CITY OF TEXARKANA

CITY COUNCIL

MINUTES ● MARCH 10, 2025

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

220 TEXAS BLVD., TEXARKANA, TX 75501

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

Attendee Name	Title	Status	Arrived
Bob Bruggeman	Mayor	Present	
Jean H. Matlock	Ward 1	Present	
Mary Hart	Ward 2	Present	
Steve Thompson	Ward 3	Present	
Christie Page	Ward 4	Present	
Cole Meador	Ward 5	Present	
Jay Davis	Ward 6	Absent	

City Staff: City Manager David Orr, Jennifer Evans, Mike Harris, Dusty Henslee, Garrett Baker, Gary Smith, Brooke Stone, Ross Cowling, Kristin Peeples, Jeremy Sutton, J.W. Bramlett, Chris Black, Mashell Daniel, Robby Robertson, Vashil Fernandez, and Karey Parker.

Municipal Court: Judge Sherry Jackson Hawkins.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER COLE MEADOR

III. SPECIAL PRESENTATIONS

1. Summit Utilities Proposed Rate Increase - Effective May 1, 2025

   Representatives of Summit Utilities presented a proposed natural gas rate increase with an effective date of May 1, and the City Council had the opportunity to ask questions of the Summit representatives. Public hearing and Council action on this proposal, together with City staff recommendations, will be scheduled for the April 14 regular meeting.

   Brooke Parsons, Director of Regulatory Affairs, Phillip Gilliam, Director of Rates, and Greg Strickland, Director of Operations, shared a presentation related to the Texas Rate Increase Process.

The Asset Purchase Agreement regarding the sale of CenterPoint Energy Resources Corp. to **Southern Col Midco, LLC, owner of Summit Utilities,** included existing natural gas utility assets located in Arkansas, Oklahoma, and certain areas of Bowie County, Texas. These areas included the cities of Texarkana, Nash, Redwater, and Wake Village.

Summit Utilities proposes to adopt the rates set by the Arkansas Public Service Commission to avoid unnecessary expense for its Texas customers. An estimate of customer impact is shown here:



Residential Class	Bill Impact
Per Month – Annual Average	$16
Per Month – Winter Average	$22
Per Month – Summer Average	$11
As a percentage of base rates	63%
As a percentage of total bill	25%

Summit Utilities will notify incorporated city customers, by email, of its rate increase proposal, identify ways to spread awareness of levelized billing, and provide its customer service team with talking points to assist customers that call for more information.

RESULT:	**CLOSE ACTION**

2. Developmental Disabilities Awareness Month - March 2025

   Mayor Bruggeman read the proclamation and presented it to Community Healthcore Representatives Stacy Tidwell and Linda Hooks.

RESULT:	**CLOSE ACTION**

IV. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings
Monday, April 14, 2025, at 6:00 p.m.
Monday, May12, 2025, at 6:00 p.m.

The State of the Cities Breakfast
The State of the Cities Breakfast will be held at Texarkana College on Wednesday, April 9th from 9:00 a.m. to 11:00 a.m.

TML Region 15 Meeting
The TML Region 15 Meeting will be held at the Texarkana Convention Center on Thursday, April 17th from 5:30 p.m. to 8:00 p.m.

Fresh Start: Neighborhood Spring Clean-Up

The Fresh Start: Neighborhood Spring Clean-Up, hosted by the City and Keep Texarkana Beautiful, will be held at 8:00 a.m. on Saturday, March 29th. Volunteers will help with trash cleanup, debris removal, gardening, and park improvements. Roll-off locations for waste disposal include:

Beverly Community Center - 901 Lumpkin St.
The Scholars Center (Rosehill) - 1303 Milam St.
New Town Baptist Church - 2203 Taylor St.
Findley Park (Liberty-Eylau) - 410 Findley St.

For more information, contact Jaylon Scott at (903) 798-1779.

Parks & Recreation Activities

Mar 20th - 22nd	Terry Huggins Memorial Tournament		Wallace Park
Mar 25th	Parks Master Plan 3rd Public Meeting	6:30 p.m.	Texarkana, Texas Convention Center
Apr 12th	Texas A&M University - Texarkana The Big Event	8:00 a.m.	Spring Lake Park Grady T. Wallace Park Bringle Lake Park

Additional Parks & Recreation information can be found on the city's website at <http://www.texarkanatexas.gov>

Perot Theatre Upcoming Shows

The Texarkana Symphony Orchestra will host **Passionate Devotion** on March 22nd at 7:00 p.m.

The Irish Music and Dance Sensation, A Taste of Ireland will be held on March 26th at 7:30 p.m.

The David Phelps Concert - The Speak of Love Tour will be held on March 30th at 7:00 p.m.

The State Ballet Theatre of Ukraine will perform "Swan Lake" on April 6th at 6:00 p.m.

Tickets for Perot Theatre shows are available at perottheatre.org.

The Collingsworth Family, a gospel/inspirational group, will perform at the Sullivan Performing Arts Center on Monday, March 17th at 7:00 p.m.

For more information, visit Bandsintown.com.

V. OPEN FORUM: COMMENTS FROM THE PUBLIC

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

William Smith III addressed council in favor of proposed agenda item Ordinance No. 2025-040.

VI. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Council Member Meador recommended the reappointment of Dianna Kinsey to the Planning and Zoning Commission.

Mayor Bruggeman reappointed Rob Sitterley to the Airport Authority Board's at-large position.

Motion to confirm reappointments to boards, commissions, and committees.

(6:49 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christie Page, Ward 4
SECONDER:	Steve Thompson, Ward 3
AYES:	Bruggeman, Matlock, Hart, Thompson, Page, Meador
ABSENT:	Davis

VII. ITEMS FOR CONSIDERATION

Consent Items

(6:51 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Mary Hart, Ward 2
AYES:	Bruggeman, Matlock, Hart, Thompson, Page, Meador
ABSENT:	Davis

1. Consider approval of the minutes of the Regular Meeting of the City Council held on February 10, 2025 at 6:00 PM.

2. Resolution No. 2025-035 acknowledging receipt of the Police Department's 2024 Racial Profiling Report as statutorily required.

   Public Hearing:
   Council Vote: March 10, 2025

3. Resolution No. 2025-037 approving the budget calendar for Fiscal Year 2026.

   Public Hearing:
   Council Vote: March 10, 2025

4. Resolution No. 2025-038 authorizing the City Manager to execute a contract for the West Park Boulevard Water & Sewer Relocation Project in an amount not to exceed $169,280.80. Funds are available in the Texas Infrastructure Fund in the Utility's 2024-2025 budget.

   Public Hearing:
   Council Vote: March 10, 2025

5. Resolution No. 2025-041 approving the Texarkana Airport Executive Director to amend FAA Grant 63 to add a Reimbursable Agreement with the FAA in the amount of $84,445.12 with no local matching funds.

   Public Hearing:
   Council Vote: March 10, 2025

6. Resolution No. 2025-042 approving the Texarkana Airport Executive Director to execute an agreement with Garver Engineering of North Little Rock, Arkansas, for design and procurement of a 1500-Gal Air Rescue Fire Fighting Truck in the amount of $44,700 approved in the Texarkana Regional Airport FY25 capital budget.

   Public Hearing:
   Council Vote: March 10, 2025

Action Items

7. Resolution No. 2025-036 approving the request of the Baseball Association of Texarkana, Texas, to change the name of field #5 at Swanger Baseball Complex in Spring Lake Park to the "Mickey Moore Field".

   Public Hearing:
   Council Vote: March 10, 2025

   Ross Cowling briefed this agenda item. Bandon Allison, Vice President of the Baseball Association of Texarkana, Texas, said it was an honor to serve with Mickey

Moore and his loss was huge to the baseball community. There will not be a better honor than naming this field #5 after Mickey Moore to carry on his legacy.

Mr. Moore's wife Amy, his sister Margo, and his mother Sharon were in the audience. Sharon Moore was a long time city employee and Mayor Bruggeman thanked her for her service.

The Mayor also said Mr. Moore put forth great effort and dedication in serving the baseball groups, was highly regarded in the community, and will certainly be missed.
(6:56 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christie Page, Ward 4
SECONDER:	Mary Hart, Ward 2
AYES:	Bruggeman, Matlock, Hart, Thompson, Page, Meador
ABSENT:	Davis

8. Resolution No. 2025-039 authorizing the filing of a loan application for financial assistance from the Texas State Infrastructure Bank (SIB) to cover material costs for the 10" water main relocation along US 82, in an amount not to exceed $2,500,000, and authorizing the Mayor to act on behalf of the City and TWU in all matters relating to the application.

   Public Hearing:
   Council Vote: March 10, 2025

   Gary Smith briefed this agenda item.
   (6:58 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Cole Meador, Ward 5
AYES:	Bruggeman, Matlock, Hart, Thompson, Page, Meador
ABSENT:	Davis

9. Ordinance No. 2025-040 establishing a four-month moratorium on the acceptance and approval of applications for permitting the installation and placement of devices or machines regulated by Chapter 36 of the City's Code of Ordinances, and directing the City Manager to communicate to the Texas Legislature the City Council's policy determination that an eight-liner device or machine should be defined as a gambling device.

   Public Hearing:
   Council Vote: March 10, 2025

   Jeff Lewis briefed this agenda item.
   (7:04 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Steve Thompson, Ward 3
SECONDER:	Cole Meador, Ward 5
AYES:	Bruggeman, Matlock, Hart, Thompson, Page, Meador
ABSENT:	Davis

VIII. FIRST BRIEFINGS

1. Ordinance No. 2025-043 rezoning on an approximate 14.144-acre tract of land (being Tract 98A), M.H. Janes HRS, A-305, located at 7970 Hampton Road (Ward 5) from Single Family-2 to Commercial. Ryan Berry, owner, and Terry Moore, agent.

   Public Hearing: April 14, 2025
   Council Vote: April 14, 2025

   Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 4/14/2025 6:00 PM**

IX. PUBLIC HEARINGS

1. Ordinance No. 2025-029 closing and abandoning a twenty-foot (20') alley right-of-way and retaining a utility easement in its place, in Block 1 of the Buchanan Avenue Addition.

   Public Hearing: March 10, 2025
   Council Vote: March 10, 2025

   Vivian Cossey expressed concern about emergency services accessing the property at 1114 Willis Street that will be affected by the proposed alley abandonment.

   James Hawkins, Donnie Sealy, and Mark Wurtele all spoke in favor of this proposed ordinance.
   (7:14 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Christie Page, Ward 4
AYES:	Bruggeman, Matlock, Hart, Thompson, Page, Meador
ABSENT:	Davis

2. Ordinance No. 2025-030 rezoning on an approximate 2.408-acre tract of land (being Tract 10C), West Texarkana GDN, located at 921 Westlawn Drive (Ward 2) from Single Family-2 to Single Family-3, Maria Rodriguez, owner, and Julieta Rosas, agent.

Public Hearing: March 10, 2025
Council Vote: March 10, 2025

There were no public comments made at this hearing.
(7:16 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Mary Hart, Ward 2
AYES:	Bruggeman, Matlock, Hart, Thompson, Page, Meador
ABSENT:	Davis

3. Ordinance No. 2025-031 granting a Specific Use Permit to allow the location of a double wide HUD code manufactured home on an approximate 2.408-acre tract of land (being Tract 10C), West Texarkana GDN, located at 921 Westlawn Drive (Ward 2). Maria Rodriguez, owner, and Julieta Rosas, agent.

Public Hearing: March 10, 2025
Council Vote: March 10, 2025

There were no public comments made at this hearing.
(7:18 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Cole Meador, Ward 5
AYES:	Bruggeman, Matlock, Hart, Thompson, Page, Meador
ABSENT:	Davis

X. CITY MANAGER'S REPORT

Northeast Texas Regional Alliance Legislative Summit Recap & Summary of HB 3484 (Texas Legislature)

The Northeast Texas Regional Alliance Legislative Summit was held recently with representatives from cities and counties across the region. The summit included meetings with both the city's state representative and state senator and presentations from various state agencies.

As a result of the trip, and thanks to City Attorney Jeff Lewis, staff worked with Rep. Gary VanDeaver's office **to file HB 3484**. This bill focuses on agreements between border municipalities in Texas, ensuring enhanced cooperation and expanding funding eligibility for shared infrastructure and services.

This legislation urges recognition of Texas' vested interest in supporting co-owned municipal facilities that serve this shared community across the state line, an approach the state itself encouraged through legislation enacted over 50 years ago.

State Line Reconstruction Project Update

ARDOT has provided the following updated plan development schedule for Job 030477 - State Line Reconstruction Project. This design is for the section from Arkansas/Texas Blvds south to MLK and the northern section is split into a separate design project based on the project complexity in that area. The updated design schedule includes:

30% plans by 3-07-2025
60% plans by 9-30-2025
90% plans by 4-30-2026

At each of these project design milestones, there will be coordination meetings for city staff, MPO staff, TxDOT, and ARDOT reviews.

Parks and Recreation Guide 2025
This year marks the third edition of the city's Parks and Recreation Guide. Below is a digital link to the 2025 guide and paper copies are available at City Hall, Community Centers and Parks offices.

<https://www.texarkanatexas.gov/DocumentCenter/View/10715/Parks-and-Recreation-Guide-2025>

XI. ADMINISTRATIVE COMMENTS

1. City Council

   Mayor Bruggeman said the State Line Reconstruction Project will occur in two phases: going north to Interstate 30 from the Texas & Arkansas Boulevards intersection and then the other part going south from that intersection.

   Council Member Matlock said, now with the warmer weather, illegal dumping has started again and asked how this issue can be addressed. **City Manager Orr** said it's difficult to catch people in the act of illegal dumping, but code enforcement officers will continue to patrol. He encouraged submitting requests in MyGOV and code staff will get to them as time allows. The city also partners with affected property owners during the city's scheduled spring clean-ups in the neighborhoods.

2. City Staff

   Staff had no administrative comments for council.

XII. CLOSED SESSION

The City Council convened into closed session pursuant to Texas Government Code Section 551.071 (Consultation with City Attorney - Street Safety Zones).

XIII. RECONVENED INTO OPEN SESSION

XIV. ADJOURNMENT

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

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Bruggeman, Matlock, Hart, Thompson, Meador
ABSENT:	Page, Davis

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 3/7/2025 10:30 AM

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

Subject: Summit Utilities Proposed Rate Increase - Effective May 1, 2025

Attachments

a. Summit - for March 10 agenda packet je (PDF)

Fact Sheet – Summit Proposed Rate Increase

Overview

Summit Utilities Arkansas, Inc. (SUA), the City's natural gas franchisee, intends to propose a rate increase from rates set by the City Council in 2022 (which substantially reaffirmed rates originally set in 2017).

SUA has communicated its intention to propose an effective date of May 1, 2025, for the requested increases. (At the request of the City Manager and City Attorney, SUA withdrew an earlier notice for the implementation of a March 1 rate increase.) SUA intends to deliver its revised statement of intent to increase rates on Monday, March 10, prior to the City Council's regular meeting. The agenda for the March 10 meeting provides notice to the public that SUA will present its proposed rate increase to the Council. Following the presentation, questions will be entertained, but no action will be required of the Council on March 10.

City Council jurisdiction and options

Texarkana is an original jurisdiction municipality as recognized by Texas law; that is, the City has retained regulatory authority over gas utilities within its limits. Per SUA's website, SUA's service area in Texas also extends to Redwater, Nash, Wake Village, Maud, and Bloomburg. Texas law, in Chapters 103 and 104 of the Utilities Code, provides for the jurisdiction and powers of municipalities and establishing and regulating rates.

When a gas utility files an application to increase rates, the City Council may, per Texas law:

- Take no action: the utility's proposed rates then go into effect on the utility's proposed effective date.
- Deny the proposed increase by resolution: this action must occur on or before or the proposed effective date; and a denial typically leads to the utility filing an appeal to the Railroad Commission (RRC) to decide the rates;
- Suspend the proposed effective date by resolution: a suspension (up to the statutorily allowed period - 90 days) delays final action on the merits, affording time for the City Council and City staff to study and propose alternatives to the utility. (For example, if the utility proposes an effective date of May 1, 2025, a 90-day suspension resolution resets the effective date to July 30, by which time the Council must take final action.)

The City Charter, Article XV, Section 5, augments Texas law by providing a structured process for the Council to review rate increase requests, ensuring transparency and fairness. The Charter requires the utility to justify the increase, allows the City to investigate, and imposes timelines for hearings and decisions. Pursuant to the City Charter:

- The entity requesting a rate increase must provide clear, competent, and convincing evidence of the value of its investments allocated to service in Texarkana and the expenses and revenues associated with providing the service.

Attachment: Summit - for March 10 agenda packet je (4453 : Summit Untilities Proposed Rate Incr 05012025)

- The City Council must hold a hearing within 30 days of receiving the written request.
- If the Council finds the evidence insufficient, it may require additional evidence at a follow-up hearing, which must occur within 30 days of the original hearing.
- The Council can hire consultants, auditors, and attorneys to investigate the rate request; and the utility must reimburse the City for these reasonable and necessary expenses.

Background

Franchise Ordinances

The City's "Natural Gas Franchise Ordinances"— collectively, Ord. No. 335-84 [Nov. 12, 1984], as amended by Ord. No. 188-87 [Sept. 14, 1987], and Ord. No. 241-05 [Oct. 10, 2005] — grant a natural gas utility franchisee the right to enter upon the public ways to install, operate, and maintain a distribution system along, across, over and under the public ways for the privilege of transporting, distributing, and selling gas to consumers and the public generally within the corporate limits of the City. This is expressly a non-exclusive franchise. Specific to the unique aspect of an out-of-state provider delivering service to the City, Section 15 requires the following:

- in no event shall the Company have the right to charge a higher rate for natural gas and natural gas service within the City of Texarkana, Texas than is charged for the same and similar services in the City of Texarkana, Arkansas;
- the purpose of this rate ceiling provision is "to prevent discrimination in rates for services of the Company between the City of Texarkana, Texas and the City of Texarkana, Arkansas";
- nothing restricts the Company from requesting that the City Council or the RRC to order higher rates in Texarkana, Texas, than are actually at the time being charged in Texarkana, Arkansas;
- if a temporary higher rate is being charged in Texarkana, Arkansas, the Company shall charge in Texarkana, Texas not that higher rate but rather the rate which would then be in effect in Texarkana, Arkansas, but for such temporary order; and
- any lower rates granted to the City of Texarkana, Arkansas shall inure to the benefit of the City of Texarkana, Texas.

2017 Rates

The last substantive rate increase for natural gas occurred on August 28, 2017. By Ordinance No. 2017-083, the City Council approved rate schedules and service charges proposed for residential and commercial gas service by the franchisee at the time, CenterPoint Energy Resources Corp., d/b/a Centerpoint Energy Arkansas Gas (CERC).

Franchisee Change

Starting in 2021, an administrative process beginning in Arkansas and ending with the City Council resulted in Summit Utilities Arkansas, Inc. (SUA) becoming the City's natural gas franchisee.

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- June 11, 2021: CERC and SUA filed with the Arkansas Public Service Commission (Ark. PSC) a Joint Application for approval of a proposed transaction whereby CERC would sell, and SUA, as the ultimate owner and operator, would acquire certain of CERC's public utility natural gas assets, comprised of an operating unit or system, which provide service to customers in Arkansas, as well as certain areas located in Bowie County, Texas, including Texarkana, Texas.

- December 6, 2021: the Ark. PSC found, ordered, and directed, among other things, that SUA has the experience and expertise to operate a public utility in compliance with Arkansas laws and regulations and provide quality customer service to CERC's Arkansas customers, granted a Certificate of Public Convenience and Necessity pursuant to Arkansas law to operate as a natural gas utility to provide natural gas services in Arkansas effective upon the closing of the transaction with CERC, and cancelled the Certificate of Public Convenience and Necessity of CERC to operate as a natural gas utility to provide natural gas services in Arkansas effective upon the closing of the transaction with SUA.

- December 13, 2021: SUA filed with the Ark. PSC a revised tariff that eliminated or terminated two riders, the Trial Billing Determinant Adjustment Tariff (BDA) and Formula Rate Plan Rider (FRP), which had been directly referenced and incorporated in the tariff approved by the City Council by Ordinance No. 2017-083.

- January 18, 2022: SUA provided the City with an "Assignment and Assumption of Franchises" effective January 10, 2022, executed by CERC as Assignor and SUA as Assignee, with CERC assigning and transferring to SUA all of CERC's right, title, and benefits to the City's "Natural Gas Franchise Ordinances".

- February 14, 2022: by Ordinance No. 2022-003, the City Council duly enacted on the Third and Final Reading on February 14, 2022, approved the assignment and transfer to SUA, as Assignee of CERC, of the City's "Natural Gas Franchise Ordinances".

- February 14, 2022: following the third and final reading, and adoption, of the ordinance approving the CERC/SUA assignment, the City Council, by Ord. No. 2022-004, amended the 2017 rate ordinance to substitute SUA in place of CERC as the natural gas provider and, except for deletion of the BDA and FRP riders, reauthorized the residential and commercial rate schedules identical to those rate schedules authorized in the 2017 rate ordinance.

2024 Arkansas Rate Increase

On Nov. 21, 2024, the Ark. PSC approved a Joint Settlement Agreement between Summit Utilities Arkansas, Inc. (SUA), the Arkansas Attorney General, Arkansas Gas Consumers, Hospitals and Higher Education Group, and the Commission Staff. The agreement allows for a revised non-gas revenue requirement of $261,422,002, resulting in a residential customer rate increase. The

Attachment: Summit - for March 10 agenda packet je (4453 : Summit Untilities Proposed Rate Incr 05012025)

order reflected that Arkansas residential customers would see an average bill increase of approximately $15.43 per month, with additional increases due to the expiration of a credit rider. To mitigate the rate impact during winter months, the PSC ordered SUA to defer 50% of its Winter Storm Uri cost recovery through March 31, 2025.

- Ark. PSC Order, Dkt 215, filed and signed Nov. 21, 2024 --- https://apps.apsc.arkansas.gov/pdf/23/23-079-U_215_1.pdf
- Joint motion & settlement agreement, Dkt 189, filed Oct. 7, 2024 --- https://apps.apsc.arkansas.gov/pdf/23/23-079-U_189_1.pdf

SUA's application cited the need for revenue adjustments due to investments in infrastructure, compliance with federal safety standards, and interim rate deficiencies. Eighty-one (81) public comments were filed; most opposed the rate increases. Public hearings, including a hearing held in Texarkana, Arkansas, allowed additional input on impacts and concerns. The Ark. PSC directed that SUA must file detailed quarterly reports on customer metrics, including levelized billing enrollment and arrears; and SUA must enhance public education on available assistance programs and billing options.

2025 SUA Statement of Intent to Increase Rates

For the Council's preparation in advance of the March 10 meeting, the withdrawn statement of intent follows this fact sheet (a copy of the revised statement will be placed at each councilmember's station for the regular meeting) in addition to a preview of the SUA presentation to the Council (there may be revisions to this presentation at the regular meeting). Please note: placement in the agenda packet of the withdrawn statement of intent and the preview presentation should not be construed as an endorsement by City staff of the information contained therein or SUA's proposed rate increase.

For the Council's regular meeting to be held on April 14, action on the proposed rate increase will be required by the City Council, as that meeting will be the last regularly scheduled meeting prior to the proposed effective date of the rate increase. At that meeting, additional information will be presented for the Council's consideration including City staff recommendations for action.

Submitted by:

Jeffery C. Lewis, J.D.
City Attorney
March 6, 2025

Attachment: Summit - for March 10 agenda packet je (4453 : Summit Untilities Proposed Rate Incr 05012025)

summit UTILITIES

Brooke South Parsons
Director, Regulatory Affairs
(479) 783-3181, Ext. 2229
bsouth@summitutilities.com

January 24, 2025

City of Texarkana Mayor and City Council
220 Texas Boulevard
Texarkana, TX 75504-1967

Re: Statement of Intent to Increase Rates

Ladies and Gentleman:

Summit Utilities Arkansas, Inc. ("SUA" or the "Company") files this Statement of Intent to Increase Rates ("Statement of Intent") within the City of Texarkana, Texas ("City"), which is a part of SUA's Texarkana, Texas Service Area. SUA is a gas utility as defined by the Gas Utility Regulatory Act ("GURA"),[1] and the City has exclusive original jurisdiction to set rates for the Company pursuant to § 103.001 of GURA. SUA serves approximately 9,047 residential customers and 1,426 commercial customers in the City. By this Statement of Intent, SUA notifies the City of its intent to increase its rates effective March 1, 2025 ("Effective Date"), which is at least 35 days from the date of this filing.

The primary drivers of the proposed rate increase are increases in rate base, and depreciation and amortization expense, which together reflect SUA's investments in plant to ensure a safe and reliable system for customers. At the time of the closing of the asset sale transaction in 2022, SUA's interim rates reflected a revenue requirement that was less than the Company's cost of service. SUA has continued to make substantial capital investments necessary to maintain a safe and reliable system, and those expenditures are continuing to grow due to aging infrastructure and increasingly more stringent pipeline safety and integrity regulations. Without the requested increase, SUA's current rates for service to customers in the City no longer provide a reasonable opportunity for SUA to recover its operating costs and earn a fair return on its investment.

SUA recently completed its ordered rate case in the State of Arkansas. As part of that proceeding, the Arkansas Public Service Commission ("APSC") held public hearings in Little Rock, Texarkana and Jonesboro, Arkansas, and by Order dated November 21, 2024, the APSC approved new rates for the Company. A copy of the Order and approved Settlement Agreement are attached collectively as Exhibit A.

Consistent with the Company's historical arrangement with the City, SUA is presenting for consideration by the City rate schedules and tariffs consistent with those approved in Arkansas by the APSC.

Accordingly, pursuant to GURA § 104.102, SUA files this Statement of Intent with attached Rate Schedules containing the proposed revisions to the Company's rates and terms and conditions of service applicable in your City. The proposed Rate Schedules are attached as Exhibit

[1] TEX. UTIL. CODE ANN. §§ 101.001, *et seq.*

Attachment: Summit - for March 10 agenda packet je (4453 : Summit Untilities Proposed Rate Incr 05012025)

B. Additionally, for convenience, Exhibit C shows a redlined comparison of the proposed rate chedules and tariffs against the current rate schedules and tariffs applicable in your City. The effect of the Company's proposed new rate schedules and tariff changes is to increase SUA's net annual non-gas revenues in the City by approximately $2,008,845 per year.

In addition to the proposed increases to rates for the residential, small commercial, and large volume commercial classes, SUA proposes a new Billing Determinant Adjustment ("BDA") Rider tariff, a revised System Safety Enhancement Rider ("SSER"), revisions to SUA's current tariff Section 3.23.6 Pooling and Agency Agreements, and revisions to the telemetry provisions of the Company's Small (SCS-1, 2, and 3) and Large-Commercial (LCS-1) Firm Service tariffs. The BDA allows SUA to account for any future decline in customer usage. The revised SSER includes additional safety projects, including public improvement relocation projects, which result in a safer, more reliable natural gas distribution system for the benefit of our customers. These tariff changes were also approved by the APSC.

If approved, the proposed revisions to the rate schedules amount to an increase per month of approximately $15.92 for the average residential customer in the City. The changes represent a total increase to the Company's revenues for the City of approximately 25.6%, and constitute a "major change" as that term is defined in GURA § 104.101.

Publication of required notice containing information relative to this Statement of Intent will be made in accordance with applicable statutes.

Finally, the Company may request reimbursement of all Company and City rate case expenses as allowed by law. The exact amount will not be known until the case is completed.

If you desire any additional information concerning these changes, we will be available at any time to discuss them with you.

Very truly yours,

Brooke South Parsons

Brooke South Parsons

Attachments

Attachment: Summit - for March 10 agenda packet je (4453 : Summit Untilities Proposed Rate Incr 05012025)

DELIVERED TO:

DAVID ORR, City Manager of
NAME OFFICE (Mayor, City Secretary, etc.)

the City of Texarkana on this 23 day of January 2025.

SIGNATURE

Attachment: Summit - for March 10 agenda packet je (4453 : Summit Untilities Proposed Rate Incr 05012025)

summit UTILITIES

SUA RATE CASE

Attachment: Summit - for March 10 agenda packet je (4453 : Summit Untilities Proposed

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Background

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Background

On April 29, 2021, CenterPoint Energy Resources Corp. (“CERC”) and Southern Col Midco, LLC, SUA’s owner, entered into an Asset Purchase Agreement regarding the sale by CERC of its existing natural gas utility assets located in Arkansas, Oklahoma and certain areas located in Bowie County, Texas. The transaction closed on January 10, 2022.

On January 25, 2024, Summit filed a rate application before the APSC. The case supports the increase based on a twelve-month test period ending December 31, 2023, adjusted for known and measurable changes through December 31, 2024.

Attachment: Summit - for March 10 agenda packet je (4453 : Summit Untilities Proposed

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Texas Rate Change Process

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Texas Rate Increase Process

In Texas, municipalities served by an investor owned utility grant a franchise to a utility company, and the municipality has original jurisdiction over the rates, operations and services of the natural gas utility within the municipality.

- By statute, the city, as the regulatory authority, has a legal obligation to set rates that are just and reasonable. A utility is entitled to rates which generate revenue equal to its capital and operating costs.
- Utilities or other parties not satisfied with the rates set by the municipality may appeal the rate ordinance to the Texas Railroad Commission ("RRC"), where rates will be determined through a formal evidentiary rate case proceeding.
- The natural gas utility must reimburse the municipality for the costs of an appeal to the RRC, and the utility may recoup those costs and its own reasonable costs by applying a surcharge to its rates.

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Texas Rate Increase Process

- Given its small number of customers in Texas and the fact that some of these customers are served by gas lines crossing the state line from Arkansas to Texas, CenterPoint Energy Resources (“CERC”) and the cities of Texarkana, Nash, Redwater and Wake Village have historically agreed to adopt the rates set by the Arkansas Public Service Commission (“APSC”) for CERC’s Arkansas customers.
- Summit proposes to follow the same process to avoid unnecessary expense for its Texas customers.

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Rate Change Details

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Drivers of Rate Case

- Level of capital investment in the system and resulting increase in depreciation expense
- “Interim rates” that understated SUA’s revenue requirement at the time they were initially put into effect
- Weighted average cost of capital (WACC) and its proposed capital structure
- Income Taxes

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Drivers of Rate Increase

Summit's existing rates have been in place since the acquisition, and as with most companies across Arkansas and Texas, Summit has experienced rising costs. In addition, Summit has continued to invest in the replacement of aging portions of its infrastructure, ensuring the safety and reliability of our natural gas system in Arkansas and Texas, all as required by state and federal regulations. Summit's proposed rate increase more accurately reflects our cost of business.

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Texas Construction Activity

2023

- Replaced approximately 3.82 miles of aging pipelines.
- Replaced 544 aging customer service lines.
- Installed .08 miles of new pipelines.
- Installed new service lines to 86 customers.
- Retired 106 service lines due to customer request or demolition.

2024

- Replaced approximately 5.27 miles of aging pipelines.
- Replaced 508 aging customer service lines.
- Installed new service lines to 97 customers.
- Installed .91 miles of new pipeline.
- Retired 138 service lines due to customer request or demolition.

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Estimated Cost of Service – SUA-TX

Rate Base	$28,281,000
Rate Schedule Revenue	$4,939,000
Other Revenue	$123,000
Total Revenue	$5,062,000
Expenses	$5,857,000
Operating Income	-$795,000
Return on Rate Base	-2.81%
Required Return on Rate Base (or WACC)*	7.54%
Required Operating Income	$2,132,000
Operating Income Deficiency	$2,927,000
Revenue Conversion Factor	1.33
Revenue Deficiency	$3,891,000
Rate Schedule Revenue Requirement	$8,830,000
Incorporated Rev. Def. Estimate (80%)	**$3,113,000**
Requested Revenue Increase	**$2,404,000**
Difference	**$709,000**

Note: These amounts are estimates based on 12/31/2024 financials
*Weighted Average Cost of Capital based on the average actual RRCT approved WACC for last 2 years

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Estimated TX Incorporated Customer Impact

Residential Class	Bill Impact
Per Month – Annual Average	$16
Per Month – Winter Average	$22
Per Month – Summer Average	$11
As a percentage of base rates	63%
As a percentage of total bill	25%

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Additional Information

- Texas cost of service is higher and the drivers are the same.
  - Arkansas acts as a proxy for Texas.
- The Arkansas approved Return on Equity and Capital Structure is more favorable or similar to recently approved ROE and capital structures in Texas.
- The cost of the rate case is spread among many customers and not just the limited amount in Texas.

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Riders

Prior to the acquisition, CERC had an all-encompassing, statutory rider that was updated annually called the Formula Rate Plan (“FRP”) which resulted in an annual rate adjustment. This rider enabled a more efficient recovery of many types of investments. SUA does not currently use this FRP mechanism. Instead, SUA chose riders that are specific to SUA’s current needs.

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Riders

By adopting the riders proposed by SUA, Texarkana, Nash, Redwater and Wake Village are not subject to other common riders in Texas. Consider, for example, the Gas Reliability Infrastructure Program (Texas Utility Code 104.301), which permits a utility to update all capital investments annually between rate cases.

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Riders

BDA

The Billing Determinant Adjustment is a special mechanism which is intended to compensate a utility for deviations from the billing determinants (customer counts and volumes), excluding those caused due to weather deviations. Fair rates are set using an estimated usage and customer count.

The BDA should reduce the frequency of rate increase applications.

The BDA is also intended to further SUA's energy efficiency policy objectives.

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Riders

SSER

This was previously both the Main Replacement Rider and the Services at Risk Rider under CERC.

This rider allows recovery of all capital investments for integrity and public improvement projects.

From 2017 to the time of the acquisition, this was not needed as a separate mechanism due to the FRP. The FRP made these adjustments annually.

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Support for Customers

- After this meeting, SUA will send an email to incorporated city customers notifying them of this rate increase proposal. This will run ahead of the legal notice in the newspaper.
- Levelized billing
  - SUA is identifying ways in which we can spread awareness of levelized billing.
- We have provided our customer service team with talking points to assist customers that call SUA for more information.

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Questions?
Thank you!

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City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 3/3/2025 12:16 PM

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

Subject: Developmental Disabilities Awareness Month - March 2025

Attachments

a. Developmental Disabilities Awareness Proc (March) (PDF)

PROCLAMATION

WHEREAS, an estimated 549,000 individuals in Texas have developmental disabilities and, in Texarkana, that number is estimated to be over 200; and

WHEREAS, the hopes and dreams of Texans affected by developmental disabilities do not differ from the aspirations of all in our state, and like all Texans, they have unique skills and experiences that fortify our state's rich diversity; and

WHEREAS, it is important to raise awareness not only in the state of Texas but right here in our Texarkana community about how classrooms, workplaces, houses of worship, and communities are stronger when they include people of all abilities; and

WHEREAS, the month of March raises awareness about people with developmental disabilities, as well as their families and caregivers, and emphasizes the importance of including people of all abilities in every aspect of our lives.

NOW, THEREFORE, I, Bob Bruggeman, Mayor of the City of Texarkana, Texas, in recognition thereof, do hereby proclaim the month of March 2025 as

"DEVELOPMENTAL DISABILITIES AWARENESS MONTH"

and encourage the citizens of Texarkana, Texas, to come together to increase awareness about developmental disabilities and support full inclusion and equality for all.

_____

Bob Bruggeman, Mayor

_____

Jennifer Evans, TRMC, City Secretary

Attachment: Developmental Disabilities Awareness Proc (March) (4451 : Developmental Disabilities Proclamation)

CITY OF TEXARKANA

CITY COUNCIL

MINUTES • FEBRUARY 10, 2025

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

220 TEXAS BLVD., TEXARKANA, TX 75501

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

Attendee Name	Title	Status	Arrived
Bob Bruggeman	Mayor	Present	
Jean H. Matlock	Ward 1	Present	
Mary Hart	Ward 2	Present	
Steve Thompson	Ward 3	Present	
Christie Page	Ward 4	Present	
Cole Meador	Ward 5	Present	
Jay Davis	Ward 6	Present	

Staff Present: City Manager David Orr, Jennifer Evans, Kristin Peeples, Chris Black, Reed Russell, Gary Smith, J.W. Bramlett, Karey Parker, Mashell Daniel, Brandon Uselton, Robby Robertson, Chiquita Burks, Vashil Fernandez, Brooke Stone, Jonathan Wade, and Matt Solomon.

Municipal Court: Judge Sherry Jackson Hawkins.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER JEAN MATLOCK

III. AMERICA 250 PLAQUE DONATION

Andrea Williams McCoy, of the Daughters of the American Revolution, said the America 250 Plaque was donated to the city on Sunday, February 9, 2025. The goal of the National Society is to place at least one marker in every state in celebration of the nations' upcoming 250th anniversary.

Texarkana has the 18th marker placed in Texas. **Evan Thomas Watson**, a distinguished veteran of the Revolutionary War, is the only known veteran buried in Bowie County out of the 159 Revolutionary War veterans buried in Texas.

IV. TEXAS HIGH SCHOOL - 2025 POLYNESIAN BOWL RECOGNITION

Tradarian Ball, a junior at Texas High School, was selected as one of the top 100 athletes to play in the Polynesian Bowl in Hawaii in January 2025 that aired on the NFL Network. He is

Minutes Acceptance: Minutes of Feb 10, 2025 6:00 PM (Consent Items)

a four-star running back and committed to the Oregon Ducks. He plans to graduate from high school in early December 2025. His goal is to be in the NFL, but if not, he wants to be a sportscaster.

He was accompanied, in full support, by his father, Andre Ball and mother, Cynthia Matthews. Also in attendance were Texas High Principal Ben Renner, Positioning Coach Eric Sutton, and Marketing and Community Engagement Specialist Brittney Brookes.



V. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings
Monday, March 10, 2025 at 6:00 p.m.
Monday, April 14, 2025 at 6:00 p.m.

Parks & Recreation Activities

Feb. 16th	Run the Line hosted by Partnership for the Pathway	7:30 am	Downtown Broad Street
Feb. 27th & 28th	Fishing Derby	9:00 am	Spring Lake Park

Additional Parks & Recreation information can be found on the city's website at http://www.texarkanatexas.gov

Perot Theatre Event

The Price is Right Live will be held on February 22nd at 3:00 pm.

Tickets for shows are available at perottheatre.org.

11th Annual Arbor Day
On March 1st, Keep Texarkana Beautiful and Texas A&M Forest Service will give away FREE seedlings at the Spring Lake Park Rotary Splash Pad starting at 8:00 am until 10:00

Minutes Acceptance: Minutes of Feb 10, 2025 6:00 PM (Consent Items)

am or until all seedlings are gone. The event will be drive-thru only from the Mall Drive entrance.

VI. OPEN FORUM: COMMENTS FROM THE PUBLIC

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

There were no public comments made at Open Forum.

VII. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Council Member Davis recommended the reappointment of Patton Tidwell to the Industrial Development Corporation Board.

Motion to confirm a recommendation to the Industrial Development Corporation Board.

(6:20 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Steve Thompson, Ward 3
AYES:	Matlock, Hart, Thompson, Page, Meador, Davis

VIII. ITEMS FOR CONSIDERATION

Consent Items

(6:25 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Christie Page, Ward 4
AYES:	Matlock, Hart, Thompson, Page, Meador, Davis

1. Consider approval of the minutes of the Regular Meeting of the City Council held on January 13, 2025 at 6:00 PM.

2. Resolution No. 2025-017 accepting the State and Local Government Cyber Security Grant and authorizing the purchase of a vulnerability management solution from Tier4 Technologies of Texarkana, Texas, utilizing a State of Texas DIR Contract in an amount not to exceed $29,612.60 with grant funding of $11,364.27 and matching funds of $18,248.33 included in the Texarkana Water Utilities (TWU) Technology Funds (Funds 61 & 62).

   Public Hearing:
   Council Vote: February 10, 2025

Minutes Acceptance: Minutes of Feb 10, 2025 6:00 PM (Consent Items)

3. Resolution No. 2025-019 adopting the Hazard Mitigation Action Plan / Five Year Update in accordance with FEMA requirements.

   Public Hearing:
   Council Vote: February 10, 2025

4. Resolution No. 2025-020 authorizing the City Manager to execute a contract for the annual audit for the fiscal year ending September 30, 2024, with Forvis Mazars, LLP of Rogers, Arkansas, for a total cost not to exceed $170,000 with funds budgeted in the General Fund (Fund 101) and the Texarkana Water Utilities Fund (Funds 61, 62, 71, 81, and 82).

   Public Hearing:
   Council Vote: February 10, 2025

5. Resolution No. 2025-021 authorizing a repair to the Wright Patman Water Treatment Plant #3 Low Service Pump for an amount not to exceed $150,832, with funds budgeted in the Utility's 2024-2025 budget in the Lake Texarkana Fund.

   Public Hearing:
   Council Vote: February 10, 2025

6. Resolution No. 2025-022 authorizing the purchase of 10 warning sirens and related equipment from OmniWarn in an amount not to exceed $486,145.02 through the TIPS Cooperative Purchasing Program with budgeted funds from the General Fund (Fund 101).

   Public Hearing:
   Council Vote: February 10, 2025

7. Resolution No. 2025-025 authorizing the purchase of an outdoor warning siren command center from Omni-Warn in an amount not to exceed $26,445.86 through the TIPS Cooperative Purchasing Program with budgeted funds from the General Fund (Fund 101).

   Public Hearing:
   Council Vote: February 10, 2025

Minutes Acceptance: Minutes of Feb 10, 2025 6:00 PM (Consent Items)

8. Ordinance No. 2025-026 authorizing sponsorship agreements for five ballfields at the Spring Lake Park Swanger Baseball Complex and amending budgeted revenues and expenditures in the Donation Fund (Fund 117) for the fiscal year beginning October 1, 2024, and ending September 30, 2025, in the amount of One Hundred Thousand Dollars ($100,000) from the sponsor donations.

   Public Hearing:
   Council Vote: February 10, 2025

9. Resolution No. 2025-027 authorizing the City Manager to execute a Memorandum of Understanding (MOU) between the City of Texarkana, Texas, and the Veterans Services Office with a non-binding yearly financial support amount for veterans services up to $11,060 per year, with funds budgeted in the General Fund (Fund 101).

   Public Hearing:
   Council Vote: February 10, 2025

10. Ordinance No. 2025-028 amending budgeted expenditures for the General Fund (Fund 101) and adding the amount of six million nine hundred forty-eight thousand nine hundred thirty-seven dollars and twenty-seven cents ($6,948,937.27) for the fiscal year beginning October 1, 2024, and ending September 30, 2025, for expenditures budgeted and unspent in the preceding fiscal year.

    Public Hearing:
    Council Vote: February 10, 2025

11. Resolution No. 2025-032 approving the Police Department's application for the FY2025 State Homeland Security grant.

    Public Hearing:
    Council Vote: February 10, 2025

12. Resolution No. 2025-033 approving the Police Department's application for the FY2026 Rifle-Resistant Body Armor Grant program.

    Public Hearing:
    Council Vote: February 10, 2025

Minutes Acceptance: Minutes of Feb 10, 2025 6:00 PM (Consent Items)

13. Resolution No. 2025-034 authorizing the 2025 Homeland Security Grant application for the Thermal Imaging Camera Project with grant funds not to exceed $28,117.84.

    Public Hearing:
    Council Vote: February 10, 2025

Action Items

14. Resolution No. 2025-001 naming the Bringle Lake Park Trail as the "John & Julie-Ray Harrison Trail".

    Public Hearing:
    Council Vote: February 10, 2025

    John and Julie-Ray Harrison thanked the city for the honor of the Bringle Lake Park Trail renaming.
    (6:30 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jay Davis, Ward 6
SECONDER:	Steve Thompson, Ward 3
AYES:	Matlock, Hart, Thompson, Page, Meador, Davis

15. Resolution No. 2025-002 authorizing the City Manager to accept an Enterprise Agreement proposal from SHI Government Solutions of Austin, Texas, for Microsoft Licenses for the Texarkana Water Utilities, utilizing Texas State DIR pricing with funds budgeted in TWU Technology Fund, totaling $161,526.96 over three years, with the Texas portion totaling $93,346.43 over three years.

    Public Hearing:
    Council Vote: February 10, 2025

    (6:32 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Christie Page, Ward 4
AYES:	Matlock, Hart, Thompson, Page, Meador, Davis

16. Resolution No. 2025-013 authorizing the Texarkana Airport Executive Director to execute an agreement with McClelland Engineering for Runway 4-22 strengthening design in the amount of $502,203.20 approved in the Texarkana Regional Airport FY24 capital budget.

Minutes Acceptance: Minutes of Feb 10, 2025 6:00 PM (Consent Items)

Public Hearing:
Council Vote: February 10, 2025

Paul Mehrlich, Airport Executive Director, said he provided the council a one page overview of Texarkana grand funding and capital projects.
(6:34 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jay Davis, Ward 6
SECONDER:	Steve Thompson, Ward 3
AYES:	Matlock, Hart, Thompson, Page, Meador, Davis

IX. FIRST BRIEFINGS

1. Ordinance No. 2025-029 closing and abandoning a twenty-foot (20') alley right-of-way and retaining a utility easement in its place, in Block 1 of the Buchanan Avenue Addition.

   Public Hearing: March 10, 2025
   Council Vote: March 10, 2025

   Jonathan Wade briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 3/10/2025 6:00 PM**

2. Ordinance No. 2025-030 rezoning on an approximate 2.408-acre tract of land (being Tract 10C), West Texarkana GDN, located at 921 Westlawn Drive (Ward 2) from Single Family-2 to Single Family-3, Maria Rodriguez, owner, and Julieta Rosas, agent.

   Public Hearing: March 10, 2025
   Council Vote: March 10, 2025

   Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 3/10/2025 6:00 PM**

3. Ordinance No. 2025-031 granting a Specific Use Permit to allow the location of a double wide HUD code manufactured home on an approximate 2.408-acre tract of land (being Tract 10C), West Texarkana GDN, located at 921 Westlawn Drive (Ward 2). Maria Rodriguez, owner, and Julieta Rosas, agent.

   Public Hearing: March 10, 2025
   Council Vote: March 10, 2025

Minutes Acceptance: Minutes of Feb 10, 2025 6:00 PM (Consent Items)

Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 3/10/2025 6:00 PM**

X. PUBLIC HEARINGS

1. Ordinance No. 2025-003 granting a Specific Use Permit to allow the one additional use of tattooing on Lots 18, 19, W1/2 of 20, Block 4, T. B. Moores Addition, located at 911 New Boston Road. Hunter McCarver, owner.

   Public Hearing: February 10, 2025
   Council Vote: February 10, 2025

   Hunter McCarver said this proposed ordinance would only involve a change of ownership with the business remaining the same.
   (6:41 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christie Page, Ward 4
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Hart, Thompson, Page, Meador, Davis

2. Ordinance No. 2025-004 granting a Specific Use Permit to allow one additional use of tattooing on Lots 34-36, Block 22, R.S. Bearden Boulevard Addition, located at 2415 Texas Boulevard. Curt Green, owner, and Kiana Stevens, agent.

   Public Hearing: February 10, 2025
   Council Vote: February 10, 2025

   There were no public comments made at this hearing.
   (6:42 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Jay Davis, Ward 6
AYES:	Matlock, Hart, Thompson, Page, Meador, Davis

3. Ordinance No. 2025-005 rezoning Lots 16-18, Block 8, Red Cut Heights Addition, located at 2501 Neff Street from Single Family-2 to Single Family-3. Kimberly Burns, owner.

   Public Hearing: February 10, 2025
   Council Vote: February 10, 2025

   There were no public comments made at this hearing.

Minutes Acceptance: Minutes of Feb 10, 2025 6:00 PM (Consent Items)

(6:43 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christie Page, Ward 4
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Hart, Thompson, Page, Meador, Davis

4. Ordinance No. 2025-006 granting a Specific Use Permit to allow the location of a double-wide HUD code manufactured home on Lots 16-18, Block 8, Red Cut Heights Addition, located at 2501 Neff Street. Kimberly Burns, owner.

   Public Hearing: February 10, 2025
   Council Vote: February 10, 2025

   There were no public comments made at this hearing.
   (6:45 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Mary Hart, Ward 2
AYES:	Matlock, Hart, Thompson, Page, Meador, Davis

5. Ordinance No. 2025-007 granting a Specific Use Permit to allow the location of a single-wide HUD code manufactured home on an approximate 0.87-acre tract of land being (Tract 35), MEP&P RWY CO HRS, A434, located at 1002 Hatton Street. Georgia Trotter, owner, and Carl Preston, agent.

   Public Hearing: February 10, 2025
   Council Vote: February 10, 2025

   There were no public comments made at this hearing.
   (6:45 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jay Davis, Ward 6
SECONDER:	Cole Meador, Ward 5
AYES:	Matlock, Hart, Thompson, Page, Meador, Davis

6. Ordinance No. 2025-016 rezoning on Lot 1, Moores Lane Business Park, located at 1521 Moores Lane from Agriculture/Planned Development-Commercial to Single Family-1/Planned Development-Commercial. Emanuel Sanchez, owner and Jeffrey Wood, MTG Engineers and Surveyors, agent.

   Public Hearing: February 10, 2025
   Council Vote: February 10, 2025

   There were no public comments made at this hearing.
   (6:47 p.m.)

Minutes Acceptance: Minutes of Feb 10, 2025 6:00 PM (Consent Items)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Cole Meador, Ward 5
SECONDER:	Christie Page, Ward 4
AYES:	Matlock, Hart, Thompson, Page, Meador, Davis

7. Resolution No. 2025-024 authorizing support for a Texas Department of Housing and Community Affairs (TDHCA) housing tax credit development application for "Landmark On Pine" located at 301-319 Pine Street for senior housing.

Public Hearing: February 10, 2025
Council Vote: February 10, 2025

Vashil Fernandez briefed this agenda item. April Engstrom, representing Overland Property Group, provided information about the proposed project.

There were no public comments made at this hearing.
(6:59 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Christie Page, Ward 4
AYES:	Matlock, Hart, Thompson, Page, Meador, Davis

XI. CITY MANAGER'S REPORT

2024 City Annual Report
The city's 2024 annual report is now available thanks to Brooke Stone. It includes several city-wide accomplishments and information on annual sales tax collections, property tax collections, MyGOV staff metrics, new businesses and a look ahead throughout 2025. Paper copies are available at City Hall and can be accessed at the following link:

<https://www.texarkanatexas.gov/DocumentCenter/View/10705/Annual-Report-2024_FINAL?bidId=>

Fourth Quarter Economic Development Report
The city's latest quarterly economic development report is available. It includes information on planned new developments, new retail announced or recently opened, commercial construction permits, residential construction permits and much more. The big news this past quarter was **The Lofts at the Grim** celebrated its grand opening and welcomed new tenants for the $42.7 million dollar project downtown.

For more information on the city's economic development efforts, check out the city's economic development webpage at Economic Development | Texarkana, TX - Official Website (texarkanatexas.gov) <https://texarkanatexas.gov/255/Economic-Development>

2025 YAC Summit Recap

Minutes Acceptance: Minutes of Feb 10, 2025 6:00 PM (Consent Items)

The Texarkana Youth Advisory Council had the opportunity to attend the TML Youth Advisory Summit the weekend of February 1st, where they engaged in meaningful discussions, professional development, and networking with other youth leaders from across the state.

A big thank you to Councilmember Jean Matlock and TYAC Liaison Chiquita Burks for attending this year's summit. TYAC members will present, at a future meeting, conference details and their plans for this year.

SAVE THE DATES: 2025 Caddo & East Texas Archeological Conference, Friday & Saturday February 21st & 22nd at the Texarkana Convention Center.

February Council Workshop on Monday, February 24th. Topics covered will be Code Enforcement Overview, Building Inspections, and Proposed Ordinance Changes.

Parks Master Plan Meeting (Rescheduled) - March 25th Texarkana Convention Center 6:30pm.

Council Documents Provided - Airport Capital Funding Summary Sheet, 2024 LifeNet Annual Report.

Fire Chief Chris Black was thanked for the many years of diligent work to finally present to council a resolution for the purchase of 10 warning sirens and a warning siren command center.

He also was commended for completing the Hazard Mitigation Action Plan/Five Year Update in accordance with FEMA requirements.

XII. ADMINISTRATIVE COMMENTS

1. City Council

   Council had no administrative comments for staff.

2. City Staff

   Staff had no administrative comments for council.

XIII. CLOSED SESSION

The City Council convened into closed session pursuant to Texas Government Code Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters).

XIV. RECONVENED INTO OPEN SESSION

XV. ADJOURNMENT

Minutes Acceptance: Minutes of Feb 10, 2025 6:00 PM (Consent Items)

A motion was made to adjourn the meeting.
(7:49 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Hart, Thompson, Page, Meador, Davis

Minutes Acceptance: Minutes of Feb 10, 2025 6:00 PM (Consent Items)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/25/2025 9:53 AM

Lead Department: Police **Action Officer:** Shawn Fitzgerald,

Subject: Resolution No. 2025-035 acknowledging receipt of the Police Department's 2024 Racial Profiling Report as statutorily required.

Briefing: 3/10/2025 **Public Hearing:** **Council Vote:** 3/10/2025

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Resolution is necessary to comply with statutory requirement for council to acknowledge receipt of the police department's Racial Profiling Report.

Potential Options:

NONE

Fiscal Implications:

NONE

Staff Recommendation:

Staff recommends acknowledging receipt of report.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2025-035 RES 2024 Racial Profiling Report (DOCX)
b. 2025-035 ATTH 01 Final Report (PDF)
c. 2025-035 Goals & Perspectives (DOCX)

d. 2025-035 RES Racial Profile Rpt 2024 signed (PDF)

Staff Coordination

Police	Kevin Schutte 02/14/2025 8:43 AM	Department Head Review	Completed	
Police	Kevin Schutte	Supervisor Review	Completed	02/14/2025 8:43 AM
City Manager	David Orr	City Manager Review	Completed	02/26/2025 5:02 PM
City Council	Jennifer Evans	Meeting	Completed	03/10/2025 6:00 PM

Meeting History

RESOLUTION NO. 2025 – 035

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ACKNOWLEDGING RECEIPT OF THE 2024 POLICE DEPARTMENT RACIAL PROFILING REPORT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the State of Texas requires the Police Department to collect certain statistical data on drivers stopped for traffic violations in the city limits of Texarkana, Texas, through statute found in the Texas Code of Criminal Procedure; and

WHEREAS, the State of Texas requires the collected data to be analyzed and compiled into a report, locally titled as the Texarkana Texas Police Department Racial Profiling Report, to be submitted annually to the Texas Commission on Law Enforcement; and

WHEREAS, the State of Texas requires the final racial profiling report to be submitted to the local governing body by March of each year.

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

SECTION 1: The City Council of the City of Texarkana, Texas, acknowledges receipt of the 2024 Police Department Racial Profiling Report titled as **ATTH 01**.

SECTION 2: 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 **10th day of March, 2025.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2025-035 RES 2024 Racial Profiling Report (4441 : 2025-035 RES Racial Profiling Report)

TEXARKANA, TEXAS POLICE DEPARTMENT

2024

RACIAL PROFILING ANALYSIS

PREPARED BY:

Eric J. Fritsch, Ph.D.
Chad R. Trulson, Ph.D.
Justice Research Consultants, LLC

Attachment: 2025-035 ATTH 01 Final Report (4441 : 2025-035 RES Racial Profiling Report)

Executive Summary

Article 2.132-2.134 of the Texas Code of Criminal Procedure (CCP) requires the annual reporting to the local governing body of data collected on motor vehicle stops in which a ticket, citation, or warning was issued and to arrests made as a result of those stops, in addition to data collection and reporting requirements. Article 2.134 of the CCP directs that "a comparative analysis of the information compiled under 2.133" be conducted, with specific attention to the below areas:

1. evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;
2. examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction;
3. evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and
4. information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

The analysis of material and data from the Texarkana, Texas Police Department revealed the following:

- **A COMPREHENSIVE REVIEW OF THE TEXARKANA, TEXAS POLICE DEPARTMENT'S RACIAL PROFILING POLICY SHOWS THAT THE TEXARKANA, TEXAS POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2.132 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.**

- **A REVIEW OF THE INFORMATION PRESENTED AND SUPPORTING DOCUMENTATION REVEALS THAT THE TEXARKANA POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH TEXAS LAW ON TRAINING AND EDUCATION REGARDING RACIAL PROFILING.**

- **A REVIEW OF THE DOCUMENTATION PRODUCED BY THE DEPARTMENT IN BOTH PRINT AND ELECTRONIC FORM REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE RACIAL PROFILING COMPLAINT PROCESS AND PUBLIC EDUCATION ABOUT THE COMPLAINT PROCESS.**

- **ANALYSIS OF THE DATA REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE COLLECTION OF RACIAL PROFILING DATA.**

- **THE TEXARKANA POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW CONCERNING THE REPORTING OF INFORMATION TO TCOLE.**

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- **THE TEXARKANA POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW REGARDING CCP ARTICLES 2.132-2.134.**

Attachment: 2025-035 ATTH 01 Final Report (4441 : 2025-035 RES Racial Profiling Report)

Introduction

This report details an analysis of the Texarkana Police Department's policies, training, and statistical information on racial profiling for the year 2024. This report has been prepared to specifically comply with Article 2.132, 2.133, and 2.134 of the Texas Code of Criminal Procedure (CCP) regarding the compilation and analysis of traffic stop data. Specifically, the analysis will address Articles 2.131 – 2.134 of the CCP and make a determination of the level of compliance with those articles by the Texarkana Police Department in 2024. The full copies of the applicable laws pertaining to this report are contained in Appendix A.

This report is divided into six sections: (1) Texarkana Police Department's policy on racial profiling; (2) Texarkana Police Department's training and education on racial profiling; (3) Texarkana Police Department's complaint process and public education on racial profiling; (4) analysis of Texarkana Police Department's traffic stop data; (5) additional traffic stop data to be reported to TCOLE; and (6) Texarkana Police Department's compliance with applicable laws on racial profiling.

For the purposes of this report and analysis, the following definition of racial profiling is used: racial profiling means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity (Texas CCP Article 3.05).

Texarkana, Texas Police Department Policy on Racial Profiling

A review of Texarkana, Texas Police Department's "Biased Based Policing and Racial Profiling Policy" contained in Directive 2.01.1 (see Appendix B) revealed that the department has adopted policies in compliance with Article 2.132 of the Texas CCP. There are seven specific requirements mandated by Article 2.132 that a law enforcement agency must address. All seven are clearly covered in the Texarkana, Texas Police Department racial profiling policy. Texarkana, Texas Police Department policies provide clear direction that any form of racial profiling is prohibited and that officers found engaging in inappropriate profiling shall be subject to corrective action including diversity, sensitivity, or other appropriate training, informal counseling, formal counseling, written reprimand, suspension from duty with or without pay, indefinite suspension, or other appropriate action as determined by the Chief of Police. The policies also provide a very clear statement of the agency's philosophy regarding equal treatment of all persons regardless of race, ethnicity, or national origin. Appendix C lists the applicable statute and corresponding Texarkana, Texas Police Department regulation.

A COMPREHENSIVE REVIEW OF TEXARKANA, TEXAS POLICE DEPARTMENT'S RACIAL PROFILING POLICY SHOWS THAT THE TEXARKANA, TEXAS POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2.132 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.

Texarkana, Texas Police Department Training and Education on Racial Profiling

Texas Occupation Code § 1701.253 and § 1701.402 require that curriculum be established and training certificates issued on racial profiling for all Texas peace officers. Information provided

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by Texarkana, Texas Police Department reveals that racial profiling training and certification is current for all officers in 2024. Racial profiling training is specifically covered in Texarkana, Texas' Biased Based Policing and Racial Profiling Policy Section 4 (B). In addition, all personnel are trained on the department's racial profiling policy on a bi-annual basis.

A REVIEW OF THE INFORMATION PRESENTED AND SUPPORTING DOCUMENTATION REVEALS THAT THE TEXARKANA, TEXAS POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH TEXAS LAW ON TRAINING AND EDUCATION REGARDING RACIAL PROFILING.

Texarkana, Texas Police Department Complaint Process and Public Education on Racial Profiling

Article 2.132 §(b)3-4 of the Texas Code of Criminal Procedure requires that law enforcement agencies implement a complaint process on racial profiling and that the agency provide public education on the complaint process. Texarkana, Texas Police Department's Biased Based Policing and Racial Profiling Policy Section 4 (A) covers this requirement. Information regarding how a citizen may file a complaint is available to the public at a variety of locations. In addition, the department has a website with numbers available for contacting the agency with concerns (http://ci.texarkana.tx.us/393/Police-Department/). Additionally, each printed citation includes instructions on how to file a complaint and/or compliment on an officer following an interaction.

A REVIEW OF THE DOCUMENTATION PRODUCED BY THE DEPARTMENT REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE RACIAL PROFILING COMPLAINT PROCESS AND PUBLIC EDUCATION ABOUT THE COMPLAINT PROCESS.

Texarkana, Texas Police Department Statistical Data on Racial Profiling

Article 2.132(b) 6 and Article 2.133 requires that law enforcement agencies collect statistical information on motor vehicle stops in which a ticket, citation, or warning was issued and to arrests made as a result of those stops, in addition to other information noted previously. Texarkana Police Department submitted statistical information on all motor vehicle stops in 2024 and accompanying information on the race/ethnicity of the person stopped. Accompanying this data was the relevant information required to be collected and reported by law.

ANALYSIS OF THE DATA REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE COLLECTION OF RACIAL PROFILING DATA.

Analysis of the Data

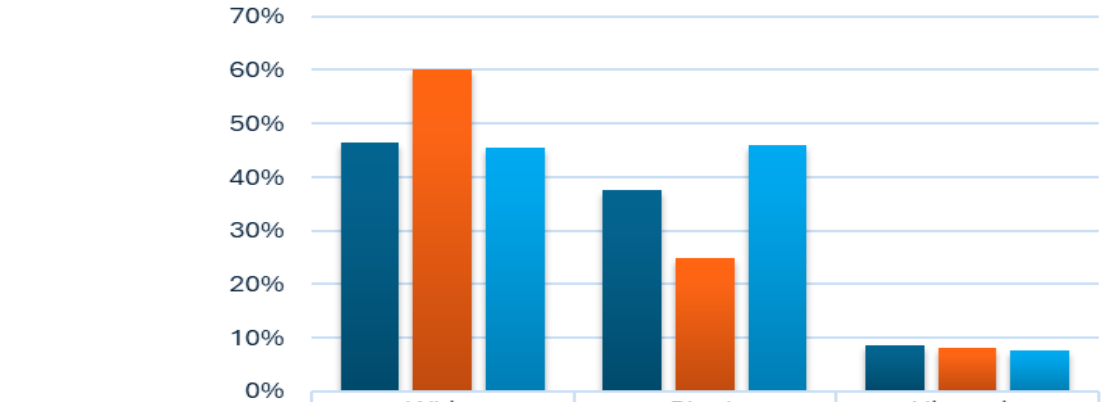
Comparative Analysis #1:

Evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities. Texas Code of Criminal Procedure Article 2.134(c)(1)(A)

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The first chart depicts the percentages of people stopped by race/ethnicity among the total 11,940 motor vehicle stops in which a ticket, citation, or warning was issued, including arrests made, in 2024.[1]

Chart 1: Percentage of Motor Vehicle Stops in Comparison to Benchmarks



	White	Black	Hispanic
% City Population	46.49%	37.48%	8.54%
% County Population	60.13%	24.85%	8.18%
% Stopped	45.44%	45.96%	7.69%

White drivers constituted 45.44 percent of all drivers stopped, whereas Whites constitute 46.49 percent of the city population and 60.13 percent of the county population.[2]

Black drivers constituted 45.96 percent of all drivers stopped, whereas Blacks constitute 37.48 percent of the city population and 24.85 percent of the county population.

Hispanic drivers constituted 7.69 percent of all drivers stopped, whereas Hispanics constitute 8.54 percent of the city population and 8.18 percent of the county population.

The chart shows that White drivers are stopped at rates almost equal to the percentage of Whites found in the city population and lower than the percentage of Whites found in the county population. Black drivers are stopped at rates higher than the percentage of Blacks found in the city and county populations. Hispanic drivers are stopped at rates almost equal to the percentage of Hispanics found in the city and county populations.

[1] Due to a small number of stops relative to the population of Texarkana and the total number of motor vehicle stops among all drivers (11,940), information contained in the first chart excludes information pertaining to 74 stops of motorists of Asian/Pacific Islander descent and 35 stops of motorists of Alaska Native/American Indian descent.

[2] City and County populations were derived from 2020 Decennial Census Redistricting Data (DEC) of the U.S. Census Bureau. City and County populations by gender noted later in this report are based on 2019 American Community Survey estimates.

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Methodological Issues

Upon examination of the data, it is important to note that differences in overall stop rates of a particular racial or ethnic group, compared to that racial or ethnic group's proportion of the population, cannot be used to make determinations that officers have or have not racially profiled any given individual motorist. Claims asserting racial profiling of an individual motorist from the aggregate data utilized in this report are erroneous.

For example, concluding that a particular driver of a specific race/ethnicity was racially profiled simply because members of that particular racial/ethnic group as a whole were stopped at a higher rate than their proportion of the population—are as erroneous as claims that a particular driver of a specific race/ethnicity could NOT have been racially profiled simply because the percentage of stops among members of a particular racial/ethnic group as a whole were stopped at a lower frequency than that group's proportion of the particular population base (e.g., city or county population). In short, aggregate data as required by law and presented in this report cannot be used to prove or disprove that a member of a particular racial/ethnic group was racially profiled. Next, we discuss the reasons why using aggregate data—as currently required by the state racial profiling law—are inappropriate to use in making claims that any individual motorist was racially profiled.

Issue #1: Using Group-Level Data to Explain Individual Officer Decisions

The law dictates that police agencies compile aggregate-level data regarding the *rates* at which agencies *collectively* stop motorists in terms of their race/ethnicity. These aggregated data are to be subsequently analyzed in order to determine whether or not *individual* officers are "racially profiling" motorists. This methodological error, commonly referred to as the "ecological fallacy," defines the dangers involved in making assertions about individual officer decisions based on the examination of aggregate stop data. **In short, one cannot *prove* that an *individual* officer has racially profiled any *individual* motorist based on the rate at which a department stops any given *group* of motorists.** In sum, aggregate level data cannot be used to assess individual officer decisions, but the state racial profiling law requires this assessment.

Issue #2: Problems Associated with Population Base-Rates

There has been considerable debate as to what the most appropriate population "base-rate" is in determining whether or not racial/ethnic disparities exist. The base-rate serves as the benchmark for comparison purposes. The outcome of analyses designed to determine whether or not disparities exist is dependent on which base-rate is used. While this report utilized the most recent 2020 Census as a population base-rate, this population measure can become quickly outdated, can be inaccurate, and may not keep pace with changes experienced in city and county population measures.

In addition, the validity of the benchmark base-rate becomes even more problematic if analyses fail to distinguish between residents and non-residents who are stopped. This is because the existence of significant proportions of non-resident stops will lead to invalid conclusions if racial/ethnic comparisons are made exclusively to resident population figures. **In sum, a valid measure of the driving population does not exist. As a proxy, census data is used which is problematic as an indicator of the driving population.** In addition, stopped motorists who are

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not residents of the city or county where the motor vehicle stop occurred are not included in the benchmark base-rate.

Issue #3: Officers Do Not Know the Race/Ethnicity of the Motorist Prior to the Stop

As illustrated in Table 3 near the end of this report, of the 11,940 motor vehicle stops in 2024, the officer knew the race/ethnicity of the motorist prior to the stop in 9.8% of the stops (1,174/11,940). An analysis of all annual racial profiling reports submitted to the Texas Commission on Law Enforcement, as required by the Texas racial profiling law, found that in 2.9% of the traffic stops in Texas, the officer knew the race/ethnicity of the motorist prior to the stop.[3] The analysis included 1,186 Texas law enforcement agencies and more than 3.25 million traffic stops.

As noted, the legal definition of racial profiling in the Texas Code of Criminal Procedure Article 3.05 is "a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity."

Most of the time, Texarkana PD officers do not know the race/ethnicity of the motorist prior to the stop. This factor further invalidates any conclusions drawn from the stop data presented in Chart 1. If an officer does not know the race/ethnicity of the motorist prior to the stop, then the officer cannot, by legal definition, be racial profiling. Racial profiling is a law-enforcement action based on the race/ethnicity of an individual. If the officer does not know the person's race/ethnicity before the action (in this case, stopping a vehicle), then racial profiling cannot occur.

Based on this factor, post-stop outcomes are more relevant for a racial profiling assessment, as presented later in this report, in comparison to initial motor vehicle stop data disaggregated by race/ethnicity. Once the officer has contacted the motorist after the stop, the officer has identified the person's race/ethnicity and all subsequent actions are more relevant to a racial profiling assessment than the initial stop data.

In short, the methodological problems outlined above point to the limited utility of using aggregate level comparisons of the rates at which different racial/ethnic groups are stopped in order to determine whether or not racial profiling exists within a given jurisdiction.

Table 1 reports the summaries for the total number of motor vehicle stops in which a ticket, citation, or warning was issued, and to arrests made as a result of those stops, by the Texarkana Police Department in 2024. Table 1 and associated analyses are utilized to satisfy the comparative analyses as required by Texas law, and in specific, Article 2.134 of the CCP.

Comparative Analysis #2:

Examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of affected persons, as appropriate, including any

[3] Winkler, Jordan M. (2016). *Racial Disparity in Traffic Stops: An Analysis of Racial Profiling Data in Texas.* Master's Thesis. University of North Texas.

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searches resulting from stops within the applicable jurisdiction. Texas Code of Criminal Procedure Article 2.134(c)(1)(B)

As shown in Table 1, there were a total of 11,940 motor vehicle stops in 2024 in which a ticket, citation, or warning was issued. The table also shows arrests made as a result of those stops. Roughly 11 percent of stops resulted in a verbal warning (1,256/11,940), roughly 57 percent of stops resulted in a written warning, and roughly 31 percent resulted in a citation. These actions accounted for roughly 99 percent of all stop actions and will be the focus of the below discussion.

Specific to **verbal warnings**, White motorists received a verbal warning in roughly 11 percent of stops involving White motorists (591/5,425). Black motorists received a verbal warning in roughly 10 percent of stops involving Black motorists. Hispanic motorists received a verbal warning in roughly 11 percent of stops involving Hispanic motorists.

Specific to **written warnings**, White motorists received a written warning in roughly 61 percent of stops involving White motorists (3,334/5,425), Black motorists received a written warning in roughly 54 percent of stops of Black motorists, and Hispanic motorists received a written warning in roughly 44 percent of stops of Hispanic motorists.

White motorists received a **citation** in roughly 26 percent of stops involving White motorists (1,425/5,425), Black motorists received a citation in roughly 33 percent of stops of Black motorists, and Hispanic motorists received a citation in roughly 43 percent of stops of Hispanic motorists.

As illustrated in Table 1, of the 11,940 total stops, 256 **arrests** [written warning and arrest (78), citation and arrest (70) and sole arrests (108)] were made in 2024, and this accounts for 2.1 percent of all stops. White motorists were arrested in 1.4 percent of stops involving White motorists (75/5,425), Black motorists were arrested in 2.9 percent of stops involving Black motorists, and Hispanic motorists were arrested in 2.5 percent of stops involving Hispanic motorists.

Overall, arrests were most commonly based on an **outstanding warrant** (50.0%; 128/256) or a **violation of the penal code** (48.8%; 125/256) as illustrated in Table 1.

Finally, as presented in Table 1, **physical force resulting in bodily injury** did occur in three stops in 2024. Of the 11,940 motor vehicle stops in 2024, in two stops the suspect was injured, and in the third, both the officer and suspect were injured.

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Table 1: Traffic Stops and Outcomes by Race/Ethnicity

Stop Table	White	Black	Hispanic /Latino	Asian /Pacific Islander	Alaska Native /American Indian	Total
Number of Stops	5,425	5,488	918	74	35	11,940
Gender						
Female	2,441	2,511	274	19	6	5,251
Male	2,984	2,977	644	55	29	6,689
Reason for Stop						
Violation of Law	633	750	131	6	5	1,525
Preexisting Knowledge	42	41	4	1	0	88
Moving Traffic Violation	3,544	3,060	600	51	26	7,281
Vehicle Traffic Violation	1,206	1,637	183	16	4	3,046
Result of Stop						
Verbal Warning	591	554	97	10	4	1,256
Written Warning	3,334	2,974	403	42	21	6,774
Citation	1,425	1,803	395	21	10	3,654
Written Warning and Arrest	20	50	8	0	0	78
Citation and Arrest	25	42	3	0	0	70
Arrest	30	65	12	1	0	108
Arrest Based On						
Violation of Penal Code	40	71	14	0	0	125
Violation of Traffic Law	1	1	1	0	0	3
Violation of City Ordinance	0	0	0	0	0	0
Outstanding Warrant	34	85	8	1	0	128
Physical Force Resulting in Bodily Injury Used?						
No	5,425	5,486	917	74	35	11,937
Yes	0	2	1	0	0	3

Comparative Analysis #3:

Evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches. Texas Code of Criminal Procedure Article 2.134(c)(1)(C)

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In 2024, a total of 358 **searches** of motorists were conducted, or roughly 3 percent of all stops resulted in a search (358/11,940). Among searches within each racial/ethnic group, White motorists were searched in roughly 2 percent of all stops of White motorists (122/5,425), Black motorists were searched in roughly 4 percent of all stops of Black motorists, and Hispanic motorists were searched in roughly 2 percent of all stops of Hispanic motorists.

As illustrated in Table 2, the most common reasons for a search were searches based on consent (45.8%; 164/358) and searches based on probable cause (33.8%; 121/358). Consent searches are regarded as discretionary as opposed to non-discretionary searches. Relative to the total number of stops (11,940), discretionary consent searches occurred in 1.4 percent of stops (164 total consent searches). Among **consent searches** within each racial/ethnic group, White motorists were searched based on consent in roughly 53 percent of all searches of White motorists (65/122), Black motorists were searched based on consent in roughly 43 percent of all searches of Black motorists, and Hispanic motorists were searched based on consent in roughly 24 percent of all searches of Hispanic motorists (4 consent searches out of a total 17 searches of Hispanic motorists).

Among **searches based on probable cause** within each racial/ethnic group, White motorists were searched based on probable cause in roughly 31 percent of all searches of White motorists (38/122), Black motorists were searched based on probable cause in roughly 36 percent of all searches of Black motorists, and Hispanic motorists were searched based on probable cause in 24 percent of all searches of Hispanic motorists (4 probable cause searches out of a total 17 searches of Hispanic motorists).

Of the searches that occurred in 2024, and as shown in Table 2, **contraband was discovered** in 167 or roughly 47 percent of all searches (167/358 total searches). Overwhelmingly, the contraband discovered in searches was drugs; 73.1% of the contraband discovered (122/167 contraband discoveries). Finally, as illustrated in Table 2, when contraband was discovered, motorists were arrested roughly 59 percent of the time (99/167 contraband discoveries).

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Table 2: Searches and Outcomes by Race/Ethnicity

Search Table	White	Black	Hispanic /Latino	Asian /Pacific Islander	Alaska Native /American Indian	Total
Search Conducted						
Yes	122	219	17	0	0	358
No	5,303	5,269	901	74	35	11,582
Reason for Search						
Consent	65	95	4	0	0	164
Contraband in Plain View	2	5	1	0	0	8
Probable Cause	38	79	4	0	0	121
Inventory	6	19	3	0	0	28
Incident to Arrest	11	21	5	0	0	37
Was Contraband Discovered						
Yes	52	108	7	0	0	167
No	70	111	10	0	0	191
Description of Contraband						
Drugs	39	78	5	0	0	122
Weapons	2	7	0	0	0	9
Currency	0	0	0	0	0	0
Alcohol	4	13	2	0	0	19
Stolen Property	0	3	0	0	0	3
Other	7	7	0	0	0	14
Did Discovery of Contraband Result in Arrest?						
Yes	30	62	7	0	0	99
No	22	46	0	0	0	68

Comparative Analysis #4:

Information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. Texas Code of Criminal Procedure Article 2.134(c)(2)

In 2024, internal records indicate that the Texarkana Police Department received no complaints alleging that a peace officer employed by the agency engaged in racial profiling.

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Additional Analysis:

Statistical analysis of motor vehicle stops relative to the gender population of the agency's reporting area. This analysis is presented in the report based on a December 2020 email sent from TCOLE to law enforcement executives in Texas.

In 2024, 11,940 motor vehicle stops were made by the Texarkana Police Department. Of these stops, 5,251 or roughly 44 percent were female drivers (5,251/11,940), and roughly 56 percent were male drivers (see Table 1).

According to 2019 American Community Survey (ACS) city and county population estimates of the U.S. Census Bureau, the City of Texarkana was composed of 51.7 percent females and 48.3 percent males. County population 2019 ACS estimates indicate that females accounted for 50.7 percent of the county population and males accounted for 49.3 percent of the county population.

Overall, in 2024, males were stopped at rates higher than their proportion of the city and county populations.

Additional Information Required to be Reported to TCOLE

Table 3 below provides additional information relative to motor vehicle stops in 2024 by the Texarkana Police Department. The data are required to be collected by the Texarkana Police Department under the Texas Code of Criminal Procedure Article 2.133.

As previously noted, the Texarkana Police Department received no complaints alleging that a peace officer employed by the agency engaged in racial profiling in 2024. Furthermore, as previously discussed, of the 11,940 motor vehicle stops in 2024, the officer knew the race/ethnicity of the motorist prior to the stop in 9.8% of the stops (1,174/11,940).

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Table 3: Additional Information

Additional Information	Total
Was Race/Ethnicity Known Prior to Stop	
Yes	1,174
No	10,766
Approximate Location of Stop	
City Street	9,657
US Highway	1,348
County Road	7
State Highway	745
Private Property/Other	183
Number of Complaints of Racial Profiling	
Resulted in Disciplinary Action	0
Did Not Result in Disciplinary Action	0

Analysis of Racial Profiling Compliance by Texarkana, Texas Police Department

The foregoing analysis shows that the Texarkana, Texas Police Department is fully in compliance with all relevant Texas laws concerning racial profiling, including the existence of a formal policy prohibiting racial profiling by its officers, officer training and educational programs, a formalized complaint process, and the collection of data in compliance with the law.

In addition to providing summary reports and analysis of the data collected by the Texarkana, Texas Police Department in 2024, this report also included an extensive presentation of some of the limitations involved in the level of data collection currently required by law and the methodological problems associated with analyzing such data for the Texarkana, Texas Police Department as well as police agencies across Texas.

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Appendix A

Racial Profiling Statutes and Laws

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Texas Racial Profling Statutes

Art. 3.05. RACIAL PROFILING.

In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 2, eff. Sept. 1, 2001.

Art. 2.131. RACIAL PROFILING PROHIBITED.

A peace officer may not engage in racial profiling.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING.

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means the following categories:

(A) Alaska native or American Indian;

(B) Asian or Pacific Islander;

(C) black;

(D) white; and

(E) Hispanic or Latino.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

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(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information relating to:

(A) the race or ethnicity of the individual detained;

(B) whether a search was conducted and, if so, whether the individual detained consented to the search;

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;

(D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;

(E) the location of the stop; and

(F) the reason for the stop; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) the Texas Commission on Law Enforcement; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

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(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section 1701.651, Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 25, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. 686), Sec. 2.05, eff. May 18, 2013.

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Acts 2017, 85th Leg., R.S., Ch. 173 (H.B. 3051), Sec. 1, eff. September 1, 2017.
Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.01, eff. September 1, 2017.

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE STOPS.

(a) In this article, "race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop;

(8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and

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(9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.

(c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b) to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 26, eff. September 1, 2009.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.02, eff. September 1, 2017.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article:

(1) "Motor vehicle stop" has the meaning assigned by Article 2.132(a).

(2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each law enforcement agency shall submit a report containing the incident-based data compiled during the previous calendar year to the Texas Commission on Law Enforcement and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency.

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;

(B) examine the disposition of motor vehicle stops made by officers employed by the agency,

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categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Texas Commission on Law Enforcement, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 27, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. 686), Sec. 2.06, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.03, eff. September 1, 2017.

Art. 2.136. LIABILITY.

A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

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Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT.

(a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras, including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras. The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras, the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras, the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has taken the necessary actions to use and is using video and audio equipment and body worn cameras for those purposes.

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Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.
Amended by:
Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.04, eff. September 1, 2017.

Art. 2.138. RULES.
The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.1385. CIVIL PENALTY.
(a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in an amount not to exceed $5,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.
(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based data as required by Article 2.134 shall remit to the comptroller the amount of $1,000 for each violation.
(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

Added by Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 29, eff. September 1, 2009.
Amended by:
Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.05, eff. September 1, 2017.

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Appendix B

Texarkana, Texas Police Department
Biased Based Policing and Racial Profiling Policy

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TEXARKANA, TEXAS POLICE DEPARTMENT
GENERAL ORDERS MANUAL

Effective Date **February 1, 2008**	*Amended Date* **September 1, 2017**	*Directive* **2.01.1**	
Subject **Biased Based Policing and Racial Profiling**			
Reference **Code of Criminal Procedure 2.131 – 2.135**			
Distribution **All Personnel City Manager City Attorney**	*TPCA Best Practices Recognition Program Reference* **2.01.1 Biased Based Profiling**	*Review Date* **August 1, 2019**	*Pages* **6**

This Operations Directive is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Operations Directive, if proven, may only form the basis for a complaint by this Department, and only in a non-judicial administrative setting.

SECTION 1 PURPOSE

The purpose of this policy is to reaffirm the Department's commitment to unbiased policing in all of its encounters between officers and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictate of departmental policy and the law.

SECTION 2 POLICY

A. It is the policy of the Department to protect the constitutional rights of all persons. Allegations of racial profiling or discriminatory practices, real or perceived, are detrimental to the relationship between police and the communities they protect and serve because they strike at the basic foundation of public trust. This trust is essential to effective community-based policing. Racial profiling is considered misuse of valuable police resources; such improper methods violate the civil rights of members of the public and may lead to increased exposure to liability for the officer and the department. This Department does not endorse, train, teach, support, or condone any type of bias, stereotyping, or racial profiling by its officers. While recognizing that most officers perform their duties in a professional, ethical, and impartial manner, this Department is committed to identifying and eliminating any instances of racial profiling.

B. It is the policy of the Department to:

1. Provide all people within this community fair and impartial police services consistent with constitutional and statutory mandates;
2. Assure the highest standard of integrity and ethics among all our members;
3. Respect the diversity and the lawful cultural practices of all people;
4. Take positive steps to identify, prevent, and eliminate any instances of racial profiling by our members; and
5. Continue our commitment to community based policing and problem solving, including vigorous, lawful and nondiscriminatory traffic enforcement that promotes public safety and strengthens public trust, confidence, and awareness.

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C. It is the policy of the Department to police in a proactive manner and to aggressively investigate suspected violations of law. Officers shall actively enforce local, state and federal laws in a responsible and professional manner without regard to an individual's race, gender, age, ethnicity, ethnic background, sexual orientation, religion, economic status, cultural group, national origin or any other identifiable group. Officers are strictly prohibited from engaging in racial profiling as defined in this policy. This policy shall be applicable to all persons, whether drivers, passengers, or pedestrians.

D. Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. The Department will honor the right of all persons to be treated equally and to be free from unreasonable searches and seizures.

SECTION 3 DEFINITIONS

Racial Profiling is defined as a law enforcement-initiated action based on an individual's race, gender, age, ethnicity, ethnic background, sexual orientation, religion, economic status, cultural group, national origin or any other identifiable group rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. The term is not relevant as it pertains to witnesses, complainants, persons needing assistance, or other citizen contacts.

Examples of racial profiling include, but are not limited to, the following:

a. Citing a driver because of the cited driver's race, ethnicity, or national origin, or

b. Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, or national origin is unlikely to own or possess that specific make or model of vehicle.

c. Detaining an individual based upon the determination that a person of that race, ethnicity, or national origin does not belong in a specific part of town or a specific place.

Gender Profiling is defined as a law enforcement-initiated action based on an individual's gender rather than on the individual's behavior or involvement in criminal activity.

Race or Ethnicity is defined as a particular descent and includes the following categories:

a. Alaska native or American Indian;

b. Asian or Pacific Islander

c. Black

d. White

e. Hispanic or Latino.

Pedestrian Stop is defined as an interaction between a peace officer and an individual traveling on foot who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

Traffic Stop is defined as a vehicle stop where a peace officer stops a motor vehicle for an alleged violation of law or ordinance regulating traffic.

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Directive	*Subject*
2.01.1	**Biased Based Policing and Racial Profiling**

Probable Cause is defined as more than bare suspicion; it exists when the facts and circumstances within the officer's knowledge and of which they have reasonably trustworthy information are sufficient in themselves to warrant a person of reasonable caution to believe that an offense has been or is being committed.

Reasonable Suspicion is defined as specific, articulable facts leading a reasonable police officer to believe a crime might be occurring. Reasonable suspicion is less than probable cause, but more than a mere hunch. Reasonable grounds for suspicion depend on the circumstances in each case. There must be an objective basis for that suspicion based on facts, information, and/or intelligence.
Search is an examination or exploration of an individual's house, premises, vehicle or person to discover stolen property, contraband or other items that may be evidence of a crime.

Search incident to arrest is a full search of an arrested person and of the vicinity around him or her. The search is conducted for officer safety and to prevent the destruction of evidence.

Consent search is a search permitted by a person with apparent authority to allow the search. To be valid, consent must be voluntary and intelligent, based on a totality of circumstances. Voluntary means that the consent was not forced or coerced. Intelligent means the person giving consent must know what he or she is doing.

Frisk is defined as a limited search or patting down of a suspect's outer clothing for the purpose of officer safety. A frisk must be based on reasonable suspicion that the suspect is armed with a deadly weapon, and that if he is not searched and disarmed, harm will come to the officer or another person. A limited search or frisk of an automobile after a valid stop is permissible if the officer has reasonable suspicion the suspect is dangerous and might gain immediate control of a weapon. The search is limited to the areas in which a weapon may be placed or hidden.

Inventory is an administrative process by which items of property in an impounded vehicle are listed and secured. An inventory is not a search and should not be used as a substitute for a search. The specific objectives of an inventory are to protect the property of the defendant, to protect the police against any claim of lost property, and to protect police personnel and others from any dangerous instruments.

SECTION 4 PROCEDURES

A. COMPLAINTS

1. Any person may file a complaint with the Department if they believe they have been stopped or searched on the basis of their race, ethnicity, national origin, or gender. No person shall be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against because they have filed such a complaint.

2. A complaint from a citizen regarding racial profiling may be made to any Department supervisor or, if available, to the Office of Professional Responsibility. All complaints received shall be forwarded in writing through the chain of command to the Office of the Chief of Police.

3. In addition to the written complaint, the supervisor receiving the complaint shall obtain the video recording from the officer's vehicle and cause a copy to be made onto a recordable CD or DVD disc. The supervisor shall label the video disc, indicating the unit number and date and time the disc was made. The copy of the video recording will be forwarded through the chain of command to the Office of the Chief of Police. A copy of video of all incidents in which racial or gender profiling is alleged shall be retained with the investigative file. A copy of the video shall be

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supplied to the officer within five days of the date of the complaint. The Office of Professional Responsibility shall supply the video to the officer prior to taking any statements from the officer.

4. The Department shall provide education to the public concerning the complaint process. Written information regarding how a citizen may file a complaint or issue a commendation for an officer shall be made available to the public at a variety of locations, including public meetings, Central Records and Communications, City Hall, and the Police Department's office at the Bi-State Justice Building. This information shall also be available on the Department's Internet site.

B. RACIAL PROFILING TRAINING

1. Officers are responsible to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.

2. All officers shall complete a TCOLE training and education program on racial profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code, or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. At the discretion of the Chief of Police, additional diversity and sensitivity training may be required for officers with sustained racial profiling or other discrimination complaints filed against them.

3. The Chief of Police, as part of the initial training and continued education for such appointment, will be required to attend the LEMIT program on racial profiling.

4. Supervisors shall conduct periodic roll call training regarding racial profiling issues, including implementation and enforcement of this policy.

C. INTERNAL MONITORING

1. Random Reviews:

As mandated in Directive 7.36.1 Digital Mobile Video/Audio Recording Equipment, Field Supervisors shall conduct reviews of the video files recorded by officers under their supervision to:

a. Assess performance and safety practices;

b. Ensure compliance with departmental policy;

c. Ensure proper use of DMVR equipment; and,

d. Identify appropriate training video.

Supervisors shall conduct a review of video files randomly each month, ensuring that each officer is reviewed at least twice during each month. Supervisors will review one traffic stop and one other video of their choosing of each officer. As part of the review, supervisors will document the number of videos created by each officer. Each shift commander shall be responsible for ensuring the video reviews are conducted and documented. A report containing the dates each officer was reviewed and the supervisor that conducted each review shall be prepared and

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submitted to the Operations Division Secretary, who shall maintain a log of the reviews. Supervisors will have the random review done by the 15th of the following month.

2. Reviews shall occur whenever:

   a. An officer is involved in a pursuit;

   b. An officer is involved in a use of force recorded by the system;

   c. A complaint is lodged against an officer; or

   d. A supervisor articulates a reason to suspect an officer is involved in activity contrary to the mandates of the General Orders.

3. Video events which may be evidentiary in nature should be reviewed and properly documented.

D. CORRECTIVE ACTION

1. Failure to report any observed or known violations of this policy by any Department employee shall result in corrective action being taken against the employee.

2. Officers found in violation of this policy or who have a sustained racial profiling complaint shall be subject to corrective action which may include: diversity, sensitivity, or other appropriate training, informal counseling, formal counselling, written reprimand, suspension from duty with or without pay, indefinite suspension, or other appropriate action as determined by the Chief of Police.

E. MANDATED DIGITAL MOBILE VIDEO RECORDER OPERATION

Unless the delivery of emergency police services would be prevented, an officer's personal safety would be jeopardized, or police strategy is being discussed, officers will ensure the operation of the digital mobile video recorder is conducted in accordance with directive 7.36.1.

F. CITATION DATA COLLECTION AND REPORTING

1. Each officer shall be required to collect certain information relating to all traffic stops, and shall record such information on either a citation, warning citation, field interview contact, or a Data Collection Form. In cases where no enforcement action was taken or where a custody arrest was made, it shall be necessary to complete a Data Collection Form to record the information required by the racial profiling statute. In the event that a citation is issued to an individual that is ultimately arrested, the citation will record the necessary data and eliminate the need to complete a Data Collection Form.

2. The officer will document the following on the citation, written warning or Data Collection Form:

   a. The violator's race or ethnicity;

   b. Whether a search was conducted;

   c. Whether the search was consensual;

   d. Whether the race or ethnicity of driver known prior to stop;

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e. Whether physical force was used that resulted in bodily injury;

f. Location of the stop;

g. Reason for the stop; and

h. Reason for arrest, if any, resulting from the stop.

3. Any paper citation issued will be forwarded to the Operations Division Secretary for review prior to sending to the court. Administration for E-Citations will be the responsibility of the Traffic Section Supervisor with assistance from the Operations Secretary.

4. By March of each year, the Department shall submit a written report to the City Council that includes the information gathered from the traffic stops in the preceding calendar year. The report will include: (1) A breakdown of traffic stops by race and ethnicity, (2) The number of traffic stops that resulted in a search and the basis for the searches, (3) The number of searches that resulted in contraband being discovered and, if so, the type of contraband; (4) The number of stops where physical force was used that resulted in bodily injury, and (5) The number of traffic stops that resulted in custodial arrests.

5. The Crime Analyst shall be responsible for providing a report to the Chief of Police that contains this information. The Office of Professional Responsibility shall be responsible for reviewing this report to identify any improvements that can be made in the practices and policies regarding traffic stops.

G. RESPONSIBILITY

1. All members of the Department shall know and comply with all aspects of this directive.

2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.

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Appendix C

Racial Profiling Laws and Corresponding Department Policies

Texas CCP Article	TEXARKANA, TEXAS POLICE DEPARTMENT Racial Profiling Policy
2.132(b)1	Section 3
2.132(b)2	Section 2 (C)
2.132(b)3	Section 4 (A)
2.132(b)4	Section 4 (A) (4)
2.132(b)5	Section 4 (D)
2.132(b)6	Section 4 (F)
2.132(b)7	Section 4 (F) (4)

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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:

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

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: 2025-035 Goals & Perspectives (4441 : 2025-035 RES Racial Profiling Report)

RESOLUTION NO. 2025 – 035

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ACKNOWLEDGING RECEIPT OF THE 2024 POLICE DEPARTMENT RACIAL PROFILING REPORT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the State of Texas requires the Police Department to collect certain statistical data on drivers stopped for traffic violations in the city limits of Texarkana, Texas, through statute found in the Texas Code of Criminal Procedure; and

WHEREAS, the State of Texas requires the collected data to be analyzed and compiled into a report, locally titled as the Texarkana Texas Police Department Racial Profiling Report, to be submitted annually to the Texas Commission on Law Enforcement; and

WHEREAS, the State of Texas requires the final racial profiling report to be submitted to the local governing body by March of each year.

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

SECTION 1: The City Council of the City of Texarkana, Texas, acknowledges receipt of the 2024 Police Department Racial Profiling Report titled as **ATTH 01**.

SECTION 2: 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 **10th day of March, 2025.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:51 pm

Attachment: 2025-035 RES Racial Profile Rpt 2024 signed (4441 : 2025-035 RES Racial Profiling Report)

TEXARKANA, TEXAS POLICE DEPARTMENT

2024

RACIAL PROFILING ANALYSIS

PREPARED BY:

Eric J. Fritsch, Ph.D.
Chad R. Trulson, Ph.D.
Justice Research Consultants, LLC

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Executive Summary

Article 2.132-2.134 of the Texas Code of Criminal Procedure (CCP) requires the annual reporting to the local governing body of data collected on motor vehicle stops in which a ticket, citation, or warning was issued and to arrests made as a result of those stops, in addition to data collection and reporting requirements. Article 2.134 of the CCP directs that "a comparative analysis of the information compiled under 2.133" be conducted, with specific attention to the below areas:

1. evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;
2. examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction;
3. evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and
4. information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

The analysis of material and data from the Texarkana, Texas Police Department revealed the following:

- **A COMPREHENSIVE REVIEW OF THE TEXARKANA, TEXAS POLICE DEPARTMENT'S RACIAL PROFILING POLICY SHOWS THAT THE TEXARKANA, TEXAS POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2.132 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.**

- **A REVIEW OF THE INFORMATION PRESENTED AND SUPPORTING DOCUMENTATION REVEALS THAT THE TEXARKANA POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH TEXAS LAW ON TRAINING AND EDUCATION REGARDING RACIAL PROFILING.**

- **A REVIEW OF THE DOCUMENTATION PRODUCED BY THE DEPARTMENT IN BOTH PRINT AND ELECTRONIC FORM REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE RACIAL PROFILING COMPLAINT PROCESS AND PUBLIC EDUCATION ABOUT THE COMPLAINT PROCESS.**

- **ANALYSIS OF THE DATA REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE COLLECTION OF RACIAL PROFILING DATA.**

- **THE TEXARKANA POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW CONCERNING THE REPORTING OF INFORMATION TO TCOLE.**

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- THE TEXARKANA POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW REGARDING CCP ARTICLES 2.132-2.134.

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Introduction

This report details an analysis of the Texarkana Police Department's policies, training, and statistical information on racial profiling for the year 2024. This report has been prepared to specifically comply with Article 2.132, 2.133, and 2.134 of the Texas Code of Criminal Procedure (CCP) regarding the compilation and analysis of traffic stop data. Specifically, the analysis will address Articles 2.131 – 2.134 of the CCP and make a determination of the level of compliance with those articles by the Texarkana Police Department in 2024. The full copies of the applicable laws pertaining to this report are contained in Appendix A.

This report is divided into six sections: (1) Texarkana Police Department's policy on racial profiling; (2) Texarkana Police Department's training and education on racial profiling; (3) Texarkana Police Department's complaint process and public education on racial profiling; (4) analysis of Texarkana Police Department's traffic stop data; (5) additional traffic stop data to be reported to TCOLE; and (6) Texarkana Police Department's compliance with applicable laws on racial profiling.

For the purposes of this report and analysis, the following definition of racial profiling is used: racial profiling means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity (Texas CCP Article 3.05).

Texarkana, Texas Police Department Policy on Racial Profiling

A review of Texarkana, Texas Police Department's "Biased Based Policing and Racial Profiling Policy" contained in Directive 2.01.1 (see Appendix B) revealed that the department has adopted policies in compliance with Article 2.132 of the Texas CCP. There are seven specific requirements mandated by Article 2.132 that a law enforcement agency must address. All seven are clearly covered in the Texarkana, Texas Police Department racial profiling policy. Texarkana, Texas Police Department policies provide clear direction that any form of racial profiling is prohibited and that officers found engaging in inappropriate profiling shall be subject to corrective action including diversity, sensitivity, or other appropriate training, informal counseling, formal counseling, written reprimand, suspension from duty with or without pay, indefinite suspension, or other appropriate action as determined by the Chief of Police. The policies also provide a very clear statement of the agency's philosophy regarding equal treatment of all persons regardless of race, ethnicity, or national origin. Appendix C lists the applicable statute and corresponding Texarkana, Texas Police Department regulation.

A COMPREHENSIVE REVIEW OF TEXARKANA, TEXAS POLICE DEPARTMENT'S RACIAL PROFILING POLICY SHOWS THAT THE TEXARKANA, TEXAS POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2.132 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.

Texarkana, Texas Police Department Training and Education on Racial Profiling

Texas Occupation Code § 1701.253 and § 1701.402 require that curriculum be established and training certificates issued on racial profiling for all Texas peace officers. Information provided

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by Texarkana, Texas Police Department reveals that racial profiling training and certification is current for all officers in 2024. Racial profiling training is specifically covered in Texarkana, Texas' Biased Based Policing and Racial Profiling Policy Section 4 (B). In addition, all personnel are trained on the department's racial profiling policy on a bi-annual basis.

A REVIEW OF THE INFORMATION PRESENTED AND SUPPORTING DOCUMENTATION REVEALS THAT THE TEXARKANA, TEXAS POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH TEXAS LAW ON TRAINING AND EDUCATION REGARDING RACIAL PROFILING.

Texarkana, Texas Police Department Complaint Process and Public Education on Racial Profiling

Article 2.132 §(b)3-4 of the Texas Code of Criminal Procedure requires that law enforcement agencies implement a complaint process on racial profiling and that the agency provide public education on the complaint process. Texarkana, Texas Police Department's Biased Based Policing and Racial Profiling Policy Section 4 (A) covers this requirement. Information regarding how a citizen may file a complaint is available to the public at a variety of locations. In addition, the department has a website with numbers available for contacting the agency with concerns (http://ci.texarkana.tx.us/393/Police-Department/). Additionally, each printed citation includes instructions on how to file a complaint and/or compliment on an officer following an interaction.

A REVIEW OF THE DOCUMENTATION PRODUCED BY THE DEPARTMENT REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE RACIAL PROFILING COMPLAINT PROCESS AND PUBLIC EDUCATION ABOUT THE COMPLAINT PROCESS.

Texarkana, Texas Police Department Statistical Data on Racial Profiling

Article 2.132(b) 6 and Article 2.133 requires that law enforcement agencies collect statistical information on motor vehicle stops in which a ticket, citation, or warning was issued and to arrests made as a result of those stops, in addition to other information noted previously. Texarkana Police Department submitted statistical information on all motor vehicle stops in 2024 and accompanying information on the race/ethnicity of the person stopped. Accompanying this data was the relevant information required to be collected and reported by law.

ANALYSIS OF THE DATA REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE COLLECTION OF RACIAL PROFILING DATA.

Analysis of the Data

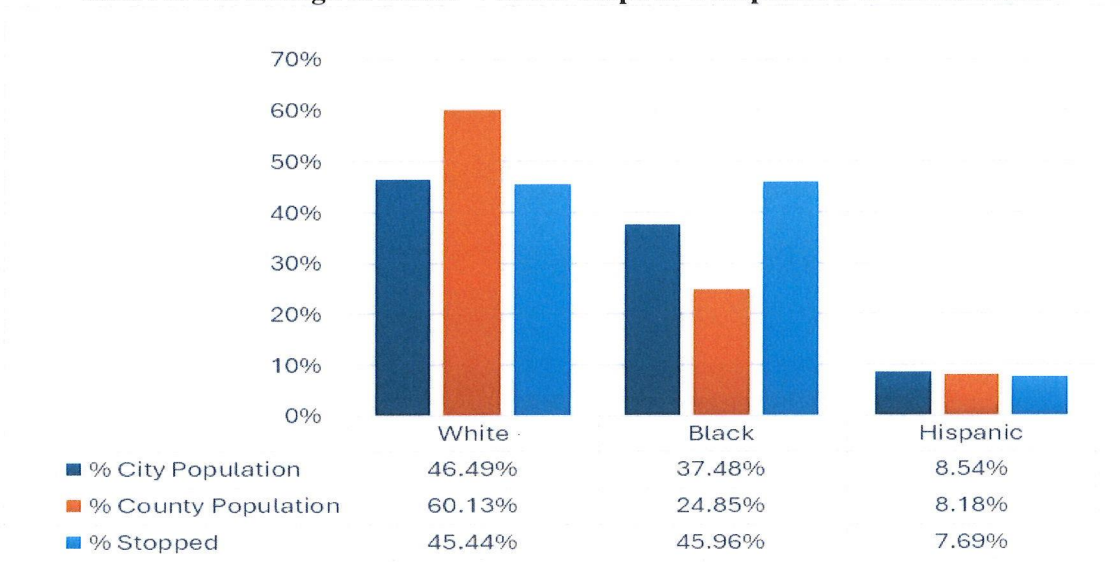
Comparative Analysis #1:

Evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities. Texas Code of Criminal Procedure Article 2.134(c)(1)(A)

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The first chart depicts the percentages of people stopped by race/ethnicity among the total 11,940 motor vehicle stops in which a ticket, citation, or warning was issued, including arrests made, in 2024.[1]

Chart 1: Percentage of Motor Vehicle Stops in Comparison to Benchmarks



White drivers constituted 45.44 percent of all drivers stopped, whereas Whites constitute 46.49 percent of the city population and 60.13 percent of the county population.[2]

Black drivers constituted 45.96 percent of all drivers stopped, whereas Blacks constitute 37.48 percent of the city population and 24.85 percent of the county population.

Hispanic drivers constituted 7.69 percent of all drivers stopped, whereas Hispanics constitute 8.54 percent of the city population and 8.18 percent of the county population.

The chart shows that White drivers are stopped at rates almost equal to the percentage of Whites found in the city population and lower than the percentage of Whites found in the county population. Black drivers are stopped at rates higher than the percentage of Blacks found in the city and county populations. Hispanic drivers are stopped at rates almost equal to the percentage of Hispanics found in the city and county populations.

[1] Due to a small number of stops relative to the population of Texarkana and the total number of motor vehicle stops among all drivers (11,940), information contained in the first chart excludes information pertaining to 74 stops of motorists of Asian/Pacific Islander descent and 35 stops of motorists of Alaska Native/American Indian descent.

[2] City and County populations were derived from 2020 Decennial Census Redistricting Data (DEC) of the U.S. Census Bureau. City and County populations by gender noted later in this report are based on 2019 American Community Survey estimates.

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Methodological Issues

Upon examination of the data, it is important to note that differences in overall stop rates of a particular racial or ethnic group, compared to that racial or ethnic group's proportion of the population, cannot be used to make determinations that officers have or have not racially profiled any given individual motorist. Claims asserting racial profiling of an individual motorist from the aggregate data utilized in this report are erroneous.

For example, concluding that a particular driver of a specific race/ethnicity was racially profiled simply because members of that particular racial/ethnic group as a whole were stopped at a higher rate than their proportion of the population—are as erroneous as claims that a particular driver of a specific race/ethnicity could NOT have been racially profiled simply because the percentage of stops among members of a particular racial/ethnic group as a whole were stopped at a lower frequency than that group's proportion of the particular population base (e.g., city or county population). In short, aggregate data as required by law and presented in this report cannot be used to prove or disprove that a member of a particular racial/ethnic group was racially profiled. Next, we discuss the reasons why using aggregate data—as currently required by the state racial profiling law—are inappropriate to use in making claims that any individual motorist was racially profiled.

Issue #1: Using Group-Level Data to Explain Individual Officer Decisions

The law dictates that police agencies compile aggregate-level data regarding the *rates* at which agencies *collectively* stop motorists in terms of their race/ethnicity. These aggregated data are to be subsequently analyzed in order to determine whether or not *individual* officers are "racially profiling" motorists. This methodological error, commonly referred to as the "ecological fallacy," defines the dangers involved in making assertions about individual officer decisions based on the examination of aggregate stop data. **In short, one cannot *prove* that an *individual* officer has racially profiled any *individual* motorist based on the rate at which a department stops any given *group* of motorists.** In sum, aggregate level data cannot be used to assess individual officer decisions, but the state racial profiling law requires this assessment.

Issue #2: Problems Associated with Population Base-Rates

There has been considerable debate as to what the most appropriate population "base-rate" is in determining whether or not racial/ethnic disparities exist. The base-rate serves as the benchmark for comparison purposes. The outcome of analyses designed to determine whether or not disparities exist is dependent on which base-rate is used. While this report utilized the most recent 2020 Census as a population base-rate, this population measure can become quickly outdated, can be inaccurate, and may not keep pace with changes experienced in city and county population measures.

In addition, the validity of the benchmark base-rate becomes even more problematic if analyses fail to distinguish between residents and non-residents who are stopped. This is because the existence of significant proportions of non-resident stops will lead to invalid conclusions if racial/ethnic comparisons are made exclusively to resident population figures. **In sum, a valid measure of the driving population does not exist. As a proxy, census data is used which is problematic as an indicator of the driving population.** In addition, stopped motorists who are

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not residents of the city or county where the motor vehicle stop occurred are not included in the benchmark base-rate.

Issue #3: Officers Do Not Know the Race/Ethnicity of the Motorist Prior to the Stop

As illustrated in Table 3 near the end of this report, of the 11,940 motor vehicle stops in 2024, the officer knew the race/ethnicity of the motorist prior to the stop in 9.8% of the stops (1,174/11,940). An analysis of all annual racial profiling reports submitted to the Texas Commission on Law Enforcement, as required by the Texas racial profiling law, found that in 2.9% of the traffic stops in Texas, the officer knew the race/ethnicity of the motorist prior to the stop.[3] The analysis included 1,186 Texas law enforcement agencies and more than 3.25 million traffic stops.

As noted, the legal definition of racial profiling in the Texas Code of Criminal Procedure Article 3.05 is "a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity."

Most of the time, Texarkana PD officers do not know the race/ethnicity of the motorist prior to the stop. This factor further invalidates any conclusions drawn from the stop data presented in Chart 1. If an officer does not know the race/ethnicity of the motorist prior to the stop, then the officer cannot, by legal definition, be racial profiling. Racial profiling is a law-enforcement action based on the race/ethnicity of an individual. If the officer does not know the person's race/ethnicity before the action (in this case, stopping a vehicle), then racial profiling cannot occur.

Based on this factor, post-stop outcomes are more relevant for a racial profiling assessment, as presented later in this report, in comparison to initial motor vehicle stop data disaggregated by race/ethnicity. Once the officer has contacted the motorist after the stop, the officer has identified the person's race/ethnicity and all subsequent actions are more relevant to a racial profiling assessment than the initial stop data.

In short, the methodological problems outlined above point to the limited utility of using aggregate level comparisons of the rates at which different racial/ethnic groups are stopped in order to determine whether or not racial profiling exists within a given jurisdiction.

Table 1 reports the summaries for the total number of motor vehicle stops in which a ticket, citation, or warning was issued, and to arrests made as a result of those stops, by the Texarkana Police Department in 2024. Table 1 and associated analyses are utilized to satisfy the comparative analyses as required by Texas law, and in specific, Article 2.134 of the CCP.

Comparative Analysis #2:

Examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of affected persons, as appropriate, including any

[3] Winkler, Jordan M. (2016). *Racial Disparity in Traffic Stops: An Analysis of Racial Profiling Data in Texas.* Master's Thesis. University of North Texas.

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searches resulting from stops within the applicable jurisdiction. Texas Code of Criminal Procedure Article 2.134(c)(1)(B)

As shown in Table 1, there were a total of 11,940 motor vehicle stops in 2024 in which a ticket, citation, or warning was issued. The table also shows arrests made as a result of those stops. Roughly 11 percent of stops resulted in a verbal warning (1,256/11,940), roughly 57 percent of stops resulted in a written warning, and roughly 31 percent resulted in a citation. These actions accounted for roughly 99 percent of all stop actions and will be the focus of the below discussion.

Specific to **verbal warnings**, White motorists received a verbal warning in roughly 11 percent of stops involving White motorists (591/5,425). Black motorists received a verbal warning in roughly 10 percent of stops involving Black motorists. Hispanic motorists received a verbal warning in roughly 11 percent of stops involving Hispanic motorists.

Specific to **written warnings**, White motorists received a written warning in roughly 61 percent of stops involving White motorists (3,334/5,425), Black motorists received a written warning in roughly 54 percent of stops of Black motorists, and Hispanic motorists received a written warning in roughly 44 percent of stops of Hispanic motorists.

White motorists received a **citation** in roughly 26 percent of stops involving White motorists (1,425/5,425), Black motorists received a citation in roughly 33 percent of stops of Black motorists, and Hispanic motorists received a citation in roughly 43 percent of stops of Hispanic motorists.

As illustrated in Table 1, of the 11,940 total stops, 256 **arrests** [written warning and arrest (78), citation and arrest (70) and sole arrests (108)] were made in 2024, and this accounts for 2.1 percent of all stops. White motorists were arrested in 1.4 percent of stops involving White motorists (75/5,425), Black motorists were arrested in 2.9 percent of stops involving Black motorists, and Hispanic motorists were arrested in 2.5 percent of stops involving Hispanic motorists.

Overall, arrests were most commonly based on an **outstanding warrant** (50.0%; 128/256) or a **violation of the penal code** (48.8%; 125/256) as illustrated in Table 1.

Finally, as presented in Table 1, **physical force resulting in bodily injury** did occur in three stops in 2024. Of the 11,940 motor vehicle stops in 2024, in two stops the suspect was injured, and in the third, both the officer and suspect were injured.

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Table 1: Traffic Stops and Outcomes by Race/Ethnicity

Stop Table	White	Black	Hispanic /Latino	Asian /Pacific Islander	Alaska Native /American Indian	Total
Number of Stops	5,425	5,488	918	74	35	11,940
Gender						
Female	2,441	2,511	274	19	6	5,251
Male	2,984	2,977	644	55	29	6,689
Reason for Stop						
Violation of Law	633	750	131	6	5	1,525
Preexisting Knowledge	42	41	4	1	0	88
Moving Traffic Violation	3,544	3,060	600	51	26	7,281
Vehicle Traffic Violation	1,206	1,637	183	16	4	3,046
Result of Stop						
Verbal Warning	591	554	97	10	4	1,256
Written Warning	3,334	2,974	403	42	21	6,774
Citation	1,425	1,803	395	21	10	3,654
Written Warning and Arrest	20	50	8	0	0	78
Citation and Arrest	25	42	3	0	0	70
Arrest	30	65	12	1	0	108
Arrest Based On						
Violation of Penal Code	40	71	14	0	0	125
Violation of Traffic Law	1	1	1	0	0	3
Violation of City Ordinance	0	0	0	0	0	0
Outstanding Warrant	34	85	8	1	0	128
Physical Force Resulting in Bodily Injury Used?						
No	5,425	5,486	917	74	35	11,937
Yes	0	2	1	0	0	3

Comparative Analysis #3:

Evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches. Texas Code of Criminal Procedure Article 2.134(c)(1)(C)

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In 2024, a total of 358 **searches** of motorists were conducted, or roughly 3 percent of all stops resulted in a search (358/11,940). Among searches within each racial/ethnic group, White motorists were searched in roughly 2 percent of all stops of White motorists (122/5,425), Black motorists were searched in roughly 4 percent of all stops of Black motorists, and Hispanic motorists were searched in roughly 2 percent of all stops of Hispanic motorists.

As illustrated in Table 2, the most common reasons for a search were searches based on consent (45.8%; 164/358) and searches based on probable cause (33.8%; 121/358). Consent searches are regarded as discretionary as opposed to non-discretionary searches. Relative to the total number of stops (11,940), discretionary consent searches occurred in 1.4 percent of stops (164 total consent searches). Among **consent searches** within each racial/ethnic group, White motorists were searched based on consent in roughly 53 percent of all searches of White motorists (65/122), Black motorists were searched based on consent in roughly 43 percent of all searches of Black motorists, and Hispanic motorists were searched based on consent in roughly 24 percent of all searches of Hispanic motorists (4 consent searches out of a total 17 searches of Hispanic motorists).

Among **searches based on probable cause** within each racial/ethnic group, White motorists were searched based on probable cause in roughly 31 percent of all searches of White motorists (38/122), Black motorists were searched based on probable cause in roughly 36 percent of all searches of Black motorists, and Hispanic motorists were searched based on probable cause in 24 percent of all searches of Hispanic motorists (4 probable cause searches out of a total 17 searches of Hispanic motorists).

Of the searches that occurred in 2024, and as shown in Table 2, **contraband was discovered** in 167 or roughly 47 percent of all searches (167/358 total searches). Overwhelmingly, the contraband discovered in searches was drugs; 73.1% of the contraband discovered (122/167 contraband discoveries). Finally, as illustrated in Table 2, when contraband was discovered, motorists were arrested roughly 59 percent of the time (99/167 contraband discoveries).

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Table 2: Searches and Outcomes by Race/Ethnicity

Search Table	White	Black	Hispanic /Latino	Asian /Pacific Islander	Alaska Native /American Indian	Total
Search Conducted						
Yes	122	219	17	0	0	358
No	5,303	5,269	901	74	35	11,582
Reason for Search						
Consent	65	95	4	0	0	164
Contraband in Plain View	2	5	1	0	0	8
Probable Cause	38	79	4	0	0	121
Inventory	6	19	3	0	0	28
Incident to Arrest	11	21	5	0	0	37
Was Contraband Discovered						
Yes	52	108	7	0	0	167
No	70	111	10	0	0	191
Description of Contraband						
Drugs	39	78	5	0	0	122
Weapons	2	7	0	0	0	9
Currency	0	0	0	0	0	0
Alcohol	4	13	2	0	0	19
Stolen Property	0	3	0	0	0	3
Other	7	7	0	0	0	14
Did Discovery of Contraband Result in Arrest?						
Yes	30	62	7	0	0	99
No	22	46	0	0	0	68

Comparative Analysis #4:

Information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. Texas Code of Criminal Procedure Article 2.134(c)(2)

In 2024, internal records indicate that the Texarkana Police Department received no complaints alleging that a peace officer employed by the agency engaged in racial profiling.

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Additional Analysis:

Statistical analysis of motor vehicle stops relative to the gender population of the agency's reporting area. This analysis is presented in the report based on a December 2020 email sent from TCOLE to law enforcement executives in Texas.

In 2024, 11,940 motor vehicle stops were made by the Texarkana Police Department. Of these stops, 5,251 or roughly 44 percent were female drivers (5,251/11,940), and roughly 56 percent were male drivers (see Table 1).

According to 2019 American Community Survey (ACS) city and county population estimates of the U.S. Census Bureau, the City of Texarkana was composed of 51.7 percent females and 48.3 percent males. County population 2019 ACS estimates indicate that females accounted for 50.7 percent of the county population and males accounted for 49.3 percent of the county population.

Overall, in 2024, males were stopped at rates higher than their proportion of the city and county populations.

Additional Information Required to be Reported to TCOLE

Table 3 below provides additional information relative to motor vehicle stops in 2024 by the Texarkana Police Department. The data are required to be collected by the Texarkana Police Department under the Texas Code of Criminal Procedure Article 2.133.

As previously noted, the Texarkana Police Department received no complaints alleging that a peace officer employed by the agency engaged in racial profiling in 2024. Furthermore, as previously discussed, of the 11,940 motor vehicle stops in 2024, the officer knew the race/ethnicity of the motorist prior to the stop in 9.8% of the stops (1,174/11,940).

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Table 3: Additional Information

Additional Information	Total
Was Race/Ethnicity Known Prior to Stop	
Yes	1,174
No	10,766
Approximate Location of Stop	
City Street	9,657
US Highway	1,348
County Road	7
State Highway	745
Private Property/Other	183
Number of Complaints of Racial Profiling	
Resulted in Disciplinary Action	0
Did Not Result in Disciplinary Action	0

Analysis of Racial Profiling Compliance by Texarkana, Texas Police Department

The foregoing analysis shows that the Texarkana, Texas Police Department is fully in compliance with all relevant Texas laws concerning racial profiling, including the existence of a formal policy prohibiting racial profiling by its officers, officer training and educational programs, a formalized complaint process, and the collection of data in compliance with the law.

In addition to providing summary reports and analysis of the data collected by the Texarkana, Texas Police Department in 2024, this report also included an extensive presentation of some of the limitations involved in the level of data collection currently required by law and the methodological problems associated with analyzing such data for the Texarkana, Texas Police Department as well as police agencies across Texas.

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Appendix A

Racial Profiling Statutes and Laws

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Texas Racial Profling Statutes

Art. 3.05. RACIAL PROFILING.

In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 2, eff. Sept. 1, 2001.

Art. 2.131. RACIAL PROFILING PROHIBITED.

A peace officer may not engage in racial profiling.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING.

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means the following categories:

(A) Alaska native or American Indian;

(B) Asian or Pacific Islander;

(C) black;

(D) white; and

(E) Hispanic or Latino.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

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(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information relating to:

(A) the race or ethnicity of the individual detained;

(B) whether a search was conducted and, if so, whether the individual detained consented to the search;

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;

(D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;

(E) the location of the stop; and

(F) the reason for the stop; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) the Texas Commission on Law Enforcement; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

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(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section 1701.651, Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 25, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. 686), Sec. 2.05, eff. May 18, 2013.

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Acts 2017, 85th Leg., R.S., Ch. 173 (H.B. 3051), Sec. 1, eff. September 1, 2017.
Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.01, eff. September 1, 2017.

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE STOPS.

(a) In this article, "race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop;

(8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and

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(9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.

(c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b) to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 26, eff. September 1, 2009.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.02, eff. September 1, 2017.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article:

(1) "Motor vehicle stop" has the meaning assigned by Article 2.132(a).

(2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each law enforcement agency shall submit a report containing the incident-based data compiled during the previous calendar year to the Texas Commission on Law Enforcement and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency.

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;

(B) examine the disposition of motor vehicle stops made by officers employed by the agency,

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categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Texas Commission on Law Enforcement, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 27, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. 686), Sec. 2.06, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.03, eff. September 1, 2017.

Art. 2.136. LIABILITY.

A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

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Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT.

(a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras, including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras. The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras, the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras, the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has taken the necessary actions to use and is using video and audio equipment and body worn cameras for those purposes.

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Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.
Amended by:
Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.04, eff. September 1, 2017.

Art. 2.138. RULES.
The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.1385. CIVIL PENALTY.
(a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in an amount not to exceed $5,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.
(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based data as required by Article 2.134 shall remit to the comptroller the amount of $1,000 for each violation.
(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

Added by Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 29, eff. September 1, 2009.
Amended by:
Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.05, eff. September 1, 2017.

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Appendix B

Texarkana, Texas Police Department
Biased Based Policing and Racial Profiling Policy

Attachment: 2025-035 RES Racial Profile Rpt 2024 signed (4441 : 2025-035 RES Racial Profiling Report)

TEXARKANA, TEXAS POLICE DEPARTMENT
GENERAL ORDERS MANUAL

Effective Date **February 1, 2008**	*Amended Date* **September 1, 2017**	*Directive* **2.01.1**	
Subject **Biased Based Policing and Racial Profiling**			
Reference **Code of Criminal Procedure 2.131 – 2.135**			
Distribution **All Personnel** **City Manager** **City Attorney**	*TPCA Best Practices Recognition Program Reference* **2.01.1 Biased Based Profiling**	*Review Date* **August 1, 2019**	*Pages* **6**

This Operations Directive is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Operations Directive, if proven, may only form the basis for a complaint by this Department, and only in a non-judicial administrative setting.

SECTION 1 PURPOSE

The purpose of this policy is to reaffirm the Department's commitment to unbiased policing in all of its encounters between officers and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictate of departmental policy and the law.

SECTION 2 POLICY

A. It is the policy of the Department to protect the constitutional rights of all persons. Allegations of racial profiling or discriminatory practices, real or perceived, are detrimental to the relationship between police and the communities they protect and serve because they strike at the basic foundation of public trust. This trust is essential to effective community-based policing. Racial profiling is considered misuse of valuable police resources; such improper methods violate the civil rights of members of the public and may lead to increased exposure to liability for the officer and the department. This Department does not endorse, train, teach, support, or condone any type of bias, stereotyping, or racial profiling by its officers. While recognizing that most officers perform their duties in a professional, ethical, and impartial manner, this Department is committed to identifying and eliminating any instances of racial profiling.

B. It is the policy of the Department to:

1. Provide all people within this community fair and impartial police services consistent with constitutional and statutory mandates;
2. Assure the highest standard of integrity and ethics among all our members;
3. Respect the diversity and the lawful cultural practices of all people;
4. Take positive steps to identify, prevent, and eliminate any instances of racial profiling by our members; and
5. Continue our commitment to community based policing and problem solving, including vigorous, lawful and nondiscriminatory traffic enforcement that promotes public safety and strengthens public trust, confidence, and awareness.

Attachment: 2025-035 RES Racial Profile Rpt 2024 signed (4441 : 2025-035 RES Racial Profiling Report)

Directive	*Subject*
2.01.1	**Biased Based Policing and Racial Profiling**

C. It is the policy of the Department to police in a proactive manner and to aggressively investigate suspected violations of law. Officers shall actively enforce local, state and federal laws in a responsible and professional manner without regard to an individual's race, gender, age, ethnicity, ethnic background, sexual orientation, religion, economic status, cultural group, national origin or any other identifiable group. Officers are strictly prohibited from engaging in racial profiling as defined in this policy. This policy shall be applicable to all persons, whether drivers, passengers, or pedestrians.

D. Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. The Department will honor the right of all persons to be treated equally and to be free from unreasonable searches and seizures.

SECTION 3 DEFINITIONS

Racial Profiling is defined as a law enforcement-initiated action based on an individual's race, gender, age, ethnicity, ethnic background, sexual orientation, religion, economic status, cultural group, national origin or any other identifiable group rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. The term is not relevant as it pertains to witnesses, complainants, persons needing assistance, or other citizen contacts.

Examples of racial profiling include, but are not limited to, the following:

a. Citing a driver because of the cited driver's race, ethnicity, or national origin, or

b. Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, or national origin is unlikely to own or possess that specific make or model of vehicle.

c. Detaining an individual based upon the determination that a person of that race, ethnicity, or national origin does not belong in a specific part of town or a specific place.

Gender Profiling is defined as a law enforcement-initiated action based on an individual's gender rather than on the individual's behavior or involvement in criminal activity.

Race or Ethnicity is defined as a particular descent and includes the following categories:

a. Alaska native or American Indian;

b. Asian or Pacific Islander

c. Black

d. White

e. Hispanic or Latino.

Pedestrian Stop is defined as an interaction between a peace officer and an individual traveling on foot who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

Traffic Stop is defined as a vehicle stop where a peace officer stops a motor vehicle for an alleged violation of law or ordinance regulating traffic.

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Directive	*Subject*
2.01.1	**Biased Based Policing and Racial Profiling**

Probable Cause is defined as more than bare suspicion; it exists when the facts and circumstances within the officer's knowledge and of which they have reasonably trustworthy information are sufficient in themselves to warrant a person of reasonable caution to believe that an offense has been or is being committed.

Reasonable Suspicion is defined as specific, articulable facts leading a reasonable police officer to believe a crime might be occurring. Reasonable suspicion is less than probable cause, but more than a mere hunch. Reasonable grounds for suspicion depend on the circumstances in each case. There must be an objective basis for that suspicion based on facts, information, and/or intelligence.
Search is an examination or exploration of an individual's house, premises, vehicle or person to discover stolen property, contraband or other items that may be evidence of a crime.

Search incident to arrest is a full search of an arrested person and of the vicinity around him or her. The search is conducted for officer safety and to prevent the destruction of evidence.

Consent search is a search permitted by a person with apparent authority to allow the search. To be valid, consent must be voluntary and intelligent, based on a totality of circumstances. Voluntary means that the consent was not forced or coerced. Intelligent means the person giving consent must know what he or she is doing.

Frisk is defined as a limited search or patting down of a suspect's outer clothing for the purpose of officer safety. A frisk must be based on reasonable suspicion that the suspect is armed with a deadly weapon, and that if he is not searched and disarmed, harm will come to the officer or another person. A limited search or frisk of an automobile after a valid stop is permissible if the officer has reasonable suspicion the suspect is dangerous and might gain immediate control of a weapon. The search is limited to the areas in which a weapon may be placed or hidden.

Inventory is an administrative process by which items of property in an impounded vehicle are listed and secured. An inventory is not a search and should not be used as a substitute for a search. The specific objectives of an inventory are to protect the property of the defendant, to protect the police against any claim of lost property, and to protect police personnel and others from any dangerous instruments.

SECTION 4 PROCEDURES

A. COMPLAINTS

1. Any person may file a complaint with the Department if they believe they have been stopped or searched on the basis of their race, ethnicity, national origin, or gender. No person shall be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against because they have filed such a complaint.

2. A complaint from a citizen regarding racial profiling may be made to any Department supervisor or, if available, to the Office of Professional Responsibility. All complaints received shall be forwarded in writing through the chain of command to the Office of the Chief of Police.

3. In addition to the written complaint, the supervisor receiving the complaint shall obtain the video recording from the officer's vehicle and cause a copy to be made onto a recordable CD or DVD disc. The supervisor shall label the video disc, indicating the unit number and date and time the disc was made. The copy of the video recording will be forwarded through the chain of command to the Office of the Chief of Police. A copy of video of all incidents in which racial or gender profiling is alleged shall be retained with the investigative file. A copy of the video shall be

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supplied to the officer within five days of the date of the complaint. The Office of Professional Responsibility shall supply the video to the officer prior to taking any statements from the officer.

4. The Department shall provide education to the public concerning the complaint process. Written information regarding how a citizen may file a complaint or issue a commendation for an officer shall be made available to the public at a variety of locations, including public meetings, Central Records and Communications, City Hall, and the Police Department's office at the Bi-State Justice Building. This information shall also be available on the Department's Internet site.

B. RACIAL PROFILING TRAINING

1. Officers are responsible to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.

2. All officers shall complete a TCOLE training and education program on racial profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code, or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. At the discretion of the Chief of Police, additional diversity and sensitivity training may be required for officers with sustained racial profiling or other discrimination complaints filed against them.

3. The Chief of Police, as part of the initial training and continued education for such appointment, will be required to attend the LEMIT program on racial profiling.

4. Supervisors shall conduct periodic roll call training regarding racial profiling issues, including implementation and enforcement of this policy.

C. INTERNAL MONITORING

1. Random Reviews:

As mandated in Directive 7.36.1 Digital Mobile Video/Audio Recording Equipment, Field Supervisors shall conduct reviews of the video files recorded by officers under their supervision to:

a. Assess performance and safety practices;

b. Ensure compliance with departmental policy;

c. Ensure proper use of DMVR equipment; and,

d. Identify appropriate training video.

Supervisors shall conduct a review of video files randomly each month, ensuring that each officer is reviewed at least twice during each month. Supervisors will review one traffic stop and one other video of their choosing of each officer. As part of the review, supervisors will document the number of videos created by each officer. Each shift commander shall be responsible for ensuring the video reviews are conducted and documented. A report containing the dates each officer was reviewed and the supervisor that conducted each review shall be prepared and

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submitted to the Operations Division Secretary, who shall maintain a log of the reviews. Supervisors will have the random review done by the 15th of the following month.

2. Reviews shall occur whenever:

   a. An officer is involved in a pursuit;

   b. An officer is involved in a use of force recorded by the system;

   c. A complaint is lodged against an officer; or

   d. A supervisor articulates a reason to suspect an officer is involved in activity contrary to the mandates of the General Orders.

3. Video events which may be evidentiary in nature should be reviewed and properly documented.

D. CORRECTIVE ACTION

1. Failure to report any observed or known violations of this policy by any Department employee shall result in corrective action being taken against the employee.

2. Officers found in violation of this policy or who have a sustained racial profiling complaint shall be subject to corrective action which may include: diversity, sensitivity, or other appropriate training, informal counseling, formal counselling, written reprimand, suspension from duty with or without pay, indefinite suspension, or other appropriate action as determined by the Chief of Police.

E. MANDATED DIGITAL MOBILE VIDEO RECORDER OPERATION

Unless the delivery of emergency police services would be prevented, an officer's personal safety would be jeopardized, or police strategy is being discussed, officers will ensure the operation of the digital mobile video recorder is conducted in accordance with directive 7.36.1.

F. CITATION DATA COLLECTION AND REPORTING

1. Each officer shall be required to collect certain information relating to all traffic stops, and shall record such information on either a citation, warning citation, field interview contact, or a Data Collection Form. In cases where no enforcement action was taken or where a custody arrest was made, it shall be necessary to complete a Data Collection Form to record the information required by the racial profiling statute. In the event that a citation is issued to an individual that is ultimately arrested, the citation will record the necessary data and eliminate the need to complete a Data Collection Form.

2. The officer will document the following on the citation, written warning or Data Collection Form:

   a. The violator's race or ethnicity;

   b. Whether a search was conducted;

   c. Whether the search was consensual;

   d. Whether the race or ethnicity of driver known prior to stop;

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e. Whether physical force was used that resulted in bodily injury;

f. Location of the stop;

g. Reason for the stop; and

h. Reason for arrest, if any, resulting from the stop.

3. Any paper citation issued will be forwarded to the Operations Division Secretary for review prior to sending to the court. Administration for E-Citations will be the responsibility of the Traffic Section Supervisor with assistance from the Operations Secretary.

4. By March of each year, the Department shall submit a written report to the City Council that includes the information gathered from the traffic stops in the preceding calendar year. The report will include: (1) A breakdown of traffic stops by race and ethnicity, (2) The number of traffic stops that resulted in a search and the basis for the searches, (3) The number of searches that resulted in contraband being discovered and, if so, the type of contraband; (4) The number of stops where physical force was used that resulted in bodily injury, and (5) The number of traffic stops that resulted in custodial arrests.

5. The Crime Analyst shall be responsible for providing a report to the Chief of Police that contains this information. The Office of Professional Responsibility shall be responsible for reviewing this report to identify any improvements that can be made in the practices and policies regarding traffic stops.

G. RESPONSIBILITY

1. All members of the Department shall know and comply with all aspects of this directive.

2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.

Attachment: 2025-035 RES Racial Profile Rpt 2024 signed (4441 : 2025-035 RES Racial Profiling Report)

Appendix C

Racial Profiling Laws and Corresponding Department Policies

Texas CCP Article	TEXARKANA, TEXAS POLICE DEPARTMENT Racial Profiling Policy
2.132(b)1	Section 3
2.132(b)2	Section 2 (C)
2.132(b)3	Section 4 (A)
2.132(b)4	Section 4 (A) (4)
2.132(b)5	Section 4 (D)
2.132(b)6	Section 4 (F)
2.132(b)7	Section 4 (F) (4)

Attachment: 2025-035 RES Racial Profile Rpt 2024 signed (4441 : 2025-035 RES Racial Profiling Report)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/26/2025 3:13 PM

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

Subject: Resolution No. 2025-037 approving the budget calendar for Fiscal Year 2026.

Briefing: 3/10/2025 **Public Hearing:** **Council Vote:** 3/10/2025

Item Schedule

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

The City charter requires the City Council to approve the calendar that sets the schedule for preparing and adopting the City's annual operating budget for the next fiscal cycle that will begin October 1, 2025 and end September 30, 2026.

Potential Options:

- Approve
- Deny

Fiscal Implications:

None

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. 2025-037 RES Budget Calendar FY 2026 (DOCX)
b. 2025-037 EXH 'A' Budget Calendar FY 26 (PDF)
c. 2025-037 Goals & Perspectives (DOCX)

d. 2025-037 RES FY26 Budget Calendar signed (PDF)

Staff Coordination

Finance Department	Kristin Peeples 02/26/2025 3:04 PM	Department Head Review	Completed	
Finance Department	Kristin Peeples	Finance Review	Completed	02/26/2025 3:05 PM
City Manager	David Orr	City Manager Review	Completed	02/26/2025 5:02 PM
City Council	Jennifer Evans	Meeting	Completed	03/10/2025 6:00 PM

Meeting History

RESOLUTION NO. 2025-037

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE BUDGET CALENDAR FOR FISCAL YEAR 2026; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Charter requires the City Council to approve the calendar that sets the schedule for preparing and adopting the City's annual operating budget for the next fiscal cycle that will begin October 1, 2025, and ends September 30, 2026; and

WHEREAS, the budget calendar for the fiscal year ending September 30, 2026, is attached as "**Exhibit A**".

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

SECTION 1: The budget calendar for the fiscal year ending September 30, 2026, is hereby approved.

SECTION 2: 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 **10th day of March, 2025**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2025-037 RES Budget Calendar FY 2026 (4445 : 2025-037 RES Approving Budget Calendar FY 2026)

Budget Calendar

Fiscal Year 2026

Mon	March 10	6:00 PM	City Council approves budget calendar
March/April			Departmental budget meetings
May/June			Various meetings with Budget Advisory Committee and City Council
Fri	August 8		Budget filed with municipal clerk
Mon	August 11	6:00 PM	First briefing on proposed budget First briefing on proposed tax rate First briefing on ratifying a budget that raises more tax revenue than last year Record vote to publish notice of tax rate increase *(This is only to provide notice to the public and not to adopt the tax rate)*
Wed	August 13		Notice of public hearing on proposed budget
Mon	August 25	TBD	Public hearing on proposed budget *(Law requires action to be taken after the public hearing.* *Recommendation will be to postpone until the September 8th meeting)*
Wed	September 3		Notice of public hearing on proposed tax rate
Mon	September 8	6:00 PM	Public hearing on proposed tax rate Public hearing on ratifying a budget that raises more tax revenue than last year Record vote for adoption of budget Record vote for adoption of tax rate Record vote to ratify budget that raises more tax revenue than last year
Wed	October 1		Fiscal year begins Adopted budget implemented
Fri	December 5		Final budget document posted, distributed and submitted to Government Finance Officers Association (GFOA)

Attachment: 2025-037 EXH 'A' Budget Calendar FY 26 (4445 : 2025-037 RES Approving Budget Calendar FY 2026)

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: 2025-037 Goals & Perspectives (4445 : 2025-037 RES Approving Budget Calendar FY 2026)

RESOLUTION NO. 2025-037

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE BUDGET CALENDAR FOR FISCAL YEAR 2026; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Charter requires the City Council to approve the calendar that sets the schedule for preparing and adopting the City's annual operating budget for the next fiscal cycle that will begin October 1, 2025, and ends September 30, 2026; and

WHEREAS, the budget calendar for the fiscal year ending September 30, 2026, is attached as "**Exhibit A**".

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

SECTION 1: The budget calendar for the fiscal year ending September 30, 2026, is hereby approved.

SECTION 2: 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 **10th day of March, 2025**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

6:51pm

BOB BRUGGEMAN, MAYOR

Attachment: 2025-037 RES FY26 Budget Calendar signed (4445 : 2025-037 RES Approving Budget Calendar FY 2026)

Budget Calendar

Fiscal Year 2026

Mon	March 10	6:00 PM	City Council approves budget calendar
March/April			Departmental budget meetings
May/June			Various meetings with Budget Advisory Committee and City Council
Fri	August 8		Budget filed with municipal clerk
Mon	August 11	6:00 PM	First briefing on proposed budget First briefing on proposed tax rate First briefing on ratifying a budget that raises more tax revenue than last year Record vote to publish notice of tax rate increase *(This is only to provide notice to the public and not to adopt the tax rate)*
Wed	August 13		Notice of public hearing on proposed budget
Mon	August 25	TBD	Public hearing on proposed budget *(Law requires action to be taken after the public hearing.* *Recommendation will be to postpone until the September 8th meeting)*
Wed	September 3		Notice of public hearing on proposed tax rate
Mon	September 8	6:00 PM	Public hearing on proposed tax rate Public hearing on ratifying a budget that raises more tax revenue than last year Record vote for adoption of budget Record vote for adoption of tax rate Record vote to ratify budget that raises more tax revenue than last year
Wed	October 1		Fiscal year begins Adopted budget implemented
Fri	December 5		Final budget document posted, distributed and submitted to Government Finance Officers Association (GFOA)

Attachment: 2025-037 RES FY26 Budget Calendar signed (4445 : 2025-037 RES Approving Budget Calendar FY 2026)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 3/7/2025 11:16 AM

Lead Department: Water Utilities **Action Officer:** Michelle Warren,

Subject: Resolution No. 2025-038 authorizing the City Manager to execute a contract for the West Park Boulevard Water & Sewer Relocation Project in an amount not to exceed $169,280.80. Funds are available in the Texas Infrastructure Fund in the Utility's 2024-2025 budget.

Briefing: 3/10/2025 **Public Hearing:** **Council Vote:** 3/10/2025

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

Bids were received Tuesday, February 18, 2025, for the West Park Boulevard Water and Sewer Relocation Project. Two (2) contractors bid on the project. Tri State Sitework of Wichita, Texas was the apparent low bidder with a low Base Bid of S169,280.80. This project consists of installing approximately 220 feet of 12" water main, 245 feet of 8" water main, 200 feet of 12" Sewer main, two fire hydrants, two manholes, and appurtenant utility improvements. The relocations are required for the relocation/reconstruction of the existing West Park Boulevard.

Potential Options:

- None
-

Fiscal Implications:

Funds are available in the Utility's 2024-2025 Budget in the Texas Infrastructure Fund at $169,280.80.

Staff Recommendation:

Utility staff recommend approval.

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

Not Applicable

Attachments

a. 2025-038 RES West Park Blvd Water & Sewer Relocations (DOCX)
b. 2025-038 ATTH 01 Bid Summary 1 (DOCX)
c. 2025-038 ATTH 02 WEST PARK BID TAB (PDF)
d. 2025-038 Goals & Perspectives (DOCX)
e. 2025-038 RES W Park Bl Water & Sewer Relocate signed (PDF)

Staff Coordination

Water Utilities	Gary Smith	Department Head Review	Completed	02/26/2025 4:54 PM
TWU Administration	Kenny Icenhower	Review	Completed	02/26/2025 5:04 PM
TWU Finance	Tricia Briggs	TWU Finance Review	Completed	02/26/2025 5:05 PM
City Manager	David Orr	City Manager Review	Completed	02/26/2025 5:11 PM
City Council	Jennifer Evans	Meeting	Completed	03/10/2025 6:00 PM

Meeting History

RESOLUTION NO. 2025-038

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND EXECUTE A CONTRACT WITH TRI STATE SITEWORK OF WICHITA FALLS, TEXAS, IN AN AMOUNT NOT TO EXCEED $169,280.80 FOR THE WEST PARK BOULEVARD WATER AND SEWER RELOCATION PROJECT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on February 18, 2025, two (2) bids were received, a copy of which is attached hereto as **ATTH 01**, by Texarkana Water Utilities for the West Park Boulevard and Sewer Relocation Project; and

WHEREAS, the project will consist of installing 220 feet of 12" water main, 245 feet of 8" water main, 200 feet of 8" sewer main, two fire hydrants, two manholes, and related appurtenances; and

WHEREAS, the lowest and best bid by a responsible vendor for this project was submitted by Tri State Sitework of Wichita Falls, Texas, a copy of which is attached hereto as **ATTH 02** in an amount not to exceed $169,280.80; and

WHEREAS, funds are available in the Texarkana Water Utilities 2024-2025 budget in the Texas Infrastructure Fund in the amount of $169,280.80.

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

SECTION 1: The lowest and best bid by a responsible vendor, submitted by Tri State Sitework of Wichita Falls, Texas, a copy of which is attached hereto as **ATTH 02** be and is hereby approved in an amount not to exceed $169,280.80 for the installation of 220 feet of 12" water main, 245 feet of 8" water main, 200 feet of 8" sewer main, two fire hydrants, two manholes, and related appurtenances for the West Park Boulevard Water and Sewer Relocation Project.

SECTION 2: The City Manager be and is authorized to contract with Tri State Sitework of Wichita Falls, Texas for the above-described services.

SECTION 3: 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 **10th day of March, 2025**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2025-038 RES West Park Blvd Water & Sewer Relocations (4446 : 2025-038 RES West Park Blvd water/sewer relocations)

Bid Summary

West Park Boulevard
Water & Sewer Relocations

Tuesday, February 18, 2025, 2:00 P.M.

		Base Bid
1.	Tri State Sitework Wichita Falls, Texas	$169,280.80
2.	RBIS, LLC Texarkana, Arkansas	$298,029.00
3.	Barnwell Industries Queen City, Texas	No Bid
4.	Bobo & Bain Hope, Arkansas	No Bid
5.	Kampco, Inc. Texarkana, Arkansas	No Bid
6.	CDM Holdings New Boston, Texas	No Bid

Time First Bid Opened: 2:00 P.M

Number of Bidders: 2

Apparent Low Bidder: Tri State Sitework

Attachment: 2025-038 ATTH 01 Bid Summary 1 (4446 : 2025-038 RES West Park Blvd water/sewer relocations)

Bid Tabulation
West Park Water Sewer Relocation
Project No. 62-000-135157-T152509
February 18, 2025

BASE BID:							
				Tri-State Sitework		RBIS, LLC	
				Wichita Falls, TX		Texarkana, TX	
Item	Quantity	Unit	Description	Unit Price	Total Bid	Unit Price	Total Price
1	1	LS	Mobilization, Bonds, & Submittals		$10,500.00		$37,500.00
2	4.6	STA	Right of Way Preparation	$667.00	$3,068.20	$5,000.00	$23,000.00
3	2	EA	Furnish & Install 12" X 12" Tapping Sleeve and Valve Assy.	$7,557.50	$15,115.00	$12,100.00	$24,200.00
4	1	EA	Furnish & Install 8" X 8" Tapping Sleeve and Valve Assy.	$9,228.00	$9,228.00	$9,100.00	$9,100.00
5	60	LF	Furnish & Install 12" DIP Water With Locking Gaskets by Open Cut	$106.92	$6,415.20	$110.00	$6,600.00
6	157	LF	Furnish & Install 12" C-900 PVC Water by Open Cut	$81.53	$12,800.21	$110.00	$17,270.00
7	242	LF	Furnish & Install 8" C-900 PVC Water by Open Cut	$45.18	$10,933.56	$62.00	$15,004.00
8	1	EA	Furnish & Install 8" X 12" X 12" TEE	$1,828.00	$1,828.00	$3,600.00	$3,600.00
9	2	EA	Furnish & Install 12" Gate Valve	$4,030.00	$8,060.00	$5,000.00	$10,000.00
10	1	EA	Furnish & Install 8" Gate Valve	$2,254.00	$2,254.00	$3,400.00	$3,400.00
11	2	EA	Furnish & Install Fire Hydrant Assy.	$7,555.00	$15,110.00	$7,700.00	$15,400.00
12	2	EA	Remove Existing Valve & Fire Hydrant Assy.	$755.00	$1,510.00	$2,500.00	$5,000.00
13	60	LF	Remove Existing 12" PVC Water Main	$33.33	$1,999.80	$32.00	$1,920.00
14	2	EA	Cut, Plug and Abandon Exist 12" Water Main	$1,539.00	$3,078.00	$4,100.00	$8,200.00
15	2	EA	Cut, Plug and Abandon Exist 8" Water Main	$1,102.50	$2,205.00	$3,800.00	$7,600.00
16	2	EA	Cut, Plug and Abandon Exist 8" Sewer Main	$1,048.29	$2,096.58	$3,100.00	$6,200.00
17	3	EA	Furnish & Install Standard 0-6' Manhole	$4,377.28	$13,131.84	$13,900.00	$41,700.00
18	11.5	VF	Extra Verticle Depth	$52.35	$602.03	$450.00	$5,175.00
19	194	LF	Furnish & Install 12" DIP Sewer by Open Cut	$200.84	$38,962.96	$160.00	$31,040.00
20	1	LS	Install & Maintain Erosion Control Measures		$2,000.37		$5,000.00
21	290	LF	Furnish & Install Silt fence	$5.00	$1,450.00	$8.00	$2,320.00
22	1	LS	Trench Protection		$3,500.00		$13,800.00
23	1	LS	Traffic Control		$3,432.05		$5,000.00
			TOTAL BASE BID		$169,280.80		$298,029.00

Prepared by Len McBride, E.I.T.
Certified Correct

Len McBride 2/25/25

Len McBride, Design Engineer, TWU

Attachment: 2025-038 ATTH 02 WEST PARK BID TAB (4446 : 2025-038 RES West Park Blvd water/sewer relocations)

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: 2025-038 Goals & Perspectives (4446 : 2025-038 RES West Park Blvd water/sewer relocations)

RESOLUTION NO. 2025-038

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND EXECUTE A CONTRACT WITH TRI STATE SITEWORK OF WICHITA FALLS, TEXAS, IN AN AMOUNT NOT TO EXCEED $169,280.80 FOR THE WEST PARK BOULEVARD WATER AND SEWER RELOCATION PROJECT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on February 18, 2025, two (2) bids were received, a copy of which is attached hereto as **ATTH 01**, by Texarkana Water Utilities for the West Park Boulevard and Sewer Relocation Project; and

WHEREAS, the project will consist of installing 220 feet of 12" water main, 245 feet of 8" water main, 200 feet of 8" sewer main, two fire hydrants, two manholes, and related appurtenances; and

WHEREAS, the lowest and best bid by a responsible vendor for this project was submitted by Tri State Sitework of Wichita Falls, Texas, a copy of which is attached hereto as **ATTH 02** in an amount not to exceed $169,280.80; and

WHEREAS, funds are available in the Texarkana Water Utilities 2024-2025 budget in the Texas Infrastructure Fund in the amount of $169,280.80.

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

SECTION 1: The lowest and best bid by a responsible vendor, submitted by Tri State Sitework of Wichita Falls, Texas, a copy of which is attached hereto as **ATTH 02** be and is hereby approved in an amount not to exceed $169,280.80 for the installation of 220 feet of 12" water main, 245 feet of 8" water main, 200 feet of 8" sewer main, two fire hydrants, two manholes, and related appurtenances for the West Park Boulevard Water and Sewer Relocation Project.

SECTION 2: The City Manager be and is authorized to contract with Tri State Sitework of Wichita Falls, Texas for the above-described services.

SECTION 3: 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 **10th day of March, 2025**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

6:51pm

BOB BRUGGEMAN, MAYOR

Attachment: 2025-038 RES W Park Bl Water & Sewer Relocate signed (4446 : 2025-038 RES West Park Blvd water/sewer relocations)

Bid Summary

West Park Boulevard
Water & Sewer Relocations

Tuesday, February 18, 2025, 2:00 P.M.

		Base Bid
1.	Tri State Sitework Wichita Falls, Texas	$169,280.80
2.	RBIS, LLC Texarkana, Arkansas	$298,029.00
3.	Barnwell Industries Queen City, Texas	No Bid
4.	Bobo & Bain Hope, Arkansas	No Bid
5.	Kampco, Inc. Texarkana, Arkansas	No Bid
6.	CDM Holdings New Boston, Texas	No Bid

Time First Bid Opened: 2:00 P.M

Number of Bidders: 2

Apparent Low Bidder: Tri State Sitework

Attachment: 2025-038 RES W Park Bl Water & Sewer Relocate signed (4446 : 2025-038 RES West Park Blvd water/sewer relocations)

Bid Tabulation
West Park Water Sewer Relocation
Project No. 62-000-135157-T152509
February 18, 2025

BASE BID:							
				Tri-State Sitework		RBIS, LLC	
				Wichita Falls, TX		Texarkana, TX	
Item	Quantity	Unit	Description	Unit Price	Total Bid	Unit Price	Total Price
1	1	LS	Mobilization, Bonds, & Submittals		$10,500.00		$37,500.00
2	4.6	STA	Right of Way Preparation	$667.00	$3,068.20	$5,000.00	$23,000.00
3	2	EA	Furnish & Install 12" X 12" Tapping Sleeve and Valve Assy.	$7,557.50	$15,115.00	$12,100.00	$24,200.00
4	1	EA	Furnish & Install 8" X 8" Tapping Sleeve and Valve Assy.	$9,228.00	$9,228.00	$9,100.00	$9,100.00
5	60	LF	Furnish & Install 12" DIP Water With Locking Gaskets by Open Cut	$106.92	$6,415.20	$110.00	$6,600.00
6	157	LF	Furnish & Install 12" C-900 PVC Water by Open Cut	$81.53	$12,800.21	$110.00	$17,270.00
7	242	LF	Furnish & Install 8" C-900 PVC Water by Open Cut	$45.18	$10,933.56	$62.00	$15,004.00
8	1	EA	Furnish & Install 8" X 12" X 12" TEE	$1,828.00	$1,828.00	$3,600.00	$3,600.00
9	2	EA	Furnish & Install 12" Gate Valve	$4,030.00	$8,060.00	$5,000.00	$10,000.00
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11	2	EA	Furnish & Install Fire Hydrant Assy.	$7,555.00	$15,110.00	$7,700.00	$15,400.00
12	2	EA	Remove Existing Valve & Fire Hydrant Assy.	$755.00	$1,510.00	$2,500.00	$5,000.00
13	60	LF	Remove Existing 12" PVC Water Main	$33.33	$1,999.80	$32.00	$1,920.00
14	2	EA	Cut, Plug and Abandon Exist 12" Water Main	$1,539.00	$3,078.00	$4,100.00	$8,200.00
15	2	EA	Cut, Plug and Abandon Exist 8" Water Main	$1,102.50	$2,205.00	$3,800.00	$7,600.00
16	2	EA	Cut, Plug and Abandon Exist 8" Sewer Main	$1,048.29	$2,096.58	$3,100.00	$6,200.00
17	3	EA	Furnish & Install Standard 0-6' Manhole	$4,377.28	$13,131.84	$13,900.00	$41,700.00
18	11.5	VF	Extra Verticle Depth	$52.35	$602.03	$450.00	$5,175.00
19	194	LF	Furnish & Install 12" DIP Sewer by Open Cut	$200.84	$38,962.96	$160.00	$31,040.00
20	1	LS	Install & Maintain Erosion Control Measures		$2,000.37		$5,000.00
21	290	LF	Furnish & Install Silt fence	$5.00	$1,450.00	$8.00	$2,320.00
22	1	LS	Trench Protection		$3,500.00		$13,800.00
23	1	LS	Traffic Control		$3,432.05		$5,000.00
			TOTAL BASE BID		$169,280.80		$298,029.00

Prepared by Len McBride, E.I.T.
Certified Correct

Len McBride, Design Engineer, TWU 2/25/25

Attachment: 2025-038 RES W Park BI Water & Sewer Relocate signed (4446 : 2025-038 RES West Park

2025-038 ATTH 02

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 3/7/2025 11:11 AM

Lead Department: City Secretary **Action Officer:** Angie Clinton, Admin Coordinator

Subject: Resolution No. 2025-041 approving the Texarkana Airport Executive Director to amend FAA Grant 63 to add a Reimbursable Agreement with the FAA in the amount of $84,445.12 with no local matching funds.

Briefing: 3/10/2025 **Public Hearing:** **Council Vote:** 3/10/2025

Item Schedule

Updates/History of Briefing:

N/A

Executive Summary and Background Information:

A resolution of the city council of the city of Texarkana, Texas, approving the Texarkana Airport Executive Director to amend FAA grant 63 to add a reimbursable agreement with the Federal Aviation Administration in the amount of $84,445.12 with no local matching funds.

Potential Options:

- Approve
- Deny

Fiscal Implications:

$0

Staff Recommendation:

Staff recommends for approval

Advisory Board/Committee Review:

Board/Committee Recommendation:

N/A

Advisory Board/Committee Meeting Date and Minutes:

N/A

Attachments

a. 2025-041 RES Airport - Runway 4 FAA RA (DOCX)
b. 2025-041 ATTH 01 - Runway 4 FAA RA (PDF)

c. 2025-041 ATTH 02 - Runway 4 FAA RA Sponsor Draftje (PDF)
d. 2025-041 Goals & Perspectives (DOCX)
e. 2025-041 RES AIRPORT - Runway 4FAA RA signed (PDF)

Staff Coordination

City Manager	Jennifer Evans	Department Head Review	Completed	03/03/2025 11:41 AM
City Manager	David Orr	City Manager Review	Completed	03/03/2025 3:21 PM
City Manager	David Orr	City Manager Review	Completed	03/03/2025 3:21 PM
City Council	Jennifer Evans	Meeting	Completed	03/10/2025 6:00 PM

Meeting History

RESOLUTION NO. 2025-041

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE TEXARKANA AIRPORT EXECUTIVE DIRECTOR TO AMEND FAA GRANT 63 TO ADD A REIMBURSABLE AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION IN THE AMOUNT OF $84,445.12 WITH NO LOCAL MATCHING FUNDS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Cities of Texarkana, Arkansas, and Texarkana, Texas, created the Texarkana Airport Authority by means of reciprocal ordinances codified in Chapter 6 – Aviation, Article II – Texarkana Airport Authority, of the Code of Ordinances of the City of Texarkana, Arkansas, and Chapter 4 – Airports, Article II – Airport Authority, of the Code of Ordinances of the City of Texarkana, Texas; and

WHEREAS, Section 6-31 of the Texarkana Arkansas City Code and Section 4-25 of the Texarkana Texas City Code allow the authority to plan, develop, construct, enlarge, improve, maintain, equip, operate, regulate, protect and police the airport; and,

WHEREAS, Section 6-31 of the Texarkana Arkansas City Code and Section 4-25 of the Texarkana Texas City Code require the cities to approve any expenditure over $25,000; and,

WHEREAS, the Texarkana Regional Airport Authority approved the agreement with Resolution No. 022725B on February 27, 2025; and

WHEREAS, the Federal Aviation Administration provided a reimbursable agreement in the amount of $84,445.12; and

WHEREAS, the Texarkana Regional Airport has been awarded a Runway 4 extension design grant by the Federal Aviation Administration; and,

WHEREAS, the Cities of Texarkana, Arkansas and Texarkana, Texas will have no local matching funds towards the grant,

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

SECTION 1: The City Council of Texarkana, Texas, approves the Executive Director amending Grant 63 in the amount of $84,445.12 for a reimbursable agreement with the Federal Aviation Administration, with no local matching funds.

PASSED AND APPROVED in Regular Council Session on this the **10th day of March, 2025**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2025-041 RES Airport - Runway 4 FAA RA [Revision 1] (4449 : 2025-041 RES Airport Runway 4 FAA RA)

TEXARKANA AIRPORT AUTHORITY RESOLUTION No. 022725B
A RESOLUTION APPROVING FAA REIMBURSABLE AGREEMENT FOR RUNWAY EXTENSION DESIGN REVIEW IN THE AMOUNT OF $84,445.12

WHEREAS, the Texarkana Regional Airport Authority was formed under Arkansas Code § 14-361-101 to be jointly owned by the cities of Texarkana AR and Texarkana TX; and

WHEREAS, Section 6-31 of Texarkana AR City Code and Section 4-25 of Texarkana TX City Code allow the authority to plan, develop, construct, enlarge, improve, maintain, equip, operate, regulate, protect and police the airport; and,

WHEREAS, the airport received Grant 63 from the FAA for runway extension design; and,

WHEREAS, the Federal Aviation Administration requires a reimbursable agreement to review engineering designs that affect Federal Aviation Administration owned equipment; and,

WHEREAS, the Federal Aviation Administration will provide an amendment to Grant 63 to cover the additional cost; and,

WHEREAS, the Federal Aviation Administration has provided a reimbursable agreement in the amount of $84,445.12,

NOW, THEREFORE, BE IT RESOLVED BY THE TEXARKANA AIRPORT AUTHORITY THAT:

SECTION 1. The Texarkana Regional Airport Authority Approves the Executive Director signing the FAA reimbursable agreement for engineering review in the amount of $84,445.12.

Adopted this 27th day of February, 2025

ATTEST

Ferdinand P Mehrlich III, Director

SIGNED

Airport Authority Chair

Attachment: 2025-041 ATTH 01 - Runway 4 FAA RA (4449 : 2025-041 RES Airport Runway 4 FAA RA)

Agreement Number
AJW-FN-CSA-24-SW-006021

NON-FEDERAL REIMBURSABLE AGREEMENT

BETWEEN

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

AND

TEXARKANA AIRPORT AUTHORITY
TEXARKANA REGIONAL AIRPORT-WEBB FIELD
TEXARKANA, ARKANSAS

WHEREAS, the Federal Aviation Administration (FAA) can furnish directly or by contract, material, supplies, equipment, and services which the Texarkana Airport Authority (Sponsor) requires, has funds available for, and has determined should be obtained from the FAA;

WHEREAS, it has been determined that competition with the private sector for provision of such material, supplies, equipment, and services is minimal; the proposed activity will advance the FAA's mission; and the FAA has a unique capability that will be of benefit to the Sponsor while helping to advance the FAA's mission;

NOW THEREFORE, the FAA and the Sponsor mutually agree as follows:

ARTICLE 1. Parties

The Parties to this Agreement are the FAA and the Texarkana Airport Authority.

ARTICLE 2. Type of Agreement

This Agreement is an "other transaction" authorized under 49 U.S.C. § 106(l)(6). It is not intended to be, nor will it be construed as, a partnership, corporation, joint venture or other business organization.

ARTICLE 3. Scope

A. The purpose of this Agreement between the FAA and the Sponsor is to is to identify the scope of effort the Parties mutually agree will be required for FAA support of the Sponsor's project to extend Runway 4-22 at Texarkana Regional Airport (TXK). The extension of Runway 4-22 will require the relocation of components of FAA Navigational Aids (NAVAIDs) and cables and infrastructure supporting those systems.

   This Agreement provides funding for the FAA to perform site visits, design and engineering reviews impacting FAA NAVAIDs including, but not limited to the Runway 22 Localizer, Runway 22 Glideslope, Runway 4 Visual Approach Slope Indicators (VASI) and the Runway 22 Distance Measuring Equipment (DME). The

DRAFT

Attachment: 2025-041 ATTH 02 - Runway 4 FAA RA Sponsor Draftje (4449 : 2025-041 RES Airport Runway 4 FAA RA)

FAA and the Sponsor will enter into either an amendment of this agreement or a new agreement to cover the implementation of the project plans developed under this agreement.

FAA Engineering Services involvement in this project is to support the Sponsor's initiative. However, FAA Engineering Services' primary purpose is to protect and ensure continuity of operations of the National Airspace System (NAS). This effort may be affected by government shutdowns, pandemics, natural disasters or other items outside of FAA control.

FAA engineer and technician onsite support will be coordinated in advance and scheduled in accordance with FAA travel restrictions. No construction work shall be performed involving FAA facilities, systems, and equipment during FAA maintenance moratorium periods, which will be provided by FAA. Waivers will not be approved during a FAA moratorium.

The amounts necessary for the FAA to support this project are set forth in Article 7, Estimated Cost. Therefore, this Agreement is titled:

Relocation of FAA NAVAIDS Facilities, Equipment and Cables in Support of the Extension of Runway 4-22 at Texarkana Regional Airport, Texarkana, Arkansas

B. The FAA will perform the following activities:

1. The FAA will perform Preliminary Design planning activities. This includes technical consultation, site visits, feasibility assessments, Spectrum analysis, project planning, scope definition, development of cost estimate(s), and travel in support of the reimbursable agreement program management.
2. Provide to the Sponsor any requirements and/or recommendations related to FAA facilities impacted by the Sponsor's project.
3. Provide all technical assistance necessary to ensure that the Sponsor's project meets FAA rules, regulations, orders, requirements, and standards.
4. Provide the design layout for new facilities to include footprint for relocated or new equipment, grounding plates, cable trays, lighting fixtures, and power raceways.
5. Provide all FAA standard drawings, specifications, and directives for use by the Sponsor in execution of the project.
6. Meet with the Sponsor as required to coordinate and discuss project planning and engineering.
7. Coordinate with the Sponsor in order to ensure that National Environmental Policy Act (NEPA) documentation for the project incorporates associated FAA actions. Also ensure NEPA documentation meets FAA requirements and approvals.
8. Complete HazMat surveys for all applicable FAA facilities on the Airport and provide information to the Airport Sponsor for use in preparing plans for

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removal of the FAA facilities and reuse of the airport property. This work will be conducted prior to demolition of the applicable FAA facilities.

9. Complete environmental due diligence documentation for FAA F&E facilities associated with this project.
10. Perform engineering design reviews of the Sponsor's plans and specifications in support of the Sponsor's construction project that affects FAA systems or equipment.
11. The FAA will provide comments to the 50%, 90% and 100% design plans and specifications packages. The Sponsor's design plans and specifications are not final until the FAA has notified the Sponsor that all the FAA's comments, suggestions, and/or requirements have been incorporated into the design plans and specifications.
    a. 50% and 100% design review comments will be provided within 21 calendar days of receipt of design plans and specifications package.
    b. 90% design plans and specifications comments will be provided within 60 calendar days of receipt of design plans and specifications package.
14. Provide access to impacted FAA facilities.
15. The FAA will provide the following NAVAIDS equipment in support of the project:
    a. Localizer for Runway 22, including antenna array and associated electronic equipment
    b. Glideslope for Runway 22, including tower, antenna and associated electronic equipment
    c. Precision Approach Path Indicator (PAPI) to replace Runway 4 VASI
16. With funds provided by the Sponsor in an amendment to this agreement or a subsequent reimbursable agreement, the FAA will obtain a shelter for the Runway 22 Glideslope with associated electronics equipment installed.

C. The Sponsor will perform the following activities:

1. Provide funding sufficient to cover costs associated with the applicable phase of this agreement no later than 30 calendar days prior to commencement or sufficient lead time to support contracting activities, whichever is greater.
2. Provide a full set of plans, including scaled electronic drawings, showing the proposed work.
3. Provide a full schedule for the work to be accomplished, including construction activities related to FAA facilities and equipment.
4. Incorporate requirements and recommendations made by the FAA into the Plans and Specifications impacting FAA-owned systems.
5. Provide survey information and/or documentation to verify the clearance of critical areas and obstruction surfaces relating to FAA facilities. Airspace cases

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can be submitted online via https://oeaaa.faa.gov.

6. The Sponsor is responsible to provide funding for a fully outfitted shelter for the Runway 22 Glideslope.
7. The Sponsor is responsible for design, engineering and construction of the affected NAVAIDS facilities and infrastructure.
8. The Sponsor is responsible for relocating the existing RWY 22 Localizer shelter and the DME located within
9. Provide the FAA with access to the project site, including any airport-specific security briefs or driving requirements, for the purposes of site surveys, construction inspection, and other activities.
10. Support Engineering Services availability by not seeking engineering design review support before this Agreement is funded. Should the Sponsor decide to accelerate the schedule ahead of agreed upon dates, Technical Operations technicians and engineers may not be available to support. Thus, this Agreement would have to be canceled or amended if Tech Ops staff is available to support an accelerated timeline.
11. Perform all appropriate surveys and engineering design for the Sponsor's project impacting FAA facilities, equipment, and infrastructure.
12. Develop the design plans and specifications for the construction of the Sponsor's project and required space for FAA equipment, with FAA's participation and approval. The Sponsor shall coordinate any interruptions or changes that may have an impact to FAA facilities, systems, and equipment necessitated by the Sponsor's project. Scope of work includes but is not limited to: siting of the facilities; all plot site preparation work (e.g., siting, trenching, grading, filing, foundations, power) in establishing new facilities, shelters and supporting infrastructure.
10. Provide the FAA copies of the proposed grading plan showing the contours and site- grading profile information and all critical areas for navigation, surveillance and weather systems, such as ILS signal-forming areas, for use during facility siting evaluation. Once facilities have been sighted in accordance FAA siting criteria, specifications, the sponsor will provide finished grading plans (including the latitude/longitude coordinates of centerline points and elevations to within 3 inches of final grade) 18 months prior to the expected return to service of final locations.
11. Provide FAA an initial engineering package (50% or greater) no later than 180 days prior to construction. Provide an intermediate engineering package (90% or greater) no later than 150 days prior to construction that has resolved all of the comments and issues identified in the 50% review. Provide a final engineering package (100%) no later than 90 days prior to construction that has resolved all of the comments and issues identified in the 90% review. The Sponsor's design plans and specifications are not final until the FAA has notified the Sponsor that all of the FAA's comments, suggestions, and/or requirements have been incorporated into the design plans and specifications.

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No work may begin that affects FAA facilities until the design plans and specifications have received final approval from the FAA.

12. Coordinate the Sponsor's schedule and construction sequencing plan with the FAA NAVAIDS Engineering Center before finalizing the plan to ensure that the Sponsor and FAA are in agreement on the critical path, schedule, and milestones. This should be done during the project design phase, before construction contract award. In addition, provide a copy of the Sponsor's schedule within 30 calendar days of the effective date of this Agreement, and updated monthly (or as soon as changes occur), including the following tasks:
    a. Construction bid
    b. Construction award
    c. Construction start
    d. Construction complete
    e. Overall construction sequencing schedule, to include FAA facilities
13. Provide to the FAA in hard-copy format four (4) sets of 11" x 17", (½ size), and four (4) full American National Standards Institute (ANSI) size "D" and one (1) electronic copy using AutoCAD of the complete and finalized Plans and Specifications for the FAA's coordination and review at the agreed-upon design phases. Within 21 calendar days of receipt of the FAA's comments, or within such other period as the parties may agree, the Sponsor will provide to the FAA below Engineering Center(s), a written response to each of the FAA's comments, suggestions, and requirements. The 100% Plans and Specifications are not final until the Article 4. Technical Engineering Center POC(s) has notified the Sponsor that all of the FAA's comments, suggestions, and requirements have been incorporated into the Plans and Specifications.
14. Provide to the FAA final project plans and specifications that incorporates the FAA's comments from the 100% engineering review no later than 21 calendar days after FAA approval of the 100% drawings. The complete/finalized project drawings and plans and specifications shall be sent to the Engineering Services address listed in this section.
15. Complete the contract, construction bid, and award process for the construction phase of the project using approved FAA plans and specifications for FAA impacted facilities. The project's scope of work will include but not be limited to all plot site preparation work (e.g., trenching, grading, filling, foundations, demolition) and the installation of all necessary equipment and associated infrastructure. Sponsor will not bid the portion of work that includes the FAA equipment and cabling until the FAA has agreed that all of the drawings and specifications are final.

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16. No construction associated with this project that affect FAA facilities or equipment may begin prior to receipt of the foregoing FAA design approval. Furthermore, the Sponsor shall advise the FAA immediately of any proposed changes to the "approved" design plans and specifications before and during the projects construction. Before starting any construction, provide four (4) full size sets of the construction package to FAA Engineering Services:

    FAA NAVAIDS Engineering Center, AJW-2C14C
    ATTN: Richard Bellows, Center Manager
    10101 Hillwood Parkway, Fort Worth, TX 76177
    Phone: (817) 222-4085
    Email: richard.bellows@faa.gov

17. Provide any information on hazardous materials or other environmental conditions that may impact the FAA relocated facilities. This information includes, but is not limited to, previous and current studies/reports conducted on known or suspected areas of environmental contamination located on or adjacent to airport property. The Sponsor agrees to remediate, at its sole cost, all hazardous substance contamination found to impact the proposed FAA facility sites prior to construction and modification to the land rights MOA. In the event that contaminants are discovered on future FAA equipment areas during the course of the FAA's environmental due diligence documentation process, the FAA will require that those areas be remediated. Should this occur, the FAA would coordinate further details with the Sponsor.

19. Complete the NEPA documentation, according to FAA Order 1050.1(series) and coordinate with the FAA for comments/guidance to ensure FAA facilities are included.

20. Submit FAA Form 6000-26 Airport Sponsor Strategic Event Submission Form (Outage Request Form) no-less-than 45 calendar days prior to the start of construction that will impact NAS facilities, result in a full or partial runway closure, or result in a significant taxiway closure. This form is available at https://oeaaa.faa.gov under the Forms section on the left pane. This form may also be used to notify the FAA of any changes to the project schedule.

21. Provide a copy of the submitted FAA Form 6000-26 to the Article 4. Technical POC(s).

22. Sponsor shall work with the FAA Airports Region/District Office and submit non-rulemaking airport (NRA) or non-rulemaking (NR) airspace cases for temporary and permanent locations of all buildings and equipment to be placed on the airfield as well as required Airspace cases showing information regarding construction vehicles and equipment during each phase of the project to include all trenching operation locations, truck routes, contractor staging areas, cranes, etc. Sponsor shall respond to all NR/NRA case reviewer questions and comply with all reviewer comments. A "determination letter" must be received and reviewed by the FAA ADO before any construction can begin. Airspace cases can be submitted online via https://oeaaa.faa.gov.

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23. The Sponsor will be responsible for design and construction of required infrastructure in support of the NAVAIDS provided by the FAA (paragraphs B. 15 and 16 above).

D. This agreement is in whole or in part funded with funding from an AIP grant [X] Yes [ ] No. If Yes, the grant date is:___TBD_____ and the grant number is: _____TBD_____. If the grant information is not available at the time of agreement execution, the Sponsor will provide the grant information to the FAA when it becomes available.

ARTICLE 4. Points of Contact

A. FAA:

1. The FAA, Air Traffic Organization, Central Service Area, Planning and Requirements Group, NAS Planning Team, will provide administrative oversight of this Agreement. David Hafer is the Lead Planner and liaison with the Sponsor and can be reached at (817) 222-4875 or via email at david.w.hafer@faa.gov. This liaison is not authorized to make any commitment, otherwise obligate the FAA, or authorize any changes that affect the estimated cost, period of performance, or other terms and conditions of this Agreement.

2. The FAA NAVAIDS Engineering Center, Fort Worth, Texas, will perform the scope of work included in this Agreement. Richard Bellows is the NAVAIDS Engineering Manager and liaison with the Sponsor and can be reached at (817) 222-4085 or via email at richard.bellows@faa.gov. This liaison is not authorized to make any commitment, or otherwise obligate the FAA, or authorize any changes which affect the estimated cost, period of performance, or other terms and conditions of this Agreement.

3. The execution, amendment, and administration of this Agreement must be authorized and accomplished by the FAA's Contracting Officer, Bradley K. Logan who can be reached at (817) 222-4395 or via email at Brad.Logan@faa.gov.

B. Sponsor:

Texarkana Regional Airport
Attn: Ferdinand Paul Mehrlich III
Executive Director of Aviation
2600 TXK Blvd.
Texarkana, Arkansas 71854
Telephone: (870) 774-2171
Email: Director@TXKAirport.com

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ARTICLE 5. Non-Interference with Operations

The Sponsor understands and hereby agrees that any relocation, replacement, or modification of any existing or future FAA facility, system, and/or equipment covered by this Agreement during its term or any renewal thereof made necessary by Sponsor improvements, changes, or other actions which in the FAA's opinion interfere with the technical and/or operations characteristics of an FAA facility, system, and/or piece of equipment will be at the expense of the Sponsor, except when such improvements or changes are made at the written request of the FAA. In the event such relocations, replacements, or modifications are necessitated due to causes not attributable to either the Sponsor or the FAA, the parties will determine funding responsibility.

ARTICLE 6. Property Transfer

A. To the extent that the Sponsor provides any material associated with the Project, and to the extent that performance of the requirements of this Project results in the creation of assets constructed, emplaced, or installed by the Sponsor, all such material (buildings, equipment, systems, components, cable enclosures, etc.) and assets will be transferred to and become the property of the FAA upon project completion. For purposes of this Article 6, "project completion" means that FAA has inspected the specific equipment or construction and has accepted it as substantially complete and ready for use. The creation of an additional agreement will not be required unless such other agreement is required by the laws of the state in which the subject property is located. The Sponsor and FAA acknowledge by execution of this agreement the FAA will accept the fundamental responsibilities of ownership by assuming all operations and maintenance requirements for all property transferred to the FAA. The transfer of asset(s) will occur on the date the asset(s) is placed in service. It has been determined the subject transfer(s) to FAA is in the best interest of both the Sponsor and FAA.

B. In order to ensure that the assets and materials subject to this Article remain fully accounted-for and operational, the Sponsor will provide the FAA any additional documents and publications that will enhance the FAA's ability to manage, maintain and track the assets being transferred. Examples may include, but are not limited to, operator manuals, maintenance publications, warranties, inspection reports, etc. These documents will be considered required hand-off items upon Project completion.

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ARTICLE 7. Estimated Costs

The estimated FAA costs associated with this Agreement are as follows:

DESCRIPTION OF REIMBURSABLE ITEM	ESTIMATED COST
Labor	
Engineering Support	$33,442.40
Environmental Support	$13,346.00
Labor Subtotal	$46,788.40
Labor Overhead	$9,301.53
Total Labor	**$56,089.93**
Non-Labor	
Engineering Travel	$5,000.00
Environmental Travel	$1,254.80
Environmental HAZMAT Surveys and Testing	$20,000.00
Non-Labor Subtotal	$26,254.80
Non-Labor Overhead	$2,100.38
Total Non-Labor	**$28,355.18**
TOTAL ESTIMATED COST	**$84,445.12**

ARTICLE 8. Period of Agreement and Effective Date

The effective date of this Agreement is the date of the last signature. This Agreement is considered complete when the final invoice is provided to the Sponsor and a refund is sent or payment is received as provided for in Article 9 of this Agreement. This Agreement will not extend more than five years beyond its effective date.

ARTICLE 9. Reimbursement and Accounting Arrangements

A. The Sponsor agrees to prepay the entire estimated cost of the Agreement. The Sponsor will send a copy of the executed Agreement and submit full advance payment in the amount stated in Article 7 to the Reimbursable Receipts Team listed in Section C of this Article. The advance payment will be held as a non-interest bearing deposit. Such advance payment by the Sponsor must be received before the FAA incurs any obligation to implement this Agreement. Upon completion of this Agreement, the final costs will be netted against the advance payment and, as appropriate, a refund or final bill will be sent to the sponsor, except as described in section D of this Article. Per U.S. Treasury guidelines, refunds under $1.00 will not be processed. Additionally, FAA will not bill the sponsor for amounts less than $1.00.

B. The Sponsor certifies that arrangements for sufficient funding have been made to cover the estimated costs of the Agreement.

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C. The Reimbursable Receipts team is identified by the FAA as the billing office for this Agreement. The preferred method of payment for this agreement is via Pay.Gov. The sponsor can use a check or credit card to provide funding in this manner and receipt-processing time is typically within 3 working days. Alternatively, the sponsor can mail the payment to the address shown below. When submitting funding by mail, the Sponsor must include a copy of the executed Agreement and the full advance payment. All payments mailed to the FAA must include the Agreement number, Agreement name, Sponsor name, and project location. Payments submitted by mail are subject to receipt-processing delay of up to 10 working days.

FAA payment remittance address using USPS is:

DOT/FAA/ESC
P.O. Box 25770
AMK-322 – MPB 328
Oklahoma City, OK 73125

FAA payment remittance address using Fed Ex (overnight) is:

DOT/FAA/ESC
AMK-322 – MPB328
6500 S. MacArthur Blvd.
Oklahoma City, OK 73125

The Sponsor hereby identifies the office to which the FAA will render bills for the project costs incurred as:

Texarkana Regional Airport
Attn: Ferdinand Paul Mehrlich III
Executive Director of Aviation
2600 TXK Blvd.
Texarkana, Arkansas 71854
Telephone: (870) 774-2171
Email: Director@TXKAirport.com

D. The FAA will accept payments under this Article from only one of two sources: either (1) the Sponsor or (2) a Third Party on behalf of the Sponsor, and the same source must make all required payments. If a Third Party makes the payments, then any refund due from FAA upon completion of the Agreement will be returned to that Third Party.

E. The FAA will provide the Sponsor a quarterly Statement of Account of costs incurred against the advance payment.

F. The cost estimates contained in Article 7 are expected to be the maximum costs associated with this Agreement, but may be amended to recover the FAA's actual costs. If during the course of this Agreement actual costs are expected to exceed the

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estimated costs, the FAA will notify the Sponsor immediately. The FAA will also provide the Sponsor an amendment to the Agreement which includes the FAA's additional costs. The Sponsor agrees to prepay the entire estimated cost of the amendment. The Sponsor will send a copy of the executed amendment to the Agreement to the Reimbursable Receipts Team with the additional advance payment. Work identified in the amendment cannot start until receipt of the additional advance payment. In addition, in the event that a contractor performing work pursuant to the scope of this Agreement brings a claim against the FAA and the FAA incurs additional costs as a result of the claim, the Sponsor agrees to reimburse the FAA for the additional costs incurred whether or not a final bill or a refund has been sent.

ARTICLE 10. Changes and Amendments

Changes and/or amendments to this Agreement will be formalized by a written amendment that will outline in detail the exact nature of the change. Any amendment to this Agreement will be executed in writing and signed by the authorized representative of each party. The parties signing this Agreement and any subsequent amendment(s) represent that each has the authority to execute the same on behalf of their respective organizations. No oral statement by any person will be interpreted as amending or otherwise affecting the terms of the Agreement. Any party to this Agreement may request that it be amended, whereupon the parties will consult to consider such amendments.

ARTICLE 11. Termination

In addition to any other termination rights provided by this Agreement, either party may terminate this Agreement at any time prior to its expiration date, with or without cause, and without incurring any liability or obligation to the terminated party other than payment of amounts due and owing and performance of obligations accrued, in each case on or prior to the termination date, by giving the other party at least thirty (30) days prior written notice of termination. Payment of amounts due and owing may include all costs reimbursable under this Agreement, not previously paid, for the performance of this Agreement before the effective date of the termination; the total cost of terminating and settling contracts entered into by the FAA for the purpose of this Agreement; and any other costs necessary to terminate this Agreement. Upon receipt of a notice of termination, the receiving party will take immediate steps to stop the accrual of any additional obligations which might require payment. All funds due after termination will be netted against the advance payment and, as appropriate, a refund or bill will be issued.

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ARTICLE 12. Order of Precedence

If attachments are included in this Agreement and in the event of any inconsistency between the attachments and the terms of this Agreement, the inconsistency will be resolved by giving preference in the following order:

A. This Agreement

B. The attachments

ARTICLE 13. Legal Authority

This Agreement is entered into under one or more of the following authorities: 49 U.S.C. § 106(l), 31 U.S. Code 6505 Intergovernmental Cooperation Act. Nothing in this Agreement will be construed as incorporating by reference or implication any provision of Federal acquisition law or regulation.

ARTICLE 14. Disputes

Where possible, disputes will be resolved by informal discussion between the parties. In the event the parties are unable to resolve any dispute through good faith negotiations, the dispute will be resolved by alternative dispute resolution using a method to be agreed upon by the parties. The outcome of the alternative dispute resolution will be final unless it is timely appealed to the Administrator, whose decision is not subject to further administrative review and, to the extent permitted by law, is final and binding (see 49 U.S.C. § 46110).

ARTICLE 15. Warranties

The FAA makes no express or implied warranties as to any matter arising under this Agreement, or as to the ownership, merchantability, or fitness for a particular purpose of any property, including any equipment, device, or software that may be provided under this Agreement.

ARTICLE 16. Insurance

The Sponsor will arrange by insurance or otherwise for the full protection of itself from and against all liability to third parties arising out of, or related to, its performance of this Agreement. The FAA assumes no liability under this Agreement for any losses arising out of any action or inaction by the Sponsor, its employees, or contractors, or any third party acting on its behalf.

ARTICLE 17. Limitation of Liability

To the extent permitted by law, the Sponsor agrees to indemnify and hold harmless the FAA, its officers, agents and employees from all causes of action, suits or claims arising out of the work performed under this Agreement. However, to the extent that such claim

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is determined to have arisen from the act or omission by an officer, agent, or employee of the FAA acting within the scope of his or her employment, this hold harmless obligation will not apply and the provisions of the Federal Tort Claims Act, 28 U.S.C. § 2671, et seq., will control. The FAA assumes no liability for any losses arising out of any action or inaction by the Sponsor, its employees, or contractors, or any third party acting on its behalf. In no event will the FAA be liable for claims for consequential, punitive, special and incidental damages, claims for lost profits, or other indirect damages.

ARTICLE 18. Civil Rights Act

The Sponsor will comply with Title VI of the Civil Rights Act of 1964 relating to nondiscrimination in federally assisted programs.

ARTICLE 19. Protection of Information

The parties agree that they will take appropriate measures to identify and protect proprietary, privileged, or otherwise confidential information that may come into their possession as a result of this Agreement.

ARTICLE 20. Security

In the event that the security office determines that the security requirements under FAA Order 1600.72A applies to work under this Agreement, the FAA is responsible for ensuring that security requirements, including compliance with AMS clause 3.14.2.1, Contractor Personnel Suitability Requirements are met.

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Attachment: 2025-041 ATTH 02 - Runway 4 FAA RA Sponsor Draftje (4449 : 2025-041 RES Airport Runway 4 FAA RA)

ARTICLE 21. Entire Agreement

This document is the entire Agreement of the parties, who accept the terms of this Agreement as shown by their signatures below. In the event the parties duly execute any amendment to this Agreement, the terms of such amendment will supersede the terms of this Agreement to the extent of any inconsistency. Each party acknowledges participation in the negotiations and drafting of this Agreement and any amendments thereto, and, accordingly that this Agreement will not be construed more stringently against one party than against the other. If this Agreement is not executed by the Sponsor within 120 calendar days after the FAA transmits it to the Sponsor, the terms contained and set forth in this Agreement shall be null and void. Additionally, the FAA expects this agreement to be funded within 120 days of execution, if funding is not received by that date; the FAA may exercise the right to renegotiate estimated costs.

AGREED:

FEDERAL AVIATION ADMINISTRATION		**TEXARKANA AIRPORT AUTHORITY**	
SIGNATURE		SIGNATURE	Do not sign yet
NAME	Bradley K. Logan	NAME	
TITLE	Contracting Officer	TITLE	
DATE		DATE	

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Attachment: 2025-041 ATTH 02 - Runway 4 FAA RA Sponsor Draftje (4449 : 2025-041 RES Airport Runway 4 FAA RA)

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:		

Resource Impact:	
Staff time required if item is approved:	No Additional
Other Potential Impacts:	

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: 2025-041 Goals & Perspectives (4449 : 2025-041 RES Airport Runway 4 FAA RA)

RESOLUTION NO. 2025-041

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE TEXARKANA AIRPORT EXECUTIVE DIRECTOR TO AMEND FAA GRANT 63 TO ADD A REIMBURSABLE AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION IN THE AMOUNT OF $84,445.12 WITH NO LOCAL MATCHING FUNDS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Cities of Texarkana, Arkansas, and Texarkana, Texas, created the Texarkana Airport Authority by means of reciprocal ordinances codified in Chapter 6 – Aviation, Article II – Texarkana Airport Authority, of the Code of Ordinances of the City of Texarkana, Arkansas, and Chapter 4 – Airports, Article II – Airport Authority, of the Code of Ordinances of the City of Texarkana, Texas; and

WHEREAS, Section 6-31 of the Texarkana Arkansas City Code and Section 4-25 of the Texarkana Texas City Code allow the authority to plan, develop, construct, enlarge, improve, maintain, equip, operate, regulate, protect and police the airport; and,

WHEREAS, Section 6-31 of the Texarkana Arkansas City Code and Section 4-25 of the Texarkana Texas City Code require the cities to approve any expenditure over $25,000; and,

WHEREAS, the Texarkana Regional Airport Authority approved the agreement with Resolution No. 022725B on February 27, 2025; and

WHEREAS, the Federal Aviation Administration provided a reimbursable agreement in the amount of $84,445.12; and

WHEREAS, the Texarkana Regional Airport has been awarded a Runway 4 extension design grant by the Federal Aviation Administration; and,

WHEREAS, the Cities of Texarkana, Arkansas and Texarkana, Texas will have no local matching funds towards the grant,

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

SECTION 1: The City Council of Texarkana, Texas, approves the Executive Director amending Grant 63 in the amount of $84,445.12 for a reimbursable agreement with the Federal Aviation Administration, with no local matching funds.

PASSED AND APPROVED in Regular Council Session on this the **10th day of March, 2025**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:51 p.m.

Attachment: 2025-041 RES AIRPORT - Runway 4FAA RA signed (4449 : 2025-041 RES Airport Runway 4 FAA RA)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 3/3/2025 12:43 PM

Lead Department: City Secretary **Action Officer:** Angie Clinton, Admin Coordinator

Subject: Resolution No. 2025-042 approving the Texarkana Airport Executive Director to execute an agreement with Garver Engineering of North Little Rock, Arkansas, for design and procurement of a 1500-Gal Air Rescue Fire Fighting Truck in the amount of $44,700 approved in the Texarkana Regional Airport FY25 capital budget.

Briefing: 3/10/2025 **Public Hearing:** **Council Vote:** 3/10/2025

Item Schedule

Updates/History of Briefing:

N/A

Executive Summary and Background Information:

A resolution of the city council of the city of Texarkana, Texas, approving the Texarkana Airport Executive Director to enter into an agreement with Garver Engineering for design and procurement of a 1500-gal air rescue fire fighting truck in the amount of $44,700.00 approved in the Texarkana Regional Airport fy25 capital budget.

Potential Options:

- Approve
- Deny

Fiscal Implications:

$0

Staff Recommendation:

Staff recommends for approval

Advisory Board/Committee Review:

Board/Committee Recommendation:

N/A

Advisory Board/Committee Meeting Date and Minutes:

N/A

City of Texarkana, Texas

Attachments

a. 2025-042 RES Airport - ARFF Truck (DOCX)
b. 2025-042 ATTH 01- Resolution - ARFF Truck (PDF)
c. 2025-042 ATTH 02 TXK ARFF WO BWR Signed je (PDF)
d. 2025-042 Goals & Perspectives (DOCX)
e. 2025-042 RES AIRPORT - ARFF Truck signed (PDF)

Staff Coordination

City Manager	Jennifer Evans	Department Head Review	Completed	03/03/2025 12:44 PM
City Manager	David Orr	City Manager Review	Completed	03/03/2025 3:23 PM
City Manager	David Orr	City Manager Review	Completed	03/03/2025 4:38 PM
City Council	Jennifer Evans	Meeting	Completed	03/10/2025 6:00 PM

Meeting History

RESOLUTION NO. 2025 - 042

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE TEXARKANA AIRPORT EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT WITH GARVER ENGINEERING OF NORTH LITTLE ROCK, ARKANSAS, FOR DESIGN AND PROCUREMENT OF A 1500-GAL AIR RESCUE FIGHTING TRUCK IN THE AMOUNT OF $44,700 APPROVED IN THE TEXARKANA REGIONAL AIRPORT FY25 CAPITAL BUDGET; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Cities of Texarkana, Arkansas, and Texarkana, Texas, created the Texarkana Airport Authority by means of reciprocal ordinances codified in Chapter 6 – Aviation, Article II – Texarkana Airport Authority, of the Code of Ordinances of the City of Texarkana, Arkansas, and Chapter 4 – Airports, Article II – Airport Authority, of the Code of Ordinances of the City of Texarkana, Texas; and

WHEREAS, Section 6-31 of the Texarkana Arkansas City Code and Section 4-25 of the Texarkana Texas City Code allow the authority to plan, develop, construct, enlarge, improve, maintain, equip, operate, regulate, protect and police the airport; and,

WHEREAS, Section 6-31 of the Texarkana Arkansas City Code and Section 4-25 the of Texarkana Texas City Code require the cities to approve any expenditure over $25,000; and,

WHEREAS, the Texarkana Regional Airport Authority approved the agreement with Resolution No. 022725D on February 27, 2025; and

WHEREAS, Garver Engineering provided a work order in the amount of $44,700 for design and procurement of a 1500-Gal Air Rescue Fire Fighting truck; and

WHEREAS, the Texarkana Regional Airport will utilize a grant under the Bi-partisan Infrastructure Law through the Federal Aviation Administration; and,

WHEREAS, the Cities of Texarkana, Arkansas, and Texarkana, Texas, will have no local matching funds.

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

SECTION 1: The City Council of Texarkana, Texas, approves the Executive Director executing an agreement with Garver Engineering of North Little Rock, Arkansas, in the amount of $44,700 for the design and procurement of a 1500-Gal Air Rescue Fire Fighting truck.

PASSED AND APPROVED in Regular Council Session on this the **10th day of March, 2025**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2025-042 RES Airport - ARFF Truck (4450 : 2025-042 RES Airport - ARFF Truck)

TEXARKANA AIRPORT AUTHORITY RESOLUTION No. 022725D
A RESOLUTION APPROVING WORK ORDER WITH GARVER ENGINEERING FOR DESIGN AND PROCUREMENT OF 1500-GAL ARFF TRUCK IN THE AMOUNT OF $44,700

WHEREAS, the Texarkana Regional Airport Authority was formed under Arkansas Code § 14-361-101 to be jointly owned by the cities of Texarkana AR and Texarkana TX; and

WHEREAS, Section 6-31 of Texarkana AR City Code and Section 4-25 of Texarkana TX City Code allow the authority to plan, develop, construct, enlarge, improve, maintain, equip, operate, regulate, protect and police the airport; and,

WHEREAS, the 1500-Gal Air Rescue Fire Fighting Truck is 15 years old; and,

WHEREAS, the Federal Aviation Administration has determined the AFFF contained a carcinogenic chemical called PFAS and recommended airports develop a plan to transition from AFFF to F3; and,

WHEREAS, the Federal Aviation Administration determined that vehicles are still considered contaminated after cleaning; and,

WHEREAS, the Texarkana Regional Airport put replacing the 1500-Gal Air Rescue Fire Truck on the approved 5-year capital improvement plan; and,

WHEREAS, the Texarkana Regional Airport will utilize Bi-partisan Infrastructure Law funds with local match to procure the vehicle; and,

WHEREAS, Garver Engineering has provided a Work Order in the amount of $44,700 for the design and procurement of a replacement 1500-Gal Air Rescue Fire Fighting Truck,

NOW, THEREFORE, BE IT RESOLVED BY THE TEXARKANA AIRPORT AUTHORITY THAT:

SECTION 1. The Texarkana Regional Airport Authority Approves the Executive Director signing the work order with Garver Engineering in the amount of $44,700 for the design and procurement of a replacement 1500-Gal Air Rescue Fire Fighting Truck.

Adopted this 27th day of February, 2025

ATTEST

Ferdinand P Mehrlich III, Director

SIGNED

Airport Authority Chair

TEXARKANA AIRPORT AUTHORITY TEXARKANA - ARK - TEX.

Attachment: 2025-042 ATTH 01- Resolution - ARFF Truck (4450 : 2025-042 RES Airport - ARFF Truck)

Work Order No. 2500247-1

to the

Master Agreement

For

Professional Services

Texarkana Regional Airport Authority

Project No. 2500247

Attachment: 2025-042 ATTH 02 TXK ARFF WO BWR Signed je (4450 : 2025-042 RES Airport - ARFF Truck)

This WORK ORDER ("Work Order") is made by and between the **Texarkana Regional Airport Authority** (hereinafter referred to as "**Owner**") and **Garver, LLC**, (hereinafter referred to as "**Garver**" or "**Engineer**") in accordance with the provisions of the MASTER AGREEMENT FOR PROFESSIONAL SERVICES executed on **August 1, 2024** (the "Agreement").

Under this Work Order, the Owner intends to **procure a 1,500 Gallon Aircraft Rescue and Firefighting (ARFF) Vehicle**.

Garver will provide professional services related to these improvements as described herein. Terms not defined herein shall have the meaning assigned to them in the Agreement.

SECTION 1 - SCOPE OF SERVICES

1.1 Garver shall provide the Services described in Appendix A.

1.2 In addition to those obligations set forth in the Agreement, Owner shall:

- 1.2.1 Give thorough consideration to all documents and other information presented by Garver and informing Garver of all decisions within a reasonable time so as not to delay the Services.
- 1.2.2 Make provision for the Personnel of Garver to enter public and private lands as required for Garver to perform necessary preliminary surveys and other investigations required under the applicable Work Order.
- 1.2.3 Pay all plan review and advertising costs in connection with the project.
- 1.2.4 Provide legal, accounting, and insurance counseling services necessary for the project and such auditing services as Owner may require.
- 1.2.5 Furnish permits, permit fees, and approvals from all governmental authorities having jurisdiction over the project and others as may be necessary for completion of the project.

SECTION 2 – PAYMENT

For the Services set forth above, Owner will pay Garver as follows:

WORK DESCRIPTION	FEE AMOUNT	FEE TYPE
Project Administration	$11,800	LUMP SUM
Bid Package Development	$13,200	LUMP SUM
Bidding Services	$6,000	LUMP SUM
Fabrication Administration Services	$13,700	LUMP SUM
TOTAL FEE	$44,700.00	

The lump sum amount to be paid under this Work Order is **$44,700**.

As directed by the Owner, some billable Services may have been performed by Garver prior to execution of this Work Order. Payment for these Services will be made in accordance with the fee arrangement established herein, as approved by the Owner.

Attachment: 2025-042 ATTH 02 TXK ARFF WO BWR Signed je (4450 : 2025-042 RES Airport - ARFF Truck)

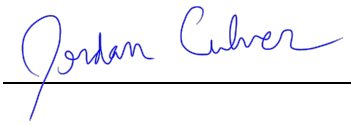
Additional Services (Extra Work). For services not described or included in Section 2, but requested by the Owner in writing, the Owner will pay Garver as expressly set forth in the applicable Amendment.

SECTION 3 – APPENDICES

3.1 The following Appendices are attached to and made a part of this Work Order:
- 3.1.1 Appendix A - Scope of Services
- 3.1.2 Appendix B – Fee Spreadsheet

This Work Order may be executed in two (2) or more counterparts each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

The effective date of this Work Order shall be the last date written below.

TEXARKANA REGIONAL AIRPORT AUTHORITY	GARVER, LLC
By: _____ *Signature*	By:  *Signature*
Name: _____ *Printed Name*	Name: Blake Roberson *Printed Name*
Title: _____	Title: Vice President
Date: _____	Date: February 13, 2025
Attest: _____	Attest: 

Attachment: 2025-042 ATTH 02 TXK ARFF WO BWR Signed je (4450 : 2025-042 RES Airport - ARFF Truck)

APPENDIX A
SCOPE OF SERVICES

Generally, the Scope of Services includes the following professional services for procurement of one Airport Rescue and Fire Fighting (ARFF) vehicle for the Texarkana Regional Airport-Webb Field. Procurement is anticipated to include one (1) FAA compliant ARFF truck that would carry fluorine-free firefighting agent and 1,500 gallons of water and provide Index A ARFF coverage.

- Project Administration
- Bid Package Development
  - 90% Final Design
  - 100% Issued for Bid
- Bidding Services
- Fabrication Administration Services

1. PROJECT ADMINISTRATION

1.1. Garver will serve as the Owner's representative for the project and furnish consultation and advice to the Owner during the performance of this service. Garver will attend conferences alone or with Owner's representatives, local officials, state and federal agencies, and others regarding the scope of the proposed project, its general design, functions, and impacts.

1.2. Garver will assist in development of an FAA grant application and reimbursement packets for review, execution, and submittal to FAA by the Owner.

1.3. Garver will provide project management necessary for completion of the project including contracting, resource management, internal design coordination, maintaining project files, preparation of monthly invoicing and other miscellaneous tasks.

1.4. After acceptance of the vehicle, Garver will assist the Owner with grant closeout by providing a final project report which will include all necessary documents required for FAA grant closeout. Closeout documentation will be provided within 90 calendar days of receipt of all documents from the Manufacturer and final payment to the Manufacturer.

2. BID PACKAGE DEVELOPMENT

2.1. General: Garver will prepare ARFF performance specifications, instructions to bidders, and general provisions and special provisions, all based on guides furnished to Garver by the Owner and FAA, or internally developed by Garver. Contract Documents (Specifications, and Estimates) will be prepared for award of one (1) procurement contract. These specifications shall conform to the standards of practice ordinarily used by members of Garver's profession practicing under similar conditions and shall be submitted to the FAA office from which approval must be obtained.

2.2. Owner / Agency Coordination: Garver's project manager and/or design team will coordinate with the Owner to understand equipment needs, coordinate design decisions, site visits, document procurement, or other design needs. Two coordination calls are anticipated prior to the 90% design review.

Attachment: 2025-042 ATTH 02 TXK ARFF WO BWR Signed je (4450 : 2025-042 RES Airport - ARFF Truck)

2.3. Quality Control Procedures

2.3.1 Garver will complete quality control reviews for each deliverable prior to any design submission to Owner and/or FAA. Quality control reviews will be completed by qualified project managers and/or project engineers who are experienced in the relevant discipline and design elements under review.

2.4. Specifications and Contract Documents

2.4.1. Technical Specifications: Detailed specifications shall be developed using FAA "Guide Specification for Aircraft Rescue and Fire Fighting (ARFF) Vehicles" AC 150/5220-10 (latest edition) or other appropriate standards approved for use by the FAA. Additional supplementary specifications will be developed for project requirements not covered by FAA or when state or local standards are approved by the FAA.

2.4.2. Procurement Contract Documents: Garver will develop procurement contract documents. Final procurement contract documents will be submitted to the Owner for final review and approval.

2.5. Engineer's Opinion of Probable Cost: Garver will review previous cost data and market conditions and complete an Engineer's Opinion of Probable Cost .

2.6. Design Services Submission and Meeting Summary: The following design submittal phases shall be included in the fee summary. A summary of each design phase and the associated review meetings is included below.

2.6.1. 90% Final Design

2.6.1.1. Garver will develop 90% final specifications and submit these to the Owner for review. It is anticipated that the Owner will review the design submission within two weeks.

2.6.1.2. At the completion of the Owner review period, Garver will meet with the Owner to review the 90% final specifications and to receive Owner comments and direction.

2.6.2. 100% Issued for Bid (IFB): Garver will develop 100% IFB plans and specifications and submit these to the Owner for review. It is anticipated that the Owner will review the IFB submission within two weeks.

3. BIDDING SERVICES

3.1. Bidding. Garver will assist the Owner in advertising for and obtaining bids or negotiating proposals for one prime contract for procurement and services; and, Garver will maintain a record of prospective bidders to whom Bidding Documents have been issued, attend a pre-bid conference and receive and process deposits for Bidding Documents. The Owner will pay advertising costs outside of this contract.

3.2. Garver will issue addenda as appropriate to interpret, clarify or expand the Bidding Documents. Garver will consult with and advise the Owner as to the acceptability of subcontractors, suppliers and other persons and organizations proposed by the prime contractor(s) (herein called "Contractor(s)") for those portions of the work as to which such acceptability is required by the Bidding Documents. Garver will consult with the Owner

Attachment: 2025-042 ATTH 02 TXK ARFF WO BWR Signed je (4450 : 2025-042 RES Airport - ARFF Truck)

concerning the acceptability of substitute materials and equipment proposed by Contractor(s) when substitution prior to the award of contracts is allowed by the Bidding Documents.

3.3. Garver will attend the bid opening, prepare a bid tabulation, and assist the Owner in evaluating bids.

4. FABRICATION ADMINISTRATION SERVICES

During the fabrication phase of work, Garver will accomplish the tasks below.

4.1. Issued for Construction (IFC) Documents

4.1.1. Garver will compile bid addendums and any other necessary changes due to post-bid project updates and/or funding changes into a final Issued for Construction (IFC) set of specifications. Garver will assist the Owner in the execution of all contract documents and furnish a sufficient number of executed documents for the Owner, Contractor, and FAA.

4.2. Submittals

4.2.1. Garver will evaluate and respond to equipment and material submittals and shop drawings. Corrections or comments made by Garver on the shop drawings during this review will not relieve Manufacturer from compliance with requirements of the and specifications. The check will be for review of general conformance with the design concept of the project and general compliance with the information given in the contract documents. The Manufacturer will be responsible for confirming and correlating all quantities and dimensions, selecting fabrication processes and techniques of fabrication, coordinating his work with that of all other trades, and performing his work in a safe and satisfactory manner. Garver's review shall not constitute approval of safety precautions or constitute approval of fabrication means, methods, techniques, sequences, procedures, or assembly of various components. When certification of performance characteristics of materials, systems or equipment is required by the Contract Documents, either directly or implied for a complete and workable system, Garver shall be entitled to rely upon such submittal or implied certification to establish that the materials, systems or equipment will meet the performance criteria required by the Contract Documents.

4.3. Notice to Proceed & Prefabrication Meeting

4.3.1. Garver will issue a Notice to Proceed letter to the Contractor and attend prefabrication meeting. Garver will provide meeting minutes for submission to all parties at the conclusion of the meeting.

4.4. Owner Coordination

4.4.1. Garver will provide regular status checks with the Manufacturer and consult with and advise the Owner during the fabrication period by phone and/or email.

4.5. RFIs

4.5.1. Garver will issue instructions to the Contractor on behalf of the Owner and issue necessary clarifications (respond to RFIs) regarding the procurement contract documents.

Attachment: 2025-042 ATTH 02 TXK ARFF WO BWR Signed je (4450 : 2025-042 RES Airport - ARFF Truck)

4.6. Progress Payments

4.6.1. Garver will review Manufacturer's progress payment requests based on the contract requirements, delivery and accepted contract items and will make a recommendation to the Owner regarding payment. Garver's recommendation for payment shall not be a representation that Garver has made exhaustive or continuous inspections to (1) check the quality or exact quantities of the Work; (2) to review billings from Subcontractors and material suppliers to substantiate the Contractor's right to payment; or (3) to ascertain how the Contractor has used money previously paid to the Contractor. Up to four progress payments are anticipated.

4.7. Change Orders

4.7.1. When authorized by the Owner, Garver will prepare change orders or supplemental agreements for changes in the work from that originally provided for in the procurement contract documents. If redesign or substantial engineering or surveying is required in the preparation of these change order documents, the Owner will pay Garver an additional fee to be agreed upon by the Owner and Garver.

4.8. Delivery Inspection

4.8.1. Garver will participate in a vehicle delivery walkthrough with the Owner, prepare a punch list, review final project closeout documents, and submit the final pay request.

5. PROJECT DELIVERABLES

5.1. The following deliverables will be submitted to the parties identified below. Unless otherwise noted below, all deliverables shall be electronic.

- 90% Final Specifications to the Owner and FAA.
- 100% Issued for Bid Specifications to the Owner and FAA.
- IFC Specifications to the Owner, Manufacturer, and FAA.
- Reviewed submittals to the Manufacturer.
- Other electronic files as requested.

6. ADDITIONAL SERVICES

6.1. The following items are not included under this agreement but will be considered as additional services to be added under Amendment if requested by the Owner.

- Engineering, architectural, or other professional services beyond those listed herein.
- Redesign for the Owner's convenience or due to changed conditions after previous alternate direction and/or approval.
- Environmental services included but not limited to AFFF testing or monitoring.
- ARFF Station design or modification services.
- Deliverables beyond those listed herein including Engineering Reports.
- Change orders required for reasons outside of Garver's control.
- Acquisition of "Turnout" or "Bunker" gear.
- Administrative services typical to FAA construction projects including payroll & DBE compliance review.

Attachment: 2025-042 ATTH 02 TXK ARFF WO BWR Signed je (4450 : 2025-042 RES Airport - ARFF Truck)

- Pre-delivery equipment inspection at the manufacturing facility
- Equipment testing or certification.
- Services after equipment acceptance not specifically identified such as warranty follow-up and operations support..

7. **SCHEDULE**

7.1. Garver shall begin work under this Agreement upon execution of this Agreement and shall complete the work within a mutually agreeable schedule with the Owner.

Attachment: 2025-042 ATTH 02 TXK ARFF WO BWR Signed je (4450 : 2025-042 RES Airport - ARFF Truck)

APPENDIX B

TEXARKANA REGIONAL AIRPORT AUTHORITY
ARFF VEHICLE ACQUISITION

FEE SUMMARY

Title I Service	Estimated Fees
Project Administration	$ 11,800.00
Bid Package Development	$ 13,200.00
Bidding Services	$ 6,000.00
Subtotal for Title I Service	**$ 31,000.00**

Title II Service	Estimated Fees
Fabrication Administration Services	$ 13,700.00
Subtotal for Title II Service	**$ 13,700.00**
Total All Services	**$ 44,700.00**

Attachment: 2025-042 ATTH 02 TXK ARFF WO BWR Signed je (4450 : 2025-042 RES Airport - ARFF Truck)

APPENDIX B

TEXARKANA REGIONAL AIRPORT AUTHORITY
ARFF VEHICLE ACQUISITION

PROJECT ADMINISTRATION

WORK TASK DESCRIPTION	E-6	E-4	E-3	E-1	AM-2
	hr	hr	hr	hr	hr
1. Project Administration					
Project Scoping	1	1	1		
Contract Preparation	1	2	2		
Coordination with Client		2			
Prepare for Kickoff Meeting			2		
Project Kickoff Meeting (1 person on-site, 1 person virtual)		5	2		
Grant Application and Reimbursement Packets		4			8
Grant Closeout		8			6
Project Management		12			
Subtotal - Project Administration	**2**	**34**	**7**	**0**	**14**

Hours		**2 34 7 0 14**
SUBTOTAL - SALARIES:		**$11,548.00**
DIRECT NON-LABOR EXPENSES		
Document Printing/Reproduction/Assembly	$0.00	
Postage/Freight/Courier	$0.00	
Office Supplies/Equipment	$39.00	
Travel Costs	$213.00	
SUBTOTAL - DIRECT NON-LABOR EXPENSES:		**$252.00**
SUBTOTAL:		**$11,800.00**
TOTAL FEE:		**$11,800.00**

Attachment: 2025-042 ATTH 02 TXK ARFF WO BWR Signed je (4450 : 2025-042 RES Airport - ARFF Truck)

APPENDIX B

TEXARKANA REGIONAL AIRPORT AUTHORITY
ARFF VEHICLE ACQUISITION

BID PACKAGE DEVELOPMENT

WORK TASK DESCRIPTION	E-6	E-4	E-3	E-1	AM-2
	hr	hr	hr	hr	hr
1. Bid Packet Development					
Equipment Design Coordination			4	4	
Quality Control Procedures	2	2	4		
Manufacturer Coordination & Outreach			1	8	
Procurement Document Development		2	8	12	
Engineer's Opinion of Probable Cost			1	2	
Incorporate Internal QC Review Comments			1	2	
90% Deliverable Submittal			1	2	
90% Review Client Meeting Preparation and Attendance		5	2		
Incorporate Final (Owner/FAA/State) Review Comments		1	2	2	
IFB Deliverable Submittal			1	2	
Subtotal - Bid Packet Development	**2**	**10**	**25**	**34**	**0**

Hours	**2**	**10**	**25**	**34**	**0**

SUBTOTAL - SALARIES:		**$13,152.00**
DIRECT NON-LABOR EXPENSES		
Office Supplies/Equipment	$48.00	
SUBTOTAL - DIRECT NON-LABOR EXPENSES:		**$48.00**
SUBTOTAL:		**$13,200.00**
TOTAL FEE:		**$13,200.00**

Attachment: 2025-042 ATTH 02 TXK ARFF WO BWR Signed je (4450 : 2025-042 RES Airport - ARFF Truck)

APPENDIX B

TEXARKANA REGIONAL AIRPORT AUTHORITY
ARFF VEHICLE ACQUISITION

BIDDING SERVICES

WORK TASK DESCRIPTION	E-6	E-4	E-3	E-1	AM-2
	hr	hr	hr	hr	hr
1. Civil Engineering					
Upload Bid Documents to Plan Room					2
Dispense Plans and Specs to Prospective Bidders				2	
Review and Respond to Request for Information (RFI)			2	4	
Draft and Distribute Addendums			2	4	
Prepare for Pre-Bid Meeting			2		
Attend Pre-Bid Meeting (2 people, virtual)		1	1		
Bid Opening (1 people, on-site)		5			
Prepare Bid Tabulation			1	2	
Evaluate Bids and Prepare Recommendation of Award		1	1	2	
Subtotal - Civil Engineering	**0**	**7**	**9**	**14**	**2**
Hours	**0**	**7**	**9**	**14**	**2**

SUBTOTAL - SALARIES:	**$5,753.00**
DIRECT NON-LABOR EXPENSES	
Office Supplies/Equipment	$30.00
Travel Costs	$217.00
SUBTOTAL - DIRECT NON-LABOR EXPENSES:	**$247.00**
SUBTOTAL:	**$6,000.00**
TOTAL FEE:	**$6,000.00**

Attachment: 2025-042 ATTH 02 TXK ARFF WO BWR Signed je (4450 : 2025-042 RES Airport - ARFF Truck)

APPENDIX B

TEXARKANA REGIONAL AIRPORT AUTHORITY
ARFF VEHICLE ACQUISITION

FABRICATION ADMINISTRATION SERVICES

WORK TASK DESCRIPTION	E-6	E-4	E-3	E-1	AM-2
	hr	hr	hr	hr	hr
1. Fabrication Administration					
Prepare Contract Documents		1	1	4	
Prepare and Distribute Notice To Proceed			1		
Prepare for Preconstruction Meeting			2		
Attend Preconstruction Meeting (2 people, virtual)		1	1		
Prepare and Distribute Preconstruction meeting minutes			1		
Progress Update Coordination			4		
Review Manufacturer Pay Application (4 applications)			4	8	
Develop Submittal Log				4	
Review Vehicle Submittals/O&M Manuals			2	4	
Coordinate On-Site Manufacturer Training			2		
Develop Delivery Inspection Checklist				2	
Prepare Change Orders		1	1	2	
Response to Contractor and RPR Inquiries			2	4	
Delivery Inspection		10			
Punchlist Coordination		1		4	
Subtotal - Fabrication Administration	**0**	**14**	**21**	**32**	**0**
Hours	**0**	**14**	**21**	**32**	**0**

SUBTOTAL - SALARIES:	**$13,343.00**
DIRECT NON-LABOR EXPENSES	
Office Supplies/Equipment	$57.00
Travel Costs	$ 300.00
SUBTOTAL - DIRECT NON-LABOR EXPENSES:	**$357.00**
SUBTOTAL:	**$13,700.00**
TOTAL FEE:	**$13,700.00**

Attachment: 2025-042 ATTH 02 TXK ARFF WO BWR Signed je (4450 : 2025-042 RES Airport - ARFF Truck)

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:	

Resource Impact:	
Staff time required if item is approved:	No Additional
Other Potential Impacts:	

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: 2025-042 Goals & Perspectives (4450 : 2025-042 RES Airport - ARFF Truck)

RESOLUTION NO. 2025 - 042

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE TEXARKANA AIRPORT EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT WITH GARVER ENGINEERING OF NORTH LITTLE ROCK, ARKANSAS, FOR DESIGN AND PROCUREMENT OF A 1500-GAL AIR RESCUE FIGHTING TRUCK IN THE AMOUNT OF $44,700 APPROVED IN THE TEXARKANA REGIONAL AIRPORT FY25 CAPITAL BUDGET; AND ESTABLISHING AN EFFECTIVE DATE.

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

SECTION 1: The City Council of Texarkana, Texas, approves the Executive Director executing an agreement with Garver Engineering of North Little Rock, Arkansas, in the amount of $44,700 for the design and procurement of a 1500-Gal Air Rescue Fire Fighting truck.

PASSED AND APPROVED in Regular Council Session on this the **10th day of March, 2025**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2025-042 RES AIRPORT - ARFF Truck signed (4450 : 2025-042 RES Airport - ARFF Truck)

City of Texarkana, Texas

Briefing Sheet

Version: A
Update Date: 3/4/2025 3:41 PM

Lead Department: Parks, Recreation & Health **Action Officer:** Keith Beason,

Subject: Resolution No. 2025-036 approving the request of the Baseball Association of Texarkana, Texas, to change the name of field #5 at Swanger Baseball Complex in Spring Lake Park to the "Mickey Moore Field".

Briefing: 3/10/2025 **Public Hearing:** **Council Vote:** 3/10/2025

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Mickey Moore, a former league president, commissioner, coach, and umpire for the Baseball Association of Texarkana, Texas (Dixie), made an enduring impact on youth sports in our community. For many years, he served as a mentor and leader, shaping the lives of countless young baseball players in Texarkana. Mickey's commitment to the growth and success of youth baseball in Texarkana will never be forgotten, and his legacy continues to inspire future generations. Due to his contribution to youth baseball in Texarkana, Texas the Baseball Association of Texarkana, Texas are recommending naming field #5 at Swanger Baseball Complex located in Spring Lake Park, Mickey Moore Field.

Potential Options:

- Approve
- Deny

Fiscal Implications:

New Signage on Ball Field

Staff Recommendation:

Recommended

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2025-036 RES Approving Naming Ballfield - Mickey Moore (DOCX)

b. 2025-036 ATTH 02 BATT - FIELD NAMING RIGHTS - MICKEY MOORE (PDF)
c. 2025-036 ATTH 01 11.01 Parks and Recreation Policies (PDF)
d. 2025-036 Goals & Perspectives (DOCX)
e. 2025-036 RES Ballfield 5 rename Mickey Moore signed (PDF)

Staff Coordination

Parks, Recreation & Health		Robby Robertson	Department Head Review	
	Completed	02/25/2025 8:56 AM		
Public Works Department		Dusty Henslee	Action Completed	
	03/05/2025 8:09 AM			
City Manager	David Orr	City Manager Review	Completed	03/05/2025 2:43 PM
City Council	Jennifer Evans	Meeting	Completed	03/10/2025 6:00 PM

Meeting History

RESOLUTION NO. 2025–036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE REQUEST OF THE BASEBALL ASSOCIATION OF TEXARKANA, TEXAS, TO CHANGE THE NAME OF FIELD #5 AT SWANGER BASEBALL COMPLEX IN SPRING LAKE PARK TO THE "MICKEY MOORE FIELD" IN HONOR OF THE LATE MICKEY MOORE FOR HIS CONTRIBUTIONS AND LEADERSHIP TO YOUTH BASEBALL IN TEXARKANA, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Mickey Moore, former Dixie League president, coach, commissioner, umpire and youth baseball mentor for many years, made a great contribution to youth sports in Texarkana, Texas; and

WHEREAS, his dedication to youth baseball has greatly promoted the interest and growth of youth baseball in our community; and

WHEREAS, the City Council considers it a fitting tribute and honor to Mickey Moore to name Spring Lake Park Swanger Complex Field #5 the "Mickey Moore Field".

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

SECTION 1: The Texarkana Spring Lake Park Swanger Complex Field #5 shall be named the "Mickey Moore Field".

SECTION 2: The Director of Parks and Recreation is hereby directed to prepare the appropriate signs and post them accordingly.

SECTION 3: This resolution shall be in full force and effect from and after its passage and

PASSED AND APPROVED in Regular Council Session on this the **10th day of March, 2025**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2025-036 RES Approving Naming Ballfield - Mickey Moore (4442 : 2025-036 RES naming a ballfield in memory of Mickey Moore)

BATT
SINCE 1975
BASEBALL ASSOCIATION OF TEXARKANA, TEXAS

February 5, 2025

Subject: Field Naming Rights - Swanger Complex

To Whom It May Concern,

I am writing this letter on behalf of not only BATT, but also the family of Mickey Moore. I would like to officially nominate and request that the City of Texarkana, TX consider granting "In Memory" naming rights to Field 5 at the Swanger Complex.

For those that did not know Mickey, he embodies everything you would want as a league president and advocate for youth baseball leagues. He was a proud member of our league, filling roles such as president, commissioner, coach and umpire. His passing has left a deep impression on the baseball community in Texarkana.

I fully feel that not only our league and its members, but also the entire baseball community of Texarkana, would feel honored to see a field dedicated to his name. Please consider this request as something very important to everyone that had the honor of knowing him.

Sincerely,

Brandon Allison

Brandon Allison
Vice President
BATT
Baseball Association of Texarkana, Texas

Attachment: 2025-036 ATTH 02 BATT - FIELD NAMING RIGHTS - MICKEY MOORE (4442 : 2025-036 RES naming a ballfield in memory of Mickey

City of Texarkana, Texas
Parks & Recreation Rules

Subject	*Directive*
Park Rules and Regulations	**11.01**

Effective Date	*Amended Date*	*Review Date*	*Pages*
July 19, 2022	**July 19, 2022**	**July 19, 2022**	***11***

PARK RULES AND REGULATIONS

A. General Considerations

1. Pursuant to Section 32-5 of the Code of Ordinances of the City of Texarkana, Texas ("City Code"), the Parks and Recreation Director ("Director") shall prepare a list of general park rules that are applicable to all city parks and may prepare lists of additional park rules that are applicable to specific city parks. These general and additional park rules shall be submitted to the city manager for approval. The approved park rules shall be filed with the city secretary and copies shall be provided to the city council.

2. These Park Rules and Regulations ("Park Rules") are to protect the interests, safety, and well-being of the citizens and to enable the staff of the Parks and Recreation Department to manage public facilities. Park Rules establish guidelines governing the procedures for obtaining permission to use City parks and the activities and conduct of persons using City parks.

3. Any person who violates any of the Park Rules may be asked to cease in the activity that violates the applicable rule. Failure to abide by Park Rules, City Code, or Texas law may result in the person being asked to leave the park. Persons who refuse to leave the park after being directed to do so may be arrested for criminal trespass.

4. Park Rules neither enhance a City's employee's civil or criminal liability in any way nor create a higher standard of safety or care with respect to any third party claims. Any City employee violating this directive may only form the basis for disciplinary action by the City.

Attachment: 2025-036 ATTH 01 11.01 Parks and Recreation Policies (4442 : 2025-036 RES naming a ballfield in memory of Mickey Moore)

City of Texarkana, Texas
Parks and Recreation Policies

Directive	*Subject*
11.01	**General Park Rules and Regulations**

B. General Rules for all Parks

1. The sale, possession or consumption of alcohol is prohibited in all parks with the exception of Spring Lake Park, Bringle Lake Park and authorized by the Director and the City Safety Committee. All requests must apply for a Temporary Daily Permit from Texas Alcoholic Beverage Commission and/or be in accordance with all applicable State of Texas and federal regulations. Individual consumption of alcohol during small private/family gatherings will not be allowed.

2. Amplified music or speaking is prohibited except as authorized by the Director. Small stereos, compact disk players, instruments, etc., may be used as long as they are not amplified and do not disturb other park users.

3. Fund raising activities are allowed on park property only when the event is sponsored by a non-for profit (501c3) organization and co-sponsored by the City.

4. Parks are categorized as either community or neighborhood parks.

   a. “Community Parks” typically exceed twenty acres and provide both active and passive recreational opportunities that appeal to and draw residents from throughout the community. These parks accommodate large numbers of people and offer a wide variety of facilities, such as group picnic areas and shelters, sport fields and courts, children’s play areas, trail or pathway systems, community festival or event space, and green space or natural areas. The size of these parks also provides opportunities for structured recreation activities for the entire community because the service area is much broader and therefore can meet a wider range of interests. These parks have additional support facilities such as off-street parking and restrooms. Bringle Park, Spring Lake Park, and Wallace Park are Community Parks.

   b. “Neighborhood Parks”, smaller in acreage than Community Parks, are the basic units of a park system and serve as a social and recreational focal point for neighborhoods. Many include playgrounds, limited green space, picnic areas, and pavilions. These parks provide relief for residents from the built environment and generally lack additional support facilities Bell Park, Beverly Park, Ferguson Park, Findley Park, Joplin Park, Karrh Park, and Kidtopia Park are Neighborhood Parks.

Attachment: 2025-036 ATTH 01 11.01 Parks and Recreation Policies (4442 : 2025-036 RES naming a ballfield in memory of Mickey Moore)

Directive	*Subject*
11.01	**General Park Rules and Regulations**

5. Any use subject to City Code Chapter 36, Public Amusements or Special Events, will be allowed and authorized only in Community Parks. For the purposes of this policy, a "Special Event" is defined as:

    a. an event coordinated by an individual or group that advertises to the public and invites the public to its event, or
    b. parties, dances, parades, weddings, celebrations, or other gatherings which would likely result in traffic congestion, parking problems, crowds, sanitation problems, excessive noise, security or safety concerns, violations of City Code, or any other circumstances likely to cause a breach of the peace or adversely affect the health and safety of the public or any participant at the special event.

    Any requested use must be submitted to the Director for preliminary review. If the Director deems the requested use to be a Special Event regulated by City Code Chapter 36, the applicant must submit the appropriate Special Event application which is located on the City website. The application will be forwarded to the City Secretary for review by the City Safety Committee in accordance with City Code. No application will be considered requesting a special event in a Neighborhood Park.

6. Small private/family gatherings or other use which do not meet the definition of Special Event may be approved by the Director.

7. A person requesting park use, whether individually or on behalf of an organization, either for a Special Event or other park use which does not meet the definition of Special Event:

    a. Shall be responsible for complying with all Parks Rules and City Code during use of the facility;
    b. Shall be responsible for the conduct and behavior of the persons participating in the Special Event or other park use;
    c. Must be present for the duration of the intended park use;
    d. Must promptly notify police or a park official if an uninvited person "crashes" the use;
    e. Shall immediately discontinue park use if the use gives rise, directly or indirectly, to traffic congestion, a neighborhood noise complaint, or nuisance as defined by City Code; and
    f. Shall pay the City for labor and expenses incurred when the use gives rise, directly or indirectly, to City intervention during or following the use to enforce Parks Rules or City Code.

    The Director may require a person to submit in writing agreement to this rule as a condition for the requested park use.

Attachment: 2025-036 ATTH 01 11.01 Parks and Recreation Policies (4442 : 2025-036 RES naming a ballfield in memory of Mickey Moore)

City of Texarkana, Texas
Parks and Recreation Policies

Directive	*Subject*
11.01	**General Park Rules and Regulations**

8. Small shade covers may be used for outings, no tents may be erected without approval of the Director or designee.

9. All pets must be on a leash outside the designated Dog Park area.

10. Vehicles must remain on roads and be parked in designated parking areas.

11. No hunting, trapping, of any kind is allowed including hunting or shooting with a bow/arrows or a sling on park property.

12. Patrons shall only carry or possess weapons or firearms while in park facilities or the Bringle Lake Wilderness Area as allowed by state and federal gun laws.

13. No person shall build or attempt to build a fire except in designated picnic areas with outdoor cookers available except with the prior approval of the Fire Marshall and the Director.

14. No person shall gamble, participate in, or abet any game of chance.

15. No person shall go onto the ice of any of the waters in any park.

16. No glass containers or bottles are allowed in the park except authorized by written permission issued by the Director.

17. No commercial vending except authorized by contract or written permission issued by the Director. City facilities shall not be used to host activities which may result in profit for any private sector business. It shall be prohibited for any person in a park to expose or offer for sale any article or thing, or to station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing. An exception is made as to any regularly licensed concessionaire acting by and under the authority and regulation of the Director.

18. No Fireworks or explosives of any kind are allowed in a City Park.

19. No overnight camping including camping in any type of structure or vehicle is allowed without approval of the Director or designee.

20. Wading, bathing or swimming is not allowed in any park lake.

21. No boats are allowed on city lakes with exception of Bringle Lake Park.

Attachment: 2025-036 ATTH 01 11.01 Parks and Recreation Policies (4442 : 2025-036 RES naming a ballfield in memory of Mickey Moore)

City of Texarkana, Texas
Parks and Recreation Policies

Directive	*Subject*
11.01	**General Park Rules and Regulations**

22. No person shall intentionally harm or injure wildlife in any park.

23. Park curfew is 10:00 PM for all parks except Kidtopia Park, Bringle Lake Park East and the Bringle Lake Wilderness area which are daytime hours only.

24. In restricted-use facilities, such as athletic complexes, metal detectors are not allowed except to find a specific lost item. We request that the manager of the facility be notified when the item is lost. Permission to use a metal detector at these facilities will be granted by the manager and will be at a time when the facility is open to the public.

25. Radio-controlled model airplanes are only allowed at the designated flying circle area in Spring Lake and must have permission by the Director or designee. Absolutely no flying over persons inside or outside the designated area.

26. The Parks & Recreation Department may establish and post maximum occupancies for any park area, wilderness area or facility. Patrons shall not enter or remain in the area or facility for which an occupancy limit has been established when such action will have the effect of exceeding the established occupancy limits.

27. All-terrain vehicles (ATV), golf carts, utility vehicles, motorcycles, dirt bikes, similar motor- driven vehicles, as well as, horses, ponies and mules are not allowed to be ridden on park property except authorized by written permission issued by the Director.

28. Mobile Food Units are only allowed in city parks between the hours of 10:00 AM to 3:00 PM unless permission has been granted by the Director.

29. No mobile units are allowed in any City Park during a league or sanctioned sporting event when the following concession stands are in operation: Wallace Park Soccer Concession, Wallace Park Softball Concession, Karrh Park Softball Concession, Spring Lake Park-Swanger Complex Concession.

C. Rules for Specific Areas:

1. Bringle Lake Wilderness Area

   a. Camping is restricted, and campers must have an approved registration form on file in the park office.
   b. Cutting or gathering and/or removal of trees, parts of trees or any other plants are prohibited.
   c. Gathering of dead wood on the ground for use in a camp site is prohibited.
   d. Creation of new trails is prohibited.

Attachment: 2025-036 ATTH 01 11.01 Parks and Recreation Policies (4442 : 2025-036 RES naming a ballfield in memory of Mickey Moore)

Directive	*Subject*
11.01	**General Park Rules and Regulations**

e. No hunting, trapping, of any kind is allowed including hunting or shooting with a bow/arrows or a sling.
f. Mobile units are allowed on the West Parking Lot only.

2. Karrh Park Softball Complex

a. No food or drink may be brought into the vicinity of the softball fields.
b. No pets may be brought into the vicinity of the softball fields.
c. No soft toss against any chain link fence.
d. No privately-owned vehicles allowed in the complex except for deliveries.
e. No Smoking is allowed in the complex.
f. Southern Diamonds Fastpitch Softball Alliance has first priority in regard to scheduling games and tournaments. All other request will need to be approved in advance by the Director.
g. Mobile units are allowed on the front parking lot from Ann Street only.

3. Spring Lake Park Swanger Baseball Complex

a. No food or drink may be brought into the complex.
b. Foul language will not be tolerated
c. No soft toss against any chain link fence.
d. No metal cleats
e. No gum
f. No seeds
g. Do not hang or attach items to backstop net
h. No privately-owned vehicles allowed in the complex except for deliveries.
i. No Smoking is allowed in the complex.
j. Only leashed service animals are allowed inside the complex
k. All tournament requests will be approved in advance by the Director.

Spring Lake Park-Kylee Sullivan Dog Park

a. Dogs must be current on all required vaccinations.
b. Dogs must have current rabies and applicable license tags clipped to their collars at all times.
c. Proof of current rabies vaccination and license is required upon request of a police or animal services officer.
d. Keep your dog on-leash until you get to the off-leash area.
e. Close all gates to the dog park after entering or exiting.
f. Dog owners must remain in the park and keep their dog in view at all times. Owners are responsible for the behavior of their animals.

Attachment: 2025-036 ATTH 01 11.01 Parks and Recreation Policies (4442 : 2025-036 RES naming a ballfield in memory of Mickey Moore)

g. Aggressive dogs are not allowed in the park. Any dogs showing signs of aggression should be removed from the premises.
h. If your dog becomes unruly or plays rough, leash and leave immediately.
i. Female dogs in heat are not permitted in the dog park.
j. Puppies under six months of age should not enter the park.
k. Owners must clean up any dog droppings made by their pets. Bag all droppings before depositing them in provided receptacles.
l. Owners must fill in any holes made by their pets. Only three dogs per adult are allowed.
m. Do not bring any dog toys inside the park.
n. Do not brush or otherwise groom pets inside the park.
o. Only licensed and insured dog trainers will be permitted to do training.
p. No infants or small children are permitted in the dog park.
q. Dog bites to a person must be reported to Animal Services – call 911.
r. No smoking or eating allowed in the Dog Park.
s. Dog Park Opens at 7:00 AM daily and is for day use only.

5. Spring Lake Park-Rotary Splash Pad

a. No food or drink may be brought into the Splash Pad.
b. No pets may be brought into the Splash Pad.
c. No Smoking is allowed in or around the Splash Pad.
d. No running in the Splash Pad.
e. No climbing on the Splash Pad Equipment.
f. No bicycles, skateboards or skates allowed in the Splash Pad.
g. Appropriate swimwear or street attire is required. Rubber sole shoes only.
h. Swim diapers are required for young children who are not potty trained.
i. Children 12 and under require adult supervision at all times.
j. Individual who are sick or have open sores should not enter the Splash Pad.
k. The Splash Pad may close without noticed due to maintenance, water restrictions, cool weather or special events.

6. Wallace Park Softball Complex

a. No food or drink may be brought into the complex.
b. No pets may be brought into the complex.
c. No soft toss against any chain link fence.
d. No privately-owned vehicles allowed in the complex except for deliveries.
e. No Smoking is allowed in the complex.
f. All practices, games, and tournaments requests will need to be approved in advance by the Parks & Recreation Manager.

Attachment: 2025-036 ATTH 01 11.01 Parks and Recreation Policies (4442 : 2025-036 RES naming a ballfield in memory of Mickey Moore)

City of Texarkana, Texas
Parks and Recreation Policies

Directive	*Subject*
11.01	**General Park Rules and Regulations**

g. Mobile units are not allowed on Saturdays during the months of March through May and September through November.

7. Wallace Park Soccer Complex

a. No food or drink may be brought into the vicinity of the soccer fields.
b. No pets may be brought into the vicinity of the soccer fields.
c. No privately-owned vehicles allowed in the complex except for deliveries.
d. No Smoking is allowed in the complex.
e. Texarkana United Soccer Association has first priority in regards to scheduling games and tournaments. All other request will need to be approved in advance by the Director.

8. Kidtopia Skate Park

a. Maximum Capacity: 25
b. Know your limits and abilities. You are responsible for your safety. This park is designed for ages 10 and up.
c. Proper safety equipment is required at all times – including helmets, proper shoes, knee and elbow pads, and wrist guards.
d. Spectators are not permitted within the fenced skating area unless supervising younger children.
e. No pets or motorized vehicles allowed in skating area.
f. One skater on ramp or rail at a time. (More than one skater may be able to wait on the platform.)
g. Skating allowed in authorized areas only.
h. No personal ramps or rails are allowed.
i. Skate Park will close if wet or raining.
j. No alcohol, tobacco products or illegal substances allowed.
k. Profanity and reckless and boisterous behavior will not be tolerated.
l. No graffiti allowed. Park will be closed until graffiti is removed.

Attachment: 2025-036 ATTH 01 11.01 Parks and Recreation Policies (4442 : 2025-036 RES naming a ballfield in memory of Mickey Moore)

City of Texarkana, Texas
Parks and Recreation Policies

Directive	*Subject*
11.01	**General Park Rules and Regulations**

D. Pavilions

1. Pavilions will be reserved on a first come, first serve basis.

2. In the event of a scheduling conflict the Parks and Recreation Director or designee will determine who has priority.

3. An individual or organization may not have more than two current reservations at a time on the books.

4. An individual or organization may not use inflatable type structures, such as bounce houses, slides, etc. without proper liability insurance proof.

5. Basic electricity is available at all Pavilion locations. Electrical service will support **limited use** of items such as radios, CD players, **and/or** small cookware, (roaster, slow cooker, crocks pot, etc.). For large amusements and catering services, an independent power source must be supplied. Overloading outlets with appliances will cause power failure, **limited to a 20-amp usage**.

6. A pavilion at a Neighborhood Park is neither compatible nor equipped for an event that invites the public to attend, and any reservation or use of a Neighborhood Park pavilion for such an event shall be disallowed, cancelled, or rescinded. The person or organization requesting use of a pavilion for such an event shall be redirected to request a pavilion at a Community Park.

Pavilions Rental Times	**Fee**
8:00 AM-2:00 PM	$20.00
3:00 PM-10:00 PM	$20.00
All Day (8:00 AM-10:00 PM)	$25.00

Southwest Center

There are three groups who may be authorized to use the Southwest center for a meeting or event:

Group I - Public Agencies – Federal, State, County and City Agencies, other Agencies which serve the citizens of Texarkana, Texas, and depend primarily on public funds for existence, Youth Civic Organizations co-sponsored by the Parks and Recreation Department, and co-sponsored City Athletic Leagues.

Attachment: 2025-036 ATTH 01 11.01 Parks and Recreation Policies (4442 : 2025-036 RES naming a ballfield in memory of Mickey Moore)

City of Texarkana, Texas
Parks and Recreation Policies

Directive	*Subject*
11.01	**General Park Rules and Regulations**

Group II - Civic and Service Organizations – Chartered organizations which provide and/or promote programs for community improvement including, but not limited to, Chamber of Commerce, Jaycees, Civic Clubs, YMCA, YWCA, Boy Scouts, Girl Scouts, Fraternities, Sororities, and Lodges, etc.

Group III - Social Groups and Functions – Groups of a private nature seeking space for social purposes, including, but not limited to, family reunions, wedding receptions, social clubs, and banquets, etc.

Meeting Rooms	Group I	Group II	Group III
Multipurpose Room (Gym)	No Charge	$150.00	$300.00
ABC Room	No Charge	No Charge	$100.00
Game Room	No Charge	No Charge	$75.00
Room A	No Charge	No Charge	$25.00
Room B	No Charge	No Charge	$25.00
Room C	No Charge	No Charge	$25.00
Room D	No Charge	No Charge	$25.00

No commercial vending except authorized by contract or written permission issued by the Director. City facilities shall not be used to host activities which may result in profit for any private sector business. It shall be prohibited for any person in a park to expose or offer for sale any article or thing, or to station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing. An exception is made as to any regularly licensed concessionaire acting by and under the authority and regulation of the Director. Fund raising activities are allowed in Park facilities only when the event is co-sponsored by the City.

No partial rental of the Multipurpose Room (Gym), in terms of time or space, shall be permitted. A rental period shall consist of up to but not more than 8 hours, including set up and clean- up. An individual or social organization (Group III) may not have more than two current reservations at a time on the books.

The decision to rent the Southwest Center facility and the determination of the scheduled time of use shall be made at the sole discretion of the Director or his designee.

Children under the age of 16 must be accompanied by an adult.

Attachment: 2025-036 ATTH 01 11.01 Parks and Recreation Policies (4442 : 2025-036 RES naming a ballfield in memory of Mickey Moore)

City of Texarkana, Texas
Parks and Recreation Policies

Directive	*Subject*
11.01	**General Park Rules and Regulations**

E. Qualifying names for public recreational facilities.

The following types of names shall be suitable for naming public recreational facilities and trails:

a. the geographic location of the public recreational facility.

b. outstanding and/or predominant physical features of the public recreational facility.

c. adjoining subdivision to which the public recreational facility is adjacent or in which the public recreational facility lies.

d. an individual or group who contributed a minimum of 50% of land or monetary funding toward the acquisition and/or development of the individual public recreational facility.

e. a commonly recognized historical event, group or individual.

f. an individual who provided exceptional service in the interest of parks and recreation.

g. outstanding community leaders, living or deceased.

The following procedure shall be followed when naming public recreational facilities:

a. Submittal of request by a Council Member or Mayor to the City Manager/Parks and Recreation Director for approval to be included on an agenda.

b. Staff creates a resolution and submits into the city's agenda software for designated council meeting.

c. Agenda item is briefed to council at first time appearing on the agenda.

d. Agenda item will then be scheduled for a public hearing (if needed) and council vote generally at the next council meeting.

Attachment: 2025-036 ATTH 01 11.01 Parks and Recreation Policies (4442 : 2025-036 RES naming a ballfield in memory of Mickey Moore)

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:	

Resource Impact:	
Staff time required if item is approved:	No Additional
Other Potential Impacts:	

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: 2025-036 Goals & Perspectives (4442 : 2025-036 RES naming a ballfield in memory of Mickey Moore)

RESOLUTION NO. 2025–036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE REQUEST OF THE BASEBALL ASSOCIATION OF TEXARKANA, TEXAS, TO CHANGE THE NAME OF FIELD #5 AT SWANGER BASEBALL COMPLEX IN SPRING LAKE PARK TO THE "MICKEY MOORE FIELD" IN HONOR OF THE LATE MICKEY MOORE FOR HIS CONTRIBUTIONS AND LEADERSHIP TO YOUTH BASEBALL IN TEXARKANA, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Mickey Moore, former Dixie League president, coach, commissioner, umpire and youth baseball mentor for many years, made a great contribution to youth sports in Texarkana, Texas; and

WHEREAS, his dedication to youth baseball has greatly promoted the interest and growth of youth baseball in our community; and

WHEREAS, the City Council considers it a fitting tribute and honor to Mickey Moore to name Spring Lake Park Swanger Complex Field #5 the "Mickey Moore Field".

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

SECTION 1: The Texarkana Spring Lake Park Swanger Complex Field #5 shall be named the "Mickey Moore Field".

SECTION 2: The Director of Parks and Recreation is hereby directed to prepare the appropriate signs and post them accordingly.

SECTION 3: This resolution shall be in full force and effect from and after its passage and

PASSED AND APPROVED in Regular Council Session on this the **10th day of March, 2025**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

6:56pm

BOB BRUGGEMAN, MAYOR

Attachment: 2025-036 RES Ballfield 5 rename Mickey Moore signed (4442 : 2025-036 RES naming a ballfield in memory of Mickey Moore)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 3/4/2025 12:07 PM

Lead Department: Water Utilities **Action Officer:** Michelle Warren,

Subject: Resolution No. 2025-039 authorizing the filing of a loan application for financial assistance from the Texas State Infrastructure Bank (SIB) to cover material costs for the 10" water main relocation along US 82, in an amount not to exceed $2,500,000, and authorizing the Mayor to act on behalf of the City and TWU in all matters relating to the application.

Briefing: 3/10/2025 **Public Hearing:** **Council Vote:** 3/10/2025

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

TWU was notified by the Texas Department of Transportation (TxDOT) that US 82 from US 259 to the Red River County Line was planned to be widened. All utilities that were found to be in conflict with the proposed construction were required to be relocated by January 1, 2026. After review, TWU's Member Cities' 10 in water main was found to be in conflict. To save money and time, TWU has decided to perform the relocation in-house. The materials needed will be placed out for bids to achieve the best possible price. This Resolution authorizes the filing of a loan application for financial assistance from the Texas State Infrastructure Bank (SIB) to cover these material costs; Authorizing the mayor to act on behalf of the City and TWU in all matters relating to the application.

Potential Options:

- None
-

Fiscal Implications:

Funds are not currently budgeted, and utility relocation must be completed no later than January of 2026. The loan amount will be $2,500,000.00 and TWU revenue will be leveraged for repayment.

Staff Recommendation:

Utility staff recommend approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2025-039 RES SIB Loan Application Resolution (DOCX)
b. 2025-039 EXH 'A' Summary je (PDF)
c. 2025-039 Goals & Perspectives (DOCX)
d. 2025-039 RES TX State Infrast. Bank Loan signed (PDF)

Staff Coordination

Water Utilities	Gary Smith 02/27/2025 4:57 PM	Department Head Review	Completed	
Water Utilities	Michelle Warren 02/26/2025 5:00 PM	Water Utilities Review	Skipped	
TWU Finance	Tricia Briggs	TWU Finance Review	Completed	02/27/2025 4:59 PM
TWU Administration	Kenny Icenhower	Review	Completed	02/27/2025 5:08 PM
City Manager	David Orr	City Manager Review	Completed	03/05/2025 2:43 PM
City Council	Jennifer Evans	Meeting	Completed	03/10/2025 6:00 PM

Meeting History

RESOLUTION NO. 2025-039

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE STATE INFRASTRUCTURE BANK AND AUTHORIZING THE MAYOR TO ACT ON BEHALF OF THE CITY IN ALL MATTERS RELATING TO THE APPLICATION, FOR A LOAN IN AN AMOUNT UP TO $2,500,000 TO BE USED FOR THE 10" WATER MAIN RELOCATION ALONG US 82; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the State Infrastructure Bank, operated by the Texas Department of Transportation, is a revolving loan fund; and

WHEREAS, the City of Texarkana, Texas, (the "City") deems it proper and in the best interest of the City to apply for a loan from the State Infrastructure Bank in an amount up to $2,500,000 to be used for the 10" water main relocation along US 82 from US 259 to the Red River county line due to the widening of US 82; and

WHEREAS, the City is qualified to apply for and obtain financial assistance from the State Infrastructure Bank for this purpose.

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

SECTION 1. The City Council believes that it is in the best interest of the City to apply for a loan from the State Infrastructure Bank in an amount up to $2,500,000 to finance the 10" water main relocation along US 82 from US 259 to the Red River county line due to the widening of US 82.

SECTION 2. The City Council hereby authorizes the Mayor to execute an application for financial assistance from the State Infrastructure Bank and to submit the application, together with all required documentation, to the Texas Department of Transportation for consideration.

SECTION 3. The application summary to be submitted is attached hereto as **Exhibit A** and made a part hereof for all purposes.

PASSED AND APPROVED in Regular Council Session on this the **10th day of March, 2025.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2025-039 RES SIB Loan Application Resolution [Revision 2] (4447 : 2025-039 RES Texas State Infrastructure Bank (SIB) Loan

SIB Loan Application Summary

The City is seeking approval to apply for a State Infrastructure Bank (SIB) loan to help fund the relocation of the 10" water main along US 82 from US 259 to RRCL. This relocation is necessary due to TxDOT's planned the widening of US 82.

The loan is anticipated to be no more than **$2,500,000** with a **20-year repayment term**. The initial payment will be deferred for **1 year**, providing financial flexibility as the project progresses. The interest rate will be based on the 20-year AAA Municipal Market Data (MMD) plus applicable adjustments for credit rating and the Economically Disadvantaged County Program. The latest all-in rate quoted by TxDOT at the end of February was 3.24%.

Repayment of the loan will come from the City's **water and sewer revenue**. The loan application is scheduled for submission by the **end of March 2025** and is anticipated to be approved and funded in 4-6 months.

The project is anticipated to begin construction in the **fall of 2025** to meet the TxDOT project schedule. TWU staff plan to complete the project using in-house resources. This is expected to save over $3,000,000 in project costs versus using a third-party contractor.

Approval of this resolution will allow the City to secure funding for this critical infrastructure project, ensuring continued reliable water service for residents and businesses while accommodating highway improvements.

Attachment: 2025-039 EXH 'A' Summary je (4447 : 2025-039 RES Texas State Infrastructure Bank (SIB) Loan Application Approval)

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: 2025-039 Goals & Perspectives (4447 : 2025-039 RES Texas State Infrastructure Bank (SIB) Loan Application Approval)

RESOLUTION NO. 2025-039

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE STATE INFRASTRUCTURE BANK AND AUTHORIZING THE MAYOR TO ACT ON BEHALF OF THE CITY IN ALL MATTERS RELATING TO THE APPLICATION, FOR A LOAN IN AN AMOUNT UP TO $2,500,000 TO BE USED FOR THE 10" WATER MAIN RELOCATION ALONG US 82; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the State Infrastructure Bank, operated by the Texas Department of Transportation, is a revolving loan fund; and

WHEREAS, the City of Texarkana, Texas, (the "City") deems it proper and in the best interest of the City to apply for a loan from the State Infrastructure Bank in an amount up to $2,500,000 to be used for the 10" water main relocation along US 82 from US 259 to the Red River county line due to the widening of US 82; and

WHEREAS, the City is qualified to apply for and obtain financial assistance from the State Infrastructure Bank for this purpose.

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

SECTION 1. The City Council believes that it is in the best interest of the City to apply for a loan from the State Infrastructure Bank in an amount up to $2,500,000 to finance the 10" water main relocation along US 82 from US 259 to the Red River county line due to the widening of US 82.

SECTION 2. The City Council hereby authorizes the Mayor to execute an application for financial assistance from the State Infrastructure Bank and to submit the application, together with all required documentation, to the Texas Department of Transportation for consideration.

SECTION 3. The application summary to be submitted is attached hereto as **Exhibit A** and made a part hereof for all purposes.

PASSED AND APPROVED in Regular Council Session on this the **10th day of March, 2025.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:58pm

Attachment: 2025-039 RES TX State Infrast. Bank Loan signed (4447 : 2025-039 RES Texas State Infrastructure Bank (SIB) Loan Application

SIB Loan Application Summary

The City is seeking approval to apply for a State Infrastructure Bank (SIB) loan to help fund the relocation of the 10" water main along US 82 from US 259 to RRCL. This relocation is necessary due to TxDOT's planned the widening of US 82.

The loan is anticipated to be no more than **$2,500,000** with a **20-year repayment term**. The initial payment will be deferred for **1 year**, providing financial flexibility as the project progresses. The interest rate will be based on the 20-year AAA Municipal Market Data (MMD) plus applicable adjustments for credit rating and the Economically Disadvantaged County Program. The latest all-in rate quoted by TxDOT at the end of February was 3.24%.

Repayment of the loan will come from the City's **water and sewer revenue**. The loan application is scheduled for submission by the **end of March 2025** and is anticipated to be approved and funded in 4-6 months.

The project is anticipated to begin construction in the **fall of 2025** to meet the TxDOT project schedule. TWU staff plan to complete the project using in-house resources. This is expected to save over $3,000,000 in project costs versus using a third-party contractor.

Approval of this resolution will allow the City to secure funding for this critical infrastructure project, ensuring continued reliable water service for residents and businesses while accommodating highway improvements.

Attachment: 2025-039 RES TX State Infrast. Bank Loan signed (4447 : 2025-039 RES Texas State Infrastructure Bank (SIB) Loan Application

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 3/7/2025 9:06 AM

Lead Department: City Attorney **Action Officer:** Jeffery Lewis,

Subject: Ordinance No. 2025-040 establishing a four-month moratorium on the acceptance and approval of applications for permitting the installation and placement of devices or machines regulated by Chapter 36 of the City's Code of Ordinances, and directing the City Manager to communicate to the Texas Legislature the City Council's policy determination that an eight-liner device or machine should be defined as a gambling device.

Briefing: 3/10/2025 **Public Hearing:** **Council Vote:** 3/10/2025

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

Not applicable.

Executive Summary and Background Information:

Texas Penal Code

Chapter 47 of the Texas Penal Code regulates gambling. A "gambling device" is defined to mean any electronic, electromechanical, or mechanical contrivance not excluded under Paragraph (B) below that for a consideration affords the player an opportunity to obtain anything of value, the award of which is determined solely or partially by chance, even though accompanied by some skill, whether or not the prize is automatically paid by the contrivance. The term:

(A) includes, but is not limited to, gambling device versions of bingo, keno, blackjack, lottery, roulette, video poker, or similar electronic, electromechanical, or mechanical games, or facsimiles thereof, that operate by chance or partially so, that as a result of the play or operation of the game award credits or free games, and that record the number of free games or credits so awarded and the cancellation or removal of the free games or credits; and

(B) does not include any electronic, electromechanical, or mechanical contrivance designed, made, and adapted solely for bona fide amusement purposes if the contrivance rewards the player exclusively with noncash merchandise prizes, toys, or novelties, or a representation of value redeemable for those items, that have a wholesale value available from a single play of the game or device of not more than 10 times the amount charged to play the game or device once or $5, whichever is less.

Texas Occupations Code

Chapter 2153 of the Texas Occupations Code is intended to provide a comprehensive and uniform statewide regulation of music and skill or pleasure "coin-operated machines", defined to mean any kind of machine or device operated by or with a coin or other United States currency, metal slug, token, electronic card, or check, including a music or skill or pleasure coin-operated machine.

City of Ft. Worth v. Rylie

Fort Worth passed ordinances regulating game rooms containing coin-operated machines. The game room owners ("Operators") challenged the Fort Worth ordinances on the grounds that the legislature preempted cities from regulating the machines in Chapter 2153 of the Occupations Code. In 2018, the Second Court of Appeals held *City of Fort Worth v. Rylie* that some portions of the ordinances were preempted but that Chapter 2153 did not preempt all of the provisions. The appellate court did not address the constitutionality or legality of eight-liners because it believed the question was irrelevant to the preemption issue.

Both parties appealed and the Supreme Court granted the petition for review. Texas Municipal League and Texas City Attorneys Association filed an amicus brief in support of the city. Amici argued that the legislature did not preempt cities with unmistakable clarity in the language of Chapter 2153, nor did the legislature intend to preempt local governments by passing Chapter 234 of the Local Government Code, giving counties further authority to regulate game rooms.

In 2020, the Supreme Court remanded the case to the Second Court of Appeals with instructions that the issue of constitutionality of eight-liners must be addressed in deciding the case.

In 2022, on remand, the Second Court of Appeals in Fort Worth held that eight-liner machines are unconstitutional under the Texas Constitution's provision prohibiting lotteries. However, the appellate court did not directly address whether the "fuzzy-animal exception," which permits the operation of coin-operated machines that dispense only certain small prizes, is unconstitutional or if that exception is valid on its face but not applicable to eight-liners.

The Operators petitioned for review to the Texas Supreme Court; the City of Fort Worth opted to file a perfunctory (and typically routine) response waiver to move the appeal along on the docket without addressing the merits of the petition; but the Supreme Court requested full briefing by both sides; and the docket does not indicate the Supreme Court ever requested or received oral argument before denying the petition without opinion in December 2023. TML commented on the denial of the petition for review:

"Cities will still have to wait for statewide guidance on the constitutionality of eight-liners. In December, the Texas Supreme Court denied the petition for review in the Fort Worth eight-liner case, meaning the Supreme Court will not hear the case to decide whether eight-liners are unconstitutional lotteries. The eight-liner owners had appealed the Second Court of Appeals' ruling that determined eight-liner machines were unconstitutional to the Supreme Court…. Cities in the Second Court of Appeals' jurisdiction (those in Archer, Clay, Cooke, Denton, Hood, Jack, Montague, Parker, Tarrant, Wichita, Wise, and Young Counties) should follow the decision of the Second Court of Appeals. Cities in the rest of the state should seek advice from their city attorneys regarding how to treat eight-liners."

On June 14, 2024, the Texas Supreme Court formally issued a notice to the Second Court of Appeals that the Operators' petition for review and motion for rehearing were denied. Media reports indicated that the City of Fort Worth intended to move forward on banning use of game machines. https://fortworthreport.org/2024/12/08/fort-worth-officials-prepare-to-enforce-ban-on-game-rooms-starting-in-2025/

Texas Legislature

Companion bills have been filed concerning the regulation of "eight-liners" and gambling devices:

- **HB487:** Authored by Representative Tepper, this bill addresses criminal offenses related to and authorized uses of gambling devices, including eight-liners.
- **SB517:** Introduced by Senator Middleton, this legislation pertains to criminal offenses applicable to and authorized uses of gambling devices, specifically mentioning eight-liners.

The Senate bill has been referred to the State Affairs committee, chaired by Sen. Bryan Hughes.

There is also Senate Joint Resolution 16, which proposes a constitutional amendment to authorize casino gaming at destination resorts and sports wagering, along with the creation of the Texas Gaming Commission to regulate these activities. That resolution has also been referred to the State Affairs committee.



City regulation

Chapter 36 of the Code of Ordinances regulates public amusements and special events. It is unlawful for any person to conduct any special event or public amusement or have a special event or public amusement on their premises without first obtaining a permit from the city.

"Public amusements" are defined in the Code to include operation of coin-operated machines, circuses, rides, carnivals, side shows, gaming places, gambling places, billiard halls, bingo halls, dance halls, night clubs, skating rinks, skateboarding places, shooting galleries, bowling alleys and other similar amusement enterprises where people gather for similar amusement activities, games or entertainment. "Coin-operated machine" means a gaming machine involving amusement, skill, pleasure or chance and is operated by coins, currency, metal slugs, tokens or checks; but the term does not include a vending machine used solely to make a purchase of food, beverage or merchandise.

Administrative review and proposed moratorium

Possibly as a result of eight-liners being declared unconstitutional in the jurisdictions of the Second Court of Appeals, an influx of device applications to the City has occurred following the conclusion of the *City of Fort Worth v. Rylie* litigation. Initial review of current and proposed Texas law indicates that Chapter 36 of the City's Code of Ordinances does not adequately distinguish between legal devices or machines and proscribed gambling devices or machines as analyzed by the Second Court of Appeals. To facilitate staff and City Council review and consideration of the City's authority to regulate an eight-liner and other devices, and the need to protect the health, safety, and welfare of the citizens, among other considerations, City staff recommends that the City Council establish a four month moratorium on acceptance and approval of applications permitting the installation and placement of devices or machines regulated by Chapter 36 of the City's Code of Ordinances.

Additionally, with pending bills before the Texas Legislature proposing to amend the Texas Penal Code with respect to eight liner machines, City staff recommends that the Council set policy for the City that an eight-liner device or machine should be defined as a gambling device under City ordinance or Texas law, or both, and direct the City Manager to communicate the Council's policy determination and endorsement of Sections 1-3 of SB517 to the Texas Legislature and to the attention of Sen. Bryan Hughes, Chair of the Senate Committee on State Affairs.

Potential Options:

Approve, decline to approve, or modify the proposed ordinance.

Fiscal Implications:

Collection of $15 per machine permitted will be abated during a moratorium.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

None.

Board/Committee Recommendation:

None.

Advisory Board/Committee Meeting Date and Minutes:

Not applicable.

Attachments

a. 2025-040 ORD moratorium Code Ch 36 machines (DOCX)
b. 2025-040 Goals & Perspectives (DOCX)
c. 2025-040 ORD Ch. 36 4mo Moratorium Coin-Op Mach. signed (PDF)

Staff Coordination

City Attorney	Jeffery C. Lewis	Department Head Review	Completed	02/27/2025 3:39 PM
City Secretary	Jennifer Evans	Review	Completed	02/28/2025 11:13 AM
Building Code Administration	Mashell Daniel	Review	Completed	02/28/2025 11:24 AM
Police	Kevin Schutte	Review	Completed	03/03/2025 7:07 AM
City Manager	David Orr	City Manager Review	Completed	03/03/2025 3:23 PM
City Council	Jennifer Evans	Meeting	Completed	03/10/2025 6:00 PM

Meeting History

ORDINANCE NO. 2025-040

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ESTABLISHING A FOUR-MONTH MORATORIUM ON THE ACCEPTANCE AND APPROVAL OF APPLICATIONS FOR PERMITTING THE INSTALLATION AND PLACEMENT OF DEVICES OR MACHINES REGULATED BY CHAPTER 36 OF THE CITY'S CODE OF ORDINANCES IN THE CITY OF TEXARKANA, TEXAS; DIRECTING THE CITY MANAGER TO COMMUNICATE THE CITY COUNCIL'S POLICY DETERMINATION THAT AN EIGHT-LINER DEVICE OR MACHINE SHOULD BE DEFINED AS A GAMBLING DEVICE TO THE TEXAS LEGISLATURE; CONTAINING REPEALER, SEVERABILITY, AND SUPERSEDING CLAUSES; CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council has sparingly utilized temporary moratoriums for applications on permitting various matters regulated by the City's Code of Ordinances when City staff or the Council analyze and review current ordinances for possible additions or amendments (see, e.g., Ord. No. 056-08 [electronic message device signs]; Ord. No. 070-2011 [beer and wine]; Ord. No. 2014-085 [off premise signs]; Ord. No. 2016-016 [CEVMS]); and

WHEREAS, pending before the Texas Legislature are companion bills, HB487 and SB517, addressing proposed amendments to the Texas Penal Code for criminal offenses and defenses related to gambling devices, and

WHEREAS, SB517, referred to the Senate Committee on State Affairs chaired by Sen. Bryan Hughes, defines an "eight-liner" as a gambling device and defines an "eight-liner" to mean "an electronic device capable of simulating the play of a traditional mechanical slot machine, regardless of the number of lines of play, that for consideration affords a player or user of the device an opportunity to win a prize based solely or partially on chance"; and

WHEREAS, an influx of device applications to the City has occurred following the end of litigation where the Second Court of Appeals District held that eight-liner machines are unconstitutional under the Texas Constitution's provision prohibiting lotteries: the appellate court determined that such machines are lotteries because they award prizes by chance and for consideration; the Texas Supreme Court declined to review the appellate court ruling; and therefore the ruling of the appellate court is controlling only for those within the jurisdiction of Second Court of Appeals District [the City is within the jurisdiction of the Sixth Court of Appeals District]; and

WHEREAS, the City Council finds and determines that Chapter 36 of the City's Code of Ordinances does not adequately distinguish between legal devices or machines and proscribed gambling devices or machines as analyzed by the Second Court of Appeals; and

Attachment: 2025-040 ORD moratorium Code Ch 36 machines (4448 : 2025-040 ORD Ch 36 4-month moratorium permit machines)

WHEREAS, the City Council finds and determines that establishing a four-month moratorium on acceptance and approval of applications permitting the installation and placement of devices or machines regulated by Chapter 36 of the City's Code of Ordinances is necessary, reasonable, in the public interest, and in the best interest of the City: to facilitate review and consideration of the City's authority to regulate an eight-liner and other devices, the City's goals and interests, and the need to protect the health, safety, and welfare of the citizens, so that the City Code and any other applicable City ordinances and regulations may be amended to achieve a reasonable balance amongst and between such needs and goals; to allow adequate time for the 89th Texas Legislative session to consider and reach a determination on pending bills HB487 and SB517; and to allow adequate time for Staff review and recommendation of revisions to the City's Code of Ordinances, whether or not the Texas Legislature acts on the pending bills; and

WHEREAS, the City Council finds and determines that the purpose and intent of HB487 and SB517 to define an eight-liner as a gambling device should be endorsed and that the City Manager should be directed to communicate this policy determination of the City Council to the Texas Legislature and to the attention of Sen. Hughes.

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

SECTION 1: From and after the effective date of this Ordinance, the City will neither accept any applications nor issue any permits for the installation and placement of devices or machines regulated by Chapter 36 of the City's Code of Ordinances. This moratorium or prohibition shall be effective for a period of four months from the effective date of this Ordinance, expiring at 11:59 p.m., June 10, 2025.

SECTION 2: The City Council finds and determines that an eight-liner device or machine should be defined as a gambling device under City ordinance or Texas law, or both, and directs the City Manager to communicate the City Council's policy determination and endorsement of Sections 1-3 of SB517 to the Texas Legislature and to the attention of Sen. Bryan Hughes, Chair of the Senate Committee on State Affairs.

SECTION 3: The provisions of this Ordinance are to be cumulative of all other Ordinances or parts of Ordinances governing or regulating the same subject matter as that covered herein.

SECTION 4: If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5: In the event 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 6: In the event of any conflict between this Ordinance and any other ordinances or parts of ordinances, this Ordinance shall supersede and control.

Attachment: 2025-040 ORD moratorium Code Ch 36 machines (4448 : 2025-040 ORD Ch 36 4-month moratorium permit machines)

SECTION 7: The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

SECTION 8: 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 **10th day of March, 2025**.

ATTEST:

_____	_____
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2025-040 ORD moratorium Code Ch 36 machines (4448 : 2025-040 ORD Ch 36 4-month moratorium permit machines)

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:	

Resource Impact:	
Staff time required if item is approved:	No Additional
Other Potential Impacts:	

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: 2025-040 Goals & Perspectives (4448 : 2025-040 ORD Ch 36 4-month moratorium permit machines)

ORDINANCE NO. 2025-040

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ESTABLISHING A FOUR-MONTH MORATORIUM ON THE ACCEPTANCE AND APPROVAL OF APPLICATIONS FOR PERMITTING THE INSTALLATION AND PLACEMENT OF DEVICES OR MACHINES REGULATED BY CHAPTER 36 OF THE CITY'S CODE OF ORDINANCES IN THE CITY OF TEXARKANA, TEXAS; DIRECTING THE CITY MANAGER TO COMMUNICATE THE CITY COUNCIL'S POLICY DETERMINATION THAT AN EIGHT-LINER DEVICE OR MACHINE SHOULD BE DEFINED AS A GAMBLING DEVICE TO THE TEXAS LEGISLATURE; CONTAINING REPEALER, SEVERABILITY, AND SUPERSEDING CLAUSES; CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council has sparingly utilized temporary moratoriums for applications on permitting various matters regulated by the City's Code of Ordinances when City staff or the Council analyze and review current ordinances for possible additions or amendments (see, e.g., Ord. No. 056-08 [electronic message device signs]; Ord. No. 070-2011 [beer and wine]; Ord. No. 2014-085 [off premise signs]; Ord. No. 2016-016 [CEVMS]); and

WHEREAS, pending before the Texas Legislature are companion bills, HB487 and SB517, addressing proposed amendments to the Texas Penal Code for criminal offenses and defenses related to gambling devices, and

WHEREAS, SB517, referred to the Senate Committee on State Affairs chaired by Sen. Bryan Hughes, defines an "eight-liner" as a gambling device and defines an "eight-liner" to mean "an electronic device capable of simulating the play of a traditional mechanical slot machine, regardless of the number of lines of play, that for consideration affords a player or user of the device an opportunity to win a prize based solely or partially on chance"; and

WHEREAS, an influx of device applications to the City has occurred following the end of litigation where the Second Court of Appeals District held that eight-liner machines are unconstitutional under the Texas Constitution's provision prohibiting lotteries: the appellate court determined that such machines are lotteries because they award prizes by chance and for consideration; the Texas Supreme Court declined to review the appellate court ruling; and therefore the ruling of the appellate court is controlling only for those within the jurisdiction of Second Court of Appeals District [the City is within the jurisdiction of the Sixth Court of Appeals District]; and

WHEREAS, the City Council finds and determines that Chapter 36 of the City's Code of Ordinances does not adequately distinguish between legal devices or machines and proscribed gambling devices or machines as analyzed by the Second Court of Appeals; and

Attachment: 2025-040 ORD Ch. 36 4mo Moratorium Coin-Op Mach. signed (4448 : 2025-040 ORD Ch 36 4-month moratorium permit machines)

WHEREAS, the City Council finds and determines that establishing a four-month moratorium on acceptance and approval of applications permitting the installation and placement of devices or machines regulated by Chapter 36 of the City's Code of Ordinances is necessary, reasonable, in the public interest, and in the best interest of the City: to facilitate review and consideration of the City's authority to regulate an eight-liner and other devices, the City's goals and interests, and the need to protect the health, safety, and welfare of the citizens, so that the City Code and any other applicable City ordinances and regulations may be amended to achieve a reasonable balance amongst and between such needs and goals; to allow adequate time for the 89th Texas Legislative session to consider and reach a determination on pending bills HB487 and SB517; and to allow adequate time for Staff review and recommendation of revisions to the City's Code of Ordinances, whether or not the Texas Legislature acts on the pending bills; and

WHEREAS, the City Council finds and determines that the purpose and intent of HB487 and SB517 to define an eight-liner as a gambling device should be endorsed and that the City Manager should be directed to communicate this policy determination of the City Council to the Texas Legislature and to the attention of Sen. Hughes.

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

SECTION 1: From and after the effective date of this Ordinance, the City will neither accept any applications nor issue any permits for the installation and placement of devices or machines regulated by Chapter 36 of the City's Code of Ordinances. This moratorium or prohibition shall be effective for a period of four months from the effective date of this Ordinance, expiring at 11:59 p.m., June 10, 2025.

SECTION 2: The City Council finds and determines that an eight-liner device or machine should be defined as a gambling device under City ordinance or Texas law, or both, and directs the City Manager to communicate the City Council's policy determination and endorsement of Sections 1-3 of SB517 to the Texas Legislature and to the attention of Sen. Bryan Hughes, Chair of the Senate Committee on State Affairs.

SECTION 3: The provisions of this Ordinance are to be cumulative of all other Ordinances or parts of Ordinances governing or regulating the same subject matter as that covered herein.

SECTION 4: If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5: In the event 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 6: In the event of any conflict between this Ordinance and any other ordinances or parts of ordinances, this Ordinance shall supersede and control.

Attachment: 2025-040 ORD Ch. 36 4mo Moratorium Coin-Op Mach. signed (4448 : 2025-040 ORD Ch 36 4-month moratorium permit machines)

SECTION 7: The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

SECTION 8: 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 **10th day of March, 2025**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:04pm

Attachment: 2025-040 ORD Ch. 36 4mo Moratorium Coin-Op Mach. signed (4448 : 2025-040 ORD Ch 36 4-month moratorium permit machines)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 3/4/2025 3:42 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Zoning Administrator
Subject:	Ordinance No. 2025-043 rezoning on an approximate 14.144-acre tract of land (being Tract 98A), M.H. Janes HRS, A-305, located at 7970 Hampton Road (Ward 5) from Single Family-2 to Commercial. Ryan Berry, owner, and Terry Moore, agent.		

Briefing: 4/14/2025 **Public Hearing:** 4/14/2025 **Council Vote:** 4/14/2025

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Ryan Berry, owner, and Terry Moore, agent, to rezone on an approximate 14.144-acre tract of land (being Tract 98A), M H Janes HRS, A-305, located at 7970 Hampton Road from Single Family-2 to Commercial. The property is currently a trucking facility.

The Future Land Use Map has designated this property as “Regional Commercial”.

The adjacent zoning is Single Family-2 to the north, east, and west and interstate 30 to the south. The adjacent land use is construction equipment facilities and storage to the east and west, vacant property to the north, and I-30 to the south.

Staff recommend approval of this request.

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

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommend approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommend approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

March 3, 2025

Attachments

a. 2025-043 ORD rezoning SF-2 to C 7970 Hampton Rd (DOCX)
b. 2025-043 ATTH 01 (Maps) (PDF)
c. 2025-043 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration		Mashell Daniel	Department Head Review	Completed 03/05/2025 8:06 AM
Building Code Administration		Mashell Daniel	Reviewer	Completed 03/05/2025 8:06 AM
Public Works Department		Dusty Henslee	Reviewer	Completed 03/05/2025 8:08 AM
City Manager	David Orr	Reviewer	Completed	03/05/2025 2:43 PM
City Council	Jennifer Evans	Meeting	Completed	03/10/2025 6:00 PM

Meeting History

Z-25-03

ORDINANCE NO. 2025-043

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING ON AN APPROXIMATE 14.144-ACRE TRACT OF LAND (BEING TRACT 98A), M. H. JANES HRS, A-305, LOCATED AT 7970 HAMPTON ROAD, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-2 TO COMMERCIAL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone **on an approximate 14.144-acre tract of land (being Tract 98A), M. H. Janes HRS, A-305, located at 7970 Hampton Road,** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Commercial**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted five (5) to zero (0) to recommend for approval of the application for rezoning from Single Family-2 to Commercial on an approximate 14.144-acre tract of land (being Tract 98A), M. H. Janes HRS, A-305, located at 7970 Hampton Road** to the City Council of Texarkana, Texas; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone **on an approximate 14.144-acre tract of land (being Tract 98A), M. H. Janes HRS, A-305, located at 7970 Hampton Road** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Commercial.**

SECTION 2: It is further provided that in case a section, clause, sentence or part of this ordinance

Attachment: 2025-043 ORD rezoning SF-2 to C 7970 Hampton Rd [Revision 1] (4452 : 2025-043 ORD rezoning SF-2 to C 7970 Hampton)

shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this ordinance.

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

SECTION 4: 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 **14th day of April, 2025.**

ATTEST:

_____	_____
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2025-043 ORD rezoning SF-2 to C 7970 Hampton Rd [Revision 1] (4452 : 2025-043 ORD rezoning SF-2 to C 7970 Hampton)

2025-043 ATTH 01
Z-25-3

7970 Hampton Road



Attachment: 2025-043 ATTH 01 (Maps) (4452 : 2025-043 ORD rezoning SF-2 to C 7970 Hampton)

2025-043 ATTH 01
Z-25-3

7970 Hampton Road



Attachment: 2025-043 ATTH 01 (Maps) (4452 : 2025-043 ORD rezoning SF-2 to C 7970 Hampton)

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:	

Resource Impact:	
Staff time required if item is approved:	No Additional
Other Potential Impacts:	

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: 2025-043 Goals & Perspectives (4452 : 2025-043 ORD rezoning SF-2 to C 7970 Hampton)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 2/26/2025 12:16 PM

Lead Department: Public Works Department **Action Officer:** Jonathan Wade,

Subject: Ordinance No. 2025-029 closing and abandoning a twenty-foot (20') alley right-of-way and retaining a utility easement in its place, in Block 1 of the Buchanan Avenue Addition.

Briefing: 3/10/2025 **Public Hearing:** 3/10/2025 **Council Vote:** 3/10/2025

Item Schedule

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

Updates/History of Briefing:

Please see below for updating information on alley abandonment processes. Attached are the letters sent to property owners, and approvals we have received from property owners that the applicant has submitted.

We received a request to abandon the alley for the development of a new church at the Garber and Willis. The church owns multiple properties and would like to combine their development into the same property, so they requested to abandon the alley. Our policy has always been not to abandon portions of the alleys to eliminate confusion/issues moving forward if the abandonment was approved. We also explained to the applicants, that it helps to get the other property owners' approval for this abandonment and recommend they contact all adjacent property owners.

Once we receive the request, we send this out to City staff and Utility Companies for review and comment. After comments have been received, staff will then schedule the council meetings for a First Briefing and Public Hearing/Vote. A letter is also sent out notifying all adjacent property owners of this request and notifying them of the Public Hearing on this request (example letter is attached). If we receive any comments/objections/agreements from the property owners, we will update the agenda item and present those updates at the meeting when the Public Hearing is held. In the future, we will mail the letter out to property owners as soon as we receive the request so we can include this information at the first briefing if possible.

Additional Tax Information for extra land for alley abandonment

Each lot in this area is approximately 0.12 acres (50'x100'). BCAD has the Market Value on these as approximately $1,500 and appraised value of $600 (Using the 2024 tax values on a vacant parcel to get the land value). If alley abandonment is approved, each lot will gain half the alley along their property or about 50' x 10' or 0.01 acres. The total increase in overall taxes should be less than $1.50/yr.

Executive Summary and Background Information:

The City received a request from TDC General Contractors, LLC and Pastor James Hawkins for the abandonment of a 20' Alley Right-of-Way located in Block 1 of the Buchanan Avenue Addition.

If this alley right-of-way is abandoned, then by policy the right-of-way will be delivered to all adjacent property owners.

The City sent out a memorandum to City Departments and Utility Representatives. The City has no plans for ever using this right-of-way for future purposes. Utility responses have requested we maintain a 20' utility easement throughout the entirety of the alley to be abandoned and there are no issues with closing and abandoning this right-of-way. Attached in the packet is the memorandum and responses.

Potential Options:

- Approve closure and abandonment
- Not approve closure and abandonment

Fiscal Implications:

No fiscal implications

Staff Recommendation:

Staff recommends approval and retaining utility easement

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

(Insert Minutes Here) or Select, Delete this and all text in this area and say "NOT APPLICABLE"

Attachments

a. 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of Buchanan Ave Addn (DOCX)
b. 2025-029 EXH 'A' - Property Description (PDF)
c. 2025-029 ATTH 01 Memo To City Staff and Utility Companies (PDF)
d. 2025-029 ATTH 02 Utility and Department Comments (PDF)
e. 2025-029 ATTH03 Letter to Adjacent Property Owners (PDF)
f. 2025-029 ATTH04 Property Owner Approvals (PDF)
g. 2025-029 Goals and Perspectives (DOCX)
h. 2025-029 ORD C&A Alley 20' Blk 1 Buchanan Adn signed (PDF)

Staff Coordination

Public Works Department	Jonathan Wade	Review	Completed 02/03/2025 12:45 PM
Public Works Department	Dusty Henslee	Department Head Review	Completed 02/03/2025 12:47 PM

Fire Department 2:11 PM	Chris Black	Review	Completed	02/03/2025
Police 4:07 PM	Jennifer Evans	Review	Skipped	02/03/2025
City Manager 11:41 AM	David Orr	City Manager Review	Completed	02/04/2025
City Council 6:00 PM	Jennifer Evans	Meeting	Completed	02/10/2025

Meeting History

02/10/25	City Council	MOVED FORWARD	Next: 03/10/25

Attachment: 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of Buchanan Ave Addn (4434 : 2025-029 ORD Closing and Abandoning

ORDINANCE NO. 2025-029

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CLOSING AND ABANDONING A TWENTY-FOOT (20') ALLEY LOCATED NORTH OF GARBER STREET, AND EAST OF SOUTH LAKE DRIVE, LOCATED IN BLOCK 1 OF THE BUCHANAN AVENUE ADDITION, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been received requesting that the City close and abandon a twenty-foot (20') alley located north of Garber Street and east of South Lake Drive located in Block 1 of the Buchanan Avenue Addition in the City of Texarkana, Bowie County, Texas, as shown on the attached location map hereto and incorporated herein as **Exhibit 'A';** and

WHEREAS, the City has notified all adjacent landowners, interested utilities, and city departments requesting their comments; and

WHEREAS, based on the responses from all notified parties, the City finds it to be in the best interest of the City to close and abandon the twenty-foot (20') alley located in Block 1 of the Buchanan Avenue Addition, north of Garber Street and east of South Lake Drive as shown on the attached property description and incorporated herein as **Exhibit 'A'**; and

WHEREAS, all adjacent landowners shall receive ownership of half of the abandoned alley along their property.

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

SECTION 1: The twenty-foot (20') alley right-of-way located north of Garber Street and east of South Lake Drive, located in Block 1 of the Buchanan Avenue Addition in the City of Texarkana, Bowie County, Texas, as shown on the map and described in the Alley Abandonment Request (**ATTH 01**) hereto and incorporated herein as **Exhibit "A",** be and is hereby abandoned as a street or public thoroughfare of any kind or character.

SECTION 2: That a twenty-foot (20') utility easement shall be retained over the entire area that is being abandoned.

SECTION 3: The above described property is hereby declared surplus and abandoned and the responsibility of the City to maintain said property is hereby terminated.

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

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6: 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 **10th day of March, 2025.**

ATTEST:

_____	_____
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of Buchanan Ave Addn (4434 : 2025-029 ORD Closing and Abandoning

Property Description
12100.01 Sq. Ft.
0.278 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the Jacob Carsner Headright Survey, Abstract 116, Bowie County, Texas, being all of a 20-foot alley in Block 1 of the Buchanan Avenue Addition according to the Plat recorded in Volume 40, Page 61 of the Plat Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a steel pipe (control monument) found for a corner, the Northeast corner of the said alley, the Northwest corner of Lot 1, of the said Block 1, and lying in the South right-of-way line of Jones Street, the said corner bears South 88 degrees 13 minutes 01 seconds West a distance of 138.08 feet to a 1/2 inch steel rod found for a corner, capped MTG ENG, the Northeast corner of the said Lot 1 and at the intersection of the South right-of-way line of the said Jones Street and the West right-of-way line of Willis Street;

THENCE South 01 degrees 53 minutes 34 seconds East, basis of bearings, a distance of 605.00 feet along the East line of the said alley, and the East line of Lots 1 through 12 of the said Block 1 to a 1/2 inch steel rod (control monument) found for a corner, capped MTG ENG, the Southeast corner of the said alley, the Southwest corner of the said Lot 12, said corner bears North 88 degrees 13 minutes 01 seconds East a distance of 138.00 feet to a 1/2 inch steel rod found for a corner, capped MTG ENG, the Northwest corner of the said Lot 1 and at the intersection of the North right-of-way line of the said Garber Street and the West right-of-way line of the said Willis Street;

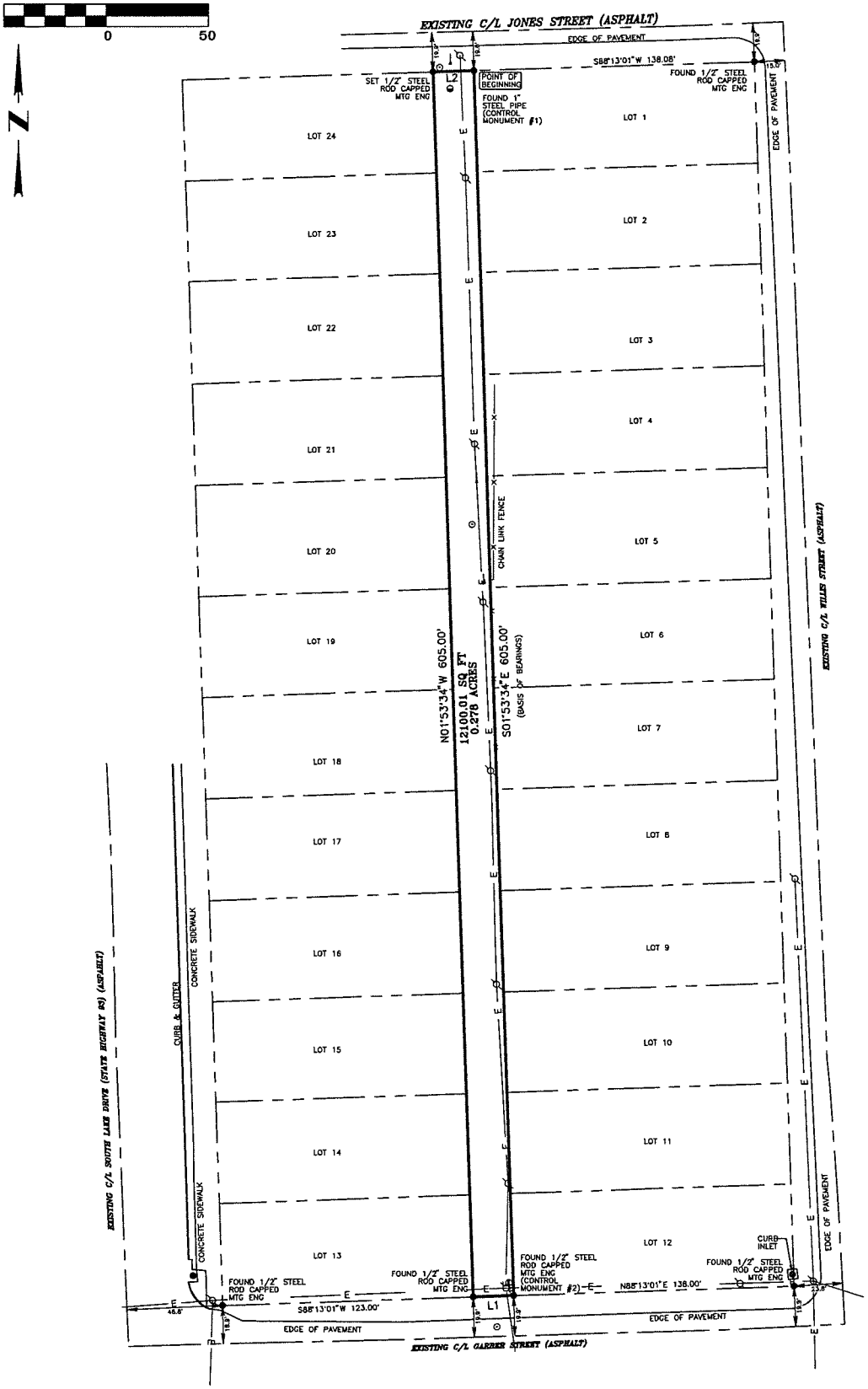
THENCE South 88 degrees 13 minutes 01 seconds West a distance of 20.00 feet along the South line of the said alley and the North right-of-way line of the said Garber Street to a 1/2 inch steel rod found for a corner, capped MTG ENG, the Southwest corner of the said alley and the Southeast corner of Lot 13 of the said Block 1, the said corner bears South 88 degrees 13 minutes 01 seconds West a distance of 123.00 feet to a 1/2 inch steel rod found for a corner, capped MTG ENG, the Southwest corner of the said Lot 13 and at the intersection of the North right-of-way line of the said Garber Street and the East right-of-way line of South Lake Drive (State Highway 93);

THENCE North 01 degrees 53 minutes 34 seconds West a distance of 605.00 feet along the West line of the said alley and the East line of Lots 13 through 24 to a 1/2 inch steel rod set for a corner, capped MTG ENG, the Northwest corner of the said alley, the Northeast corner of the said Lot 24, and lying in the South right-of-way line of the said Jones Street;

THENCE North 88 degrees 13 minutes 01 seconds East a distance of 20.00 feet along the North line of the said alley and the South right-of-way line of the said Jones Street to the point of beginning and containing 0.278 acres of land, at the time of this survey.

Attachment: 2025-029 EXH 'A' - Property Description (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of Buchanan Ave

2025-029 EXH A



LINE	BEARING	DISTANCE
L1	S88°13'01"W	20.00'
L2	N88°13'01"E	20.00'

LEGEND
- CLEANOUT
- GUY
- MANHOLE
- METER LOOP
- POWER POLE
- STORM DRAIN MANHOLE

THE BEARINGS ARE BASED ON GRID NORTH WITHIN THE "TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE", NAD83 (CORS96, EPOCH 2002.0), GRID, WITH A BEARING OF SOUTH 01 DEGREES 53 MINUTES 34 SECONDS EAST. THE FOLLOWING CONTROL MONUMENTS WERE USED TO ESTABLISH THE BASIS OF BEARINGS:

CONTROL MONUMENT #1
N=7224176.0340
E=3322969.3190

CONTROL MONUMENT #2
N=7223571.3738
E=3322989.3027

EXHIBIT

0.278 ACRES IN THE JACOB CARSNER HEADRIGHT SURVEY, ABSTRACT 116
BOWIE COUNTY, TEXAS

Date	Revision/Description

Drawn By	Checked By	Project No.	Dwg. Date
DH	JH	246098	1/21/25

File No.	Sheet No.

MTG
ENGINEERS &SURVEYORS
5930 SUMMERHILL ROAD TEXARKANA, TX
P 903.838.8533 www.mtgengineers.com
TBPE FIRM NO. F-354 AR COA NO. 125
© MTG 2025

X:\2024 Projects\246098 New Church\02 Surveying\246098Alley Exhibit.pro
Tue Jan 28, 2025 9:20AM

Attachment: 2025-029 EXH 'A' - Property Description (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of Buchanan Ave

TEX-Wade, Jonathan

From: TEX-Wade, Jonathan
Sent: Wednesday, January 15, 2025 4:16 PM
To: TWU-McBride, Len; TWU-Icenhower, Kenny; michael.a.latham@windstream.com; chris.jackson@windstream.com; Mccormick, Brandon K; Zac Pianalto; bbrooks@summitutilities.com; joe.langley@sparklight.biz; Katie Hall; tray.mcneill@rittercommunications.com; dmcdowell@swrea.com; Stephanie Green; Adam Keahey; Tod Corbin
Subject: Proposed Buchanan Ave Addn Alley Abandonment
Attachments: BuchananAveBlkTrct1 Alley Abandonment.pdf; Memo-ROWAbandonmentBuchananAveAdnBlkTrct1.pdf

All,

The City has received a request to abandon an alley located in block 1 of Buchanan Avenue Addition. Please review the attached documents and provide me with your comments. If you have any questions, feel free to contact me at any time.

Thank you,

Jonathan Wade, PE, CFM
City Engineer
City of Texarkana, Texas
Office: (903) 798-3251
Cell: (903) 908-2725
Email: Jonathan.Wade@texarkanatexas.gov

Attachment: 2025-029 ATTH 01 Memo To City Staff and Utility Companies [Revision 1] (4434 : 2025-029 ORD Closing and Abandoning 20' Alley

CITY OF
TEXARKANA
TEXAS
Public Works Department
220 Texas Blvd
Texarkana, TX 75501
Phone (903) 798-3900

January 15th, 2025

City Departments and Utility Representatives

Re: Proposed Alley Abandonment

The City of Texarkana, Texas has received a letter from Mark Wurtele and James Hawkins requesting the abandonment and closure of a 20' alley located in Block 1 of Buchanan Avenue Addition.

Please refer to the attachments and provide any comments to me by January 29th, 2025 if you are in favor of abandonment.

Your prompt response is appreciated. If you have any questions, please contact me at my office or through email.

Sincerely,

Jonathan Wade, PE, CFM
City Engineer
Office: (903) 798-3251
Cell: (903) 908-2725
Jonathan.wade@texarkanatexas.gov

Attachment: 2025-029 ATTH 01 Memo To City Staff and Utility Companies [Revision 1] (4434 : 2025-029 ORD Closing and Abandoning 20' Alley

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

Application for Public R.O.W. Abandonment

Type: ___Street X Alley___Other Alley between Garber and Jones.

Purpose of Abandonment: To be able to drive across for access from parking lots to the new St. Johns Church to be built at 1600 Garber

Applicant/Agent Information:

Name: TDC General Contractors LLC

Address: 2012 Arkansas Blvd Texarkana AR 71854

Phone: 903 277-6665 Fax: ( )_____ Work E-mail: markwurtele@gmail.com

Required Documents needed to proceed with review:

- Letter requesting abandonment
- Electronic Copy of plat/deed/plot plan showing requested abandonment
- Letter/Petition from all adjacent property owners agreeing to abandonment

Required Documents needed prior to City Council Meeting:

- Abandonment release form signed by owner/applicant
- Abandonment release form signed by adjacent land owners
- Legal Exhibit and Property Description of property being abandoned
- Application Fee

Note: Partial abandonment requests will not be accepted.

for TDC General Contractors

Mark Wurtele — Applicant's Printed Name

Mark Wurtele — Applicant's Signature

12-20-24 — Date

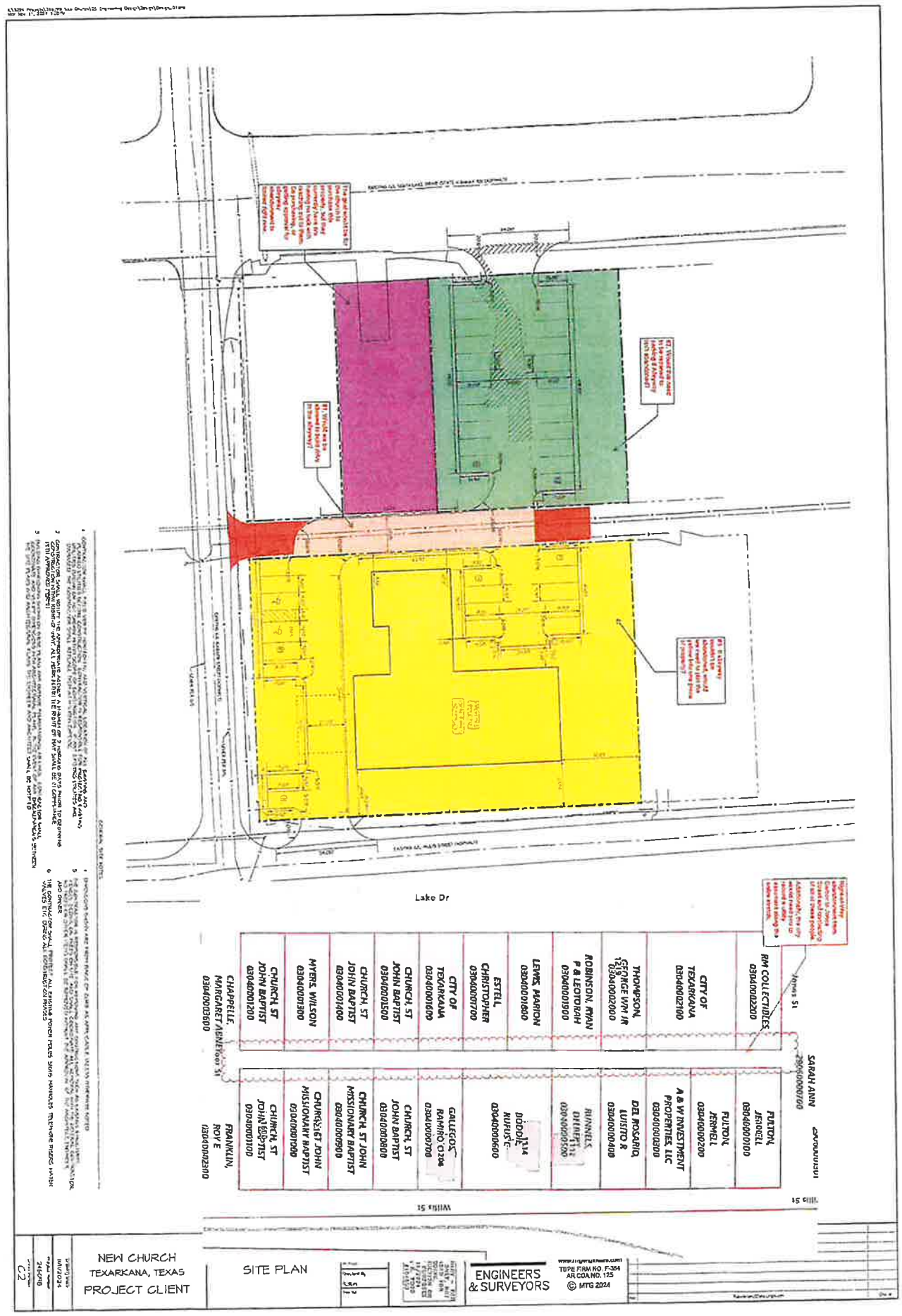
Application Fee: $750

Application Fee Paid: _____

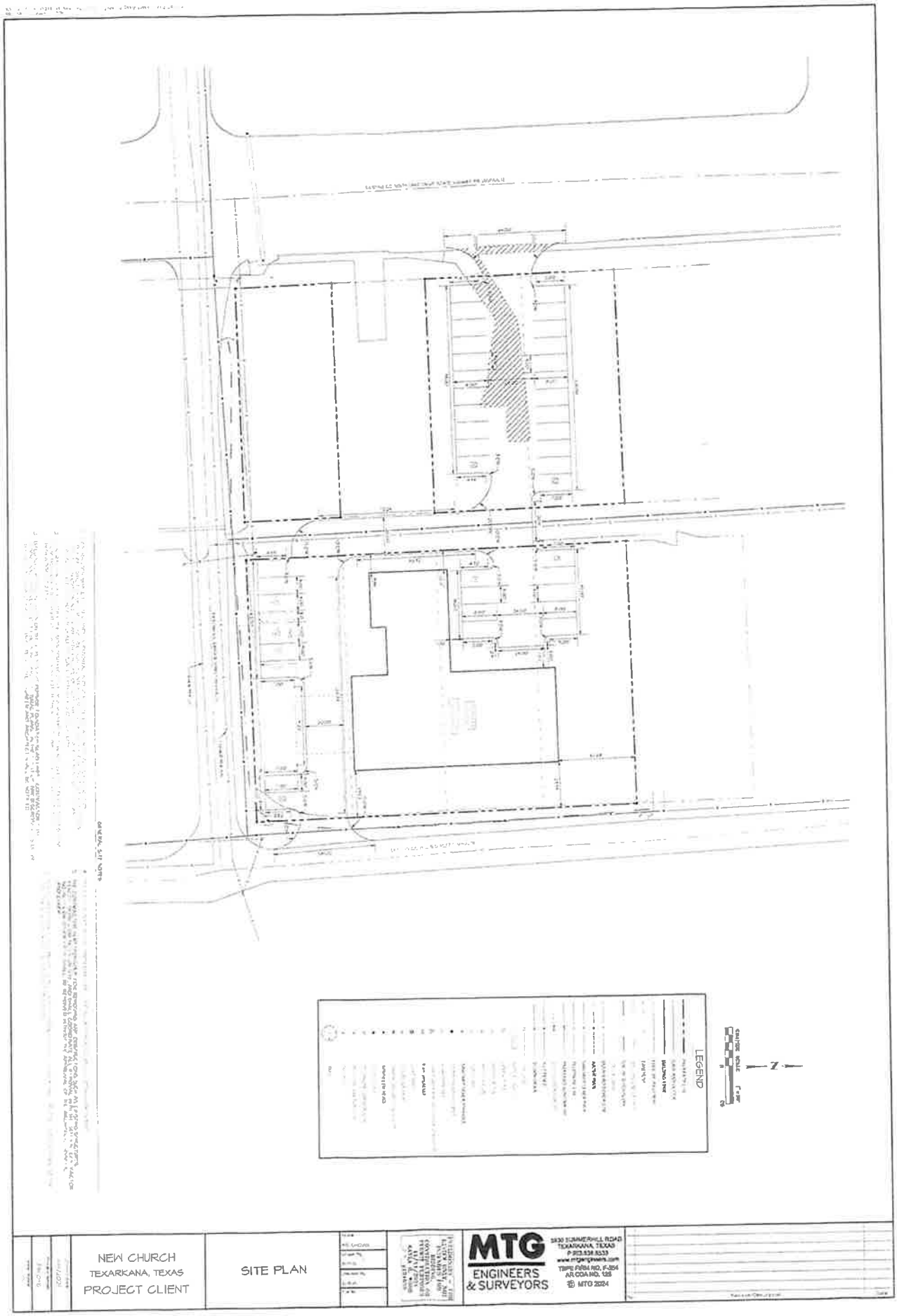
Received by: _____

Receipt No.: _____

Attachment: 2025-029 ATTH 01 Memo To City Staff and Utility Companies [Revision 1] (4434 : 2025-029 ORD Closing and Abandoning 20' Alley



Attachment: 2025-029 ATTH 01 Memo To City Staff and Utility Companies [Revision 1] (4434 : 2025-029 ORD Closing and Abandoning 20' Alley



Attachment: 2025-029 ATTH 01 Memo To City Staff and Utility Companies [Revision 1] (4434 : 2025-029 ORD Closing and Abandoning 20' Alley

The City of Texarkana TX. 12/27/2024

RE: Application for Public R.O.W. Abandonment.

At this time Pastor James Hawkins, the congregation of the St. John's Baptist church located at 1213 Garber St., Texarkana TX. and TDC General Contractors LLC are requesting the abandonment of the alley located between Garber and Jones streets. St. John's Baptist church will be building their new church at 1600 Garber St. and will need the alley to be able to connect the east side of the alley where the church will be built to the west lots where the majority of the parking will be located.

Sincerely,

Mark Würtele

Mark Würtele Representative

TDC General Contractors LLC

Attachment: 2025-029 ATTH 01 Memo To City Staff and Utility Companies [Revision 1] (4434 : 2025-029 ORD Closing and Abandoning 20' Alley

CITY OF
TEXARKANA
Public Works Department TEXAS
220 Texas Blvd
Texarkana, TX 7550
Phone (903) 798-39(

Date: January 31st, 2025

To: File

From: Jonathan Wade, PE, CFM, City Engineer

Re: ROW Abandonment of 20' Alley in Block 1 of Buchanan Ave Addn

Comments are as follows:

1. TWU – Retain 20' Easement
2. Fire – No comments
3. Summit – Retain 20' Easement
4. Police – No comments
5. Public Works – No issues
6. Windstream Communications – Retain 20' Easement
7. Electric:
   AEP/SWEPCO – No comments
   REA – No comments
   Bowie Cass – No Comments
8. Sparklight – No comments

Staff recommends for the approval of the abandonment of the right-of-way and retainment of utility easements.

Attachment: 2025-029 ATTH 02 Utility and Department Comments (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

TEX-Wade, Jonathan

From: Jackson, Chris L <Chris.Jackson@windstream.com>
Sent: Monday, February 3, 2025 10:52 AM
To: TEX-Wade, Jonathan
Cc: Latham, Michael A; brandon.k.mccormick@windstream.com
Subject: RE: Proposed Buchanan Ave Addn Alley Abandonment

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hey Jonathon,

Per our earlier phone call, we will need to maintain service through the existing easement. We do not have buried service through that section, but we do have aerial copper and fiber.

If you need anything else from me, let me know.

Thank you,

Chris Jackson
OPT/Engineer
Outside Plant Engineering
C: 903-748-3042 | GoKinetic.com



Sensitivity: Internal

From: TEX-Wade, Jonathan <jonathan.wade@texarkanatexas.gov>
Sent: Thursday, January 16, 2025 2:58 PM
To: Jackson, Chris L <Chris.Jackson@windstream.com>
Cc: Latham, Michael A <Michael.A.Latham@windstream.com>; Mccormick, Brandon K <Brandon.K.Mccormick@windstream.com>
Subject: RE: Proposed Buchanan Ave Addn Alley Abandonment

This Message Is From an External Sender
This message came from outside your organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Chris,

Attachment: 2025-029 ATTH 02 Utility and Department Comments (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

TEX-Wade, Jonathan

From: TWU-Smith, Gary
Sent: Tuesday, January 21, 2025 10:11 AM
To: TEX-Wade, Jonathan
Cc: TWU-Icenhower, Kenny
Subject: FW: Proposed Buchanan Ave Addn Alley Abandonment
Attachments: BuchananAveBlkTrct1 Alley Abandonment.pdf; Memo-ROWAbandonmentBuchananAveAdnBlkTrct1.pdf; Alley Abandonment Buchanan Ave.doc

Jonathan,

Attached is the letter I sent February of last year. If you need anything else let me know. Thanks

Gary

From: TEX-Wade, Jonathan <jonathan.wade@texarkanatexas.gov>
Sent: Wednesday, January 15, 2025 4:16 PM
To: TWU-McBride, Len <len.mcbride@txkusa.org>; TWU-Icenhower, Kenny <Kenny.Icenhower@txkusa.org>; Latham, Michael A <michael.a.latham@windstream.com>; chris.jackson@windstream.com; brandon.k.mccormick@windstream.com; Zac Pianalto <zspianalto@aep.com>; bbrooks@summitutilities.com; joe.langley@sparklight.biz; Katie Hall <Katie.Hall@rittercommunications.com>; tray.mcneill@rittercommunications.com; dmcdowell@swrea.com; Stephanie Green <sgreen@conterra.com>; Adam Keahey <akeahey@conterra.com>; Tod Corbin <todc@bcec.com>
Subject: Proposed Buchanan Ave Addn Alley Abandonment

All,

The City has received a request to abandon an alley located in block 1 of Buchanan Avenue Addition. Please review the attached documents and provide me with your comments. If you have any questions, feel free to contact me at any time.

Thank you,

Jonathan Wade, PE, CFM
City Engineer
City of Texarkana, Texas
Office: (903) 798-3251
Cell: (903) 908-2725
Email: Jonathan.Wade@texarkanatexas.gov

Attachment: 2025-029 ATTH 02 Utility and Department Comments (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

Texarkana Water Utilities
801 Wood Street, P.O. Box 2008, Texarkana, Texas 75504
(903) 798-3800 Phone
711 TTY
(903) 791-0724 Fax

MEMORANDUM

To: Jonathan Wade, P.E., CFM, City Engineer, City of Texarkana, Texas

From: Gary L. Smith, P.E., Executive Director, TWU

Date: February 21, 2024

Re: **Alley Abandonment – Block 1 of Buchanan Avenue Addition**

The Utility staff has reviewed the above referenced request for an easement abandonment and has the following comments:

1. There is an existing six-inch (6") water main and an existing six-inch (6") sanitary sewer main in this section of the alley.
2. The Utility does not object to the abandonment of this section of the alley if a utility easement is retained over the width of the existing alleyway and nothing is allowed to be built/installed over this easement.
3. The size and location of the existing water and sewer main has not been field verified. The developer's representative shall field verify the size and location of the existing utilities before any construction.

If you should have any questions or require further information, please do not hesitate to contact me. Thank you.

cc: Kenny Icenhower, P.E., Assistant Executive Director, TWU
Bill Moss, GIS Asset Management Administrator, TWU
Teresa Akard, O & M Coordinator, TWU
Michelle Warren, Executive Assistant, TWU

Texarkana Water Utilities is an equal opportunity provider and employer

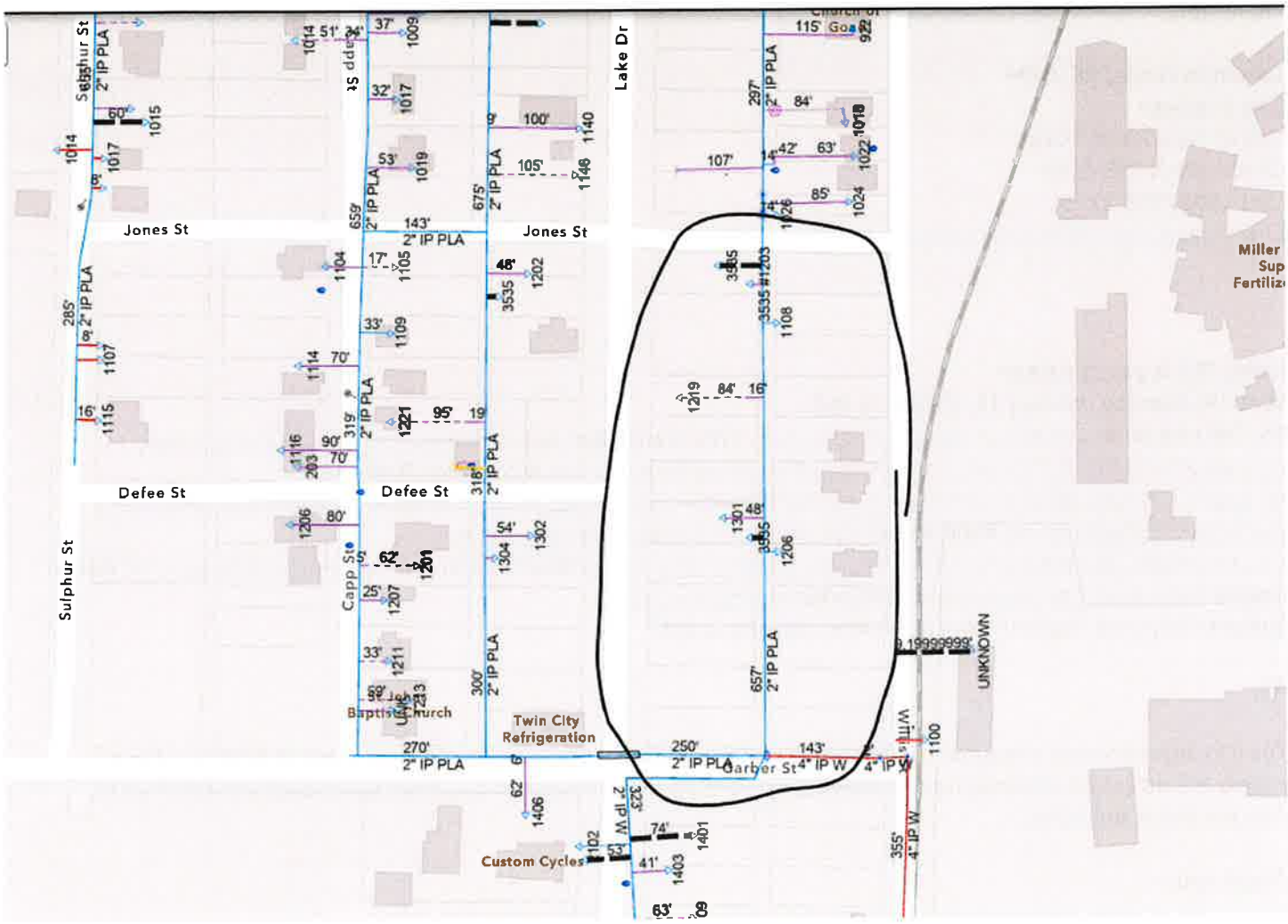
Attachment: 2025-029 ATTH 02 Utility and Department Comments (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

TEX-Wade, Jonathan

From: Brandon Brooks <bbrooks@summitutilities.com>
Sent: Wednesday, January 15, 2025 4:38 PM
To: TEX-Wade, Jonathan
Subject: RE: [EXTERNAL EMAIL] RE: Proposed Buchanan Ave Addn Alley Abandonment

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We have a main a 2" plastic main that runs through that alley.



Brandon Brooks
Operations Supervisor | Texarkana, Arkansas
903.824.1304 c.
bbrooks@summitutilities.com

Attachment: 2025-029 ATTH 02 Utility and Department Comments (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

CITY OF
TEXARKANA
Public Works Department
TEXAS

220 Texas Blvd
Texarkana, TX 7550
Phone (903) 798-390

February 11th, 2025

Ryan Robinson
1703 N Kings Highway
Nash, TX 75569

Re: Proposed 20' Alley Abandonment
Block, Buchanan Avenue Addition

Dear Ryan Robinson,

The City of Texarkana, Texas has received a request from TDC General Contractors, LLC and Pastor James Hawkins of St. John's Baptist Church to abandon a 20-foot alley right-of-way located in Block 1 of the Buchanan Avenue Addition.

The City Council will hold a public hearing on this proposal during their regularly scheduled meeting on March 10, 2025, at 6:00 p.m. The meeting will take place in the City Council Chambers on the second floor of City Hall, located at 220 Texas Boulevard.

A map showing the location of the alley in question is enclosed, along with the City's Alley Abandonment Release Form. As a property owner within this block, if the alley is abandoned, half of the alley adjacent to your property will be transferred to you. However, a utility easement will remain in place.

Should you have any questions or concerns regarding this proposed abandonment, please feel free to contact me at 903-798-3251 or send an email to jonathan.wade@texarkanatexas.gov.

Sincerely,

Jonathan Wade, PE, CFM
City Engineer

Attachment: 2025-029 ATTH03 Letter to Adjacent Property Owners (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

CITY OF
TEXARKANA
Public Works Department TEXAS
220 Texas Blvd
Texarkana, TX 7550
Phone (903) 798-390

February 11th, 2025

Marion Lewis
203 Defee Street
Texarkana, TX 75501

Re: Proposed 20' Alley Abandonment
Block, Buchanan Avenue Addition

Dear Marion Lewis,

The City of Texarkana, Texas has received a request from TDC General Contractors, LLC and Pastor James Hawkins of St. John's Baptist Church to abandon a 20-foot alley right-of-way located in Block 1 of the Buchanan Avenue Addition.

The City Council will hold a public hearing on this proposal during their regularly scheduled meeting on March 10, 2025, at 6:00 p.m. The meeting will take place in the City Council Chambers on the second floor of City Hall, located at 220 Texas Boulevard.

A map showing the location of the alley in question is enclosed, along with the City's Alley Abandonment Release Form. As a property owner within this block, if the alley is abandoned, half of the alley adjacent to your property will be transferred to you. However, a utility easement will remain in place.

Should you have any questions or concerns regarding this proposed abandonment, please feel free to contact me at 903-798-3251 or send an email to jonathan.wade@texarkanatexas.gov.

Sincerely,

Jonathan Wade, PE, CFM
City Engineer

Attachment: 2025-029 ATTH03 Letter to Adjacent Property Owners (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

CITY OF
TEXARKANA
TEXAS
Public Works Department
220 Texas Blvd
Texarkana, TX 7550
Phone (903) 798-390

February 11th, 2025

Rufus Boddie
101 Redwater Road
Wake Village, TX 75501

Re: Proposed 20' Alley Abandonment
Block, Buchanan Avenue Addition

Dear Rufus Boddie,

The City of Texarkana, Texas has received a request from TDC General Contractors, LLC and Pastor James Hawkins of St. John's Baptist Church to abandon a 20-foot alley right-of-way located in Block 1 of the Buchanan Avenue Addition.

The City Council will hold a public hearing on this proposal during their regularly scheduled meeting on March 10, 2025, at 6:00 p.m. The meeting will take place in the City Council Chambers on the second floor of City Hall, located at 220 Texas Boulevard.

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Should you have any questions or concerns regarding this proposed abandonment, please feel free to contact me at 903-798-3251 or send an email to jonathan.wade@texarkanatexas.gov.

Sincerely,

Jonathan Wade, PE, CFM
City Engineer

Attachment: 2025-029 ATTH03 Letter to Adjacent Property Owners (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

CITY OF
TEXARKANA
Public Works Department
TEXAS

220 Texas Blvd
Texarkana, TX 7550
Phone (903) 798-390

February 11th, 2025

Christopher Estell
3505 Summerhill Road
Texarkana, TX 75503

Re: Proposed 20' Alley Abandonment
Block, Buchanan Avenue Addition

Dear Christopher Estell,

The City of Texarkana, Texas has received a request from TDC General Contractors, LLC and Pastor James Hawkins of St. John's Baptist Church to abandon a 20-foot alley right-of-way located in Block 1 of the Buchanan Avenue Addition.

The City Council will hold a public hearing on this proposal during their regularly scheduled meeting on March 10, 2025, at 6:00 p.m. The meeting will take place in the City Council Chambers on the second floor of City Hall, located at 220 Texas Boulevard.

A map showing the location of the alley in question is enclosed, along with the City's Alley Abandonment Release Form. As a property owner within this block, if the alley is abandoned, half of the alley adjacent to your property will be transferred to you. However, a utility easement will remain in place.

Should you have any questions or concerns regarding this proposed abandonment, please feel free to contact me at 903-798-3251 or send an email to jonathan.wade@texarkanatexas.gov.

Sincerely,

Jonathan Wade, PE, CFM
City Engineer

Attachment: 2025-029 ATTH03 Letter to Adjacent Property Owners (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

CITY OF
TEXARKANA
Public Works Department
TEXAS
220 Texas Blvd
Texarkana, TX 7550
Phone (903) 798-390

February 11th, 2025

Ramiro Gallegos
2111 Hickory Street
Texarkana, AR 71854

Re: Proposed 20' Alley Abandonment
Block, Buchanan Avenue Addition

Dear Ramiro Gallegos,

The City of Texarkana, Texas has received a request from TDC General Contractors, LLC and Pastor James Hawkins of St. John's Baptist Church to abandon a 20-foot alley right-of-way located in Block 1 of the Buchanan Avenue Addition.

The City Council will hold a public hearing on this proposal during their regularly scheduled meeting on March 10, 2025, at 6:00 p.m. The meeting will take place in the City Council Chambers on the second floor of City Hall, located at 220 Texas Boulevard.

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Should you have any questions or concerns regarding this proposed abandonment, please feel free to contact me at 903-798-3251 or send an email to jonathan.wade@texarkanatexas.gov.

Sincerely,

Jonathan Wade, PE, CFM
City Engineer

Attachment: 2025-029 ATTH03 Letter to Adjacent Property Owners (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

CITY OF
TEXARKANA
Public Works Department
TEXAS
220 Texas Blvd
Texarkana, TX 7550
Phone (903) 798-390

February 11th, 2025

Wilson Myers
1751 Tioga Trail
Beaumont, CA 92223

Re: Proposed 20' Alley Abandonment
Block, Buchanan Avenue Addition

Dear Wilson Myers,

The City of Texarkana, Texas has received a request from TDC General Contractors, LLC and Pastor James Hawkins of St. John's Baptist Church to abandon a 20-foot alley right-of-way located in Block 1 of the Buchanan Avenue Addition.

The City Council will hold a public hearing on this proposal during their regularly scheduled meeting on March 10, 2025, at 6:00 p.m. The meeting will take place in the City Council Chambers on the second floor of City Hall, located at 220 Texas Boulevard.

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Should you have any questions or concerns regarding this proposed abandonment, please feel free to contact me at 903-798-3251 or send an email to jonathan.wade@texarkanatexas.gov.

Sincerely,

Jonathan Wade, PE, CFM
City Engineer

Attachment: 2025-029 ATTH03 Letter to Adjacent Property Owners (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

CITY OF
TEXARKANA
Public Works Department TEXAS
220 Texas Blvd
Texarkana, TX 7550
Phone (903) 798-390

February 11th, 2025

St John Baptist Church
1213 Garber Street
Texarkana, TX 75501

Re: Proposed 20' Alley Abandonment
Block, Buchanan Avenue Addition

Dear St John Baptist Church,

The City of Texarkana, Texas has received a request from TDC General Contractors, LLC and Pastor James Hawkins of St. John's Baptist Church to abandon a 20-foot alley right-of-way located in Block 1 of the Buchanan Avenue Addition.

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Sincerely,

Jonathan Wade, PE, CFM
City Engineer

Attachment: 2025-029 ATTH03 Letter to Adjacent Property Owners (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

CITY OF
TEXARKANA
TEXAS
Public Works Department
220 Texas Blvd
Texarkana, TX 7550
Phone (903) 798-390

February 11th, 2025

RM Collectibles
3360 Amerigo Place
Round Rock, TX 78665

Re: Proposed 20' Alley Abandonment
Block, Buchanan Avenue Addition

Dear RM Collectibles,

The City of Texarkana, Texas has received a request from TDC General Contractors, LLC and Pastor James Hawkins of St. John's Baptist Church to abandon a 20-foot alley right-of-way located in Block 1 of the Buchanan Avenue Addition.

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Should you have any questions or concerns regarding this proposed abandonment, please feel free to contact me at 903-798-3251 or send an email to jonathan.wade@texarkanatexas.gov.

Sincerely,

Jonathan Wade, PE, CFM
City Engineer

Attachment: 2025-029 ATTH03 Letter to Adjacent Property Owners (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

CITY OF
TEXARKANA
TEXAS
Public Works Department
220 Texas Blvd
Texarkana, TX 7550
Phone (903) 798-390

February 11th, 2025

Jermell Fulton
2808 E 19th Street
Texarkana, AR 71854

Re: Proposed 20' Alley Abandonment
Block, Buchanan Avenue Addition

Dear Jermell Fulton,

The City of Texarkana, Texas has received a request from TDC General Contractors, LLC and Pastor James Hawkins of St. John's Baptist Church to abandon a 20-foot alley right-of-way located in Block 1 of the Buchanan Avenue Addition.

The City Council will hold a public hearing on this proposal during their regularly scheduled meeting on March 10, 2025, at 6:00 p.m. The meeting will take place in the City Council Chambers on the second floor of City Hall, located at 220 Texas Boulevard.

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Sincerely,

Jonathan Wade, PE, CFM
City Engineer

Attachment: 2025-029 ATTH03 Letter to Adjacent Property Owners (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

CITY OF
TEXARKANA
Public Works Department
TEXAS
220 Texas Blvd
Texarkana, TX 7550
Phone (903) 798-390

February 11th, 2025

A & W Investment Properties, LLC
4 Carol Lane
Texarkana, TX 75501

Re: Proposed 20' Alley Abandonment
Block, Buchanan Avenue Addition

Dear A & W Investment Properties, LLC,

The City of Texarkana, Texas has received a request from TDC General Contractors, LLC and Pastor James Hawkins of St. John's Baptist Church to abandon a 20-foot alley right-of-way located in Block 1 of the Buchanan Avenue Addition.

The City Council will hold a public hearing on this proposal during their regularly scheduled meeting on March 10, 2025, at 6:00 p.m. The meeting will take place in the City Council Chambers on the second floor of City Hall, located at 220 Texas Boulevard.

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Sincerely,

Jonathan Wade, PE, CFM
City Engineer

Attachment: 2025-029 ATTH03 Letter to Adjacent Property Owners (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

CITY OF
TEXARKANA
TEXAS
Public Works Department
220 Texas Blvd
Texarkana, TX 7550
Phone (903) 798-390

February 11th, 2025

Luisito Del Rosario
252 Catalina Avenue
Pcaifica, CA 94044

Re: Proposed 20' Alley Abandonment
Block, Buchanan Avenue Addition

Dear Luisito Del Rosario,

The City of Texarkana, Texas has received a request from TDC General Contractors, LLC and Pastor James Hawkins of St. John's Baptist Church to abandon a 20-foot alley right-of-way located in Block 1 of the Buchanan Avenue Addition.

The City Council will hold a public hearing on this proposal during their regularly scheduled meeting on March 10, 2025, at 6:00 p.m. The meeting will take place in the City Council Chambers on the second floor of City Hall, located at 220 Texas Boulevard.

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Sincerely,

Jonathan Wade, PE, CFM
City Engineer

Attachment: 2025-029 ATTH03 Letter to Adjacent Property Owners (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

CITY OF
TEXARKANA
TEXAS
Public Works Department
220 Texas Blvd
Texarkana, TX 7550
Phone (903) 798-390

February 11th, 2025

George Thompson
1738 Southwind Lane
Maplewood, MN 55109

Re: Proposed 20' Alley Abandonment
Block, Buchanan Avenue Addition

Dear George Thompson,

The City of Texarkana, Texas has received a request from TDC General Contractors, LLC and Pastor James Hawkins of St. John's Baptist Church to abandon a 20-foot alley right-of-way located in Block 1 of the Buchanan Avenue Addition.

The City Council will hold a public hearing on this proposal during their regularly scheduled meeting on March 10, 2025, at 6:00 p.m. The meeting will take place in the City Council Chambers on the second floor of City Hall, located at 220 Texas Boulevard.

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Should you have any questions or concerns regarding this proposed abandonment, please feel free to contact me at 903-798-3251 or send an email to jonathan.wade@texarkanatexas.gov.

Sincerely,

Jonathan Wade, PE, CFM
City Engineer

Attachment: 2025-029 ATTH03 Letter to Adjacent Property Owners (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

CITY OF
TEXARKANA
Public Works Department TEXAS
220 Texas Blvd
Texarkana, TX 7550
Phone (903) 798-390

February 11th, 2025

Delbert Runnels
1112 Willis Street
Texarkana, TX 75501

Re: Proposed 20' Alley Abandonment
Block, Buchanan Avenue Addition

Dear Delbert Runnels,

The City of Texarkana, Texas has received a request from TDC General Contractors, LLC and Pastor James Hawkins of St. John's Baptist Church to abandon a 20-foot alley right-of-way located in Block 1 of the Buchanan Avenue Addition.

The City Council will hold a public hearing on this proposal during their regularly scheduled meeting on March 10, 2025, at 6:00 p.m. The meeting will take place in the City Council Chambers on the second floor of City Hall, located at 220 Texas Boulevard.

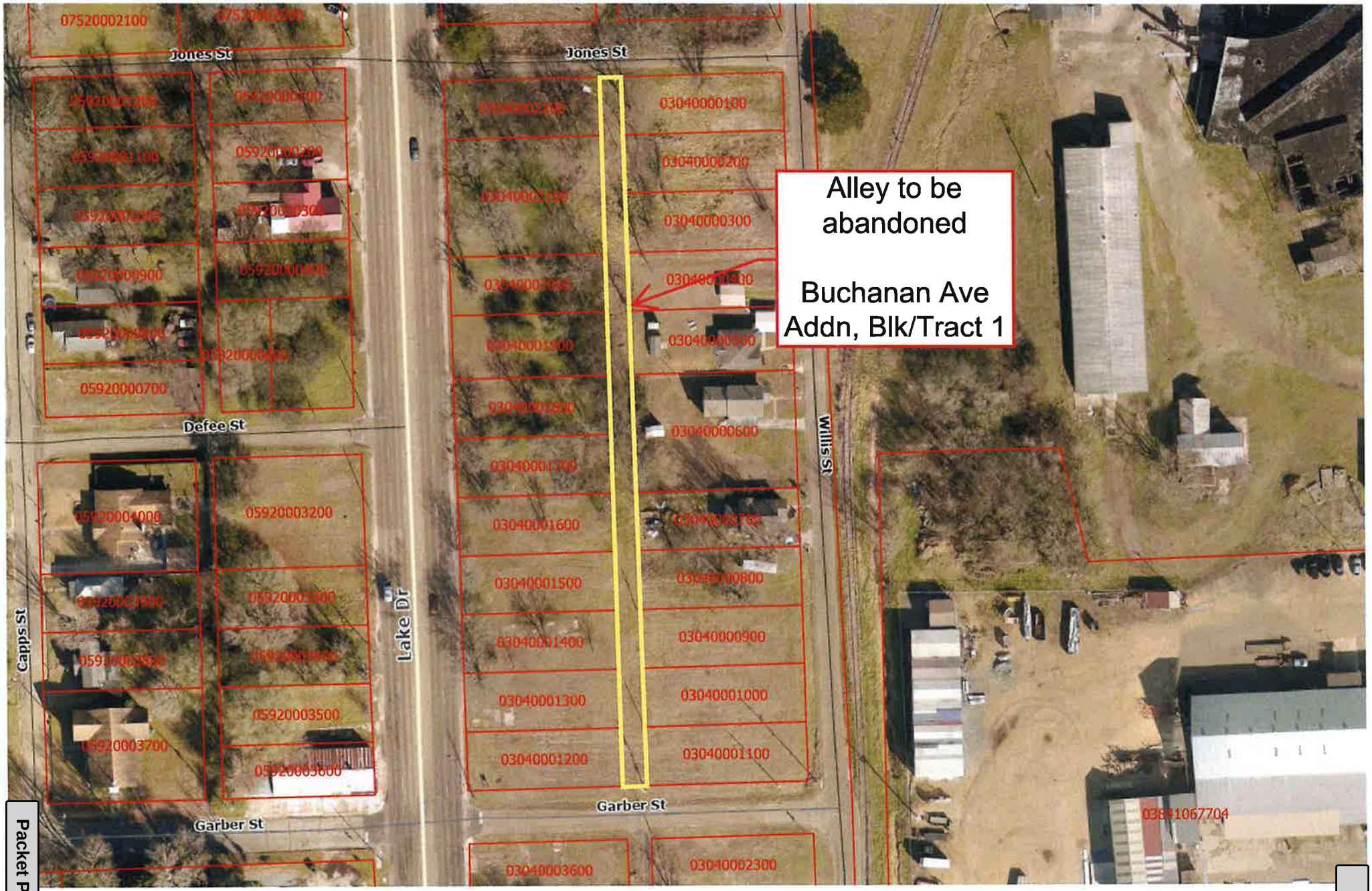
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Should you have any questions or concerns regarding this proposed abandonment, please feel free to contact me at 903-798-3251 or send an email to jonathan.wade@texarkanatexas.gov.

Sincerely,

Jonathan Wade, PE, CFM
City Engineer

Attachment: 2025-029 ATTH03 Letter to Adjacent Property Owners (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of


Alley to be abandoned
Buchanan Ave Addn, Blk/Tract 1
Jones St
Jones St
Defee St
Garber St
Garber St
Lake Dr
Willis St
Caddo St
07520002100
05920004200
05920001100
05920001000
05920000900
05920000800
05920000700
05920000100
05920000200
05920000300
05920000400
05920000500
05920004000
05920003900
05920003800
05920003700
05920003200
05920003300
05920003400
05920003500
05920003600
03040002300
03040002200
03040002100
03040001900
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03040001400
03040001300
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03040000300
03040000400
03040000500
03040000600
03040000700
03040000800
03040000900
03040001000
03040001100
03040003600
03040002300
03841067704

RIGHT-OF-WAY CLOSING/ABANDONMENT – RELEASE BY ABUTTING OWNER

STATE OF TEXAS
COUNTY OF BOWIE

WHEREAS, the City of Texarkana Texas is considering the matter of closing and abandoning the alley located in Block 1, Buchanan Avenue Addition. This alley is located north of Garber Street, south of Jones Street, east of South lake Drive, and west of Willis Street.

WHEREAS, the City had given due notice to the property owners whose property abuts on said portion of said alley;

WHEREAS, it will be to the advantage of the property owners whose property abuts said alley for abandonment and to the advantage of the public generally to abandon said alley;

KNOW, THEREFORE, in consideration of benefits to be received by the undersigned and the general public, which I hereby acknowledge, I, the undersigned, being of lawful age, do hereby fully; and forever release, acquit and discharge the said City, its officers, successors and assigns, from any and all actions, causes of action, claims and demands of whatsoever kind of nature on the account of the abandonment and closing of said alley above mentioned.

It is expressly understood and agreed that this release is intended as an agreement to the said closing of said alley and is intended to and does cover all damages, losses and injuries now known or which may become known in the future including all the effects and consequences thereof.

IN WITNESS WHEREOF, we have hereunto set our hands this the _____day of _____, 2025.

Signature:_____

(printed name) _____

WITNESSES:

_____

Attachment: 2025-029 ATTH03 Letter to Adjacent Property Owners (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

Delbert Runnels 12/27/24

1112 Willis St. Texarkana TX 75501

RE: Application for Public R.O.W. Abandonment.

At this time Pastor James Hawkins, the congregation of the St. John's Baptist church located at 1213 Garber St., Texarkana TX. and TDC General Contractors LLC are requesting the abandonment of the alley located between Garber and Jones streets. St. John's Baptist church will be building their new church at 1600 Garber St. and will need the alley to be able to connect the east side of the alley where the church will be built to the west lots where the majority of the parking will be located. The church has been maintaining the alley by mowing each time they mow their lots and will continue to do so.

We are asking all adjoining property owners to agree to this abandonment at the request of the City of Texarkana TX. Per the Bowie County appraisal records it shows you have 1 parcel, #03040000500. If you agree to the alley abandonment, please sign your name below and mail back to us.

Delbert Runnels X

Sincerely, Mark Wurtele-Representative

TDC General Contractors LLC

Attachment: 2025-029 ATTH04 Property Owner Approvals (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of Buchanan Ave

George Thompson 12/27/24

1738 Southwind LN

Maplewood, MN 55109-4820

RE:Application for Public R.O.W. Abandonment.

At this time Pastor James Hawkins, the congregation of the St. John's Baptist church located at 1213 Garber St., Texarkana TX. and TDC General Contractors LLC are requesting the abandonment of the alley located between Garber and Jones streets. St. John's Baptist church will be building their new church at 1600 Garber St. and will need the alley to be able to connect the east side of the alley where the church will be built to the west lots where the majority of the parking will be located. The church has been maintaining the alley by mowing each time they mow their lots and will continue to do so.

We are asking all adjoining property owners to agree to this abandonment at the request of the City of Texarkana TX. Per the Bowie County appraisal records it shows you have 1 parcel, #03040002000. If you agree to the alley abandonment, please sign your name below and mail back to us.

George Thompson

X George Thompson

Sincerely, Mark Wurtele-Representative

TDC General Contractors LLC

Mark Wurtele

903-277-6665

Attachment: 2025-029 ATTH04 Property Owner Approvals (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of Buchanan Ave

City of Texarkana, Texas

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Low

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2025-029 Goals and Perspectives (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of Buchanan Ave Addn)

ORDINANCE NO. 2025-029

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CLOSING AND ABANDONING A TWENTY-FOOT (20') ALLEY LOCATED NORTH OF GARBER STREET, AND EAST OF SOUTH LAKE DRIVE, LOCATED IN BLOCK 1 OF THE BUCHANAN AVENUE ADDITION, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE, PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been received requesting that the City close and abandon a twenty-foot (20') alley located north of Garber Street and east of South Lake Drive located in Block 1 of the Buchanan Avenue Addition in the City of Texarkana, Bowie County, Texas, as shown on the attached location map hereto and incorporated herein as **Exhibit 'A';** and

WHEREAS, the City has notified all adjacent landowners, interested utilities, and city departments requesting their comments; and

WHEREAS, based on the responses from all notified parties, the City finds it to be in the best interest of the City to close and abandon the twenty-foot (20') alley located in Block 1 of the Buchanan Avenue Addition, north of Garber Street and east of South Lake Drive as shown on the attached property description and incorporated herein as **Exhibit 'A'**; and

WHEREAS, all adjacent landowners shall receive ownership of half of the abandoned alley along their property.

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

SECTION 1: The twenty-foot (20') alley right-of-way located north of Garber Street and east of South Lake Drive, located in Block 1 of the Buchanan Avenue Addition in the City of Texarkana, Bowie County, Texas, as shown on the map and described in the Alley Abandonment Request (**ATTH 01**) hereto and incorporated herein as **Exhibit "A",** be and is hereby abandoned as a street or public thoroughfare of any kind or character.

SECTION 2: That a twenty-foot (20') utility easement shall be retained over the entire area that is being abandoned.

SECTION 3: The above described property is hereby declared surplus and abandoned and the responsibility of the City to maintain said property is hereby terminated.

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

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to

Attachment: 2025-029 ORD C&A Alley 20' Blk 1 Buchanan Adn signed (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

the extent of such conflict.

SECTION 6: 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 **10th day of March, 2025.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

4:14p.m.

Attachment: 2025-029 ORD C&A Alley 20' Blk 1 Buchanan Adn signed (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

Property Description
12100.01 Sq. Ft.
0.278 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the Jacob Carsner Headright Survey, Abstract 116, Bowie County, Texas, being all of a 20-foot alley in Block 1 of the Buchanan Avenue Addition according to the Plat recorded in Volume 40, Page 61 of the Plat Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a steel pipe (control monument) found for a corner, the Northeast corner of the said alley, the Northwest corner of Lot 1, of the said Block 1, and lying in the South right-of-way line of Jones Street, the said corner bears South 88 degrees 13 minutes 01 seconds West a distance of 138.08 feet to a 1/2 inch steel rod found for a corner, capped MTG ENG, the Northeast corner of the said Lot 1 and at the intersection of the South right-of-way line of the said Jones Street and the West right-of-way line of Willis Street;

THENCE South 01 degrees 53 minutes 34 seconds East, basis of bearings, a distance of 605.00 feet along the East line of the said alley, and the East line of Lots 1 through 12 of the said Block 1 to a 1/2 inch steel rod (control monument) found for a corner, capped MTG ENG, the Southeast corner of the said alley, the Southwest corner of the said Lot 12, said corner bears North 88 degrees 13 minutes 01 seconds East a distance of 138.00 feet to a 1/2 inch steel rod found for a corner, capped MTG ENG, the Northwest corner of the said Lot 1 and at the intersection of the North right-of-way line of the said Garber Street and the West right-of-way line of the said Willis Street;

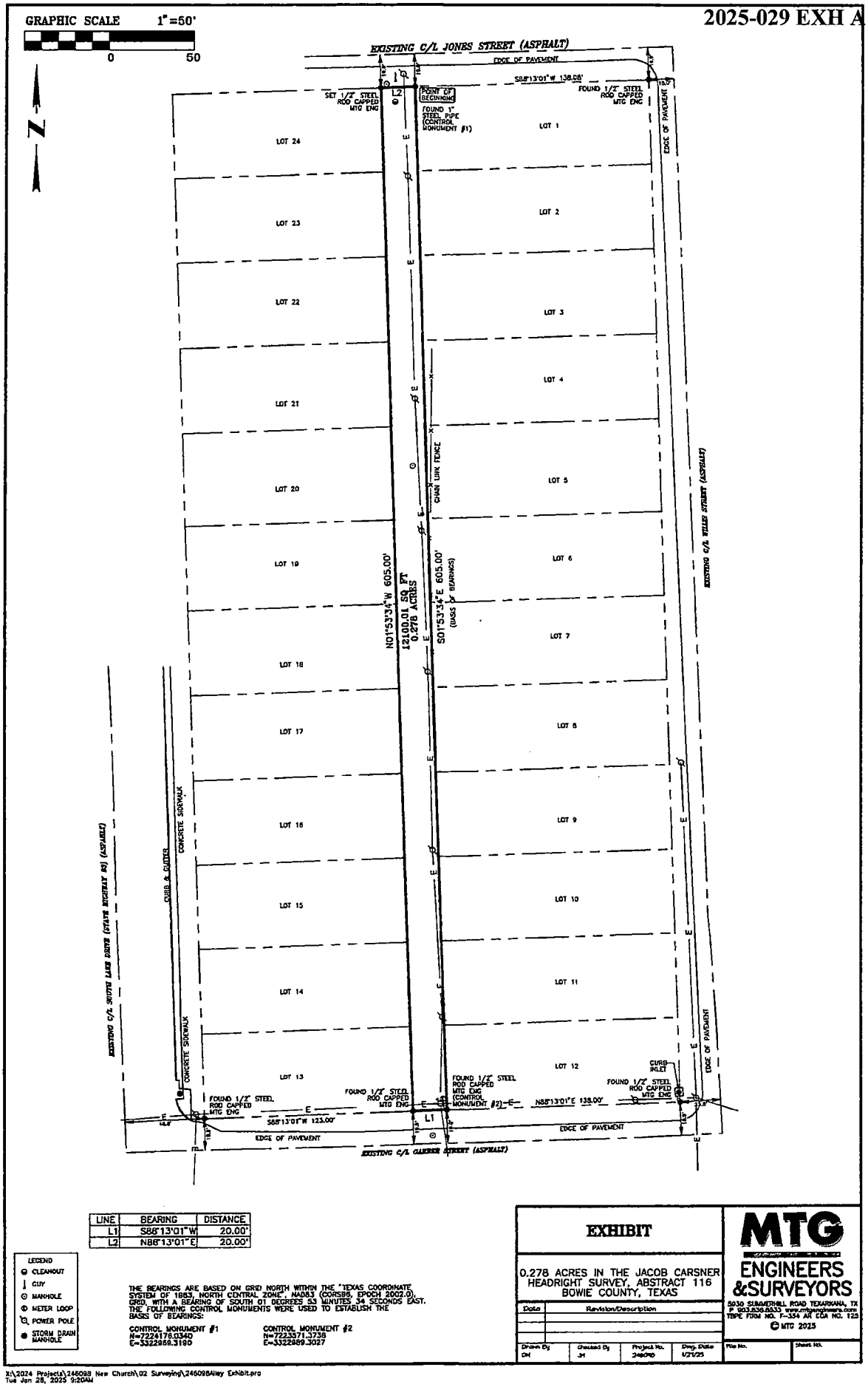
THENCE South 88 degrees 13 minutes 01 seconds West a distance of 20.00 feet along the South line of the said alley and the North right-of-way line of the said Garber Street to a 1/2 inch steel rod found for a corner, capped MTG ENG, the Southwest corner of the said alley and the Southeast corner of Lot 13 of the said Block 1, the said corner bears South 88 degrees 13 minutes 01 seconds West a distance of 123.00 feet to a 1/2 inch steel rod found for a corner, capped MTG ENG, the Southwest corner of the said Lot 13 and at the intersection of the North right-of-way line of the said Garber Street and the East right-of-way line of South Lake Drive (State Highway 93);

THENCE North 01 degrees 53 minutes 34 seconds West a distance of 605.00 feet along the West line of the said alley and the East line of Lots 13 through 24 to a 1/2 inch steel rod set for a corner, capped MTG ENG, the Northwest corner of the said alley, the Northeast corner of the said Lot 24, and lying in the South right-of-way line of the said Jones Street;

THENCE North 88 degrees 13 minutes 01 seconds East a distance of 20.00 feet along the North line of the said alley and the South right-of-way line of the said Jones Street to the point of beginning and containing 0.278 acres of land, at the time of this survey.

Attachment: 2025-029 ORD C&A Alley 20' Blk 1 Buchanan Adn signed (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

2025-029 EXH A



LINE	BEARING	DISTANCE
L1	S88°13'01"W	20.00'
L2	N88°13'01"E	20.00'

LEGEND
- CLEANOUT
- GUY
- MANHOLE
- METER LOOP
- POWER POLE
- STORM DRAIN MANHOLE

THE BEARINGS ARE BASED ON GRID NORTH WITHIN THE "TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE", NAD83 (CORS96, EPOCH 2002.0). GRID WITH A BEARING OF SOUTH 01 DEGREES 53 MINUTES 34 SECONDS EAST. THE FOLLOWING CONTROL MONUMENTS WERE USED TO ESTABLISH THE BASIS OF BEARINGS:

CONTROL MONUMENT #1
N=7226176.0340
E=3322958.3190

CONTROL MONUMENT #2
N=7223571.3736
E=3322989.3027

EXHIBIT

0.278 ACRES IN THE JACOB CARSNER HEADRIGHT SURVEY, ABSTRACT 116 BOWIE COUNTY, TEXAS

Date	Revision/Description

Drawn By	Checked By	Project No.	Dwg. Date
DM	JH	246098	1/21/25

File No. | Sheet No.

MTG
ENGINEERS &SURVEYORS
5930 SUMMERHILL ROAD TEXARKANA, TX
P 903.838.8533 www.mtgengineers.com
TBPE FIRM NO. F-354 AR COA NO. 123
© MTG 2025

X:\2024 Projects\246098 New Church\02 Surveying\246098Alley Exhibit.pro
Tue Jan 28, 2025 9:20AM

Attachment: 2025-029 ORD C&A Alley 20' Blk 1 Buchanan Adn signed (4434 : 2025-029 ORD Closing and Abandoning 20' Alley in Block 1 of

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/6/2025 3:29 PM

Lead Department: Planning & Zoning Commission
Action Officer: Laura Puckett, Zoning Administrator

Subject: Ordinance No. 2025-030 rezoning on an approximate 2.408-acre tract of land (being Tract 10C), West Texarkana GDN, located at 921 Westlawn Drive (Ward 2) from Single Family-2 to Single Family-3, Maria Rodriguez, owner, and Julieta Rosas, agent.

Briefing: 3/10/2025 **Public Hearing:** 3/10/2025 **Council Vote:** 3/10/2025

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

Updates/History of Briefing:
NOT APPLICABLE

Executive Summary and Background Information:
This is a request by Maria Rodriguez, owner, and Julieta Rosas, agent, to rezone on an approximate 2.408-acre tract of land (being Tract 10C), West Texarkana GDN, located at 921 Westlawn Drive from Single Family-2 to Single Family-3. The intention is to place a double wide HUD code manufactured home on this property. The property is currently vacant land.

The Future Land Use Map has designated this property as “Regional Commercial”.

The adjacent zoning is Office to the west, Two Family-1 to the east, Multiple Family-1 to the north, and Single Family-2 to the south. The adjacent land use is an insurance office west, apartments to the north, and vacant land to the east and south.

Staff recommend approval of this request.

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

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

Potential Options:
Approved

Fiscal Implications:
NOT APPLICABLE

Staff Recommendation:

Staff recommend approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

February 3, 2025

Attachments

a. 2025-030 ORD rezoning 921 Westlawn Drive (DOCX)
b. 2025-030 EXH 'A' (Legal Description) (PDF)
c. 2023-030 ATTH 01 (Maps) (PDF)
d. 2025-030 Goals & Perspectives (DOCX)
e. 2025-030 ORD rez 921 Westlawn Dr signed (PDF)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	02/06/2025 8:10 AM
Public Works Department	Dusty Henslee	Reviewer	Completed	02/06/2025 8:16 AM
City Manager	David Orr	Reviewer	Completed	02/07/2025 11:56 AM
City Council	Jennifer Evans	Meeting	Completed	02/10/2025 6:00 PM

Meeting History

02/10/25	City Council	MOVED FORWARD	Next: 03/10/25

Z-25-02

ORDINANCE NO. 2025-030

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING ON AN APPROXIMATE 2.408-ACRE (BEING TRACT 10C), WEST TEXARKANA GDN, LOCATED AT 921 WESTLAWN DRIVE, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-2 TO SINGLE FAMILY-3; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone **on an approximate 2.408-acre tract of land (being Tract 10C), West Texarkana GDN (EXH 'A), located at 921 Westlawn Drive,** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted five (5) to zero (0) to recommend for approval of the application for rezoning from Single Family-2 to Single Family-3 on an approximate 2.408-acre tract of land (being Tract 10C), West Texarkana GDN (EXH 'A), located at 921 Westlawn Drive** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **Single Family-2 to Single Family-3**; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-2 to Single Family-3** is in the best interest of the public health, safety, morals, and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone **on an approximate 2.408-acre tract of land (being Tract 10C), West Texarkana GDN (EXH 'A),**

Attachment: 2025-030 ORD rezoning 921 Westlawn Drive (4436 : 2025-030 ORD SF-2 to SF-3 921 Westlawn Drive)

located at 921 Westlawn Drive in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3.**

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

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

SECTION 4: 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 **10th day of March, 2025.**

ATTEST:

_____	_____
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2025-030 ORD rezoning 921 Westlawn Drive (4436 : 2025-030 ORD SF-2 to SF-3 921 Westlawn Drive)

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GIFT DEED

COPY

THE STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF BOWIE §

THAT I, **ISAIAS ROSAS OLVERA, owning, claiming and occupying other property as his homestead,** with an address of 1001 Ele Street, Texarkana, TX 75501 (hereinafter referred to as "Grantor"), with full intention of conveying the property hereinafter described as a gift, with no reversionary interests whatsoever in favor of Grantor, have GIVEN, GRANTED, and CONVEYED, and by these presents do GIVE, GRANT, and CONVEY to **MARIA G. RODRIGUEZ and wife JOSE' RODRIGUEZ MOYA wife and husband** with an address of 5301 E McKinney Street # 164, Denton TX 76208 hereinafter referred to as "Grantees," the real property ("Property") described as follows:

All that certain tract or parcel of land being 0.905 acres in the THOMAS PRICE HRS., Abstract No. 466, and 1.503 acres in Lot 3 of the M. E. P. & P. Ry. Co. Survey, Abstract No. 435, Bowie County, Texas, and the subject tract of land being all of that certain tract of land lying South of the South right-of-way line of Westlawn Drive as conveyed to Cleo Roberson by Correction Deed recorded in Volume 387, Page 123 of the Deed Records of Bowie County, Texas, and the subject tract of land being more particularly described by metes and bounds as follows:

Beginning at a ¾" iron pin found for corner at the Southeast corner of said Roberson tract, the Point of Beginning being located on the West line of a certain called 2.649 acre tract of land as conveyed to Burks Construction Company, Inc. by Warranty Deed with Vendor's Lien recorded in Volume 5546, Page 131 of the Real Property Records of Bowie County, Texas, the Point of Beginning also being the most Easterly Northeast corner of that certain called 11.550 acre tract of land as conveyed to Ralph A. McDowell by Warranty Deed recorded in Volume 4226, Page 120 of the Real Property Records of Bowie County, Texas;
THENCE: S 87°54'36" W, 233.09 feet with the South line of said Roberson tract and a North line of said McDowell tract to a ½" iron pin set for corner at the Southwest corner of said Roberson tract;
THENCE: N 01°18'38" E, 408.82 feet with the West line of said Roberson tract, with the most Northerly East line of said McDowell tract and on with the East line of a certain tract of land as conveyed to Brenda Murray and Larry Murray by Warranty Deed recorded in Volume 4821, Page 96 of the Real Property Records of Bowie County, Texas, to a ½" iron pin set for corner on the South right-of-way line of Westlawn Drive, said corner being 35.00 feet at right angles from the centerline of same, said right-of-way line being a curve to the left having a radius of 2326.83 feet;
THENCE: Northeasterly, with said curve and right-of-way line for a distance of 182.54 feet (chord

Attachment: 2025-030 EXH 'A' (Legal Description) (4436 : 2025-030 ORD SF-2 to SF-3 921 Westlawn Drive)

is N 57°48'45" E, 182.49 feet), through a central angle of 04°29'41" to a ½" iron pin set for corner at the end of said curve;
THENCE: N 53°33'54" E, 70.22 feet with said South right-of-way line to a ½" iron pin set for corner on the East line of said Roberson tract, said corner also being the Northwest corner of said 2.649 acre tract;
THENCE: S 01°11'50" E, 537.25 feet with the East line of said Roberson tract and the West line of said 2.649 acre tract to the Point of Beginning and containing 2.408 acres of land, more or less.

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, and shortages in area or boundary lines; any encroachments or overlapping of improvements.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

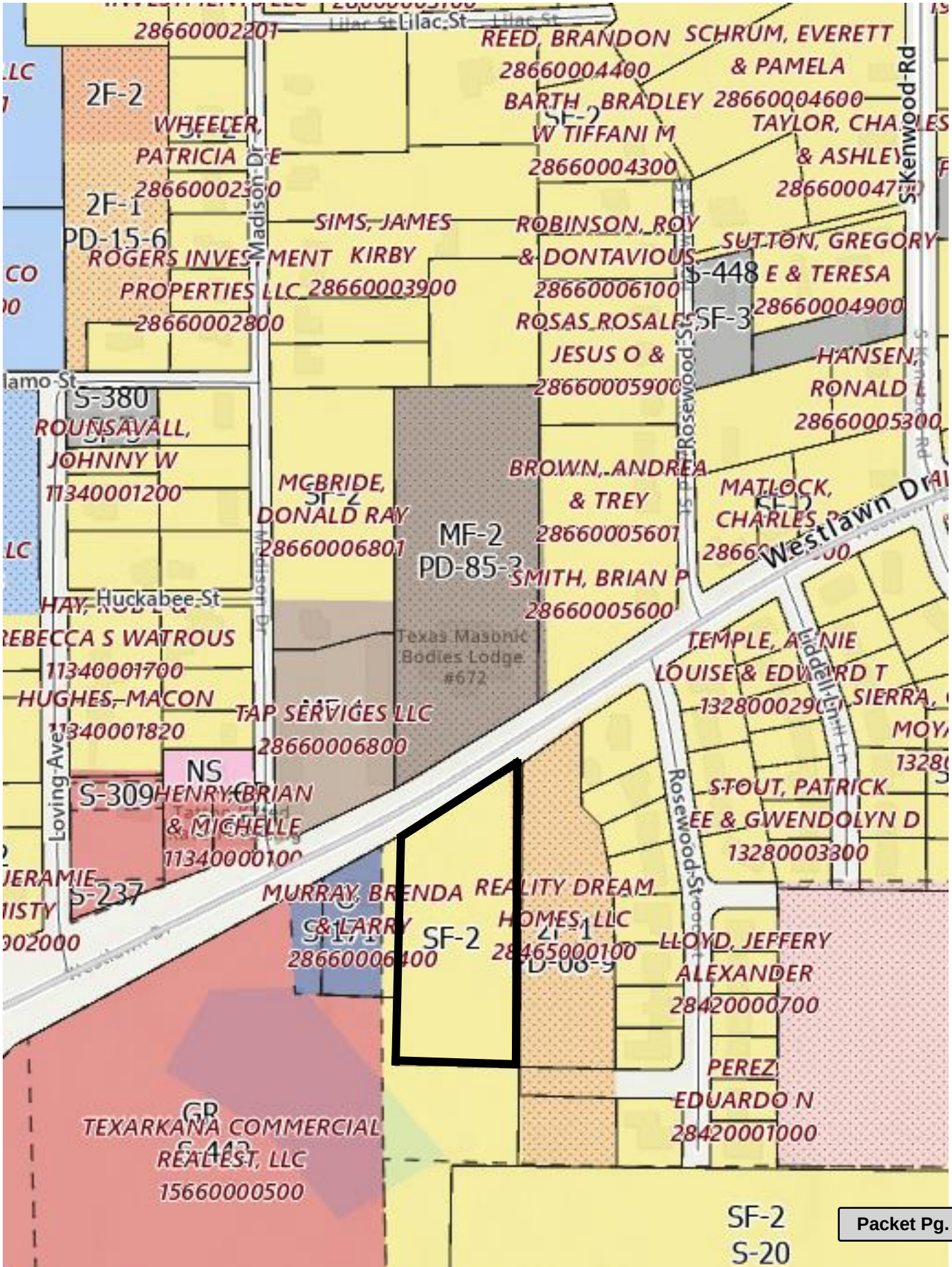
TO HAVE AND TO HOLD the above-described Property, together with all the rights and appurtenances lawfully accompanying the Property, subject to the provisions stated above, to Grantee, Grantee's successors, and/or assigns forever; and Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors, and/or assigns to WARRANT AND FOREVER DEFEND all the said Property unto the said Grantee, Grantee's successors, and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof.

This document was prepared using documents provided by Grantor. Langdon ★Davis Law Offices has not conducted a Title Search on this property and does not warrant clear title.

Attachment: 2025-030 EXH 'A' (Legal Description) (4436 : 2025-030 ORD SF-2 to SF-3 921 Westlawn Drive)

ATTH 01 2025-030
Z-25-02

921 Westlawn Drive



Attachment: 2023-030 ATTH 01 (Maps) (4436 : 2025-030 ORD SF-2 to SF-3 921 Westlawn Drive)

ATTH 01 2025-030
Z-25-02

921 Westlawn Drive



Attachment: 2023-030 ATTH 01 (Maps) (4436 : 2025-030 ORD SF-2 to SF-3 921 Westlawn Drive)

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:	

Resource Impact:	
Staff time required if item is approved:	No Additional
Other Potential Impacts:	

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: 2025-030 Goals & Perspectives (4436 : 2025-030 ORD SF-2 to SF-3 921 Westlawn Drive)

Z-25-02

ORDINANCE NO. 2025-030

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING ON AN APPROXIMATE 2.408-ACRE (BEING TRACT 10C), WEST TEXARKANA GDN, LOCATED AT 921 WESTLAWN DRIVE, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-2 TO SINGLE FAMILY-3; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone **on an approximate 2.408-acre tract of land (being Tract 10C), West Texarkana GDN (EXH 'A), located at 921 Westlawn Drive,** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted five (5) to zero (0) to recommend for approval of the application for rezoning from Single Family-2 to Single Family-3 on an approximate 2.408-acre tract of land (being Tract 10C), West Texarkana GDN (EXH 'A), located at 921 Westlawn Drive** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **Single Family-2 to Single Family-3**; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-2 to Single Family-3** is in the best interest of the public health, safety, morals, and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone **on an approximate 2.408-acre tract of land (being Tract 10C), West Texarkana GDN (EXH 'A),**

Attachment: 2025-030 ORD rez 921 Westlawn Dr signed (4436 : 2025-030 ORD SF-2 to SF-3 921 Westlawn Drive)

located at 921 Westlawn Drive in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3.**

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

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

SECTION 4: 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 **10th day of March, 2025.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:16p.m.

Attachment: 2025-030 ORD rez 921 Westlawn Dr signed (4436 : 2025-030 ORD SF-2 to SF-3 921 Westlawn Drive)

2025-030 EXH 'A'
Z-25-02

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GIFT DEED COPY

THE STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF BOWIE §

THAT I, **ISAIAS ROSAS OLVERA, owning, claiming and occupying other property as his homestead,** with an address of 1001 Ele Street, Texarkana, TX 75501 (hereinafter referred to as "Grantor"), with full intention of conveying the property hereinafter described as a gift, with no reversionary interests whatsoever in favor of Grantor, have GIVEN, GRANTED, and CONVEYED, and by these presents do GIVE, GRANT, and CONVEY to **MARIA G. RODRIGUEZ and wife JOSE' RODRIGUEZ MOYA wife and husband** with an address of 5301 E McKinney Street # 164, Denton TX 76208 hereinafter referred to as "Grantees," the real property ("Property") described as follows:

All that certain tract or parcel of land being 0.905 acres in the THOMAS PRICE HRS., Abstract No. 466, and 1.503 acres in Lot 3 of the M. E. P. & P. Ry. Co. Survey, Abstract No. 435, Bowie County, Texas, and the subject tract of land being all of that certain tract of land lying South of the South right-of-way line of Westlawn Drive as conveyed to Cleo Roberson by Correction Deed recorded in Volume 387, Page 123 of the Deed Records of Bowie County, Texas, and the subject tract of land being more particularly described by metes and bounds as follows:

Beginning at a ¾" iron pin found for corner at the Southeast corner of said Roberson tract, the Point of Beginning being located on the West line of a certain called 2.649 acre tract of land as conveyed to Burks Construction Company, Inc. by Warranty Deed with Vendor's Lien recorded in Volume 5546, Page 131 of the Real Property Records of Bowie County, Texas, the Point of Beginning also being the most Easterly Northeast corner of that certain called 11.550 acre tract of land as conveyed to Ralph A. McDowell by Warranty Deed recorded in Volume 4226, Page 120 of the Real Property Records of Bowie County, Texas;
THENCE: S 87°54'36" W, 233.09 feet with the South line of said Roberson tract and a North line of said McDowell tract to a ½" iron pin set for corner at the Southwest corner of said Roberson tract;
THENCE: N 01°18'38" E, 408.82 feet with the West line of said Roberson tract, with the most Northerly East line of said McDowell tract and on with the East line of a certain tract of land as conveyed to Brenda Murray and Larry Murray by Warranty Deed recorded in Volume 4821, Page 96 of the Real Property Records of Bowie County, Texas, to a ½" iron pin set for corner on the South right-of-way line of Westlawn Drive, said corner being 35.00 feet at right angles from the centerline of same, said right-of-way line being a curve to the left having a radius of 2326.83 feet;
THENCE: Northeasterly, with said curve and right-of-way line for a distance of 182.54 feet (chord

Attachment: 2025-030 ORD rez 921 Westlawn Dr signed (4436 : 2025-030 ORD SF-2 to SF-3 921 Westlawn Drive)

is N 57°48'45" E, 182.49 feet), through a central angle of 04°29'41" to a ½" iron pin set for corner at the end of said curve;
THENCE: N 53°33'54" E, 70.22 feet with said South right-of-way line to a ½" iron pin set for corner on the East line of said Roberson tract, said corner also being the Northwest corner of said 2.649 acre tract;
THENCE: S 01°11'50" E, 537.25 feet with the East line of said Roberson tract and the West line of said 2.649 acre tract to the Point of Beginning and containing 2.408 acres of land, more or less.

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, and shortages in area or boundary lines; any encroachments or overlapping of improvements.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

TO HAVE AND TO HOLD the above-described Property, together with all the rights and appurtenances lawfully accompanying the Property, subject to the provisions stated above, to Grantee, Grantee's successors, and/or assigns forever; and Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors, and/or assigns to WARRANT AND FOREVER DEFEND all the said Property unto the said Grantee, Grantee's successors, and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof.

This document was prepared using documents provided by Grantor. Langdon ★Davis Law Offices has not conducted a Title Search on this property and does not warrant clear title.

Attachment: 2025-030 ORD rez 921 Westlawn Dr signed (4436 : 2025-030 ORD SF-2 to SF-3 921 Westlawn Drive)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/6/2025 3:30 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Zoning Administrator
Subject:	Ordinance No. 2025-031 granting a Specific Use Permit to allow the location of a double wide HUD code manufactured home on an approximate 2.408-acre tract of land (being Tract 10C), West Texarkana GDN, located at 921 Westlawn Drive (Ward 2). Maria Rodriguez, owner, and Julieta Rosas, agent.		

Briefing: 3/10/2025 **Public Hearing:** 3/10/2025 **Council Vote:** 3/10/2025

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Maria Rodriguez, owner, and Julieta Rosas, agent, for a Specific Use Permit to allow the location of a double wide HUD code manufactured home on an approximate 2.408-acre tract of land (being Tract 10C), West Texarkana GDN, located at 921 Westlawn Drive. This property is zoned Single Family-2 and is currently a vacant lot.

The Future Land Use Map has designated this property as “Regional Commercial”.

The adjacent zoning is Office to the west, Two Family-1 to the east, Multiple Family-1 to the north, and Single Family-2 to the south. The adjacent land use is an insurance office west, apartments to the north, and vacant land to the east and south.

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

Staff recommend approval of this request with the following stipulations:

1. That one 2019 or newer double wide HUD code manufactured home be allowed on this property.
2. That the double wide HUD code manufactured home be tied down/skirted/underpinned.
3. That the double wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
4. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this Ordinance. It is the owner’s responsibility to renew this permit.
5. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.

6. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas codes.

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommend approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommend for approval of this request with stipulations.

Advisory Board/Committee Meeting Date and Minutes:

February 3, 2025

Attachments

a. 2025-031 ORD SUP for HUD code mnfctrd home 921 Westlawn Drive (DOCX)
b. 2025-031 EXH 'A' (Legal Description) (PDF)
c. 2025-031 ATTH 01 (Maps) (PDF)
d. 2025-031 Goals & Perspectives (DOCX)
e. 2025-031 ORD SUP 921 Westlawn Dr signed (PDF)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	02/06/2025 8:10 AM
Public Works Department	Dusty Henslee	Reviewer	Completed	02/06/2025 8:16 AM
City Manager	David Orr	Reviewer	Completed	02/07/2025 11:56 AM
City Council	Jennifer Evans	Meeting	Completed	02/10/2025 6:00 PM

Meeting History

02/10/25	City Council	MOVED FORWARD	Next: 03/10/25

S-805

ORDINANCE NO. 2025-031

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-805 TO ALLOW THE LOCATION OF A DOUBLE-WIDE HUD CODE MANUFACTURED HOME ON AN APPROXIMATE 2.408-ACRE TRACT OF LAND (BEING TRACT 10C), WEST TEXARKANA GDN, LOCATED AT 921 WESTLAWN DRIVE, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the location of a double-wide HUD code manufactured home on **an approximate 2.408-acre tract of land (being tract 10C), West Texarkana GDN (EXH 'A'), located at 921 Westlawn Drive**, in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas voted **unanimously five (5) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the location of a double-wide HUD code manufactured home** on said property; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit Numbered S-805 for the location of a double-wide HUD code manufactured home on an approximate 2.408-acre tract of land (being tract 10C), West Texarkana GDN (EXH 'A'), located at 921 Westlawn Drive,** in the City of Texarkana, Bowie County, Texas.

Attachment: 2025-031 ORD SUP for HUD code mnfctrd home 921 Westlawn Drive (4437 : 2025-031 ORD SUP for double wide HUD code mnfctrd

SECTION 2: The following stipulations are hereby imposed and made a part of this ordinance:

1. That one 2019 or newer double wide HUD code manufactured home be allowed on this property.
2. That the double wide HUD code manufactured home be tied down/skirted/underpinned.
3. That the double wide HUD code manufactured home be used for dwelling purposes only and human occupancy only.
4. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this Ordinance. It is the owner's responsibility to renew this permit.
5. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.
6. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas codes.

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

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

SECTION 5: 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 **10th day of March, 2025.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2025-031 ORD SUP for HUD code mnfctrd home 921 Westlawn Drive (4437 : 2025-031 ORD SUP for double wide HUD code mnfctrd

2025-031 EXH 'A'
S-805

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COPY

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§ KNOW ALL MEN BY THESE PRESENTS:
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THAT I, **ISAIAS ROSAS OLVERA, owning, claiming and occupying other property as his homestead,** with an address of 1001 Ele Street, Texarkana, TX 75501 (hereinafter referred to as "Grantor"), with full intention of conveying the property hereinafter described as a gift, with no reversionary interests whatsoever in favor of Grantor, have GIVEN, GRANTED, and CONVEYED, and by these presents do GIVE, GRANT, and CONVEY to **MARIA G. RODRIGUEZ and wife JOSE' RODRIGUEZ MOYA wife and husband** with an address of 5301 E McKinney Street # 164, Denton TX 76208 hereinafter referred to as "Grantees," the real property ("Property") described as follows:

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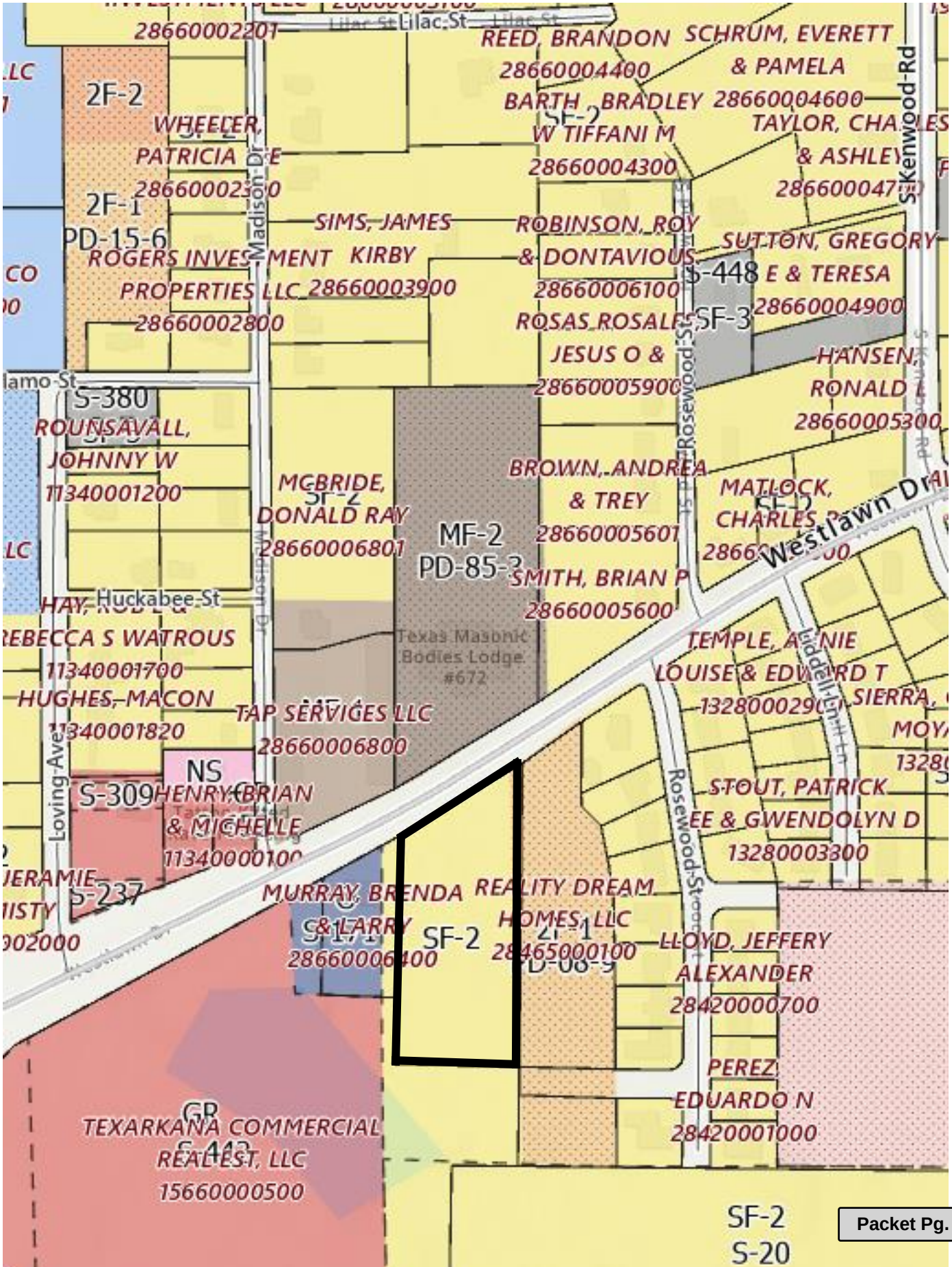
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This document was prepared using documents provided by Grantor. Langdon ★Davis Law Offices has not conducted a Title Search on this property and does not warrant clear title.

Attachment: 2025-031 EXH 'A' (Legal Description) (4437 : 2025-031 ORD SUP for double wide HUD code mnfctrd home 921 Westlawn)

ATTH 01 2025-031
S-805

921 Westlawn Drive



Attachment: 2025-031 ATTH 01 (Maps) (4437 : 2025-031 ORD SUP for double wide HUD code mnfctrd home 921 Westlawn)

ATTH 01 2025-031
S-805

921 Westlawn Drive



Attachment: 2025-031 ATTH 01 (Maps) (4437 : 2025-031 ORD SUP for double wide HUD code mnfctrd home 921 Westlawn)

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:	

Resource Impact:	
Staff time required if item is approved:	No Additional
Other Potential Impacts:	

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: 2025-031 Goals & Perspectives (4437 : 2025-031 ORD SUP for double wide HUD code mnfctrd home 921 Westlawn)

S-805

ORDINANCE NO. 2025-031

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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 have afforded and held full and fair hearings to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas voted **unanimously five (5) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the location of a double-wide HUD code manufactured home** on said property; and

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

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Attachment: 2025-031 ORD SUP 921 Westlawn Dr signed (4437 : 2025-031 ORD SUP for double wide HUD code mnfctrd home 921 Westlawn)

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SECTION 5: 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 **10th day of March, 2025.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:18p.m.

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2025-031 EXH 'A'
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THENCE: S 87°54'36" W, 233.09 feet with the South line of said Roberson tract and a North line of said McDowell tract to a ½" iron pin set for corner at the Southwest corner of said Roberson tract;
THENCE: N 01°18'38" E, 408.82 feet with the West line of said Roberson tract, with the most Northerly East line of said McDowell tract and on with the East line of a certain tract of land as conveyed to Brenda Murray and Larry Murray by Warranty Deed recorded in Volume 4821, Page 96 of the Real Property Records of Bowie County, Texas, to a ½" iron pin set for corner on the South right-of-way line of Westlawn Drive, said corner being 35.00 feet at right angles from the centerline of same, said right-of-way line being a curve to the left having a radius of 2326.83 feet;
THENCE: Northeasterly, with said curve and right-of-way line for a distance of 182.54 feet (chord

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is N 57°48'45" E, 182.49 feet), through a central angle of 04°29'41" to a ½" iron pin set for corner at the end of said curve;
THENCE: N 53°33'54" E, 70.22 feet with said South right-of-way line to a ½" iron pin set for corner on the East line of said Roberson tract, said corner also being the Northwest corner of said 2.649 acre tract;
THENCE: S 01°11'50" E, 537.25 feet with the East line of said Roberson tract and the West line of said 2.649 acre tract to the Point of Beginning and containing 2.408 acres of land, more or less.

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, and shortages in area or boundary lines; any encroachments or overlapping of improvements.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

TO HAVE AND TO HOLD the above-described Property, together with all the rights and appurtenances lawfully accompanying the Property, subject to the provisions stated above, to Grantee, Grantee's successors, and/or assigns forever; and Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors, and/or assigns to WARRANT AND FOREVER DEFEND all the said Property unto the said Grantee, Grantee's successors, and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof.

This document was prepared using documents provided by Grantor. Langdon ★Davis Law Offices has not conducted a Title Search on this property and does not warrant clear title.

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