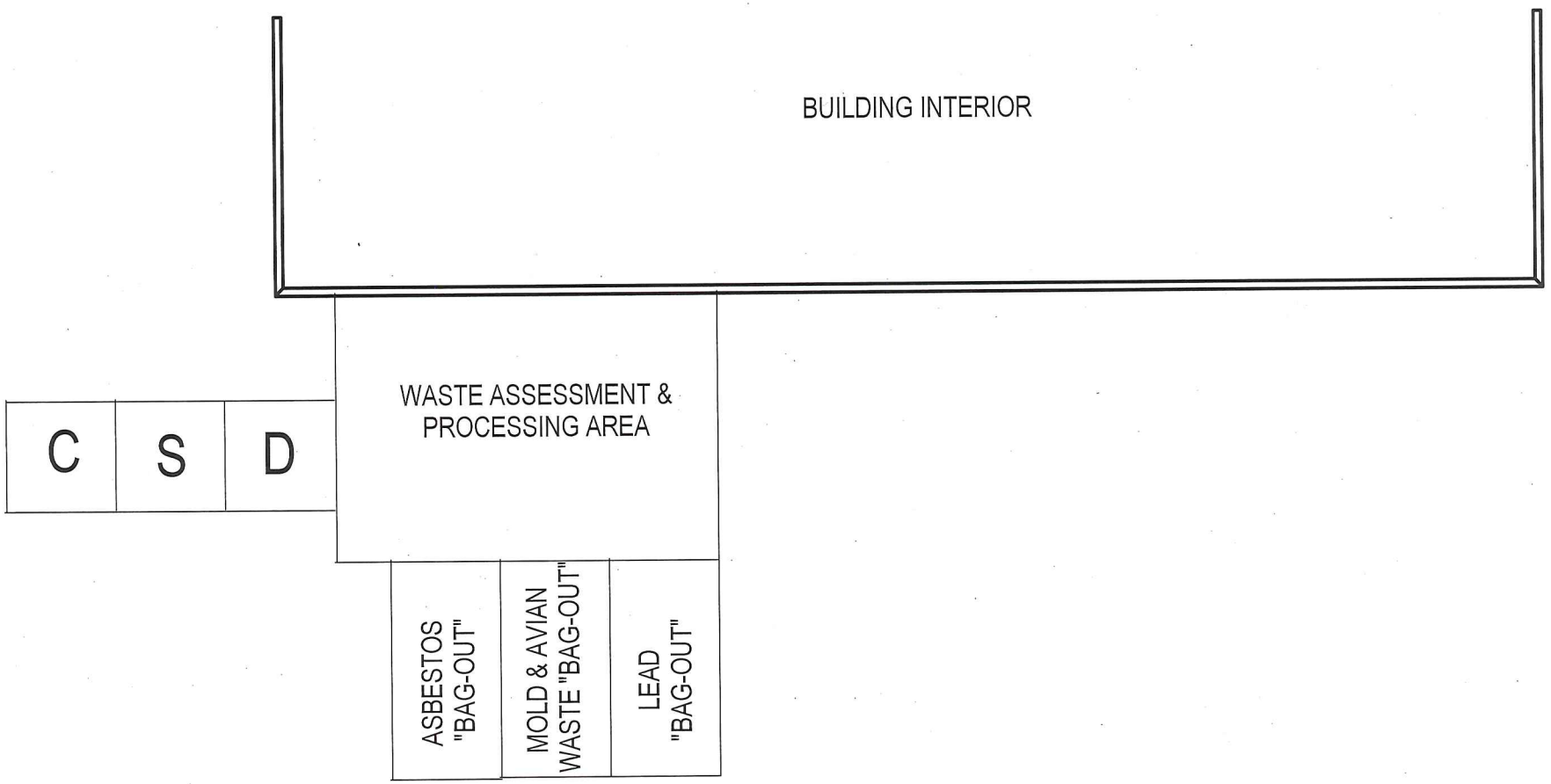
APPENDIX C
CONCEPTUAL DRAWING
OF
WASTE PROCESSING STATION



CONCEPTUAL DRAW
NOT FOR CONSTRUCT

Commercial Building 203/205 W Broad Street Texarkana, Texas	
Conceptual Drawing	
Project #: 94137464B	Drawing: #1
Drawn by: GBC	Date: 2/25/16

Terracor
8901 Carpenter Freeway
Suite 100
Dallas Texas 75247

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Terracon

SITE HEALTH AND SAFETY PLAN

HAZARDOUS MATERIALS SURVEY
Commercial Buildings
203 & 205 W Broad Street
Texarkana, Texas
Terracon Project No. 94137464B

1.0 INTRODUCTION

This Site Health and Safety Plan has been developed to define the protocols and requirements to be followed by Terracon personnel during hazardous materials sampling activities at the Commercial Buildings, 203 & 205 W Broad Street in Texarkana, Texas.

Prior to the start of site activities, the designated Site Safety Officer will conduct a safety briefing and review the contents of this plan with participating field personnel. Project participants will review this plan and sign the Acknowledgment of Instruction page prior to the start of hazardous material-related project activities.

The guidelines contained in this Health and Safety Plan are based upon potential health hazards from exposure to asbestos, lead-based paint, mold and guano. Sampling activities will be performed in accordance with applicable federal/state health and safety regulations. The Site Safety Officer is responsible for enforcing the provisions contained in this Plan.

2.0 TRAINING AND MEDICAL SURVEILLANCE REQUIREMENTS

Project participants actively engaged in asbestos sample collection must have received State of Texas accredited Building Inspector training and will possess a current State of Texas asbestos inspection license. All Terracon field personnel and will be medically cleared for asbestos work in accordance with OSHA 29 CFR 1926.1101.

Project participants actively engaged in lead-based paint sample collection must have received State of Texas accredited Lead Inspector training and will possess a current State of Texas lead inspector certification.

Project participants actively engaged in mold inspection or guano inspection activities must have received State of Texas accredited Mold Inspector training and will possess a current State of Texas mold inspector license.

Terracon personnel will also be medically cleared, trained and properly fit-tested for respirator use in accordance with OSHA 29 CFR 1910.134.

3.0 PROJECT ORGANIZATIONAL STRUCTURE

Project Manager:	Greg Calhoun Terracon	214-630-1010
Corporate Health and Safety Mgr.:	Mark Huddleston, CSP, Terracon	913-577-0419
Site Safety Officer/Project Supervisor	David Ladage Terracon	214-630-1010

4.0 SCOPE OF SERVICES

Terracon personnel will mobilize to the project site to conduct surveys of suspect asbestos containing materials (ACM), lead-based paint (LBP), mold and guano may be present in the building at the site.

Bulk asbestos samples will be collected in general accordance with the Texas Department of State Health Services (TDSHS) and AHERA sampling protocols and will be submitted to a NVLAP-accredited and TDSHS-licensed laboratory for analysis by polarized light microscopy.

Lead-based paint samples will be collected following the applicable United States Department of Housing and Urban Development (HUD) 24 CFR Part 35 and TSDHS protocols, including the Texas Environmental Lead Reduction Rules (TELRR) and will be submitted to a NVLAP-accredited laboratory for analysis through Flame Atomic Absorption Spectrophotometer (AAS).

Building materials will be evaluated for visible mold contamination in general accordance with guidelines published by the TDSHS (*Texas Mold Assessment and Remediation Rules*, 2004), the American Conference of Governmental Industrial Hygienist (*Bioaerosols; Assessment and Control*, 1999) and American Standard Test Methods (*Standard Guide for Assessment of Fungal Growth in Buildings,* ASTM D7338-10). Bulk, surface and air samples collected during a fungal assessment will be submitted for analysis by TDSHS-licensed mold analysis laboratory.

Bulk materials of bat/bird guano/debris will be aseptically sampled by trained staff and analyzed by Polymerase Chain Reaction (PCR) to determine if these pathogens are present. Bulk and air samples will be analyzed by a laboratory accredited by the American Industrial Hygiene Association (AHIA®) Laboratory Accreditation Programs, LLC under the Environmental Microbiology Laboratory Accreditation Program (EMLAP) and is Texas licensed Mold Analysis Laboratory under the TMARR.

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The primary purpose of this Plan is to ensure that Terracon personnel are aware that site activities will be conducted in a facility where asbestos, lead-based paint, mold and guano hazards may be present. A separate job hazard analysis of facility-specific hazards is required to help assure that project personnel are protected against these potential hazards through controlled sampling techniques and appropriate personal protective equipment. The following procedures are designed to provide standardization with respect to location and number of samples collected and method of labeling sample locations.

4.1 Asbestos Sampling Equipment Requirements

In addition to the personal protective equipment outlined below, each project participant should mobilize an asbestos sampling equipment kit similar to that outlined below. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Wet methods will be employed in collecting all suspect ACM samples. Absolutely no bulk asbestos samples will be collected over the heads of or in near proximity to non-project personnel.

- Utility knife
- Coring tool
- Duct tape
- Sample containers (preferably ziplock style clear plastic bags)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Spray atomizer containing detergent amended water
- Spray adhesive
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.2 Fiber Release

Asbestos bulk sampling activities must be conducted in a manner which minimizes the generation of dusts and airborne fibers. Each sample team member will assess the condition of ACM prior to sampling or otherwise disturbing the material. Sampling will not be conducted in buildings occupied by non-project personnel, or over the heads of any personnel. Wherever possible, sample collection will be conducted at a level below the breathing zone of the sampler.

If sampling impregnated materials or other ACMs appear non-friable (floor tiles, mastic, roofing felt or sealant, ceiling tile, etc.), respiratory protection should not be required. If collecting samples of friable ACM or normally non-friable materials which are in deteriorated condition,

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precautions must be taken to prevent the release of fibers to the work area. Precautions include isolation of the material prior to disturbance (i.e., glove bagging) and the use of wet sampling methods as described below.

4.3 Lead-Based Paint Sampling Equipment Requirements

LBP analysis will be conducted by collecting paint chip samples. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Absolutely no lead-based paint samples will be collected over the heads of or in near proximity to non-project personnel.

- Heating tool and extension cord
- Tape measure or template
- Chisel
- Chipping hammer or scraper (lead paint samples from metal structures)
- Face shield or chipping goggles
- Sample containers (preferably sturdy, clear plastic vials)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.3 Mold Sampling Equipment Requirements

Mold analysis will be conducted by collecting tape lift samples. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Absolutely no mold samples will be collected over the heads of or in near proximity to non-project personnel.

- Transparent tape
- Sample retention sheet
- Laboratory chain of custody for mold sample analysis
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.3 Guano Sampling Equipment Requirements

Bulk materials of bat/bird guano/debris will be aseptically sampled by trained staff and transferred to appropriately labeled sterile containers. Additionally, air samples will be collected

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on 37-millimeter cassettes containing sterile filter media at flow rates between 3 liters/minute (l/m) and 15 l/m. Target air volumes will range from 540 liters and 1800 liters. The air samples will be shipped under COC to a laboratory accredited by the AHIA® Laboratory Accreditation Programs, LLC under EMLAP and is Texas licensed Mold Analysis Laboratory under the TMARR for analysis. Analysis of the bulk and air samples will be conducted by PCR for both qualitative and quantitative information on the concentrations of the avian pathogens *Histoplasma capsulatum, Cryptococcus neoformans* and *Chlamydiaphila psittaci.*

- Utility knife
- Sterile sample containers (preferably rigid, sealable plastic bottles)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Sampling pumps
- 37 millimeter sterile media cassettes
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

5.0 PERSONAL PROTECTIVE EQUIPMENT

5.1 Hazardous Material Inspection and Sample Collection

The Terracon Project Safety Officer will ensure that all project personnel mobilize the following personal protective equipment to the project site on each day of sample collection:

- Polylaminated Tyvek protective coveralls
- Half face or full face air purifying respirator equipped with HEPA cartridges
- Cut-resistant impermeable gloves (nitrile or latex).
- Tyvek boot covers or washable outer footwear
- ANSI specification Safety eyewear

If fiber release appears likely during asbestos sampling activities, sampling personnel will upgrade to **LEVEL C** personal protective equipment as itemized above. Personnel will remove protective clothing before proceeding out of the building at the project site.

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6.0 SAMPLING GUIDELINES AND PRECAUTIONS

6.1 Asbestos Sampling Guidelines and Precautions

- Collect samples of each type of ACM identified during the visual survey. This includes but is not limited to pipe wrapping and elbows, ceiling tiles, floor tiles and mastic, sprayed or troweled on surfacing materials.

- Samples of surfacing material (sprayed or troweled fireproofing material), should be collected in a statistically random manner that is representative of a homogenous area. At least 3 samples should be collected from each homogeneous area of 1,000 ft^2 or less. At least 5 bulk samples should be collected from each homogeneous area that is greater than 1,000 $ft.^2$ but less than or equal to 5,000 $ft.^2$. At least 7 bulk samples should be collected from each homogeneous area that is larger than 5,000 $ft.^2$.

- At least 3 bulk samples should be collected from each homogeneous area of thermal system insulation (pipe lagging and boiler system insulation) and miscellaneous suspect ACM.

- Areas to be sampled will be misted with detergent-amended water *prior* to sample collection. Minimal misting force should be used to reduce the potential for fiber release.

- Use water mister to rinse sampling tools in the sample container after sample collection.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container.

- Repair pipe lagging or other disturbed areas with spray adhesive and duct tape as appropriate to prevent potential fiber release.

6.2 Lead-Based Paint Sampling Guidelines and Precautions

- Identify areas with coated or prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and should be included in the survey. Some ceramic tiles have a lead-containing glaze and should also be assessed, particularly where required by state or local regulatory agencies.

- Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in

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general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995revision.

- Conduct paint-chip sampling on selected surfaces. Document descriptions of each surface sampled on the field log.

- Use tape measure or template to delineate proper sample size. Use heating tool to loosen paint coating. Remove coating with chisel, chipping hammer or scraper. Transfer sample to sample container.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container.

6.3 Mold Sampling Guidelines and Precautions

- Evaluate building materials for areas of suspect mold contamination. Select appropriate materials and locations to be sampled.

- Use transparent tape to collect tape lift sample of suspect mold contamination. Transfer tape, contaminated side down, to the sample retention sheet. Log sample location information on laboratory chain of custody.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample retention sheet with the sample number.

6.4 Guano Sampling Guidelines and Precautions

- Collect bulk samples of suspect guano.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container. Log sample location information on laboratory chain of custody.

- Collect air samples on 37-millimeter cassettes containing sterile filter media at flow rates between 3 liters/minute (l/m) and 15 l/m. Target air volumes will range from 540 liters and 1800 liters.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container. Log sample location information on laboratory chain of custody.

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7.0 HAZARD ASSESSMENT

7.1 Chemical Hazards

Asbestos is a recognized human carcinogen. It causes asbestosis, cancer of the lungs and digestive tract and mesothelioma. Asbestosis is a lung disorder characterized by a diffuse interstitial (between cell) fibrosis. The onset of asbestosis probably depends upon the asbestos dust concentration, the morphology of the fiber and length of exposure. Cigarette smoking is strongly implicated as a co-carcinogenic among asbestos workers. The OSHA Permissible Exposure Limit for asbestos is 0.1 fiber per cubic centimeter (0.1f/cc) of air.

Sample team members are advised to practice proper personal hygiene throughout the course of this project. Wash hands frequently during the course of sample collection and always prior to drinking, eating, smoking or any other activity which could increase the likelihood of hand to mouth transfer of site contaminants.

7.2 Physical Hazards

7.2.1 Ladders

Asbestos sampling activities may involve the use of ladders to gain access to overhead structures. Personnel will ensure that proper ladder or other suitable means of access (cherry picker, scaffold, etc.) is used to obtain access to elevated areas. Ladders will be inspected prior to use. Spreaders will be fully extended on all step ladders and firmly positioned prior to use. Where footing is uncertain, a sample team member will hold or otherwise secure ladders while in use by another sample team member. Personnel must always face ladders during both ascent and descent. Extension ladders will be placed at an angle of no more than one fourth of its working length. Sample team personnel will not walk on steeply pitched roof surfaces and will not walk on low pitched roofing surfaces while wet. Remain on designated roof walkways wherever present.

7.2.2 Personnel Lifts (“Cherry Pickers”)

If elevated sample collection is required which precludes the safe use of extension ladders, sample team personnel may be required to use basket lifts (manlift, cherry picker). No Terracon personnel will attempt to operate or position personnel lift until they are trained in the proper use of the equipment. Personnel being elevated in a cherry picker basket will be secured at all times with a safety belt and safety lanyard. Lanyards used in basket lifts will not exceed 6 feet in length.

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7.2.3 Confined Space Entry

No sample team member will enter any pit, shaft, or tunnel which has limited means of egress, the potential for an oxygen deficient or toxic atmosphere or which was not designed for human occupancy. Pipe tunnels accessible from a utility room in which personnel may stand can be entered to a maximum of 6 feet from the tunnel entrance if, and only if, a stand-by team member remains at the tunnel entrance in continuous visual and verbal communication with the sample team member. Terracon personnel will mobilize adequate portable lighting during the course of this assessment. Confined space entry is not anticipated during the course of this asbestos sampling project. If entry to pipe tunnels, pits, tanks or other structure which could be defined as a confined spaces becomes necessary during the course of this project, the Site Health and Safety Officer will contact the Terracon Corporate Health and Safety Manager to discuss conditions and to obtain a task-specific confined space entry addendum to this plan and confined space entry permits. No personnel will enter confined spaces until the addendum and any rescue, air monitoring or other equipment required for the task has been received, and personnel are briefed in site hazards, precautions, and safe work practices.

7.2.4 Electrical Contact Hazards

Asbestos sample team members will be continuously cognizant of potential electrical contact hazards during asbestos sample collection activities. A visual assessment of each work space will be made prior to sample collection and electrical contact hazards will be evaluated. Unguarded junction boxes, exposed wiring, knife switches, etc. will be avoided in collection of bulk samples of suspect materials.

8.0 DECONTAMINATION

Decontamination as part of abatement activities are not planned as part of this project.

9.0 SITE CONTROL

Samples of suspect ACM will not be collected in the presence of non-project personnel. Sample team members will ensure that non-project participants are well clear of proposed sample collection areas prior to obtaining bulk ACM samples. Terracon will coordinate sampling activities with the site representatives to prevent sample collection in occupied structures.

If unauthorized personnel attempt to enter a sampling area, sample team member will immediately curtail bulk sample collection activities and request that the individual leave the project area. If unauthorized personnel refuse to leave the sample collection area, immediately contact the

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Terracon Site Health and Safety Officer. Sample collection activities will continue only after unauthorized personnel have left the project site.

10.0 EMERGENCY RESPONSE

This section describes emergency planning procedures which will be implemented during assessment activities at project site. The Project Safety Officer will remind all personnel of the provisions of this section during daily site safety briefings. It is the responsibility of the Site Safety Officer to mobilize emergency equipment required by this section.

10.1 First Aid Requirements

The Project Safety Officer will ensure that a first aid kit is mobilized to the site on each day of sampling activity.

10.2 Emergency Contact/Notification System

The following list provides names and telephone numbers for emergency contact personnel. In the event of a medical emergency, personnel will take direction from the Project Safety Officer and notify the appropriate emergency agency.

EMERGENCY TELEPHONE NUMBERS

Organization	Contact	Telephone Number
Hospital	Wadley Regional Medical Center	(903) 798-8000
Ambulance Service		911
Fire Department		911
Facility Representative	Holly Wall	903-798-3934
Project Manager	Greg Calhoun	214-630-1010
Terracon Safety & Health Mgr.	Mark Huddleston	913-577-0419

10.3 Route to Emergency Facility

The Terracon Corporate Health and Safety Manager will be contacted following all site emergencies. Medical emergencies will be taken to Wadley Regional Medical Center. The route to the facility from the site is: See attached map

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10.4 Emergency Medical Treatment Procedures

Any person who becomes ill or injured during the course of this project must be decontaminated to the maximum possible extent. If the injury or illness is minor, full decontamination should be completed and first aid administered prior to transport. If the patient's condition is serious, at least partial decontamination should be completed prior to transport of the injured site worker.

If rescue is required from an area of obvious fiber release, Terracon personnel will inform rescue personnel of site contaminants and will assist emergency personnel in transporting the injured employee if requested. Terracon personnel will don the appropriate personal protective equipment prior to entering sites with signs of obvious fiber release.

10.5 In the Event of Fiber Release

In the event that small amounts of suspect asbestos containing materials such as thermal system insulation, sprayed on or troweled-on surfacing materials, ceiling texture, etc. are released during the course of sampling, sampling team members will immediately evacuate the area and don Level C personal protective equipment. The area of potential ACM release will then be approached and suspect materials will be thoroughly wetted with detergent-amended water, slowly and deliberately swept to a centralized pile, re-wetted, double bagged in asbestos disposal bags and sealed with duct tape. Affected surfaces will be re-wetted and swabbed with clean cloths or paper towels. Used wipes will be placed in asbestos disposal bags which will be containerized pending proper removal and disposal in an approved disposal facility.

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ACKNOWLEDGMENT OF INSTRUCTION

I understand that this project will involve asbestos sampling in the building located at 203 & 205 W Broad Street, Texarkana, Texas. Asbestos activities outlined in this Plan could expose project participants to physical hazards and potential chemical hazards (see plant specific job hazard analysis attached). Potential fiber releases will be controlled by deliberate collection techniques and wet sampling methods. If potential fiber releases appear likely, sampling personnel will upgrade to Level C personal protective equipment as specified in this Health and Safety plan. I have read this Health and Safety plan and have received instructions for procedures to be followed. I understand that if at any time I have questions concerning health and safety precautions at this site, I am to contact the Site Health and Safety Officer. The Site Health and Safety Officer will contact the Terracon Corporate Health and Safety Manager at (913) 577-0419.

ASBESTOS SURVEY
TERRACON PROJECT NO. 94137464B

Name: (Please Print)	**Signature**	**Date**

Site Safety briefing performed by: _____ **Date** _____

Level of PPE: __ D _**X**_ Dmod (Stand-by) _**X**_ C **(Stand-by)**

Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4020
AVIAN PATHOGEN SAMPLING - AIRBORNE
(Bat and Pigeon Droppings)

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Indoor air sampling requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged for when sampling for airborne contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

The following procedure is for collection of samples for the determination of the avian pathogens *Histoplasma capsulatum*, *Cryptococcus neoformans* and *Chlamydiaphila psittaci* by the Polymerase Chain Reaction (PCR) analytical method. The PCR method is qualitative for *H. capsulatum* and quantitative for *C. neoformans* and *C. psittaci*. For *H. capsulatum*, EMLab P&K (1501 W. Knudsen Drive, Phoenix, AZ) utilizes the National Institute of Occupational Safety and Health (NIOSH) two-stage PCR method as published by T. M. Reid and M. P. Schafer, *Molecular and Cellular Probes*, (1999) 13:269-273.The PCR method for *C. neoformans* and *C. psittaci* is a proprietary real time analytical developed by EMLab P&K using species-specific sequences published in Genbank for PCR primers (single strand of DNA specific for the species of interest) and probes (fluorescent molecules attached to primers to allow detection).

Equipment

The following equipment and supplies will be needed for this testing:

- Air monitoring cassettes are obtained from EMLab P&K. The sterile, 37 millimeter (mm) three piece cassettes contain a polycarbonate filter with a 0.4 micrometer pore size.
- Rotometer or other flowmeter accurate to 0.1 L/min. Flowmeters used for calibration of air sample pumps will be calibrated against a primary standard on a quarterly basis.
- Air monitoring pump (battery operated or ac powered depending on application) capable of providing 10 to 15 L/min flow rate for ambient air samples and a 1 to 4 L/min flow rate for personal air samples.
- Cassette holders (SKC Model 225-1).
- Vinyl tubing to connect pump to cassette holder.
- Cassette stand or other means to fix cassette in place as appropriate for ambient air sample testing locations. Cassette holders affix to the lapel or similar location in the personal breathing zone (PBZ) when collecting personal air samples.
- Chain of Custody.

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Procedures

Label cassette and record laboratory identification number on chain of custody. For ambient air samples, select a location for the sample that is subject to ambient air flow and representative of the location(s) to be tested. For personal air samples, clip the cassette/cassette holder to the individual's lapel, shoulder or other location in the PBZ and secure with duct tape as needed. Secure the low flow personal pump to the workers belt or similar location. A location protected from precipitation should be selected. Excessive moisture will interfere with sample analysis and could affect the flow rate.

Assemble sampling pump, tubing and stand in sample collection location. The cassette should be placed in the cassette holder and the tubing from the pump attached to the base of the cassette holder at the nipple. The joint between the tubing and cassette may be reinforced with tape if site conditions make this necessary. Cassette must be tilted downward at a 45º angle from horizontal. Cassette and pump should be placed so that the sample does not have to be moved after sample calibration.

A short section of vinyl tubing should be used to connect the flowmeter to the inlet port of the cassette holder. An adapter fitting may be needed to connect the tubing to the cassette. If a rotometer is used for flow calibration, the instrument must be held upright for accurate readings. Turn on the pump and measure the flow rate. Using the flow control on the pump, adjust the flow to the desired reading between 10 and 15 L/min for ambient air samples and 1.0 and 4.0 L/min for personal air samples. Record the sampling start time and beginning flow rate. The target total air sample volume for ambient and personal air samples is generally 1,400 L to 1,800 L. For personal samples collected while workers are physically disturbing Bat/Bird guano or related debris and visible emissions are observed, the target total air sample volume may be adjusted to 360 L to 720 L.

After completion of the sample collection, inspect the pump and cassette for any problems that may affect the sample validity and record any problems noted. Measure the post collection flow rate using the procedure described above. The average of the two flow rates will be used by the laboratory to calculate the sample volume. Turn off the pump and cap the inlet and outlet ports on the 37 mm filter cassette. Record the sampling completion time and ending flow rate.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

- Average flow rate (average of beginning and ending readings)
- Sample duration
- Filter number
- Requested analytical method (Avian Pathogens by PCR)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- Industrial Hygiene Technical Manual – Chapter II: Standard Methods for Sampling Air Contaminants
- EMLab P&K, 1501 W. Knudsen Drive, Phoenix, AZ

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Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.3000
BULK SAMPLING OF SUSPECT ASBSETOS-CONTAINING MATERIAL (ACM)

Last Review or Revision: June 2010

I. PURPOSE

The purpose of this standard operating procedure (SOP) is to provide information on the hazards of asbestos and procedures to follow to sample suspect materials for laboratory analysis. The following guidelines contained in this document apply to Terracon personnel who engage in bulk sampling of suspect ACM and are designed to provide standardization with respect to sample collection. This procedure should ensure that potential asbestos-containing material samples are collected in a manner which allows for accurate analysis of the material and that sampling personnel are protected against potential asbestos fiber releases through controlled sampling techniques or appropriate personal protective equipment.

The objective of bulk sampling building materials and components suspected to contain asbestos is to characterize the items that contain asbestos in quantities equal to or greater than 1% or other contaent limit as specified by local or state guidelines. By characterizing the locations and quantities of asbestos-containing materials (ACM), exposure hazards can be greatly reduced.

II. BACKGROUND AND REFERENCE

Asbestos has been a common component used in several building materials because of its strength enhancing and fire resisting properties. However, asbestos has been recognized as a human carcinogen and respiratory hazard. Due to its health hazards, building inspections and asbestos bulk sampling is requested for schools and many public or commercial properties prior to building renovation or demolition activities. Therefore, identifying, locating and quantifying materials containing asbestos is essential in the effort to prevent worker exposure to asbestos and prevent environmental contamination.

As a consequence of inhalation of asbestos fibers, a body of federal and state regulations has been developed. Federal regulations pertaining to asbestos are included in AHERA (Asbestos Hazard Emergency Response Act) US EPA 40 CFR 763, Subparts E, F; NESHAP (National Emissions Standards for Hazardous Air Pollutants (EPA 40 CFR 61); OSHA Asbestos Standards (29 CFR 1910.1001 and 29 CFR 1926.1101), and ASHARA (Asbestos School Hazard Abatement Reauthorization Act). Many states and local authorities have additional requirements including state-specific licensing and certification.

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Terracon will comply with applicable federal, state and local regulations when conducting asbestos-related services.

III. EQUIPMENT

The minimum equipment necessary to conduct bulk sampling of suspect materials, in addition to the personal protective equipment outlined below in the Health and Safety Section, is listed below.

- Utility Knife, Chisel, Hammer, Screwdriver, Coring Tool
- Duct Tape
- Sample Containers (preferably ziplock-style clear plastic bags)
- Sample Labels and Indelible Marker
- Spray Atomizer containing Detergent Amended Water, Paper Towels/Wet Wipes
- Spray Adhesive
- Roof Patch Kit (if necessary)
- Measuring Wheel
- Camera
- Flashlight
- Field ACM Sample Log

IV. CERTIFICATION

Individuals conducting asbestos sampling must have the certifications listed below. Copies of these certifications and licenses should be taken to the site during the sampling event.

- United States Environmental Protection Agency Building Inspector training (and refresher training, if applicable)
- Asbestos Inspector State-license for the state of the project location (where necessary)

In addition, Terracon requires company-based training courses and hands-on experience of employees prior to commencing asbestos-related field services. Each employee must also receive respirator training, be medically monitored and successfully pass a fit-test utilizing issued respirator(s).

V. HEALTH AND SAFETY

Asbestos has been recognized to cause asbestosis, cancer of the lungs and digestive tract and mesothelioma. Asbestosis is a lung disorder characterized by a diffuse interstitial (between cell) fibrosis. The onset of asbestosis probably depends upon the asbestos dust

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concentration, the morphology of the fiber and length of exposure. Cigarette smoking is strongly implicated as a co-carcinogenic among asbestos workers.

Under the OSHA asbestos standards, the employer has an obligation to protect employees against exposure to asbestos fibers in excess of 0.1 fibers per cubic centimeter of air (0.1f/cc). Personnel engaged in asbestos-related activities (including building inspections) must be trained, medically cleared and fit-tested for respiratory protection. Therefore, enrollment in a medical surveillance program in compliance with the OSHA asbestos and respiratory protection standards is mandatory. Terracon employees are not permitted to engage in asbestos-related activities unless they are enrolled in the Terracon medical surveillance program and have been medically cleared for respirator use by a physician.

The following safety and health protocols apply to Terracon personnel who engage in asbestos-related services. The guidelines contained in this document are based upon potential health hazards from exposure to asbestos fibers and physical hazards which may be encountered on survey project sites. Field activities will be performed in accordance with the procedures outlined in this document and applicable federal/state health and safety regulations.

Terracon personnel will use professional judgment during sample collection to prevent exposure to other building occupants. If unauthorized personnel attempt to enter a sampling area which could reasonably pose a fiber release hazard, the inspector will curtail bulk asbestos sample collection activity and request that the individual(s) leave the work area. If unauthorized personnel refuse to leave the work area, immediately contact the Project Safety Officer and/or a client representative. Sample collection activities should recommence only after unauthorized personnel have left the work area.

In the event that minor amounts of suspect asbestos containing materials such as thermal system insulation, sprayed-on or trowled-on surfacing materials, ceiling texture, etc. are released during the course of sampling, sampling team members will immediately evacuate the area and don Level C personal protective equipment. The area of potential ACM release will then be approached and suspect materials will be thoroughly wetted with amended water, slowly and deliberately swept to a centralized pile, re-wetted, and containerized in heavy mil asbestos disposal bags. Affected surfaces will then be re-wetted and swabbed with clean cloths or paper towels. Used wipes will be disposed of as asbestos-containing waste.

In the event that large quantities of potential ACM is released during sample collection activities, personnel will immediately evacuate the area and notify the Project Safety Officer and the client representative. The Project Safety Officer will request that the area be sealed until a properly attired response team can be mobilized to the area with a high efficiency particulate air filter (HEPA) vacuum and other equipment necessitated by site conditions.

If suspect materials are in deteriorated condition and fiber release appears likely, or if sampling must be conducted overhead and/or above drop ceilings, personnel will upgrade to Level C personal protective equipment as itemized above. Level C personal protective

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equipment should be donned before moving drop ceiling panels, attic access panels, etc. where friable fireproofing or thermal system insulation are known to be present.

The indicated personal protective equipment shall be mobilized to asbestos sampling project sites on each day of sample collection and utilized, if necessary:

- Tyvek (standard) protective coveralls
- Half face or full face air purifying respirator equipped with HEPA (P-100) cartridges
- Impermeable gloves (nitrile or latex).
- Tyvek boot covers or washable outer footwear

Additional Health and Safety protocols such as those established by the owner/operator of the project site and Terracon's company policy regarding ladder safety, confined space entry and electrical hazards shall be followed.

VI. SAMPLING HAZARDS

a. Elevated Surfaces

Asbestos building inspections may include roofing materials and ceiling spaces containing suspect ACM. Appropriate ladders or other suitable devices (e.g., manlifts) will be used for gaining access to elevated sampling locations. Ladders will be inspected prior to use. Spreaders will be fully extended on all step ladders and firmly positioned prior to use. Where footing is uncertain, a sample team member will hold or otherwise secure ladders while in use by another sample team member. Personnel must always face ladders during both ascent and descent. Extension ladders will not be positioned more than one-quarter of their working length from buildings, walls, etc. (4:1 pitch). Sample team personnel will not walk on steeply pitched roof surfaces and will not walk on low pitched roofing surfaces while wet. Remain on designated roof walkways wherever present. Terracon personnel will visually inspect roofs prior to beginning sample collection activities and will avoid all areas which appear to be structurally unsound.

b. Confined Space Entry

Terracon asbestos inspectors will not enter any pit, shaft, tunnel, etc. which has limited means of egress, the potential for an oxygen deficient or toxic atmosphere or which was not designed for human occupancy without first developing a written safety plan which includes a confined space entry permit and procedures. Readily accessible spaces such as pipe tunnels in which personnel may stand can be entered to a distance where continuous visual and verbal communication can be maintained with another sample team member.

Adequate portable lighting must be utilized during sample collection in tunnels and similar spaces. No Terracon or sample team member may attempt to walk through a pipe tunnel,

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etc. beyond the sight of a stand-by team member unless written confined space entry procedures have been prepared for the project.

c. Electrical Contact Hazards

Personnel will remain cognizant of the location and condition of electrical wiring during the collection of bulk asbestos samples. A visual assessment of each work space will be made prior to sample collection and electrical contact hazards will be evaluated. Unguarded junction boxes, exposed wiring, knife switches, etc. will be avoided during the collection of bulk ACM samples, and coring tools will not be used in near proximity to electrical switches or receptacles.

VII. PROCEDURES FOR BULK SAMPLING OF SUSPECT ACM

The primary purpose of this section is to identify the methods and techniques of controlled sampling, sampling site control and use of appropriate personal protective equipment to protect Terracon personnel and members of the general public from exposure to asbestos fibers during sampling activities. Adherence to these procedures should enhance personnel safety during sample collection activities and aid in the suitability of samples for analysis. Field activities will be performed in accordance with the procedures outlined in this document and applicable federal/state health and safety regulations.

Protocols for inspection and bulk sampling are defined in AHERA regulations. These are applicable for any type of survey; for example, a school, an area prior to renovation, a building prior to demolition and inspections undertaken to rebut the OSHA presumption that certain materials contain asbestos.

An accredited Building Inspector must perform the inspection. A summary of AHERA sampling protocols is as follows:

1. Visually inspect the building interior and/or exterior and identify locations of suspect ACM. Identify homogenous areas of friable and non-friable suspect ACM. Document locations, condition, classification and estimated quantities of each suspect material. It is recommended to depict locations of materials on a building diagram and take photographs of sampled materials.

2. Touch each suspect ACM to determine its friablity.

3. Collect representative samples of suspect ACM. Terracon recommends a minimum of three (3) samples of each material be collected from each homogeneous area. However, specific materials may require additional samples such as surfacing material and insulation

as described below. Judgment should be used on the need for and quantity of additional sample collection.

Surfacing materials: Collect, in a statistically random manner, at least 3 bulk samples from each homogenous area of 1,000 sq. ft. or less, at least 5 bulk samples from each homogenous area that is greater than 1,000 sq. ft. but less than or equal to 5,000 sq. ft., and at least 7 bulk samples of each homogenous area larger than 5,000 sq. ft.

Thermal System Insulation (TSI): Collect, in a randomly distributed manner, at least three bulk samples from each homogeneous area of TSI; collect at least one bulk sample from each homogeneous area of patched TSI if the patched section is less than 6 linear or square feet; collect bulk samples from each insulated mechanical system where cement or plaster is used on tees, elbows, etc. in a manner sufficient to assess whether the material is ACM.

If fiber release appears likely, wet methods will be employed in the collection of suspect ACM samples. Water amended with a minimum of 10% commercially available window cleaning solution or other suitable surfactant should be used to moisten materials prior to sampling. Bulk asbestos samples will not be collected over the heads of, or in near proximity to, non-project personnel. Respiratory protection is not required when sampling non-friable suspect materials or materials below the breathing zone which are adequately wetted with amended water.

4. Bulk ACM samples should be immediately placed in sample containers and sealed while the materials are wet. If collecting samples of friable ACM or normally non-friable materials which are in deteriorated condition, precautions must be taken to prevent the release of fibers to the work area. Precautions include aggressively wetting the surface or potentially isolating the material (e.g. glove bagging) prior to disturbance.

5. Reusable sampling equipment will be gently rinsed with amended water. Dry the equipment with paper towels to be disposed of as contaminated materials.

6. The following decontamination sequence should be used following sample collection activities requiring Level C personal protective equipment:

- Remove coveralls slowly turning the outside inward.
- Place in heavy mil asbestos disposal bag.
- Remove gloves and shoe covers (if utilized)
- Remove respirator and carefully dispose of respirator cartridges in asbestos disposal bag.
- Securely seal protective clothing and any potentially contaminated disposable sampling equipment in heavy mil asbestos disposal bags.
- Do not smoke or eat with soiled hands.

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- Wash hands, face and forearms thoroughly before eating, drinking smoking or using toilet facilities.
- Shower thoroughly as soon as possible upon leaving the project site.

7. Bulk sample analysis for asbestos content is performed by polarized light microscopy (PLM). The analytical testing procedure is based on U.S. Environmental Protection Agency (EPA) methods and National Voluntary Laboratory Accreditation Program (NVLAP) requirements. Terracon will use NVLAP accredited and appropriately licensed laboratories for analysis of asbestos bulk samples. Samples will be controlled with the analytical laboratory through chain of custody documentation.

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Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4030
BIOAEROSOL SAMPLING, TOTAL
(Airborne Mold Spores)

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bioaerosol sampling requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for airborne contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

An airborne biogenic particle, such as a fungal spore, is a bioaerosol. Fungal spores are ubiquitous in the environment, and have specific requirements for survival, germination, and growth. Although fungal bioaerosols have not been conclusively associated with adverse health effects commonly noted in typically building-related complaints (e.g., mucous membrane irritation, headache, and fatigue), they are known in the medical literature to be associated with common allergies, or more serious respiratory disease. Some studies, and case histories have shown correlations between allergy, or more serious respiratory symptoms, and fungal contamination of heating, ventilating, air conditioning (HVAC) systems.

The spore trap sampling method used for total bioaerosol sampling is capable of determining total fungal spore concentrations per cubic meter of air (spores/m^3). Bioparticulate such as pollen grains, insect exoskeletons, or fungal spores that require specific substrates in order to germinate and/or produce taxonomically identifiable reproductive structures (e.g., Ascospores and Basidiospores) are detected by this technique. While many fungal spores can be identified by this method, others, which are morphologically similar, cannot be positively assigned a genus designation and are grouped based on similar spore morphology (e.g. *Aspergillus/Penicillium, Drechslera/Bipolaris*). High variability in fungal spore concentrations will exist in different geographic locations, during different seasons, and weather patterns, and over the course of a given day. As a general rule, indoor fungal spore concentrations in an HVAC-supplied building are typically less than, but qualitatively similar to, fungal spore concentrations found in the outside environment. To assist in the interpretation of bioaerosol sampling results, a comparative sampling strategy is employed.

Equipment

The following equipment and supplies will be needed for this testing:

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- Bioaerosol sample cassettes are obtained directly from laboratory supply companies or from the laboratory that will analyze the air samples. Allergenco-D™ or Air-O-Cell™ bioaerosol sample cassettes are recommended.
- Rotometer or other flowmeter accurate to 0.1 L/min. Flowmeters used for calibration of ac powered air sample pumps will be calibrated against a primary standard on a quarterly basis.
- a) Air monitoring pump (ac powered) capable of providing 15 L/min flow rate; b) Buck BioAire Bioaerosol Sampling Pump, Model B520 with rotometer for calibration; c) Zefon Bio-Pump Plus with rotometer for calibration; d) or equivalent battery operated air sampling devices capable of using the Allergenco-D™ or Air-O-Cell™ sample cassettes at a flow rate of 15 L/min.
- Vinyl tubing to connect air sampling cassette to ac powered air monitoring pump.
- Gloves, 1 gallon zip-lock bags, alcohol based hand wash, marker pen, field sampling logs, extension cords and camera.
- Cassette stand or other means to fix cassette in place as appropriate for ac powered air monitoring pump applications.
- Chain of Custody (COC).

Sample Collection Considerations

The bioaerosol sampling cassettes are designed to operate at a recommended flow rate of 15 L/min. It is important not to run the sampling pumps at lower flow rates for longer times to achieve the recommended air volume, as lower flow rates may result in a loss of some spores and the accumulation of others in a non-uniform manner. Higher flow rates may damage the spores.

The sampling time is dependent on the density of particulate in the environment. It is important not to overload the sample, otherwise it will be impossible to assess the types of spores, pollen and particulates that are present. The following table represents typical sample times to attain a sharply defined sample trace with good dispersion of the spores:

Environmental Conditions	Sampling time at 15 L/min
Drywall renovation or heavy industrial dust	1 minute
Dusty, dirty, visible particles in the air	3 minutes
Indoor environment, high activity and personnel present	5 minutes
Outdoors (collect a minimum of 2 outdoor samples)	5 minutes

Sampling Procedures

1. Prior to sampling, calibrate the pump to 15 liters per minute.
2. Record sampling location on field data sheet.
3. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
4. Inspect cassette for quality control mark indicating that sampling cassette has been inspected by manufacturer and approved for use.
5. Remove and retain tape seal covering outlet.
6. Attach the outlet (round hole) to the supplied tubing adapter (available from bioaerosol cassette supplier), or use standard ½" PVC tubing (for use with high volume pumps only).

Using a sampling stand, the cassette should be located approximately 4 to 5 feet above the floor surface.

7. Remove and retain tape seal covering inlet.
8. Start the sampling pump, and record sampling start time. Sample for an appropriate period of time (see table above).
9. Stop the sampling pump and seal inlet with the original tape. Record sampling stop time. Remove cassette from tubing, and reseal outlet with the original tape. Label sample and place into I gallon zip lock bag.
10. Repeat steps 1-9 for remaining samples to be collected.
11. A minimum of 2 samples should be collected in complaint area(s) and the outdoor environment. A comparative sample should be collected in a non-complaint area and duplicate samples at the building exterior, preferably adjacent to the air handling system's air intake or main point of egress. The outdoor environment should be sampled prior to entering the building and again at the end of the site assessment. It is recommended that sample field blanks should be included with the samples submitted to the laboratory.
12. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number(s), description of area, volume of air collected, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
13. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

QUALITY CONTROL SUGGESTIONS

1. Initial air sampling should be performed prior to disturbance of mold and mold contaminated materials by investigative and surface/bulk sampling activities.
2. An effective interpretation is based on the comparison of indoor and outdoor samples. Outdoor control samples will help demonstrate whether spore amplification is occurring indoors.
3. Obtain an indoor control sample from a non-complaint area for comparison.
4. Sending a blank cassette for analysis is a good practice. The recommended industry practice for the number of field blanks is to provide two field blanks for each lot of bioaerosol sampling cassettes.
5. Flow rate is critical for accurate results. Remember to calibrate the pump at 15 L/min prior to sampling.
6. Never use cassettes that are damaged, expired, or do not have the manufacturers quality control mark.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

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- Sample duration and flow rate
- Sample number
- Requested analytical method (total bioaerosol analysis)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- American Conference of Governmental Industrial Hygienist: Bioaerosols, Assessment and Control, 1999.
- Terracon Mold Practice Guidelines.

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Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4022
AVIAN PATHOGEN SAMPLING – BULK MATERIAL
(Bat and Pigeon Droppings)

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bulk sample collection of potentially hazardous materials requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for microbial contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

The following procedure is for the collection of bulk samples of Bat/Bird guano and related debris for the determination of the avian pathogens *Histoplasma capsulatum*, *Cryptococcus neoformans* and *Chlamydiaphila psittaci* by the Polymerase Chain Reaction (PCR) analytical method. The PCR method is qualitative for *H. capsulatum* and quantitative for *C. neoformans* and *C. psittaci*. For *H. capsulatum*, EMLab P&K (1501 W. Knudsen Drive, Phoenix, AZ) utilizes the National Institute of Occupational Safety and Health (NIOSH) two-stage PCR method as published by T. M. Reid and M. P. Schafer, *Molecular and Cellular Probes*, (1999) 13:269-273.The PCR method for *C. neoformans* and *C. psittaci* is a proprietary real time analytical developed by EMLab P&K using species-specific sequences published in Genbank for PCR primers (single strand of DNA specific for the species of interest) and probes (fluorescent molecules attached to primers to allow detection).

Personal Protective Equipment (PPE)

Because the target microorganisms are inherently hazardous/pathogenic, PPE is required for the collection of bulk samples. Bulk sample collection disturbs the matrix being sampled and may result in aerosolization of pathogenic spores or other viable propagules and proper dermal and respiratory protection is required during sample collection.

The following PPE will be needed for this testing:

- Prior to sample collection, don Tyvek disposable coveralls, safety glasses, nitrile or latex gloves and respiratory protection. Depending on the level of substrate disturbance or visible airborne dust/emissions in the general sample collection area either an N-95 or N-100 respirator will be worn during sample collection. If a full face respirator is worn, safety glasses are not required.

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Equipment

The following equipment and supplies will be needed for this testing:

- Sterile sample containers obtained from EMLab P&K. The sterile sample containers are typically 100 to 250 milliliter plastic bottles.
- Pre-cleaned metal bulk sample collection spatulas or an equivalent single use sterile bulk sample device. Metal spatulas must be pre-cleaned with 70% isopropyl alcohol, flamed with a Bunsen burner, Bic® lighter, or equivalent flame source, cooled in air and then stored in zip-lock bags or similar clean containers. To avoid cross contamination, use only one bulk collection device per sample.
- Appropriate marking pens to label containers or pre-printed labels to affix to the containers.
- Chain of Custody.

Procedures

Don the required PPE. Locate Bat/Bird guano or related debris that will be sampled and note the location in field notes and/or on a floor plan.

Label sample containers and record laboratory identification number on chain of custody.

With one hand, scoop approximately 10-100 milligrams (1-5 level tablespoons) of the Bat/Bird guano or related debris with the single use bulk sample collection device and promptly transfer to the sterile, lab supplied bulk sample container in the other hand. The bulk sample device and the sterile bulk sample container should not be placed on the ground or other surfaces near the sample location during sample collection. The pre-labeled sterile bulk sample container should be sealed and placed in a zip-lock bag prior to transfer to the laboratory.

If only sampling from one Bat/Bird guano or related debris location, collect a minimum of two samples.

Prepare a blank sample by opening the bulk sample container for 5-10 seconds in the immediate sample collection location, then sealing the container. Label accordingly.

Each metal spatula used to collect the bulk material should be transferred to a separate zip-lock bag and the bag sealed. After completion of the sample collection, re-clean the metal spatulas by placing the metal spatulas in a solution of non-ionic detergent amended with household bleach (Joy liquid dishwashing soap and 1 cup household bleach/gallon water) and soak for 24 hours. The metal spatulas may then be final cleaned as previously described. Sterile single use disposable bulk sample devices should be placed in a separate zip-lock bag and discarded.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

- Sample location
- Requested analytical method (Avian Pathogens by PCR)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- Industrial Hygiene Technical Manual – Chapter II: Standard Methods for Sampling Air Contaminants
- EMLab P&K, 1501 W. Knudsen Drive, Phoenix, AZ

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Terracon
STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4033
FUNGAL GROWTH (MOLD) – SURFACE/BULK COLLECTION

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bulk sample collection of potentially hazardous materials requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for microbial contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

Because many building materials can provide a source of nutrients for fungal growth, water is the limiting factor in minimizing the potential for fungal growth. Therefore, visible fungal growth, excessive dirt and water-damaged building materials should not be observed. When these conditions are observed, it indicates a need to conduct additional assessment, cleaning, and/or remediation activities.

Tape lift and bulk sampling are techniques used for direct examination. A direct exam allows for the immediate determination of the presence of fungal growth as well as what types of fungi are present. The criteria to establish fungal growth on the substrate sampled is microscopic confirmation of fungal somatic and reproductive structures. Direct examinations should only be used to sample visible or suspect fungal growth in a contaminated area. Most surfaces naturally collect a mixture of fungal spores that are normally present as background debris in the environment.

The direct exam is inexpensive and can be performed quickly. It is a useful test for initial site sampling. Direct examination of a surface indicates the fungi present in a given sample location.

Health problems related to indoor microbial growth are generally caused by the inhalation of substantial numbers of airborne spores, sometimes over a long period of time. The presence of biological contamination on a particular surface is not a direct indication of what may be in the air.

Equipment

The following equipment and supplies will be needed for this testing:

- Gloves, 1 gallon zip-lock bags, alcohol based hand wash, marker pen, field sampling logs and camera.
- Tape lift kit(s) may be obtained from the laboratory, or standard clear “Scotch” tape may be used.

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- Chain of Custody (COC).

SAMPLING PROCEDURE

Tape Lift:

1. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
2. Remove tape applicator from slide provided in the tape lift kit or remove a few inches of clear tape from tape roll. Avoid touching the sticky side of the tape.
3. Apply the designated area of the lift kit tape applicator or central inch of tape to the sample area. Apply light pressure to the non-adhesive side.
4. Pull the lift kit tape applicator or tape off of the surface with slow, steady pressure, holding the tape edges only.
5. Apply sticky side of the lift kit tape applicator to the slide provided in the lift kit. For tape method, gently apply sticky side of the tape to a field sampling log, ensuring that there are no folds or creases in the tape. Do not fold tape onto itself.
6. Label samples and place into 1 gallon zip lock bag.
7. Record sampling location on COC. Photograph sample location.
8. Repeat steps 1-7 for remaining samples to be collected.
9. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number, description of area, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
10. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

Bulk:

1. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
2. Collect a small sample of the suspect material and place in a clean zip lock bag and close.
3. Prepare sample label and place on the 1 gallon zip lock bag.
4. Record sampling location on field data sheet. Photograph sample location.
5. Repeat steps 1-4 for remaining samples to be collected.
6. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number, description of area, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
7. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

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- Sample location
- Requested analytical method (fungal identification)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- American Conference of Governmental Industrial Hygienist: Bioaerosols, Assessment and Control, 1999.
- Terracon Mold Practice Guidelines.

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Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4000
SAMPLING OF POTENTIAL LEAD-BASED PAINT

Last Review or Revision: June 2010

I. PURPOSE

The purpose of this standard operating procedure (SOP) is to provide information on the hazards of lead-based paint (LBP) and describe procedures for identificationand proper LBP sampling techniques. The following procedures for sampling potential LBP using a direct reading instrument and paint chip collection are designed to provide standardization with respect to location and number of samples collected and method of labeling sample locations. In addition, this procedure should ensure that potential LBP samples are collected in a manner which allows for accurate analysis of the material. Finally, this procedure will help to ensure that sampling personnel are protected against potential lead dust releases through controlled sampling techniques or appropriate use of personal protective equipment.

The objective of sampling coated (i.e., painted, pigmented or stained) surfaces for LBP (LBP) is to characterize materials and components that contain lead in surface coatings and compare them to established limits such as the Environmental Protection Agency (EPA) or Housing Urban Development (HUD) standards and guidelines such as at quantities greater than 1.0 milligram per square centimeter (mg/cm^2) or 0.5% by weight or other regulated quantity as specified by state or local authority. By characterizing the locations and quantities of LBPs, exposure hazards can be greatly reduced.

II. BACKGROUND AND REFERENCE

Lead is a toxic heavy metal which may cause blood, kidney and nervous system disorders if inhaled or ingested. Metallic lead and lead contained in dusts are not readily absorbed through the skin. However, skin contact with potentially contaminated site materials should be avoided.

The United States EPA and HUD have established an action level for LBP of 1.0 milligram per square centimeter (mg/cm^2) or 0.5% by weight. Coatings with quantities equal to or greater than these values are considered LBP. The Occupational Safety and Health Administration (OSHA) does not establish a LBP quantity but regulates the amount of lead that can become airborne and either inhaled or ingested by setting limits for air concentrations of 0.05 milligram per cubic meter (mg/m^3) of air over a work shift and blood values of 50 micrograms per deciliter of blood.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Lead was a common ingredient in paint until 1978 when the Consumer Product Safety Commission (CPSC) banned the sale of LBP for use in residences in quantities greater than 0.06% by weight. However, some industrial paints still contain lead today and are used in several applications. Lead can be introduced into the air by sanding or abrading surfaces containing LBP, and inhalation or ingestion of the dust is possible. Ingestion of lead can occur when children consume deteriorated paint chips, children place exposed toys or body parts into their mouths or when industrial workers exposed to lead-containing dust eat or smoke without washing their hands.

The lead content of paint can be determined with direct-reading instrumentation or by analysis of a bulk paint chip sample. An X-ray fluorescence (XRF) type analyzer is recommended to obtain direct readouts of lead content in coated surfaces. The XRF analyzes for lead by atomic absorption spectroscopy (AAS). Results are in milligrams of lead per square centimeter. Paint chip sample analysis is performed by inductively coupled plasma-atomic emission spectrometry (ICP-AES) in accordance with EPA SW-846 Method 6010B. Results are typically reported as lead percent per paint chip weight.

When sampling for LBP in buildings classified under the United States Department of Housing and Urban Development (HUD) or other child occupied-facilities (i.e., publicly and privately owned-housing, public buildings, daycares, etc.), procedures stated in the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995 revision will be used.

Lead is also regulated by the Occupational Safety and Health Administration (OSHA) and the EPA. Occupational exposure to lead occurring in the course of construction work, including maintenance activities, painting, renovation and demolition, is subject to OSHA standard (29 CFR 1926.62), Lead Exposure in Construction. Construction work covered by 29 CFR 1926.62 includes any repair or renovation activities or other activities that disturb in-place, lead-containing materials. Employers must assure that no employee will be exposed to lead at concentrations greater than 0.05 mg/m^3 averaged over an eight-hour period without adequate protection.

The Resource Conservation and Recovery Act (RCRA) provides the EPA with the authority to regulate the waste status of demolition or renovation debris, including lead-containing materials. Specific notification and testing requirements must be addressed prior to transporting, treating, storing or disposing of hazardous wastes. Lead containing wastes are considered hazardous waste under RCRA if Toxicity Characteristic Leachate Procedure (TCLP) results exceed 5 milligrams per liter (mg/L). EPA exempts from most RCRA requirements those generators whose combined hazardous waste generation is less than 100 kilograms (kg) per month.

III. EQUIPMENT

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

LBP analysis can be conducted by using a direct reading XRF analyzer or by collecting paint chip samples. Equipment necessary to conduct both methods is listed below.

For direct reading sampling:

- X-ray fluorescence (XRF) analyzer and accessories
- XRF result field log (optional if downloading software is used)

For paint chip sampling:

- Heating tool and extension cord
- Tape measure or template
- Chisel
- Chipping hammer or scraper (lead paint samples from metal structures)
- Face shield or chipping goggles
- Sample containers (preferably sturdy, clear plastic vials)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis

IV. CERTIFICATION

Individuals conducting LBP inspection services should have the certifications listed below. Copies of these certifications and licenses should be taken to the site.

- EPA lead inspector and risk assessor certification
- As applicable, local- or State-licensed lead inspector/risk assessor (required for HUD projects)
- Manufacturer training certification for the XRF analyzer

V. HEALTH AND SAFETY

The OSHA personal exposure limit (PEL) for lead is 0.05 milligram per cubic meter (mg/m^3) and the action level is 0.03 mg/m^3. The primary route of exposure of lead is through inhalation of contaminated dusts or by accidental ingestion; however, collection of small sample volumes required for analysis is not expected to generate significant dust. Although, if painted surfaces are being disturbed and dust is generated in the vicinity, personnel will take protective measures as indicated below. Project activities may be conducted in Level D personal protective equipment modified as specified below.

- Lead sampling activities will be performed in Level D personal protective equipment to include standard work uniform, safety footwear and hard hat if overhead hazards are present.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

- Protective goggles or a full face shield will be worn during chipping hammer operations.
- Protective gloves should also be worn during lead chip sampling to prevent abrasion and contact with site materials. Half face disposable dust/fume/mist respirators (3M 9920 "surgical style" masks) or half-face air purifying respirators equipped with HEPA filter cartridges will be worn if dusty conditions develop on-site.

Due to the potential of accidental ingestion when working in areas with lead dust, do not smoke or eat with soiled hands. Wash thoroughly before eating, drinking or smoking. Shower thoroughly as soon as possible upon leaving the site.

The XRF analyzer contains a radioactive source and should be transported and used according to the manufacturer's instructions. Personnel utilizing the equipment shall have the proper training and certifications required for use of the equipment.

VI. PROCEDURES FOR XRF ANALYSIS

1. Identify areas with coated or prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and should be included in the survey. Some ceramic tiles have a lead-containing glaze and should also be assessed, particularly where required by state or local regulatory agencies.

2. Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995revision.

3. Calibrate the XRF unit according to the manufacturer's instructions before and after the survey. This involves taking calibration sample readings from a known source provided by the manufacturer.

4. Conduct XRF sampling on selected surfaces. Document descriptions of each surface sampled on the XRF result field log or using the manufacture's software. Record results on the XRF result field log if software is not used.

If results yield 1.0 mg/cm^2 (inconclusive), then a paint chip sample should be collected using the applicable procedures indicated in the following section.

If results indicate the presence of lead in quantities greater than 1.0 mg/cm^2, it is recommended that a photograph depicting the material and location be taken.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

VII. PROCEDURES FOR PAINT CHIP SAMPLING

1. Identify areas with prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and these areas should be included in the survey.

2. Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995revision.

3. A heating tool and chisel is recommended to collect representative samples of painted surfaces, but a knife, chipping hammer or paint scraper may also be used. Minimum force should be used to prevent the generation of dusts and particles. Wear protective goggles, abrasion resistant gloves and/or particulate respirator as appropriate to the task.

Check with the analytical laboratory you will use to determine minimum sample size required. A two square inch (2 in^2) sample is recommended for each sample. The sample size should be documented on the sample log. Some laboratories conducting toxic characteristic leaching procedures (TCLP) analysis may request up to ten grams (10 g) per sample. Lead-based paint samples must be removed down to the bare substrate to ensure each layer of paint has been collected. Use a brush or mini-vacuum to clean up residual material and place it in the sample container.

4. Assign a sample number to each sample collected. Affix a label or mark the sample container indelibly with a sample identification number. Seal the sample container securely. Document descriptions and locations of each surface sampled on a field log. It is recommended that a photograph depicting the material and location be taken.

5. Send results and chain or custody to an American Industrial Hygiene Association (AIHA) accredited laboratory for analysis.

RESOLUTION NO. 2017 - 014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ADDENDUM TO CONTRACT 16-2001-00 WITH PACIFIC ENVIRONMENTAL IN AN AMOUNT NOT TO EXCEED $200,000.00 UTILIZING EPA BROWNFIELDS GRANT FUNDS FOR THE HAZARDOUS MATERIALS REMEDIATION OF 203/205 W. BROAD STREET; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City was awarded $440,000.00 in 2012 specific to the environmental assessment and cleanup of 203/205 West Broad Street; and

WHEREAS, the City entered into a contract with Pacific Environmental in the amount of $89,365.00 under Resolution 2016-071; and

WHEREAS, structural engineers have determined that more extensive shoring will be necessary than originally bid; and

WHEREAS, the health and safety of the general public is at risk.

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

SECTION 1: That the City Manager be and is hereby authorized to enter into an addendum to contract 16-2001-00 not to exceed $200,000.00 with Pacific Environmental to ensure the public's health and safety while completing the environmental remediation of 203/205 W. Broad Street and fulfilling the requirements of the EPA Brownfields Multi-Purpose Grant.

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 **13th day of February, 2017**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-014 RES Authorizing City Manager to Ammend Contract 2016-2001-00 (1601 : 2017-014 RES Addendum to Contract for

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: 2017-014 Goals & Perspectives (1601 : 2017-014 RES Addendum to Contract for Hazardous Materials Remediation of 203/205 W.

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/14/2017 1:25 PM

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

Subject: Resolution No. 2017-016 approving and authorizing publication of notice of intention to issue certificates of obligation and declaring expectation to reimburse expenditures with proceeds of future debt.

Briefing: 2/13/2017	**Public Hearing:**	**Second Briefing:**	**Council Vote:** 2/13/2017

Item Schedule

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

On September 12, 2016 the City Council adopted the Fiscal Year 2017 budget which included the City's Capital Improvement Plan. Since that time, staff has been actively working to implement the CIP. On January 20, 2017 the City Manager and Finance Department met with First Southwest, a division of Hilltop Securities, to discuss the bond issuance needed to finance the CIP projects outlined for Fiscal Year 2017 along with the soft costs associated with Fiscal Year 2018 projects. First Southwest provided the City with a schedule of events associated with the bond issuance. This schedule has been provided for your reference as 2017-016 ATTH 01 Preliminary Schedule of Events. In order to issue the Certificates of Obligation, the Council must first approve a publication for Notice of Intent.

Potential Options:

- Approve
- Deny

Fiscal Implications:

The proposed Certificates of Obligation will replace retired debt and have been built into the Capital Improvement Plan to be paid with current resources based on normal growth factors.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

Not Applicable

Board/Committee Recommendation:

Not Applicable

City of Texarkana, Texas

Advisory Board/Committee Meeting Date and Minutes:

Not Applicable

Attachments

a. 2017-016 RES Notice of Intent to Issue Certificates of Obligation (DOC)
b. 2017-016 RES Notice of intent to issue certificates fo obligation signed (PDF)
c. 2017-016 EXH 'A' Notice of Intent (DOCX)
d. 2017-016 ATTH 01 Preliminary Schedule of Events (PDF)
e. 2017-016 Goals & Perspectives (DOCX)

Staff Coordination

Finance Department	Kristin Peeples	Department Head Review	Completed	02/09/2017 1:58 PM
Finance Department	Vicky Coopwood	Finance Review	Skipped	02/09/2017 2:05 PM
Deputy City Manager - Shirley Jaster Review	Skipped	Vicky Coopwood	Deputy City Manager	02/09/2017 2:05 PM
Deputy City Manager - Kyle Dooley Review	Skipped	Vicky Coopwood	Deputy City Manager	02/09/2017 2:05 PM
Public Information Officer		Vicky Coopwood	PIO Review	Skipped 02/09/2017 3:15 PM
City Manager	John Whitson	City Manager Review	Completed	02/09/2017 3:34 PM
City Council	Jennifer Evans	Meeting	Completed	02/13/2017 6:00 PM

Meeting History

RESOLUTION NO. 2017 - 016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION AND DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Texarkana, Texas (the "City"), has determined that certificates of obligation (the "Certificates") should be issued under and pursuant to the provisions of Subchapter C of Chapter 271, Texas Local Government Code, as amended, for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping public safety facilities, (ii) street improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor, (iii) drainage improvements, including the acquisition of land and rights- of-way therefor, (iv) constructing, improving and equipping park and recreational facilities, (v) roof replacements to existing municipal buildings, (vi) building and parking improvements for the public works department, (vii) constructing, improving and equipping municipal airport facilities, including design costs (collectively, the "Projects") and (viii) professional services rendered in relation to such projects and the financing thereof; and

WHEREAS, the City further intends to make certain capital expenditures with respect to the Projects and currently desires and expects to reimburse the capital expenditures with proceeds of the Certificates; and

WHEREAS, under Treas. Reg. § 1.150-2 (the "Regulation"), to fund such reimbursement with proceeds of tax-exempt obligations, the City must declare its expectation to make such reimbursement; and

WHEREAS, the City desires to preserve its ability to reimburse the capital expenditures with proceeds of tax-exempt obligations; and

WHEREAS, prior to the issuance of such Certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City, said notice stating (i) the time and place the Council tentatively proposes to pass the ordinance authorizing the issuance of the Certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the Certificates are to be issued and (iv) the manner in which the Council proposes to pay the Certificates.

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

SECTION 1: That the City Secretary is hereby authorized and directed to cause notice to be published of the Council's intention to issue certificates of obligation, in one or more series, in a principal amount not to exceed $15,600,000 for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping public safety facilities, (ii) street improvements, including landscaping, drainage, curbs, gutters, medians,

Attachment: 2017-016 RES Notice of Intent to Issue Certificates of Obligation (1603 : 2017-016 RES Notice of Intent to Issue Certificates of

sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor, (iii) drainage improvements, including the acquisition of land and rights-of-way therefor, (iv) constructing, improving and equipping park and recreational facilities, (v) roof replacements to existing municipal buildings, (vi) building and parking improvements for the public works department, (vii) constructing, improving and equipping municipal airport facilities, including design costs (collectively, the "Projects") and (viii) professional services rendered in relation to such projects and the financing thereof; such Certificates to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's combined Waterworks and Sewer System. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit A** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

SECTION 2: The City Secretary shall cause the aforesaid notice to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least thirty-one (31) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the Certificates.

SECTION 3: The City reasonably expects to reimburse capital expenditures with respect to the Projects with proceeds of debt hereafter to be incurred by the City, and this resolution shall constitute a declaration of official intent under the Regulation.

SECTION 4: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of February, 2017**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-016 RES Notice of Intent to Issue Certificates of Obligation (1603 : 2017-016 RES Notice of Intent to Issue Certificates of

RESOLUTION NO. 2017 - 016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION AND DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Texarkana, Texas (the "City"), has determined that certificates of obligation (the "Certificates") should be issued under and pursuant to the provisions of Subchapter C of Chapter 271, Texas Local Government Code, as amended, for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping public safety facilities, (ii) street improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor, (iii) drainage improvements, including the acquisition of land and rights- of-way therefor, (iv) constructing, improving and equipping park and recreational facilities, (v) roof replacements to existing municipal buildings, (vi) building and parking improvements for the public works department, (vii) constructing, improving and equipping municipal airport facilities, including design costs (collectively, the "Projects") and (viii) professional services rendered in relation to such projects and the financing thereof; and

WHEREAS, the City further intends to make certain capital expenditures with respect to the Projects and currently desires and expects to reimburse the capital expenditures with proceeds of the Certificates; and

WHEREAS, under Treas. Reg. § 1.150-2 (the "Regulation"), to fund such reimbursement with proceeds of tax-exempt obligations, the City must declare its expectation to make such reimbursement; and

WHEREAS, the City desires to preserve its ability to reimburse the capital expenditures with proceeds of tax-exempt obligations; and

WHEREAS, prior to the issuance of such Certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City, said notice stating (i) the time and place the Council tentatively proposes to pass the ordinance authorizing the issuance of the Certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the Certificates are to be issued and (iv) the manner in which the Council proposes to pay the Certificates.

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

SECTION 1: That the City Secretary is hereby authorized and directed to cause notice to be published of the Council's intention to issue certificates of obligation, in one or more series, in a principal amount not to exceed $15,600,000 for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping public safety facilities, (ii) street improvements, including landscaping, drainage, curbs, gutters, medians,

Attachment: 2017-016 RES Notice of intent to issue certificates fo obligation signed (1603 : 2017-016 RES Notice of Intent to Issue Certificates

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SECTION 2: The City Secretary shall cause the aforesaid notice to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least thirty-one (31) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the Certificates.

SECTION 3: The City reasonably expects to reimburse capital expenditures with respect to the Projects with proceeds of debt hereafter to be incurred by the City, and this resolution shall constitute a declaration of official intent under the Regulation.

SECTION 4: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of February, 2017**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-016 RES Notice of intent to issue certificates fo obligation signed (1603 : 2017-016 RES Notice of Intent to Issue Certificates

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CITY OF TEXARKANA, TEXAS, CERTIFICATES OF OBLIGATION

TAKE NOTICE the City Council of the City of Texarkana, Texas, shall convene at 6:00 o'clock P.M. on March 27, 2017, at its regular meeting place in the City Hall, 3rd and Texas Avenue, Texarkana, Texas, and, during such meeting, the City Council will consider the passage of an ordinance authorizing the issuance of certificates of obligation, in one or more series, in a principal amount not to exceed $15,600,000 for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping public safety facilities, (ii) street improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor, (iii) drainage improvements, including the acquisition of land and rights-of-way therefor, (iv) constructing, improving and equipping park and recreational facilities, (v) roof replacements to existing municipal buildings, (vi) building and parking improvements for the public works department, (vii) constructing, improving and equipping municipal airport facilities, including design costs (collectively, the "Projects") and (viii) professional services rendered in relation to such projects and the financing thereof; and such certificates are to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's combined Waterworks and Sewer System. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas, Local Government Code, Subchapter C of Chapter 271.

City Secretary
City of Texarkana, Texas

Attachment: 2017-016 RES Notice of intent to issue certificates fo obligation signed (1603 : 2017-016 RES Notice of Intent to Issue Certificates

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CITY OF TEXARKANA, TEXAS, CERTIFICATES OF OBLIGATION

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City Secretary
City of Texarkana, Texas

Attachment: 2017-016 EXH 'A' Notice of Intent (1603 : 2017-016 RES Notice of Intent to Issue Certificates of Obligation)

City of Texarkana, TX

Combination Tax and Revenue Certificates of Obligation, Series 2017

Acct. TBD

1/25/2017

Preliminary Schedule of Events

Jan-17						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Feb-17						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

Mar-17						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Apr-17				
S	M	T	W	T
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30				

Complete By	Day	Event
30-Jan-17	Monday	First Southwest requests information for preparation of the Official Statement
8-Feb-17	Wednesday	First Southwest receives requested information. First Southwest begins preparation of the Official Statement
13-Feb-17	**Monday**	**Council meeting to approve publication of Notice of Intent for the CO's**
15-Feb-17	Wednesday	Draft Preliminary Official Statement distributed to the City and Bond Counsel
16-Feb-17	**Thursday**	**1st Notice of Intent published for CO's**
22-Feb-17	Wednesday	First Southwest receives comments on Preliminary Official Statement
23-Feb-17	**Thursday**	**2nd Notice of Intent published for CO's**
27-Feb-17	Monday	Distribute POS to Ratings
Week of March 6th - 10th		Rating Meeting
16-Mar-17	Thursday	Receive Ratings
17-Mar-17	Friday	Electronically mail Official Statement to Potential Purchasers
27-Mar-17	Monday	Pricing
27-Mar-17	**Monday**	**City Council passes Ordinance authorizing issuance of the Certificates**
26-Apr-17	Wednesday	Certificate Closing and Delivery of Funds to the City

Attachment: 2017-016 ATTH 01 Preliminary Schedule of Events (1603 : 2017-016 RES Notice of Intent to Issue Certificates of Obligation)

Bold Indicates Council action

Prepared by: First Southw

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:	High

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2017-016 Goals & Perspectives (1603 : 2017-016 RES Notice of Intent to Issue Certificates of Obligation)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 2/14/2017 1:07 PM

Lead Department:	Planning and Community Development **Action Officer:** Debbie Burk,
Subject:	Ordinance No. 2017-007 amending PD-85-1(GR) for site plan approval on a 1.781 acre tract of land being all of Tracts 5 and 5A in the Mary E. Willis Subdivision (proposed Lot 1, Richmond Road Runner Subdivision), located at 1632 Richmond Road. John D. Harris, applicant. MTG Engineers and Surveyors, agent.

Briefing: 2/13/2017	**Public Hearing:** 2/13/2017	**Second Briefing:**	February 27, 2017	**Council Vote:**	3/13/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Amendment to PD-85-1(GR): This is a request for site plan approval by John D. Harris, owner, and MTG Engineering and Surveying, agent on a 1.781 acre tract being all of Tract 5 and Tract 5A in the Mary E. Willis Subdivision (proposed Lot 1, Richmond Road Runner Subdivision), located at 1632 Richmond Road. The proposed use is a convenience store. The current use is vacant property.

The adjacent zoning is PD-General Retail to the north and west, General Retail to the east and Single Family-2 across Richmond Road to the south. The adjacent land use is residences to the north and south, vacant land to the east and a restaurant to the west.

A new subdivision plat has been provided for this tract of land that includes one lot. This proposed Road Runner Convenience Store is shown to be located on Lot 1, Richmond Road Runner Subdivision. The site plan consists of the following:

- A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 8 fuel pumps.
- The building façade consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia. See attached elevations.
- 20 parking spaces are shown on site plan with 2 handicapped spaces. (6 spaces are required for the gas station and 5 spaces are required for the restaurant per Ordinance).
- A 35’ pylon sign. See attached photo.
- Two new driveways are shown off Cowhorn Creek Road and one new driveway is shown off Richmond Road. The new drive off Richmond Road will require TXDOT approval.

Following are comments from the Public Works and Engineering Department pertaining to the driveways along Cowhorn Creek Road:
The proposed southern driveway along Cowhorn Creek is being shown for fuel truck access. This concerns staff due to the close proximity of the location with the intersection of Cowhorn Creek Road and Richmond Road from a safety stand point. This intersection is very busy and traffic backs up along Cowhorn Creek Road. Also, Cowhorn Creek Road is a two- lane road in this location and truck traffic along Cowhorn Creek Road could possibly cause more traffic to back up. We also have concerns with truck traffic movements at the Cowhorn Creek Road and Kennedy Lane Intersection. This section of Cowhorn Creek Road and Kennedy Lane was not intended for truck traffic. Therefore, staff recommends allowing two access drives off of Cowhorn Creek Rd, but the southernmost driveway should be an "entrance only" (similar to the driveway across the street at Golden Chick). Staff also recommends that all truck traffic (WB-40 or greater) ingress and egress the site only on Richmond Road.

Staff is also concerned about the proposed 35' pole sign at this location. In recent planned development cases along this corridor, monument style signage with a sign face not to exceed 48 sq. ft. in size were allowed at the Golden Chick Restaurant (1702 Richmond Rd) located across Cowhorn Creek Road to the west and at Grandy's Restaurant (1720 Richmond Rd) further west along Richmond Road. Both of those properties are located in a Planned Development district. Also, there are numerous single family residences located to the south and north of this tract of land. **T**herefore, staff recommends that a 48 square foot monument style sign be allowed for this development. The monument sign can be located on top of a berm, planter or pedestal.

The applicant should be aware that if this site plan is approved as submitted, there may be additional applicable city code/ordinance requirements in addition to those listed including but not limited to building, subdivision, fire, 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:

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

1. The southernmost driveway along Cowhorn Creek Road be "entrance only".
2. All truck traffic (WB-40 or greater) ingress and egress the site only on Richmond Road.
3. A 48 square foot size monument style sign be allowed that can be located on top of a berm, planter or pedestal.
4. Any lighting be shielded from adjacent residential properties.
5. A screening device be constructed along the northern property line that abuts to residential uses.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

After discussion between staff, commission members and the developers concerning the driveways and signage, the Planning and Zoning Commission unanimously recommended for approval of the site plan with the following stipulations:

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 8 fuel pumps as shown on attached site plan.
2. Building façade that consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia.
3. 20 parking spaces with 2 handicapped spaces.
4. Two new driveways off Cowhorn Creek Road and one new driveway off Richmond Road. The new drive off Richmond Road will require TXDOT approval.
5. The southernmost driveway along Cowhorn Creek Road shall be "entrance only".
6. Striping shall be added for a continuous left turn lane along Cowhorn Creek Road.
7. Two monument style signs not to exceed 48 square feet in size that can be located on top of a berm, planter or pedestal shall be allowed at the entrance off Richmond Road and at the north entrance off Cowhorn Creek Road.
8. Price point signage allowed on gas canopy.
9. Any lighting to be shielded from adjacent residential properties.
10. A screening device is to be constructed along the northern property line that abuts to residential uses.

Advisory Board/Committee Meeting Date and Minutes:

January 3, 2017

Attachments

a. 2017-007 ORD amending PD-85-1(GR) for site plan approval (PDF)
b. 2017-007 ORD Amending PD-85-1 signed (PDF)
c. 2017-007 ATTH 01 Maps (PDF)
d. 2017-007 ATTH 02 Floor plan (PDF)
e. 2017-007 ATTH 03 Front elevation and bldg. materials (PDF)
f. 2017-007 ATTH 04 Elevations (PDF)
g. 2017-007 ATTH 05 Fuel canopy elevations (PDF)
h. 2017-007 ATTH 06 Monument Sign (PDF)
i. 2017-007 EXH 'A' Site Plan (PDF)
j. 2017-007 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	Completed	David Orr 01/18/2017 11:49 AM	Department Head Review
Deputy City Manager - Shirley Jaster Review	Completed	Shirley Jaster 01/19/2017 11:14 AM	Assistant City Manager
Public Information Officer	01/19/2017 11:18 AM	Lisa Thompson	PIO Review Completed

City of Texarkana, Texas

City Manager 2:41 PM	John Whitson	City Manager Review	Completed	01/19/2017
City Council 6:00 PM	Jennifer Evans	Meeting	Completed	01/23/2017

Meeting History

01/23/17	City Council	MOVED FORWARD	Next: 02/13/17

Amendment to
PD-85-1(GR)

ORDINANCE NO. 2017-007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-85-1(GR) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF A CONVENIENCE STORE ON A 1.781 ACRE TRACT OF LAND BEING ALL OF TRACTS 5 AND 5A IN THE MARY E. WILLIS SUBDIVISION (PROPOSED LOT 1, RICHMOND ROAD RUNNER SUBDIVISION), LOCATED AT 1632 RICHMOND ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a site plan **(Exhibit 'A')** to allow the location of a convenience store on a 1.781 acre tract of land being Tracts 5 and 5A in the Mary E. Willis Subdivision, (proposed Lot 1, Richmond Road Runner Subdivision), located at 1632 Richmond Road in the City of Texarkana, Bowie County, Texas; and

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

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

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

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

SECTION 1: That the site plan **(Exhibit 'A')** submitted to allow a convenience store on a 1.781 acre tract of land being Tracts 5 and 5A in the Mary E. Wills Subdivision (proposed Richmond Road Runner Subdivision), located at 1632 Richmond Road in the City of Texarkana, Texas, Bowie County, Texas, be and is hereby approved and hereby amends PD-85-1(GR).

Attachment: 2017-007 ORD amending PD-85-1(GR) for site plan approval (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

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

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 8 fuel pumps as shown on attached site plan.
2. Building façade that consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia.
3. Twenty parking spaces with two handicapped spaces.
4. Two new driveways off Cowhorn Creek Road and one new driveway off Richmond Road. The new drive off Richmond Road will require TxDOT approval.
5. The southernmost driveway along Cowhorn Creek Road shall be "entrance only".
6. Striping shall be added for a continuous left turn lane along Cowhorn Creek Road.
7. Two monument style signs, not to exceed 48 square feet in size that can be located on top of a berm, planter or pedestal, shall be allowed at the entrance off Richmond Road and at the north entrance off Cowhorn Creek Road.
8. Electronic price point signage shall be allowed on gas canopy. No CEVMS.
9. Any lighting is to be shielded from adjacent residential properties.
10. A screening device is to be constructed along the northern property line that abuts to residential uses.

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 **13th day of March, 2017.**

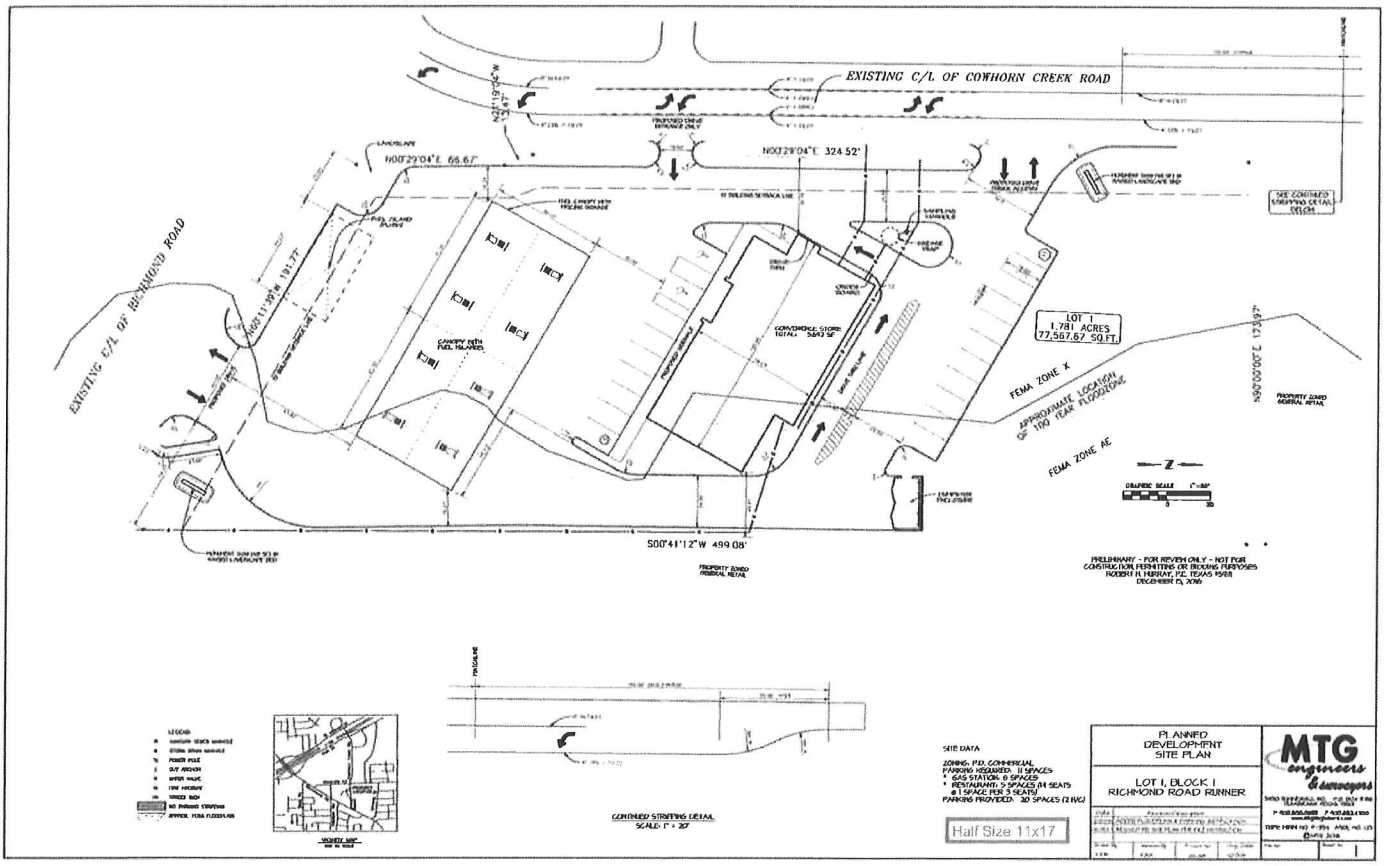
ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-007 ORD amending PD-85-1(GR) for site plan approval (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

EXHIBIT 'A'



Attachment: 2017-007 ORD amending PD-85-1(GR) for site plan approval (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

Amendment to
PD-85-1(GR)

ORDINANCE NO. 2017-007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-85-1(GR) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF A CONVENIENCE STORE ON A 1.781 ACRE TRACT OF LAND BEING ALL OF TRACTS 5 AND 5A IN THE MARY E. WILLIS SUBDIVISION (PROPOSED LOT 1, RICHMOND ROAD RUNNER SUBDIVISION), LOCATED AT 1632 RICHMOND ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a site plan **(Exhibit 'A')** to allow the location of a convenience store on a 1.781 acre tract of land being Tracts 5 and 5A in the Mary E. Willis Subdivision, (proposed Lot 1, Richmond Road Runner Subdivision), located at 1632 Richmond Road in the City of Texarkana, Bowie County, Texas; and

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

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

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

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

SECTION 1: That the site plan (**Exhibit 'A'**) submitted to allow a convenience store on a 1.781 acre tract of land being Tracts 5 and 5A in the Mary E. Wills Subdivision (proposed Richmond Road Runner Subdivision), located at 1632 Richmond Road in the City of Texarkana, Texas, Bowie County, Texas, be and is hereby approved and hereby amends PD-85-1(GR).

Attachment: 2017-007 ORD Amending PD-85-1 signed (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

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

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 8 fuel pumps as shown on attached site plan.
2. Building façade that consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia.
3. Twenty parking spaces with two handicapped spaces.
4. Two new driveways off Cowhorn Creek Road and one new driveway off Richmond Road. The new drive off Richmond Road will require TxDOT approval.
5. The southernmost driveway along Cowhorn Creek Road shall be "entrance only".
6. Striping shall be added for a continuous left turn lane along Cowhorn Creek Road.
7. Two monument style signs, not to exceed 48 square feet in size that can be located on top of a berm, planter or pedestal, shall be allowed at the entrance off Richmond Road and at the north entrance off Cowhorn Creek Road.
8. Electronic price point signage shall be allowed on gas canopy. No CEVMS.
9. Any lighting is to be shielded from adjacent residential properties.
10. A screening device is to be constructed along the northern property line that abuts to residential uses.

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 **13th day of February, 2017.**

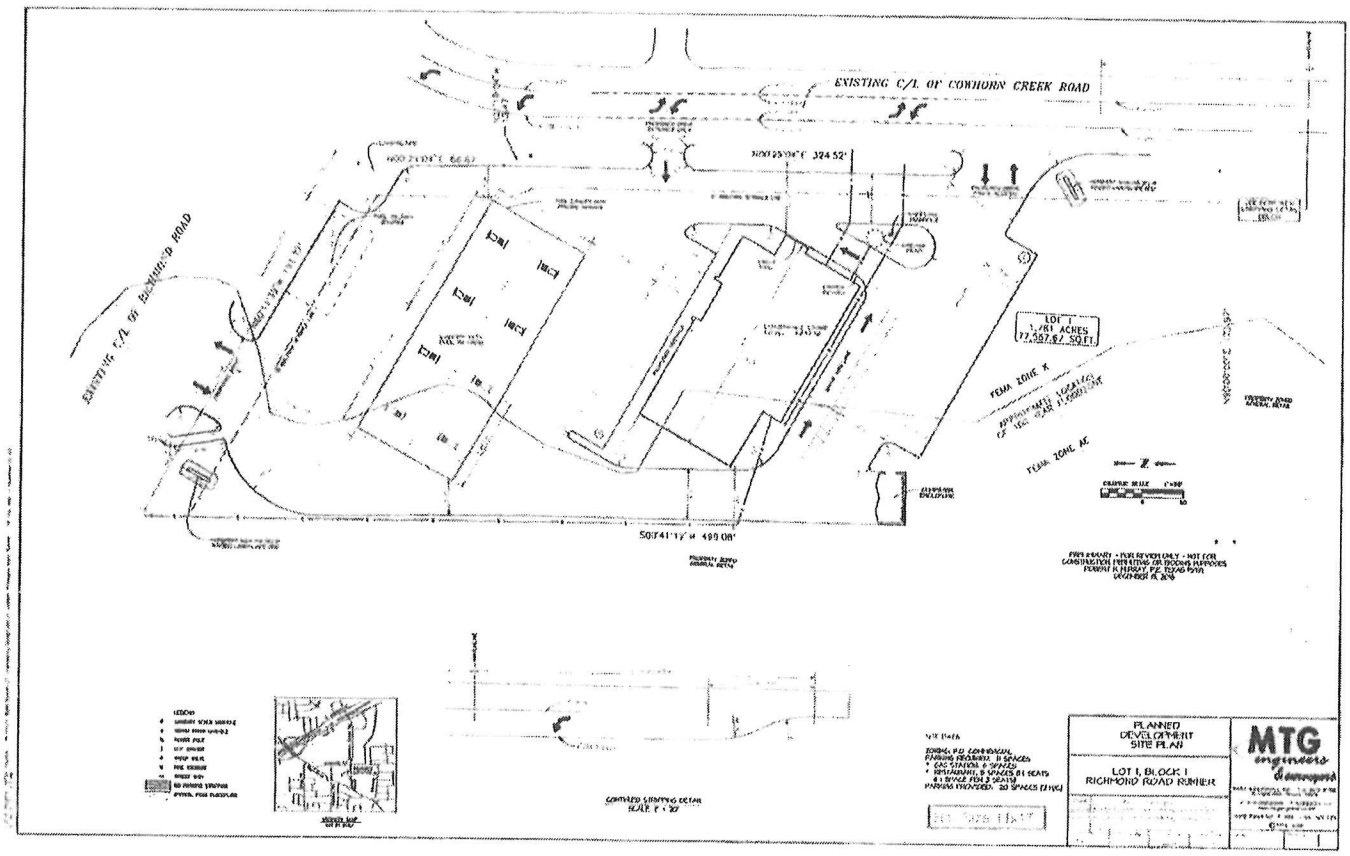
ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-007 ORD Amending PD-85-1 signed (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

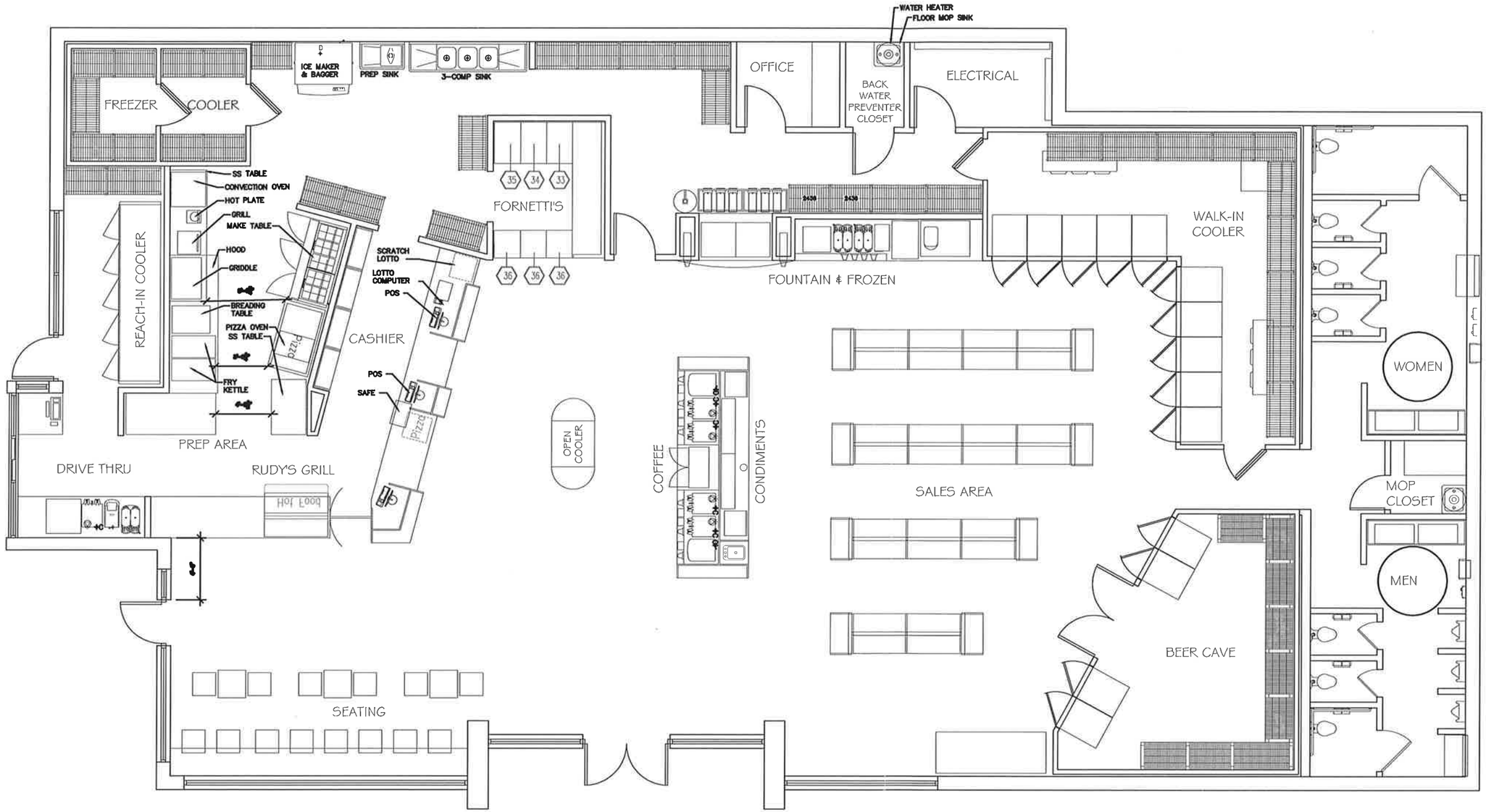
EXHIBIT 'A'



Attachment: 2017-007 ORD Amending PD-85-1 signed (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

Attachment: 2017-007 ATTH 01 Maps (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

Attachment: 2017-007 ATTH 01 Maps (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)



FLOOR PLAN

SCALE: 1/8" = 1'-0"

ARCHITECTURE PLUS, INC.
907 South 21st Street Fort Smith, Arkansas 479/783-8395

TEXARKANA STORE#XX
RICHMOND RD TEXARKANA, TX

DRAWING NO.: 1 OF 5

DATE: 12-09-2016

PROJECT: 14-38.01

Attachment: 2017-007 ATTH 02 Floor plan (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

Modular Brick | Split Face CMU (painted) | Stone Veneer

FRONT ELEVATION

SCALE: NTS

ARCHITECTURE PLUS, INC.
907 South 21st Street Fort Smith, Arkansas 479/783-8395

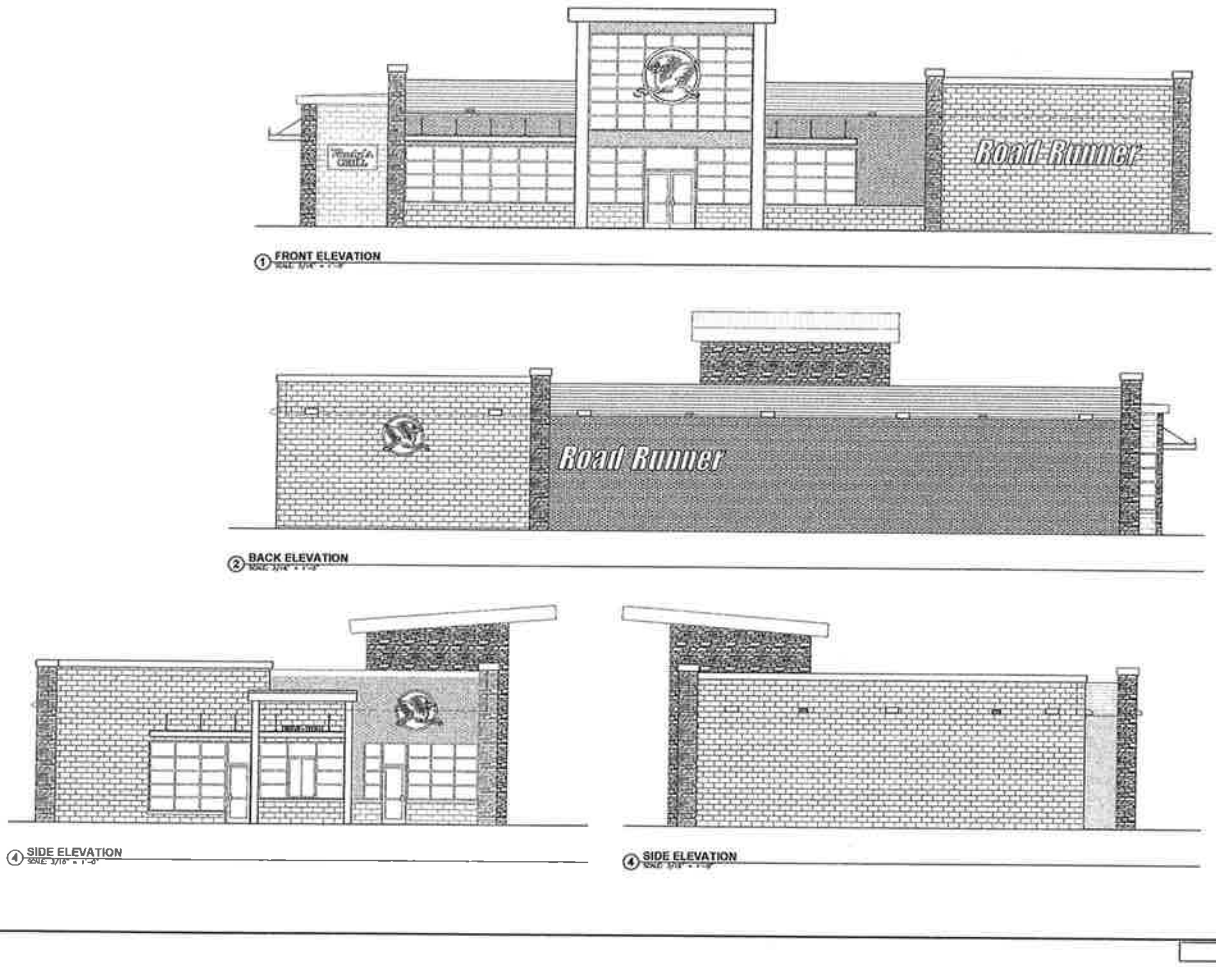
TEXARKANA STORE#XX
RICHMOND RD TEXARKANA, TX

DRAWING NO.: 2 of 2

DATE: 12-09-2016

PROJECT: 14-38.01

Attachment: 2017-007 ATTH 03 Front elevation and bldg. materials (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)



1 FRONT ELEVATION

2 BACK ELEVATION

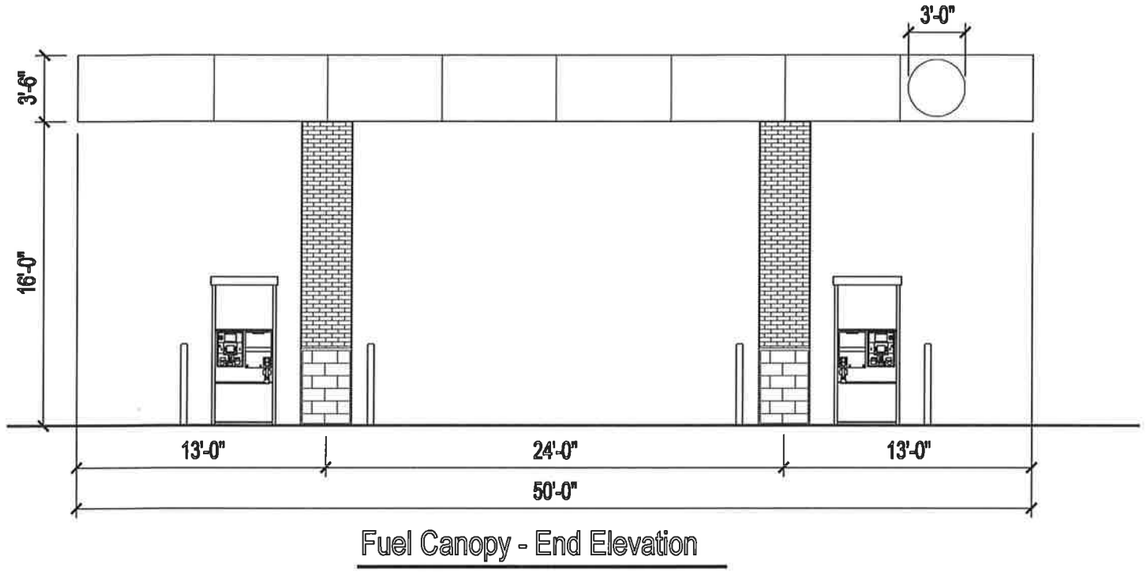
4 SIDE ELEVATION

4 SIDE ELEVATION

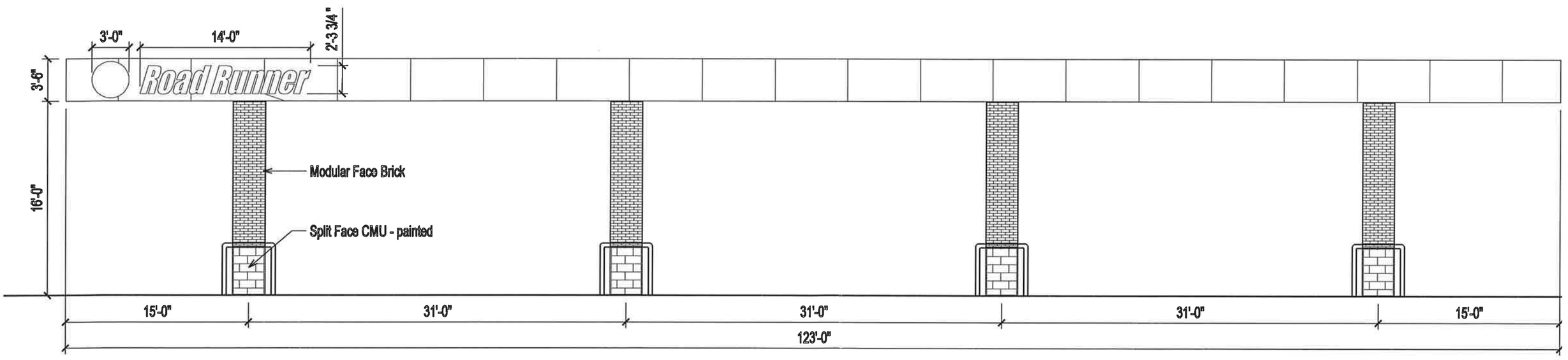
ARCHITECTURE PLUS, INC.

SCHEMATIC

Attachment: 2017-007 ATTH 04 Elevations (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)



Fuel Canopy - End Elevation

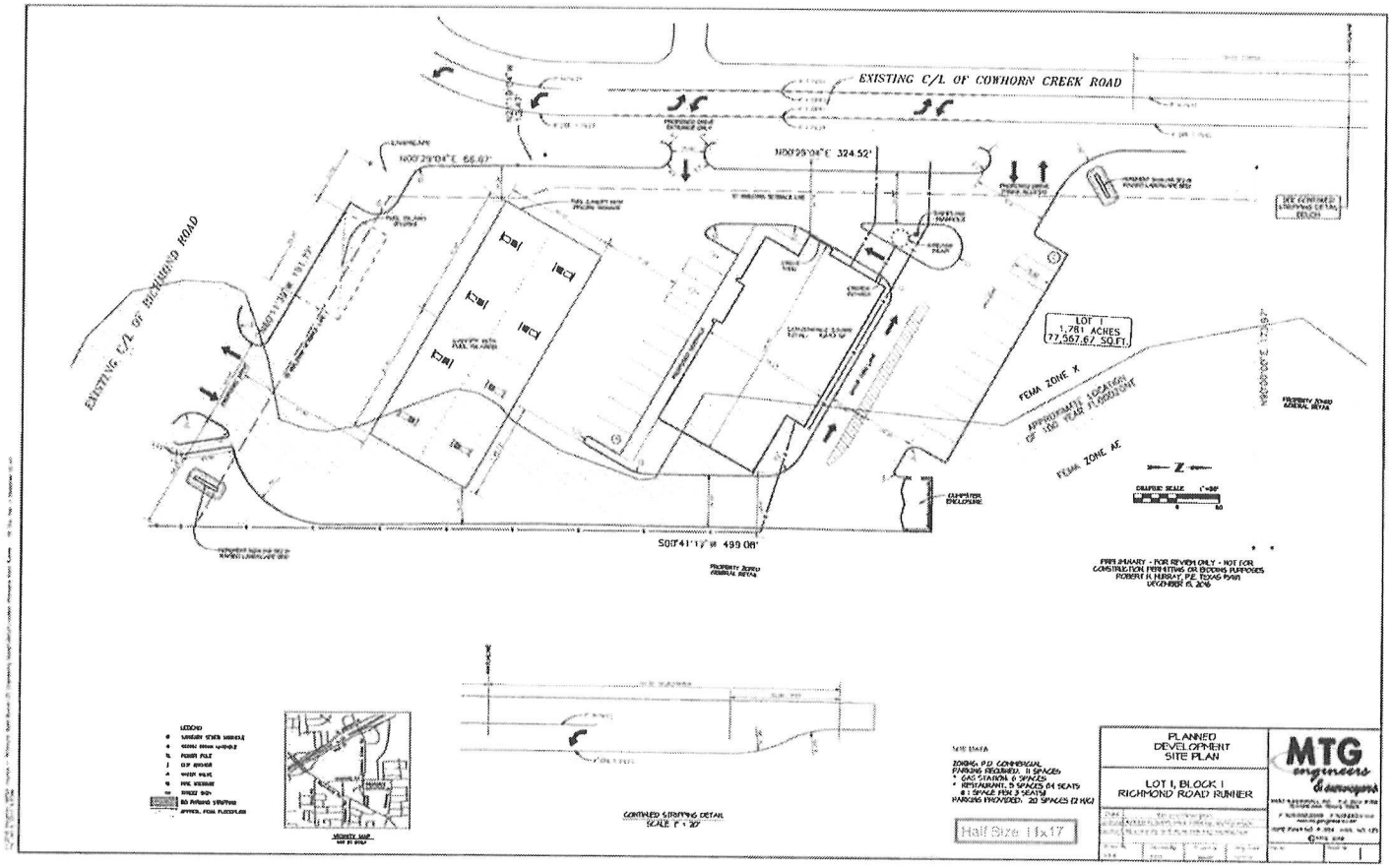


Fuel Canopy - Side Elevation

Attachment: 2017-007 ATTH 05 Fuel canopy elevations (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

Attachment: 2017-007 ATTH 06 Monument Sign (1592 : 2017-007 ORD site plan approval at 1632

EXHIBIT 'A'



Attachment: 2017-007 EXH 'A' Site Plan (1592 : 2017-007 ORD site plan approval at 1632 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: 2017-007 Goals & Perspectives (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 2/14/2017 1:10 PM

Lead Department:	Planning and Community Development
Action Officer:	Debbie Burk,
Subject:	Ordinance No. 2017-008 amending PD-99-9(C) for site plan approval on a 2.176 acre tract of land being part of Tract 339B in the Nancy Dycus HRS, A-145 (proposed Lot 1, Highway 67 Road Runner Subdivision), located at 4603 West 7th Street. John D. Harris, applicant. MTG Engineers and Surveyors, agent.

Briefing: 2/13/2017	**Public Hearing:** 2/13/2017	**Second Briefing:**	February 27, 2017	**Council Vote:**	3/13/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Amendment to PD-99-9(C): This is a request for site plan approval by John D. Harris, owner, and MTG Engineering and Surveying, agent on a 2.176 acre tract being part of Tract 339B in the Nancy Dycus HRS, A-145 (proposed Lot 1, Highway 67 Road Runner Subdivision), located at 4603 West 7th Street. The proposed use is a convenience store. The current use is vacant property.

The adjacent zoning is outside the city limits to the north, Planned Development-Commercial to the east and south and Office to the west. The adjacent land use is Wake Village city limits to the north, a bank to the east, a medical clinic to the west and vacant land to the south.

A new subdivision plat has been provided for this tract of land that includes two lots. This proposed Road Runner Convenience Store is shown to be located on Lot 1, Highway 67 Road Runner Subdivision.

The site plan consists of the following:

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 10 fuel pumps as shown on attached site plan.
2. Building façade that consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia.
3. 31 parking spaces with 2 handicapped spaces.
4. A 35' pylon sign.
5. New driveways off South Wake Village Road and off West 7th Street. The new drive off West 7th Street will require TXDOT approval. In the event that TXDOT does not permit the new driveway off West 7th Street, the existing drive off West 7th Street will be modified to provide adequate turning radii.

The applicant should be aware that if this site plan is approved, there may be additional applicable city code/ordinance requirements in addition to those listed including but not limited to building, subdivision, fire, 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:

Staff recommends for approval of the proposed site plan with the following stipulations.

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 10 fuel pumps as shown on attached site plan.
2. Building façade that consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia.
3. 31 parking spaces with 2 handicapped spaces.
4. A 35' pylon sign.
5. New driveways off South Wake Village Road and off West 7th Street. The new drive off West 7th Street will require TXDOT approval. In the event that TXDOT does not permit the new driveway off West 7th Street, the existing drive off West 7th Street will be modified to provide adequate turning radii.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of the site plan with staff stipulations.

Advisory Board/Committee Meeting Date and Minutes:

January 3, 2017

Attachments

a. 2017-008 ORD amending PD-99-9(C) for site plan approval at 4603 West 7th (PDF)
b. 2017-008 ORD Amending PD-99-9 (C) signed (PDF)
c. 2017-008 ATTH 01 Maps (PDF)
d. 2017-008 ATTH 02 Floor plan (PDF)
e. 2017-008 ATTH 03 Front elevation and bldg. materials (PDF)
f. 2017-008 ATTH 04 Elevations (PDF)
g. 2017-008 ATTH 05 Fuel canopy elevations (PDF)
h. 2017-008 ATTH 06 Aerial site plan (PDF)
i. 2017-008 ATTH 07 Pylon Sign (PDF)
j. 2017-008 EXH 'A' Site plan (PDF)
k. 2017-008 ORD Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	Completed	David Orr 01/18/2017 11:49 AM	Department Head Review	
Deputy City Manager - Shirley Jaster Review	Completed	Shirley Jaster 01/19/2017 11:12 AM	Assistant City Manager	
Public Information Officer	01/19/2017 11:13 AM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	01/19/2017 2:46 PM
City Council	Jennifer Evans	Meeting	Completed	01/23/2017 6:00 PM

Meeting History

01/23/17	City Council	MOVED FORWARD	Next: 02/13/17

Amendment to
PD-99-9(C)

ORDINANCE NO. 2017-008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-99-9(C) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF A CONVENIENCE STORE ON A 2.176 ACRE TRACT OF LAND BEING A PART OF TRACT 339B IN THE NANCY DYCUS HRS, A-145 (PROPOSED LOT 1, HIGHWAY 67 ROAD RUNNER SUBDIVISION), LOCATED AT 4603 WEST 7TH 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 requesting the approval of a site plan **(Exhibit 'A')** to allow the location of a convenience store on a 2.176 acre tract of land being a part of Tract 339B in the Nancy Dycus HRS, A-145 (proposed Lot 1, Highway 67 Road Runner Subdivision), located at 4603 West 7th 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 by a vote of five (5) to zero (0) to recommend approval of the petition for a site plan to allow the location of a convenience store (Exhibit 'A')** to the City Council of Texarkana, Texas; and

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

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

SECTION 1: That the site plan **(Exhibit 'A')** submitted to allow a convenience store on a 2.176 acre tract of land being a part of Tract 339B in the Nancy Dycus HRS, A-145 (proposed Lot 1, Highway 67 Road Runner Subdivision), located at 4603 West 7th Street in the City of Texarkana, Bowie County, Texas, be and is hereby approved and hereby amends PD-99-9(C).

Attachment: 2017-008 ORD amending PD-99-9(C) for site plan approval at 4603 West 7th (1593 : 2017-008 ORD site plan approval at 4603 West

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

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 10 fuel pumps as shown on attached site plan.
2. Building façade that consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia.
3. Thirty-one parking spaces with two handicapped spaces.
4. A 35' pylon sign.
5. New driveways off South Wake Village Road and off West 7th Street. The new drive off West 7th Street will require TxDOT approval. In the event that TxDOT does not permit the new driveway off West 7th Street, the existing drive off West 7th Street will be modified to provide adequate turning radii.

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 **13th day of March, 2017.**

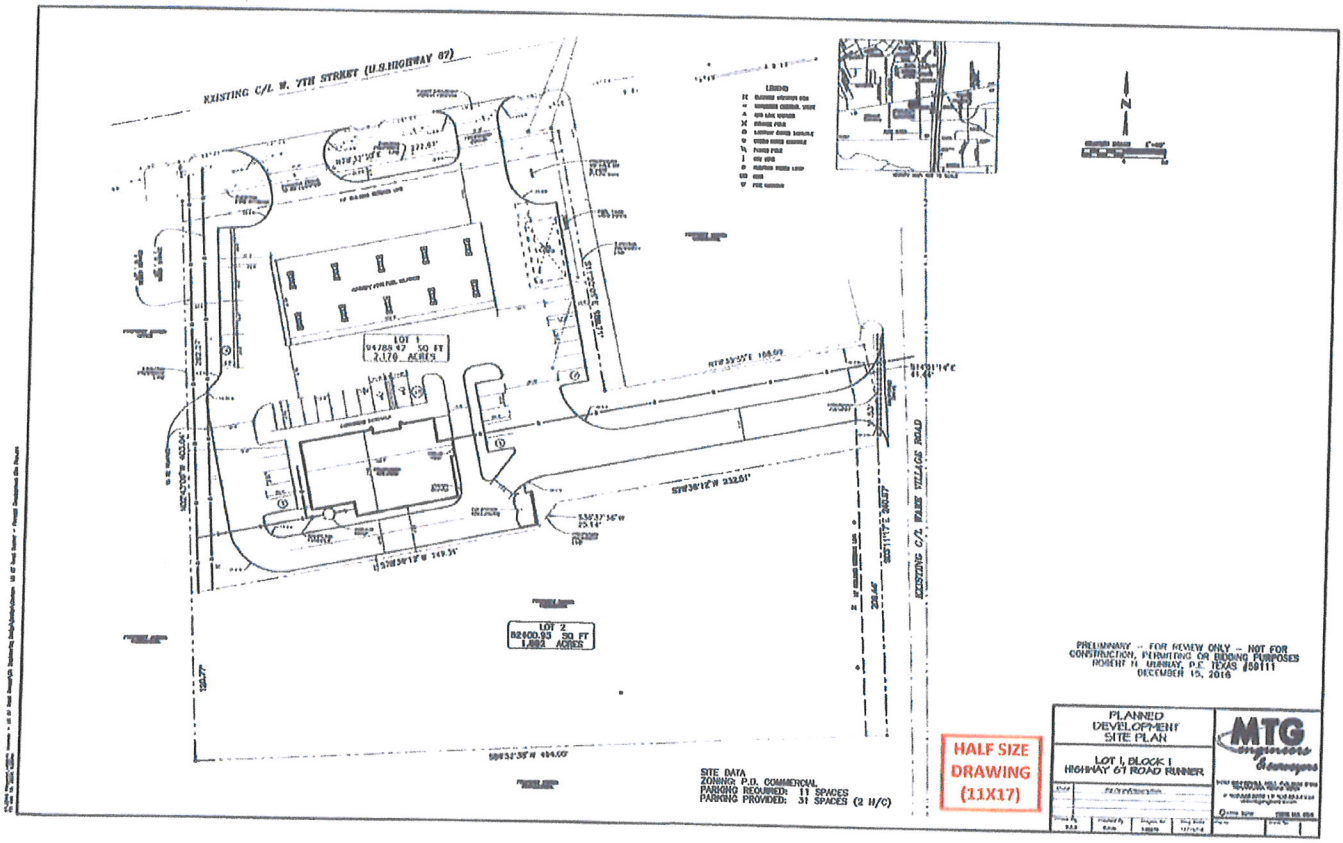
ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-008 ORD amending PD-99-9(C) for site plan approval at 4603 West 7th (1593 : 2017-008 ORD site plan approval at 4603 West

EXHIBIT 'A'



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Amendment to
PD-99-9(C)

ORDINANCE NO. 2017-008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-99-9(C) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF A CONVENIENCE STORE ON A 2.176 ACRE TRACT OF LAND BEING A PART OF TRACT 339B IN THE NANCY DYCUS HRS, A-145 (PROPOSED LOT 1, HIGHWAY 67 ROAD RUNNER SUBDIVISION), LOCATED AT 4603 WEST 7TH STREET IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

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

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

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Attachment: 2017-008 ORD Amending PD-99-9 (C) signed (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)

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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 **13th day of February, 2017.**

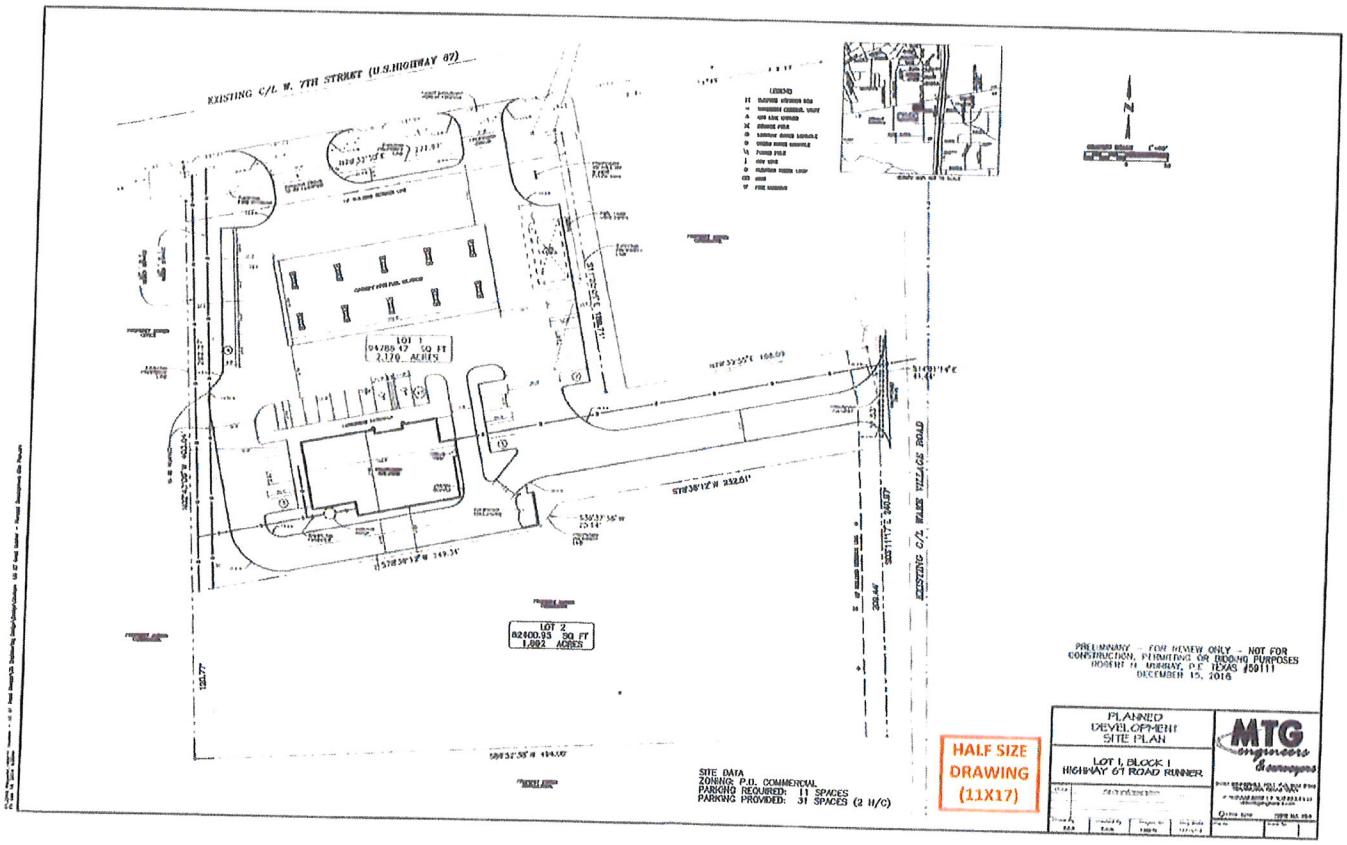
ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

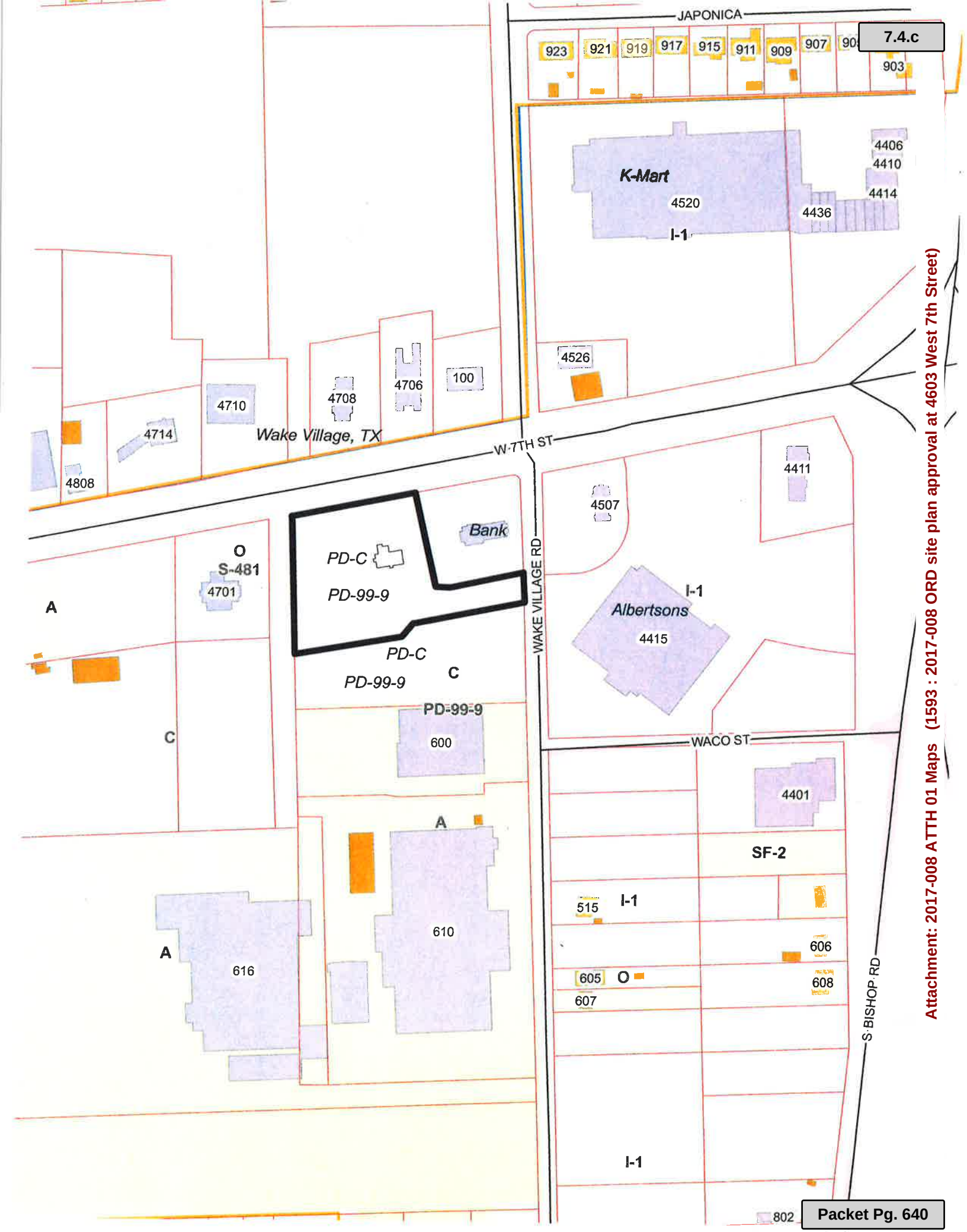
BOB BRUGGEMAN, MAYOR

Attachment: 2017-008 ORD Amending PD-99-9 (C) signed (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)

EXHIBIT 'A'



Attachment: 2017-008 ORD Amending PD-99-9 (C) signed (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)



Attachment: 2017-008 ATTH 01 Maps (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)

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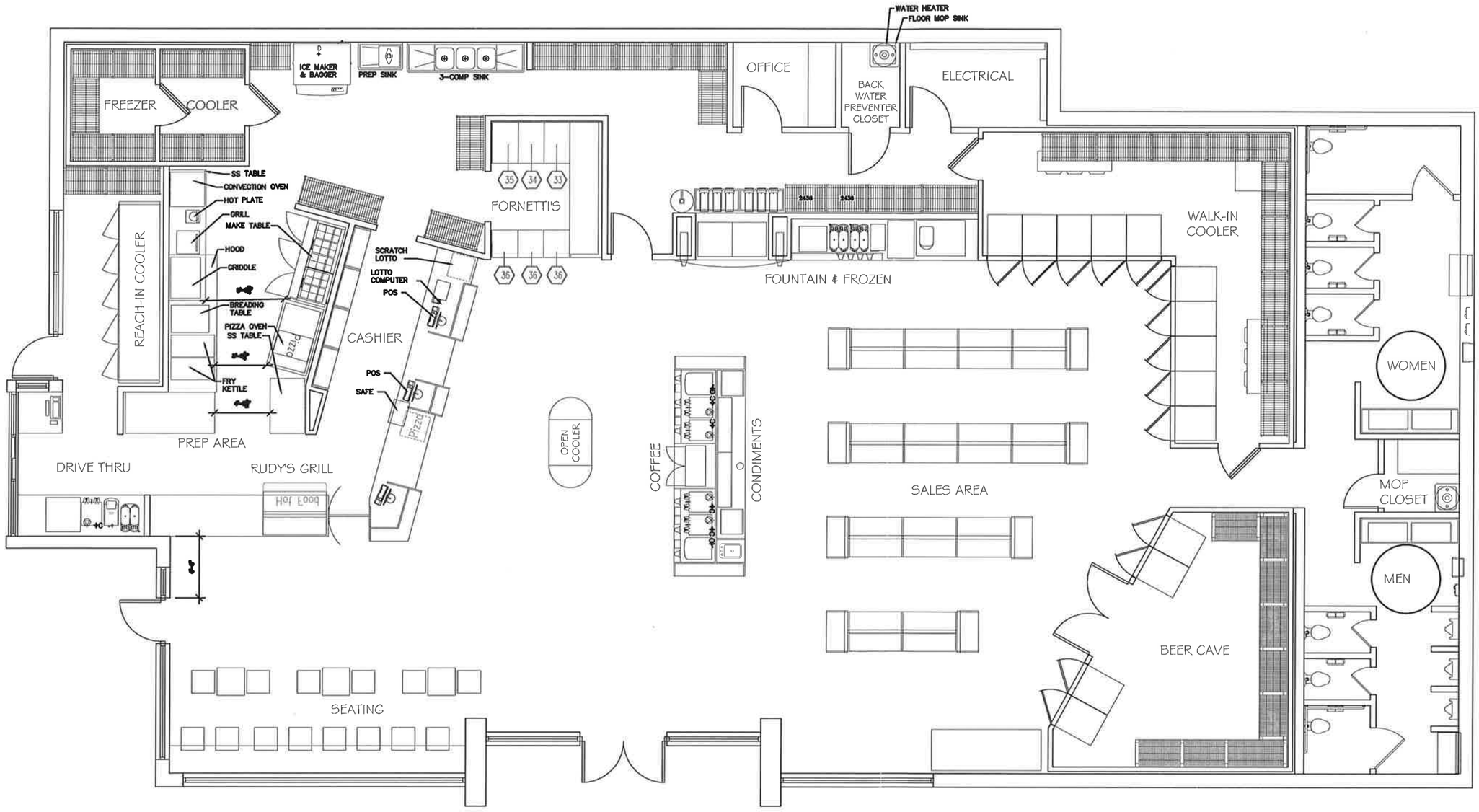


FLOOR PLAN

SCALE: 1/8" = 1'-0"

ARCHITECTURE PLUS, INC.
907 South 21st Street Fort Smith, Arkansas 479/783-8395

TEXARKANA STORE#XX
RICHMOND RD TEXARKANA, TX

DRAWING NO.: 1 OF 5

DATE: 12-09-2016

PROJECT: 14-38.01

Attachment: 2017-008 ATTH 02 Floor plan (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)

Modular Brick | Split Face CMU (painted) | Stone Veneer

FRONT ELEVATION

SCALE: NTS

ARCHITECTURE PLUS, INC.
907 South 21st Street Fort Smith, Arkansas 479/783-8395

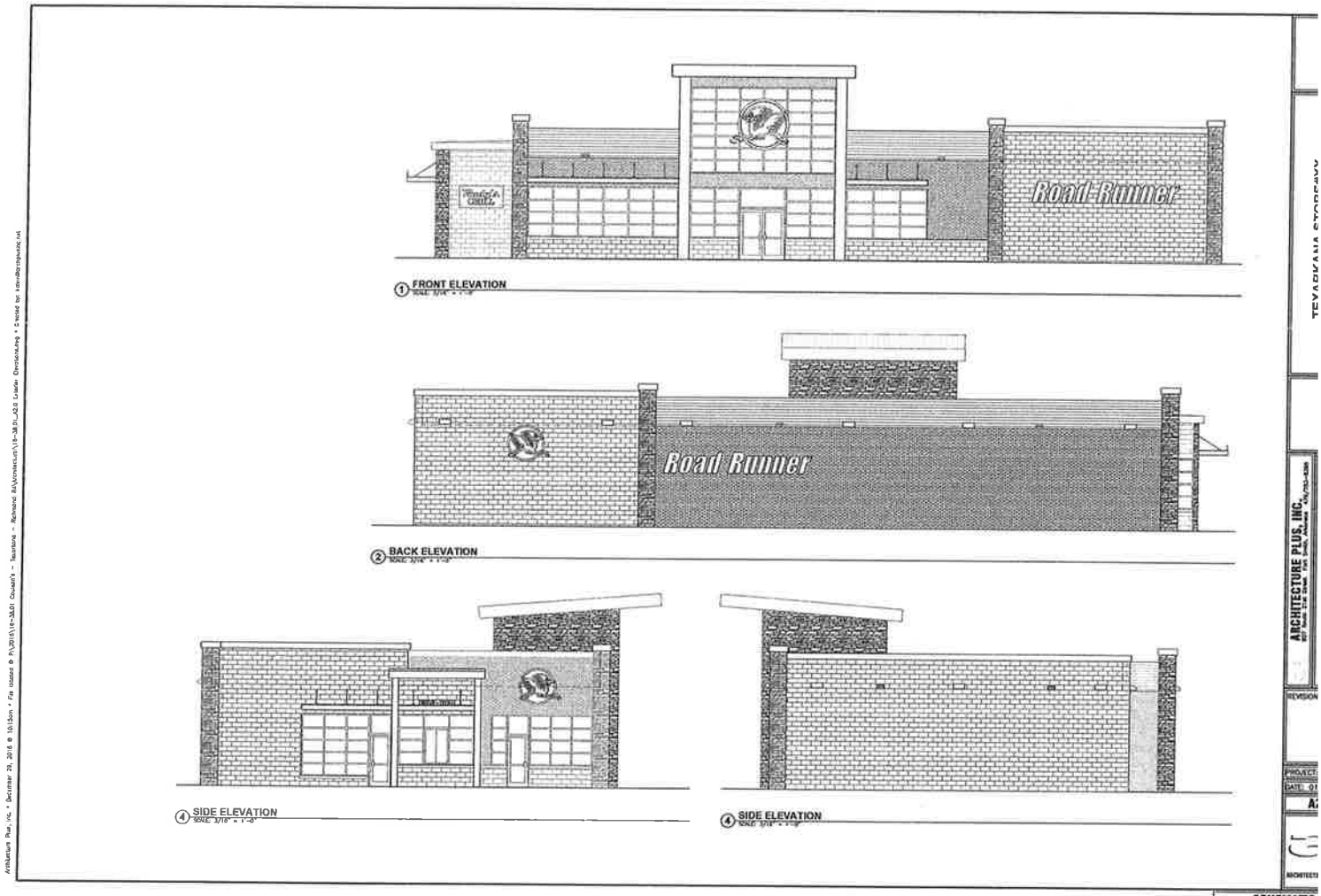
TEXARKANA STORE#XX
RICHMOND RD TEXARKANA, TX

DRAWING NO.: 2 of 2

DATE: 12-09-2016

PROJECT: 14-38.01

Attachment: 2017-008 ATTH 03 Front elevation and bldg. materials (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)



1 FRONT ELEVATION

2 BACK ELEVATION

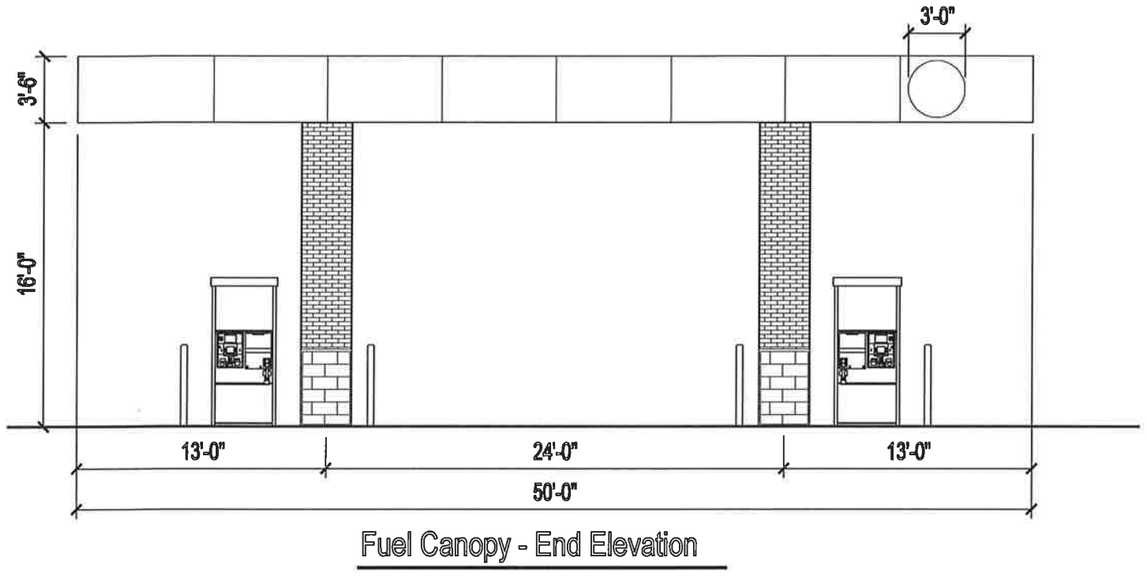
4 SIDE ELEVATION

4 SIDE ELEVATION

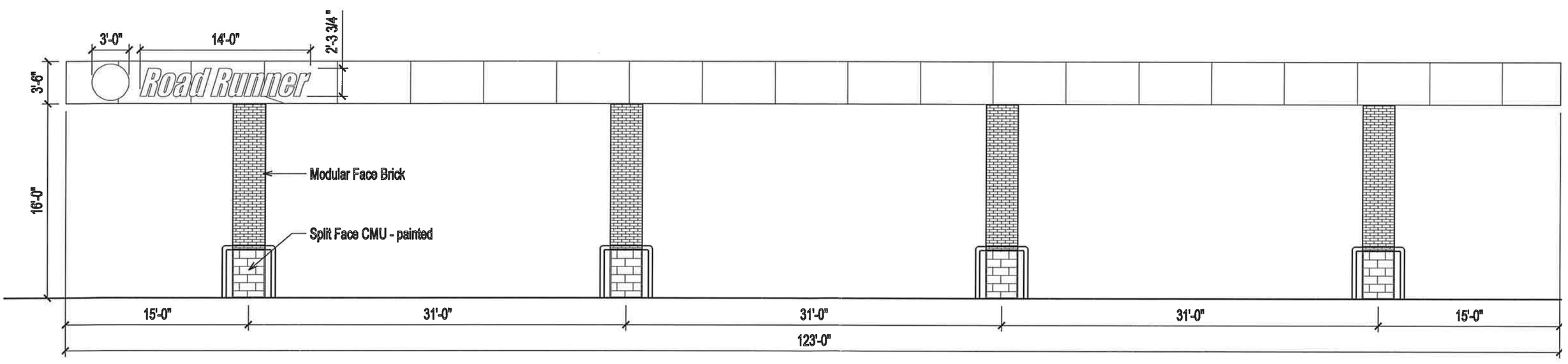
ARCHITECTURE PLUS, INC.

SCHEMATIC

Attachment: 2017-008 ATTH 04 Elevations (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)



Fuel Canopy - End Elevation



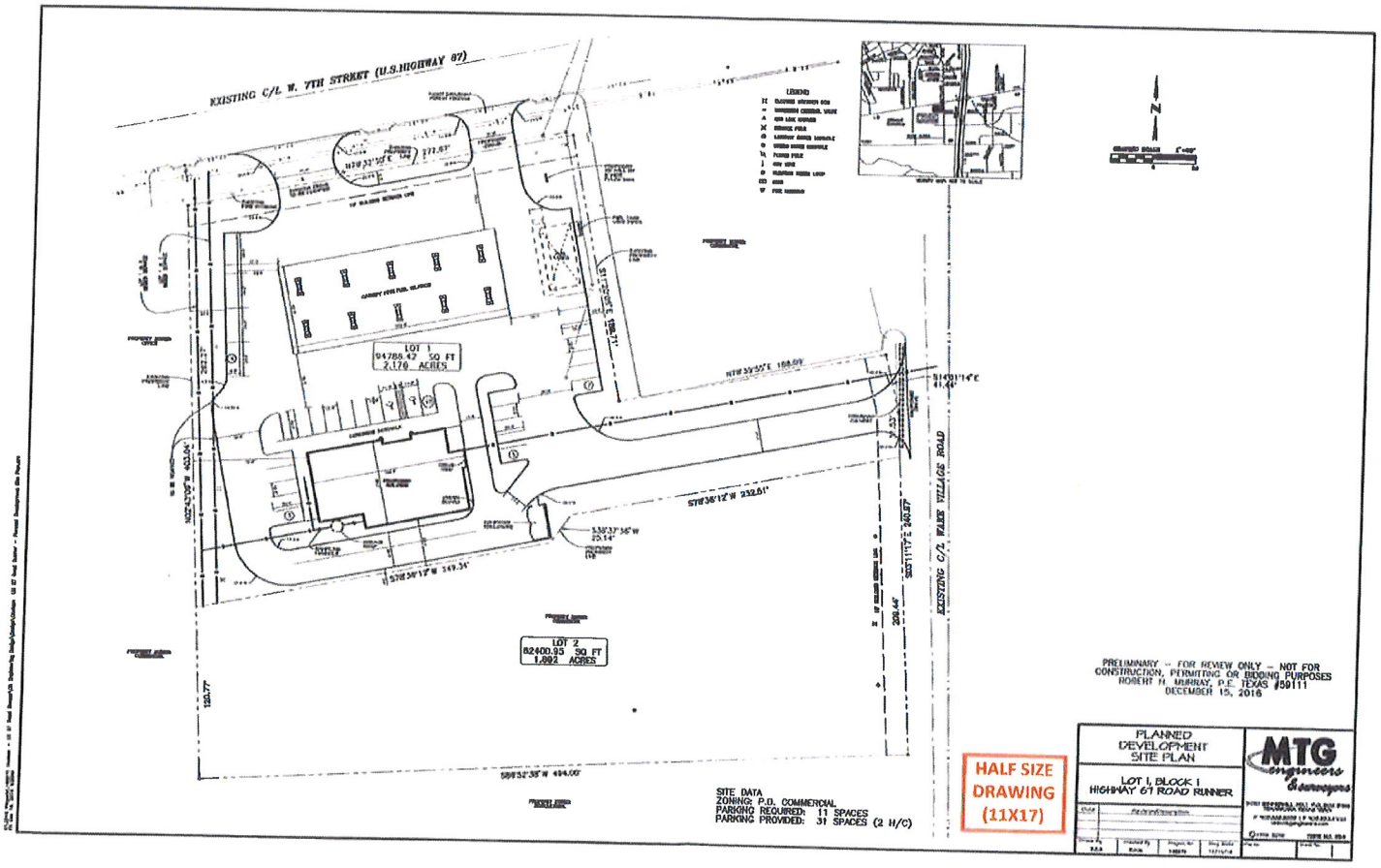
Fuel Canopy - Side Elevation

Attachment: 2017-008 ATTH 05 Fuel canopy elevations (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)

Attachment: 2017-008 ATTH 06 Aerial site plan (1593 : 2017-008 ORD site plan approval at 4603 West 7th

Attachment: 2017-008 ATTH 07 Pylon Sign (1593 : 2017-008 ORD site plan approval at 4603 West 7th

EXHIBIT 'A'



Attachment: 2017-008 EXH 'A' Site plan (1593 : 2017-008 ORD site plan approval at 4603 West 7th 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: 2017-008 ORD Goals & Perspectives (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 2/14/2017 1:11 PM

Lead Department:	Planning and Community Development	**Action Officer:**	Debbie Burk,		
Subject:	Ordinance No. 2017-009 revoking Specific Use Permit No. S-499 that permitted the location of the outdoor display of an above ground pool business on an approximate 0.637 acre tract of land in the Thomas Price HRS, A-466, located at 3314 New Boston Road. City of Texarkana, Texas, applicant.				
Briefing: 2/13/2017	**Public Hearing:** 2/13/2017	**Second Briefing:**	February 27, 2017	**Council Vote:**	3/13/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by the City of Texarkana, Texas to revoke Specific Use Permit No. S-499 that permitted the location of outdoor display of an above ground pool business on an approximate 0.637 acre tract in the Thomas Price HRS, A-466, located at 3314 New Boston Road.

The adjacent zoning is SF-2 to the north and east and General Retail to the south and west. The adjacent land usage is residences to the north and east, a vacant lot and car wash to the south and a convenience store to the west.

The Comprehensive Plan has designated this as a retail area.

The swimming pool business no longer exists at this location at 3314 New Boston Road. Specific Use Permit No. S-499 was originally approved on December 13, 1999 to allow the outdoor display of pools in this General Retail zoning district. A new Specific Use Permit No. S-674 that allows an outdoor automobile sales lot at this location was recently approved by the Planning and Zoning Commission and City Council by Ordinance No. 2016-140 which was adopted and approved by the Council on December 12, 2016.

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Since the pool business is no longer operating at this location and another Specific Use Permit has been approved at this location for a new business, staff recommends that Specific Use Permit S-499 be revoked.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended to revoke Specific Use Permit No. S-499.

Advisory Board/Committee Meeting Date and Minutes:

January 3, 2017

Attachments

a. 2017-009 ORD revoking S-499 at 3314 New Boston Road (PDF)
b. 2017-009 ORD Revoking S-499 at 3314 NBR signed (PDF)
c. 2017-009 ATTH 01 Maps (PDF)
d. 2017-009 EXH 'A' Lot Description (PDF)
e. 2017-009 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	Completed	David Orr 01/18/2017 11:50 AM	Department Head Review	
Deputy City Manager - Shirley Jaster Review	Completed	Shirley Jaster 01/18/2017 4:52 PM	Assistant City Manager	
Public Information Officer	01/18/2017 8:38 PM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	01/19/2017 2:48 PM
City Council	Jennifer Evans	Meeting	Completed	01/23/2017 6:00 PM

Meeting History

01/23/17	City Council	MOVED FORWARD	Next: 02/13/17

Revoke S-499

ORDINANCE NO. 2017-009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, REVOKING SPECIFIC USE PERMIT NO. S-499 THAT PERMITTED THE LOCATION OF THE OUTDOOR DISPLAY OF AN ABOVE GROUND POOL BUSINESS ON AN APPROXIMATE 0.637 ACRE TRACT OF LAND LOCATED IN THE THOMAS PRICE HRS, A-466, LOCATED AT 3314 NEW BOSTON ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, by Ordinance No. 448-09, dated December 13, 1999, the City Council approved the issuance of Specific Use Permit No. S-499 that permitted the location of the outdoor display of an above ground pool business on an approximate 0.637 acre tract of land located in the Thomas Price HRS, A-466 **(Exhibit "A"),** located at 3314 New Boston Road in the City of Texarkana, Bowie County, Texas; and

WHEREAS, said Ordinance imposed several special terms and conditions including one that if the use approved under said Ordinance ever ceases at that location the City may revoke the specific use permit granted thereunder for a tattoo studio; and

WHEREAS, the City has determined that the outdoor display of an above ground pool business for which Specific Use Permit No. S-499 was issued is no longer in business at 3314 New Boston Road and that the premises at 3314 New Boston Road are not being used for such business; and

WHEREAS, after consideration of said application and the recommendation by city staff and the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby determine that the use as the location of the outdoor display of an above ground pool business for which the Council granted Specific Use Permit No. S-499 under Ordinance No. 448-09 has ceased and that, given such cessation, Specific Use Permit No.S-499 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:

SECTION 1: That Specific Use Permit No. S-499 permitting the location of the outdoor display of an above ground pool business on an approximate 0.637 acre tract of land located in the Thomas Price HRS, A-466 **(Exhibit "A")**, located at 3314 New Boston Road 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.

Attachment: 2017-009 ORD revoking S-499 at 3314 New Boston Road [Revision 2] (1594 : 2017-009 ORD revoking specific use permit at 3314

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 **13th day of March, 2017.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-009 ORD revoking S-499 at 3314 New Boston Road [Revision 2] (1594 : 2017-009 ORD revoking specific use permit at 3314

EXHIBIT 'A'

All that certain lot, tract or parcel of land situated in the County of Bowie, State of Texas, being 3/4 acre, more or less, situated about one-half mile West of the City of Texarkana, Texas, on New Boston Highway and being a part of the THOMAS PRICE H. R. SURVEY, and a part of a certain ten (10) acre tract heretofore sold by G. W. Ragland to Frank Hawkins as per deed of record in Vol. 121, Page 557 of the Deed Records of Bowie County, Texas, and described by metes and bounds as follows:

BEGINNING at a stake at the intersection of the North boundary line of the said ten acre tract with the North boundary line of the concrete Highway designated as State Highway No. 5;
THENCE East with the North boundary line of said ten acre tract two hundred ninety-eight (298) feet to a stake;
THENCE South to a stake on line of Highway No. 5;
THENCE Northwest with line of Highway No. 5 to place of beginning,
CONTAINING three-fourths (3/4) of an acre.

SAVE AND EXCEPT that portion of the above described property conveyed to the State of Texas for right-of-way purposes.

Attachment: 2017-009 ORD revoking S-499 at 3314 New Boston Road [Revision 2] (1594 : 2017-009 ORD revoking specific use permit at 3314

Revoke S-499

ORDINANCE NO. 2017-009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, REVOKING SPECIFIC USE PERMIT NO. S-499 THAT PERMITTED THE LOCATION OF THE OUTDOOR DISPLAY OF AN ABOVE GROUND POOL BUSINESS ON AN APPROXIMATE 0.637 ACRE TRACT OF LAND LOCATED IN THE THOMAS PRICE HRS, A-466, LOCATED AT 3314 NEW BOSTON ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

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WHEREAS, the City has determined that the outdoor display of an above ground pool business for which Specific Use Permit No. S-499 was issued is no longer in business at 3314 New Boston Road and that the premises at 3314 New Boston Road are not being used for such business; and

WHEREAS, after consideration of said application and the recommendation by city staff and the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby determine that the use as the location of the outdoor display of an above ground pool business for which the Council granted Specific Use Permit No. S-499 under Ordinance No. 448-09 has ceased and that, given such cessation, Specific Use Permit No.S-499 should be revoked in accordance with the special terms and conditions therein.

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Attachment: 2017-009 ORD Revoking S-499 at 3314 NBR signed (1594 : 2017-009 ORD revoking specific use permit at 3314 New Boston Road)

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 **13th day of Febraury, 2017.**

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

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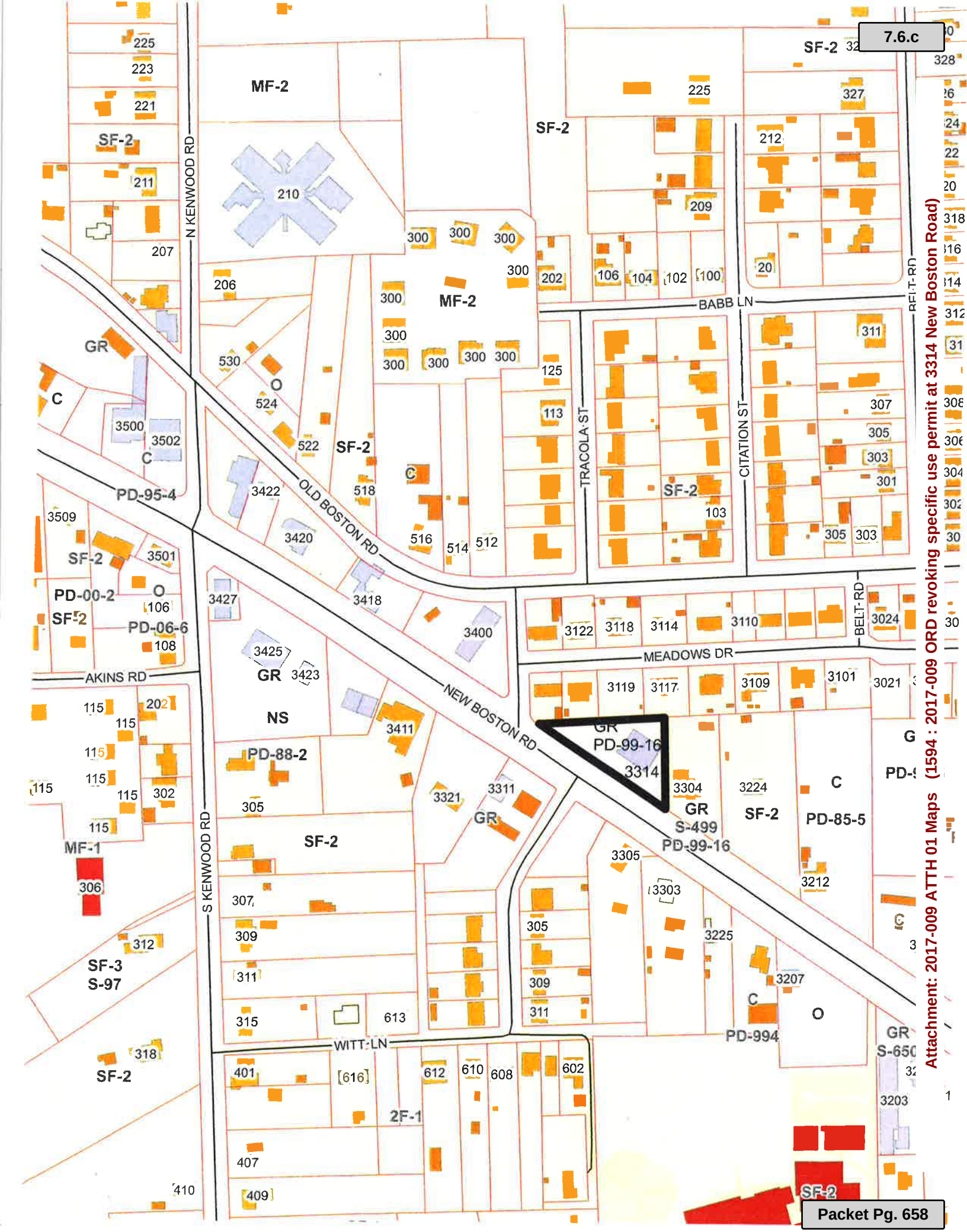
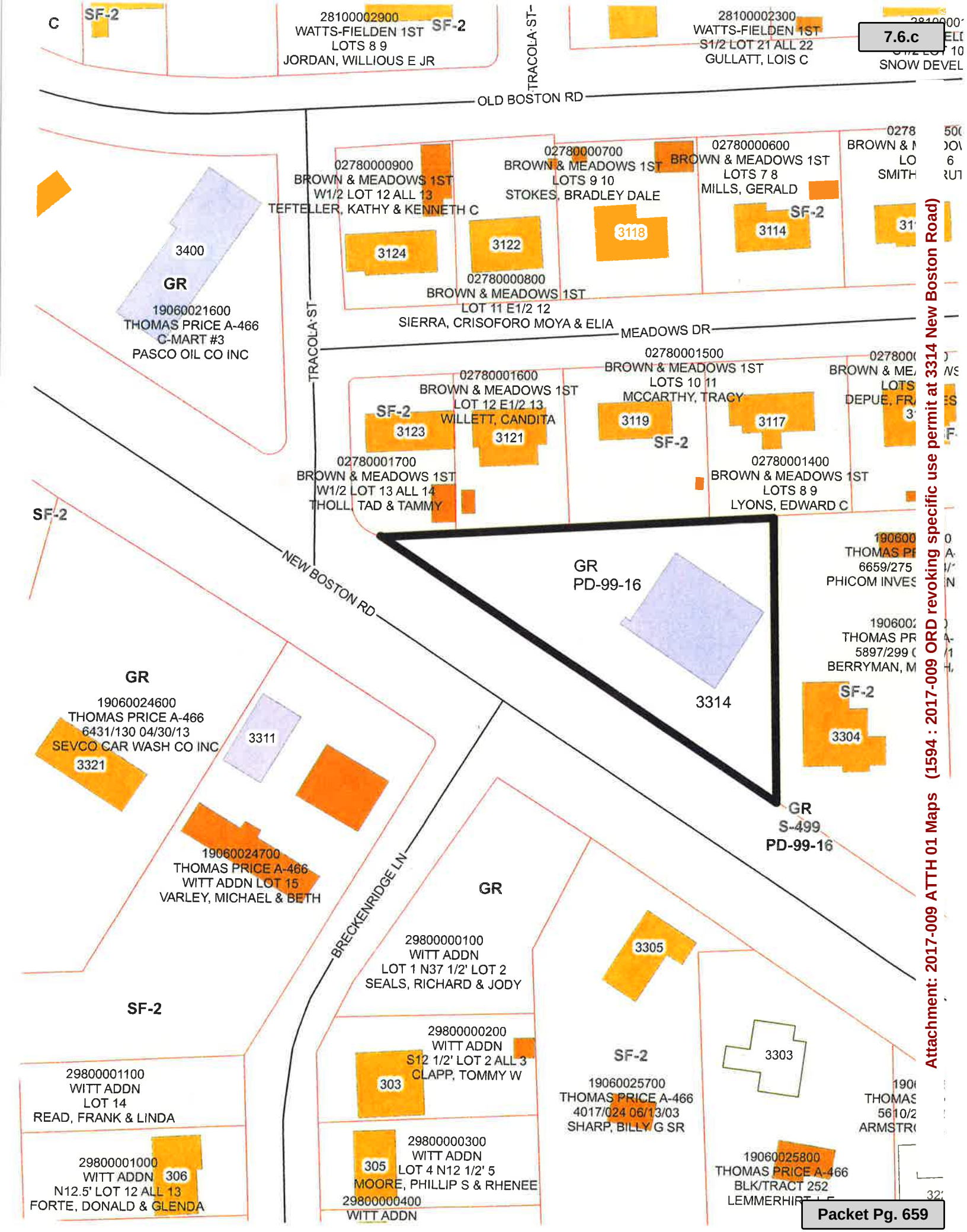
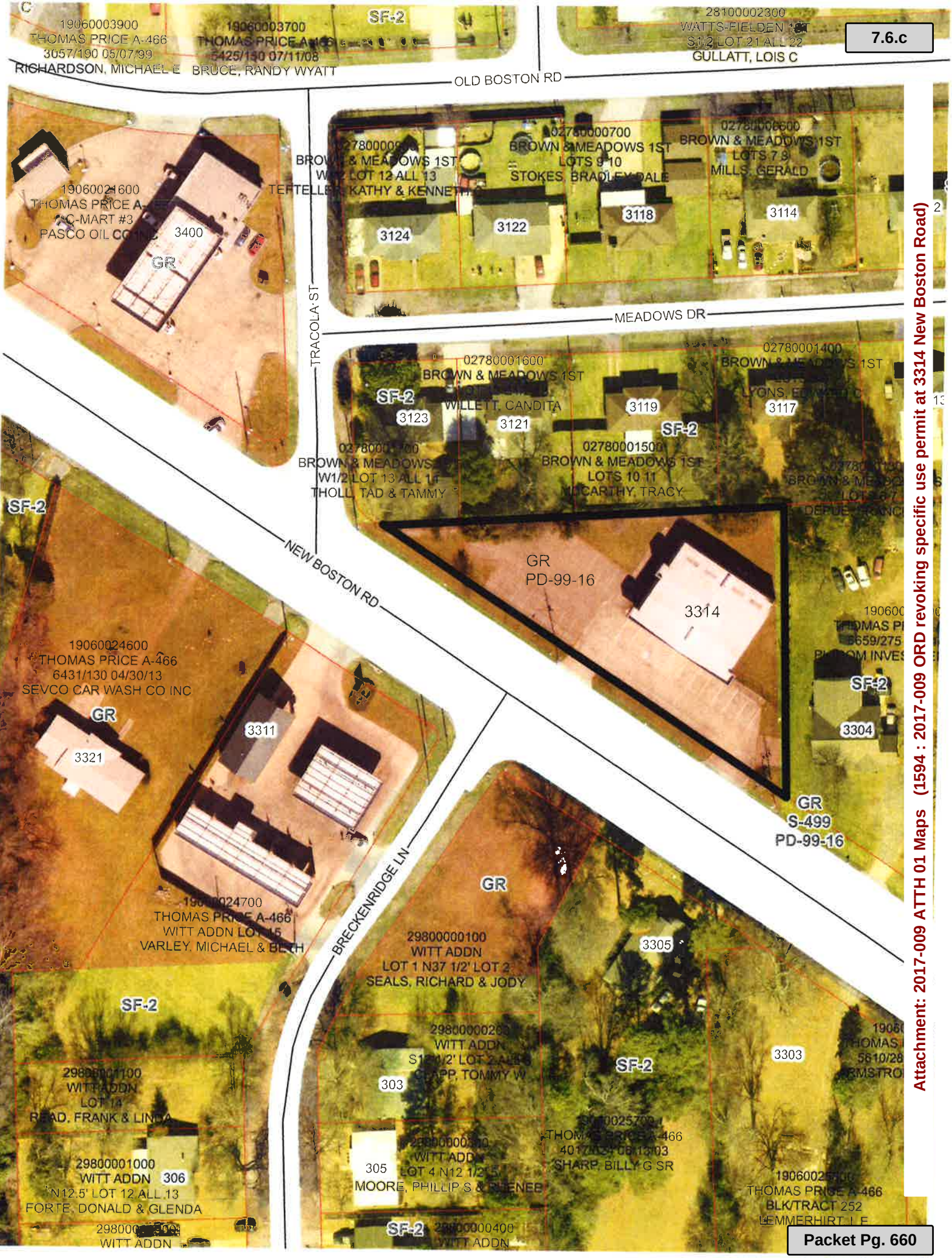


Attachment: 2017-009 ATTH 01 Maps (1594 : 2017-009 ORD revoking specific use permit at 3314 New Boston Road)



Attachment: 2017-009 ATTH 01 Maps (1594 : 2017-009 ORD revoking specific use permit at 3314 New Boston Road)



Attachment: 2017-009 ATTH 01 Maps (1594 : 2017-009 ORD revoking specific use permit at 3314 New Boston Road)

EXHIBIT 'A'

All that certain lot, tract or parcel of land situated in the County of Bowie, State of Texas, being 3/4 acre, more or less, situated about one-half mile West of the City of Texarkana, Texas, on New Boston Highway and being a part of the THOMAS PRICE H. R. SURVEY, and a part of a certain ten (10) acre tract heretofore sold by G. W. Ragland to Frank Hawkins as per deed of record in Vol. 121, Page 557 of the Deed Records of Bowie County, Texas, and described by metes and bounds as follows:

BEGINNING at a stake at the intersection of the North boundary line of the said ten acre tract with the North boundary line of the concrete Highway designated as State Highway No. 5;
THENCE East with the North boundary line of said ten acre tract two hundred ninety-eight (298) feet to a stake;
THENCE South to a stake on line of Highway No. 5;
THENCE Northwest with line of Highway No. 5 to place of beginning,
CONTAINING three-fourths (3/4) of an acre.

SAVE AND EXCEPT that portion of the above described property conveyed to the State of Texas for right-of-way purposes.

Attachment: 2017-009 EXH 'A' Lot Description (1594 : 2017-009 ORD revoking specific use permit at 3314 New Boston 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: 2017-009 Goals & Perspectives (1594 : 2017-009 ORD revoking specific use permit at 3314 New Boston Road)

CITY OF TEXARKANA

CITY COUNCIL

MINUTES ● JANUARY 23, 2017

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

220 TEXAS BLVD.
TEXARKANA, TX 75501

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

Attendee Name	Title	Status	Arrived
Bob Bruggeman	Mayor	Present	
Jean H. Matlock	Ward 1	Present	
Willie Ray	Ward 2	Present	
Betty Williams	Ward 3	Present	
Brian Matthews	Ward 4	Present	
Christy P. Paddock	Ward 5	Present	
Josh Davis	Ward 6	Present	

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

Legal Counsel: Jeff Lewis

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER CHRISTY PADDOCK

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, February 13, 2017 at 6:00 p.m.
Monday, February 27, 2017 at 6:00 p.m.

Parks & Recreation Events:

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

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

Mayor Bruggeman welcomed a Texas High School student from Mr. Littman's government class to the meeting.

Mayor Bruggeman congratulated Council Member Matthews for his well written article in this past Sunday's Texarkana Gazette on the subject of "Entrepreneurs".

Presentation - Update on Live United Bowl

Allen & Shelby Brown and Jerry and Vicki Huckabee thanked the council for its support of the Live United Bowl and presented the city with a commemorative coin.

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:	Christy P. Paddock, Ward 5
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on January 9, 2017 at 6:00 PM.

   Withdrawal of Consideration for Ward 3 Appointment - Johnny Riley

2. Consider approval of the minutes of the Joint City Committee Special Meeting of the City Council held on January 10, 2017 at 3:00 PM.

Action Items - None

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

VI. FIRST BRIEFINGS

1. Ordinance No. 2017-007 amending PD-85-1(GR) for site plan approval on a 1.781 acre tract of land being all of Tracts 5 and 5A in the Mary E. Willis Subdivision (proposed Lot 1, Richmond Road Runner Subdivision), located at 1632 Richmond Road. John D. Harris, applicant. MTG Engineers and Surveyors, agent.

   Public Hearing: February 13, 2017
   Second Briefing: February 27, 2017
   Council Vote: March 13, 2017

   David Orr briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 2/13/2017 6:00 PM**

2. Ordinance No. 2017-008 amending PD-99-9(C) for site plan approval on a 2.176 acre tract of land being part of Tract 339B in the Nancy Dycus HRS, A-145 (proposed Lot 1, Highway 67 Road Runner Subdivision), located at 4603 West 7th Street. John D. Harris, applicant. MTG Engineers and Surveyors, agent.

   Public Hearing: February 13, 2017
   Second Briefing: February 27, 2017
   Council Vote: March 13, 2017

   David Orr briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 2/13/2017 6:00 PM**

3. Ordinance No. 2017-009 revoking Specific Use Permit No. S-499 that permitted the location of the outdoor display of an above ground pool business on an approximate 0.637 acre tract of land in the Thomas Price HRS, A-466, located at 3314 New Boston Road. City of Texarkana, Texas, applicant.

   Public Hearing: February 13, 2017
   Second Briefing: February 27, 2017
   Council Vote: March 13, 2017

   David Orr briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 2/13/2017 6:00 PM**

VII. PUBLIC HEARINGS

1. Motion to move Resolution No. 2017-002 up for council vote.

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

(6:20 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Willie Ray, Ward 2
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

2. Resolution No. 2017-002 designating the portion of West 3rd Street, from Oak Street to Main Street, as "Scott Joplin Way" to coincide with 2017 planned centennial celebrations honoring Scott Joplin.

Public Hearing: January 23, 2017
Second Briefing: February 13, 2017
Council Vote: February 27, 2017

The resolution was adopted with the following amendment: "That the portion of the West 3rd Street corridor from Oak Street to State Line Avenue be officially designated as **Scott Joplin Way**...." Carolyn Collins-Miles thanked council for granting the amendment and expediting the vote on this resolution.
(6:21 p.m.)

RESULT:	**ADOPTED AS AMENDED [UNANIMOUS]**
MOVER:	Christy P. Paddock, Ward 5
SECONDER:	Willie Ray, Ward 2
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

3. Motion to move Resolution No. 2017-004 up for council vote.

(6:24 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christy P. Paddock, Ward 5
SECONDER:	Brian Matthews, Ward 4
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

4. Resolution No. 2017-004 authorizing the City Manager to enter into a contract for the member cities ground storage tank repairs for Texarkana Water Utilities in an amount not to exceed $198,155.95.

Public Hearing: January 23, 2017
Second Briefing: February 13, 2017
Council Vote: February 27, 2017

There were no public comments made at this hearing.
(6:24 p.m.)

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian Matthews, Ward 4
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

5. Motion to move Ordinance No. 2017-005 up for council vote.

(6:26 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian Matthews, Ward 4
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

6. Ordinance No. 2017-005 granting a Specific Use Permit for an in-home adult day care on the north 40' of Lot 7 and the south 1/2 of Lot 8, Block 14, Rochelle Heights Addition, located at 3700 Olive Street. Darlene Ndogo, applicant.

Public Hearing: January 23, 2017
Second Briefing: February 13, 2017
Council Vote: February 27, 2017

Darlene Ndogo thanked council for the expedited vote on this ordinance.
(6:26 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian Matthews, Ward 4
SECONDER:	Willie Ray, Ward 2
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

VIII. SECOND BRIEFING WITH UPDATES - NONE

IX. SECOND BRIEFING WITHOUT UPDATES - NONE

X. ITEMS FOR DISCUSSION

Staff Updates

City Manager Whitson announced promotions of the following staff:

Kyle Dooley - Deputy City Manager
Shirley Jaster - Deputy City Manager
Dustin Henslee - Public Works Director

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

Mashell Daniel - Director of Inspections
Keith Lee - Senior Building Official
Lisa Thompson - Communications and Marketing Manager

The two Deputy City Managers will oversee the daily operations of the city. Mr. Dooley will be responsible for operations pertaining to Parks & Wellness, Public Works, Fire Department and Police Department. Ms. Jaster will be responsible for development services pertaining to Inspections Department, Planning & Community Development, and Municipal Court. Both Mr. Dooley & Ms. Jaster are enrolled in the Certified Public Managers program at University of Texas in Arlington.

The adjustment of various city staff will help to move the city forward and allow the City Manager to concentrate on other areas of city business such as, improving the city's bond rating, capital improvement plan projects, strategic planning and regional water issues. Mr. Whitson added that all 14 capital improvement plan projects are progressing and on schedule.

Council Member Paddock asked what are the financial implications with the staff reorganization. Mr. Whitson said costs were increased because of the raises but one position was eliminated in the Public Works Department with the promotion of Mashell Daniel. There was a net increase within the various budgets but not very significant.

Council Member Davis requested a written total cost of the financial implications associated with the staff reorganization. Mr. Whitson said he would provide the total costs to the council in one document.

Mayor Bruggeman thanked Mr. Whitson for his forward thinking and preparing city employees for the future.

XI. ADMINISTRATIVE COMMENTS

1. City Council

   Mayor Bruggeman said he noticed construction underway for the new gateway welcome sign. Council will be looking forward to that project completion. Mayor Bruggeman welcomed Council Member Williams to her first full city council meeting as the newest member of the council.

2. City Staff

   Mr. Whitson reminded everyone that the retirement farewell for Lynn Henry is scheduled for Monday, January 30th at 3:00 p.m. The festivities will be held on the second floor outside of the council chambers.

XII. ADJOURNMENT

A motion was made to adjourn the meeting.
(6:39 p.m.)

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Willie Ray, Ward 2
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

Minutes Acceptance: Minutes of Jan 23, 2017 6:00 PM (Consent Items)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 2/2/2017 8:46 AM

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

Subject: Consider approval of the minutes of the Special Joint Meeting of the City Council, Riverbend Water Resources District, and Sulphur River Basin Authority held on January 10, 2017 at 6:00 PM.

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Potential Options:

- None
-

Fiscal Implications:

None

Staff Recommendation:

To accept the minutes as presented.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. RWRD-SRBA-CityofTexarkana_Joint Meeting_01102017_MINUTES (RTF)

MINUTES

SPECIAL JOINT MEETING
CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS

BOARD OF DIRECTORS OF THE SULPHUR RIVER BASIN AUTHORITY

BOARD OF DIRECTORS OF THE RIVERBEND WATER RESOURCES DISTRICT

TUESDAY, JANUARY 10, 2017
6:00 P.M.

TEXARKANA CONVENTION CENTER
BALLROOM B
2910 SOUTH COWHORN CREEK LOOP
TEXARKANA, TX 75503

I. CALL TO ORDER, ROLL CALL, & INTRODUCTIONS - Mayor Bob Bruggeman, Marshall Wood, Presiding Officer of SRBA (absent), and Steve Mayo, respectively, for each entity.

City Council Present:	Bob Bruggeman, Mayor Jean Matlock, Ward 1 Betty Williams, Ward 3 Dr. Brian Matthews, Ward 4 Christy Paddock, Ward 5 Josh Davis, Ward 6
Staff Present:	City Manager John Whitson Jennifer Evans Rea Donna Jones
Legal Counsel Present:	Jeff Lewis

II. INVOCATION – Council Member Dr. Brian Matthews

Attachment: RWRD-SRBA-CityofTexarkana_Joint Meeting_01102017_MINUTES (1600 : Joint City Meeting SRBA/RWRD Minutes 011017)

III. ITEMS OF DISCUSSION

A. ***A History of Leading Up to the Joint Meeting – Steve Mayo***

Mr. Mayo provided an overview of events leading up to the joint meeting. Currently, all the Bowie County cities have good inter-relationships and are stronger as they work together.

B. ***What is Being Done Right Now Affecting Lake Wright Patman and the Sulphur River Basin and What Are Our Mutual Goals? – Liz Fazio Hale***

Discussion of the current state of Water Planning in Sulphur River Basin, including:

1. Status Update on Reallocation of Lake Wright Patman.

    a. 2016 Region D Plan – The state of Texas undertakes water planning on a cyclical basis every five years through a bottom-up process through 16 regions across the state that incorporate local water supply and demands. Texas' population is expected to increase more than 70 percent between 2020 and 2070. In 2020, there is a potential water shortage of 4.8 million acre-feet per year and in 2070 a shortfall of 8.9 million acre-feet per year in drought of record conditions.
    b. 2017 State Water Plan – The 2017 State Water Plan identifies more than 2,500 water management strategy projects that would provide additional water supply needed to meet this future demand. The cost for implementing the 2017 State Water Plan is $63 billion. Each of these projects is to be implemented at the regional level by local entities.
    c. Mediation Agreement between Regions C and D – The state placed a moratorium on funding any projects in Region C or D because of a conflict in the state water plan related to the Marvin Nichols resovoir. The mediation agreement ended pushing that resovoir off until 2070. Region C agreed to support Region D on looking for funds as an alterntive to the Marvin Nichols resovoir. Additionally, Region D agreed, as an entity, to not object to the status of Marvin Nichols as a state designated resovoir location. Reaching this agreement has enabled both regions to be eligible to receive funding.

2. Status Update of Sulphur River Basin Feasibility Study, including the current scope of the study, studies conducted/current findings, funding, and timeline of completion. – It was believed that the original scope of the feasibility study was to identify all available water to meet the needs of Region C going forward. It has since been narrowed to focus on reallocation with Lake Wright Patman. Information is continually being sought from the Corps of Engineers and the Sulphur River Basin Authority to more specifically define and detail the scope of the study. Funding for the feasibility study is currently through the metroplex and an entity known as the Joint Commission on Planning and Development (JCPD). The timeline for completion has not been met (three years) and therefore an extension is being sought.

Attachment: RWRD-SRBA-CityofTexarkana_Joint Meeting_01102017_MINUTES (1600 : Joint City Meeting SRBA/RWRD Minutes 011017)

3. Status Update on Regional Water Master Plan. – In 2016, Riverbend undertook to develop an extensive Regional Water Master Plan that quantifies this region's actual water demand and supply through population projections, municipal and industrial demands for potable and raw water, agricultural demands, and environmental flow demands. This data is designed to feed directly into the regional water planning process for inclusion in the State Water Plan.

C. ***How Can We Be Partners Regarding Lake Wright Patman Studies, Better Communicating With One Another and Combining Efforts? - Panel***

Discussions are moving forward with all entities working together as partners in a collaborative and communicative manner to protect and manage regional water resources, including identifying any opportunities to do joint studies, projects, etc. Meetings continue with the local area mayors. These meetings help to foster trust and keep all cities moving in the same direction. Riverbend is continuing to move forward with its goal of protecting Wright Patman's water rights.

IV. PUBLIC COMMENTS

1. George Frost, Region D Water Board Vice Chairman, made comments.
2. Gabe Tarr, TexAmericas Board Member, made comments.
3. Michael Green, 17 year resident in Texarkana area, made comments.
4. Charlene Granbury, Cass County resident, made comments.
5. Sarah Whitaker, representative of International Paper, made comments.
6. Baker Bledsoe, Cass County resident, made comments.
7. Nancy Clements, Cass County resident, made comments.

V. NEXT MEETING

Riverbend Water Resources District will host a town hall meeting on Tuesday, January 31, 2017 at 6:00 p.m. at the Texarkana Convention Center, 2910 So. Cowhorn Creek Loop, Texarkana, Texas. Guest Speaker will be Susan Roth. Topic of discussion for this public input session is "Regional Master Water Plan".

VI. ADJOURNMENT

Motion made by: Jean Matlock, Ward 1
Second made by: Dr. Brian Matthews, Ward 4

The meeting was adjourned at 7:53 p.m.

Attachment: RWRD-SRBA-CityofTexarkana_Joint Meeting_01102017_MINUTES (1600 : Joint City Meeting SRBA/RWRD Minutes 011017)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/14/2017 1:22 PM

Lead Department: Police **Action Officer:** Kevin Schutte,

Subject: Ordinance No. 2017-015 amending Ordinance No. 2016-086 concerning the fiscal year 2016-17 budget to allow for non-expended funds from the FY2015 Edward Byrne Memorial Justice Assistance Grant in the amount totaling $14,005.42.

	Public	Second	Council
Briefing: 2/13/2017	**Hearing:**	**Briefing:**	**Vote:** 2/13/2017

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The police department applied for and received the FY2015 Edward Byrne Memorial Justice Assistance Grant. Those funds were allocated for the FY2016 City of Texarkana Texas budget. All funds awarded were expended with the exception of $14,005.42 due to product availability issues. At this time, the product is available for purchase. The police department is requesting to move the non-expended $14,005.42 to the Law Enforcement Block Grant Fund (217) of the FY 2017 City of Texarkana Texas Budget.

Potential Options:

- NONE
-

Fiscal Implications:

Increase of $14,005.42 of non-expended FY2016 grant funds allocated to FY2017 Budget

Staff Recommendation:

Staff recommends pulling the non-expended funds forward and allocating the funds to FY2017 Budget.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2017-015 ORD FY2017 Budget Amendment (DOC)
b. 2017-015 ORD FY2017 budget amendment signed (PDF)
c. 2017-015 Goals & Perspectives (DOCX)

Staff Coordination

Police	Dan Shiner	Department Head Review	Completed	02/07/2017 3:30 PM
Purchasing and Contracting	Sharon Moore	Purchasing Review	Completed	02/07/2017 3:35 PM
Finance Department	Kristin Peeples	Finance Review	Completed	02/08/2017 8:04 AM
Deputy City Manager - Shirley Jaster Review	Shirley Jaster	Deputy City Manager	Completed	02/08/2017 8:39 AM
Deputy City Manager - Kyle Dooley Review	Kyle Dooley	Deputy City Manager	Completed	02/08/2017 11:18 AM
Public Information Officer	Lisa Thompson	PIO Review	Completed	02/08/2017 12:00 PM
City Manager	John Whitson	City Manager Review	Completed	02/08/2017 3:02 PM
City Council	Jennifer Evans	Meeting	Completed	02/13/2017 6:00 PM

Meeting History

ORDINANCE NO. 2017 - 015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGET EXPENDITURES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017 TO APPROPRIATE ADDITIONAL GRANT FUNDING IN THE AMOUNT OF FOURTEEN THOUSAND FIVE DOLLARS AND FORTY-TWO CENTS ($14,005.42) BEING NON-EXPENDED GRANT FUNDS ALLOCATED FOR THE FY2016 BUDGET; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the police department did not expend all of the Edward Byrne Memorial Justice Assistance Grant funds allocated in the FY 2016 budget; and

WHEREAS, the non-expended funds in the amount of **FOURTEEN THOUSAND FIVE DOLLARS AND FORTY-TWO CENTS ($14,005.42)** must be pulled forward and allocated to the Law Enforcement Block Grant Fund (217) of the FY2017 budget; and

WHEREAS, the budget for the fiscal year ending September 30, 2017 should be amended to reflect the allocation of said non-expended funds.

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

SECTION 1: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2016 and ending September 30, 2017, be amended to reflect additional expenditures with the addition of **FOURTEEN THOUSAND FIVE DOLLARS AND FORTY-TWO CENTS ($14,005.42)** of non-expended FY 2016 grant funds.

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of February, 2017**.

ATTEST:

_____ _____

VICKY COOPWOOD, ASST. CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-015 ORD FY2017 Budget Amendment [Revision 2] (1602 : 2017-015 ORD Amending FY2017 Police Department Budget)

ORDINANCE NO. 2017 - 015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGET EXPENDITURES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017 TO APPROPRIATE ADDITIONAL GRANT FUNDING IN THE AMOUNT OF FOURTEEN THOUSAND FIVE DOLLARS AND FORTY-TWO CENTS ($14,005.42) BEING NON-EXPENDED GRANT FUNDS ALLOCATED FOR THE FY2016 BUDGET; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the police department did not expend all of the Edward Byrne Memorial Justice Assistance Grant funds allocated in the FY 2016 budget; and

WHEREAS, the non-expended funds in the amount of **FOURTEEN THOUSAND FIVE DOLLARS AND FORTY-TWO CENTS ($14,005.42)** must be pulled forward and allocated to the Law Enforcement Block Grant Fund (217) of the FY2017 budget; and

WHEREAS, the budget for the fiscal year ending September 30, 2017 should be amended to reflect the allocation of said non-expended funds.

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

SECTION 1: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2016 and ending September 30, 2017, be amended to reflect additional expenditures with the addition of **FOURTEEN THOUSAND FIVE DOLLARS AND FORTY-TWO CENTS ($14,005.42)** of non-expended FY 2016 grant funds.

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of February, 2017**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-015 ORD FY2017 budget amendment signed (1602 : 2017-015 ORD Amending FY2017 Police Department Budget)

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: 2017-015 Goals & Perspectives (1602 : 2017-015 ORD Amending FY2017 Police Department Budget)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/20/2017 10:59 AM

Lead Department: Water Utilities **Action Officer:** Gary Smith,

Subject: Resolution No. 2017-010 authorizing the City Manager to enter into a contract with Mid-Continental Restoration Company, Inc. in an amount not to exceed Ninety-Nine Thousand Nine Hundred Seventy Dollars ($99,970.00) for the Millwood Water Treatment Plant settling basin concrete repairs.

	Public	Second	Council
Briefing: 3/27/2017	**Hearing:** 2/27/2017	**Briefing:** March 13, 2017	**Vote:** 3/27/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Bids were received Tuesday, January 24, 2017 for the Millwood Water Treatment Plant (WTP) Settling Basin Concrete Repairs Project. Six (6) contractors picked up bid packages for the project and two bids were received. Mid-Continental Restoration Company, Inc of Fort Worth, Texas was the apparent low bidder with a low bid of $99,970.00. Funds are available for this project in the Utility's 2016-2017 Budget in the Millwood Depreciation Fund. The project will consist of repairing several areas of deteriorated concrete and cracks on the settling basins at our Millwood WTP in Ashdown, Arkansas. There will be a total of 540 linear feet of crack sealant and 136 square feet of spalled area repairs. Mid-Continental Restoration Company, Inc has satisfactorily completed several jobs for the Utility including the Wright Patman North Clearwell Concrete Repairs and the Wright Patman WTP Settling Basin Crack Repairs.

Potential Options:

- None

Fiscal Implications:

This project will repair several areas of spalled/deteriorated concrete and cracks on the settling basins at the Millwood WTP in Ashdown, Arkansas. The repairs will not only help extend the life of the basins, but will help improve the functioning of the water treatment plant. Funds are available in the Millwood Depreciation Fund. The Texas portion of this project is $62,611.21.

Staff Recommendation:

Utility staff recommends approval.

Advisory Board/Committee Review:
NONE

Board/Committee Recommendation:
NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:
NOT APPLICABLE

Attachments

a. 2017-010 RES Millwood WTP Settling Basin Repairs (DOCX)
b. 2017-010 ATTH01 Millwood WTP Basin Repairs (DOC)
c. 2017-010 ATTH02 Millwood WTP Basin Repairs (PDF)
d. 2017-010 Goals & Perspectives (DOCX)

Staff Coordination

Water Utilities	Gary Smith	Department Head Review	Completed	02/01/2017 10:02 AM
Water Utilities	Jim Cornelius	Review	Completed	02/01/2017 10:09 AM
Water Utilities	JD Phillips	Review	Completed	02/01/2017 10:14 AM
Public Information Officer	Lisa Thompson	PIO Review	Completed	02/01/2017 10:19 AM
City Manager	John Whitson	City Manager Review	Completed	02/05/2017 4:45 PM
City Council	Jennifer Evans	Meeting	Completed	02/13/2017 6:00 PM

Meeting History

RESOLUTION NO. 2017-010

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 MID-CONTINENTAL RESTORATION COMPANY, INC. OF FORT WORTH, TEXAS FOR THE MILLWOOD WTP SETTLING BASIN CONCRETE REPAIRS, IN AN AMOUNT WITH THE TEXAS PORTION NOT TO EXCEED SIXTY TWO THOUSAND SIX HUNDRED ELEVEN AND 21/100 DOLLARS ($62,611.21) AND THE TOTAL AMOUNT NOT TO EXCEED NINETY NINE THOUSAND NINE HUNDRED SEVENTY AND 00/100 DOLLARS ($99,970.00); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on January 24, 2017, two (2) bids were received, a copy of which is attached hereto as **ATTH01**, by Texarkana Water Utilities for the Millwood WTP – Settling Basin Concrete Repairs Project which will consist of repairing several areas of deteriorated concrete and cracks on the settling basins at the Millwood Water Treatment Plant in Ashdown, Arkansas; and

WHEREAS, the project will consist of repairing approximately 540 linear feet of cracks and 136 square feet of spalled/deteriorated concrete and related appurtenances; and

WHEREAS, the lowest and best bid by a responsible vendor for this project was submitted by Mid-Continental Restoration Company, Inc. of Fort Worth, Texas, a copy of which is attached hereto as **ATTH02** in an amount not to exceed $99,970; and

WHEREAS, funds are currently available in the Texarkana Water Utilities 2015-2016 Budget in the Millwood Depreciation Fund in the amount of $99,970 with the Texas portion being $62,611.21.

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 Mid-Continental Restoration Company, Inc. of Fort Worth, Texas, a copy of which is attached hereto as **ATTH02** be and is hereby approved in an amount with the Texas portion not to exceed $62,611.21 and the total amount not to exceed $99,970.00 for the installation of approximately 540 linear feet of crack repair and 136 square feet of spalled/deteriorated concrete repair and related appurtenances for the Millwood WTP – Settling Basin Concrete Repairs.

SECTION 2: That the City Manager be and is authorized to contract with Mid-Continental Restoration Company, Inc. of Fort Worth, 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 **27th day of March, 2017**.

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-010 RES Millwood WTP Settling Basin Repairs [Revision 1] (1595 : 2017-010 RES Millwood WTP settling basin concrete

2017-010 ATTH01

Bid Tabulation

MILLWOOD WTP
SETLLING BASIN CONCRETE REPAIRS
Project 61/62-000-135112-A/T131620

2:00 P.M. Tuesday, January 24, 2017

	Base Bid
1. Mid-Continental Restoration Co., Inc. Fort Worth, Texas	$ 99,970.00
2. J R Pope Company, Inc. Texarkana, Texas	$198,975.00
3. H & H Concrete Texarkana, Arkansas	No Bid
4. TEC, Inc. Texarkana, Texas	No Bid
5. Champion Coating, Inc. Savage, Minnesota	No Bid
6. Heritage Constructors, Inc. Texarkana, Texas	No Bid

Time First Bid Opened: 2:00 P.M.

Number of Bidders: Two

Apparent Low Bidder: Mid-Continental Restoration Co., Inc.

BIDTAB

Attachment: 2017-010 ATTH01 Millwood WTP Basin Repairs (1595 : 2017-010 RES Millwood WTP settling basin concrete repairs)

Bid Tabulation
MILLWOOD WTP
SETTLING BASIN CONCRETE REPAIRS

Project No. 61/62-000-135112-A/T131719
JANUARY 24, 2017 @ 2:00

BASE BID:							
				Mid-Continental Inc.		*J R Pope Company, Inc.*	
				Fort Worth, TX		*Texarkana, TX*	
Item	**Quantity**	**Unit**	**Description**	**Amount**	**Total**	**Amount**	**Total**
1	1	LS	Mobilization, Bonds, and Submittals	$22,500.00	$22,500.00	$20,000.00	$20,000.00
2	540	LF	Crack Repair	$97.00	$52,380.00	$300.00	$162,000.00
3	45	GAL	SikaFix HH LV	$74.00	$3,330.00	$75.00	$3,375.00
4	136	SF	Concrete Patch	$160.00	$21,760.00	$100.00	$13,600.00
			TOTAL BASE BID		**$99,970.00**		**$198,975.00**

Attachment: 2017-010 ATTH02 Millwood WTP Basin Repairs (1595 : 2017-010 RES Millwood WTP settling basin concrete repairs)

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: 2017-010 Goals & Perspectives (1595 : 2017-010 RES Millwood WTP settling basin concrete repairs)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 2/14/2017 1:19 PM

Lead Department: Fire Department **Action Officer:** Eric Schlotter, Fire Chief

Subject: Resolution No. 2017-011 approving the 2017 fiscal year Ark-Tex Council of Governments Homeland Security Grant submission to the Office of the Governor.

Briefing: 2/13/2017	**Public Hearing:**	**Second Briefing:**	**Council Vote:** 2/13/2017

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

The State of Texas through the Office of the Governor has provided grant opportunities for cities to enhance their operational capacity and safety in regard to acts of terrorism. The grant program is titled under Homeland Security and is administered by way of the local Council of Governments. The City of Texarkana has received many grants from this program in recent years. This year we have applied for ballistic vests to be carried on fire apparatus and a remote camera that can be used under doors and in confined spaces. The camera will be assigned to the Special Operations group with the police department. The ballistic vests will be used to protect firefighters who respond to dangerous situations where there is a need for our personnel to enter an unstable environment to provide emergency medical treatment.

Potential Options:

- List or "None"
-

Fiscal Implications:

The Homeland Security Grant is a 100% reimbursed grant and as such has no financial impact on the City.

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. 2017-011 Goals & Perspectives (DOCX)
b. 2017-011 RES Approving grant application to ARTEX signed (PDF)
c. 2017-011 RES Approving Grant Application to ARTEX (DOC)

Staff Coordination

Fire Department	Eric Schlotter 01/30/2017 4:01 PM	Department Head Review	Completed	
Deputy City Manager - Kyle Dooley	Kyle Dooley 01/31/2017 1:28 PM	Review	Completed	
Finance Department	Kristin Peeples	Finance Review	Completed	01/31/2017 1:54 PM
Deputy City Manager - Shirley Jaster Review	Shirley Jaster Completed	01/31/2017 3:28 PM	Assistant City Manager	
Public Information Officer	Lisa Thompson 01/31/2017 3:30 PM	PIO Review	Completed	
City Manager	John Whitson	City Manager Review	Completed	02/05/2017 4:48 PM
City Council	Jennifer Evans	Meeting	Completed	02/13/2017 6:00 PM

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2017-011 Goals & Perspectives (1596 : 2017-011 RES Approving Grant Application to ARTEX Council of Governments)

RESOLUTION NO. 2017 - 011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE FISCAL YEAR 2017 ARK-TEX COUNCIL OF GOVERNMENTS HOMELAND SECURITY GRANT PROJECT SUBMISSION TO THE OFFICE OF THE GOVERNOR; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council finds the First Responder Safety project to be operated from January 1, 2017 through September 30, 2017 to be in the best interest of the citizens of Texarkana; and

WHEREAS, the City Council agrees to return, in full, any grant funds lost or otherwise misused to the Office of the Governor; and

WHEREAS, the City Council designates Mayor Bob Bruggeman as the grantee's authorized official; and

WHEREAS, the authorized official is granted the authority to apply for, reject, alter or terminate the grant on behalf of the applicant agency.

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

SECTION 1: That the First Responder Safety Project submission to the Office of the Governor is approved.

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 **13th day of February, 2017**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-011 RES Approving grant application to ARTEX signed (1596 : 2017-011 RES Approving Grant Application to ARTEX Council

Attachment: 2017-011 RES Approving Grant Application to ARTEX [Revision 2] (1596 : 2017-011 RES Approving Grant Application to ARTEX

RESOLUTION NO. 2017 - 011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE FISCAL YEAR 2017 ARK-TEX COUNCIL OF GOVERNMENTS HOMELAND SECURITY GRANT PROJECT SUBMISSION TO THE OFFICE OF THE GOVERNOR; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council finds the First Responder Safety project to be operated from January 1, 2017 through September 30, 2017 to be in the best interest of the citizens of Texarkana; and

WHEREAS, the City Council agrees to return, in full, any grant funds lost or otherwise misused to the Office of the Governor; and

WHEREAS, the City Council designates Mayor Bob Bruggeman as the grantee's authorized official; and

WHEREAS, the authorized official is granted the authority to apply for, reject, alter or terminate the grant on behalf of the applicant agency.

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

SECTION 1: That the First Responder Safety Project submission to the Office of the Governor is approved.

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 **13th day of February, 2017**.

ATTEST:

_____ _____

VICKY COOPWOOD, ASST. CITY SECRETARY BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Briefing Sheet

Version: A
Update Date: 3/3/2017 3:11 PM

Lead Department:	Planning and Community Development	**Action Officer:**	David Orr, Planning & Community Development Director
Subject:	Resolution No. 2017-013 authorizing support for a Texas Department of Housing and Community Affairs (TDHCA) housing tax credit development application for the "Residences at Texarkana".		

Briefing:	3/13/2017	**Public Hearing:**	2/27/2017	**Second Briefing:**	March 13, 2017

Council Vote: 3/27/2017

Item Schedule

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

Updates/History of Briefing:

None

Executive Summary and Background Information:

The City of Texarkana, Texas, has received requests for resolutions of support for the Texas Department of Housing and Community Affairs (TDHCA) 2017 Competitive 9% Housing Tax Credits Competition. The proposed developments include:

Heritage Pines located at 4015 New Boston Road application #17701
Residences at Texarkana located at 1521 Moores Lane application # 17703

Potential Options:

- None
-

Fiscal Implications:

None. Applicant is requesting in-kind support in the form of staff time.

Staff Recommendation:

The proposed Housing Tax Credit Application is not located within the City's designated revitalization areas, CDBG Consolidated Action Plan Target Areas or the Rosehill Community Revitalization Plan. Furthermore, the property will need to request rezoning for the proposed multi-family use and the process as not been initiated at this time. As a result, staff recommends issuing a resolution of no Support for this application.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2017-013 Goals & Perspectives (DOCX)
b. 2017-013 RES No Objection for Residences at Texarkana (DOCX)
c. 2017-013 RES Support for Residences at Texarkana (DOCX)
d. 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (PDF)
e. 2017-013 ATTH 02 Legal Descr - Moores Lane (DOCX)
f. 2017-013 ATTH 03 Map - Ward 6 (PDF)
g. 2017-013 ATTH 04 Moores ln site (JPG)
h. 2017-013 ATTH 05 TDHCA Applications Notification 2017 (PDF)
i. 2017-013 ATTH 07 Citizen Petition & e-mails (PDF)
j. 2017-013 ATTH 08 Residences at Texarkana withdrawal (MSG)
k. 2017-013 ATTH 06 Support Resolution info for Residences at Texarkana (MSG)

Staff Coordination

Planning and Community Development Review	Completed	David Orr 02/01/2017 8:31 AM	Department Head Review	
Deputy City Manager - Shirley Jaster Review	Completed	Shirley Jaster 02/01/2017 3:41 PM	Assistant City Manager	
Public Information Officer	02/01/2017 3:45 PM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	02/05/2017 4:53 PM
City Council	Jennifer Evans	Meeting	Completed	02/13/2017 6:00 PM

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	☐	Promote an Environmentally Sensitive & Livable Community
		Provide a Safe Community
	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: 2017-013 Goals & Perspectives (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at Texarkana)

RESOLUTION NO. 2017-013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, DECLARING NO OBJECTION FOR THE SUBMISSION OF AN APPLICATION TO THE 2017 COMPETITIVE HOUSING TAX CREDIT (HTC) PROGRAM THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) BY MOORES HOUSING PARTNERS, LTD., FOR THE PROJECT KNOWN AS "RESIDENCES AT TEXARKANA" LOCATED AT 1521 MOORES LANE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Moores Housing Partners, Ltd. has proposed a development for affordable rental housing at 1521 Moores Lane named "Residences at Texarkana" in the City of Texarkana, Texas; and

WHEREAS, Moores Housing Partners, Ltd. has communicated that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2017 Competitive 9% Housing Tax Credits for "Residences at Texarkana".

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

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 has no objection to the proposed "Residences at Texarkana" located at 1521 Moores Lane (TDHCA # 17703), confirms that its governing body has voted specifically to issue no objection to 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, 2017.

Section 3. In accordance with §11.9(d)(2) of the QAP, the city hereby commits to an in-kind contribution to the housing in the form of an in-kind contribution such as a grant or contribution of other value for the benefit of the housing.

Section 4. This support does not relinquish any procedures or rights the city might have in the rezoning process for the "Residences at Texarkana" property, nor does it alleviate any requirement of Moores Housing Partners, Ltd. to submit and follow all applicable applications, procedures and policies with the city and the Planning and Zoning Commission.

Attachment: 2017-013 RES No Objection for Residences at Texarkana (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Section 5. 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 6. 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 **27th day of March, 2017**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-013 RES No Objection for Residences at Texarkana (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Attachment: 2017-013 RES Support for Residences at Texarkana (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences

RESOLUTION NO. 2017-013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, SUPPORTING THE SUBMISSION OF AN APPLICATION TO THE 2017 COMPETITIVE HOUSING TAX CREDIT (HTC) PROGRAM THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) BY MOORES HOUSING PARTNERS, LTD., FOR THE PROJECT KNOWN AS "RESIDENCES AT TEXARKANA" LOCATED AT 1521 MOORES LANE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Moores Housing Partners, Ltd. has proposed a development for affordable rental housing at 1521 Moores Lane named "Residences at Texarkana" in the City of Texarkana, Texas; and

WHEREAS, Moores Housing Partners, Ltd. has communicated that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2017 Competitive 9% Housing Tax Credits for "Residences at Texarkana".

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

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 supports the proposed "Residences at Texarkana" located at 1521 Moores Lane (TDHCA # 17703), confirms that its governing body has voted specifically to approve 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, 2017.

Section 3. In accordance with §11.9(d)(2) of the QAP, the city hereby commits to an in-kind contribution to the housing in the form of an in-kind contribution such as a grant or contribution of other value for the benefit of the housing.

Section 4. This support does not relinquish any procedures or rights the city might have in the rezoning process for the "Residences at Texarkana" property, nor does it alleviate any requirement of Moores Housing Partners, Ltd. to submit and follow all applicable applications, procedures and policies with the city and the Planning and Zoning Commission.

Section 5. 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 6. 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 **27th day of February, 2017**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-013 RES Support for Residences at Texarkana (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences

RESIDENCES AT TEXARKANA

Residences at Texarkana is a proposed 88 unit multifamily community for households of all ages, located on 8.2 acres at 1521 Moores Lane, Texarkana, Texas.

Project Description:

3-story suburban garden style buildings, plus clubhouse, all a combination of brick, stone, and fiber-cement siding.

16 one bedroom - 1 bath units @ ~700 square feet, rents from $243 to $548
44 two bedroom - 2 bath units @ ~950 square feet, rents from $282 to $647
28 three bedroom - 2 bath units @ ~1,100 square feet, rents from $401 to $941

(Rents for units will be based on residents' income)

Site Features:

- On-site management & maintenance
- Fully-equipped fitness center
- Community room with full kitchen
- Flex-room and library
- Fenced with controlled gated access
- Swimming pool & playground
- Picnic areas with BBQ
- Some covered parking

Attachment: 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Unit Features:

- Energy saving features including:
  - 14 SEER AC with programmable thermostat
  - Energy Star rated lights and appliances
  - Energy Star rated windows with screens
  - Passive solar features
- 9-foot ceilings
- Designer kitchen with pantry
- Full-size washer/dryer connections
- Ceiling Fans in living and bedrooms
- Walk-in closets
- Water-conserving fixtures

Services:

- Award-winning BreakOut™ youth program
- Crime watch
- Annual health fair
- Nutritional courses
- Notary service
- Exercise classes
- Financial counseling
- Book clubs
- Income tax preparation
- Pot-lucks & game nights
- Movie nights & birthday parties

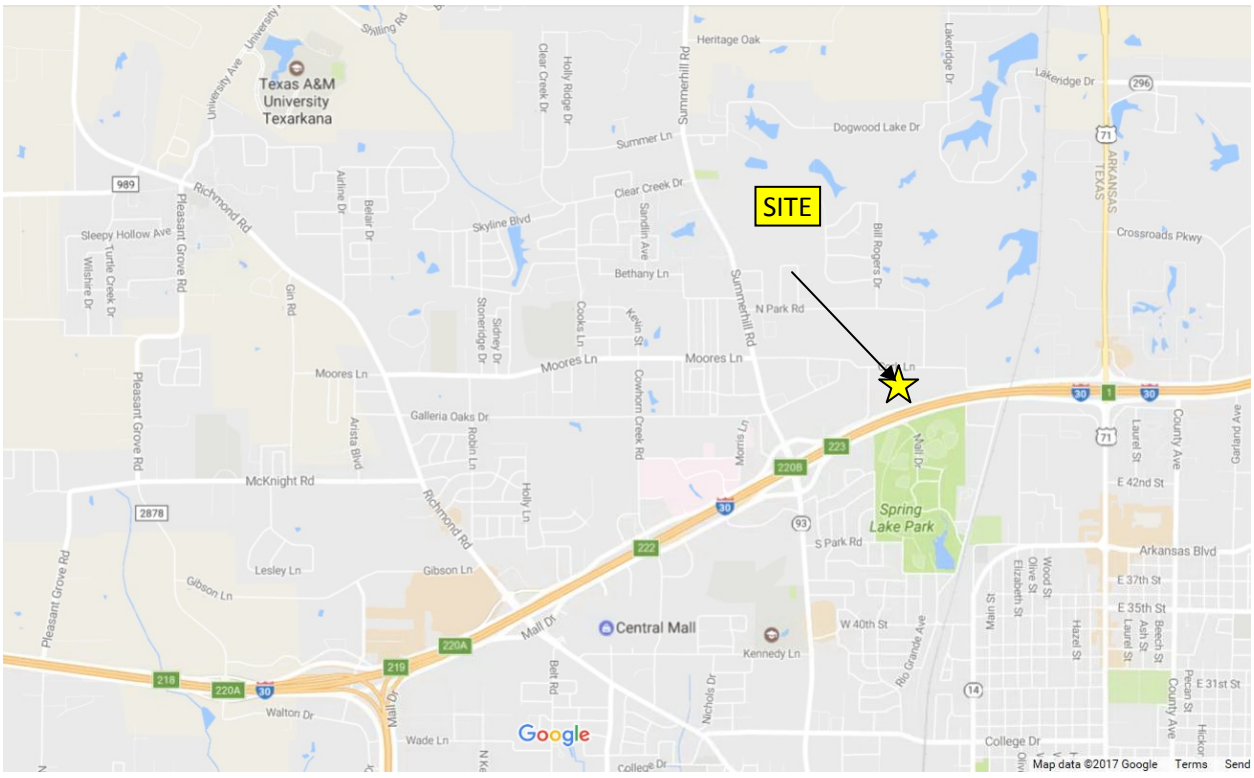
Attachment: 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Economics:

- Overall project cost – $13,690,000
- Sources of Funds
  - Debt from conventional lender
  - Equity from sale of housing tax credits
- Creation of ~100 jobs during construction
- Creation of ~4 permanent jobs after construction
- Permitting and fees to Texarkana
- Property taxes paid annually to Texarkana

Location:

Residences at Texarkana is conveniently located on the I-30 service road, giving it easy access to all the shops, restaurants, and health facilities off the freeway. Just south is the Spring Lake Park recreation area. Downtown Texarkana is a few minutes south. Texas A&M Texarkana is a short 3 miles to the northwest and Texarkana College is 2 miles to the southwest.



Attachment: 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Housing tax credits are federal income tax credits. They are sold to large publicly traded companies like Google, J.P. Morgan/Chase, and General Motors. These companies are betting they will make money over the next ten years and can apply these credits to their federal income tax bill. The local effect is the input of over $9,800,000 of equity into the local economy. The Statewide effect of the annual allocation of over $60 million of tax credits is an influx of over half a billion dollars of equity into the state each year.

This project will create short term construction jobs, as well as permanent jobs for operation of the property, and increase local business. According to the National Home Builders there are 3 phases of economic impact from construction of housing. First, there is the construction phase, which adds an average of $52,430 to the local economy and $4,000 to local taxes (both property and sales taxes) per house or apartment. Next is the first year's impact which adds $24,150 to the local economy and $3,530 in taxes. Finally there is the ongoing impact adding $23,570 to the local economy and an average of $4,270 in tax revenue. How does this happen? Contractors hire local labor, house employees locally, buy materials and pay fees. The construction workers eat, buy gas and shop locally. The long term effects are because residents use banks, car repair, dry cleaners, day care, dentists, electricity, lawyers, and medical services, read newspapers and eat out, among other things. Additionally, *Residences at Texarkana* will pay property taxes to the City, County, and the School District.

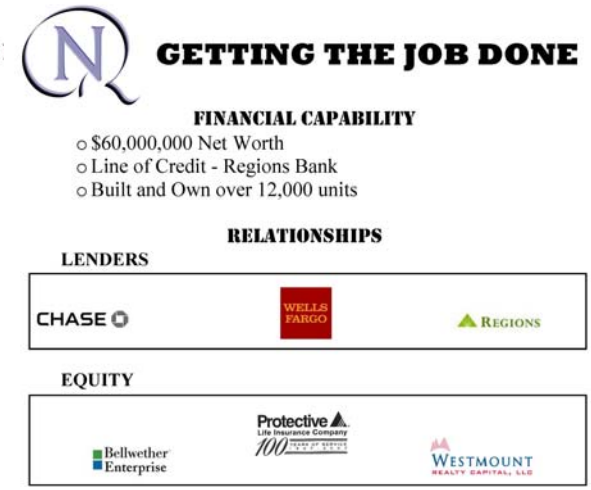
Attachment: 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

The NuRock Companies

Since its inception over twenty years ago, The NuRock Companies ("NuRock"), has been built on the expertise of its people to develop, operate and manage the highest quality housing and supplement that housing. Quite simply, NuRock's product is service --- service delivered with a commitment to excellence. Our successes are based on attention to detail and a dedication to quality, both accomplished while anticipating and satisfying the demands of the marketplace and focusing on the needs of our residents.

NuRock's operations encompass all aspects of real estate activity, including acquisition analysis, development support, construction, property management, governmental regulatory compliance services, and due diligence support work. Additionally NuRock provides our award winning Breakout™ after school and summer program for resident's children at no cost to the resident.

With over 8,000 units in its portfolio, NuRock is one of the largest developers, owners and managers of multifamily housing in the southwest. NuRock has the financial capability, banking, mortgage and equity relationships to complete any multifamily project from the acquisition and rehabilitation of an affordable property to construction of luxury lofts over retail.



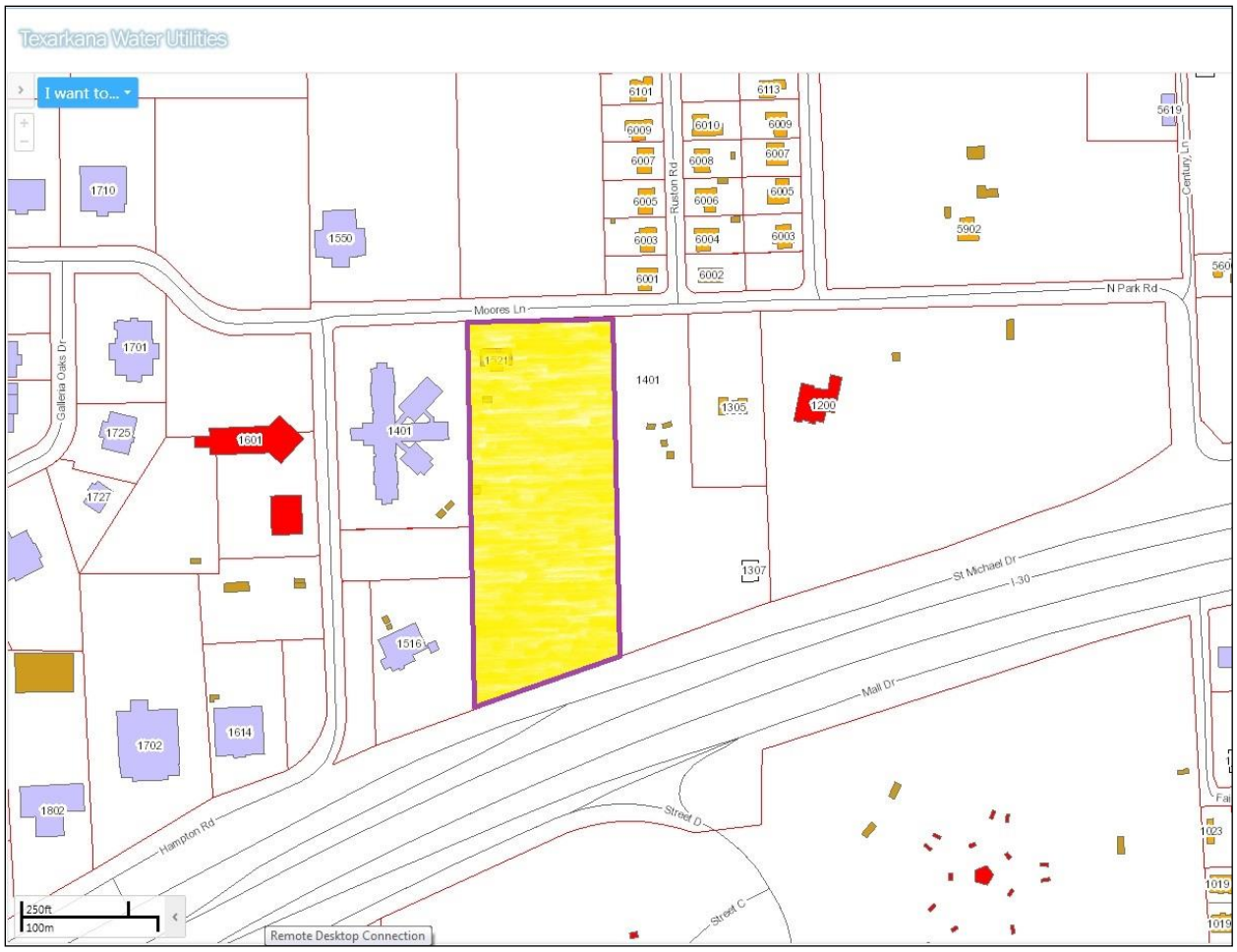
The NuRock Companies
4925 Greenville Avenue
Suite 1305
Dallas, TX 75206
(972) 573-3400

Attachment: 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

EXHIBIT "A"

Legal Description

A part of Willis Oldham A-458 subdivision, Block/Tract 28, Bowie County, Texarkana, Texas.



Attachment: 2017-013 ATTH 02 Legal Descr - Moores Lane (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Texarkana, TX - Ward 6

SITE
Residences at Texarkana

Attachment: 2017-013 ATTH 03 Map - Ward 6 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at Texarkana)

Packet Pg. 70

A

Texas Department of Housing and Community Affairs
Multifamily Finance Division
Notification of Submission of Affordable Housing Applications

January 20, 2017

30 JAN 17
DAVID ORR

RECEIVED
JAN 30 2017
BY:

The Honorable Bob Bruggeman
Mayor of Texarkana
P.O. Box 1967
Texarkana, TX 75504-1967

Re: Notification of Affordable Rental Housing Application(s) Proposed in Your City

Dear Mayor Bruggeman:

The Texas Department of Housing and Community Affairs (the "Department") is in receipt of a preliminary application(s) for possible funding through the Competitive Housing Tax Credit Program to develop or acquire affordable multifamily rental housing in your community.

This notification is made in accordance with Tex. Gov't Code §2306.1114 to ensure that you are fully informed of the housing activity in your district and so that you can provide input on the proposed application(s) if you so choose. The Department greatly values your views concerning the need for affordable rental housing within your community and how the proposed development(s) may address that need. Additionally, state law provides an opportunity for the applicable local jurisdiction (the city and/or county)to affect the scoring of an application by issuing a local resolution of support or neutrality in accordance with Tex. Gov't Code §2306.6710(b)(1)(B). In order to affect the scoring of an application within its jurisdiction, the local government resolution must be submitted on or before March 1, 2017, identify the specific development, and clearly state support or no objection. Once submitted, the resolution cannot be withdrawn or amended. More information can be found on page 25 of the 2017 Qualified Allocation Plan found at http://www.tdhca.state.tx.us/multifamily/docs/17-QAP.pdf

Should the applicant(s) submit a full application to the Department on or before March 1, 2017, the Department will notify you again with more detailed information about the proposed development and provide provide information related to general public comment including statewide hearings The Department's mission is to administer its assigned programs efficiently, transparently, and lawfully and to invest its resources strategically while developing high quality affordable housing which allows Texas communities to thrive. Through our rental production programs, the Department encourages the new construction or rehabilitation of affordable multifamily housing, primarily through private developers. These developments benefit Texans in your community by providing potential employment, local tax revenue, and affordable, safe, and high quality housing for eligible households.

If you have any questions or need additional information, please contact Michael Lyttle, Chief of External Affairs, at 512.475.4542 or michael.lyttle@tdhca.state.tx.us.

Sincerely,

Marni Holloway

Marni Holloway
Director, Multifamily Finance

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
221 East 11th Street, Austin, TX 78701
PO Box 13941, Austin, TX 78711
Main Number: 512-475-3800
Toll Free: 1-800-525-0657
Email: info@tdhca.state.tx.us
Web: www.tdhca.state.tx.us
Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities.
Relay Texas: 800-735-2989 (TTY) and 711 (Voice).

Attachment: 2017-013 ATTH 05 TDHCA Applications Notification 2017 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Relevant Development Information as Presented by the Applicant:

Project Number: 17701

Development Name: Heritage Pines

Development Address: 4015 New Boston Rd

Development City: Texarkana **Development Zip:** 75501 **Region:** 4

Regional Allocation: Urban **Target Population:** Elderly Limitation

Set Aside: ☐ Nonprofit ☐ USDA ☐ At-Risk

Construction Type: New Construction

Credit/ Funding Request: $1,050,506

Total Low Income Units: 80 **Total Market Rate Units:** 16 **Total Units:** 96

Applicant Information:

Owner Contact: Len Vilicic

Owner Address: 4925 Greenville Ave, Ste. 1305

Owner City: Dallas **Owner State:** TX **Owner Zip:** 75206

Owner Phone: (972) 573-3400

Owner Email: lvilicic@nurock.com

Attachment: 2017-013 ATTH 05 TDHCA Applications Notification 2017 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Relevant Development Information as Presented by the Applicant:

Project Number:	17703				
Development Name:	Residences at Texarkana				
Development Address:	1521 Moores Lane				
Development City:	Texarkana	**Development Zip:**	75503	**Region:**	4
Regional Allocation:	Urban	**Target Population:**	General		
Set Aside:	☐ Nonprofit	☐ USDA	☐ At-Risk		
Construction Type:	New Construction				
Credit/ Funding Request:	$1,050,506				
Total Low Income Units:	88	**Total Market Rate Units:**	0	**Total Units:**	88

Applicant Information:

Owner Contact:	Len Vilicic				
Owner Address:	4925 Greenville Ave, Ste. 1305				
Owner City:	Dallas	**Owner State:**	TX	**Owner Zip:**	75206
Owner Phone:	(972) 573-3400				
Owner Email:	lvilicic@nurock.com				

Attachment: 2017-013 ATTH 05 TDHCA Applications Notification 2017 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

Rec'd - Ruby Cooper

RECEIVED
FEB 27 2017
BY:

Neighbors Against Multi-family Development
1201 Moores Lane

Whereas, NuRock Companies, an Atlanta Georgia developer, proposes to construct a tax credit multi-family residential facility at 1201 Moores Lane. Whereas, the undersigned citizens who reside in the vicinity of proposed development oppose the development for the following reasons:

1) the development will negatively impact the property values in the vicinity.
2) the street infrastructure adjacent to the property was not designed to handle the additional traffic.
3) similar developments by NuRock in Texas have resident complaints of poor management.

The undersigned request the City Council to reject the proposed NuRock development located at 1201 Moores Lane.

Name	Address	Signature
Marsha Burris	6007 Ruston Rd.	Marsha R Burris
Ricky Burris	6007 Ruston Rd.	Ricky R Burris
Michael Bradford	6009 Ruston Rd	Michael Bradford
	6101 Ruston Rd.	
Kelly McFall	6002 Ruston Rd	Kelly McFall
Ray McFall	6002 Ruston Rd	Ray McFall
Candice Keith	6001 Ruston Rd.	Candice Keith
Michael Keith	6001 Ruston Rd.	Michael Keith
Joey Merrell	6004 Ruston Rd	Joey Merrell
Carla Merrell	6004 Ruston Rd	Carla Merrell
SCOTT SHIER	6006 RUSTON RD	Scott Shier
JOHN R. REVELS	6010 RUSTON RD.	John R. Revels
Megan Revels	6010 Ruston Rd.	Megan Revels
Jimmy C. Murry Jr.	6008 Ruston Rd.	Jimmy C. Murry Jr.
Karen Murry	6008 Ruston Rd	Karen Murry
Carl Keely	6009 Ruston Rd	CARL Keely
Brenda Keely	6009 Ruston Rd	Brenda Keely
David Dart	6101 Ruston Rd	David Dart
Loni Dart	6101 Ruston Rd	Loni Dart
Larry Faulkner	6103 Ruston Rd	Larry Faulkner
Judy Faulkner	6103 Ruston Rd	Judy Faulkner

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Rec'd Vicky Coopwood

RECEIVED
FEB 27 2017
BY:

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Name	Address	Signature
Cindy Porter	34 Northridge Cr	[signature]
Kaye Ellison	35 Northridge Cir	Kaye C. Ellison
TOM ELLISON	35 NORTHRIDGE CIR	[signature]
JAMES McPHAIL	30 Northridge Cr.	[signature]
Bobbie Guillot	31 Northridge Cr	Bobbie Guillot
Sara Cartha	29 Northridge Cir	Sara Cartha
Marour Lucy	12 Northridge Circ	Marour Lucy
DAVID CHRISTIAN	11 Northridge Cir	[signature]
JOHN B GREER III	6 NORTHRIDGE Circ	[signature]
David Baumgardner	3 Northridge	David B[illegible]
MARCUS R. HARRIS	4 Northridge Cir	Markus R Harris
SHERRY G. HARRIS	4 NORTHRIDGE	Sherry Harris
Ben Floyd Jr.	1 Northridge Cir	Ben Floyd Jr.
Ed + Dottie Miller	2 Dreyer Place	[signature]
Helen Mobley	7 Dreyer Place	Helen Mobley
Jill Launius	9 Dreyer Place	Jill Launius
BRIAN Purtle	14 Dreyer Place	Brian Purtle
Michelle Purtle	14 Dreyer Place	Michelle Purtle

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Reid Vicky Cosgrove

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Name	Address	Signature
Betty Pesek	13 Cindywood	Betty Pesek
Katie Pesek	13 Cindywood	Katie Pesek
Haley Aven	4 Cindywood	Haley Aven
Chuck Eastman	9 Cindywood	Chuck Eastman
W R Beaty	9 Cindywood Cir	W R Beaty
Tony Potter	9 Ladera Drive	Tony Potter
J Cook	11 Ladera Dr	J Cook
Susan Stanley	3 Ladera Dr.	Susan V. Stanley
John P. Stanley	3 Ladera Dr	John P. Stanley
Malcolm Smith	26 Northridge Circle	Malcolm Smith
James Clem	22 Bill Rogers	James Clem
Carol Hoffman	20 Bill Rogers Dr.	Carol Hoffman
Carol Yazel	14 Bill Rogers Dr	Carol Yazel
Beverly Tye	4600 N. Park Rd	Beverly Tye
Paul Tye	4600 N. Park Rd	Paul Tye
Danette Power	32 Northridge Cr	Danette Power
Sam J Warren	5 Cindywood ST	SAM J WARREN
Bobbie Warren	5 Cindywood	Bobbie J. Warren

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Rec'd Vicky Cooperwood

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Name	Address	Signature
Kay Thomas	17 Northridge Cr.	Kay Thomas
Wilson Garrett	6501 N. Park Rd.	Wilson Garrett
Janella A Garrett	6501 N Park Rd	Janella Garrett
Maurice Orr	1 Devon Lane	[illegible]
Vicki Orr	1 Devon Lane	
Jerry A. Rochelle	8 Dreyer Place	Jerry Rochelle
Jane Rochelle	8 Dreyer Place	Jane Rochelle
Janis Robbins	21 Northridge Circle	Janis Robbins
Matt Soyars	4 Ladera Drive	Matt Soyars
Lisa Soyars	4 Ladera	Lisa Soyars
SEAN ROMMEL	23 NORTHRIDGE	[illegible]
Jameson Rommel	23 Northridge Cir	Jameson Rommel
JOHN POWER	32 NORTHRIDGE	[illegible]
Allen Clement	21 Northridge Circle	Allen Clement
Patti Thomas	6604 N. Park Rd.	Patti Thomas
William Thomas	6604 N. Park RD.	William Thomas
~~[illegible]~~ Dennis Smith	26 Northridge	Dennis Smith
Sanda Boyette	5627 CENTURY	Sanda Boyette

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Rec'd Supp Corporation

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FEB 27 2017
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Name	Address	Signature
Steve and Sue Gibbs	3 Gregory Lane Texarkana 75503	Steve Gibbs
Scott + Tanya Austin	9 Gregory Lane Texarkana 75503	Scott A
Rhonda + Paul Bollman	6 Gregory Lane Texarkana 75503	R Bollman
Linda Rogers	5 Gregory Lane	Linda Rogers
Kevin + Dobbie Ashford	6203 N. Park Rd Texarkana 75503	Kevin Ashford
JEFF HARRELL	6009 N. Park Rd. Texarkana 75503	J H Harrell
J.J. CAMPBELL	6113 N. PARK RD 75503	[illegible]
Sandra K. Hoover	8 Gregory Ln. Texarkana, Tx.	Sandra K. Hoover
Darius Scott	6115 North Park Rd Tx Tx	Darius Scott
Burl & Sharon Fant	4 Gregory Ln Texarkana Tx	[illegible]
Loriann Turner	6205 N. Park Rd	Loriann Turner
Rick Boyette	5627 Century Ln	[illegible]

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Rec'd Duplicate

RECEIVED
FEB 27 2017
BY:

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Name	Address	Signature
Pam Revels	6010 Ruston Road	Pamela Revels
JONATHAN REVELS	6010 RUSTON RD.	
CASEY BOYETTE	5622 CENTURA LN	
Paul Miller	5915 Winchester	

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Rec'd: [illegible]

RECEIVED
FEB 27 2017
BY:

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Name	Address	Signature
DONNIE STARNES	5 OVERCUP	Donnie Starnes
James Bethel	5709 Meadowland	James Bethel
Teresa Bethel	5709 Meadowland	Teresa Bethel
MICHAEL BLOKKER	4007 COLUMBINE LN	Michael Blokker
Janice Moore	6104 Ruston Rd	Janice Moore
Kathrina Walters	6105 Ruston Rd	Kathrina Walters
Payne Walters	6105 Ruston Rd	Payne Walters

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

NuRock Report Card
Tenant Reviews of Similar Projects

Project Name	Location	% Recommending NuRock	% Recommending City Average	
Onion Creek Luxury Apts	Austin, TX	33%	73%	(1)
Eagles Landing Apts	Austin, TX	62%	73%	(1)
Residences at Diamond Hill	Fort Worth, TX	34%	62%	(1)
Sunset Pointe Apts	Fort Worth, TX	49%	62%	(1)
Saddlebrook	East Point, GA	12%	53%	(1)
Chapel Run Apts	Decatur, GA	20%	54%	(1)
Tuscany Village Apts	Clarkston, GA	11%	44%	(1)
Hidden Crest Apts	Atlanta, GA	10%	64%	(1)

(1) www.apartmentratings.com

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

33%

Onion Creek Luxury Apartments
(formerly Alexan at Onion Creek)

10701 S. IH 35, Austin, TX 78747

83 **12**

Rent at Onion Creek Luxury Apartments and get a **$200 reward** from ApartmentSearch!

Reviews

83	33%	73%
Reviews	% Recommended	City Average

Overall:

Noise:	**Maintenance:**
Safety:	**Neighborhood:**
Grounds:	**Office Staff:**

Write Review

Sort Most Recent

RESIDENT Dec 22, 2016
LIVED HERE: 2014 - 2016

✖ I do not recommmend this property

Overall:

Noise:	
Maintenance:	
Safety:	
Neighborhood:	
Grounds:	
Office Staff:	

This is not even an Eeek. This is a disgust. I lived there 2 years, always gave them the benefit of the doubt. I always found something positive to say. Not anymore. My mistake was giving them TOO much credit. I moved from a 1 to a 2 bedroom. My first apartment was a positive experience. There were the occasional calls for leaks and they maintenance came right away. Right before I moved out, a leak caused a flood on my floor. They did not give any credit for the days we were out of water. I let that go. They kept all but $4 of my deposit and NEVER gave me a detailed bill. I asked them about it and STILL never got it. I move into a 2 bedroom, and it was a nightmare the whole time. I was given the option to get new appliances or $10 off the rent. I took the $10 off. I did not get any new appliances and now am told i have to pay for damages to them. Again, something I did NOT cause. The washer kept breaking. I got a new washer shortly after moving in because it wouldn't work. They had one maintenance guy who was rude and not even worth calling them for help. The courtesy patrol NEVER answers my calls for loud music at 4am. One girl kept calling and asking for serial numbers to the washer/

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

62% Eagles Landing Apartments

8000 Decker Lane, Austin, TX 78724

44 **6**

Reviews

44	62%	73%
Reviews	% Recommended	City Average

Overall:

Noise:	**Maintenance:**
Safety:	**Neighborhood:**
Grounds:	**Office Staff:**

Write Review

Sort Most Recent

PROSPECTIVE RESIDENT Jun 23, 2016
VISITED : 2016

✔ **I recommend this property**

To respond to all the previous ratings, Residents who are unhappy with late fees, lease violations, along with rules & regulations will post here thinking it will result in the apartment community losing buisness. Well you are mistaken, affordable housing will always have clients that have friends and family who will make the community bad. All tenants are screened that are tenants the office cannot and will not be held responsible for tenants guests or family members who are out of control. I feel the ratings should be based on the apartment itself because the prices are extremely low compared to what they actually are worth so mad tenants need to get over it!

Overall:

Noise:
Maintenance:
Safety:
Neighborhood:
Grounds:
Office Staff:

No comments

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

34% Residences of Diamond Hill

3601 Deen Road, Fort Worth, TX 76106

33 2

Reviews

33	34%	62%
Reviews	% Recommended	City Average

Overall:

Noise:	**Maintenance:**
Safety:	**Neighborhood:**
Grounds:	**Office Staff:**

Write Review

Sort Most Recent

PROSPECTIVE RESIDENT Sep 26, 2016
VISITED : 2016

✖ **I do not recommmend this property**

Overall:

Noise:	
Maintenance:	
Safety:	
Neighborhood:	
Grounds:	
Office Staff:	

Before I applied I looked at the reviews online and I ignored it now I've lost $225. Please don't do the same this place is a scam. If I could put zero stars I would. I put 225 down and was told I would be getting 150 back if I was declined because of my criminal backgroud. She failed to tell me to put it in my application under comments. If you are dealing with Joanne, just walk away, she is very unprofessional. She is to worried about how my boyfriend looks like pitbull instead of making sure she tells me details about my application. It is very hard to find a place when having a criminal record and it is not cheap. Application after application, She told me she would put a good word in and I got a call saying that the 150 fee won't be given backnowledge due to me not saying anything about my criminal record. Like if I'm going to be going around trying to hide it and just throw my money away. Just save yourself some time, that all bills included sign is bs just to draw you in and screw you over.

No comments

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

49% Sunset Pointe Apartments

5400 Sycamore School Road, Fort Worth, TX 76123

71 4

Reviews

71	49%	62%
Reviews	% Recommended	City Average

Overall:

Noise:	Maintenance:
Safety:	Neighborhood:
Grounds:	Office Staff:

Write Review Sort Most Recent

RESIDENT Nov 29, 2016
LIVED HERE: 2009 - 2016

✔ I recommend this property

Overall:

Noise:
Maintenance:
Safety:
Neighborhood:
Grounds:
Office Staff:

Hello, everyone, I've never had any ants or roaches, don't know why anybody does. Try using pesticides, it works. Apartments are for people to live their life at with their families. It's not a place to hang out and mingle with others, that's what you do at the school yard. It's your home, and everyone else's around you. As for the staff, please do not believe the bad that was said about them. They are Magnificent 100%. They're doing what they are supposed to do, they don't get paid to fix people's personal problems, they get paid to do exactly what they come to work for everyday. That's it. It's been high time for some people to grow up, and get a grip on Reality. Nobody owes no one anything except LOVE. And one more thing, find out about the extra bills that would be bundled with your rent, your lease also explains a lot of important details. Hope this helps. Have a great year!

No comments

SEARCH

Home / Georgia / East Point / SaddleBrook

12% **SaddleBrook**

4171 Washingon Road, East Point, GA 30344

9 2

Reviews

9	12%	53%
Reviews	% Recommended	City Average

Overall:

Noise:	**Maintenance:**
Safety:	**Neighborhood:**
Grounds:	**Office Staff:**

Write Review

Sort Most Recent

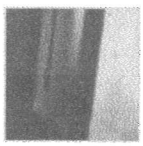
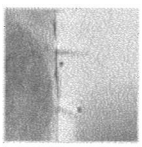
RESIDENT Dec 19, 2016
LIVED HERE: 2016

✖ **I do not recommmend this property**

Don't move here i never have hot water and I live with bugs . I am not a dirty person my apartment was filled with them on top of that my carpet was filthy when I moved in . If you wanna have sex with nats cause they sleep with you move here .... This place is nasty looks good on the outside horrible inside the walls are very thin to you hear everything. And I mean everything

Overall:

Noise:
Maintenance:
Safety:
Neighborhood:
Grounds:
Office Staff:

No comments

Write a response

RESIDENT Nov 04, 2015

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

SEARCH

Home / Georgia / Decatur / Chapel Run Apartments

20% **Chapel Run Apartments**

4522 Snapfinger Woods Drive, Decatur, GA 30035

25 **3**

Reviews

25	20%	54%
Reviews	% Recommended	City Average

Overall:

Noise:	**Maintenance:**
Safety:	**Neighborhood:**
Grounds:	**Office Staff:**

Write Review

Sort Most Recent

RESIDENT Nov 15, 2016
LIVED HERE: 2016

✖ **I do not recommmend this property**

They have roaches and the property manager Nina is unprofessional rude with a bad attitude my water bill is unreal. I pay about $100 monthly. I do not recommend these apartments they look way better on the outside than what they really are. What you pay is not what you get You'll be very disappointed

Overall:

Noise:
Maintenance:
Safety:
Neighborhood:
Grounds:
Office Staff:

No comments

Write a response

PROSPECTIVE RESIDENT Sep 27, 2016
VISITED : 2016

✖ **I do not recommmend this property**

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

SEARCH

11% **Tuscany Village Apartments**

600 Northern Ave, Clarkston, GA 30021

10 0

Reviews

10	11%	44%
Reviews	% Recommended	City Average

Overall:

Noise: **Maintenance:**

Safety: **Neighborhood:**

Grounds: **Office Staff:**

Write Review Sort Most Recent

PROSPECTIVE RESIDENT Sep 05, 2015
VISITED : 2015

✖ **I do not recommmend this property**

Everything is beautiful, however, I am a prospective resident, and the staff is already very unorganized and 1 lady in particular is very unprofessional. I am disappointed at how slack they are about new tenants. My documents were in a folder that didn't have my name on it, and my application still has yet to be reviewed for approval. I am starting to think I should receive a refund for my application and look else where.

Overall:

Noise:

Maintenance:

Safety:

Neighborhood:

Grounds:

Office Staff:

No comments

Write a response

RESIDENT Apr 03, 2015
LIVED HERE: 2015

✖ **I do not recommmend this property**

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

SEARCH

Home / Georgia / Atlanta / Hidden Crest Apartments

10% **Hidden Crest Apartments**

3200 Stone Road Southwest, Atlanta, GA 30331

51 13

Reviews

51	10%	64%
Reviews	% Recommended	City Average

Overall:

Noise: **Maintenance:**

Safety: **Neighborhood:**

Grounds: **Office Staff:**

Write Review Sort Most Recent

RESIDENT Aug 22, 2016
LIVED HERE: 2014 - 2016

✖ **I do not recommmend this property**

This was one of the most unorganized ghetto operations i have ever experienced.The management was rude, unprofessional and inexperienced.

Overall:

Noise:

Maintenance:

Safety:

Neighborhood:

Grounds:

Office Staff:

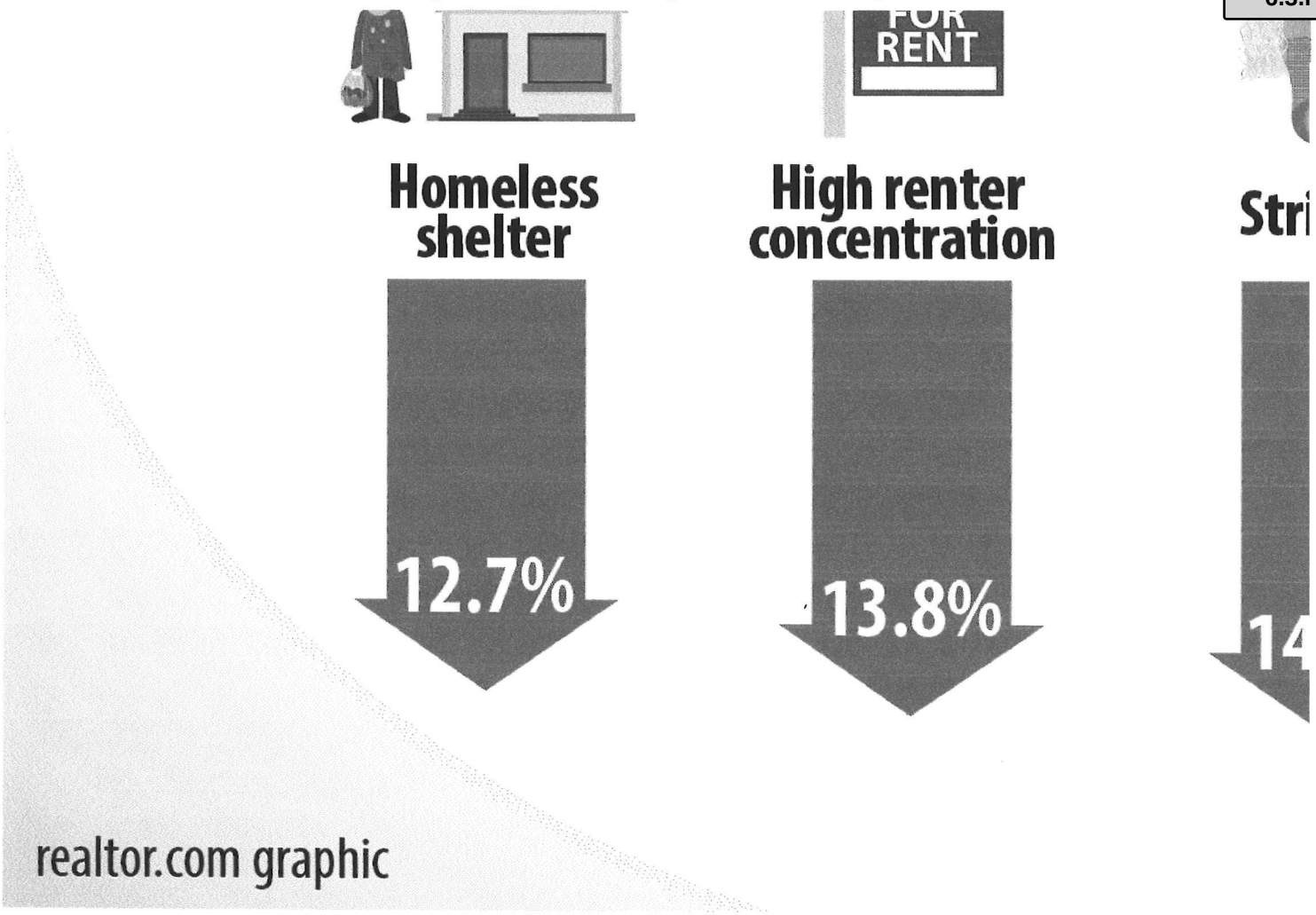
No comments

Write a response

RESIDENT Feb 04, 2016
LIVED HERE: 2014

✖ **I do not recommmend this property**

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at



Keep in mind the difference between **causation** and **correlation**: Does having a cemetery or shooting range in the neighborhood cause home prices to drop? Or are those businesses drawn to the area because of cheap real estate? We don't have a definite answer, but their presence is generally a sign that a neighborhood is the opposite of up-and-coming. Judge your investment accordingly.

Hospital

The drag: 3.2%

Hospitals are awesome, right? Having a great one within easy access is just about every homeowner's goal. But easy access is one thing, and being woken up by ambulance sirens—or, god forbid, medical helicopters—at 3 a.m. is quite another. Among homeowners who sold in 2015, those near a hospital generally got 3% less than an average home in the same county would get, based on our sales deed records and hospital location data from data.medical.gov. In the world of real estate price demerits, 3% isn't a lot, so clearly plenty of people are willing to overlook some noise and chaos in favor of nearby medical care.

Shooting range

The drag: 3.7%

According to most research, it's not the guns or the people who shoot them that the neighbors of shooting ranges object to most; it's more the *idea* of the places and, in some cases, the noise of gunfire, especially outdoor gun ranges. More perceived problems: environmental concerns, including the lead that leaches off spent shells, potentially poisoning soil and water. Last year, a closed gun club in San Francisco triggered $22 million in cleanup fees, the San Francisco Chronicle reported. We used gun range locations from wheretoshoot.org.

Power plant

The drag: 5.3%

There are more than 8,000 power plants across the U.S., according to the Environmental Information Agency. Much as we are grateful for the modern convenience of electricity (thanks, **Ben Franklin**!), the huge facilities spur more NIMBY ("not in my backyard") movements than anything this side of waste treatment facilities. The most frequently cited reason: safety concerns. The perceived dangers of living near a power plant vary dramatically depending on type, from the seemingly harmless solar to the dreaded nuclear. In general, having a power plant in the neighborhood is associated with lower property prices.

Funeral home

The drag: 6.5%

Some people believe you get bad spiritual energy from living near a funeral home; some just dislike the traffic caused by service workers and funeral attendees; and others fear that the smoke from a crematorium is toxic. But plenty of folks just find them seriously *creepy*, an unpleasant constant reminder of our own mortality. Our analysis of property values near funeral homes listed on legacy.com seems to confirm the stigma. Properties near a funeral home see a 6.5% drop in price compared to all homes in the same county.

Cemetery

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

The drag: 12.3%

Call it superstition, call it irrational fear, but there's an awful lot of people who find the prospect of living near lots of buried bodies unpleasant or downright terrifying (see: Funeral homes). To be fair, there are some people who seriously dig how quiet the neighbors are, but they're outnumbered by the haters. To do the research, we used a list of federal and state cemeteries operated by the Department of Veterans Affairs and found that the median price of ZIP codes with a cemetery is about 12% lower than neighboring areas.

Homeless shelter

The drag: 12.7%

Homeless shelters can be unloved and unwanted misfits in residential areas. Even though there's no rule that homeless shelters are usually accompanied by higher rates of crime, shelters *do* certainly attract motley groups of people, necessitate emergency calls, and require more police in otherwise quiet, safe neighborhoods. Shelter locations, listed on homelessshelterdirectory.org, are often limited to less prime areas in the city where home values are about 13% less.

High concentration of renters

The drag: 13.8%

Does a cluster of rental buildings—or lots of them—lower the property value in a neighborhood? Many homeowners have pondered this. While it's hard to do an analysis down to every property, we found that ZIP codes with a higher-than-average concentration of renters have lower property values compared to the county they are located in—by 14%. The data are from the American Community Survey.

Strip club

The drag: 14.7%

Catering to adult vices—and often (rightly) associated with loud music and less-than-savory visitors—a "gentlemen's club" is an unwelcome neighbor on the block. We tracked nearly 2,000 strip joints listed on stripclublist.com and ranked the category high on our "unwanted" list. In one extreme case, the crime-plagued neighborhood of Washington Park in East St. Louis, IL—the ZIP code 62204—has 10 strip clubs. *10!* How do they all compete? It saw only a handful of homes sold in the past three years, with a median price of $10,000.

Bad school

The drag: 22.2%

While a top-performing school is definitely a plus for your property value, a bad school is a complete, out-and-out disaster. A school where one teacher handles a class of 40 students with a slim graduation rate is usually an indicator of a deprived neighborhood. The median home price of ZIP codes with schools that receive a 1 to 3 rating (out of a possible 10) from GreatSchools.org is only $155,000.

Related: The Features That Help a Home Sell Fastest—and the Ones That Don't

Yuqing Pan, a Stanford graduate with a multimedia journalism background, writes data-driven stories for realtor.com. Follow @YuqingPan

Related topics: data journalism home prices

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Monday, February 27, 2017 4:30 PM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: city council meeting tonight

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Monday, February 27, 2017 4:28 PM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: city council meeting tonight

Sent from my iPad

Begin forwarded message:

> **From:** Janis Holliday <jholliday@hlccpas.com>
> **Date:** February 27, 2017 at 10:20:08 AM CST
> **To:** "joshd@cableone.net" <joshd@cableone.net>
> **Subject: city council meeting tonight**
>
> Hi Josh,
>
> I telephoned and left a message for you earlier today. You represent the ward that I both live and work in.
>
> I just wanted to convey to you **my opposition** to the City granting resolutions of support for Moores Housing Partners in their bid for competitive tax credits related to plans to build affordable apartments at 1521 Moores Lane.
>
> I offer these thoughts in support of my opposition –
>
> 1) The traffic is heavy and fast at certain times of the day on Moores Lane and Galleria Oaks Drive in this area. The traffic from these apartments would place an additional burden on this infrastructure already in need of resurfacing and not originally constructed to handle a high volume of traffic.

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2) It is my understanding that there are drainage problems in the area which extends to the frontage of Interstate 30,

3) It is my understanding that the appropriate zoning is not currently in place to accommodate apartments at 1521 Moores Lane,

4) our firm made a substantial investment in the Galleria Oaks Area to locate to a professional office park. It seems the noise and activity of apartments would not be appropriate for the professional office environment.

Thanks for your consideration and all you do to help our City.

Janis

Janis Fischer Holliday, CPA
Holliday, Lemons & Cox, P. C.
Certified Public Accountants
2001 Moores Lane
Texarkana, TX 75503
903-823-2727
903-823-2734 fax

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Monday, February 27, 2017 4:29 PM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: Opposition to resolution of support

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

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Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Monday, February 27, 2017 4:27 PM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Opposition to resolution of support

Sent from my iPad

Begin forwarded message:

From: Troy Lemons <tlemons@hlccpas.com>
Date: February 27, 2017 at 12:11:16 PM CST
To: "joshd@cableone.net" <joshd@cableone.net>
Subject: Opposition to resolution of support

Mr. Davis,

I live and work in your ward and want to express opposition to the City passing a resolution of support for Moores Housing Partners in their attempt to get competitive tax credits from the Texas Department of Housing and Community Affairs in relation to proposed construction of apartments at 1521 Moores Lane.

I don't believe that the area is zoned for an apartment complex and the area is currently made up primarily of offices for professional services. The constructions of multi-family residential housing in this area would, I believe, have a negative impact on the value of the professional buildings in the area and greatly increase the traffic volume and related street problems. I have also heard that there may be drainage issues in this area that could be made worse by this construction.

Thank you for your consideration,

Troy Lemons

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

903-823-2727
Home - 908 Clear Creek Drive
Office - 2001 Moores Lane

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Monday, February 27, 2017 4:29 PM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: Rezoning Request

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Monday, February 27, 2017 4:26 PM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Rezoning Request

Sent from my iPad

Begin forwarded message:

> **From:** "Tony Orihuela" <tony@yamahasportscenter.com>
> **Date:** February 27, 2017 at 2:53:28 PM CST
> **To:** <joshd@cableone.net>
> **Subject: Rezoning Request**
>
> Josh,
>
> As a resident and taxpayer of the Northridge area, I am deeply opposed to the proposed zoning request on Moore's lane next to the Boot's & Saddle Club property. In my opinion, this would not be good for the area or for the taxpayers. This area contributes greatly to the tax base in Texarkana and having multi-family housing I believe would undermine the values of our properties.
>
> Thank you for your time and consideration concerning this request.
>
> Regards,
>
> Tony Orihuela

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

5804 Greenbriar Forest Circle
Texarkana, TX 75503
903.748.7782

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Monday, February 27, 2017 4:28 PM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: Zoning

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Monday, February 27, 2017 4:26 PM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Zoning

Sent from my iPad

Begin forwarded message:

> **From:** WILLIAM PATTERSON <treypatterson@me.com>
> **Date:** February 27, 2017 at 2:56:05 PM CST
> **To:** joshd@cableone.net
> **Subject: Zoning**
>
> Sir,
> My name is Trey Patterson and I live in your ward. I'm emailing to tell you I adamantly oppose any low end type housing on Moore's lane. It will substantially lower property values and I believe ultimately lower taxes paid into city.
> Thanks in advance for considering
> Trey Patterson
>
> Trey Patterson
> Patterson Nissan
> 1201 McCann Rd.
> Longview TX. 75601
> Work 903-758-4135
> Cell 903-235-3471

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

Check us out online @
Longviewnissan.com
Sent from my iPad

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Monday, February 27, 2017 4:26 PM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: Tax credits- new rock housing

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Monday, February 27, 2017 4:24 PM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Tax credits- new rock housing

Sent from my iPad

Begin forwarded message:

From: Alan Schimming <alan@schimmingcompany.com>
Date: February 27, 2017 at 3:47:00 PM CST
To: joshd@cableone.net
Subject: Tax credits- new rock housing

Josh Davis, Ward 6 Councilman,
As I mentioned in our conversation earlier today I am extremely opposed to any type of sec 8 or "low income housing" at this location on Moores Lane.This type of housing will increase traffic on Moores Lane in the Galleria Oaks. Moores Lane is in dire need of repair and increased traffic would only add to the deterioration of Moores. Additionally, this is not in keeping with development in the area. I have office property nearby and represent property owners in the area and this development would certainly hurt property values there. I respectfully request you oppose this request by New Rock Development.
Thanks,
Alan Schimming

Sent from my iPhone

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Monday, February 27, 2017 4:28 PM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: Rezoning application for 1521 Moores Lane

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Monday, February 27, 2017 4:25 PM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Rezoning application for 1521 Moores Lane

Sent from my iPad

Begin forwarded message:

From: "William C. Gooding" <billgooding@goodingpc.com>
Date: February 27, 2017 at 3:39:18 PM CST
To: <joshd@cableone.net>
Subject: Rezoning application for 1521 Moores Lane

Mr. Davis,

This email is a follow-up to my call to you today regarding the application by a group that I understand to be, "Moore Housing Partners," to rezone the property located at 1521 Moores Lane in connection with their expressed intent to build a low income section 8 housing project at that location. I have several significant concerns with this request for rezoning.

First, this property is either adjacent or nearly adjacent to Galleria Oaks professional office development to the west. An entity, Gooding & Dodson Holdings, LLC, of which I am a substantial owner, owns the building at 2005

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Moores Lane. The requested zoning change would likely negatively impact properties located in Galleria Oaks that are used for professional offices, and I expect would have the potential to decrease, perhaps substantially, the property value at 2005 Moores Lane, where I have an interest. Galleria Oaks is almost fully developed with owners having invested substantial funds relying upon the building restrictions and zoning currently in place.

Secondly, although there would be ingress and egress to the subject property by means of North Park road, from a practical standpoint, ingress and egress to the subject property would likely be exclusively by Moores Lane directly through Galleria Oaks to access retail businesses, grocery stores, service stations, health care, as well as Interstate 30. The portion of Moores Lane east of Summerhill Road is already in need of repairs. The extra traffic would further deteriorate the road, as well as substantially increase the traffic congestion on Moores Lane, especially during early morning and late evening when people are travelling to and from work and school.

For these reasons, I oppose the requested rezoning and request that when you consider this matter that you include consideration of the concerns I have expressed above. I believe a vote against the requested rezoning is in the best interest of the substantial investments made in Galleria Oaks. I do appreciate your listening to my concerns and your careful consideration of this matter.

Thanks,
Bill Gooding

William C. Gooding
Gooding Law, P.C.
903.244.5780 - Phone
billgooding@goodingpc.com
Mailing Address:
3702 Maplecrest St.
Texarkana, TX 75503

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TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Tuesday, February 28, 2017 10:48 AM
To: Tex-Orr, David; TEX-Jaster, Shirley; TEX-Coopwood, Vicky
Subject: FW: Rezoning request concern

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
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220 Texas Blvd
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Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Tuesday, February 28, 2017 10:18 AM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Rezoning request concern

Sent from my iPhone

Begin forwarded message:

From: "Higginbotham,Paulette" <Paulette.Higginbotham@edwardjones.com>
Date: February 28, 2017 at 10:11:29 AM CST
To: "joshd@cableone.net" <joshd@cableone.net>
Subject: Rezoning request concern

Mr. Davis,

I am a resident on North Park Road. My home sits behind the Tourism Bureau. My husband and I have seen improvements in our area over the years such as the Partnership Pathway.

My family loves where we are located. Our six year old enjoys playing t ball at Spring Lake Park. We can walk or ride bikes to the park and back. My husband works from home and enjoys a quiet environment in which to work and has easy access to 1-30, and either Texas or Arkansas sides at anytime. We even enjoy hearing the Boots and Saddle Club practice for upcoming Fall events. Our son is thriving as a student at Morriss Elementary.

We have noticed the rezoning request and today saw the article in the paper about the request being for low income apartments. This is a big concern for us, not only for our home value but for the safety of our neighborhood.

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As you are our representative for Ward 6, we ask you to please cast your vote to Not approve the rezoning request for low income apartments in our area.

Sincerely,
Paulette & Jeremy Higginbotham
6005 North Park Rd
Texarkana, TX 75503

Paulette Higginbotham
Senior Branch Office Administrator
Edward Jones
4115 North Kings Hwy Suite 104
Texarkana, TX 75503
(903) 831-7335
www.edwardjones.com

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TEX-Coopwood, Vicky

From: TEX-Whitson, John
Sent: Tuesday, February 28, 2017 10:48 AM
To: Tex-Orr, David; TEX-Coopwood, Vicky; TEX-Jaster, Shirley
Subject: FW: Proposed Cork Lane Apartment Complex

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
Texarkana, Texas 75504-1967

220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

From: Josh Davis [mailto:joshd@cableone.net]
Sent: Tuesday, February 28, 2017 10:17 AM
To: TEX-Whitson, John <John.whitson@txkusa.org>; TEX-Evans, Jennifer <j.evans@txkusa.org>
Subject: Fwd: Proposed Cork Lane Apartment Complex

Sent from my iPhone

Begin forwarded message:

From: Randy Kimpfbeck <kimpfran@yahoo.com>
Date: February 28, 2017 at 9:24:41 AM CST
To: "joshd@cableone.net" <joshd@cableone.net>
Subject: Proposed Cork Lane Apartment Complex
Reply-To: Randy Kimpfbeck <kimpfran@yahoo.com>

Mr. Davis,
I wish to voice my strong opposition to the proposed 88-apartment complex on Moores/Cork Lane.

First, this complex, if built, would have a negative effect on the property values in a wide-ranging area. We live on Yarborough Court, in Greenbriar Forest Estates, and believe this complex would lower our property value and well as the values in Winchester, Northridge and The Enclave. These areas contribute substantially to the tax revenue of the city, county and school district.

Second is the traffic situation. As you are aware, North Park Road is already in poor condition and any additional traffic

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

will add to the deuteriation of the roadway. In addition, it is quite narrow for the amount of traffic being handled currently. Cork Lane is not in any better condition. When traveling on North Park from our location toward Spring Lake Park the intersection of North Park and Cork Lane present a traffic issue. When attempting to make the left turn the site line is impaired by the trees and undergrowth along the road as well as the offset in the road. Adding additional traffic to this area will simply add to an already hazardous situation.

Last is the expected increase in the crime rate. Low income housing is synonymous with crime and drug dealing, whether this is fact or simple perception, this is the case in the mind of most people. We attend Sacred Heart Church and are being warned about the number autos that are being broken into in the church parking lot. It would naturally be assumed those doing the break-ins live in the low income apartments directly across from the church. There is no reason to believe this complex would be any different.

Please oppose the building of this apartment complex.

Thank you,

Randy Kimpfbeck

Attachment: 2017-013 ATTH 07 Citizen Petition & e-mails (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

TEX-Coopwood, Vicky

From: Len Vilicic <lvilicic@nurock.com>
Sent: Wednesday, March 01, 2017 2:05 PM
To: Tex-Orr, David
Cc: John Boyd
Subject: Residences at Texarkana withdrawal

David,

Because we were unable to obtain the support of the City Council for our Residences at Texarkana multifamily proposal at 1521 Moores Lane, we are withdrawing our request for rezoning. Additionally, please remove our proposal from upcoming Council Meetings.

We still believe Texarkana has a viable market for a multifamily tax credit development, and we will be in contact with you in the near future to explore options. Thank you for all your help.

Sincerely,

Len Vilicic
NuRock Companies
4925 Greenville Avenue
Suite 1305
Dallas, TX 75206

(972) 573-3400 x 2 Office
(972) 322-7211 Cell

Attachment: 2017-013 ATTH 08 Residences at Texarkana withdrawal (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

TEX-Coopwood, Vicky

From: Len Vilicic <lvilicic@nurock.com>
Sent: Wednesday, January 25, 2017 2:21 PM
To: Tex-Orr, David
Cc: John Boyd
Subject: Support Resolution info for Residences at Texarkana
Attachments: Brochure Residences Moores 2017-0118.pdf; Map - Ward 6.pdf; Moores ln site.jpg; Legal Descr - Moores Lane.docx; City Resolution - Moores.docx

Hi David,

Attached is information for the Support Resolution for Residences at Texarkana, a proposal for a family deal. I have attached:

1. Brochure for the development
2. Ward map indicating site location
3. Aerial of the site
4. Legal Description from our contract
5. Draft resolution

The address "1521 Moores Lane" came from a water utilities map, which I can't seem to duplicate presently, and unfortunately I covered over the house address in yellow, but it did say 1521 under it. I don't know why all city maps indicate the road as Moores Lane, and yet Google Maps and Google Earth say Cork Lane. I deferred to the city maps, since you folks would have it right.

The resolution is for Support and Twice the State Average of TC Units, and I also added a section for a nominal amount of city financial contribution. I don't know if you handle that through a resolution or just an administrative letter. We are asking for a nominal amount of a fee waiver, can be very small, but will give us one point in the application.

Please let me know if you need anything else.

Len Vilicic
NuRock Companies
4925 Greenville Avenue
Suite 1305
Dallas, TX 75206

(972) 573-3400 x 2 Office
(972) 322-7211 Cell

Attachment: 2017-013 ATTH 06 Support Resolution info for Residences at Texarkana (1598 : 2017-013 RES Support for TDHCA Tax Credit

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/14/2017 1:18 PM

Lead Department: Planning and Community Development **Action Officer:** Daphnea Ryan,

Subject: Resolution No. 2017-014 authorizing the City Manager to enter into an addendum to Contract 16-2001-00 in an amount not to exceed $200,000.00 utilizing EPA Brownfields grant funds for the hazardous materials remediation of 203/205 W. Broad Street.

Briefing: 2/13/2017	**Public Hearing:**	**Second Briefing:**	**Council Vote:** 2/13/2017

Item Schedule

Schedule 3: No briefing required (one week)

under

Updates/History of Briefing:

Resolution 2016-071 authorizing the City Manager to enter into a contract or contracts with one or more parties for the environmental cleanup of 203/205 West Broad Street utilizing EPA Brownfields Multi-Purpose Grant Funds up to $440,000.00.

Executive Summary and Background Information:

The City entered into a contract with Pacific Environmental in the amount of $89,365.00 under Resolution 2016-071 utilizing a $440,000.00 EPA Multi-Purpose Grant for the cleanup of 203/205 W. Broad. Structural engineers with Pacific Environmental determined that after removal of partial debris additional shoring of the structure would be needed. The attached addendum changes the total contract amount to $179,122.00 to allow for additional shoring to protect the safety of the public.

In consultation with legal counsel, it was determined that Local Government Code 252.048 regarding change orders does not apply to this addendum, as Section 252.022 states that this chapter does not apply to an expenditure for (a)(2) “a procurement necessary to preserve or protect the public health or safety of the municipality’s residents;” or (a)(3) “a procurement necessary because of unforeseen damage to public machinery, equipment or other property.” However, since the addendum to the contract is over $50,000.00, staff is requesting Council approval prior to work recommencing on the project.

Potential Options:

- NONE
-

Fiscal Implications:

Grant funded with no new fiscal implications

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. 2017-014 ATTH 01 Addendum to Hazardous Materials Remediation 203 205 W. Broad Street Contract (PDF)
b. 2017-014 RES Authorizing City Manager to amend contract 2016-001-00 signed (PDF)
c. 2017-014 ATTH 02 Original Resolution 2016-071 (PDF)
d. 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (PDF)
e. 2017-014 RES Authorizing City Manager to Ammend Contract 2016-2001-00 (DOC)
f. 2017-014 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development		David Orr	Department Head Review	Completed 02/08/2017 3:54 PM
Finance Department	Kristin Peeples	Finance Review	Completed	02/08/2017 4:27 PM
Purchasing and Contracting		Sharon Moore	Purchasing Review	Completed 02/09/2017 7:58 AM
Deputy City Manager - Shirley Jaster Review		Shirley Jaster	Deputy City Manager	Completed 02/08/2017 4:28 PM
Deputy City Manager - Kyle Dooley Review		Kyle Dooley	Deputy City Manager	Completed 02/08/2017 4:32 PM
Public Information Officer		Lisa Thompson	PIO Review	Completed 02/08/2017 6:35 PM
City Manager	John Whitson	City Manager Review	Completed	02/09/2017 3:26 PM
City Council	Jennifer Evans	Meeting	Completed	02/13/2017 6:00 PM

Meeting History

ADDENDUM TO
HAZARDOUS MATERIALS REMEDIATION CONTRACT

THIS FIRST ADDENDUM TO HAZARDOUS MATERIALS REMEDIATION CONTRACT (this "Addendum") is to resolve and amend certain obligations under that certain Hazardous Materials Remediation Agreement by and between the City of Texarkana, Texas ("City") and Pacific Environmental Group, LLC ("Pacific") dated effective July 22, 2016 (the "Agreement") regarding the property located at 203/205 West Broad Street, Texarkana, Bowie County, Texas (the "Property"), under which Pacific was to perform all services for remediation of the Property as set forth in the contract documents ("Work"). The City and Pacific are collectively referred to herein as the "Parties".

Under Section III, paragraph (d), the City agreed to pay Pacific's bid amount for completion of the Work set forth under the contract documents, said bid amount being set forth in the contract documents as $89,365.00 ("Bid Amount").

The Parties have determined that heavy equipment will be needed for completion of the project and therefore, the Parties desire to amend the Bid Amount from $89,365.00 to the total contract sum of $179,122.00.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

1. The Bid Amount of $89,365.00 for completion of the Work shall be increased to the total contract sum of $179,122.00, less any payments made by the City to Pacific for the Work.

2. Pacific agrees and commits to complete the Work as set forth in the Contract Documents no later than March 31, 2017.

3. Except as expressly provided herein, all of the terms and conditions of the Agreement and any and all other documents described in or executed in connection with the Agreement shall continue in full force and effect and are hereby reaffirmed.

4. Time is of the essence in respect to the performance of each provision of this Addendum.

EXECUTED to be effective the 25th day of January, 2017.

[SIGNATURES FOLLOW ON NEXT PAGE]

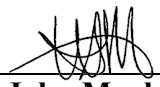
Attachment: 2017-014 ATTH 01 Addendum to Hazardous Materials Remediation 203 205 W. Broad Street Contract (1601 : 2017-014 RES

CITY OF TEXARKANA, TEXAS

_____

By: John A. Whitson
City Manager, ICMA-CM

CONTRACTOR:
PACIFIC ENVIRONMENTAL GROUP, LLC



_____

By: W. John Moala, Vice President

Attachment: 2017-014 ATTH 01 Addendum to Hazardous Materials Remediation 203 205 W. Broad Street Contract (1601 : 2017-014 RES

RESOLUTION NO. 2017 - 014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ADDENDUM TO CONTRACT 16-2001-00 WITH PACIFIC ENVIRONMENTAL IN AN AMOUNT NOT TO EXCEED $200,000.00 UTILIZING EPA BROWNFIELDS GRANT FUNDS FOR THE HAZARDOUS MATERIALS REMEDIATION OF 203/205 W. BROAD STREET; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City was awarded $440,000.00 in 2012 specific to the environmental assessment and cleanup of 203/205 West Broad Street; and

WHEREAS, the City entered into a contract with Pacific Environmental in the amount of $89,365.00 under Resolution 2016-071; and

WHEREAS, structural engineers have determined that more extensive shoring will be necessary than originally bid; and

WHEREAS, the health and safety of the general public is at risk.

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

SECTION 1: That the City Manager be and is hereby authorized to enter into an addendum to contract 16-2001-00 not to exceed $200,000.00 with Pacific Environmental to ensure the public's health and safety while completing the environmental remediation of 203/205 W. Broad Street and fulfilling the requirements of the EPA Brownfields Multi-Purpose Grant.

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 **13th day of February, 2017**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-014 RES Authorizing City Manager to amend contract 2016-001-00 signed (1601 : 2017-014 RES Addendum to Contract for

RESOLUTION NO. 2016 -071

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT OR CONTRACTS WITH ONE OR MORE PARTIES FOR THE ENVIRONMENTAL CLEANUP OF 203/205 WEST BROAD STREET UTILIZING EPA BROWNFIELDS MULTI-PURPOSE GRANT FUNDS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City was awarded $440,000.00 in 2012 specific to the environmental assessment and cleanup of 203/205 West Broad Street; and

WHEREAS, the grant period will end September 30, 2016; and

WHEREAS, the City released a Request for Proposals with a deadline of July 6, 2016 to secure a contractor to complete the cleanup of this project.

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

SECTION 1: That the City Manager be and is hereby authorized to enter into a contract with an environmental cleanup contractor to complete the EPA Brownfields Multi-Purpose Grant requirements.

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 11th **day of July, 2016.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:54 p.m.

Attachment: 2017-014 ATTH 02 Original Resolution 2016-071 (1601 : 2017-014 RES Addendum to Contract for Hazardous Materials Remediation of 203/205

HAZARDOUS MATERIALS REMEDIATION
203/205 W. BROAD STREET, TEXARKANA, TEXAS
CONTRACT

STATE OF TEXAS
COUNTY OF BOWIE

This HAZARDOUS MATERIALS REMEDIATION CONTRACT (the "Agreement") made and entered into this 22nd day of July, 2016 by and between the **City of Texarkana, Texas** in the County of Bowie, State of Texas, acting by and through the City Manager, City of Texarkana, thereunto authorized to do so, (hereinafter referred to as "CITY"), and Pacific Environmental Group, LLC, a Texas Limited Liability Company with an address of 2435 Southwell Road, Ste 3, in the County of Dallas, State of Texas (hereinafter termed "Contractor"), (collectively referred to herein as the "Parties") is for the environmental cleanup of the real property located at 203 and 205 W. Broad Street in Texarkana, Bowie County, Texas pursuant to the requirements of City and in accordance with the Texas Commission on Environmental Quality (TCEQ) Voluntary Cleanup Program and in compliance with all Federal, State and local laws and regulations (the "Work").

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the City and under the conditions expressed in this document and all referenced documents, the Contractor hereby agrees with City to commence and complete the Work described as follows:

I.
Scope

a. The Contractor agrees to perform all described Services and comply with all requirements specified in this Agreement, which shall include, but not be limited to all terms and conditions contained in the Request for Proposal, EPA and TCEQ approved Cleanup Plan, General Terms and Conditions, Insurance Requirements, Bond Requirements, Scope of Work, Site Health and Safety Plan, and Standard Operating Procedures (together with this Agreement known as the "Contract Documents")(attached hereto).

b. Contractor acknowledges that Contractor has examined the site of the Work and fully informed himself regarding all pertinent conditions at the work site. Further, Contractor has examined the Contract Documents, including all Addenda for the Work relative thereto, and Contractor has satisfied himself as to Contractor's ability to perform the Work.

c. Contractor will perform all work in conjunction and coordination with Terracon, City's retained environmental specialist.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

d. Contractor will take necessary steps to preserve the façade of the Work, stabilize the party walls to maintain the integrity of neighboring buildings and stabilize any remaining structure of 203/205 W. Broad Street, protect neighboring buildings, and to fulfill all the terms set forth in this Agreement, including all Contract Documents.

II.
Term and Hours of Operation

a. The term of this Agreement will begin on the last date this Agreement is signed by all required parties. **The anticipated start date is July 25, 2016 with the date of completion to be coordinated with City.**

b. Contractor shall perform or have performed all Work in compliance with the City's Code of Ordinances, including Section 28.237 which prohibits Work to be performed on Sundays and between the hours of 6:00 p.m. and 7:00 a.m. on any other day.

III.
Compensation

a. City agrees to pay invoices which define the percentage of completion of each phase, or their undisputed portions within 30 days of receipt, less a 10% retainage (the "Retainage") to be held by City until completion of the Work. The invoice shall breakdown in such detail as may be required by City the amounts expended and/or costs incurred for work done, materials supplied, labor and other costs.

b. Payment of all undisputed invoices shall be made by City within thirty (30) days after the invoice has been approved and accepted by City.

c. Final payment, including the retainage, shall be made by City after (1) completion of all Phases; (2) all requisite documents have been provided; (3) City finds the work acceptable and completed; (4) Contractor has provided a release executed by each supplier and subcontractor stating they have been paid in full by Contractor and no liens have been filed within 30 days after completion; and (4) the requirements of this Agreement have been fully satisfied.

d. Nothing herein shall require City to exceed the accepted bid amount, and any expenses beyond that bid amount not approved by City are at Contractor's own risk.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

III.
Responsibility

a. Contractor shall follow the standard practices of the applicable and relevant profession to make findings, provide opinions, make factual presentations, and provide professional advice and recommendations.

b. Contractor shall, at its own expense, obtain prior to any access to the Property, and maintain during the term of work, all governmental approvals of whatever nature from any governmental authorities necessary to perform the work. Contractor shall, and shall cause its representatives to, comply with all applicable laws, as well as any applicable site safety rules.

c. Contractor shall provide a copy of any correspondence or documentation, including any report, data, work plan, analysis or evaluation, prepared by Contractor or its representatives regarding Work performed to City.

d. Contractor's review or supervision of Work prepared or performed by other individuals or firms employed by the City shall not relieve those individuals or firms of complete responsibility for the adequacy of their work.

e. Contractor shall provide an assessment of the Work, and perform the cleanup of the real property located at 203 and 205 W. Broad Street in Texarkana, Bowie County, Texas pursuant to the requirements of City and in accordance with the Texas Commission on Environmental Quality (TCEQ) Voluntary Cleanup Program and in compliance with all Federal, State and local laws and regulation.

f. Contractor shall, or shall cause its representative to, remove all equipment or other materials belong to Contractor and/or its representatives at reasonable intervals but no later than at the conclusion of the Work. As soon as practicable after the Work is completed, Contractor shall restore the Property to the condition that existed prior such Work to the extent possible. If any portion of the property suffers damage by reason of the access of Contractor or its representatives, Contractor, at its own expense, shall promptly repair all such damage and restore the property to the same condition as before such damage occurred.

IV.
Independent Contractor

a. Contractor shall be an independent Contractor. The Contractor is not an employee, agent or representative of City. Contractor shall obtain and maintain, at the Contractor's expense, all permits, license, or approvals that may be necessary for the performance of the Services or Work. Contractor shall furnish copies of all such permits, licenses or approvals to City.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

b. Contractor shall operate as an independent contractor and does not have the authority to bind City to any third person or otherwise act in any way as the representative of City, unless otherwise expressly agreed to in writing signed by both parties. Contractor agrees not to represent itself as the City's agent for any purpose to any party or to allow any employee of Contractor to do so, unless specifically authorized, in advance and in writing, to do so, and then only for the limited purpose stated in such authorization. Contractor shall assume full liability for any contracts or agreements Contractor enters into on behalf of City without the express knowledge and prior written consent of City.

V.
Indemnification

Contractor agrees to indemnify City from and against liabilities, suits, actions, legal proceedings, claims, demands, damages, costs and expenses (including reimbursement of reasonable attorney's fees) to the extent arising out of the negligent act or omission of the Contractor, its agents, subcontractors, or employees in the performance of this Agreement or the Work

VI.
Insurance

Contractor agrees to maintain during the life of the Agreement the following minimum insurance:

A. Commercial general liability insurance, including personal injury liability, blanket contractual liability, and broad form property damage liability. The limit shall be not less than $1,000,000.00 per-occurrence and $2,000,000.general aggregate for bodily injury and property damage.
B. Automobile bodily injury and property damage liability insurance with a limit of not less than $1,000,000.00
C. Statutory workers compensation and employers liability insurance as required by state law.
D. Professional liability insurance in the amount of $2,000,000.00 per claim and in the aggregate.

All insurance must meet the requirements of Section 00040 in Exhibit A attached hereto.

VII.
Dispute resolution provisions

a. The initial resolution process shall require the party raising a dispute to provide written notice to the other party with sufficient detail describing

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

the provision of the Agreement alleged to be breached, the underlying facts of the dispute, a proposed solution consistent with the terms of the Agreement, and the relief sought.

b. A meeting consisting of the designated representatives of the parties shall take place within thirty (30) days following receipt of the written notice to discuss the dispute.

c. In the event the initial resolution process results in an impasse, mandatory mediation shall be held in accordance with and governed by Texas state law. City and Contractor shall each select a disinterested representative, and the two selected representatives shall then choose a third person similarly qualified. The three persons shall comprise the "arbitration panel", with authority as provided under Chapter 171 of the Texas Civil Practice and Remedies Code, to render a binding decision on the matter in dispute. Each party shall compensate its respective panel member and also shall equally share responsibility for compensating the third panel member, with the breaching party, as determined by the arbitration panel, paying the non-breaching party's costs, expenses, attorney's fees, expert fees, and fees and costs for arbitration panel members.

VIII.
Miscellaneous Provisions

a. **Bonds**

Contractor agrees to maintain during the life of the Agreement the following bonds in an amount of not less than 5% of the bid amount:

(1) Bid Bond
(2) Performance Bond
(3) Payment Bond

All bonds must meet the requirements of Section 00050 in Exhibit A attached hereto.

b. **Subcontracts**

Contractor shall be entitled to the extent determined appropriate by Contractor, to subcontract any portion of the work described in the Scope of Services; however, Contractor shall still be responsible for the performance and provision of all Services under this Agreement.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

c. **Assignment**

This Agreement is binding on the heirs, successors, and assigns of the parties hereto. Neither this Agreement, nor any claims, rights, obligations, or duties associated hereto shall be assigned or assignable by either Contractor or City without the prior written consent of the other party.

d. **No Third Party Beneficiaries**

Nothing in the Agreement should be construed to benefit any person or entity not a signatory to the Agreement.

e. **Construction**

In construing the Agreement, none of the parties shall have any term or provision, or any uncertainty or ambiguity as to any provisions, construed against such party solely by reason of such party having drafted the same.

f. **No Liability of City Officials**

No City councilmember, officer, agent, employee, or independent contractor shall be personally responsible for any liability arising under or growing out of the Agreement.

g. **Execution of Agreement**

The Agreement shall be approved by all applicable and requisite corporate or company actions of Contractor, with a representation that the signatory on behalf of Contractor has legal authority to enter into the Agreement.

h. **Integration**

The terms and conditions of this Agreement the Contract Documents, Contractor's proposal, and any other exhibits attached to this Agreement ("Services" or "Contract Documents"") represent the entire understanding of City and Contractor as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered herein. The Agreement may not be modified or altered except in writing signed by both parties.

i. **Jurisdiction and Venue**

This Agreement shall be administered and interpreted under the laws of the State of Texas. Exclusive jurisdiction and venue of litigation arising from or related to the Agreement shall be in any court of competent jurisdiction in Bowie County Texas.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

j. **Termination of Work**

Any other provisions of this Agreement notwithstanding, each party has the right to terminate this Agreement if the other party breaches or is in default of any obligation hereunder which default or breach is incapable of cure or which, being capable of cure, has not been cured within five (5) days after receipt of written notice of such default (or such additional cure period as the non-defaulting party may authorize) In addition, if at any time after commencement of the Services, City shall, in its sole reasonable judgment, determine that such Services are inadequate, unsatisfactory, no longer needed, or substantially not conforming to the applicable standard of care or representations contained herein, City may terminate this Agreement upon five (5) days written notice to Contractor without any liability to City.

k. **FUNDING:**

The City of Texarkana, Texas is a Home-Rule Municipal Corporation operated and funded on an October 1 to September 30 basis; accordingly, the City reserves the right to terminate, without liability to the City, any contract for which the funding is not annually approved by the City Council.

l. **Taxes**

The City of Texarkana, Texas is exempt from federal manufacturer's excise and state sales tax. Tax must not be included, and City shall not be responsible for any taxes charged. Tax exemption certificates will be executed by the City and furnished upon request.

m. **Severability**

In case any one or more of the provisions contained in this Agreement shall for any reason be held to be void, invalid, illegal, or unenforceable in any respect, such voiding, invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Agreement shall be considered as if the entirety of such void, invalid, illegal, or unenforceable provision had never been contained in this Agreement.

n. **Timeliness of Performance**

Contractor agrees to perform its services with due and reasonable diligence consistent with sound professional practices and will strive to meet the schedules defined in the Contract Documents.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

o. **Waiver**

Any failure by Contractor or City to require strict compliance with any provision of this Agreement shall not be construed as a waiver of such provision, and Contractor or City may subsequently require strict compliance at any time, notwithstanding any prior failure to do so.

IN WITNESS HEREOF, the parties to these presents have executed this agreement in Texarkana, Bowie County, Texas in the year and day first above written.

CITY OF TEXARKANA, TEXAS (CITY)

By: _____
John A. Whitson
City Manager, ICMA-CM

APPROVED AS TO CONTENT:

By: _____
David Orr, Director
Planning and Community Development

CONTRACTOR:

PACIFIC ENVIRONMENTAL GROUP, LLC

By: _____
W. John Moala

TITLE: VP

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY
CERTIFICATION OF FILING

Certificate Number:
2016-89201

Date Filed:
07/22/2016

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
Pacific Environmental Group, LLC
Dallas, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.
City of Texarkana

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.
RFP# 16-2001-07
Asbestos Abatement - Commercial Building 203/205 W Broad Street Texarkana, Texas

4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
		Controlling	Intermediary
Moala, William J	Dallas, TX United States	X	
Moala, Edward J	Dallas, TX United States	X	

5 Check only if there is NO Interested Party. ☐

6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

ARACELY GARZA
Notary Public, State of Texas
Comm. Expires 04-23-2018
Notary ID 129795355

AFFIX NOTARY STAMP / SEAL ABOVE

Signature of authorized agent of contracting business entity

Sworn to and subscribed before me, by the said William J Moala, Authorized Agent, this the 22nd day of July, 2016, to certify which, witness my hand and seal of office.

Signature of officer administering oath	Aracely Garza Printed name of officer administering oath	Admin Title of officer administering oath

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

EXHIBIT "A"

CONTRACT DOCUMENTS

Attached hereto:

1. Request For Proposal
2. Contractor's Proposal Form for Hazardous Materials Remediation
3. Scope of Work
4. Insurance Requirements
5. Bond Requirements
6. General Terms and Conditions
7. Site Cleanup Plan
8. Site Health and Safety Plan
9. Standard Operating Procedure for Asbestos
10. Standard Operating Procedure for Lead Based Paint
11. Standard Operating Procedure for Avian Pathogen Sampling – Airborne
12. Standard Operating Procedure for Avian Pathogen Sampling – Bulk Material
13. Standard Operating Procedure for Bioaerosol Sampling
14. Standard Operating Procedure for Fungal Growth

** If there is any conflict between Contractor's Proposal Form for Hazardous Materials and this Agreement and the Contract Documents, the terms contained in this Agreement and the Contract Documents shall govern. By executing this Agreement, Contractor acknowledges it has read this Agreement and all of the Contract Documents, acknowledges, understands, and agrees with these terms.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

EXHIBIT "A"

CONTRACT DOCUMENTS

Attached hereto:

1. Request For Proposal
2. Contractor's Proposal Form for Hazardous Materials Remediation
3. Scope of Work
4. Insurance Requirements
5. Bond Requirements
6. General Terms and Conditions
7. Site Cleanup Plan
8. Site Health and Safety Plan
9. Standard Operating Procedure for Asbestos
10. Standard Operating Procedure for Lead Based Paint
11. Standard Operating Procedure for Avian Pathogen Sampling – Airborne
12. Standard Operating Procedure for Avian Pathogen Sampling – Bulk Material
13. Standard Operating Procedure for Bioaerosol Sampling
14. Standard Operating Procedure for Fungal Growth

** If there is any conflict between Contractor's Proposal Form for Hazardous Materials and this Agreement and the Contract Documents, the terms contained in this Agreement and the Contract Documents shall govern. By executing this Agreement, Contractor acknowledges it has read this Agreement and all of the Contract Documents, acknowledges, understands, and agrees with these terms.

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Terracon

SECTION 00020 - PROPOSAL FORM FOR HAZARDOUS MATERIALS REMEDIATION

Project: Commercial Building
203/205 W Broad Street
Texarkana, Texas

Company: Pacific Environmental Group, LLC
Contact: W. John Moala
Phone: 214-989-4044
Email: john@pacific-environmental.com

Terracon Project No.: 94137464B

PROPOSAL FORM

To: Ms. Sharon Moore, Purchasing Manager City of Texarkana Date: 7/1/16

In compliance with your Request for Proposals and subject to all the conditions thereof the undersigned:

Pacific Environmental Group, LLC

Name of Proposer

A Corporation organized and existing under the laws of the State of _____ , a Partnership consisting of an LLC or an Individual trading as _____, having principal offices in the city of Dallas , hereby proposes to furnish all labor and materials and perform all Work required for the following Project:

ACKNOWLEDGMENTS: The proposer declares that he himself has examined the site of the Work and fully informed himself regarding all pertinent conditions, and that he has examined the Scope of Work (including all Addenda received) for the work relative thereto, and that he has satisfied himself relative to the Work to be performed.

1. BASE PROPOSAL (Time Frame 1): The Proposer herewith submits for the portion of the Work identified as "Base Proposer" a lump sum cost of: $89,365

2. ADDENDA: The Proposer acknowledges receipt of Addenda No's: —

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Terracon

3. PROJECT SCHEDULE: The Proposer submits the following work schedule:

The proposer agrees to start work within 11 consecutive calendar days of receipt of notice to proceed and complete the Contract within:

SCHEDULE & STAFF

Total number of work days to complete:	17
Number of days per week Contractor will work:	7 Prohibited on Sundays, Sec. 28-237- Work hours be in Contract (DR)
Hours per day the Contractor will work:	10
Number of TDSHS Supervisors/Workers:	12

PRICE

A. Total Base Proposal (includes labor, materials, disposal & reporting:	$89,365
B. Performance and Payment Bonding Rate:	3%

CERTIFICATIONS: The undersigned certifies that he is authorized to execute contracts on behalf of the Proposer as legally named, that this proposal is submitted in good faith without fraud or collusion with any other Proposer, that the data indicated below is true and complete, and that the proposal is made in good faith and in full accord with State Law. Notice or acceptance may be sent to the undersigned at the address set forth below:

PACIFIC ENVIRONMENTAL GROUP, LLC LIMITED LIABILITY SEAL 2014 TEXAS COMPANY

Legal Name of Proposer*:	Pacific Environmental Group, LLC
Mailing Address:	2435 Southwell Rd. Ste. 3 Dallas, Texas 75229
By (Legal Signature):	
Name Typed:	W. John Moala
Title:	Partner

DATA ON PROPOSER:

Abatement Contractor's State Licenses: Submit Copies of Licenses.

If a partnership, list all partners and their addresses. If a corporation, affix corporate seal: If proposal is signed by other than the president or vice president, attach written authority to bind the corporation. If an individual, then so state. Any modifications to a proposal shall be over the initials of the person signing the proposal or of an agent who supplied written authority with the modification.

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The Proposer as part of the proposal package shall submit a list of a minimum of five (5) previous asbestos, fungal, lead paint and avian pathogen abatement projects of a similar scope and size, successfully completed by the Proposer along with the Owner's name, address and telephone number. If the projects were handled by a consulting firm, the name, address, contact and telephone number of the firm shall also be included.

LIST FIVE PREVIOUS HAZARDOUS MATERIAL ABATEMENT PROJECTS OF SIMILAR SCOPE (highlight historical projects and note if scope of work included a deteriorated structure with common walls to adjoining, sound structures):

1. Owner: Please see attached list Phone No.: _____
   Contract Amount: _____ Completion Date: _____
   Consultant: _____ Phone No.: _____
   Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No

2. Owner: _____ Phone No.: _____
   Contract Amount: _____ Completion Date: _____
   Consultant: _____ Phone No.: _____
   Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No

3. Owner: _____ Phone No.: _____
   Contract Amount: _____ Completion Date: _____
   Consultant: _____ Phone No.: _____
   Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No

4. Owner: _____ Phone No.: _____
   Contract Amount: _____ Completion Date: _____
   Consultant: _____ Phone No.: _____
   Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No

5. Owner: _____ Phone No.: _____
   Contract Amount: _____ Completion Date: _____
   Consultant: _____ Phone No.: _____
   Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No

ADDITIONAL ITEMS REQUIRED WITH PROPOSAL: The following items are additionally required as part of this proposal submittal.

1. INSURANCE CERTIFICATES.

2. CONTRACTOR'S QUALIFICATION STATEMENT: Completed AIA Document A305.

3. A notarized statement, signed by an officer of the company, containing the following information of a statement of negative of the same:

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Pacific Environmental Group, LLC

General Contractor / Environmental Specialty Contractor

Environmental Services Projects

Arapaho Village Dallas, TX
PRIME GC - Asbestos Abatement Contractor
Complete Date: February 2015
Value: $31,119.00
POC: Kris Schuster (469)232-0000

Richardson ISD 400 S. Greenville Avenue Richardson, TX 75081
Asbestos Abatement / Mold Remediation Contractor
Master Contract: Ongoing
Value: $250,000.00+
Owner POC: Melanie Rhea
469-593-0044

Dallas ISD 3801 Herschel Dallas, TX 75219
Asbestos Abatement Contractor
Master Contract: Ongoing
Value: $225,000.00+
Owner POC: Russ Pounds
972-925-7304

Fort Worth ISD 100 North University Drive Fort Worth, TX 76107
Abatement Contractor
Master Contract: Ongoing
Value: $20,000.00+
Owner POC: Steven Furlough
817-871-3296

Carswell Air Force Base Prison Ft. Worth, TX
Prime GC - Asbestos Abatement/Mold Remediation/Construction
Completion Date: 2014
Value $173,000.00
POC: Don Sambrookes (817) 782-4028

**All projects were not historical and did not have deteriorated walls.

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a) A record of citations issued by Federal, State, or Local regulatory agencies relating to asbestos, fungal(mold) and lead paint abatement activity for the Contracting company and any and all affiliates. Include projects, dates and resolutions.

b) Situations in which an asbestos and lead related contract has been terminated including projects, dates and reasons for terminations.

c) A listing of any asbestos or lead-related legal proceedings/claims in which the Proposer (or employees scheduled to participate in this project) have participated or are currently involved. Include descriptions of role, issue and resolution to date.

4. Name of supervisor and/or supervisors who will work on the project. Include a detailed description of his/her experience with references and years of experience.

5. Contractor will provide the name and appropriate permit information of the waste transporter and their insurance certificate.

6. Contractor will provide the name of the landfill at which the asbestos and lead waste will be disposed.

END OF PROPOSAL FORM

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 6/28/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Baldwin-Cox Agency, LLC 5930 Preston View Blvd Ste 200 Dallas TX 75240	CONTACT NAME: Judy Lozano PHONE (A/C, No, Ext): (972) 644-2688 FAX (A/C, No): (972) 644-8035 E-MAIL ADDRESS:
INSURED Pacific Environmental Group, LLC 2435 Southwell Road Ste 3 Dallas TX 75229	INSURER(S) AFFORDING COVERAGE — NAIC # INSURER A: Homeland Insurance Co of New York — 34452 INSURER B: Texas Mutual Insurance Company — 22945 INSURER C: Liberty Mutual Insurance Company — 23043 INSURER D: INSURER E: INSURER F:

COVERAGES **CERTIFICATE NUMBER:** Master **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRO-JECT LOC OTHER:			7930045910000	4/29/2016	4/29/2017	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG (blank)	$ 1,000,000 $ 50,000 $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000 $ 1,000,000
C	AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS X HIRED AUTOS X NON-OWNED AUTOS			BAS (16) 56345210	10/10/2015	10/10/2016	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) (blank)	$ 1,000,000 $ $ $ $
A	UMBRELLA LIAB X OCCUR X EXCESS LIAB CLAIMS-MADE DED RETENTION $			7930045920000	4/29/2016	4/29/2017	EACH OCCURRENCE AGGREGATE (blank)	$ 10,000,000 $ 10,000,000 $
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N: N N/A If yes, describe under DESCRIPTION OF OPERATIONS below			TSF-0001276880	10/04/2015	10/04/2016	X PER STATUTE OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 1,000,000 $ 1,000,000 $ 1,000,000
A	Professional Services Liab & Contractors Pollution			7930045910000	04/29/2016	04/29/2017	Liability Deductible/Claims Made	$1,000,000 $2,500/5,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The general liability,professional Liability, pollution liability, Umbrella Liability and Auto Liability policies includes a blanket automatic additional insured endorsement that provides additional insured status to the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status.

A Blanket Endorsement for Ongoing and Completed Operations is attached to the Certificate holder only when there is a written contract between the named insued and the Certificate Holder that requires such

CERTIFICATE HOLDER

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Bill Baldwin/YJL

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COMMENTS/REMARKS

Status.

The general liability, professional Liability, Pollution Liability and Excess Liability policy contains a special endorsement with "primary and non-contributory" wording.

Excess Liability coverage is on a Follow Form

The general liability, professional Liability,pollution liability, Umbrella Liability, Auto Liability and Workers Compensation policies includes a blanket automatic waiver of subrogation endorsement that provides this feature only when there is a written contract between the named insured and the certificate holder that requires it.

The general liability, professional liability, pollution liability,umbrella policies and workers Compensation includes a blanket notice of cancellation to the certificate holders endorsement, providing for 30 days advance notice if the policy is cancelled by the company other than for nonpayment of premium, for which 10 days notice is given. Notice is sent to the certificate holders with mailing addresses on file withthe agent or the company. The endorsement does not provide for notice of cancellation if the named insured requests cancellation.

OFREMARK COPYRIGHT 2000, AMS SERVICES INC.

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Pacific Environmental Group, LLC

General Contractor / Environmental Specialty Contractor

Commercial Building
203/205 W Broad Street
Texarkana, TX
Terracon Bid Number: 94137464B

a. **Violations:** Pacific Environmental Group, LLC RCO1200
Dallas Baptist University, 3000 Mountain Creek Pkwy, Dallas
295.325(b) – Failure to submit an amended notification – later start date
Penalty: $250 01/12/2016

b. Contract terminations: None

c. Asbestos legal proceedings/claims – None

4. Marco Fernandez Supervisor, 28 years experience – Resume Attached

5. Waste Transporter – Pacific Environmental Group, LLC License Number 40-0525
License Attached

6. Landfill:
DFW Landfill
1600 S. Railroad
Lewisville, TX 75067
1025B Permit Number

Sincerely,
Pacific Environmental Group, LLC

William John Moala
Partner

STATE OF TEXAS

COUNTY OF Dallas

The foregoing instrument was signed, sealed and acknowledged before me this 5th day of July, 2016, by the aforesaid representative, having been duly sworn and stating and affirming that he/she is duly authorized to give this Affidavit and that the foregoing

2435 Southwell Rd, Ste. 3 Dallas, TX 75229
Office (214)989-4044 Fax (877)865-8203
info@pacific-environmental.com /pacific-environmental.com

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Pacific Environmental Group, LLC

General Contractor / Environmental Specialty Contractor

statements are true.

Signed: Megan Hurd
Notary Public

My Commission expires: Oct 14, 2016

(Notary Seal)

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info@pacific-environmental.com /pacific-environmental.com

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Marco Fernandez
2510 N. Highway 175 Trl. 417
Seagoville, TX 75159
marco@pacific-environmental.com

Objective: Ready to excel as an asbestos environmental specialist, where I can use my extensive skills and experience to measurably improve environmental compliance and provide the support and dedication it takes to get the job done.

Highlights of Qualifications

- Oversaw removal of ACM material, non-friable asbestos and non-regulated material at the CVS Pharmacy in Bay City, TX.
- Supervised all projects at Hitchcock Independent School District. Work included mold remediation, removing mold walls and ceiling tiles, build-back, and asbestos removal of floor tile and mastic at the Crosby Middle School Library.
- Supervised projects at City of Denison Fire Station. Work included removal of mastic of the lettering, and also cleaning the plaster walls surrounding the fire station.
- Supervised removal of duct insulation, mastic removal, and roof flashing of the Former Luby's Cafeteria in Irving, Texas.

On-The-Job Experiences

Prepare and review reports. Consult with supervisors for corrective steps to be taken where health violations or deficiencies exist. Ensure that programs are being carried out and that control measures are adequate. Provide guidance and supervision in selecting protective equipment, and monitor its use in the industrial environment. Review plans, work orders, contracts, and specifications for compliance with environmental and occupational health directives. Serve as a member on committees for occupational health and environmental protection matters. Evaluate domestic waste treatment and solid waste disposal systems and procedures. Identify and evaluate potential pollution sources. Investigate chemical spills and other environmental releases, collect samples and coordinate necessary corrective actions with state, federal, and local officials. Perform source and ambient air monitoring. Conduct evaluations and review procedures for compliance with pollutant discharge limits. Collect industrial hygiene data on noise, ionizing and non-ionizing radiation, illumination, ventilation, air quality, ergonomics, and survey equipment. Perform and direct surveys to detect and identify chemical, biological, and radiological contaminants. Survey facilities, equipment, materials, and operations for ionizing and non-ionizing radiation hazards and monitor radioactive waste disposal and shipment to ensure compliance with current environmental, safety, and health standards, and licensing or permit requirements.

Training/Certificates

- Asbestos Contractor/Supervisor in Texas
- Asbestos Contractor/Supervisor Missouri
- Mold Remediation Worker
- Mold Remediation Contractor
- Resilient Floor Covering Removal Supervisor
- Lead Abatement Supervisor

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TEXAS DEPARTMENT OF STATE HEALTH SERVICES

PACIFIC ENVIRONMENTAL GROUP LLC

is certified to perform as a

Asbestos Abatement Contractor

in the State of Texas within the purview of Texas Occupations Code, chapter 1954, so long as this license is not suspended or revoked and is renewed according to the rules adopted by the Texas Board of Health.

JOHN HELLERSTEDT, M.D.
COMMISSIONER OF HEALTH

License Number: 801057

Expiration Date: 5/18/2018

Control Number: 96305

(Void After Expiration Date)

VOID IF ALTERED NON-TRANSFERABLE

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TEXAS DEPARTMENT OF STATE HEALTH SERVICES

PACIFIC ENVIRONMENTAL GROUP LLC

is certified to perform as a

Asbestos Transporter

in the State of Texas within the purview of Texas Occupations Code, chapter 1954, so long as this license is not suspended or revoked and is renewed according to the rules adopted by the Texas Board of Health.

KIRK COLE, INTERIM
COMMISSIONER OF HEALTH

License Number: 400525

Control Number: 96167

Expiration Date: 7/6/2017

(Void After Expiration Date)

VOID IF ALTERED NON-TRANSFERABLE

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Pacific Environmental Group, LLC

General Contractor / Environmental Specialty Contractor

CONTRACTOR QUALIFICATIONS STATEMENT

Pacific Environmental Group has great interest in this contract opportunity. Our owners have a proven track record of helping numerous entities get the most for their dollars when it comes to their environmental needs. Our experience correlates perfectly with the opportunity presented in this solicitation.

Pacific Environmental has been a leader in the environmental field over the last 16 years, providing quality services to various public and private entities, property managers, building management, project managers, and consulting firms. Our time tested operating procedures are designed to deliver the best quality of services at the lowest possible cost.

The firms' owners, Jared Moala and John Moala, have successfully bid and executed contracts over the last nearly 16 years on thousands of projects for Bank of America (National Contract), USPS, WFAA, Walgreens, City of Corsicana, City of Hutchins, TXDPS, TX National Guard, Parkland Hospital, Medical Center of Arlington, Dallas ISD, Denton ISD, Hitchcock ISD, Arlington ISD, Richardson ISD, Dallas Baptist College, Arlington Baptist College, CB Richard Ellis, CVS, Comerica, the Federal Government, including an Army IDIQ and Air Force IDIQ, etc.

Pacific Environmental employs only the top personnel in the remediation field. With a combined personnel experience of over 75 years, Pacific Environmental is dedicated to keeping employees top notch with up-to-date training on industry regulations and practice, to include the latest technology and methods.

Pacific Environmental has the infrastructure in place to provide the airport with quality work and services, while adhering to the airport's calendar of operations and activities. Pacific will work around those timetables to provide whatever hazardous material abatement work is required and in agreement with the logistics of the project(s). Each contract is assigned a specific Project Manager with support from the Superintendent, Office Coordinator and General Manager in addition to the assigned Supervisor and field staff.

Pacific Environmental services each client and the many activities involved by using many of the core values Pacific Environmental is based, such as communication, preparedness and problem solving.

Communication - All aspects of any project undertaken by Pacific Environmental are communicated to everybody possibly involved. From primary project discussion through jobsite work to closeout, all parties are involved on Pacific Environmental

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info@pacific-environmental.com / www.pacific-environmental.com

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communications. Pacific Environmental personnel are available 24/7/365 days a year, day or night to answer questions, updates, etc.

Preparedness - Pacific Environmental strives to stay ahead of the curve on environmental projects by being prepared prior to ever stepping foot on the jobsite. By completing all required paperwork, submittals, training, schedules, communications and any and all project management items, we try to make sure we have covered all the bases.

Problem Solving - Pacific Environmental understands that there are unique challenges that arise on projects. Pacific Environmental solves these challenges by thinking outside the box, and using the best solutions possible for the client.

CURRENT PROJECTS

- *Federal Medical Center Bureau of Prisons* - Asbestos Abatement
- *Arapaho Village Shopping Center* - Asbestos Abatement
- *Shell Gas Station* – Asbestos Abatement
- *Goodfellow Air Force Base* – Goodfellow, Texas – Demolition
- *WFAA* – Asbestos Abatement
- *Sheraton Dallas* – Asbestos Abatement
- *Dallas Baptist University* – Mold Remediation
- *Lake Granbury Medical Center* – Asbestos Abatement
- *Arlington Baptist College* – Asbestos Abatement
- *Various Residences* – Asbestos Abatement / Mold Remediation
- *US Army Core of Engineers* – Asbestos Abatement
- *Dallas ISD Master Agreement* – Asbestos Abatement
- *Richardson ISD* – Asbestos Abatement

LICENSES AND CERTIFICATIONS

Pacific Environmental maintains the following licenses and certifications:

- Texas Department of State Health Services (TDSHS) Licensed Asbestos Abatement Contractor – License # 80-1057
- TDSHS Licensed Asbestos Abatement Transporter – License # 40-0525
- TDSHS Licensed Mold Remediation Contractor – Marco Fernandez - License # MRC1130

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Pacific Environmental Group, LLC

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- TDSHS Licensed Mold Remediation Company- License # RCO1200
- TDSHS Licensed Lead Abatement Firm - License # 2110608
- United States EPA Lead Certification #NAT-F147048-1
- Federal HUBZone Certification - 53206

MINORITY DESIGNATION

Pacific Environmental is a minority owned business.

- Dallas Fort Worth Minority Supplier Development Council – DL02146

SAFETY RECORD

- *Experience Modification Rate (EMR): .85*
- *Number of lost time accidents: Zero*
- *Number of recordable cases: Zero*
- *Fatalities: Zero*
- *Number of direct hire fixed hours worked (in round 1,000's): 30,000*
  - Current EMR - .85
  - OSHA 300 Recordable – Zero accidents or injuries

Bonding Capacity

$1,000,000

DUNS/CAGE Code number

DUNS – 079359158
CAGE – 77VS4

Principals

Jared Moala
504 Oakwood
Euless, Texas 76040
John Moala
1710 Glen Aerie
Corinth, Texas 76210

2435 Southwell Rd, Ste. 3 Dallas, TX 75229
Office (214)989-4044 Fax (877)865-8203
info@pacific-environmental.com / www.pacific-environmental.com

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Organization Chart - Prime

Role	Name	Responsibility
Partner	E. Jared Moala	Oversees all aspects of operations
Partner	W. John Moala	Oversees all aspects of operations
Director of Marketing & Business Development	Alfred Vaituulala	Provides strategic direction and high level planning
Chief of Construction & Engineering Services	Donald Dragoo	Oversees all operations
Superintendent	Scyler Hurd	Supervises and directs the project managers and supervisors
Project Manager	John Vi	Concentrates on a certain number of projects and oversees each aspect of it
Project Manager	Jenna Rasmussen	Concentrates on a certain number of projects and oversees each aspect of it
Project Supervisor	Marco A. Fernandez	Licensed by the state and covers all tasks related to asbestos abatement
Project Supervisor	David Barnes	Licensed by the state and covers all tasks related to asbestos abatement
Project Coordinator Office Manager	Lisia Moala	Oversees Office

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Pacific Environmental Group, LLC

General Contractor / Environmental Specialty Contractor

Supervisory Personnel

John Moala
Asbestos Abatement Supervisor – 12 years experience
Mold Remediation Contractor – 7 years experience

Marco Fernandez
Asbestos Abatement Supervisor – 20 years experience
Mold Remediation Contractor – 7 years experience
Lead Abatement Supervisor – 3 years experience

Ruben Garcia
Asbestos Abatement Supervisor – 9 years experience
Mold Remediation Worker – 9 years experience
Lead Abatement Worker – 5 years experience

Pedro Leija
Asbestos Abatement Supervisor – 10 years experience

David Barnes
Asbestos Abatement Supervisor – 30 years experience

CAPABILITIES - In House

Asbestos Abatement

Mold and Microbial Remediation

Lead Abatement

Nationwide Disaster Response Support
IAQ Services

Pacific Environmental Group, LLC (Contractor) certifies:

Contractor agrees that services covered by this contract shall be performed by qualified, responsible, trained employees, in the strictest conformity with the best practices and standards as may be prescribed by the Airport, industry standards, and/or manufacturer's recommendations throughout the duration of this contract. The Airport and contractor agree that the conduct of service personnel is to be guided by a set of rules mutually agreed upon and any special instructions deemed applicable by the Airport. It shall be agreed that service personnel's personal grooming habits will be subject to standards set by the Airport. Contractor further agrees that upon request by the Airport, contractor will immediately remove from service any

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info@pacific-environmental.com / www.pacific-environmental.com

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employee who, in the Airport's opinion, is guilty of improper conduct, is not qualified or needed to perform the work assigned, or by reason of being in the best interest of the Airport. All service personnel will be required to communicate well, both verbally and in writing, project a professional image in their duties and deal with all people in a courteous and positive manner. All service personnel must wear Photo ID cards while on District property. Full background checks are performed on each employee and laborer.

Regulatory Compliance History

Pacific Environmental has no TDSHS violations nor has it received warnings, citations, penalties, damages, shutdowns, claims, proceedings, or the like.

Available Work Force & Response Time

Pacific Environmental has the background checked and available work force needed to complete this project on budget adhering to the Airport's schedule. Pacific highly values the DFW Airport as a top client and can respond as needed to its requests.

2435 Southwell Rd, Ste. 3 Dallas, TX 75229
Office (214)989-4044 Fax (877)865-8203
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SECTION 00030 – GENERAL TERMS AND CONDITIONS

****** PLEASE READ CAREFULLY ******

THESE GENERAL CONDITIONS APPLY TO ALL PROPOSALS AND BECOME A PART OF THE TERMS AND CONDITIONS OF ANY PROPOSAL SUBMITTED AND SUBSEQUENT PURCHASE ORDER OR CONTRACT. THE CITY SHALL MEAN THE CITY OF TEXARKANA, TEXAS.

1. **REQUIRED INFORMATION:** The proposal form section of the proposal packet must be completed prior to the date and time set for the proposal opening and included with the proposal packet or the vendor will be found non-responsive.

2. **INSTRUCTIONS:** These instructions apply to all quotations and become a part of terms and conditions of any proposal packet submitted and subsequent purchase order or contract.

3. **ERROR-QUANTITY:** Proposal price must be submitted on units of quantity specified, extend, and total shown. In the event of discrepancies in extensions, the unit price shall govern.

4. **AWARD:** The City of Texarkana, Texas reserves the right to accept or reject any and all proposals in whole or in part and waive any minor technicality and enter into contract deemed to provide the **best value** to the City.
The City of Texarkana, Texas reserves the right to award a separate contract to separate vendors for each item/group or to award one contract for the entire proposal.

4.1 The contract may be awarded either to the lowest responsible proposer or to the proposer who provides goods or services at the best value for the City of Texarkana, Texas. In determining the best value for the City of Texarkana, Texas, the City may consider:

(a) The purchase price;
(b) The reputation of the proposer and of the proposer's goods or services;
(c) The quality of the proposer's goods or services;
(d) The extent to which the goods or services meet the City's needs;
(e) The proposer's past relationship with the City;
(f) The impact on the ability of the City to comply with laws and rules relating to contracting with Historically Underutilized Businesses and non-profit organizations employing persons with disabilities;
(g) The total long-term cost to the City to acquire goods or services; and
(h) Any relevant criteria specifically listed in the Request for Proposal.

4.2 All proposals are evaluated for compliance with specifications before the proposal price is considered. Failure to comply with the listed General Conditions may result in disqualification of proposal.

4.3 In case of tie proposals, preference will be given to local proposers.

4.4 Any contract made, or purchase order issued, as a result of this Request for Proposal, shall be entered into the State of Texas and under the laws of the State of Texas. In connection with the performance of work, the Proposer agrees to comply with the Fair Labor Standard Act, Equal Opportunity Employment Act, and all other applicable Federal, State, and Local laws, regulations, and executive orders to the extent that the same may be applicable.

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Responsible Proposer Criteria: The City shall consider only responsible Proposers. Responsible Proposers are those that have, in the sole judgment of the City, the financial ability, experience, resources, skills, capability, reliability and business integrity necessary to perform the requirements of the contract. The City may also consider references and financial stability in determining a responsible Proposer.

5. **INVOICES:** Invoices shall be submitted by the successful proposer to the City of Texarkana, Texas, Purchasing, P. O. Box 1967, Texarkana, Texas 75504

6. **PAYMENT TERMS:** Net 30 days.

7. **TAXES:** The City of Texarkana, Texas is exempt from Federal Manufacturer's excise and state sales tax. Tax must not be included in proposal. Tax exemption certificates will be executed by the City and furnished upon request.

8. **DELIVERY PROMISE:** Proposals must show the number of calendar days required to place the materials in the possession of the City. Do not quote shipping dates.

9. **FUNDING:** The City of Texarkana, Texas is a home-rule municipal corporation operated and funded on an October 1 to September 30 basis; accordingly, the City reserves the right to terminate, without liability to the City, any contract for which funding is not available.

10. **ASSIGNMENT:** The successful proposer shall not sell, assign, transfer or convey this contract in whole, or part, without the prior written consent of the Purchasing Department.

11. **LATE PROPOSALS:** Proposal packets received after submission deadline shall be returned unopened and will be considered void and unacceptable. The City of Texarkana, Texas is not responsible for the lateness of mail carrier, weather conditions, etc.

12. **ALTERING PROPOSALS**: Proposal prices cannot be altered or amended after submission deadline. Any interlineation alteration or erasure made before opening time must be initialed by the signer of the proposal, guaranteeing authenticity.

13. **WITHDRAWAL OF PROPOSALS**: A proposal price may not be withdrawn or canceled by the proposer for a period of ninety (90) days following the date designated for the receipt of proposals without written approval of Purchasing Director, and proposer so agrees upon submittal of proposal.

14. **CHANGE ORDERS**: No oral statement of any person shall modify or otherwise change, or affect the terms, conditions or specifications stated in the resulting contract. All change orders to the contract will be made in writing by the City of Texarkana, Texas.

15. **ADDENDA**: Any interpretations, corrections or changes to this proposal packet will be made by addenda. Sole issuing authority shall be vested in the City of Texarkana, Texas Purchasing Department. Addenda will be sent to all who are known to have received a copy of this proposal packet. If the addenda contain changes to the "specification" or "proposal form", proposers shall acknowledge receipt of all addenda or they will be declared non-responsive.

16. **Contractor shall release, defend, indemnify and hold harmless the City** and its officers, agents and employees from and against all damages, injuries (including death), claims, property damages (including loss of use), losses, demands, suits, judgments and costs, including reasonable attorney's fees and expenses, in any way arising out of,

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related to, or resulting from the performance of the work or caused by the negligent act or omission of contractor, its officers, agents, employees, subcontractors, licensees, invitees or any other third parties for whom contractor is legally responsible (hereinafter "claims"). Contractor is expressly required to defend City against all such claims.
In its sole discretion, City shall have the right to select or to approve defense counsel to be retained by contractor in fulfilling its obligation hereunder to defend and indemnify City, unless such right is expressly waived by City in writing. City reserves the right to provide a portion or its own entire defense; however, City is under no obligation to do so. Any such action by City is not to be construed as a waiver of contractor's obligation to defend City or as a waiver of contractor's obligation to indemnify City pursuant to this contract. Contractor shall retain City approved defense counsel within seven (7) business days of City's written notice that City is invoking its right to indemnification under this contract. If contractor fails to retain counsel within such time period, City shall have the right to retain defense council on its own behalf, and contractor shall be liable for all costs incurred by City.

17. **TERMINATION**: The City of Texarkana, Texas reserves the right to enforce the performance of this contract in any manner prescribed by law or deemed to be in the best interest of the City in the event of breach or default of this contract. The City reserves the right to terminate the contract immediately in the event the successful proposer fails to 1) meet delivery schedules or 2) otherwise perform in accordance with these specifications or 3) the City of Texarkana may terminate this contract for any reason with 30 days written notice.

18. **VENUE:** This agreement will be governed and constructed according to the laws of the State of Texas. This agreement is performable in Bowie County, Texas.

19. **NO PROHIBITED INTEREST:** Proposer acknowledges and represents that they are aware of the laws, City charter, and City code of conduct regarding conflicts of interest. The City charter states that "no officer or employee of the City shall have a financial interest, direct or indirect, in any contract with the City, nor shall be financially interested, directly or indirectly, in the sale to the City of any land, or rights or interest in any land, materials, supplies or service".

20. **PREPARATION COST:** The City will not be liable for any costs associated with the preparation, transmittal, or presentation of any proposals or materials submitted in response to any proposal, quotation, or proposal.

21. **MINOR DEFECT:** The City reserves the right to waive any minor defect, irregularity, or informality in any proposal. The City may also reject any or all proposals without cause prior to award.

22. **PROPOSAL OPENINGS:** All proposals submitted will be read at the City's regularly scheduled proposal opening for the designated project. However, the reading of a proposal at proposal opening should not be construed as a comment on the responsiveness of such proposal or as any indication that the City accepts such proposal as responsive. The City will make a determination as to the responsiveness of proposals submitted based upon compliance with all applicable laws, City of Texarkana, Texas purchasing guidelines, and project documents, including but not limited to the project specifications and contract documents. The City will notify the successful proposer upon award of the contract and, according to state law; all proposals received will be available for inspection at that time.

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23. **FORCE MAJEURE:** Neither party shall be held responsible for losses or damages hereunder, if the fulfillment of any terms of provisions of the contract is delayed or prevented by strike, walkouts, acts of god, or public enemy, fire, or flood.

24. **PRICE:** The price or prices for the work shall include full compensation for all taxes, permits, etc. that the proposer is or may be required to pay.

25. **CONFLICT OF INTEREST:** The proposer shall not offer or accept gifts or anything of value nor enter into any business arrangement with any employee, official or agent of the City of Texarkana, Texas.

    By signing and executing this proposal, the proposer certifies and represents to the City the proposer has not offered, conferred or agreed to confer any pecuniary benefit or other thing of value for the receipt of special treatment, advantage, information, recipient's decision, opinion, recommendation, vote or any other exercise of discretion concerning this proposal.

26. **PERMITS:** Successful proposer is responsible for obtaining any and all City permits when job requires.

27. **CONFLICT OF INTEREST DISCLOSURE:** Disclosure requirements of potential conflicts of interest involving counties, cities, and other local government entities must be filed after January 1, 2006. The disclosures must be filed by vendors or potential vendors to local government entities. The new requirements are set forth in a new Chapter 176 of the Texas Local Government Code added by H.B. No. 914 of the last Texas Legislature.

    A "local government entity" includes counties, municipalities, school districts, and other political subdivisions of the state or any entity to which a member is appointed by a county commissioner's court or the mayor or governing body of a municipality. A "local government officer" means a member of the governing body of a local government entity and the person designated as the chief executive officer of the local government entity.

    Companies and individuals who contract, or seek to contract, with the City of Texarkana, Texas and its agents (including employees involved in the business with the entity) must file with the City Secretary's Office at 220 Texas Blvd., Room 102, Texarkana, Texas 75504 a Conflict of Interest Questionnaire that describes, among other things, affiliations or business relationships with City of Texarkana, Texas officers, or certain family members or other businesses of the City of Texarkana, Texas officer, and certain employees or other contractors of the City of Texarkana, Texas with which such persons do business.

    The new requirements are in addition to any other disclosures required by law. The dates for filing disclosure statements begin on January 1, 2006. A violation of the filing requirements is a Class C misdemeanor.

    The Conflict of Interest Questionnaire (Form CIQ) may be downloaded from http://www.ethics.state.tx.us/conflict_forms.htm.

28. **Disclosing "Interested Parties" to a Contract, HB1295**: A governmental entity (the City) or state agency may not enter into a contract described by Subsection (b) with a business entity unless the business entity, in accordance with this section and rules adopted under this section submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency.

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"controlling interest" means: (1) an ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stock or otherwise that exceeds 10%; (2) membership on a board of directors or other governing body of a business entity of which the board or other governing body is composed of not more than 10 members; or (3) service as an officer of business entity that has four or fewer officers or service as one of the four officers most highly compensated by a business entity that has more than four officers.

"Interested party" means a person who has a controlling interest in the business entity with whom a governmental entity or state agency contracts or who actively participated in facilitating the contract or negotiating the terms of the contract, including a broker, intermediary, adviser or attorney for the business entity.

The disclosure of interested parties must be submitted on a form prescribed by the Texas Ethics Commission that includes:

(1) A list of each interested party for the contract of which the contracting business entity is aware; and

(2) The signature of the authorized agent of the contracting business entity, acknowledging that the disclosure is made under oath and under penalty of perjury.

A copy of this form can be found on the Texas Ethics Commission website with instructions. https://www.ethics.state.tx.us/tec/1295-info.htm

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SECTION 00040 - INSURANCE REQUIREMENTS

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

(a) Commercial General Liability (CGL) insurance at minimum combined single limits of $1,000,000 per-occurrence and $2,000,000 general aggregate for bodily injury and property damage. Coverage must be written on an occurrence form. Contractual liability must be maintained with respect to the contractor's obligations contained in the contract. The general aggregate limit must be at least two (2) times the per-occurrence limit. CGL shall include coverage for:

1. Premises/Operations
2. Products Completed Operations
3. Personal Injury

(b) Workers Compensation insurance at statutory limits.

(c) Commercial Automobile Liability insurance at minimum combined single limits of $1,000,000 per-occurrence for bodily injury and property damage, including owned, non-owned, and hired vehicle coverage.

The required limits may be satisfied by any combination of primary, excess or umbrella liability insurances, provided the primary policy complies with the above requirements and the excess umbrella is following form. The successful proposer may maintain reasonable and customary deductibles, subject to approval by the City.

A comprehensive general liability insurance form may be used in lieu of a commercial general liability insurance form. In this event, coverage must be written on an occurrence basis, at limits of $500,000 per occurrence, combined single limit; and coverage must include a broad form comprehensive general liability endorsement, coverage for products/completed operations, and broad form contractual liability covering the obligations included in the contract.

With reference to the foregoing insurance requirement, the successful proposer shall specifically endorse applicable insurance policies as follows:

(1) The City shall be named as an additional insured with respect to general liability.

(2) A waiver of subrogation in favor of the City of Texarkana, Texas shall be contained in the workers compensation coverage.

(3) All insurance policies shall be endorsed to require the insurer to immediately notify the City of any material change in the insurance coverage.

(4) All insurance policies shall be endorsed to the effect that the City will receive at least 10 days notice prior to cancellation, non-renewal or termination of the insurance.

(5) All copies of Certificates of Insurance shall reference the project/contract number for which the insurance is being supplied.

The City prefers that all insurance be purchased from an insurance company that meets the following requirements:

1) A financial rating of A:VII or better as assigned by the BEST rating Company or A or better by Standard and Poor's.
2) Written by companies approved by the State of Texas and acceptable to the City of Texarkana, Texas.

All insurance must be written on forms filed with and approved by the Texas State Board of Insurance. Certificates of Insurance shall be prepared and executed by the insurance company or it's authorized agent, and shall contain provisions representing and warranting the following:

1) The insurance set forth by the insurance company are underwritten on forms, which have been approved by the Texas State Board of Insurance.

2) Sets forth all endorsements and insurance coverage according to requirements and instructions contained herein.

3) Shall specifically set forth the notice of cancellation or termination provisions to the City of Texarkana, Texas.

CONTRACTOR SHALL:

(1) provide coverage for its employees providing services on a project, for the duration of the project based on proper reporting of classification codes and payroll amounts and filling of any coverage agreements;

(2) provide a certificate of coverage showing workers' compensation coverage to the governmental entity prior to beginning work on the project;

(3) provide the governmental entity, prior to the end of the coverage period, a new certificate of coverage showing extension of coverage, if the coverage period shown on the contractor's current certificate of coverage ends during the duration of the project;

(4) obtain from each person providing services on a project, and provide to the governmental entity:

(A) a certificate of coverage, prior to that person beginning work on the project, so the governmental entity will have on file certificates of coverage showing coverage for all persons providing services on the project; and

(B) no later than seven days after receipt by the contractor, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

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(5) retain all required certificates of coverage on file for the duration of the project and for one year thereafter;

(6) notify the governmental entity in writing by certified mail or personal delivery, within ten (10) days after the contractor knew or should have known, of any change that materially affects the provision of coverage of any person providing services on the project;

(7) post a notice on each project site informing all persons providing services on the project that they are required to be covered, and stating how a person may verify current coverage and report failure to provide coverage. This notice does not satisfy other posting requirements imposed by the Act or other commission rules. This notice must be printed in at least 19-point normal type, and shall be in both English and Spanish and any other language common to the worker population. The text for the notices shall be the following text provided by the commission on the sample notice, without any additional words or changes:

REQUIRED WORKERS' COMPENSATION COVERAGE

"The law requires that each person working on this site or providing services related to this construction project must (see reverse) be covered by workers' compensation insurance. This includes persons providing, hauling, or delivering equipment and materials, or providing labor or transportation or other service related to the project, regardless of the identity of their employer or status as an employee."

"Call the Texas Workers' Compensation Commission at 512-305-7238 to receive information on the legal requirement for coverage, to verify whether your employer has provided the required coverage, or to report an employer's failure to provide coverage." and

(8) contractually require each person with whom it contracts to provide services on a project, to:

(A) provide coverage based on proper reporting of classification codes and payroll amounts and filing of any coverage agreements for all of its employees providing services on the project, for the duration of the project;

(B) provide a certificate of coverage to the contractor prior to that person beginning work on the project;

(C) include in all contracts to provide services on the project the language in subsection (e) (3) of this rule;

(D) provide the contractor, prior to the end of the coverage period, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

(E) obtain from each other person with whom it contracts, and provide to the contractor:

(i) a certificate of coverage, prior to the other person beginning work on the project; and

(ii) prior to the end of the coverage period, a new certificate of coverage showing extension of the coverage period, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

(F) retain all required certificates of coverage on file for the duration of the project and for one year thereafter;

(G) notify the governmental entity in writing by certified mail or personal delivery, within (ten) 10 days after the person knew or should have known, of any change that materially affects the provision of coverage of any person providing services on the project; and

(H) contractually require each other person with whom it contracts, to perform as required by paragraphs (A) - (H), with the certificate of coverage to be provided to the person for whom they are providing services.

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Terracon

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SECTION 00050 –BOND REQUIREMENTS

BID BOND

An acceptable Bid Bond, certified check or cashier's check (bid/proposal security) payable without recourse to the order of the City of Texarkana, Texas, in an amount not less than **five percent (5%)** of the amount of the bid/proposal must accompany each bid/proposal as guarantee that, if awarded the contract, the bidder/proposer will enter into a contract within ten (10) days of the presentation of such contract to the bidder/proposer by the City. The Bid Bond must be on a form acceptable to City and the bonding company supplying the Bid Bond must be authorized to do business in the State of Texas.

The bid/proposal security submitted with each bid/proposal shall be considered as the amount of the liquidated damages which the City of Texarkana will sustain by the failure, neglect or refusal of the bidder/proposer to execute and deliver the agreement should the contract be awarded him.

If the bidder/proposer defaults in executing the agreement within ten (10) days after presentation of the contract to him, the bid/proposal security shall become the property of the City of Texarkana.

Bidder/Proposer warrants that the bid/proposal he submits has been checked for mathematical correctness and same is correct. Bidder/proposer agrees that should he desire to withdraw his bid/proposal after bid/proposal opening because of a mathematical mistake that the City of Texarkana may retain the bid/proposal security as liquidated damages and not as penalty and the bidder/proposer hereby waives any legal defense available to bidder/proposer for such mistake. (i.e. unilateral mistake).

The Bid Bond shall be retained by the City of Texarkana as liquidated damages in the event the successful bidder/proposer, after the award, fails to comply with the terms of this bid/proposal.

Bond rating must be A- or better.

PERFORMANCE BOND

Successful bidders/proposers must provide a performance bond for 100 percent of the contract price to ensure fulfillment of the Contractor’s obligations under the contract.

PAYMENT BOND

Successful bidders/proposers must provide a payment bond for 100 percent of the contract price. Said payment bond is to ensure payment as required by statute to all persons suppling labor and material under the contract.

Terracon

SECTION 00100 – INSTRUCTIONS TO PROPOSERS

A complete set of the proposal documents will be provided by Terracon. A complete set of proposal documents shall be used in preparing proposals; neither Owner, nor Terracon assume any responsibility for errors or misinterpretations resulting from the use of incomplete sets of proposal documents.

Owner by making available copies of the proposal documents on the above terms, does so only for the purpose of obtaining proposals on the work and does not confer a license or grant for any other use.

Qualification of Proposers

All proposers must demonstrate qualifications to perform work. Each proposer must submit the required documents including previous work experience and proof of authority to conduct business in the jurisdiction in the area in which the work is to be performed.

Contractors submitting proposals must comply with requirements of the Davis-Bacon Act and associated U.S. Department of Labor regulations for all construction, alteration and repair activities. Cleanup activities will involve construction, alteration and repair activities and are, therefore, subject to the Davis-Bacon Act. The remediation of asbestos- and lead-containing materials are considered “Building Construction” under the Davis-Bacon Act. These requirements include, but are not limited to, payment of prevailing wages, weekly payment of wages, and specific job-site postings. More information is available at https://www.dol.gov/whd/govcontracts/dbra.htm.

Contractor proposals must include:

- Davis-Bacon Wage Determinations; available at www.wdol.gov Wage Determinations
- Federal Labor Standards Clauses

Proposal Submittal: Required Documents Summary

Insurance Certificate

Bid Bond (5%) will be required for this project.

Performance Bond and Labor and Material Payment Bond will be required for this project.

AIA A305 Contractor's Qualification Statement

State of Texas Asbestos, Lead and Mold Contractor Licenses

State of Texas Supervisor License and Work Experience (Asbestos, Lead and Mold)

Name of the Proposed Landfill at which the Waste will be Disposed

Name of the Waste Transporter and a Certificate of Insurance

Notarized Statement of Compliances

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Scoring and Selection

The following criteria will be used to score the proposals:

Experience Specific to Deteriorated Structures that Include Common Walls – 25 Points
Experience Specific to Façade Preservation of Deteriorated Structures – 20 Points
Experience Specific to Federally Funded State Environmental Cleanups – 15 Points
References – 15 Points
Demonstrated Ability to Adhere to Project Timelines – 15 Points
Total Project Cost - 10 Points

In the event of a tie score, the Owner will break the tie amongst the tying proposers using the following method:

(1) The first tie breaker, if needed, will be preference to local contractor as shown in "General Terms and Conditions" Section 4.3.
(2) The second tie breaker, if needed, will be the highest score for the "Total Project Cost" criterion.
(3) The third tie breaker, if needed, will be the highest score for the "Demonstrated Ability to Adhere to Project Timelines" criterion.
(4) The fourth tie breaker, if needed, will be the highest score for the "References" criterion.

Timeline

Contractor is required to meet the following timeline:

- Begin field work – no later than July 25, 2016
- Abatement/remediation and clearance completion – by August 12, 2016
- Closeout submittals – within 7 working days following completion of abatement.
- All invoices must be submtted within 14 days following completion of abatement.

Upon Proposal Award the Contractor will submit the Following Items:

Hazardous Communication Program

Respiratory Protection Program

Material Safety Data Sheets

Current Worker Licensing and Registration

Medical Surveillance Information for Personnel

Original Certificate of Insurance

Safety Plan

Examination of Proposal Documents and Site

Before submitting a proposal, each proposer must:

a) Examine the contract documents thoroughly.

b) Attend the mandatory pre-proposal walk-through to familiarize the proposer with variances that may affect cost, progress, or performance of the work.

c) Familiarize himself with local, federal and state laws, ordinances, rules and regulations that may affect cost, progress or performance of the work.

d) Study and carefully correlate proposer's observations with the contract documents.

The Owner reserves the right to award only one contract to one contractor after receipt of proposals.

Before submitting a proposal, each proposer will, at his own expense, make any investigations and tests as the proposer may deem necessary to determine his proposal for performance of the work in accordance with the time, price and other terms and conditions of the contract documents.

Interpretation:

Questions about the meaning or intent of the Proposal Package shall be submitted to Terracon via electronic mail. Replies will be issued by addenda transmitted via electronic mail to all parties recorded by Terracon as having received the proposal package. Questions received less than two (2) days prior to the date for opening of proposals will not be answered. Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.

END OF SECTION 00100

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SECTION 00040 - INSURANCE REQUIREMENTS

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

(a) Commercial General Liability (CGL) insurance at minimum combined single limits of $1,000,000 per-occurrence and $2,000,000 general aggregate for bodily injury and property damage. Coverage must be written on an occurrence form. Contractual liability must be maintained with respect to the contractor's obligations contained in the contract. The general aggregate limit must be at least two (2) times the per-occurrence limit. CGL shall include coverage for:

1. Premises/Operations
2. Products Completed Operations
3. Personal Injury

(b) Workers Compensation insurance at statutory limits.

(c) Commercial Automobile Liability insurance at minimum combined single limits of $1,000,000 per-occurrence for bodily injury and property damage, including owned, non-owned, and hired vehicle coverage.

The required limits may be satisfied by any combination of primary, excess or umbrella liability insurances, provided the primary policy complies with the above requirements and the excess umbrella is following form. The successful proposer may maintain reasonable and customary deductibles, subject to approval by the City.

A comprehensive general liability insurance form may be used in lieu of a commercial general liability insurance form. In this event, coverage must be written on an occurrence basis, at limits of $500,000 per occurrence, combined single limit; and coverage must include a broad form comprehensive general liability endorsement, coverage for products/completed operations, and broad form contractual liability covering the obligations included in the contract.

With reference to the foregoing insurance requirement, the successful proposer shall specifically endorse applicable insurance policies as follows:

(1) The City shall be named as an additional insured with respect to general liability.

(2) A waiver of subrogation in favor of the City of Texarkana, Texas shall be contained in the workers compensation coverage.

(3) All insurance policies shall be endorsed to require the insurer to immediately notify the City of any material change in the insurance coverage.

(4) All insurance policies shall be endorsed to the effect that the City will receive at least 10 days notice prior to cancellation, non-renewal or termination of the insurance.

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(5) All copies of Certificates of Insurance shall reference the project/contract number for which the insurance is being supplied.

The City prefers that all insurance be purchased from an insurance company that meets the following requirements:

1) A financial rating of A:VII or better as assigned by the BEST rating Company or A or better by Standard and Poor's.
2) Written by companies approved by the State of Texas and acceptable to the City of Texarkana, Texas.

All insurance must be written on forms filed with and approved by the Texas State Board of Insurance. Certificates of Insurance shall be prepared and executed by the insurance company or it's authorized agent, and shall contain provisions representing and warranting the following:

1) The insurance set forth by the insurance company are underwritten on forms, which have been approved by the Texas State Board of Insurance.

2) Sets forth all endorsements and insurance coverage according to requirements and instructions contained herein.

3) Shall specifically set forth the notice of cancellation or termination provisions to the City of Texarkana, Texas.

CONTRACTOR SHALL:

(1) provide coverage for its employees providing services on a project, for the duration of the project based on proper reporting of classification codes and payroll amounts and filling of any coverage agreements;

(2) provide a certificate of coverage showing workers' compensation coverage to the governmental entity prior to beginning work on the project;

(3) provide the governmental entity, prior to the end of the coverage period, a new certificate of coverage showing extension of coverage, if the coverage period shown on the contractor's current certificate of coverage ends during the duration of the project;

(4) obtain from each person providing services on a project, and provide to the governmental entity:

(A) a certificate of coverage, prior to that person beginning work on the project, so the governmental entity will have on file certificates of coverage showing coverage for all persons providing services on the project; and

(B) no later than seven days after receipt by the contractor, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

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(5) retain all required certificates of coverage on file for the duration of the project and for one year thereafter;

(6) notify the governmental entity in writing by certified mail or personal delivery, within ten (10) days after the contractor knew or should have known, of any change that materially affects the provision of coverage of any person providing services on the project;

(7) post a notice on each project site informing all persons providing services on the project that they are required to be covered, and stating how a person may verify current coverage and report failure to provide coverage. This notice does not satisfy other posting requirements imposed by the Act or other commission rules. This notice must be printed in at least 19-point normal type, and shall be in both English and Spanish and any other language common to the worker population. The text for the notices shall be the following text provided by the commission on the sample notice, without any additional words or changes:

REQUIRED WORKERS' COMPENSATION COVERAGE

"The law requires that each person working on this site or providing services related to this construction project must (see reverse) be covered by workers' compensation insurance. This includes persons providing, hauling, or delivering equipment and materials, or providing labor or transportation or other service related to the project, regardless of the identity of their employer or status as an employee."

"Call the Texas Workers' Compensation Commission at 512-305-7238 to receive information on the legal requirement for coverage, to verify whether your employer has provided the required coverage, or to report an employer's failure to provide coverage." and

(8) contractually require each person with whom it contracts to provide services on a project, to:

(A) provide coverage based on proper reporting of classification codes and payroll amounts and filing of any coverage agreements for all of its employees providing services on the project, for the duration of the project;

(B) provide a certificate of coverage to the contractor prior to that person beginning work on the project;

(C) include in all contracts to provide services on the project the language in subsection (e) (3) of this rule;

(D) provide the contractor, prior to the end of the coverage period, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

(E) obtain from each other person with whom it contracts, and provide to the contractor:

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(i) a certificate of coverage, prior to the other person beginning work on the project; and

(ii) prior to the end of the coverage period, a new certificate of coverage showing extension of the coverage period, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

(F) retain all required certificates of coverage on file for the duration of the project and for one year thereafter;

(G) notify the governmental entity in writing by certified mail or personal delivery, within (ten) 10 days after the person knew or should have known, of any change that materially affects the provision of coverage of any person providing services on the project; and

(H) contractually require each other person with whom it contracts, to perform as required by paragraphs (A) - (H), with the certificate of coverage to be provided to the person for whom they are providing services.

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SECTION 00050 –BOND REQUIREMENTS

BID BOND

An acceptable Bid Bond, certified check or cashier's check (bid/proposal security) payable without recourse to the order of the City of Texarkana, Texas, in an amount not less than **five percent (5%)** of the amount of the bid/proposal must accompany each bid/proposal as guarantee that, if awarded the contract, the bidder/proposer will enter into a contract within ten (10) days of the presentation of such contract to the bidder/proposer by the City. The Bid Bond must be on a form acceptable to City and the bonding company supplying the Bid Bond must be authorized to do business in the State of Texas.

The bid/proposal security submitted with each bid/proposal shall be considered as the amount of the liquidated damages which the City of Texarkana will sustain by the failure, neglect or refusal of the bidder/proposer to execute and deliver the agreement should the contract be awarded him.

If the bidder/proposer defaults in executing the agreement within ten (10) days after presentation of the contract to him, the bid/proposal security shall become the property of the City of Texarkana.

Bidder/Proposer warrants that the bid/proposal he submits has been checked for mathematical correctness and same is correct. Bidder/proposer agrees that should he desire to withdraw his bid/proposal after bid/proposal opening because of a mathematical mistake that the City of Texarkana may retain the bid/proposal security as liquidated damages and not as penalty and the bidder/proposer hereby waives any legal defense available to bidder/proposer for such mistake. (i.e. unilateral mistake).

The Bid Bond shall be retained by the City of Texarkana as liquidated damages in the event the successful bidder/proposer, after the award, fails to comply with the terms of this bid/proposal.

Bond rating must be A- or better.

PERFORMANCE BOND

Successful bidders/proposers must provide a performance bond for 100 percent of the contract price to ensure fulfillment of the Contractor's obligations under the contract.

PAYMENT BOND

Successful bidders/proposers must provide a payment bond for 100 percent of the contract price. Said payment bond is to ensure payment as required by statute to all persons suppling labor and material under the contract.

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SITE CLEANUP PLAN

COMMERCIAL BUILDING
203/205 W Broad Street
Texarkana, Texas
EPA ACRES ID Nos. 72441/72421

United States Environmental Protection Agency, Region 6
Brownfields Multi-Purpose Pilot
Hazardous Substances
Cooperative Agreement No. BF-00F62801

February 25, 2016
Terracon Project No. 94137464B

Prepared for:
City of Texarkana
Texarkana, Texas

Prepared by:

Greg Calhoun
TDSHS Individual Asbestos Consultant
License No. 10-5510
Expires 10.19.17

Terracon Consultants, Inc.
Dallas, Texas
TDSHS Asbestos Consultant Agency License No. 10-0157
TDSHS Lead Firm License No. 2110106
TDSHS Mold Assessment Company License No. ACO0117

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SITE CLEANUP PLAN

Commercial Building
203/205 W Broad Street, Texarkana, Texas 75501
EPA ACRES ID Nos. 72441/72421

Brownfields Multi-Purpose Pilot Grant, Cooperative Agreement No. BF-00F62801
U.S. Environmental Protection Agency, Region 6
Terracon Project No. 94137464B

Prepared by: Terracon Consultants, Inc., Dallas, Texas
TDSHS Asbestos Consultant Agency License No. 10-0157
TDSHS Lead Firm License No. 2110106
TDSHS Mold Assessment Company License No. ACO0117

1.0 TITLES AND APPROVALS

1.1 Contractor Project Manager

Date 3/28/16

Greg Calhoun / Terracon Consultants, Inc.
TDSHS Individual Asbestos Consultant, License No. 10-5510, Expires 10.19.17

1.2 Contractor Quality Assurance Reviewer

Date 3/28/16

David E. Koch / Terracon Consultants, Inc.

1.3 Grantee Brownfields Program Manager

Date 3/24/16

Daphnea Ryan / City of Texarkana

1.4 Grantee Quality Assurance Manager

Date 3/28/16

Adra Hallford / City of Texarkana

1.5 EPA Region 6 Grant Manager

Date 3/24/16

Camisha Scott/ USEPA Region 6

Greg Calhoun
TDSHS Asbestos Consultant License #10-5510
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2.0 INTRODUCTION

The U.S. Environmental Protection Agency (EPA) Brownfields Program announced in 2011 a pilot program that combined environmental assessment and cleanup funds into one grant. The Multi-Purpose Pilot Grant award required a government entity to apply for a specific site that passed CERCLA liability requirements and was owned by the applying government entity.

The objectives of the City of Texarkana, Texas' Brownfields Program include improving public health and safety, increasing jobs, increasing revenue for the City, increasing industrial, commercial and housing development, increasing green space, conserving energy, protecting natural resources, enhancing community pride and improving the overall quality of life for our citizens. Brownfields revitalization of real property is integral to all these objectives. The City submitted a FY2012 application for 203/205 West Broad Street in the Fiscal Year 2012 national grant competition. EPA awarded Texarkana a $400,000 Multi-Purpose Pilot Grant to conduct environmental assessment and cleanup of this property to improve environmental health conditions in our community and stimulate redevelopment interest.

The downtown West Broad Street property is a catalyst site identified by previous environmental assessments and planning. Catalysts sites have elevated potential to initiate community change if they can be revitalized. The purpose of this grant project is to assess and clean up this Downtown Brownfields site to a point where residual environmental issues do not reasonably obstruct active re-use of the structures and redevelopment.

3.0 THE PROJECT

The site has been physically developed with structure(s) since at least 1885. The current commercial building consists of two physically adjoined 0.08-acre parcels located at 203 and 205 West Broad Street in Texarkana, Bowie County, Texas. Both parcels are developed with single story retail buildings which are adjoined to other commercial structures on the block in a manner typical of historic downtown development. Both buildings are vacant. Prior to City of Texarkana acquisition in 2012 the buildings had not been maintained for several years. Water infiltration had severely damaged the roof and flooring of both buildings, to the point of partial collapse.

203 West Broad Street. This portion of the project is a one story former bail bonds office in a multi-tenant retail center. The structure is constructed on a slab on grade and pier and beam foundation and consists of approximately 2,800 square feet. The exterior

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of the building consists of wood, brick, and hard plaster. The roof consists of a flat, built-up roofing system. The interior of the structure consists of former sales floor, office, restrooms, storage rooms, stockroom, and crawlspace. Multiple areas of the interior are currently deemed unsafe and not accessible for other than remote visual evaluation. The interior walls consist of textured drywall, unfinished drywall with wallpaper, unfinished drywall, wood, brick and hard plaster. The ceiling consists of a drop ceiling, hard plaster, and wood ceiling system suspended from a wood deck. The floors consist of vinyl floor tile on a concrete and wood substrate. Fungal growth as mold is visible and analytically documented at multiple locations in the interior of the building on gypsum wallboard walls, ceiling tiles, wood sub-flooring, ceiling and roof decks, plaster walls and exposed wood framing and beams. The roof and/or ceiling systems are collapsed in various locations of the indoor spaces allowing inclement weather to directly impact the interior building materials. Portions of the floor system are collapsed, exposing the crawlspace.

205 West Broad Street. This portion of the project is a one-story former key store in a multi-tenant retail center. The structure is constructed on a slab on grade and pier and beam foundation and consists of approximately 3,500 square feet. The exterior of the building consists of wood, brick, and hard plaster. The roof consists of a flat, built-up roofing system. The interior of the site consists of a north entrance area, sales floor, safe room, mezzanine area, mechanical room, restroom, and crawlspace. The interior walls consist of textured drywall, wood, brick, and hard plaster. The ceiling consists of a drop ceiling, drywall, hard plaster, and interlocking tiles ceiling system suspended from a wood deck. The floors consist of carpet, vinyl floor tile, and terrazzo on a concrete and wood substrate. Fungal growth as mold is visible and analytically documented at multiple locations in the interior of the building on gypsum wallboard walls, ceiling tiles, wood sub-flooring, ceiling and roof decks, plaster walls and exposed wood framing and beams. The roof and/or ceiling systems are collapsed in various locations of the indoor spaces allowing inclement weather to directly impact the interior building materials. Portions of the floor system are collapsed, exposing the crawlspace.

3.1 Original Approach

The City of Texarkana expected to encounter asbestos-containing and -contaminated materials, lead paint-coated building components, avian pathogen-contaminated materials and fungal-contaminated (mold) materials based on the findings of previous ASTM E1527 Phase I environmental site assessments and limited historical testing. As grantee Texarkana proposed to complete a traditional series of EPA-approved plans to assess and cleanup the property.

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Central to grant activities was structural integrity of the 2-story commercial property. Developed more than 130 years ago, the walls, roof, structural members and street façade had deteriorated to a degree it was suspected unsafe to conduct physical sampling activities. City ownership was requisite of the grant. Raley & Associates, Inc. (RAI), Bossier City, Louisiana conducted a visual observation of the connected buildings in October 2012 as part of grant proposal preparation. In the interests of worker and public safety, the grant application provided for additional structural integrity analysis of the building before EPA-approved Phase II assessment occurred. In the interim, the City of Texarkana has secured and maintained doors, windows, and structural openings of the premises to prevent access by unauthorized persons consistent with *Chapter 5, Article III, of the Code of Ordinances* of the City of Texarkana, Texas for substandard structures.

Under the Multi-Purpose Pilot Grant Texarkana competitively procured Qualified Environmental Professional (QEP) consultant services to develop grant plans and conduct assessment as physical sampling and analysis. Assessment would develop an improved understanding of the distribution of contaminants known to be in and possibly beneath the structures. This information would then be used to quantify contaminants. Contaminant quantities would be used to decide a cleanup strategy and plan to mitigate or manage contaminants consistent with Texas regulatory programs and goals for re-use.

Under this approach, the following were completed toward grant implementation;

- Negotiated with *EPA Cooperative Agreement # BF-00F62801*, 2012
- A supporting cooperative agreement work plan as *Brownfields Multi-Purpose Pilot Grant Milestones and Schedule, City of Texarkana, Texas, 203/205 West Broad Street Site, ($200,000 Hazardous Substances Assessment, $200,000 Hazardous Substances Clean Up)*; 2012
- Competitive selection process to secure Qualified Environmental Professional services, *Consultant Services, Qualified Environmental Professional To Assist in the Implementation and Management of the EPA Brownfields Multi-Purpose Grant*, Texarkana Request For Qualifications #13-2001-02, May 2013
- Selection of Terracon Consultants, Inc. for Qualified Environmental Professional (QEP) services, initiating first services with Texarkana Purchase Order #01204, June 2013
- Qualitative interior observation and testing limited by safety and physical access;
    - *Hazardous Materials Consulting Report: Visual Mold Assessment, 203 and 205 West Broad Street, Texarkana, Texas*, Terracon Project No. 94137464, September 20, 2013
    - *Lead-Based Paint Vacant Commercial Structures, 203 & 205 West Broad Street, Texarkana, Texas 75165*; Terracon Project No. 94137464, September 23, 2013

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- *Asbestos Survey, Vacant Commercial Structures, 203 & 205 West Broad Street, Texarkana, Texas*; Terracon Project No. 94137464, October 1, 2013

- *EPA-approved Site-Specific Quality Assurance Project Plan for Assessment and Cleanup (Revision 1)*, Terracon Project No. 94137464B, March 31, 2014
- *Property-Specific Sampling And Analysis Plan (PSAP) – Asbestos, Lead-Paint, Mold and Guano Sampling, Commercial Building, 203 & 205 W Broad Street, Texarkana, Texas 75501; Brownfields Multi-Purpose Pilot Grant, U.S. Environmental Protection Agency, Region 6, EPA Cooperative Agreement No. BF-00F62801, Terracon Project No. 94137464B*, July 2014 (reference Appendix B)
- *Property-Specific Sampling and Analysis Plan (PSAP) – Soil And Groundwater Assessment, Commercial Building, 203 & 205 W Broad Street, Texarkana, Texas 75501; Brownfields Multi-Purpose Pilot Grant, U.S. Environmental Protection Agency, Region 6, EPA Cooperative Agreement No. BF-00F62801, Terracon Project No. 94137464B*, July 2014

3.2 Changed Conditions

Terracon conducted September 2013 observations and limited qualitative sampling and testing of materials of the structures' interiors where safe access allowed. This testing was external to the grant budget. Testing was conducted and results evaluated by Texas-licensed professionals. Testing produced quantitative data, but is considered qualitative in that it was developed external to the final quality assurance project plan and cannot be used for critical grant process decisions. Qualitative data identified measured asbestos-containing materials, lead-based paint and mold. The data was considered in developing technical sampling plans under the grant. At that time Terracon observed the southern section of the roof and sub-floor at the 203 West Brown Street location were collapsed. The sub-floor and roof visually appeared structurally damaged throughout the interior of 205. Building debris was observed throughout the interior of both 203 and205 consisting of wood, ceiling tile, floor tile and mastic, drywall, plaster materials and roofing materials.

During 2013 and 2014 although the structure was secured against access, it could not be sealed against all weather. Seasonal weather fluctuations, often severe, further impacted and degraded the structure. High winds associated with rain penetrated the building further. In one instance on April 27, 2014 the metropolitan area of the twin cities of Texarkana, Texas and Texarkana, Arkansas was hit by damaging hail ranging in size up to 1.75 inches in diameter. In that extensive band of weather, 25 miles south of the city a single hailstone 4.5 inches in diameter was reported.[1] On _____, 2015 the City observed the effects of further deterioration of the structure as crumbling facade debris on

1 *DamageRecon, Event Details Texarkana Apr 27 2014*,online https://damagerecon.donan.com/map-central/texarkana-tx, February 2016

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the street front side and structural wall movement evidenced by exterior widening of cracks.

The City with structural engineer Jeff Raley, RAI, were on-site July 29, 2015 for observation to re-evaluate and report project conditions relative to structural integrity and safety to implement the EPA-approved sampling plans. In the subsequent RAI report it was stated;

> "As of this date, the building structures appear to be unstable and not safe for persons to enter the structures for the purpose of sampling. It is our opinion that it would not be cost effective to do temporary shoring for the purpose of sampling since sampling can be done during material removal (see photos).
>
> The adjacent buildings to the east and west will need to be protected during the removal of materials for assessment and clean up."

3.3 Adjusted Approach

There followed discussions and meetings by City of Texarkana with EPA, Texas Commission on Environmental Quality (TCEQ), the community and the QEP on alternatives to successfully complete the Multi-Purpose Grant in support of redeveloping 203/205 W Broad Street. The following issues were considered;

- The project site remains a viable redevelopment catalyst site for the community. To discontinue and stabilize without cleanup for redevelopment would be detrimental to the community brownfield revitalization goals and investment to date
- Contaminated materials and debris need to be removed from the structure so that routine architectural and structural stabilizations can be done
- Technically the traditional sequence of assessment and cleanup as "sample-test-report- design-cleanup-confirm-report" cannot be not be completed safely with reasonable cost
- In removing mixed and jointly degraded materials not readily segregated from the interior of structures, asbestos contamination pre-empts lead-, mold- and avian waste-impacted materials for regulation of handling and disposal. Unsegregated materials become subject to Texas Asbestos Health Protection Rules (TAHPR), Texas Administrative Code (TAC), Title 25, Part 1, Chapter C, Subchapter 295, which require that any asbestos-related activity be performed by an individual licensed by the State of Texas through the Texas Department of State Health Services (TDSHS)

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- Quality process and methods of EPA-approved PSAPs remain valid for sampling and analysis relative to assessment and cleanup, although rationale and number of samples change

The following were completed toward adjusting the grant approach and implementation as a result of changed conditions;

- City of Texarkana negotiated 1-year extension of project period to September 30, 2016 for cooperative agreement #BF-00F62801
- Updated structural integrity observations and report, Raley and Associates, Inc., July 31, 2015 (reference Appendix A)
- City of Texarkana met with Ms. Mary Kemp and Ms. Camisha Scott / EPA Region 6 on November 12, 2015 on an adjusted approach consistent with changed conditions
- Open House and Public Meeting was advertised and held by City of Texarkana on December 10, 2015 to update the community on Multi-Purpose Grant adjustments and solicit input on the project

It has evolved that a combined cleanup with simultaneous assessment of debris and materials from the interior of 203/205 can occur. In general here and later set forth in more detail in this plan, the adjusted approach is to have a licensed abatement contractor stabilize the structure sufficient to remove unsegregated hazardous materials to a processing station on the exterior of the building. The adjusted plan is to conduct hazardous substance assessments on-site and in-process at a safe staging area to determine whether waste/debris should be handled and disposed as asbestos-, mold-, avian pathogen- or lead-impacted waste material as part of cleanup.

With pre-emption by asbestos, debris will initially be assumed to be asbestos-containing material (ACM) or asbestos-contaminated and appropriately collected, handled and removed through the rear of the structure to a staging and assessment area in the alley.

In the staging area, materials will be first visually assessed and segregated as suspect materials or asbestos materials. Under Texas rule determination that materials do or do not contain asbestos have to be submitted to a third party laboratory as set forth in the EPA-approved PSAP (Appendix B); this may require temporary containment and staging with rush analyses. Alternatively, a Texas-licensed asbestos consultant, inspector or management planner may assume materials contain asbestos.

Secondly, materials will be visually segregated as having mold or adhered or mixed avian waste (e.g. bird or bat guano). If possible, these materials will be cleaned of mold or avian waste contamination.

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Thirdly, materials will be visually segregated for suspect lead-containing coatings and tested on-site using x-ray fluorescence (XRF) field technology.

The remaining materials once cleaned of potentially adhering *de minimis* ACM, mold or avian waste will be handled and disposed as demolition debris.

Assessment and cleanup testing will be subject to the EPA-approved PSAP and related QAPP, modified for locations and sample quantities as the adjusted approach requires. Some anticipated adjustments are addressed in Section *4.1 Deviations from Assessment Sampling Plan*. All testing will be documented in final reports.

Alley control and security will be coordinated with the City of Texarkana. The City will communicate and work with adjacent property owners and businesses prior to, during and after cleanup.

4.0 SAMPLING FOR ASSESSMENT AND CLEANUP

Public readers of this document should understand that the Multi-Purpose Pilot is a 'trial' process used by EPA to explore the effectiveness and implementability of programs. Not all pilots programs evolve beyond to full-scale grants or programs. Prior to 2002, all EPA Brownfield grants were pilots. The Multi-Purpose Pilot Grant program provides a single grant to an eligible entity for both assessment and cleanup work at a specific brownfield site owned by the applicant.

Although they are often technically identical, sampling and testing of structure-related materials falls into two different programmatic categories under the Multi-Purpose Grant. These categories are Assessment and Cleanup. They are allocated to separate Multi-Purpose grant budgets. Assessment involves characterization of materials as part of quantitation for design of remedy and plans to implement it. The latter involves sampling and analysis that is part of the actual cleanup to document compliance for regulatory closure.

4.1 Deviations from Assessment Sampling Plan

Sampling and analysis as part of assessment will be done by the QEP. This will involve assessing materials as practically feasible immediately after they are removed from the structure and staged. Methods, operating procedures and analyses will occur as set forth in the EPA-approved *Property-Specific Sampling and Analysis Plan (PSAP) for Asbestos, Lead-Paint, Mold and Guano Sampling, Commercial Building, 203 & 205 W Broad Street, Texarkana, Texas 75501, July 2014* (reference Appendix B).

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The following deviations are planned relative to data quality indicators and data quality objectives in applying the EPA-approved PSAP to the adjusted approach;

PSAP 4.2 Precision. Testing was specified for typical substrates and surfaces which will now be removed, physically reduced and likely mixed together as debris consistent with interior demolition practices. Testing will now be done as needed on materials, partial surfaces or broken fixtures as identified in the bulk debris removed and staged. Selection of materials for sampling will make use of professional judgment by the **QEP**. Heterogeneity of sample matrices can produce wide-ranging variability of media and effect strict comparisons of precision. Failure of precision as a data quality indicator will not invalidate data providing the minimums are met necessary to document regulatory closures or suitability to the needed project decisions. These will be discussed as part of data usability and quality in final reports.

PSAP 4.3 Accuracy. The use of fluid decontamination and cleaning blanks of QAPP A.7.3.2 will not apply to asbestos, fungal or avian pathogen sampling due to the technical method of collection.

PSAP 4.5 Completeness. The PSAP estimated the number of samples as in-situ structure sampling, often to represent homogenous areas or rooms. The adjusted approach for safety will not allow in-situ testing or an accurate estimate of the number of samples. While it is believed that the estimated number of samples is adequate, fewer samples may be needed. Failure of completeness will not invalidate data providing the minimums are met necessary to document regulatory closures or suitability to the needed project decisions. These will be discussed as part of data usability and quality in final reports.

PSAP 7.0 Sampling Rationale and Methodology. The overall governance of regulatory programs cited will remain the same. The rationale for sampling is adjusted for typical substrates and surfaces which will now be removed, physically reduced and likely mixed together as debris consistent with interior demolition practices. Testing will now be done as needed on materials, partial surfaces or broken fixtures as identified in the bulk debris removed and staged. Selection of materials for sampling will make use of professional judgment by the **QEP** to select representative material as the debris is segregated as described above in *1.3 Adjusted Approach* and later hereafter. Significant or special deviations from adjusted rationale will be discussed in final reports.

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4.2 Sampling and Testing by Contractor

Sampling and analysis in the field or by fixed-based laboratory conducted by contractor for safety, abatement, disposal, clearance or otherwise required as part of the cleanup of materials relative to state or federal regulations or other law shall be to the requirements and documentation of those programs. Where sampling and analysis of the QEP and contractor overlap or are coordinated in staging areas, the data may be shared. Texarkana and the QEP may rely on the contractor data for qualitative project decision-making.

5.0 IMPLEMENTATION OF THE CLEANUP PLAN

The following sets forth the technical details necessary by the successful contractor competitively selected by the City of Texarkana with assistance from Terracon as QEP within the requirements of the Cooperative Agreement, hereafter **CONTRACTOR.**

Traditionally, prior assessment would better provide quantities for abatement contractors to bid and implement contractor elements of the cleanup plan. The adjusted approach will necessarily require use of experienced, licensed abatement contractors capable of making initial estimates, with overage and underage contingencies, to fully implement the cleanup plan. With unknown quantities and multiple handling exterior to traditional building containment, the remainder of the plan further focuses on strict control of materials and process in close coordination with the City and QEP.

6.0 MATERIAL DESCRIPTION AND QUANTITIES

Briefly and without force and effect upon the contract documents, the work of the Contract can be summarized as the removal and disposal of the following suspect asbestos-containing and -contaminated materials, lead containing components, avian pathogen-contaminated materials and fungal-contaminated materials:

- Floor tile and mastic
- Carpet and mastic
- Resilient sheet flooring
- Drywall wall/ceiling systems
- Ceiling tile
- Wall/ceiling plaster
- Ceramic wall and floor tile grout/thinset
- Cove base and mastic
- Duct insulation and mastic
- Cementitious pipe

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- Rolled-out roofing materials
- Built-up roofing materials
- Roof cement
- Roof flashing
- Assorted unsegregated building material debris

The preceding list should be considered representative only and not a comprehensive catalog of subject materials present on the site. The **CONTRACTOR** is responsible for verifying site conditions and material quantities prior to submission of bid. The **CONTRACTOR** will perform work for materials and locations indicated, regardless of actual quantities, and no increase in Contract amount will be allowed for quantity adjustment.

The subject commercial building structure has been vacant for an extended period of time. As noted above, the structure has significant structural degradation, including roof collapse; items that are porous (i.e. carpet, furnishings) exposed to damaged suspect asbestos containing materials, avian pathogens or fungal contamination will be disposed of asbestos, fungal- or avian pathogen-contaminated waste in accordance with applicable regulation and this scope of work.

Non-porous items which are not suspect asbestos-containing materials and bear no paint or lacquer coatings may be cleaned and decontaminated, then removed through the processing area and disposed of as general construction debris. Non-porous items with paint or lacquer coatings will be cleaned of surface contamination and disposed of as lead-paint waste

The **CONTRACTOR** will be responsible for providing power and water to the work areas. **NOTE: NEGATIVE PRESSURE MUST BE MAINTAINED WITHIN THE WASTE PROCESSING STATION UNTIL CLEARANCE HAS BEEN ACHIEVED.** "Fire watch" is required while active work areas are in place at the site.

7.0 WORK PRACTICES

CONTRACTOR shall maintain personnel on the site at all times any portion of the work area(s) is open or not properly secured. **CONTRACTOR** will ensure that at least one (1) **CONTRACTOR** representative is on-site at all times during work hours, including during lunch break. **CONTRACTOR** will ensure that work areas are secure at the end of each work day. **CONTRACTOR** will have a company representative stay on-site to maintain security during times other than normal working hours.

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If a regulatory inspection is conducted by the Texas Department of State Health Services (TDSHS) inspector, the **CONTRACTOR'S** abatement project supervisor must immediately cease all abatement activities and give his complete and undivided attention to the inspector. Should the TDSHS inspector don personal protective equipment (PPE) and enter the containment, the abatement project supervisor will also don PPE and enter the containment to accompany the inspector on his inspection. If any deficiency/deficiencies are noted by the TDSHS inspector, the abatement project supervisor will direct the workers to immediately correct the deficiency/deficiencies.

The abatement project supervisor will accompany the TDSHS inspector throughout the duration of the inspection process, whether inside or outside the containment. Upon the TDSHS inspector's departure from the site, the supervisor will resume abatement activities.

7.1 Respiratory Protection

During asbestos related activities, the **CONTRACTOR** will provide respirators which are applicable and suitable for the purpose intended in accordance with OSHA 1910.134 – Respirator Standard. Terracon recommends use of powered air purifying respirators (PAPR) pending receipt of air monitoring data collected on-site; Terracon further recommends use of combination HEPA/organic vapor combination respirator filters.

7.2 Protective Clothing

During preparation, removal and cleanup activities in interior areas, at least one protective suit will be worn by each worker. Boots and gloves will be made available to each worker as needed. All protective suits will be properly disposed of at the conclusion of each work-shift. Prior to exiting the work area, the workers performing the cleanup will decontaminate thoroughly in three-chambered wet decontamination system attached to the work area.

During cleanup in exterior regulated areas, each worker will wear two (2) protective suits and proper respiratory protection. Upon completion of cleanup activities in each or regulated area, workers will thoroughly HEPA vacuum the outer suit. Workers will then remove the outer suit and, still wearing the inner suit, proceed to either (a) the next regulated work area, where a new outer suit will donned over the inner suit, or (b) a central decontamination area as defined below. All protective suits will be properly disposed of at the conclusion of each work shift.

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7.3 Containment/Regulated Area

The **CONTRACTOR** will establish the waste processing station and regulated work area(s) in compliance with applicable local, state and federal regulations.

Preparation of the work area will include, but may not be limited to, the cleanup of asbestos-containing and -contaminated materials, lead paint-coated components, avian pathogen-contaminated materials and fungal-contaminated materials. These activities will be performed after the installation of critical barriers and establishment of HEPA-filtered circulatory air flow. The **CONTRACTOR** will install a three chambered personnel decontamination system as described below and place HEPA-filtered negative air machines in the work area and exhausted to the outside prior to beginning precleaning activities.

The **CONTRACTOR** will establish a waste processing station on the exterior of the structure. This waste processing station will be subdivided into separate dedicated chambers for the processing of (a) general construction debris, (b) asbestos-, avian pathogen-, or fungal-contaminated materials, and (c) lead-paint waste. Please refer to Appendix C for a conceptual sketch of the waste processing station.

The waste processing station will be constructed with a rigid frame and provide protection from overhead hazards as necessary. Waste processing station walls, floors and ceilings will constructed of or covered with two (2) layers of minimum 6-mil polyethylene sheeting. Damaged polyethylene sheeting will be repaired or replaced immediately. The **CONTRACTOR** will provide one additional floor layer of 6-mil polyethylene sheeting per shift change and remove contaminated layer after each shift.

The floor of the waste processing station will be kept clean and clear of waste and debris. Accumulated water will be collected through a HEPA-filtered vacuum and disposed of through storm drain or sanitary sewer.

The **CONTRACTOR** will be responsible for providing power and water to the work areas. **NOTE: NEGATIVE PRESSURE MUST BE MAINTAINED WITHIN THE WASTE PROCESSING STATION UNTIL CLEARANCE HAS BEEN ACHIEVED.** "Fire watch" is required while active work areas are in place at the site.

Exterior asbestos containing materials (e.g. window glazing, roof flashing, cementitious siding, cementitious debris) will be abated in accordance with the National Emission Standard for Hazardous Air Pollutants (NESHAP) within a series of regulated areas, each employing asbestos warning signs and barrier tape at all approaches to the work area, drop-cloths consisting 6-mil polyethylene sheeting in and around all removal areas,

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localized HEPA vacuum systems, critical barriers at all openings into the structure within and adjoining the regulated area, and a central three-chambered wet decontamination system.

Provide a Personnel Decontamination Unit consisting of a serial arrangement of connected rooms or spaces, Changing Room, Shower Room, and Equipment Room. **NOTE: disposable/pop-up units displaying excessive use or wear will not be permitted for the decontamination system.** Require all persons without exception to pass through this decontamination unit for entry into and exiting from the work area for any purpose. Do not allow parallel routes for entry or exit.

Changing Room (clean room): Provide a room that is physically and visually separated from the rest of the building for the purpose of changing into protective clothing. Construct using polyethylene sheeting, at least 6-mil in thickness, to provide an airtight seal between the Changing Room and the rest of the building. Locate so that access to Work Area from Changing Room is through Shower Room. Separate Changing Room from the building by a sheet polyethylene flapped doorway.

Maintain floor of changing room dry and clean at all times. Do not allow overflow water from shower to wet floor in changing room. Damp wipe all surfaces twice after each shift change with a disinfectant solution.

Provide a continuously adequate supply of disposable bath towels.

Provide posted information for all emergency phone numbers and procedures.

Shower Room: Provide a completely water tight operational shower to be used for transit by cleanly dressed workers entering the Work Area from the Changing Room, or for showering by workers exiting the Work Area after undressing in the Equipment Room.

Construct room by providing a shower pan and 2 shower walls in a configuration that will cause water running down walls to drip into pan. Install a freely draining floor in the shower pan at an elevation that is at the top of pan.

Separate this room from the rest of the building with airtight walls fabricated of 6-mil polyethylene sheeting.

Separate this room from the Changing and Equipment Rooms with airtight walls fabricated of 6-mil polyethylene sheeting.

Provide splash-proof entrances to Changing and Equipment Rooms with 2 doors arranged

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in the following configuration:

At each entrance to the Shower Room construct a doorframe out of lumber, PVC Pipe or equivalent. Attach to this door frame two overlapping flaps fastened at the head (top) and jambs (sides). Overlap the flaps that present a shingle-like configuration to the water stream from the shower. Arrange so that any air movement out of the Work Area will cause the flaps to seal against the door frame.

Provide shower head and controls. Provide temporary extensions of existing hot and cold water and drainage, as necessary for a complete and operable shower.

Provide a continuously adequate supply of soap and maintain in sanitary condition. Arrange so that water from showering does not splash into the Changing or Equipment Rooms.

Provide flexible hose showerhead. Pump wastewater to drain or to storage for use in amended water. If pumped to drain, provide 20 micron and 5 micron waste water filters in line to drain or waste water storage. Change filters daily or more often if necessary. Provide Hose Bib.

Equipment Room (contaminated area): Require work equipment, footwear and additional contaminated work clothing to be left here. This is a change and transit area for workers. Separate this room from the work area by a 6-mil polyethylene flap doorway. Separate this room from the rest of the building with airtight walls fabricated of 6-mil polyethylene sheeting. Separate this room from the Shower Room and Work Area with airtight walls fabricated of 6-mil polyethylene sheeting.

Work Area: Separate work area from the Equipment Room by polyethylene barriers. If the airborne asbestos level in the work area is expected to be high, as in dry removal, add an intermediate cleaning space between the Equipment room and the Work area. Damp wipe clean all surfaces after each shift change. Provide one additional floor layer of 6-mil polyethylene sheeting per shift change and remove contaminated layer after each shift.

Waste Load-out Area: the **CONTRACTOR** will conduct the waste load out in areas separate from any non-project personnel or passers-by.

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7.4 Removal

The **CONTRACTOR** will perform the removal and disposal in accordance with current local, state and federal regulations.

The **CONTRACTOR** will be responsible for providing power and water to the work areas. **NOTE: NEGATIVE PRESSURE MUST BE MAINTAINED WITHIN THE WASTE PROCESSING STATION UNTIL CLEARANCE HAS BEEN ACHIEVED.** "Fire watch" is required while active work areas are in place at the site.

Suspect asbestos-containing and -contaminated materials, lead containing components, avian pathogen-contaminated materials and fungal-contaminated materials will be abated in a series of regulated work areas constructed in accordance with applicable regulations and these specifications. Spray these materials with amended water or removal encapsulant. Allow time for amended water or removal encapsulant to saturate the material. Do not over saturate to cause excess dripping. The **CONTRACTOR** will insure that associated nails/screws/fasteners and associated structural wall components are removed or thoroughly cleaned as part of the abatement process. If amended water is used, spray material repeatedly during the work process to maintain a continuously wet condition. If a removal encapsulant is used, apply in strict accordance with manufacturer's written instruction. The use of mechanical methods for removal will not be permitted. The clean surfaces will be encapsulated after passing a visual inspection conducted by a Terracon representative.

Following removal of loose or accumulated building debris, the **CONTRACTOR** will establish install splashguards of minimum 6-mil polyethylene sheeting extending a minimum four vertical feet (4') from the floor, two (2) layers of minimum 6-mil polyethylene sheeting on the floors (where applicable) prior to removing adhered flooring materials from their substrate(s).

Asbestos containing flooring materials may be applied to wood substrates. Removal of these materials through demolition of the wood substrate requires installation of a critical barrier in crawlspace(s) beneath the abatement area, if present.

7.5 Disposal of Asbestos-Containing or -Contaminated Materials, Mold-Contaminated Materials, and Avian Waste-Contaminated Materials

1. As the subject materials are removed, they will be double bagged and labeled In accordance with Texas Department of State Health Services (TDSHS) and OSHA guidelines. Pre-printed Generator Labels shall be affixed to each bag or wrapped component prior to being placed in the lined waste disposal dumpster or trailer. **The**

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use of bladder bags, onion bags or any other disposal bags deemed unconventional by the QEP will not be permitted, unless authorized in writing by the QEP prior to contract award.

2. Asbestos-containing or -contaminated waste will be labeled in accordance with 29 CFR 1910.1200 (f) of OSHA's Hazard Communication standard, and will contain the following information:

DANGER
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
CANCER AND LUNG DISEASE HAZARD

3. The area between the bag-out area and the prepared waste receptacle shall be regulated with barrier tape during bag-out operations. The waste dumpster or trailer shall remain secured during all other periods.

4. The waste will be disposed in an approved landfill. The waste will be transported to the landfill in a lined closed top receptacle. Verification of disposal at the landfill will be provided to the **OWNER** by **CONTRACTOR** via the Uniform Hazardous Waste Manifest signed by the landfill.

5. The waste will be transported to the landfill in a lined closed top receptacle. Verification of disposal at the landfill will be provided to the **OWNER** by **CONTRACTOR** via the Uniform Hazardous Waste Manifest.

7.6 Disposal of Lead-Containing or -Contaminated Materials

This section describes the disposal of lead containing or lead contaminated components and/or waste materials. Disposal includes packaging of all non-metal waste materials and shall be accomplished by land filling or incineration as appropriate. Approval by **OWNER** is required prior to all recycling or disposal activities.

Absent testing of waste to determine disposal requirements, suspect lead-containing or -contaminated materials will be disposed of as lead-containing. Testing, if conducted, shall be conducted by the **QEP**. The **QEP** shall verify that the waste has been properly segregated, containerized, and classified in the following categories:

Hazardous Solid Waste:

- Paint chips
- Rags, sponges, mops, HEPA vacuum filters and contents, respirator

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cartridges, protective clothing, shower water filter(s) and other materials used during abatement.
- Building components if applicable

Hazardous Liquid Waste (as determined by testing)
- Waste water

Place all lead waste generated during the project in a DOT approved drum lined with a 6-mil disposal bag in an enclosed dumpster, truck or designated secure storage area. Separate waste materials into the following categories and label all disposal drums.

All waste shall be handled and disposed of according to local, city, state, and federal regulations. All waste assumed to be hazardous shall be transported off-site to the approved disposal site by **CONTRACTOR**.

Disposal of Hazardous Liquid or Solid Wastes (as categorized by QEP):

a. Comply with Resource Conservation Recovery Act (RCRA), Department of Transportation (DOT), state and local regulations.

b. Comply with DOT and state regulations for containers. The most stringent regulation shall apply.

c. All waste is to be hauled by a licensed waste hauler with all required licenses from all state and local authorities with jurisdiction.

d. Load all waste material into properly sized disposal bags or polyethylene sheeting prior to being placed in lead-tight drums. Prior to transporting, all materials are to be contained in a DOT approved sealable steel drum with one of the following:

   - One, 6-mil layer of sheet polyethylene, duct tape all seams or
   - One, 6-mil disposal bag; or
   - Two, 4-mil disposal bags

e. Protect interior of truck or dumpster with two (2) layers of 6-mil polyethylene sheeting will all seams sealed with duct tape.

f. Load containerized waste in fully enclosed dumpsters or trucks for transport.

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g. Do not store containerized materials outside of the Work Area. Take containers from the Work Area directly to the designated storage area or enclosed dumpster or truck.

h. At completion of hauling and disposal of each load submit copy of Uniform Hazardous Waste Manifest to **QEP**.

7.7 Disposal of Non-Hazardous Waste

Non-Hazardous Solid Waste:

- After thorough cleaning, plastic sheeting and duct tape used during abatement.

Disposal of Non-Hazardous Solid Waste (as categorized by QEP)

Materials are to remain in 6-mil disposal bags or wrapped in polyethylene sheeting.

Transport waste in enclosed trucks or dumpsters.

Disposal of Non-Hazardous Liquid Waste (as categorized by QEP)

Dispose of liquid waste by pouring into sanitary sewage system if permission is received from publicly owned treatment works facility (POTW). Do not dispose of liquid waste by pouring onto ground or into storm drain. If the liquid waste contains phosphates or other chemicals, advise treatment facility of quantity of liquid and that it is likely to contain phosphates.

Properly filtered shower water shall be disposed of as non-hazardous liquid waste. All filters hall be disposed of in accordance with applicable regulations.

7.8 Clearance

Removal will considered complete following a visual inspection by the **QEP**. The **QEP** will inspect all interior surfaces for dust, debris or other evidence of the subject materials.

Asbestos

Asbestos final air clearance sampling will be conducted in interior work areas, negative-pressure enclosures, full containments and the waste processing station; sampling will be performed in accordance with the Texas Asbestos Health Protection Rules (TAHPR) 295.58(i)(3). Clearance samples will be collected using aggressive sampling techniques

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as described in TAHPR 295.58(i)(3)(A). Equipment used in aggressive sampling should be properly cleaned and decontaminated before use. Air filtration units shall remain on during the clearance air-monitoring period. Prior to air sample collection, floors, ceiling and walls shall be swept with the exhaust of a minimum one (1) horsepower leaf blower. A minimum of eight (8) complete air changes will occur within any containment prior to collection of clearance samples.

A minimum of three (3) samples will be collected inside each negative-pressure enclosure or full containment; at the QEP'S direction, one additional sample will be collected for each 10,000 cubic feet of containment volume (or fraction thereof) in excess of 30,000 cubic feet. The PCM analysis will be performed in accordance with the most current NIOSH 7400 Method and A Counting Rule for the determination of final clearance. The release criteria for PCM analysis is complete if all PCM air samples are determined below 0.01 fibers per cubic centimeter. If the PCM results fail to meet the release criteria, then the decontamination is incomplete and recleaning per the specification is required.

Mold

The project will be cleared by: 1) visual inspection; and, 2) total bioaerosol analysis. The post remedial inspection and air sample collection will be conducted while the containment is in place and properly ventilated. The containment must be on direct exhaust ventilation to the outdoor environment or sealed and in air scrub mode for a cumulative of 24 hours after final cleaning and prior to the PRV final clearance air sample collection. The containment(s) may not be removed or depressurized until final clearance criteria has been achieved and written, interim notice provided by the MAC to the MRC.

The visual evaluation criteria will consist of an evaluation of the remediation area to determine if the remediation has been properly conducted in accordance with the project specifications and procedures, applicable state regulations, and visible fungal growth and extraneous debris within the work areas has been properly removed.

Representative air samples shall be collected from within the containment, the outdoor environment, and analyzed by standard optical light microscopy methods. Total bioaerosol analysis must be conducted by a licensed Mold Analysis Laboratory. Any area whose air test does not meet post remediation criteria will be re-tested following cleaning and air scrubbing of those areas.

Total bioaerosol analytical clearance criteria will be based on qualitative and quantitative similarity between the indoor samples and the ambient outdoor control samples collected contemporaneously. Air samples will be collected and analyzed in a manner that provides a

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minimum detection limit of 43 spores/m^3. Fungal aerosols in the indoor environment should not exceed the contemporaneously collected outdoor control samples by more than 650 spores/m^3 (2), or, fungal spores that are unique to the indoor environment should not exceed more than 50 % of the "high" results for Typical Outdoor Spore Levels (Texas) as reported in the EMLab P & K IAQ Pocket Reference Guide, 6th Edition (3). The consultant may make numeric exceptions for frequently isolated genera such as *Cladosporium* or other typical mesophillic fungi.

Lead

The **QEP** shall confirm removal of lead waste through visual inspection and wipe sampling for lead dust concentrations conducted as follows:

a) Post-abatement or removal to determine if previously specified clearance criteria has been met in each area of remediation. The clearance level has been established at 40 micrograms per square foot ($\mu g/ft^2$) on horizontal surfaces.

b) The specific location and number of samples will be determined upon conclusion of the remediation. If at any time the post-abatement or removal wipe samples exceed the clearance levels identified. The **CONTRACTOR** shall be responsible additional cleaning of the area to attempt to achieve clearance levels. If additional cleaning is required, the **CONTRACTOR** will perform the re-cleaning with no adjustment in the contract price.

8.0 CONTRACTOR SUBMITTALS

Submittals required for proper execution include but are not limited to the following:

Pre-Construction Submittals (submitted to **QEP**):
Regulatory Notification Information
Plan of Action
Fire Action Plan
Emergency Phone List
Project Schedule

2 ***"Post Remedial Assessment and Clearance Criteria for Mold Remediation Projects"*** **L. D. Robertson, H. L. Horner, Mycological Society of America Annual Conference, Louisiana State University, August 9, 2007.**
3 *IAQ Pocket Reference Guide – 6th Edition*, EMLab P & K.

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Copy of Written Respirator Program which conforms to 29 CFR 1910.134(b)
OSHA Material Safety and Data Sheets (Product Handling)
Negative Initial Exposure Assessment
Copy of EPA "uniform hazardous waste manifest" form
Sample of disposal bag and labels to be used.

Construction Submittals (submitted to **QEP** before start of work on-site)
Licenses: Contractor, Supervisor, Transporter(s)
NESHAP Training Certificate
Personal Air Monitoring Lab Results
List of Workers
Worker Registration Certificates
Medical Examination Results
Pre-project lead blood level monitoring testing for each supervisor and worker
Worker Training Certificates
Respiratory Fit Test Certificate
Certificates of Worker Acknowledgement

Project Closeout (submitted to **QEP**)
Contractor's Daily Log
Worker Registration Certificates for Personnel
Waste Disposal Manifest Copies
Company Licenses/Certifications
Worker Training Certificates
Respiratory Fit Test Certificate
Certificate of Completion
Releases, Occupancy Permits (if applicable)
Personal Air Monitoring Lab Results
Post-project lead blood level monitoring testing for each supervisor and worker
Personal Air Monitoring Lab Results

RESUBMISSION:

Revise submittals as required and resubmit as specified for initial submittal. Indicate any changes which have been made other than those requested by **QEP**.

CONTRACTOR RESPONSIBILITIES:

Illegible submittals will be rejected and returned for re-submittal.

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Schedule submittals according to general flow of Work and so as to allow for adequate and timely review of submittals by **QEP**.

Review submittals prior to submission and submit to **QEP** in accordance with provisions herein.

Verify field measurements, construction criteria, catalog numbers and similar data. Coordinate submittals with requirements of Work and Contract Documents.

CONTRACTOR'S responsibility for errors or omissions is not relieved by **QEP's** review.

CONTRACTOR'S responsibility for deviations from requirements of Contract Documents is not relieved by **QEP'S** review, unless **QEP** is notified of deviations in writing at time of submittal, and gives written consent to specific deviations.

Do not begin work which requires submittals until reviewed submittals have been reviewed and approved by **QEP**.

If required, reproduce and distribute copies after **QEP'S** review.

QEP'S RESPONSIBILITIES:

The responsibility of performing the final visual inspection and the final air clearance is delegated to Terracon's on-site State of Texas licensed project manager.

Review submittals within two working days or indicate in writing reasons for reviews which require additional time.

Review for conformance with design concept of project and information given in Contract Documents.

Indicate results of review and return submittals to **CONTRACTOR** for distribution.

QEP is not responsible for verification of field measurements, construction criteria, catalog numbers and other similar data.

Review of separate items does not constitute review of an assembly in which items function.

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9.0 CONSTRUCTION NOTES

The **CONTRACTOR** is responsible for filing and managing the 10-Day Notification to the Texas Department of State Health Services (TDSHS) and is responsible for communicating amendments of changes to the local TDSHS staff. The **OWNER** shall be responsible for payment of notification fees included in the Demolition/Renovation Notification Form. On Notification form, **OWNER** shall be listed as stated on front cover.

The **CONTRACTOR** will be responsible for providing power and water to the containment areas. **NOTE: NEGATIVE PRESSURE MUST BE MAINTAINED WITHIN ANY CONTAINED AREA UNTIL CLEARANCE HAS BEEN ACHIEVED.** Terracon recommends that "fire watch" be performed while active containments are in place at the site.

The **CONTRACTOR** is to be current and in good standing on all asbestos abatement notification fees. The **OWNER** reserves the right to verify **CONTRACTOR'S** standing.

The **CONTRACTOR** shall maintain all records required by TDSHS Texas Asbestos Health Protection Rules, Texas Environmental Lead Reduction Rules, and Texas Mold Assessment and Remediation Rules, as applicable.

CONTRACTOR parking and disposal dumpster areas will be as designated by the **OWNER**. The **CONTRACTOR** will keep work and parking areas clean.

Prior to any commencement of work, the **CONTRACTOR** will provide a licensed electrician to provide power lock-out and tag-out of all circuits to be affected by the asbestos abatement activities. Lock-out/Tag-out must meet OSHA 1910.147 requirements. All electrical circuits in the regulated and/or contained area shall have ground-fault interrupter (GFCI) units installed.

Exhaust negative pressure ventilation system to outside of building.

The **CONTRACTOR** shall be responsible for installing hard barriers in any window openings utilized for exhaust of negative pressure and shall ensure that the building can be secured between work periods. If necessary, a hard barrier decontamination unit shall be constructed at the site to ensure building security.

The **CONTRACTOR** shall provide temporary self-contained toilet units for use by **CONTRACTOR** and **QEP** personnel throughout the duration of abatement activities.

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The **CONTRACTOR** shall install one fire extinguisher in the work area for each 1,000 square feet of work area or fraction thereof. Additional fire extinguishers shall be installed in the Equipment Room and Clean Room of the decontamination unit.

The **CONTRACTOR** shall conduct a safety meeting for **CONTRACTOR'S** employees with emphasis on operation of fire extinguishers and emergency exits in case of fire. **CONTRACTOR** shall have posted emergency phone numbers for the fire department and police.

CONTRACTOR shall store a minimum of volatile substances on the job site and in fire resistant containers only.

10.0 PRODUCTS

Amended Water: Provide water to which a surfactant has been added. Use a mixture of surfactant and water which results in wetting of the ACM and retardation of fiber release during disturbance of the material.

Disposal Bags: Provide as a minimum, individual, 6-mil thick, leak-tight, manufactured polyethylene bags.

Disposal Bag Labels: Provide labels with **OWNER'S** name, **CONTRACTOR'S** name, project site address and the following warnings and labels, in accordance with regulatory requirements. Labels shall be lettered with indelible ink.

First Label:

CAUTION
CONTAINS ASBESTOS FIBERS
AVOID OPENING OR BREAKING CONTAINER
BREATHING ASBESTOS IS HAZARDOUS TO YOUR HEALTH

Second Label: Provide in accordance with 29 CFR 1910.1200(f) of OSHA's Hazard Communication standard:

DANGER
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
CANCER AND LUNG DISEASE HAZARD
BREATHING AIRBORNE ASBESTOS, TREMOLITE, ANTHOPHYLLITE, OR ACTINOLITE FIBERS IS HAZARDOUS TO YOUR HEALTH

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Third Label: Provide in accordance with U.S. Department of Transportation Regulation on hazardous waste marking. 49 CFR parts 171 and 172. Hazardous Substances: Final Rule:

RQ HAZARDOUS
SUBSTANCE,
CLASS 9,
NA 2212, PG III
(ASBESTOS)

Polyethylene Wrap: Provide minimum 6-mil polyethylene sheeting as a wrapping for large sections of rigid waste material and for construction of floors and critical barriers in the containment areas. Provide minimum 4-mil polyethylene sheeting for construction of walls of the containment.

Removal Encapsulant: Provide a penetrating type encapsulant designed specifically for removal of ACM. Utilize an encapsulant that will meet or exceed the results produced by use of Amended Water, as described above.

11.0 AIR MONITORING SERVICES

The responsibility for performing visual inspections and air monitoring services is delegated to Terracon's on-site State of Texas licensed project manager/air monitoring technician.

The **QEP** shall verify that the Work performed is in compliance with applicable regulations and that the building areas beyond the Work Area and the outside environment remain free of contamination. This section also sets forth airborne fiber levels both inside and outside the Work Area as permissible exposure limits (PELs), and describes the action required by the **CONTRACTOR** if a permissible exposure limit is met or exceeded.

AIR MONITORING:

The **QEP** will be conducting air monitoring throughout the course of the project.

Work Area Isolation: The **QEP** will monitor airborne fiber counts outside the Work Area. The purpose of this air monitoring will be to detect faults in the Work Area isolation including, but not limited to, contamination of the building outside of the Work Area with airborne asbestos fibers, failure of filtration or rupture in the ventilation system, or contamination of the exterior of the building with airborne asbestos fibers.

Should any of the above occur, the **CONTRACTOR** shall immediately cease asbestos

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Expires 10.19.17

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abatement activities until the fault is corrected. Work shall not recommence until authorized by the **QEP**.

Work Area Airborne Fiber Count: The **QEP** will monitor airborne fiber counts in the Work Area. The purpose of this air monitoring will be to detect airborne fiber counts which may significantly challenge the integrity of Work Area isolation procedures that protect the balance of the building or outside of the building from contamination by airborne fibers.

AIRBORNE FIBER COUNTS:

Inside Work Area: Maintain an average airborne count in the Work Area of less than 0.1 fibers per cubic centimeter. If the fiber counts rise above this figure for any sample taken, revise work procedures to lower fiber counts. If the Time Weighted Average (TWA) fiber count for any Work shift or eight (8) hour period exceeds 0.1 fibers per cubic centimeter, stop work and leave ventilation system in operation. Do not recommence work until authorized by the **QEP**.

Outside Work Area: Maintain an average airborne count outside the Work Area of less than the Permissible Exposure Limit (PEL) of 0.1 f/cc of air.

If any air sample taken outside the Work Area exceeds the PEL, immediately stop work until the source of the elevated fiber readings can be determined by the **QEP**. Immediately take corrective as instructed by the **QEP**.

Decontaminate the affected area in accordance industry standard methods.

ANALYTICAL METHODS:

The following methods will be utilized at the discretion of the **QEP** in collecting and analyzing air samples:
Phase Contrast Microscopy (NIOSH 7400 Method, Issue 2, Revision 3 or OSHA Reference Method)

Transmission Electron Microscopy (40 CFR Part 763, Subpart E, Appendix A)

SAMPLE PROTOCOLS:

General: The number and volume of air samples taken by the **QEP** will generally be in accordance with the following schedule. Sample quantities, locations, volumes and methodologies may vary depending upon the analytical method, project layout, procedures used and at the discretion of the **QEP**.

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SCHEDULE OF AIR SAMPLES FOR WORK AREAS & WASTE PROCESSING STATION(S):

Base Line Sample Schedule: The **QEP** will secure the following air samples to establish a Base Line before start of Work. The number of samples may vary according to site plan and on authorization of **QEP**.

Location Sampled	Minimum Number of Samples	Minimum Sample Volume	Planned Analytical Method
Each Work Area	3	1,250 Liters	PCM

Daily Sample Schedule (per 8-hour work period): The **QEP** will generally take the following samples on a daily (8-hour work period) basis. The number of samples may vary according to site plan and on authorization of **QEP**.

Location Sampled	Minimum Number of Samples	Minimum Sample Volume	Planned Analytical Method
Each Interior Work Area	1	500 Liters	PCM
Outside Each Interior Work Area/Inside Building	1	500 Liters	PCM
Decon Unit Clean Room	1	500 Liters	PCM
Output of Negative Pressure Ventilation System	1	500 Liters	PCM

Clearance Sample Schedule: The **QEP** will secure the following air samples to determine air clearance at the conclusion of abatement. The number of samples may vary according to site plan and on authorization of **QEP**.

Location Sampled	Minimum Number of Samples	Minimum Sample Volume	Planned Analytical Method
Each Interior Work Area	3	1,250 Liters	PCM

If airborne fiber counts exceed baseline limits, additional samples will be taken (and classified as retests) as necessary to monitor fiber levels and confirm sources.

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Please refer to Section 3.8 Clearance for mold and lead clearance procedures.

SCHEDULE OF AIR SAMPLES FOR EXTERIOR WORK AREA(S):

Daily Sample Schedule (per 8-hour work period): The **QEP** will generally take the following samples on a daily (8-hour work period) basis. The number of samples may vary according to site plan and on authorization of **QEP**.

Location Sampled	Minimum Number of Samples	Minimum Sample Volume	Planned Analytical Method
"Upwind" of Work Area	1	500 Liters	PCM
"Downwind" of Work Area	1	500 Liters	PCM

The **QEP**, in addition to providing air monitoring services, will provide full-time, on-site inspection of work activities. Work shall not proceed without prior notice to the **QEP** and presence of the **QEP** on the work site (requires 48 hours advance notice of work).

The **QEP** will conduct the following key Project inspections and no work by the **CONTRACTOR** will proceed beyond these points until all discrepancies noted during the inspection have been corrected.

The **QEP'S** inspections do not relieve the **CONTRACTOR** of Contract obligations and are not designed to locate all project discrepancies. The **CONTRACTOR** is responsible for project quality.

First Key Inspection:

Inspection of Work Area Prior to Start of Removal: Removal operations shall not proceed until the **QEP** has completed inspection of the Work Area preparations and until all discrepancies noted have been corrected.

Second Key Inspection:

Inspection during Removal: Removal Work shall not be conducted unless the **QEP** is on the Project site. Daily inspection of the Work Area and Work practices will be conducted; upon discovery and report of a discrepancy the **CONTRACTOR** shall immediately stop Work and correct the discrepancy.

Third Key Inspection:

Inspection of Work Area after Completion of Removal Work, but Prior to Encapsulation and Containment Disassembly: A visual inspection of the Work site and/or Containment areas and removal surfaces will be conducted at this point by the **QEP** and encapsulation and/or containment disassembly shall not proceed until discrepancies noted have been corrected.

Fourth Key Inspection:

Final Clearance: After encapsulation and final clean-up of the Work Area, but prior to removal of Critical Barriers, the **QEP** will conduct a visual inspection.

Final Key Inspection:

Project Closeout Inspection: A final inspection will be conducted by the **QEP** after the **CONTRACTOR** has removed all barrier tape, drop-cloths, equipment, and supplies. A project "Punch List" will be provided of any items requiring correction or completion. Punch List items shall be completed prior to issuance of final completion notice by the **CONTRACTOR**.

Discrepancies or needed corrective measures observed by the **QEP** will be reported to the **CONTRACTOR'S** Superintendent on-site and shall be immediately corrected.

The above inspections are not necessarily single events. Failed inspections will be re-conducted and time classified as retests and charged back to the **CONTRACTOR** in accordance with the project documents. Inspections will require 24 hours advance notice to the **QEP**.

PERSONAL MONITORING:

The **CONTRACTOR** shall perform air monitoring as required to meet OSHA requirements for maintenance of Time Weighted Average (TWA) and excursion limit fiber counts for types of respiratory protection provided. The **OWNER** will not be providing air monitoring services to meet these OSHA requirements. Note: Results of Personal Monitoring shall be submitted to the **QEP** within 72 hours of the time samples are obtained. A listing of all personal monitoring results obtained during the project shall be submitted to the **QEP** with the **CONTRACTOR** closeout submittals.

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LABORATORY TESTING:

The **QEP** will perform field analysis of the air samples. A microscope and field laboratory will be set up at the jobsite, at the option of the **QEP**, so that verbal reports on air samples can be obtained promptly after collection.

Reports to the **OWNER** by the **QEP** will include air monitoring data and pertinent information on work being conducted such as: work hours, number of workers, procedures used, contractor discrepancies and corrective measures, containment methods and construction, and amount of ACM removed.

Greg Calhoun
TDSHS Asbestos Consultant License #10-5510
Expires 10.19.17

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APPENDIX A
STRUCTURAL ASSESSMENT
RALEY & ASSOCIATES, INC.
July 2015

RALEY AND ASSOCIATES, INC.
Civil & Structural Engineering, Surveying, Planning & Consulting
4913 Shed Road, Bossier City, LA 71111 · Phone 318-752-9023 · Fax 318-752-9025

July 31, 2015

Ms. Daphnea Ryan
Manager of Environmental Services
City of Texarkana, TX
P.O. Box 1967
Texarkana, TX 75504

Re: 203 and 205 W. Broad
Texarkana, TX

Dear Ms. Ryan,

Per your request, this office made a visual observation of the subject buildings on Wednesday, July 29, 2015. We had made a previous observation on October 4, 2012. The purpose of this visit was to observe the buildings for the possibility of shoring the structure while Phase II environmental sampling could be done. For the record, Jeff Raley, P.E. and Heather Ochoa, City of Texarkana, were present during this visit.

As of this date, the building structures appear to be unstable and not safe for persons to enter the structures for the purpose of sampling. It is our opinion that it would not be cost effective to do temporary shoring for the purpose of sampling since sampling can be done during material removal (see photos).

The adjacent buildings to the east and west will need to be protected during the removal of materials for assessment and clean up.

Once the buildings are cleared of rubble and debris, we can assess the front walls to determine the feasibility of saving them in place. It has been our experience that more times than not, this is a possibility. The rear walls have been damaged from the roof collapses and most likely will have to be rebuilt. The adjacent side walls will need to be reinforced once the removal is complete.

We are not able to determine the type of shoring or reinforcing that will be required for the front and sidewalls at this time. We are available to make that assessment as soon as the removal is complete.

This report is based upon our experience, readily accessible visible defects and certain assumptions that conventional methods of construction were used to build the buildings. We cannot normally see irregularities inside structures. Nature through excessive rain, droughts and differing soil characteristics cause extremes we cannot anticipate. Also, remodeling and changes

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in the building alter conditions that affect the building. Because of all these unknowns, this firm offers no warranty or guaranty with this report.

This report is intended to generally educate the client about the structural condition of the building and does not apply to the condition of any mechanical, electrical or plumbing items that may exist in the building. This report does not apply to the possible presence and/or danger from harmful substances such as toxic chemicals, lead paint, carbon monoxide, airborne hazards, mold, etc.

This report has been written for your sole use and only you have the authority to distribute this report to others. Raley and Associates, Inc. and its agents and employees do not have and do disclaim any contractual relationship with, or duty or obligation to, any party other than the addressee of this report. Only the engineer(s) who signed this document has the authority to change its contents and then only in writing to you. This report addresses the results of work completed to date. Should any additional information become available, we reserve the right to amend, as warranted, any of our conclusions or recommendations.

If you have any questions or need additional information, please call.

Sincerely,

Jeff Raley
Professional Engineer
TX-F594

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APPENDIX B
PROPERTY-SPECIFIC SAMPLING AND ANALYSIS PLAN (PSAP)
ASBESTOS, LEAD-PAINT, MOLD AND GUANO SAMPLING

Commercial Building
203 & 205 W Broad Street
Texarkana, Texas 75501

Brownfields Multi-Purpose Pilot Grant
United States Environmental Protection Agency, Region 6
EPA Cooperative Agreement No. BF-00F62801
Terracon Project No. 94137464B
July 2014

PROPERTY-SPECIFIC SAMPLING AND ANALYSIS PLAN (PSAP) – ASBESTOS, LEAD-PAINT, MOLD AND GUANO SAMPLING

Commercial Building
203 & 205 W Broad Street
Texarkana, Texas 75501

Brownfields Multi-Purpose Pilot Grant
United States Environmental Protection Agency, Region 6
EPA Cooperative Agreement No. BF-00F62801
Terracon Project No. 94137464B

1.0 TITLE AND APPROVALS

1.1 Contractor Project Manager

_____ Date _____
Greg Calhoun / Terracon Consultants, Inc.

1.2 Contractor QA Reviewer

_____ Date _____
John Sallman, P.G. / Terracon Consultants, Inc.

1.3 Grantee Brownfields Project Manager

_____ Date _____
Craig Lindholm / City of Texarkana

1.4 Grantee QA Manager

_____ Date _____
Daphnea Ryan/ City of Texarkana

1.5 EPA Region 6 Grant Manager

_____ Date _____
Camisha Scott/ USEPA Region 6

The project Quality Assurance Project Plan (QAPP) and this Property-Specific Sampling and Analysis Plan (PSAP) incorporate TRIAD elements of systematic planning, a dynamic work plan and use of on-site analytical tools. This document makes direct use of the most current QAPP approved by USEPA, providing numerical references to the QAPP where appropriate.

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Appendix A: Health & Safety Plan

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3.0 PROPERTY IDENTIFICATION AND ELIGIBILITY

3.1 City Identifications

City Riggs Addition Lot 2 Tract 27, 203 West Broad Street, Bowie County, Texas
City Riggs Addition Lot 2 Tract 27, 205 West Broad Street, Bowie County, Texas

Property ID Number(s): 203 W Broad Street - Parcel No. 03840017100
205 W Broad Street - Parcel No. 03840017200

3.2 Agency Approvals to Allow Assessment

Hazardous Substance by EPA	**_X_ Yes**	**__ NO-STOP**
Petroleum by State (provide Attachment D)	**__Yes**	**__ NO-STOP**
Co-mingled Hazardous and Petroleum by EPA by State	**__Yes***	**__ NO-STOP**

3.3 All Appropriate Inquiries Completed per Cooperative Agreement

ASTM E1527-05 **__X_ Yes** **-_ NO-STOP**

Phase I ESA report completed February 3, 2012

3.4 Access By Owner/Other Authority, Referenced or Attached

_X_ Yes **___ NO–STOP**

The current owner will grant access the site.

3.5 Have Property Conditions changed since Phase I Assessment?

_X_ No **__Yes** **__Not Applicable**

3.6 Site Description

The site is located at 203 and 205 West Broad Street in Texarkana, Bowie County, Texas. The site consists of two contiguous commercial buildings totaling approximately 3,500 square-feet.

4.0 PURPOSE AND OBJECTIVES

(Expanded in QAPP Section A5.2) The United States Environmental Protection Agency (EPA) selected the City of Texarkana, Texas (City and Grantee) for a Brownfields Multi-Purpose Pilot Grant (Grant). The purpose of this project is to fully assess the Downtown Texarkana, Texas 203/205 W. Broad Street Brownfields site (Project)

4.1 Data Quality Indicators (DQIs)

(QAPP A7.3) When conducting this investigation, all measurements will be made so that results are reflective of the medium and conditions being measured. DQIs will be assessed by

evaluating Precision, Accuracy, Representativeness, Completeness, Comparability, Sensitivity and Bias of the data collection process.

4.2 Precision

A measure of the reproducibility of analyses under a given set of conditions calculated at data check per QAPP Section A7.3.1.

4.3 Accuracy

A measure of the bias that exists in a measurement system, calculated at data check per QAPP Section A7.3.2.

4.4 Representativeness

The degree of how well sampling data accurately and precisely depict selected characteristics, calculated at data check per QAPP Section A7.3.4.

4.5 Completeness

The measure of the amount of valid data obtained from a measurement system compared to the amount that was expected to be obtained under “normal” conditions, calculated at data check per QAPP Section A7.3.3.

4.6 Comparability

The degree of confidence with which one data set can be compared to another, determined at data check per QAPP Section A7.3.5.

4.7 Sensitivity

Sensitivity is the ability of the method or instrument to detect target compounds at the level of interest, determined at data check per QAPP Section A7.3.6.

4.8 Bias

Bias is the systematic or persistent distortion of a measurement process that causes errors in one direction, determined at data check per QAPP Section A7.3.7.

5.0 NEEDED PROJECT DECISIONS

(Expanded in QAPP Section A5) The Brownfields project decision is the same for all eligible properties of assessment. The data collected is used to determine whether or not a property with an ASTM REC identified in Phase I assessment is or is not impacted relative to Texas environmental standards. Based on the outcome of the data collection, there are two actions:

- The property is “clean” and presents, due to measured conditions of environmental impairment compared to state cleanup standards, no reasonable impediment to consideration for redevelopment than would normally be exercised by the Grantee; or,

- The property is impacted and presents, based on measured conditions of environmental impairment compared to state cleanup standards, a need for additional evaluation above

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that normally exercised by the Grantee in considering a property as feasible for redevelopment.

6.0 STATEMENT OF RECOGNIZED ENVIRONMENTAL CONDITIONS

With the support provided through the EPA Brownfields Multi-Purpose Pilot Grant, the City of Texarkana, Texas will assess, cleanup, and prepare the derelict property site located at heart of the Texarkana's Historic Central Business District, 203 and 205 W. Broad Street, Texarkana, Texas 75501-5609, for commercial redevelopment.

The City conducted a Phase I ESA using EPA Brownfields Assessment Grant funds while the property was under the ownership of Josh and Dianna Morriss. Phase I ESA's were also performed through the AR-Tex Council of Governments with EPA Brownfields funds (2005) and TCEQ (2008). There are no less than 20 recognized environmental conditions (REC's) for the site. RECs are conditions observed by the environmental professional that could potentially produce environmental impairment. In and of themselves, RECs do not require action. This is an opportunity for Texarkana to address asbestos, lead paint, pigeon guano and mold contamination, as well as possible subsurface contamination (see separate PSAP).

6.1 Hazardous Materials

__ **Petroleum REC** **X Hazardous Substance REC** __ **Co-mingled REC**

During the Phase I site reconnaissance, the buildings were observed to be in extremely poor condition. Water infiltration has severely damaged the roof and flooring of both buildings, with a significant portion of the roof at 203 W Broad Street collapsed, as well as the floor of 205 W Broad Street. Based on the age and deteriorated condition of the buildings, asbestos-containing materials, lead-based paint, mold, and bird guano may be present on the site.

The City of Texarkana is requesting asbestos, lead-based paint, mold and bird guano surveys prior to renovation of the on-site structures. The survey reports will include quantities and locations of various types of the respective hazardous materials.

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7.0 SAMPLING RATIONALE AND METHODOLOGY

This PSAP describes the type and frequency of samples that will be collected for this project. Any significant modifications to this PSAP that are the result of field conditions will be discussed with the EPA. The rationale for location and type of sample indicated at these locations is indicated in Table 1 below.

Table 1. Rationale for Sample Locations

Location	Media	Project Rationale
A-1 thru A-200	Suspect Asbestos-Containing Building Materials	Sample suspect asbestos-containing building materials in accordance with NESHAP, AHERA and TAHPR requirements; Protect human health by determining if suspect building materials are asbestos containing.
L-1 thru L-30	Suspect Lead-Based Paint Coatings	Sample suspect lead-based paint coatings with TELRR requirements; Protect human health by determining if suspect paint coatings are lead containing.
M-1 thru M-15	Suspect Fungal Growth	Sample suspect fungal growth in accordance with TMARR guidelines. Protect human health by determining if suspect fungal growth is hazardous and provide OSHA Right to Know information related to dealing with hazardous materials.
G-1 thru G-7	Bat/Bird Guano/Debris	Bulk materials of Bat/Bird guano/debris will be aseptically sampled and analyzed by PCR to determine if *Histoplasma capsulatum, Cryptococcus neoformans* and *Chlamydiaphila psittaci* are present and provide OSHA Right to Know information related to dealing with hazardous material, develop appropriate PPE based on laboratory results.

Building material samples collected for asbestos analysis will be collected following the applicable Asbestos Hazard Emergency Response Act (AHERA) and Texas Department of State Health Services (TSDHS) protocols, including the Texas Asbestos Health Protection Rules (TAHPR), TAC 295.31 through 295.73 and discussed in detail in the Asbestos Survey Protocol (ASP) included as Appendix B. The building materials samples will be collected by TSDHS licensed inspectors; the samples will be analyzed by TDSHS licensed and National Voluntary Laboratory Accreditation Program (NVLAP) accredited laboratories.

Building material samples collected for lead analysis will be collected following the applicable protocols, including the Texas Environmental Lead Reduction Rules (TELRR), TAC 295.201 through 295.220 and discussed in detail in the Lead-Based Paint Survey Protocol (LBPSP) included as Appendix B. The building materials samples will be collected by TSDHS certified inspectors; the samples will be analyzed by a NVLAP accredited laboratory.

An evaluation of building materials for visible mold contamination will be conducted in general accordance with guidelines published by the TDSHS (*Texas Mold Assessment and Remediation Rules*, 2004), the American Conference of Governmental Industrial Hygienist (*Bioaerosols; Assessment and Control*, 1999) and American Standard Test Methods (*Standard Guide for Assessment of Fungal Growth in Buildings,* ASTM D7338-10). The TDSHS regulates fungal assessment and remediation activities under the Texas Mold Assessment and Remediation Rules (TMARR). The TMARR requires that fungal assessments be performed by a TDSHS-licensed Mold Assessment Technician (MAT) or Mold Assessment Consultant (MAC) following specified minimum work practices and procedures. Bulk, surface and air samples collected during a fungal assessment must be analyzed by a TDSHS-licensed mold analysis laboratory.

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Visible fungal growth that exceeds twenty-five (25) contiguous square feet is considered a regulated quantity in accordance with the TMARR.

Bat/Bird guano and debris associated with Bat/Bird nesting materials are well documented as a reservoir for pathogenic microorganisms. The microorganisms of interest include the avian pathogens *Histoplasma capsulatum, Cryptococcus neoformans* and *Chlamydiaphila psittaci*. There are no federal, state or local regulatory limits related to the referenced avian pathogens; however, qualitative and quantitative information developed by bulk and air sample collection will satisfy OSHA Right to Know information related to handling hazardous materials and assist in making judgments regarding the level of PPE required at various stages of the project. Bulk materials of Bat/Bird guano/debris will be aseptically sampled by trained staff and analyzed by Polymerase Chain Reaction (PCR) to determine if these pathogens are present. Bulk and air samples will be analyzed by a laboratory participates in custody (COC) protocol to NAME Laboratories, accredited by the American Industrial Hygiene Association (AHIA®) Laboratory Accreditation Programs, LLC under the Environmental Microbiology Laboratory Accreditation Program (EMLAP) and is Texas licensed Mold Analysis Laboratory under the TMARR.

7.1 Sample Summary

Samples will be collected in a manner consistent with the QAPP and Survey Protocols as summarized below.

It is estimated that 200 building material samples will be collected and analyzed for asbestos through Polarized Light Microscopy (PLM) analysis. Current TDSHS and EPA regulations require that a minimum number of samples from each homogeneous area be obtained in order to characterize a material as non-ACM. In accordance with sampling protocols established in EPA AHERA and NESHAP, and the TAHPR, sample collection points will be randomly selected dependent on locations of homogenous areas of suspect asbestos containing materials. A minimum of three samples will be collected from each homogenous area in accordance with the AHERA 3, 5 and 7 rule; therefore, additional quality control samples are not anticipated, as all three samples will be analyzed for each homogeneous material. In addition, where applicable, samples of surfacing materials will be collected in accordance with guidelines referenced above, which may require the collection of more than three samples from each homogenous area depending on the quantity of material.

It is estimated that 30 paint chip samples will be collected from representative building component surfaces and analyzed for lead content through Flame Atomic Absorption Spectrophotometer (AAS) analysis. Representative building component surfaces that may be sampled include, but are not necessarily limited to, woodwork/molding, door jambs and trim, window sills and sashes, cabinets, walls, ceilings, counter tops, stair railings, floors, radiators, balcony railings, and baseboards. The LBP sampling will be conducted in general accordance with applicable protocols.

The indoor environment will be evaluated for visual evidence of moisture intrusion or visible fungal growth that could impact indoor air quality. It is estimated that 10-15 tape lift samples will be

collected from suspect building material substrates. Criteria to establish fungal growth on the substrates sampled will be microscopic confirmation of fungal somatic and reproductive structures. Tape lift samples will be submitted under chain of custody (COC) to a laboratory accredited by the AHIA® Laboratory Accreditation Programs, LLC under EMLAP and is Texas licensed Mold Analysis Laboratory under the TMARR.

Bulk materials of Bat/Bird guano/debris will be aseptically sampled by trained staff and transferred to appropriately labeled sterile containers. Additionally, air samples will be collected on 37-millimeter cassettes containing sterile filter media at flow rates between 3 liters/minute (l/m) and 15 l/m. Target air volumes will range from 540 liters and 1800 liters. The air samples will be shipped under COC to a laboratory accredited by the AHIA® Laboratory Accreditation Programs, LLC under EMLAP and is Texas licensed Mold Analysis Laboratory under the TMARR for analysis. Analysis of the bulk and air samples will be conducted by PCR for both qualitative and quantitative information on the concentrations of the avian pathogens *Histoplasma capsulatum, Cryptococcus neoformans* and *Chlamydiaphila psittaci.*

7.2 Laboratory Methodology

Sample collection, preservation and analytical methods will be consistent with QAPP B2.2 and the Survey Protocols included as Appendix B as summarized below.

Table 2. Preservation, Storage and Container Requirements

Analysis	State or EPA Approved Method	Water				Soil/Solid		
		Volume (ml)	Container	Preservation	Holding Time	Volume (oz)/ Quantity	Container	Holding Time
Asbestos	Polarized Light Microscopy (PLM)	---	---	---	---	N/A	Sealable Plastic Bag	---
Lead-based Paint	NIOSH 7300	---	---	---	---	2 square inches	Sealable Plastic Bag	---
Mold (tape lift method)	---	---	---	---	---	N/A	Sealable Plastic Bag	---
Guano						N/A	Sealable, Rigid, Sterile Container	--

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8.0 QUALITY CONTROL

Terracon does not anticipate collecting Quality Control samples as stipulated in Section B5 of the QAPP. The following is a field summary of quality control checks.

9.0 HEALTH AND SAFETY

(QAPP A8.1.4, Default Approval Limited to D & D-Modified Levels) Provide Attachment A as completed Terracon Health and Safety Plan per QAPP and referenced corporate plans and management requirements.

_X_ Level D Personal Protective Equipment (PPE): equip, monitor and record accordingly.
___ Level D-Modified Personal Protective Equipment (PPE): equip, monitor and record accordingly.
___ Level C Personal Protective Equipment (PPE): **STOP - Contact Project Manager or Safety Officer**

10.0 DEVIATIONS FROM APPROVED QAPP

No deviations from the approved QAPP are projected.

11.0 PERSONNEL

Persons involved at this property and their roles and/or responsibilities consistent with section A4 of the approved QAPP are summarized below.

Table 3. Key Personnel

Title	Name	Responsibilities	Phone Number
City Brownfields Coordinator	Craig Lindholm	General grant project coordination and management; EPA, Terracon, and landowner contact; financial oversight and budget approvals; scope development; report reviews	903-798-3902
Terracon Project Manager	Greg Calhoun	General project oversight and management; EPA and Client contact; scope and PSAP development and implementation; field oversight, data validation; report development	214-630-1010
Coordinator	Greg Calhoun	Field implementation of PSAP; field quality control and documentation; contractor administration	214-630-1010
Terracon Field Captain & Site Health and Safety Officer	David Ladage	Health and Safety Plan (HASP) development; utility locates; project safety briefings; field implementation of HASP	214-630-1010
Terracon Quality Assurance Reviewer	John Sallman	Internal project audits; data validation; draft report reviews	913-577-0403
Contractor Personnel			
Steve Moody Micro Services	Bruce Crabb	Laboratory analytical procedures and reporting; laboratory quality control	877-606-0788
Cates Laboratories, Inc.	John Cates	Laboratory analytical procedures and reporting; laboratory quality control	972-564-4723
Environmental Hazards Services, LLC	Julie Dickerson	Laboratory analytical procedures and reporting; laboratory quality control	800-347-4010

Title	Name	Responsibilities	Phone Number
ESC	Peter Schulert	Laboratory analytical procedures and reporting; laboratory quality control	615-758-5858
EMLab P&K	Marcella Hodges	Laboratory analytical procedures and reporting; laboratory quality control	623-445-6111

12.0 SCHEDULE OF ASSESSMENT

Activities are scheduled for this property as follows;

Table 4. Proposed Project Schedule

Task	Anticipated Completion Timeline
Submission of Revised PSAP	- - -
EPA Review, PSAP Revision, and EPA Approval	- - -
Field Activities Completed	Within 15 days of EPA PSAP approval
Laboratory Work Completed	Within 25 days of EPA PSAP approval
Submission of Draft Report	Within 35 days of EPA PSAP approval
Report Review, Revision, and Submission of Final Report	Within 10 days of City approval of draft report

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APPENDIX A: HEALTH & SAFETY PLAN

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Terracon

SITE HEALTH AND SAFETY PLAN

HAZARDOUS MATERIALS SURVEY
Commercial Buildings
203 & 205 W Broad Street
Texarkana, Texas
Terracon Project No. 94137464B

1.0 INTRODUCTION

This Site Health and Safety Plan has been developed to define the protocols and requirements to be followed by Terracon personnel during hazardous materials sampling activities at the Commercial Buildings, 203 & 205 W Broad Street in Texarkana, Texas.

Prior to the start of site activities, the designated Site Safety Officer will conduct a safety briefing and review the contents of this plan with participating field personnel. Project participants will review this plan and sign the Acknowledgment of Instruction page prior to the start of hazardous material-related project activities.

The guidelines contained in this Health and Safety Plan are based upon potential health hazards from exposure to asbestos, lead-based paint, mold and guano. Sampling activities will be performed in accordance with applicable federal/state health and safety regulations. The Site Safety Officer is responsible for enforcing the provisions contained in this Plan.

2.0 TRAINING AND MEDICAL SURVEILLANCE REQUIREMENTS

Project participants actively engaged in asbestos sample collection must have received State of Texas accredited Building Inspector training and will possess a current State of Texas asbestos inspection license. All Terracon field personnel and will be medically cleared for asbestos work in accordance with OSHA 29 CFR 1926.1101.

Project participants actively engaged in lead-based paint sample collection must have received State of Texas accredited Lead Inspector training and will possess a current State of Texas lead inspector certification.

Project participants actively engaged in mold inspection or guano inspection activities must have received State of Texas accredited Mold Inspector training and will possess a current State of Texas mold inspector license.

Terracon personnel will also be medically cleared, trained and properly fit-tested for respirator use in accordance with OSHA 29 CFR 1910.134.

3.0 PROJECT ORGANIZATIONAL STRUCTURE

Project Manager:	Greg Calhoun Terracon	214-630-1010
Corporate Health and Safety Mgr.:	Mark Huddleston, CSP, Terracon	913-577-0419
Site Safety Officer/Project Supervisor	David Ladage Terracon	214-630-1010

4.0 SCOPE OF SERVICES

Terracon personnel will mobilize to the project site to conduct surveys of suspect asbestos containing materials (ACM), lead-based paint (LBP), mold and guano may be present in the building at the site.

Bulk asbestos samples will be collected in general accordance with the Texas Department of State Health Services (TDSHS) and AHERA sampling protocols and will be submitted to a NVLAP-accredited and TDSHS-licensed laboratory for analysis by polarized light microscopy.

Lead-based paint samples will be collected following the applicable United States Department of Housing and Urban Development (HUD) 24 CFR Part 35 and TSDHS protocols, including the Texas Environmental Lead Reduction Rules (TELRR) and will be submitted to a NVLAP-accredited laboratory for analysis through Flame Atomic Absorption Spectrophotometer (AAS).

Building materials will be evaluated for visible mold contamination in general accordance with guidelines published by the TDSHS (*Texas Mold Assessment and Remediation Rules*, 2004), the American Conference of Governmental Industrial Hygienist (*Bioaerosols; Assessment and Control*, 1999) and American Standard Test Methods (*Standard Guide for Assessment of Fungal Growth in Buildings,* ASTM D7338-10). Bulk, surface and air samples collected during a fungal assessment will be submitted for analysis by TDSHS-licensed mold analysis laboratory.

Bulk materials of bat/bird guano/debris will be aseptically sampled by trained staff and analyzed by Polymerase Chain Reaction (PCR) to determine if these pathogens are present. Bulk and air samples will be analyzed by a laboratory accredited by the American Industrial Hygiene Association (AHIA®) Laboratory Accreditation Programs, LLC under the Environmental Microbiology Laboratory Accreditation Program (EMLAP) and is Texas licensed Mold Analysis Laboratory under the TMARR.

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The primary purpose of this Plan is to ensure that Terracon personnel are aware that site activities will be conducted in a facility where asbestos, lead-based paint, mold and guano hazards may be present. A separate job hazard analysis of facility-specific hazards is required to help assure that project personnel are protected against these potential hazards through controlled sampling techniques and appropriate personal protective equipment. The following procedures are designed to provide standardization with respect to location and number of samples collected and method of labeling sample locations.

4.1 Asbestos Sampling Equipment Requirements

In addition to the personal protective equipment outlined below, each project participant should mobilize an asbestos sampling equipment kit similar to that outlined below. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Wet methods will be employed in collecting all suspect ACM samples. Absolutely no bulk asbestos samples will be collected over the heads of or in near proximity to non-project personnel.

- Utility knife
- Coring tool
- Duct tape
- Sample containers (preferably ziplock style clear plastic bags)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Spray atomizer containing detergent amended water
- Spray adhesive
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.2 Fiber Release

Asbestos bulk sampling activities must be conducted in a manner which minimizes the generation of dusts and airborne fibers. Each sample team member will assess the condition of ACM prior to sampling or otherwise disturbing the material. Sampling will not be conducted in buildings occupied by non-project personnel, or over the heads of any personnel. Wherever possible, sample collection will be conducted at a level below the breathing zone of the sampler.

If sampling impregnated materials or other ACMs appear non-friable (floor tiles, mastic, roofing felt or sealant, ceiling tile, etc.), respiratory protection should not be required. If collecting samples of friable ACM or normally non-friable materials which are in deteriorated condition,

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precautions must be taken to prevent the release of fibers to the work area. Precautions include isolation of the material prior to disturbance (i.e., glove bagging) and the use of wet sampling methods as described below.

4.3 Lead-Based Paint Sampling Equipment Requirements

LBP analysis will be conducted by collecting paint chip samples. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Absolutely no lead-based paint samples will be collected over the heads of or in near proximity to non-project personnel.

- Heating tool and extension cord
- Tape measure or template
- Chisel
- Chipping hammer or scraper (lead paint samples from metal structures)
- Face shield or chipping goggles
- Sample containers (preferably sturdy, clear plastic vials)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.3 Mold Sampling Equipment Requirements

Mold analysis will be conducted by collecting tape lift samples. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Absolutely no mold samples will be collected over the heads of or in near proximity to non-project personnel.

- Transparent tape
- Sample retention sheet
- Laboratory chain of custody for mold sample analysis
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.3 Guano Sampling Equipment Requirements

Bulk materials of bat/bird guano/debris will be aseptically sampled by trained staff and transferred to appropriately labeled sterile containers. Additionally, air samples will be collected

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on 37-millimeter cassettes containing sterile filter media at flow rates between 3 liters/minute (l/m) and 15 l/m. Target air volumes will range from 540 liters and 1800 liters. The air samples will be shipped under COC to a laboratory accredited by the AHIA® Laboratory Accreditation Programs, LLC under EMLAP and is Texas licensed Mold Analysis Laboratory under the TMARR for analysis. Analysis of the bulk and air samples will be conducted by PCR for both qualitative and quantitative information on the concentrations of the avian pathogens *Histoplasma capsulatum, Cryptococcus neoformans* and *Chlamydiaphila psittaci.*

- Utility knife
- Sterile sample containers (preferably rigid, sealable plastic bottles)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Sampling pumps
- 37 millimeter sterile media cassettes
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

5.0 PERSONAL PROTECTIVE EQUIPMENT

5.1 Hazardous Material Inspection and Sample Collection

The Terracon Project Safety Officer will ensure that all project personnel mobilize the following personal protective equipment to the project site on each day of sample collection:

- Polylaminated Tyvek protective coveralls
- Half face or full face air purifying respirator equipped with HEPA cartridges
- Cut-resistant impermeable gloves (nitrile or latex).
- Tyvek boot covers or washable outer footwear
- ANSI specification Safety eyewear

If fiber release appears likely during asbestos sampling activities, sampling personnel will upgrade to **LEVEL C** personal protective equipment as itemized above. Personnel will remove protective clothing before proceeding out of the building at the project site.

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6.0 SAMPLING GUIDELINES AND PRECAUTIONS

6.1 Asbestos Sampling Guidelines and Precautions

- Collect samples of each type of ACM identified during the visual survey. This includes but is not limited to pipe wrapping and elbows, ceiling tiles, floor tiles and mastic, sprayed or troweled on surfacing materials.

- Samples of surfacing material (sprayed or troweled fireproofing material), should be collected in a statistically random manner that is representative of a homogenous area. At least 3 samples should be collected from each homogeneous area of 1,000 ft^2 or less. At least 5 bulk samples should be collected from each homogeneous area that is greater than 1,000 $ft.^2$ but less than or equal to 5,000 $ft.^2$. At least 7 bulk samples should be collected from each homogeneous area that is larger than 5,000 $ft.^2$.

- At least 3 bulk samples should be collected from each homogeneous area of thermal system insulation (pipe lagging and boiler system insulation) and miscellaneous suspect ACM.

- Areas to be sampled will be misted with detergent-amended water *prior* to sample collection. Minimal misting force should be used to reduce the potential for fiber release.

- Use water mister to rinse sampling tools in the sample container after sample collection.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container.

- Repair pipe lagging or other disturbed areas with spray adhesive and duct tape as appropriate to prevent potential fiber release.

6.2 Lead-Based Paint Sampling Guidelines and Precautions

- Identify areas with coated or prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and should be included in the survey. Some ceramic tiles have a lead-containing glaze and should also be assessed, particularly where required by state or local regulatory agencies.

- Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in

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general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995revision.

- Conduct paint-chip sampling on selected surfaces. Document descriptions of each surface sampled on the field log.

- Use tape measure or template to delineate proper sample size. Use heating tool to loosen paint coating. Remove coating with chisel, chipping hammer or scraper. Transfer sample to sample container.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container.

6.3 Mold Sampling Guidelines and Precautions

- Evaluate building materials for areas of suspect mold contamination. Select appropriate materials and locations to be sampled.

- Use transparent tape to collect tape lift sample of suspect mold contamination. Transfer tape, contaminated side down, to the sample retention sheet. Log sample location information on laboratory chain of custody.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample retention sheet with the sample number.

6.4 Guano Sampling Guidelines and Precautions

- Collect bulk samples of suspect guano.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container. Log sample location information on laboratory chain of custody.

- Collect air samples on 37-millimeter cassettes containing sterile filter media at flow rates between 3 liters/minute (l/m) and 15 l/m. Target air volumes will range from 540 liters and 1800 liters.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container. Log sample location information on laboratory chain of custody.

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7.0 HAZARD ASSESSMENT

7.1 Chemical Hazards

Asbestos is a recognized human carcinogen. It causes asbestosis, cancer of the lungs and digestive tract and mesothelioma. Asbestosis is a lung disorder characterized by a diffuse interstitial (between cell) fibrosis. The onset of asbestosis probably depends upon the asbestos dust concentration, the morphology of the fiber and length of exposure. Cigarette smoking is strongly implicated as a co-carcinogenic among asbestos workers. The OSHA Permissible Exposure Limit for asbestos is 0.1 fiber per cubic centimeter (0.1f/cc) of air.

Sample team members are advised to practice proper personal hygiene throughout the course of this project. Wash hands frequently during the course of sample collection and always prior to drinking, eating, smoking or any other activity which could increase the likelihood of hand to mouth transfer of site contaminants.

7.2 Physical Hazards

7.2.1 Ladders

Asbestos sampling activities may involve the use of ladders to gain access to overhead structures. Personnel will ensure that proper ladder or other suitable means of access (cherry picker, scaffold, etc.) is used to obtain access to elevated areas. Ladders will be inspected prior to use. Spreaders will be fully extended on all step ladders and firmly positioned prior to use. Where footing is uncertain, a sample team member will hold or otherwise secure ladders while in use by another sample team member. Personnel must always face ladders during both ascent and descent. Extension ladders will be placed at an angle of no more than one fourth of its working length. Sample team personnel will not walk on steeply pitched roof surfaces and will not walk on low pitched roofing surfaces while wet. Remain on designated roof walkways wherever present.

7.2.2 Personnel Lifts (“Cherry Pickers”)

If elevated sample collection is required which precludes the safe use of extension ladders, sample team personnel may be required to use basket lifts (manlift, cherry picker). No Terracon personnel will attempt to operate or position personnel lift until they are trained in the proper use of the equipment. Personnel being elevated in a cherry picker basket will be secured at all times with a safety belt and safety lanyard. Lanyards used in basket lifts will not exceed 6 feet in length.

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7.2.3 Confined Space Entry

No sample team member will enter any pit, shaft, or tunnel which has limited means of egress, the potential for an oxygen deficient or toxic atmosphere or which was not designed for human occupancy. Pipe tunnels accessible from a utility room in which personnel may stand can be entered to a maximum of 6 feet from the tunnel entrance if, and only if, a stand-by team member remains at the tunnel entrance in continuous visual and verbal communication with the sample team member. Terracon personnel will mobilize adequate portable lighting during the course of this assessment. Confined space entry is not anticipated during the course of this asbestos sampling project. If entry to pipe tunnels, pits, tanks or other structure which could be defined as a confined spaces becomes necessary during the course of this project, the Site Health and Safety Officer will contact the Terracon Corporate Health and Safety Manager to discuss conditions and to obtain a task-specific confined space entry addendum to this plan and confined space entry permits. No personnel will enter confined spaces until the addendum and any rescue, air monitoring or other equipment required for the task has been received, and personnel are briefed in site hazards, precautions, and safe work practices.

7.2.4 Electrical Contact Hazards

Asbestos sample team members will be continuously cognizant of potential electrical contact hazards during asbestos sample collection activities. A visual assessment of each work space will be made prior to sample collection and electrical contact hazards will be evaluated. Unguarded junction boxes, exposed wiring, knife switches, etc. will be avoided in collection of bulk samples of suspect materials.

8.0 DECONTAMINATION

Decontamination as part of abatement activities are not planned as part of this project.

9.0 SITE CONTROL

Samples of suspect ACM will not be collected in the presence of non-project personnel. Sample team members will ensure that non-project participants are well clear of proposed sample collection areas prior to obtaining bulk ACM samples. Terracon will coordinate sampling activities with the site representatives to prevent sample collection in occupied structures.

If unauthorized personnel attempt to enter a sampling area, sample team member will immediately curtail bulk sample collection activities and request that the individual leave the project area. If unauthorized personnel refuse to leave the sample collection area, immediately contact the

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Terracon Site Health and Safety Officer. Sample collection activities will continue only after unauthorized personnel have left the project site.

10.0 EMERGENCY RESPONSE

This section describes emergency planning procedures which will be implemented during assessment activities at project site. The Project Safety Officer will remind all personnel of the provisions of this section during daily site safety briefings. It is the responsibility of the Site Safety Officer to mobilize emergency equipment required by this section.

10.1 First Aid Requirements

The Project Safety Officer will ensure that a first aid kit is mobilized to the site on each day of sampling activity.

10.2 Emergency Contact/Notification System

The following list provides names and telephone numbers for emergency contact personnel. In the event of a medical emergency, personnel will take direction from the Project Safety Officer and notify the appropriate emergency agency.

EMERGENCY TELEPHONE NUMBERS

Organization	Contact	Telephone Number
Hospital	Wadley Regional Medical Center	(903) 798-8000
Ambulance Service		911
Fire Department		911
Facility Representative	Holly Wall	903-798-3934
Project Manager	Greg Calhoun	214-630-1010
Terracon Safety & Health Mgr.	Mark Huddleston	913-577-0419

10.3 Route to Emergency Facility

The Terracon Corporate Health and Safety Manager will be contacted following all site emergencies. Medical emergencies will be taken to Wadley Regional Medical Center. The route to the facility from the site is: See attached map

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10.4 Emergency Medical Treatment Procedures

Any person who becomes ill or injured during the course of this project must be decontaminated to the maximum possible extent. If the injury or illness is minor, full decontamination should be completed and first aid administered prior to transport. If the patient's condition is serious, at least partial decontamination should be completed prior to transport of the injured site worker.

If rescue is required from an area of obvious fiber release, Terracon personnel will inform rescue personnel of site contaminants and will assist emergency personnel in transporting the injured employee if requested. Terracon personnel will don the appropriate personal protective equipment prior to entering sites with signs of obvious fiber release.

10.5 In the Event of Fiber Release

In the event that small amounts of suspect asbestos containing materials such as thermal system insulation, sprayed on or troweled-on surfacing materials, ceiling texture, etc. are released during the course of sampling, sampling team members will immediately evacuate the area and don Level C personal protective equipment. The area of potential ACM release will then be approached and suspect materials will be thoroughly wetted with detergent-amended water, slowly and deliberately swept to a centralized pile, re-wetted, double bagged in asbestos disposal bags and sealed with duct tape. Affected surfaces will be re-wetted and swabbed with clean cloths or paper towels. Used wipes will be placed in asbestos disposal bags which will be containerized pending proper removal and disposal in an approved disposal facility.

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ACKNOWLEDGMENT OF INSTRUCTION

I understand that this project will involve asbestos sampling in the building located at 203 & 205 W Broad Street, Texarkana, Texas. Asbestos activities outlined in this Plan could expose project participants to physical hazards and potential chemical hazards (see plant specific job hazard analysis attached). Potential fiber releases will be controlled by deliberate collection techniques and wet sampling methods. If potential fiber releases appear likely, sampling personnel will upgrade to Level C personal protective equipment as specified in this Health and Safety plan. I have read this Health and Safety plan and have received instructions for procedures to be followed. I understand that if at any time I have questions concerning health and safety precautions at this site, I am to contact the Site Health and Safety Officer. The Site Health and Safety Officer will contact the Terracon Corporate Health and Safety Manager at (913) 577-0419.

ASBESTOS SURVEY
TERRACON PROJECT NO. 94137464B

Name: (Please Print)	**Signature**	**Date**

Site Safety briefing performed by: _____ **Date** _____

Level of PPE: __ D _**X**_ Dmod (Stand-by) _**X**_ C **(Stand-by)**

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HAZARDLINE
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NEW YORK, NEW YORK 10036
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CHEMICAL NAME
ASBESTOS

CHEMICAL FORMULA
VARIES

SYNONYMS
CHRYSOTILE, CROCIDOLITE, ACTINOLITE, AMOSITE, ANTHOPHYLLITE,TREMOLITE

PERMISSIBLE EXPOSURE LIMIT AND TOXICOLOGY
0.1 FIBER/CC
TUMORIGENIC DATA (RTECS)
MUTAGENIC DATA (RTECS)

CERCLA HAZARD RATINGS
TOXICITY -- 3 IGNITABILITY -- 0 REACTIVITY -- 0 PERSISTENCE -- 3

OSHA CARCINOGEN
KNOWN HUMAN CARCINOGEN (NTP)
ACGIH A1-CONFIRMED HUMAN CARCINOGEN
HUMAN SUFFICIENT EVIDENCE FOR CARCINOGENICITY (IARC GROUP-1)
ANIMAL SUFFICIENT EVIDENCE FOR CARCINOGENICITY (IARC GROUP-1)

TOXICOLOGY
ASBESTOS MAY BE IRRITATING TO THE EYES, SKIN AND MUCOUS MEMBRANES. THERE IS INSUFFICIENT DATA TO QUANTIFY THE TOXICITY. POISONING MAY AFFECT THE LUNGS. REPEATED OR PROLONGED EXPOSURE TO ASBESTOS MAY CAUSE ASBESTOSIS, AN INTERSTITIAL FIBROSIS OF THE LUNG TISSUE WHICH MAY DEVELOP FULLY WITHIN 7-9 YEARS, BUT ONSET IS TYPICALLY DELAYED 20-40 YEARS AFTER THE FIRST EXPOSURE. THE INITIAL SYMPTOM IS A PROGRESSIVE EXERTIONAL DYSPNEA. OCCUPATIONAL EXPOSURE TO CHRYSOTILE, AMOSITE, MIXTURES CONTAINING CROCIDOLITE, AND OTHER FORMS OF ASBESTOS HAS RESULTED IN A HIGH INCIDENCE OF LUNG CANCER AND PLEURAL AND PERITONEAL MESOTHELIOMAS. GASTROINTESTINAL CANCERS WERE INCREASED IN WORKERS EXPOSED TO AMOSITE, CHRYSOTILE, OR MIXED FIBERS CONTAINING CROCIDOLITE. THE LATENT PERIOD FOR MESOTHELIOMAS IS 3.5-30 YEARS; FOR LUNG CANCER, 15-30 YEARS.

THE THRESHOLD LIMIT VALUE WAS ESTABLISHED BASED ON HEALTH EFFECTS DATA. SMOKING ENHANCES THE RISK OF LUNG CANCER.
IHL-HMN TCLO: 1.2 FIBERS/CC/19 YRS-C

ASBESTOS (CONT'D)

PHYSICAL DESCRIPTION
FIBERS OR FILAMENTS WHICH MAY BE WHITE, BLUE, BROWN, GRAY, GREEN OR YELLOW IN COLOR.

CHEMICAL AND PHYSICAL PROPERTIES
MOLECULAR WEIGHT: VARIES
BOILING POINT AT 1 ATM, F: NOT AVAILABLE
SOLUBILITY IN WATER, G/100 G WATER AT 20ºC: INSOLUBLE
FLASH POINT, CLOSED CUP, F (OR OPEN CUP IF 0C): NONCOMBUSTIBLE SOLID
VAPOR PRESSURE @ 20ºC, MMHG: NOT AVAILABLE
MELTING POINT, F: >1832ºF (>1000ºC)
UPPER EXPLOSIVE LIMIT IN AIR, % BY VOLUME: NONFLAMMABLE
LOWER EXPLOSIVE LIMIT IN AIR, % BY VOLUME: NONFLAMMABLE
SPECIFIC GRAVITY: 2.4-3.3

ROUTE OF ENTRY INTO BODY
INHALATION, INGESTION, SKIN OR EYE CONTACT

SYMPTOMS
EYE IRRITATION, SKIN IRRITATION, MUCOUS MEMBRANE IRRITATION, COUGHING, CHEST PAIN, LUNG FIBROSIS, DYSPNEA, DECREASED VITAL CAPACITY, TACHYPNEA, PULMONARY RALES, CYANOSIS, ANOREXIA, WEAKNESS, WEIGHT LOSS, FINGER CLUBBING, FATIGUE, DERMATITIS, CONJUNCTIVITIS, GASTROINTESTINAL IRRITATION, PLEURAL MESOTHELIOMA, UREMIA MESOTHELIOMA, LUNG CANCER, GASTRO-INTESTINAL CANCER, LARYNX CANCER

ORGANS AFFECTED BY THE SUBSTANCE
LUNGS
RESPIRATORY SYSTEM
GASTROINTESTINAL
SKIN

LEAK AND SPILL PROCEDURES
REPORTABLE QUANTITY (RQ): 1 LB. (0.454 KG)
A REPORTABLE QUANTITY OF ONE POUND APPLIES TO THIS SUBSTANCE ESTABLISHED BY SECTIONS 101(14) AND 102(B) OR ADJUSTED UNDER SECTION 102(A) OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT OF 1980 (CERCLA). SECTIONS 103(A) AND 103(B) REQUIRE THAT PERSONS IN CHARGE OF A VESSEL OR FACILITY FROM WHICH A HAZARDOUS SUBSTANCE HAS BEEN RELEASED IN A QUANTITY EQUAL TO OR GREATER THAN THE REPORTABLE QUANTITY FOR THAT SUBSTANCE IMMEDIATELY NOTIFY THE NATIONAL RESPONSE CENTER (800) 424-8820; IN THE WASHINGTON, D.C.METROPOLITAN AREA (202)426-2675.

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Wadley Regional Medical Center
Texarkana Water Utilities
Burger King
The Chute
Arkansas Corrections Dept
Zapata's
Texarkana Gazette
Perot Theatre
Texarkana Public Library
Kidtopia Park
Texarkana Amtrak
4 min
0.7 mile
3 min
0.7 mile
Texas Blvd
Olive St
Spruce St
Oak St
Elm St
Pine St
Wood St
Walnut St
Hazel St
Laurel St
Ash St
N State Line Ave
W 12th St
W 11th St
W 10th St
W 9th St
W 6th St
W 5th St
W 4th St
W Broad St
W Front St
E Front St
E 5th St
Viaduct Rd
Google
Map data ©2014 Google
Lite mode
Terms
Privacy

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APPENDIX B: SURVEY PROTOCOLS

Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.3000
BULK SAMPLING OF SUSPECT ASBSETOS-CONTAINING MATERIAL (ACM)

Last Review or Revision: June 2010

I. PURPOSE

The purpose of this standard operating procedure (SOP) is to provide information on the hazards of asbestos and procedures to follow to sample suspect materials for laboratory analysis. The following guidelines contained in this document apply to Terracon personnel who engage in bulk sampling of suspect ACM and are designed to provide standardization with respect to sample collection. This procedure should ensure that potential asbestos-containing material samples are collected in a manner which allows for accurate analysis of the material and that sampling personnel are protected against potential asbestos fiber releases through controlled sampling techniques or appropriate personal protective equipment.

The objective of bulk sampling building materials and components suspected to contain asbestos is to characterize the items that contain asbestos in quantities equal to or greater than 1% or other contaent limit as specified by local or state guidelines. By characterizing the locations and quantities of asbestos-containing materials (ACM), exposure hazards can be greatly reduced.

II. BACKGROUND AND REFERENCE

Asbestos has been a common component used in several building materials because of its strength enhancing and fire resisting properties. However, asbestos has been recognized as a human carcinogen and respiratory hazard. Due to its health hazards, building inspections and asbestos bulk sampling is requested for schools and many public or commercial properties prior to building renovation or demolition activities. Therefore, identifying, locating and quantifying materials containing asbestos is essential in the effort to prevent worker exposure to asbestos and prevent environmental contamination.

As a consequence of inhalation of asbestos fibers, a body of federal and state regulations has been developed. Federal regulations pertaining to asbestos are included in AHERA (Asbestos Hazard Emergency Response Act) US EPA 40 CFR 763, Subparts E, F; NESHAP (National Emissions Standards for Hazardous Air Pollutants (EPA 40 CFR 61); OSHA Asbestos Standards (29 CFR 1910.1001 and 29 CFR 1926.1101), and ASHARA (Asbestos School Hazard Abatement Reauthorization Act). Many states and local authorities have additional requirements including state-specific licensing and certification.

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Terracon will comply with applicable federal, state and local regulations when conducting asbestos-related services.

III. EQUIPMENT

The minimum equipment necessary to conduct bulk sampling of suspect materials, in addition to the personal protective equipment outlined below in the Health and Safety Section, is listed below.

- Utility Knife, Chisel, Hammer, Screwdriver, Coring Tool
- Duct Tape
- Sample Containers (preferably ziplock-style clear plastic bags)
- Sample Labels and Indelible Marker
- Spray Atomizer containing Detergent Amended Water, Paper Towels/Wet Wipes
- Spray Adhesive
- Roof Patch Kit (if necessary)
- Measuring Wheel
- Camera
- Flashlight
- Field ACM Sample Log

IV. CERTIFICATION

Individuals conducting asbestos sampling must have the certifications listed below. Copies of these certifications and licenses should be taken to the site during the sampling event.

- United States Environmental Protection Agency Building Inspector training (and refresher training, if applicable)
- Asbestos Inspector State-license for the state of the project location (where necessary)

In addition, Terracon requires company-based training courses and hands-on experience of employees prior to commencing asbestos-related field services. Each employee must also receive respirator training, be medically monitored and successfully pass a fit-test utilizing issued respirator(s).

V. HEALTH AND SAFETY

Asbestos has been recognized to cause asbestosis, cancer of the lungs and digestive tract and mesothelioma. Asbestosis is a lung disorder characterized by a diffuse interstitial (between cell) fibrosis. The onset of asbestosis probably depends upon the asbestos dust

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concentration, the morphology of the fiber and length of exposure. Cigarette smoking is strongly implicated as a co-carcinogenic among asbestos workers.

Under the OSHA asbestos standards, the employer has an obligation to protect employees against exposure to asbestos fibers in excess of 0.1 fibers per cubic centimeter of air (0.1f/cc). Personnel engaged in asbestos-related activities (including building inspections) must be trained, medically cleared and fit-tested for respiratory protection. Therefore, enrollment in a medical surveillance program in compliance with the OSHA asbestos and respiratory protection standards is mandatory. Terracon employees are not permitted to engage in asbestos-related activities unless they are enrolled in the Terracon medical surveillance program and have been medically cleared for respirator use by a physician.

The following safety and health protocols apply to Terracon personnel who engage in asbestos-related services. The guidelines contained in this document are based upon potential health hazards from exposure to asbestos fibers and physical hazards which may be encountered on survey project sites. Field activities will be performed in accordance with the procedures outlined in this document and applicable federal/state health and safety regulations.

Terracon personnel will use professional judgment during sample collection to prevent exposure to other building occupants. If unauthorized personnel attempt to enter a sampling area which could reasonably pose a fiber release hazard, the inspector will curtail bulk asbestos sample collection activity and request that the individual(s) leave the work area. If unauthorized personnel refuse to leave the work area, immediately contact the Project Safety Officer and/or a client representative. Sample collection activities should recommence only after unauthorized personnel have left the work area.

In the event that minor amounts of suspect asbestos containing materials such as thermal system insulation, sprayed-on or trowled-on surfacing materials, ceiling texture, etc. are released during the course of sampling, sampling team members will immediately evacuate the area and don Level C personal protective equipment. The area of potential ACM release will then be approached and suspect materials will be thoroughly wetted with amended water, slowly and deliberately swept to a centralized pile, re-wetted, and containerized in heavy mil asbestos disposal bags. Affected surfaces will then be re-wetted and swabbed with clean cloths or paper towels. Used wipes will be disposed of as asbestos-containing waste.

In the event that large quantities of potential ACM is released during sample collection activities, personnel will immediately evacuate the area and notify the Project Safety Officer and the client representative. The Project Safety Officer will request that the area be sealed until a properly attired response team can be mobilized to the area with a high efficiency particulate air filter (HEPA) vacuum and other equipment necessitated by site conditions.

If suspect materials are in deteriorated condition and fiber release appears likely, or if sampling must be conducted overhead and/or above drop ceilings, personnel will upgrade to Level C personal protective equipment as itemized above. Level C personal protective

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equipment should be donned before moving drop ceiling panels, attic access panels, etc. where friable fireproofing or thermal system insulation are known to be present.

The indicated personal protective equipment shall be mobilized to asbestos sampling project sites on each day of sample collection and utilized, if necessary:

- Tyvek (standard) protective coveralls
- Half face or full face air purifying respirator equipped with HEPA (P-100) cartridges
- Impermeable gloves (nitrile or latex).
- Tyvek boot covers or washable outer footwear

Additional Health and Safety protocols such as those established by the owner/operator of the project site and Terracon's company policy regarding ladder safety, confined space entry and electrical hazards shall be followed.

VI. SAMPLING HAZARDS

a. Elevated Surfaces

Asbestos building inspections may include roofing materials and ceiling spaces containing suspect ACM. Appropriate ladders or other suitable devices (e.g., manlifts) will be used for gaining access to elevated sampling locations. Ladders will be inspected prior to use. Spreaders will be fully extended on all step ladders and firmly positioned prior to use. Where footing is uncertain, a sample team member will hold or otherwise secure ladders while in use by another sample team member. Personnel must always face ladders during both ascent and descent. Extension ladders will not be positioned more than one-quarter of their working length from buildings, walls, etc. (4:1 pitch). Sample team personnel will not walk on steeply pitched roof surfaces and will not walk on low pitched roofing surfaces while wet. Remain on designated roof walkways wherever present. Terracon personnel will visually inspect roofs prior to beginning sample collection activities and will avoid all areas which appear to be structurally unsound.

b. Confined Space Entry

Terracon asbestos inspectors will not enter any pit, shaft, tunnel, etc. which has limited means of egress, the potential for an oxygen deficient or toxic atmosphere or which was not designed for human occupancy without first developing a written safety plan which includes a confined space entry permit and procedures. Readily accessible spaces such as pipe tunnels in which personnel may stand can be entered to a distance where continuous visual and verbal communication can be maintained with another sample team member.

Adequate portable lighting must be utilized during sample collection in tunnels and similar spaces. No Terracon or sample team member may attempt to walk through a pipe tunnel,

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etc. beyond the sight of a stand-by team member unless written confined space entry procedures have been prepared for the project.

c. Electrical Contact Hazards

Personnel will remain cognizant of the location and condition of electrical wiring during the collection of bulk asbestos samples. A visual assessment of each work space will be made prior to sample collection and electrical contact hazards will be evaluated. Unguarded junction boxes, exposed wiring, knife switches, etc. will be avoided during the collection of bulk ACM samples, and coring tools will not be used in near proximity to electrical switches or receptacles.

VII. PROCEDURES FOR BULK SAMPLING OF SUSPECT ACM

The primary purpose of this section is to identify the methods and techniques of controlled sampling, sampling site control and use of appropriate personal protective equipment to protect Terracon personnel and members of the general public from exposure to asbestos fibers during sampling activities. Adherence to these procedures should enhance personnel safety during sample collection activities and aid in the suitability of samples for analysis. Field activities will be performed in accordance with the procedures outlined in this document and applicable federal/state health and safety regulations.

Protocols for inspection and bulk sampling are defined in AHERA regulations. These are applicable for any type of survey; for example, a school, an area prior to renovation, a building prior to demolition and inspections undertaken to rebut the OSHA presumption that certain materials contain asbestos.

An accredited Building Inspector must perform the inspection. A summary of AHERA sampling protocols is as follows:

1. Visually inspect the building interior and/or exterior and identify locations of suspect ACM. Identify homogenous areas of friable and non-friable suspect ACM. Document locations, condition, classification and estimated quantities of each suspect material. It is recommended to depict locations of materials on a building diagram and take photographs of sampled materials.

2. Touch each suspect ACM to determine its friablity.

3. Collect representative samples of suspect ACM. Terracon recommends a minimum of three (3) samples of each material be collected from each homogeneous area. However, specific materials may require additional samples such as surfacing material and insulation

as described below. Judgment should be used on the need for and quantity of additional sample collection.

> *Surfacing materials*: Collect, in a statistically random manner, at least 3 bulk samples from each homogenous area of 1,000 sq. ft. or less, at least 5 bulk samples from each homogenous area that is greater than 1,000 sq. ft. but less than or equal to 5,000 sq. ft., and at least 7 bulk samples of each homogenous area larger than 5,000 sq. ft.
>
> *Thermal System Insulation (TSI)*: Collect, in a randomly distributed manner, at least three bulk samples from each homogeneous area of TSI; collect at least one bulk sample from each homogeneous area of patched TSI if the patched section is less than 6 linear or square feet; collect bulk samples from each insulated mechanical system where cement or plaster is used on tees, elbows, etc. in a manner sufficient to assess whether the material is ACM.

If fiber release appears likely, wet methods will be employed in the collection of suspect ACM samples. Water amended with a minimum of 10% commercially available window cleaning solution or other suitable surfactant should be used to moisten materials prior to sampling. Bulk asbestos samples will not be collected over the heads of, or in near proximity to, non-project personnel. Respiratory protection is not required when sampling non-friable suspect materials or materials below the breathing zone which are adequately wetted with amended water.

4. Bulk ACM samples should be immediately placed in sample containers and sealed while the materials are wet. If collecting samples of friable ACM or normally non-friable materials which are in deteriorated condition, precautions must be taken to prevent the release of fibers to the work area. Precautions include aggressively wetting the surface or potentially isolating the material (e.g. glove bagging) prior to disturbance.

5. Reusable sampling equipment will be gently rinsed with amended water. Dry the equipment with paper towels to be disposed of as contaminated materials.

6. The following decontamination sequence should be used following sample collection activities requiring Level C personal protective equipment:

- Remove coveralls slowly turning the outside inward.
- Place in heavy mil asbestos disposal bag.
- Remove gloves and shoe covers (if utilized)
- Remove respirator and carefully dispose of respirator cartridges in asbestos disposal bag.
- Securely seal protective clothing and any potentially contaminated disposable sampling equipment in heavy mil asbestos disposal bags.
- Do not smoke or eat with soiled hands.

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Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4000
SAMPLING OF POTENTIAL LEAD-BASED PAINT

Last Review or Revision: June 2010

I. PURPOSE

The purpose of this standard operating procedure (SOP) is to provide information on the hazards of lead-based paint (LBP) and describe procedures for identificationand proper LBP sampling techniques. The following procedures for sampling potential LBP using a direct reading instrument and paint chip collection are designed to provide standardization with respect to location and number of samples collected and method of labeling sample locations. In addition, this procedure should ensure that potential LBP samples are collected in a manner which allows for accurate analysis of the material. Finally, this procedure will help to ensure that sampling personnel are protected against potential lead dust releases through controlled sampling techniques or appropriate use of personal protective equipment.

The objective of sampling coated (i.e., painted, pigmented or stained) surfaces for LBP (LBP) is to characterize materials and components that contain lead in surface coatings and compare them to established limits such as the Environmental Protection Agency (EPA) or Housing Urban Development (HUD) standards and guidelines such as at quantities greater than 1.0 milligram per square centimeter (mg/cm^2) or 0.5% by weight or other regulated quantity as specified by state or local authority. By characterizing the locations and quantities of LBPs, exposure hazards can be greatly reduced.

II. BACKGROUND AND REFERENCE

Lead is a toxic heavy metal which may cause blood, kidney and nervous system disorders if inhaled or ingested. Metallic lead and lead contained in dusts are not readily absorbed through the skin. However, skin contact with potentially contaminated site materials should be avoided.

The United States EPA and HUD have established an action level for LBP of 1.0 milligram per square centimeter (mg/cm^2) or 0.5% by weight. Coatings with quantities equal to or greater than these values are considered LBP. The Occupational Safety and Health Administration (OSHA) does not establish a LBP quantity but regulates the amount of lead that can become airborne and either inhaled or ingested by setting limits for air concentrations of 0.05 milligram per cubic meter (mg/m^3) of air over a work shift and blood values of 50 micrograms per deciliter of blood.

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Lead was a common ingredient in paint until 1978 when the Consumer Product Safety Commission (CPSC) banned the sale of LBP for use in residences in quantities greater than 0.06% by weight. However, some industrial paints still contain lead today and are used in several applications. Lead can be introduced into the air by sanding or abrading surfaces containing LBP, and inhalation or ingestion of the dust is possible. Ingestion of lead can occur when children consume deteriorated paint chips, children place exposed toys or body parts into their mouths or when industrial workers exposed to lead-containing dust eat or smoke without washing their hands.

The lead content of paint can be determined with direct-reading instrumentation or by analysis of a bulk paint chip sample. An X-ray fluorescence (XRF) type analyzer is recommended to obtain direct readouts of lead content in coated surfaces. The XRF analyzes for lead by atomic absorption spectroscopy (AAS). Results are in milligrams of lead per square centimeter. Paint chip sample analysis is performed by inductively coupled plasma-atomic emission spectrometry (ICP-AES) in accordance with EPA SW-846 Method 6010B. Results are typically reported as lead percent per paint chip weight.

When sampling for LBP in buildings classified under the United States Department of Housing and Urban Development (HUD) or other child occupied-facilities (i.e., publicly and privately owned-housing, public buildings, daycares, etc.), procedures stated in the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995 revision will be used.

Lead is also regulated by the Occupational Safety and Health Administration (OSHA) and the EPA. Occupational exposure to lead occurring in the course of construction work, including maintenance activities, painting, renovation and demolition, is subject to OSHA standard (29 CFR 1926.62), Lead Exposure in Construction. Construction work covered by 29 CFR 1926.62 includes any repair or renovation activities or other activities that disturb in-place, lead-containing materials. Employers must assure that no employee will be exposed to lead at concentrations greater than 0.05 mg/m^3 averaged over an eight-hour period without adequate protection.

The Resource Conservation and Recovery Act (RCRA) provides the EPA with the authority to regulate the waste status of demolition or renovation debris, including lead-containing materials. Specific notification and testing requirements must be addressed prior to transporting, treating, storing or disposing of hazardous wastes. Lead containing wastes are considered hazardous waste under RCRA if Toxicity Characteristic Leachate Procedure (TCLP) results exceed 5 milligrams per liter (mg/L). EPA exempts from most RCRA requirements those generators whose combined hazardous waste generation is less than 100 kilograms (kg) per month.

III. EQUIPMENT

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LBP analysis can be conducted by using a direct reading XRF analyzer or by collecting paint chip samples. Equipment necessary to conduct both methods is listed below.

For direct reading sampling:

- X-ray fluorescence (XRF) analyzer and accessories
- XRF result field log (optional if downloading software is used)

For paint chip sampling:

- Heating tool and extension cord
- Tape measure or template
- Chisel
- Chipping hammer or scraper (lead paint samples from metal structures)
- Face shield or chipping goggles
- Sample containers (preferably sturdy, clear plastic vials)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis

IV. CERTIFICATION

Individuals conducting LBP inspection services should have the certifications listed below. Copies of these certifications and licenses should be taken to the site.

- EPA lead inspector and risk assessor certification
- As applicable, local- or State-licensed lead inspector/risk assessor (required for HUD projects)
- Manufacturer training certification for the XRF analyzer

V. HEALTH AND SAFETY

The OSHA personal exposure limit (PEL) for lead is 0.05 milligram per cubic meter (mg/m^3) and the action level is 0.03 mg/m^3. The primary route of exposure of lead is through inhalation of contaminated dusts or by accidental ingestion; however, collection of small sample volumes required for analysis is not expected to generate significant dust. Although, if painted surfaces are being disturbed and dust is generated in the vicinity, personnel will take protective measures as indicated below. Project activities may be conducted in Level D personal protective equipment modified as specified below.

- Lead sampling activities will be performed in Level D personal protective equipment to include standard work uniform, safety footwear and hard hat if overhead hazards are present.

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- Protective goggles or a full face shield will be worn during chipping hammer operations.
- Protective gloves should also be worn during lead chip sampling to prevent abrasion and contact with site materials. Half face disposable dust/fume/mist respirators (3M 9920 "surgical style" masks) or half-face air purifying respirators equipped with HEPA filter cartridges will be worn if dusty conditions develop on-site.

Due to the potential of accidental ingestion when working in areas with lead dust, do not smoke or eat with soiled hands. Wash thoroughly before eating, drinking or smoking. Shower thoroughly as soon as possible upon leaving the site.

The XRF analyzer contains a radioactive source and should be transported and used according to the manufacturer's instructions. Personnel utilizing the equipment shall have the proper training and certifications required for use of the equipment.

VI. PROCEDURES FOR XRF ANALYSIS

1. Identify areas with coated or prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and should be included in the survey. Some ceramic tiles have a lead-containing glaze and should also be assessed, particularly where required by state or local regulatory agencies.

2. Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995revision.

3. Calibrate the XRF unit according to the manufacturer's instructions before and after the survey. This involves taking calibration sample readings from a known source provided by the manufacturer.

4. Conduct XRF sampling on selected surfaces. Document descriptions of each surface sampled on the XRF result field log or using the manufacture's software. Record results on the XRF result field log if software is not used.

If results yield 1.0 mg/cm^2 (inconclusive), then a paint chip sample should be collected using the applicable procedures indicated in the following section.

If results indicate the presence of lead in quantities greater than 1.0 mg/cm^2, it is recommended that a photograph depicting the material and location be taken.

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VII. PROCEDURES FOR PAINT CHIP SAMPLING

1. Identify areas with prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and these areas should be included in the survey.

2. Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995revision.

3. A heating tool and chisel is recommended to collect representative samples of painted surfaces, but a knife, chipping hammer or paint scraper may also be used. Minimum force should be used to prevent the generation of dusts and particles. Wear protective goggles, abrasion resistant gloves and/or particulate respirator as appropriate to the task.

Check with the analytical laboratory you will use to determine minimum sample size required. A two square inch (2 in^2) sample is recommended for each sample. The sample size should be documented on the sample log. Some laboratories conducting toxic characteristic leaching procedures (TCLP) analysis may request up to ten grams (10 g) per sample. Lead-based paint samples must be removed down to the bare substrate to ensure each layer of paint has been collected. Use a brush or mini-vacuum to clean up residual material and place it in the sample container.

4. Assign a sample number to each sample collected. Affix a label or mark the sample container indelibly with a sample identification number. Seal the sample container securely. Document descriptions and locations of each surface sampled on a field log. It is recommended that a photograph depicting the material and location be taken.

5. Send results and chain or custody to an American Industrial Hygiene Association (AIHA) accredited laboratory for analysis.

- Wash hands, face and forearms thoroughly before eating, drinking smoking or using toilet facilities.
- Shower thoroughly as soon as possible upon leaving the project site.

7. Bulk sample analysis for asbestos content is performed by polarized light microscopy (PLM). The analytical testing procedure is based on U.S. Environmental Protection Agency (EPA) methods and National Voluntary Laboratory Accreditation Program (NVLAP) requirements. Terracon will use NVLAP accredited and appropriately licensed laboratories for analysis of asbestos bulk samples. Samples will be controlled with the analytical laboratory through chain of custody documentation.

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Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4020
AVIAN PATHOGEN SAMPLING - AIRBORNE
(Bat and Pigeon Droppings)

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Indoor air sampling requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged for when sampling for airborne contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

The following procedure is for collection of samples for the determination of the avian pathogens *Histoplasma capsulatum*, *Cryptococcus neoformans* and *Chlamydiaphila psittaci* by the Polymerase Chain Reaction (PCR) analytical method. The PCR method is qualitative for *H. capsulatum* and quantitative for *C. neoformans* and *C. psittaci*. For *H. capsulatum*, EMLab P&K (1501 W. Knudsen Drive, Phoenix, AZ) utilizes the National Institute of Occupational Safety and Health (NIOSH) two-stage PCR method as published by T. M. Reid and M. P. Schafer, *Molecular and Cellular Probes*, (1999) 13:269-273.The PCR method for *C. neoformans* and *C. psittaci* is a proprietary real time analytical developed by EMLab P&K using species-specific sequences published in Genbank for PCR primers (single strand of DNA specific for the species of interest) and probes (fluorescent molecules attached to primers to allow detection).

Equipment

The following equipment and supplies will be needed for this testing:

- Air monitoring cassettes are obtained from EMLab P&K. The sterile, 37 millimeter (mm) three piece cassettes contain a polycarbonate filter with a 0.4 micrometer pore size.
- Rotometer or other flowmeter accurate to 0.1 L/min. Flowmeters used for calibration of air sample pumps will be calibrated against a primary standard on a quarterly basis.
- Air monitoring pump (battery operated or ac powered depending on application) capable of providing 10 to 15 L/min flow rate for ambient air samples and a 1 to 4 L/min flow rate for personal air samples.
- Cassette holders (SKC Model 225-1).
- Vinyl tubing to connect pump to cassette holder.
- Cassette stand or other means to fix cassette in place as appropriate for ambient air sample testing locations. Cassette holders affix to the lapel or similar location in the personal breathing zone (PBZ) when collecting personal air samples.
- Chain of Custody.

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Procedures

Label cassette and record laboratory identification number on chain of custody. For ambient air samples, select a location for the sample that is subject to ambient air flow and representative of the location(s) to be tested. For personal air samples, clip the cassette/cassette holder to the individual's lapel, shoulder or other location in the PBZ and secure with duct tape as needed. Secure the low flow personal pump to the workers belt or similar location. A location protected from precipitation should be selected. Excessive moisture will interfere with sample analysis and could affect the flow rate.

Assemble sampling pump, tubing and stand in sample collection location. The cassette should be placed in the cassette holder and the tubing from the pump attached to the base of the cassette holder at the nipple. The joint between the tubing and cassette may be reinforced with tape if site conditions make this necessary. Cassette must be tilted downward at a 45º angle from horizontal. Cassette and pump should be placed so that the sample does not have to be moved after sample calibration.

A short section of vinyl tubing should be used to connect the flowmeter to the inlet port of the cassette holder. An adapter fitting may be needed to connect the tubing to the cassette. If a rotometer is used for flow calibration, the instrument must be held upright for accurate readings. Turn on the pump and measure the flow rate. Using the flow control on the pump, adjust the flow to the desired reading between 10 and 15 L/min for ambient air samples and 1.0 and 4.0 L/min for personal air samples. Record the sampling start time and beginning flow rate. The target total air sample volume for ambient and personal air samples is generally 1,400 L to 1,800 L. For personal samples collected while workers are physically disturbing Bat/Bird guano or related debris and visible emissions are observed, the target total air sample volume may be adjusted to 360 L to 720 L.

After completion of the sample collection, inspect the pump and cassette for any problems that may affect the sample validity and record any problems noted. Measure the post collection flow rate using the procedure described above. The average of the two flow rates will be used by the laboratory to calculate the sample volume. Turn off the pump and cap the inlet and outlet ports on the 37 mm filter cassette. Record the sampling completion time and ending flow rate.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

- Average flow rate (average of beginning and ending readings)
- Sample duration
- Filter number
- Requested analytical method (Avian Pathogens by PCR)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- Industrial Hygiene Technical Manual – Chapter II: Standard Methods for Sampling Air Contaminants
- EMLab P&K, 1501 W. Knudsen Drive, Phoenix, AZ

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Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4022
AVIAN PATHOGEN SAMPLING – BULK MATERIAL
(Bat and Pigeon Droppings)

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bulk sample collection of potentially hazardous materials requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for microbial contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

The following procedure is for the collection of bulk samples of Bat/Bird guano and related debris for the determination of the avian pathogens *Histoplasma capsulatum*, *Cryptococcus neoformans* and *Chlamydiaphila psittaci* by the Polymerase Chain Reaction (PCR) analytical method. The PCR method is qualitative for *H. capsulatum* and quantitative for *C. neoformans* and *C. psittaci*. For *H. capsulatum*, EMLab P&K (1501 W. Knudsen Drive, Phoenix, AZ) utilizes the National Institute of Occupational Safety and Health (NIOSH) two-stage PCR method as published by T. M. Reid and M. P. Schafer, *Molecular and Cellular Probes*, (1999) 13:269-273.The PCR method for *C. neoformans* and *C. psittaci* is a proprietary real time analytical developed by EMLab P&K using species-specific sequences published in Genbank for PCR primers (single strand of DNA specific for the species of interest) and probes (fluorescent molecules attached to primers to allow detection).

Personal Protective Equipment (PPE)

Because the target microorganisms are inherently hazardous/pathogenic, PPE is required for the collection of bulk samples. Bulk sample collection disturbs the matrix being sampled and may result in aerosolization of pathogenic spores or other viable propagules and proper dermal and respiratory protection is required during sample collection.

The following PPE will be needed for this testing:

- Prior to sample collection, don Tyvek disposable coveralls, safety glasses, nitrile or latex gloves and respiratory protection. Depending on the level of substrate disturbance or visible airborne dust/emissions in the general sample collection area either an N-95 or N-100 respirator will be worn during sample collection. If a full face respirator is worn, safety glasses are not required.

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Equipment

The following equipment and supplies will be needed for this testing:

- Sterile sample containers obtained from EMLab P&K. The sterile sample containers are typically 100 to 250 milliliter plastic bottles.
- Pre-cleaned metal bulk sample collection spatulas or an equivalent single use sterile bulk sample device. Metal spatulas must be pre-cleaned with 70% isopropyl alcohol, flamed with a Bunsen burner, Bic® lighter, or equivalent flame source, cooled in air and then stored in zip-lock bags or similar clean containers. To avoid cross contamination, use only one bulk collection device per sample.
- Appropriate marking pens to label containers or pre-printed labels to affix to the containers.
- Chain of Custody.

Procedures

Don the required PPE. Locate Bat/Bird guano or related debris that will be sampled and note the location in field notes and/or on a floor plan.

Label sample containers and record laboratory identification number on chain of custody.

With one hand, scoop approximately 10-100 milligrams (1-5 level tablespoons) of the Bat/Bird guano or related debris with the single use bulk sample collection device and promptly transfer to the sterile, lab supplied bulk sample container in the other hand. The bulk sample device and the sterile bulk sample container should not be placed on the ground or other surfaces near the sample location during sample collection. The pre-labeled sterile bulk sample container should be sealed and placed in a zip-lock bag prior to transfer to the laboratory.

If only sampling from one Bat/Bird guano or related debris location, collect a minimum of two samples.

Prepare a blank sample by opening the bulk sample container for 5-10 seconds in the immediate sample collection location, then sealing the container. Label accordingly.

Each metal spatula used to collect the bulk material should be transferred to a separate zip-lock bag and the bag sealed. After completion of the sample collection, re-clean the metal spatulas by placing the metal spatulas in a solution of non-ionic detergent amended with household bleach (Joy liquid dishwashing soap and 1 cup household bleach/gallon water) and soak for 24 hours. The metal spatulas may then be final cleaned as previously described. Sterile single use disposable bulk sample devices should be placed in a separate zip-lock bag and discarded.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

- Sample location
- Requested analytical method (Avian Pathogens by PCR)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- Industrial Hygiene Technical Manual – Chapter II: Standard Methods for Sampling Air Contaminants
- EMLab P&K, 1501 W. Knudsen Drive, Phoenix, AZ

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Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4030
BIOAEROSOL SAMPLING, TOTAL
(Airborne Mold Spores)

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bioaerosol sampling requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for airborne contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

An airborne biogenic particle, such as a fungal spore, is a bioaerosol. Fungal spores are ubiquitous in the environment, and have specific requirements for survival, germination, and growth. Although fungal bioaerosols have not been conclusively associated with adverse health effects commonly noted in typically building-related complaints (e.g., mucous membrane irritation, headache, and fatigue), they are known in the medical literature to be associated with common allergies, or more serious respiratory disease. Some studies, and case histories have shown correlations between allergy, or more serious respiratory symptoms, and fungal contamination of heating, ventilating, air conditioning (HVAC) systems.

The spore trap sampling method used for total bioaerosol sampling is capable of determining total fungal spore concentrations per cubic meter of air (spores/m^3). Bioparticulate such as pollen grains, insect exoskeletons, or fungal spores that require specific substrates in order to germinate and/or produce taxonomically identifiable reproductive structures (e.g., Ascospores and Basidiospores) are detected by this technique. While many fungal spores can be identified by this method, others, which are morphologically similar, cannot be positively assigned a genus designation and are grouped based on similar spore morphology (e.g. *Aspergillus/Penicillium, Drechslera/Bipolaris*). High variability in fungal spore concentrations will exist in different geographic locations, during different seasons, and weather patterns, and over the course of a given day. As a general rule, indoor fungal spore concentrations in an HVAC-supplied building are typically less than, but qualitatively similar to, fungal spore concentrations found in the outside environment. To assist in the interpretation of bioaerosol sampling results, a comparative sampling strategy is employed.

Equipment

The following equipment and supplies will be needed for this testing:

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- Bioaerosol sample cassettes are obtained directly from laboratory supply companies or from the laboratory that will analyze the air samples. Allergenco-D™ or Air-O-Cell™ bioaerosol sample cassettes are recommended.
- Rotometer or other flowmeter accurate to 0.1 L/min. Flowmeters used for calibration of ac powered air sample pumps will be calibrated against a primary standard on a quarterly basis.
- a) Air monitoring pump (ac powered) capable of providing 15 L/min flow rate; b) Buck BioAire Bioaerosol Sampling Pump, Model B520 with rotometer for calibration; c) Zefon Bio-Pump Plus with rotometer for calibration; d) or equivalent battery operated air sampling devices capable of using the Allergenco-D™ or Air-O-Cell™ sample cassettes at a flow rate of 15 L/min.
- Vinyl tubing to connect air sampling cassette to ac powered air monitoring pump.
- Gloves, 1 gallon zip-lock bags, alcohol based hand wash, marker pen, field sampling logs, extension cords and camera.
- Cassette stand or other means to fix cassette in place as appropriate for ac powered air monitoring pump applications.
- Chain of Custody (COC).

Sample Collection Considerations

The bioaerosol sampling cassettes are designed to operate at a recommended flow rate of 15 L/min. It is important not to run the sampling pumps at lower flow rates for longer times to achieve the recommended air volume, as lower flow rates may result in a loss of some spores and the accumulation of others in a non-uniform manner. Higher flow rates may damage the spores.

The sampling time is dependent on the density of particulate in the environment. It is important not to overload the sample, otherwise it will be impossible to assess the types of spores, pollen and particulates that are present. The following table represents typical sample times to attain a sharply defined sample trace with good dispersion of the spores:

Environmental Conditions	Sampling time at 15 L/min
Drywall renovation or heavy industrial dust	1 minute
Dusty, dirty, visible particles in the air	3 minutes
Indoor environment, high activity and personnel present	5 minutes
Outdoors (collect a minimum of 2 outdoor samples)	5 minutes

Sampling Procedures

1. Prior to sampling, calibrate the pump to 15 liters per minute.
2. Record sampling location on field data sheet.
3. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
4. Inspect cassette for quality control mark indicating that sampling cassette has been inspected by manufacturer and approved for use.
5. Remove and retain tape seal covering outlet.
6. Attach the outlet (round hole) to the supplied tubing adapter (available from bioaerosol cassette supplier), or use standard ½" PVC tubing (for use with high volume pumps only).

Using a sampling stand, the cassette should be located approximately 4 to 5 feet above the floor surface.

7. Remove and retain tape seal covering inlet.
8. Start the sampling pump, and record sampling start time. Sample for an appropriate period of time (see table above).
9. Stop the sampling pump and seal inlet with the original tape. Record sampling stop time. Remove cassette from tubing, and reseal outlet with the original tape. Label sample and place into I gallon zip lock bag.
10. Repeat steps 1-9 for remaining samples to be collected.
11. A minimum of 2 samples should be collected in complaint area(s) and the outdoor environment. A comparative sample should be collected in a non-complaint area and duplicate samples at the building exterior, preferably adjacent to the air handling system's air intake or main point of egress. The outdoor environment should be sampled prior to entering the building and again at the end of the site assessment. It is recommended that sample field blanks should be included with the samples submitted to the laboratory.
12. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number(s), description of area, volume of air collected, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
13. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

QUALITY CONTROL SUGGESTIONS

1. Initial air sampling should be performed prior to disturbance of mold and mold contaminated materials by investigative and surface/bulk sampling activities.
2. An effective interpretation is based on the comparison of indoor and outdoor samples. Outdoor control samples will help demonstrate whether spore amplification is occurring indoors.
3. Obtain an indoor control sample from a non-complaint area for comparison.
4. Sending a blank cassette for analysis is a good practice. The recommended industry practice for the number of field blanks is to provide two field blanks for each lot of bioaerosol sampling cassettes.
5. Flow rate is critical for accurate results. Remember to calibrate the pump at 15 L/min prior to sampling.
6. Never use cassettes that are damaged, expired, or do not have the manufacturers quality control mark.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

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- Sample duration and flow rate
- Sample number
- Requested analytical method (total bioaerosol analysis)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- American Conference of Governmental Industrial Hygienist: Bioaerosols, Assessment and Control, 1999.
- Terracon Mold Practice Guidelines.

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Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4033
FUNGAL GROWTH (MOLD) – SURFACE/BULK COLLECTION

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bulk sample collection of potentially hazardous materials requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for microbial contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

Because many building materials can provide a source of nutrients for fungal growth, water is the limiting factor in minimizing the potential for fungal growth. Therefore, visible fungal growth, excessive dirt and water-damaged building materials should not be observed. When these conditions are observed, it indicates a need to conduct additional assessment, cleaning, and/or remediation activities.

Tape lift and bulk sampling are techniques used for direct examination. A direct exam allows for the immediate determination of the presence of fungal growth as well as what types of fungi are present. The criteria to establish fungal growth on the substrate sampled is microscopic confirmation of fungal somatic and reproductive structures. Direct examinations should only be used to sample visible or suspect fungal growth in a contaminated area. Most surfaces naturally collect a mixture of fungal spores that are normally present as background debris in the environment.

The direct exam is inexpensive and can be performed quickly. It is a useful test for initial site sampling. Direct examination of a surface indicates the fungi present in a given sample location.

Health problems related to indoor microbial growth are generally caused by the inhalation of substantial numbers of airborne spores, sometimes over a long period of time. The presence of biological contamination on a particular surface is not a direct indication of what may be in the air.

Equipment

The following equipment and supplies will be needed for this testing:

- Gloves, 1 gallon zip-lock bags, alcohol based hand wash, marker pen, field sampling logs and camera.
- Tape lift kit(s) may be obtained from the laboratory, or standard clear “Scotch” tape may be used.

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- Chain of Custody (COC).

SAMPLING PROCEDURE

Tape Lift:

1. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
2. Remove tape applicator from slide provided in the tape lift kit or remove a few inches of clear tape from tape roll. Avoid touching the sticky side of the tape.
3. Apply the designated area of the lift kit tape applicator or central inch of tape to the sample area. Apply light pressure to the non-adhesive side.
4. Pull the lift kit tape applicator or tape off of the surface with slow, steady pressure, holding the tape edges only.
5. Apply sticky side of the lift kit tape applicator to the slide provided in the lift kit. For tape method, gently apply sticky side of the tape to a field sampling log, ensuring that there are no folds or creases in the tape. Do not fold tape onto itself.
6. Label samples and place into 1 gallon zip lock bag.
7. Record sampling location on COC. Photograph sample location.
8. Repeat steps 1-7 for remaining samples to be collected.
9. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number, description of area, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
10. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

Bulk:

1. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
2. Collect a small sample of the suspect material and place in a clean zip lock bag and close.
3. Prepare sample label and place on the 1 gallon zip lock bag.
4. Record sampling location on field data sheet. Photograph sample location.
5. Repeat steps 1-4 for remaining samples to be collected.
6. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number, description of area, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
7. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

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- Sample location
- Requested analytical method (fungal identification)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- American Conference of Governmental Industrial Hygienist: Bioaerosols, Assessment and Control, 1999.
- Terracon Mold Practice Guidelines.

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APPENDIX C: SITE ACCESS AGGREMENT

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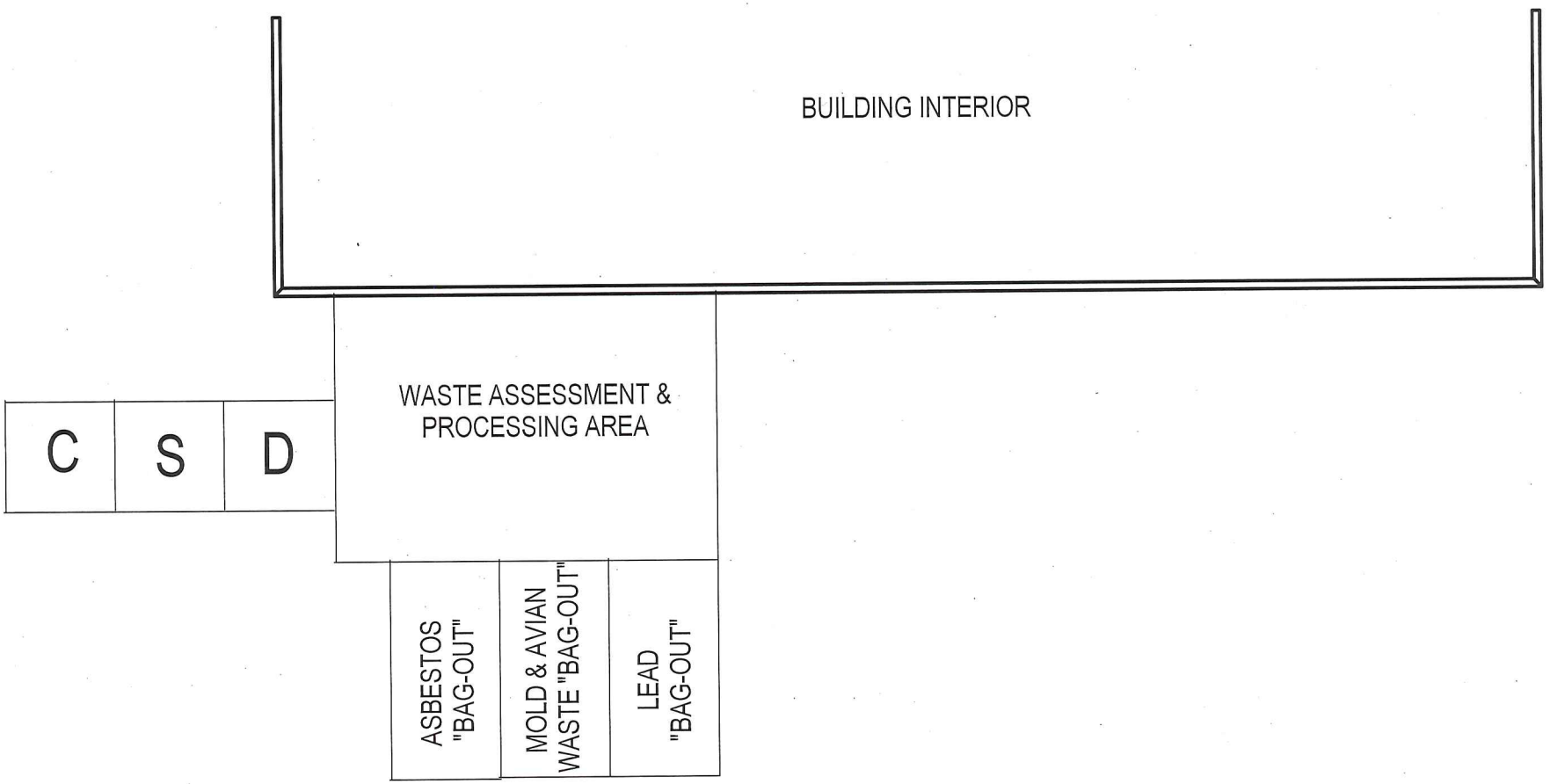
APPENDIX C
CONCEPTUAL DRAWING
OF
WASTE PROCESSING STATION



CONCEPTUAL DRAW
NOT FOR CONSTRUCT

Commercial Building 203/205 W Broad Street Texarkana, Texas	
Conceptual Drawing	
Project #: 94137464B	Drawing: #1
Drawn by: GBC	Date: 2/25/16

Terracor
8901 Carpenter Freeway
Suite 100
Dallas Texas 75247

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Terracon

SITE HEALTH AND SAFETY PLAN

HAZARDOUS MATERIALS SURVEY
Commercial Buildings
203 & 205 W Broad Street
Texarkana, Texas
Terracon Project No. 94137464B

1.0 INTRODUCTION

This Site Health and Safety Plan has been developed to define the protocols and requirements to be followed by Terracon personnel during hazardous materials sampling activities at the Commercial Buildings, 203 & 205 W Broad Street in Texarkana, Texas.

Prior to the start of site activities, the designated Site Safety Officer will conduct a safety briefing and review the contents of this plan with participating field personnel. Project participants will review this plan and sign the Acknowledgment of Instruction page prior to the start of hazardous material-related project activities.

The guidelines contained in this Health and Safety Plan are based upon potential health hazards from exposure to asbestos, lead-based paint, mold and guano. Sampling activities will be performed in accordance with applicable federal/state health and safety regulations. The Site Safety Officer is responsible for enforcing the provisions contained in this Plan.

2.0 TRAINING AND MEDICAL SURVEILLANCE REQUIREMENTS

Project participants actively engaged in asbestos sample collection must have received State of Texas accredited Building Inspector training and will possess a current State of Texas asbestos inspection license. All Terracon field personnel and will be medically cleared for asbestos work in accordance with OSHA 29 CFR 1926.1101.

Project participants actively engaged in lead-based paint sample collection must have received State of Texas accredited Lead Inspector training and will possess a current State of Texas lead inspector certification.

Project participants actively engaged in mold inspection or guano inspection activities must have received State of Texas accredited Mold Inspector training and will possess a current State of Texas mold inspector license.

Terracon personnel will also be medically cleared, trained and properly fit-tested for respirator use in accordance with OSHA 29 CFR 1910.134.

3.0 PROJECT ORGANIZATIONAL STRUCTURE

Project Manager:	Greg Calhoun Terracon	214-630-1010
Corporate Health and Safety Mgr.:	Mark Huddleston, CSP, Terracon	913-577-0419
Site Safety Officer/Project Supervisor	David Ladage Terracon	214-630-1010

4.0 SCOPE OF SERVICES

Terracon personnel will mobilize to the project site to conduct surveys of suspect asbestos containing materials (ACM), lead-based paint (LBP), mold and guano may be present in the building at the site.

Bulk asbestos samples will be collected in general accordance with the Texas Department of State Health Services (TDSHS) and AHERA sampling protocols and will be submitted to a NVLAP-accredited and TDSHS-licensed laboratory for analysis by polarized light microscopy.

Lead-based paint samples will be collected following the applicable United States Department of Housing and Urban Development (HUD) 24 CFR Part 35 and TSDHS protocols, including the Texas Environmental Lead Reduction Rules (TELRR) and will be submitted to a NVLAP-accredited laboratory for analysis through Flame Atomic Absorption Spectrophotometer (AAS).

Building materials will be evaluated for visible mold contamination in general accordance with guidelines published by the TDSHS (*Texas Mold Assessment and Remediation Rules*, 2004), the American Conference of Governmental Industrial Hygienist (*Bioaerosols; Assessment and Control*, 1999) and American Standard Test Methods (*Standard Guide for Assessment of Fungal Growth in Buildings,* ASTM D7338-10). Bulk, surface and air samples collected during a fungal assessment will be submitted for analysis by TDSHS-licensed mold analysis laboratory.

Bulk materials of bat/bird guano/debris will be aseptically sampled by trained staff and analyzed by Polymerase Chain Reaction (PCR) to determine if these pathogens are present. Bulk and air samples will be analyzed by a laboratory accredited by the American Industrial Hygiene Association (AHIA®) Laboratory Accreditation Programs, LLC under the Environmental Microbiology Laboratory Accreditation Program (EMLAP) and is Texas licensed Mold Analysis Laboratory under the TMARR.

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The primary purpose of this Plan is to ensure that Terracon personnel are aware that site activities will be conducted in a facility where asbestos, lead-based paint, mold and guano hazards may be present. A separate job hazard analysis of facility-specific hazards is required to help assure that project personnel are protected against these potential hazards through controlled sampling techniques and appropriate personal protective equipment. The following procedures are designed to provide standardization with respect to location and number of samples collected and method of labeling sample locations.

4.1 Asbestos Sampling Equipment Requirements

In addition to the personal protective equipment outlined below, each project participant should mobilize an asbestos sampling equipment kit similar to that outlined below. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Wet methods will be employed in collecting all suspect ACM samples. Absolutely no bulk asbestos samples will be collected over the heads of or in near proximity to non-project personnel.

- Utility knife
- Coring tool
- Duct tape
- Sample containers (preferably ziplock style clear plastic bags)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Spray atomizer containing detergent amended water
- Spray adhesive
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.2 Fiber Release

Asbestos bulk sampling activities must be conducted in a manner which minimizes the generation of dusts and airborne fibers. Each sample team member will assess the condition of ACM prior to sampling or otherwise disturbing the material. Sampling will not be conducted in buildings occupied by non-project personnel, or over the heads of any personnel. Wherever possible, sample collection will be conducted at a level below the breathing zone of the sampler.

If sampling impregnated materials or other ACMs appear non-friable (floor tiles, mastic, roofing felt or sealant, ceiling tile, etc.), respiratory protection should not be required. If collecting samples of friable ACM or normally non-friable materials which are in deteriorated condition,

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precautions must be taken to prevent the release of fibers to the work area. Precautions include isolation of the material prior to disturbance (i.e., glove bagging) and the use of wet sampling methods as described below.

4.3 Lead-Based Paint Sampling Equipment Requirements

LBP analysis will be conducted by collecting paint chip samples. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Absolutely no lead-based paint samples will be collected over the heads of or in near proximity to non-project personnel.

- Heating tool and extension cord
- Tape measure or template
- Chisel
- Chipping hammer or scraper (lead paint samples from metal structures)
- Face shield or chipping goggles
- Sample containers (preferably sturdy, clear plastic vials)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.3 Mold Sampling Equipment Requirements

Mold analysis will be conducted by collecting tape lift samples. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Absolutely no mold samples will be collected over the heads of or in near proximity to non-project personnel.

- Transparent tape
- Sample retention sheet
- Laboratory chain of custody for mold sample analysis
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.3 Guano Sampling Equipment Requirements

Bulk materials of bat/bird guano/debris will be aseptically sampled by trained staff and transferred to appropriately labeled sterile containers. Additionally, air samples will be collected

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on 37-millimeter cassettes containing sterile filter media at flow rates between 3 liters/minute (l/m) and 15 l/m. Target air volumes will range from 540 liters and 1800 liters. The air samples will be shipped under COC to a laboratory accredited by the AHIA® Laboratory Accreditation Programs, LLC under EMLAP and is Texas licensed Mold Analysis Laboratory under the TMARR for analysis. Analysis of the bulk and air samples will be conducted by PCR for both qualitative and quantitative information on the concentrations of the avian pathogens *Histoplasma capsulatum, Cryptococcus neoformans* and *Chlamydiaphila psittaci.*

- Utility knife
- Sterile sample containers (preferably rigid, sealable plastic bottles)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Sampling pumps
- 37 millimeter sterile media cassettes
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

5.0 PERSONAL PROTECTIVE EQUIPMENT

5.1 Hazardous Material Inspection and Sample Collection

The Terracon Project Safety Officer will ensure that all project personnel mobilize the following personal protective equipment to the project site on each day of sample collection:

- Polylaminated Tyvek protective coveralls
- Half face or full face air purifying respirator equipped with HEPA cartridges
- Cut-resistant impermeable gloves (nitrile or latex).
- Tyvek boot covers or washable outer footwear
- ANSI specification Safety eyewear

If fiber release appears likely during asbestos sampling activities, sampling personnel will upgrade to **LEVEL C** personal protective equipment as itemized above. Personnel will remove protective clothing before proceeding out of the building at the project site.

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6.0 SAMPLING GUIDELINES AND PRECAUTIONS

6.1 Asbestos Sampling Guidelines and Precautions

- Collect samples of each type of ACM identified during the visual survey. This includes but is not limited to pipe wrapping and elbows, ceiling tiles, floor tiles and mastic, sprayed or troweled on surfacing materials.

- Samples of surfacing material (sprayed or troweled fireproofing material), should be collected in a statistically random manner that is representative of a homogenous area. At least 3 samples should be collected from each homogeneous area of 1,000 ft^2 or less. At least 5 bulk samples should be collected from each homogeneous area that is greater than 1,000 $ft.^2$ but less than or equal to 5,000 $ft.^2$. At least 7 bulk samples should be collected from each homogeneous area that is larger than 5,000 $ft.^2$.

- At least 3 bulk samples should be collected from each homogeneous area of thermal system insulation (pipe lagging and boiler system insulation) and miscellaneous suspect ACM.

- Areas to be sampled will be misted with detergent-amended water *prior* to sample collection. Minimal misting force should be used to reduce the potential for fiber release.

- Use water mister to rinse sampling tools in the sample container after sample collection.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container.

- Repair pipe lagging or other disturbed areas with spray adhesive and duct tape as appropriate to prevent potential fiber release.

6.2 Lead-Based Paint Sampling Guidelines and Precautions

- Identify areas with coated or prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and should be included in the survey. Some ceramic tiles have a lead-containing glaze and should also be assessed, particularly where required by state or local regulatory agencies.

- Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in

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general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995revision.

- Conduct paint-chip sampling on selected surfaces. Document descriptions of each surface sampled on the field log.

- Use tape measure or template to delineate proper sample size. Use heating tool to loosen paint coating. Remove coating with chisel, chipping hammer or scraper. Transfer sample to sample container.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container.

6.3 Mold Sampling Guidelines and Precautions

- Evaluate building materials for areas of suspect mold contamination. Select appropriate materials and locations to be sampled.

- Use transparent tape to collect tape lift sample of suspect mold contamination. Transfer tape, contaminated side down, to the sample retention sheet. Log sample location information on laboratory chain of custody.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample retention sheet with the sample number.

6.4 Guano Sampling Guidelines and Precautions

- Collect bulk samples of suspect guano.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container. Log sample location information on laboratory chain of custody.

- Collect air samples on 37-millimeter cassettes containing sterile filter media at flow rates between 3 liters/minute (l/m) and 15 l/m. Target air volumes will range from 540 liters and 1800 liters.

- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container. Log sample location information on laboratory chain of custody.

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7.0 HAZARD ASSESSMENT

7.1 Chemical Hazards

Asbestos is a recognized human carcinogen. It causes asbestosis, cancer of the lungs and digestive tract and mesothelioma. Asbestosis is a lung disorder characterized by a diffuse interstitial (between cell) fibrosis. The onset of asbestosis probably depends upon the asbestos dust concentration, the morphology of the fiber and length of exposure. Cigarette smoking is strongly implicated as a co-carcinogenic among asbestos workers. The OSHA Permissible Exposure Limit for asbestos is 0.1 fiber per cubic centimeter (0.1f/cc) of air.

Sample team members are advised to practice proper personal hygiene throughout the course of this project. Wash hands frequently during the course of sample collection and always prior to drinking, eating, smoking or any other activity which could increase the likelihood of hand to mouth transfer of site contaminants.

7.2 Physical Hazards

7.2.1 Ladders

Asbestos sampling activities may involve the use of ladders to gain access to overhead structures. Personnel will ensure that proper ladder or other suitable means of access (cherry picker, scaffold, etc.) is used to obtain access to elevated areas. Ladders will be inspected prior to use. Spreaders will be fully extended on all step ladders and firmly positioned prior to use. Where footing is uncertain, a sample team member will hold or otherwise secure ladders while in use by another sample team member. Personnel must always face ladders during both ascent and descent. Extension ladders will be placed at an angle of no more than one fourth of its working length. Sample team personnel will not walk on steeply pitched roof surfaces and will not walk on low pitched roofing surfaces while wet. Remain on designated roof walkways wherever present.

7.2.2 Personnel Lifts (“Cherry Pickers”)

If elevated sample collection is required which precludes the safe use of extension ladders, sample team personnel may be required to use basket lifts (manlift, cherry picker). No Terracon personnel will attempt to operate or position personnel lift until they are trained in the proper use of the equipment. Personnel being elevated in a cherry picker basket will be secured at all times with a safety belt and safety lanyard. Lanyards used in basket lifts will not exceed 6 feet in length.

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7.2.3 Confined Space Entry

No sample team member will enter any pit, shaft, or tunnel which has limited means of egress, the potential for an oxygen deficient or toxic atmosphere or which was not designed for human occupancy. Pipe tunnels accessible from a utility room in which personnel may stand can be entered to a maximum of 6 feet from the tunnel entrance if, and only if, a stand-by team member remains at the tunnel entrance in continuous visual and verbal communication with the sample team member. Terracon personnel will mobilize adequate portable lighting during the course of this assessment. Confined space entry is not anticipated during the course of this asbestos sampling project. If entry to pipe tunnels, pits, tanks or other structure which could be defined as a confined spaces becomes necessary during the course of this project, the Site Health and Safety Officer will contact the Terracon Corporate Health and Safety Manager to discuss conditions and to obtain a task-specific confined space entry addendum to this plan and confined space entry permits. No personnel will enter confined spaces until the addendum and any rescue, air monitoring or other equipment required for the task has been received, and personnel are briefed in site hazards, precautions, and safe work practices.

7.2.4 Electrical Contact Hazards

Asbestos sample team members will be continuously cognizant of potential electrical contact hazards during asbestos sample collection activities. A visual assessment of each work space will be made prior to sample collection and electrical contact hazards will be evaluated. Unguarded junction boxes, exposed wiring, knife switches, etc. will be avoided in collection of bulk samples of suspect materials.

8.0 DECONTAMINATION

Decontamination as part of abatement activities are not planned as part of this project.

9.0 SITE CONTROL

Samples of suspect ACM will not be collected in the presence of non-project personnel. Sample team members will ensure that non-project participants are well clear of proposed sample collection areas prior to obtaining bulk ACM samples. Terracon will coordinate sampling activities with the site representatives to prevent sample collection in occupied structures.

If unauthorized personnel attempt to enter a sampling area, sample team member will immediately curtail bulk sample collection activities and request that the individual leave the project area. If unauthorized personnel refuse to leave the sample collection area, immediately contact the

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Terracon Site Health and Safety Officer. Sample collection activities will continue only after unauthorized personnel have left the project site.

10.0 EMERGENCY RESPONSE

This section describes emergency planning procedures which will be implemented during assessment activities at project site. The Project Safety Officer will remind all personnel of the provisions of this section during daily site safety briefings. It is the responsibility of the Site Safety Officer to mobilize emergency equipment required by this section.

10.1 First Aid Requirements

The Project Safety Officer will ensure that a first aid kit is mobilized to the site on each day of sampling activity.

10.2 Emergency Contact/Notification System

The following list provides names and telephone numbers for emergency contact personnel. In the event of a medical emergency, personnel will take direction from the Project Safety Officer and notify the appropriate emergency agency.

EMERGENCY TELEPHONE NUMBERS

Organization	Contact	Telephone Number
Hospital	Wadley Regional Medical Center	(903) 798-8000
Ambulance Service		911
Fire Department		911
Facility Representative	Holly Wall	903-798-3934
Project Manager	Greg Calhoun	214-630-1010
Terracon Safety & Health Mgr.	Mark Huddleston	913-577-0419

10.3 Route to Emergency Facility

The Terracon Corporate Health and Safety Manager will be contacted following all site emergencies. Medical emergencies will be taken to Wadley Regional Medical Center. The route to the facility from the site is: See attached map

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10.4 Emergency Medical Treatment Procedures

Any person who becomes ill or injured during the course of this project must be decontaminated to the maximum possible extent. If the injury or illness is minor, full decontamination should be completed and first aid administered prior to transport. If the patient's condition is serious, at least partial decontamination should be completed prior to transport of the injured site worker.

If rescue is required from an area of obvious fiber release, Terracon personnel will inform rescue personnel of site contaminants and will assist emergency personnel in transporting the injured employee if requested. Terracon personnel will don the appropriate personal protective equipment prior to entering sites with signs of obvious fiber release.

10.5 In the Event of Fiber Release

In the event that small amounts of suspect asbestos containing materials such as thermal system insulation, sprayed on or troweled-on surfacing materials, ceiling texture, etc. are released during the course of sampling, sampling team members will immediately evacuate the area and don Level C personal protective equipment. The area of potential ACM release will then be approached and suspect materials will be thoroughly wetted with detergent-amended water, slowly and deliberately swept to a centralized pile, re-wetted, double bagged in asbestos disposal bags and sealed with duct tape. Affected surfaces will be re-wetted and swabbed with clean cloths or paper towels. Used wipes will be placed in asbestos disposal bags which will be containerized pending proper removal and disposal in an approved disposal facility.

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ACKNOWLEDGMENT OF INSTRUCTION

I understand that this project will involve asbestos sampling in the building located at 203 & 205 W Broad Street, Texarkana, Texas. Asbestos activities outlined in this Plan could expose project participants to physical hazards and potential chemical hazards (see plant specific job hazard analysis attached). Potential fiber releases will be controlled by deliberate collection techniques and wet sampling methods. If potential fiber releases appear likely, sampling personnel will upgrade to Level C personal protective equipment as specified in this Health and Safety plan. I have read this Health and Safety plan and have received instructions for procedures to be followed. I understand that if at any time I have questions concerning health and safety precautions at this site, I am to contact the Site Health and Safety Officer. The Site Health and Safety Officer will contact the Terracon Corporate Health and Safety Manager at (913) 577-0419.

ASBESTOS SURVEY
TERRACON PROJECT NO. 94137464B

Name: (Please Print)	**Signature**	**Date**

Site Safety briefing performed by: _____ **Date** _____

Level of PPE: __ D _**X**_ Dmod (Stand-by) _**X**_ C **(Stand-by)**

Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4020
AVIAN PATHOGEN SAMPLING - AIRBORNE
(Bat and Pigeon Droppings)

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Indoor air sampling requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged for when sampling for airborne contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

The following procedure is for collection of samples for the determination of the avian pathogens *Histoplasma capsulatum*, *Cryptococcus neoformans* and *Chlamydiaphila psittaci* by the Polymerase Chain Reaction (PCR) analytical method. The PCR method is qualitative for *H. capsulatum* and quantitative for *C. neoformans* and *C. psittaci*. For *H. capsulatum*, EMLab P&K (1501 W. Knudsen Drive, Phoenix, AZ) utilizes the National Institute of Occupational Safety and Health (NIOSH) two-stage PCR method as published by T. M. Reid and M. P. Schafer, *Molecular and Cellular Probes*, (1999) 13:269-273.The PCR method for *C. neoformans* and *C. psittaci* is a proprietary real time analytical developed by EMLab P&K using species-specific sequences published in Genbank for PCR primers (single strand of DNA specific for the species of interest) and probes (fluorescent molecules attached to primers to allow detection).

Equipment

The following equipment and supplies will be needed for this testing:

- Air monitoring cassettes are obtained from EMLab P&K. The sterile, 37 millimeter (mm) three piece cassettes contain a polycarbonate filter with a 0.4 micrometer pore size.
- Rotometer or other flowmeter accurate to 0.1 L/min. Flowmeters used for calibration of air sample pumps will be calibrated against a primary standard on a quarterly basis.
- Air monitoring pump (battery operated or ac powered depending on application) capable of providing 10 to 15 L/min flow rate for ambient air samples and a 1 to 4 L/min flow rate for personal air samples.
- Cassette holders (SKC Model 225-1).
- Vinyl tubing to connect pump to cassette holder.
- Cassette stand or other means to fix cassette in place as appropriate for ambient air sample testing locations. Cassette holders affix to the lapel or similar location in the personal breathing zone (PBZ) when collecting personal air samples.
- Chain of Custody.

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Procedures

Label cassette and record laboratory identification number on chain of custody. For ambient air samples, select a location for the sample that is subject to ambient air flow and representative of the location(s) to be tested. For personal air samples, clip the cassette/cassette holder to the individual's lapel, shoulder or other location in the PBZ and secure with duct tape as needed. Secure the low flow personal pump to the workers belt or similar location. A location protected from precipitation should be selected. Excessive moisture will interfere with sample analysis and could affect the flow rate.

Assemble sampling pump, tubing and stand in sample collection location. The cassette should be placed in the cassette holder and the tubing from the pump attached to the base of the cassette holder at the nipple. The joint between the tubing and cassette may be reinforced with tape if site conditions make this necessary. Cassette must be tilted downward at a 45º angle from horizontal. Cassette and pump should be placed so that the sample does not have to be moved after sample calibration.

A short section of vinyl tubing should be used to connect the flowmeter to the inlet port of the cassette holder. An adapter fitting may be needed to connect the tubing to the cassette. If a rotometer is used for flow calibration, the instrument must be held upright for accurate readings. Turn on the pump and measure the flow rate. Using the flow control on the pump, adjust the flow to the desired reading between 10 and 15 L/min for ambient air samples and 1.0 and 4.0 L/min for personal air samples. Record the sampling start time and beginning flow rate. The target total air sample volume for ambient and personal air samples is generally 1,400 L to 1,800 L. For personal samples collected while workers are physically disturbing Bat/Bird guano or related debris and visible emissions are observed, the target total air sample volume may be adjusted to 360 L to 720 L.

After completion of the sample collection, inspect the pump and cassette for any problems that may affect the sample validity and record any problems noted. Measure the post collection flow rate using the procedure described above. The average of the two flow rates will be used by the laboratory to calculate the sample volume. Turn off the pump and cap the inlet and outlet ports on the 37 mm filter cassette. Record the sampling completion time and ending flow rate.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

- Average flow rate (average of beginning and ending readings)
- Sample duration
- Filter number
- Requested analytical method (Avian Pathogens by PCR)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- Industrial Hygiene Technical Manual – Chapter II: Standard Methods for Sampling Air Contaminants
- EMLab P&K, 1501 W. Knudsen Drive, Phoenix, AZ

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E.3000
BULK SAMPLING OF SUSPECT ASBSETOS-CONTAINING MATERIAL (ACM)

Last Review or Revision: June 2010

I. PURPOSE

The purpose of this standard operating procedure (SOP) is to provide information on the hazards of asbestos and procedures to follow to sample suspect materials for laboratory analysis. The following guidelines contained in this document apply to Terracon personnel who engage in bulk sampling of suspect ACM and are designed to provide standardization with respect to sample collection. This procedure should ensure that potential asbestos-containing material samples are collected in a manner which allows for accurate analysis of the material and that sampling personnel are protected against potential asbestos fiber releases through controlled sampling techniques or appropriate personal protective equipment.

The objective of bulk sampling building materials and components suspected to contain asbestos is to characterize the items that contain asbestos in quantities equal to or greater than 1% or other contaent limit as specified by local or state guidelines. By characterizing the locations and quantities of asbestos-containing materials (ACM), exposure hazards can be greatly reduced.

II. BACKGROUND AND REFERENCE

Asbestos has been a common component used in several building materials because of its strength enhancing and fire resisting properties. However, asbestos has been recognized as a human carcinogen and respiratory hazard. Due to its health hazards, building inspections and asbestos bulk sampling is requested for schools and many public or commercial properties prior to building renovation or demolition activities. Therefore, identifying, locating and quantifying materials containing asbestos is essential in the effort to prevent worker exposure to asbestos and prevent environmental contamination.

As a consequence of inhalation of asbestos fibers, a body of federal and state regulations has been developed. Federal regulations pertaining to asbestos are included in AHERA (Asbestos Hazard Emergency Response Act) US EPA 40 CFR 763, Subparts E, F; NESHAP (National Emissions Standards for Hazardous Air Pollutants (EPA 40 CFR 61); OSHA Asbestos Standards (29 CFR 1910.1001 and 29 CFR 1926.1101), and ASHARA (Asbestos School Hazard Abatement Reauthorization Act). Many states and local authorities have additional requirements including state-specific licensing and certification.

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Terracon will comply with applicable federal, state and local regulations when conducting asbestos-related services.

III. EQUIPMENT

The minimum equipment necessary to conduct bulk sampling of suspect materials, in addition to the personal protective equipment outlined below in the Health and Safety Section, is listed below.

- Utility Knife, Chisel, Hammer, Screwdriver, Coring Tool
- Duct Tape
- Sample Containers (preferably ziplock-style clear plastic bags)
- Sample Labels and Indelible Marker
- Spray Atomizer containing Detergent Amended Water, Paper Towels/Wet Wipes
- Spray Adhesive
- Roof Patch Kit (if necessary)
- Measuring Wheel
- Camera
- Flashlight
- Field ACM Sample Log

IV. CERTIFICATION

Individuals conducting asbestos sampling must have the certifications listed below. Copies of these certifications and licenses should be taken to the site during the sampling event.

- United States Environmental Protection Agency Building Inspector training (and refresher training, if applicable)
- Asbestos Inspector State-license for the state of the project location (where necessary)

In addition, Terracon requires company-based training courses and hands-on experience of employees prior to commencing asbestos-related field services. Each employee must also receive respirator training, be medically monitored and successfully pass a fit-test utilizing issued respirator(s).

V. HEALTH AND SAFETY

Asbestos has been recognized to cause asbestosis, cancer of the lungs and digestive tract and mesothelioma. Asbestosis is a lung disorder characterized by a diffuse interstitial (between cell) fibrosis. The onset of asbestosis probably depends upon the asbestos dust

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concentration, the morphology of the fiber and length of exposure. Cigarette smoking is strongly implicated as a co-carcinogenic among asbestos workers.

Under the OSHA asbestos standards, the employer has an obligation to protect employees against exposure to asbestos fibers in excess of 0.1 fibers per cubic centimeter of air (0.1f/cc). Personnel engaged in asbestos-related activities (including building inspections) must be trained, medically cleared and fit-tested for respiratory protection. Therefore, enrollment in a medical surveillance program in compliance with the OSHA asbestos and respiratory protection standards is mandatory. Terracon employees are not permitted to engage in asbestos-related activities unless they are enrolled in the Terracon medical surveillance program and have been medically cleared for respirator use by a physician.

The following safety and health protocols apply to Terracon personnel who engage in asbestos-related services. The guidelines contained in this document are based upon potential health hazards from exposure to asbestos fibers and physical hazards which may be encountered on survey project sites. Field activities will be performed in accordance with the procedures outlined in this document and applicable federal/state health and safety regulations.

Terracon personnel will use professional judgment during sample collection to prevent exposure to other building occupants. If unauthorized personnel attempt to enter a sampling area which could reasonably pose a fiber release hazard, the inspector will curtail bulk asbestos sample collection activity and request that the individual(s) leave the work area. If unauthorized personnel refuse to leave the work area, immediately contact the Project Safety Officer and/or a client representative. Sample collection activities should recommence only after unauthorized personnel have left the work area.

In the event that minor amounts of suspect asbestos containing materials such as thermal system insulation, sprayed-on or trowled-on surfacing materials, ceiling texture, etc. are released during the course of sampling, sampling team members will immediately evacuate the area and don Level C personal protective equipment. The area of potential ACM release will then be approached and suspect materials will be thoroughly wetted with amended water, slowly and deliberately swept to a centralized pile, re-wetted, and containerized in heavy mil asbestos disposal bags. Affected surfaces will then be re-wetted and swabbed with clean cloths or paper towels. Used wipes will be disposed of as asbestos-containing waste.

In the event that large quantities of potential ACM is released during sample collection activities, personnel will immediately evacuate the area and notify the Project Safety Officer and the client representative. The Project Safety Officer will request that the area be sealed until a properly attired response team can be mobilized to the area with a high efficiency particulate air filter (HEPA) vacuum and other equipment necessitated by site conditions.

If suspect materials are in deteriorated condition and fiber release appears likely, or if sampling must be conducted overhead and/or above drop ceilings, personnel will upgrade to Level C personal protective equipment as itemized above. Level C personal protective

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equipment should be donned before moving drop ceiling panels, attic access panels, etc. where friable fireproofing or thermal system insulation are known to be present.

The indicated personal protective equipment shall be mobilized to asbestos sampling project sites on each day of sample collection and utilized, if necessary:

- Tyvek (standard) protective coveralls
- Half face or full face air purifying respirator equipped with HEPA (P-100) cartridges
- Impermeable gloves (nitrile or latex).
- Tyvek boot covers or washable outer footwear

Additional Health and Safety protocols such as those established by the owner/operator of the project site and Terracon's company policy regarding ladder safety, confined space entry and electrical hazards shall be followed.

VI. SAMPLING HAZARDS

a. Elevated Surfaces

Asbestos building inspections may include roofing materials and ceiling spaces containing suspect ACM. Appropriate ladders or other suitable devices (e.g., manlifts) will be used for gaining access to elevated sampling locations. Ladders will be inspected prior to use. Spreaders will be fully extended on all step ladders and firmly positioned prior to use. Where footing is uncertain, a sample team member will hold or otherwise secure ladders while in use by another sample team member. Personnel must always face ladders during both ascent and descent. Extension ladders will not be positioned more than one-quarter of their working length from buildings, walls, etc. (4:1 pitch). Sample team personnel will not walk on steeply pitched roof surfaces and will not walk on low pitched roofing surfaces while wet. Remain on designated roof walkways wherever present. Terracon personnel will visually inspect roofs prior to beginning sample collection activities and will avoid all areas which appear to be structurally unsound.

b. Confined Space Entry

Terracon asbestos inspectors will not enter any pit, shaft, tunnel, etc. which has limited means of egress, the potential for an oxygen deficient or toxic atmosphere or which was not designed for human occupancy without first developing a written safety plan which includes a confined space entry permit and procedures. Readily accessible spaces such as pipe tunnels in which personnel may stand can be entered to a distance where continuous visual and verbal communication can be maintained with another sample team member.

Adequate portable lighting must be utilized during sample collection in tunnels and similar spaces. No Terracon or sample team member may attempt to walk through a pipe tunnel,

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etc. beyond the sight of a stand-by team member unless written confined space entry procedures have been prepared for the project.

c. Electrical Contact Hazards

Personnel will remain cognizant of the location and condition of electrical wiring during the collection of bulk asbestos samples. A visual assessment of each work space will be made prior to sample collection and electrical contact hazards will be evaluated. Unguarded junction boxes, exposed wiring, knife switches, etc. will be avoided during the collection of bulk ACM samples, and coring tools will not be used in near proximity to electrical switches or receptacles.

VII. PROCEDURES FOR BULK SAMPLING OF SUSPECT ACM

The primary purpose of this section is to identify the methods and techniques of controlled sampling, sampling site control and use of appropriate personal protective equipment to protect Terracon personnel and members of the general public from exposure to asbestos fibers during sampling activities. Adherence to these procedures should enhance personnel safety during sample collection activities and aid in the suitability of samples for analysis. Field activities will be performed in accordance with the procedures outlined in this document and applicable federal/state health and safety regulations.

Protocols for inspection and bulk sampling are defined in AHERA regulations. These are applicable for any type of survey; for example, a school, an area prior to renovation, a building prior to demolition and inspections undertaken to rebut the OSHA presumption that certain materials contain asbestos.

An accredited Building Inspector must perform the inspection. A summary of AHERA sampling protocols is as follows:

1. Visually inspect the building interior and/or exterior and identify locations of suspect ACM. Identify homogenous areas of friable and non-friable suspect ACM. Document locations, condition, classification and estimated quantities of each suspect material. It is recommended to depict locations of materials on a building diagram and take photographs of sampled materials.

2. Touch each suspect ACM to determine its friablity.

3. Collect representative samples of suspect ACM. Terracon recommends a minimum of three (3) samples of each material be collected from each homogeneous area. However, specific materials may require additional samples such as surfacing material and insulation

as described below. Judgment should be used on the need for and quantity of additional sample collection.

Surfacing materials: Collect, in a statistically random manner, at least 3 bulk samples from each homogenous area of 1,000 sq. ft. or less, at least 5 bulk samples from each homogenous area that is greater than 1,000 sq. ft. but less than or equal to 5,000 sq. ft., and at least 7 bulk samples of each homogenous area larger than 5,000 sq. ft.

Thermal System Insulation (TSI): Collect, in a randomly distributed manner, at least three bulk samples from each homogeneous area of TSI; collect at least one bulk sample from each homogeneous area of patched TSI if the patched section is less than 6 linear or square feet; collect bulk samples from each insulated mechanical system where cement or plaster is used on tees, elbows, etc. in a manner sufficient to assess whether the material is ACM.

If fiber release appears likely, wet methods will be employed in the collection of suspect ACM samples. Water amended with a minimum of 10% commercially available window cleaning solution or other suitable surfactant should be used to moisten materials prior to sampling. Bulk asbestos samples will not be collected over the heads of, or in near proximity to, non-project personnel. Respiratory protection is not required when sampling non-friable suspect materials or materials below the breathing zone which are adequately wetted with amended water.

4. Bulk ACM samples should be immediately placed in sample containers and sealed while the materials are wet. If collecting samples of friable ACM or normally non-friable materials which are in deteriorated condition, precautions must be taken to prevent the release of fibers to the work area. Precautions include aggressively wetting the surface or potentially isolating the material (e.g. glove bagging) prior to disturbance.

5. Reusable sampling equipment will be gently rinsed with amended water. Dry the equipment with paper towels to be disposed of as contaminated materials.

6. The following decontamination sequence should be used following sample collection activities requiring Level C personal protective equipment:

- Remove coveralls slowly turning the outside inward.
- Place in heavy mil asbestos disposal bag.
- Remove gloves and shoe covers (if utilized)
- Remove respirator and carefully dispose of respirator cartridges in asbestos disposal bag.
- Securely seal protective clothing and any potentially contaminated disposable sampling equipment in heavy mil asbestos disposal bags.
- Do not smoke or eat with soiled hands.

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- Wash hands, face and forearms thoroughly before eating, drinking smoking or using toilet facilities.
- Shower thoroughly as soon as possible upon leaving the project site.

7. Bulk sample analysis for asbestos content is performed by polarized light microscopy (PLM). The analytical testing procedure is based on U.S. Environmental Protection Agency (EPA) methods and National Voluntary Laboratory Accreditation Program (NVLAP) requirements. Terracon will use NVLAP accredited and appropriately licensed laboratories for analysis of asbestos bulk samples. Samples will be controlled with the analytical laboratory through chain of custody documentation.

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Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4030
BIOAEROSOL SAMPLING, TOTAL
(Airborne Mold Spores)

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bioaerosol sampling requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for airborne contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

An airborne biogenic particle, such as a fungal spore, is a bioaerosol. Fungal spores are ubiquitous in the environment, and have specific requirements for survival, germination, and growth. Although fungal bioaerosols have not been conclusively associated with adverse health effects commonly noted in typically building-related complaints (e.g., mucous membrane irritation, headache, and fatigue), they are known in the medical literature to be associated with common allergies, or more serious respiratory disease. Some studies, and case histories have shown correlations between allergy, or more serious respiratory symptoms, and fungal contamination of heating, ventilating, air conditioning (HVAC) systems.

The spore trap sampling method used for total bioaerosol sampling is capable of determining total fungal spore concentrations per cubic meter of air (spores/m^3). Bioparticulate such as pollen grains, insect exoskeletons, or fungal spores that require specific substrates in order to germinate and/or produce taxonomically identifiable reproductive structures (e.g., Ascospores and Basidiospores) are detected by this technique. While many fungal spores can be identified by this method, others, which are morphologically similar, cannot be positively assigned a genus designation and are grouped based on similar spore morphology (e.g. *Aspergillus/Penicillium, Drechslera/Bipolaris*). High variability in fungal spore concentrations will exist in different geographic locations, during different seasons, and weather patterns, and over the course of a given day. As a general rule, indoor fungal spore concentrations in an HVAC-supplied building are typically less than, but qualitatively similar to, fungal spore concentrations found in the outside environment. To assist in the interpretation of bioaerosol sampling results, a comparative sampling strategy is employed.

Equipment

The following equipment and supplies will be needed for this testing:

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- Bioaerosol sample cassettes are obtained directly from laboratory supply companies or from the laboratory that will analyze the air samples. Allergenco-D™ or Air-O-Cell™ bioaerosol sample cassettes are recommended.
- Rotometer or other flowmeter accurate to 0.1 L/min. Flowmeters used for calibration of ac powered air sample pumps will be calibrated against a primary standard on a quarterly basis.
- a) Air monitoring pump (ac powered) capable of providing 15 L/min flow rate; b) Buck BioAire Bioaerosol Sampling Pump, Model B520 with rotometer for calibration; c) Zefon Bio-Pump Plus with rotometer for calibration; d) or equivalent battery operated air sampling devices capable of using the Allergenco-D™ or Air-O-Cell™ sample cassettes at a flow rate of 15 L/min.
- Vinyl tubing to connect air sampling cassette to ac powered air monitoring pump.
- Gloves, 1 gallon zip-lock bags, alcohol based hand wash, marker pen, field sampling logs, extension cords and camera.
- Cassette stand or other means to fix cassette in place as appropriate for ac powered air monitoring pump applications.
- Chain of Custody (COC).

Sample Collection Considerations

The bioaerosol sampling cassettes are designed to operate at a recommended flow rate of 15 L/min. It is important not to run the sampling pumps at lower flow rates for longer times to achieve the recommended air volume, as lower flow rates may result in a loss of some spores and the accumulation of others in a non-uniform manner. Higher flow rates may damage the spores.

The sampling time is dependent on the density of particulate in the environment. It is important not to overload the sample, otherwise it will be impossible to assess the types of spores, pollen and particulates that are present. The following table represents typical sample times to attain a sharply defined sample trace with good dispersion of the spores:

Environmental Conditions	Sampling time at 15 L/min
Drywall renovation or heavy industrial dust	1 minute
Dusty, dirty, visible particles in the air	3 minutes
Indoor environment, high activity and personnel present	5 minutes
Outdoors (collect a minimum of 2 outdoor samples)	5 minutes

Sampling Procedures

1. Prior to sampling, calibrate the pump to 15 liters per minute.
2. Record sampling location on field data sheet.
3. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
4. Inspect cassette for quality control mark indicating that sampling cassette has been inspected by manufacturer and approved for use.
5. Remove and retain tape seal covering outlet.
6. Attach the outlet (round hole) to the supplied tubing adapter (available from bioaerosol cassette supplier), or use standard ½" PVC tubing (for use with high volume pumps only).

Using a sampling stand, the cassette should be located approximately 4 to 5 feet above the floor surface.

7. Remove and retain tape seal covering inlet.
8. Start the sampling pump, and record sampling start time. Sample for an appropriate period of time (see table above).
9. Stop the sampling pump and seal inlet with the original tape. Record sampling stop time. Remove cassette from tubing, and reseal outlet with the original tape. Label sample and place into I gallon zip lock bag.
10. Repeat steps 1-9 for remaining samples to be collected.
11. A minimum of 2 samples should be collected in complaint area(s) and the outdoor environment. A comparative sample should be collected in a non-complaint area and duplicate samples at the building exterior, preferably adjacent to the air handling system's air intake or main point of egress. The outdoor environment should be sampled prior to entering the building and again at the end of the site assessment. It is recommended that sample field blanks should be included with the samples submitted to the laboratory.
12. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number(s), description of area, volume of air collected, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
13. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

QUALITY CONTROL SUGGESTIONS

1. Initial air sampling should be performed prior to disturbance of mold and mold contaminated materials by investigative and surface/bulk sampling activities.
2. An effective interpretation is based on the comparison of indoor and outdoor samples. Outdoor control samples will help demonstrate whether spore amplification is occurring indoors.
3. Obtain an indoor control sample from a non-complaint area for comparison.
4. Sending a blank cassette for analysis is a good practice. The recommended industry practice for the number of field blanks is to provide two field blanks for each lot of bioaerosol sampling cassettes.
5. Flow rate is critical for accurate results. Remember to calibrate the pump at 15 L/min prior to sampling.
6. Never use cassettes that are damaged, expired, or do not have the manufacturers quality control mark.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

- Sample duration and flow rate
- Sample number
- Requested analytical method (total bioaerosol analysis)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- American Conference of Governmental Industrial Hygienist: Bioaerosols, Assessment and Control, 1999.
- Terracon Mold Practice Guidelines.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Terracon

STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4022
AVIAN PATHOGEN SAMPLING – BULK MATERIAL
(Bat and Pigeon Droppings)

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bulk sample collection of potentially hazardous materials requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for microbial contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

The following procedure is for the collection of bulk samples of Bat/Bird guano and related debris for the determination of the avian pathogens *Histoplasma capsulatum*, *Cryptococcus neoformans* and *Chlamydiaphila psittaci* by the Polymerase Chain Reaction (PCR) analytical method. The PCR method is qualitative for *H. capsulatum* and quantitative for *C. neoformans* and *C. psittaci*. For *H. capsulatum*, EMLab P&K (1501 W. Knudsen Drive, Phoenix, AZ) utilizes the National Institute of Occupational Safety and Health (NIOSH) two-stage PCR method as published by T. M. Reid and M. P. Schafer, *Molecular and Cellular Probes*, (1999) 13:269-273.The PCR method for *C. neoformans* and *C. psittaci* is a proprietary real time analytical developed by EMLab P&K using species-specific sequences published in Genbank for PCR primers (single strand of DNA specific for the species of interest) and probes (fluorescent molecules attached to primers to allow detection).

Personal Protective Equipment (PPE)

Because the target microorganisms are inherently hazardous/pathogenic, PPE is required for the collection of bulk samples. Bulk sample collection disturbs the matrix being sampled and may result in aerosolization of pathogenic spores or other viable propagules and proper dermal and respiratory protection is required during sample collection.

The following PPE will be needed for this testing:

- Prior to sample collection, don Tyvek disposable coveralls, safety glasses, nitrile or latex gloves and respiratory protection. Depending on the level of substrate disturbance or visible airborne dust/emissions in the general sample collection area either an N-95 or N-100 respirator will be worn during sample collection. If a full face respirator is worn, safety glasses are not required.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Equipment

The following equipment and supplies will be needed for this testing:

- Sterile sample containers obtained from EMLab P&K. The sterile sample containers are typically 100 to 250 milliliter plastic bottles.
- Pre-cleaned metal bulk sample collection spatulas or an equivalent single use sterile bulk sample device. Metal spatulas must be pre-cleaned with 70% isopropyl alcohol, flamed with a Bunsen burner, Bic® lighter, or equivalent flame source, cooled in air and then stored in zip-lock bags or similar clean containers. To avoid cross contamination, use only one bulk collection device per sample.
- Appropriate marking pens to label containers or pre-printed labels to affix to the containers.
- Chain of Custody.

Procedures

Don the required PPE. Locate Bat/Bird guano or related debris that will be sampled and note the location in field notes and/or on a floor plan.

Label sample containers and record laboratory identification number on chain of custody.

With one hand, scoop approximately 10-100 milligrams (1-5 level tablespoons) of the Bat/Bird guano or related debris with the single use bulk sample collection device and promptly transfer to the sterile, lab supplied bulk sample container in the other hand. The bulk sample device and the sterile bulk sample container should not be placed on the ground or other surfaces near the sample location during sample collection. The pre-labeled sterile bulk sample container should be sealed and placed in a zip-lock bag prior to transfer to the laboratory.

If only sampling from one Bat/Bird guano or related debris location, collect a minimum of two samples.

Prepare a blank sample by opening the bulk sample container for 5-10 seconds in the immediate sample collection location, then sealing the container. Label accordingly.

Each metal spatula used to collect the bulk material should be transferred to a separate zip-lock bag and the bag sealed. After completion of the sample collection, re-clean the metal spatulas by placing the metal spatulas in a solution of non-ionic detergent amended with household bleach (Joy liquid dishwashing soap and 1 cup household bleach/gallon water) and soak for 24 hours. The metal spatulas may then be final cleaned as previously described. Sterile single use disposable bulk sample devices should be placed in a separate zip-lock bag and discarded.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

- Sample location
- Requested analytical method (Avian Pathogens by PCR)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- Industrial Hygiene Technical Manual – Chapter II: Standard Methods for Sampling Air Contaminants
- EMLab P&K, 1501 W. Knudsen Drive, Phoenix, AZ

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Terracon
STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4033
FUNGAL GROWTH (MOLD) – SURFACE/BULK COLLECTION

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bulk sample collection of potentially hazardous materials requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for microbial contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click here if viewing electronically.

Because many building materials can provide a source of nutrients for fungal growth, water is the limiting factor in minimizing the potential for fungal growth. Therefore, visible fungal growth, excessive dirt and water-damaged building materials should not be observed. When these conditions are observed, it indicates a need to conduct additional assessment, cleaning, and/or remediation activities.

Tape lift and bulk sampling are techniques used for direct examination. A direct exam allows for the immediate determination of the presence of fungal growth as well as what types of fungi are present. The criteria to establish fungal growth on the substrate sampled is microscopic confirmation of fungal somatic and reproductive structures. Direct examinations should only be used to sample visible or suspect fungal growth in a contaminated area. Most surfaces naturally collect a mixture of fungal spores that are normally present as background debris in the environment.

The direct exam is inexpensive and can be performed quickly. It is a useful test for initial site sampling. Direct examination of a surface indicates the fungi present in a given sample location.

Health problems related to indoor microbial growth are generally caused by the inhalation of substantial numbers of airborne spores, sometimes over a long period of time. The presence of biological contamination on a particular surface is not a direct indication of what may be in the air.

Equipment

The following equipment and supplies will be needed for this testing:

- Gloves, 1 gallon zip-lock bags, alcohol based hand wash, marker pen, field sampling logs and camera.
- Tape lift kit(s) may be obtained from the laboratory, or standard clear “Scotch” tape may be used.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

- Chain of Custody (COC).

SAMPLING PROCEDURE

Tape Lift:

1. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
2. Remove tape applicator from slide provided in the tape lift kit or remove a few inches of clear tape from tape roll. Avoid touching the sticky side of the tape.
3. Apply the designated area of the lift kit tape applicator or central inch of tape to the sample area. Apply light pressure to the non-adhesive side.
4. Pull the lift kit tape applicator or tape off of the surface with slow, steady pressure, holding the tape edges only.
5. Apply sticky side of the lift kit tape applicator to the slide provided in the lift kit. For tape method, gently apply sticky side of the tape to a field sampling log, ensuring that there are no folds or creases in the tape. Do not fold tape onto itself.
6. Label samples and place into 1 gallon zip lock bag.
7. Record sampling location on COC. Photograph sample location.
8. Repeat steps 1-7 for remaining samples to be collected.
9. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number, description of area, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
10. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

Bulk:

1. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
2. Collect a small sample of the suspect material and place in a clean zip lock bag and close.
3. Prepare sample label and place on the 1 gallon zip lock bag.
4. Record sampling location on field data sheet. Photograph sample location.
5. Repeat steps 1-4 for remaining samples to be collected.
6. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number, description of area, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
7. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

- Sample location
- Requested analytical method (fungal identification)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- American Conference of Governmental Industrial Hygienist: Bioaerosols, Assessment and Control, 1999.
- Terracon Mold Practice Guidelines.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

E.4000
SAMPLING OF POTENTIAL LEAD-BASED PAINT

Last Review or Revision: June 2010

I. PURPOSE

The purpose of this standard operating procedure (SOP) is to provide information on the hazards of lead-based paint (LBP) and describe procedures for identificationand proper LBP sampling techniques. The following procedures for sampling potential LBP using a direct reading instrument and paint chip collection are designed to provide standardization with respect to location and number of samples collected and method of labeling sample locations. In addition, this procedure should ensure that potential LBP samples are collected in a manner which allows for accurate analysis of the material. Finally, this procedure will help to ensure that sampling personnel are protected against potential lead dust releases through controlled sampling techniques or appropriate use of personal protective equipment.

The objective of sampling coated (i.e., painted, pigmented or stained) surfaces for LBP (LBP) is to characterize materials and components that contain lead in surface coatings and compare them to established limits such as the Environmental Protection Agency (EPA) or Housing Urban Development (HUD) standards and guidelines such as at quantities greater than 1.0 milligram per square centimeter (mg/cm^2) or 0.5% by weight or other regulated quantity as specified by state or local authority. By characterizing the locations and quantities of LBPs, exposure hazards can be greatly reduced.

II. BACKGROUND AND REFERENCE

Lead is a toxic heavy metal which may cause blood, kidney and nervous system disorders if inhaled or ingested. Metallic lead and lead contained in dusts are not readily absorbed through the skin. However, skin contact with potentially contaminated site materials should be avoided.

The United States EPA and HUD have established an action level for LBP of 1.0 milligram per square centimeter (mg/cm^2) or 0.5% by weight. Coatings with quantities equal to or greater than these values are considered LBP. The Occupational Safety and Health Administration (OSHA) does not establish a LBP quantity but regulates the amount of lead that can become airborne and either inhaled or ingested by setting limits for air concentrations of 0.05 milligram per cubic meter (mg/m^3) of air over a work shift and blood values of 50 micrograms per deciliter of blood.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Lead was a common ingredient in paint until 1978 when the Consumer Product Safety Commission (CPSC) banned the sale of LBP for use in residences in quantities greater than 0.06% by weight. However, some industrial paints still contain lead today and are used in several applications. Lead can be introduced into the air by sanding or abrading surfaces containing LBP, and inhalation or ingestion of the dust is possible. Ingestion of lead can occur when children consume deteriorated paint chips, children place exposed toys or body parts into their mouths or when industrial workers exposed to lead-containing dust eat or smoke without washing their hands.

The lead content of paint can be determined with direct-reading instrumentation or by analysis of a bulk paint chip sample. An X-ray fluorescence (XRF) type analyzer is recommended to obtain direct readouts of lead content in coated surfaces. The XRF analyzes for lead by atomic absorption spectroscopy (AAS). Results are in milligrams of lead per square centimeter. Paint chip sample analysis is performed by inductively coupled plasma-atomic emission spectrometry (ICP-AES) in accordance with EPA SW-846 Method 6010B. Results are typically reported as lead percent per paint chip weight.

When sampling for LBP in buildings classified under the United States Department of Housing and Urban Development (HUD) or other child occupied-facilities (i.e., publicly and privately owned-housing, public buildings, daycares, etc.), procedures stated in the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995 revision will be used.

Lead is also regulated by the Occupational Safety and Health Administration (OSHA) and the EPA. Occupational exposure to lead occurring in the course of construction work, including maintenance activities, painting, renovation and demolition, is subject to OSHA standard (29 CFR 1926.62), Lead Exposure in Construction. Construction work covered by 29 CFR 1926.62 includes any repair or renovation activities or other activities that disturb in-place, lead-containing materials. Employers must assure that no employee will be exposed to lead at concentrations greater than 0.05 mg/m^3 averaged over an eight-hour period without adequate protection.

The Resource Conservation and Recovery Act (RCRA) provides the EPA with the authority to regulate the waste status of demolition or renovation debris, including lead-containing materials. Specific notification and testing requirements must be addressed prior to transporting, treating, storing or disposing of hazardous wastes. Lead containing wastes are considered hazardous waste under RCRA if Toxicity Characteristic Leachate Procedure (TCLP) results exceed 5 milligrams per liter (mg/L). EPA exempts from most RCRA requirements those generators whose combined hazardous waste generation is less than 100 kilograms (kg) per month.

III. EQUIPMENT

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

LBP analysis can be conducted by using a direct reading XRF analyzer or by collecting paint chip samples. Equipment necessary to conduct both methods is listed below.

For direct reading sampling:

- X-ray fluorescence (XRF) analyzer and accessories
- XRF result field log (optional if downloading software is used)

For paint chip sampling:

- Heating tool and extension cord
- Tape measure or template
- Chisel
- Chipping hammer or scraper (lead paint samples from metal structures)
- Face shield or chipping goggles
- Sample containers (preferably sturdy, clear plastic vials)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis

IV. CERTIFICATION

Individuals conducting LBP inspection services should have the certifications listed below. Copies of these certifications and licenses should be taken to the site.

- EPA lead inspector and risk assessor certification
- As applicable, local- or State-licensed lead inspector/risk assessor (required for HUD projects)
- Manufacturer training certification for the XRF analyzer

V. HEALTH AND SAFETY

The OSHA personal exposure limit (PEL) for lead is 0.05 milligram per cubic meter (mg/m^3) and the action level is 0.03 mg/m^3. The primary route of exposure of lead is through inhalation of contaminated dusts or by accidental ingestion; however, collection of small sample volumes required for analysis is not expected to generate significant dust. Although, if painted surfaces are being disturbed and dust is generated in the vicinity, personnel will take protective measures as indicated below. Project activities may be conducted in Level D personal protective equipment modified as specified below.

- Lead sampling activities will be performed in Level D personal protective equipment to include standard work uniform, safety footwear and hard hat if overhead hazards are present.

- Protective goggles or a full face shield will be worn during chipping hammer operations.
- Protective gloves should also be worn during lead chip sampling to prevent abrasion and contact with site materials. Half face disposable dust/fume/mist respirators (3M 9920 "surgical style" masks) or half-face air purifying respirators equipped with HEPA filter cartridges will be worn if dusty conditions develop on-site.

Due to the potential of accidental ingestion when working in areas with lead dust, do not smoke or eat with soiled hands. Wash thoroughly before eating, drinking or smoking. Shower thoroughly as soon as possible upon leaving the site.

The XRF analyzer contains a radioactive source and should be transported and used according to the manufacturer's instructions. Personnel utilizing the equipment shall have the proper training and certifications required for use of the equipment.

VI. PROCEDURES FOR XRF ANALYSIS

1. Identify areas with coated or prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and should be included in the survey. Some ceramic tiles have a lead-containing glaze and should also be assessed, particularly where required by state or local regulatory agencies.

2. Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995revision.

3. Calibrate the XRF unit according to the manufacturer's instructions before and after the survey. This involves taking calibration sample readings from a known source provided by the manufacturer.

4. Conduct XRF sampling on selected surfaces. Document descriptions of each surface sampled on the XRF result field log or using the manufacture's software. Record results on the XRF result field log if software is not used.

If results yield 1.0 mg/cm^2 (inconclusive), then a paint chip sample should be collected using the applicable procedures indicated in the following section.

If results indicate the presence of lead in quantities greater than 1.0 mg/cm^2, it is recommended that a photograph depicting the material and location be taken.

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

Attachment: 2017-014 ATTH 03 Original Contract 16-2001-00 Pacific Environmental Executed (1601 : 2017-014 RES Addendum to Contract for

VII. PROCEDURES FOR PAINT CHIP SAMPLING

1. Identify areas with prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and these areas should be included in the survey.

2. Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995revision.

3. A heating tool and chisel is recommended to collect representative samples of painted surfaces, but a knife, chipping hammer or paint scraper may also be used. Minimum force should be used to prevent the generation of dusts and particles. Wear protective goggles, abrasion resistant gloves and/or particulate respirator as appropriate to the task.

Check with the analytical laboratory you will use to determine minimum sample size required. A two square inch (2 in^2) sample is recommended for each sample. The sample size should be documented on the sample log. Some laboratories conducting toxic characteristic leaching procedures (TCLP) analysis may request up to ten grams (10 g) per sample. Lead-based paint samples must be removed down to the bare substrate to ensure each layer of paint has been collected. Use a brush or mini-vacuum to clean up residual material and place it in the sample container.

4. Assign a sample number to each sample collected. Affix a label or mark the sample container indelibly with a sample identification number. Seal the sample container securely. Document descriptions and locations of each surface sampled on a field log. It is recommended that a photograph depicting the material and location be taken.

5. Send results and chain or custody to an American Industrial Hygiene Association (AIHA) accredited laboratory for analysis.

RESOLUTION NO. 2017 - 014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ADDENDUM TO CONTRACT 16-2001-00 WITH PACIFIC ENVIRONMENTAL IN AN AMOUNT NOT TO EXCEED $200,000.00 UTILIZING EPA BROWNFIELDS GRANT FUNDS FOR THE HAZARDOUS MATERIALS REMEDIATION OF 203/205 W. BROAD STREET; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City was awarded $440,000.00 in 2012 specific to the environmental assessment and cleanup of 203/205 West Broad Street; and

WHEREAS, the City entered into a contract with Pacific Environmental in the amount of $89,365.00 under Resolution 2016-071; and

WHEREAS, structural engineers have determined that more extensive shoring will be necessary than originally bid; and

WHEREAS, the health and safety of the general public is at risk.

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

SECTION 1: That the City Manager be and is hereby authorized to enter into an addendum to contract 16-2001-00 not to exceed $200,000.00 with Pacific Environmental to ensure the public's health and safety while completing the environmental remediation of 203/205 W. Broad Street and fulfilling the requirements of the EPA Brownfields Multi-Purpose Grant.

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 **13th day of February, 2017**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-014 RES Authorizing City Manager to Ammend Contract 2016-2001-00 (1601 : 2017-014 RES Addendum to Contract for

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: 2017-014 Goals & Perspectives (1601 : 2017-014 RES Addendum to Contract for Hazardous Materials Remediation of 203/205 W.

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/14/2017 1:25 PM

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

Subject: Resolution No. 2017-016 approving and authorizing publication of notice of intention to issue certificates of obligation and declaring expectation to reimburse expenditures with proceeds of future debt.

Briefing: 2/13/2017	**Public Hearing:**	**Second Briefing:**	**Council Vote:** 2/13/2017

Item Schedule

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

On September 12, 2016 the City Council adopted the Fiscal Year 2017 budget which included the City's Capital Improvement Plan. Since that time, staff has been actively working to implement the CIP. On January 20, 2017 the City Manager and Finance Department met with First Southwest, a division of Hilltop Securities, to discuss the bond issuance needed to finance the CIP projects outlined for Fiscal Year 2017 along with the soft costs associated with Fiscal Year 2018 projects. First Southwest provided the City with a schedule of events associated with the bond issuance. This schedule has been provided for your reference as 2017-016 ATTH 01 Preliminary Schedule of Events. In order to issue the Certificates of Obligation, the Council must first approve a publication for Notice of Intent.

Potential Options:

- Approve
- Deny

Fiscal Implications:

The proposed Certificates of Obligation will replace retired debt and have been built into the Capital Improvement Plan to be paid with current resources based on normal growth factors.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

Not Applicable

Board/Committee Recommendation:

Not Applicable

City of Texarkana, Texas

Advisory Board/Committee Meeting Date and Minutes:

Not Applicable

Attachments

a. 2017-016 RES Notice of Intent to Issue Certificates of Obligation (DOC)
b. 2017-016 RES Notice of intent to issue certificates fo obligation signed (PDF)
c. 2017-016 EXH 'A' Notice of Intent (DOCX)
d. 2017-016 ATTH 01 Preliminary Schedule of Events (PDF)
e. 2017-016 Goals & Perspectives (DOCX)

Staff Coordination

Finance Department	Kristin Peeples	Department Head Review	Completed	02/09/2017 1:58 PM
Finance Department	Vicky Coopwood	Finance Review	Skipped	02/09/2017 2:05 PM
Deputy City Manager - Shirley Jaster Review	Skipped	Vicky Coopwood	Deputy City Manager	02/09/2017 2:05 PM
Deputy City Manager - Kyle Dooley Review	Skipped	Vicky Coopwood	Deputy City Manager	02/09/2017 2:05 PM
Public Information Officer		Vicky Coopwood	PIO Review	Skipped 02/09/2017 3:15 PM
City Manager	John Whitson	City Manager Review	Completed	02/09/2017 3:34 PM
City Council	Jennifer Evans	Meeting	Completed	02/13/2017 6:00 PM

Meeting History

RESOLUTION NO. 2017 - 016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION AND DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Texarkana, Texas (the "City"), has determined that certificates of obligation (the "Certificates") should be issued under and pursuant to the provisions of Subchapter C of Chapter 271, Texas Local Government Code, as amended, for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping public safety facilities, (ii) street improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor, (iii) drainage improvements, including the acquisition of land and rights- of-way therefor, (iv) constructing, improving and equipping park and recreational facilities, (v) roof replacements to existing municipal buildings, (vi) building and parking improvements for the public works department, (vii) constructing, improving and equipping municipal airport facilities, including design costs (collectively, the "Projects") and (viii) professional services rendered in relation to such projects and the financing thereof; and

WHEREAS, the City further intends to make certain capital expenditures with respect to the Projects and currently desires and expects to reimburse the capital expenditures with proceeds of the Certificates; and

WHEREAS, under Treas. Reg. § 1.150-2 (the "Regulation"), to fund such reimbursement with proceeds of tax-exempt obligations, the City must declare its expectation to make such reimbursement; and

WHEREAS, the City desires to preserve its ability to reimburse the capital expenditures with proceeds of tax-exempt obligations; and

WHEREAS, prior to the issuance of such Certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City, said notice stating (i) the time and place the Council tentatively proposes to pass the ordinance authorizing the issuance of the Certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the Certificates are to be issued and (iv) the manner in which the Council proposes to pay the Certificates.

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

SECTION 1: That the City Secretary is hereby authorized and directed to cause notice to be published of the Council's intention to issue certificates of obligation, in one or more series, in a principal amount not to exceed $15,600,000 for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping public safety facilities, (ii) street improvements, including landscaping, drainage, curbs, gutters, medians,

Attachment: 2017-016 RES Notice of Intent to Issue Certificates of Obligation (1603 : 2017-016 RES Notice of Intent to Issue Certificates of

sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor, (iii) drainage improvements, including the acquisition of land and rights-of-way therefor, (iv) constructing, improving and equipping park and recreational facilities, (v) roof replacements to existing municipal buildings, (vi) building and parking improvements for the public works department, (vii) constructing, improving and equipping municipal airport facilities, including design costs (collectively, the "Projects") and (viii) professional services rendered in relation to such projects and the financing thereof; such Certificates to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's combined Waterworks and Sewer System. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit A** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

SECTION 2: The City Secretary shall cause the aforesaid notice to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least thirty-one (31) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the Certificates.

SECTION 3: The City reasonably expects to reimburse capital expenditures with respect to the Projects with proceeds of debt hereafter to be incurred by the City, and this resolution shall constitute a declaration of official intent under the Regulation.

SECTION 4: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of February, 2017**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-016 RES Notice of Intent to Issue Certificates of Obligation (1603 : 2017-016 RES Notice of Intent to Issue Certificates of

RESOLUTION NO. 2017 - 016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION AND DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Texarkana, Texas (the "City"), has determined that certificates of obligation (the "Certificates") should be issued under and pursuant to the provisions of Subchapter C of Chapter 271, Texas Local Government Code, as amended, for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping public safety facilities, (ii) street improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor, (iii) drainage improvements, including the acquisition of land and rights- of-way therefor, (iv) constructing, improving and equipping park and recreational facilities, (v) roof replacements to existing municipal buildings, (vi) building and parking improvements for the public works department, (vii) constructing, improving and equipping municipal airport facilities, including design costs (collectively, the "Projects") and (viii) professional services rendered in relation to such projects and the financing thereof; and

WHEREAS, the City further intends to make certain capital expenditures with respect to the Projects and currently desires and expects to reimburse the capital expenditures with proceeds of the Certificates; and

WHEREAS, under Treas. Reg. § 1.150-2 (the "Regulation"), to fund such reimbursement with proceeds of tax-exempt obligations, the City must declare its expectation to make such reimbursement; and

WHEREAS, the City desires to preserve its ability to reimburse the capital expenditures with proceeds of tax-exempt obligations; and

WHEREAS, prior to the issuance of such Certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City, said notice stating (i) the time and place the Council tentatively proposes to pass the ordinance authorizing the issuance of the Certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the Certificates are to be issued and (iv) the manner in which the Council proposes to pay the Certificates.

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

SECTION 1: That the City Secretary is hereby authorized and directed to cause notice to be published of the Council's intention to issue certificates of obligation, in one or more series, in a principal amount not to exceed $15,600,000 for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping public safety facilities, (ii) street improvements, including landscaping, drainage, curbs, gutters, medians,

Attachment: 2017-016 RES Notice of intent to issue certificates fo obligation signed (1603 : 2017-016 RES Notice of Intent to Issue Certificates

sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor, (iii) drainage improvements, including the acquisition of land and rights-of-way therefor, (iv) constructing, improving and equipping park and recreational facilities, (v) roof replacements to existing municipal buildings, (vi) building and parking improvements for the public works department, (vii) constructing, improving and equipping municipal airport facilities, including design costs (collectively, the "Projects") and (viii) professional services rendered in relation to such projects and the financing thereof; such Certificates to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's combined Waterworks and Sewer System. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit A** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

SECTION 2: The City Secretary shall cause the aforesaid notice to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least thirty-one (31) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the Certificates.

SECTION 3: The City reasonably expects to reimburse capital expenditures with respect to the Projects with proceeds of debt hereafter to be incurred by the City, and this resolution shall constitute a declaration of official intent under the Regulation.

SECTION 4: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of February, 2017**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-016 RES Notice of intent to issue certificates fo obligation signed (1603 : 2017-016 RES Notice of Intent to Issue Certificates

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CITY OF TEXARKANA, TEXAS, CERTIFICATES OF OBLIGATION

TAKE NOTICE the City Council of the City of Texarkana, Texas, shall convene at 6:00 o'clock P.M. on March 27, 2017, at its regular meeting place in the City Hall, 3rd and Texas Avenue, Texarkana, Texas, and, during such meeting, the City Council will consider the passage of an ordinance authorizing the issuance of certificates of obligation, in one or more series, in a principal amount not to exceed $15,600,000 for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping public safety facilities, (ii) street improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor, (iii) drainage improvements, including the acquisition of land and rights-of-way therefor, (iv) constructing, improving and equipping park and recreational facilities, (v) roof replacements to existing municipal buildings, (vi) building and parking improvements for the public works department, (vii) constructing, improving and equipping municipal airport facilities, including design costs (collectively, the "Projects") and (viii) professional services rendered in relation to such projects and the financing thereof; and such certificates are to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's combined Waterworks and Sewer System. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas, Local Government Code, Subchapter C of Chapter 271.

City Secretary
City of Texarkana, Texas

Attachment: 2017-016 RES Notice of intent to issue certificates fo obligation signed (1603 : 2017-016 RES Notice of Intent to Issue Certificates

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CITY OF TEXARKANA, TEXAS, CERTIFICATES OF OBLIGATION

TAKE NOTICE the City Council of the City of Texarkana, Texas, shall convene at 6:00 o'clock P.M. on March 27, 2017, at its regular meeting place in the City Hall, 3rd and Texas Avenue, Texarkana, Texas, and, during such meeting, the City Council will consider the passage of an ordinance authorizing the issuance of certificates of obligation, in one or more series, in a principal amount not to exceed $15,600,000 for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping public safety facilities, (ii) street improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor, (iii) drainage improvements, including the acquisition of land and rights-of-way therefor, (iv) constructing, improving and equipping park and recreational facilities, (v) roof replacements to existing municipal buildings, (vi) building and parking improvements for the public works department, (vii) constructing, improving and equipping municipal airport facilities, including design costs (collectively, the "Projects") and (viii) professional services rendered in relation to such projects and the financing thereof; and such certificates are to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's combined Waterworks and Sewer System. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas, Local Government Code, Subchapter C of Chapter 271.

City Secretary
City of Texarkana, Texas

Attachment: 2017-016 EXH 'A' Notice of Intent (1603 : 2017-016 RES Notice of Intent to Issue Certificates of Obligation)

City of Texarkana, TX

Combination Tax and Revenue Certificates of Obligation, Series 2017

Acct. TBD

1/25/2017

Preliminary Schedule of Events

Jan-17

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Feb-17

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

Mar-17

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Apr-17

S	M	T	W	T
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30				

Complete By	Day	Event
30-Jan-17	Monday	First Southwest requests information for preparation of the Official Statement
8-Feb-17	Wednesday	First Southwest receives requested information. First Southwest begins preparation of the Official Statement
13-Feb-17	**Monday**	**Council meeting to approve publication of Notice of Intent for the CO's**
15-Feb-17	Wednesday	Draft Preliminary Official Statement distributed to the City and Bond Counsel
16-Feb-17	**Thursday**	**1st Notice of Intent published for CO's**
22-Feb-17	Wednesday	First Southwest receives comments on Preliminary Official Statement
23-Feb-17	**Thursday**	**2nd Notice of Intent published for CO's**
27-Feb-17	Monday	Distribute POS to Ratings
Week of March 6th - 10th		Rating Meeting
16-Mar-17	Thursday	Receive Ratings
17-Mar-17	Friday	Electronically mail Official Statement to Potential Purchasers
27-Mar-17	Monday	Pricing
27-Mar-17	**Monday**	**City Council passes Ordinance authorizing issuance of the Certificates**
26-Apr-17	Wednesday	Certificate Closing and Delivery of Funds to the City

Attachment: 2017-016 ATTH 01 Preliminary Schedule of Events (1603 : 2017-016 RES Notice of Intent to Issue Certificates of Obligation)

Bold Indicates Council action

Prepared by: First Southw

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:	High

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2017-016 Goals & Perspectives (1603 : 2017-016 RES Notice of Intent to Issue Certificates of Obligation)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 2/14/2017 1:07 PM

Lead Department:	Planning and Community Development **Action Officer:** Debbie Burk,
Subject:	Ordinance No. 2017-007 amending PD-85-1(GR) for site plan approval on a 1.781 acre tract of land being all of Tracts 5 and 5A in the Mary E. Willis Subdivision (proposed Lot 1, Richmond Road Runner Subdivision), located at 1632 Richmond Road. John D. Harris, applicant. MTG Engineers and Surveyors, agent.

Briefing: 2/13/2017	**Public Hearing:** 2/13/2017	**Second Briefing:**	February 27, 2017	**Council Vote:**	3/13/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Amendment to PD-85-1(GR): This is a request for site plan approval by John D. Harris, owner, and MTG Engineering and Surveying, agent on a 1.781 acre tract being all of Tract 5 and Tract 5A in the Mary E. Willis Subdivision (proposed Lot 1, Richmond Road Runner Subdivision), located at 1632 Richmond Road. The proposed use is a convenience store. The current use is vacant property.

The adjacent zoning is PD-General Retail to the north and west, General Retail to the east and Single Family-2 across Richmond Road to the south. The adjacent land use is residences to the north and south, vacant land to the east and a restaurant to the west.

A new subdivision plat has been provided for this tract of land that includes one lot. This proposed Road Runner Convenience Store is shown to be located on Lot 1, Richmond Road Runner Subdivision. The site plan consists of the following:

- A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 8 fuel pumps.
- The building façade consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia. See attached elevations.
- 20 parking spaces are shown on site plan with 2 handicapped spaces. (6 spaces are required for the gas station and 5 spaces are required for the restaurant per Ordinance).
- A 35’ pylon sign. See attached photo.
- Two new driveways are shown off Cowhorn Creek Road and one new driveway is shown off Richmond Road. The new drive off Richmond Road will require TXDOT approval.

Following are comments from the Public Works and Engineering Department pertaining to the driveways along Cowhorn Creek Road:
The proposed southern driveway along Cowhorn Creek is being shown for fuel truck access. This concerns staff due to the close proximity of the location with the intersection of Cowhorn Creek Road and Richmond Road from a safety stand point. This intersection is very busy and traffic backs up along Cowhorn Creek Road. Also, Cowhorn Creek Road is a two- lane road in this location and truck traffic along Cowhorn Creek Road could possibly cause more traffic to back up. We also have concerns with truck traffic movements at the Cowhorn Creek Road and Kennedy Lane Intersection. This section of Cowhorn Creek Road and Kennedy Lane was not intended for truck traffic. Therefore, staff recommends allowing two access drives off of Cowhorn Creek Rd, but the southernmost driveway should be an "entrance only" (similar to the driveway across the street at Golden Chick). Staff also recommends that all truck traffic (WB-40 or greater) ingress and egress the site only on Richmond Road.

Staff is also concerned about the proposed 35' pole sign at this location. In recent planned development cases along this corridor, monument style signage with a sign face not to exceed 48 sq. ft. in size were allowed at the Golden Chick Restaurant (1702 Richmond Rd) located across Cowhorn Creek Road to the west and at Grandy's Restaurant (1720 Richmond Rd) further west along Richmond Road. Both of those properties are located in a Planned Development district. Also, there are numerous single family residences located to the south and north of this tract of land. **T**herefore, staff recommends that a 48 square foot monument style sign be allowed for this development. The monument sign can be located on top of a berm, planter or pedestal.

The applicant should be aware that if this site plan is approved as submitted, there may be additional applicable city code/ordinance requirements in addition to those listed including but not limited to building, subdivision, fire, 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:

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

1. The southernmost driveway along Cowhorn Creek Road be "entrance only".
2. All truck traffic (WB-40 or greater) ingress and egress the site only on Richmond Road.
3. A 48 square foot size monument style sign be allowed that can be located on top of a berm, planter or pedestal.
4. Any lighting be shielded from adjacent residential properties.
5. A screening device be constructed along the northern property line that abuts to residential uses.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

After discussion between staff, commission members and the developers concerning the driveways and signage, the Planning and Zoning Commission unanimously recommended for approval of the site plan with the following stipulations:

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 8 fuel pumps as shown on attached site plan.
2. Building façade that consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia.
3. 20 parking spaces with 2 handicapped spaces.
4. Two new driveways off Cowhorn Creek Road and one new driveway off Richmond Road. The new drive off Richmond Road will require TXDOT approval.
5. The southernmost driveway along Cowhorn Creek Road shall be "entrance only".
6. Striping shall be added for a continuous left turn lane along Cowhorn Creek Road.
7. Two monument style signs not to exceed 48 square feet in size that can be located on top of a berm, planter or pedestal shall be allowed at the entrance off Richmond Road and at the north entrance off Cowhorn Creek Road.
8. Price point signage allowed on gas canopy.
9. Any lighting to be shielded from adjacent residential properties.
10. A screening device is to be constructed along the northern property line that abuts to residential uses.

Advisory Board/Committee Meeting Date and Minutes:

January 3, 2017

Attachments

a. 2017-007 ORD amending PD-85-1(GR) for site plan approval (PDF)
b. 2017-007 ORD Amending PD-85-1 signed (PDF)
c. 2017-007 ATTH 01 Maps (PDF)
d. 2017-007 ATTH 02 Floor plan (PDF)
e. 2017-007 ATTH 03 Front elevation and bldg. materials (PDF)
f. 2017-007 ATTH 04 Elevations (PDF)
g. 2017-007 ATTH 05 Fuel canopy elevations (PDF)
h. 2017-007 ATTH 06 Monument Sign (PDF)
i. 2017-007 EXH 'A' Site Plan (PDF)
j. 2017-007 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	Completed 01/18/2017 11:49 AM
Deputy City Manager - Shirley Jaster Review	Shirley Jaster	Assistant City Manager	Completed 01/19/2017 11:14 AM
Public Information Officer	Lisa Thompson	PIO Review	Completed 01/19/2017 11:18 AM

City of Texarkana, Texas

City Manager 2:41 PM	John Whitson	City Manager Review	Completed	01/19/2017
City Council 6:00 PM	Jennifer Evans	Meeting	Completed	01/23/2017

Meeting History

01/23/17	City Council	MOVED FORWARD	Next: 02/13/17

Amendment to
PD-85-1(GR)

ORDINANCE NO. 2017-007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-85-1(GR) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF A CONVENIENCE STORE ON A 1.781 ACRE TRACT OF LAND BEING ALL OF TRACTS 5 AND 5A IN THE MARY E. WILLIS SUBDIVISION (PROPOSED LOT 1, RICHMOND ROAD RUNNER SUBDIVISION), LOCATED AT 1632 RICHMOND ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a site plan **(Exhibit 'A')** to allow the location of a convenience store on a 1.781 acre tract of land being Tracts 5 and 5A in the Mary E. Willis Subdivision, (proposed Lot 1, Richmond Road Runner Subdivision), located at 1632 Richmond Road in the City of Texarkana, Bowie County, Texas; and

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

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

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

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

SECTION 1: That the site plan **(Exhibit 'A')** submitted to allow a convenience store on a 1.781 acre tract of land being Tracts 5 and 5A in the Mary E. Wills Subdivision (proposed Richmond Road Runner Subdivision), located at 1632 Richmond Road in the City of Texarkana, Texas, Bowie County, Texas, be and is hereby approved and hereby amends PD-85-1(GR).

Attachment: 2017-007 ORD amending PD-85-1(GR) for site plan approval (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

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

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 8 fuel pumps as shown on attached site plan.
2. Building façade that consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia.
3. Twenty parking spaces with two handicapped spaces.
4. Two new driveways off Cowhorn Creek Road and one new driveway off Richmond Road. The new drive off Richmond Road will require TxDOT approval.
5. The southernmost driveway along Cowhorn Creek Road shall be "entrance only".
6. Striping shall be added for a continuous left turn lane along Cowhorn Creek Road.
7. Two monument style signs, not to exceed 48 square feet in size that can be located on top of a berm, planter or pedestal, shall be allowed at the entrance off Richmond Road and at the north entrance off Cowhorn Creek Road.
8. Electronic price point signage shall be allowed on gas canopy. No CEVMS.
9. Any lighting is to be shielded from adjacent residential properties.
10. A screening device is to be constructed along the northern property line that abuts to residential uses.

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 **13th day of March, 2017.**

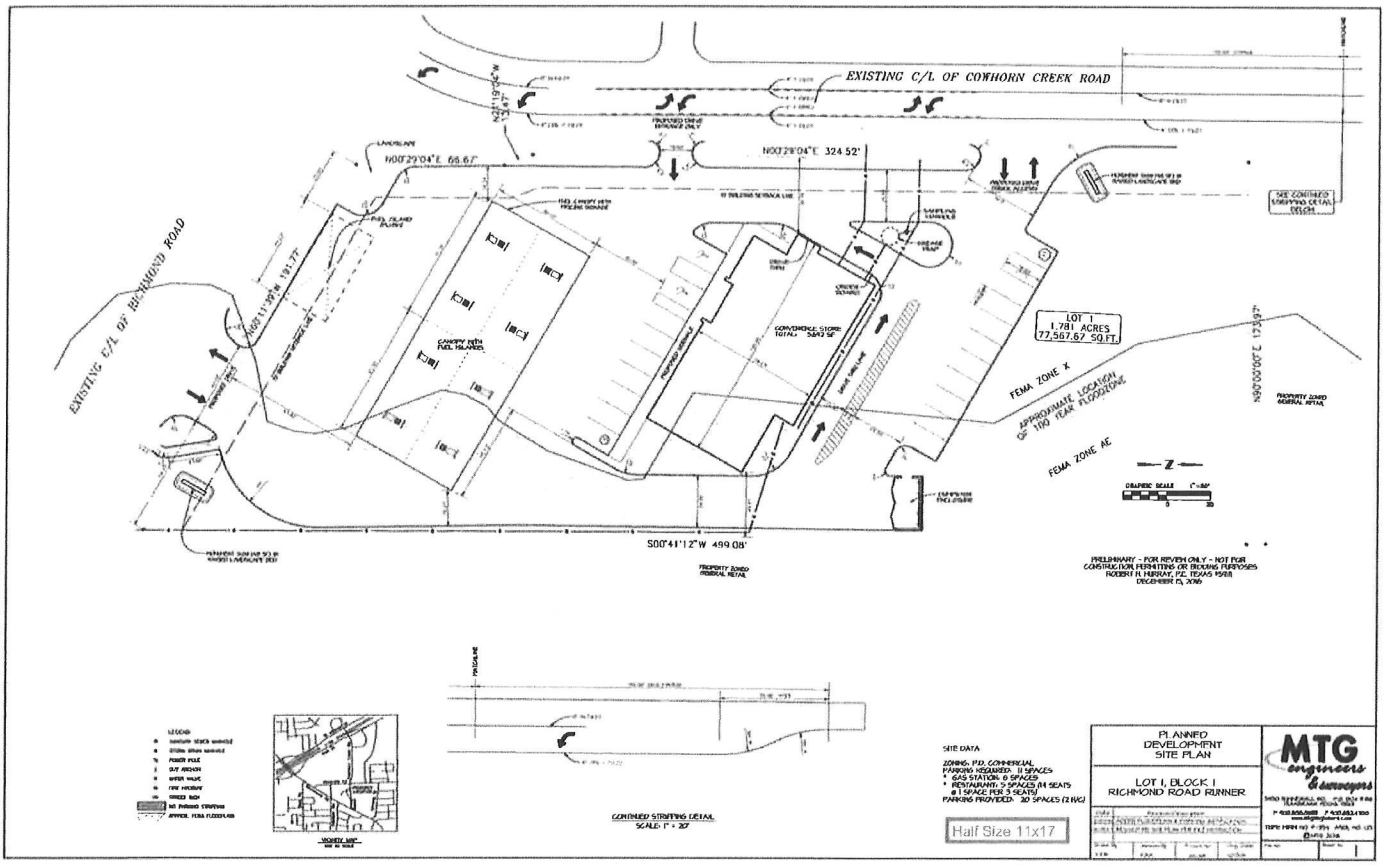
ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-007 ORD amending PD-85-1(GR) for site plan approval (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

EXHIBIT 'A'



Attachment: 2017-007 ORD amending PD-85-1(GR) for site plan approval (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

Amendment to
PD-85-1(GR)

ORDINANCE NO. 2017-007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-85-1(GR) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF A CONVENIENCE STORE ON A 1.781 ACRE TRACT OF LAND BEING ALL OF TRACTS 5 AND 5A IN THE MARY E. WILLIS SUBDIVISION (PROPOSED LOT 1, RICHMOND ROAD RUNNER SUBDIVISION), LOCATED AT 1632 RICHMOND ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a site plan **(Exhibit 'A')** to allow the location of a convenience store on a 1.781 acre tract of land being Tracts 5 and 5A in the Mary E. Willis Subdivision, (proposed Lot 1, Richmond Road Runner Subdivision), located at 1632 Richmond Road in the City of Texarkana, Bowie County, Texas; and

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

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

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

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

SECTION 1: That the site plan (**Exhibit 'A'**) submitted to allow a convenience store on a 1.781 acre tract of land being Tracts 5 and 5A in the Mary E. Wills Subdivision (proposed Richmond Road Runner Subdivision), located at 1632 Richmond Road in the City of Texarkana, Texas, Bowie County, Texas, be and is hereby approved and hereby amends PD-85-1(GR).

Attachment: 2017-007 ORD Amending PD-85-1 signed (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

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

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 8 fuel pumps as shown on attached site plan.
2. Building façade that consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia.
3. Twenty parking spaces with two handicapped spaces.
4. Two new driveways off Cowhorn Creek Road and one new driveway off Richmond Road. The new drive off Richmond Road will require TxDOT approval.
5. The southernmost driveway along Cowhorn Creek Road shall be "entrance only".
6. Striping shall be added for a continuous left turn lane along Cowhorn Creek Road.
7. Two monument style signs, not to exceed 48 square feet in size that can be located on top of a berm, planter or pedestal, shall be allowed at the entrance off Richmond Road and at the north entrance off Cowhorn Creek Road.
8. Electronic price point signage shall be allowed on gas canopy. No CEVMS.
9. Any lighting is to be shielded from adjacent residential properties.
10. A screening device is to be constructed along the northern property line that abuts to residential uses.

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 **13th day of February, 2017.**

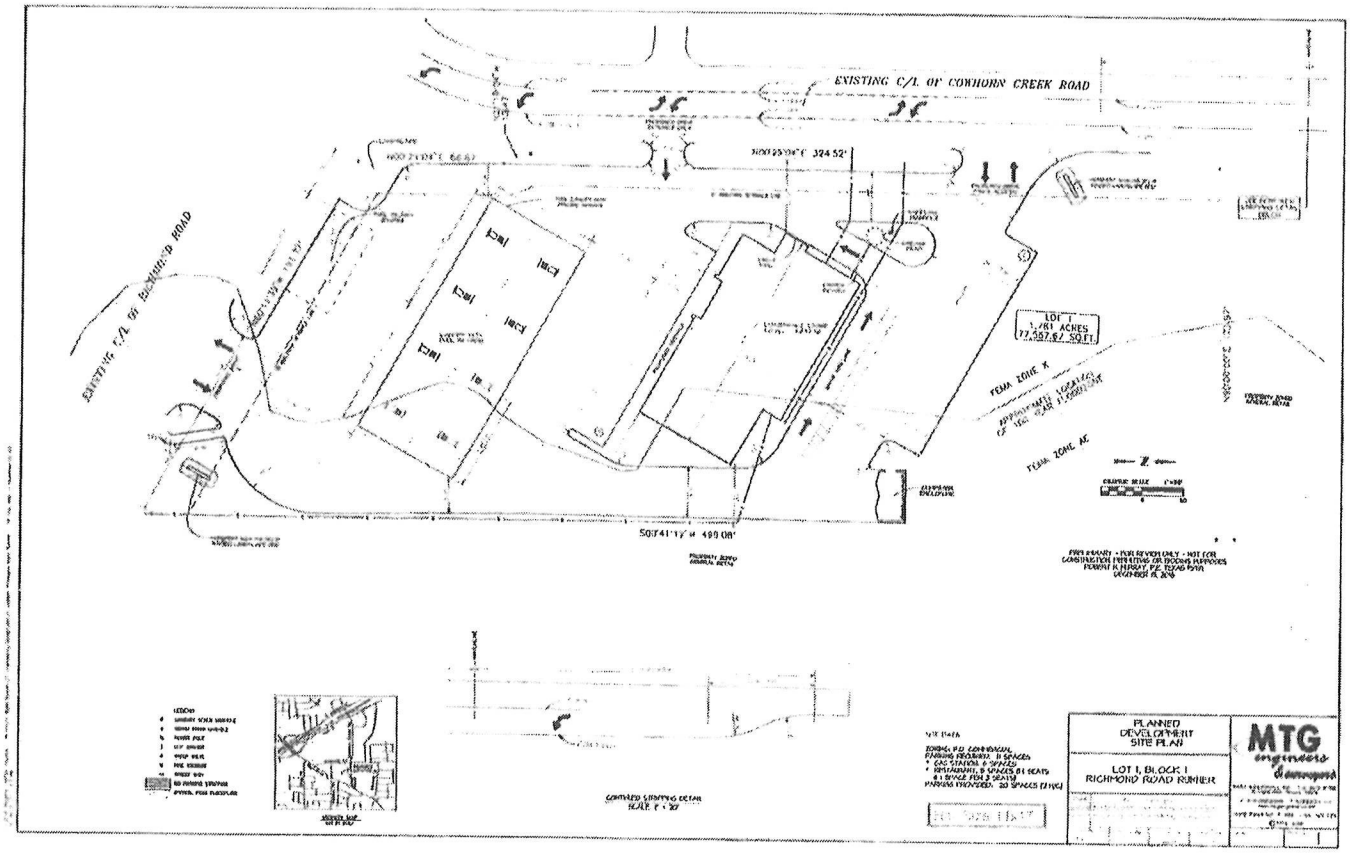
ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-007 ORD Amending PD-85-1 signed (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

EXHIBIT 'A'



Attachment: 2017-007 ORD Amending PD-85-1 signed (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

Attachment: 2017-007 ATTH 01 Maps (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

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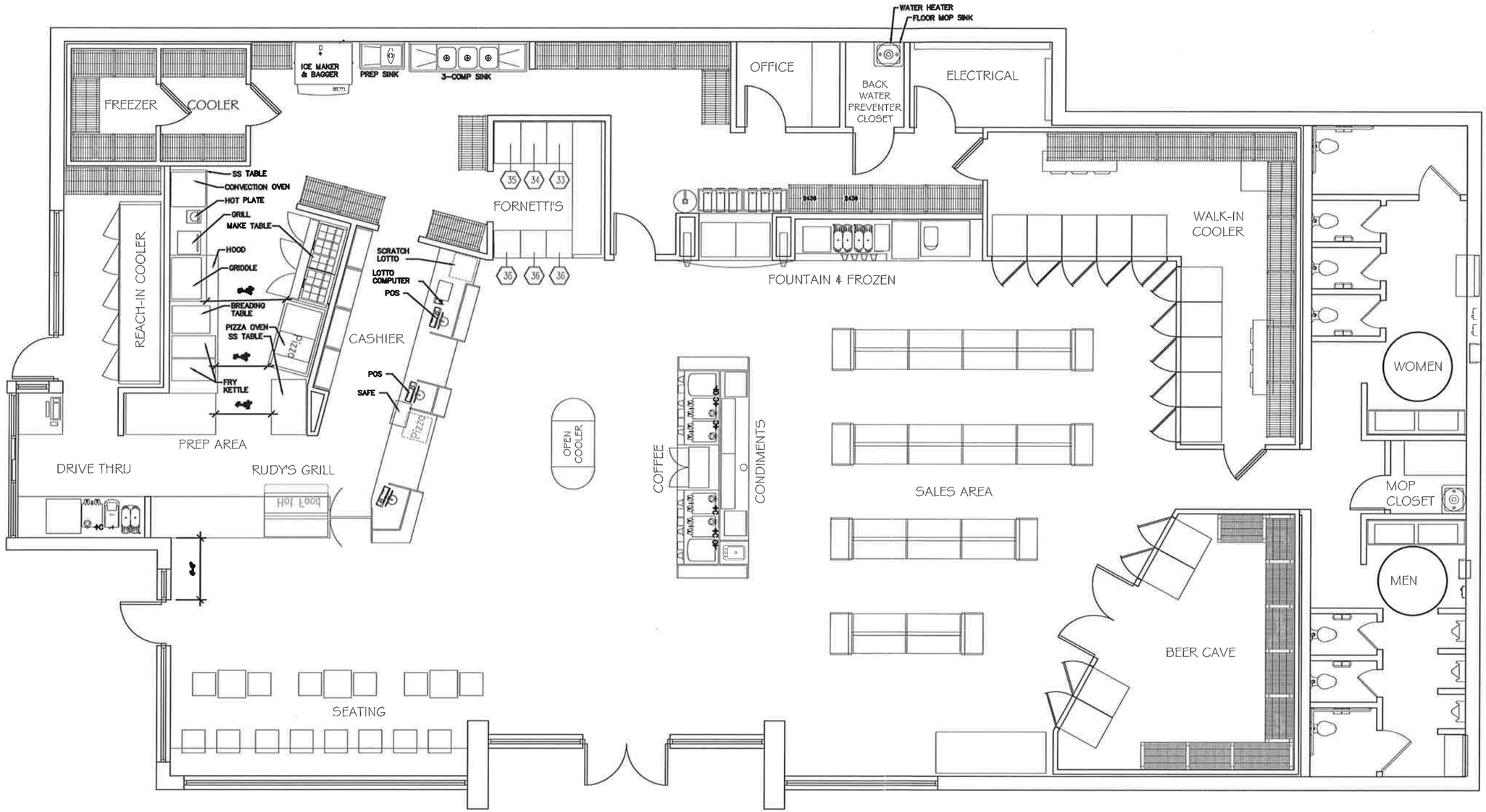


FLOOR PLAN

SCALE: 1/8" = 1'-0"

ARCHITECTURE PLUS, INC.
907 South 21st Street Fort Smith, Arkansas 479/783-8395

TEXARKANA STORE#XX
RICHMOND RD TEXARKANA, TX

DRAWING NO.: 1 OF 5
DATE: 12-09-2016
PROJECT: 14-38.01

Attachment: 2017-007 ATTH 02 Floor plan (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

Modular Brick | Split Face CMU (painted) | Stone Veneer

FRONT ELEVATION

SCALE: NTS

ARCHITECTURE PLUS, INC.
907 South 21st Street Fort Smith, Arkansas 479/783-8395

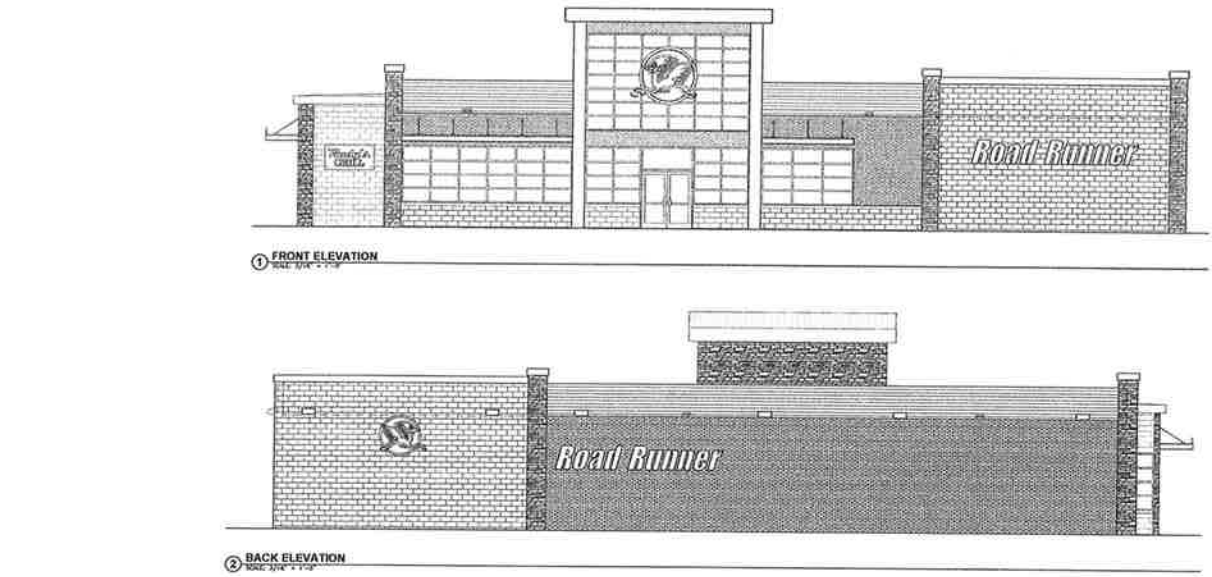
TEXARKANA STORE#XX
RICHMOND RD TEXARKANA, TX

DRAWING NO.: 2 of 2

DATE: 12-09-2016

PROJECT: 14-38.01

Attachment: 2017-007 ATTH 03 Front elevation and bldg. materials (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)



1 FRONT ELEVATION

2 BACK ELEVATION

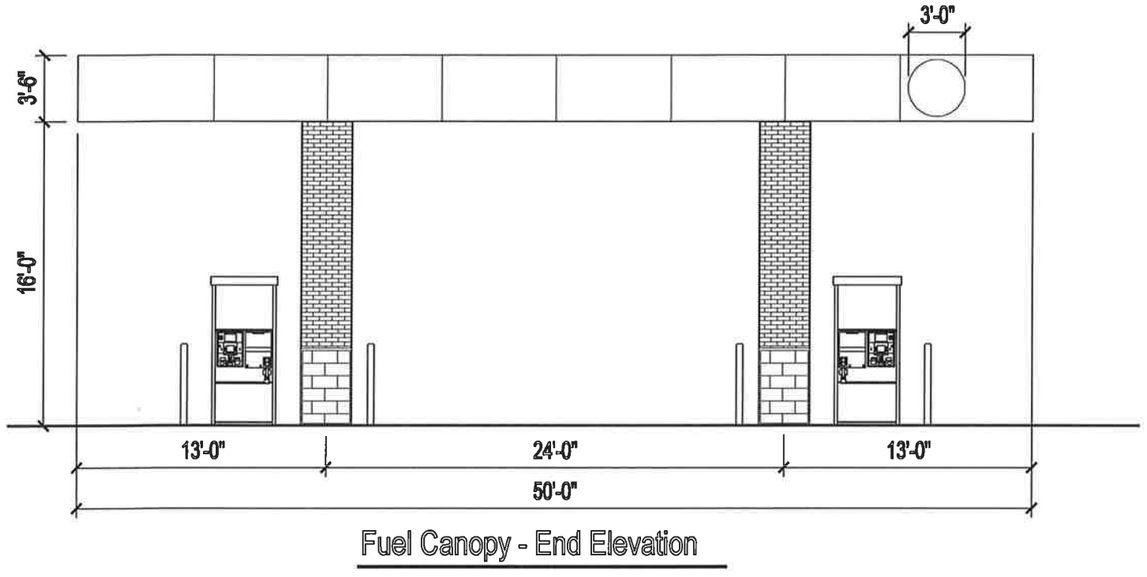
4 SIDE ELEVATION

4 SIDE ELEVATION

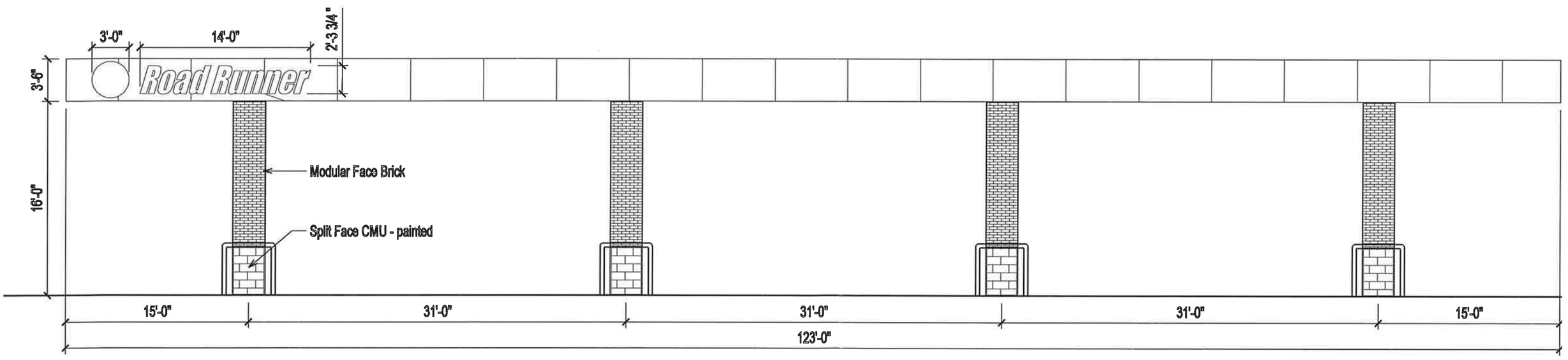
ARCHITECTURE PLUS, INC.

SCHEMATIC

Attachment: 2017-007 ATTH 04 Elevations (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)



Fuel Canopy - End Elevation

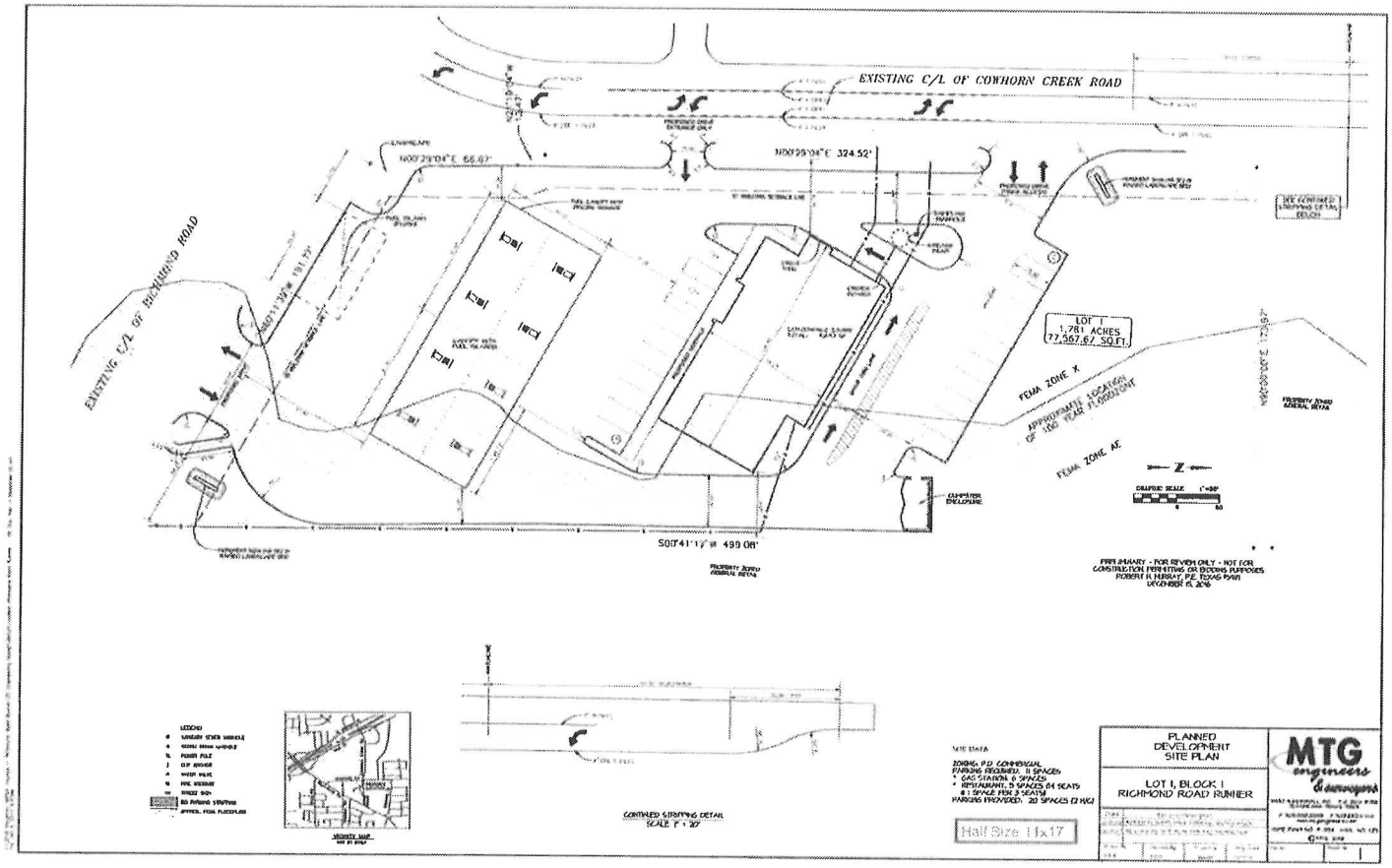


Fuel Canopy - Side Elevation

Attachment: 2017-007 ATTH 05 Fuel canopy elevations (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

Attachment: 2017-007 ATTH 06 Monument Sign (1592 : 2017-007 ORD site plan approval at 1632

EXHIBIT 'A'



Attachment: 2017-007 EXH 'A' Site Plan (1592 : 2017-007 ORD site plan approval at 1632 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: 2017-007 Goals & Perspectives (1592 : 2017-007 ORD site plan approval at 1632 Richmond Road)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/14/2017 1:10 PM

Lead Department:	Planning and Community Development **Action Officer:** Debbie Burk,
Subject:	Ordinance No. 2017-008 amending PD-99-9(C) for site plan approval on a 2.176 acre tract of land being part of Tract 339B in the Nancy Dycus HRS, A-145 (proposed Lot 1, Highway 67 Road Runner Subdivision), located at 4603 West 7th Street. John D. Harris, applicant. MTG Engineers and Surveyors, agent.

Briefing: 2/13/2017	**Public Hearing:** 2/13/2017	**Second Briefing:**	February 27, 2017	**Council Vote:**	3/13/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Amendment to PD-99-9(C): This is a request for site plan approval by John D. Harris, owner, and MTG Engineering and Surveying, agent on a 2.176 acre tract being part of Tract 339B in the Nancy Dycus HRS, A-145 (proposed Lot 1, Highway 67 Road Runner Subdivision), located at 4603 West 7th Street. The proposed use is a convenience store. The current use is vacant property.

The adjacent zoning is outside the city limits to the north, Planned Development-Commercial to the east and south and Office to the west. The adjacent land use is Wake Village city limits to the north, a bank to the east, a medical clinic to the west and vacant land to the south.

A new subdivision plat has been provided for this tract of land that includes two lots. This proposed Road Runner Convenience Store is shown to be located on Lot 1, Highway 67 Road Runner Subdivision.

The site plan consists of the following:

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 10 fuel pumps as shown on attached site plan.
2. Building façade that consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia.
3. 31 parking spaces with 2 handicapped spaces.
4. A 35' pylon sign.
5. New driveways off South Wake Village Road and off West 7th Street. The new drive off West 7th Street will require TXDOT approval. In the event that TXDOT does not permit the new driveway off West 7th Street, the existing drive off West 7th Street will be modified to provide adequate turning radii.

The applicant should be aware that if this site plan is approved, there may be additional applicable city code/ordinance requirements in addition to those listed including but not limited to building, subdivision, fire, 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:

Staff recommends for approval of the proposed site plan with the following stipulations.

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 10 fuel pumps as shown on attached site plan.
2. Building façade that consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia.
3. 31 parking spaces with 2 handicapped spaces.
4. A 35' pylon sign.
5. New driveways off South Wake Village Road and off West 7th Street. The new drive off West 7th Street will require TXDOT approval. In the event that TXDOT does not permit the new driveway off West 7th Street, the existing drive off West 7th Street will be modified to provide adequate turning radii.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of the site plan with staff stipulations.

Advisory Board/Committee Meeting Date and Minutes:

January 3, 2017

Attachments

a. 2017-008 ORD amending PD-99-9(C) for site plan approval at 4603 West 7th (PDF)
b. 2017-008 ORD Amending PD-99-9 (C) signed (PDF)
c. 2017-008 ATTH 01 Maps (PDF)
d. 2017-008 ATTH 02 Floor plan (PDF)
e. 2017-008 ATTH 03 Front elevation and bldg. materials (PDF)
f. 2017-008 ATTH 04 Elevations (PDF)
g. 2017-008 ATTH 05 Fuel canopy elevations (PDF)
h. 2017-008 ATTH 06 Aerial site plan (PDF)
i. 2017-008 ATTH 07 Pylon Sign (PDF)
j. 2017-008 EXH 'A' Site plan (PDF)
k. 2017-008 ORD Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	Completed	David Orr 01/18/2017 11:49 AM	Department Head Review	
Deputy City Manager - Shirley Jaster Review	Completed	Shirley Jaster 01/19/2017 11:12 AM	Assistant City Manager	
Public Information Officer	01/19/2017 11:13 AM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	01/19/2017 2:46 PM
City Council	Jennifer Evans	Meeting	Completed	01/23/2017 6:00 PM

Meeting History

01/23/17	City Council	MOVED FORWARD	Next: 02/13/17

Amendment to
PD-99-9(C)

ORDINANCE NO. 2017-008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-99-9(C) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF A CONVENIENCE STORE ON A 2.176 ACRE TRACT OF LAND BEING A PART OF TRACT 339B IN THE NANCY DYCUS HRS, A-145 (PROPOSED LOT 1, HIGHWAY 67 ROAD RUNNER SUBDIVISION), LOCATED AT 4603 WEST 7TH 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 requesting the approval of a site plan **(Exhibit 'A')** to allow the location of a convenience store on a 2.176 acre tract of land being a part of Tract 339B in the Nancy Dycus HRS, A-145 (proposed Lot 1, Highway 67 Road Runner Subdivision), located at 4603 West 7th 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 by a vote of five (5) to zero (0) to recommend approval of the petition for a site plan to allow the location of a convenience store (Exhibit 'A')** to the City Council of Texarkana, Texas; and

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

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

SECTION 1: That the site plan **(Exhibit 'A')** submitted to allow a convenience store on a 2.176 acre tract of land being a part of Tract 339B in the Nancy Dycus HRS, A-145 (proposed Lot 1, Highway 67 Road Runner Subdivision), located at 4603 West 7th Street in the City of Texarkana, Bowie County, Texas, be and is hereby approved and hereby amends PD-99-9(C).

Attachment: 2017-008 ORD amending PD-99-9(C) for site plan approval at 4603 West 7th (1593 : 2017-008 ORD site plan approval at 4603 West

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

1. A 5,692 square foot building that includes a gas station, a restaurant with drive-thru and a canopy with 10 fuel pumps as shown on attached site plan.
2. Building façade that consists of modular brick, split face CMU (painted), stone veneer, metal coping and metal fascia.
3. Thirty-one parking spaces with two handicapped spaces.
4. A 35' pylon sign.
5. New driveways off South Wake Village Road and off West 7th Street. The new drive off West 7th Street will require TxDOT approval. In the event that TxDOT does not permit the new driveway off West 7th Street, the existing drive off West 7th Street will be modified to provide adequate turning radii.

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 **13th day of March, 2017.**

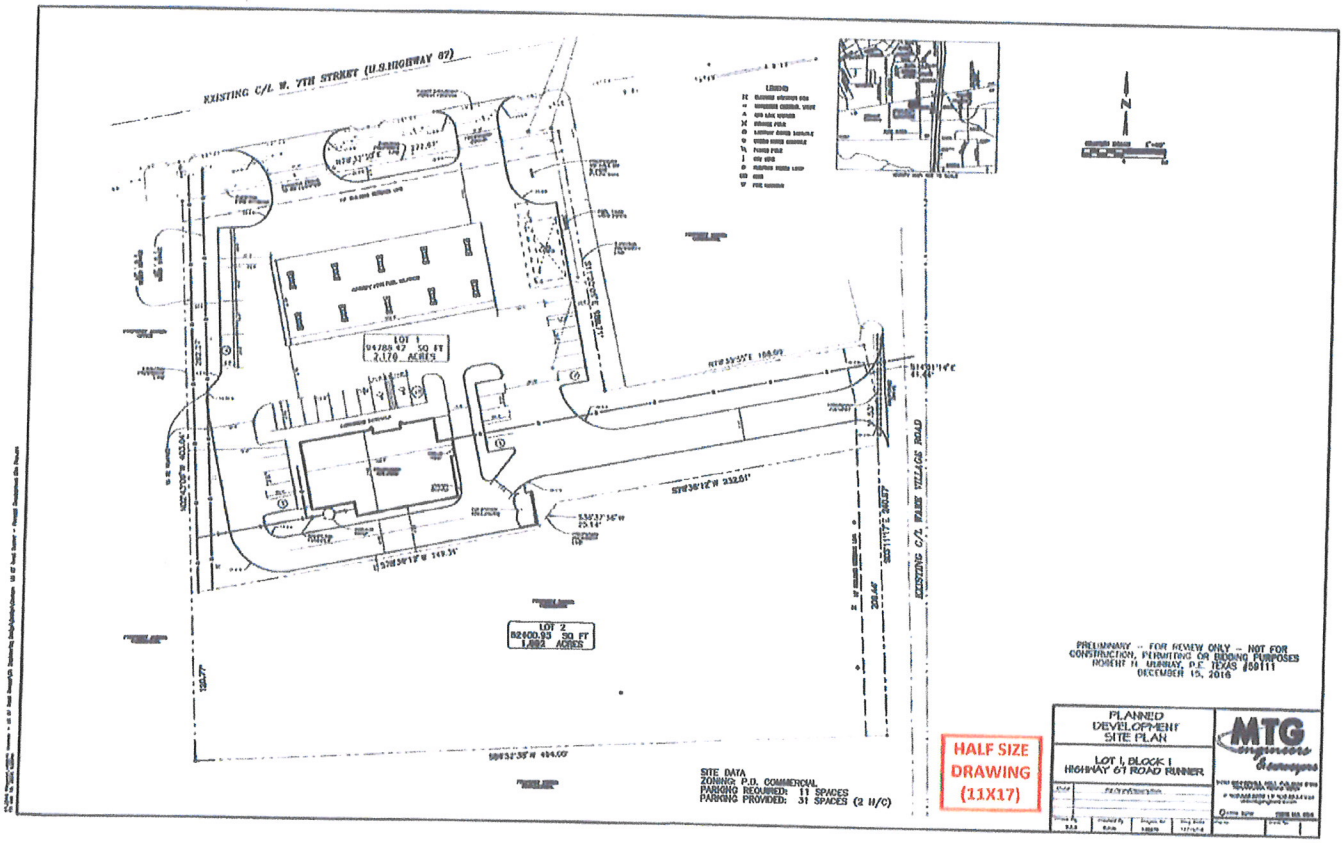
ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-008 ORD amending PD-99-9(C) for site plan approval at 4603 West 7th (1593 : 2017-008 ORD site plan approval at 4603 West

EXHIBIT 'A'



Attachment: 2017-008 ORD amending PD-99-9(C) for site plan approval at 4603 West 7th (1593 : 2017-008 ORD site plan approval at 4603 West

Amendment to
PD-99-9(C)

ORDINANCE NO. 2017-008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-99-9(C) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF A CONVENIENCE STORE ON A 2.176 ACRE TRACT OF LAND BEING A PART OF TRACT 339B IN THE NANCY DYCUS HRS, A-145 (PROPOSED LOT 1, HIGHWAY 67 ROAD RUNNER SUBDIVISION), LOCATED AT 4603 WEST 7TH STREET IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

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

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

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

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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 **13th day of February, 2017.**

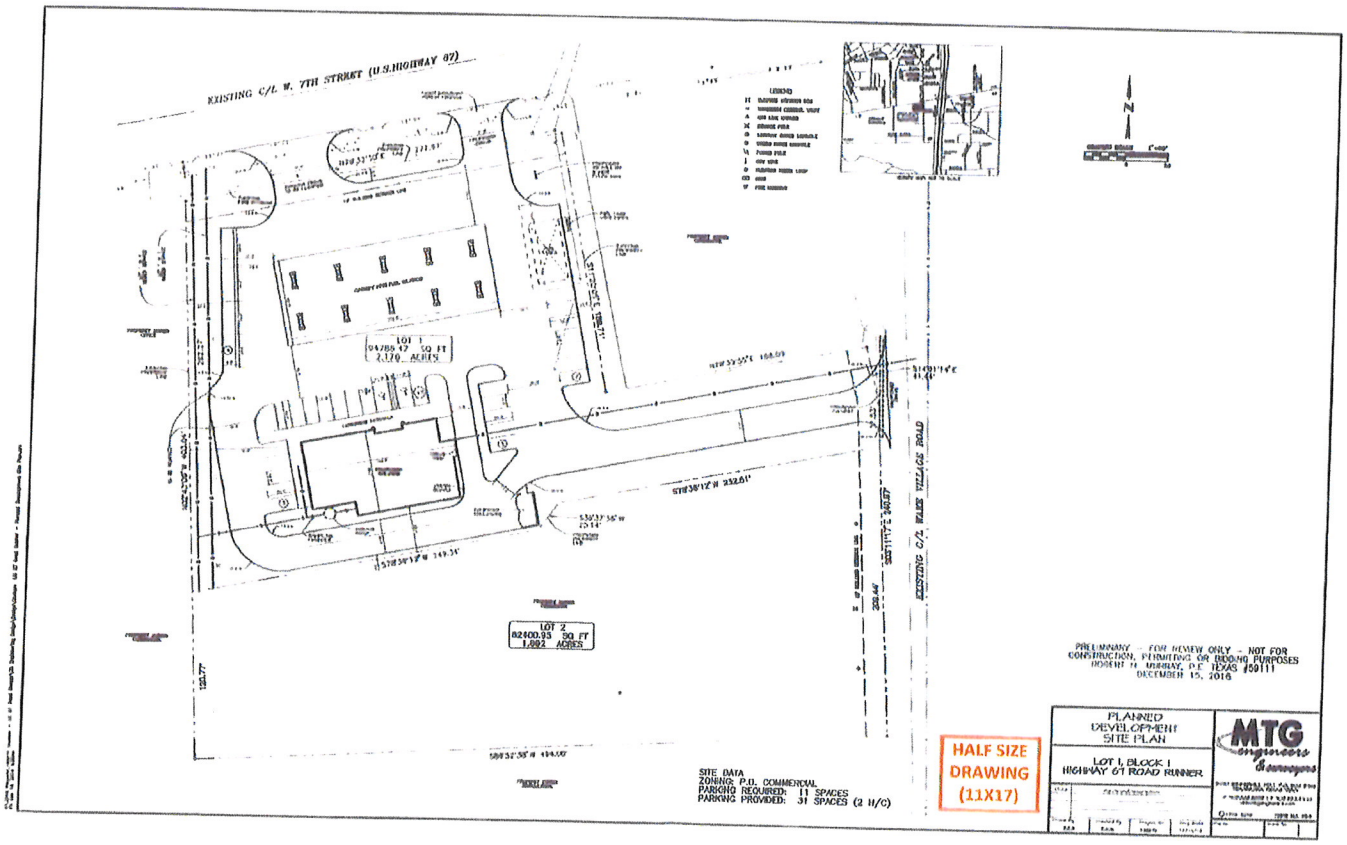
ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-008 ORD Amending PD-99-9 (C) signed (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)

EXHIBIT 'A'



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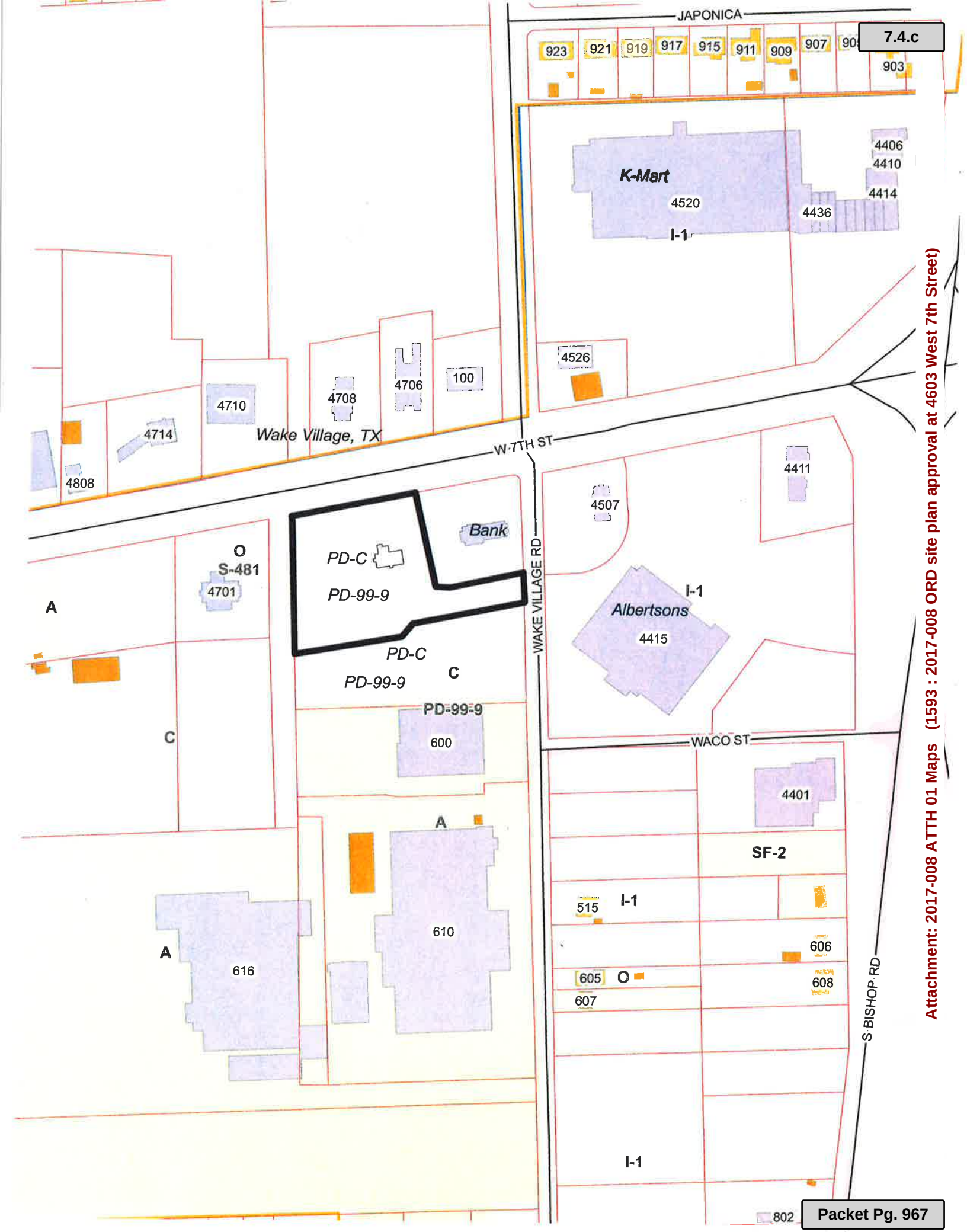

Attachment: 2017-008 ATTH 01 Maps (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)

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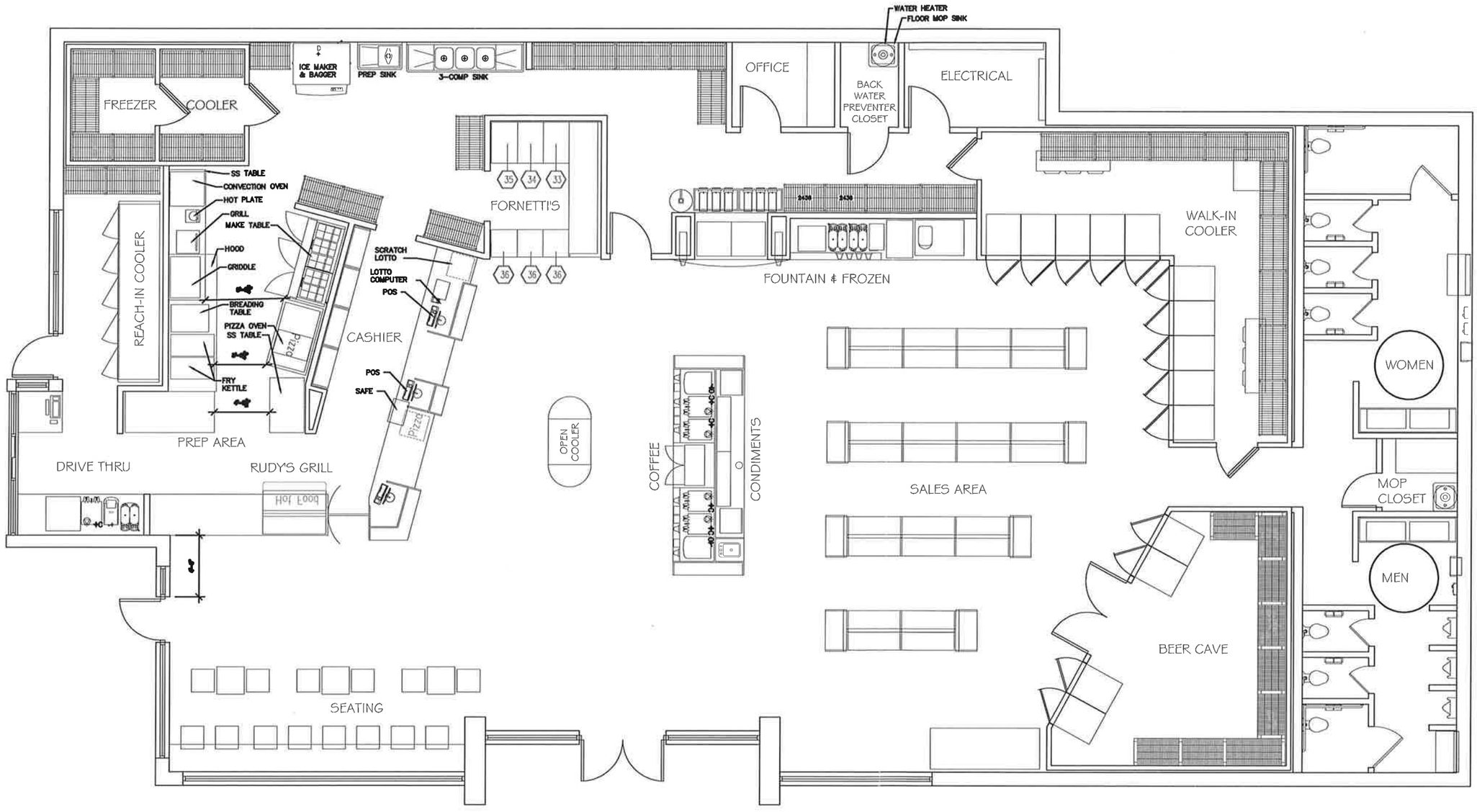


FLOOR PLAN

SCALE: 1/8" = 1'-0"

ARCHITECTURE PLUS, INC.
907 South 21st Street Fort Smith, Arkansas 479/783-8395

TEXARKANA STORE#XX
RICHMOND RD TEXARKANA, TX

DRAWING NO.: 1 OF 5

DATE: 12-09-2016

PROJECT: 14-38.01

Attachment: 2017-008 ATTH 02 Floor plan (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)

Modular Brick

Split Face CMU
(painted)

Stone Veneer

FRONT ELEVATION

SCALE: NTS

ARCHITECTURE PLUS, INC.
907 South 21st Street Fort Smith, Arkansas 479/783-8395

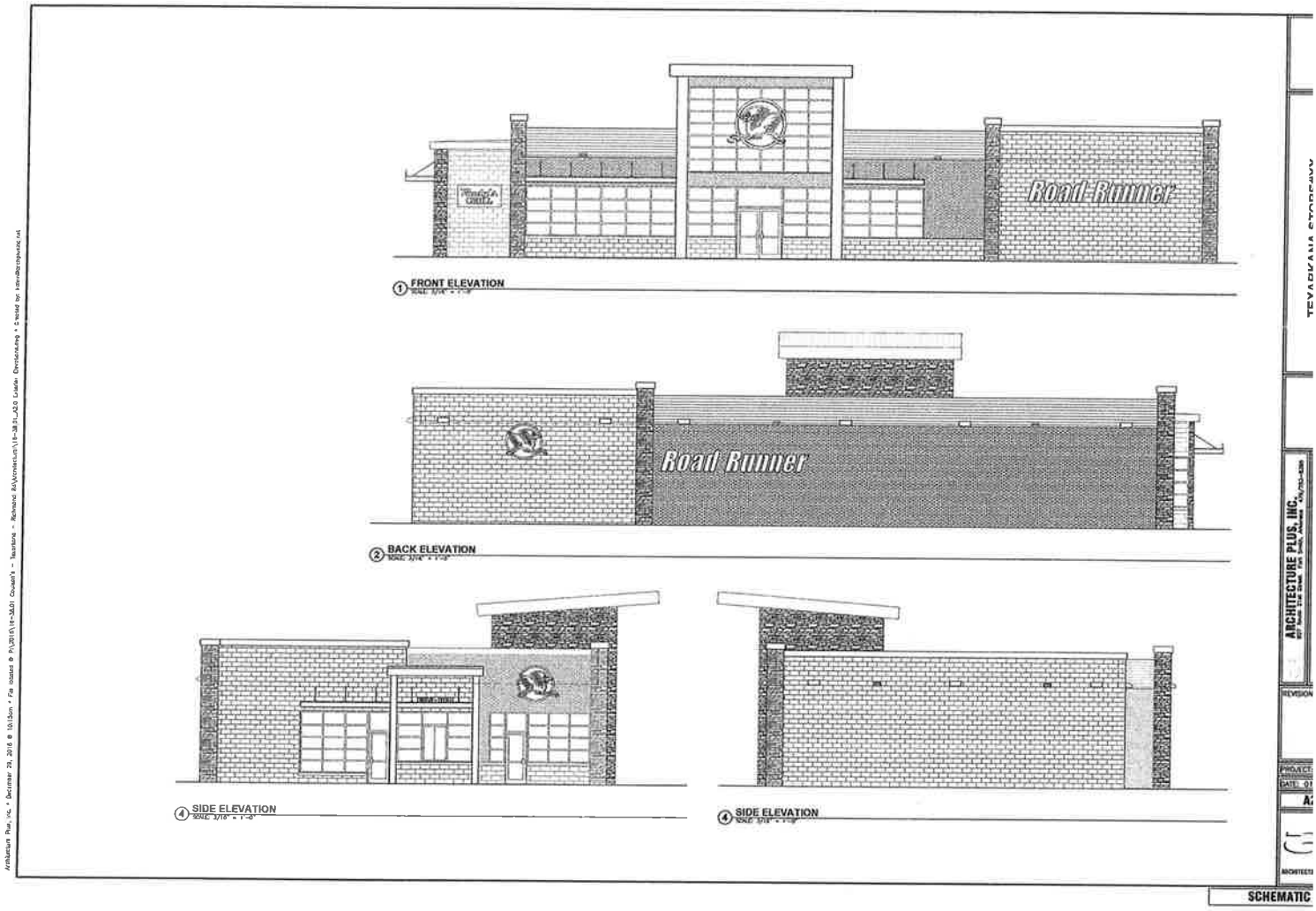
TEXARKANA STORE#XX
RICHMOND RD TEXARKANA, TX

DRAWING NO.: 2 of 2

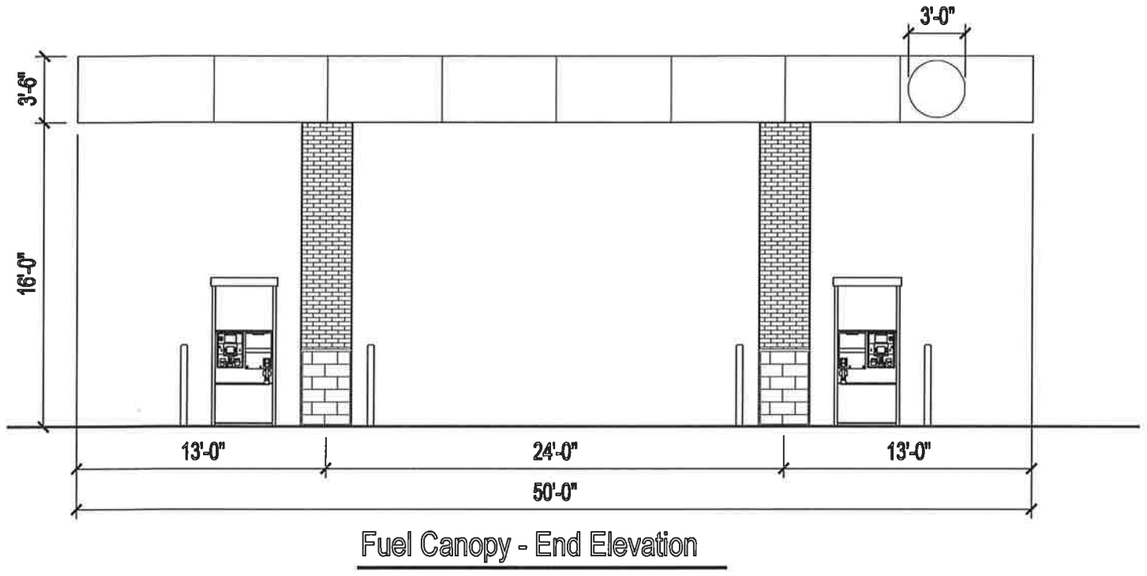
DATE: 12-09-2016

PROJECT: 14-38.01

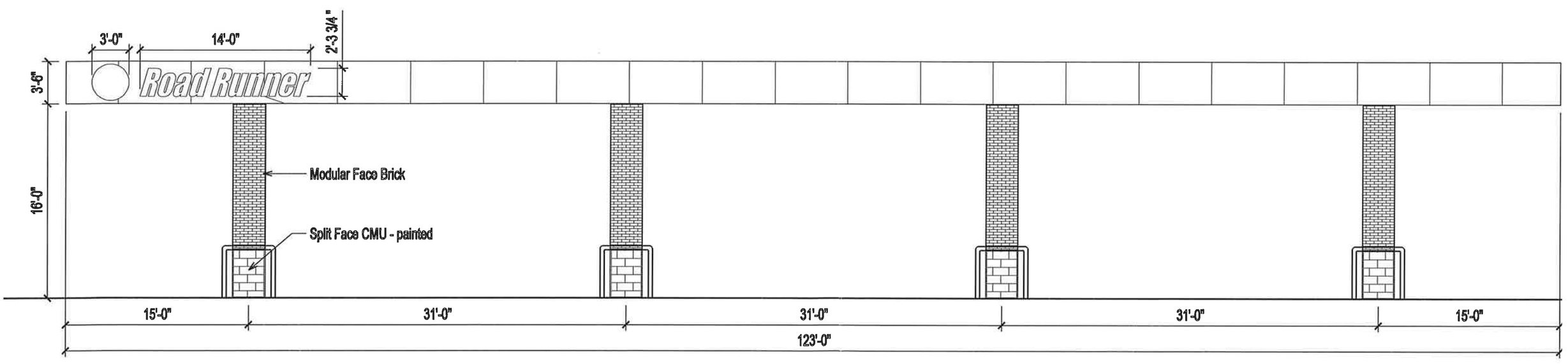
Attachment: 2017-008 ATTH 03 Front elevation and bldg. materials (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)



Attachment: 2017-008 ATTH 04 Elevations (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)



Fuel Canopy - End Elevation



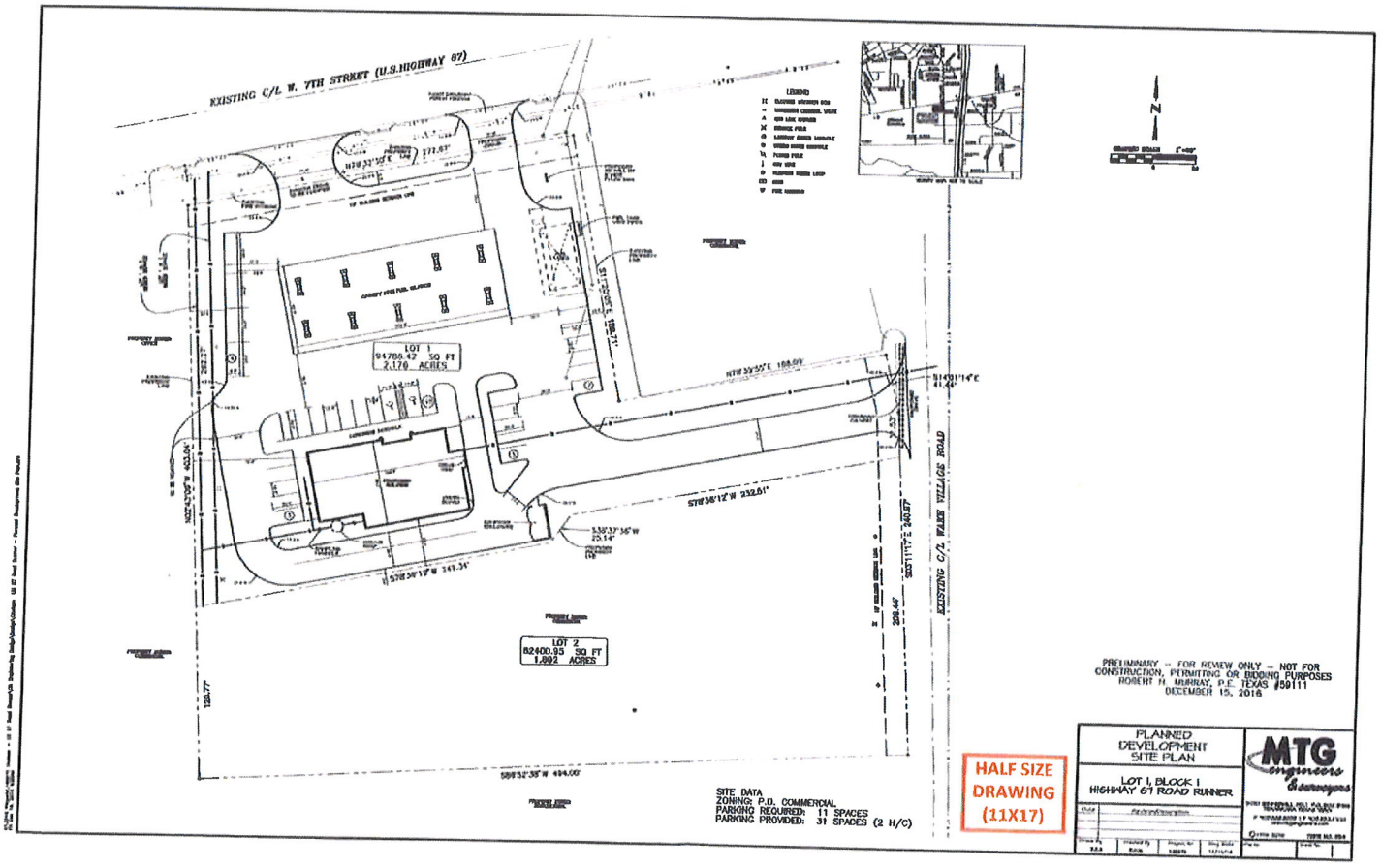
Fuel Canopy - Side Elevation

Attachment: 2017-008 ATTH 05 Fuel canopy elevations (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)

Attachment: 2017-008 ATTH 06 Aerial site plan (1593 : 2017-008 ORD site plan approval at 4603 West 7th

Attachment: 2017-008 ATTH 07 Pylon Sign (1593 : 2017-008 ORD site plan approval at 4603 West 7th

EXHIBIT 'A'



Attachment: 2017-008 EXH 'A' Site plan (1593 : 2017-008 ORD site plan approval at 4603 West 7th 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: 2017-008 ORD Goals & Perspectives (1593 : 2017-008 ORD site plan approval at 4603 West 7th Street)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 2/14/2017 1:11 PM

Lead Department:	Planning and Community Development		**Action Officer:**	Debbie Burk,			
Subject:	Ordinance No. 2017-009 revoking Specific Use Permit No. S-499 that permitted the location of the outdoor display of an above ground pool business on an approximate 0.637 acre tract of land in the Thomas Price HRS, A-466, located at 3314 New Boston Road. City of Texarkana, Texas, applicant.						
Briefing:	2/13/2017	**Public Hearing:**	2/13/2017	**Second Briefing:**	February 27, 2017	**Council Vote:**	3/13/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by the City of Texarkana, Texas to revoke Specific Use Permit No. S-499 that permitted the location of outdoor display of an above ground pool business on an approximate 0.637 acre tract in the Thomas Price HRS, A-466, located at 3314 New Boston Road.

The adjacent zoning is SF-2 to the north and east and General Retail to the south and west. The adjacent land usage is residences to the north and east, a vacant lot and car wash to the south and a convenience store to the west.

The Comprehensive Plan has designated this as a retail area.

The swimming pool business no longer exists at this location at 3314 New Boston Road. Specific Use Permit No. S-499 was originally approved on December 13, 1999 to allow the outdoor display of pools in this General Retail zoning district. A new Specific Use Permit No. S-674 that allows an outdoor automobile sales lot at this location was recently approved by the Planning and Zoning Commission and City Council by Ordinance No. 2016-140 which was adopted and approved by the Council on December 12, 2016.

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Since the pool business is no longer operating at this location and another Specific Use Permit has been approved at this location for a new business, staff recommends that Specific Use Permit S-499 be revoked.

City of Texarkana, Texas

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended to revoke Specific Use Permit No. S-499.

Advisory Board/Committee Meeting Date and Minutes:

January 3, 2017

Attachments

a. 2017-009 ORD revoking S-499 at 3314 New Boston Road (PDF)
b. 2017-009 ORD Revoking S-499 at 3314 NBR signed (PDF)
c. 2017-009 ATTH 01 Maps (PDF)
d. 2017-009 EXH 'A' Lot Description (PDF)
e. 2017-009 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	Completed	David Orr 01/18/2017 11:50 AM	Department Head Review	
Deputy City Manager - Shirley Jaster Review	Completed	Shirley Jaster 01/18/2017 4:52 PM	Assistant City Manager	
Public Information Officer	01/18/2017 8:38 PM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	01/19/2017 2:48 PM
City Council	Jennifer Evans	Meeting	Completed	01/23/2017 6:00 PM

Meeting History

01/23/17	City Council	MOVED FORWARD	Next: 02/13/17

Revoke S-499

ORDINANCE NO. 2017-009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, REVOKING SPECIFIC USE PERMIT NO. S-499 THAT PERMITTED THE LOCATION OF THE OUTDOOR DISPLAY OF AN ABOVE GROUND POOL BUSINESS ON AN APPROXIMATE 0.637 ACRE TRACT OF LAND LOCATED IN THE THOMAS PRICE HRS, A-466, LOCATED AT 3314 NEW BOSTON ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, by Ordinance No. 448-09, dated December 13, 1999, the City Council approved the issuance of Specific Use Permit No. S-499 that permitted the location of the outdoor display of an above ground pool business on an approximate 0.637 acre tract of land located in the Thomas Price HRS, A-466 **(Exhibit "A"),** located at 3314 New Boston Road in the City of Texarkana, Bowie County, Texas; and

WHEREAS, said Ordinance imposed several special terms and conditions including one that if the use approved under said Ordinance ever ceases at that location the City may revoke the specific use permit granted thereunder for a tattoo studio; and

WHEREAS, the City has determined that the outdoor display of an above ground pool business for which Specific Use Permit No. S-499 was issued is no longer in business at 3314 New Boston Road and that the premises at 3314 New Boston Road are not being used for such business; and

WHEREAS, after consideration of said application and the recommendation by city staff and the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby determine that the use as the location of the outdoor display of an above ground pool business for which the Council granted Specific Use Permit No. S-499 under Ordinance No. 448-09 has ceased and that, given such cessation, Specific Use Permit No.S-499 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:

SECTION 1: That Specific Use Permit No. S-499 permitting the location of the outdoor display of an above ground pool business on an approximate 0.637 acre tract of land located in the Thomas Price HRS, A-466 **(Exhibit "A")**, located at 3314 New Boston Road 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.

Attachment: 2017-009 ORD revoking S-499 at 3314 New Boston Road [Revision 2] (1594 : 2017-009 ORD revoking specific use permit at 3314

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 **13th day of March, 2017.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-009 ORD revoking S-499 at 3314 New Boston Road [Revision 2] (1594 : 2017-009 ORD revoking specific use permit at 3314

EXHIBIT 'A'

All that certain lot, tract or parcel of land situated in the County of Bowie, State of Texas, being 3/4 acre, more or less, situated about one-half mile West of the City of Texarkana, Texas, on New Boston Highway and being a part of the THOMAS PRICE H. R. SURVEY, and a part of a certain ten (10) acre tract heretofore sold by G. W. Ragland to Frank Hawkins as per deed of record in Vol. 121, Page 557 of the Deed Records of Bowie County, Texas, and described by metes and bounds as follows:

BEGINNING at a stake at the intersection of the North boundary line of the said ten acre tract with the North boundary line of the concrete Highway designated as State Highway No. 5;
THENCE East with the North boundary line of said ten acre tract two hundred ninety-eight (298) feet to a stake;
THENCE South to a stake on line of Highway No. 5;
THENCE Northwest with line of Highway No. 5 to place of beginning,
CONTAINING three-fourths (3/4) of an acre.

SAVE AND EXCEPT that portion of the above described property conveyed to the State of Texas for right-of-way purposes.

Attachment: 2017-009 ORD revoking S-499 at 3314 New Boston Road [Revision 2] (1594 : 2017-009 ORD revoking specific use permit at 3314

Revoke S-499

ORDINANCE NO. 2017-009

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Attachment: 2017-009 ORD Revoking S-499 at 3314 NBR signed (1594 : 2017-009 ORD revoking specific use permit at 3314 New Boston Road)

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 **13th day of Febraury, 2017.**

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-009 ORD Revoking S-499 at 3314 NBR signed (1594 : 2017-009 ORD revoking specific use permit at 3314 New Boston Road)

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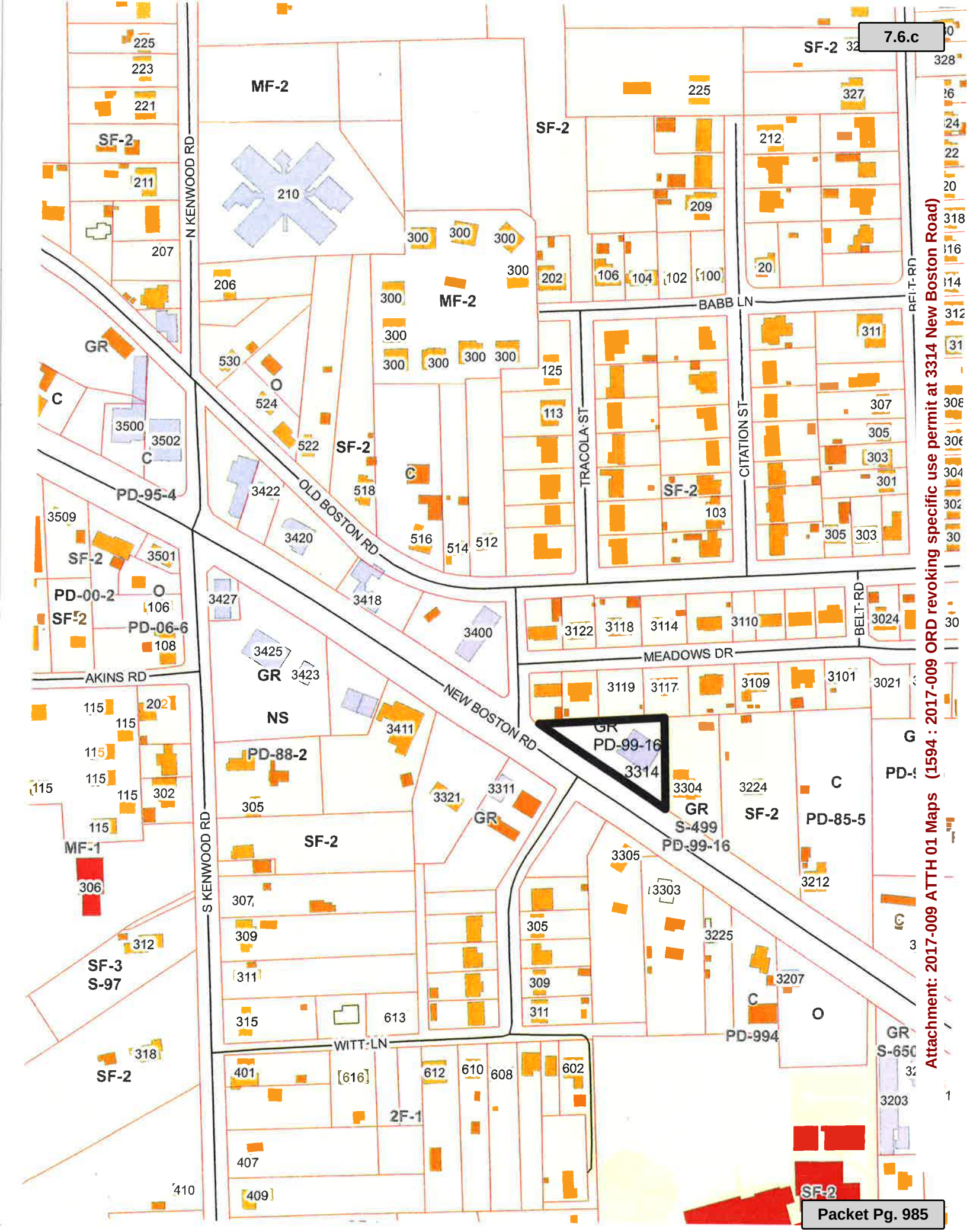
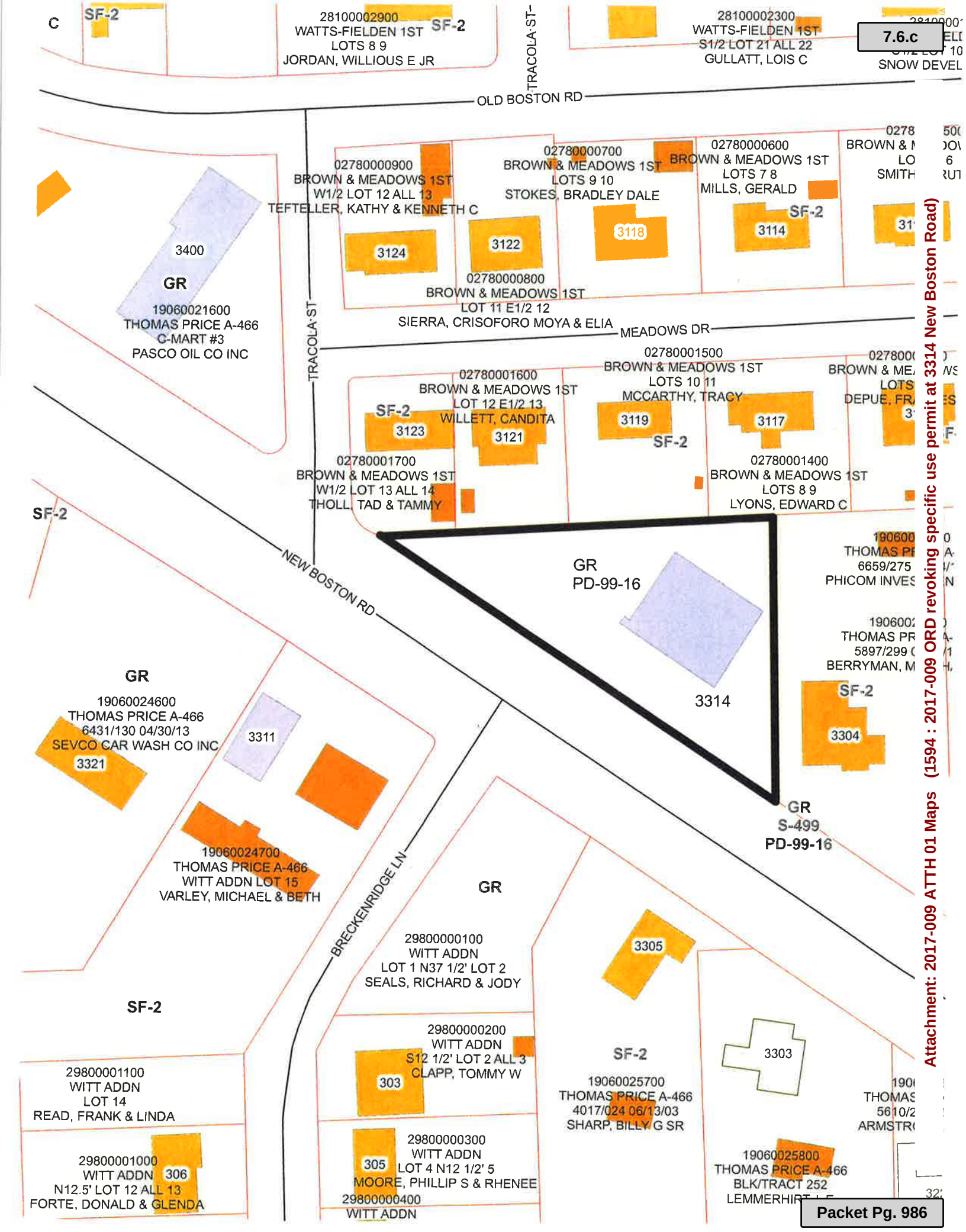


Attachment: 2017-009 ATTH 01 Maps (1594 : 2017-009 ORD revoking specific use permit at 3314 New Boston Road)



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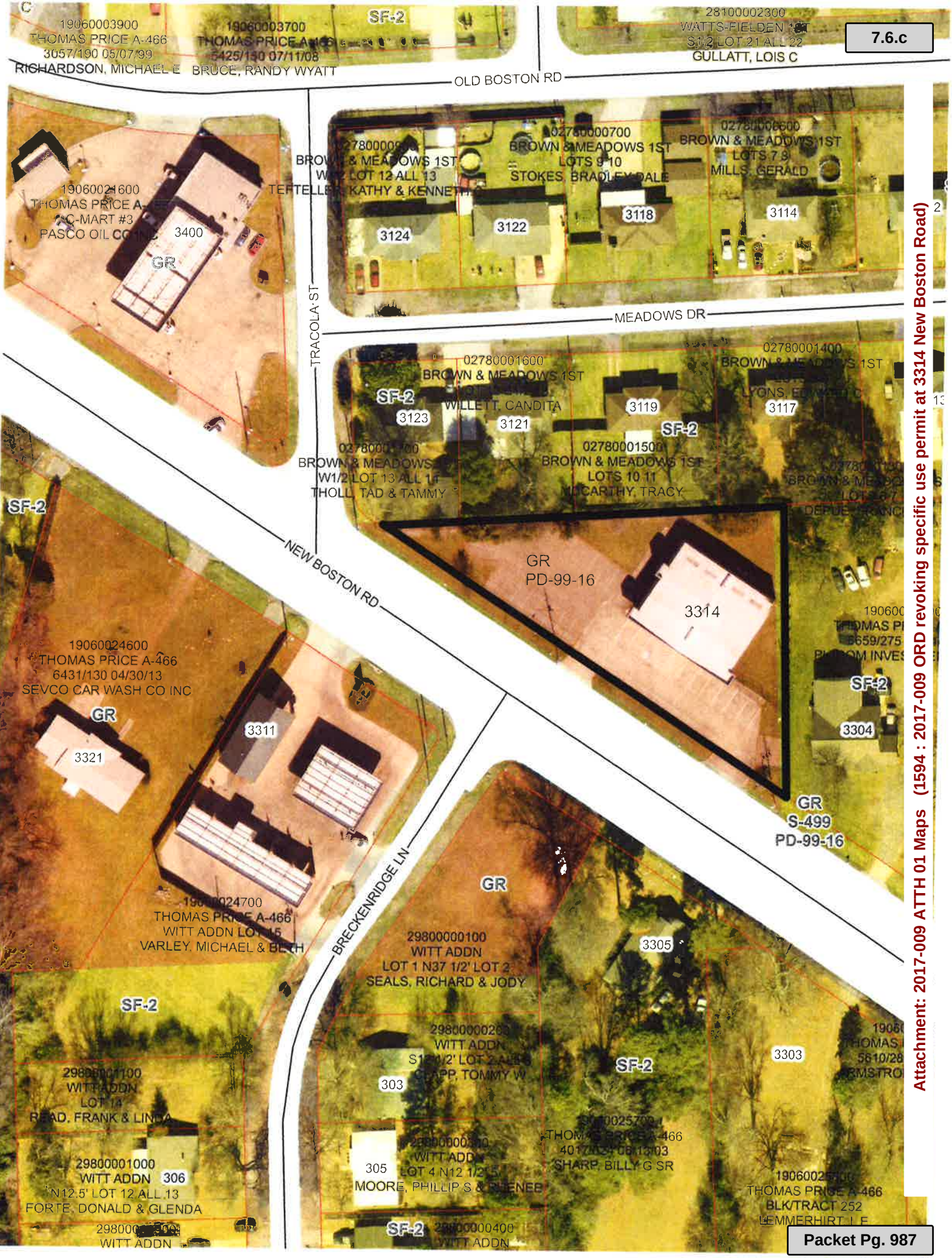

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Attachment: 2017-009 EXH 'A' Lot Description (1594 : 2017-009 ORD revoking specific use permit at 3314 New Boston Road)

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: 2017-009 Goals & Perspectives (1594 : 2017-009 ORD revoking specific use permit at 3314 New Boston Road)