# CITY OF TEXARKANA

## CITY COUNCIL

## MINUTES ● MARCH 13, 2017

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

**220 TEXAS BLVD.**
**TEXARKANA, TX 75501**

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

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

Staff Present: City Manager John Whitson, Jennifer Evans, Shirley Jaster, Kyle Dooley, Kristin Peeples, Dusty Henslee, Karey Parker, Michael Henry, Jim Cornelius, Lisa Thompson, JD Phillips, Robby Robertson, Rea Donna Jones, Daphnea Ryan, and Jerry Sparks.

Legal Counsel: Jeff Lewis

## II. INVOCATION AND PLEDGE BY COUNCIL MEMBER BETTY WILLIAMS

## III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

**Upcoming City Council Meetings:**

Monday, March 27, 2017 at 6:00 p.m.
Monday, April 10, 2017 at 6:00 p.m.
Monday, April 24, 2017 at 6:00 p.m.

**Parks & Recreation Events:**

| | | |
|---|---|---|
| March 18th | Early Bird Softball Tournament | Karrh Park |
| March 23rd - 25th | Huggins Baseball Tournament | Spring Lake Park |
| March 25th | Spring Soccer League Begins | Wallace Park |
| March 27th | Spring Dixie Baseball League Begins | Spring Lake Park |

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

Mayor Bruggeman welcomed special guests - local International Rotary Club members to the meeting. Council Member Matlock gave an informative presentation to rotary club members in the past week. Mayor Bruggeman also welcomed Channel 6 - KTAL's newest reporter, Heather Wright, to the meeting.

Mayor Bruggeman, Director of Planning and Community Development David Orr, and Planning and Zoning Commission member Dr. Wanda Northam, along with a collective group representing nine counties from northeast Texas, attended a two-day Legislative Update forum in Austin earlier this month. The forum provided information on proposed bills in progress for this year's legislative session.

An article in the Gazette featured an upcoming event called "The Big Event: Eagle Pride City Wide" sponsored by Texas A&M - Texarkana. The event is scheduled for Saturday, April 8th. The day-long event will consist of community service projects such as raking leaves, removing debris, washing windows, cleaning closets, painting and minor repairs, tutoring children, organizing donated goods and participating in games and activities with senior citizens. Sponsorship deadline for this event is March 24th. Citizens can call (903) 223.1362 for more information.

***Proclamation Presentation***

Poison Prevention Week Proclamation - March 19 - 25, 2017

Mayor Bruggeman read the proclamation and urged citizens to be mindful of Poison Prevention Week.

***Appointments to Boards & Commissions***

Council Member Matthews recommended the appointment of Council Member Williams to the Bi-State Intergovernmental Advisory Committee.

1. Motion to appoint Council Member Williams to the Bi-State Intergovernmental Advisory Committee.

   (6:14 p.m.)

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

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

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

John Harrison addressed council concerning the proposed purchase of body cameras for police officers.

Julie Ray Harrison shared with council the results and success of this year's Run the Line Half Marathon held on February 19th. The marathon is sponsored by Partnership for the Pathway.

## V. ITEMS FOR CONSIDERATION

***Consent Items - None***

***Action Items - None***

## VI. FIRST BRIEFINGS

1. Resolution No. 2017-030 authorizing the City Manager to execute a contract for the Millwood Water Treatment Plant Sludge Ponds Cleaning Project in an amount with the Texas portion not to exceed $74,529.70 and the total amount not to exceed $119,000.00.

   Public Hearing: March 27, 2017
   Second Briefing: April 10, 2017
   Council Vote: April 24, 2017

   J.D. Phillips briefed this agenda item.

| | | |
|---|---|---|
| **RESULT:** | **MOVED FORWARD** | **Next: 3/27/2017 6:00 PM** |

2. Resolution No. 2017-031 authorizing the City Manager to enter into a five (5) year purchasing agreement with Taser International of Scottsdale, Arizona, to supply police fleet and body cameras along with cloud storage for a total amount not to exceed $228,031.86.

Public Hearing: March 27, 2017
Second Briefing: April 10, 2017
Council Vote: April 24, 2017

Michael Henry briefed this agenda item.

| | | |
|---|---|---|
| **RESULT:** | **MOVED FORWARD** | **Next: 3/27/2017 6:00 PM** |

3. Ordinance No. 2017-032 amending the budget and authorizing the City Manager to enter into a contract for the environmental abatement and demolition of the Kress Building located at 116 W. Broad St.

Public Hearing: March 27, 2017
Second Briefing: April 10, 2017
Council Vote: April 24, 2017

Daphnea Ryan briefed this agenda item. Larry Snodgrass, of ERI Consulting, Inc., made additional comments concerning project timelines.

| | | |
|---|---|---|
| **RESULT:** | **MOVED FORWARD** | **Next: 3/27/2017 6:00 PM** |

## VII. PUBLIC HEARINGS

1. Resolution No. 2017-017 authorizing the City Manager to enter into an agreement with Service Line Partners Private Label, Inc. d/b/a Service Line Warranties of America to provide City of Texarkana, Texas, utility customers the opportunity to purchase a sewer and water line warranty.

Public Hearing: March 13, 2017
Second Briefing: March 27, 2017
Council Vote: April 10, 2017

There were no public comments made at this hearing.

| | | |
|---|---|---|
| **RESULT:** | **MOVED FORWARD** | **Next: 3/27/2017 6:00 PM** |

2. Ordinance No. 2017-018 amending PD-07-4(GR) for site plan approval to allow an office building on a portion of Lot 1A, Block 6, Replat No. 1 of Richmond Development 5th Addition, located at the northeast intersection of Arista Boulevard and McKnight Road. Cheney Pruett, owner. Kayla Wood, MTG Engineering and Surveying, agent.

Public Hearing: March 13, 2017
Second Briefing: March 27, 2017
Council Vote: April 10, 2017

Kayla Wood, of MTG Engineers & Surveyors, asked for an expedited vote on this agenda item.

| | | |
|---|---|---|
| **RESULT:** | **MOVED FORWARD** | **Next: 3/27/2017 6:00 PM** |

3. Ordinance No. 2017-019 requesting renewal of Specific Use Permit No. S-155 to allow the continued location of a non-conforming single wide mobile home on Lots 4 and 5, Block 3, Greenwood Sunnyslope Addition, located at 3207 Austin Street. Rumaldo Arredondo, owner.

   Public Hearing: March 13, 2017
   Second Briefing: March 27, 2017
   Council Vote: April 10, 2017

   There were no public comments made at this hearing.

| | | |
|---|---|---|
| **RESULT:** | **MOVED FORWARD** | **Next: 3/27/2017 6:00 PM** |

4. Ordinance No. 2017-020 rezoning Lot 12, Block 22, City Improvement Co. Westside Addition, located at 514 North Lake Drive. Multiple Family-1 to Commercial. Charles E. Paul, Jr., owner.

   Public Hearing: March 13, 2017
   Second Briefing: March 27, 2017
   Council Vote: April 10, 2017

   There were no public comments made at this hearing.

| | | |
|---|---|---|
| **RESULT:** | **MOVED FORWARD** | **Next: 3/27/2017 6:00 PM** |

5. Ordinance No. 2017-021 amending the Code of Ordinances, Chapter 140 "Zoning" to add new uses of microbrewery, microdistillery, winery, brewery and distillery in Section 140-80 "Use Regulations Districts" and to amend Section 140-179 "Definitions" to add definitions for these new uses.

   Public Hearing: March 13, 2017
   Second Briefing: March 27, 2017
   Council Vote: April 10, 2017

   There were no public comments made at this hearing.

| | | |
|---|---|---|
| **RESULT:** | **MOVED FORWARD** | **Next: 3/27/2017 6:00 PM** |

6. Resolution No. 2017-022 hearing an appeal for a burning permit and making a final determination.

Public Hearing: March 13, 2017
Second Briefing: March 27, 2017
Council Vote: April 10, 2017

There were no public comments made at this hearing.

| | | |
|---|---|---|
| **RESULT:** | **MOVED FORWARD** | **Next: 3/27/2017 6:00 PM** |

7. Resolution No. 2017-023 authorizing the City Manager to enter into a contract with Continental Utility Solutions, Inc. (CUSI) for utility billing computer software, installation, conversion and training in an amount with the Texas portion not to exceed $249,524.18 and total amount not to exceed $398,410.00.

Public Hearing: March 13, 2017
Second Briefing: March 27, 2017
Council Vote: April 10, 2017

There were no public comments made at this hearing.

| | | |
|---|---|---|
| **RESULT:** | **MOVED FORWARD** | **Next: 3/27/2017 6:00 PM** |

8. Resolution No. 2017-024 approving the amendment of the CDBG 2013-2017 Consolidated Plan and 2016 Annual Action Plan.

Public Hearing: March 13, 2017
Second Briefing: March 27, 2017
Council Vote: April 10, 2017

There were no public comments made at this hearing.

| | | |
|---|---|---|
| **RESULT:** | **MOVED FORWARD** | **Next: 3/27/2017 6:00 PM** |

9. Resolution No. 2017-025 accepting HUD Section 108 Loan Guarantee Assistance in the amount of $1,429,000.

Public Hearing: March 13, 2017
Second Briefing: March 27, 2017
Council Vote: April 10, 2017

There were no public comments made at this hearing.

| | | |
|---|---|---|
| **RESULT:** | **MOVED FORWARD** | **Next: 3/27/2017 6:00 PM** |

## VIII. SECOND BRIEFING WITH UPDATES - NONE

## IX. SECOND BRIEFING WITHOUT UPDATES

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

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

| | | |
|---|---|---|
| **RESULT:** | **MOVED FORWARD** | **Next: 3/27/2017 6:00 PM** |

***Agenda Items Withdrawn***

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

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

   **NOTE:** Resolution No. 2017-013 was withdrawn by the requester on Wednesday, March 1, 2017 via e-mail.

| | |
|---|---|
| **RESULT:** | **WITHDRAWN** |

## X. ITEMS FOR DISCUSSION

Staff Updates

City Manager Whitson said both Deputy City Managers were in class last week continuing their studies in the Certified Public Manager program.

## XI. ADMINISTRATIVE COMMENTS

1. City Council

   Mayor Bruggeman said, as he headed eastbound on Interstate 30 at the Texarkana/Nash border, construction on the gateway welcome sign is moving along and looking very good.

2. City Staff

City Manager Whitson said staff appreciates what the elected officials are doing for citizens in our community. Mr. Whitson also said that staff was recently visited by representatives from the bond rating industry. The city received positive feedback but will continue at a bond rating of "AA-" due to the socio-economic situation of the community. However, bond rating officials found that, from a governmental aspect, the city's policies and procedures were strong. A report will be forthcoming for council consideration.

## XII. ADJOURNMENT

A motion was made to adjourn the meeting.
7:00 p.m.

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

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

# Briefing Sheet

Version:
**Update Date:** 3/1/2017 9:22 AM

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

**Subject:** Poison Prevention Week Proclamation - March 19 - 25, 2017

## Updates/History of Briefing:

NOT APPLICABLE

## Executive Summary and Background Information:

March 19-25, 2017 marks the 55th annual observance of Poison Prevention Week. This time is used to encourage our citizens to learn more about the dangers of accidental poisonings and to take more preventative measures.

## Potential Options:

- None
-

## Fiscal Implications:

None

## Staff Recommendation:

To have the Mayor proclaim Poison Prevention Week in the city.

## Advisory Board/Committee Review:

NONE

## Board/Committee Recommendation:

NOT APPLICABLE

## Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

## Attachments

a. Poison Proclamation - March 19-25 (PDF)

# PROCLAMATION

**Whereas,** our society has become increasingly dependent on household chemicals to perform labor-saving, time-saving miracles; and on medicine to provide health-giving, life-sustaining benefits; and

**Whereas,** these products, when not used as intended or directed, may be hazardous, particularly if children gain access to them; and

**Whereas,** over the past 55 years, the nation has been observing ***Poison Prevention Week*** to call attention to these hazards and how proper handling and disposal of these substances and proper use of safety packaging can help eliminate them; and

**Whereas,** the efforts of our community organizations, complemented by the efforts of the North Texas Poison Center have reduced childhood poisonings in Texarkana, Texas; and

**Whereas,** the North Texas Poison Center, a regional poison center, located at Parkland Health & Hospital System, provides the ultimate in human service programming, immediate, accessible emergency information to save lives of victims of poison-related emergencies, and;

**Whereas,** these programs must continue as long as even one child swallows a household product or medicine by mistake.

**NOW THEREFORE,** I, Bob Bruggeman, Mayor of the City of Texarkana Texas, do hereby proclaim the week of March 19 – 25, 2017 as:

## "Poison Prevention Week"

in this city. Further, I direct the appropriate agencies in our local government to continue their cooperation with concerned citizens and community organizations, including our schools, to develop programs which will alert our people to the continued danger of misusing medicines and household products and to promote effective safeguards against accidental poisonings among young children.

*Bob Bruggeman, Mayor*
*City of Texarkana, Texas*

*Attest:*

*Jennifer Evans, City Secretary*
*City of Texarkana, Texas*

City of Texarkana, Texas

Version:

# Briefing Sheet

**Update Date:** 3/9/2017 2:30 PM

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

**Subject:** Resolution No. 2017-030 authorizing the City Manager to execute a contract for the Millwood Water Treatment Plant Sludge Ponds Cleaning Project in an amount with the Texas portion not to exceed $74,529.70 and the total amount not to exceed $119,000.00.

| | | | |
|---|---|---|---|
| **Briefing:** 3/27/2017 | **Public Hearing:** 3/27/2017 | **Second Briefing:** April 10, 2017 | **Council Vote:** 4/24/2017 |

**Item Schedule**

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

## Updates/History of Briefing:

"NOT APPLICABLE"

## Executive Summary and Background Information:

Bids were received Tuesday, February 28, 2017 for the Millwood Water Treatment Plant Sludge Pond Cleaning Project. Five (5) contractors picked up bid packages for the project and three (3) contractors bid on the project. Denali Water Solutions, LLC of Russellville, Arkansas was the apparent low bidder on the project with a low bid amount of $119,000.00. The project will consist of removing the accumulated solids from two (2) of the sludge ponds at the Millwood Water Treatment Plant and properly disposing of them through land application. The ponds are used to store the solids that are removed from the raw water during the drinking water treatment process. The ponds need to be cleaned periodically to maintain their effectiveness and meet the required State discharge levels. TWU has previously completed four (4) sludge pond cleaning projects at the Millwood Water Treatment Plant, in 2001, 2005, 2009 and in 2014. Denali Water Solutions, LLC previously successfully completed the 2014 sludge pond cleaning project.

## Potential Options:

- "None"

## Fiscal Implications:

Funds are available in the Utility's Millwood Water Treatment Plant Depreciation Fund for this project. $100,000 was budgeted and the additional funds required can be reallocated from within the fund.

## Staff Recommendation:

Texarkana Water Utilities Staff recommends approval of the bid and a bid tabulation sheet is attached.

## Advisory Board/Committee Review:

NONE

## Board/Committee Recommendation:

NOT APPLICABLE

# City of Texarkana, Texas

## Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

## Attachments

a. 2017-030 RES Millwood WTP Sludge Pond Cleaning (DOC)
b. 2017-030 ATTH 01 Bid Tab (DOCX)
c. 2017-030 Goals & Perspectives (DOCX)

## Staff Coordination

| | | | | |
|---|---|---|---|---|
| Water Utilities | Jim Cornelius | Review | Completed | 03/01/2017 4:31 PM |
| Water Utilities | JD Phillips | Department Head Review | Completed | 03/01/2017 4:32 PM |
| Public Information Officer | Lisa Thompson | PIO Review | Completed | 03/01/2017 4:36 PM |
| City Manager | John Whitson | City Manager Review | Completed | 03/09/2017 2:29 PM |
| City Council | Jennifer Evans | Meeting | Completed | 03/13/2017 6:00 PM |

## Meeting History

# RESOLUTION NO. 2017-030

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND ENTER INTO A CONTRACT WITH DENALI WATER SOLUTIONS, LLC. OF RUSSELLVILLE, ARKANSAS, IN AN AMOUNT WITH THE TEXAS PORTION NOT TO EXCEED $74,529.70 AND THE TOTAL AMOUNT NOT TO EXCEED $119,000.00 FOR THE CLEANING OF TWO SLUDGE PONDS AT THE MILLWOOD WATER TREATMENT PLANT; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS,** on February 28, 2017, three (3) bids were received by the Texarkana Water Utilities for the Millwood Water Treatment Plant Sludge Pond Cleaning Project; and

**WHEREAS,** the project will consist of removing and disposing of the accumulated solids from two (2) of the sludge ponds at the Millwood Water Treatment Plant; and

**WHEREAS,** the lowest and best bid by a responsible vendor for this project was submitted by Denali Water Solutions, LLC. of Russellville, Arkansas, a copy of which is attached hereto as ATTH 01; and

**WHEREAS,** the funds were budgeted in the Texarkana Water Utilities 2016-2017 Budget at $100,000.00 in the Millwood Water Treatment Plant Depreciation Fund and the additional funds required can be reallocated from within the fund.

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

**SECTION 1:** That the lowest and best bid by a responsible vendor, submitted by Denali Water Solutions, LLC. of Russellville, Arkansas, a copy of which is attached hereto as ATTH 01, be and is hereby approved in an amount with the Texas portion not to exceed $74,529.70 and the total amount not to exceed $119,000.00 for removing and disposing of the accumulated solids for the Millwood Water Treatment Plant Sludge Pond Cleaning Project.

**SECTION 2:** That the City Manager be and is authorized to contract with Denali Water Solutions, LLC. of Russellville, Arkansas, for the above described services.

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

**PASSED AND APPROVED** in Regular Council Session on this the **24th day of April, 2017**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-030 RES Millwood WTP Sludge Pond Cleaning (1618 : 2017-030 RES Millwood Water Treatment Plant Sludge Ponds Cleaning

2017-030 ATTH 01

# BID TABULATION

## Millwood Water Treatment Plant
## Sludge Pond Cleaning

## 2:00 P.M., Tuesday, February 28, 2017

| | | Base Bid |
|---|---|---|
| 1. | TEC<br>Texarkana, Texas | No Bid |
| 2. | Denali Water Solutions<br>Russellville, Arkansas | $119,000.00 |
| 3. | Midwest Injection<br>Cascade, Iowa | $169,000.00 |
| 4. | HEC Environmental Group<br>Texarkana, Arkansas | $160,000.00 |
| 5. | J & B Tanker, Inc<br>Plainview, Arkansas | No Bid |

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

Number of Bidders: 3

Apparent Low Bidder: Denali Water Solutions

Attachment: 2017-030 ATTH 01 Bid Tab (1618 : 2017-030 RES Millwood Water Treatment Plant Sludge Ponds Cleaning Project)

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

**Perspectives and Goals Additional Comments:**

NONE

**Resource Impact:**

| | |
|---|---|
| Staff time required if item is approved: | No Additional |

**Other Potential Impacts:**

NONE APPLICABLE

## Public Information Plan:

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

Other:

Attachment: 2017-030 Goals & Perspectives (1618 : 2017-030 RES Millwood Water Treatment Plant Sludge Ponds Cleaning Project)

City of Texarkana, Texas

# Briefing Sheet

Version:
**Update Date:** 3/9/2017 4:55 PM

**Lead Department:** Police **Action Officer:** Michael Henry, Captain

**Subject:** Resolution No. 2017-031 authorizing the City Manager to enter into a five (5) year purchasing agreement with Taser International of Scottsdale, Arizona, to supply police fleet and body cameras along with cloud storage for a total amount not to exceed $228,031.86.

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Briefing:** | 3/27/2017 | **Public Hearing:** | 3/27/2017 | **Second Briefing:** | April 10, 2017 | **Council Vote:** | 4/24/2017 |

**Item Schedule**

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

## Updates/History of Briefing:

NOT APPLICABLE

## Executive Summary and Background Information:

The police department is mandated by the State of Texas to have video and audio recording equipment in all fleet vehicles regularly used to make traffic stops. In addition, the department initiated a body worn camera program in August of 2015 after receiving private donations to purchase body cameras. The body worn camera program proved to be a success. Unfortunately, the equipment from the department's long-time vendor no longer meets the minimum standards for functionality and reliability. After testing and evaluation, the cameras and cloud management system from Taser International have been chosen to replace all in-car and body worn cameras. The new equipment will increase the quality of the video captured and improve officer efficiency, as well as officer safety. The cloud storage will make managing vast amounts of video less time-consuming and will streamline the process of providing video to the court systems.

## Potential Options:

- Continue using equipment from current vendor.
-

## Fiscal Implications:

The purchasing agreement is for five years. The initial payment is $64,015.86. Funding is available in the fleet replacement fund (combined with previously received private donations for body worn cameras) to make the initial payment. Years 2-5 are $41,004.00 per year. Funding will also be available from the fleet replacement fund to make these payments.

In addition, cellular modem/routers will be needed in each vehicle equipped with the in-car video systems. With all the technology that is being added to the patrol fleet, placing modems in each car was already underway and had been accounted for in the fleet fund. However, modems were being rotated in as new cars were placed into service and so the cost was spread out. In order to accommodate the Taser systems, it will be necessary to equip all cars with the modems at once prior

to switching to Taser. To equip the thirty vehicles with the modems and antennas, the total cost will be $26,217.54. This purchase will also come from the fleet replacement fund.

**Staff Recommendation:**

It is recommended that the council authorize the City Manager to enter into this five-year purchasing agreement with Taser International for police cameras and cloud storage.

**Advisory Board/Committee Review:**

NONE

**Board/Committee Recommendation:**

NOT APPLICABLE

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

NOT APPLICABLE

**Attachments**

a. 2017-031 RES Purchasing Agreement with TASER for Police Cameras v2 (DOC)
b. 2017-031 ATTH 01 Taser Fleet Cameras (PDF)
c. 2017-031 ATTH 02 Taser Body Cameras (PDF)
d. 2017-031 ATTH 03 Texarkana_MSPA_2017-2-16 ASSURANCE (jcl rev)) (DOCX)
e. 2017-031 ATTH 04 Texarkana_MSPA_2017-2-16 AXON (jcl rev) (DOCX)
f. 2017-031 ATTH 05 Taser Body Camera Info (PDF)
g. 2017-031 ATTH 06 Taser Fleet Camera Info (PDF)
h. 2017-031 ATTH 07 CradlePoint Routers (PDF)
i. 2017-031 Goals & Perspectives (DOCX)

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**Staff Coordination**

Police Charles Kreidler Review Completed 03/08/2017 10:51 AM
Police Dan Shiner Department Head Review Completed 03/08/2017 10:53 AM
Finance Department Kristin Peeples Finance Review Completed 03/08/2017 11:38 AM
Purchasing and Contracting Vicky Coopwood Purchasing Review Skipped 03/08/2017 8:47 AM
Deputy City Manager - Shirley Jaster Shirley Jaster Deputy City Manager Review Completed 03/08/2017 11:46 AM
Deputy City Manager - Kyle Dooley Kyle Dooley Deputy City Manager Review Completed 03/08/2017 3:01 PM
Public Information Officer Lisa Thompson PIO Review Completed 03/08/2017 3:04 PM
City Manager John Whitson City Manager Review Completed 03/09/2017 2:32 PM
City Council Jennifer Evans Meeting Completed 03/13/2017 6:00 PM

## Meeting History

**RESOLUTION NO. 2017-031**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A FIVE (5) YEAR PURCHASING AGREEMENT WITH TASER INTERNATIONAL OF SCOTTSDALE, ARIZONA, TO SUPPLY POLICE FLEET AND BODY CAMERAS ALONG WITH CLOUD STORAGE FOR A TOTAL AMOUNT NOT TO EXCEED $228,031.86; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS,** the City of Texarkana, Texas Police Department is mandated by the State of Texas to have video and audio recording devices in all police vehicles that are regularly used to make traffic stops; and

**WHEREAS,** the Police Department initiated a body worn camera program in August of 2015 and achieved positive results from the use of the cameras; and

**WHEREAS,** the products and services of the current vendor for Police Department in-car and body worn cameras no longer meet the minimum standards for functionality and reliability required by the Department; and

**WHEREAS,** in-car and body worn cameras, along with cloud storage and management software, from Taser International have been tested and evaluated and have proven to meet department standards; and

**WHEREAS,** funds are available in the fleet replacement fund, combined with previously received private donations for body worn cameras, to make the five annual payments for the purchasing agreement.

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

**SECTION 1:** That the City Manager be and is hereby authorized to enter into a five (5) year purchasing agreement with Taser International of Scottsdale, Arizona, for a total amount not to exceed $228,031.86.

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

**PASSED AND APPROVED** in Regular Council Session on this the **24th day of April, 2017**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

# TASER International

*Protect Life. Protect Truth.*

17800 N 85th St.
Scottsdale, Arizona 85255
United States
Phone: (800) 978-2737
Fax:

**Michael Henry**
(903) 798-3112
henry@txkusa.org

## Quotation

**Quote:** Q-91174-3
**Date:** 3/1/2017 8:59 PM
**Quote Expiration:** 3/29/2017
**Contract Start Date*:** 4/15/2016
**Contract Term:** 5 years

**AX Account Number:**
147833

**Bill To:**
Texarkana Police Dept. - TX
100 N. STATE LINE AVE.
TEXARKANA, TX 75501
US

**Ship To:**
Michael Henry
Texarkana Police Dept. - TX
100 N. STATE LINE AVE.
TEXARKANA, TX 75501
US

| SALESPERSON | PHONE | EMAIL | DELIVERY METHOD | PAYMENT METHOD |
|---|---|---|---|---|
| Paul Strozier | | pstrozier@taser.com | Fedex - Ground | Net 30 |

*Note this will vary based on the shipment date of the product.

### Axon Fleet Pre-Order

Thank you for your interest in Axon! This pre-order is a commitment to purchase Axon Fleet. Axon Fleet will be available for delivery sometime in 2017. You will be notified if there are any delays. TASER reserves the right to make product changes without notice.

### Axon Fleet System Compatibility

Additional costs may be incurred by the customer related to installing or optimizing their wireless infrastructure in order to achieve the desired wireless download speeds, access point coverage, band width or network stability. These costs are solely the responsibility of the customer.

Year 1 - Hardware and Evidence.com- Due Net 30

| QTY | ITEM # | DESCRIPTION | UNIT PRICE | TOTAL BEFORE DISCOUNT | DISCOUNT ($) | NET TOTAL |
|---|---|---|---|---|---|---|
| 64 | 74003 | CAMERA SYSTEM, AXON FLEET | USD 399.00 | USD 25,536.00 | USD 25,536.00 | USD 0.00 |
| 64 | 74025 | MOUNT ASSEMBLY, AXON FLEET | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 64 | 74024 | BATTERY SYSTEM, AXON FLEET | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 32 | 74027 | Axon Fleet Dongle | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 32 | 85163 | UNLIMITED EVIDENCE.COM FLEET: YEAR 1 PAYMENT | USD 468.00 | USD 14,976.00 | USD 0.00 | USD 14,976.00 |
| 64 | 87032 | 4 YEAR EXTENDED WARRANTY AXON FLEET | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 1 | 74003 | CAMERA SYSTEM, AXON FLEET | USD 399.00 | USD 399.00 | USD 399.00 | USD 0.00 |



Attachment: 2017-031 ATTH 01 Taser Fleet Cameras (1619 : 2017-031 RES Authorizing Purchasing Agreement with Taser for Police Cameras)

| QTY | ITEM # | DESCRIPTION | UNIT PRICE | TOTAL BEFORE DISCOUNT | DISCOUNT ($) | NET TOTAL |
|---|---|---|---|---|---|---|
| 1 | 85144 | AXON STARTER | USD 2,500.00 | USD 2,500.00 | USD -2,500.00 | USD 5,000.00 |
| 32 | 89101 | PROFESSIONAL EVIDENCE.COM LICENSE: YEAR 1 PAYMENT | USD 468.00 | USD 14,976.00 | USD 14,976.00 | USD 0.00 |
| 960 | 85110 | EVIDENCE.COM INCLUDED STORAGE | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |

| | |
|---|---|
| **Year 1 - Hardware and Evidence.com- Due Net 30 Total Before Discounts:** | USD 58,387.00 |
| **Year 1 - Hardware and Evidence.com- Due Net 30 Discount:** | USD 38,411.00 |
| **Year 1 - Hardware and Evidence.com- Due Net 30 Net Amount Due:** | USD 19,976.00 |

Year 2 - Evidence.com

| QTY | ITEM # | DESCRIPTION | UNIT PRICE | TOTAL BEFORE DISCOUNT | DISCOUNT ($) | NET TOTAL |
|---|---|---|---|---|---|---|
| 32 | 85164 | UNLIMITED EVIDENCE.COM FLEET: YEAR 2 PAYMENT | USD 468.00 | USD 14,976.00 | USD 0.00 | USD 14,976.00 |
| 32 | 89201 | PROFESSIONAL EVIDENCE.COM LICENSE: YEAR 2 PAYMENT | USD 468.00 | USD 14,976.00 | USD 14,976.00 | USD 0.00 |
| 960 | 85110 | EVIDENCE.COM INCLUDED STORAGE | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |

| | |
|---|---|
| **Year 2 - Evidence.com Total Before Discounts:** | USD 29,952.00 |
| **Year 2 - Evidence.com Discount:** | USD 14,976.00 |
| **Year 2 - Evidence.com Net Amount Due:** | USD 14,976.00 |

Year 3 - Evidence.com

| QTY | ITEM # | DESCRIPTION | UNIT PRICE | TOTAL BEFORE DISCOUNT | DISCOUNT ($) | NET TOTAL |
|---|---|---|---|---|---|---|
| 32 | 85165 | UNLIMITED EVIDENCE.COM FLEET: YEAR 3 PAYMENT | USD 468.00 | USD 14,976.00 | USD 0.00 | USD 14,976.00 |
| 32 | 89301 | PROFESSIONAL EVIDENCE.COM LICENSE: YEAR 3 PAYMENT | USD 468.00 | USD 14,976.00 | USD 14,976.00 | USD 0.00 |
| 960 | 85110 | EVIDENCE.COM INCLUDED STORAGE | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |

| | |
|---|---|
| **Year 3 - Evidence.com Total Before Discounts:** | USD 29,952.00 |
| **Year 3 - Evidence.com Discount:** | USD 14,976.00 |
| **Year 3 - Evidence.com Net Amount Due:** | USD 14,976.00 |

Year 4 - Evidence.com

| QTY | ITEM # | DESCRIPTION | UNIT PRICE | TOTAL BEFORE DISCOUNT | DISCOUNT ($) | NET TOTAL |
|---|---|---|---|---|---|---|
| 32 | 85166 | UNLIMITED EVIDENCE.COM FLEET: YEAR 4 PAYMENT | USD 468.00 | USD 14,976.00 | USD 0.00 | USD 14,976.00 |
| 32 | 89401 | PROFESSIONAL EVIDENCE.COM LICENSE: YEAR 4 PAYMENT | USD 468.00 | USD 14,976.00 | USD 14,976.00 | USD 0.00 |
| 960 | 85110 | EVIDENCE.COM INCLUDED STORAGE | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |

| | |
|---|---|
| **Year 4 - Evidence.com Total Before Discounts:** | USD 29,952.00 |
| **Year 4 - Evidence.com Discount:** | USD 14,976.00 |
| **Year 4 - Evidence.com Net Amount Due:** | USD 14,976.00 |



Attachment: 2017-031 ATTH 01 Taser Fleet Cameras (1619 : 2017-031 RES Authorizing Purchasing Agreement with Taser for Police Cameras)

Year 5 - Evidence.com

| QTY | ITEM # | DESCRIPTION | UNIT PRICE | TOTAL BEFORE DISCOUNT | DISCOUNT ($) | NET TOTAL |
|---|---|---|---|---|---|---|
| 32 | 85167 | UNLIMITED EVIDENCE.COM FLEET: YEAR 5 PAYMENT | USD 468.00 | USD 14,976.00 | USD 0.00 | USD 14,976.00 |
| 32 | 89501 | PROFESSIONAL EVIDENCE.COM LICENSE: YEAR 5 PAYMENT | USD 468.00 | USD 14,976.00 | USD 14,976.00 | USD 0.00 |
| 960 | 85110 | EVIDENCE.COM INCLUDED STORAGE | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |

| | |
|---|---|
| **Year 5 - Evidence.com Total Before Discounts:** | USD 29,952.00 |
| **Year 5 - Evidence.com Discount:** | USD 14,976.00 |
| **Year 5 - Evidence.com Net Amount Due:** | USD 14,976.00 |

| | |
|---|---|
| **Subtotal** | USD 79,880.00 |
| **Estimated Shipping & Handling Cost** | USD 12.96 |
| **Grand Total** | USD 79,892.96 |

## Axon Body 2 Shipping

Axon Body 2 is available for delivery between 8-10 weeks after purchase date. You will be notified if there are any delays. TASER reserves the right to make product changes without notice.

## Unlimited Axon Fleet License Includes:

- Evidence.com Pro License
- Extended warranty coverage on Axon Fleet cameras for the duration of the contract term
- Unlimited Storage for files uploaded from your Axon Fleet cameras



Attachment: 2017-031 ATTH 01 Taser Fleet Cameras (1619 : 2017-031 RES Authorizing Purchasing Agreement with Taser for Police Cameras)

The training included in the Axon Full Service package includes installation of the Fleet systems and systems training. Any additional services required are not included in this package.

This quote is for initial hardware and license only. Customer will not be receiving TAP with this program.

## TASER International, Inc.'s Sales Terms and Conditions for Direct Sales to End User Purchasers

By signing this Quote, you are entering into a contract and you certify that you have read and agree to the provisions set forth in this Quote and TASER's Master Services and Purchasing Agreement posted at www.taser.com/legal. You represent that you are lawfully able to enter into contracts and if you are entering into this agreement for an entity, such as the company, municipality, or government agency you work for, you represent to TASER that you have legal authority to bind that entity. If you do not have this authority, do not sign this Quote.

**Signature:** _____ **Date:** _____

**Name (Print):** _____ **Title:** _____

**PO# (if needed):** _____

Quote: Q-91174-3

Please sign and email to Paul Strozier at pstrozier@taser.com or fax to

THANK YOU FOR YOUR BUSINESS!

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Attachment: 2017-031 ATTH 01 Taser Fleet Cameras (1619 : 2017-031 RES Authorizing Purchasing Agreement with Taser for Police Cameras)

# TASER International

*Protect Life. Protect Truth.*

17800 N 85th St.
Scottsdale, Arizona 85255
United States
Phone: (800) 978-2737
Fax:

**Michael Henry**
(903) 798-3112
henry@txkusa.org

## Quotation

**Quote:** Q-88228-8
**Date:** 3/1/2017 6:55 PM
**Quote Expiration:** 3/29/2017
**Contract Start Date*:** 4/15/2017
**Contract Term:** 5 years

**AX Account Number:**
147833

**Bill To:**
Texarkana Police Dept. - TX
100 N. STATE LINE AVE.
TEXARKANA, TX 75501
US

**Ship To:**
Michael Henry
Texarkana Police Dept. - TX
100 N. STATE LINE AVE.
TEXARKANA, TX 75501
US

| SALESPERSON | PHONE | EMAIL | DELIVERY METHOD | PAYMENT METHOD |
|---|---|---|---|---|
| Paul Strozier | | pstrozier@taser.com | Fedex - Ground | Net 30 |

*Note this will vary based on the shipment date of the product.

Year 1 - Hardware and Evidence.com-Due Net 30

| QTY | ITEM # | DESCRIPTION | UNIT PRICE | TOTAL BEFORE DISCOUNT | DISCOUNT ($) | NET TOTAL |
|---|---|---|---|---|---|---|
| 60 | 74001 | AXON CAMERA ASSEMBLY, ONLINE, AXON BODY 2, BLK | USD 399.00 | USD 23,940.00 | USD 23,940.00 | USD 0.00 |
| 60 | 74020 | MAGNET MOUNT, FLEXIBLE, AXON RAPIDLOCK | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 60 | 74021 | MAGNET MOUNT, THICK OUTERWEAR, AXON RAPIDLOCK | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 60 | 11553 | SYNC CABLE, USB A TO 2.5MM | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 60 | 73004 | WALL CHARGER, USB SYNC CABLE, FLEX | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 60 | 85070 | TASER ASSURANCE PLAN ANNUAL PAYMENT, BODYCAM | USD 204.00 | USD 12,240.00 | USD 0.00 | USD 12,240.00 |
| 10 | 74008 | AXON DOCK, 6 BAY + CORE, AXON BODY 2 | USD 1,495.00 | USD 14,950.00 | USD 0.00 | USD 14,950.00 |
| 10 | 70033 | WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK | USD 35.00 | USD 350.00 | USD 0.00 | USD 350.00 |
| 10 | 87026 | TASER ASSURANCE PLAN DOCK 2 ANNUAL PAYMENT | USD 216.00 | USD 2,160.00 | USD 0.00 | USD 2,160.00 |



Attachment: 2017-031 ATTH 02 Taser Body Cameras (1619 : 2017-031 RES Authorizing Purchasing Agreement with Taser for Police Cameras)

| QTY | ITEM # | DESCRIPTION | UNIT PRICE | TOTAL BEFORE DISCOUNT | DISCOUNT ($) | NET TOTAL |
|---|---|---|---|---|---|---|
| 1 | 89101 | PROFESSIONAL EVIDENCE.COM LICENSE: YEAR 1 PAYMENT | USD 468.00 | USD 468.00 | USD 0.00 | USD 468.00 |
| 30 | 85110 | EVIDENCE.COM INCLUDED STORAGE | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 1 | 85144 | AXON STARTER | USD 2,500.00 | USD 2,500.00 | USD 0.00 | USD 2,500.00 |
| 9,000 | 85035 | EVIDENCE.COM STORAGE | USD 0.75 | USD 6,750.00 | USD 6,750.00 | USD 0.00 |
| 62 | 87101 | BASIC EVIDENCE.COM LICENSE: YEAR 1 PAYMENT | USD 180.00 | USD 11,160.00 | USD 0.00 | USD 11,160.00 |
| 620 | 85110 | EVIDENCE.COM INCLUDED STORAGE | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |

| | |
|---|---|
| **Year 1 - Hardware and Evidence.com-Due Net 30 Total Before Discounts:** | USD 74,518.00 |
| **Year 1 - Hardware and Evidence.com-Due Net 30 Discount:** | USD 30,690.00 |
| **Year 1 - Hardware and Evidence.com-Due Net 30 Net Amount Due:** | USD 43,828.00 |

Spares

| QTY | ITEM # | DESCRIPTION | UNIT PRICE | TOTAL BEFORE DISCOUNT | DISCOUNT ($) | NET TOTAL |
|---|---|---|---|---|---|---|
| 2 | 74001 | AXON CAMERA ASSEMBLY, ONLINE, AXON BODY 2, BLK | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 2 | 74020 | MAGNET MOUNT, FLEXIBLE, AXON RAPIDLOCK | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 2 | 74021 | MAGNET MOUNT, THICK OUTERWEAR, AXON RAPIDLOCK | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 2 | 11553 | SYNC CABLE, USB A TO 2.5MM | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |

| | |
|---|---|
| **Spares Total Before Discounts:** | USD 0.00 |
| **Spares Net Amount Due:** | USD 0.00 |

Year 2 - Evidence.com

| QTY | ITEM # | DESCRIPTION | UNIT PRICE | TOTAL BEFORE DISCOUNT | DISCOUNT ($) | NET TOTAL |
|---|---|---|---|---|---|---|
| 9,000 | 85035 | EVIDENCE.COM STORAGE | USD 0.75 | USD 6,750.00 | USD 6,750.00 | USD 0.00 |
| 62 | 87201 | BASIC EVIDENCE.COM LICENSE: YEAR 2 PAYMENT | USD 180.00 | USD 11,160.00 | USD 0.00 | USD 11,160.00 |
| 620 | 85110 | EVIDENCE.COM INCLUDED STORAGE | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 1 | 89201 | PROFESSIONAL EVIDENCE.COM LICENSE: YEAR 2 PAYMENT | USD 468.00 | USD 468.00 | USD 0.00 | USD 468.00 |
| 30 | 85110 | EVIDENCE.COM INCLUDED STORAGE | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 10 | 87026 | TASER ASSURANCE PLAN DOCK 2 ANNUAL PAYMENT | USD 216.00 | USD 2,160.00 | USD 0.00 | USD 2,160.00 |
| 60 | 85070 | TASER ASSURANCE PLAN ANNUAL PAYMENT, BODYCAM | USD 204.00 | USD 12,240.00 | USD 0.00 | USD 12,240.00 |

| | |
|---|---|
| **Year 2 - Evidence.com Total Before Discounts:** | USD 32,778.00 |
| **Year 2 - Evidence.com Discount:** | USD 6,750.00 |
| **Year 2 - Evidence.com Net Amount Due:** | USD 26,028.00 |

Year 3- Evidence.com

| QTY | ITEM # | DESCRIPTION | UNIT PRICE | TOTAL BEFORE DISCOUNT | DISCOUNT ($) | NET TOTAL |
|---|---|---|---|---|---|---|
| 9,000 | 85035 | EVIDENCE.COM STORAGE | USD 0.75 | USD 6,750.00 | USD 6,750.00 | USD 0.00 |



Attachment: 2017-031 ATTH 02 Taser Body Cameras (1619 : 2017-031 RES Authorizing Purchasing Agreement with Taser for Police Cameras)

| QTY | ITEM # | DESCRIPTION | UNIT PRICE | TOTAL BEFORE DISCOUNT | DISCOUNT ($) | NET TOTAL |
|---|---|---|---|---|---|---|
| 62 | 87301 | BASIC EVIDENCE.COM LICENSE: YEAR 3 PAYMENT | USD 180.00 | USD 11,160.00 | USD 0.00 | USD 11,160.00 |
| 620 | 85110 | EVIDENCE.COM INCLUDED STORAGE | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 1 | 89301 | PROFESSIONAL EVIDENCE.COM LICENSE: YEAR 3 PAYMENT | USD 468.00 | USD 468.00 | USD 0.00 | USD 468.00 |
| 30 | 85110 | EVIDENCE.COM INCLUDED STORAGE | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 10 | 87026 | TASER ASSURANCE PLAN DOCK 2 ANNUAL PAYMENT | USD 216.00 | USD 2,160.00 | USD 0.00 | USD 2,160.00 |
| 60 | 85070 | TASER ASSURANCE PLAN ANNUAL PAYMENT, BODYCAM | USD 204.00 | USD 12,240.00 | USD 0.00 | USD 12,240.00 |
| | | | | | **Year 3- Evidence.com Total Before Discounts:** | USD 32,778.00 |
| | | | | | **Year 3- Evidence.com Discount:** | USD 6,750.00 |
| | | | | | **Year 3- Evidence.com Net Amount Due:** | USD 26,028.00 |

Year 4 - Evidence.com

| QTY | ITEM # | DESCRIPTION | UNIT PRICE | TOTAL BEFORE DISCOUNT | DISCOUNT ($) | NET TOTAL |
|---|---|---|---|---|---|---|
| 9,000 | 85035 | EVIDENCE.COM STORAGE | USD 0.75 | USD 6,750.00 | USD 6,750.00 | USD 0.00 |
| 62 | 87401 | BASIC EVIDENCE.COM LICENSE: YEAR 4 PAYMENT | USD 180.00 | USD 11,160.00 | USD 0.00 | USD 11,160.00 |
| 620 | 85110 | EVIDENCE.COM INCLUDED STORAGE | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 1 | 89401 | PROFESSIONAL EVIDENCE.COM LICENSE: YEAR 4 PAYMENT | USD 468.00 | USD 468.00 | USD 0.00 | USD 468.00 |
| 30 | 85110 | EVIDENCE.COM INCLUDED STORAGE | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 10 | 87026 | TASER ASSURANCE PLAN DOCK 2 ANNUAL PAYMENT | USD 216.00 | USD 2,160.00 | USD 0.00 | USD 2,160.00 |
| 60 | 85070 | TASER ASSURANCE PLAN ANNUAL PAYMENT, BODYCAM | USD 204.00 | USD 12,240.00 | USD 0.00 | USD 12,240.00 |
| | | | | | **Year 4 - Evidence.com Total Before Discounts:** | USD 32,778.00 |
| | | | | | **Year 4 - Evidence.com Discount:** | USD 6,750.00 |
| | | | | | **Year 4 - Evidence.com Net Amount Due:** | USD 26,028.00 |

Year 5 - Evidence.com

| QTY | ITEM # | DESCRIPTION | UNIT PRICE | TOTAL BEFORE DISCOUNT | DISCOUNT ($) | NET TOTAL |
|---|---|---|---|---|---|---|
| 9,000 | 85035 | EVIDENCE.COM STORAGE | USD 0.75 | USD 6,750.00 | USD 6,750.00 | USD 0.00 |
| 62 | 87501 | BASIC EVIDENCE.COM LICENSE: YEAR 5 PAYMENT | USD 180.00 | USD 11,160.00 | USD 0.00 | USD 11,160.00 |
| 620 | 85110 | EVIDENCE.COM INCLUDED STORAGE | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 1 | 89501 | PROFESSIONAL EVIDENCE.COM LICENSE: YEAR 5 PAYMENT | USD 468.00 | USD 468.00 | USD 0.00 | USD 468.00 |
| 30 | 85110 | EVIDENCE.COM INCLUDED STORAGE | USD 0.00 | USD 0.00 | USD 0.00 | USD 0.00 |
| 10 | 87026 | TASER ASSURANCE PLAN DOCK 2 ANNUAL PAYMENT | USD 216.00 | USD 2,160.00 | USD 0.00 | USD 2,160.00 |



Attachment: 2017-031 ATTH 02 Taser Body Cameras (1619 : 2017-031 RES Authorizing Purchasing Agreement with Taser for Police Cameras)

| QTY | ITEM # | DESCRIPTION | UNIT PRICE | TOTAL BEFORE DISCOUNT | DISCOUNT ($) | NET TOTAL |
|---|---|---|---|---|---|---|
| 60 | 85070 | TASER ASSURANCE PLAN ANNUAL PAYMENT, BODYCAM | USD 204.00 | USD 12,240.00 | USD 0.00 | USD 12,240.00 |

| | |
|---|---|
| **Year 5 - Evidence.com Total Before Discounts:** | USD 32,778.00 |
| **Year 5 - Evidence.com Discount:** | USD 6,750.00 |
| **Year 5 - Evidence.com Net Amount Due:** | USD 26,028.00 |

| | |
|---|---|
| **Subtotal** | USD 147,940.00 |
| **Estimated Shipping & Handling Cost** | USD 198.90 |
| **Grand Total** | USD 148,138.90 |

### Axon Body 2 Shipping

Axon Body 2 is available for delivery between 8-10 weeks after purchase date. You will be notified if there are any delays. TASER reserves the right to make product changes without notice.

Discount valid through 3/28/17

## TASER International, Inc.'s Sales Terms and Conditions for Direct Sales to End User Purchasers

By signing this Quote, you are entering into a contract and you certify that you have read and agree to the provisions set forth in this Quote and TASER's Master Services and Purchasing Agreement posted at www.taser.com/legal. You represent that you are lawfully able to enter into contracts and if you are entering into this agreement for an entity, such as the company, municipality, or government agency you work for, you represent to TASER that you have legal authority to bind that entity. If you do not have this authority, do not sign this Quote.

**Signature:** _____ **Date:** _____

**Name (Print):** _____ **Title:** _____

**PO# (if needed):** _____

Quote: Q-88228-8

Please sign and email to Paul Strozier at pstrozier@taser.com or fax to

THANK YOU FOR YOUR BUSINESS!

'Protect Life' and © are trademarks of TASER International, Inc., and TASER® is a registered trademark of TASER International, Inc., registered in the U.S.
© 2013 TASER International, Inc. All rights reserved.

# MASTER SERVICES AND PURCHASING AGREEMENT

**between**

**TASER INTERNATIONAL, INC.**

**and**

**Texarkana Police Dept. - TX**

CITY Agreement Number:

Attachment: 2017-031 ATTH 03 Texarkana_MSPA_2017-2-16 ASSURANCE (jcl rev)) (1619 : 2017-031 RES Authorizing Purchasing Agreement

TASER
PROTECT LIFE

# MASTER SERVICES AND PURCHASING AGREEMENT

This Master Agreement (the **Agreement**) by and between TASER International, Inc., (**TASER or Party**) a Delaware corporation having its principal place of business at 17800 N 85th Street, Scottsdale, Arizona, 85255, and Texarkana Police Dept. - TX, (**Agency or Party)** having its principal place of business at 100 N. State Line Ave., Texarkana, TX, 75501, is entered into as of March, 31, 2017 (**the Effective Date**). TASER and AGENCY are collectively referred to as **Parties.**

This Agreement sets forth the terms and conditions for the purchase, delivery, use, and support of TASER products and services as detailed in Quote # Q-88228 (the **Quote**), which is hereby incorporated by reference. It is the intent of the Parties that this Agreement shall act as a master agreement governing all subsequent purchases by Agency of TASER Products and all subsequent quotes accepted by Agency shall be also incorporated by reference as a Quote. In consideration of this Agreement the Parties agree as follows:

**1** **Term.** This Agreement will commence on the Effective Date and will remain in full force and effect until terminated by either Party. TASER services will not be authorized until a signed Quote or Purchase Order is received, whichever is first.

**1.1** **Evidence.com Subscription Term:** The Initial Term of the Subscription services will begin after shipment of the Product. If shipped in the first half of the month, the start date is on the 1st of the following month. If shipped in the last half of the month, the start date is on the 15th of the following month. Subscription Services will automatically renew for additional successive Terms of one (1) year after completion of the initial Term at the list price detailed in the Quote, unless the Agency gives TASER written notice of termination within sixty (60) days prior to the end of a one (1) year period.

**1.2** **Professional Services Term:** Amounts pre-paid for professional services as outlined in the Quote and the Professional Service Appendix must be used within 6 months of the Effective Date.

**2** **Definitions.**

**"Business Day"** means Monday through Friday, excluding holidays.

**"Confidential Information"** means all nonpublic information disclosed by TASER, TASER affiliates, business partners of TASER or their respective employees, contractors or agents that is designated as confidential or that, given the nature of the information or circumstances surrounding its disclosure, reasonably should be understood to be confidential.

**"Documentation"** means the (i) specifications, explanatory or informational materials, whether in paper or electronic form, that relate to the Services provided under this Agreement, or (ii) user manuals, technical manuals, training manuals, warnings, specification or other explanatory or informational materials, whether in paper or electronic form, that relate to the Products provided under this Agreement.

**"Evidence.com Service"** means TASER web services for Evidence.com, the Evidence.com site, EVIDENCE Sync software, EVIDENCE Mobile App, Axon® Mobile App, other software, maintenance, storage, and product or service provided by us under this Agreement for use with Evidence.com. This does not include any Third Party Applications, hardware warranties, or the my.evidence.com services.

"**Installation Site**" means the location(s) where the Products are to be installed.

**"Policies"** means the Trademark Use Guidelines, all restrictions described on the TASER website, and any other policy or terms referenced in or incorporated into this Agreement. Policies do not include whitepapers or other marketing materials.



Attachment: 2017-031 ATTH 03 Texarkana_MSPA_2017-2-16 ASSURANCE (jcl rev)) (1619 : 2017-031 RES Authorizing Purchasing Agreement

**"Products"** means all TASER equipment, software, cloud based services, Documentation and software maintenance releases and updates provided by TASER under this Agreement.

**"Quote"** is an offer to sell, is valid only for products and services listed on the quote at prices on the quote. All Quotes referenced in this Agreement or issued and accepted after the Effective Date of this Agreement will be subject to the terms of this Agreement. Any terms and conditions contained within the Agency's purchase order in response to the Quote will be null and void and shall have no force or effect. TASER is not responsible for pricing, typographical, or other errors in any offer by TASER and TASER reserves the right to cancel any orders resulting from such errors. TASER reserves the right to adjust prices or Products unless otherwise specified in the Quote.

**"Resolution Time"** means the elapsed time between TASER's acknowledgment of an issue until the problem in the Services has been resolved, which does not include time delays caused by the Agency or by third parties outside of TASER's reasonable control.

**"Services"** means all services provided by TASER pursuant to this Agreement.

**"Agency Content"** means software, data, text, audio, video, images or other Agency content or any of the Agency's end users (a) run on the Evidence.com Services, (b) caused to interface with the Evidence.com Services, or (c) uploaded to the Evidence.com Services under the Agency account or otherwise transfer, process, use or store in connection with the Agency account.

**3** **Payment Terms.** Invoices are due to be paid within 30 days of the date of invoice. All orders are subject to prior credit approval. Payment obligations are non-cancelable and fees paid are non-refundable and all amounts payable will be made without setoff, deduction, or withholding.

**4** **Taxes.** Unless TASER is provided with a valid and correct tax exemption certificate applicable to the purchase and ship-to location, the Agency is responsible for sales and other taxes associated with the order.

**5** **Shipping; Title; Risk of Loss; Rejection.** TASER reserves the right to make partial shipments and products may ship from multiple locations. All shipments are E.X.W. via common carrier and title and risk of loss pass to the Agency upon delivery to the common carrier by TASER. The Agency is responsible for all freight charges. Any loss or damage that occurs during shipment is the Agency's responsibility. Shipping dates are estimates only. The Agency may reject nonconforming Product by providing TASER written notice of rejection within 10 business days of shipment. Failure to notify TASER within the 10 day rejection period will be deemed as acceptance of Product.

**6** **Returns.** All sales are final and no refunds or exchanges are allowed, except for warranty returns or as provided by state or federal law.

**7** **Warranties.**

**7.1** **Hardware Limited Warranty.** TASER warrants that its law enforcement hardware products are free from defects in workmanship and materials for a period of ONE (1) YEAR from the date of receipt. Extended warranties run from the date of purchase of the extended warranty through the balance of the 1-year limited warranty term plus the term of the extended warranty measured after the expiration of the 1-year limited warranty. CEW cartridges and Smart cartridges that are expended are deemed to have operated properly. TASER-Manufactured Accessories are covered under a limited 90-DAY warranty from the date of receipt. Non-TASER manufactured accessories are covered under the manufacturer's warranty. If TASER determines that a valid warranty claim is received within the warranty period, TASER agrees to repair or replace the Product. TASER's sole responsibility under this warranty is to either repair or replace



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with the same or like Product, at TASER's option.

**7.2 Warranty Limitations.**

**7.2.1** The warranties do not apply and TASER will not be responsible for any loss, data loss, damage, or other liabilities arising from: (a) damage from failure to follow instructions relating to the Product's use; (b) damage caused by use with non-TASER products or from the use of cartridges, batteries or other parts, components or accessories that are not manufactured or recommended by TASER; (c) damage caused by abuse, misuse, intentional or deliberate damage to the product, or force majeure; (d) damage to a Product or part that has been repaired or modified by persons other than TASER authorized personnel or without the written permission of TASER; or (e) if any TASER serial number has been removed or defaced.

**7.2.2 To the extent permitted by law, the warranties and the remedies set forth above are exclusive and TASER disclaims all other warranties, remedies, and conditions, whether oral or written, statutory, or implied, as permitted by applicable law. If statutory or implied warranties cannot be lawfully disclaimed, then all such warranties are limited to the duration of the express warranty described above and limited by the other provisions contained in this Agreement.**

**7.2.3 TASER's cumulative liability to any Party for any loss or damage resulting from any claims, demands, or actions arising out of or relating to any TASER product will not exceed the purchase price paid to TASER for the product or if for services, the amount paid for such services over the prior 12 months preceding the claim. In no event will either Party be liable for any direct, special, indirect, incidental, exemplary, punitive or consequential damages, however caused, whether for breach of warranty, breach of contract, negligence, strict liability, tort or under any other legal theory**.

**7.3 Warranty Returns.** If a valid warranty claim is received by TASER within the warranty period, TASER agrees to repair or replace the Product which TASER determines in its sole discretion to be defective under normal use, as defined in the Product instructions. TASER's sole responsibility under this warranty is to either repair or replace with the same or like Product, at TASER's option.

**7.3.1** For warranty return and repair procedures, including troubleshooting guides, please go to TASER's websites www.taser.com/support or www.evidence.com, as indicated in the appropriate product user manual or quick start guide.

**7.3.2** Before delivering product for warranty service, it is the Agency's responsibility to upload the data contained in the product to the EVIDENCE.com services or download the product data and keep a separate backup copy of the contents. TASER is not responsible for any loss of software programs, data, or other information contained on the storage media or any other part of the product services.

**7.3.3** A replacement product will be new or like new and have the remaining warranty period of the original product or 90 days from the date of replacement or repair, whichever period is longer. When a product or part is exchanged, any replacement item becomes Purchaser's property and the replaced item becomes TASER's property.

**8 Product Warnings.** See our website at www.TASER.com for the most current product warnings.

**9 Design Changes.** TASER reserves the right to make changes in the design of any of TASER's products and services without incurring any obligation to notify the Agency or to make the same change to products and services previously purchased.



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**10** **Insurance.** TASER will maintain at TASER's own expense and in effect during the Term, Commercial General Liability Insurance, Workers' Compensation Insurance and Commercial Automobile Insurance and will furnish certificates of insurance or self-insurance upon request.

**11** **Indemnification.** TASER will indemnify and defend the Agency Indemnitees (the Agency's officers, governing council, and its municipal employees) from and against all claims, demands, losses, liabilities, reasonable costs and expenses arising out of a claim by a third party against an Agency Indemnitee resulting from any negligent act, error or omission, or willful misconduct of TASER under or related to this Agreement, except in the case of negligent acts, omissions or willful misconduct of the Agency or claims that fall under Workers Compensation coverage.

**12** **IP Rights.** TASER owns and reserves all right, title, and interest in the TASER Products and related software, as well as any suggestions made to TASER.

**13** **IP Indemnification.** TASER will defend, indemnify, and hold the Agency Indemnitees harmless from and against any claims, damages, losses, liabilities, costs, and expenses (including reasonable attorneys' fees) arising out of or relating to any third-party claim alleging that use of TASER Products or Services as permitted under this Agreement infringes or misappropriates the intellectual property rights of a third party. The Agency must provide TASER with prompt written notice of such a claim, tender to us the defense or settlement of such a claim at our expense, and cooperate fully with us in the defense or settlement of such a claim.

TASER has no liability to the Agency or any third party if any alleged infringement or claim of infringement is to any extent based upon: (a) any modification of the Evidence.com Services by the Agency or any third party not approved by TASER; (b) use of the Evidence.com Services in connection or in combination with equipment, devices, or services not approved or recommended by TASER; (c) the use of Evidence.com Services other than as permitted under this Agreement or in a manner for which it was not intended; or (d) the use of other than the most current release or version of any software provided by TASER as part of or in connection with the Evidence.com Services. Nothing in this Section will affect any warranties in favor of the Agency that are otherwise provided in or arise out of this Agreement.

**14** **Agency Responsibilities.** The Agency is responsible for (i) use of TASER Products (including any activities under the Agency Evidence.com account and use by Agency employees and agents), (ii) breach of this Agreement or violation of applicable law by the Agency or any of the Agency's end users, (iii) Agency Content or the combination of Agency Content with other applications, content or processes, including any claim involving alleged infringement or misappropriation of third party rights by Agency Content or by the use of Agency Content, (iv) a dispute between the Agency and any third party over Agency use of TASER products or the collection or use of Agency Content, (v) any hardware or networks that the Agency connects to the Evidence.com Services, and (vi) any security settings the Agency establishes to interact with or on the Evidence.com Services.

**15** **Termination.**

**15.1** **By Either Party.** Either Party may terminate for cause upon 30 days advance notice to the other Party if there is any material default or breach of this Agreement by the other Party, unless the defaulting Party has cured the material default or breach within the 30-day notice period. In the event that the Agency terminates this Agreement under this Section and TASER fails to cure the material breach or default, TASER will issue a refund of any prepaid amounts on a prorated basis.

**15.2** **By Agency.** The Agency is obligated to pay the fees under this Agreement as may lawfully be made from funds budgeted and appropriated for that purpose during the then current fiscal year.



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In the event that sufficient funds will not be appropriated or are not otherwise legally available to pay the fees required under this Agreement, this Agreement may be terminated by the Agency. The Agency agrees to deliver notice of termination under this Section at least 90 days prior to the end of the then current fiscal year.

**15.3 Effect of Termination.** Upon any termination of this Agreement: (a) all Agency rights under this Agreement immediately terminate; (b) the Agency remains responsible for all fees and charges incurred through the date of termination; and (c) Payment Terms, Warranty, Product Warnings, Indemnification, and Agency Responsibilities Sections, as well as the Evidence.com Terms of Use Appendix Sections on Agency Owns Agency Content, Data Storage, Fees and Payment, Software Services Warranty, IP Rights and License Restrictions will continue to apply in accordance with their terms.

**15.4 After Termination.** TASER will not delete any Agency Content as a result of a termination during a period of 90 days following termination. During this 90-day period the Agency may retrieve Agency Content only if all amounts due have been paid (there will be no application functionality of the Evidence.com Services during this 90-day period other than the ability to retrieve Agency Content). The Agency will not incur any additional fees if Agency Content is downloaded from Evidence.com during this 90-day period. TASER has no obligation to maintain or provide any Agency Content after this 90-day period and will thereafter, unless legally prohibited, delete all of Agency Content stored in the Evidence.com Services. Upon request, TASER will provide written proof that all Agency Content has been successfully deleted and fully removed from the Evidence.com Services.

**15.5 Post-Termination Assistance.** TASER will provide Agency with the same post-termination data retrieval assistance that TASER generally makes available to all customers. Requests for TASER to provide additional assistance in downloading or transferring Agency Content will result in additional fees and TASER will not warrant or guarantee data integrity or readability in the external system.

## 16 General.

**16.1 Confidentiality**. Both Parties will take all reasonable measures to avoid disclosure, dissemination or unauthorized use of either Party's Confidential Information, except as required by applicable law. Neither Party will disclose either Party's Confidential Information during the Term or at any time during the 5-year period following the end of the Term, except as required by law. The Parties acknowledge and agree that Agency is subject to Chapter 552 of the Texas Government Code, commonly known as the "Texas Public Information Act" or "Texas Open Records Act" ("the Act"). Notwithstanding any other provision, including exemptions or exceptions to the Act, the Parties agree that in the event that any provision of this Agreement, or other documents related to this Agreement, including, but not limited to, any exhibit, attachment, amendment, addendum, or other incorporated document, is determined by a court or the Attorney General of the State of Texas to be in conflict with the Act, such provision shall, insofar as that conflict, be of no force or effect. Unless disclosure is required by law, Agency agrees, to the extent permitted by the Act, to exercise reasonable and prudent measures to safeguard TASER's Confidential Information unless TASER authorizes disclosure, TASER has already made public the information, the Agency obtained the information from another source independent of TASER, or an opinion of the Attorney General requires disclosure.

1) Any information or documents that TASER uses in the performance of the services provided under this Agreement which TASER considers confidential or proprietary or which contain trade secrets must be clearly marked accordingly by TASER. The marking must be explicit as to the designated information.



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2) In the event Agency receives a request for information pursuant to the Act that affects TASER's rights, title to, or interest in any software, or a part thereof, or other information, items or data furnished to Agency by TASER under the Agreement, then Agency will comply with the Act's requirements for notice to TASER of such request. TASER shall state in writing to Agency within three (3) business days of receiving Agency's notice whether it intends to approve release of the requested information or assert to the Texas Attorney General statutory exceptions to disclosure. If TASER decides to assert exceptions to the Act in response to the request, then TASER shall, at its own expense, prepare and send the notices, comments, and briefing for its submission to the Attorney General in accordance with the substantive requirements and time periods provided in the Act. TASER shall also prepare at its expense for Agency's use the notices, comments, and briefing for Agency's submission to the Attorney General in accordance with the substantive requirements and time periods provided in the Act.

3) The parties intend for TASER to hold Agency harmless should TASER seek a judicial ruling on its asserted statutory exceptions to withholding information requested under the Act. For any suit pursuant to Sections 552.324 and 552.325 of the Texas Government Code, TASER shall bear all litigation costs, expenses, attorney's fees, and assessments, including the costs, expenses, and attorney's fees incurred by Agency and any adverse assessments against Agency arising out of Agency being a named party to such a suit. As a condition precedent to City's involvement in such a suit, TASER shall deposit with Agency the dollar amount estimated by Agency that will be incurred for costs, expenses, and attorney's fees.

**16.2** **Excusable delays**. TASER will use commercially reasonable efforts to deliver all products and services ordered as soon as reasonably practicable. In the event of interruption of any delivery due to causes beyond TASER's reasonable control TASER has the right to delay or terminate the delivery with reasonable notice.

**16.3** **Force Majeure**. Neither Party will be liable for any delay or failure to perform any obligation under this Agreement where the delay or failure results from any cause beyond the Parties' reasonable control, including acts of God, labor disputes or other industrial disturbances, systemic electrical, telecommunications, or other utility failures, earthquake, storms or other elements of nature, blockages, embargoes, riots, acts or orders of government, acts of terrorism, or war.

**16.4** **Proprietary Information**. The Agency agrees that TASER has and claims various proprietary rights in the hardware, firmware, software, and the integration of ancillary materials, knowledge, and designs that constitute TASER products and services, and that the Agency will not directly or indirectly cause any proprietary rights to be violated. This paragraph 16.4 shall not govern if disclosure of Proprietary Information is required pursuant to paragraph 16.1.

**16.5** **Independent Contractors**. The Parties are independent contractors. Neither Party, nor any of their respective affiliates, has the authority to bind the other. This Agreement does not create a partnership, franchise, joint venture, agency, fiduciary, or employment relationship between the Parties.

**16.6** **No Third Party Beneficiaries**. This Agreement does not create any third party beneficiary rights in any individual or entity that is not a party to this Agreement.

**16.7** **Non-discrimination and Equal Opportunity**. During the performance of this Agreement, neither the Parties nor the Party's employees will discriminate against any person, whether



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employed by a Party or otherwise, on the basis of basis of race, color, religion, gender, age, national origin, handicap, marital status, or political affiliation or belief. In all solicitations or advertisements for employees, agents, subcontractors or others to be engaged by a Party or placed by or on behalf of a Party, the solicitation or advertisement shall state all qualified applicants shall receive consideration for employment without regard to race, color, religion, gender, age, national origin, handicap, marital status, or political affiliation or belief.

**16.8 U.S. Government Rights**. Any Evidence.com Services provided to the U.S. Government as "commercial items," "commercial computer software," "commercial computer software documentation," and "technical data" will have the same rights and restrictions generally applicable to the Evidence.com Services. If the Agency is using the Evidence.com Services on behalf of the U.S. Government and these terms fail to meet the U.S. Government's needs or are inconsistent in any respect with federal law, the Agency will immediately discontinue use of the Evidence.com Services. The terms "commercial item," "commercial computer software," "commercial computer software documentation," and "technical data" are defined in the Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement.

**16.9 Import and Export Compliance**. In connection with this Agreement, each Party will comply with all applicable import, re- import, export, and re-export control laws and regulations.

**16.10 Assignment**. Neither Party may assign or otherwise transfer this Agreement without the prior written approval of the other Party. TASER may assign or otherwise transfer this Agreement or any of our rights or obligations under this Agreement without consent (a) for financing purposes, (b) in connection with a merger, acquisition or sale of all or substantially all of our assets, (c) as part of a corporate reorganization, or (d) to a subsidiary corporation. Subject to the foregoing, this Agreement will be binding upon the Parties and their respective successors and assigns.

**16.11 No Waivers**. The failure by either Party to enforce any provision of this Agreement will not constitute a present or future waiver of the provision nor limit the Party's right to enforce the provision at a later time.

**16.12 Severability**. This Agreement is contractual and not a mere recital. If any portion of this Agreement is held to be invalid or unenforceable, the remaining portions of this Agreement will remain in full force and effect.

**16.13 Governing Law; Venue**. The laws of the state where the Agency is physically located, without reference to conflict of law rules, govern this Agreement and any dispute of any sort that might arise between the Parties. The United Nations Convention for the International Sale of Goods does not apply to this Agreement.

**16.14 Notices**. All communications and notices to be made or given pursuant to this Agreement must be in the English language. Notices provided by posting on the Agency's Evidence.com site will be effective upon posting and notices provided by email will be effective when the email was sent. Notices provided by personal delivery will be effective immediately. Contact information for notices:

TASER: TASER International, Inc.
ATTN: Contracts
17800 N. 85th Street
Scottsdale, Arizona 85255
contracts@taser.com

AGENCY: Texarkana, Texas Police Department
ATTN: Capt. Michael Henry
100 N. State Line Ave.
Texarkana, TX 75501
henry@txkusa.org



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**16.15 Entire Agreement**. This Agreement, including the APPENDICES attached hereto, and the Policies and the quote provided by TASER, represents the entire agreement between the Parties. This Agreement supersedes all prior or contemporaneous representations, understandings, agreements, or communications between the Parties, whether written or verbal, regarding the subject matter of this Agreement. No modification or amendment of any portion of this Agreement will be effective unless in writing and signed by the Parties to this Agreement. If TASER provides a translation of the English language version of this Agreement, the English language version of the Agreement will control if there is any conflict.

**16.16 Counterparts**. If this Agreement form requires the signatures of the Parties, then this Agreement may be executed by electronic signature in multiple counterparts, each of which is considered an original.

**16.17 Governmental Immunity.** Nothing in this Agreement shall be deemed to waive, modify, or alter Agency's governmental (sovereign) immunity under the laws of the State of Texas.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be duly executed. Each Party warrants and represents that its respective signatories whose signatures appear below have been and are, on the date of signature, duly authorized to execute this Agreement.

**TASER International, Inc.**
Signature: _____
Name: _____
Title: _____
Date: _____
Address: 17800 N. 85th Street Scottsdale, AZ 85255

Attn: Contracts

Email: contracts@taser.com

**Texarkana Police Dept. - TX**
Signature: _____
Name: John A. Whitson, ICMA-CM
Title: City Manager
Date: _____
Address: 100 N. State Line Ave., Texarkana, TX, 75501



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# Evidence.com Terms of Use
# Appendix

1 **Access Rights.** Upon the purchase or granting of a subscription from TASER and the opening of an Evidence.com account the Agency will have access and use of the Evidence.com Services for the storage and management of Agency Content during the subscription term (**Term**). The Evidence.com Service and data storage are subject to usage limits. The Evidence.com Service may not be accessed by more than the number of end users specified in the Quote. If Agency becomes aware of any violation of this Agreement by an end user, the Agency will immediately terminate that end user's access to Agency Content and the Evidence.com Services.

2 **Agency Owns Agency Content.** The Agency controls and owns all right, title, and interest in and to Agency Content and TASER obtains no rights to the Agency Content and the Agency Content are not business records of TASER. The Agency is solely responsible for the uploading, sharing, withdrawal, management and deletion of Agency Content. TASER will have limited access to Agency Content solely for the purpose of providing and supporting the Evidence.com Services to the Agency and Agency end users. The Agency represents that the Agency owns Agency Content; and that none of Agency Content or Agency end users' use of Agency Content or the Evidence.com Services will violate this Agreement or applicable laws.

3 **Evidence.com Data Security.**

**3.1. Generally.** TASER will implement commercially reasonable and appropriate measures designed to secure Agency Content against accidental or unlawful loss, access or disclosure. TASER will maintain a comprehensive Information Security Program (**ISP**) that includes logical and physical access management, vulnerability management, configuration management, incident monitoring and response, encryption of digital evidence uploaded, security education, risk management, and data protection. The Agency is responsible for maintaining the security of end user names and passwords and taking steps to maintain appropriate security and access by end users to Agency Content. Log-in credentials are for Agency internal use only and Agency may not sell, transfer, or sublicense them to any other entity or person. The Agency agrees to be responsible for all activities undertaken by the Agency, Agency employees, Agency contractors or agents, and Agency end users which result in unauthorized access to the Agency account or Agency Content. Audit log tracking for the video data is an automatic feature of the Services which provides details as to who accesses the video data and may be downloaded by the Agency at any time. The Agency shall contact TASER immediately if an unauthorized third party may be using the Agency account or Agency Content or if account information is lost or stolen.

**3.2. FBI CJIS Security Addendum.** For customers based in the United States, TASER agrees to the terms and requirements set forth in the Federal Bureau of Investigation (**FBI**) Criminal Justice Information Services (**CJIS**) Security Addendum for the Term of this Agreement.

4 **Our Support.** TASER will make available updates as released by TASER to the Evidence.com Services. Updates may be provided electronically via the Internet. TASER will use reasonable efforts to continue supporting the previous version of any API or software for 6 months after the change (except if doing so (a) would pose a security or intellectual property issue, (b) is economically or technically burdensome, or (c) is needed to comply with the law or requests of governmental entities. The Agency is responsible for maintaining the computer equipment and Internet connections necessary for use of the Evidence.com Services.

5 **Data Privacy.** TASER will not disclose Agency Content or any information about the Agency except as compelled by a court or administrative body or required by any law or regulation. TASER will give notice



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if any disclosure request is received for Agency Content so the Agency may file an objection with the court or administrative body. The Agency agrees to allow TASER access to certain information from the Agency in order to: (a) perform troubleshooting services for the account upon request or as part of our regular diagnostic screenings; (b) enforce this agreement or policies governing use of Evidence.com Services; or (c) perform analytic and diagnostic evaluations of the systems.

**6** **Data Storage.** TASER will determine the locations of the data centers in which Agency Content will be stored and accessible by Agency end users. For United States customers, TASER will ensure that all Agency Content stored in the Evidence.com Services remains within the United States including any backup data, replication sites, and disaster recovery sites. TASER may transfer Agency Content to third parties for the purpose of storage of Agency Content. Third party subcontractors responsible for storage of Agency Content are contracted by TASER for data storage services. Ownership of Agency Content remains with the Agency. For use of an Unlimited Evidence.com License unlimited data may be stored in the Agency's Evidence.com account if the data originates from a TASER device. For use of Totally Unlimited Evidence.com Licenses TASER reserves the right to limit the types of content the Agency can store and share using the Services.

**7** **Fees and Payment.** Additional end users may be added during the Term at the pricing in effect at the time of purchase of additional end users, prorated for the duration of the Term. Additional end user accounts will terminate on the same date as the pre-existing subscriptions. TASER reserves the right to charge additional fees for exceeding purchased storage amounts or for TASER's assistance in the downloading or exporting of Agency Content.

**8** **Suspension of Evidence.com Services.** TASER may suspend Agency access or any end user's right to access or use any portion or all of the Evidence.com Services immediately upon notice in accordance with the following:

**8.1.** The Termination provisions of the Master Service Agreement apply;

**8.2.** The Agency or an end user's use of or registration for the Evidence.com Services (i) poses a security risk to the Evidence.com Services or any third party, (ii) may adversely impact the Evidence.com Services or the systems or content of any other customer, (iii) may subject TASER, TASER's affiliates, or any third party to liability, or (iv) may be fraudulent;

**8.3.** If TASER suspends the right to access or use any portion or all of the Evidence.com Services, the Agency remains responsible for all fees and charges incurred through the date of suspension without any credits for any period of suspension. TASER will not delete any of Agency Content on Evidence.com as a result of a suspension, except as specified elsewhere in this Agreement.

**9** **Software Services Warranty**. TASER warrants that the Evidence.com Services will not infringe or misappropriate any patent, copyright, trademark, or trade secret rights of any third party. TASER disclaims any warranties or responsibility for data corruption or errors before the data is uploaded to the Evidence.com Services.

**10** **License Restrictions**. Neither the Agency nor any Agency end users may, or attempt to: (a) permit any third party to access the Evidence.com Services except as permitted in this Agreement; (b) modify, alter, tamper with, repair, or otherwise create derivative works of any of the Evidence.com Services; (c) reverse engineer, disassemble, or decompile the Evidence.com Services or apply any other process or procedure to derive the source code of any software included in the Evidence.com Services, or allow any others to do the same; (d) access or use the Evidence.com Services in a way intended to gain unauthorized access, avoid incurring fees or exceeding usage limits or quotas; (e) copy the Evidence.com Services in whole or part, except as expressly permitted in this Agreement; (f) use trade secret information contained in the Evidence.com Services, except as expressly permitted in this Agreement; (g)



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resell, rent, loan, or sublicense the Evidence.com Services; (h) access the Evidence.com Services in order to build a competitive product or service or copy any features, functions, or graphics of the Evidence.com Services; (i) remove, alter, or obscure any confidentiality or proprietary rights notices (including copyright and trademark notices) of ours or our licensors on or within the Evidence.com Services or any copies of the Evidence.com Services; or (j) use the Evidence.com Services to store or transmit infringing, libelous, or otherwise unlawful or tortious material, to store or transmit material in violation of third party privacy rights, or to store or transmit malicious code. All licenses granted in this Agreement are conditional on continued compliance with this Agreement, and will immediately and automatically terminate if the Agency does not comply with any term or condition of this Agreement. The Agency may only use our trademarks in accordance with the TASER Trademark Use Guidelines (located at www.TASER.com).



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# Professional Services Appendix

1 **Scope of Services.** The project scope will consist of the Services identified on the Quote.

**1.1.** The Package for the Axon and Evidence.com related Services are detailed below:

| |
|---|
| **System set up and configuration**<br>Setup Axon® Mobile on smart phones (if applicable).<br>Configure categories & custom roles based on Agency need.<br>Troubleshoot IT issues with Evidence.com and Evidence.com Dock (Dock) access.<br>Work with IT to install EVIDENCE Sync software on locked-down computers (if applicable).<br>Virtual Assistance Included |
| **Dock installation**<br>Work with Agency to decide ideal location of Dock setup and set configurations on Dock if necessary.<br>Authenticate Dock with Evidence.com using "admin" credentials from Agency.<br>Work with Agency's IT to configure its network to allow for maximum bandwidth and proper operation within Agency's network environment.<br>Virtual Assistance Included |
| **Dedicated Project Manager**<br>Assignment of a specific TASER representative for all aspects of planning the Product rollout (Project Manager). Ideally, the Project Manager will be assigned to the Agency 4–6 weeks prior to rollout. |
| **Weekly project planning meetings**<br>Project Manager will develop a Microsoft Project plan for the rollout of Axon camera units, Docks and Evidence.com account training based on size, timing of rollout and Agency's desired level of training. Up to 4 weekly meetings leading up to the Evidence.com Dock installation of not more than 30 minutes in length. |
| **Axon instructor training**<br>Prior to general user training on Axon camera systems and Evidence.com services, TASER's on-site professional services team will provide training for instructors who can support the Agency's subsequent Axon camera and Evidence.com training needs. |
| **End user go live training and support sessions**<br>Provide individual device set up and configuration assistance; pairing with viewers when applicable; and training on device use, Evidence.com and EVIDENCE Sync. |
| **Implementation document packet**<br>Evidence.com administrator guides, camera implementation guides, network setup guide, sample policies, and categories & roles guide |
| **Post go live review session** |

**1.2.** Additional training days may be added on to any service package for additional fees set forth in the Quote.

2 **Out of Scope Services.** TASER is responsible to perform only the Services described on the Quote. Any additional services discussed or implied that are not defined explicitly by the Quote will be considered out of the scope.

3 **Delivery of Services.**

**3.1.** **Hours and Travel.** TASER personnel will work within normal business hours, Monday through Friday, 8:30 a.m. to 5:30 p.m., except holidays unless otherwise agreed in advance. All tasks on-site will be performed over a consecutive timeframe unless otherwise agreed to by the Parties in



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advance. Travel time by TASER personnel to Agency premises will not be charged as work hours performed.

**3.2. Changes to Services.** Changes to the scope of Services must be documented and agreed upon by the Parties in a change order. Changes may require an equitable adjustment in the charges or schedule.

**4** **Authorization to Access Computer Systems to Perform Services.** The Agency authorizes TASER to access relevant Agency computers and network systems solely for the purpose of performing the Services. TASER will work diligently to identify as soon as reasonably practicable the resources and information TASER expects to use, and will provide an initial itemized list to the Agency. The Agency is responsible for, and assumes the risk of any problems, delays, losses, claims, or expenses resulting from the content, accuracy, completeness, and consistency of all data, materials, and information supplied by the Agency.

**5** **Site Preparation and Installation.** Prior to delivering any Services, TASER will provide 1 copy of the then-current user documentation for the Services and related Products in paper or electronic form (**Product User Documentation**). The Product User Documentation will include all environmental specifications that must be met in order for the Services and related Products to operate in accordance with the Product User Documentation. Prior to the installation of Product (whether performed by the Agency or TASER), the Agency must prepare the Installation Site in accordance with the environmental specifications set forth in the Product User Documentation. Following the installation of the Products, the Agency must maintain the Installation Site where the Products have been installed in accordance with the environmental specifications set forth in the Product User Documentation. In the event that there are any updates or modifications to the Product User Documentation for any Products provided by TASER under this Agreement, including the environmental specifications for the Products, TASER will provide the updates or modifications to Agency when they are generally released by TASER to TASER customers.

**6** **Acceptance Checklist.** TASER will present an Acceptance Checklist (**Checklist**) upon completion of the Services that will exactly mirror the description of services within this Section. The Agency will sign the Checklist acknowledging completion of the Services once the on-site service session has been completed. If the Agency reasonably believes that TASER did not complete the Services in substantial conformance with this Agreement, the Agency must notify TASER in writing of the specific reasons for rejection of the Services within 7 calendar days from delivery of the Checklist. TASER will address the issues and then will re-present the Checklist for approval and signature. If TASER does not receive the signed Checklist or a written notification of the reasons for the rejection of the performance of the Services within 7 calendar days of delivery of the Checklist, the absence of the Agency response will constitute affirmative acceptance of the Services, and a waiver of any right of rejection.

**7** **Liability for Loss or Corruption of Data.** The Agency is responsible for: (i) instituting proper and timely backup procedures for Agency software and data; (ii) creating timely backup copies of Agency software or data that may be damaged, lost, or corrupted due to our provision of Services; and (iii) using backup copies to restore any Agency software or data in the event of any loss of, damage to, or corruption of the operational version of Agency software or data, even if such damage, loss, or corruption is due to TASER negligence. However, regardless of any assistance provided by TASER: (i) TASER will in no way be liable for the accuracy, completeness, success, or results of efforts to restore Agency software or data; (ii) any assistance provided by TASER under this Section is without warranty, express or implied; and (iii) in no event will TASER be liable for loss of, damage to, or corruption of Agency data from any cause.



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# TASER Assurance Plan
# Appendix

The TASER Assurance Plan or "TAP" has been purchased as part of the Quote attached to this Agreement. TAP provides hardware extended warranty coverage, Spare Products, and Upgrade Models at the end of the TAP Term. TAP only applies to the TASER Product listed in the Quote with the exception of any initial hardware or any software services offered for, by, or through the Evidence.com website. The Agency may not buy more than one TAP for any one covered Product.

**1** **TAP Warranty Coverage**. TAP includes the extended warranty coverage described in the current hardware warranty. TAP warranty coverage starts at the beginning of the TAP Term and continues as long as the Agency continues to pay the required annual fees for TAP. The Agency may not have both an optional extended warranty and TAP on the Axon camera/Dock product. TAP for the Axon camera products also includes free replacement of the Axon flex controller battery and Axon body battery during the TAP Term for any failure that is not specifically excluded from the Hardware Warranty.

**2** **TAP Term**. TAP Term start date is based upon the shipment date of the hardware covered under TAP. If the shipment of the hardware occurred in the first half of the month, then the Term starts on the 1st of the following month. If the shipment of the hardware occurred in the second half of the month, then the Term starts on the 15th of the following month.

**3** **SPARE Product**. TASER will provide a predetermined number of spare Products for those hardware items and accessories listed in the Quote (collectively the "Spare Products") to keep at the Agency location to replace broken or non-functioning units in order to improve the availability of the units to officers in the field. The Agency must return to TASER, through TASER's RMA process, any broken or non-functioning units for which a Spare Product is utilized, and TASER will repair or replace the non-functioning unit with a replacement product. TASER warrants it will repair or replace the unit which fails to function for any reason not excluded by the TAP warranty coverage, during the TAP Term with the same product or a like product, at TASER's sole option. The Agency may not buy a new TAP for the replacement product or the Spare Product.

**3.1.** Within 30 days of the end of the TAP Term the Agency must return to TASER all Spare Products. The Agency will be invoiced for and are obligated to pay to TASER the MSRP then in effect for all Spare Products not returned to TASER. If all the Spare Products are returned to TASER, then TASER will refresh the allotted number of Spare Products with Upgrade Models if the Agency purchases a new TAP for the Upgrade Models.

**4** **TAP Upgrade Models**. Upgrade Models are to be provided as follows during and/or after the TAP Term: (i) an upgrade will be provided in year 3 if the Agency purchased 3 years of Evidence.com services with Ultimate Licenses or Unlimited Licenses and all TAP payments are made; or (ii) 2.5 years after the Effective Date and once again 5 years after the Effective Date if the Agency purchased 5 years of Evidence.com services with an Ultimate License or Unlimited Licenses or OSP and made all TAP payments.

Any products replaced within the six months prior to the scheduled upgrade will be deemed the Upgrade Model. Thirty days after the Upgrade Models are received, the Agency must return the products to TASER or TASER will deactivate the serial numbers for the products received unless the Agency purchases additional Evidence.com licenses for the Axon camera products the Agency is keeping. The Agency may buy a new TAP for any Upgraded Model.



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**4.1. TAP Axon Camera Upgrade Models**.

**4.1.1.** If the Agency purchased TAP for Axon Cameras as a stand-alone service, then TASER will upgrade the Axon camera (and controller if applicable), free of charge, with a new on-officer video camera that is the same product or a like product, at TASER's sole option. TASER makes no guarantee that the Upgrade Model will utilize the same accessories or Dock. If the Agency would like to change product models for the Upgrade Model, then the Agency must pay the price difference in effect at the time of the upgrade between the MSRP for the offered Upgrade Model and the MSRP for the model that will be acquired. No refund will be provided if the MSRP of the new model is less than the MSRP of the offered Upgrade Model.

**4.1.2.** If the Agency purchased Unlimited License or OSP, then TASER will upgrade the Axon camera (and controller if applicable), free of charge, with a new on-officer video camera of the Agency's choice.

**4.2. TAP Dock Upgrade Models**. TASER will upgrade the Dock free of charge, with a new Dock with the same number of bays that is the same product or a like product, at TASER's sole option. If the Agency would like to change product models for the Upgrade Model or add additional bays, then the Agency must pay the price difference in effect at the time of the upgrade between the MSRP for the offered Upgrade Model and the MSRP for the model desired. No refund will be provided if the MSRP of the new model is less than the MSRP of the offered Upgrade Model.

**5** **TAP Termination.** If an invoice for TAP is more than 30 days past due or the Agency defaults on its payments for the Evidence.com services then TASER may terminate TAP and all outstanding Product related TAPs. TASER will provide notification that TAP coverage is terminated. Once TAP coverage is terminated for any reason, then:

**5.1.** TAP coverage will terminate as of the date of termination and no refunds will be given.

**5.2.** TASER will not and has no obligation to provide the free Upgrade Models.

**5.3.** The Agency will be invoiced for and is obligated to pay to TASER the MSRP then in effect for all Spare Products provided under TAP. If the Spare Products are returned within 30 days of the Spare Product invoice date, credit will be issued and applied against the Spare Product invoice.

**5.4.** The Agency will be responsible for payment of any missed payments due to the termination before being allowed to purchase any future TAP.

**5.5.** If the Agency received Axon Products free of charge and TAP is terminated before the end of the term then (a) the Agency will be invoiced for the remainder of the MSRP for the Products received and not already paid as part of the TAP before the termination date; or (b) only in the case of termination for non-appropriations, return the Products to TASER within 30 days of the date of termination.



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# MASTER SERVICES AND PURCHASING AGREEMENT

**between**

**TASER INTERNATIONAL, INC.**

**and**

**The City of Texarkana, Texas / Texarkana, Texas Police Dept.**

CITY Agreement Number:

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# MASTER SERVICES AND PURCHASING AGREEMENT

This Master Agreement (the **Agreement**) by and between TASER International, Inc., (**TASER or Party**) a Delaware corporation having its principal place of business at 17800 N 85th Street, Scottsdale, Arizona, 85255, and The City of Texarkana, Texas / Texarkana, Texas Police Dept., (**Agency or Party)** having its principal place of business at 100 N. State Line Ave., Texarkana, TX, 75501, is entered into as of March, 31, 2017 (**the Effective Date**). TASER and AGENCY are collectively referred to as **Parties.**

This Agreement sets forth the terms and conditions for the purchase, delivery, use, and support of TASER products and services as detailed in Quote # Q-91174 (the **Quote**), which is hereby incorporated by reference. It is the intent of the Parties that this Agreement shall act as a master agreement governing all subsequent purchases by Agency of TASER Products and all subsequent quotes accepted by Agency shall be also incorporated by reference as a Quote. In consideration of this Agreement the Parties agree as follows:

**1** **Term.** This Agreement will commence on the Effective Date and will remain in full force and effect until terminated by either Party. TASER services will not be authorized until a signed Quote or Purchase Order is received, whichever is first.

**1.1** **Evidence.com Subscription Term:** The Initial Term of the Subscription services will begin after shipment of the Product. If shipped in the first half of the month, the start date is on the 1st of the following month. If shipped in the last half of the month, the start date is on the 15th of the following month. Subscription Services will automatically renew for additional successive Terms of one (1) year after completion of the initial Term at the list price detailed in the Quote, unless the Agency gives TASER written notice of termination within sixty (60) days prior to the end of a one (1) year period.

**1.2** **Professional Services Term:** Amounts pre-paid for professional services as outlined in the Quote and the Professional Service Appendix must be used within 6 months of the Effective Date.

**2** **Definitions.**

**"Business Day"** means Monday through Friday, excluding holidays.

**"Confidential Information"** means all nonpublic information disclosed by TASER, TASER affiliates, business partners of TASER or their respective employees, contractors or agents that is designated as confidential or that, given the nature of the information or circumstances surrounding its disclosure, reasonably should be understood to be confidential.

**"Documentation"** means the (i) specifications, explanatory or informational materials, whether in paper or electronic form, that relate to the Services provided under this Agreement, or (ii) user manuals, technical manuals, training manuals, warnings, specification or other explanatory or informational materials, whether in paper or electronic form, that relate to the Products provided under this Agreement.

**"Evidence.com Service"** means TASER web services for Evidence.com, the Evidence.com site, EVIDENCE Sync software, EVIDENCE Mobile App, Axon® Mobile App, other software, maintenance, storage, and product or service provided by us under this Agreement for use with Evidence.com. This does not include any Third Party Applications, hardware warranties, or the my.evidence.com services.

"**Installation Site**" means the location(s) where the Products are to be installed.

**"Policies"** means the Trademark Use Guidelines, all restrictions described on the TASER website, and any other policy or terms referenced in or incorporated into this Agreement. Policies do not include whitepapers or other marketing materials.



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**"Products"** means all TASER equipment, software, cloud based services, Documentation and software maintenance releases and updates provided by TASER under this Agreement.

**"Quote"** is an offer to sell, is valid only for products and services listed on the quote at prices on the quote. All Quotes referenced in this Agreement or issued and accepted after the Effective Date of this Agreement will be subject to the terms of this Agreement. Any terms and conditions contained within the Agency's purchase order in response to the Quote will be null and void and shall have no force or effect. TASER is not responsible for pricing, typographical, or other errors in any offer by TASER and TASER reserves the right to cancel any orders resulting from such errors. TASER reserves the right to adjust prices or Products unless otherwise specified in the Quote.

**"Resolution Time"** means the elapsed time between TASER's acknowledgment of an issue until the problem in the Services has been resolved, which does not include time delays caused by the Agency or by third parties outside of TASER's reasonable control.

**"Services"** means all services provided by TASER pursuant to this Agreement.

**"Agency Content"** means software, data, text, audio, video, images or other Agency content or any of the Agency's end users (a) run on the Evidence.com Services, (b) caused to interface with the Evidence.com Services, or (c) uploaded to the Evidence.com Services under the Agency account or otherwise transfer, process, use or store in connection with the Agency account.

**3** **Payment Terms.** Invoices are due to be paid within 30 days of the date of invoice. All orders are subject to prior credit approval. Payment obligations are non-cancelable and fees paid are non-refundable and all amounts payable will be made without setoff, deduction, or withholding.

**4** **Taxes.** Unless TASER is provided with a valid and correct tax exemption certificate applicable to the purchase and ship-to location, the Agency is responsible for sales and other taxes associated with the order.

**5** **Shipping; Title; Risk of Loss; Rejection.** TASER reserves the right to make partial shipments and products may ship from multiple locations. All shipments are E.X.W. via common carrier and title and risk of loss pass to the Agency upon delivery to the common carrier by TASER. The Agency is responsible for all freight charges. Any loss or damage that occurs during shipment is the Agency's responsibility. Shipping dates are estimates only. The Agency may reject nonconforming Product by providing TASER written notice of rejection within 10 business days of shipment. Failure to notify TASER within the 10 day rejection period will be deemed as acceptance of Product.

**6** **Returns.** All sales are final and no refunds or exchanges are allowed, except for warranty returns or as provided by state or federal law.

**7** **Warranties.**

**7.1** **Hardware Limited Warranty.** TASER warrants that its law enforcement hardware products are free from defects in workmanship and materials for a period of ONE (1) YEAR from the date of receipt. Extended warranties run from the date of purchase of the extended warranty through the balance of the 1-year limited warranty term plus the term of the extended warranty measured after the expiration of the 1-year limited warranty. CEW cartridges and Smart cartridges that are expended are deemed to have operated properly. TASER-Manufactured Accessories are covered under a limited 90-DAY warranty from the date of receipt. Non-TASER manufactured accessories are covered under the manufacturer's warranty. If TASER determines that a valid warranty claim is received within the warranty period, TASER agrees to repair or replace the Product. TASER's sole responsibility under this warranty is to either repair or replace



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with the same or like Product, at TASER's option.

**7.2 Warranty Limitations.**

**7.2.1** The warranties do not apply and TASER will not be responsible for any loss, data loss, damage, or other liabilities arising from: (a) damage from failure to follow instructions relating to the Product's use; (b) damage caused by use with non-TASER products or from the use of cartridges, batteries or other parts, components or accessories that are not manufactured or recommended by TASER; (c) damage caused by abuse, misuse, intentional or deliberate damage to the product, or force majeure; (d) damage to a Product or part that has been repaired or modified by persons other than TASER authorized personnel or without the written permission of TASER; or (e) if any TASER serial number has been removed or defaced.

**7.2.2 To the extent permitted by law, the warranties and the remedies set forth above are exclusive and TASER disclaims all other warranties, remedies, and conditions, whether oral or written, statutory, or implied, as permitted by applicable law. If statutory or implied warranties cannot be lawfully disclaimed, then all such warranties are limited to the duration of the express warranty described above and limited by the other provisions contained in this Agreement.**

**7.2.3 TASER's cumulative liability to any Party for any loss or damage resulting from any claims, demands, or actions arising out of or relating to any TASER product will not exceed the purchase price paid to TASER for the product or if for services, the amount paid for such services over the prior 12 months preceding the claim. In no event will either Party be liable for any direct, special, indirect, incidental, exemplary, punitive or consequential damages, however caused, whether for breach of warranty, breach of contract, negligence, strict liability, tort or under any other legal theory**.

**7.3 Warranty Returns.** If a valid warranty claim is received by TASER within the warranty period, TASER agrees to repair or replace the Product which TASER determines in its sole discretion to be defective under normal use, as defined in the Product instructions. TASER's sole responsibility under this warranty is to either repair or replace with the same or like Product, at TASER's option.

**7.3.1** For warranty return and repair procedures, including troubleshooting guides, please go to TASER's websites www.taser.com/support or www.evidence.com, as indicated in the appropriate product user manual or quick start guide.

**7.3.2** Before delivering product for warranty service, it is the Agency's responsibility to upload the data contained in the product to the EVIDENCE.com services or download the product data and keep a separate backup copy of the contents. TASER is not responsible for any loss of software programs, data, or other information contained on the storage media or any other part of the product services.

**7.3.3** A replacement product will be new or like new and have the remaining warranty period of the original product or 90 days from the date of replacement or repair, whichever period is longer. When a product or part is exchanged, any replacement item becomes Purchaser's property and the replaced item becomes TASER's property.

**8 Product Warnings.** See our website at www.TASER.com for the most current product warnings.

**9 Design Changes.** TASER reserves the right to make changes in the design of any of TASER's products and services without incurring any obligation to notify the Agency or to make the same change to products and services previously purchased.



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**10** **Insurance.** TASER will maintain at TASER's own expense and in effect during the Term, Commercial General Liability Insurance, Workers' Compensation Insurance and Commercial Automobile Insurance and will furnish certificates of insurance or self-insurance upon request.

**11** **Indemnification.** TASER will indemnify and defend the Agency Indemnitees (the Agency's officers, governing council, and its municipal employees) from and against all claims, demands, losses, liabilities, reasonable costs and expenses arising out of a claim by a third party against an Agency Indemnitee resulting from any negligent act, error or omission, or willful misconduct of TASER under or related to this Agreement, except in the case of negligent acts, omissions or willful misconduct of the Agency or claims that fall under Workers Compensation coverage.

**12** **IP Rights.** TASER owns and reserves all right, title, and interest in the TASER Products and related software, as well as any suggestions made to TASER.

**13** **IP Indemnification.** TASER will defend, indemnify, and hold the Agency Indemnitees harmless from and against any claims, damages, losses, liabilities, costs, and expenses (including reasonable attorneys' fees) arising out of or relating to any third-party claim alleging that use of TASER Products or Services as permitted under this Agreement infringes or misappropriates the intellectual property rights of a third party. The Agency must provide TASER with prompt written notice of such a claim, tender to us the defense or settlement of such a claim at our expense, and cooperate fully with us in the defense or settlement of such a claim.

TASER has no liability to the Agency or any third party if any alleged infringement or claim of infringement is to any extent based upon: (a) any modification of the Evidence.com Services by the Agency or any third party not approved by TASER; (b) use of the Evidence.com Services in connection or in combination with equipment, devices, or services not approved or recommended by TASER; (c) the use of Evidence.com Services other than as permitted under this Agreement or in a manner for which it was not intended; or (d) the use of other than the most current release or version of any software provided by TASER as part of or in connection with the Evidence.com Services. Nothing in this Section will affect any warranties in favor of the Agency that are otherwise provided in or arise out of this Agreement.

**14** **Agency Responsibilities.** The Agency is responsible for (i) use of TASER Products (including any activities under the Agency Evidence.com account and use by Agency employees and agents), (ii) breach of this Agreement or violation of applicable law by the Agency or any of the Agency's end users, (iii) Agency Content or the combination of Agency Content with other applications, content or processes, including any claim involving alleged infringement or misappropriation of third party rights by Agency Content or by the use of Agency Content, (iv) a dispute between the Agency and any third party over Agency use of TASER products or the collection or use of Agency Content, (v) any hardware or networks that the Agency connects to the Evidence.com Services, and (vi) any security settings the Agency establishes to interact with or on the Evidence.com Services.

**15** **Termination.**

**15.1** **By Either Party.** Either Party may terminate for cause upon 30 days advance notice to the other Party if there is any material default or breach of this Agreement by the other Party, unless the defaulting Party has cured the material default or breach within the 30-day notice period. In the event that the Agency terminates this Agreement under this Section and TASER fails to cure the material breach or default, TASER will issue a refund of any prepaid amounts on a prorated basis.

**15.2** **By Agency.** The Agency is obligated to pay the fees under this Agreement as may lawfully be made from funds budgeted and appropriated for that purpose during the then current fiscal year.



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In the event that sufficient funds will not be appropriated or are not otherwise legally available to pay the fees required under this Agreement, this Agreement may be terminated by the Agency. The Agency agrees to deliver notice of termination under this Section at least 90 days prior to the end of the then current fiscal year.

**15.3 Effect of Termination.** Upon any termination of this Agreement: (a) all Agency rights under this Agreement immediately terminate; (b) the Agency remains responsible for all fees and charges incurred through the date of termination; and (c) Payment Terms, Warranty, Product Warnings, Indemnification, and Agency Responsibilities Sections, as well as the Evidence.com Terms of Use Appendix Sections on Agency Owns Agency Content, Data Storage, Fees and Payment, Software Services Warranty, IP Rights and License Restrictions will continue to apply in accordance with their terms.

**15.4 After Termination.** TASER will not delete any Agency Content as a result of a termination during a period of 90 days following termination. During this 90-day period the Agency may retrieve Agency Content only if all amounts due have been paid (there will be no application functionality of the Evidence.com Services during this 90-day period other than the ability to retrieve Agency Content). The Agency will not incur any additional fees if Agency Content is downloaded from Evidence.com during this 90-day period. TASER has no obligation to maintain or provide any Agency Content after this 90-day period and will thereafter, unless legally prohibited, delete all of Agency Content stored in the Evidence.com Services. Upon request, TASER will provide written proof that all Agency Content has been successfully deleted and fully removed from the Evidence.com Services.

**15.5 Post-Termination Assistance.** TASER will provide Agency with the same post-termination data retrieval assistance that TASER generally makes available to all customers. Requests for TASER to provide additional assistance in downloading or transferring Agency Content will result in additional fees and TASER will not warrant or guarantee data integrity or readability in the external system.

## 16 General.

**16.1 Confidentiality**. Both Parties will take all reasonable measures to avoid disclosure, dissemination or unauthorized use of either Party's Confidential Information, except as required by applicable law. Neither Party will disclose either Party's Confidential Information during the Term or at any time during the 5-year period following the end of the Term, except as required by law. The Parties acknowledge and agree that Agency is subject to Chapter 552 of the Texas Government Code, commonly known as the "Texas Public Information Act" or "Texas Open Records Act" ("the Act"). Notwithstanding any other provision, including exemptions or exceptions to the Act, the Parties agree that in the event that any provision of this Agreement, or other documents related to this Agreement, including, but not limited to, any exhibit, attachment, amendment, addendum, or other incorporated document, is determined by a court or the Attorney General of the State of Texas to be in conflict with the Act, such provision shall, insofar as that conflict, be of no force or effect. Unless disclosure is required by law, Agency agrees, to the extent permitted by the Act, to exercise reasonable and prudent measures to safeguard TASER's Confidential Information unless TASER authorizes disclosure, TASER has already made public the information, the Agency obtained the information from another source independent of TASER, or an opinion of the Attorney General requires disclosure.

1) Any information or documents that TASER uses in the performance of the services provided under this Agreement which TASER considers confidential or proprietary or which contain trade secrets must be clearly marked accordingly by TASER. The marking must be explicit as to the designated information.



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2) In the event Agency receives a request for information pursuant to the Act that affects TASER's rights, title to, or interest in any software, or a part thereof, or other information, items or data furnished to Agency by TASER under the Agreement, then Agency will comply with the Act's requirements for notice to TASER of such request. TASER shall state in writing to Agency within three (3) business days of receiving Agency's notice whether it intends to approve release of the requested information or assert to the Texas Attorney General statutory exceptions to disclosure. If TASER decides to assert exceptions to the Act in response to the request, then TASER shall, at its own expense, prepare and send the notices, comments, and briefing for its submission to the Attorney General in accordance with the substantive requirements and time periods provided in the Act. TASER shall also prepare at its expense for Agency's use the notices, comments, and briefing for Agency's submission to the Attorney General in accordance with the substantive requirements and time periods provided in the Act.

3) The parties intend for TASER to hold Agency harmless should TASER seek a judicial ruling on its asserted statutory exceptions to withholding information requested under the Act. For any suit pursuant to Sections 552.324 and 552.325 of the Texas Government Code, TASER shall bear all litigation costs, expenses, attorney's fees, and assessments, including the costs, expenses, and attorney's fees incurred by Agency and any adverse assessments against Agency arising out of Agency being a named party to such a suit. As a condition precedent to City's involvement in such a suit, TASER shall deposit with Agency the dollar amount estimated by Agency that will be incurred for costs, expenses, and attorney's fees.

**16.2** **Excusable delays**. TASER will use commercially reasonable efforts to deliver all products and services ordered as soon as reasonably practicable. In the event of interruption of any delivery due to causes beyond TASER's reasonable control TASER has the right to delay or terminate the delivery with reasonable notice.

**16.3** **Force Majeure**. Neither Party will be liable for any delay or failure to perform any obligation under this Agreement where the delay or failure results from any cause beyond the Parties' reasonable control, including acts of God, labor disputes or other industrial disturbances, systemic electrical, telecommunications, or other utility failures, earthquake, storms or other elements of nature, blockages, embargoes, riots, acts or orders of government, acts of terrorism, or war.

**16.4** **Proprietary Information**. The Agency agrees that TASER has and claims various proprietary rights in the hardware, firmware, software, and the integration of ancillary materials, knowledge, and designs that constitute TASER products and services, and that the Agency will not directly or indirectly cause any proprietary rights to be violated. This paragraph 16.4 shall not govern if disclosure of Proprietary Information is required pursuant to paragraph 16.1.

**16.5** **Independent Contractors**. The Parties are independent contractors. Neither Party, nor any of their respective affiliates, has the authority to bind the other. This Agreement does not create a partnership, franchise, joint venture, agency, fiduciary, or employment relationship between the Parties.

**16.6** **No Third Party Beneficiaries**. This Agreement does not create any third party beneficiary rights in any individual or entity that is not a party to this Agreement.

**16.7** **Non-discrimination and Equal Opportunity**. During the performance of this Agreement, neither the Parties nor the Party's employees will discriminate against any person, whether



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employed by a Party or otherwise, on the basis of basis of race, color, religion, gender, age, national origin, handicap, marital status, or political affiliation or belief. In all solicitations or advertisements for employees, agents, subcontractors or others to be engaged by a Party or placed by or on behalf of a Party, the solicitation or advertisement shall state all qualified applicants shall receive consideration for employment without regard to race, color, religion, gender, age, national origin, handicap, marital status, or political affiliation or belief.

**16.8 U.S. Government Rights**. Any Evidence.com Services provided to the U.S. Government as "commercial items," "commercial computer software," "commercial computer software documentation," and "technical data" will have the same rights and restrictions generally applicable to the Evidence.com Services. If the Agency is using the Evidence.com Services on behalf of the U.S. Government and these terms fail to meet the U.S. Government's needs or are inconsistent in any respect with federal law, the Agency will immediately discontinue use of the Evidence.com Services. The terms "commercial item," "commercial computer software," "commercial computer software documentation," and "technical data" are defined in the Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement.

**16.9 Import and Export Compliance**. In connection with this Agreement, each Party will comply with all applicable import, re- import, export, and re-export control laws and regulations.

**16.10 Assignment**. Neither Party may assign or otherwise transfer this Agreement without the prior written approval of the other Party. TASER may assign or otherwise transfer this Agreement or any of our rights or obligations under this Agreement without consent (a) for financing purposes, (b) in connection with a merger, acquisition or sale of all or substantially all of our assets, (c) as part of a corporate reorganization, or (d) to a subsidiary corporation. Subject to the foregoing, this Agreement will be binding upon the Parties and their respective successors and assigns.

**16.11 No Waivers**. The failure by either Party to enforce any provision of this Agreement will not constitute a present or future waiver of the provision nor limit the Party's right to enforce the provision at a later time.

**16.12 Severability**. This Agreement is contractual and not a mere recital. If any portion of this Agreement is held to be invalid or unenforceable, the remaining portions of this Agreement will remain in full force and effect.

**16.13 Governing Law; Venue**. The laws of the state where the Agency is physically located, without reference to conflict of law rules, govern this Agreement and any dispute of any sort that might arise between the Parties. The United Nations Convention for the International Sale of Goods does not apply to this Agreement.

**16.14 Notices**. All communications and notices to be made or given pursuant to this Agreement must be in the English language. Notices provided by posting on the Agency's Evidence.com site will be effective upon posting and notices provided by email will be effective when the email was sent. Notices provided by personal delivery will be effective immediately. Contact information for notices:

TASER: TASER International, Inc.
ATTN: Contracts
17800 N. 85th Street
Scottsdale, Arizona 85255
contracts@taser.com

AGENCY: Texarkana, Texas Police Department
ATTN: Capt. Michael Henry
100 N. State Line Ave. Box 16
Texarkana, TX 75501
henry@txkusa.org



Attachment: 2017-031 ATTH 04 Texarkana_MSPA_2017-2-16 AXON (jcl rev) (1619 : 2017-031 RES Authorizing Purchasing Agreement with

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**16.15 Entire Agreement**. This Agreement, including the APPENDICES attached hereto, and the Policies and the Quote provided by TASER, represents the entire agreement between the Parties. This Agreement supersedes all prior or contemporaneous representations, understandings, agreements, or communications between the Parties, whether written or verbal, regarding the subject matter of this Agreement. No modification or amendment of any portion of this Agreement will be effective unless in writing and signed by the Parties to this Agreement. If TASER provides a translation of the English language version of this Agreement, the English language version of the Agreement will control if there is any conflict.

**16.16 Counterparts**. If this Agreement form requires the signatures of the Parties, then this Agreement may be executed by electronic signature in multiple counterparts, each of which is considered an original.

**16.17 Governmental Immunity.** Nothing in this Agreement shall be deemed to waive, modify, or alter Agency's governmental (sovereign) immunity under the laws of the State of Texas.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be duly executed. Each Party warrants and represents that its respective signatories whose signatures appear below have been and are, on the date of signature, duly authorized to execute this Agreement.

**TASER International, Inc.**

Signature: _____
Name: _____
Title: _____
Date: _____
Address: 17800 N. 85th Street Scottsdale, AZ 85255

Attn: Contracts

Email: contracts@taser.com

**The City of Texarkana, Texas / Texarkana, Texas Police Dept.**

Signature: _____
Name: John A. Whitson, ICMA-CM
Title: City Manager
Date: _____
Address: 100 N. State Line Ave., Texarkana, TX, 75501



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# Evidence.com Terms of Use
# Appendix

1 **Access Rights.** Upon the purchase or granting of a subscription from TASER and the opening of an Evidence.com account the Agency will have access and use of the Evidence.com Services for the storage and management of Agency Content during the subscription term (**Term**). The Evidence.com Service and data storage are subject to usage limits. The Evidence.com Service may not be accessed by more than the number of end users specified in the Quote. If Agency becomes aware of any violation of this Agreement by an end user, the Agency will immediately terminate that end user's access to Agency Content and the Evidence.com Services.

2 **Agency Owns Agency Content.** The Agency controls and owns all right, title, and interest in and to Agency Content and TASER obtains no rights to the Agency Content and the Agency Content are not business records of TASER. The Agency is solely responsible for the uploading, sharing, withdrawal, management and deletion of Agency Content. TASER will have limited access to Agency Content solely for the purpose of providing and supporting the Evidence.com Services to the Agency and Agency end users. The Agency represents that the Agency owns Agency Content; and that none of Agency Content or Agency end users' use of Agency Content or the Evidence.com Services will violate this Agreement or applicable laws.

3 **Evidence.com Data Security.**

**3.1. Generally.** TASER will implement commercially reasonable and appropriate measures designed to secure Agency Content against accidental or unlawful loss, access or disclosure. TASER will maintain a comprehensive Information Security Program (**ISP**) that includes logical and physical access management, vulnerability management, configuration management, incident monitoring and response, encryption of digital evidence uploaded, security education, risk management, and data protection. The Agency is responsible for maintaining the security of end user names and passwords and taking steps to maintain appropriate security and access by end users to Agency Content. Log-in credentials are for Agency internal use only and Agency may not sell, transfer, or sublicense them to any other entity or person. The Agency agrees to be responsible for all activities undertaken by the Agency, Agency employees, Agency contractors or agents, and Agency end users which result in unauthorized access to the Agency account or Agency Content. Audit log tracking for the video data is an automatic feature of the Services which provides details as to who accesses the video data and may be downloaded by the Agency at any time. The Agency shall contact TASER immediately if an unauthorized third party may be using the Agency account or Agency Content or if account information is lost or stolen.

**3.2. FBI CJIS Security Addendum.** For customers based in the United States, TASER agrees to the terms and requirements set forth in the Federal Bureau of Investigation (**FBI**) Criminal Justice Information Services (**CJIS**) Security Addendum for the Term of this Agreement.

4 **Our Support.** TASER will make available updates as released by TASER to the Evidence.com Services. Updates may be provided electronically via the Internet. TASER will use reasonable efforts to continue supporting the previous version of any API or software for 6 months after the change (except if doing so (a) would pose a security or intellectual property issue, (b) is economically or technically burdensome, or (c) is needed to comply with the law or requests of governmental entities. The Agency is responsible for maintaining the computer equipment and Internet connections necessary for use of the Evidence.com Services.

5 **Data Privacy.** TASER will not disclose Agency Content or any information about the Agency except as compelled by a court or administrative body or required by any law or regulation. TASER will give notice



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if any disclosure request is received for Agency Content so the Agency may file an objection with the court or administrative body. The Agency agrees to allow TASER access to certain information from the Agency in order to: (a) perform troubleshooting services for the account upon request or as part of our regular diagnostic screenings; (b) enforce this agreement or policies governing use of Evidence.com Services; or (c) perform analytic and diagnostic evaluations of the systems.

**6** **Data Storage.** TASER will determine the locations of the data centers in which Agency Content will be stored and accessible by Agency end users. For United States customers, TASER will ensure that all Agency Content stored in the Evidence.com Services remains within the United States including any backup data, replication sites, and disaster recovery sites. TASER may transfer Agency Content to third parties for the purpose of storage of Agency Content. Third party subcontractors responsible for storage of Agency Content are contracted by TASER for data storage services. Ownership of Agency Content remains with the Agency. For use of an Unlimited Evidence.com License unlimited data may be stored in the Agency's Evidence.com account if the data originates from a TASER device. For use of Totally Unlimited Evidence.com Licenses TASER reserves the right to limit the types of content the Agency can store and share using the Services.

**7** **Fees and Payment.** Additional end users may be added during the Term at the pricing in effect at the time of purchase of additional end users, prorated for the duration of the Term. Additional end user accounts will terminate on the same date as the pre-existing subscriptions. TASER reserves the right to charge additional fees for exceeding purchased storage amounts or for TASER's assistance in the downloading or exporting of Agency Content.

**8** **Suspension of Evidence.com Services.** TASER may suspend Agency access or any end user's right to access or use any portion or all of the Evidence.com Services immediately upon notice in accordance with the following:

**8.1.** The Termination provisions of the Master Service Agreement apply;

**8.2.** The Agency or an end user's use of or registration for the Evidence.com Services (i) poses a security risk to the Evidence.com Services or any third party, (ii) may adversely impact the Evidence.com Services or the systems or content of any other customer, (iii) may subject TASER, TASER's affiliates, or any third party to liability, or (iv) may be fraudulent;

**8.3.** If TASER suspends the right to access or use any portion or all of the Evidence.com Services, the Agency remains responsible for all fees and charges incurred through the date of suspension without any credits for any period of suspension. TASER will not delete any of Agency Content on Evidence.com as a result of a suspension, except as specified elsewhere in this Agreement.

**9** **Software Services Warranty**. TASER warrants that the Evidence.com Services will not infringe or misappropriate any patent, copyright, trademark, or trade secret rights of any third party. TASER disclaims any warranties or responsibility for data corruption or errors before the data is uploaded to the Evidence.com Services.

**10** **License Restrictions**. Neither the Agency nor any Agency end users may, or attempt to: (a) permit any third party to access the Evidence.com Services except as permitted in this Agreement; (b) modify, alter, tamper with, repair, or otherwise create derivative works of any of the Evidence.com Services; (c) reverse engineer, disassemble, or decompile the Evidence.com Services or apply any other process or procedure to derive the source code of any software included in the Evidence.com Services, or allow any others to do the same; (d) access or use the Evidence.com Services in a way intended to gain unauthorized access, avoid incurring fees or exceeding usage limits or quotas; (e) copy the Evidence.com Services in whole or part, except as expressly permitted in this Agreement; (f) use trade secret information contained in the Evidence.com Services, except as expressly permitted in this Agreement; (g)



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resell, rent, loan, or sublicense the Evidence.com Services; (h) access the Evidence.com Services in order to build a competitive product or service or copy any features, functions, or graphics of the Evidence.com Services; (i) remove, alter, or obscure any confidentiality or proprietary rights notices (including copyright and trademark notices) of ours or our licensors on or within the Evidence.com Services or any copies of the Evidence.com Services; or (j) use the Evidence.com Services to store or transmit infringing, libelous, or otherwise unlawful or tortious material, to store or transmit material in violation of third party privacy rights, or to store or transmit malicious code. All licenses granted in this Agreement are conditional on continued compliance with this Agreement, and will immediately and automatically terminate if the Agency does not comply with any term or condition of this Agreement. The Agency may only use our trademarks in accordance with the TASER Trademark Use Guidelines (located at www.TASER.com).

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# Professional Services
# Appendix

1 **Scope of Services.** The project scope will consist of the Services identified on the Quote.

**1.1.** The Package for the Axon and Evidence.com related Services are detailed below:

| |
|---|
| **System set up and configuration**<br>Setup Axon® Mobile on smart phones (if applicable).<br>Configure categories & custom roles based on Agency need.<br>Troubleshoot IT issues with Evidence.com and Evidence.com Dock (Dock) access.<br>Work with IT to install EVIDENCE Sync software on locked-down computers (if applicable).<br>Virtual Assistance Included |
| **Dock installation**<br>Work with Agency to decide ideal location of Dock setup and set configurations on Dock if necessary.<br>Authenticate Dock with Evidence.com using "admin" credentials from Agency.<br>Work with Agency's IT to configure its network to allow for maximum bandwidth and proper operation within Agency's network environment.<br>Virtual Assistance Included |
| **Dedicated Project Manager**<br>Assignment of a specific TASER representative for all aspects of planning the Product rollout (Project Manager). Ideally, the Project Manager will be assigned to the Agency 4–6 weeks prior to rollout. |
| **Weekly project planning meetings**<br>Project Manager will develop a Microsoft Project plan for the rollout of Axon camera units, Docks and Evidence.com account training based on size, timing of rollout and Agency's desired level of training. Up to 4 weekly meetings leading up to the Evidence.com Dock installation of not more than 30 minutes in length. |
| **Axon instructor training**<br>Prior to general user training on Axon camera systems and Evidence.com services, TASER's on-site professional services team will provide training for instructors who can support the Agency's subsequent Axon camera and Evidence.com training needs. |
| **End user go live training and support sessions**<br>Provide individual device set up and configuration assistance; pairing with viewers when applicable; and training on device use, Evidence.com and EVIDENCE Sync. |
| **Implementation document packet**<br>Evidence.com administrator guides, camera implementation guides, network setup guide, sample policies, and categories & roles guide |
| **Post go live review session** |

**1.2.** Additional training days may be added on to any service package for additional fees set forth in the Quote.

2 **Out of Scope Services.** TASER is responsible to perform only the Services described on the Quote. Any additional services discussed or implied that are not defined explicitly by the Quote will be considered out of the scope.

3 **Delivery of Services.**

**3.1.** **Hours and Travel.** TASER personnel will work within normal business hours, Monday through Friday, 8:30 a.m. to 5:30 p.m., except holidays unless otherwise agreed in advance. All tasks on-site will be performed over a consecutive timeframe unless otherwise agreed to by the Parties in



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advance. Travel time by TASER personnel to Agency premises will not be charged as work hours performed.

**3.2.** **Changes to Services.** Changes to the scope of Services must be documented and agreed upon by the Parties in a change order. Changes may require an equitable adjustment in the charges or schedule.

**4** **Authorization to Access Computer Systems to Perform Services.** The Agency authorizes TASER to access relevant Agency computers and network systems solely for the purpose of performing the Services. TASER will work diligently to identify as soon as reasonably practicable the resources and information TASER expects to use, and will provide an initial itemized list to the Agency. The Agency is responsible for, and assumes the risk of any problems, delays, losses, claims, or expenses resulting from the content, accuracy, completeness, and consistency of all data, materials, and information supplied by the Agency.

**5** **Site Preparation and Installation.** Prior to delivering any Services, TASER will provide 1 copy of the then-current user documentation for the Services and related Products in paper or electronic form (**Product User Documentation**). The Product User Documentation will include all environmental specifications that must be met in order for the Services and related Products to operate in accordance with the Product User Documentation. Prior to the installation of Product (whether performed by the Agency or TASER), the Agency must prepare the Installation Site in accordance with the environmental specifications set forth in the Product User Documentation. Following the installation of the Products, the Agency must maintain the Installation Site where the Products have been installed in accordance with the environmental specifications set forth in the Product User Documentation. In the event that there are any updates or modifications to the Product User Documentation for any Products provided by TASER under this Agreement, including the environmental specifications for the Products, TASER will provide the updates or modifications to Agency when they are generally released by TASER to TASER customers.

**6** **Acceptance Checklist.** TASER will present an Acceptance Checklist (**Checklist**) upon completion of the Services that will exactly mirror the description of services within this Section. The Agency will sign the Checklist acknowledging completion of the Services once the on-site service session has been completed. If the Agency reasonably believes that TASER did not complete the Services in substantial conformance with this Agreement, the Agency must notify TASER in writing of the specific reasons for rejection of the Services within 7 calendar days from delivery of the Checklist. TASER will address the issues and then will re-present the Checklist for approval and signature. If TASER does not receive the signed Checklist or a written notification of the reasons for the rejection of the performance of the Services within 7 calendar days of delivery of the Checklist, the absence of the Agency response will constitute affirmative acceptance of the Services, and a waiver of any right of rejection.

**7** **Liability for Loss or Corruption of Data.** The Agency is responsible for: (i) instituting proper and timely backup procedures for Agency software and data; (ii) creating timely backup copies of Agency software or data that may be damaged, lost, or corrupted due to our provision of Services; and (iii) using backup copies to restore any Agency software or data in the event of any loss of, damage to, or corruption of the operational version of Agency software or data, even if such damage, loss, or corruption is due to TASER negligence. However, regardless of any assistance provided by TASER: (i) TASER will in no way be liable for the accuracy, completeness, success, or results of efforts to restore Agency software or data; (ii) any assistance provided by TASER under this Section is without warranty, express or implied; and (iii) in no event will TASER be liable for loss of, damage to, or corruption of Agency data from any cause.



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# Axon Fleet
# Appendix

Axon Fleet has been purchased as part of the Quote attached to this Agreement.

1 **Axon Fleet Evidence.com Subscription Term**. The Evidence.com Subscription for Axon Fleet will begin after shipment of the Axon Fleet Room hardware (**Axon Fleet Subscription**) If shipped in the first half of the month, the start date is on the 1st of the following month. If shipped in the last half of the month, the start date is on the 15th of the following month. The **Axon Fleet Subscription** will automatically renew for additional successive Terms of one (1) year after completion of the Initial Term at the list price then in effect, unless the Agency gives TASER written notice of termination within sixty (60) days prior to the end of the Initial Term. For phased deployments, the Initial Term begins upon the shipment of the first phase, and subsequent phases will be co-termed to the end date of the Initial Term.

2 **Agency Responsibilities.** The Agency is responsible for ensuring its infrastructure adheres to the minimum requirements needed to effectively operate Axon Fleet as established by TASER during the on-site assessment at the Agency's facility and/or in TASER's technical qualifying questions. The Quote is based upon the Agency's accurate representation of its infrastructure. Any inaccuracies the Agency provides to TASER regarding the Agency's infrastructure may subject the Quote to change.

3 **For CradlePoint purchases only**. If the Agency purchases CradlePoint Enterprise Cloud Manager, the Agency is responsible for complying with the CradlePoint end user license agreement. The Agency acknowledges that the term of the CradlePoint license may differ from the term of the Evidence.com license. The Agency further acknowledges that CradlePoint installation services are not within the scope of this Agreement.

4 **Statement of Work**. If the Agency has purchased installation services for Axon Fleet, the Statement of Work (SOW) attached to this Appendix will detail TASER's deliverables to the Agency with respect to the installation of Axon Fleet and any related hardware. TASER is responsible to perform only the services described in this SOW. Any additional services discussed or implied that are not defined explicitly by the SOW will be considered out of the scope. TASER may subcontract any part of the SOW to a qualified subcontractor.

5 **Warranty Coverage**. TASER's standard Hardware Warranty applies to Axon Fleet.

1 **Axon Fleet Unlimited Storage**. For use of an Axon Fleet Unlimited Evidence.com License, unlimited data may be stored as part of the Axon Fleet unlimited storage only if the data originates from Axon Fleet hardware.

2 **Axon Fleet Unlimited Upgrade**. If the Agency has purchased Fleet Unlimited, the Axon Fleet camera hardware is covered by a 4-year extended warranty. Axon Fleet Unlimited also provides the Agency with Upgrade Models during the Term. Upgrade Models are to be provided as follows during and/or after the Axon Fleet Unlimited Term: 2.5 years after the Effective Date and once again 5 years after the Effective Date if the Agency purchased 5 years made all Axon Fleet Unlimited payments.

Any products replaced within the six months prior to the scheduled upgrade will be deemed the Upgrade Model. Thirty days after the Upgrade Models are received, the Agency must return the products to TASER or TASER will deactivate the serial numbers for the products received unless the Agency purchases additional Evidence.com licenses for the Axon camera products the Agency is keeping. The



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Agency may buy a new TAP for any Upgraded Model.

**2.1. TAP Axon Camera Upgrade Models**.

**2.1.1.** If the Agency purchased TAP for Axon Cameras as a stand-alone service, then TASER will upgrade the Axon camera (and controller if applicable), free of charge, with a new on-officer video camera that is the same product or a like product, at TASER's sole option. TASER makes no guarantee that the Upgrade Model will utilize the same accessories or Dock. If the Agency would like to change product models for the Upgrade Model, then the Agency must pay the price difference in effect at the time of the upgrade between the MSRP for the offered Upgrade Model and the MSRP for the model that will be acquired. No refund will be provided if the MSRP of the new model is less than the MSRP of the offered Upgrade Model.

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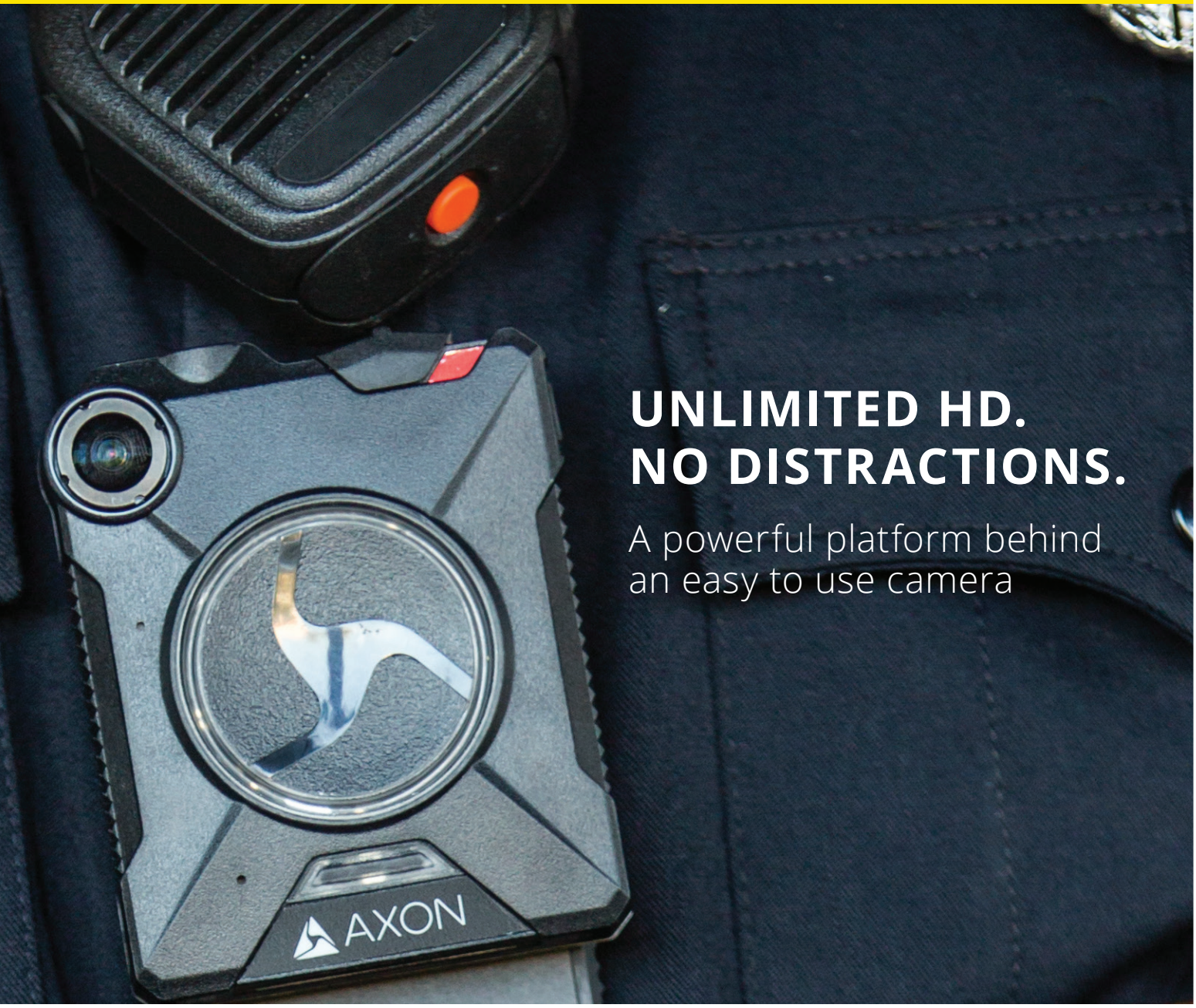
# AXON Body 2




## UNLIMITED HD.
## NO DISTRACTIONS.

A powerful platform behind
an easy to use camera

## BEYOND A CAMERA AND BEYOND COMPARE

The #1 Video Platform | Unlimited HD | Constant Upgrades

Axon Body 2 takes powerful simplicity to the next level. The single-unit design is equipped with capabilities like unlimited HD video, advanced audio, Wi-Fi video connectivity and industry-leading security enhancements. It's part of the growing network that lets you act with confidence by connecting devices, apps, and people.

800-978-2737 axon.io/body2

Attachment: 2017-031 ATTH 05 Taser Body Camera Info (1619 : 2017-031 RES Authorizing Purchasing Agreement with Taser for Police

# AXON BODY 2 FEATURES AND BENEFITS

**RETINA HD VIDEO:** The industry's best low-light video now records in HD.

**FULL-SHIFT BATTERY:** 12+ hours

**PRE-EVENT BUFFER:** Configure your pre-event buffer time.

**WIRELESS ACTIVATION:** Axon Signal reports events, like when you open the car door or activate the light bar, so your camera can detect them and start recording.

**OPTIONAL MUTE:** Ability to disable audio in the field to support dual party consent.

**IN-FIELD TAGGING:** Add a marker to important points in your video.

**UNMATCHED DURABILITY:** Built to withstand extreme weather and brutal conditions.

**ADVANCED SECURITY:** Evidence is encrypted at rest on the camera to protect data at all times.

**RAPIDLOCK MOUNTS:** Versatile mounts keep the camera steady during tough situations.

**MOBILE APP:** Stream, tag, and replay videos right on your phone with Axon View.

APP AVAILABLE FOR APPLE AND ANDROID

# AXON BODY 2 SPECIFICATIONS

**VIDEO RESOLUTION** Configurable up to 1080p

**WEATHER RESISTANCE** IP67 (IEC 60529)

**CORROSION RESISTANCE** MIL-STD-810G METHOD 509.5 (SALT FOG)

**FIELD OF VIEW** 143 degrees

**OPERATING TEMPERATURE** -4 °F to 122 °F / -20 °C to 50 °C

**DROP TEST** 6 Feet

**HUMIDITY** 95% non-condensing

**WARRANTY** 1 year from date of receipt with extended full five-year warranty options

**RECORDING CAPACITY** Up to 70 hours depending on resolution

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AXON, Axon, Axon View, TASER, and are trademarks of TASER International, Inc., some of which are registered in the US and other countries. For more information, visit www.taser.com/legal. All rights reserved. © 2016 TASER International, Inc.

MPC0227 REV F

Attachment: 2017-031 ATTH 05 Taser Body Camera Info (1619 : 2017-031 RES Authorizing Purchasing Agreement with Taser for Police

AXON Fleet

# HD IN-CAR VIDEO. EPIC PRICE.

The power of the cloud, now in your car

## INNOVATION HITS THE ROAD

Bold Price | Plug & Play Functionality | Cloud-Connected Platform

Axon Fleet is a breakthrough in-car video system that offers advanced functionality at an unheard-of price: 50% less than traditional systems. It incorporates Axon Signal technology that enables your Axon cameras to start recording during critical situations, allowing you to focus on the action. A wide-angle lens and HD video ensure you'll capture every second at top quality. The flexible design allows you to swap cameras in a matter of seconds and keeps your vehicles out of the shop and on the road. Axon Fleet lets you access a platform that connects data and people from capture to courtroom.

800-978-2737 axon.io/fleet

# AXON FLEET FEATURES AND BENEFITS

**RETINA HD VIDEO:** The industry's best low-light video now records in HD.

**WIRELESS ACTIVATION:** Axon Signal reports vehicle status, such as light bar activation, so your Axon cameras start recording.

**REAR-FACING CAMERA:** Capture what happens inside the car, too.

**WIRELESS OFFLOAD:** Evidence uploads to the cloud via Wi-Fi or the Axon Dock.

**NO MAINTENANCE DOWNTIME:** Trade out units in a few seconds without tearing the car apart.

**PRE-EVENT BUFFER:** Capture up to 2 minutes before an event.

**ADVANCED SECURITY:** Evidence is encrypted at rest on the camera to protect data at all times.

**MOBILE APP:** Stream, tag and replay any camera's videos right on your phone with Axon View.

**UNPRECEDENTED PRICE:** Costs 50% less than traditional in-car video systems.

**CONTINUOUS UPGRADES:** Full-featured solution that receives new capabilities via software upgrades every 30 days.

APP AVAILABLE FOR APPLE AND ANDROID

# AXON FLEET SPECIFICATIONS

**VIDEO RESOLUTION** Configurable up to 1080p

**WEATHER RESISTANCE** IP67 (IEC 60529)

**CORROSION RESISTANCE** MIL-STD-810G METHOD 509.5 (SALT FOG)

**FIELD OF VIEW** 142 degrees

**OPERATING TEMPERATURE** -40 °F to 122 °F / -40 °C to 50 °C

**DROP TEST** 6 feet

**HUMIDITY** 80% non-condensing

**WARRANTY** 1 year from date of receipt

**RECORDING CAPACITY** Up to 70 hours depending on resolution

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MPC0233 REV C

Attachment: 2017-031 ATTH 06 Taser Fleet Camera Info (1619 : 2017-031 RES Authorizing Purchasing Agreement with Taser for Police

# QUOTE CONFIRMATION

PEOPLE WHO GET IT

**DEAR RYAN DURHAM,**

Thank you for considering CDW•G for your computing needs. The details of your quote are below. Click here to convert your quote to an order.

| QUOTE # | QUOTE DATE | QUOTE REFERENCE | CUSTOMER # | GRAND TOTAL |
|---|---|---|---|---|
| HSSK745 | 3/1/2017 | 0301 | 4448503 | ~~$28,845.54~~ |
| | | | | $26,217.54 |

**QUOTE DETAILS**

| ITEM | QTY | CDW# | UNIT PRICE | EXT. PRICE |
|---|---|---|---|---|
| Cradlepoint COR IBR1100 - wireless router - WWAN - 802.11a/b/g/n/ac - deskt<br>Mfg. Part#: IBR1100LP6-NA<br>UNSPSC: 43222609<br>Contract: TIPS/TAPS Computers, Equipment, Components 2062515 (2062515) | 30 | 4121971 | $709.53 | $21,285.90 |
| ~~Cradlepoint Enterprise Cloud Manager Prime - subscription license (1 year)~~<br>Mfg. Part#: ECM-PRM-CC1YR<br>UNSPSC: 43232804<br>Electronic distribution - NO MEDIA<br>Contract: TIPS/TAPS Software Agreement 3071615 (3071615) | 30 | 4318696 | $87.60 | ~~$2,628.00~~ |
| Cradlepoint antenna<br>Mfg. Part#: 170628-000<br>UNSPSC: 43221706<br>Contract: TIPS/TAPS Computers, Equipment, Components 2062515 (2062515) | 26 | 3391028 | $12.29 | $319.54 |
| MOBILE_MARK LTM501 OMNI ANTENNA GPS<br>Mfg. Part#: LTM501-3C3C3J3J2C-BLK-180<br>Contract: TIPS/TAPS Computers, Equipment, Components 2062515 | 17 | 3793137 | $271.30 | $4,612.10 |

**PURCHASER BILLING INFO**

**Billing Address:**
CITY OF TEXARKANA
ACCTS PAYABLE
PO BOX 1967
TEXARKANA, TX 75504-1967
**Phone:** (903) 798-3920
**Payment Terms:** Net 30 Days-Govt State/Local

**DELIVER TO**

**Shipping Address:**
CITY OF TEXARKANA
923 ELM ST
FLEET SERVICES
TEXARKANA, TX 75501-5015
**Phone:** (903) 798-3920
**Shipping Method:** FEDEX Ground

| | |
|---|---|
| SUBTOTAL | $28,845.54 |
| SHIPPING | $0.00 |
| GRAND TOTAL | ~~$28,845.54~~ |
| | $26,217.54 |

**Please remit payments to:**

CDW Government
75 Remittance Drive
Suite 1515
Chicago, IL 60675-1515

Need Assistance? CDW•G SALES CONTACT INFORMATION

Dave Edwards | (877) 274-3443 | daveedw@cdwg.com





Attachment: 2017-031 ATTH 07 CradlePoint Routers (1619 : 2017-031 RES Authorizing Purchasing Agreement with Taser for Police Cameras)

This quote is subject to CDW's Terms and Conditions of Sales and Service Projects at
http://www.cdwg.com/content/terms-conditions/product-sales.aspx
For more information, contact a CDW account manager

© 2017 CDW•G LLC, 200 N. Milwaukee Avenue, Vernon Hills, IL 60061 | 800.808.4239

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

**Perspectives and Goals Additional Comments:**

NONE

**Resource Impact:**

| | |
|---|---|
| Staff time required if item is approved: | No Additional |

**Other Potential Impacts:**

NONE APPLICABLE

## Public Information Plan:

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

Other:

Attachment: 2017-031 Goals & Perspectives (1619 : 2017-031 RES Authorizing Purchasing Agreement with Taser for Police Cameras)

City of Texarkana, Texas

# Briefing Sheet

Version:
**Update Date:** 3/8/2017 8:51 AM

| | | | |
|---|---|---|---|
| **Lead Department:** | Planning and Community Development | **Action Officer:** | David Orr, Planning & Community Development Director |
| **Subject:** | Ordinance No. 2017-032 amending the budget and authorizing the City Manager to enter into a contract for the environmental abatement and demolition of the Kress Building located at 116 W. Broad St. | | |

| | | | | | |
|---|---|---|---|---|---|
| **Briefing:** | 3/27/2017 | **Public Hearing:** | 3/27/2017 | **Second Briefing:** | April 10, 2017 | **Council Vote:** | 4/24/2017 |

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

## Updates/History of Briefing:

Ordinance No. 073-2009
Ordinance No. 2015-038
Ordinance No. 2016-073

## Executive Summary and Background Information:

In 2009, the City acquired property located at 116 West Broad Street from the Bi-State Women's Center, Inc as a donation through Ordinance No. 073-2009. The property has deteriorated to the point that it has impacted adjacent property owners and the building's front sidewalk has been compromised since November 2014 due to public safety concerns resulting from falling debris.

A structural engineering report conducted by Raley and Associates in 2012 stated that the building structure appears to be unstable and needs to be demolished as soon as possible. The City received confirmation June 23, 2015 from the Texas Historical Commission stating the building is not eligible for an individual listing in the National Register of Historic Places.

ERI Consulting, Inc conducted asbestos and lead-based paint inspections in 2015 and confirmed positive tests for both hazardous materials. ERI Consulting, Inc consulted with the Texas Department of State Health Services and received an approved contaminated construction debris disposal plan. ERI Consulting, Inc developed design options and a scope of work for the project.

Date Invitation for Bids (IFB) **Posted on our website January 13, 2017**
IFB Bid Number: **17-2001-02**
Dates Published in Texarkana Gazette: **January 15, 2017 and January 22, 2017**
Bids Received from:

**Gator Industrial LLC of Joplin, Missouri**
**Tactical Demolition of Frisco, Texas**

Bid Opening Date: **February 21, 2017**
Lowest Responsive Bidder: **Gator Industrial LLC of Joplin, Missouri**

# City of Texarkana, Texas

Budget: **Funds were not appropriated in FY17 budget. Budget amendment to include accepting the base bid of $506,500, relocation expenses of $23,638, professional fees of $67,500, TDSHS Fee $2,700, 5% contingency $28,835 for a total of $629,173.**
Policy Exceptions: **None**

Scope of Work: **Removal of three-story with basement commercial building totaling 18,000 s.f. while salvaging the historic architectural features.**

## Potential Options:

- Approve budget amendment
- Disapprove budget amendment

## Fiscal Implications:

$629,173

## Staff Recommendation:

Staff recommends for approval

## Advisory Board/Committee Review:

None

## Board/Committee Recommendation:

NOT APPLICABLE

## Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

## Attachments

a. 2017-032 ATTH 01 116 West Broad (PDF)
b. 2017-032 ATTH 02 EPA Funding Denial Email 2012 (PDF)
c. 2017-032 ATTH 03 EPA Funding Denial Email 2015 (PDF)
d. 2017-032 ATTH 04 Executive Summary Phase 1 Environmental (PDF)
e. 2017-032 ATTH 05 Jason Horton Letter (PDF)
f. 2017-032 ATTH 06 Kress Building Tom Morrissey Email (PDF)
g. 2017-032 ATTH 07 Kress Building October 2012 Report (PDF)
h. 2017-032 ATTH 08 Kress Pictures 4.13.2015 (PDF)
i. 2017-032 ATTH 09 Timeline 2015 (PDF)
j. 2017-032 ATTH 10 Order of Commission (PDF)
k. 2017-032 ATTH 11 Ordinance 073 09 Authorizing City Manager (PDF)
l. 2017-032 ATTH 12 Redev & Grants Memo Council Kress Transfer (PDF)
m. 2017-032 ATTH 13 Warranty Deed (PDF)
n. 2017-032 ATTH 14 Texas Historic Commission Response Kress (PDF)
o. 2017-032 ATTH 15 Spring Street Project Tyler,TX (PDF)
p. 2017-032 ATTH 16 ERI Asbestos Inspection Report (PDF)
q. 2017-032 Goals & Perspectives (DOCX)
r. 2017-032 ATTH 17 Gator Industrial LLC Bid Document (PDF)

**City of Texarkana, Texas**

s. 2017-032 ATTH 18 Kress Temporary Access and Easement Agreements (PDF)
t. 2017-032 ATTH 19 ERI Contract for Professional Services (PDF)
u. 2017-032 ATTH 20 ERI Recommendation Letter (PDF)
v. 2017-032 ORD Budget Amendment for Kress (DOCX)

## Staff Coordination

| | | | | |
|---|---|---|---|---|
| Planning and Community Development | David Orr | Department Head Review | Completed | 03/06/2017 11:56 AM |
| Finance Department | Kristin Peeples | Finance Review | Completed | 03/06/2017 2:54 PM |
| Purchasing and Contracting | Sharon Moore | Purchasing Review | Completed | 03/06/2017 3:00 PM |
| Deputy City Manager - Shirley Jaster Review | Shirley Jaster | Deputy City Manager | Completed | 03/06/2017 4:51 PM |
| Deputy City Manager - Kyle Dooley Review | Kyle Dooley | Deputy City Manager | Completed | 03/07/2017 8:16 AM |
| City Attorney | Jeffery C. Lewis | Review | Completed | 03/07/2017 9:43 AM |
| Public Information Officer | Lisa Thompson | PIO Review | Completed | 03/07/2017 9:48 AM |
| City Manager | John Whitson | City Manager Review | Completed | 03/09/2017 3:38 PM |
| City Council | Jennifer Evans | Meeting | Completed | 03/13/2017 6:00 PM |

## Meeting History

Texas City Hall
Kress Building 116 West Broad
W 3RD ST
W BROAD ST
W FRONT ST
OLIVE ST
FRON
H ST

**From:** Amber Perry [mailto:Perry.Amber@epamail.epa.gov]
**Sent:** Wednesday, January 18, 2012 3:27 PM
**To:** TEX-Ryan, Daphnea
**Cc:** TEX-Hallford, Adra; TEX-Lindholm, Craig; Taylor, Jodi A.; TEX-Sartor, Joy; Janet Brooks
**Subject:** Re: Request for Approval - Phase I 116 West Broad Street

Hi everyone,
I have heard back from our EPA counsel, and unfortunately the site is not eligible for an assessment with your grant. Also, the site will not be eligible for the multi-purpose grant (with the City of Texarkana as the applicant).

From my counsel:
"Unless the City previously took ownership of the property through some sort of involuntary acquisition (CERCLA sec 101 (20)) eminent domain, or condemnation (CERCLA sec 101(35)) (and I don't believe from the facts that was the case), the City's original failure to perform All Appropriate Inquiries via a Phase I within 6 months prior to purchase creates CERCLA sec 107 liability as a past owner. Another transaction won't get rid of that designation."

If you'd still like to pursue this site, perhaps ATCOG could do the assessment for a different owner PRIOR to taking title of the property. I wish I had better news. Sorry folks.

Thanks,
Amber

From: "TEX-Ryan, Daphnea" <dryan@txkusa.org>
To: Amber Perry/R6/USEPA/US@EPA
Cc: "TEX-Lindholm, Craig" <clindholm@txkusa.org>, "TEX-Sartor, Joy" <joy.sartor@txkusa.org>, "TEX-Hallford, Adra" <adra.hallford@txkusa.org>, "Taylor, Jodi A." <jataylor@terracon.com>
Date: 01/11/2012 12:30 PM
Subject: Request for Approval - Phase I 116 West Broad Street

---

Good Morning,

Attached please find the Consent to Enter, Application For Brownfields Assessment Funding and Property Approval Form for 116 West Broad Street owned by the Housing Finance

Corporation. If you have any questions regarding this property, please let me know.

Thank you for your consideration.

Daphnea Ryan
Manager, Environmental Services Unit
P.O. Box 1967
Texarkana, Texas 75504
dryan@txkusa.org
903-798-3977
903-748-5031 Cell
903-798-5066 Fax
[attachment "116 Broad HFC Consent and Application.pdf" deleted by Amber Perry/R6/USEPA/US] [attachment "Property Approval Form 116 Broad Street Housing Finance Corporation.doc" deleted by Amber Perry/R6/USEPA/US]

**From:** Scott, Camisha [mailto:Scott.Camisha@epa.gov]
**Sent:** Friday, April 17, 2015 8:57 AM
**To:** TEX-Ryan, Daphnea
**Cc:** Tex-Orr, David
**Subject:** Re: Kress Building

Hey Daphne and David,

The Brownfields Law establishes that site characterizations or assessments conducted with the use of brownfields grants awarded under CERCLA Section104(k)(2)(B)(ii) must be conducted in accordance with the federal "all appropriate inquiries" standards established under CERCLA and addressed in EPA's final rule setting standards and practices for all appropriate inquiries (70 FR 66070).
All appropriate inquiries also refers to the requirements for assessing the environmental conditions of a property prior to its acquisition, for purposes of establishing certain landowner liability protection under subtitle B of Title II of the Brownfields Law. These landowner liability protections require that a person perform “all appropriate inquiries” into the previous ownership and uses of a property before acquiring title to the property.

So unfortunately, the Kress is not a candidate for our funding. Looking forward to new and exciting projects. Should you need anything else, please feel free to contact me.

Thanks

Camisha

Terracon

# EXECUTIVE SUMMARY

This Phase I ESA was performed in accordance with our proposal dated October 24, 2006, and was conducted consistent with the procedures included in ASTM E 1527-05, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. The ESA was conducted under the supervision or responsible charge of Rachel A. Smith, Environmental Professional. Jodi Taylor and Rachel Smith performed the site reconnaissance on November 22, 2006.

This property was approved by EPA for assessment under the referenced Brownfields Grant. The Phase I ESA was conducted to address Brownfields Cooperative Agreement requirements for all appropriate inquiries under 40 Code of Federal Regulations, Part 312 *Standards and Practices for All Appropriate Inquiries* (November 2006). If warranted, the Phase I ESA will provide baseline information to develop an EPA-approved work plan for Phase II assessment of eligible recognized environmental conditions (RECs) regarding hazardous substances. The Phase I ESA will be used to complete or update the Property Profile Form specific to this property.

A cursory summary of findings is provided below. It should be recognized that details were not included or fully developed in this section, and the report must be read in its entirety for a comprehensive understanding of the items contained herein. Consistent with conducting current and future services under the EPA Brownfields Hazardous Substance Assessment grant, the following are identified when significant to Brownfields restoration.

- The site is located at 116 West Broad Street, Texarkana, Bowie County, Texas. The site is a 0.15-acre tract of land that has been improved with a 26,000 square feet ($ft^2$) four-story brick structure. The rectangular building has a masonry facade, a flat tar roof, and a single rear entrance. There is a large metal awning above the storefront entrance. The site is currently unoccupied.

- Site reconnaissance revealed a vacant building in downtown Texarkana, heretofore referenced as the Kress building, which once operated as a S.H. Kress & Co. department store. The Kress building is structurally connected on both sides to other downtown building structures in a manner typical of historical downtown architecture. It was noted that the Kress building has not been maintained since store operations ceased and is in severe disrepair. Masonry siding on the exterior of the building is damaged, and several pieces appear to have fallen from the building. Portions of the interior walls, ceilings and floors have collapsed due to water damage, and several windows are either broken or missing. Plywood is nailed to the storefront to prevent access or trespassing. The awning above the storefront is rotting and a large segment is missing. No other building features (e.g., elevators, office/storage space, restrooms, etc.) were visually apparent at the time of site reconnaissance due to severe structural damage and dilapidation. In addition, severe water damage due to frequent flooding prevented full access to the basement. However, considering the



Attachment: 2017-032 ATTH 04 Executive Summary Phase 1 Environmental (1620 : 2017-032 Amending the budget and authorizing CM contract

nature of department store operations, it is not expected that these limitations are significant.

- Based on a review of historical information and interviews conducted during this assessment, the Kress building was constructed in an "Art Deco" architectural style after a fire destroyed an earlier Kress store in 1933. Fire-destroyed on-site structures are considered historical RECs, potentially producing hazardous substances and other organic compounds in fire residue. However, the structure was reconstructed circa 1935, and fire debris and rubble were reportedly removed. The reconstructed building encompasses approximately 100% of the property. Therefore, fire residues from on-site activity at the time of the 1933 fire do not appear to be a current REC.

  The current structure is comprised of three full floors and a basement. S.H. Kress & Co. operated a department store in the Kress building from the time of its construction until the early 1970s. The exact date of store closure is uncertain. City directories and building records indicate that after a period of vacancy, the State First National Bank and Belk-Jones Department Store may have simultaneously used the Kress building for storage space from at least 1976 until mid-1980.

- Inspection records obtained from the City of Texarkana Building Permit/Inspection Department indicated that in 1979, site repairs were requested in order for the building to meet minimum code requirements. Actions requested included the removal of batteries used for auxiliary power. Based on the previous use of batteries of unknown disposition, this finding constitutes a REC at the site.

- Properties adjacent to the site include vacant and occupied commercial office space, government offices, and law offices. The south-adjoining properties consist of the Bi-State Justice Building, Bi-State Bail Bonds (201 W. Broad St.), and Main Street. The east-adjoining properties consist of Four States Magazine (114 W. Broad St.), AR & TX Bail Bonds (112 W. Broad St.), T-Town Camo (110 W. Broad St.), A-1 Bonding (108 W. Broad St.), Advanced Business Equipment (106-A W. Broad St.), and Capital One (100 W. Broad St.), followed by State Line Avenue. An alleyway adjoins the site to the north, followed by two finance companies, a parking lot, and then E. 3rd Street. The west-adjoining properties consist of a vacant commercial structure (120 W. Broad St.), the Mabel Bryan Morriss Center (124 W. Broad St.), and Main Street.

- The environmental regulatory database review identified the subject site as a TX Brownfields. In addition, the regulatory review identified one (1) National Priorities List (NPL) site, one (1) Texas Brownfields (TX Brownfields) site, one (1) Record of Decision (ROD) site, one (1) Arkansas leaking underground storage tank (LUST) site, one (1) Arkansas underground storage tank (UST) site, eight (8) Texas underground storage tank (TX UST) sites, eight (8) Texas leaking underground



Attachment: 2017-032 ATTH 04 Executive Summary Phase 1 Environmental (1620 : 2017-032 Amending the budget and authorizing CM contract

storage tank sites (TX LTANKS), one (1) Texas above-ground storage tank (TX AST) site, one (1) Texas drycleaner (TX DRYCLEANER) site, and one (1) Manufactured Gas Plant site within the ASTM-specified search radii of the site.

- According to the Texas Commission of Environmental Quality's (TCEQ's) environmental database, the former Twin City Cab Company at 317 Main Street is listed as a TX UST site. Records indicate that in approximately 1957, three gasoline USTs were removed from the location. An additional 2,000-gallon gasoline UST was removed on October 1, 1990. The 1990 tank removal was a result of a soil vapor survey that indicated a potential release had occurred. The Texarkana Fire Department determined that hydrocarbon vapors had accumulated in an elevator shaft being drilled in the Texarkana Regional Arts and Humanities Council (TRAHC) building located down-gradient. Therefore, the former UST at 317 Main Street is more appropriately identified as a former LTANK.

  The TCEQ performed many subsurface investigations at the former Twin City Cab Company. These investigations revealed that soil and groundwater were contaminated with dissolved-phase benzene, toluene, ethylbenzene, and xylene (BTEX), as well as methyl tertiary-butyl ether (MTBE) and Total Petroleum Hydrocarbons (TPH). According to TCEQ records, the dissolved-phase hydrocarbon plume commingled with a plume from one or more adjacent LTANKs. Information describing additional releases or identifying the exact location of any adjacent LTANKs is not provided in the records reviewed.

  Although the TCEQ has issued final concurrence regarding the former LTANK at 317 Main Street and closed the investigation, their records still indicate that a designated major or minor aquifer is impacted. Based on the tank's reported regulatory status and distance from the site, the former LTANK constitutes a REC to the site.

- A review of historical Texarkana city directories indicated that during the 1930s, two clothes-cleaning facilities were operated on properties in the vicinity of the site (on W. Broad Street and Main Street). During the 1940-1960 periods Sears Roebuck & Company operated a gasoline/service station on an adjoining property north of the site (on the corner of Main Street and W. 3rd Street). The addresses provided in the city directories for the clothes-cleaning facilities and the gasoline/service station indicate that they once operated within 500 feet of the site. Due to the type of operations performed at these former facilities and their proximity to the site, these findings constitute potential RECs.

**Hazardous Substance and Co-mingled RECs**

- Pigeon feces observed within the site structure indicate that pigeons have been roosting in the vacant structure for a significant period of time. Although not an ASTM-recognized environmental condition, this has been identified as a Brownfields



Attachment: 2017-032 ATTH 04 Executive Summary Phase 1 Environmental (1620 : 2017-032 Amending the budget and authorizing CM contract

issue related to the protection of public health and the environment as part of restoration projects. Pigeon and bat guano accumulation in quantity is a public and stakeholder concern regarding health, both biological and chemical. In addition to harboring fungi and viruses, guano can act as bio-accumulators for chemical compounds as heavy metals and organic compounds (e.g., polychlorinated biphenyls, pesticides). Assessment of conditions related to pigeon guano has been identified by EPA as a Brownfields-eligible issue. Pigeon carcasses are typically the result of normal lifecycle deaths through multiple on-site generations of breeding rather than mortality caused by chemicals. However, the public may perceive mortality to be due to chemical poisoning. The public stigma is typically abated with proper removal and cleaning, most often using a guano abatement plan for safety.

- A review of historical Sanborn maps revealed that a Sears Roebuck & Co. auto repair shop and filling station were operated on an adjoining property north of the site during the 1940s-1960s. These types of automotive-related facilities commonly used solvents and chemical compounds in repair operations in addition to petroleum. Based on these past land uses adjacent to the site and their potential for historical releases, in combination with the 1933 fire that destroyed the original Kress store, these findings appear to constitute potential multiple point source releases of hazardous substances co-mingled with residual levels of petroleum/petroleum lubricants as a REC from a contiguous property.

- Due to the age of the building, it is possible that building materials such as drywall, floor tiles, ceiling tiles, surfacing material, mastic, and thermal system insulation could contain asbestos. In addition, painted surfaces were observed to be in poor condition. Based on the date of construction, it is possible that the original layers of paint are considered lead-based paint. Although future renovation of the structure would likely include removal of potential asbestos- or lead-containing materials, it is important to consider potential current exposures by transients or adolescent trespassers.

- Evidence of water infiltration (e.g. water stains) was noted during the site reconnaissance that may have contributed to mold growth and proliferation.



Attachment: 2017-032 ATTH 04 Executive Summary Phase 1 Environmental (1620 : 2017-032 Amending the budget and authorizing CM contract

114 West Broad Street, Texarkana, Texas 75501
*Mail To:*
P.O. Box 1596, Texarkana, Texas 75504
Phone: [903] 792-2000 Fax: [903] 792-2100
jasonhortonlaw.com licensed in Texas & Arkansas

JASON HORTON
LAW FIRI

March 2, 2015
*Via email to david.orr@txkusa.org*

City of Texarkana, Texas
ATTN: David Orr
P.O. Box 1967
Texarkana, Texas 75504

RE: *Kress Building*

Dear David:

Going on four months ago, the City barricaded the front of the Kress building after I informed a City representative that large amounts of concrete fell from the top of the Kress and smashed through the metal awning. Debris was scattered up against my building, and large pieces of metal remain barely attached to the awning, waiting for a strong wind to cause more damage. The sidewalk in front of my building is impassible, and has been for months.

I have noticed a strong odor (akin to mold) in the back of my building after heavy rains. You can almost feel the moisture in the back of my building, and I hope it is not from water in the Kress basement seeping into my basement.

At the back of my building you will see a large smoke stack that travels from my building all the way to the top of the Kress. The stack is part of my building, but it is attached by metal brackets to the Kress. If you look closely, you can see major cracks in the Kress building where the metal brackets enter into the building. It looks like my brick smoke stack is providing support for the Kress. If and when the Kress finally gives way, this stack will come falling down and cause major damage to property and potential injury to anyone around.

I am afraid that my investment in downtown is deteriorating because of a lack of attention given to the Kress. It is becoming dangerous to walk in front of or behind the Kress. I would like to be contacted prior to any work being performed on the Kress because any work performed on that building is likely to cause significant damage to my building, constructively evicting my law firm in the process.

Thanks for your time and consideration.

Sincerely,

Jason Horton

/tmc
Enclosure

Attachment: 2017-032 ATTH 05 Jason Horton Letter (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

## TEX-Burns, Pam

**From:** TEX-Sparks, Jerry
**Sent:** Tuesday, March 10, 2015 7:36 AM
**To:** Tex-Orr, David
**Subject:** FW: Kress Building

Jerry Sparks
Economic Developer
City of Texarkana
P O Box 1967
Texarkana TX 75504-1967
Cell: 903.278.0102
Alternate email: jvsparks@cableone.net

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

-----Original Message-----
From: Tom [mailto:tomartist2004@yahoo.com]
Sent: Tuesday, March 10, 2015 6:36 AM
To: TEX-Sparks, Jerry
Subject: Kress Building

Hello Jerry,

I was asked to provide my opinion on the condition and future of the Kress Building located in the 100 block of W. broad St, Texarkana, TX. While it saddens me, I tend to agree that it has been allowed to fall into extreme disrepair and that moves to secure that property from further uncontrolled deterioration and, perhaps, adverse consequences to neighboring properties occurring as a result need to be considered.

I understand it has a basement which has a tendency to have standing water due to an underground stream. As well, I believe that the roof has caved in. Once, this building had beautiful interior features that made it a gem on Broad Street. This is no longer the case it seems.

I hope that the facades can be salvaged and perhaps a roof placed over the space to secure this piece of downtown history. But, one thing seems to be clear and that is; as it stands now, it seems to be a health and safety issue. Standing water in a basement space between two functional properties is not a situation that should remain. Not to mention the continual caving in of the interior that I understand is occurring.

While I hate the idea of yet another property on the main historic strip of Downtown Texarkana falling to waste, I guess it has already occurred. My aunt, while working her way through her education in that once thriving store met my uncle there. I myself, as an eight-year old child, recall buying most of my Christmas gifts for family there. Let's hope that this deterioration of this historic area can be brought under control.

I would support the city in whatever move is decided to be taken with respect to this property.

Tom Morrissey

Sent from my iPad



Attachment: 2017-032 ATTH 06 Kress Building Tom Morrissey Email (1620 : 2017-032 Amending the budget and authorizing CM contract for

RALEY AND ASSOCIATES, INC.
4715 Shed Road, Bossier City, LA 71111 · Phone 318-752-9023 · Fax 318-752-9025

October 16, 2012

Mr. Craig Lindholm
City of Texarkana, TX
West Third St. & Texas Blvd.
P.O. Box 1967
Texarkana, TX 75504

Re: Kress Department Store
Texarkana, TX

Dear Mr. Lindholm,

Per your request, this office made a visual observation of the subject building on Thursday, October 4, 2012. The purpose of this visit was to observe the building for any type of structural deficiencies and determine if the building could be salvaged or needed to be demolished. For the record, Jeff Raley, P.E., Craig Lindholm and Jason Cram, Architect, were present during this visit.

1. This building was a multi story department store.

2. We were not able to enter the interior of the building due to the dilapidated nature of the flooring system. We viewed the interior from the rear landing at the alley entrance door.

3. It appears the roof has had numerous leaks over the years leading to the collapse of the roof system and subsequent floor system.

4. From our vantage point we were able to see into the basement due to the collapse of the flooring (see photos).

5. From what we could observe, the steel framing was in poor condition due to rust.

6. We noted several masonry cracks on the exterior masonry which appeared to be indicative of structural problems.

As of this date, the building structure appears to be unstable and needs to be demolished as soon as possible.

This building by its location and size will be expensive to demolish. However, this firm does not believe it can be salvaged at a reasonable expense. The adjacent buildings will need to be

protected during demolition. The building to the east appeared to be occupied. The buildings to the west may be vacant.

This report is based upon our experience, readily accessible visible defects and certain assumptions that conventional methods of construction were used to build the building. We cannot normally see irregularities inside structures. Nature through excessive rain, droughts and differing soil characteristics cause extremes we cannot anticipate. Also, remodeling and changes in the building alter conditions that affect the building. Because of all these unknowns, this firm offers no warranty or guaranty with this report.

This report is intended to generally educate the client about the structural condition of the building and does not apply to the condition of any mechanical, electrical or plumbing items that may exist in the building. This report does not apply to the possible presence and/or danger from harmful substances such as toxic chemicals, lead paint, carbon monoxide, airborne hazards, mold, etc.

This report has been written for your sole use and only you have the authority to distribute this report to others. Raley and Associates, Inc. and its agents and employees do not have and do disclaim any contractual relationship with, or duty or obligation to, any party other than the addressee of this report. Only the engineer(s) who signed this document has the authority to change its contents and then only in writing to you. This report addresses the results of work completed to date. Should any additional information become available, we reserve the right to amend, as warranted, any of our conclusions or recommendations.

If you have any questions or need additional information, please call.

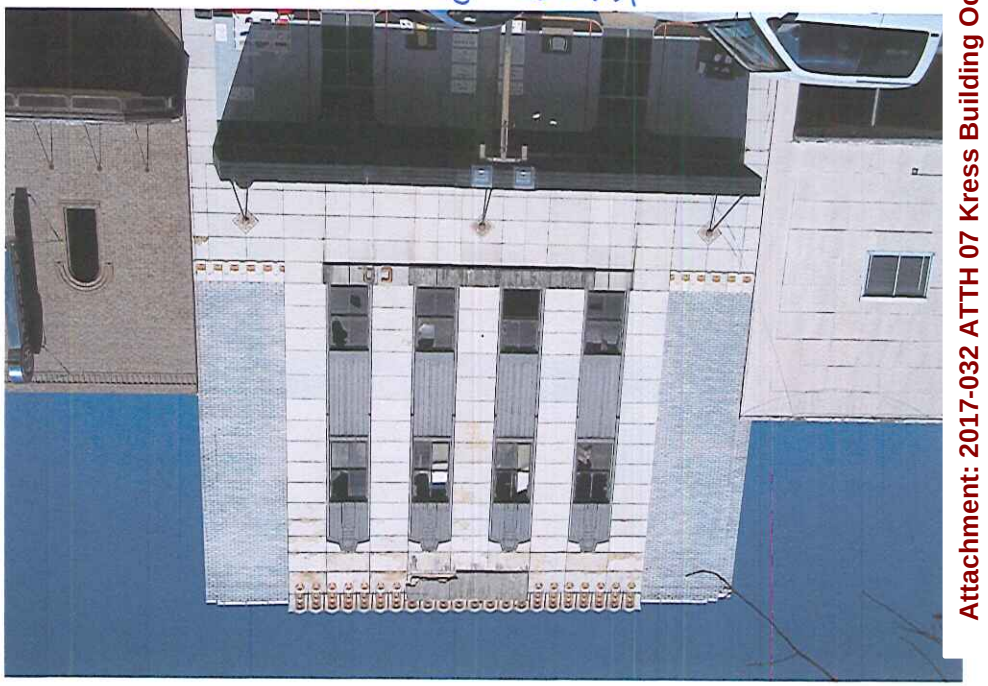
Sincerely,

Jeff Raley
Professional Engineer

STATE OF TEXAS
FRANK J. RALEY
70297
REGISTERED
PROFESSIONAL ENGINEER

10-16-12
TR-F594

cracks


Kress Building

# Kress Building Photos – April 13th, 2015 City Council Meeting

Attachment: 2017-032 ATTH 08 Kress Pictures 4.13.2015 (1620 : 2017-032 Amending the

Attachment: 2017-032 ATTH 08 Kress Pictures 4.13.2015 (1620 : 2017-032 Amending the

KRESS & CO
5-10-25
CENT STORE
BAIL
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Attachment: 2017-032 ATTH 08 Kress Pictures 4.13.2015 (1620 : 2017-032 Amending the

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Attachment: 2017-032 ATTH 08 Kress Pictures 4.13.2015 (1620 : 2017-032 Amending the

# Kress Property Timeline

**February 1979**- Building was initially cited by the City Building Official and Fire Captain for not meeting code requirements.

**August 2002**- Demolition ordered by the Texarkana, Texas Building and Standards Commission.

**November 2006**- Ark-Tex Council of Governments, completed a Phase I EPA Assessment.
*Note: In order to use federal clean up funds, this EPA Assessment would have had to have been updated within six months prior to the the City accepting ownership.*

**April 2009-** Texas Historical Commission reviewed the property and found it eligible for historic register listing. No further action was taken.

**May 2009**- City of Texarkana, Texas accepted ownership of the building from Bi-State Women's Center, Inc. for the purpose of demolition to "remove an eyesore and potential public health and safety risk." Ord. No. 073-2009

**November 2009-** Texas Commission on Environmental Quality(TCEQ), completed a Phase I EPA Assessment.
*Note: In order to use federal clean up funds, this EPA Assessment would have had to have been updated within six months prior to the the City accepting ownership.*

**October 2012**- City hired structural engineering firm, Raley and Associates, to determine options for next steps related to the building. After inspection, the firm reported "the structure appears to be unstable and needs to be demolished as soon as possible. The building by its location and size will be expensive to demolish. However, this firm does not believe it can be salvaged at a reasonable expense."

**January 2012 –** EPA denies City's request to use EPA Brownfields Program Funding
*From EPA legal counsel: "Unless the City previously took ownership of the property through some sort of involuntary acquisition (CERCLA sec 101 (20)) eminent domain, or condemnation (CERCLA sec 101(35)) (and I don't believe from the facts that was the case), the City's original failure to perform All Appropriate Inquiries via a Phase I within 6 months prior to purchase creates CERCLA sec 107 liability as a past owner. Another transaction won't get rid of that designation."*

**November 2014**- City was contacted regarding falling debris from the building facade and the public sidewalk was barricaded for safety. Patterson Engineering contacted to evaluate the building's structural integrity.

**April 2015**- City requests a re-review of the property to use EPA Brownfields Program Funding. *From EPA Program Officer: The Brownfields Law establishes that site characterizations or assessments conducted with the use of brownfields grants awarded under CERCLA Section104(k)(2)(B)(ii) must be conducted in accordance with the federal "all appropriate inquiries" standards… the Kress is not a candidate for our funding."Council will consider a resolution regarding next steps for the building, including demolition.*

**May 2015**- City Council will discuss a resolution allocating funds to issue a Request for Proposals to discover the best course of action regarding the Kress Property.

Attachment: 2017-032 ATTH 09 Timeline 2015 (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

| | | |
|---|---|---|
| **PUBLIC HEARING FOR UNSAFE STRUCTURE** | § | **BUILDING AND STANDARDS COMMISSION** |
| | § | |
| **Property:** 116 West Broad Street | § | |
| | § | |
| **Owner of Record:** Bi-State Women's Shelter | § | **CITY OF TEXARKANA, TEXAS** |

# ORDER OF THE COMMISSION

Pursuant to *Chapter 5, Article III. Unsafe Buildings and Structures of the Code of Ordinances of the City of Texarkana, Texas*, a Public Hearing was held before the Building and Standards Commission of the City of Texarkana, Texas on the 15th day of July, 2002, regarding the condition of the structure located on the above referenced property.

The Building Official of the City of Texarkana, Texas, having determined that an unsafe structure exists on the above referenced property, appeared by and through designee, Nina Walker, and presented evidence of unsafe building conditions. The Owner of Record, Bi-State Women's Shelter, did not appear.

The Building and Standards Commission of the City of Texarkana, Texas, after hearing the evidence and arguments regarding the condition of the structure located on property more specifically described as: Lots 12 &13, Block 21, City/Triggs Addition, located at 116 West Broad Street in the City of Texarkana, Bowie County, Texas, made a determination that the structure is unsafe. It was further determined that the structure should be demolished within thirty (30) days.

**IT IS THEREFORE ORDERED** that the Owner of Record shall demolish the structure on the above referenced property within thirty (30) days from the date this Order is signed. The Owner of Record shall obtain the appropriate permits from the Inspection Department of the City of Texarkana, Texas in order to demolish the structure.

**SIGNED** this the 6 day of August, 2002.

Eddie Hackleman, Chairman
Building and Standards Commission

Sworn to and subscribed before me, this the 6 day of August, 2002.

JANET E MCKINNEY
NOTARY PUBLIC
State of Texas
Comm. Exp. 04-07-2003

Notary Public, Bowie County, Texas

Attachment: 2017-032 ATTH 10 Order of Commission (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

ORDINANCE NO. 073-09

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CEO/CITY MANAGER TO EXECUTE ALL DOCUMENTS TO ACCEPT PROPERTY LOCATED ON LOTS 12 AND 13, BLOCK 21 OF CITY/TRIGGS ADDITION IN TEXARKANA, BOWIE COUNTY, TEXAS DONATED TO THE CITY OF TEXARKANA, TEXAS BY THE BI-STATE WOMEN'S CENTER, INC.; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Bi-State Women's Center, Inc. has offered to donate the property located on Lots 12 and 13, Block 21 of City/Triggs Addition in Texarkana, Bowie County, Texas, to the City of Texarkana, Texas; and

**WHEREAS**, the City Council desires to designate the CEO/City Manager to execute all documents on behalf of the City in the acceptance of the above-described property and finds it in the best interest of the citizens of the City of Texarkana, Texas to accept such property;

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

**SECTION 1:** That the CEO/City Manager be and is hereby authorized to execute all documents on behalf of the City to accept the donation of property from the Bi-State Women's Center, Inc. located on Lots 12 and 13, Block 21 of City/Trigg Addition in Texarkana, Bowie County, Texas.

**SECTION 2:** That this Ordinance shall become effective immediately upon its passage and approval.

**PASSED AND APPROVED** in Special Council Session on this the 18th day of May, 2009.

STEPHEN A. MAYO, MAYOR

ATTEST:

KERRY MEREDITH, CITY SECRETARY

APPROVED AS TO FORM:

DEBORAH JONES, STAFF LEGAL COUNSEL

**City of Texarkana, Texas**

Department of Community Redevelopment and Grants
P.O. 1967, Texarkana, Texas 75504-1967

Telephone: 903-798-3902 FAX: 903-793-3913

# Memo

**To:** F. Larry Sullivan, Ed.D., CEO/City Manager

**From:** Craig Lindholm, Executive Director CR&G

**Date:** May 14, 2009

**Re:** Council Approval Granting Authority to City Manager to execute transfer or property (116 West Broad Street Kress Building) to the City of Texarkana, TX

Recommend City Council grant authority to the City Manager to execute all documents necessary to accept the transfer of the property located at 116 West Broad Street, Texarkana, Texas (Kress Building) from the Bi-State Women's Center, Inc. Property is being donated to the City of Texarkana, Texas by the Bi-State Women's Center, Inc. Acceptance of the donation will give the City the authority as owner to take all action necessary and approved by State and Federal law and guidelines to demolish the structure removing the building as an eyesore and potential public health and safety risk.

Attachment: 2017-032 ATTH 12 Redev & Grants Memo Council Kress Transfer (1620 : 2017-032 Amending the budget and authorizing CM

COPY

Filed For Record In:
Bowie County, Texas
Denise Thornburg
County Clerk
On: Jan 10,2012 at 03:31P

DEED WITHOUT WARRANTY

STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS
COUNTY OF BOWIE §

That the **CITY OF TEXARKANA, TEXAS**, a Texas home-rule municipality ("Grantor"), for and in consideration of TEN AND NO/100 DOLLARS ($10.00), and other good and valuable consideration to Grantor, the receipt of which is hereby acknowledged, paid in hand by the **HOUSING FINANCE CORPORATION**, ("Grantee"), has **GRANTED, SOLD AND CONVEYED** and by these presents does **GRANT, SELL AND CONVEY** unto the **Grantee**, all that certain real property ("Property") located in Texarkana, Bowie County, Texas, being more particularly described as follows:

**Lots Numbered TWELVE (12) and THIRTEEN (13) in Block Numbered TWENTY-ONE (21) in Trigs Addition to the Original City of Texarkana, Bowie County, Texas being that property more particularly described in Volume 5640, Page 43, Deed Records, Bowie County, Texas,**

together with all improvements located thereon and all rights and appurtenances thereto in anywise belonging to Grantor, except 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; and discrepancies, conflicts, or shortages in area or boundary lines; and any encroachments or overlapping of improvements.

**TO HAVE AND TO HOLD** the above-described Property together with any and all the rights and appurtenances thereto in anywise belonging to Grantor, is conveyed unto the said Grantee. Excluded and excepted from this deed are any and all warranties, express or implied, regarding the property, including, without limitation, any warranties arising at common law or implied as a result of V.T.C.A. Property Code Section 5.023 or its successor.

**EXECUTED** and **EFFECTIVE** as of the 10th day of Jan., 2012.

CITY OF TEXARKANA, TEXAS

BY: _____
F. LARRY SULLIVAN
CITY MANAGER

ACKNOWLEDGMENT

THE STATE OF TEXAS §
COUNTY OF BOWIE §

**BEFORE ME**, the undersigned authority, a Notary Public, on this day personally appeared F. LARRY SULLIVAN, City Manager for the City of Texarkana, Texas, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of The City of Texarkana, Texas, and that he executed the same as the act of said City for the purposes and consideration therein expressed, and in the capacity therein stated.

**GIVEN UNDER MY HAND AND SEAL OF OFFICE** this the 10th day of January, 2012.

Dana K. Jaggers
Notary Public, State of Texas

DANA K JAGGERS
My Commission Expires
February 5, 2012

City of Texarkana, Texas
Westard Street & Texas Blvd.
P.O. Box 1967

| # | Vol | Page |
|---|---|---|
| 330 | 6164 | 279 |

Attachment: 2017-032 ATTH 13 Warranty Deed (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

TEXAS HISTORICAL COMMISSION
*real places telling real stories*

June 23, 2015

David W. Orr
Planning and Community Development Director
City of Texarkana, Texas
PO Box 1967
Texarkana, TX 75504

RE: Kress Building, 116 West Broad Street, Texarkana, Bowie County, Texas

Dear Mr. Orr:

Thank you for submitting additional documentation of the Kress Building in Texarkana, Texas. The building is not eligible for individual listing in the National Register of Historic Places due to a lack of integrity, as the storefront has been lost, and the building no longer retains a roof or any floors. We have also determined that the block upon which the building is located is not eligible for listing in whole or in part as a historic district, also due to diminished integrity.

If you have any questions, don't hesitate to contact me at (512) 463-6013 or by email at greg.smith@thc.state.tx.us.

Sincerely,

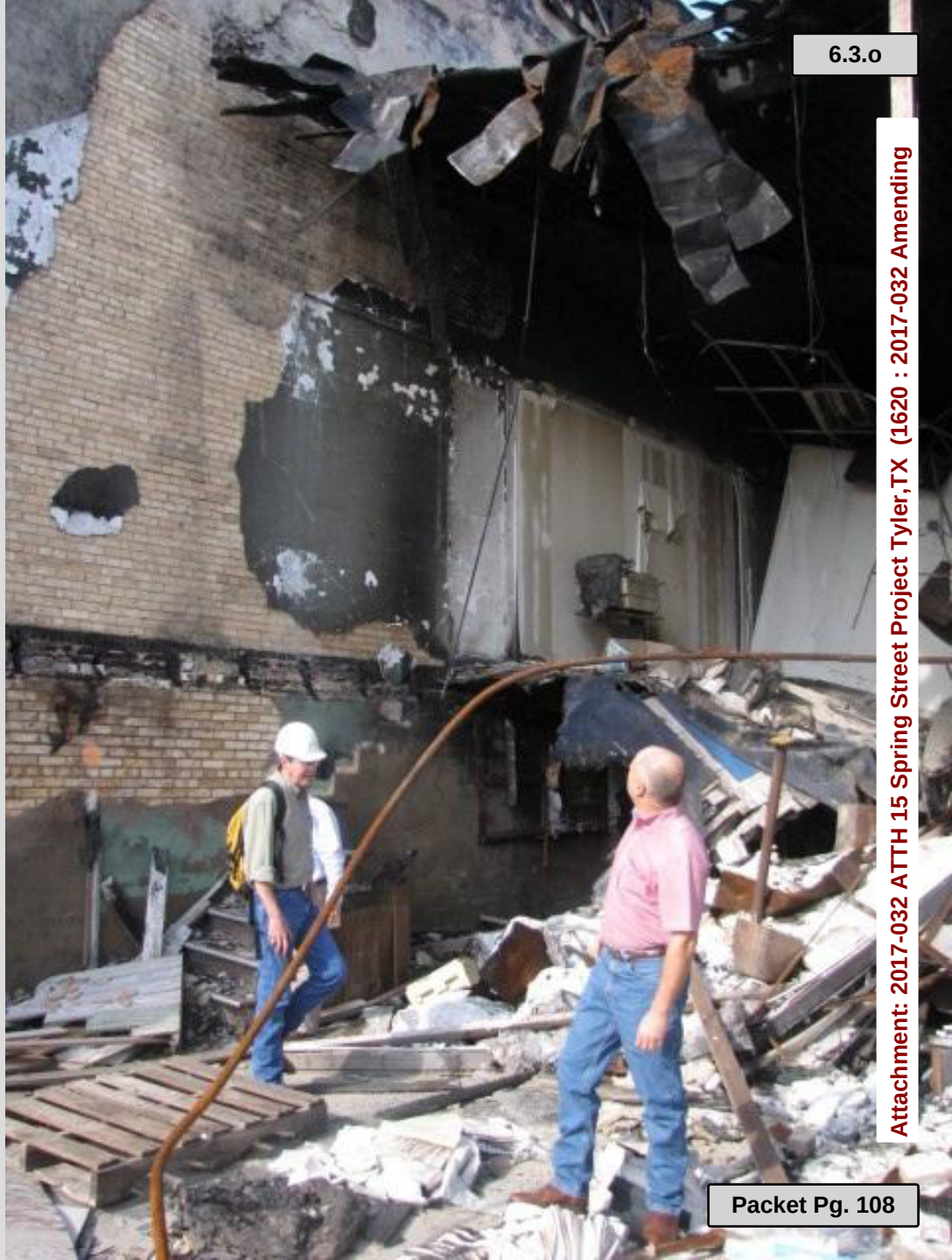
Gregory W. Smith
National Register Coordinator

Attachment: 2017-032 ATTH 14 Texas Historic Commission Response Kress (1620 : 2017-032 Amending the budget and authorizing CM

Fire Restoration Project by Smith County

# Spring Avenue Plaza

FIRE





Attachment: 2017-032 ATTH 15 Spring Street Project Tyler,TX (1620 : 2017-032 Amending

Attachment: 2017-032 ATTH 15 Spring Street Project Tyler,TX (1620 : 2017-032 Amending

Attachment: 2017-032 ATTH 15 Spring Street Project Tyler,TX (1620 : 2017-032 Amending

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J. PABST
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Attachment: 2017-032 ATTH 15 Spring Street Project Tyler,TX (1620 : 2017-032 Amending

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JACOBE BROS.

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J.PABST
J.PABST
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JBC
JACOBE BROS.

LIBERTY

# The Spirit of Progress

Smith County's *Spirit of Progress* is a cherished symbol of the rich traditi of a time of classical and more formal architecture. Known as a "relie sculpture because of its raised design, this panel was prominen displayed over the front door of the original Montgomery Ward & C building in 1930 on S. College Street in Tyler until the company mov to a new location in the Bergfeld Shopping Center area in 1959. In 19 the Alex Golenternek family moved the family business, Golenternek Tyler House Furnishings, into the empty Montgomery Ward building a became resident caretakers of this beautiful art piece. The *Spirit of Progr* lovingly guarded the front doors of Golenternek's until the building w demolished in 1980. She was saved from demolition and was stored f years by the Smith County Historical Society who graciously donated th piece to Smith County citizens and visitors for their enjoyment. Becau of their generosity, the *Spirit of Progress* once again takes her rightful pla as the elegant guardian of downtown Tyler.

*Smith County, Texas, est. 1846*

Attachment: 2017-032 ATTH 15 Spring Street Project Tyler,TX (1620 : 2017-032 Amending

Attachment: 2017-032 ATTH 15 Spring Street Project Tyler,TX (1620 : 2017-032 Amending

J.PABST

J.PABST

ERI CONSULTING, INC.

P. O. Box 2024, Tyler, Texas 75710
2026 Republic Drive, Suite A, Tyler, Texas 75701
Ph: (903) 534-5001 Fax: (903) 534-8701
TBPE Firm # F-1787
www.ericonsulting.com

July 23, 2015

City of Texarkana
Ms. Shawna Watkins, City Planner
P.O. Box 1967
Texarkana, TX 75504
Phone: 903-798-3934 / Fax: 903-798-3913
Cell: 903-559-5730 / shawna.watkins@txkusa.org

***RE: ES#15-532 - Asbestos Inspection, Kress Building, 116 West Broad Street, Texarkana, Texas***

Dear Ms. Watkins:

On July 15, 2015, I along with Mr. Michael Taylor, of ERI Consulting, Inc., licensed through the Texas Department of State Health Services for inspections, TDSHS License No. 10-5566 and 60-2358, performed an asbestos inspection at the above referenced building. The inspection involved the sampling of the suspect asbestos-containing materials that could be disturbed during future renovation/demolition work. The building is constructed of steel, brick, and wood, with a concrete foundation. The building is a three-story building, with an additional basement floor.

The initial phase of the inspection involved the identification of the homogeneous areas which (1) could be disturbed during future renovation/demolition activities and (2) are suspected of containing asbestos fibers. Each homogeneous area was quantified to determine the approximate amount of suspect material present. These areas were then divided into sectors and samples collected in a statistically random manner. A sufficient number of samples were collected in each homogeneous area based on the amount of suspect material present. The inspection was performed in accordance with applicable TDSHS, OSHA and EPA Standards.

A total of 57 samples were collected. All samples were delivered to the TDSHS licensed laboratory of ERI Analytical (TDSHS License No. 30-0007) immediately following the field inspection, and analyzed by Polarized Light Microscopy (PLM) in accordance with 40 CFR 763 Subpart E, Appendix E. This asbestos inspection report documents the field inspection and laboratory findings for the following homogeneous areas:

1. **Homogeneous Area A - Plaster material (walls)**
2. **Homogeneous Area B - Plaster material (ceilings)**
3. **Homogeneous Area C - Plaster material (skin-coat)**
4. **Homogeneous Area D - Plaster material (texture)**
5. **Homogeneous Area E - Terrazzo flooring with mastic**
6. **Homogeneous Area F - 6" x 6" green floor tile with mastic**
7. **Homogeneous Area G - 6" x 6" red floor tile with mastic**
8. **Homogeneous Area H - 6" x 6" brown floor tile with mastic**
9. **Homogeneous Area I - Ceiling tile (white with brown)**
10. **Homogeneous Area J - Wall mastic (black vapor barrier)**
11. **Homogeneous Area K - TSI - piping insulation (air-cell)**
12. **Homogeneous Area L - TSI - fittings (hard-mudded)**
13. **Homogeneous Area M - Roofing material "A" (built-up)**
14. **Homogeneous Area N - Roofing material "B" (felt)**
15. **Homogeneous Area O - Window caulk**
16. **Homogeneous Area P - Brick (red)**
17. **Homogeneous Area Q - Brick (mortar)**
18. **Homogeneous Area R - Stone / rock**
19. **Homogeneous Area S - Roofing material "C" (tar / felt)**

# ERI Consulting, Inc.



By definition, an asbestos-containing building material is a material that contains greater than one percent (>1%) asbestos fibers. **Of the samples collected, the following Homogeneous Areas were confirmed to be asbestos-containing.**

- **Homogeneous Area F - 6" x 6" green floor tile with mastic**
- **Homogeneous Area G - 6" x 6" red floor tile with mastic**
- **Homogeneous Area H - 6" x 6" brown floor tile with mastic**
- **Homogeneous Area J - Wall mastic (black vapor barrier)**
- **Homogeneous Area K - TSI - piping insulation (air-cell)**
- **Homogeneous Area L - TSI - fittings (hard-mudded)**
- **Homogeneous Area M - Roofing material "A" (built-up)**
- **Homogeneous Area O - Window caulk (exterior)**

To facilitate renovation/demolition activities which would disturb these materials, they must be removed and disposed of in the regulated manner by a TDSHS licensed asbestos abatement contractor, under the supervision of a TDSHS licensed consultant.

Current EPA and TDSHS regulations require that an asbestos survey be performed prior to disturbing building materials (demolition or renovation) in a public building. TDSHS regulations require that a notification be filed only if structural members are removed (demolition), and/or regulated asbestos-containing materials are disturbed. TDSHS does not require nor desire copies of the survey report to be filed with them. **TDSHS regulations also require that a copy of the asbestos survey be kept on the job site at all times during renovation/demolition activities.** Local building inspectors may also require an asbestos inspection to be performed prior to issuing permits. This report should meet those requirements.

**Limitations:** Due to the extremely dilapidated condition of the structure, sampling was limited to accessible materials only. We were able to collect enough samples to determine that asbestos abatement/cleanup will be necessary to facilitate demolition or renovation. However, there may be other materials located throughout the building, which contain asbestos but were not sampled. Such materials, if present, could be located within wall cavities, under floor coverings, within pipe chases, or other inaccessible areas. Such materials would only be encountered during extensive renovation/demolition activities. **If additional materials, not identified within this report, are uncovered, renovation/demolition activities should cease, until sampling can be conducted to confirm or deny the presence of asbestos or the materials must be assumed to be asbestos-containing and handled accordingly.**

We enjoyed serving you on this matter. Please find enclosed the following documentation which should be kept as part of your permanent records: (1) General Photographs, (2) Bulk Sample Log/Chain of Custody, (3) Laboratory Analysis Report, (4) Asbestos-Containing Materials Diagram, and (5) ERI Licensing and Accreditation. An invoice for our services is also enclosed. If you have any questions concerning the inspection, or if we can assist you in handling the removal of the confirmed asbestos-containing materials, please contact our office at 903-534-5001.

Sincerely,

Christopher L. Power
Vice President
TDSHS License No. 10-5566
Expires 02/15/2017

CLP/kw – Enclosures

15532 city of texarkana inv

Attachment: 2017-032 ATTH 16 ERI Asbestos Inspection Report (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

**ERI Consulting, Inc.**

***General Photographs of the***
***Kress Building, 116 West Broad Street, Texarkana, Texas***

Attachment: 2017-032 ATTH 16 ERI Asbestos Inspection Report (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

# ERI Consulting, Inc.

## *General Photographs of the Kress Building, 116 West Broad Street, Texarkana, Texas*

Attachment: 2017-032 ATTH 16 ERI Asbestos Inspection Report (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

ERI Consulting, Inc.

*General Photographs of the*
*Kress Building, 116 West Broad Street, Texarkana, Texas*

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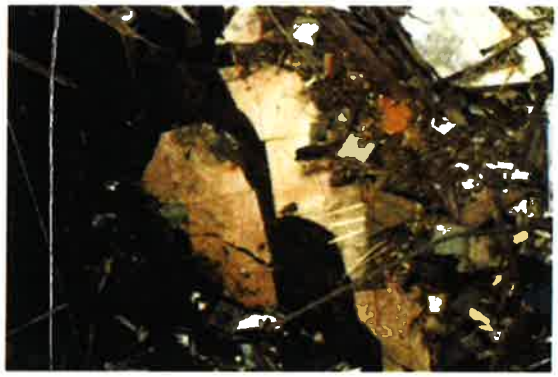
**ERI Consulting, Inc.**

***General Photographs of the***
***Kress Building, 116 West Broad Street, Texarkana, Texas***



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**ERI Consulting, Inc.**

***General Photographs of the***
***Kress Building, 116 West Broad Street, Texarkana, Texas***

Attachment: 2017-032 ATTH 16 ERI Asbestos Inspection Report (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

ERI CONSULTING, INC. - BULK SAMPLE LOG / CHAIN OF CUSTODY ES#: 15-532 AS# 1507223

Customer: City of Texarkana c/o Shawna Watkins Building: Kress Building, 116 West Broad Street, Texarkana, Texas

Inspector Name: Christopher L. Power / Michael Taylor Inspector Signature: Inspection Date: 7/15/15

| Homogeneous Area | Material | Location | Sample # | % Asbestos | Location | Sample # | % Asbestos | Location | Sample # | % Asbestos |
|---|---|---|---|---|---|---|---|---|---|---|
| A | Plaster material (walls) | 1st - 3rd Floors (debris) | 1 | ND | 1st - 3rd Floors (debris) | 2 | ND | 1st - 3rd Floors (debris) | 3 | ND |
| B | Plaster material (ceilings) | 1st - 3rd Floors (debris) | 4 | ND | 1st - 3rd Floors (debris) | 5 | ND | 1st - 3rd Floors (debris) | 6 | ND |
| C | Plaster material (skin-coat) | 1st - 3rd Floors (debris) | 7 | ND | 1st - 3rd Floors (debris) | 8 | ND | 1st - 3rd Floors (debris) | 9 | ND |
| D | Plaster material (texture) | 1st - 3rd Floors (debris) | 10 | ND | 1st - 3rd Floors (debris) | 11 | ND | 1st - 3rd Floors (debris) | 12 | ND |
| E | Terrazzo flooring with mastic | 1st - 3rd Floors (debris) | 13 | ND<br>ND | 1st - 3rd Floors (debris) | 14 | ND<br>ND | 1st - 3rd Floors (debris) | 15 | ND<br>ND |
| F | 6" x 6" green floor tile with mastic | 1st - 3rd Floors (debris) | 16 | ND<br>7-10% | 1st - 3rd Floors (debris) | 17 | ND<br>7-10% | 1st - 3rd Floors (debris) | 18 | ND<br>7-10% |
| G | 6" x 6" red floor tile with mastic | 1st - 3rd Floors (debris) | 19 | 5-7%<br>7-10% | 1st - 3rd Floors (debris) | 20 | 5-7%<br>7-10% | 1st - 3rd Floors (debris) | 21 | 5-7%<br>7-10% |
| H | 6" x 6" brown floor tile with mastic | 1st - 3rd Floors (debris) | 22 | 5-7%<br>7-10% | 1st - 3rd Floors (debris) | 23 | 5-7%<br>7-10% | 1st - 3rd Floors (debris) | 24 | 5-7%<br>7-10% |
| I | Ceiling tile (white with brown) | 1st - 3rd Floors (debris) | 25 | ND | 1st - 3rd Floors (debris) | 26 | ND | 1st - 3rd Floors (debris) | 27 | ND |
| J | Wall mastic (black vapor barrier) | 1st - 3rd Floors (debris) | 28 | 5-7% | 1st - 3rd Floors (debris) | 29 | 5-7% | 1st - 3rd Floors (debris) | 30 | 5-7% |
| K | TSI - piping insulation (air-cell) | 1st - 3rd Floors (debris) | 31 | 55-60% | 1st - 3rd Floors (debris) | 32 | 55-60% | 1st - 3rd Floors (debris) | 33 | 55-60% |
| L | TSI - fittings (hard-mudded) | 1st - 3rd Floors (debris) | 34 | 35-40% | 1st - 3rd Floors (debris) | 35 | 35-40% | 1st - 3rd Floors (debris) | 36 | 35-40% |
| M | Roofing material "A" (built-up) | 1st - 3rd Floors (debris) | 37 | 3-5% | 1st - 3rd Floors (debris) | 38 | 3-5% | 1st - 3rd Floors (debris) | 39 | 3-5% |
| N | Roofing material "B" (felt) | 1st - 3rd Floors (debris) | 40 | ND | 1st - 3rd Floors (debris) | 41 | ND | 1st - 3rd Floors (debris) | 42 | ND |
| O | Window caulk | Exterior - back | 43 | 3-5% | Exterior - back | 44 | 3-5% | Exterior - back | 45 | 3-5% |

**ERI CONSULTING, INC. - BULK SAMPLE LOG / CHAIN OF CUSTODY ES#: 15-532 AS# 1507223**
**Customer: City of Texarkana c/o Shawna Watkins Building: Kress Building, 116 West Broad Street, Texarkana, Texas**

**Inspector Name: Christopher L. Power / Michael Taylor Inspector Signature: Inspection Date: 7/15/15**

| Homogeneous Area | Material | Location | Sample # | % Asbestos | Location | Sample # | % Asbestos | Location | Sample # | % Asbestos |
|---|---|---|---|---|---|---|---|---|---|---|
| P | Brick (red) | Exterior | 46 | ND | Exterior | 47 | ND | Exterior | 48 | ND |
| Q | Brick (mortar) | Exterior | 49 | ND | Exterior | 50 | ND | Exterior | 51 | ND |
| R | Stone / rock | Front fascia | 52 | ND | Front fascia | 53 | ND | Front fascia | 54 | ND |
| S | Roofing material "C" (tar / felt) | Front awning | 55 | ND | Front awning | 56 | ND | Front awning | 57 | ND |

Confirmed Asbestos-Containing Materials

ERI A.S. No. 1507223

# ERI ANALYTICAL

P. O. Box 2024, Tyler, Texas 75710
2026 Republic Drive, Suite A, Tyler, Texas 75701
Ph: (903) 534-5001 Fax: (903) 534-8701
www.ericonsulting.com

NVLAP LAB CODE 101232-0

## LABORATORY ANALYSIS REPORT

NIST NVLAP Bulk Asbestos Analysis Lab Accreditation Code No.101232-0
TEXAS ASBESTOS LABORATORY LICENSE NO. 30-0007

TO: Engineering Services Division
ERI Consulting, Inc.
Attn: Mr. Christopher L. Power

Report Date: 7-16-15
Sample Rec'd: 7-16-15
Page 1 of 5
ERI A.S. No.: 15-532

LOCATION: Kress Building, 116 West Broad Street, Texarkana, Texas for City of Texarkana c/o Shawna Watkins.
COLLECTED BY: Christopher L. Power - Michael Taylor DATE: 7-15-15

METHOD: Polarized Light Microscopy (PLM) analysis for asbestos in building materials by EPA 600/R-93/116, July 1993, Improved Method for the Determination of Asbestos in Bulk Building materials. 40 CFR Part 763, Subpart E, Appendix E, Interim method varies slightly from this method. Quantification is by visual estimation. In accordance with the EPA revisions 40 CFR Part 61, pertaining to friable materials, if the asbestos content is estimated to be less than 10 percent by visual estimation, the determination may be repeated upon request, using the point counting technique. **NOTE: Asbestos fibers may occur in particle size below the resolution limit of this analysis technique; TEM analysis is recommended on samples of floor tile determined to be <1% or none detected by this method.** The percentage of asbestos reported refers to the overall percentage for the material provided, unless otherwise indicated. Samples determined to be <1% by visual estimation are automatically repeated using the point count technique. Samples are analyzed by layer but results may be combined if no regulated fibers were observed.

RESTRICTIONS: This report relates only to the items actually tested, and must not be used to claim product endorsement by NVLAP, or any agency of the United States government. Reproductions must include the entire report.

RESULTS: The percentage of asbestos reported is by visual estimation. Point Counting results, when appropriate, are reported in parenthesis after these results in the Sample Description.

### POLARIZED LIGHT MICROSCOPY

| Customer I.D. | ERI AS# 1507223 | Results (ND=None Detected) (PC=Point Counting) % Asbestos | Sample description |
|---|---|---|---|
| 1 | 1 | ND | Homogeneous, off white plaster material containing <1% cellulose fibers, quartz in a cement matrix. |
| 2 | 2 | ND | Homogeneous, off white plaster material containing <1% cellulose fibers, quartz in a cement matrix. |
| 3 | 3 | ND | Homogeneous, off white plaster material containing <1% cellulose fibers, quartz in a cement matrix. |
| 4 | 4 | ND | Homogeneous, off white plaster material containing <1% cellulose fibers, quartz in a cement matrix. |
| 5 | 5 | ND | Homogeneous, off white plaster material containing <1% cellulose fibers, quartz in a cement matrix. |
| 6 | 6 | ND | Homogeneous, off white plaster material containing <1% cellulose fibers, quartz in a cement matrix. |

Tracy Fostes

Attachment: 2017-032 ATTH 16 ERI Asbestos Inspection Report (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

# ERI Analytical

ERI AS #1507223, Kress Building, 116 West Broad Street, Texarkana, Texas.



POLARIZED LIGHT MICROSCOPY

| Customer I.D. | ERI AS# 1507223 | Results (ND=None Detected) (PC=Point Counting) % Asbestos | Sample description |
|---|---|---|---|
| 7 | 7 | ND | Homogeneous, white plaster material containing <1% cellulose fibers, calcite, particulate and binder. |
| 8 | 8 | ND | Homogeneous, white plaster material containing <1% cellulose fibers, calcite, particulate and binder. |
| 9 | 9 | ND | Homogeneous, white plaster material containing <1% cellulose fibers, calcite, particulate and binder. |
| 10 | 10 | ND | Homogeneous, white texture material containing paint, particulate and binder. No fibers were detected. |
| 11 | 11 | ND | Homogeneous, white texture material containing paint, particulate and binder. No fibers were detected. |
| 12 | 12 | ND | Homogeneous, white texture material containing paint, particulate and binder. No fibers were detected. |
| 13 | 13a | ND | Beige terrazzo material containing gravel in a cement matrix. No fibers were detected. |
| | 13b | ND | Black mastic containing 2-4% cellulose fibers in a tar binder. |
| 14 | 14a | ND | Beige terrazzo material containing gravel in a cement matrix. No fibers were detected. |
| | 14b | ND | Black mastic containing 2-4% cellulose fibers in a tar binder. |
| 15 | 15a | ND | Beige terrazzo material containing gravel in a cement matrix. No fibers were detected. |
| | 15b | ND | Black mastic containing 2-4% cellulose fibers in a tar binder. |
| 16 | 16a | ND | Green floor tile containing rubber. No fibers were detected. |
| | 16b | 7-10% | Black mastic containing 7-10% chrysotile asbestos, <1% cellulose fibers in a tar binder. |
| 17 | 17a | ND | Green floor tile containing rubber. No fibers were detected. |
| | 17b | 7-10% | Black mastic containing 7-10% chrysotile asbestos, <1% cellulose fibers in a tar binder. |
| 18 | 18a | ND | Green floor tile containing rubber. No fibers were detected. |
| | 18b | 7-10% | Black mastic containing 7-10% chrysotile asbestos, <1% cellulose fibers in a tar binder. |
| 19 | 19a | 5-7% | Red floor tile containing 5-7% chrysotile asbestos, vinyl, calcite, particulate and binder. |
| | 19b | 7-10% | Black mastic containing 7-10% chrysotile asbestos in a tar binder. |
| 20 | 20a | 5-7% | Red floor tile containing 5-7% chrysotile asbestos, vinyl, calcite, particulate and binder. |
| | 20b | 7-10% | Black mastic containing 7-10% chrysotile asbestos in a tar binder. |

Tracy Foster

Attachment: 2017-032 ATTH 16 ERI Asbestos Inspection Report (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

# ERI Analytical

ERI AS #1507223, Kress Building, 116 West Broad Street, Texarkana, Texas.



POLARIZED LIGHT MICROSCOPY

| Customer I.D. | ERI AS# 1507223 | Results (ND=None Detected) (PC=Point Counting) % Asbestos | Sample description |
|---|---|---|---|
| 21 | 21a | 5-7% | Red floor tile containing 5-7% chrysotile asbestos, vinyl, calcite, particulate and binder. |
| | 21b | 7-10% | Black mastic containing 7-10% chrysotile asbestos in a tar binder. |
| 22 | 22a | 5-7% | Brown floor tile containing 5-7% chrysotile asbestos, vinyl, calcite, particulate and binder. |
| | 22b | 7-10% | Black mastic containing 7-10% chrysotile asbestos in a tar binder. |
| 23 | 23a | 5-7% | Brown floor tile containing 5-7% chrysotile asbestos, vinyl, calcite, particulate and binder. |
| | 23b | 7-10% | Black mastic containing 7-10% chrysotile asbestos in a tar binder. |
| 24 | 24a | 5-7% | Brown floor tile containing 5-7% chrysotile asbestos, vinyl, calcite, particulate and binder. |
| | 24b | 7-10% | Black mastic containing 7-10% chrysotile asbestos in a tar binder. |
| 25 | 25 | ND | Homogeneous, brown fibrous ceiling tile with white paint containing 92-95% cellulose fibers, particulate and binder. |
| 26 | 26 | ND | Homogeneous, brown fibrous ceiling tile with white paint containing 92-95% cellulose fibers, particulate and binder. |
| 27 | 27 | ND | Homogeneous, brown fibrous ceiling tile with white paint containing 92-95% cellulose fibers, particulate and binder. |
| 28 | 28 | 5-7% | Homogeneous, black wall material containing 5-7% chrysotile asbestos, 10-15% cellulose fibers in a tar binder. |
| 29 | 29 | 5-7% | Homogeneous, black wall material containing 5-7% chrysotile asbestos, 10-15% cellulose fibers in a tar binder. |
| 30 | 30 | 5-7% | Homogeneous, black wall material containing 5-7% chrysotile asbestos, 10-15% cellulose fibers in a tar binder. |
| 31 | 31 | 55-60% | Homogeneous, gray-tan fibrous insulation containing 55-60% chrysotile asbestos, 35-40% cellulose fibers, particulate and binder. |
| 32 | 32 | 55-60% | Homogeneous, gray-tan fibrous insulation containing 55-60% chrysotile asbestos, 35-40% cellulose fibers, particulate and binder. |
| 33 | 33 | 55-60% | Homogeneous, gray-tan fibrous insulation containing 55-60% chrysotile asbestos, 35-40% cellulose fibers, particulate and binder. |
| 34 | 34 | 35-40% | Homogeneous, white friable insulation containing 35-40% chrysotile asbestos in a carbonate rich matrix. |
| 35 | 35 | 35-40% | Homogeneous, white friable insulation containing 35-40% chrysotile asbestos in a carbonate rich matrix. |
| 36 | 36 | 35-40% | Homogeneous, white friable insulation containing 35-40% chrysotile asbestos in a carbonate rich matrix. |

Tracy Foster

Attachment: 2017-032 ATTH 16 ERI Asbestos Inspection Report (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

# ERI Analytical

ERI AS #1507223, Kress Building, 116 West Broad Street, Texarkana, Texas.



POLARIZED LIGHT MICROSCOPY

| Customer I.D. | ERI AS# 1507223 | Results (ND None Detected) (PC Point Counting) % Asbestos | Sample description |
|---|---|---|---|
| 37 | 37 | 3-5% | Homogeneous, black roof material containing 3-5% chrysotile asbestos, 15-20% cellulose fibers, gravel in a tar binder. |
| 38 | 38 | 3-5% | Homogeneous, black roof material containing 3-5% chrysotile asbestos, 15-20% cellulose fibers, gravel in a tar binder. |
| 39 | 39 | 3-5% | Homogeneous, black roof material containing 3-5% chrysotile asbestos, 15-20% cellulose fibers, gravel in a tar binder. |
| 40 | 40 | ND | Homogeneous, black felt material containing 25-30% cellulose fibers in a tar binder. |
| 41 | 41 | ND | Homogeneous, black felt material containing 25-30% cellulose fibers in a tar binder. |
| 42 | 42 | ND | Homogeneous, black felt material containing 25-30% cellulose fibers in a tar binder. |
| 43 | 43 | 3-5% | Homogeneous, off white window caulk containing 3-5% chrysotile asbestos in a binder. |
| 44 | 44 | 3-5% | Homogeneous, off white window caulk containing 3-5% chrysotile asbestos in a binder. |
| 45 | 45 | 3-5% | Homogeneous, off white window caulk containing 3-5% chrysotile asbestos in a binder. |
| 46 | 46 | ND | Homogeneous, red brick material containing a cement matrix. No fibers were detected. |
| 47 | 47 | ND | Homogeneous, red brick material containing a cement matrix. No fibers were detected. |
| 48 | 48 | ND | Homogeneous, red brick material containing a cement matrix. No fibers were detected. |
| 49 | 49 | ND | Homogeneous, off white mortar containing particulate in a cement matrix. No fibers were detected. |
| 50 | 50 | ND | Homogeneous, off white mortar containing particulate in a cement matrix. No fibers were detected. |
| 51 | 51 | ND | Homogeneous, off white mortar containing particulate in a cement matrix. No fibers were detected. |
| 52 | 52 | ND | Homogeneous, off white "rock" material containing a cement matrix. No fibers were detected. |
| 53 | 53 | ND | Homogeneous, off white "rock" material containing a cement matrix. No fibers were detected. |

Tracy Foster

Attachment: 2017-032 ATTH 16 ERI Asbestos Inspection Report (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

# ERI Analytical

ERI AS #1507223, Kress Building, 116 West Broad Street, Texarkana, Texas.



POLARIZED LIGHT MICROSCOPY

| Customer I.D. | ERI AS# 1507223 | Results (ND- None Detected) (PC- Point Counting) % Asbestos | Sample description |
|---|---|---|---|
| 54 | 54 | ND | Homogeneous, off white "rock" material containing a cement matrix. No fibers were detected. |
| 55 | 55 | ND | Homogeneous, black roof material containing 40-45% fiberglass in a tar binder. |
| 56 | 56 | ND | Homogeneous, black roof material containing 40-45% fiberglass in a tar binder. |
| 57 | 57 | ND | Homogeneous, black roof material containing 40-45% fiberglass in a tar binder. |

Tracy Foster

Analyst

Respectfully submitted,

Tracy Foster

Tracy E. Foster
Laboratory Technical Director

Attachment: 2017-032 ATTH 16 ERI Asbestos Inspection Report (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

# TEXAS DEPARTMENT OF STATE HEALTH SERVICES

**ERI CONSULTING INC**

*is certified to perform as a*

**Asbestos Consultant Agency**

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

DAVID LAKEY, M.D.
COMMISSIONER OF HEALTH

License Number: 100020

Expiration Date: 3/12/2016

Control Number: 96687

(Void After Expiration Date)

VOID IF ALTERED NON-TRANSFERABLE

# TEXAS DEPARTMENT OF STATE HEALTH SERVICES

**ERI CONSULTING INC**

*is certified to perform as a*

**Asbestos Laboratory**
**PCM, PLM**

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

DAVID LAKEY, M.D.
COMMISSIONER OF HEALTH

License Number: 300007

Expiration Date: 12/12/2015

Control Number: 95929

(Void After Expiration Date)

VOID IF ALTERED NON-TRANSFERABLE

Attachment: 2017-032 ATTH 16 ERI Asbestos Inspection Report (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

NVLAP® National Voluntary Laboratory Accreditation Program

## SCOPE OF ACCREDITATION TO ISO/IEC 17025:2005

ERI Consulting, Inc.
2026A Republic Drive
P.O. Box 2024
Tyler, TX 75701-2024
Mr. Tracy Foster
Phone: 903-534-5001 Fax: 903-534-8701
Email: tracy@ericonsulting.com
http://www.ericonsulting.com

NVLAP LAB CODE 101232-0

### ASBESTOS FIBER ANALYSIS

**Bulk Asbestos Analysis**

| Code | Description |
|---|---|
| 18/A01 | EPA 600/M4-82-020: Interim Method for the Determination of Asbestos in Bulk Insulation Samples |
| 18/A03 | EPA 600/R-93/116: Method for the Determination of Asbestos in Bulk Building Materials |

*Effective 2015-06-26 through 2016-06-30*

*For the National Voluntary Laboratory Accreditation Program*



United States Department of Commerce
National Institute of Standards and Technology

NVLAP®

# Certificate of Accreditation to ISO/IEC 17025:2005

**NVLAP LAB CODE: 101232-0**

**ERI Consulting, Inc.**
Tyler, TX

*is accredited by the National Voluntary Laboratory Accreditation Program for specific services, listed on the Scope of Accreditation, for:*

**Asbestos Fiber Analysis**

*This laboratory is accredited in accordance with the recognized International Standard ISO/IEC 17025:2005. This accreditation demonstrates technical competence for a defined scope and the operation of a laboratory quality management system (refer to joint ISO-ILAC-IAF Communique dated January 2009).*

2015-06-26 through 2016-06-30
*Effective Dates*

*For the National Voluntary Laboratory Accreditation Program*

Attachment: 2017-032 ATTH 16 ERI Asbestos Inspection Report (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

# Texas Department of State Health Services

Asbestos Individual Consultant

CHRISTOPHER L POWER

License No. 105566

Control No. 96773

Expiration Date: 2/15/2017

Attachment: 2017-032 ATTH 16 ERI Asbestos Inspection Report (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

M·E·T·A
Mayhew Environmental Training Associates
INCORPORATED

Certificate # ME99D43E6682C049B

# Christopher L Power

*has on 10/22/2014 in Tyler, TX*
*completed the requirements for asbestos accreditation under Section 206 of TSCA Title II, 15 USC 2646*

## 4-hr. Asbestos Building Inspector Refresher

*as approved by TX and the US EPA under 40 CFR 763 (AHERA)*
*from 10/22/2014 to 10/22/2014 and passed the associated exam on 10/22/2014*
*with a score of at least 70%*

*Robert Brooks*
*Instructor*

*Thomas Mayhew*
*President*

SSN: XXX-XX-0436
Expiration: 10/22/2015

P.O. Box 4693 - Lawrence, KS. 66047 - 800.444.6382
www.metaenvironmental.net

M·E·T A
Environmental

**Christopher L Powers**
TX Asbestos Inspector Refresher

**Exp. 10.22.15**
**SS# xxx-xx-0436**

Attachment: 2017-032 ATTH 16 ERI Asbestos Inspection Report (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

# Texas Department of State Health Services

Asbestos Inspector

MICHAEL A TAYLOR

License No. 602358

Control No. 97436

Expiration Date: 12/2/2015

Attachment: 2017-032 ATTH 16 ERI Asbestos Inspection Report (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

Professional Environmental Training
**Inspector Re-Accreditation**
Expires 1-7-2016

**MICHAEL A. TAYLOR**
Cert # IR-2535

Professional Environmental Training
713-921-8921
www.proenvtraining.com

Certifies that on January 7, 2015

Student completed training course requirements and is reaccredited as a Building Inspector for Asbestos.

Fredy Polanco, MS, CSP
President

Fredy Polanco, MS, CSP
Instructor

# Professional Environmental Training

In cooperation with

AMARILLO COLLEGE

Awards this Certificate to

## MICHAEL A. TAYLOR

Cert # IR-2535
DL# TX 11532284
For the completion of the

**4-HOUR TRAINING COURSE AND IS REACCREDITED AS BUILDING INSPECTOR FOR ASBESTOS**

**In accordance with the EPA Model Accreditation Plan, 40 CFR 763 App. C to Subpart E, Interim Final Rule, under TSCA Title II.**

January 7, 2015
Date of Class

January 7, 2016
Expiration Date

January 7, 2015
Date of Examination

**C.E.U. Awarded:** .4 Credits

316 Pennsylvania St.
South Houston, Texas 77587

713-921-8921
www.proenvtraining.com

President, Fredy Polanco, MS, CSP

Instructor, Fredy Polanco, MS, CSP

Attachment: 2017-032 ATTH 16 ERI Asbestos Inspection Report (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

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

**Perspectives and Goals Additional Comments:**

(Insert Text Here/or say "NONE")

**Resource Impact:**

| | |
|---|---|
| Staff time required if item is approved: | Select One By Clicking Here |

**Other Potential Impacts:**

List or say "NONE APPLICABLE"

## Public Information Plan:

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

Other:

Attachment: 2017-032 Goals & Perspectives (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

## Contractor Checklist

Before submitting your bid, please ensure you have completed and included the following documents in the order they are listed. The contractor is only to submit (1) one original copy of every item listed.

1. Carefully read and understand the plans and specifications and properly complete the BID SUBMITTAL FORM. Bid submittal form **MUST** be completed in blue or black ink or by typewriter. Signatures must be original, in blue or black ink, and by hand. Enter unit price, and extended cost in the columns provided. In the event of discrepancies in extension, the unit price shall govern. Include corporate seal and Secretary's signature. Identify addenda received (if any).
2. Include BID BOND or CASHIER'S OR CERTIFIED CHECK as your bid surety for all contracts **exceeding $100,000**. Failure to provide a bid surety **WILL** result in automatic rejection of your bid.
3. Clearly mark the bid number, title, due date and time and your company name and address on the outside of the envelope or container.
4. Ensure your bid is **RECEIVED** by the City of Texarkana Purchasing and Contracts Department prior to the deadline. Late bids will not be accepted.
5. Complete and sign the SAFETY RECORD QUESTIONNAIRE. All "YES" responses must be explained in detail and submitted with Bid.
6. Complete and sign the SUSPENSION AND DEBARMENT CERTIFICATION. ***Include firm's FEDERAL TAX ID number or Owner's SOCIAL SECURITY number.***
7. Complete and submit the LIST OF SUB-CONTRACTORS.

**DOCUMENTS REQUIRED WITHIN SEVEN BUSINESS DAYS AFTER CLOSING:**

8. If changes are made to your SUB-CONTRACTORS LIST after bid closing, YOU MUST complete and submit the **FINAL** LIST OF SUB-CONTRACTORS.

**FAILURE TO PROVIDE ANY OF THE ABOVE MAY RESULT IN YOUR BID BEING DEEMED NON-RESPONSIVE AND, THEREFORE, NOT FURTHER EVALUATED. PLEASE INCLUDE THIS COMPLETED PAGE AS THE FIRST PAGE OF YOUR BID SUBMITTAL.**

Gator Industrial LLC
(Type or Print Company Name)



Attachment: 2017-032 ATTH 17 Gator Industrial LLC Bid Document (1620 : 2017-032 Amending the budget and authorizing CM contract for

## 3. BID SUBMITTAL FORM

### 3.1 BID SUBMITTAL FORM UNIT PRICE BID CONTRACT

DATE: 2/20/2017

PROJECT NUMBER: IFB #17-2001-02
KRESS BUILDING DEMOLITION PROJECT

Bid of Gator Industrial LLC (hereinafter called Bidder)

To the Honorable Mayor and City Council City of Texarkana, Texas (hereinafter called Owner)

Ladies and Gentlemen:

The Bidder, in compliance with your Invitation to Bid, having carefully examined the plans, specifications, instructions to bidders, notice to bidders and all other related contract documents and the site of the intended work, and being familiar with all of the conditions surrounding the construction of the intended project including the availability of materials and labor, hereby intends to furnish all labor, materials, and supplies; and to construct the project in accordance with the plans, specifications and contract documents, within the time set forth therein and at the price stated below.

The bidder binds himself on acceptance of his bid to execute a contract and any required bonds, according to the accompanying forms, for performing and completing the said work within the time stated and for the prices stated below.

The bidder binds himself on acceptance of his bid to execute a contract and any required bonds, according to the accompanying forms, for performing and completing the said work within the time stated and for the prices stated below.

1. The undersigned bidder proposes to furnish all labor, material and other items for the project, "Demolition Project - Kress Building" in accordance with the Specifications.

2. BASE BID: Our Lump Sum Price for the Removal and disposal of all materials, in accordance with Specifications, is as follows: Five Hundred and Six Thousand and Five Hundred and 00/100 dolla Dollars ($ 506,500.00). Total Bid

2a. Alternate 1: Our Alternate Bid Lump Sum Price for providing a concrete slab and parking improvements in lieu of the base bid concrete cap, in accordance with Specifications, is as follows: Five Hundred Twenty One Thousand Five Hundred and 00/100 Dollars ($ 521,500.00). Total Bid

3. The undersigned bidder acknowledges receipt of addenda as follows (If none received, write none): No. 1 2/6/17

DF Bidder's Initials



Attachment: 2017-032 ATTH 17 Gator Industrial LLC Bid Document (1620 : 2017-032 Amending the budget and authorizing CM contract for

Bidder hereby agrees to commence the work on the above project on a date to be specified in a written "Notice to Proceed" of the Owner and to substantially complete the project by **140 CALENDAR DAYS**, thereafter as stipulated in the specifications and other contract documents. Bidder hereby further agrees to pay to Owner as liquidated damages the sum of **$200 per day for 1st 10 calendar days and $500 per day for anything after the 1st 10 calendar days** in excess of the time set forth herein above for completion of this project, all as more fully set forth in the general conditions of the contract documents.

Bidder understands that the Owner reserves the right to reject any or all bids and to waive any formality in the bidding.

The Bidder agrees that this bid shall be good and may not be withdrawn for a period of **SIXTY (60)** calendar days after the scheduled closing time for receiving bids.

The undersigned Bidder hereby declares that he has visited the site of the work and has carefully examined the plans, specifications and contract documents pertaining to the work covered by this bid, and he further agrees to commence work on or before the date specified in the written notice to proceed, and to substantially complete the work on which he has bid; as provided in the contract documents.

Bidders are required, whether or not a payment or performance bond is required, to submit a cashier's check or certified check issued by a bank satisfactory to the City of Texarkana, or a bid bond from a reliable surety company, payable without recourse to the order of the City of Texarkana in an amount not less than five percent (5%) of the total amount of the bid submitted as a guarantee that bidder will enter into a contract, obtain all required insurance policies, and execute all necessary bonds (if required) within ten (10) business days after notice of award of the contract to him

DF Bidder's Initials



Attachment: 2017-032 ATTH 17 Gator Industrial LLC Bid Document (1620 : 2017-032 Amending the budget and authorizing CM contract for

**Enclosed with this bid is a Cashier's Check or Certified Check for _____ Dollars ($_____) or a Bid Bond in the sum of** Twenty Five Thousand Three Hundred and Twenty Five **Dollars ($** 25,325.00 **), which it is agreed shall be collected and retained by the Owner as liquidated damages in the event the bid is accepted by the Owner and the undersigned fails to execute the necessary contract documents, insurance certificates, and the required bond (if any) with the Owner within ten (10) business days after the date of receipt of written notification of acceptance of said bid; otherwise, said check or bond shall be returned to the undersigned upon demand.**

Bidder understands and agrees that the contract to be executed by Bidder shall be bound and include all contract documents made available to him for his inspection in accordance with the Notice to Bidders.

**Pursuant to Texas Local Government Code 252.043(a), a competitive sealed bid that has been opened may not be changed for the purpose of correcting an error in the bid price. THEREFORE, ANY CORRECTIONS TO THE BID PRICE MUST BE MADE ON THE BID SUBMITTAL FORM PRIOR TO BID OPENING.**

(Seal if Bidder is a Corporation)

ATTEST:

_____
Secretary

Bidder acknowledges receipt of the following addenda:

Addenda No. 1 Date 2/6/2017

Addenda No. _____ Date_____

Addenda No. _____ Date_____

Addenda No. _____ Date_____

Date: 2/20/2017

Dan Fitzpatrick
Authorized Signature

Dan Fitzpatrick
(Printed or Typed Name)

Gator Industrial LLC
Company

300 N Blackcat Rd
Address

Joplin, Jasper
City, County

Missouri, 64801
State Zip Code

Telephone: 417 - 624-4444

Fax: 417 - 627-9343

**FEDERAL TAX ID or SOCIAL SECURITY No.**

20-8116651

EMAIL: dan@gatorindus.com



Attachment: 2017-032 ATTH 17 Gator Industrial LLC Bid Document (1620 : 2017-032 Amending the budget and authorizing CM contract for

## BID #17-2001-02 BID KRESS BUILDING DEMOLITION PROJECT

## 3.2 SAFETY RECORD QUESTIONNAIRE

The City of Texarkana City Council desires to avail itself of the benefits of Section 252.0435 of the Local Government Code, and consider the safety records of potential contractors prior to awarding bids on City contracts. Pursuant to Section 252.0435 of the Local Government Code, City of Texarkana has adopted the following written definition and criteria for accurately determining the safety record of a bidder prior to awarding bids on City contracts.

The definition and criteria for determining the safety record of a bidder for this consideration shall be:

**The City of Texarkana shall consider the safety record of the bidders in determining the responsibility thereof. The City may consider any incidents involving worker safety or safety of the citizens of the City of Texarkana, be it related or caused by environmental, mechanical, operational, supervision or any other cause or factor. Specifically, the City may consider, among other things:**

a. Complaints to, or final orders entered by, the Occupational Safety and Health Review Commission (OSHRC), against the bidder for violations of OSHA regulations within the past three (3) years.

b. Citations (as defined below) from an Environmental Protection Agency (as defined below) for violations within the past five (5) years. Environmental Protection Agencies include, but are not necessarily limited to, the U.S. Army Corps of Engineers (USACOE), the U.S. Fish and Wildlife Service (USFWS), the Environmental Protection Agency (EPA), the Texas Commission on Environmental Quality (TCEQ), the Texas Natural Resource Conservation Commission (TNRCC) (predecessor to the TCEQ), the Texas Department of State Health Services (DSHS), the Texas Parks and Wildlife Department (TPWD), the Structural Pest Control Board (SPCB), agencies of local governments responsible for enforcing environmental protection or worker safety related laws or regulations, and similar regulatory agencies of other states of the United States. Citations include notices of violation, notices of enforcement, suspension/revocations of state or federal licenses or registrations, fines assessed, pending criminal complaints, indictments, or convictions, administrative orders, draft orders, final orders, and judicial final judgments.

c. Convictions of a criminal offense within the past ten (10) years, which resulted from bodily harm or death.

d. Any other safety related matter deemed by the City Council to be material in determining the responsibility of the bidder and his or her ability to perform the services or goods required by the bid documents in a safe environment, both for the workers and other employees of bidder and the citizens of the City of Texarkana.

In order to obtain proper information from bidders so that City of Texarkana may consider the safety records of potential contractors prior to awarding bids on City contracts, City of Texarkana requires that bidders answer the following three (3) questions and submit them with their bids:

**QUESTION ONE**

Has the bidder, or the firm, corporation, partnership, or institution represented by the bidder, or anyone acting for such firm, corporation, partnership or institution, received citations for violations of OSHA within the past three (3) years?

YES_____ NO___X____

If the bidder has indicated YES for question number one above, the bidder must provide to City of Texarkana, with its bid submission, the following information with respect to each such citation:

Date of offense, location of establishment inspected, category of offense, final disposition of offense, if any, and penalty assessed.



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**QUESTION TWO**

Has the bidder, or the firm, corporation, partnership, or institution represented by the bidder, or anyone acting for such firm, corporation, partnership or institution, received citations for violations of environmental protection laws or regulations, of any kind or type, within the past five years? Citations include notice of violation, notice of enforcement, suspension/revocations of state or federal licenses, or registrations, fines assessed, pending criminal complaints, indictments, or convictions, administrative orders, draft orders, final orders, and judicial final judgments.

YES_____ NO___X___

If the bidder has indicated YES for question number two above, the bidder must provide to City of Texarkana, with its bid submission, the following information with respect to each such conviction:

Date of offense or occurrence, location where offense occurred, type of offense, final disposition of offense, if any, and penalty assessed.

**QUESTION THREE**

Has the bidder, or the firm, corporation, partnership, or institution represented by bidder, or anyone acting for such firm, corporation, partnership, or institution, ever been convicted, within the past ten (10) years, of a criminal offense which resulted from serious bodily injury or death?

YES_____ NO___X___

If the bidder has indicated YES for question number three above, the bidder must provide to City of Texarkana, with its bid submission, the following information with respect to each such conviction:

Date of offense, location where offense occurred, type of offense, final disposition of offense, in any, and penalty assessed.

ACKNOWLEDGEMENT

THE STATE OF TEXAS

COUNTY OF BOWIE

I certify that I have made no willful misrepresentations in this Questionnaire nor have I withheld information in my statements and answers to questions. I am aware that the information given by me in this questionnaire shall be investigated, with my full permission, and that any misrepresentations or omissions may cause my bid to be rejected.

Dan Fitzpatrick 2/20/17

Signature Dan Fitzpatrick

General Manager

Title



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## 3.3 SUSPENSION AND DEBARMENT CERTIFICATION

Federal Law (A-102 Common Rule and OMB Circular A-110) prohibits non-Federal entities from contracting with or making sub-awards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. Covered transactions include procurement contracts for goods or services equal to or in excess of $50,000 and all non-procurement transactions (e.g., sub-awards to sub-recipients).

Contractors receiving individual awards of $50,000 or more and all sub-recipients must certify that their organization and its principals are not suspended or debarred by a Federal agency.

Before an award of $50,000 or more can be made to your firm, you must certify that your organization and its principals are not suspended or debarred by a Federal agency.

**I, the undersigned agent for the firm named below, certify that neither this firm nor its principals are suspended or debarred by a Federal agency.**

COMPANY NAME: Gator Industrial LLC

**FEDERAL TAX ID or SOCIAL SECURITY No:** 20-8116651

Signature of Company Official: Dan Fitzpatrick, GENERAL MANAGER

Printed name of company official signing above: Dan Fitzpatrick

Date Signed: 2/20/2017



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## 4. LIST OF SUB CONTRACTORS

| | Company Name | Location | Services Provided | Minority Owned Yes | Minority Owned No |
|---|---|---|---|---|---|
| 1. | TBD | | Concrete Paving | ☐ | ☐ |
| 2. | TBD | | Plumber | ☐ | ☐ |
| 3. | | | | ☐ | ☐ |
| 4. | | | | ☐ | ☐ |
| 5. | | | | ☐ | ☐ |
| 6. | | | | ☐ | ☐ |
| 7. | | | | ☐ | ☐ |
| 8. | | | | ☐ | ☐ |
| 9. | | | | ☐ | ☐ |
| 10. | | | | ☐ | ☐ |
| 11. | | | | ☐ | ☐ |
| 12. | | | | ☐ | ☐ |

2/20/17

**Contractor Signature** DAN FITZPATRICK
GENERAL MANAGER

**THIS FORM SHALL BE COMPLETED AND RETURNED ALONG WITH YOUR PROPOSAL IF NO SUB–CONTRACTORS WILL BE USED PLEASE INDICATE SO**



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ACORD®

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 02/20/2017

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

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

**PRODUCER**
Insurance Resources & Consultants, LLC
101 N Osage Blvd
P.O. Box 356
Nevada, MO 64772

CONTACT NAME: Bradley Erwin
PHONE (A/C, No, Ext): (417)667-9477 FAX (A/C, No): (417)667-2399
E-MAIL ADDRESS: bradley@insurancerc.net

| INSURER(S) AFFORDING COVERAGE | NAIC # |
|---|---|
| INSURER A : Hamilton Specialty Insurance Company | |
| INSURER B : Praetorian Insurance Company | |
| INSURER C : | |
| INSURER D : | |
| INSURER E : | |
| INSURER F : | |

**INSURED**
Gator Industrial LLC, Blackcat Trucking LLC,
US Assets Recovery LLC, Jordan Disposal LLC
720 S Main St
Galena, KS 66739

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

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

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|---|---|---|---|---|---|---|---|---|
| A | ✓ COMMERCIAL GENERAL LIABILITY<br>CLAIMS-MADE ☐ OCCUR ✓<br>GEN'L AGGREGATE LIMIT APPLIES PER:<br>POLICY ☐ PRO-JECT ☐ LOC ☐<br>OTHER: | | | AHSECC1018800 | 04/01/2016 | 04/01/2017 | EACH OCCURRENCE<br>DAMAGE TO RENTED PREMISES (Ea occurrence)<br>MED EXP (Any one person)<br>PERSONAL & ADV INJURY<br>GENERAL AGGREGATE<br>PRODUCTS - COMP/OP AGG<br>POLLUTION LIABILITY | $ 1,000,000<br>$ 100,000<br>$ 10,000<br>$ 1,000,000<br>$ 2,000,000<br>$ 2,000,000<br>$ 1,000,000 |
| B | AUTOMOBILE LIABILITY<br>ANY AUTO ☐<br>OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ✓<br>HIRED AUTOS ONLY ✓ NON-OWNED AUTOS ONLY ☐<br>AUTO LIABILITY IS PRIMARY | | | PICCO0004506 | 04/01/2016 | 04/01/2017 | COMBINED SINGLE LIMIT (Ea accident)<br>BODILY INJURY (Per person)<br>BODILY INJURY (Per accident)<br>PROPERTY DAMAGE (Per accident) | $ 1,000,000<br>$<br>$<br>$<br>$ |
| A | UMBRELLA LIAB ✓ OCCUR<br>EXCESS GL & AUTO ✓ CLAIMS-MADE ☐<br>DED RETENTION $ | | | Excess over Workers Compensation<br>AHSEXS1018900<br>Excess over General Liability & Auto Liability | 04/01/2016 | 04/01/2017 | EACH OCCURRENCE<br>AGGREGATE | $ 5,000,000<br>$ 5,000,000<br>$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N ☐<br>(Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below | N / A | | | | | PER STATUTE ☐ OTH-ER ☐<br>E.L. EACH ACCIDENT<br>E.L. DISEASE - EA EMPLOYEE<br>E.L. DISEASE - POLICY LIMIT | <br>$<br>$<br>$ |
| B | CARGO | | | PICCO0004506 | 04/01/2016 | 04/01/2017 | LIMIT<br>DEDUCTIBLE | $100,000<br>$1,000 |

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

ADDITIONAL INSURED (BLANKET AS REQUIRED BY WRITTEN CONTRACT WITH RESPECTS TO THE GL, EXCESS LIABILITY & AUTO LIABILITY).
GENERAL LIABILITY IS PRIMARY & NON-CONTRIBUTORY AS REQUIRED BY WRITTEN CONTRACT.
WAIVER OF SUBROGATION (BLANKET AS REQUIRED BY WRITTEN CONTRACT WITH RESPECTS TO THE GL, EXCESS LIABILITY & AUTO LIABILITY).

POLLUTION LIABILITY IS INCLUDED UNDER THE COMMERCIAL GENERAL LIABILITY AND THE EXCESS GENERAL LIABILITY.
TRANSPORTATION POLLUTION LIABILITY INCLUDED: $1,000,000 PER ACCURANCE / $2,000,000 AGGREGATE / $5,000,000 EXCESS

**CERTIFICATE HOLDER**

JENNIFER@GATORINDUS.COM

CITY OF TEXARKANA

**CANCELLATION**

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

**AUTHORIZED REPRESENTATIVE** Marian Erwin

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GATOR INDUSTRIAL LLC

300 N BLACKCAT RD, JOPLIN MO 64801 TEL: 417-624-4444 FAX: 417-627-9343

# Projects of Interest and Reference Contact Info

**Project: Multiple simultaneous contracts at various locations. All work performed concurrently at all locations**
**Locations: Parsons KS, Colwich KS, Tecumseh KS, Hutchinson KS, Wichita KS, Abilene KS**
**Owner: Westar Energy, Topeka KS**
**Contact: Marty Magby – 316-291-8623**
**Timeline: 7-6-2012 – 1-31-2014**
**Total value: $3.45 million**
**Project Info:**

- **Westar Energy** – Parsons KS., Complete demolition of power plant facility. Cleaning and removal of Multiple AST's (6.3 million gallon), water tower, cooling tower, boilers, steam turbine generators, oil pipeline, pump houses, main plant building, water treatment facility, mechanical and explosives demolition of structures over 10 story tall, asbestos abatement, soil remediation, site restoration, etc.
- **Westar Energy** – Tecumseh KS., cleaning and removal of 2 AST's (3.5 million gal), oil pipeline, pump houses, gas turbine generators, high voltage transformers, asbestos abatement, soil remediation, site restoration, etc.
- **Westar Energy** – Hutchinson KS., cleaning and removal of 3 AST's (9.6 million gal), oil pipeline, pump houses, unloading stations, boilers, heaters, asbestos abatement, soil remediation, site restoration, etc.
- **Westar Energy** – Colwich KS., cleaning and removal of 3 AST's (15.4 million gal), oil pipeline, pump houses, unloading stations, boilers, heaters, asbestos abatement, soil remediation, site restoration, etc.
- **Westar Energy** – Wichita KS., cleaning and removal of 3 AST's (12.7 million gal), oil pipeline, pump houses, unloading stations, boilers, heaters, asbestos abatement, soil remediation, site restoration, etc.
- **Westar Energy** – Abilene KS., Demolition and removal of Westinghouse 70 MW Gas Turbine, generator, exciter, starting package, mechanical package, electrical package, control cab, inlet air filter houses with cooler, air-to-air cooler, exhaust stack and starting transformer, etc.

**Project: Asbestos Abatement & Demolition of K&M Grain Elevators and Silos**
**Location: 4208 Gardner Ave., Kansas City, Missouri**
**Owner: Union Pacific Railroad, Omaha NE**
**Contact: Eric Galley – 402-659-1400 / Thomas Steven – 402-297-8014**
**Timeline: 12-1-2013 – 11-5-2014**
**Project Value: $4.6 million**
**Project Info:**
This project consisted of the abatement and demolition of 360 concrete grain silos and conveyor building. These structures encompassed a total project area of 352,000 sq. ft., and reached heights of over 220 ft. These structures were located in the middle of one Union

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Pacific's largest and busiest rail yards with vital tracks completely encompassing all structures. All demolition on this project had to be performed without any track closers. This project consisted of extensive asbestos abatement and special waste disposal. This project included the use of explosives demolition of a large 220 concrete conveyor building. Special protection practices used to protect rail line, railcars, and adjacent buildings. This project was completed on time and within budget.

**Project: Utilities Stoker Boiler Replacement Ames, IA Demolition Phase 2 CP002237**
**Location: Ames, Iowa**
**Owner: Iowa State University**
**Contact: Lindsey Wandersheid – 515-291-0129**
**Timeline: 4-2016 – 11-2016**
**Total Value: $1.2 million**
**Project Info:**
This project was a complete demolition of a 220' tall smoke stack, all duct work, ID fans, dust collectors, boiler equipment, equipment buildings, extensive roof penetration removals and repairs associated with 5 boilers. All work was performed within a live operating power plant.

**Project: Cement Plant Demolition and Abatement**
**Location: Independence, Kansas**
**Owner: Buzzi Unicem USA**
**Contact: Wally Snodgrass – 620-331-0200**
**Timeline: 1-20-2011 – 4-15-2012**
**Total Value: $4.1 million**
**Project Info:**
This project was a complete demolition of the largest cement plant in Kansas. This site consisted of multiple buildings and structures. This project included extensive asbestos abatement, demolition of structures of up to 300 ft. in height, using both explosive demolition and mechanical. This project also included extensive site cleanup, remediation, and restoration efforts.

**Project: Bunge Grain Elevator Abatement and Demolition**
**Location: Council Bluffs, Iowa**
**Owner: City of Council Bluffs**
**Contact: Don Seymour – 515-418-7244**
**Timeline: 7-6-2013 – 5-1-2014**
**Total Value: $1.25 million**
**Project Info:**
This project was the abatement and demolition of two grain elevators and silos complexes. These were two separate sites located in downtown Council Bluffs. Both sites were located in very heavy commercial and residential areas. Extensive dust and noise suppression measures were implemented as well as community outreach programs to minimize impacts to surrounding community.

**Project: Phase 1 Demolition, Toro Facility**
**Location: Joplin, Missouri**
**Owner: Owens Corning**
**Contact: Claudio Crestale – 740-641-9641**
**Timeline: 9-2015 – 1-2016**

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**Total Value: $1.1 million**

**Project Info:**

This project consisted of extensive demolition of old dog food plant as part of facility conversion into state-of-the-art insulation manufacturing plant. Demolition included the following structures and components; 3-100' metal Silo, 1-140' concrete Silo, 2-Railroad Unloading Buildings, multiple Interior Silos and associated Penthouses, Exterior Building Complex, Interior Office, East Office Complex, Interior Tanks, Interior Piping and Conduit, Truck Scales, and Manufacturing Equipment.

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# JORDAN DISPOSAL SERVICE, LLC

GATOR DEMOLITION

# STATEMENT OF QUALIFICATIONS

300 N. Blackcat Rd
Joplin, Missouri 64801
417-624-4444

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# Company Overview

## Our Experience

***Jordan Disposal (JDS), Gator Industrial (GI)*** is a unique provider of large-scale commercial and industrial demolition, facilities decommissioning, site development and environmental site remediation services. Our highly skilled staff and specialized equipment deliver safe and cost-effective solutions for all structural demolition, site development and remediation needs. Our management team's background has over 40 years' experience in commercial demolition, construction, site development and remediation, waste management, regulatory compliance, transportation and disposal, asset recovery, and recycling. This unique combination allows JDS/GI to provide true One-Stop, Turnkey solutions to any type of Environmental or Demolition Project.

## Our People

***Jordan Disposal (JDS), Gator Industrial (GI)*** believes that the backbone of our success is our experienced professional staff. With a workforce of over 60 comprised of Environmental Engineers, 2 full time chemists, 2 full time safety professionals, 3 project managers experienced in civil, structural and environmental engineering, 8 site supervisors, over 20 specialized and heavy equipment operators, 12 OTR and 3 heavy/oversized load truck drivers, and highly skilled and trained labor force, all of which have long-term and diverse experience in demolition, site development, and environmental remediation projects of all size. Our management and supervisory professionals have an average of over 20 years in the Environmental Industry. You can be assured that your project will be managed in the field by an individual who understands the unique nature of Demolition and Environmental projects. Our field personnel will be highly trained not only the technical aspects of their jobs, but more importantly the Health and Safety objectives and ramifications of their activities.

## Our Equipment

***Jordan Disposal (JDS), Gator Industrial (GI)*** boasts one of the largest fully owned inventories of specialized and heavy equipment including: cranes (4), a tremendous fleet of excavators (28) equipped with grapples (20), shears (15), magnets (8), hammers (4), pulverizes (2), dozers (8) of all sizes, compactors (2), graders (2), skid steers (6), mobile shear/bailer (1), rock crusher (1), 30-ton haul trucks (8), dump trucks (4), end dumps (8), belly dumps (2), low boy trailers (8), 13 axel 100 ton low-boy trailer (1), heavy haul trucks (8), roll-off trucks (10), 30 yard roll-off containers (300), and many more. All equipment is expertly maintained by 4 full time heavy equipment mechanics, 2 full time truck mechanics, and 4 full time welder/fabricators. At JDS/GI we believe that we possess the quality tools and equipment to perform all jobs big or small, from specialized industrial demolition to large scale environmental remediation and site excavations,

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## Our Safety

***Jordan Disposal (JDS), Gator Industrial (GI)*** is an industry leader in our commitment to safety. Our Experience Modification rating of .79 (most recent 3-year average) is unprecedented in our industry and a true testament to our commitment. JDS/GI employs 2 full time, fully degreed and certified safety professionals with over 60 years combined experience. ALL 60+ employees of JDS/GI have received 40-hour HAZWOPER training and annual refreshers, 10-hour OSHA construction safety, OSHA confined space and fall prevention training. Aside from those listed most employees have received multiple additional trainings and certifications in diverse fields and applications. JDS/GI is an MSHA registered and certified contractor with over 15 trained and certified employees. We have successfully performed over 12 projects falling under MSHA jurisdiction without citation. JDS/GI is a certified drug-free employer. At JDS/GI, the health and safety of our workforce, our clients, the public and the environment is priority #1.

## Our Quality

***Jordan Disposal (JDS), Gator Industrial (GI)*** is committed to the philosophy that quality starts with senior management and requires the involvement of every employee. Our program is based on the principle that quality is jointly defined by our customers and ourselves. JDS/GI requires the commitment of all employees to constantly strive for improvement. As part of this program, JDS/GI has in-house QA/QC professionals that provide technical input, project evaluations, assist in work plan development, site inspections, contract adherence, and project closeout reports. At JDS/GI, no project is complete without 100% customer satisfaction.

## Our Commitment

***Jordan Disposal (JDS), Gator Industrial (GI)*** has grown rapidly by continuously providing superior professional services to our clients while always maximizing efficiency, safety on the job and minimizing cost. We have in-depth experience and the financial stability to equip and staff any size project with the proper mix of professional grade equipment and qualified personnel to complete a project on time, on budget and to your satisfaction. Our services are provided by the most efficient, best trained, knowledgeable and safety conscious personnel in the industry. Any requests / invitations for bid will be handled promptly and in a professional manner. We will ensure our quotation will meet your desires according to the best possible timeline, price and professional workmanship.

We will strive to exceed your every expectation and it's our past success that is best measured by the opinions of our clients. We invite you to contact any of our current or past references, and we look forward to working with your company.

# Services Provided

## Environmental Remediation Services

Soil Excavation, Hauling &Disposal
Land Clearing
Remediation System Installation
Pit/Pond Closures
Industrial Cleaning
AST Cleaning & Demolition
UST Removal and Closure
Pipeline Cleaning & Removal
Demolition & Decommissioning
Soil Stabilization
Pressure Washing
Emergency Response

## Demolition/General Construction Services

Residential, Commercial & Industrial Demolition
Bridge and road demolition
Demolition by explosives and mechanical means
Building/Plant Decommissioning
Asset Recovery
Site Preparation & Restoration
Landfill Construction & Closures
Containment/Dam Construction
Pond Construction
Low Water Crossing/Bridge Construction

## Waste Management & Transportation Services

On-Site Waste Management, Profiling, Manifesting & Disposal
Hazardous, Non-Hazardous, Universal & Special Waste
Construction, Demolition & Solid Waste
Recycling of All Waste Streams
Field Sampling, Lab Analysis and Unknown Waste Identification
Roll-Off Containers
Box Vans
End Dump Trailers
Bobtail Dump Trunks
Solid Waste Trucks
Compactors

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# Sample Customers & Clients

Jordan Disposal (JDS), Gator Industrial (GI) is proud to provide services to the following companies.

3M
U.S. Army Corps of Engineers, USACE
Federal Emergency Management Agency, FEMA
Environmental Protection Agency, EPA
Kansas Department of Health & Environment, KDHE
ADM
Ash Grove Cement Company
BASF
British Aerospace
Buzzi Unicem USA
Cahaba Disaster Recovery
CF Industries
City of Council Bluffs, Iowa
City of Joplin, Missouri
City of Galena, Kansas
City of Kansas City, Missouri and Kansas
Day & Zimmerman
Deta Corp.
DRC Group
Dyno Nobel Explosives
Eagle Picher
Empire District Electric
Expert Management
General Dynamics
Georgia Pacific
ICI Explosives
Iowa State University
Joplin Missouri School District
Kansas City Missouri School District
Kansas City Southern Railroad
La-z-boy
Leggett and Platt
Mission Clay
Missouri Northern Arkansas Railroad
Owens Corning
Orica Explosives
Phillips & Jordan
Proctor and Gamble
Terra Nitrogen
Tri-State Motor Transit
Union Pacific Railroad
Westar Energy
Weston Solutions
and many more

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# Company Highlights

May 22, 2011, Joplin Missouri was struck by a catastrophic tornado that left an unprecedented amount of debris and rubble in its wake. The cleanup efforts in the wake of this disaster, led by the Federal Emergency Management Agency (FEMA) and the US Army Corps of Engineers (USACE), required swift and innovative solutions. With estimates of 3 to 5 million cubic yards of debris to be disposed, local landfills were neither capable nor equipped to take on such massive quantities. The City of Galena Kansas offered the use of their small 14 acre landfill but the Army Corps of Engineers quickly rejected the site, stating multiple deficiencies. Not taking no for an answer the City of Galena contracted with Jordan Disposal to address the landfills shortcomings, what happed next was a transformation unlike any seen before. In 10 short days Jordan Disposal/Gator Industrial transformed this 14 acre landfill, operated by one man and bulldozer, into what the Army Corps of Engineers described as "the best landfill the Army Corps of Engineers had ever seen or been associated with". In those 10 days Jordan Disposal/Gator Industrial expanded the 14 acre site to 70 acres, excavated tens of thousands cubic yards of dirt, created a four lane road going into and out of the landfill, built a bridge spanning a creek, installed two computerized scales and scale house, erected a lookout tower for Army Corps of Engineers and FEMA, built an in-ground storm shelter, developed and installed all implements (BMP's) of a sophisticated Storm Water Pollution Prevention Plan (SWPPP), and installed security fencing and gates. Upon Army Corps of Engineer approval, Jordan Disposal/Gator Industrial equipped the landfill with over 20 pieces of self-owned heavy equipment (dozers, compactors, excavators, graders, haul trucks, water trucks and more) and over 22 full time operators. Jordan Disposal/Gator Industrial operated the landfill 7 days a week, 12 hours a day, staffed with over 30 fulltime employees daily.

Within the first 60 days of operation the landfill had receive over 1.5 million cubic yards of debris. At its peak the landfill was receiving nearly 6,000 tons of debris, brought in by over 500 trucks per day. To date the Galena landfill has received over 3 million cubic yards and an estimated 875,000 tons of debris related to the Joplin tornado. Never before has a landfill received such massive volumes in such a short amount of time. For their extraordinary efforts and unprecedented results, Jordan Disposal/Gator Industrial has received the highest accolades from state and local officials, Kansas Department of Health and Environment, Federal Emergency Management Agency, and the U.S. Army Corps of Engineers. The USACE and FEMA have stated that they will use the Galena Landfill as a model for future disaster cleanup efforts.

Jordan Disposal/Gator Industrial is truly honored to have played such a vital role during the most critical time in our community's history. This level of expertise, experience, and dedication is a true testament of what Jordan Disposal/Gator Industrial delivers to all projects both big and small.

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# Related Work & Experience

Jordan Disposal (JDS), Gator Industrial (GI) have performed numerous large scale and specialty demolition projects for Fortune 500 companies across the US. Below is a sample list from our most recent projects, additional sample projects and information available upon request.

**Project: Asbestos Abatement & Demolition of K&M Grain Elevators and Silos**
**Location: 4208 Gardner Ave., Kansas City, Missouri**
**Owner: Union Pacific Railroad, Omaha NE**
**Contact: Eric Galley – 402-659-1400**
**Timeline: 12-6-2013 – 10-24-2014**
**Project Value: $4.6 million**
**Project Info:**
This project consisted of the abatement and demolition of 360 concrete grain silos and conveyor building. These structures encompassed a total project area of 352,000 sq. ft., and reached heights of over 220 ft. These structures were located in the middle of one Union Pacific's largest and busiest rail yards with vital tracks completely encompassing all structures. All demolition on this project had to be performed without any track closers. This project consisted of extensive asbestos abatement and special waste disposal. This project included the use of explosives demolition of a large 220 concrete conveyor building. Special protection practices used to protect rail line, railcars, and adjacent buildings. This project was completed on time and within budget. **This project include the processing and recycling of more than 2,000 tons of scrap metal.**

**Project: Multiple simultaneous contracts at various locations. All work performed concurrently at all locations**
**Locations: Parsons KS, Colwich KS, Tecumseh KS, Hutchinson KS, Wichita KS**
**Owner: Westar Energy, Topeka KS**
**Contact: Marty Magby – 316-291-8623**
**Timeline: 7-6-2012 – 1-31-2014**
**Total value: $3.45 million**
**Project Info:**

- **Westar Energy** – Parsons KS., Complete demolition of power plant facility. Cleaning and removal of Multiple AST's (6.3 million gallon), water tower, cooling tower, boilers, steam turbine generators, oil pipeline, pump houses, main plant building, water treatment facility, mechanical and explosives demolition of structures over 10 story tall, asbestos abatement, soil remediation, site restoration, etc.
- **Westar Energy** – Tecumseh KS., cleaning and removal of 2 AST's (3.5 million gal), oil pipeline, pump houses, gas turbine generators, high voltage transformers, asbestos abatement, soil remediation, site restoration, etc.

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- **Westar Energy** – Hutchinson KS., cleaning and removal of 3 AST's (9.6 million gal), oil pipeline, pump houses, unloading stations, boilers, heaters, asbestos abatement, soil remediation, site restoration, etc.
- **Westar Energy** – Colwich KS., cleaning and removal of 3 AST's (15.4 million gal), oil pipeline, pump houses, unloading stations, boilers, heaters, asbestos abatement, soil remediation, site restoration, etc.
- **Westar Energy** – Wichita KS., cleaning and removal of 3 AST's (12.7 million gal), oil pipeline, pump houses, unloading stations, boilers, heaters, asbestos abatement, soil remediation, site restoration, etc.
- **This project include the processing and recycling of more than 3,500 tons of scrap metal.**

**Project: Cement Plant Demolition and Abatement**
**Location: Independence, Kansas**
**Owner: Buzzi Unicem USA**
**Contact: Wally Snodgrass – 620-331-0200**
**Timeline: 1-20-2011 – 4-15-2012**
**Total Value: $4.1 million**
**Project Info:**
This project was a complete demolition of the largest cement plant in Kansas. This site consisted of multiple buildings and structures. This project included extensive asbestos abatement, demolition of structures of up to 300 ft. in height, using both explosive demolition and mechanical. This project also included extensive site cleanup, remediation, and restoration efforts. **This project include the processing and recycling of more than 8,500 tons of scrap metal.**

**Project: Bunge Grain Elevator Abatement and Demolition**
**Location: Council Bluffs, Iowa**
**Owner: City of Council Bluffs**
**Contact: Don Seymour – 515-418-7244**
**Timeline: 9-6-2013 – 5-1-2014**
**Total Value: $1.25 million**
**Project Info:**
This project was the abatement and demolition of two grain elevators and silos. These were two separate sites located in downtown Council Bluffs. Both sites were located in very heavy commercial and residential areas. Extensive dust and noise suppression measures were implemented as well as community outreach programs to minimize impacts to surrounding community. **This project include the processing and recycling of more than 1,200 tons of scrap metal.**

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# Related Work & Experience cont.

**The following is just a partial list of the most recent demolition projects performed by Jordan Disposal/Gator Industrial**

- **ADM**- Hutchinson, KS –Demolition of 1.9 million bushel grain elevator.
- **ADM**-Guymon, OK- Demolition of grain bins and elevator.
- **ADM**-Monument, KS- Demolition of grain bins and elevator.
- **ADM**-Plains, KS- Demolition of grain bins.
- **ADM**-Hough, OK- Demolition of grain storage facility.
- **ADM**-Truesdale, KS- Demolition of grain bins.
- **ADM**-Goodman, KS- Demolition of grain dryer and leg.
- **ADM**-Oakley, KS- Demolition of grain dryer.
- **ADM**-Brewster, KS- Demolition of grain Dryer.
- **Alternate Fuels** - Arcadia, KS - Demolition of 1000-ton dragline crane.
- **Buzzi Unicem** – Independence, KS – Complete demolition of decommissioned cement plant
- **Buzzi Unicem** – Orange, TX – Complete demolition of decommissioned cement plant
- **Buzzi Unicem** _ Bonner Springs, KS – Complete demolition of decommissioned cement plant
- **Buzzi Unicem –** Chattanooga, TN – Complete demolition of decommissioned cement plant
- **Buzzi Unicem –** Pryor, OK – Demolition of old concrete milling facility
- **City of Hays, KS**- Recycling of 5000 tons of concrete.
- **City of Joplin** - Joplin, MO - Demolition & removal of 122- residential structures within city.
- **City of Joplin** – Joplin, MO – Demolition, removal & disposal of large metal structure. Separate smaller building into 2-parts and relocate.
- **City of Miami** – Miami, OK – Removal of furnace from transfer station.
- **CRI Feeders**-Hough, OK- Demolition of large feed mill and storage facility
- **Crop Production Services**-Oakley, KS- Demolition of grain elevator.
- **Crossland Construction**-Columbus, KS- Interior demolition of North Middle School in Joplin, MO
- **Day & Zimmerman**-Parsons, KS – Army Munitions Plant
- **Diversified Foods & Seasonings** – McAlester, OK – Demolition, removal & disposal of plant after fire.
- **Dyno Nobel -** Carthage, MO - Removal of nitro glycerin mix tanks.
- **Dyno Nobel** - Carthage, MO - Demolition & removal of acid neutralizing complex.
- **Eagle Picher Industries** – Joplin, MO – Demolition, removal & disposal of 5-structures.
- **EBV/EEC** - Joplin, MO – Dismantle munitions kiln building.
- **Empire District Electric Company -** Joplin, MO - Removal & recycling of used oil tanks.

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- **Empire District Electric Plant** - Riverton, KS - Removal of several buildings & concrete foundations in cooperation with Laforge and Budd Construction.
- **Empire District Electric** – Riverton, KS – Complete demolition of old coal burning Power Plant.
- **Expert Management -** Carthage, MO - Demolition of the ammonia nitrate facility including all warehouses & the 242-foot prill tower.
- **Expert Management -** Joplin, MO - Removal of 4-story compressor deck.
- **Gavilon Group-** Demolition of Grain facilities in Carrington, ND, Bushnell NE., Dubuque, Iowa
- **General Dynamics** - Marion, IL - Removal of explosive propellant grinding plant.
- **Holstrum Army Ammunition -** Kingsport, TN - Demolition of Acid Plant for British Aerospace.
- **ICI** - Joplin, MO - Decontamination & demolition of explosive emulsion plant.
- **ICI** – Joplin, MO - Ongoing involvement in the planning & daily operations of composting at explosive plant to reduce nitrate concentration in the soil at the facility.
- **ICI** – Joplin, MO - Demolition, removal & disposal of ammonia section cooling tower.
- **ICI** – Joplin, MO - Dismantle & relocation of explosive manufacturing operation kinepak to Slurry Explosives Company, Hallowell, KS.
- **ICI** – Joplin, MO - Reclamation of pool ditch area.
- **ICI** – Joplin, MO - Outfall 2-tree planting (approx. 25,000 trees).
- **ICI** – Joplin, MO - Closure of burning ground.
- **ICI** – Joplin, MO - Demolition, removal & disposal of sulphuric acid plant.
- **ICI** – Joplin, MO - Demolition, removal & disposal of mixed acid tank farm and scale.
- **ICI** – Joplin, MO - Demolition, removal & disposal of AN solution tank (2-million gallon).
- **ICI** – Joplin, MO - Demolition, removal & disposal of ingredient dry explosives storage.
- **ICI** – Joplin, MO - Demolition, removal & disposal of fuel oil tank (1-million gallon).
- **ICI** – Joplin, MO - Steam Cleaning, removal of sludge & other hazardous materials from various holding tanks and pipelines.
- **ICI** – Joplin, MO - Demolition, removal & disposal of nitro cotton explosive plant.
- **ICI** – Joplin, MO - Demolition, removal & disposal of mix acid battery tank farm.
- **ICI** – Joplin, MO - Treece, KS – Demolition & excavation of explosives powder magazines.
- **ICI** – Joplin, MO - Demolition, removal & disposal of Horton sphere.
- **ICI** – Joplin, MO - Demolition, removal & disposal of sulphuric & waste acid tank farm.

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- **Imperial Redevelopment District**- Phase II demolition of former Imperial Sugar site in Sugar Land TX.
- **Iowa State University** – Stoker boiler demolition, including 220' stack removal
- **JMI**– Joplin, MO - Manage the liquidation of rolling stock, machinery, & spare parts used in the manufacturing of commercial explosives.
- **Joplin School District** – Complete demolition, removal, and site restoration of East Middle School, Joplin High School, Franklin Technical Center, Emerson Elementary
- **Kansas City Missouri Public Schools –** Abatement and Demolition of Thacher School
- **Kansas City Southern Railroad**- Demolition of former diesel shop in Pittsburg, KS
- **Kansas City Southern Railroad**-4 year preferred contractor status resulting in over 30 specialty demolition projects throughout 7 states.
- **Laforge & Budd Construction** – Parsons, KS – Demolition, removal & disposal of a bridge in Chanute, KS.
- **La-Z-Boy –** Neosho, MO – Demolition and abatement of 8 kilns, boiler plant, and two 90' tall concrete stacks
- **Louisiana Chemical** - Joplin, MO - Demolition of the nitric acid plant.
- **Mission Clay Facility** - Pittsburg, KS - Remove all scrap material from lay down yard, demolition & removal of multiple tank farms.
- **Missouri Steel Castings** - Joplin, MO - Dismantle, demolish, and clean up of facility.
- **Missouri Steel Castings -** Joplin, MO - Removal & recycling of large production presses & miscellaneous equipment.
- **MKM** - Hallowell, KS - Packaging of explosive material for disposal following ATF raid on Hallowell Explosive Manufacturing Plant.
- **Osborne Trust** – Joplin, MO – Demolition, removal, disposal and clean up of the vacated Kenworth Building in Joplin, MO.
- **Ottawa Power Company** –Ottawa, KS- Removal & recycling of oil tanks, steam turbines, generators and heat exchangers.
- **Pointe Royale Development**- Complete demolition, removal and disposal of former Tindle Mills facility in Springfield MO.
- **Proctor & Gamble** - Dallas, TX - Demolition, removal & disposal of 7-acre tank farm.
- **Union Pacific** – Kansas City, MO – Demolition and abatement of old K&M Elevators and Silos. 360 concrete grain silos and 220 foot tall conveyor building.
- **Union Pacific** – Kansas City, KS – Demolition and abatement of old rail yard office.
- **Union Pacific** – Topeka, KS – Demolition and abatement of 2 Storage buildings
- **Union Pacific** – Prior, OK – Demolition and abatement of old rail yard office.
- **Union Pacific** – Mason City, Iowa – Demolition and abatement of old rail yard office.

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- **Union Pacific** – Kansas City, MO – Abatement and Demolition of multiple buildings at Intermodal Facility
- **Union Pacific** – Denver, CO – Abatement and Demolition of old Yard Office
- **Westar Energy** – Parsons KS., Complete demolition of power plant facility. Cleaning and removal of Multiple AST's (6.3 million gallon), water tower, cooling tower, boilers, steam turbine generators, oil pipeline, pump houses, main plant building, water treatment facility, mechanical and explosives demolition, asbestos abatement, soil remediation, site restoration, etc.
- **Westar Energy** – Tecumseh KS., cleaning and removal of 2 AST's (3.5 million gal), oil pipeline, pump houses, gas turbine generators, high voltage transformers, asbestos abatement, soil remediation, site restoration, etc.
- **Westar Energy** – Hutchinson KS., cleaning and removal of 3 AST's (9.6 million gal), oil pipeline, pump houses, unloading stations, boilers, heaters, asbestos abatement, soil remediation, site restoration, etc.
- **Westar Energy** – Colwich KS., cleaning and removal of 3 AST's (15.4 million gal), oil pipeline, pump houses, unloading stations, boilers, heaters, asbestos abatement, soil remediation, site restoration, etc.
- **Westar Energy** – Wichita KS., cleaning and removal of 3 AST's (12.7 million gal), oil pipeline, pump houses, unloading stations, boilers, heaters, asbestos abatement, soil remediation, site restoration, etc.
- **Whiting Oil and Gas**- Guymon, OK Demolition, removal and disposal of large oil storage tank

**Jordan Disposal/Gator Demolition have also completed the following construction projects:**

- **ICI Explosives**– Joplin, MO - Civil work of wetland construction & fabrication of anoxic reactor to reduce nitrate levels in ground water.
- **R&R Trucking Company** – Joplin, MO - Design, blueprint & construction of safe haven (explosive vehicle storage facility) at the ICI facility (this project was first non-military safe haven approved by the Department of Defense (DOD) in the United States).
- **Slurry Explosives Company (formerly Deta Corp)** - Hallowell, KS - Fence the entire facility.
- **Slurry Explosives Company (formerly Deta Corp)** - Hallowell, KS - Construct run-off dam.
- **Tri-State Motor Transit** – Duenweg, MO - Design, blueprint & construction of safe haven (only Two (2) commercial Safe havens have been approved by the DOD & both were designed & built by JDS and our affiliates).
- **Jasper County Sheriff's Sub Station** – Joplin, MO – Installed communications tower.
- **McFarland Cascade** – Joplin, MO – Built utility pole storage yard.
- **Dyno Nobel**- Carthage, MO –Liquidation of explosive contaminated Equipment.

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**Jordan Disposal/Gator Industrial as operators of the Galena C&D Landfill, received over 90% of all Joplin storm related debris totaling over 3 million cubic yards of debris. Working side-by-side with the Army Corp of Engineers, FEMA, and KDHE. JDS/GI possessed extensive contracts with Weston Solutions, Phillips & Jordan Disaster Relief, Disaster Relief Corporation (DRC), Cahaba Disaster Relief, and the City of Joplin.**

**Addition project examples and experience available upon request.**

## What They Are Saying

***Jordan Disposal (JDS), Gator Industrial (GI)*** believes there is no better ways to tell our story than to let the words of our satisfied customers speak for themselves. The following is a small sampling of clients that we routinely exceeded all expectations.

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DETACORP

3600 NW 74th Street Columbus Kansas 66725 Phone (620) 597 2552 Fax (620) 597 2905

May 9, 2005

To Whom It May Concern:

**Reference: Brian Jordan; US Assets Recovery; Jordan Disposal Services**

In my capacity as Plant Manager, later President, ICI Explosives USA at their Joplin, MO facility and more recently as President, DetaCorp Inc, LLC (Hallowell, KS) I have used and continue to use Brian Jordan and his companies as preferred contractors for a variety of construction, demolition and general contracting services. My personal experience of using his services dates back over 10 years, and at no stage in that time has he disappointed me or failed to deliver what he promised.

In my experience, Mr. Jordan's ability to innovatively overcome the day-to-day obstacles routinely encountered in plant construction and demolition have enabled him to offer, and then achieve, outstanding value for the prices he has charged. His approach is characterized by the importance he places on personal integrity and his consequent determination to fully satisfy his customer's expectations.

Most importantly, given the nature of business in which my company is engaged (manufacture of commercial explosives) his excellent corporate safety record has been a critical factor in continuing to use his services. Similarly, he and his companies have developed considerable expertise in responsible disposal of waste and surplus items, and have been instrumental in developing novel approaches to a number of difficult environmental problems.

Mr. Jordan's companies are operated in hands-on fashion by Mr. Jordan, keeping overheads (and hence costs) low, and are staffed by quality, hand-picked employees who are highly motivated and exceptionally loyal. This combination of low overhead and motivated workforce is, in my experience, tough to beat. To find this combination with an outstanding commitment to safety and an ability to develop innovative low-cost approaches in the construction and demolition field is extremely rare.

I highly recommend Mr. Jordan and his companies. There is no business acquaintance I would trust more.

Clive Whiteside
President

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**ICI Group Services**
Legal

Donald J. Pawlowski
Director, Legacy Management
50 Water Road
Sinking Spring, Pennsylvania 19608 USA
Telephone 610.670.6442
Fax 610.670.5698
Mobile 610.766.2849
don_pawlowski@ici.com

October 14, 2005

Mr. Brian Jordan
Jordan Disposal Service LLC
300 North Black Cat Road
Joplin, Missouri 64801

Re: Letter of Reference

Mr. Jordan:

As recognition of the strong and long lasting working relationship **Jordan Disposal Service LLC** has provided to Expert Management Inc. and its predecessors ICI Explosives USA Inc. and Atlas Powder Company I would like to acknowledge your many contributions to our facilities progress over the last seventeen plus years you have been working with us.

Over this period of time **Jordan Disposal Service LLC** has provided a wide range of services and equipment to facilitate our projects to include, heavy equipment, various types of labor including trained HAZWOPPER crews, demolition and environmental abatement services. We have worked well together in construction and demolition projects with an emphasis on safety and environmental protection. In this time period your crews have worked over a half million man hours without any notable incidents.

**Jordan Disposal Service LLC** has proven to be a reliable, flexible, and motivated environmental and general services firm which provides exceptional service and support to its clients. Your professionals have been proficient in planning, implementing, and completing a wide variety of project services on time and within budget.

If you would like to share my contact information with any potential clients for a verbal reference, please feel free to provide this letter.

Sincerely,

Donald J. Pawlowski
Director, Legacy Management

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# Expert Management Inc.

Uniqema Corporate Center
1000 Uniqema Blvd
New Castle, DE 19720

Telephone (302) 574-8559
Fax (302) 574-1818

October 17, 2005

To Whom It May Concern,

Over the past fifteen years, Expert Management has contracted with two of Brian Jordan's companies, Jordan Disposal Services and U.S. Asset Recovery, at our Joplin, Missouri facility. Both of Mr. Jordan's companies have completed a large number of demolition, salvage, and environmental remediation projects on this 1,800-acre site. The largest project by far was the 2003/04 demolition of over seventy buildings and structures, including a site power plant, an ammonium nitrate plant, an ammonia plant, and numerous specialized manufacturing plants, including the underground infrastructure. Many of these structures and buildings contained highly hazardous materials that required innovative approaches, not only to protect the workforce, but also to complete the demolition in an environmentally-sound manner. This major project was completed on time, under budget, and without any deleterious environmental impact or injuries to the workforce. I am happy to personally recommend Brian Jordan's companies to anyone planning a major salvage and demolition project requiring sophisticated, innovative, and cost effective solutions. Please do not hesitate to call me at (302) 574-5106 for additional details or questions that you may have about our experience.

Sincerely,

Clifford M. Erickson
Vice President

CME:hab

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EVONIK

Evonik Jayhawk Fine Chemicals Corporation
PO Box 247, Galena
Kansas 66739-0247, USA

T +1 (620) 783 1321
F +1 (620) 783 5253

www.evonik.com

September 24, 2009

Clive Whiteside
President

T +1 620 783 3126
F +1 620 783 3107

Clive.whiteside@evonik.com

To Whom it may concern:

Re: Jordan Disposal Services / Gator Industrial

This letter of reference is based on my personal experience of working with the aforementioned contractors and in particular with owner Brian Jordan, over many years.

Without exception, I have found the service provided to be first rate and very competitively priced. I do not recall a single instance of a significant accident or unacceptable safety or environmental practice over an association going back nearly 15 years and I continue to be impressed by the innovative approach that is brought to bear to cost-effectively deal with challenging construction and demolition problems, especially where environmental management issues are critical.

Evonik Jayhawk is pleased to have JDS as a current supplier of services and continues to regard Brian Jordan's various companies as preferred contractors.

Sincerely,

Clive Whiteside

Clive Whiteside
President

JDS reference letter 092209

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HALLOWELL MANUFACTURING LLC

ORICA

HALLOWELL MANUFACTURING LLC 3400 NW 76TH STREET, COLUMBUS KS 66725 - PHONE [illegible] - FAX [illegible]

September 8, 2009

Re: Letter of Reference

To Whom It May Concern:

I am the Plant Manager of Hallowell Manufacturing LLC, a wholly owned subsidiary of Orica USA, Incorporated. I have had the opportunity to work closely with Mr. Brian Jordan for the past 4 months. Although I have known him for a short time, his services provided to the company dates back over 15 years. During this period he has demonstrated levels of urgency, technical ability, leadership and professionalism. I have been extremely pleased with the quality of workmanship that has been displayed.

His leadership, detailed knowledge, and initiative have been especially evident in his coordination with all aspects of providing prompt service during plant maintenance, emergency breakdowns, hazardous material removal, decontamination processes and confined space work. He has never failed to deliver on time no matter what the situation is.

As a company, we are highly focused on the areas of safety, health and environmental. Mr. Jordan and his employees routinely exceed requirements and expectations set forth by Orica in those areas and also with each task put before them. Brian and all of his employees understand and implement all of our policies and procedures and puts service to others above themselves. Brian's record of performance and documented professional excellence prove he is the contractor of choice. I enthusiastically recommend Mr. Brian Jordan and his companies, Jordan Disposal Service, LLC and Gator Industrial, LLC.

Michael T. Williams
Plant Manager

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Day&Zimmermann

*We do what we say.*

**MUNITIONS & GOVERNMENT**
**KANSAS OPERATIONS**

September 9, 2009

To Whom It May Concern:

RE: Jordan Disposal, LLC/Gator Industrial, LLC
300 N. Black Cat Road
Joplin, MO 64801

Day & Zimmermann (D&Z) is the Operating Contractor/Caretaker of the Kansas Army Ammunition Plant, a secure U.S. Army facility owned by the U.S. Government. D&Z has had the pleasure of working with Jordan Disposal/Gator Industrial on several projects and has been extremely satisfied with their performance and with regard to

- Performance within D&Z's safety and security policies
- Demonstration of sound environmental practices
- Their responsiveness to our requests and project changes
- and, in our estimation at fair and reasonable pricing

Day & Zimmermann would not hesitate to use Jordan Disposal/Gator Industrial in the future and would highly recommend their services.

Respectfully,

Sally L. Boulanger

SALLY L. BOULANGER
Vice President & General Manager

Phone: 620-421-7400 23018 Rooks Road, Parsons, KS 67357-8403 Fax: 620-421-7440

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LaBarge inc

1995 S Mason Lane
Post Office Box 1210
Joplin, Missouri 64802-1210
417-781-0200
417-781-2173 Fax
http://www.labarge.com

Larry Cantrell
Manufacturing Manager
larry.cantrell@labarge.com

9/9/09

LPC/dbr/12

To Whom It May Concern

RE: Jordan Disposal Services

This letter of recommendation is based on my personal experience and the experience of many other managers and employees of LaBarge in reference to our work history with Jordan Disposal Services. LaBarge has done continuous business with Jordan Disposal Service for at least 29 years. Some than it may go back as far as almost 50 years but those records are gone. The longevity of their continuous business relationship with LaBarge in itself speaks highly of Jordan's impeccable business ethics and high level of service. Throughout our business relationship, Jordan Disposal Services has always worked closely with LaBarge to provide whatever level of service was required including commercial refuse hauling, metals recycling, and other hauling services. Most recently, we have contracted with Jordan to move the production equipment and fixtures for an entire 35,000 square foot facility to another facility. This move was also accomplished with the same high degree of professionalism that we have come to expect from Jordan.

LaBarge is pleased to have Jordan Disposal Services as a current and long term supplier.

Larry Cantrell
Manufacturing Manager

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A Commitment To Excellence

Tri-State Motor Transit Co.
Post Office Box 113
Joplin, Missouri 64802
800-234-8768

September 8, 2009

To Whom It May Concern

Dear Sir or Madam

Please allow this letter to serve as a recommendation and verification of work performed by Jordan Disposal Service and Gator Industrial on behalf of Tri-State Motor Transit Co

Tri-State Motor Transit Co 's corporate office is located in Joplin, Missouri (TSMT) We have been transported Hazardous Materials, Arms, Ammunition, Explosives, Radioactive Material and other Sensitive Materials for the Department of Defense (DOD), Department of Energy (DOE) and the Civilian Sector for more than 75 years TSMT is one of the largest government approved carriers in the United States

Tri-State had collaborated with JDS/GI to help meet specific operational goals This required working closely with JDS/GI on numerous projects including the design, blueprint & construction of a safehaven There are only three commercial safehavens approved by the DOD , all were designed and built by JDS and their affiliates

Please feel free to call if you should require any additional information

Sincerely,

Glen Garrett

Glen Garrett
President

Attachment: 2017-032 ATTH 17 Gator Industrial LLC Bid Document (1620 : 2017-032 Amending the budget and authorizing CM contract for

# Joplin Schools

3901 E. 32nd Street • PO Box [illegible] • Joplin, MO 648[illegible]
[illegible]

January 2, 2013

To Whom It May Concern:

On May 22, 2011, Joplin Schools had five educational facilities completely destroyed by an EF-5 tornado. With the help of FEMA and SEMA, and following stringent federal bidding guidelines, we were able to let and accept bids for the demolition of these five facilities. Of the five projects, Gator Demolition (Jordan Disposal) was the lowest qualified bidder for two of the five bids, Franklin Technical School and East Middle School. Due to unfortunate circumstances requiring Joplin Schools to rebid the demolition of Joplin High School, Gator Demolition was then awarded a third bid.

Gator Demolition completed the Franklin Technical School and East Middle School demolitions well within the contract time line and did a great job. For this reason alone, we would highly recommend Gator Demolition for any demolition project. It is the job that was done at Joplin High School that put Gator Demolition head and shoulders above the rest. The Joplin High School project was more difficult than the others due to the incomplete efforts of the previous contractor. Once Gator Demolition was awarded the contract, they made extraordinary strides in completing the project in a matter of weeks, bringing to a close months of devastation.

Throughout the demolition projects, Gator Demolition's General Manager, Dan Fitzpatrick, was in constant contact with Joplin Schools reporting project status, submitting load sheets and daily logs as required. Pay applications were submitted in a timely manner and certified payroll was complete and correct. A routine inspection of certified payroll by the Missouri Department of Labor was returned with no violations or reported findings. In addition, Gator Demolition worked successfully with MoDNR while they closely monitored these high profile projects.

Gator Demolition has exhibited an amazing professional and personal work ethic that can be compared second to none. Gator Demolition became a partner with Joplin Schools during these projects, and as such, part of our team. For these reasons, we have no reservations recommending Gator Demolition for any similar project.

Sincerely,

Dr. C.J. Huff
Superintendent of Schools
Joplin Schools
3901 E. 32nd St.
Joplin, MO 64804
(417) 625-5200 ext. 2020

Mike Johnson
Director of Construction
Joplin Schools
3901 E. 32nd St.
Joplin, MO 64804
(417) 625-5200 ext. 2004



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**AMERICAN FIBREX**

*Solving Your High Temperature Insulation Needs*

August 3, 2009

To whom it may concern:

We have used Jordan Disposal Service/Gator Industrial LLC on numerous projects from major facility demolition to painting and are currently in the planning stage with them for a warehouse upgrade program. We have found Jordan Disposal to be a very thorough, innovative, cost conscious and reliable contactor.

We would recommend JDS/GI for any project for which their organization is qualified.

Please feel free to contact me if you have any questions concerning our experiences with Jordan Disposal.

Sincerely,

Daniel J Barrett

Daniel J Barrett
Managing Partner
Mount Etna Partners LLC dba American Fibrex

*American Fibrex*
*1220 W. Murphy Blvd.*
*Joplin, Missouri 64801*

*www.fibrexhightemp.com*

*Tel: 417-623-0933*
*Toll Free: 888-834-2739*
*Fax: 417-624-4251*

Attachment: 2017-032 ATTH 17 Gator Industrial LLC Bid Document (1620 : 2017-032 Amending the budget and authorizing CM contract for

Attachment: 2017-032 ATTH 18 Kress Temporary Access and Easement Agreements (1620 : 2017-032 Amending the budget and authorizing CM

# AGREEMENT

THIS AGREEMENT (this "Agreement") is made by and between **Jason Horton and Amanda Horton** ("Horton") and the **City of Texarkana, Texas** ("City"), collectively referred to as the "Parties."

BACKGROUND AND DEFINITIONS:

A. The City owns property located at 116 West Broad Street, Texarkana, Bowie County, Texas, commonly known as the Kress Building (the "Kress"). The City is in the process of scheduling and performing construction, renovation, remediation, and other related activities to the Kress, including the placement of equipment and supplies necessary for such activities ("the Work").

B. Horton owns certain property located at 114 Broad Street, Texarkana, Bowie County, Texas ("the Horton Property"), which is adjacent to or near the Kress.

C. During certain portions of the Work, it will be necessary for Horton to vacate the Horton Property and relocate their business activities to a temporary site. City has agreed to pay Horton for certain costs and expenses for their relocation as set forth in this Agreement ("the Relocation Expenses").

C. To enable City performance of the Work, it will be necessary for Horton to convey to City certain easement, permissions, and consent, namely: a temporary easement upon and across the Horton Property for the specific purpose of performing the Work; express permission for City to access on and around the Horton Property for the Work; and express consent for City to perform any stabilizing or other work on, upon, or to the Horton Property which the City deems necessary for the protection of either the Horton Property, the Kress, or both properties (collectively, the "Easement").

**NOW, THEREFORE**, the Parties agree as follows:

Term

1. The term of this Agreement shall commence upon the Parties' acceptance of this Agreement, evidenced by their signatures below, and shall terminate upon City's final acceptance of the Work. The City shall provide written notice to Horton upon final acceptance of the Work.

Relocation Expenses

2. City agrees to reimburse Horton for certain expenses incurred in relocating Horton's office during the performance of certain portions of the Work, which costs and expenses include those costs set forth in this Agreement (collectively the "Reimbursable Expenses").

3. Horton shall be entitled to reimbursement for the costs and expenses associated with relocating its business incurred by Horton upon the following conditions:

    a. Horton shall be entitled to an initial reimbursement fee for the actual costs associated with the following initial moving expense (the "Initial Moving Expense"), subject to the cap set forth therein:

| Expense | Reimburseable Cap |
|---|---|
| Take down and installation of fixtures: | $ 435.00 |
| Phone system and installation at temporary location: | $3,289.00 |
| Mover's expense: | $4,100.00 |
| Signage Expense: | $2,712.52 |
| Copier relocation and set up expense: | $ 200.00 |

b. City shall pay Horton for the Initial Moving Expense actually incurred for the above items. City agrees to pay Horton the above estimated costs on or before April 1, 2017. Horton agrees they shall provide receipts reflecting actual payment of the above expenses to City within thirty (30) days of Horton making said payments. In the event, receipts for the above expenses reflect a lower amount than estimated, the difference between the payment made by the City to Horton and the receipt shall be deducted from future payments. Nothing herein shall require City to make payment for an amount more than the payment caps set forth above.

c. After Horton has relocated, City shall pay Horton a monthly lease expense fee equivalent to $.60 per square foot multiplied by 2,500 square feet ($1,500.00) for each month that Horton is unable to occupy the Horton Property. City agrees to make an initial payment equivalent to five (5) month's rent within thirty (30) days after Horton has relocated in the amount of $7,500.00. Said lease expense shall terminate on the date all demolition work has been completed and the City's Environmental Consultant has approved the Horton Property for reoccupation. In the event Horton's relocation extends beyond a five month period before the Environmental Consultant has approved for reoccupation, City shall pay Horton the monthly lease amount set forth above for any period of time beyond the initial five month period on a monthly basis. The monthly lease expense shall be prorated for any partial month of non-use.

d. City shall reimburse Horton for any utilities at the Horton property that are required or necessary to prevent damage during the relocation period, subject to a cap of $165.00 per month (the "Utility Cap"). City shall reimburse Horton for the utilities on a monthly basis upon receipt of a copy of the utility bill reflecting the amount of said utility. Nothing herein shall require City to reimburse an amount greater than the invoice amount for the utility or an aggregate amount greater than the monthly Utility Cap.

e. Horton shall be entitled to reimbursement for the actual costs associated with the moving expenses set forth below to move back in the Horton Property (the "Reoccupation Expense"), subject to the reimbursement caps set forth and any required deductions.

| Expense | Reimburseable Cap |
|---|---|
| Mover's expense: | $4,100.00 |
| Copier relocation and set up expense: | $ 200.00 |
| Cleaning Fee | $ 500.00 |

Attachment: 2017-032 ATTH 18 Kress Temporary Access and Easement Agreements (1620 : 2017-032 Amending the budget and authorizing CM

f. City shall reimburse Horton for the Reoccupation Expense incurred for the above items within thirty (30) days of Horton providing invoices that substantiate and verifies all costs, subject to the payment caps and any required deductions set forth above.

4. Horton agrees that with respect to the work entailed or contemplated in their relocating to a temporary site, the City shall have no responsibility for (i) any work performed, (ii) the manner in which any work is performed, (iii) storage of any equipment, furniture or fixtures, (iv) providing any labor or materials, (v) contracting for any work performed, and (vi) any other service or work to be performed either on the Horton Property or the temporary location they choose.

The Easement

5. Horton acknowledges that City must have access to properties adjacent to the Kress to perform the Work; therefore, Horton, for themselves, their heirs, legal representatives, successors and assigns, hereby grant, bargain, rent, assign and convey the Easement.

6. Due to the nature of the Work being performed and to be performed, Horton, for themselves, their heirs, legal representatives, successors and assigns, further agree not to access any Work areas (for example, construction areas or areas partitioned off as construction areas from the Horton Property) until such time as this Agreement terminates.

7. City shall use reasonable care in, and repair any damage resulting from, the intentional exercise of such Easement, or damage directly caused by City's Work. Nothing herein shall be construed to make City or any other person or entity liable for damage resulting from any act of God or from a condition already existing on the Horton Property.

8. The Easement and any and all rights, title, and interest granted to City hereunder shall terminate and be considered null and void and of no further force and effect at such time when this Agreement terminates.

9. Horton acknowledges that City or City's representative has consulted with them, explained the proposed Work on the Kress, and the possible effects on adjacent and surrounding properties; and Horton has had both the opportunity and sufficient time to make further inquiries of the City, inquiries which have been addressed or otherwise answered to Horton's satisfaction.

10. City does not anticipate any work will be necessary to the Horton Property specifically caused by City's work on the Kress that would require entry into the Horton Property. In the event it is necessary for City or City's representative or contractor to access the interior of the Horton Property, Horton shall be notified of the need for such access, and Horton agrees that they or their agent shall provide access and accompany City, City's agent or contractor while in Horton's building, save and except if there is an emergency or safety issue requiring immediate action, City shall only be required to give such notice as expediently as possible under the circumstances to Horton.

11. City has notified Horton, and Horton acknowledges, that it is necessary to remove the chimney stack on the roof of the Kress and Horton Properties. Horton hereby gives consent to City to access Horton's roof and remove the chimney stack. City agrees it is responsible for the expense of such removal, which is estimated to be approximately $7,000 - $8,000.

Attachment: 2017-032 ATTH 18 Kress Temporary Access and Easement Agreements (1620 : 2017-032 Amending the budget and authorizing CM

Vacating the Horton Property

12. Based upon the proposed construction schedule, it is estimated that Horton will need to vacate the Horton Property on Friday, April 21, 2017, with the estimated date for reoccupation initially scheduled for Friday, September 15, 2017. The Parties understand and agree that these dates may change; and Horton agrees that they will vacate the Horton Property on the date specified in this Section 11 or an adjusted date upon receipt of reasonable notice from the City.

Title

13. Title to any improvements made to the Horton Property, if any, required for the performance of the Work shall be and remain with Horton. Title to any improvements made to the Kress shall be and remain the property of the City. Except as otherwise provided in this Agreement, nothing herein shall be interpreted to require the City to perform any work to or make improvements to the Horton Property.

No Liability

14. Nothing herein shall be deemed to waive the governmental immunity of the City. Except as otherwise provided in this Agreement, the City, its agents, officers, employees or contractors, shall not be responsible for damage, if any, resulting from vandalism or unauthorized use of the Horton Property by those not subject to the direction or control of the City.

Miscellaneous Provisions

15. Both Horton and City agree and acknowledge that remediation of the Kress benefits both Horton and City and, together with the Reimbursable Expenses pursuant to this Agreement, constitutes sufficient and valid consideration for this Agreement.

16. Horton hereby binds their heirs, legal representatives, successors and assigns to warrant and forever defend the above-described Easement and right unto City, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

17. This Agreement shall be governed by and construed under the laws of the State of Texas, and venue shall be in Bowie County, Texas.

18. This Agreement is intended to be binding upon and inure to the benefit of the Parties hereto, their heirs, legal representative, successors, and assigns.

19. This Agreement constitutes the entire agreement between the parties and supersedes all prior agreements and oral representations between the Parties with respect to the subject matter of this Agreement. No change, alteration or amendment will be binding on either party unless set forth in writing and signed by the parties hereto.

20. This Agreement may be executed simultaneously in multiple counterparts, each of which, taken together, shall be deemed an original.

**IN WITNESS WHEREOF**, the Parties, intending to be legally bound, have duly executed this Agreement on the dates as set forth below.

[SIGNATURES ON FOLLOWING PAGES]

Attachment: 2017-032 ATTH 18 Kress Temporary Access and Easement Agreements (1620 : 2017-032 Amending the budget and authorizing CM

**GRANTOR:**

**Jason Horton**

**Amanda Horton**

STATE OF TEXAS

COUNTY OF BOWIE

This instrument was acknowledged on this the 2nd day of ~~January~~ February, 2017 by **Jason Horton.**

Notary Public, State of Texas

TERESA M COLLINS
My Commission Expires
August 14, 2019

STATE OF TEXAS

COUNTY OF BOWIE

This instrument was acknowledged on this the 2nd day of ~~January~~ February, 2017 by **Amanda Horton.**

Notary Public, State of Texas

TERESA M COLLINS
My Commission Expires
August 14, 2019

Attachment: 2017-032 ATTH 18 Kress Temporary Access and Easement Agreements (1620 : 2017-032 Amending the budget and authorizing CM

**GRANTEE: THE CITY OF TEXARKANA, TEXAS**

By: **John Whitson, City Manager**

STATE OF TEXAS

COUNTY OF BOWIE

This instrument was acknowledged on this the 7th day of ~~January~~ FEBRUARY, 2017 by John Whitson, as the City Manager of the City of Texarkana, Texas.

Notary Public, State of Texas

VICKY COOPWOOD
Notary Public, State of Texas
My Commission Expires
June 01, 2019

Attachment: 2017-032 ATTH 18 Kress Temporary Access and Easement Agreements (1620 : 2017-032 Amending the budget and authorizing CM

Attachment: 2017-032 ATTH 18 Kress Temporary Access and Easement Agreements (1620 : 2017-032 Amending the budget and authorizing CM

# TEMPORARY ACCESS AND ACTIVITIES EASEMENT AGREEMENT

THIS TEMPORARY ACCESS AND ACTIVITIES EASEMENT AGREEMENT (this "Agreement"), is made this 9th day of January 2017, by and between **Elnoria Ruth** ("Grantor") and the **City of Texarkana, Texas**, a home-rule municipality ("City" or "Grantee").

BACKGROUND AND DEFINITIONS:

A. The City owns property located at 116 West Broad Street, Texarkana, Bowie County, Texas, commonly known as the Kress Building (the "Benefited Property"). The City is in the process of scheduling and performing construction, renovation, remediation, and other related activities to the Benefited Property, including the placement of equipment and supplies necessary for such activities ("the Work").

B. Grantor owns certain property located at **120 Broad Street, Texarkana, Bowie County, Texas** (the "Burdened Property"), which is adjacent to or near the Benefited Property.

C. The City has requested that Grantor convey to it a "Temporary Access and Activities Easement" defined as follows: a temporary easement upon and across the Burdened Property for the specific purpose of performing the Work; express permission for City to access into, on and around the Burdened Property for the Work; and express consent for City to perform any stabilizing or other work on, upon, or to the Burdened Property which the City deems necessary for the protection of either the Benefited Property, the Burdened Property, or both properties.

D. Grantor recognizes the need for the Work and agrees to grant and convey the requested "Temporary Access and Activities Easement".

**NOW, THEREFORE**, Grantor and Grantee agree as follows:

1. Grantor, for itself, its heirs, legal representatives, successors and assigns, hereby grants, bargains, rents, assigns and conveys unto Grantee a Temporary Access and Activities Easement, as defined above, upon and across the Burdened Property.

2. Grantor, for itself, its heirs, legal representatives, successors and assigns hereby agrees further, due to the nature of the Work being performed and to be performed, not to access any Work areas (for example, construction areas or areas partitioned off as construction areas from the Burdened Property) until this Agreement shall have terminated.

3. Grantee shall use reasonable care in, and repair any damage resulting from, the intentional exercise of such easement. Nothing herein shall be construed to make Grantee or any other person or entity liable for damage resulting from any act of God or from a condition already existing on the Burdened Property.

4. The Temporary Access and Activities Easement and any and all rights, title, and interest granted to Grantee hereunder shall terminate and be considered null and void and of no further force and effect at such time as the City confirms in writing to Grantor that the Work within the Temporary Access and Activities Easement is completed.

5. Both Grantor and Grantee expressly agree and acknowledge that remediation of the Benefited Property, which inures to the benefit of both Grantor and Grantee, constitutes sufficient and valid consideration for this Agreement.

6. Grantor hereby binds its heirs, legal representatives, successors and assigns to warrant and forever defend the above-described easement and right unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

7. The easement, rights and privileges granted herein by Grantor to Grantee are exclusive and the Grantor covenants that it will not convey any other conflicting easement or conflicting rights within the Temporary Access and Activities Easement area covered by this Agreement.

8. This Agreement is intended to be governed by and construed under the laws of the State of Texas, and venue shall be in Bowie County, Texas.

9. This Agreement is intended to be binding upon and inure to the benefit of the parties hereto, their heirs, legal representative, successors, and assigns.

10. This Agreement constitutes the entire agreement between the parties and may not be modified or amended unless in writing signed by the parties hereto.

11. This Agreement may be executed simultaneously in multiple counterparts, each of which, taken together, shall be deemed an original.

**IN WITNESS WHEREOF**, the parties, intending to be legally bound, have duly executed this Agreement on the day and year first written above.

**[SIGNATURES ON FOLLOWING PAGE]**

Attachment: 2017-032 ATTH 18 Kress Temporary Access and Easement Agreements (1620 : 2017-032 Amending the budget and authorizing CM

**GRANTOR:**

**Elnoria Ruth**

STATE OF TEXAS

COUNTY OF BOWIE

This instrument was acknowledged on this the 9th day of January, 2017 by **Elnoria Ruth.**

BETSY J FREEMAN
NOTARY PUBLIC
State of Texas
Comm. Exp. 06/11/2017

Notary Public, State of Texas

**GRANTEE: THE CITY OF TEXARKANA, TEXAS**

By: **John Whitson, City Manager**

STATE OF TEXAS

COUNTY OF BOWIE

This instrument was acknowledged on this the 7th day of FEBRUARY, 2017 by John Whitson, as the City Manager of the City of Texarkana, Texas.

VICKY COOPWOOD
Notary Public, State of Texas
My Commission Expires
June 01, 2019

Attachment: 2017-032 ATTH 18 Kress Temporary Access and Easement Agreements (1620 : 2017-032 Amending the budget and authorizing CM

Attachment: 2017-032 ATTH 18 Kress Temporary Access and Easement Agreements (1620 : 2017-032 Amending the budget and authorizing CM

# TEMPORARY ACCESS AND ACTIVITIES EASEMENT AGREEMENT

THIS TEMPORARY ACCESS AND ACTIVITIES EASEMENT AGREEMENT (this "Agreement"), is made this _____ day of _____, 2016, by and between **Brian Goesl and Patty Goesl** ("Grantor") and the **City of Texarkana, Texas**, a home-rule municipality ("City" or "Grantee").

BACKGROUND AND DEFINITIONS:

A. The City owns property located at 116 West Broad Street, Texarkana, Bowie County, Texas, commonly known as the Kress Building (the "Benefited Property"). The City is in the process of scheduling and performing construction, renovation, remediation, and other related activities to the Benefited Property, including the placement of equipment and supplies necessary for such activities ("the Work").

B. Grantor owns certain property located at **214 Main Street, Texarkana, Bowie County, Texas** (the "Burdened Property"), which is adjacent to or near the Benefited Property.

C. The City has requested that Grantor convey to it a "Temporary Access and Activities Easement" defined as follows: a temporary easement upon and across the Burdened Property for the specific purpose of performing the Work; express permission for City to access into, on and around the Burdened Property for the Work; and express consent for City to perform any stabilizing or other work on, upon, or to the Burdened Property which the City deems necessary for the protection of either the Benefited Property, the Burdened Property, or both properties.

D. Grantor recognizes the need for the Work and agrees to grant and convey the requested "Temporary Access and Activities Easement".

**NOW, THEREFORE**, Grantor and Grantee agree as follows:

1. Grantor, for itself, its heirs, legal representatives, successors and assigns, hereby grants, bargains, rents, assigns and conveys unto Grantee a Temporary Access and Activities Easement, as defined above, upon and across the Burdened Property.

2. Grantor, for itself, its heirs, legal representatives, successors and assigns hereby agrees further, due to the nature of the Work being performed and to be performed, not to access any Work areas (for example, construction areas or areas partitioned off as construction areas from the Burdened Property) until this Agreement shall have terminated.

3. Grantee shall use reasonable care in, and repair any damage resulting from, the intentional exercise of such easement. Nothing herein shall be construed to make Grantee or any other person or entity liable for damage resulting from any act of God or from a condition already existing on the Burdened Property.

4. The Temporary Access and Activities Easement and any and all rights, title, and interest granted to Grantee hereunder shall terminate and be considered null and void and of no further force and effect at such time as the City confirms in writing to Grantor that the Work within the Temporary Access and Activities Easement is completed.

5. Both Grantor and Grantee expressly agree and acknowledge that remediation of the Benefited Property, which inures to the benefit of both Grantor and Grantee, constitutes sufficient and valid consideration for this Agreement.

6. Grantor hereby binds its heirs, legal representatives, successors and assigns to warrant and forever defend the above-described easement and right unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

7. The easement, rights and privileges granted herein by Grantor to Grantee are exclusive and the Grantor covenants that it will not convey any other conflicting easement or conflicting rights within the Temporary Access and Activities Easement area covered by this Agreement.

8. This Agreement is intended to be governed by and construed under the laws of the State of Texas, and venue shall be in Bowie County, Texas.

9. This Agreement is intended to be binding upon and inure to the benefit of the parties hereto, their heirs, legal representative, successors, and assigns.

10. This Agreement constitutes the entire agreement between the parties and may not be modified or amended unless in writing signed by the parties hereto.

11. This Agreement may be executed simultaneously in multiple counterparts, each of which, taken together, shall be deemed an original.

**IN WITNESS WHEREOF**, the parties, intending to be legally bound, have duly executed this Agreement on the day and year first written above.

**[SIGNATURES ON FOLLOWING PAGES]**

Attachment: 2017-032 ATTH 18 Kress Temporary Access and Easement Agreements (1620 : 2017-032 Amending the budget and authorizing CM

**GRANTOR:**

**Brian Goesl**

~~Patty~~ **Goesl**
PATTI

STATE OF TEXAS

COUNTY OF BOWIE

This instrument was acknowledged on this the 1st day of February, 2017 by **Brian Goesl.**

CHRISTINE WAKEFIELD
NOTARY PUBLIC
STATE OF TEXAS
ID # 13083882-4
My Comm. Expires 09-28-2020

Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF BOWIE

This instrument was acknowledged on this the 1st day of February, 2017 by **Patty Goesl.**

CHRISTINE WAKEFIELD
NOTARY PUBLIC
STATE OF TEXAS
ID # 13083882-4
My Comm. Expires 09-28-2020

Notary Public, State of Texas

Attachment: 2017-032 ATTH 18 Kress Temporary Access and Easement Agreements (1620 : 2017-032 Amending the budget and authorizing CM

**GRANTEE: THE CITY OF TEXARKANA, TEXAS**

By: **John Whitson, City Manager**

STATE OF TEXAS

COUNTY OF BOWIE

This instrument was acknowledged on this the 7th day of February, ~~2016~~ 2017 by John Whitson, as the City Manager of the City of Texarkana, Texas.

VICKY COOPWOOD
Notary Public, State of Texas
My Commission Expires
June 01, 2019

Attachment: 2017-032 ATTH 18 Kress Temporary Access and Easement Agreements (1620 : 2017-032 Amending the budget and authorizing CM

ERI CONSULTING, INC.

P. O. Box 2024, Tyler, Texas 75710
2026 Republic Drive, Suite A, Tyler, Texas 75701
Ph: (903) 534-5001 Fax: (903) 534-8701
TBPE Firm # F-1787
www.ericonsulting.com

June 7, 2016

Mr. David W. Orr,
Director of Planning & Community Development
P.O. Box 1967, 220 Texas Blvd., 4th Floor
Texarkana, Texas 75504
Office: (903) 798-3902 / Cell: (903) 278-7735
Fax: (903) 798-3913 / david.orr@txkusa.org
cc: Ms. Daphnea Ryan dryan@txkusa.org

***RE: Contract - Design/Project Management - Demolition/Environmental Hazards Removal Project, 116 W. Broad Street, Texarkana, Texas***

Dear Mr. Orr:

Based upon the Professional Services Procurement Act (PSPA) selection process, ERI Consulting, Inc. (ERI) appreciates being selected by City of Texarkana to provide our engineering services on the above referenced project. Our services on the demolition will include:

1. Project design and preparation of Plans and Specifications for all demolition and disposal activities.

2. Meet with utility companies and assist City of Texarkana in utility relocation

3. Conduct a pre-bid conference with prospective contractors prior to submission of bids.

4. Assist City of Texarkana in awarding the contract, review the executed contract, insurance certificates, and bonds and submit the contract to City of Texarkana for execution .

5. Prepare a contract between City of Texarkana and the demolition contractor

6. Review the required pre-job submittals from the demolition contractor.

7. Prepare the 10-day Texas Department of State Health Services (TDSHS) notification of demolition for compliance with the TAHPA and NESHAPS requirements.

8. Conduct an on-site pre-construction conference with the demolition contractor, maintenance department and other concerned parties.

9. Prepare an erosion control plan. Prepare plan to comply with the EPA's Storm Water Pollution Prevention regulations.



Attachment: 2017-032 ATTH 19 ERI Contract for Professional Services (1620 : 2017-032 Amending the budget and authorizing CM contract for

Attachment: 2017-032 ATTH 19 ERI Contract for Professional Services (1620 : 2017-032 Amending the budget and authorizing CM contract for

**ERI Consulting, Inc.**



9. Perform periodic site visits during demolition activities.

10. Assist City of Texarkana with final site work and final acceptance of the project.

11. Prepare a final post-job submittal documentation including trip tickets, manifests, and letters from private property owners.

12. Provide a full-time TDSHS licensed project manager to collect ambient air samples while debris is disturbed or removed from the site.

13. Analyze air samples by Phase Contrast Microscopy in our TDSHS licensed laboratory.

All work is covered by our general and professional liability insurances. Our fees are outlined on the attached page. Professional service fees from Mark Thacker AIA and Mike Bugh, P.E., are also attached.

Please sign the statement below and authorize us to begin design and to file the notification on behalf of City of Texarkana at the appropriate time. If you should have any questions please contact our office at (903)534-5001.

Sincerely,

Larry G. Snodgrass, P.E.
President

lgs/ma

**NOTIFICATION STATEMENT:**

***RE: Contract - Design/Project Management - Demolition/Environmental Hazards Removal Project, 116 W. Broad Street, Texarkana, Texas***

We hereby authorize ERI Consulting, Inc. to sign and file the appropriate TDSHS/NESHAPS notification in accordance with 295.61 of the Texas Asbestos Health Protection Act, and to begin design activities.

_____
Signature

_____
Printed Name/Title

_____
Date

**ERI Consulting, Inc.**

**PROFESSIONAL FEE OUTLINE**
**116 W. Broad, Texarkana, Texas**
ES#15-825

**ERI Consulting, Inc.**

Design, bid, and administer demolition/environmental hazards removal ..... $26,500.00
Full-time air & compliance monitoring during
asbestos removal activities (30 days @ $650/day) ..... $19,500.00
Total ..... $46,000.00

**Mark Thacker AIA**

Architectural evaluation, developing recommendations & cost estimates
for Option I ..... $25,000.00
OR
Architectural evaluation, developing recommendations & cost estimates
for Options II or III ..... $15,000.00
AND
Design, bid, and administer restoration
improvements for Option I (estimated) ..... $156,000.00
OR
Design, bid, and administer facade improvements
and final demolition for Option II ..... $30,000.00
OR
Design, bid, and administer construction of new facade ..... $30,000.00

**Michael Bugh, P.E.**

Assist ERI with demolition specifications ..... $3,000.00

Initial structural evaluation ..... $10,000.00

Design and oversee construction of temporary structural bracing ..... $5,000.00

Design and oversee construction of enhanced temporary structural bracing ..... $5,000.00

Assist Mark Thacker with restoration/facade improvement/final demolition
specifications ..... $3,000.00

Total ..... $21,000.00 - $26,000.00

Attachment: 2017-032 ATTH 19 ERI Contract for Professional Services (1620 : 2017-032 Amending the budget and authorizing CM contract for

ERI CONSULTING, INC.

P. O. Box 2024, Tyler, Texas 75710
2026 Republic Drive, Suite A, Tyler, Texas 75701
Ph: (903) 534-5001 Fax: (903) 534-8701
TBPE Firm # F-1787
www.ericonsulting.com

March 6, 2017

Mr. David W. Orr,
Director of Planning & Community Development
P.O. Box 1967, 220 Texas Blvd., 4th Floor
Texarkana, Texas 75504
Office: (903) 798-3902 / Cell: (903) 278-7735
Fax: (903) 798-3913 / david.orr@txkusa.org
cc: Ms. Daphnea Ryan dryan@txkusa.org

***RE: ES#16-612 - Demolition/Environmental Hazards Removal Project, 116 W. Broad Street, Texarkana, Texas***

Dear Mr. Orr:

Gator Industrial of Joplin, Missouri was the low bidder on the above referenced project. We recommend they be awarded the project, in the contract amount of $506,500.00.00

We have reviewed their submittals and checked references, and we are confident in their ability to complete the work as scheduled. As soon as you notify us of the City's decision on the contractor, we will prepare contracts and proceed with the project. A revised project cost estimate is attached.

We look forward to working with you on this. If you should have any questions, please call me at 903-534-5001.

Sincerely,

Larry G. Snodgrass, P.E.
President

lgs/ma
cc: Gator Industrial

Attachment: 2017-032 ATTH 20 ERI Recommendation Letter (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

ERI CONSULTING, INC.

P. O. Box 2024, Tyler, Texas 75710
2026 Republic Drive, Suite A, Tyler, Texas 75701
Ph: (903) 534-5001 Fax: (903) 534-8701
TBPE Firm # F-1787
www.ericonsulting.com

**OPINION OF PROBABLE COST**
**Kress Building Demolition & Removal of Environmental Hazards**
**116 W. Broad, Texarkana, Texas**
ES#16-612
Revised 3/3/2017

**Contractor's Costs (Gator Industrial)** (1)

| | |
|---|---|
| Base bid | $506,500.00 |

**Design & Oversight** (2)

| | |
|---|---|
| ERI Consulting, Inc. | $46,000.00 |
| March Thacker AIA | $15,000.00 |
| Michael Bugh, P.E. | $6,500.00 |
| Total | $67,500.00 |

| | |
|---|---|
| **TDSHS Notification Fee** (3) | $2,700.00 |
| **Project total** | $576,700.00 |
| 5% Contingency | $28,835.00 |
| **GRAND TOTAL** | $605,535.00 |

NOTES:

(1) Original contract amount does not include Alternate 1 (+$15,000.00) for construction of parking improvements.

(2) Total consulting fees unchanged.

(3) Sent directly to client from the State of Texas.

Relocation fees for adjacent property owners not included.

Removal and relocation of utilities not included.

Disposal fees paid for by City under separate agreement.



Attachment: 2017-032 ATTH 20 ERI Recommendation Letter (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

**ORDINANCE NO. 2017-032**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGET EXPENDITURES IN AN AMOUNT NOT TO EXCEED SIX HUNDRED TWENTY NINE THOUSAND ONE HUNDRED SEVENTY THREE DOLLARS ($629,173) RELATED TO ENVIRONMENTAL ABATEMENT AND DEMOLITION FOR THE KRESS BUILDING FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS,** in 2009, the City acquired property located at 116 West Broad Street from the Bi-State Women's Center, Inc. as a donation through Ordinance No. 073-2009; and

**WHEREAS,** the property has deteriorated to the point that it has impacted adjacent property owners and the building's front sidewalk has been compromised since November 2014 due to public safety concerns resulting from falling debris; and

**WHEREAS,** a structural engineering report conducted by Raley and Associates in 2012 stated that the building structure appears to be unstable; and

**WHEREAS,** the City received confirmation June 23, 2015 from the Texas Historical Commission stating the building is not eligible for an individual listing in the National Register of Historic Places; and

**WHEREAS,** ERI Consulting, Inc. conducted asbestos and lead-based paint inspections in 2015 and confirmed positive tests for both hazardous materials; and

**WHEREAS,** ERI Consulting, Inc. consulted with the Texas Department of State Health Services and received an approved contaminated construction debris disposal plan; and

**WHEREAS,** temporary access and easement agreements were obtained from all adjacent property owners; and

**WHEREAS,** the bids were opened on February 21, 2017 for the demolition of the Kress Building; and

**WHEREAS,** the bidder with the lowest and best bid was Gator Industrial, LLC. of Joplin, Missouri, in an amount of **Five Hundred Six Thousand Five Hundred Dollars ($506,500)**; and

**WHEREAS,** the City Council finds and determines that it would be in the City's best interest to amend the budget estimate of the City's expenditures for the fiscal year beginning October 1, 2016, and ending September 30, 2017, to reflect additional expenditures appropriated in an amount not to exceed **Six Hundred Twenty Nine Thousand One Hundred Seventy Three Dollars ($629,173)** related to cleanup for the Kress Building located at 116 West Broad Street.

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

**SECTION 1:** That the City Manager be and is hereby authorized to enter into a contract with Gator Industrial LLC of Joplin, Missouri, in an amount of **Five Hundred Six Thousand Five Hundred Dollars ($506,500)** for the environmental abatement and demolition of the Kress Building located at 116 West Broad Street.

**SECTION 2:** That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2016 and ending September 30, 2017 be amended to reflect additional expenditures appropriated in an amount not to exceed **Six Hundred Twenty Nine Thousand One Hundred Seventy Three Dollars ($629,173)** related to cleanup for the Kress Building located at 116 West Broad Street.

**SECTION 3:** That a copy of said amended final adopted budget shall be placed on the City's website.

**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:** All ordinances or parts of ordinances in conflict herewith are specifically 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 and after the adoption of this budget or budget amendment, budget officer shall provide for the filing of a true copy of the approved budget or amendment on the City's website.

**PASSED AND APPROVED** in Regular Council Session on this the **24th day of April, 2017**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-032 ORD Budget Amendment for Kress (1620 : 2017-032 Amending the budget and authorizing CM contract for Kress)

City of Texarkana, Texas

# Briefing Sheet

Version:
**Update Date:** 2/22/2017 10:29 AM

**Lead Department:** City Manager **Action Officer:** John Whitson, City Manager

**Subject:** Resolution No. 2017-017 authorizing the City Manager to enter into an agreement with Service Line Partners Private Label, Inc. d/b/a Service Line Warranties of America to provide City of Texarkana, Texas, utility customers the opportunity to purchase a sewer and water line warranty.

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Briefing:** | 3/27/2017 | **Public Hearing:** | 3/13/2017 | **Second Briefing:** | March 27, 2017 | **Council Vote:** | 4/10/2017 |

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

## Updates/History of Briefing:

NOT APPLICABLE

## Executive Summary and Background Information:

*The National League of Cities* has established the NLC Service Line Warranty Program (SLWP). The program is a "no cost to the city" program and provides subscribing customers with a warranty safety net against costly repairs related to lateral (lines on private property between the public main line and the residential structure) water and sewer line failures.

NLC makes the service available through Utility Service Partners, Inc. as can be thoroughly reviewed at this internet link http://www.utilitysp.net/ . By entering into an agreement with Utility Service Partners, Inc. the city will grant the company a non-exclusive license to use City's name and logo on letterhead, bills and marketing materials to be sent to residential property owners from time to time, and to be used in advertising (including on the Company's website), all at Company's sole cost and expense and subject to City's prior review and approval. The agreement is for an initial term of three years with automatic one year renewals with a 90-day prior to end of a term notice of intent to not renew.

The Company will be offering three products by subscription:
1. External sewer line warranty at $7.75/month or $88/annual (94%)
2. External water line warranty at $5.75/month or $64/annual (93%)
3. In-home plumbing warranty at $6.99/month or $78.99/annual (94%)

As a royalty payment the city shall receive 50¢ per month per product per subscribed customer.

## Potential Options:

- Approve resolution as presented
- Deny the resolution as presented

## Fiscal Implications:

# City of Texarkana, Texas

No cost to the city
Potential revenue at 50¢ per month per product per subscriber is unknown at this time. However, for example only purposes the following is presented:

200 subscribers
2 products each
Total annual revenue = $2,400

## Staff Recommendation:

Approve the resolution as presented

## Advisory Board/Committee Review:

NONE

## Board/Committee Recommendation:

NOT APPLICABLE

## Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

## Attachments

a. 2017-017 RES Auth CM to enter Marketing Agreement (DOC)
b. 2017 017 ATTH 01 NLC SLW Why Offer Program (small) (PDF)
c. 2017-017 ATTH 02 Program Highlights (PDF)
d. 2017-017 ATTH 03 Program Overview Brochure (PDF)
e. 2017-017 ATTH 04 TX Partners (PDF)
f. 2017-017 ATTH 05 TX Presentation (PDF)
g. 2017-017 ATTH 06 Royalty Agreement (Texarkana, TX) (PDF)

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## Staff Coordination

City Manager John Whitson Department Head Review Completed 02/17/2017 4:58 PM
Water Utilities JD Phillips Review Completed 02/21/2017 9:56 AM
Finance Department Kristin Peeples Finance Review Completed 02/21/2017 10:15 AM
Deputy City Manager - Shirley Jaster Shirley Jaster Deputy City Manager Review Completed 02/21/2017 10:22 AM
Deputy City Manager - Kyle Dooley Kyle Dooley Deputy City Manager Review Completed 02/21/2017 10:34 AM
City Attorney Jeffery C. Lewis Review Completed 02/21/2017 3:19 PM
Public Information Officer Lisa Thompson PIO Review Completed 02/21/2017 3:20 PM
City Manager John Whitson City Manager Review Completed 02/22/2017 11:08 AM

**City of Texarkana, Texas**

| | | | | |
|---|---|---|---|---|
| City Council<br>6:00 PM | Vicky Coopwood | Meeting | Completed | 02/27/2017 |

## Meeting History

| | | | |
|---|---|---|---|
| 02/27/17 | City Council | MOVED FORWARD | Next: 03/13/17 |

**RESOLUTION NO. 2017 - 017**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO MARKET THE NATIONAL LEAGUE OF CITIES' UTILITY SERVICE LINE WARRANTY PROGRAM; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS,** there are over 11,000 residential customer accounts served by the Texarkana Water Utility; and

**WHEREAS,** each utility customer is responsible for maintaining the water and sewer lines located on their property; and

**WHEREAS,** many of these customers are located in sections of the city where the utility main lines and the service lines are decades old and therefore at a high risk of failure; and

**WHEREAS,** repairs for service lines located on private property can easily cost as much as $3,500 to repair; and

**WHEREAS,** repairs of service lines are the responsibility of the property owner or TWU customer; and

**WHEREAS,** the NLC Service Line Warranty program allows homeowners to purchase affordable protection for their water and sewer lines that will cover the cost of repairing leaks, breaks, and clogs.

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

**SECTION 1:** That the City Manager is authorized to enter into a marketing agreement with Utility Service Partners Private Label, Inc., doing business as Service Line Warranties of America, that will provide residential utility customers to purchase a service line warranty and other similar products.

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

**PASSED AND APPROVED** in Regular Council Session on this the **10th day of April, 2017**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-017 RES Auth CM to enter Marketing Agreement (1604 : 2017-017 RES NLC Utility Service Line Program)

## NLC Service Line Warranty

# WHY SHOULD MY CITY **offer this program?**

## Aging infrastructure can be a hassle for homeowners.

- In 2013, the American Society of Civil Engineers (ASCE) rated America's water and wastewater infrastructure with a D, with an estimate of more than $3 trillion investments needed accross the nation.
- Your homeowners' private lines are subjected to the same elements - root invasion, ground shifting, fluctuating temperatures and more.
- There are 650 water main breaks per day in the U.S., resulting in a daily loss of 7 billion gallons of water. [1]
- Household leaks can waste more than 1 trillion gallons annually nationwide. That's equal to the annual household water use of more than 11 million homes.[2]

## Most homeowners don't have enough savings to cover emergency expenses.

- When water and sewer lines break, many homeowners believe the responsibility to repair them lies with the city.
- When water or sewer lines fail, it can cost a homeowner $1,300 to $3,500 or more to repair.
- Studies[3] show that most Americans don't have enough savings to cover this type of unexpected and expensive repair bill.

[1] According to a report sponsored by the National Association of Water Companies and the U.S. Chamber of Commerce. waterisyourbusiness.org

[2] epa.gov/WaterSense/pubs/fixleak.html

[3] Bankrate.com

NATIONAL LEAGUE of CITIES

Utility Service Partners, Inc.

Prog

Attachment: 2017 017 ATTH 01 NLC SLW Why Offer Program (small) (1604 : 2017-017 RES NLC Utility Service Line Program)

# **WHY** CHOOSE TO PARTNER WITH THE **NLC Service Line Warranty Program?**

- At no cost to the city, **the NLC Service Line Warranty allows homeowners to purchase affordable protection for their water and sewer lines that will cover the cost of repairing leaks, breaks and clogs.**
- The program features generous coverage amounts, and there is never a service fee or deductible. There are no annual or lifetime limits - just peace of mind for the homeowner.
- We are the only warranty program endorsed by the NLC.
- Plumbers dispatched to the homeowner's residence undergo a rigorous background check conducted by a third-party compliance management firm before being accepted into the network.
- Contractors are local to the community into which the program has been introduced to help keep money in the local economy.

## RECOGNITION & ACKNOWLEDGEMENTS

- We have maintained a customer satisfaction rating of greater than **95%** for more than a decade.
- **9 of 10** surveyed customers have recommended the program to friends, family and neighbors .
- Over **97%** of submitted claims are approved.
- 2014 Pennsylvania Municipal League 2014 Business/Community Partnership Award recipient
- 2013 winner of the Western Pennsylvania Better Business Bureau Torch Award for Marketplace Ethics

BBB. BBB Torch Award for Marketplace Ethics
Trust • Performance • Integrity
2013 Winner
Western Pennsylvania Better Business Bureau®

NATIONAL LEAGUE of CITIES

Utility Service Partners, Inc.
Program Administrator

Attachment: 2017 017 ATTH 01 NLC SLW Why Offer Program (small) (1604 : 2017-017 RES NLC Utility Service Line Program)

NATIONAL LEAGUE of CITIES

Utility Service Partners, Inc.
Program Administrator

# NLC Service Line Warranty Program Highlights

- Over 200 cities participating nationwide
- No cost to or liability for the city to participate
- Healthy, ongoing annual revenue stream for city
- Educates homeowners about their lateral line responsibilities
- The only utility line warranty program endorsed by the National League of Cities
- Utility Service Partners handles all marketing and management of the program
- 24/7/365 bilingual customer service
- All repairs performed to city code by local, licensed contractors
- Reduces calls from residents to City Hall for lateral water and sewer line issues
- Homeowner billed by NLC Service Line Warranty Program
- USP is a North Central Texas Council of Governments (NCTCG) Shared Services Program Partner
- City provides residents an affordable solution that covers cost of repairs to water and sewer lines for which the homeowner is responsible
- Saved more than 60,000 homeowners across the country over $45 million in utility line repair costs
- Public funds are not used in the marketing, distribution or administration of the NLC Service Line Warranty Program
- The NLC Service Line Warranty Program must be supported by the city into which it is being introduced before any warranty offer letters are mailed to homeowners in the community.

## PARTICIPATING CITIES (SAMPLE OF OVER 200)

| LARGE | SMALL |
|---|---|
| Atlanta, GA | Dayton, OH |
| Madison, WI | Edgewood, CO |
| Phoenix, AZ | Franklin Park, IL |
| San Diego, CA | Overland Park, KS |



Attachment: 2017-017 ATTH 02 Program Highlights (1604 : 2017-017 RES NLC Utility Service Line Program)

## NLC SERVICE LINE WARRANTY PROGRAM BENEFITS

### CITY

Provides non-tax revenue stream without any investment

Reduces calls to City/Public Works when a homeowner's line fails

Contractors undergo rigorous vetting process to ensure repairs meet city code

Reduces costs associated with sending public works to residents' homes to assess lateral line issues

Keeps money in the local economy by using contractors in the metro area

Contractors must be current with insurance and required licenses

### RESIDENTS

Affordable utility line repair solution for families on a budget

Educates homeowners about their service line responsibilities

Prevents aggravation of having to find a reliable, reputable plumber

Peace of mind – with one toll-free call a plumber is dispatched

Keeps money in the homeowner's pocket; without warranty, repairs cost $1,300 to $4,000 or more

No service fees or deductibles, paperwork or forms to complete

## ACCOLADES & ACCOMPLISHMENTS

BBB Torch Award for Marketplace Ethics
Trust • Performance • Integrity
2013 Winner
Western Pennsylvania Better Business Bureau®

- **Accredited Better Business Bureau member with A+ rating for nearly a decade**
- **2013 Western Pennsylvania Better Business Bureau Torch Award winner for Marketplace Ethics**

- **More than 97%** of all submitted claims are approved
- **A customer satisfaction** rating that has **exceeded 95%** for more than a decade
- **9 of 10 customers surveyed** have recommended the program to friends, family and neighbors
- The **only** utility line warranty program endorsed by the National League of Cities

Learn more about the program online at www.utilitysp.net or call 1-866-974-4801.

## Quick Facts

The program is offered at no cost to municipalities and utilities. Join us and enjoy these program features:

- The only utility line warranty program endorsed by National League of Cities
- Educates homeowners about their service line responsibilities
- Service from licensed, local contractors keeps dollars in the local economy
- Low claim denial rates – more than 97% of all claims are typically approved
- Customer satisfaction rates over 95%
- More than 97% of our customers felt better prepared for a service line emergency
- Timely repairs that help conserve water and reduce ground contamination

BBB

USP's consumer brand, Service Line Warranties of America, was the 2013 Winner of the Western Pennsylvania BBB Torch Award for Marketplace Ethics.

## About

### Utility Service Partners, Inc.

USP's family of companies has been providing utility service line warranty products since 2003. USP has an A+ Better Business Bureau Rating and enjoys a customer satisfaction rating of over 95%.

### National League of Cities

The National League of Cities is dedicated to helping city leaders build better communities, and serves as a resource and advocate for 19,000 cities, towns and villages, representing more than 218 million Americans.

## Make a Difference in Your Community

To learn more about the NLC Service Line Warranty Program, visit NLC's website at www.nlc.org or contact 1-866-974-4801.



NATIONAL LEAGUE of CITIES

# National League of Cities Service Line Warranty Program

*Building Peace of Mind, One Community at a Time*

*Educating homeowners about their service line responsibilities while providing an affordable solution for repairs.*

Attachment: 2017-017 ATTH 03 Program Overview Brochure (1604 : 2017-017 RES NLC Utility Service

## Overview

Residential property owners are responsible for the maintenance of the buried water and sewer lines that run from the public (main) connection to the exterior of the home. When these lines break, leak or clog, the homeowner is often surprised to learn that homeowner's insurance does not cover the cost of an often expensive repair.

A homeowner's private lines are subjected to the same elements as the lines that comprise the public infrastructure – ground shifting, tree-root invasion, extreme weather, age and more. While municipalities are responsible for repairs to the public infrastructure, what solution is available to homeowners when the lines on their property fail?

The NLC-endorsed Water and Sewer Line Warranty and In-Home Plumbing Repair Programs educate homeowners about their service line responsibilities while providing affordable and optional repair coverage.

## *Serving your local community*

In partnership with NLC

NATIONAL LEAGUE of CITIES

**270+**
Cities participating across North America

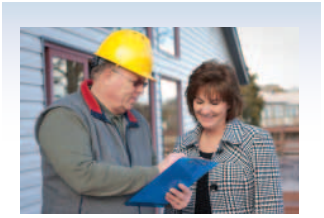
**97%**
Claims approval rating

**95%+**
Customer satisfaction rating

**100,000+**
North American homeowners serviced

**$64+**
Million in water and sewer line repair costs

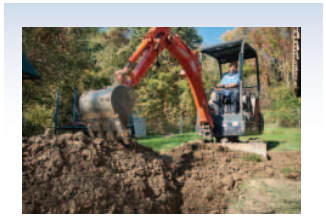
## Frequently Asked Questions



### What will the warranty program cost the city and homeowners?

There is absolutely no cost to the city for this warranty program and homeowner participation is completely voluntary. For a small monthly fee, homeowners can protect the buried utility service lines on their property. The NLC Service Line Warranty Program provides generous coverage with no deductibles, service fees or annual/lifetime limits.

### How does the program work?



The NLC Service Line Warranty Program handles all aspects of the program including marketing, billing, customer service, contractor management and completion of all repairs to local code.

### What happens when a homeowner experiences a service line break or leak on their property?

One call to the NLC Service Line Warranty Program's toll-free number and a local, licensed contractor will be dispatched to quickly make repairs. There is no paper-work to complete; just one call for claims processing – available 24/7, 365 days a year. All contractors are local to the community served, which keeps dollars in your local economy.

### Why is the warranty program important?

The American Society of Civil Engineers labeled the nation's infrastructure a D+ in 2013 and it's no surprise! Many people believe that water and sewer lines will last hundreds of years without failing, but the truth is, there are many reasons other than life expectancy of the pipes that can contribute to infrastructure failure – such as tree-root intrusion, rust and weather.

With the NLC Service Line Warranty Program, normal wear and tear, ground shifting, root-intrusion, and much more are covered.

NATIONAL LEAGUE of CITIES | Service Line Warranty Program

Adminstered by Utility Service Partners, Inc.

# State of Texas
# Participating Municipalities

| | | |
|---|---|---|
| **City of Penitas** | **City of Sanger** | **City of Waxahachie** |
| **City of Midland** | **City of DeSoto** | **City of Rowlett** |
| **City of Navasota** | **City of Bryan** | **City of Gonzales** |
| **City of Arlington** | **City of Brazoria** | **City of San Angelo** |
| **City of Lancaster** | **City of Denison** | **City of Odessa** |
| **City of Mercedes** | **City of Kyle** | **City of Wilmer** |
| **City of Rockport** | **City of Forney** | **City of Hurst** |
| **Town of Little Elm** | **City of Abilene** | **City of Crandall City** |
| **of Marshall** | **City of Kennedale** | **City of Forest Hill** |
| **City of Roanoke** | **City of San Antonio** | **City of Lewisville** |
| **City of Uvalde** | **City of La Marque** | **City of Diboll** |
| **City of Ferris** | **City of Wilmer** | |

**Denton County Fresh Water Supply District**

**For more information contact:**

Emilie Zalfini
724-749-1060 (office)
412-527-2511 (cell)
ezalfini@utilitysp.net



Attachment: 2017-017 ATTH 04 TX Partners (1604 : 2017-017 RES NLC Utility Service Line Program)

NATIONAL LEAGUE OF CITIES

# Service Line Warranty Program

we promise

## City of Texarkana, TX

**Emilie Zalfini**

**724-749-1060**

**EZalfini@utilitysp.net**

BBB

NLC NATIONAL LEAGUE OF CITIES
CITIES STRONG TOGETHER

Utility Service Partners, Inc.

Attachment: 2017-017 ATTH 05 TX Presentation (1604 : 2017-017 RES NLC Utility Service

NATIONAL LEAGUE OF CITIES

# Service Line Warranty Program

Utility Service Partners, Inc.

## WHY CHOOSE UTILITY SERVICE PARTNERS?

EXPERIENCE

REPUTATION

PARTNERSHIP

BBB Torch Award for Marketplace Ethics

Trust • Performance • Integrity

2013 Winner
Western Pennsylvania Better Business Bureau®

"This award underscores one of the primary reasons the National League of Cities selected USP as a partner and extended our agreement for another five years. The organization's exemplary record of customer service and transparency is what has driven the success of this partnership over the years."

— Clarence Anthony, Executive Director
National League of Cities

Attachment: 2017-017 ATTH 05 TX Presentation (1604 : 2017-017 RES NLC Utility Service

NATIONAL LEAGUE OF CITIES

*Service Line Warranty Program*

Utility Service Partners, Inc.

# PROGRAM BENEFITS

- Only Service Line Program Endorsed by the National League of Cities
- Helps address the public policy issue of aging infrastructure
- No cost for the Municipality to participate
- Ongoing Revenue Stream for the Municipality
- Educates homeowners about their lateral line responsibilities
- Free Public Awareness Campaign
- Peace of Mind - with one toll-free call a reputable plumber is dispatched
- All repairs performed to code by local licensed contractors
- Contractors undergo rigorous vetting process to ensure quality service

Attachment: 2017-017 ATTH 05 TX Presentation (1604 : 2017-017 RES NLC Utility Service

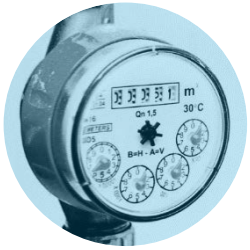
NATIONAL LEAGUE OF CITIES

*Service Line Warranty Program*

Utility Service Partners, Inc.

# OUR SERVICE AND WHAT IT COVERS

SEWER LATERAL COVERAGE



WATER LINE COVERAGE

Homeowner repair protection for leaking, clogged or broken water and sewer lines from the point of utility connection to the home exterior.

**Coverage includes:**

- Educating homeowners about their service line responsibilities
- Up to $4,000 coverage per repair incident.
- Additional allowance for public street ($4,000) and public sidewalk ($500) repair
- No annual or lifetime limits, deductibles, service fees, forms, or paperwork
- 24/7/365 availability
- Repairs made only by licensed, local contractors
- Affordable rates and multiple payment methods

Attachment: 2017-017 ATTH 05 TX Presentation (1604 : 2017-017 RES NLC Utility Service

NATIONAL LEAGUE OF CITIES

*Service Line Warranty Program*

Utility Service Partners, Inc.

# OUR SERVICE AND WHAT IT COVERS

INTERIOR PLUMBING AND DRAINAGE

Homeowner repair protection for in-home water supply lines and in-home sewer lines and all drain lines connected to the main sewer stack that are broken or leaking inside the home after the point of entry.

**Coverage includes:**

- Up to $3,000 coverage per repair incident
- Repair of clogged toilets
- Includes coverage for broken or leaking water, sewer, or drain lines under the slab or basement floor
- No annual or lifetime limits, deductibles, service fees, forms, or paperwork
- 24/7/365 availability
- Repairs made only by licensed, local contractors
- Affordable rates and multiple payment methods

Attachment: 2017-017 ATTH 05 TX Presentation (1604 : 2017-017 RES NLC Utility Service

NATIONAL LEAGUE OF CITIES

*Service Line Warranty Program*

Utility Service Partners, Inc.

# MARKETING APPROACH

- No Public Funds are used in marketing, distribution, or administration of the program.
- Only market by direct mail, no telemarketing
- Would never mail without your review and approval of marketing material before each and every campaign
- Limited mailing campaigns per year
- Consumer friendly marketing
- Always voluntary for the homeowner

- Consumers can enroll one of three ways:
  - Calling into our toll free number that is provided on the mailing
  - Returning the bottom of the letter to us in the self addressed stamped envelope provided
  - Visiting our consumer website www.slwofa.com at any time

Attachment: 2017-017 ATTH 05 TX Presentation (1604 : 2017-017 RES NLC Utility Service

NATIONAL LEAGUE OF CITIES

*Service Line Warranty Program*

Utility Service Partners, Inc.

# OVER 400 MUNICIPAL PARTNERS IN 34 STATES

## ….INCLUDING 35 IN THE STATE OF TEXAS

Alabama
Arkansas
Arizona
California
Colorado
Connecticut
Florida
Georgia
Iowa
Illinois
Indiana
Kansas
Kentucky
Maryland
Michigan
Minnesota
Missouri
North Carolina
Nebraska
New Jersey
New Mexico
Nevada
Ohio
Oklahoma
Oregon
Pennsylvania
South Carolina
South Dakota
Texas
Utah
Virginia
West Virginia
Wisconsin
Wyoming

Attachment: 2017-017 ATTH 05 TX Presentation (1604 : 2017-017 RES NLC Utility Service

NLC NATIONAL LEAGUE OF CITIES

# Service Line Warranty Program

Utility Service Partners, Inc.

## Current Texas Partners

Penitas
Midland
Navasota
Arlington
Lancaster
Mercedes
Rockport
Little Elm
Marshall
Roanoke
Sanger
DeSoto

Bryan
San Antonio
Denison
Wilmer
Forney
Abilene
Kennedale
Waxahachie
Rowlett
Gonzales
Odessa

San Angelo
Kyle
Hurst
Crandall
Forrest Hill
Lewisville
Uvalde
La Marque
Diboll
Ferris

## PROGRAM SUCCESS

- Invested more than $90 million in private infrastructure repairs
- Returned over $4 million to cities through revenue sharing component
- Over 15 years of experience
- 97% claim approval rating
- 95% customer satisfaction rating

Attachment: 2017-017 ATTH 05 TX Presentation (1604 : 2017-017 RES NLC Utility Service

NATIONAL LEAGUE OF CITIES

# Service Line Warranty Program

Utility Service Partners, Inc.

# Q&A

Attachment: 2017-017 ATTH 05 TX Presentation (1604 : 2017-017 RES NLC Utility Service

# MARKETING AGREEMENT

This MARKETING AGREEMENT ("Agreement") is entered into as of [_____, 20__] ("**Effective Date**"), by and between the City of Texarkana, Texas ("**City**"), and Utility Service Partners Private Label, Inc. d/b/a Service Line Warranties of America ("**Company**"), herein collectively referred to singularly as "Party" and collectively as the "Parties".

**RECITALS:**

**WHEREAS,** sewer and water line laterals between the mainlines and the connection on residential private property are owned by individual residential property owners residing in the City ("**Residential Property Owner**"); and

**WHEREAS,** City desires to offer Residential Property Owners the opportunity, but not the obligation, to purchase a service line warranty and other similar products set forth in Exhibit A or as otherwise agreed in writing from time-to-time by the Parties (each, a "**Product**" and collectively, the "**Products**"); and

**WHEREAS,** Company is the administrator of the National League of Cities Service Line Warranty Program and has agreed to make the Products available to Residential Property Owners subject to the terms and conditions contained herein; and

**NOW, THEREFORE**, in consideration of the foregoing recitals, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and with the intent to be legally bound hereby, the Parties agree as follows:

1.**Purpose.** City hereby grants to Company the right to offer and market the Products to Residential Property Owners subject to the terms and conditions herein.

2.**Grant of License.** City hereby grants to Company a non-exclusive license ("**License**") to use City's name and logo on letterhead, bills and marketing materials to be sent to Residential Property Owners from time to time, and to be used in advertising (including on the Company's website), all at Company's sole cost and expense and subject to City's prior review and approval, which will not be unreasonably conditioned, delayed, or withheld. City agrees that it will not extend a similar license to any competitor of Company during the Term and any Renewal Term of this Agreement.

3.**Term.** The term of this Agreement ("**Term**") shall be for three (3) years from the Effective Date. The Agreement will automatically renew for additional one (1) year terms ("**Renewal Term**") unless one of the Parties gives the other written notice at least ninety (90) days prior to end of the Term or of a Renewal Term that the Party does not intend to renew this Agreement. In the event that Company is in material breach of this Agreement, the City may terminate this Agreement thirty (30) days after giving written notice to Company of such breach, if said breach



Attachment: 2017-017 ATTH 06 Royalty Agreement (Texarkana, TX) (1604 : 2017-017 RES NLC Utility Service Line Program)

is not cured during said thirty (30) day period. Company will be permitted to complete any marketing initiative initiated or planned prior to termination of this Agreement after which time, neither Party will have any further obligations to the other and this Agreement will terminate.

4.**Consideration.**
A. As consideration for such license, Company will pay to City a License Fee of as set forth in Exhibit A ("**License Fee**") during the term of this Agreement. The first payment shall be due by January 30th of the year following the conclusion of first year of the Term. Succeeding License Fee payments shall be made on an annual basis throughout the Term and any Renewal Term, due and payable on January 30th of the succeeding year. City will have the right, at its sole expense, to conduct an audit, upon reasonable notice and during normal business hours, of Company's books and records pertaining to any fees due under this Agreement while this Agreement is in effect and for one (1) year after any termination of this Agreement.

5.**Indemnification.** Company hereby agrees to protect, indemnify, and hold the City, its elected officials, officers, employees and agents (collectively or individually, "**Indemnitee**") harmless from and against any and all third party claims, damages, losses, expenses, suits, actions, decrees, judgments, awards, reasonable attorneys' fees and court costs (individually or collectively, "**Claim**"), which an Indemnitee may suffer or which may be sought against or are recovered or obtainable from an Indemnitee, as a result of or arising out of any breach of this Agreement by the Company, or any negligent or fraudulent act or omission of the Company or its officers, employees, contractors, subcontractors, or agents in the performance of services under the Products; provided that the applicable Indemnitee notifies Company of any such Claim within a time that does not prejudice the ability of Company to defend against such Claim. Any Indemnitee hereunder may participate in its, his, or her own defense, but will be responsible for all costs incurred, including reasonable attorneys' fees, in connection with such participation in such defense.

6.**Notice.** Any notice required to be given hereunder shall be deemed to have been given when notice is (i) received by the Party to whom it is directed by personal service, (ii) sent by electronic mail (provided confirmation of receipt is provided by the receiving Party), or (iii) deposited as registered or certified mail, return receipt requested, with the United States Postal Service, addressed as follows:

**To:** City:
ATTN: John Whitson
City of Texarkana
West 3rd Street and Texas Boulevard
Texarkana, TX 75504
Phone: (903) 798-3900



Attachment: 2017-017 ATTH 06 Royalty Agreement (Texarkana, TX) (1604 : 2017-017 RES NLC Utility Service Line Program)

**To:** Company:
ATTN: Chief Sales Officer
Utility Service Partners Private Label, Inc.
11 Grandview Circle, Suite 100
Canonsburg, PA 15317
Phone: (866) 974-4801

7.**Modifications or Amendments/Entire Agreement.** Any and all of the representations and obligations of the Parties are contained herein, and no modification, waiver or amendment of this Agreement or of any of its conditions or provisions shall be binding upon a party unless in writing signed by that Party.

8.**Assignment.** This Agreement and the License granted herein may not be assigned by Company other than to an affiliate or an acquirer of all or substantially all of its assets, without the prior written consent of the City, such consent not to be unreasonably withheld.

9.**Counterparts/Electronic Delivery; No Third Party Beneficiary.** This Agreement may be executed in counterparts, all such counterparts will constitute the same contract and the signature of any Party to any counterpart will be deemed a signature to, and may be appended to, any other counterpart. Executed copies hereof may be delivered by facsimile or e-mail and upon receipt will be deemed originals and binding upon the Parties hereto, regardless of whether originals are delivered thereafter. Nothing expressed or implied in this Agreement is intended, or should be construed, to confer upon or give any person or entity not a party to this agreement any third- party beneficiary rights, interests, or remedies under or by reason of any term, provision, condition, undertaking, warranty, representation, or agreement contained in this Agreement.

10.**Choice of Law/Attorney Fees.** The governing law shall be the laws of the State of Texas. In the event that at any time during the Term or any Renewal Term either Party institutes any action or proceeding against the other relating to the provisions of this Agreement or any default hereunder, then the unsuccessful Party shall be responsible for the reasonable expenses of such action including reasonable attorney's fees, incurred therein by the successful Party.

11.**Incorporation of Recitals and Exhibits.** The above Recitals and Exhibit A attached hereto are incorporated by this reference and expressly made part of this Agreement.

[Signature Page Follows]



Attachment: 2017-017 ATTH 06 Royalty Agreement (Texarkana, TX) (1604 : 2017-017 RES NLC Utility Service Line Program)

**IN WITNESS WHEREOF,** the Parties hereto have executed this Agreement on the day and year first written above.

**CITY OF TEXARKANA**

_____

Name:

Title:

**UTILITY SERVICE PARTNERS PRIVATE LABEL, INC.**

_____

Name:

Title:

_____

Name:

Title:



Attachment: 2017-017 ATTH 06 Royalty Agreement (Texarkana, TX) (1604 : 2017-017 RES NLC Utility Service Line Program)

**Exhibit A**
NLC Service Line Warranty Program
City of Texarkana
Term Sheet
January 20, 2017

I.Initial Term. Three years

II.License Fee. $0.50 per Product for each month that a Product is in force for a Residential Property Owner (and for which payment is received by Company), aggregated and paid annually, for:

a. City logo on letterhead, advertising, billing, and marketing materials
b. Signature by City official

III.Products.

a. External sewer line warranty (initially, $7.75 per month; $88.00 annually)
b. External water line warranty (initially, $5.75 per month; $64.00 annually)
c. In-home plumbing warranty (initially, $6.99 per month; $78.99 annually)

Company may adjust the foregoing Product fees; provided, that any such adjustment shall not exceed $1.00 per year unless otherwise agreed by the parties in writing.

IV.Scope of Coverage.

a. External sewer line warranty: Scope is from the city main tap until line daylights inside home, which includes the service line under the concrete floor.

b. External water line warranty: Scope is from the meter and/or curb box until it daylights inside home, which includes the service line under the concrete floor.

c. In-home plumbing warranty: Scope covers residential in-home water supply lines and in-home sewer lines and all drain lines connected to the main sewer stack that are broken or leaking inside the home after the point of entry. Coverage includes broken or leaking water, sewer, or drain lines that may be embedded under the slab or basement floor. Coverage also includes repair of clogged toilets.

V.Marketing Campaigns. Company shall have the right to conduct up to three campaigns per year, comprised of up to six mailings and such other channels as may be mutually agreed. Initially, Company anticipates offering the In-home plumbing warranty Product via in-bound channels only.



Attachment: 2017-017 ATTH 06 Royalty Agreement (Texarkana, TX) (1604 : 2017-017 RES NLC Utility Service Line Program)

City of Texarkana, Texas

# Briefing Sheet

Version:
**Update Date:** 3/8/2017 9:11 AM

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

**Subject:** Ordinance No. 2017-018 amending PD-07-4(GR) for site plan approval to allow an office building on a portion of Lot 1A, Block 6, Replat No. 1 of Richmond Development 5th Addition, located at the northeast intersection of Arista Boulevard and McKnight Road. Cheney Pruett, owner. Kayla Wood, MTG Engineering and Surveying, agent.

| | | | | | |
|---|---|---|---|---|---|
| **Briefing:** | 3/27/2017 | **Public Hearing:** | 3/13/2017 | **Second Briefing:** | March 27, 2017 |
| **Council Vote:** | 4/10/2017 | | | | |

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

## Updates/History of Briefing:

NOT APPLICABLE.

## Executive Summary and Background Information:

Amendment to PD-07-4(GR): This is a request for site plan approval by Cheney Pruitt, owner, and MTG Engineering and Surveying, agent on a portion of Lot 1A, Block 6, Replat No. 1 of Richmond Development 5th Addition, located at the northeast corner of Arista Boulevard and McKnight Road. Twin City Title Company is currently under contract to purchase this property for use as an office building. The current use is vacant property.

The adjacent zoning is PD-GR to the north, south and west and Office and PD-MF-1 to the east. The adjacent land use is vacant land and a hair salon to the north, vacant land to the south, offices and apartments to the east and vacant land and an office strip center to the west.

A new subdivision plat will be submitted at a future date.

The attached site plan consists of the following:

- An 8,635-square foot office building with a brick, stucco and stone façade.
- 52 current parking spaces with 2 handicapped spaces. Future parking is proposed for an overall total of 79 spaces.
- A 5'x 8' monument style sign. Sign will match building façade.
- A drive-way off Arista Boulevard.
- A screened dumpster at the southeast corner of the property.

The applicant and developer needs to be aware of the following:

- The 9' x 18' parking spaces as shown on the site plan cannot overhang and extend into the sidewalk. The 9' x 18' parking spaces would be fine on the future parking spaces on the perimeter.
- The size and location of existing water and sanitary sewer mains have not been field verified. The developer's representative shall field verify the size and location of the existing utilities before designing or constructing extensions of the system.
- A fire lane is required and possibly a fire hydrant depending on the distance the building is from existing fire hydrants.

The applicant should be aware that if this site plan is approved as submitted, there may be additional applicable city code/ordinance requirements in addition to those listed including but not limited to building, subdivision, fire, drainage, water and sewer prior to the issuance of building permits.

# City of Texarkana, Texas

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

## Potential Options:

None.

## Fiscal Implications:

None.

## Staff Recommendation:

Based on recent planned development site plans in the area, staff would suggest adding that no CEVMS (Changeable electronic variable messaging) signage be allowed. Staff recommends for approval of the proposed site plan.

## Advisory Board/Committee Review:

Planning and Zoning Commission.

## Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval with staff stipulations and the additional stipulation that no CEVMS be allowed at this location. The following are hereby imposed to be made a part of the Ordinance:

- An 8,635-square foot office building with a brick, stucco and stone façade.
- 52 current parking spaces with 2 handicapped spaces. Future parking is proposed for an overall total of 79 spaces.
- A 5'x 8' monument style sign. Sign will match building façade. No CEVMS.
- A drive-way off Arista Boulevard.
- A screened dumpster at the southeast corner of the property.
- A replat is required before building permits can be issued.

## Advisory Board/Committee Meeting Date and Minutes:

January 20, 2017.

## Attachments

a. 2017-018 ORD amending PD-07-4(GR) for site plan approval (DOCX)
b. 2017-018 EXH 'A' Site Plan (PDF)
c. 2017-018 ATTH 01 Maps. (PDF)
d. 2017-018 ATTH 02 Floor plan (PDF)
e. 2017-018 ATTH 03 Elevations (PDF)
f. 2017-018 ATTH 04 Plat of property (PDF)
g. 2017-018 Goals & Perspectives (DOCX)

**City of Texarkana, Texas**

## Staff Coordination

| | | | | |
|---|---|---|---|---|
| Planning and Community Development | Completed | David Orr 02/20/2017 4:10 PM | Department Head Review | |
| Deputy City Manager - Shirley Jaster Review | Completed | Shirley Jaster 02/20/2017 4:28 PM | Deputy City Manager | |
| Deputy City Manager - Kyle Dooley Review | Completed | Kyle Dooley 02/20/2017 5:01 PM | Deputy City Manager | |
| Public Information Officer | 02/20/2017 5:02 PM | Lisa Thompson | PIO Review | Completed |
| City Manager | John Whitson | City Manager Review | Completed | 02/22/2017 11:09 AM |
| City Council | Vicky Coopwood | Meeting | Completed | 02/27/2017 6:00 PM |

## Meeting History

| | | | |
|---|---|---|---|
| 02/27/17 | City Council | MOVED FORWARD | Next: 03/13/17 |

Amendment to
PD-07-4(GR)

# ORDINANCE NO. 2017-018

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-07-4(GR) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF AN OFFICE BUILDING ON A PORTION OF LOT 1A, BLOCK 6, REPLAT NO. 1 OF RICHMOND DEVELOPMENT 5TH SUBDIVISION, LOCATED AT THE NORTHEAST INTERSECTION OF ARISTA BOULEVARD AND MCKNIGHT ROAD, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, an application has been filed requesting the approval of a site plan **(Exhibit 'A')** t**o** allow the location of an office building on a portion of Lot 1A, Block 6, Replat No. 1 of Richmond Development 5th Addition, located at the northeast corner of Arista Boulevard and McKnight Road in the City of Texarkana, Bowie County, Texas; and

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

**WHEREAS**, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously by a vote of five (5) to zero (0) to recommend approval** of the petition for a site plan to allow the location of an office building **(Exhibit 'A')** to the City Council of Texarkana, Texas; and

**WHEREAS**, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that the approval of the site plan for the above described property is in the best interest of the public health, safety, morals and general welfare of the City.

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

**SECTION 1:** That the site plan **(Exhibit 'A')** submitted to allow an office building on a portion of Lot 1A, Block 6, Replat No. 1 of Richmond Development 5th Subdivision, located at the northeast intersection of Arista Boulevard and McKnight Road in the City of Texarkana, Bowie County, Texas, be and is hereby approved and hereby amends PD-07-4(GR).

Attachment: 2017-018 ORD amending PD-07-4(GR) for site plan approval (1606 : 2017-018 ORD site plan approval at NE corner of Arista &

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

1. An 8,635-square foot office building with a brick, stucco and stone façade.
2. 52 current parking spaces with two handicapped spaces. Future parking is proposed for an overall total of 79 spaces.
3. A 5'x 8' monument style sign matching the building façade. No CEVMS allowed.
4. A drive-way off Arista Boulevard.
5. A screened dumpster at the southeast corner of the property.
6. A replat is required before building permits can be issued.

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

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

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

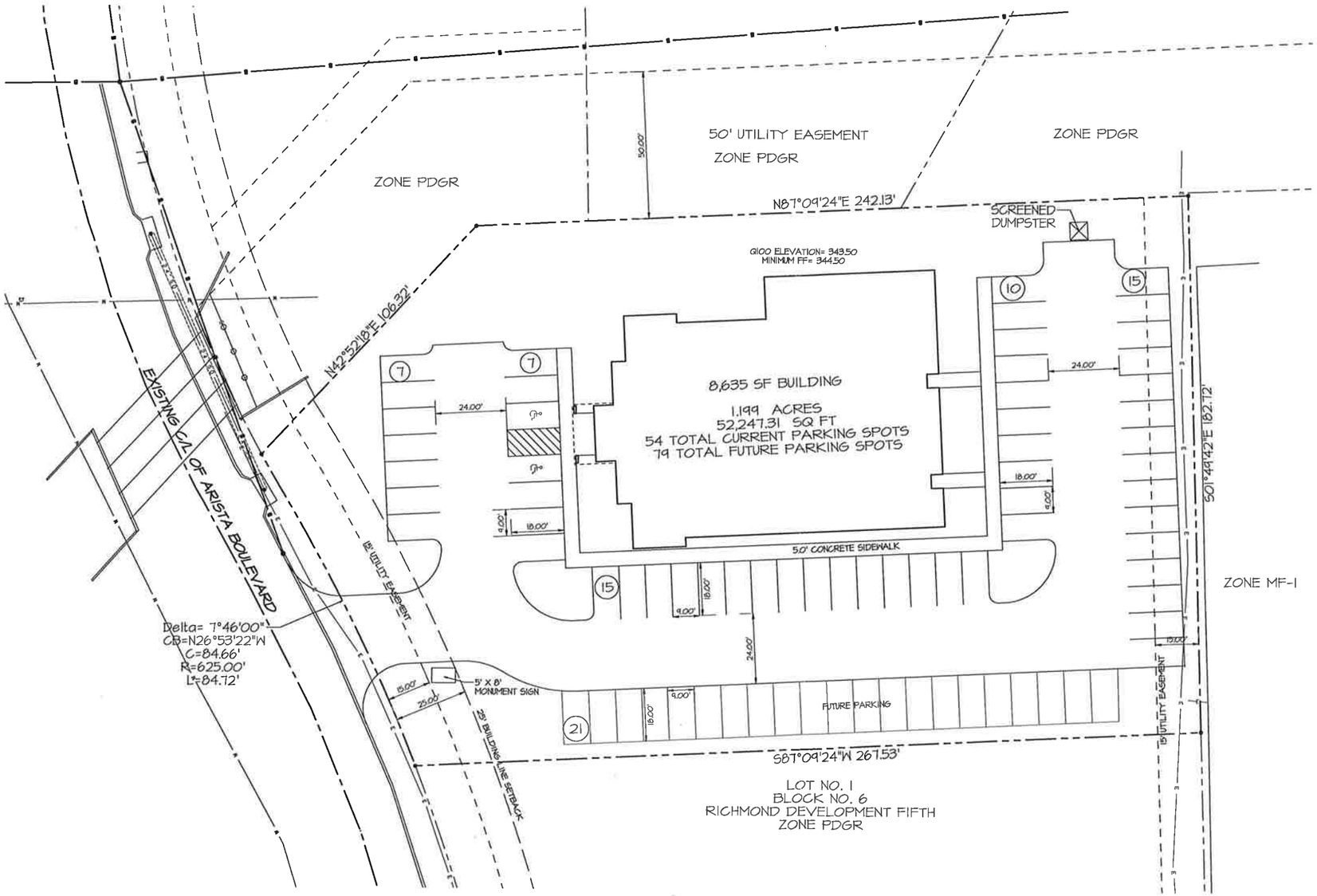
**PASSED AND APPROVED** in Regular Council Session on this the **10th day of April, 2017.**

ATTEST:

| | |
|---|---|
| JENNIFER EVANS, CITY SECRETARY | BOB BRUGGEMAN, MAYOR |

Attachment: 2017-018 ORD amending PD-07-4(GR) for site plan approval (1606 : 2017-018 ORD site plan approval at NE corner of Arista &

# EXHIBIT 'A'




GRAPHIC SCALE 1"=20'
0 20

## LEGEND

- PROPERTY LINE
- CURB AND GUTTER
- BUILDING EDGE
- EDGE OF PAVEMENT
- EASEMENT
- BUILDING LINE OFFSET
- TOE OF DITCH/SLOPE
- TOP OF BANK
- OVERHEAD POWER LINE
- WATER MAIN
- SANITARY SEWER MAIN
- TELEPHONE LINE
- PROPOSED CONTOUR INT.
- EXISTING CONTOUR INT.
- SILT FENCE
- STORM DRAIN
- FIRE LANE
- 356.0 SPOT ELEVATION
- POWER POLE
- WATER METER
- WATER VALVE
- CLEAN OUT
- SANITARY SEWER MANHOLE
- STORM DRAIN MANHOLE
- SIGN (TYPICAL)
- HANDICAP PARKING SYMBOL (PAINTED)
- FIRE HYDRANT
- LIGHT POLE
- GAS REGULATOR
- IRRIGATION CONTROL VALVE
- SPRINKLER HEAD
- ROOF DRAIN
- TELEPHONE JUNCTION BOX
- ELECTRIC JUNCTION BOX
- GUY WIRE
- TREE

PRELIMINARY ~ FOR REVIEW ONLY
NOT INTENDED FOR BIDDING,
CONSTRUCTION OR PERMIT
PURPOSES ~ 1-19-17
KAYLA R. WOOD P.E. #104859

SITE PLAN

TWIN CITY TITLE BUILDING
WILLIAMSON CONSTRUCTION

| Date | Revision/Description |
|---|---|
| | |

| Drawn By | Checked By | Project No. | Dwg. Date |
|---|---|---|---|
| XXX. | XXX. | XXXXXX | XX/XX/XX |

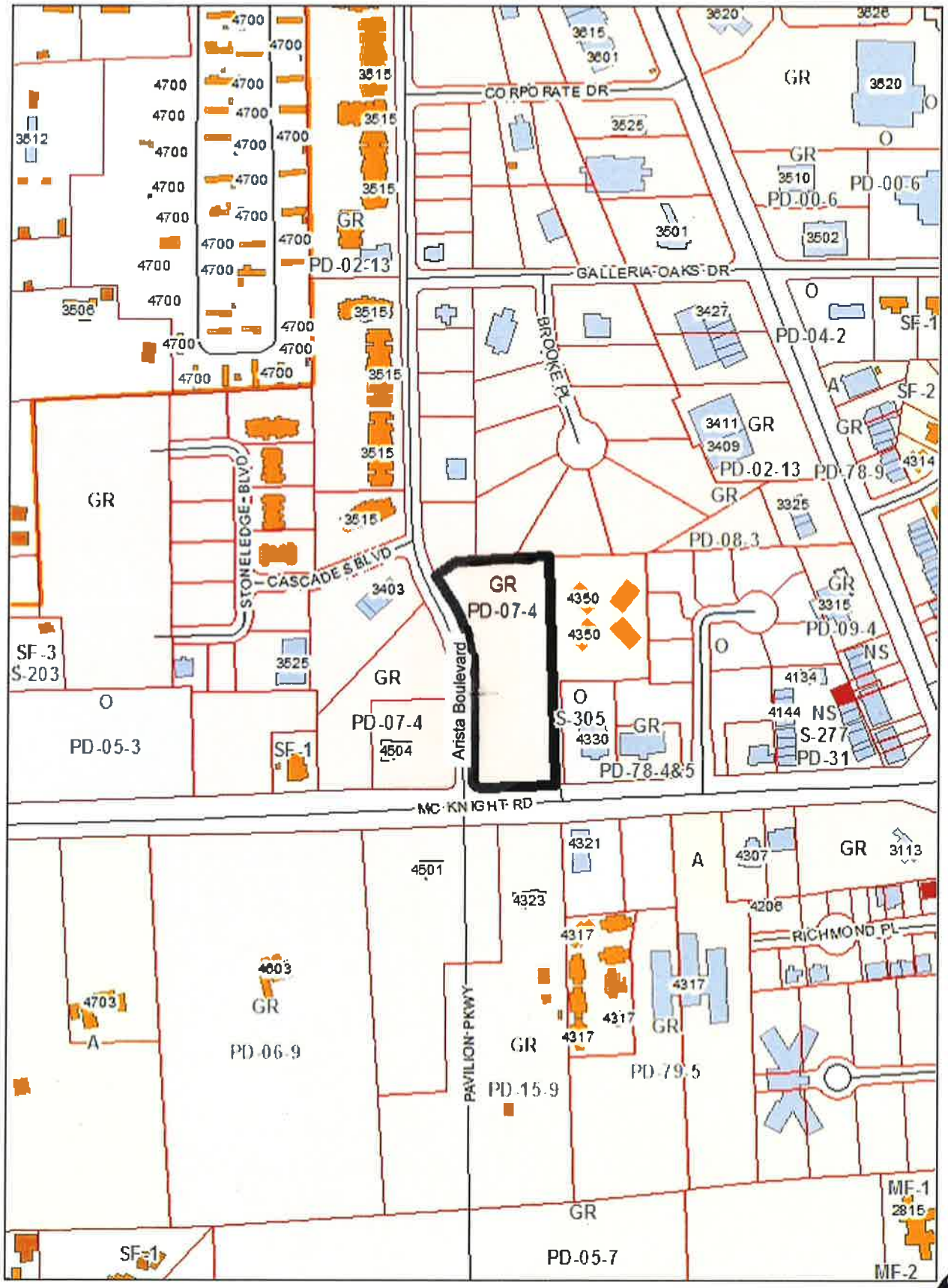
MTG engineers & surveyors
5430 SUMMERHILL RD. | P.O. BOX 3786
TEXARKANA TEXAS 75501
P 903.838.8583 | F 903.832.4700
www.mtgengineers.com
TBPE FIRM NO. F-354 | ASBL NO. 125
© MTG 2017

File No. | Sheet No. 3

X:\2016 Projects\160927 Twin City Title Building\05 Engineering Design\Design\Design_01.pro
Thu Jan 19, 2017 03:29PM

Attachment: 2017-018 EXH 'A' Site Plan (1606 : 2017-018 ORD site plan approval at NE corner of Arista & McKnight)

# Northeast Corner of Arista and McKnight (Lot 1A)
## Department of Planning and Community Development

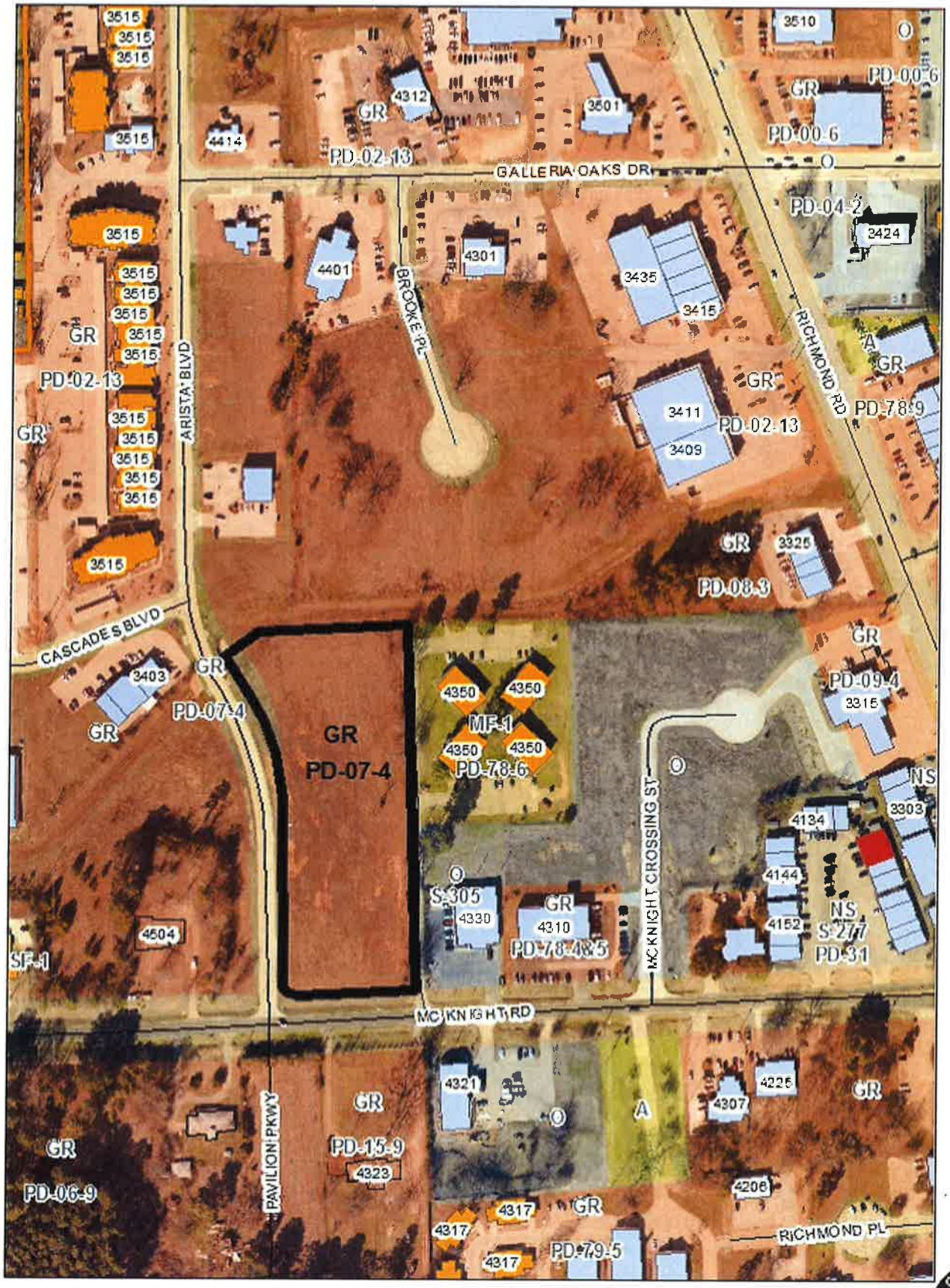



N

1:4,800

Attachment: 2017-018 ATTH 01 Maps. (1606 : 2017-018 ORD site plan approval at NE corner of Arista & McKnight)

# Northeast Corner of Arista and McKnight (Lot 1A)
## Department of Planning and Community Development

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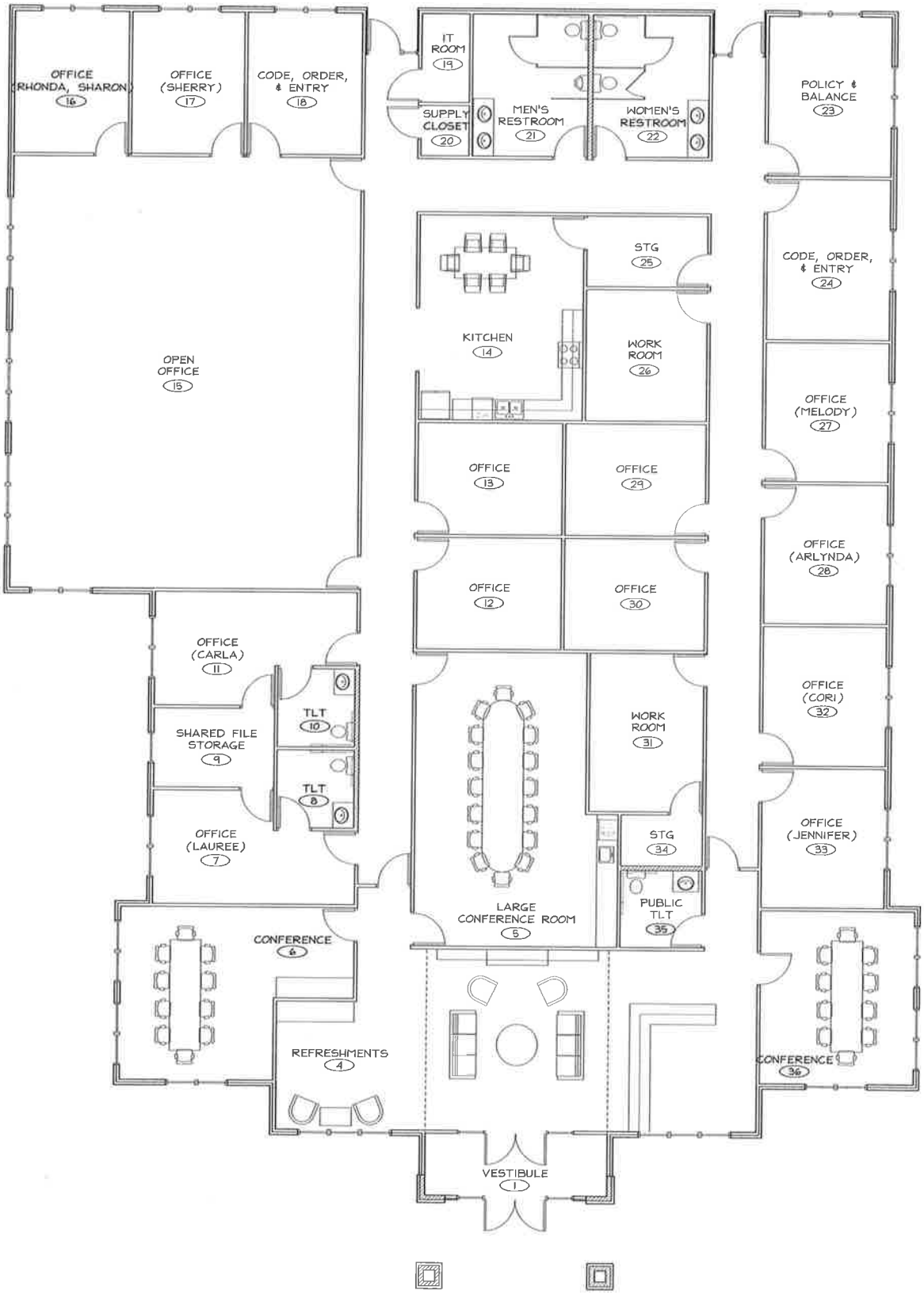
Attachment: 2017-018 ATTH 01 Maps. (1606 : 2017-018 ORD site plan approval at NE corner of Arista & McKnight)




Attachment: 2017-018 ATTH 02 Floor plan (1606 : 2017-018 ORD site plan approval at NE corner of Arista & McKnight)

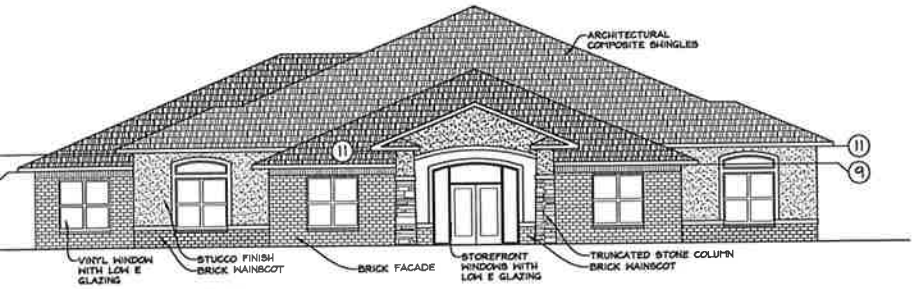
## GENERAL NOTES

A ALL WORK SHALL BE DONE IN COMPLIANCE WITH THE 2012 INTERNATIONAL BUILDING CODE AS WELL AS ANY LOCAL, STATE, OR FEDERAL AUTHORITIES HAVING JURISDICTION.

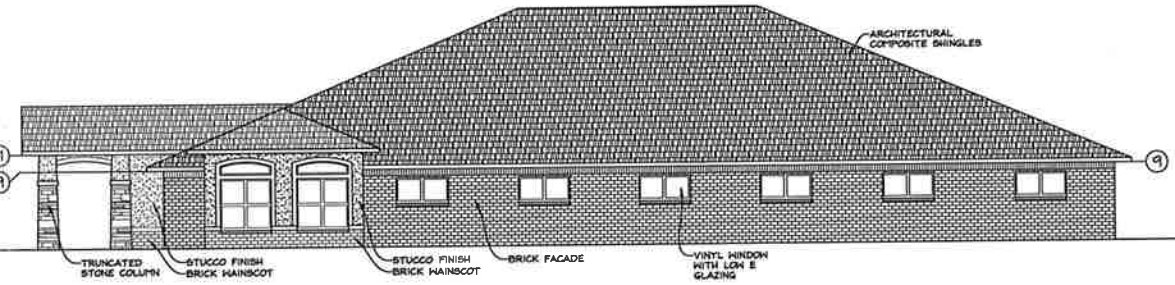
B ALL INTERIOR WALLS ARE DIMENSIONED TO CENTERLINE UNLESS NOTED OTHERWISE

C ALL EXTERIOR WALLS ARE DIMENSIONED TO OUTSIDE FACE OF STUD UNLESS NOTED OTHERWISE

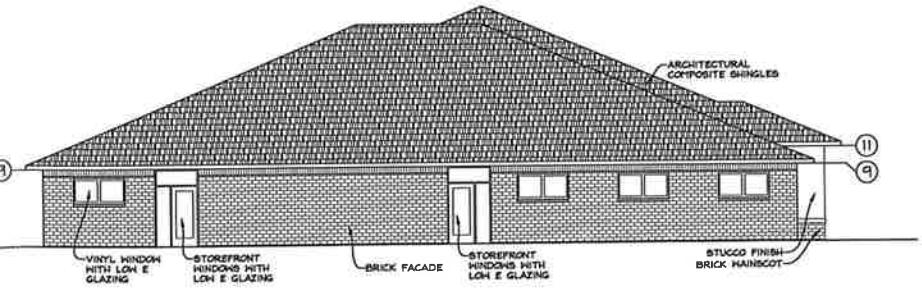
D ALL INTERIOR WALLS ARE 2 X 4 STUDS @ 16" O.C. UNLESS NOTED BY A DIAGONAL HATCH INDICATING THAT IT IS A 2X6 STUD WALL @ 16" O.C.



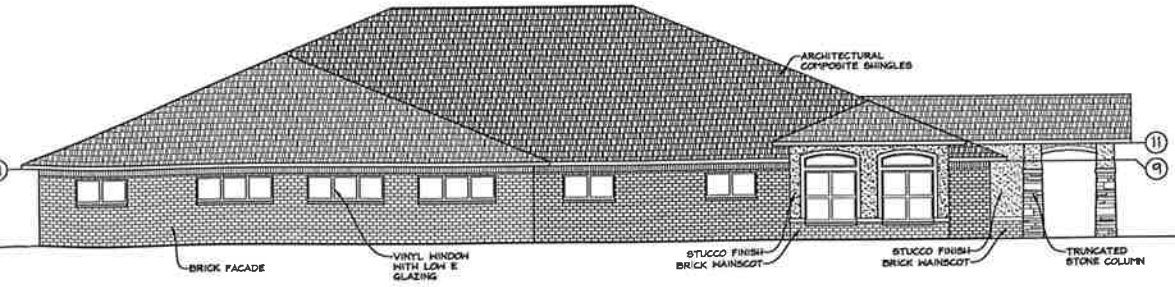

2 WEST ELEVATION
1/8" = 1'-0"




3 SOUTH ELEVATION
1/8" = 1'-0"




4 EAST ELEVATION
1/8" = 1'-0"



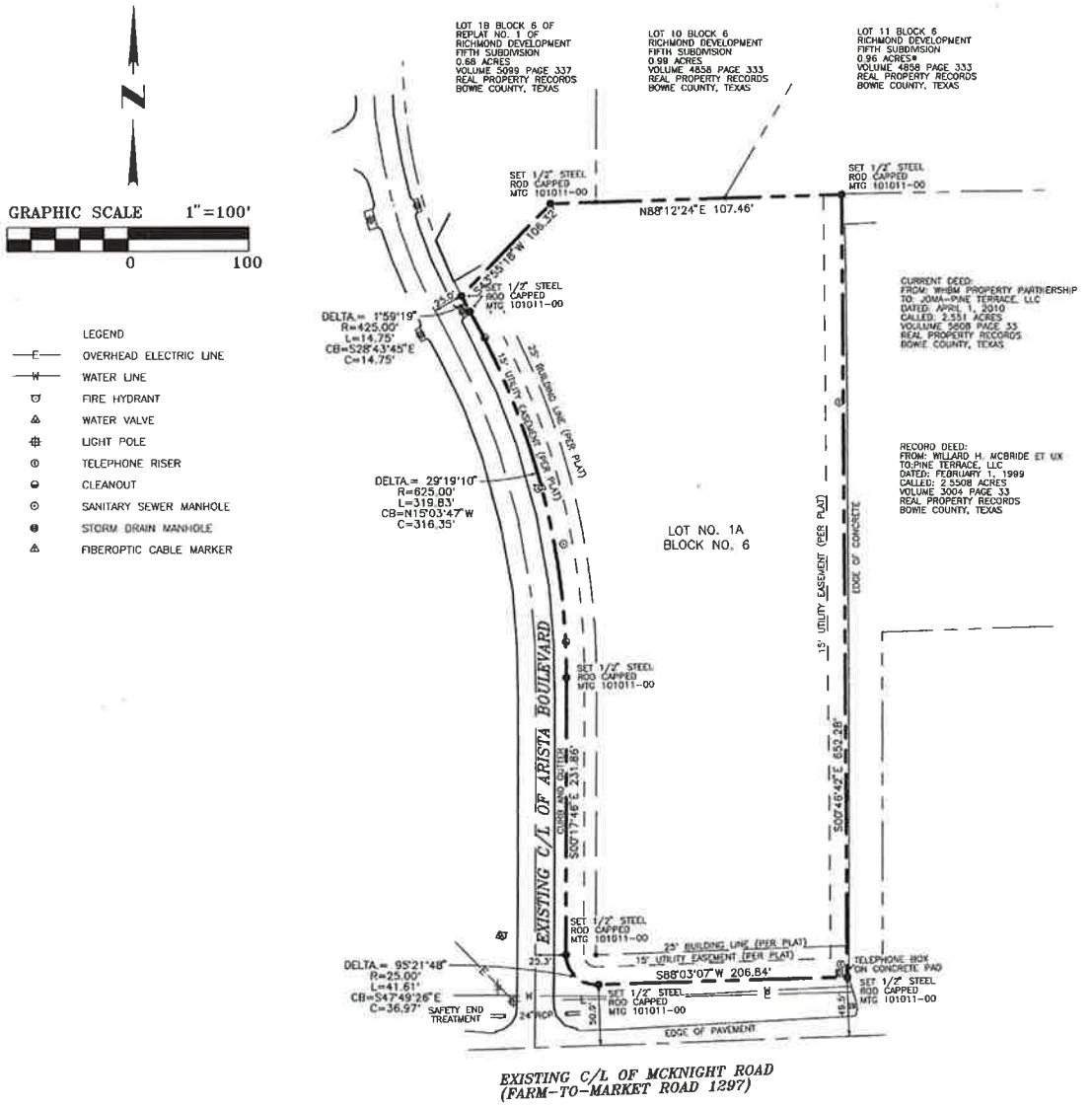

5 NORTH ELEVATION
1/8" = 1'-0"

DIMENSION FLOOR PLAN AND ELEVATIONS

TWIN CITY TITLE
PROPOSED OFFICE BUILDING

DATE:
1-19-2017
SHEET NUMBER:
A1

Attachment: 2017-018 ATTH 03 Elevations (1606 : 2017-018 ORD site plan approval at NE corner of Arista & McKnight)




PROPERTY DESCRIPTION

ALL OF LOT 1A, BLOCK 6 OF REPLAT NO.1 OF RICHMOND FIFTH SUBDIVISION, A SUBDIVISION OF A PART OF THE GEORGE BRINLEE HEADRIGHT SURVEY, ABSTRACT 18, BOWIE COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 5099, PAGE 337 OF THE REAL PROPERTY RECORDS OF BOWIE COUNTY, TEXAS

SURVEYOR CERTIFICATE:

THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION ON SEPTEMBER 29, 2015, THAT THIS PLAT (MAP OR DRAWING) SUBSTANTIALLY COMPLIES WITH THE CURRENT PROFESSIONAL AND TECHNICAL STANDARDS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY, THERE ARE NO VISIBLE IMPROVEMENTS EXCEPT AS SHOWN ON THE SURVEY PLAT.

THIS PLAT IS FOR THE INTENDED USE OF AVEN WILLIAMSON AS RELATES TO OWNERSHIP OR TRANSFER OF OWNERSHIP. THIS SURVEY IS NOT ASSIGNABLE OR TRANSFERABLE, MAY NOT BE REISSUED WITHOUT RE-SURVEY AND MAY BE VOID/INVALID SUBJECT TO CHANGES IN GOVERNANCE OR INTERPRETATIONS ISSUED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND MAY NOT BE COPIED OR PROVIDED TO OTHER PARTIES WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE UNDERSIGNED.

NOTE: RESTRICTIVE COVENANTS RECORDED IN VOLUME 4061, PAGE 109, REAL PROPERTY RECORDS, BOWIE COUNTY, TEXAS.

JEFFREY A. WOOD
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6220, STATE OF TEXAS
FIRM CERTIFICATE NO. 101011-00
DATE: OCTOBER 6, 2015
REVISED: OCTOBER 9, 2015

STATE OF TEXAS REGISTERED JEFFREY A. WOOD #6220 PROFESSIONAL LAND SURVEYOR

BOUNDARY SURVEY
TRACT NO. 4

LOT 1A, BLOCK 6 REPLAT NO.1
OF RICHMOND DEVELOPMENT
FIFTH SUBDIVISION

| Date | Revision/Description |
|---|---|
| | |

MTG engineers & surveyors
5130 SUMMERHILL RD. | P.O. BOX 3786 TEXARKANA TEXAS 75501
P 903.838.8533 | F 903.832.4700
www.mtgengineers.com
© MTG 2015 TBPE NO. 354

| Drawn By | Checked By | Project No. | Dwg. Date | File No. | Sheet No. |
|---|---|---|---|---|---|
| BH | DR | 152010 | 10/5/15 | | 5 OF 7 |

Attachment: 2017-018 ATTH 04 Plat of property (1606 : 2017-018 ORD site plan approval at NE corner of Arista & McKnight)

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

**Perspectives and Goals Additional Comments:**

NONE

**Resource Impact:**

| | |
|---|---|
| NA | No Additional |

**Other Potential Impacts:**

NA

## Public Information Plan:

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

Other:

Attachment: 2017-018 Goals & Perspectives (1606 : 2017-018 ORD site plan approval at NE corner of Arista & McKnight)

City of Texarkana, Texas

Version:

# Briefing Sheet

**Update Date:** 2/20/2017 1:50 PM

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

**Subject:** Ordinance No. 2017-019 requesting renewal of Specific Use Permit No. S-155 to allow the continued location of a non-conforming single wide mobile home on Lots 4 and 5, Block 3, Greenwood Sunnyslope Addition, located at 3207 Austin Street. Rumaldo Arredondo, owner.

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Briefing:** | 3/27/2017 | **Public Hearing:** | 3/13/2017 | **Second Briefing:** | March 27, 2017 | **Council Vote:** | 4/10/2017 |

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

## Updates/History of Briefing:

NOT APPLICABLE.

## Executive Summary and Background Information:

Renewal of S-155: This is a request by Rumaldo Arredondo, owner, requesting renewal of a Specific Use Permit to allow the continued location of non-conforming single wide mobile/manufactured home on Lots 4 & 5, Block 3, Greenwood Sunnyslope Addition, located at 3207 Austin Street. This older non-conforming mobile home is currently used as rental property.

The adjacent zoning is SF-2 to the north, east, south and west. The adjacent land usage is residences to the south, east and west and a vacant lot to the north.

***Following is a brief history of this property. The current owner, Mr. Arredondo, has previously indicated that when he purchased this property to be used for rental purposes in 2004, he was not made aware of the City's Specific Use Permit and renewal process and procedures. The previous owner did not disclose this information to him when he purchased the property. This is the fourth time Mr. Arredondo has requested renewal of the Specific Use Permit.***

This single wide non-conforming manufactured home appears to be in fair condition for an older home. Staff obtained an inspection report that the structure meets all current building codes.

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

## Potential Options:

None.

## Fiscal Implications:

None.

## Staff Recommendation:

Staff would recommend the following stipulations be added if this Specific Use Permit is renewed:

1. The existing single wide mobile home must remain in fair condition and continue to be maintained.
2. The existing single wide mobile home must remain tied down and skirted/underpinned. The skirting must remain in good condition.

3. The existing single wide mobile/manufactured home must be used for dwelling purposes only, human occupancy only.
4. The renewal of the Specific Use Permit be in effect for a period of three (3) years beginning at the date of this Ordinance so the condition of the home can be monitored. It is the owner's responsibility to renew this permit on or before March 13, 2020.
5. If this mobile home is removed from the property, the Specific Use Permit is automatically become void and will be revoked.
6. All driveways, parking, building codes and flood plain requirements remain in accordance with the City of Texarkana, Texas codes.

**Advisory Board/Committee Review:**

Planning and Zoning Commission.

**Board/Committee Recommendation:**

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

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

January 20, 2017.

**Attachments**

a. 2017-019 ORD renewing S-155 (DOCX)
b. 2017-019 ATTH 01 Maps (PDF)
c. 2017-019 ATTH 02 Photos (PDF)
d. 2017-019 Goals & Perspectives (DOCX)

**Staff Coordination**

| | | | | |
|---|---|---|---|---|
| Planning and Community Development | Completed | David Orr 02/20/2017 4:10 PM | Department Head Review | |
| Deputy City Manager - Shirley Jaster Review | Completed | Shirley Jaster 02/20/2017 4:31 PM | Deputy City Manager | |
| Deputy City Manager - Kyle Dooley Review | Completed | Kyle Dooley 02/20/2017 4:56 PM | Deputy City Manager | |
| Public Information Officer | 02/20/2017 4:57 PM | Lisa Thompson | PIO Review | Completed |
| City Manager | John Whitson | City Manager Review | Completed | 02/22/2017 11:10 AM |
| City Council | Vicky Coopwood | Meeting | Completed | 02/27/2017 6:00 PM |

**Meeting History**

| | | | |
|---|---|---|---|
| 02/27/17 | City Council | MOVED FORWARD | Next: 03/13/17 |

# ORDINANCE NO. 2017-019

**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 GRANTING THE RENEWAL OF SPECIFIC USE PERMIT NO. S-155 FOR THE CONTINUED LOCATION OF A NON-CONFORMING SINGLE WIDE MOBILE HOME ON LOTS 4 AND 5, BLOCK 3, GREENWOOD SUNNYSLOPE ADDITION, LOCATED AT 3207 AUSTIN STREET IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the zoning ordinance to grant renewal of a **Specific Use Permit** for a non-conforming single wide mobile home on Lots 4 and 5, Block 3, Greenwood Sunnyslope Addition, located at 3207 Austin Street in the City of Texarkana, Bowie County, Texas; and

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

**WHEREAS**, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously (5-0) to recommend** to the City Council of Texarkana, Texas, that renewal **of Specific Use Permit S-155 with stipulations be granted for a non-conforming single wide mobile 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 renewal of 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 **renewal of Specific Use Permit S-155 for a non-conforming single wide mobile home** on the following described property, to-wit: Lots 4 and 5, Block 3, Greenwood Sunnyslope Addition, located at 3207 Austin Street in the City of Texarkana, Bowie County, Texas.

Attachment: 2017-019 ORD renewing S-155 (1607 : 2017-019 ORD renewing Specific Use Permit at 3207 Austin Street)

**SECTION 2:** That the following special terms and conditions are hereby imposed and made a part of this Ordinance:

1. The existing single wide mobile home must remain in fair condition and continue to be maintained.
2. The existing single wide mobile home must remain tied down and skirted/underpinned. The skirting must remain in good condition.
3. The existing single wide mobile/manufactured home must be used for dwelling purposes only, human occupancy only.
4. The renewal of the Specific Use Permit be in effect for a period of three (3) years beginning at the date of this Ordinance so the condition of the home can be monitored. It is the owner's responsibility to renew this permit on or before March 13, 2020.
5. If this mobile home is removed from the property, the Specific Use Permit will be revoked.
6. All driveways, parking, building codes and flood plain requirements must remain in accordance with the City of Texarkana, Texas, codes.

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

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

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

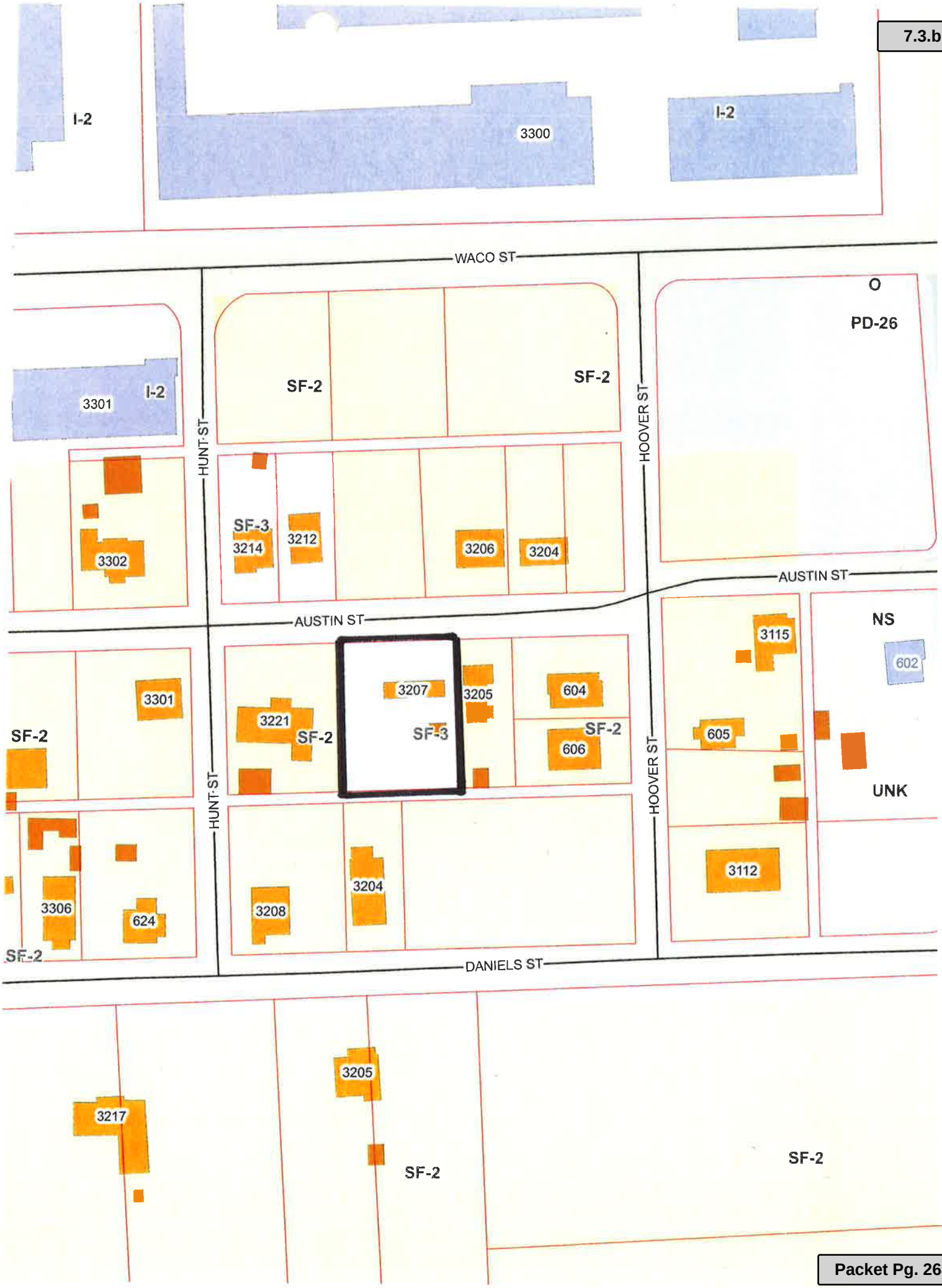
**PASSED AND APPROVED** in Regular Council Session on this the **10th day of April, 2017.**

ATTEST

_____ _____

JENNIVER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-019 ORD renewing S-155 (1607 : 2017-019 ORD renewing Specific Use Permit at 3207 Austin Street)




Attachment: 2017-019 ATTH 01 Maps (1607 : 2017-019 ORD renewing Specific Use Permit at 3207 Austin Street)

Attachment: 2017-019 ATTH 01 Maps (1607 : 2017-019 ORD renewing Specific Use Permit at 3207 Austin Street)

Attachment: 2017-019 ATTH 01 Maps (1607 : 2017-019 ORD renewing Specific Use Permit at 3207 Austin Street)

Monday, February 6, 2017 11:25:08

Monday, February 6, 2017 11:25:26

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

**Perspectives and Goals Additional Comments:**

NONE

**Resource Impact:**

| | |
|---|---|
| NA | No Additional |

**Other Potential Impacts:**

NA

## Public Information Plan:

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

Other:

Attachment: 2017-019 Goals & Perspectives (1607 : 2017-019 ORD renewing Specific Use Permit at 3207 Austin Street)

City of Texarkana, Texas

Version:

# Briefing Sheet

**Update Date:** 2/22/2017 11:11 AM

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

**Subject:** Ordinance No. 2017-020 rezoning Lot 12, Block 22, City Improvement Co. Westside Addition, located at 514 North Lake Drive. Multiple Family-1 to Commercial. Charles E. Paul, Jr., owner.

| | | | | | |
|---|---|---|---|---|---|
| **Briefing:** | 3/27/2017 | **Public Hearing:** | 3/13/2017 | **Second Briefing:** | March 27, 2017 |
| **Council Vote:** | 4/10/2017 | | | | |

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

**Updates/History of Briefing:**

NOT APPLICABLE.

**Executive Summary and Background Information:**

Z-17-2: This is a request by Charles E. Paul, Jr. owner, requesting to rezone Lot 12, Block 22, City Improvement Co. Westside Addition, located at 514 North Lake Drive from Multiple Family-1 (MF-1) to Commercial(C).

The adjacent zoning is MF-1 to north, east and west and commercial to the south. The adjacent land usage is residences to the north and west, vacant lots to the south and a church building to the east.

The Comprehensive Plan has designated this property as high density residential. However, this designation is being reviewed in the Comprehensive Plan update.

This property was used many years as a non-conforming commercial type business. When the business closed, it remained a vacant business for more than 6 months and therefore lost its non-conforming status. The owner is now wanting to lease the business for commercial type use. For this business to become a conforming use, the property must be rezoned.

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

**Potential Options:**

None.

**Fiscal Implications:**

None.

**Staff Recommendation:**

Since a business has operated at this location for many years, Commercial zoning is adjacent to this property and Commercial zoning is located along North Lake Drive, staff recommends that the property be rezoned to Commercial.

**Advisory Board/Committee Review:**

Planning and Zoning Commission.

**Board/Committee Recommendation:**

The Planning and Zoning Commission unanimously recommended for approval.

**City of Texarkana, Texas**

## Advisory Board/Committee Meeting Date and Minutes:

February 20, 2017.

## Attachments

a. 2017-020 ORD rezoning 514 N. Lake Dr. (DOCX)
b. 2017-020 ATTH 01 Maps (PDF)
c. 2017-020 Goals & Perspectives (DOCX)

## Staff Coordination

| | | | | |
|---|---|---|---|---|
| Planning and Community Development | | David Orr | Department Head Review | |
| | Completed | 02/20/2017 4:10 PM | | |
| Deputy City Manager - Shirley Jaster Review | | Shirley Jaster | Deputy City Manager | |
| | Completed | 02/20/2017 4:41 PM | | |
| Deputy City Manager - Kyle Dooley Review | | Kyle Dooley | Deputy City Manager | |
| | Completed | 02/20/2017 4:52 PM | | |
| Public Information Officer | | Lisa Thompson | PIO Review | Completed |
| | 02/20/2017 4:56 PM | | | |
| City Manager | John Whitson | City Manager Review | Completed | 02/22/2017 |
| 11:11 AM | | | | |
| City Council | Vicky Coopwood | Meeting | Completed | 02/27/2017 |
| 6:00 PM | | | | |

## Meeting History

| | | | |
|---|---|---|---|
| 02/27/17 | City Council | MOVED FORWARD | Next: 03/13/17 |

Z-17-2

# ORDINANCE NO. 2017-020

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOT 12, BLOCK 22, CITY IMPROVEMENT COMPANY WESTSIDE ADDITION, LOCATED AT 514 NORTH LAKE DRIVE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM MULTIPLE FAMILY-1 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 Lot 12, Block 22, City Improvement Co. Westside Addition, located at 514 North Lake Drive in the City of Texarkana, Bowie County, Texas, from **Multiple Family-1 to Commercial;** and

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

**WHEREAS**, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted five (5) to zero (0) to recommend the application for rezoning** from **Multiple Family-1 to Commercial** to the City Council of Texarkana, Texas; and

**WHEREAS**, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Multiple Family-1 to 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 Lot 12, Block 22, City Improvement Co. Westside Addition, located at 514 North Lake Drive in the City of Texarkana, Bowie County, Texas, from **Multiple Family-1 to Commercial.**

Attachment: 2017-020 ORD rezoning 514 N. Lake Dr. (1608 : 2017-020 ORD rezoning 514 North lake Drive from MF-1 to Commercial)

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

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

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

**PASSED AND APPROVED** in Regular Council Session on this the **10th day of April, 2017.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-020 ORD rezoning 514 N. Lake Dr. (1608 : 2017-020 ORD rezoning 514 North lake Drive from MF-1 to Commercial)

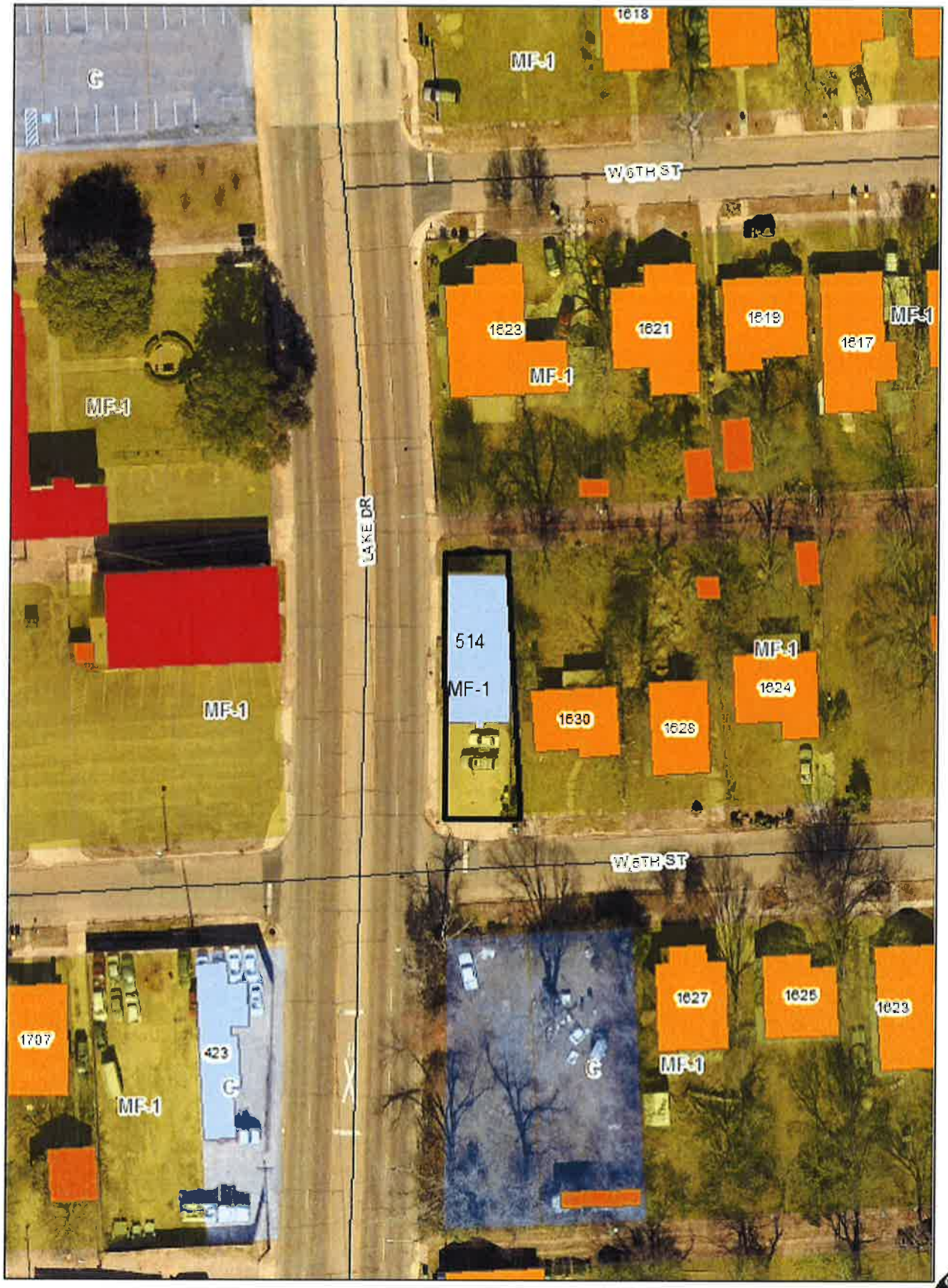
# 514 North Lake Drive
## Department of Planning and Community Development

N

1:800

Attachment: 2017-020 ATTH 01 Maps (1608 : 2017-020 ORD rezoning 514 North lake Drive from MF-1 to Commercial)

# 514 North Lake Drive
## Department of Planning and Community Development




N

1:800

Attachment: 2017-020 ATTH 01 Maps (1608 : 2017-020 ORD rezoning 514 North lake Drive from MF-1 to Commercial)

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

**Perspectives and Goals Additional Comments:**

NONE

**Resource Impact:**

| | |
|---|---|
| NA | No Additional |

**Other Potential Impacts:**

NA

## Public Information Plan:

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

Other:

Attachment: 2017-020 Goals & Perspectives (1608 : 2017-020 ORD rezoning 514 North lake Drive from MF-1 to Commercial)

City of Texarkana, Texas

# Briefing Sheet

Version:
**Update Date:** 3/8/2017 8:54 AM

| | | | |
|---|---|---|---|
| **Lead Department:** | Planning and Community Development | **Action Officer:** | Debbie Burk, |
| **Subject:** | Ordinance No. 2017-021 amending the Code of Ordinances, Chapter 140 "Zoning" to add new uses of microbrewery, microdistillery, winery, brewery and distillery in Section 140-80 "Use Regulations Districts" and to amend Section 140-179 "Definitions" to add definitions for these new uses. | | |

| | | | | | |
|---|---|---|---|---|---|
| **Briefing:** | 3/27/2017 | **Public Hearing:** | 3/13/2017 | **Second Briefing:** | March 27, 2017 |
| **Council Vote:** | 4/10/2017 | | | | |

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

## Updates/History of Briefing:

NOT APPLICABLE.

## Executive Summary and Background Information:

As the state Legislature continues to enact legislation and communities respond favorably to the brewing industry (http://www.dallasobserver.com/news/city-inches-forward-with-beer-friendly-zoning-rules-7120731), and as breweries, distilleries, and wineries continue to expand throughout Texas (http://www.tylerpaper.com/TP-Business/236899/new-craft-brewery-proposed-for-downtown-tyler-but-must-first-get-zoning-variance-to-sell-alcohol), there is a clear and present need to address deficiencies and gaps in zoning regulations that would help define, regulate, and encourage growth in this expanding industry locally. Specifically, these definitions and updates to zoning ordinances would allow for the correct placement of these establishments within the most appropriate zoning districts.

## Potential Options:

None

## Fiscal Implications:

None

## Staff Recommendation:

Staff recommends to amend Sections 140-80 and 140-179 of the Code of Ordinances to add new definitions to allow a microbrewery, micro distillery, or winery in the Central Business District, Commercial, Industrial 1 and Industrial 2 zoning districts, while allowing a brewery or distillery in the Industrial 1 and Industrial 2 zoning districts. Those proposed new definitions are as follows:

- MICROBREWERY, MICRO DISTILLERY, OR WINERY means an establishment for the manufacture, blending, fermentation, processing, packaging and sale of

alcoholic beverages such as beer, ale, wine or spirits; with a floor area of 15,000 square feet or less that takes place wholly inside a building. (Allowed in CB, C, I-1, I-2)

- BREWERY, DISTILLERY OR WINERY means an establishment for the manufacture, blending, fermentation, processing, packaging and sale of alcoholic beverages such as beer, ale, or spirits; with a floor area of more than 15,000 square feet that takes place wholly inside a building. (Allowed in I-1 and I-2).

**Advisory Board/Committee Review:**

Planning and Zoning Commission

**Board/Committee Recommendation:**

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

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

February 20, 2017

**Attachments**

a. 2017-021 ORD Amending Chapter 140 Zoning pertaining to breweries (DOCX)
b. 2017-021 ATTH 01 TBC Permit Info. (PDF)
c. 2017-021 Goals & Perspectives (DOCX)

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**Staff Coordination**

| | | | | |
|---|---|---|---|---|
| Planning and Community Development | David Orr | Department Head Review | Completed | 02/20/2017 4:10 PM |
| Municipal Prosecutor | Vicky Coopwood | Asst. City Attorney Review | Skipped | 02/21/2017 1:06 PM |
| Deputy City Manager - Shirley Jaster Review | Shirley Jaster | Deputy City Manager | Completed | 02/22/2017 2:00 PM |
| City Attorney | Vicky Coopwood | City Attorney Review | Skipped | 02/23/2017 11:08 AM |
| Deputy City Manager - Shirley Jaster Review | Vicky Coopwood | Deputy City Manager | Skipped | 02/22/2017 3:29 PM |
| Deputy City Manager - Kyle Dooley Review | Kyle Dooley | Deputy City Manager | Completed | 02/23/2017 11:17 AM |
| Public Information Officer | Vicky Coopwood | PIO Review | Skipped | 02/23/2017 9:00 AM |
| City Manager | John Whitson | City Manager Review | Completed | 02/23/2017 2:44 PM |
| City Council | Vicky Coopwood | Meeting | Completed | 02/27/2017 6:00 PM |

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**Meeting History**

**City of Texarkana, Texas**

| | | | |
|---|---|---|---|
| 02/27/17 | City Council | MOVED FORWARD | Next: 03/13/17 |

Publish

# ORDINANCE NO. 2017-021

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 140 "ZONING", TO AMEND REGULATIONS RELATING TO "USE REGULATION DISTRICTS" AND "DEFINITIONS" FOR MICROBREWERY, MICRODISTILLERY, WINERY, BREWERY AND DISTILLERY, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Texarkana, Texas finds that within the City, there is an increased interest and demand for access to a microbrewery, microdistillery, winery, brewery and distillery;

**WHEREAS**, the City desires to increase access to these type uses, support local small businesses, and foster economic development;

**WHEREAS**, after consideration of the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that amending regulations relating to "use regulation districts" and "definitions" related to microbrewery, microdistillery, winery, brewery and distillery are in the best interest of citizens and the City's future growth.

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

**SECTION 1. Section 140 "Zoning" of the Code of Ordinances, Section 140-80 "Use regulation districts" shall be amended to add the following new uses:**

*Microbrewery, microdistillery, or winery* – to be allowed in the Central Business, Commercial, Industrial-1 and Industrial-2 zoning districts.

*Brewery, distillery or winery* – to be allowed in the Industrial-1 and Industrial-2 zoning districts.

**SECTION 2. Section 140 "Zoning" of the Code of Ordinances, Section 140-113 "Definitions" to add the following new definitions:**

*Microbrewery, microdistillery, or winery* - an establishment with a floor area of 15,000 square feet or less for the manufacture, blending, fermentation, processing, packaging and sale of alcoholic beverages (such as beer, ale, wine or spirits) that takes place wholly inside a building.

Attachment: 2017-021 ORD Amending Chapter 140 Zoning pertaining to breweries (1609 : 2017-021 ORD amending Code to add new uses of

Publish

*Brewery, distillery or winery* - an establishment with a floor area of more than 15,000 square for the manufacture, blending, fermentation, processing, packaging and sale of alcoholic beverages (such as beer, ale, wine or spirits) that takes place wholly inside a building.

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

**SECTION 4**: The City Secretary shall give notice of the passage of this ordinance as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

**SECTION 5:** 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 6:** That this Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** in Regular Council Session on this the **10th day of April, 2017.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-021 ORD Amending Chapter 140 Zoning pertaining to breweries (1609 : 2017-021 ORD amending Code to add new uses of

**City of Texarkana, Texas**

Office of Planning and Community Development
P.O. 1967, Texarkana, Texas 75504-1967

Telephone: 903-798-3901 FAX: 903-798-3913

**Relevant Texas Alcohol Beverage Commission (TABC) Permit:**

**BREWER'S PERMIT (B)**

Permit authorizes holder to manufacture ale and malt liquor and sell the ale and malt liquor only to wholesale permit holders in this state or to qualified persons outside the state. If annual production of ale together with annual production of beer by the holder of a manufacturer's license at the same premises does not exceed a total of 225,000 barrels, the holder may sell ale produced on the brewer's premise under the permit to ultimate consumers on the brewer's premises. Combined sales of ale together with sales of beer to the ultimate consumer may not exceed 5,000 barrels annually.

**BREWER'S SELF-DISTRIBUTION PERMIT (DA)**

Permit authorizes the holders of Brewer's Permits in this state and Nonresident Brewer's Permits whose annual production of ale under the brewer's or non-resident brewers permit together with the annual production of beer by the holder of a manufacturer's or non-resident manufacturer's license at the same premise does not exceed 125,000 barrels to sell ale produced under the Brewer's or Nonresident Brewer's Permit to retailers and wholesalers authorized to sell ale in this state. Combined sales of ale and of beer by the holder of the self-distribution permit and/or license at the same premise may not exceed 40,000 barrels annually.

**WINERY PERMIT (G)**

Permit authorizes holder to manufacture, bottle, label and package wine containing not more than 24% alcohol by volume; sell or buy wine from permit holders authorized to purchase and sell wine, including wholesalers, winery and wine bottler's permittees; sell wine to ultimate consumers for consumption on the winery premises or in unbroken packages for off-premise consumption; and dispense free wine for consumption on the winery premises.

## Applicable State Legislation:

Senate Bills 516 and 517 by Eltife (Enacted Sep. 1, 2013) apply to brewers and manufacturers who produce less than 125,000 barrels of malt beverages annually. Under SB 516 and SB 517, a brewer or manufacturer who produces less than 125,000 barrels annually can obtain a self-distribution license and/or permit and sell up to 40,000 barrels direct to retailers.

Attachment: 2017-021 ATTH 01 TBC Permit Info. (1609 : 2017-021 ORD amending Code to add new uses of micro brewery distillery, winery,)

## TABC Permits

**BREWER'S PERMIT (B)**
Permit authorizes holder to manufacture ale and malt liquor and sell the ale and malt liquor only to wholesale permit holders in this state or to qualified persons outside the state. If annual production of ale together with annual production of beer by the holder of a manufacturer's license at the same premises does not exceed a total of 225,000 barrels, the holder may sell ale produced on the brewer's premise under the permit to ultimate consumers on the brewer's premises. Combined sales of ale together with sales of beer to the ultimate consumer may not exceed 5,000 barrels annually.

**BREWER'S SELF-DISTRIBUTION PERMIT (DA)**
Permit authorizes the holders of Brewer's Permits in this state and Nonresident Brewer's Permits whose annual production of ale under the brewer's or non-resident brewers permit together with the annual production of beer by the holder of a manufacturer's or non-resident manufacturer's license at the same premise does not exceed 125,000 barrels to sell ale produced under the Brewer's or Nonresident Brewer's Permit to retailers and wholesalers authorized to sell ale in this state. Combined sales of ale and of beer by the holder of the self-distribution permit and/or license at the same premise may not exceed 40,000 barrels annually.

## San Antonio

Definition Alcohol beverage manufacture or brewery. This use may include the production of wines, spirits or a brewing facility for the production of malt liquors such as beer and ale, using grains such as oats, hops, rice, wheat and barley, designed and managed to brew more than seventy-five thousand (75,000) barrels of beer per year. The following uses may be accessory to an alcoholic beverage manufacturer or brewery in conformance with section 35-370:

1. Sampling for on-site consumption and the sale for off-site consumption of the products;
2. Meeting/reception facilities; and
3. Retail sales of items primarily associated with the use (such as glassware, souvenirs, promotional items) and conducted within the premises or a permitted accessory structure.

Neither a microbrewery nor a brewpub, as defined, shall be considered a beverage manufacture or alcohol brewery facility.

Microbrewery. A small-scale brewing facility designed for the production of malt liquors such as beer and ale, using grains such as oats, hops, rice, wheat and barley, designed and managed to brew no more than seventy-five thousand (75,000) barrels of beer per year. The following uses may be accessory to a Microbrewery in conformance with section 35-370:

1. Sampling for on-site consumption and the sale for off-site consumption of the Microbrewery's products;

Attachment: 2017-021 ATTH 01 TBC Permit Info. (1609 : 2017-021 ORD amending Code to add new uses of micro brewery distillery, winery,)

2. Meeting/reception facilities; and
3. Retail sales of items primarily associated with the brewery (such as glassware, souvenirs, promotional items) and conducted within the Microbrewery or a permitted accessory structure.

A brewpub is not considered a *microbrewery* and has a separate definition in this chapter.

**Accessory Uses.**

(1) An accessory use shall not be larger than twenty-five (25) percent of the gross floor area of the principal use.

(2) Notwithstanding specific limitations in Table 311-2, an accessory use shall only be allowed in a zoning district where it is permitted as a principal/primary use, and in a district of lesser intensity (as further depicted in Table 311-2), pursuant to the following table:

Allowed in: C2 and Down by right, and in Economic Redevelopment Zoning District (ERZD) by Permit

Also allowed in Arts and Entertainment District by Permit

Parking

| | | | |
|---|---|---|---|
| ALCOHOL | ALCOHOL - beverage manufacture or brewery - alcohol | 1 per 1,500 sf GFA | 1 per 300 sf GFA |
| ALCOHOL | ALCOHOL - distillation, storage | 1 per 600 sf GFA | 1 per 350 sf GFA |
| ALCOHOL | ALCOHOL - Microbrewery | 1 per 2 | 1 per 1.5 |

Attachment: 2017-021 ATTH 01 TBC Permit Info. (1609 : 2017-021 ORD amending Code to add new uses of micro brewery distillery, winery,)

| | | | |
|---|---|---|---|
| | | seats | seats |
| ALCOHOL | ALCOHOL - beverage retail sales (Exclusive of bars, lounges, taverns, nightclubs, dance halls or sexually oriented businesses.) | 1 per 300 sf GFA | 1 per 200 sf GFA |
| ALCOHOL | ALCOHOL - winery with bottling | 1 per 1,500 sf GFA | 1 per 300 sf GFA |

Attachment: 2017-021 ATTH 01 TBC Permit Info. (1609 : 2017-021 ORD amending Code to add new uses of micro brewery distillery, winery,)

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

**Perspectives and Goals Additional Comments:**

NONE

**Resource Impact:**

| | |
|---|---|
| NA | No Additional |

**Other Potential Impacts:**

NA

## Public Information Plan:

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

Other:

Attachment: 2017-021 Goals & Perspectives (1609 : 2017-021 ORD amending Code to add new uses of micro brewery distillery, winery,)

City of Texarkana, Texas

# Briefing Sheet

Version:
**Update Date:** 3/13/2017 7:11 AM

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

**Subject:** Resolution No. 2017-022 hearing an appeal for a burning permit and making a final determination.

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Briefing:** | 3/27/2017 | **Public Hearing:** | 3/13/2017 | **Second Briefing:** | March 27, 2017 | **Council Vote:** | 4/10/2017 |

**Item Schedule**

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

## Updates/History of Briefing:

NOT APPLICABLE

## Executive Summary and Background Information:

The resolution before the council is to hear an appeal by Mr. Greg Latham regarding a burning permit denial by the Fire Department. The appeal is in proper order and in accordance with the provisions for appeal spelled out in Section 18-14(r) of the Code of Ordinances for the City of Texarkana.

Mr. Latham and his father Mr. Ronnie Latham contacted the Fire Department in January and requested a burning permit for a parcel of land in the 3200 blk of Buchanan Rd. The parcel in question is in the northwest corner of the intersection of Buchanan Rd. and Jarvis Pkwy. The land is approximately 38 acres and is undeveloped at this time. During the initial request the reason given for the burning was land clearing. During a later meeting the Latham's stated the reason for clearing the property was to create a hay pasture since the property had limited value due to its flood plain status.

Assistant Chief Chris Black discussed the proposed burning with the Latham's and determined the request did not meet the requirements set forth in Section 18-14 of the Code of Ordinances for the City of Texarkana. Specifically, the permit was denied because the Latham's were not developing the property. Section 18-14(n) of the Code of Ordinances for the City of Texarkana states "….Outdoor burning shall only be permitted for the purpose of land development…". The Fire Department has defined and maintained that land development involves construction of a building for commercial business or the creation of a housing subdivision. To this end, we have requested to see a site plan or similar materials to prove the purpose for the burning permit.

The Latham's further discussed the issue with Deputy City Manager Kyle Dooley and myself prior to filing the appeal.

In January of 2016, Section 18-14 of the Code of Ordinances for the City of Texarkana was revised and since that time we have only issued 4 burning permits. Of the 4 permits issued, two were for commercial developments, one was for a housing development and the fourth was for an existing commercial building expansion.

# City of Texarkana, Texas

The primary issue to be determined in hearing the appeal is whether or not Mr. Latham's plans for the property rise to the level of land development.

One factor to consider in regard to this request in particular is the proximity of this land to the South Stateline Waste Water Treatment Plant, where the material to be burned could be disposed of free of charge.

## Potential Options:

- List or "None"
-

## Fiscal Implications:

None

## Staff Recommendation:

Staff recommends denial of the appeal.

## Advisory Board/Committee Review:

"NONE"

## Board/Committee Recommendation:

"NOT APPLICABLE"

## Advisory Board/Committee Meeting Date and Minutes:

"NOT APPLICABLE"

## Attachments

a. 2017-022 RES Burning Permit Appeal (DOC)
b. 2017-022 ATTH 01 Section 18-14 Code of Ordinances (DOCX)
c. 2017-022 ATTH 02 Section 111.219 of the Texas Administrative Code (DOCX)
d. 2017-022 ATTH 03 Burning Permits issued in 2016 (PDF)
e. 2017-022 ATTH 04 Letter to Mr. Latham (PDF)
f. 2017-022 ATTH 05 Letter of Denial of Burning Permit (PDF)
g. 2017-022 ATTH 06 Letter of Appeal from Mr. Greg Latham (PDF)
h. 2017-022 ATTH 07 Area Map (PDF)
i. 2017-022 ATTH 08 Site Map (PNG)
j. 2017-022 EXH 'A' For Sale sign posted to the property (JPG)
k. 2017-022 EXH 'B' Clearing of the property (JPG)
l. 2017-022 EXH 'C' Proximity to neighbors (JPG)
m. 2017-022 Goals and Perspectives (DOCX)

## Staff Coordination

| | | | | |
|---|---|---|---|---|
| Fire Department | Eric Schlotter | Department Head Review | Completed | 02/21/2017 11:12 AM |
| City Attorney | Jeffery C. Lewis | City Attorney Review | Completed | 02/21/2017 3:09 PM |

**City of Texarkana, Texas**

| | | | | |
|---|---|---|---|---|
| Deputy City Manager - Shirley Jaster Review | Completed | Shirley Jaster 02/22/2017 2:01 PM | Deputy City Manager | |
| Deputy City Manager - Kyle Dooley Review | Completed | Kyle Dooley 02/22/2017 4:14 PM | Deputy City Manager | |
| Public Information Officer | 02/23/2017 9:00 AM | Vicky Coopwood | PIO Review | Skipped |
| City Manager | John Whitson | City Manager Review | Completed | 02/23/2017 10:51 AM |
| City Council | Vicky Coopwood | Meeting | Completed | 02/27/2017 6:00 PM |

## Meeting History

| | | | |
|---|---|---|---|
| 02/27/17 | City Council | MOVED FORWARD | Next: 03/13/17 |

**RESOLUTION NO. 2017 – 022**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, MAKING A FINAL DETERMINATION ON A BURNING PERMIT APPEAL IN ACCORDANCE WITH SECTION 18-14(r) OF THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS,** Section 18-14(n) of the Code of Ordinances of the City of Texarkana, Texas, allows for a citizen to request a permit for outdoor burning; and

**WHEREAS,** Mr. Greg Latham requested issuance of a burning permit for his property located in the 3200 block of Buchanan Rd.; and

**WHEREAS,** the Texarkana, Texas Fire Department denied the requested permit, finding that the proposed burning did not meet the requirements in the Section 18-14(n) of the Code ("... shall only be permitted for the purpose of land development...."); and

**WHEREAS**, pursuant to Section 18-14(r) of the Code, an appeal of the department's denial has been filed with the City Secretary; and

**WHEREAS**, the City Council has the authority to make the final determination regarding the issuance of the burning permit.

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

**SECTION 1:** That the City Council makes the final determination to _____ the appeal for a burning permit by Mr. Greg Latham.

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

**PASSED AND APPROVED** in Regular Council Session on this the **10th day of April, 2017**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-022 RES Burning Permit Appeal (1610 : 2017-022 RES burning permit appeal determination)

Sec. 18-14. - Outdoor burning.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Bonfire* means a large outdoor fire utilized for recreational or ceremonial purposes.

*Chimney* means a single opening, moveable, outdoor fireplace design with a stack or chimney to draft air into a fire and smoke to be drawn out the top of the stack.

*Extinguished* means the absence of any visible flames, glowing coals, heat or smoke.

*Fire pit* means a place or structure designed and approved for the burning of combustible material that does not have a flue, chimney or duct and the combustion gases are emitted directly into the atmosphere.

*Open burning* means a fire or smoldering combustible material which is not contained completely within an approved container, but shall not include charcoal, gas or electric grills and smokers.

*Outdoor fireplace* means an enclosed and permanently affixed outdoor fire receptacle which incorporates a permanently affixed chimney or flue and is constructed of brick, rock or other masonry material.

*Portable outdoor fireplace* means a movable container that is commercially manufactured and designed with a chamber to hold an outdoor fire, used for heat or light, but not for cooking. A portable outdoor fireplace must be equipped with a screen capable of preventing burning embers from escaping.

*Recreational fire* means a fire for the purpose of cooking, obtaining warmth, or viewing for pleasure.

*Responsible party* means the property owner or occupant that causes or allows a recreational fire to be ignited or maintained on their property.

(b) *Prohibition of open burning.* No person may cause, suffer, or allow any open burning within the city limits, except as allowed by permit, recreational fires and firefighter training as specified in this chapter.

(c) *Exception for recreational fires; generally.* Recreational fires in an approved container are allowed. Any person may burn acceptable fuels in an approved container for the purpose of cooking, viewing for pleasure, or obtaining warmth, on property owned or occupied by such person. Fires must meet the requirements as listed in this section. No permit is required for such fires. Recreational fires are not allowed at any time a burn ban is in effect in accordance with section 18-93. Recreational fires are not allowed within the fire limits of the city.

(d) *Recreational fires; approved containers.*

(1) Approved containers for recreational fires are chimneys, fire pits, outdoor fireplaces, and portable outdoor fireplaces.

(2) Chimneys and portable outdoor fireplaces must be commercially manufactured for that specific purpose. Outdoor fireplaces and fire pits may be commercially manufactured or site built.

(3) Approved containers must have enclosed sides made from bricks, concrete blocks, heavy gauge metal or other suitable noncombustible material.

(4) Approved containers must have a spark arrestor mesh screen to contain sparks. Screens shall be of expanded metal (or equivalent noncombustible material) with openings no larger than one-half inch.

(5) Width of approved containers must not exceed three feet at its widest point.

(6) Walls of approved containers cannot exceed two feet in height measured from the floor of the fire area to the top of the wall, excluding any chimney.

(7) Approved containers must be set upon or built into the bare ground or a noncombustible material such as brick, stone or concrete.

Attachment: 2017-022 ATTH 01 Section 18-14 Code of Ordinances (1610 : 2017-022 RES burning permit appeal determination)

(e) *Recreational fires; fuels.* Acceptable fuels are clean, dry, seasoned firewood; charcoal; or commercially manufactured compressed fire logs. The following listed items are not acceptable fuels and shall not be burned:

(1) Commercial or domestic waste, trash or garbage.

(2) Leaves, pine needles or grass clippings.

(3) Lumber (treated or untreated), construction debris.

(4) Yard debris, unless it meets the definition of firewood or kindling.

(5) Flammable or combustible liquids.

(6) Electrical insulation, plastics, asphaltic materials, potentially explosive materials, chemical wastes, and items containing natural or synthetic rubber must not be burned.

(f) *Recreational fires; responsible party responsibilities.* The responsible party shall:

(1) Remain in charge of the fire or keep a competent adult in charge of the fire.

(2) Ensure flame height is maintained at three feet or less.

(3) Ensure that the fire does not create a risk of fire or damage to persons or property.

(4) Extinguish all burning material immediately upon receipt of a complaint regarding the permitted burning, subject to the discretion and direction of the fire chief or designee.

(5) Have a means of extinguishing the fire on hand at all times while the fire is burning.

(6) Ensure the fire is extinguished, leaving only cold ashes, before supervision of the fire ends.

(g) *Recreational fires; acceptable locations.*

(1) For approved containers other than fire pits, a minimum clearance of at least ten feet shall be maintained from buildings, property lines, trees, overhead power lines, combustible fences, combustible decks, or any combustible material.

(2) Fire pits shall have a minimum clearance of at least 25 feet from buildings, property lines, trees, overhead power lines, combustible fences, combustible decks or any combustible material.

(3) Recreational fires shall not be located over a natural gas line or under overhead utility lines.

(h) *Recreational fires; fire department authority.* The fire chief or designated representative, shall have authority to enter private property where a recreational fire is burning to ensure the safety of said fire, to investigate a reported nuisance, or to ensure compliance with this section. The fire department representative shall have authority to extinguish or to have extinguished said fire if the fire is creating a danger, is creating a nuisance, or is in violation of this section.

(i) *Exception for bonfires; generally.* At the discretion of the fire chief or designated representative, bonfires may be allowed. Bonfires must meet the "General Requirements for Allowable Outdoor Burning" as specified in Texas Commission on Environmental Quality (TCEQ) regulations in the Tex. Admin. Code ch. 30, section 111.219, except that burning shall be allowed outside the time limits specified therein. Bonfires are not allowed within the fire limits of the city.

(j) *Bonfires; permit required.*

(1) A permit shall be required prior to allowing a bonfire.

(2) Before issuing a permit, the fire chief or designee shall inspect the proposed bonfire site and ensure compliance with applicable rules.

(3) Any permit issued under this section shall specify the approved location, the acceptable fuels, the date and time approved, and any special conditions applicable to this bonfire.

(4) The responsible party receiving the permit shall ensure the permit is available on the scene of the bonfire for the duration of the event.

Attachment: 2017-022 ATTH 01 Section 18-14 Code of Ordinances (1610 : 2017-022 RES burning permit appeal determination)

(5) The fire chief or designee, at their discretion, may require standby fire services prior to issuing a bonfire permit.

(k) *Bonfires; responsible party responsibilities.* The responsible party shall:

(1) Remain in charge of the fire or keep a competent adult in charge of the fire.

(2) Ensure that the fire does not create a risk of fire or damage to persons or property.

(3) Extinguish all burning material immediately upon receipt of a complaint regarding the permitted burning, subject to the discretion and direction of the fire chief or designee.

(4) Have a means of extinguishing the fire on hand at all times while the fire is burning.

(5) Ensure the fire is extinguished, leaving only cold ashes, before supervision of the fire ends.

(l) *Bonfires; fuels.* Acceptable fuels are clean, dry, seasoned firewood; logs, limbs, pallets, lumber (not treated lumber), or other wood products. Small quantities of flammable or combustible liquids approved by the fire chief or designee, may be used for igniting the fire. The following listed items are not acceptable fuels and shall not be burned:

(1) Commercial or domestic waste, trash or garbage.

(2) Treated lumber, construction debris.

(3) Flammable or combustible liquids (except as specified for ignition).

(4) Electrical insulation, plastics, asphaltic materials, potentially explosive materials, chemical wastes, and items containing natural or synthetic rubber.

(m) *Exception for firefighter training; generally.* Open burning may be conducted for firefighter training. Burning for firefighter training must be conducted in accordance with Texas Commission on Environmental Quality (TCEQ) regulations in the Tex. Admin. Code ch. 30, section 111.205 "Exception for Fire Training".

(n) *Exception for permitted burning; generally* . At the discretion of the fire chief or designated representative, outdoor burning may be allowed. All permitted outdoor burning must meet the "General Requirements for Allowable Outdoor Burning" as specified in Texas Commission on Environmental Quality (TCEQ) regulations in the Tex. Admin. Code ch. 30, section 111.219. Outdoor burning shall only be permitted for the purpose of land development. Outdoor burning is not allowed within the fire limits of the city.

(o) *Outdoor burning; permit required* .

(1) A permit shall be required prior to allowing outdoor burning.

(2) Before issuing a permit, the fire chief or designee shall inspect the proposed outdoor burning site and ensure compliance with applicable rules.

(3) Any permit issued under this section shall specify the approved location, the acceptable fuels, the date and time approved, and any special conditions applicable to this outdoor burning.

(4) The responsible party receiving the permit shall ensure the permit is available on the scene of the fire for the duration of the event.

(5) The fire chief or designee, at their discretion, may require standby fire services prior to issuing an outdoor burning permit.

(p) *Outdoor burning; responsible party responsibilities* . The responsible party shall:

(1) Remain on site and in charge of the fire or keep a competent adult on site and in charge of the fire.

(2) Ensure the fire does not create a risk of damage to person or property.

Attachment: 2017-022 ATTH 01 Section 18-14 Code of Ordinances (1610 : 2017-022 RES burning permit appeal determination)

(3) Immediately upon receipt of a complaint regarding the permitted burning, all burning material shall be extinguished.

(4) Have equipment on site to control and extinguish the fire.

(5) Not commence burning when wind speed is predicted to be less than six mph or greater than 23 mph.

(6) Ensure piles will be not less than 300 feet from any residential, recreational, commercial, or industrial area except those located on the property where burning is taking place.

(7) Ensure burning will start no earlier than one hour after sunrise, and be completed no later than one hour before sunset.

(8) Ensure the fire will be extinguished if the fire escapes control.

(9) Be responsible and liable for any damages.

(q) *Outdoor burning; fuels* . Only trees, brush, and other plant materials may be burned. The following listed items are not acceptable fuels and shall not be burned.

(1) Electrical insulation, plastic, heavy oil, asphaltic material, chemical waste, construction or demolition material, or items that contain rubber.

(2) Old tires shall not be used to start fires.

(r) *Outdoor burning; appeals* . Persons who are denied burning permits may appeal by filing a written notice of appeal with the city secretary. The appeal must be filed within ten days after receipt of the notice of denial. The city council shall hear and determine the appeal, and the decision of the council shall be final.

(s) Penalty for violation. Any person violating any provision of this section shall be deemed guilty of a misdemeanor and, upon conviction, in the municipal court of the city, shall be fined not more than $2,000.00. Each day of any such violation shall be deemed to be a separate offense.

(Code 1961, § 9-13; Ord. No. 226-08, § 1, 10-27-2008; Ord. No. 2015-135 , §§ 1—3, 1-25-2016)

Attachment: 2017-022 ATTH 01 Section 18-14 Code of Ordinances (1610 : 2017-022 RES burning permit appeal determination)

Sec. 111.219. General Requirements for Allowable Outdoor Burning
Outdoor burning which is otherwise authorized shall also be subject to the following requirements when specified in any section of this subchapter.

(1) Prior to prescribed or controlled burning for forest management purposes, the Texas Forest Service shall be notified.

(2) Burning must be outside the corporate limits of a city or town except where the incorporated city or town has enacted ordinances which permit burning consistent with the Texas Clean Air Act, Subchapter E, Authority of Local Governments.

(3) Burning shall be commenced and conducted only when wind direction and other meteorological conditions are such that smoke and other pollutants will not cause adverse effects to any public road, landing strip, navigable water, or off-site structure containing sensitive receptor(s).

(4) If at any time the burning causes or may tend to cause smoke to blow onto or across a road or highway, it is the responsibility of the person initiating the burn to post flag-persons on affected roads.

(5) Burning must be conducted downwind of or at least 300 feet (90 meters) from any structure containing sensitive receptors located on adjacent properties unless prior written approval is obtained from the adjacent occupant with possessory control.

(6) Burning shall be conducted in compliance with the following meteorological and timing considerations:

(A) The initiation of burning shall commence no earlier than one hour after sunrise. Burning shall be completed on the same day not later than one hour before sunset, and shall be attended by a responsible party at all times during the active burn phase when the fire is progressing. In cases where residual fires and/or smoldering objects continue to emit smoke after this time, such areas shall be extinguished if the smoke from these areas has the potential to create a nuisance or traffic hazard condition. In no case shall the extent of the burn area be allowed to increase after this time.

(B) Burning shall not be commenced when surface wind speed is predicted to be less than six miles per hour (mph) (five knots) or greater than 23 mph (20 knots) during the burn period.

(C) Burning shall not be conducted during periods of actual or predicted persistent low-level atmospheric temperature inversions.

(7) Electrical insulation, treated lumber, plastics, non-wood construction/demolition materials, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, and items containing natural or synthetic rubber must not be burned.

Attachment: 2017-022 ATTH 02 Section 111.219 of the Texas Administrative Code (1610 : 2017-022 RES burning permit appeal determination)

# Cash Receipts

## Receipt Listing

User: kristin.peeples
Printed: 02/21/2017 - 10:18 AM
Batch: 00000.00.0000

| Rcpt No / Cust No | Void / Account No | Cust No | Date / Type | Name / Description | Amount | Cash | Check | Other | Change | Net Cash | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 00082862 | | 009100 | 10/28/2015 | SBM Earthmoving | | 0.00 | 1,000.00 | 0.00 | 0.00 | 0.00 | 1,000.00 |
| 009100 | | | FireOpenBur | Fire Open Burning Non Rec | 1,000.00 | CR: | 101-0000-46094 Fire Fees | | | | |
| 00083458 | | 000383 | 11/05/2015 | Northridge Country Club | | 0.00 | 1,000.00 | 0.00 | 0.00 | 0.00 | 1,000.00 |
| 000383 | | | FireOpenBur | Fire Open Burning Non Rec | 1,000.00 | CR: | 101-0000-46094 Fire Fees | | | | |
| 00087608 | 1 | 007443 | 02/02/2016 | Mayo Mfg Corporation | | 0.00 | 1,000.00 | 0.00 | 0.00 | 0.00 | 1,000.00 |
| 007443 | | | FireOpenBur | Fire Open Burning Non Rec | 1,000.00 | CR: | 101-0000-46094 Fire Fees | | | | |
| 00094691 | 2 | 005257 | 05/27/2016 | Francis Excavating | | 0.00 | 1,000.00 | 0.00 | 0.00 | 0.00 | 1,000.00 |
| 005257 | | | FireOpenBur | Fire Open Burning Non Rec | 1,000.00 | CR: | 101-0000-46094 Fire Fees | | | | |
| 00094898 | 3 | 005626 | 05/31/2016 | Tatum Excavating Co (TEC) | | 0.00 | 1,000.00 | 0.00 | 0.00 | 0.00 | 1,000.00 |
| 005626 | | | FireOpenBur | Fire Open Burning Non Rec | 1,000.00 | CR: | 101-0000-46094 Fire Fees | | | | |
| | | | Eagle Distributing | | | | | | | | |
| 00097236 | 4 | 009517 | 07/11/2016 | Stan Excavating | | 0.00 | 1,000.00 | 0.00 | 0.00 | 0.00 | 1,000.00 |
| 009517 | | | FireOpenBur | Fire Open Burning Non Rec | 1,000.00 | CR: | 101-0000-46094 Fire Fees | | | | |
| | | | School | | | | | | | | |
| | | | | **Receipt Totals:** | **6,000.00** | **0.00** | **6,000.00** | **0.00** | **0.00** | **0.00** | **6,000.00** |
| | | | | **Void Totals:** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** |
| | | | | **Grand Totals:** | **6,000.00** | **0.00** | **6,000.00** | **0.00** | **0.00** | **0.00** | **6,000.00** |

# Texarkana, Texas Fire Departmen

3124 Texas Boulevard, Texarkana, Texas 75503

(903) 798-3994 • fax (903) 793-4731


Mr. Greg Latham
3510 Buchanan Rd.
Texarkana, TX 75501

Mr. Latham,

We have received your notice of appeal concerning the denial of a burn permit for the property located in the Bender Road and Buchanan Road area.
Your appeal is scheduled to go before the Texarkana, Texas City Council on Monday February 27, 2017. The City Council meeting begins at 6:00 pm in the Council chambers on the 2nd floor of City Hall located at 220 Texas Blvd.

Sincerely,

Chris Black
Asst. Fire Chief/ Fire Marshal
cblack@txkusa.org

# Texarkana, Texas Fire Departm

220 Texas Boulevard, Texarkana, Texas 75501

(903) 798-3994 • fax (903) 793-4731


RECEIVED
FEB 10 2017
BY:_____

January 31, 2107

Ronald G. Latham
3618 Buchanan Rd.
Texarkana, TX 75501

Mr. Latham:

This letter is to inform you that your request for a burn permit for your property in the approximate area of the 3200 block of Buchanan Rd. was not approved. The information we have concerning this request does not meet the requirements listed in the City of Texarkana, Texas Code of Ordinances for outdoor burning.

You have the right to appeal this decision as outlined below in the excerpt from the Code of Ordinances.

## Sec. 18-14. - Outdoor burning.

(r)

*Outdoor burning; appeals* . Persons who are denied burning permits may appeal by filing a written notice of appeal with the city secretary. The appeal must be filed within ten days after receipt of the notice of denial. The city council shall hear and determine the appeal, and the decision of the council shall be final.

Respectfully,

Eric Schlotter
Fire Chief

Greg Latham
903-278-3368

To Whom it May Concern-

IN October 2016 the City of Texarkana, Texas included my property into the Emergency Management Agency (Fema) flood zone. Property was originally purchased for investment with possibilty of future developing. Since it is now in said flood zone it basically has no purpose. So therefore i decided to improve appearance and to try and stop illegal dumping i would clean up said property. I have hay cut and baled on other properties in this area. Eventually was hoping to use this property for hay field as well. As stated before it not would only help me with utilization of property / property tax's it would help with the appreance of our Community. Thanks

2-8-2017

Greg Latham

Attachment: 2017-022 ATTH 07 Area Map (1610 : 2017-022 RES burning permit appeal determination)

BENDER RD
W WALLACE DR
JARVIS PKWY
E WALLACE DR
BUCHANAN RD
CAMELIA LN
MULBERRY ST
WOODBERRY DR
3101
2520
2505
3002
3002.5
3009
3010
2206
2201
3102
3110
2205
2103

Attachment: 2017-022 EXH 'A' For Sale sign posted to the property (1610 :

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

**Perspectives and Goals Additional Comments:**

NONE

**Resource Impact:**

| | |
|---|---|
| Staff time required if item is approved: | No Additional |

**Other Potential Impacts:**

NONE APPLICABLE

## Public Information Plan:

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

Other:

Attachment: 2017-022 Goals and Perspectives (1610 : 2017-022 RES burning permit appeal determination)

City of Texarkana, Texas

Version:

# Briefing Sheet

**Update Date:** 2/22/2017 11:17 AM

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

**Subject:** Resolution No. 2017-023 authorizing the City Manager to enter into a contract with Continental Utility Solutions, Inc. (CUSI) for utility billing computer software, installation, conversion and training in an amount with the Texas portion not to exceed $249,524.18 and total amount not to exceed $398,410.00.

| | | | |
|---|---|---|---|
| **Briefing:** 3/27/2017 | **Public Hearing:** 3/13/2017 | **Second Briefing:** March 27, 2017 | **Council Vote:** 4/10/2017 |

**Item Schedule**

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

**Updates/History of Briefing:**

NOT APPLICABLE

**Executive Summary and Background Information:**

Texarkana Water Utilities (TWU) advertised for proposals on May 8 and May 15, 2016 in the Texarkana Gazette and Dallas Morning News for utility billing software, installation, conversion and training with proposal submission deadline of 5pm June 17, 2016.

Pursuant to said advertisement, five (5) proposals were received and evaluated by the Utility Billing (UB) Software Committee. From the five (5) proposals, the committee selected the top three (3) to further evaluate. Onsite software demonstrations were scheduled and performed by each of the three (3) finalists. Based upon the demonstrations, the committee unanimously selected the top finalist to return for a mini-demo.

Committee members contacted some of CUSI's current customers that are similar in complexity or type of services provided to our utility to verify their satisfaction, and all feedback indicated high client satisfaction. A team of committee members traveled to Seguin, TX and Brushy Creek, TX to meet clients face-to-face to observe the software in person, and the team found the software to be well-functioning and well supported.

The top finalist, CUSI, then performed an onsite GAP analysis study to determine if TWU was a good fit for its software and to determine how the utility could best leverage their software to garner any potential cost savings and efficiency while utilizing best practices.

**Potential Options:**

- None

**Fiscal Implications:**

Funds are available in the FY 2016-17 budget in an amount not to exceed $398,410 with the Texas portion being $249,524.18.

**Staff Recommendation:**

Based upon the evaluation and recommendation of the UB Software Committee, TWU staff recommends acceptance.

**Advisory Board/Committee Review:**

# City of Texarkana, Texas

NONE

## Board/Committee Recommendation:

NOT APPLICABLE

## Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

## Attachments

a. 2017-023 RES Utility Billing Software (DOC)
b. 2017-023 ATTH 01 Problems with Current Software (DOC)
c. 2017-023 ATTH 02 Benefits with CUSI Software (DOC)
d. 2017-023 ATTH 03 Cost Comparison (DOC)
e. 2017 023 ATTH 04 List of AR and TX Customers (PDF)
f. 2017-023 Goals & Perspectives (DOCX)

## Staff Coordination

| | | | | |
|---|---|---|---|---|
| Water Utilities | Jim Cornelius | Department Head Review | Completed | 02/16/2017 4:36 PM |
| Water Utilities | JD Phillips | Review | Completed | 02/16/2017 4:38 PM |
| Public Information Officer | | Lisa Thompson | PIO Review | Completed 02/16/2017 5:15 PM |
| City Manager | John Whitson | City Manager Review | Completed | 02/17/2017 4:08 PM |
| City Council | Vicky Coopwood | Meeting | Completed | 02/27/2017 6:00 PM |

## Meeting History

02/27/17 City Council MOVED FORWARD Next: 03/13/17

# RESOLUTION NO. 2017 – 023

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CONTINENTAL UTILITY SOLUTIONS, INC. (CUSI) OF JONESBORO, ARKANSAS, FOR THE PURCHASE OF UTILITY BILLING SOFTWARE, INSTALLATION, DATA CONVERSION AND TRAINING IN AN AMOUNT WITH THE TEXAS PORTION NOT TO EXCEED TWO HUNDRED FORTY-NINE THOUSAND FIVE HUNDRED TWENTY FOUR AND 18/100 DOLLARS ($249,524.18) AND THE TOTAL AMOUNT NOT TO EXCEED THREE HUNDRED NINETY EIGHT THOUSAND FOUR HUNDRED AND NO/100 DOLLARS ($398,410.00); AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS,** Texarkana Water Utilities (TWU) advertised for proposals on May 8 and May 15, 2016 in the Texarkana Gazette and the Dallas Morning News for utility billing software, installation, data conversion and training with proposal submission deadline of 5PM June 17, 2016; and

**WHEREAS,** pursuant to said advertisement, five (5) proposals were received and evaluated by the Utility Billing Software Committee of the utility. From the five (5) proposals, the committee selected the top three (3) to further evaluate. Onsite software demonstrations were scheduled and performed by each of the three (3) finalists. Based upon the demonstrations, the committee unanimously selected the top finalist to return for an additional mini-demo; and

**WHEREAS,** the committee contacted some of CUSI's current customers that were similar in complexity or type of services provided by the utility to verify their satisfaction, and all feedback indicated high client satisfaction. A team of committee members traveled to Seguin, Texas and Brushy Creek, Texas to meet face-to-face to observe the software in person, and the team found the software to be well-functioning and well supported. The top finalist, CUSI, then performed an onsite GAP analysis study to determine if TWU was a good fit for its software and to determine how the utility could best leverage their software to garner any potential cost savings and efficiency while utilizing best practices; and

**WHEREAS**, funds for this purchase are available in the water utilities FY17 Technology account.

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

Attachment: 2017-023 RES Utility Billing Software (1611 : 2017-023 RES utility billing software)

**SECTION 1:** That the responsible offeror, whose proposal for the utility billing software, installation, data conversion and training for the Texarkana Water Utilities has been determined to be the most advantageous to the Utility was received from Continental Utility Solutions, Inc. (CUSI).

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

**PASSED AND APPROVED** in Regular Council Session on this the **10th day of April, 2017**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-023 RES Utility Billing Software (1611 : 2017-023 RES utility billing software)

## Problems with Current Software

- Repetitious manual entry of customer data (name, SSN, etc.)
- Poor reporting capability
  - Time-intensive process to get reliable water usage data
  - Compilation of annual top ten users is a long, manual process – takes about 1.5 weeks
  - Lacks capabilities to provide data needed for state reporting
  - Must use ad-hoc third-party report writers to get information needed for accounting and reporting purposes
  - Report changes bases upon when it is ran
  - Reports must be ran immediately at end of month – cannot be done later
- Old legacy system – stuck in approx. 2006.
- Crashes during some billing processes
- Malfunctions occasionally when printing customer receipts in cashiering – shows a bogus credit on receipt when account balance is zero

Attachment: 2017-023 ATTH 01 Problems with Current Software (1611 : 2017-023 RES utility billing software)

RES 2017-023 ATTH 02

## Benefits with CUSI Software

- Smoother, faster navigation
- Benefits of relative database – data entered once – system populates whenever needed throughout software
- Improved speed and accuracy
- Enhanced reporting capabilities
    - Reports can be generated in minutes instead of days or weeks
    - Can add user defined fields as needed and easily report on them
- Modern, intuitive software
- Robust customer service web portal
    - Accessible 24/7 from personal computer or smartphone
    - Can securely, conveniently access and update their personal information on their account
    - Can view usage and other history
    - Can pay their bill
- Built-in process to capture, consolidate and process the automated ACH payment files from online bill payers
- Customer alerts and notifications
    - Text, phone, email, web portal
- Constantly updated
- Lower merchant fees for customers
    - Savings of 25¢ per payment
    - Online/IVR (phone) savings of $1.50 per payment
- Add a 15” touch screen payment kiosk on cashier counter to accept DR/CR cards and electronic check payments.
- Net savings over current software of over $68,000/year.

Attachment: 2017-023 ATTH 02 Benefits with CUSI Software (1611 : 2017-023 RES utility billing software)

RES 2017-023 ATTH 03

## Cost Comparison

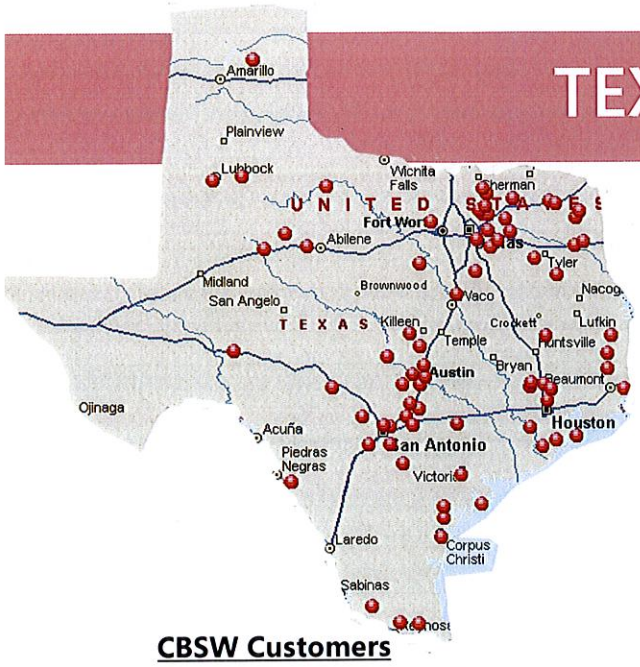
| | CUSI | Harris | Annual Cost/ (Savings) |
|---|---|---|---|
| Annual Maintenance Cost | **$42,850** | **$69,263** | **($26,413)** |
| Bill/Second notice printing/mailing | **$15,707/mo** | **$18,150/mo** | |
| x 12 = | **$188,484** | **$217,800** | **($29,316)** |
| -using software generated notifications by phone for accounts up for non-pay disconnect<br>$.07/min x 5,100 = $357 + $100/mo fee<br>2,900 – 457 = 2,443 18,150 - 2443 | | | |
| E-bills if only 5% of customers chose to receive bills electronically<br>30,000 x 10% - 3,000<br>15,250/30,000 = $.51 x 3,000 = 1,530 x 12 | | | **($18,360)** |
| | | | **($74,089)** |
| Bank Check Elimination Services<br>$40 mo x 12 = $480<br>3,010 monthly trans x $.15 x 12 = $5,418 | | | $5,898 |
| | | | **($68,191)** |

| | |
|---|---|
| Hardware/software | 388,410 |
| Travel for training/conversion | 10,000 |
| | 398,410 |

Payback = 5.85 years

Attachment: 2017-023 ATTH 03 Cost Comparison (1611 : 2017-023 RES utility billing software)

# TEXAS CUSTOMERS




RES 2017-023 ATTH 04

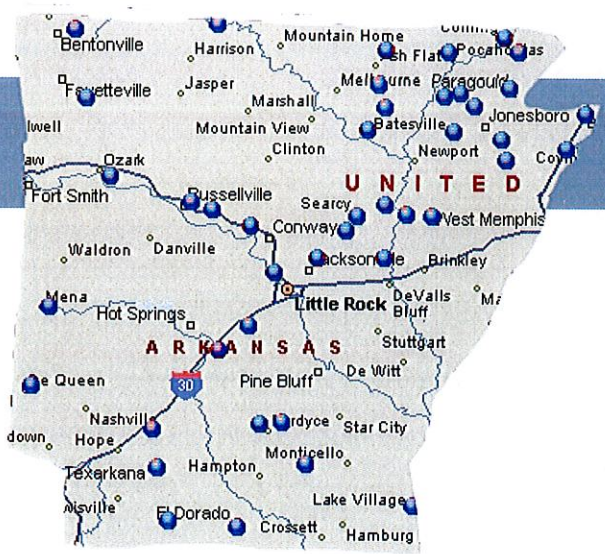
**CBSW Customers**

| | |
|---|---|
| Eagle Pass | Texas |
| Orangefield | Texas |
| Port O'Connor | Texas |
| Victoria | Texas |
| Quinlan | Texas |
| Azle | Texas |
| Taft | Texas |
| Roby | Texas |
| Ross | Texas |
| Santa Rosa | Texas |
| Lucas | Texas |
| Conroe | Texas |
| Forney | Texas |
| Trinity | Texas |
| Spurger | Texas |
| Jasper | Texas |
| Hunt | Texas |
| Wilmer | Texas |
| Winfield | Texas |
| Woodsboro | Texas |
| Wylie | Texas |
| New Bruanfels | Texas |
| Irving | Texas |
| Lakehills | Texas |
| Kaufman | Texas |
| Lytle | Texas |
| Windcrest | Texas |
| Blooming Grove | Texas |
| Chandler | Texas |
| Mt. Vernon | Texas |
| Fabens | Texas |
| Elmendorf | Texas |
| Florence | Texas |
| Scurry | Texas |
| Glen Rose | Texas |
| Houston | Texas |
| Angleton | Texas |
| Pinehurst | Texas |
| Hughes Springs | Texas |
| Kempner | Texas |
| Kingsland | Texas |
| Lavon | Texas |
| Liverpool | Texas |
| Lone Star | Texas |
| Martindale | Texas |
| McCoy | Texas |
| Merkel | Texas |
| Colorado City | Texas |
| Munday | Texas |
| Wills Point | Texas |
| Ozona | Texas |

**UMS Customers**

| | |
|---|---|
| Round Rock | Texas |
| San Marcos | Texas |
| Porter | Texas |
| Princeton | Texas |
| Galveston | Texas |
| St. Seguin | Texas |
| Lubbock | Texas |
| New Summerfield | Texas |
| Silsbee | Texas |
| Lakeway | Texas |
| Van Alstyne | Texas |
| Seguin | Texas |
| Austin | Texas |
| Magnolia | Texas |
| Westminster | Texas |

Attachment: 2017 023 ATTH 04 List of AR and TX Customers (1611 : 2017-023 RES utility billing software)




# ARKANSAS CUSTOMERS

**CBSW Customers**

| | |
|---|---|
| Altus | Arkansas |
| Atkins | Arkansas |
| Augusta | Arkansas |
| Bald Knob | Arkansas |
| Bald Knob | Arkansas |
| Bay | Arkansas |
| Ben Lomond | Arkansas |
| Avoca | Arkansas |
| Blytheville | Arkansas |
| Rosston | Arkansas |
| Bono | Arkansas |
| Cash | Arkansas |
| Cherokee Village | Arkansas |
| Lake Village | Arkansas |
| Morillton | Arkansas |
| Jonesboro | Arkansas |
| DeQueen | Arkansas |
| Des Arc | Arkansas |
| Diamond | Arkansas |
| Des Arc | Arkansas |
| Elkins | Arkansas |
| Fordyce | Arkansas |
| Forrest City | Arkansas |
| Gosnell | Arkansas |
| Cave City | Arkansas |
| Haskell | Arkansas |
| Evening Shade | Arkansas |
| Hardy | Arkansas |
| Hoxie | Arkansas |
| Malvern | Arkansas |
| Osceola | Arkansas |
| Magnolia | Arkansas |
| Maumelle | Arkansas |
| McCrory | Arkansas |
| McRae | Arkansas |
| Mena | Arkansas |
| Jacksonville | Arkansas |
| Mountain Pine | Arkansas |
| Plumerville | Arkansas |
| Pocahontas | Arkansas |
| Prescott | Arkansas |
| Rosston | Arkansas |
| DeQueen | Arkansas |
| Searcy | Arkansas |
| Trumann | Arkansas |
| Walnut Ridge | Arkansas |
| Warren | Arkansas |
| Walcott | Arkansas |

**UMS Customers**

| | |
|---|---|
| El Dorado | Arkansas |
| Paragould | Arkansas |
| Russellville | Arkansas |

Attachment: 2017 023 ATTH 04 List of AR and TX Customers (1611 : 2017-023 RES utility billing software)

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

**Perspectives and Goals Additional Comments:**

NONE

**Resource Impact:**

| | |
|---|---|
| Staff time required if item is approved: | No Additional |

**Other Potential Impacts:**

NONE APPLICABLE

## Public Information Plan:

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

Other:

Attachment: 2017-023 Goals & Perspectives (1611 : 2017-023 RES utility billing software)

City of Texarkana, Texas

# Briefing Sheet

Version:
**Update Date:** 2/22/2017 10:05 AM

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

**Subject:** Resolution No. 2017-024 approving the amendment of the CDBG 2013-2017 Consolidated Plan and 2016 Annual Action Plan.

**Briefing:** 3/27/2017 **Public Hearing:** 3/13/2017 **Second Briefing:** March 27, 2017 **Council Vote:** 4/10/2017

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

**Updates/History of Briefing:**

**Executive Summary and Background Information:**

The City of Texarkana, Texas is amending the 2013-2017 Consolidated Plan, the 2016 Annual Action Plan for the period of October 1, 2016 to September 30, 2017.

The City plans to amend the budget as follows:

- Re-allocating $30,000 from Revolving Loan Fund activity to Housing Rehabilitation activity.
- Re-allocating $30,000 from Revolving Loan Fund activity, $20,000 from Home Buyer Assistance activity, $74,064 from 203/205 Renovations activity and $388,201 from prior year funds to Section 108 Loan Fund Program activity for total of $512,265.
- Adding recently approved Section 108 Loan Funds from U.S. Department of Housing and Urban Development in the amount of $1,429,000 for the Hotel Grim Lofts Project.

As stated in the City's Citizen Participation Plan, a change in CDBG budget allocations of 25% or more in allocated funding constitutes the need for a substantial amendment and requires City Council approval and Public Notice for citizen input.

**Potential Options:**

- None
-

**Fiscal Implications:**

None

**Staff Recommendation:**

Staff recommends approval.

**Advisory Board/Committee Review:**

# City of Texarkana, Texas

None

## Board/Committee Recommendation:

NOT APPLICABLE

## Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

## Attachments

a. 2017-024 RES Amending the CDBG 2013-2017 Consolidated Plan and 2016 Annual Action Plan (DOCX)
b. 2017-024 ATTH 01 Amended 2013-2017 Con Plan 2.16.17(DOCX)
c. 2017-024 ATTH 02 Action Plan revision 1.31.17 (DOCX)
d. 2017-024 ATTH 03 Presentation Revised 2016 CDBG Action Plan(PPTX)
e. 2017-024 Goals & Perspectives (DOCX)

## Staff Coordination

| | | | | |
|---|---|---|---|---|
| Planning and Community Development | | David Orr | Department Head Review | |
| | Completed | 02/20/2017 11:28 AM | | |
| Deputy City Manager - Shirley Jaster Review | | Shirley Jaster | Deputy City Manager | |
| | Completed | 02/20/2017 1:54 PM | | |
| Deputy City Manager - Kyle Dooley Review | | Kyle Dooley | Deputy City Manager | |
| | Completed | 02/20/2017 4:50 PM | | |
| Public Information Officer | | Lisa Thompson | PIO Review | Completed |
| | 02/20/2017 4:56 PM | | | |
| City Manager | John Whitson | City Manager Review | Completed | 02/22/2017 |
| 11:12 AM | | | | |
| City Council | Vicky Coopwood | Meeting | Completed | 02/27/2017 |
| 6:00 PM | | | | |

## Meeting History

| | | | |
|---|---|---|---|
| 02/27/17 | City Council | MOVED FORWARD | Next: 03/13/17 |

# RESOLUTION NO. 2017 – 024

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AMENDED 2013-2017 FIVE YEAR CONSOLIDATED PLAN AND AMENDED 2016 ONE YEAR ACTION PLAN SETTING FIVE YEAR PROGRAM PRIORITIES AND PRIORITIES FOR THE USE OF AMENDED 2016 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN AN AMOUNT NOT TO EXCEED $2,235,364 INCLUDING SECTION 108 LOAN FUNDS OF $1,429,000 AUTHORIZING THE CITY MANAGER TO SUBMIT SAID ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS,** the U. S. Department of Housing and Urban Development has provided the City of Texarkana, Texas, with Community Development Block Grant (CDBG) funds; and

**WHEREAS,** public review of the amended draft 2013-2017 Consolidated Plan and amended draft 2016 Action Plan became available February 20, 2017 and will continue through March 22, 2017; legal notice was published in the Texarkana Gazette and city website; and a public hearing was conducted on February 27, 2017 and March 13, 2017 to solicit public comments regarding the Amended 2013-2017 Consolidated Plan and Amended 2016 Action Plan; and

**WHEREAS,** the City Council has determined it to be appropriate to adopt the Amended 2013-2017 Consolidated Plan and the Amended 2016 Action Plan for the Community Development Block Grant Funds.

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

**SECTION 1:** That the Amended 2013-2017 Consolidated Plan and the Amended 2016 Action Plan for the Community Development Block Grant program utilizing CDBG funds in an amount not to exceed $2,235,364 including Section 108 Loan Funds of $1,429,000 is hereby accepted.

**SECTION 2:** That the City Manager is hereby authorized to submit said Amended 2013-2017 Consolidated Plan and the Amended 2016 Action Plan to the U. S. Department of Housing and Urban Development and is authorized to act in connection with the submission of the Amended 2013-2017 Consolidated Plan and the Amended 2016 Action Plan and to provide such additional information as may be required.

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

**PASSED AND APPROVED** in Regular Council Session on this the **10th day of April, 2017**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-024 ATTH 01 Amended 2013-2017 Con Plan 2.16.17 (1612 : 2017-024 RES amending the CDBG 2013-2017 Five-Year

# City of Texarkana, Texas
# 2013-2017 Consolidated Plan

(DRAFT AMENDMENT 2/15/2017)

## 2013 Action Plan

## Citizen Participation Plan

A five-year strategy for the City of Texarkana, Texas, prepared in accordance with the U.S. Department of Housing and Urban Development's Consolidated Plan Requirements



OMB Control No: 2506-0117 (exp. 07/31/2015)

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# Executive Summary

## ES-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

### 1. Introduction

This Consolidated Plan is effective October 1, 2013 through September 30, 2017. The Consolidated Plan is required by the U.S. Department of Housing and Urban Development in order for the City of Texarkana, Texas to receive federal housing and community development funds under the Community Development Block Grant (CDBG) program.

The overall goals of the City's program have been created according to HUD's established objectives. They are designed to develop viable urban communities principally for low- and moderate-income persons with household incomes at or below 80% of Median Family Income by

- Providing decent housing;
- Providing a suitable living environment; and
- Expanding economic opportunities.

The statutes for the CDBG grant programs set forth three basic goals against which the plan and the jurisdiction’s performance under the plan will be evaluated by HUD. Each jurisdiction’s plan must state how it will pursue these goals for all community development programs, as well as all housing programs. These statutory program goals are:

DECENT HOUSING - - which includes:

- assisting homeless persons obtain affordable housing;
- assisting persons at risk of becoming homeless;
- retaining the affordable housing stock;
- increasing the availability of affordable permanent housing in standard condition to low-income and moderate-income families, particularly to members of disadvantaged minorities without discrimination on the basis of race, color, religion, sex, national origin, familial status, or disability;
- increasing the supply of supportive housing which includes structural features and services to enable persons with special needs (including persons with HIV/AIDS) to live in dignity and independence; and
- providing affordable housing that is accessible to job opportunities.

A SUITABLE LIVING ENVIRONMENT - - which includes:



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- improving the safety and livability of neighborhoods;
- eliminating blighting influences and the deterioration of property and facilities;
- increasing access to quality public and private facilities and services;
- reducing the isolation of income groups within areas through spatial deconcentration of housing opportunities for lower income persons and the revitalization of deteriorating neighborhoods;
- restoring and preserving properties of special historic, architectural, or aesthetic value; and
- conserving energy resources and use of renewable energy sources.

EXPANDED ECONOMIC OPPORTUNITIES - - which includes:

- job creation and retention;
- establishment, stabilization and expansion of small businesses (including micro-businesses);
- the provision of public services concerned with employment;
- the provision of jobs to low-income persons living in areas affected by those programs and activities, or jobs resulting from carrying out activities under programs covered by the plan;
- availability of mortgage financing for low-income persons at reasonable rates using non-discriminatory lending practices;
- access to capital and credit for development activities that promote the long-term economic and social viability of the community; and
- empowerment and self-sufficiency for low-income persons to reduce generational poverty in federally assisted housing and public housing.

**CPD Maps**

## 2. Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview

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Texarkana, Texas is experiencing changes in housing patterns, though many of the issues impacting safe and affordable housing remain. Texarkana's population increased by 4% when comparing the 2000 Census population to the population counts in the 2005-2009 American Community Survey. At the same time, median income rose by 28% from $29,727 to $38,037 and the number of households declined by 6% from 15,105 to 14,200. Families in Texarkana seem to be consolidating, relying on income from more individuals per household contributing income.

There are 14,200 households in Texarkana, Texas, a decrease of 6% from the time of the 2000 Census. The most common housing problems in Texarkana are cost burden problems where renters and owners have housing costs that exceed either the greater than 30% of household income or 30% of household income.

Renters characterized as Small Related Renter households with a cost burden exceeding 50% of income are statistically the household type most often affected by at least one housing problem.

Of the 14,200 households in Texarkana, 2,240 households have one or more Housing Problems with 1,735 households at the 0-30% range of Area Median Income having one or more Housing Problems. Of these, the group demonstrating disproportional need were Black/African American with 850 households with one or more of the Four Housing Problems. Fifty percent of households in this income category are Black/African American.

At the 30%-50% AMI range, White households have a disproportionally greater need with 705 households experiencing one or more of the Four Housing Problems. White households account for 54% of the total at this income level, with Black/African Americans representing 38%.

Accessible units, especially for the frail and elderly, are in high demand in the city among current and prospective public housing tenants. At any given time, there are between 50 and 60 accessible units. HATT has a 2% or lower vacancy rate. Units are filled almost immediately. No waiting list information is currently available.

HATT currently has 345 prospective tenants on the Low Rent Public Housing Waiting List. There are 787 households on the Section 8 Waiting List. Taken together, there are 1,132 qualified households on the waiting list for public housing or rental assistance, with little chance of receiving assistance as HATT has a 2% vacancy rate.

Two areas in Texarkana have emerged as priority areas for public improvements, the Beverly Community, and Downtown Texarkana. The Beverly Community is an area of minority concentration, extremely-low and low-income residents, as well as numerous substandard homes and facilities. Downtown and the 7th Street Corridor public improvements include significant Brownfields issues and environmental contamination, slum and blight, food desert status, roadways, adequate lighting, community gardens, storm water run-off, flood management, storm shelters, bike lanes/walking trails,

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economic development, and shelter for the farmers' market, all public improvements requested by citizens of Texarkana.

### 3. Evaluation of past performance

Collaboration between the City and the Housing Authority of Texarkana, Texas (HATT) with funding of the Hope VI grant resulted in the remarkable transformation of the Rosehill Neighborhood and the state of Public Housing in this City. This collaboration between the City, HATT, neighborhood groups, the Homeless Coalition, and other service providers can serve as a model for transformation of other areas of the City. The key to this type of success is in working together to identify needs, solutions, funding, and community-oriented mechanisms for transformational change. The City expects to repeat this level of transformation in two new target areas, Downtown Texarkana and the Beverly Neighborhood, addressing concentrations of poverty and proliferation of Brownfields.

### 4. Summary of citizen participation process and consultation process

In preparation of the Consolidated plan, the City of Texarkana, Texas held several public meetings and conducted community surveys to solicit citizen and agency comments concerning the housing and community development needs of the community. Citizen comments were incorporated in the development of the City's 2013-2017 Consolidated Plan, Citizens Participation Plan, and 2013 Action Plan, which defines the use of the City's Community Development Block Grant (CDBG) funds.

Citizen participation began in November with several public town hall style meetings, hearings and public meetings before the council, and continued through community meetings, surveys and consultations with area service agencies and the Homeless Coalition.

11/14/2011 Public Hearing on the Amendment to the 2011 CDBG Action Plan

11/28/2011 Presentation of City of Texarkana Housing Authority 2010 Annual Report on HOPE VI Rosehill Neighborhood Revitalization Grant

12/19/2011 Public Hearing on the 2010 CDBG CAPER

1/26/2012 Brownfields Public Meeting

2/27/2012 Housing Reconstruction Program Status

6/25/2012 Public Hearing on Amendments to the CDBG for Fiscal Years 2010 and 2011 Action Plans

8/13/2012 Public Hearing on 2012 CDBG Action Plan. Opportunity for the public to comment on CDBG proposed expenditures for CDBG PY 2012

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12/10/2012 Public Comment Hearing on 2012 CDBG Annual CAPER for the Annual Action Plan and accomplishments for the CDBG PY 2012

2/26/2013 TDHCA Home Program Public Meeting, Housing Authority HOPE VI Program and Habitat for Humanity

3/28/2013 Brownfields Public Meeting

6/10/2013 Availability of CDBG Economic Development Revolving Loan Funds

6/25/2013, The Oaks Community Meeting - afternoon

6/25/2013, The Oaks Community Meeting - evening

6/26/2013, The Southwest Center, Community Meeting - evening

6/27/2013, Pecan Ridge Community Meeting - morning

6/27/2013, Pecan Ridge Community Meeting - evening

7/8/2013, City Council Chambers Public Hearing Draft Available

8/12, 2013, City Council Chambers Public Hearing Submission

**Public Comment Period:** July 10 - August 11, 2013 (30 days)

2/27/2017 Public Hearing on Amendments to the CDBG 2016 Action Plan, 2013-2017 Consolidated Plan and announcement of Section 108 Loan Fund award approval

3/13/2017 Public Hearing on Amendments to the CDBG 2016 Action Plan, 2013-2017 Consolidated Plan and announcement of Section 108 Loan Fund award approval

**Public Comment Period:** February 20 – March 22, 2017 (30 days)

## 5. Summary of public comments

Consensus as to Texarkana's most urgent needs centered on assistance to the homeless, addressing economic development, slum and blight eradication, substandard housing, and Brownfields issues, and adoption of Target Areas for concentration of resources focused on the most pressing problems in the city.

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## 6. Summary of comments or views not accepted and the reasons for not accepting them

There were no comments or views not accepted.

## 7. Summary

It should be noted that HUD has introduced a new database driven system for preparation of the Consolidated Plan and Annual Action Plan. Texarkana is part of the first group of CDBG recipient cities to use the new system. This new system should provide better integration for monitoring recipients' progress in meeting their goals. However, at this time, there are many bugs in the system including in the production of maps, graphs, and tables, as well as in how the final Plan document appears.

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# The Process

## PR-05 Lead & Responsible Agencies 24 CFR 91.200(b)

### 1. Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

| Agency Role | Name | Department/Agency |
|---|---|---|
| Lead Agency | TEXARKANA | |
| | | |

**Table 1 – Responsible Agencies**

### Narrative

The City of Texarkana, Texas Office of Planning and Community Development is the Lead Agency in the preparation an implementation of this 2013-2017 Consolidated Plan which describes the City's five-year strategy for the City of Texarkana, Texas and is prepared in accordance with the U.S. Department of Housing and Urban Development's Consolidated Plan requirements. The City would like to express our appreciation to the individuals, agencies, departments and committees who participated in developing the City of Texarkana 2013-2017 Consolidated Plan.

### Consolidated Plan Public Contact Information

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**Texarkana, Texas City Council**

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

Mayor Bob Bruggeman
City Manager John Whitson
Ward 1 Council Member Jean H. Matlock
Ward 2 Council Member Willie Ray

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Ward 3 Council Member Tina Veal-Gooch
Ward 4 Council Member Brian Matthews
Ward 5 Council Member Christy P. Paddock
Ward 6 Council Member Josh Davis

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## PR-10 Consultation - 91.100, 91.200(b), 91.215(l)

### 1. Introduction

The City of Texarkana, Texas' Consolidated Plan encompasses activities to be undertaken during the period of October 1, 2013 through September 30, 2017 by the City of Texarkana, an entity recognized by the U.S. Department of Housing and Urban Development (HUD) grant funding under the Community Development Block Grant (CDBG) program.

The Planning and Community Development Department works in conjunction with the City's Finance, Inspection, Public Works, Street, and Parks and Recreation Departments to oversee the development of the Consolidated Plan and administer the programs and activities incorporated in the Plan.

In preparation of the Consolidated plan, the City of Texarkana, Texas held several public meetings and conducted community surveys to solicit citizen and agency comments concerning the housing and community development needs of the community. Citizen comments were incorporated in the development of the City's 2013-2017 Consolidated Plan, Citizens Participation Plan, and 2013 Action Plan, which defines the use of the City's Community Development Block Grant (CDBG) funds.

### Summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies

**Entities contacted for participation include, not limited to:**

- Housing Authority of Texarkana, Texas (HATT)
- Randy Sams Homeless Shelter
- The Salvation Army, Texarkana, Arkansas
- The Friendship Center
- Texarkana Community College
- The Homeless Coalition of Texarkana (Continuum of Care)
- Domestic Violence Prevention of Texarkana, Inc.
- Texarkana Library
- Texarkana-Bowie County Family Health Center

**Public/Community Meetings & Hearings**

11/14/2011 Public Hearing on the Amendment to the 2011 CDBG Action Plan

11/28/2011 Presentation of City of Texarkana Housing Authority 2010 Annual Report on HOPE VI Rosehill Neighborhood Revitalization Grant

12/19/2011 Public Hearing on the 2010 CDBG CAPER



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1/26/2012 Brownfields Public Meeting

2/27/2012 Housing Reconstruction Program Status

6/25/2012 Public Hearing on Amendments to the CDBG for Fiscal Years 2010 and 2011 Action Plans

8/13/2012 Public Hearing on 2012 CDBG Action Plan. Opportunity for the public to comment on CDBG proposed expenditures for CDBG PY 2012

12/10/2012 Public Comment Hearing on 2012 CDBG Annual CAPER for the Annual Action Plan and accomplishments for the CDBG PY 2012

2/26/2013 TDHCA Home Program Public Meeting, Housing Authority HOPE VI Program and Habitat for Humanity

3/28/2013 Brownfields Public Meeting

6/10/2013 Availability of CDBG Economic Development Revolving Loan Funds

6/25/2013, The Oaks Community Meeting - afternoon & evening

6/26/2013, The Southwest Center, Community Meeting - evening

6/27/2013, Pecan Ridge Community Meeting - afternoon & evening

7/8/2013, City Council Chambers Public Hearing Draft Available

8/12, 2013, City Council Chambers Public Hearing Submission

**Public Comment Period:** July 10, August 11, 2013 (30 days)

2/27/2017 Public Hearing on Amendments to the CDBG 2016 Action Plan, 2013-2017 Consolidated Plan and announcement of Section 108 Loan Fund award approval

3/13/2017 Public Hearing on Amendments to the CDBG 2016 Action Plan, 2013-2017 Consolidated Plan and announcement of Section 108 Loan Fund award approval

**Public Comment Period:** February 20 – March 22, 2017 (30 days)

Interested parties were encouraged to attend these public meetings and hearings to present their opinions, views, and recommendations so that they could be incorporated into the development of these planning documents. Persons or groups were also advised that they could provide written

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comments by sending them to the Department of Planning and Community Development, P.O. Box 1967 Texarkana, Texas 75504-1967.

Surveys were accepted from June 19, 2013 until July 6, 2013. Links to the surveys were posted on the City's website, advertised in flyers emailed to community organizations, the Continuum of Care, local churches, planning organizations, the Chamber of Commerce, and the Housing Authority.

**Surveys:**

- **Agency: https://www.surveymonkey.com/s/communitysurveyserviceproviders**
- **Individuals: https://www.surveymonkey.com/s/conplancitizenssurvey**

All other written comments were received by July 6, 2013 for inclusion in the draft plan. Public comments on the draft: accepted from July 10, 2013 to August 11, 2013.

All other written comments were received by March 22, 2017 for inclusion in the amended plan. Public comments on the amended draft: accepted from February 20, 2017 to March 22, 2017.

Public Notices of the community meetings, public hearings, survey, and draft availability were posted at City Hall, on the City's website, and in the Texarkana Gazette. Newspaper notices ran a total of six times, two three consecutive days' cycles.

### Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

The Texarkana Homeless Coalition serves as the area's Continuum of Care. The group reorganized in November of 2007 and has worked diligently to establish a strong network of service provider for the Texarkana, Texas and Texarkana, Arkansas region. They are trained by the Texas Homeless Network and consist of essential local and regional agencies' representative. Texarkana has been selected as one of three member city coalitions to implement a more coordinated and consolidated approach to Continuum activities. This "Coordinated Access" program will assist the Continuum of Care to provide better access to services through member agencies.

### Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for the administration of HMIS

The City of Texarkana is an integral part of the Continuum of Care. The Randy Sams Homeless shelter is currently the only emergency homeless shelter for homeless persons in Texarkana, Texas. Randy Sams is also the only recipient of ESG funds in the city with a 2011 Supplemental Allocation of $104,515 that will be fully spent by September 30, 2013. The City plans to assist Randy Sam Shelter in their next



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application for ESG funds which will be used to improve conditions at the Shelter and assist the Friendship Center in providing services to the homeless population during the day. The Continuum worked with the City and Domestic Violence Prevention to develop the Doorways Home project that assists victims of domestic violence and homeless families and individuals to receive supportive housing through the SHP grant award. HMIS responsibilities are shared among homeless assistance providers in the city. HMIS is administered by the Texas Homeless Network and serves the Texarkana, Texas population. The most significant challenge faced by agencies, outside of funding, it the state line dividing both geography and agency services in the twin cities of Texarkana, Arkansas and Texas.

**2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities**

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| | | |
|---|---|---|
| 1 | **Agency/Group/Organization** | RANDY SAMS' OUTREACH SHELTER, INC. |
| | **Agency/Group/Organization Type** | Services-homeless<br>Regional organization<br>Planning organization<br>Neighborhood Organization |
| | **What section of the Plan was addressed by Consultation?** | Housing Need Assessment<br>Public Housing Needs<br>Homelessness Strategy<br>Homeless Needs - Chronically homeless<br>Homeless Needs - Families with children<br>Homelessness Needs - Veterans<br>Homelessness Needs - Unaccompanied youth<br>Non-Homeless Special Needs<br>Economic Development<br>Anti-poverty Strategy |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation through presentation to the Homeless Coalition and regular interaction of the Homeless Coalition. |
| 2 | **Agency/Group/Organization** | RETIRED AND SENIOR VOLUNTEER CENTER |
| | **Agency/Group/Organization Type** | Housing<br>Services-Elderly Persons<br>Services-Persons with Disabilities<br>Services-homeless<br>Services-Health<br>Service-Fair Housing |
| | **What section of the Plan was addressed by Consultation?** | Housing Need Assessment<br>Public Housing Needs<br>Homelessness Strategy<br>Homeless Needs - Chronically homeless<br>Homelessness Needs - Veterans<br>Non-Homeless Special Needs<br>Market Analysis<br>Anti-poverty Strategy |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation through presentation to the Homeless Coalition and regular interaction of the Homeless Coalition. |

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| 3 | **Agency/Group/Organization** | SALVATION ARMY-TEXARKANA |
| | **Agency/Group/Organization Type** | Housing<br>Services-Children<br>Services-Elderly Persons<br>Services-Persons with Disabilities<br>Services-Persons with HIV/AIDS<br>Services-Victims of Domestic Violence<br>Services-homeless<br>Services-Health<br>Services-Education<br>Services-Employment<br>Service-Fair Housing |
| | **What section of the Plan was addressed by Consultation?** | Housing Need Assessment<br>Public Housing Needs<br>Homelessness Strategy<br>Homeless Needs - Chronically homeless<br>Homeless Needs - Families with children<br>Homelessness Needs - Veterans<br>Homelessness Needs - Unaccompanied youth<br>Non-Homeless Special Needs<br>Economic Development<br>Market Analysis<br>Anti-poverty Strategy |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation through presentation to the Homeless Coalition and regular interaction of the Homeless Coalition. |
| 4 | **Agency/Group/Organization** | Housing Authority of Texarkana, Texas |
| | **Agency/Group/Organization Type** | Housing<br>Services-Children<br>Services-homeless<br>Housing Authority<br>Neighborhood Organization |

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| | **What section of the Plan was addressed by Consultation?** | Housing Need Assessment<br>Lead-based Paint Strategy<br>Public Housing Needs<br>Homelessness Strategy<br>Homeless Needs - Chronically homeless<br>Homeless Needs - Families with children<br>Homelessness Needs - Veterans<br>Homelessness Needs - Unaccompanied youth<br>Non-Homeless Special Needs<br>HOPWA Strategy<br>Economic Development<br>Market Analysis<br>Anti-poverty Strategy |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation through presentation to the Homeless Coalition and regular interaction of the Homeless Coalition. |
| 5 | **Agency/Group/Organization** | COMMUNITY HEALTHCORE (FORMERLY SABINE VALLEY) |
| | **Agency/Group/Organization Type** | Housing<br>Services-Persons with Disabilities<br>Services-homeless<br>Services-Health<br>Services-Education<br>Services-Employment<br>Health Agency<br>Child Welfare Agency<br>Regional organization |
| | **What section of the Plan was addressed by Consultation?** | Housing Need Assessment<br>Public Housing Needs<br>Homelessness Strategy<br>Homeless Needs - Chronically homeless<br>Homeless Needs - Families with children<br>Homelessness Needs - Veterans<br>Non-Homeless Special Needs<br>Anti-poverty Strategy |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation through presentation to the Homeless Coalition and regular interaction of the Homeless Coalition. |

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| 6 | **Agency/Group/Organization** | Domestic Violence Prevention |
| | **Agency/Group/Organization Type** | Housing<br>Services-Persons with Disabilities<br>Services-Persons with HIV/AIDS<br>Services-Victims of Domestic Violence<br>Services-homeless |
| | **What section of the Plan was addressed by Consultation?** | Housing Need Assessment<br>Public Housing Needs<br>Homelessness Strategy<br>Homeless Needs - Chronically homeless<br>Homeless Needs - Families with children<br>Homelessness Needs - Veterans<br>Homelessness Needs - Unaccompanied youth<br>Non-Homeless Special Needs<br>Economic Development<br>Anti-poverty Strategy |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation through presentation to the Homeless Coalition and regular interaction of the Homeless Coalition. |
| 7 | **Agency/Group/Organization** | Terracon |
| | **Agency/Group/Organization Type** | Brownfields |
| | **What section of the Plan was addressed by Consultation?** | Brownfields |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation through presentation for Brownfields assessment, cleanup and job training. |
| 8 | **Agency/Group/Organization** | Keep Texarkana Beautiful |
| | **Agency/Group/Organization Type** | Beautification and Economic Development |
| | **What section of the Plan was addressed by Consultation?** | Economic Development<br>Beautification |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation through presentation for beautification and economic development. |
| 9 | **Agency/Group/Organization** | Texarkana Texas Historic Committee |
| | **Agency/Group/Organization Type** | Historic preservation |
| | **What section of the Plan was addressed by Consultation?** | Historic Preservation |

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| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation through presentation for historic preservation. |
| 10 | **Agency/Group/Organization** | Main Street Texarkana |
| | **Agency/Group/Organization Type** | Regional organization<br>Business Leaders<br>Civic Leaders<br>Main Street Preservation |
| | **What section of the Plan was addressed by Consultation?** | Economic Development |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Main Street Revitalization and Economic Development |
| 11 | **Agency/Group/Organization** | Texas Department of Housing and Community Affairs |
| | **Agency/Group/Organization Type** | Housing |
| | **What section of the Plan was addressed by Consultation?** | Public Housing Needs |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation through housing reconstruction and first time home buyer programs. |
| 12 | **Agency/Group/Organization** | Workforce Solutions Northeast Texas |
| | **Agency/Group/Organization Type** | Services-Employment |
| | **What section of the Plan was addressed by Consultation?** | Employment Needs Assessment |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation through job training opportunities from Brownfields. |
| 13 | **Agency/Group/Organization** | Texarkana College |
| | **Agency/Group/Organization Type** | Services-Education |
| | **What section of the Plan was addressed by Consultation?** | Education Analysis |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation through area education analysis. |
| 14 | **Agency/Group/Organization** | Texarkana Chamber of Commerce |
| | **Agency/Group/Organization Type** | Housing<br>Business Leaders |
| | **What section of the Plan was addressed by Consultation?** | Economic Development<br>Market Analysis |

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| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation through presentation of market studies and economic development options. |
| 15 | **Agency/Group/Organization** | Running WJ Ranch |
| | **Agency/Group/Organization Type** | Services-Children<br>Services-Elderly Persons<br>Services-Persons with Disabilities |
| | **What section of the Plan was addressed by Consultation?** | Non-Homeless Special Needs |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation through persons with disabilities. |
| 16 | **Agency/Group/Organization** | ARK TEX COUNCIL OF GOVERNMENTS |
| | **Agency/Group/Organization Type** | Housing |
| | **What section of the Plan was addressed by Consultation?** | Housing Need Assessment<br>Lead-based Paint Strategy<br>Public Housing Needs<br>Economic Development<br>Market Analysis<br>Environmental Assessment |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | |
| 17 | **Agency/Group/Organization** | PINNACLE HOUSING GROUP |
| | **Agency/Group/Organization Type** | Housing |
| | **What section of the Plan was addressed by Consultation?** | Housing Need Assessment |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation through presentation for housing through affordable apartment homes used as a stepping stone to home ownership. |
| 18 | **Agency/Group/Organization** | ERI CONSULTING |
| | **Agency/Group/Organization Type** | Environmental Consulting |
| | **What section of the Plan was addressed by Consultation?** | Environmental Consulting |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation through environmental consulting. |
| 19 | **Agency/Group/Organization** | TEXARKANA HABITAT FOR HUMANITY |
| | **Agency/Group/Organization Type** | Housing |

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| | | |
|---|---|---|
| | **What section of the Plan was addressed by Consultation?** | Housing Need Assessment |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation through presentation of affordable housing. |
| 20 | **Agency/Group/Organization** | HALL SURVEYING AND ENGINEERING |
| | **Agency/Group/Organization Type** | Housing<br>Surveys and Engineering |
| | **What section of the Plan was addressed by Consultation?** | Affordable Housing |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation through surveys and engineering for affordable housing projects. |
| 21 | **Agency/Group/Organization** | MCDONALD TRANSIT ASSOCIATION, INC |
| | **Agency/Group/Organization Type** | Transportation |
| | **What section of the Plan was addressed by Consultation?** | Transportation |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation for transportation needs assessment. |
| 22 | **Agency/Group/Organization** | TEXAS HISTORICAL COMMISSION |
| | **Agency/Group/Organization Type** | Historic Preservation |
| | **What section of the Plan was addressed by Consultation?** | Historic Preservation |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation for Historic Preservation |
| 23 | **Agency/Group/Organization** | TEXARKANA MUSUEM SYSTEMS |
| | **Agency/Group/Organization Type** | Historic Preservation |
| | **What section of the Plan was addressed by Consultation?** | Historic Preservation |
| | **How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?** | Consultation for historic preservation. |

**Table 2 – Agencies, groups, organizations who participated**

### Identify any Agency Types not consulted and provide rationale for not consulting

No agency types were not consulted.

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### Other local/regional/state/federal planning efforts considered when preparing the Plan

| Name of Plan | Lead Organization | How do the goals of your Strategic Plan overlap with the goals of each plan? |
|---|---|---|
| Continuum of Care | Homeless Coalition of Texarkana | Both plans analyze homeless needs and solutions. |
| PHA Consolidated 5 Year Plan | Housing Authority of Texarkana, Texas | Both plans address public housing needs. |
| MPO Texarkana Regional Transportation Plan | Metropolitan Planning Organization | Transportation planning for the region and city are essential components for creating desirable, livable communities. |

**Table 3 – Other local / regional / federal planning efforts**

### Describe cooperation and coordination with other public entities, including the State and any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(l))

The City of Texarkana, Texas enjoys a unique position in that it is a twin city to the City of Texarkana, Arkansas. The two cities share many things including infrastructure (roads, bridges, potable water systems, storm water systems, and sewage systems), planning organizations (MPO, Ark-Tex Council of Governments), health care agencies (Wadley Regional Medical System, Christus St. Michael Health System), economic development (Chamber of Commerce) and other non-profit and public welfare agencies (Randy Sams Homeless Shelter, Salvation Army, Harvest Texarkana, Volunteer Center, Literacy Council, unique bi-state Workforce Development efforts). Consequently, collaborative planning is a necessity for the City and common practice. These agencies provide continual collaboration with the City in all aspects of community planning, including this Consolidated Plan. Additionally, the City works closely with all applicable state agencies including, but not limited to, the Texas Homeless Network, Texas Department of Health and Human Services, Texas Department of Housing and Community Affairs, and the Texas commission on Environmental Quality.

### Narrative (optional):

The Consolidated Plan was developed in consultation with a wide range of public and private entities, including governmental and non-profit organizations knowledgeable about the needs of the low and moderate-income residents of Texarkana, and private citizens interested in, or affected by, the housing and community development activities discussed in the Plan. These contacts were part of a continuous process conducted in order to involve the broader community in: assessing priority housing and community development needs; developing priorities, goals and objectives for addressing identified needs; and allocating available CDBG and other federal, state and local funding to activities that address priority needs.

The City of Texarkana, Texas seeks to improve coordination between public and assisted housing providers and private and governmental health, mental health, and service agencies. The City participates in community-wide planning in consultation with area stakeholders through town hall meetings, public meetings, public hearings, and participation in the Continuum of Care/Homeless Coalition, the Metropolitan Planning Organization, Chamber of Commerce, and other planning groups.

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## PR-15 Citizen Participation

### 1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

In preparation of the Consolidated plan, the City of Texarkana, Texas held several public meetings and conducted community surveys to solicit citizen comments concerning the housing and community development needs of the community. Citizen comments were incorporated in the development of the City's 2013-2017 Consolidated Plan, Citizens Participation Plan, and 2013 Action Plan, which defines the use of the City's Community Development Block Grant (CDBG) funds. Support for Target Areas was firmly established, as was the citizens desire to remove slum and blight, redevelop Downtown and Beverly Neighborhood, and pursue Economic Development Strategies.

**Public/Community Meetings & Hearings**

11/14/2011 Public Hearing on the Amendment to the 2011 CDBG Action Plan

11/28/2011 Presentation of City of Texarkana Housing Authority 2010 Annual Report on HOPE VI Rose Hill Neighborhood Revitalization Grant

12/19/2011 Public Hearing on the 2010 CDBG CAPER

1/26/2012 Brownfields Public Meeting

2/27/2012 Housing Reconstruction Program Status

6/25/2012 Public Hearing on Amendments to the CDBG for Fiscal Years 2010 and 2011 Action Plans

8/13/2012 Public Hearing on 2012 CDBG Action Plan. Opportunity for the public to comment on CDBG proposed expenditures for CDBG PY 2012

12/10/2012 Public Comment Hearing on 2012 CDBG Annual CAPER for the Annual Action Plan and accomplishments for the CDBG PY 2012

2/26/2013 TDHCA Home Program Public Meeting, Housing Authority HOPE VI Program and Habitat for Humanity

3/28/2013 Brownfields Public Meeting

6/10/2013 Availability of CDBG Economic Development Revolving Loan Funds

6/25/2013, The Oaks Community Meeting - afternoon

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6/25/2013, The Oaks Community Meeting - evening

6/26/2013, The Southwest Center, Community Meeting - evening

6/27/2013, Pecan Ridge Community Meeting - morning

6/27/2013, Pecan Ridge Community Meeting - evening

7/8/2013, City Council Chambers Public Hearing Draft Available

8/12, 2013, City Council Chambers Public Hearing Submission

**Public Comment Period:** July 10, August 11, 2013 (30 days)

2/27/2017 Public Hearing on Amendments to the CDBG 2016 Action Plan, 2013-2017 Consolidated Plan and announcement of Section 108 Loan Fund award approval

3/13/2017 Public Hearing on Amendments to the CDBG 2016 Action Plan, 2013-2017 Consolidated Plan and announcement of Section 108 Loan Fund award approval

**Public Comment Period:** February 20 – March 22, 2017 (30 days)

Interested parties were encouraged to attend these public meetings and hearings to present their opinions, views, and recommendations so that they could be incorporated into the development of these planning documents. Persons or groups were also advised that they could provide written comments by sending them to the Department of Planning and Community Development, P.O. Box 1967 Texarkana, Texas 75504-1967.

Surveys were accepted from June 19, 2013 until July 6, 2013. Links to the surveys were posted on the City's website, advertised in flyers emailed to community organizations, the Continuum of Care, local churches, planning organizations, the Chamber of Commerce, and the Housing Authority.

**Surveys: https://www.surveymonkey.com/s/conplancitizenssurvey**

All other written comments were received by July 6, 2013 for inclusion in the draft plan. Public comments on the draft: accepted from July 10, 2013 to August 11, 2013.

All other written comments were received by March 22, 2017 for inclusion in the amended plan. Public comments on the amended draft: accepted from February 20, 2017 to March 22, 2017.

Public Notices of the community meetings, public hearings, survey, and draft availability were posted at City Hall, on the City's website, and in the Texarkana Gazette. Newspaper notices ran a total of six times, two three consecutive day cycles.

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**Citizen Participation Outreach**

| Sort Order | Mode of Outreach | Target of Outreach | Summary of response/ attendance | Summary of comments received | Summary of comments not accepted and reasons | URL (If applicable) |
|---|---|---|---|---|---|---|
| 1 | Public Meeting | Minorities<br><br>Persons with disabilities<br><br>Non-targeted/ broad community<br><br>Residents of Public and Assisted Housing | Attendance was significant at City Hall and Silver Moon meetings. | Support for Downtown Redevelopment and Beverly Neighborhood Revitalization firmly voiced. | No comments were rejected. | |



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| Sort Order | Mode of Outreach | Target of Outreach | Summary of response/ attendance | Summary of comments received | Summary of comments not accepted and reasons | URL (If applicable) |
|---|---|---|---|---|---|---|
| 2 | Public Meeting | Minorities<br><br>Persons with disabilities<br><br>Non-targeted/ broad community<br><br>Residents of Public and Assisted Housing | Attendance was poor at 5 community meetings in low income housing areas. | Comments provided via survey and aggregated with all responses. Expressed desire to see Downtown redeveloped. | No comments were rejected. | https://www.surveymonkey.com/s/conplancitizenssurvey |
| 3 | Internet Outreach | Minorities<br><br>Persons with disabilities<br><br>Non-targeted/ broad community | Survey request emailed by agencies to their constituencies, church leaders, other agencies. | High priority: Neighborhood revitalization, cost of housing and homelessness | No comments were rejected. | https://www.surveymonkey.com/s/conplancitizenssurvey |

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| Sort Order | Mode of Outreach | Target of Outreach | Summary of response/ attendance | Summary of comments received | Summary of comments not accepted and reasons | URL (If applicable) |
|---|---|---|---|---|---|---|
| 4 | Public Meeting | Minorities<br><br>Persons with disabilities<br><br>Non-targeted/ broad community<br><br>Residents of Public and Assisted Housing | Good attendance. City Council approved CDBG Revolving Loan Fund. | No comments received. | No comments were rejected. | |

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| Sort Order | Mode of Outreach | Target of Outreach | Summary of response/ attendance | Summary of comments received | Summary of comments not accepted and reasons | URL (If applicable) |
|---|---|---|---|---|---|---|
| 5 | Public Meeting | Minorities<br><br>Persons with disabilities<br><br>Non-targeted/ broad community<br><br>Residents of Public and Assisted Housing | Good attendance. | City Council approved CDBG Local/Beverly Target Area. No other comments received. | No comments were rejected. | |

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| Sort Order | Mode of Outreach | Target of Outreach | Summary of response/ attendance | Summary of comments received | Summary of comments not accepted and reasons | URL (If applicable) |
|---|---|---|---|---|---|---|
| 6 | Public Meeting | Minorities<br><br>Persons with disabilities<br><br>Non-targeted/ broad community<br><br>Residents of Public and Assisted Housing | Good attendance. | City Council approved CDBG Local/Downtown Target Area. No other comments received. | No comments were rejected. | |

**Table 4 – Citizen Participation Outreach**

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# Needs Assessment

## NA-05 Overview

### Needs Assessment Overview

This section of the Consolidated Plan provides information and analysis on:

- Housing Needs Assessment
- Disproportionally Greater Need
- Public Housing
- Homeless Needs Assessment
- Non-Homeless Special Needs Assessment
- Non-Housing Community Development Needs

Texarkana, Texas is experiencing changes in housing patterns, though many of the issues impacting safe and affordable housing remain. Texarkana's population increased by 4% when comparing the 2000 Census population to the population counts in the 2005-2009 American Community Survey. At the same time, median income rose by 28% from $29,727 to $38,037 and the number of households declined by 6% from 15,105 to 14,200. Families in Texarkana seem to be consolidating, relying on income from more individuals per household contributing income.

There are 14,200 households in Texarkana, Texas, a decrease of 6% from the time of the 2000 Census. The most common housing problems in Texarkana are cost burden problems where renters and owners have housing costs that exceed either the greater than 30% of household income or 30% of household income.

Renters characterized as Small Related Renter households with a cost burden exceeding 50% of income are statistically the household type most often affected by at least one housing problem.

Of the 14,200 households in Texarkana, 2,240 households have one or more Housing Problems with 1,735 households at the 0-30% range of Area Median Income having one or more Housing Problems. Of these, the group demonstrating disproportional need were Black/African American with 850 households with one or more of the Four Housing Problems. Fifty percent of households in this income category are Black/African American.

At the 30%-50% AMI range, White households have a disproportionally greater need with 705 households experiencing one or more of the Four Housing Problems. White households account for 54% of the total at this income level, with Black/African Americans representing 38%.

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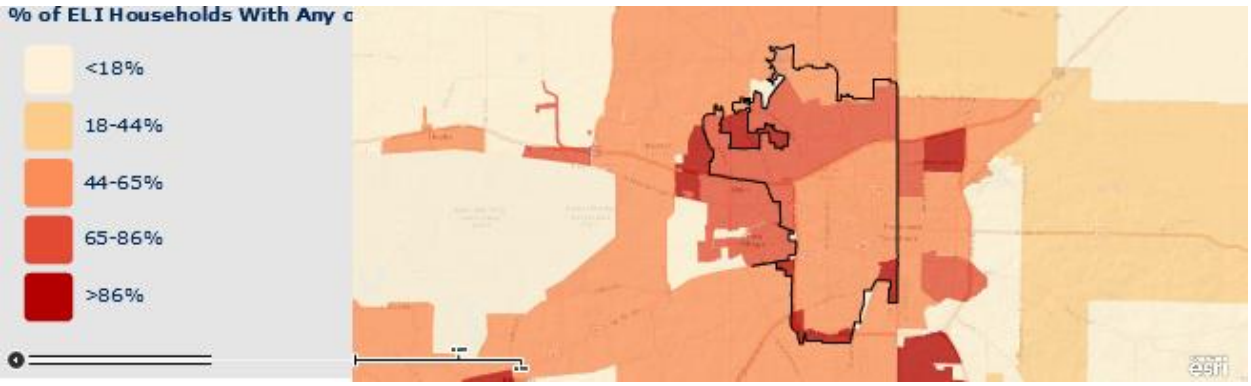
Accessible units, especially for the frail and elderly, are in high demand in the city among current and prospective public housing tenants. At any given time, there are between 50 and 60 accessible units. HATT has a 2% or lower vacancy rate. Units are filled almost immediately. No waiting list information is currently available.

HATT currently has 345 prospective tenants on the Low Rent Public Housing Waiting List. There are 787 households on the Section 8 Waiting List. Taken together, there are 1,132 qualified households on the waiting list for public housing or rental assistance, with little chance of receiving assistance as HATT has a 2% vacancy rate.

Two areas in Texarkana have emerged as priority areas for public improvements, the Beverly Community, and Downtown Texarkana. The Beverly Community is an area of minority concentration, extremely-low and low-income residents, as well as numerous substandard homes and facilities. Downtown and the 7th Street Corridor necessary public improvements include significant Brownfields issues and environmental contamination, slum and blight, food desert status, roadways, adequate lighting, community gardens, storm water run-off, flood management, storm shelters, bike lanes, economic development, and shelter for the farmers' market, all public improvements requested by citizens of Texarkana, though some of these improvements are outside the scope of this plan. The Beverly Target area is in a CDBG Qualified Census Tract.




**CPD Maps**

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# NA-10 Housing Needs Assessment - 24 CFR 91.205 (a,b,c)

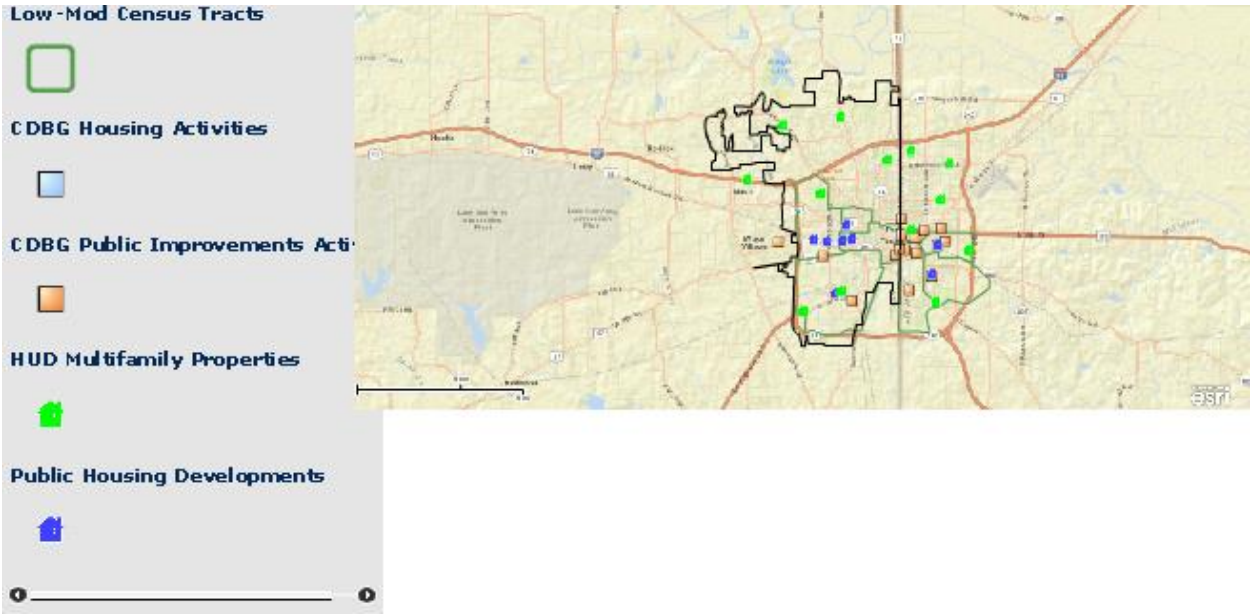
## Summary of Housing Needs

Housing patterns in Texarkana, Texas are changing, though many of the issues impacting safe and affordable housing remain. Texarkana's population increased by 4% when comparing the 2000 Census population to the population counts in the 2005-2009 American Community Survey. At the same time, median income rose by 28% from $29,727 to $38,037 and the number of households declined by 6% from 15,105 to 14,200. Families in Texarkana seem to be consolidating, relying on income from more individuals per household contributing income.

| Demographics | Base Year: 2000 | Most Recent Year: 2009 | % Change |
|---|---|---|---|
| Population | 34,782 | 36,197 | 4% |
| Households | 15,105 | 14,200 | -6% |
| Median Income | $29,727.00 | $38,037.00 | 28% |

**Table 5 - Housing Needs Assessment Demographics**

**Data Source:** 2000 Census (Base Year), 2005-2009 ACS (Most Recent Year)




**CPD Maps**

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### Number of Households Table

| | 0-30% HAMFI | >30-50% HAMFI | >50-80% HAMFI | >80-100% HAMFI | >100% HAMFI |
|---|---|---|---|---|---|
| Total Households * | 2,320 | 1,555 | 2,435 | 1,310 | |
| Small Family Households * | 770 | 620 | 945 | 3,935 | |
| Large Family Households * | 135 | 120 | 145 | 540 | |
| Household contains at least one person 62-74 years of age | 245 | 295 | 420 | 175 | 1,090 |
| Household contains at least one person age 75 or older | 235 | 260 | 310 | 200 | 650 |
| Households with one or more children 6 years old or younger * | 509 | 424 | 510 | 1,380 | |
| * the highest income category for these family types is >80% HAMFI | | | | | |

**Table 6 - Total Households Table**

**Data Source:** 2005-2009 CHAS



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## Housing Needs Summary Tables

1. Housing Problems (Households with one of the listed needs)

| | Renter | | | | | Owner | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 0-30% AMI | >30-50% AMI | >50-80% AMI | >80-100% AMI | Total | 0-30% AMI | >30-50% AMI | >50-80% AMI | >80-100% AMI | Total |
| NUMBER OF HOUSEHOLDS | | | | | | | | | | |
| Substandard Housing - Lacking complete plumbing or kitchen facilities | 100 | 55 | 10 | 15 | 180 | 0 | 0 | 0 | 0 | 0 |
| Severely Overcrowded - With >1.51 people per room (and complete kitchen and plumbing) | 0 | 15 | 25 | 85 | 125 | 0 | 0 | 0 | 0 | 0 |
| Overcrowded - With 1.01-1.5 people per room (and none of the above problems) | 10 | 30 | 25 | 0 | 65 | 20 | 15 | 0 | 10 | 45 |
| Housing cost burden greater than 50% of income (and none of the above problems) | 1,050 | 290 | 65 | 0 | 1,405 | 330 | 160 | 115 | 0 | 605 |

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| | Renter | | | | | Owner | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 0-30% AMI | >30-50% AMI | >50-80% AMI | >80-100% AMI | Total | 0-30% AMI | >30-50% AMI | >50-80% AMI | >80-100% AMI | Total |
| Housing cost burden greater than 30% of income (and none of the above problems) | 150 | 560 | 300 | 15 | 1,025 | 75 | 170 | 480 | 195 | 920 |
| Zero/negative Income (and none of the above problems) | 200 | 0 | 0 | 0 | 200 | 55 | 0 | 0 | 0 | 55 |

**Table 7 – Housing Problems Table**

**Data Source:** 2005-2009 CHAS

2. Housing Problems 2 (Households with one or more Severe Housing Problems: Lacks kitchen or complete plumbing, severe overcrowding, severe cost burden)

| | Renter | | | | | Owner | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 0-30% AMI | >30-50% AMI | >50-80% AMI | >80-100% AMI | Total | 0-30% AMI | >30-50% AMI | >50-80% AMI | >80-100% AMI | Total |
| NUMBER OF HOUSEHOLDS | | | | | | | | | | |
| Having 1 or more of four housing problems | 1,155 | 390 | 125 | 100 | 1,770 | 350 | 175 | 115 | 10 | 650 |
| Having none of four housing problems | 420 | 595 | 1,055 | 655 | 2,725 | 140 | 395 | 1,145 | 545 | 2,225 |
| Household has negative income, but none of the other housing problems | 200 | 0 | 0 | 0 | 200 | 55 | 0 | 0 | 0 | 55 |

**Table 8 – Housing Problems 2**

**Data Source:** 2005-2009 CHAS

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3. Cost Burden > 30%

| | Renter | | | | Owner | | | |
|---|---|---|---|---|---|---|---|---|
| | 0-30% AMI | >30-50% AMI | >50-80% AMI | Total | 0-30% AMI | >30-50% AMI | >50-80% AMI | Total |
| NUMBER OF HOUSEHOLDS | | | | | | | | |
| Small Related | 520 | 490 | 210 | 1,220 | 65 | 95 | 280 | 440 |
| Large Related | 115 | 50 | 10 | 175 | 20 | 30 | 45 | 95 |
| Elderly | 85 | 170 | 65 | 320 | 220 | 135 | 155 | 510 |
| Other | 575 | 215 | 105 | 895 | 115 | 64 | 115 | 294 |
| Total need by income | 1,295 | 925 | 390 | 2,610 | 420 | 324 | 595 | 1,339 |

**Table 9 – Cost Burden > 30%**

**Data Source:** 2005-2009 CHAS

4. Cost Burden > 50%

| | Renter | | | | Owner | | | |
|---|---|---|---|---|---|---|---|---|
| | 0-30% AMI | >30-50% AMI | >50-80% AMI | Total | 0-30% AMI | >30-50% AMI | >50-80% AMI | Total |
| NUMBER OF HOUSEHOLDS | | | | | | | | |
| Small Related | 465 | 155 | 0 | 620 | 65 | 40 | 25 | 130 |
| Large Related | 115 | 30 | 0 | 145 | 20 | 0 | 0 | 20 |
| Elderly | 60 | 115 | 15 | 190 | 165 | 55 | 50 | 270 |
| Other | 500 | 35 | 50 | 585 | 95 | 60 | 40 | 195 |
| Total need by income | 1,140 | 335 | 65 | 1,540 | 345 | 155 | 115 | 615 |

**Table 10 – Cost Burden > 50%**

**Data Source:** 2005-2009 CHAS

5. Crowding (More than one person per room)

| | Renter | | | | | Owner | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 0-30% AMI | >30-50% AMI | >50-80% AMI | >80-100% AMI | Total | 0-30% AMI | >30-50% AMI | >50-80% AMI | >80-100% AMI | Total |
| NUMBER OF HOUSEHOLDS | | | | | | | | | | |
| Single family households | 0 | 45 | 40 | 85 | 170 | 20 | 15 | 0 | 0 | 35 |

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| | Renter | | | | | Owner | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 0-30% AMI | >30-50% AMI | >50-80% AMI | >80-100% AMI | Total | 0-30% AMI | >30-50% AMI | >50-80% AMI | >80-100% AMI | Total |
| Multiple, unrelated family households | 10 | 0 | 10 | 0 | 20 | 0 | 0 | 0 | 10 | 10 |
| Other, non-family households | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total need by income | 10 | 45 | 50 | 85 | 190 | 20 | 15 | 0 | 10 | 45 |

**Table 11 – Crowding Information – 1/2**

**Data Source:** 2005-2009 CHAS

| | Renter | | | | Owner | | | |
|---|---|---|---|---|---|---|---|---|
| | 0-30% AMI | >30-50% AMI | >50-80% AMI | Total | 0-30% AMI | >30-50% AMI | >50-80% AMI | Total |
| Households with Children Present | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**Table 12 – Crowding Information – 2/2**

**Data Source Comments:**

### What are the most common housing problems?

There are 14,200 households in Texarkana, Texas, a decrease of 6% from the time of the 2000 Census. The most common housing problems in Texarkana are cost burden problems where renters and owners have housing costs that exceed either the greater than 30% of household income or 30% of household income.

One thousand four hundred and five renter households have a housing cost burden greater than 50% of income. Of those 1,050 household have income in the range of 0-30% of Area Median Income, with 290 households in the 31-50% of AMI, and 65 in the range of 51-80% of AMI. For home owners, the most common problem is in having a housing cost burden greater than 30% of Area Median Income with 75 in the range of 0-30% of Area Median Income, 170 households in the 31-50% of AMI, and 480 in the range of 51-80% of AMI and 195 in the 81-100% of AMI.

Taken together, the most common housing problem in Texarkana is a cost burden greater than 30% of income with 3,940 of renter and owner households at 80% or less of Area Median Income paying more than 30% of household income on housing.

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**Are any populations/household types more affected than others by these problems?**

Renters characterized as Small Related Renter households, a household of at least one adult where the members of the household are related to one another, with a cost burden exceeding 50% of income are statistically the household type most often affected by at least one housing problem.

**Describe the characteristics and needs of Low-income individuals and families with children (especially extremely low-income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered 91.205(c)/91.305(c)). Also discuss the needs of formerly homeless families and individuals who are receiving rapid re-housing assistance and are nearing the termination of that assistance**

Low-income individuals and families with children, especially those how are extremely low-income, most frequently have one or more of the Four Housing Problems, or Four Severe Housing Problems. They are more likely to be elderly, a large family, unemployed, or have significant illness or disability in the household. In Texarkana, these at-risk households are more likely to be Black/African American. Formerly homeless families and individuals who are receiving rapid re-housing assistance and are nearing the termination of that assistance are in great peril of returning to a shelter at the termination of their assistance if they have not achieved long-term improvements in income levels or resolved the issues that originally led to the former homeless state. They are not eligible for additional assistance prior to an eviction as they are considered housed until that time. For the elderly, frail, disabled, and long-term unemployed, the risk of repeat homelessness is substantial.

**If a jurisdiction provides estimates of the at-risk population(s), it should also include a description of the operational definition of the at-risk group and the methodology used to generate the estimates:**

For individuals and families who do not meet the definition of "homeless" under any of the categories established in the Homeless Definition final rule, the McKinney-Vento Act was amended to allow homeless prevention assistance to be provided to persons who are "at risk of homelessness." The At Risk of Homelessness definition, and corresponding recordkeeping requirements, was published in the interim Emergency Solutions Grants program rule on December 5, 2011: https://www.onecpd.info/resource/1975/criteria-for-definition-of-at-risk-of-homelessness/

The City of Texarkana, Texas elected to not provide an official estimate for at-risk of homelessness. For planning purposes, the City uses the definition referenced below and relies on the estimates used by the Randy Sams Shelter. This figure is approximately

**Specify particular housing characteristics that have been linked with instability and an increased risk of homelessness**

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the Homeless Coalition, the Housing Authority of Texarkana, and the City of Texarkana, Texas use the standard definition of At-Risk of Homelessness: Under Category I: Individuals and Families published by HUD's One CPD, https://www.onecpd.info/resources/documents/AtRiskofHomelessnessDefinition_Criteria.pdf:

An individual or family who: (i) Has an annual income below 30% of median family income for the area; AND (ii) Does not have sufficient resources or support networks immediately available to prevent them from moving to an emergency shelter or another place defined in Category 1 of the "homeless" definition; AND (iii) Meets one of the following conditions: (A) Has moved because of economic reasons 2 or more times during the 60 days immediately preceding the application for assistance; OR (B)Is living in the home of another because of economic hardship; OR (C) Has been notified that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance; OR (D) Lives in a hotel or motel and the cost is not paid for by charitable organizations or by Federal, State, or local government programs for low-income individuals; OR (E) Lives in an SRO or efficiency apartment unit in which there reside more than 2 persons or lives in a larger housing unit in which there reside more than one and a half persons per room; OR (F) Is exiting a publicly funded institution or system of care; OR (G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipients approved Con Plan.

**Discussion**

A Homeless Management Information System (HMIS) is a local information technology system used to collect client-level data and data on the provision of housing and services to homeless individuals and families and persons at risk of homelessness. Each Continuum of Care is responsible for selecting an HMIS software solution that complies with HUD's data collection, management, and reporting standards. https://www.onecpd.info/hmis/ The City and local agencies rely on the HMIS system to identify persons and households in need without duplication of services or benefits. The City is working closely with the Housing Authority of Texarkana, the Continuum of Care/Homeless Coalition, and other agencies to improve coordination, access to the HMIS system, and the quality and quantity of data necessary to address the needs of at-risk populations, the homeless, and those with housing problems. Reliance on real-time and historic data allows the City and agencies to address needs in real time as well. Improvements in economic conditions, neighborhood infrastructure, removal of slum and blight conditions, and expansion of opportunities for suitable housing and livable communities are essential components of the City's approach to the needs identified here.

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## NA-15 Disproportionately Greater Need: Housing Problems – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

### Introduction

The United States Department of Housing and Urban Development developed the Comprehensive Housing Affordability Strategy (CHAS) data and makes this data available to CDBG jurisdictions. The City of Texarkana, Texas relies on this data for analysis of housing needs, housing problems, and disproportional needs. The data provided in this section of the Consolidated Plan looks at how the four housing problems and four severe housing problems impact various strata of the City's demographic profile at various income levels.

The Four Housing Problems are: 1. Lacks complete kitchen facilities; 2. Lacks complete plumbing facilities; 3. More than one person per room; 4. Cost Burden greater than 30%.
The Four Severe Housing Problems are: 1. Lacks complete kitchen facilities; 2. Lacks complete plumbing facilities; 3. More than 1.5 persons per room; 4. Cost Burden greater than 50%.

### 0%-30% of Area Median Income

| Housing Problems | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|---|---|---|---|
| Jurisdiction as a whole | 1,735 | 335 | 255 |
| White | 700 | 150 | 135 |
| Black / African American | 850 | 155 | 120 |
| Asian | 0 | 0 | 0 |
| American Indian, Alaska Native | 40 | 10 | 0 |
| Pacific Islander | 0 | 0 | 0 |
| Hispanic | 65 | 0 | 0 |

**Table 13 - Disproportionally Greater Need 0 - 30% AMI**

**Data Source:** 2005-2009 CHAS

*The four housing problems are:
1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

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### 30%-50% of Area Median Income

| Housing Problems | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|---|---|---|---|
| Jurisdiction as a whole | 1,295 | 265 | 0 |
| White | 705 | 190 | 0 |
| Black / African American | 490 | 50 | 0 |
| Asian | 0 | 0 | 0 |
| American Indian, Alaska Native | 4 | 0 | 0 |
| Pacific Islander | 0 | 0 | 0 |
| Hispanic | 75 | 10 | 0 |

**Table 14 - Disproportionally Greater Need 30 - 50% AMI**

**Data Source:** 2005-2009 CHAS

*The four housing problems are:
1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

### 50%-80% of Area Median Income

| Housing Problems | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|---|---|---|---|
| Jurisdiction as a whole | 1,020 | 1,420 | 0 |
| White | 400 | 625 | 0 |
| Black / African American | 500 | 640 | 0 |
| Asian | 10 | 0 | 0 |
| American Indian, Alaska Native | 15 | 0 | 0 |
| Pacific Islander | 0 | 0 | 0 |
| Hispanic | 35 | 75 | 0 |

**Table 15 - Disproportionally Greater Need 50 - 80% AMI**

**Data Source:** 2005-2009 CHAS

*The four housing problems are:
1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

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### 80%-100% of Area Median Income

| Housing Problems | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|---|---|---|---|
| Jurisdiction as a whole | 315 | 995 | 0 |
| White | 175 | 585 | 0 |
| Black / African American | 45 | 305 | 0 |
| Asian | 0 | 0 | 0 |
| American Indian, Alaska Native | 0 | 15 | 0 |
| Pacific Islander | 0 | 0 | 0 |
| Hispanic | 0 | 70 | 0 |

**Table 16 - Disproportionally Greater Need 80 - 100% AMI**

**Data Source:** 2005-2009 CHAS

*The four housing problems are:
1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

### Discussion

**Housing Problems and Severe Housing Problems**

Housing Problems: 1. Lacks complete kitchen facilities; 2. Lacks complete plumbing facilities; 3. More than one person per room; 4. Cost Burden greater than 30%.

The 2005-2009 CHAS data reported findings from a total of 14,200 households. Among these households, 2,240 households have one or more Housing Problems with 1,735 households at the 0-30% range of Area Median Income having one or more Housing Problems. Of these, the group demonstrating disproportional need were Black/African American with 850 households with one or more of the Four Housing Problems. Fifty percent of households in this income category are Black/African American as compared to 37.5% that are White.

At the 30%-50% AMI range, White households have a disproportionally greater need with 705 households experiencing one or more of the Four Housing Problems. White households account for 54% of the total at this income level, with Black/African Americans representing 38%. At 50%-80% of AMI, no group has a disproportionately greater need as there are less than ten percentage points separating the Black/African American group (49.02%) from the White group (39.2%).

Severe Housing Problems: 1. Lacks complete kitchen facilities; 2. Lacks complete plumbing facilities; 3. More than 1.5 persons per room; 4. Cost Burden greater than 50%.

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African Americans experience a disproportionally greater need with 50.2 %, or 755 households out of 1,505 that experience one or more of the severe housing problems, compared to 37.5% of White respondent households. In the 30%-50% income range, only 8.8% separates White and Black/African American households, though White households with Severe Housing Problems in this income category out number Black/African American 285 households to 235 households out of 565 total households.

White households have a disproportionally greater need in the 50%-80% of AMI income range. Of the 240 households in this income range, 120 (50%) are White households and 95 (39.6%) are Black/African American.

**Housing Cost Burdens**

Housing Cost Burden is one of the Four Housing Problems, and provides an analysis tool to examine the percentage of income spent on housing. The CHAS data table above shows Housing Cost Burden by race/ethnicity and by percentage of income spent on housing. White households demonstrate disproportionally greater need at two Housing Burden ranges, 61.8% at the 30% or below of percentage of income spent on housing and 53.8% at 30%-50%. At the greater than 50% of income range, no group has a disproportional need, though 990 White households (44.5%) and 1,010 (45.4%) Black/African American households spend greater than 50% of their income on housing. Two thousand two hundred and twenty-five household spend greater than 50% of their income on housing.

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## NA-20 Disproportionately Greater Need: Severe Housing Problems – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

### Introduction

A disproportionally grater need exists when the members of racial or ethnic group at an income level experience housing problems at a greater rate (10% or more) than the income level as a whole. For example, at the 0% to 30% of Area Median Income, Black/African Americans at 49% of the total population have a disproportionally greater need than any other group at this income level.

### 0%-30% of Area Median Income

| Severe Housing Problems* | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|---|---|---|---|
| Jurisdiction as a whole | 1,505 | 560 | 255 |
| White | 565 | 285 | 135 |
| Black / African American | 755 | 245 | 120 |
| Asian | 0 | 0 | 0 |
| American Indian, Alaska Native | 40 | 10 | 0 |
| Pacific Islander | 0 | 0 | 0 |
| Hispanic | 65 | 0 | 0 |

**Table 17 – Severe Housing Problems 0 - 30% AMI**

**Data Source:** 2005-2009 CHAS

*The four severe housing problems are:
1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

### 30%-50% of Area Median Income

| Severe Housing Problems* | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|---|---|---|---|
| Jurisdiction as a whole | 565 | 990 | 0 |
| White | 285 | 615 | 0 |
| Black / African American | 235 | 305 | 0 |



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| Severe Housing Problems* | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|---|---|---|---|
| Asian | 0 | 0 | 0 |
| American Indian, Alaska Native | 0 | 4 | 0 |
| Pacific Islander | 0 | 0 | 0 |
| Hispanic | 30 | 60 | 0 |

**Table 18 – Severe Housing Problems 30 - 50% AMI**

**Data Source:** 2005-2009 CHAS

*The four severe housing problems are:
1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

### 50%-80% of Area Median Income

| Severe Housing Problems* | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|---|---|---|---|
| Jurisdiction as a whole | 240 | 2,200 | 0 |
| White | 120 | 900 | 0 |
| Black / African American | 95 | 1,050 | 0 |
| Asian | 0 | 10 | 0 |
| American Indian, Alaska Native | 15 | 0 | 0 |
| Pacific Islander | 0 | 0 | 0 |
| Hispanic | 10 | 105 | 0 |

**Table 19 – Severe Housing Problems 50 - 80% AMI**

**Data Source:** 2005-2009 CHAS

*The four severe housing problems are:
1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

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### 80%-100% of Area Median Income

| Severe Housing Problems* | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|---|---|---|---|
| Jurisdiction as a whole | 110 | 1,200 | 0 |
| White | 45 | 710 | 0 |
| Black / African American | 10 | 340 | 0 |
| Asian | 0 | 0 | 0 |
| American Indian, Alaska Native | 0 | 15 | 0 |
| Pacific Islander | 0 | 0 | 0 |
| Hispanic | 0 | 70 | 0 |

**Table 20 – Severe Housing Problems 80 - 100% AMI**

**Data Source:** 2005-2009 CHAS

*The four severe housing problems are:
1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

### Discussion

At the 0% to 30% of Area Median Income, Black/African Americans have a Disproportionally Greater Need, with greater than a 10% difference between this group at 49% of the total number of households with one or more of the Four Housing Problems, as compared to the nearest group, White households representing 36% with one or more of the Four Housing Problems.

At the 30% to 50% of Area Median Income, there are no groups with greater than a 10% difference between them with one or more of the Four Housing Problems.

In the 50% to 80% of Area Median Income, White household have a Disproportionally Greater Need, with greater than a 10% difference between this group at 50% of the total number of households with one or more of the Four Housing Problems, as compared to the nearest group, Black/African American households representing 39% with one or more of the Four Housing Problems.

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## *NA-25 Disproportionately Greater Need: Housing Cost Burdens – 91.205 (b)(2)*

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

### Introduction:

This section examines Disproportionally Greater Need and Housing Cost Burdens. White households have a housing cost burden at less than 30% and at 30% to 50% of household income. African Americans have the housing cost burden at greater than 50%.

### Housing Cost Burden

| Housing Cost Burden | <=30% | 30-50% | >50% | No / negative income (not computed) |
|---|---|---|---|---|
| Jurisdiction as a whole | 9,435 | 2,285 | 2,225 | 255 |
| White | 5,830 | 1,230 | 990 | 135 |
| Black / African American | 2,850 | 865 | 1,010 | 120 |
| Asian | 75 | 10 | 10 | 0 |
| American Indian, Alaska Native | 40 | 4 | 40 | 0 |
| Pacific Islander | 0 | 0 | 0 | 0 |
| Hispanic | 455 | 75 | 80 | 0 |

**Table 21 – Greater Need: Housing Cost Burdens AMI**

**Data Source:** 2005-2009 CHAS

### Discussion:

Consideration of Housing Cost Burden is central to understanding housing stability and long term neighborhood sustainability. A Housing Cost Burden of greater than 30% means that a household will struggle to maintain housing, and pay for the necessities of life.

According to the National Alliance to End Homelessness:

The federal government has established a benchmark of 30 percent of income as the maximum amount a household should pay for housing. This level helps ensure that households can afford housing and other necessities such as food, health care and clothing. Evidence indicates that housing is much more stable when housing costs meet this standard. For example, households that receive Housing Choice Vouchers—which limit housing costs to 30 percent of income—have much lower rates of homelessness

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and housing instability. However, many households do not become homeless even though they pay far more than 30 percent of their income for housing.

Income levels, health issue, and social supports also play significant roles in whether or not a household can maintain a home at greater than 30% of household income.

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## NA-30 Disproportionately Greater Need: Discussion – 91.205(b)(2)

**Are there any Income categories in which a racial or ethnic group has disproportionately greater need than the needs of that income category as a whole?**

At 30% of AMI, Black/African American households have a disproportionally greater need. At 30% to 50%, White households have a disproportionally greater need. At 50% to 80% of AMI, Black/African Americans have a disproportionally greater need by .2 %.

**If they have needs not identified above, what are those needs?**

The needs are identified appropriately.

**Are any of those racial or ethnic groups located in specific areas or neighborhoods in your community?**

Low income neighborhoods in Texarkana are closely correlated with racial concentration and housing problems.

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## *NA-35 Public Housing – 91.205(b)*

### Introduction

The City of Texarkana, Texas works closely with the Housing Authority of Texarkana, Texas to meet housing needs of low- and moderate-income residents and to revitalize distressed neighborhoods and communities within the City. This partnership resulted in a Hope VI grant and significant gains in safe and affordable housing in the Rose Hill Neighborhood. Three sub-standard public housing areas have now been successfully replaced with affordable rental and owner-occupied units.

Pecan Ridge, the second development phase of the HOPE VI grant, has been completed and fully leased. Pecan Ridge at Rose Hill also houses the Otis C. Williams Rose Hill Cultural Center, dedicated by The Temptations founder and native son, Otis C. Williams, and the Rose Hill Neighborhood Networks Center. Both facilities are located in the historically rehabilitated Administration Building of Stevens Courts, the public housing property formerly located on this site. The Cultural Center is museum that houses historic memorabilia and images of residents who previously lived in the Housing Authority properties and have gone on to personal and professional success. The Neighborhood Networks Center is a community technology center that provides access to computers, programs and services to connect to the technological world.

HATT also nearly completed construction on Rose Hill Ridge, the final phase of the HOPE VI Revitalization plan. As the first LEED multi-family property in Texarkana, HATT is striving for a Platinum certification, the highest LEED certification. 2012 also saw the first HOPE VI Homeownership home completed and sold to a new homeowner. Working with local builders, HATT is helping to revitalize the Rose Hill neighborhood by building high-quality custom homes at an affordable price on infill lots for families who typically have been priced out of the single-family market.

The Housing Authority is in the midst of an ambitious plan to not just revitalize the Rose Hill community, but to impact those neighborhoods and communities in Texarkana often left behind as development moves away from the core of the city. HATT's commitment extends not just to rebuilding the character and content of the historic Rose Hill neighborhood, but to strengthening Texarkana as a whole. The City expects to collaborate with the Housing Authority to continue pursuing opportunities to strengthen once thriving neighborhoods. The Beverly community, one of Texarkana's most distressed areas, has now been designated a Local CDBG Target Area and will be a primary focus for the City in the coming five years.

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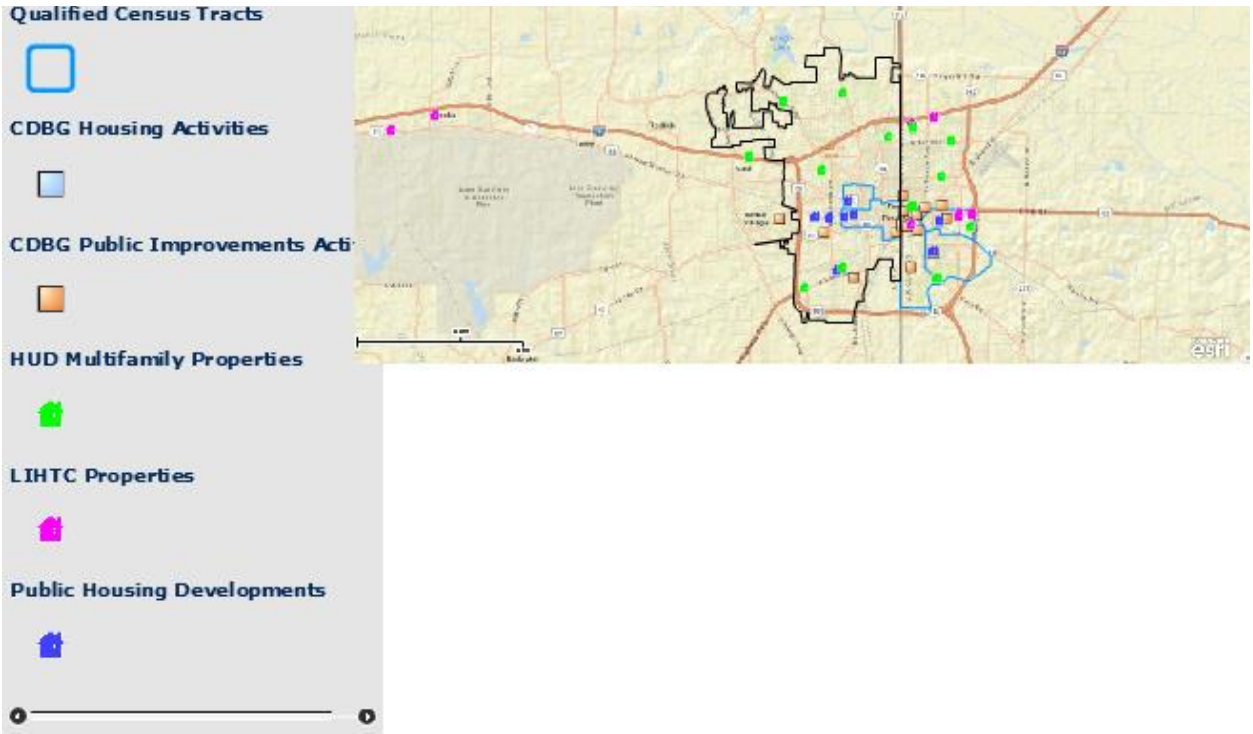
## Totals in Use

| Program Type | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Certificate | Mod-Rehab | Public Housing | Vouchers | | | | | |
| | | | | Total | Project -based | Tenant -based | Special Purpose Voucher | | |
| | | | | | | | Veterans Affairs Supportive Housing | Family Unification Program | Disabled * |
| # of units vouchers in use | 0 | 0 | 386 | 395 | 0 | 395 | 0 | 0 | 0 |

**Table 22 - Public Housing by Program Type**

***includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition**

**Data Source:** PIC (PIH Information Center)




**CPD Maps**

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## Characteristics of Residents

| | Program Type | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | Certificate | Mod-Rehab | Public Housing | Vouchers | | | | |
| | | | | Total | Project -based | Tenant -based | Special Purpose Voucher | |
| | | | | | | | Veterans Affairs Supportive Housing | Family Unification Program |
| Average Annual Income | 0 | 0 | 9,506 | 11,601 | 0 | 11,601 | 0 | 0 |
| Average length of stay | 0 | 0 | 4 | 5 | 0 | 5 | 0 | 0 |
| Average Household size | 0 | 0 | 1 | 2 | 0 | 2 | 0 | 0 |
| # Homeless at admission | 0 | 0 | 0 | 3 | 0 | 3 | 0 | 0 |
| # of Elderly Program Participants (>62) | 0 | 0 | 92 | 53 | 0 | 53 | 0 | 0 |
| # of Disabled Families | 0 | 0 | 157 | 107 | 0 | 107 | 0 | 0 |
| # of Families requesting accessibility features | 0 | 0 | 386 | 395 | 0 | 395 | 0 | 0 |
| # of HIV/AIDS program participants | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # of DV victims | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**Table 23 – Characteristics of Public Housing Residents by Program Type**

**Data Source:** PIC (PIH Information Center)

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## Race of Residents

| Program Type | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Race | Certificate | Mod-Rehab | Public Housing | Vouchers | | | | | |
| | | | | Total | Project -based | Tenant -based | Special Purpose Voucher | | |
| | | | | | | | Veterans Affairs Supportive Housing | Family Unification Program | Disabled * |
| White | 0 | 0 | 94 | 50 | 0 | 50 | 0 | 0 | 0 |
| Black/African American | 0 | 0 | 291 | 344 | 0 | 344 | 0 | 0 | 0 |
| Asian | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 |
| American Indian/Alaska Native | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Pacific Islander | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| *includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition | | | | | | | | | |

**Table 24 – Race of Public Housing Residents by Program Type**

**Data Source:** PIC (PIH Information Center)

## Ethnicity of Residents

| Program Type | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Ethnicity | Certificate | Mod-Rehab | Public Housing | Vouchers | | | | | |
| | | | | Total | Project -based | Tenant -based | Special Purpose Voucher | | |
| | | | | | | | Veterans Affairs Supportive Housing | Family Unification Program | Disabled * |
| Hispanic | 0 | 0 | 4 | 2 | 0 | 2 | 0 | 0 | 0 |
| Not Hispanic | 0 | 0 | 382 | 393 | 0 | 393 | 0 | 0 | 0 |
| *includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition | | | | | | | | | |

**Table 25 – Ethnicity of Public Housing Residents by Program Type**

**Data Source:** PIC (PIH Information Center)

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**Section 504 Needs Assessment: Describe the needs of public housing tenants and applicants on the waiting list for accessible units:**

Accessible units, especially for the frail and elderly, are in high demand in the city among current and prospective public housing tenants. At any given time, there are between 50 and 60 accessible units. HATT has a 2% or lower vacancy rate. Units are filled almost immediately. No waiting list information is currently available.

**Most immediate needs of residents of Public Housing and Housing Choice voucher holders**

HATT currently has 345 prospective tenants on the Low Rent Public Housing Waiting List. Of those on the waiting list 1 is low income, 1 is very low income and 343 are extremely low income. Twenty eight percent of those on the Low Rent Public Housing Waiting List are White, 71% are Black/African American and .29% are of Mixed Race.

There are 787 households on the Section 8 Waiting List. Of those on the waiting list, 9 are low income, 29 are very low income and 749 are extremely low income. Twenty Five percent of those on the Section 8 Waiting List are White, 74 percent are Black/African American and 1% are Mixed, Asian or Indian. No statistics for Hispanic families on the waiting list was available.

**How do these needs compare to the housing needs of the population at large**

When comparing the needs of those on the waiting list for public housing to the population at large, it is clear that the waiting list is not representative of the income or racial makeup of the general population. The income comparison shows that only a minute percentage of those qualified as low, or extremely low income actually get on the waiting list. Also, a higher percentage of Black/African Americans are on the waiting than are represented in the general population.

**Discussion**

HATT has made a commitment provide safe, decent affordable housing, and homes and communities where people want to live, working with the community to improve and strengthen neighborhoods and households, and the community's social and economic health. HATT credits the turn-around of the Rose Hill community to partnerships with the city, the community, neighbors, and our staff

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## NA-40 Homeless Needs Assessment – 91.205(c)

### Introduction:

Every year HUD requires all Continua to collect data on homelessness at a single point-in-time during the last week in January. The Texas Homeless Network annually assists Texarkana's Continuum of Care through the Texarkana Homeless Coalition and other communities with their Point-in-Time homeless survey preparation and data analysis. The data that follows is a compilation of data collected on the day of January 24, 2013 by members of the Texarkana Homeless Coalition. One hundred sixty-four surveys were collected representing two hundred seven people, though this represents only a small portion of the number of homeless in Texarkana. Most of the information provided in this Homeless Needs Assessment comes from that Point-in-Time Survey. Other information was collected from homeless service providers, Randy Sams Shelter, The Salvation Army of Texarkana, and Domestic Violence Prevention of Texarkana through the Homeless Management Information Systems (HMIS) or from agency collaborations.

### Homeless Needs Assessment

| Population | Estimate the # of persons experiencing homelessness on a given night | | Estimate the # experiencing homelessness each year | Estimate the # becoming homeless each year | Estimate the # exiting homelessness each year | Estimate the # of days persons experience homelessness |
|---|---|---|---|---|---|---|
| | Sheltered | Unsheltered | | | | |
| Persons in Households with Adult(s) and Child(ren) | 3 | 33 | 300 | 300 | 250 | 330 |
| Persons in Households with Only Children | 0 | 0 | 0 | 0 | 0 | 0 |
| Persons in Households with Only Adults | 150 | 121 | 336 | 350 | 300 | 330 |
| Chronically Homeless Individuals | 10 | 50 | 88 | 75 | 50 | 330 |
| Chronically Homeless Families | 0 | 0 | 0 | 0 | 0 | 0 |
| Veterans | 5 | 15 | 36 | 0 | 10 | 330 |



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| Population | Estimate the # of persons experiencing homelessness on a given night | | Estimate the # experiencing homelessness each year | Estimate the # becoming homeless each year | Estimate the # exiting homelessness each year | Estimate the # of days persons experience homelessness |
|---|---|---|---|---|---|---|
| | Sheltered | Unsheltered | | | | |
| Unaccompanied Child | 0 | 0 | 0 | 0 | 0 | 0 |
| Persons with HIV | 12 | 3 | 15 | 0 | 10 | 330 |

**Table 26 - Homeless Needs Assessment**

**Data Source Comments:**

Indicate if the homeless population is: Has No Rural Homeless

**If data is not available for the categories "number of persons becoming and exiting homelessness each year," and "number of days that persons experience homelessness," describe these categories for each homeless population type (including chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth):**

The Continuum of Care estimates there are 366 people who are homeless each day in the city. The median length of homelessness is 10.5 months, with a range of one day to over forty years of homelessness. This significant range might skew the median length considerably, with 24.6% of those counted in the Point in Time Survey reporting chronic homelessness. Over 75% of those counted are not chronically homeless. Forty-nine percent of respondents reported their homelessness was their first time homeless in at least a three-year period, as compared to 22.4% that reported they had been homeless continuously for more than a year and 20.1% that had 2-3 episodes of homelessness in the past 3 years.

48.96 Average age of all participants
44.88 Median age of participants
67.7% Male
32.3% Female
10.9% Households with children
7.00 Median age of Children
24.6% Chronic Homelessness

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**Nature and Extent of Homelessness: (Optional)**

| Race: | Sheltered: | Unsheltered (optional) |
|---|---|---|
| White | 74 | 0 |
| Black or African American | 83 | 0 |
| Asian | 2 | 0 |
| American Indian or Alaska Native | 5 | 0 |
| Pacific Islander | 0 | 0 |
| **Ethnicity:** | **Sheltered:** | **Unsheltered (optional)** |
| Hispanic | 3 | 0 |
| Not Hispanic | 138 | 0 |

**Data Source Comments:**

**Estimate the number and type of families in need of housing assistance for families with children and the families of veterans.**

In estimating the number and type of families in need of housing assistance for families with children and the families of veterans for the Consolidated Plan, the City relied on the estimates of the Homeless Coalition's estimates of the number of homeless families per day. If the percentage of homeless counted in survey remained consistent among the estimated 366 persons, approximately forty persons would be in families needing housing assistance or fourteen three-person families would need housing assistance to escape homelessness. Ten percent of the homeless population at any given time are veterans, though how many of those have families is not known at this time. Only 1% of the general population in the United States serves in the Armed Forces, but this group constitutes 10% or more of the homeless population leading to the conclusion that homeless prevention services for veterans and their families should have a higher priority than it does currently. Estimates of veterans with families and homelessness are difficult to obtain in Texarkana as the largest shelter, Randy Sams, provides services only to individuals. They report that families often divide up, with a second parent, and or children staying in the homes of others. The Salvation Army of Texarkana houses an average of fifty veterans per year, though how many of those have homeless families is also not known.

**Describe the Nature and Extent of Homelessness by Racial and Ethnic Group.**

The Point-in-Time survey revealed racial proportions in the homeless population that are similar to the city's demographic profile in general. White homeless constituted 45.1% of the homeless population, with 50.6% describing themselves as Black/African-American. Other racial and ethnic groups represented include 1.2% that are Asian American, 3.0% American Indian or Alaska Native, and 2.2% Hispanic/Latino.



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**Describe the Nature and Extent of Unsheltered and Sheltered Homelessness.**

Texarkana is a region of extreme temperatures and weather patterns. As such, Texarkana is less than ideal for those who find themselves homeless with or without shelter. The largest shelter in the region, Randy Sams, provides shelter for individuals. The building is a metal siding structure and provides shelter from rain and snow. However, the facility lacks adequate heat in winter and little respite from the heat of summer days. Additionally, there is no storm shelter and the facility is vulnerable to wind and tornados.

**Discussion:**

The vast majority of homeless counted in the point in time survey report unemployment (26.2%) and/or inability to pay rent or mortgage payments (22.4%) as the reason(s) for their homelessness. Additionally, 5.7% report that they became homeless when they moved to seek work. These economic factors must be considered in preparing strategies for preventing homelessness.

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## NA-45 Non-Homeless Special Needs Assessment - 91.205 (b,d)

### Introduction:

Many homeless and non-homeless persons need supportive housing and services to enable them to live independently and to avoid homelessness or institutionalization. This is particularly true for the elderly, persons with physical, mental or developmental disabilities, persons with HIV/AIDS, victims of domestic violence, parolees, veterans, teens living on their own, some who are leaving group homes or aging out of foster care, people transitioning from welfare to work, farm workers, non-English speakers, illiterate adults, and substance abusers.

The City recognizes services required by these special-needs populations often overlap the housing needs and supportive services for the homeless as identified and addressed throughout this Consolidated Plan.

### Describe the characteristics of special needs populations in your community:

According to data collected from the Housing Authority of Texarkana, Texas, Opportunities, Inc., the Randy Sams' Homeless Shelter, the Texarkana Friendship Center, Community Health Core, Harvest Texarkana, The Salvation Army, area churches and other community service organizations, special needs populations share several key characteristics, they tend to be extremely low to moderate income, many reside in sub-standard housing, and tend to be at risk of homeless. No data is currently available for unmet needs for individuals who are physically or developmentally disabled as the region's MHMR services are at a transitional stage.

Identified needs of low-income individuals and families that fit this category include:

- Funding for owner-occupied housing rehabilitation and reconstruction
- Funding for architectural barrier removal
- Increase in transitional and supportive housing opportunities
- Funding for emergency housing repair
- Opportunities for low-income individuals to receive down payment and closing cost assistance
- Additional case management services through community supportive service organizations
- Additional tenant-based rental assistance
- Additional utility, grocery and rental assistance
- Additional medical services for the elderly and handicapped
- Owner-Occupied Housing Rehabilitation/Reconstruction
- Additional access to transportation assistance

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**What are the housing and supportive service needs of these populations and how are these needs determined?**

Housing and supportive service needs in Texarkana, Texas include housing and supportive services for the elderly, frail elderly, individuals with severe mental illness, persons with alcohol and other drug addictions, victims of domestic violence and persons with HIV/AIDS. the City relied on data provided by the Housing Authority, local homeless shelters, supportive housing providers, and the Texas Department of Health and Human Services.

Other supportive housing needs include needs for victims of domestic violence, people with disabilities, the elderly and frail elderly, persons leaving incarceration, youths aging out of the foster care system, as well as persons with alcohol and drug addictions.

**Discuss the size and characteristics of the population with HIV/AIDS and their families within the Eligible Metropolitan Statistical Area:**

HIV/AIDS cases in the area are lower than those of the larger metropolitan areas in Texas with 23 HIV/AIDS cases reported in 2011, for a rate of 15 cases per 100,000 population in Bowie County, less than half that of the Dallas/Fort Worth area in Texas. As is the trend in the state, the highest incidence of HIV/AIDS in the area is among Black/African American adult males. Only two individuals have found supportive housing opportunities through the SHP grant.

**Discussion:**

The City partners with many service agencies that provide support for non-homeless special needs populations. Most notably, the City assisted Domestic Violence Prevention, Texarkana, Inc. in application for a Supportive Housing Grant. Serving as the fiscal agent for the program, the City provides administrative support, access to the City's Financial Services Department, and collaboration with the City's CDBG program. Recognizing that special-needs often overlap with housing cost burdens, inadequate access to health care, and other burdens, the City actively works with partner agencies and the City's Family Health Services to address these needs. Additionally, consideration of these identified needs is integral to the City's planning for and implementation of the CDBG program and activities.

## NA-50 Non-Housing Community Development Needs – 91.215 (f)

### Describe the jurisdiction's need for Public Facilities:

Non-housing community development needs include the areas of public improvements, public services, economic development, and public facilities in either predominately low- to moderate-income areas or serving predominantly low-income individuals and households. Priority needs include support for the Texarkana, Texas - Bowie County Health Department facility and the Beverly Neighborhood Community Center.

### How were these needs determined?

The City of Texarkana, Texas conducted community and agency surveys, public meetings, and town halls and solicited public and agency feedback on priority needs in the City. Respondents included most of the agencies taking active roles within the Continuum of Care as well as the Housing Authority of Texarkana, Texas. Additionally, the City consulted with neighborhood leaders, City Cabinet members, and the duly elected City Council members.

The current Beverly Neighborhood Community Center is operated by the City of Texarkana, Texas. The facility is used for after-school and summer programs for area youth, most of whom are minority and/or children and youth of extremely low- to moderate-income families. This facility is a metal building structure with no air conditioning, limiting its usefulness and desirability for community programs. Additionally, the City cannot expend federal funds for the facility as it is located on a flood plain.

Additionally, the Texarkana-Bowie County Family Health Center needs repairs and updates as determined by the City's inspections departments.

### Describe the jurisdiction's need for Public Improvements:

Two areas in Texarkana have emerged as priority areas for public improvements, the Beverly Community, and Downtown Texarkana. The Beverly Community is an area of minority concentration, extremely-low and low-income residents, as well as numerous substandard homes and facilities. Streets are in disrepair, lack sidewalks and proper drainage, and would require substantial repairs to attract low-moderate income housing opportunities to replace the slum and blight conditions prevalent now. The neighborhood also houses the region's water treatment facility right next door to the only public

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park, both of which are located on a one-hundred-year flood plain. Other public improvements identified include moving of the water treatment facility, develop of a walking trail system connecting neighborhoods and schools for safe routes. Downtown and the 7th Street Corridor public improvements include significant Brownfields issues and environmental contamination, slum and blight, food desert status, roadways, adequate lighting, community gardens, storm water run-off, flood management, storm shelters, bike lanes, economic development, and shelter for the farmers' market, all public improvements requested by citizens of Texarkana.

### How were these needs determined?

The City of Texarkana, Texas conducted community and agency surveys, public meetings, and town halls and solicited public and agency feedback on priority needs in the City. Respondents included most of the agencies taking active roles within the Continuum of Care as well as the Housing Authority of Texarkana, Texas. Additionally, the City consulted with neighborhood leaders, City Cabinet members, and the duly elected City Council members.

### Describe the jurisdiction's need for Public Services:

Public Services critical to the Texarkana community include job training and education for low to moderate income individuals, job creation and retention through collaboration with local business owners and Workforce Commission, support for small businesses, Brownfields redevelopment support, economic development, Section 108 loans program, facilitation of access to supportive services for extremely low, low, and moderate income populations in areas like mental health, substance abuse treatment, housing-related services, youth health and welfare programs and education, elder care, public health center support, and other social services endeavors.

### How were these needs determined?

The City of Texarkana, Texas conducted community and agency surveys, public meetings, and town halls and solicited public and agency feedback on priority needs in the City. Respondents included most of the agencies taking active roles within the Continuum of Care as well as the Housing Authority of Texarkana, Texas. Additionally, the City consulted with neighborhood leaders, City Cabinet members, and the duly elected City Council members.

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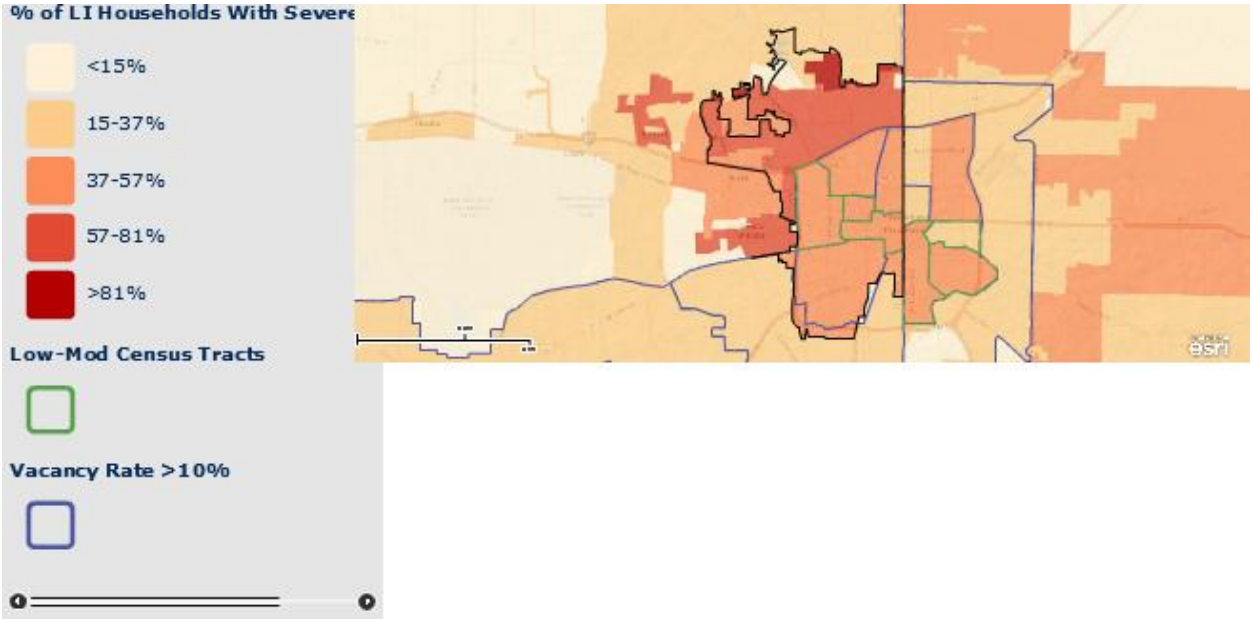
# Housing Market Analysis

## MA-05 Overview

### Housing Market Analysis Overview:

An analysis of the housing market included examining the existing supply of housing (including condition, cost, supportive infrastructure, location, and other factors), the current supply of assisted housing for extremely low-, low-, and moderate-income families, and the existing facilities and services available to homeless and special needs subpopulations. In each area, a comparison between the type and level of need, and the existing supply available to meet that need, resulted in a determination of which need areas are experiencing the largest gaps and which groups are the least served in Texarkana today.

The City's market analysis was conducted using 2005-2009 American Community Survey data, Public Housing Authority data, data provided by the Texas A&M Real Estate Center Market Report 2012, Texarkana Chamber of Commerce Detailed Metro Summary Report, and data provided through local realtors.




**CPD Maps**

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## MA-10 Number of Housing Units – 91.210(a)&(b)(2)

### Introduction

The lack of affordable, decent housing is a significant hardship for low-income households preventing them from meeting their other basic needs, such as nutrition and healthcare, or saving for their future and that of their families.

Housing Priority Needs have been prepared with American Community Survey data for the City of Texarkana, Texas.

### All residential properties by number of units

| Property Type | Number | % |
|---|---|---|
| 1-unit detached structure | 11,259 | 69% |
| 1-unit, attached structure | 200 | 1% |
| 2-4 units | 1,877 | 12% |
| 5-19 units | 1,691 | 10% |
| 20 or more units | 782 | 5% |
| Mobile Home, boat, RV, van, etc | 406 | 3% |
| ***Total*** | ***16,215*** | ***100%*** |

**Table 27 – Residential Properties by Unit Number**

**Data Source:** 2005-2009 ACS Data

### Unit Size by Tenure

| | Owners | | Renters | |
|---|---|---|---|---|
| | Number | % | Number | % |
| No bedroom | 39 | 1% | 84 | 1% |
| 1 bedroom | 54 | 1% | 1,377 | 21% |
| 2 bedrooms | 1,055 | 14% | 2,952 | 44% |
| 3 or more bedrooms | 6,366 | 85% | 2,273 | 34% |
| ***Total*** | ***7,514*** | ***101%*** | ***6,686*** | ***100%*** |

**Table 28 – Unit Size by Tenure**

**Data Source:** 2005-2009 ACS Data

### Describe the number and targeting (income level/type of family served) of units assisted with federal, state, and local programs.

Small Related, large Related, and Elderly low and very low and low-income renters and very low and low-income owners demonstrate the highest needs for affordable housing. All other renter and owners

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demonstrate a medium and low need. Based on the findings, the City has chosen to concentrate its efforts (priority) on the very low and low-income owners through the housing reconstruction program. The City is also working with developers and the PHA to bring in new affordable multifamily rental properties for the very low and low-income families needing rental housing.
Increasing the number of rental housing units available for Large Families would also alleviate the gap between rental units available for these families and the rental unit supply.

**Provide an assessment of units expected to be lost from the affordable housing inventory for any reason, such as expiration of Section 8 contracts.**

Three hundred and seventy-two public housing units have been lost in the past 5 years. These were replaced by new mixed unit communities as described in this report. Several Public Housing facilities will be lost in the coming five-year planning cycle as the cost of rehabilitating these pre-1980 units is prohibitive. These include accessible units that primarily serve the elderly and frail elderly that are low and very low income persons. All lost units will be replaced. No losses of units due to expiration of Section 8 contracts is anticipated.

**Does the availability of housing units meet the needs of the population?**

Substantial numbers of substandard housing units exist in Texarkana neighborhoods, reducing property values and investment and putting the residents. The number of housing units (16,215) exceeds the number or household (14,200) by 2015 units. With evidence of crowding, homelessness, and households reporting Housing Problems and Severe Housing Problems, the City concludes that the existing housing stock does not adequately address the needs of the population.

HATT currently has 345 households on the prospective tenants Low Rent Public Housing Waiting List, one of which is low income, 1 is very low income and 343 are extremely low income. Of those on this waiting list, 28% are White, 71% are Black/African American, with the remainder identifying as Mixed. There are 787 on HATT's Section 8 Waiting List. Nine of these households are low income, 29 are very low income and 749 are extremely low income. Of those on this waiting list, 25% are White, 74% are black, and 1% identify as Mixed, Asian, or Native American.

**Describe the need for specific types of housing:**

Housing needs include:

Reconstructed/rehabilitated owner-occupied housing in low-income neighborhoods; Additional affordable housing for low and moderate-income elderly, particularly minority elderly who are currently living in the oldest housing stock in Texarkana; Assistance for homeless persons to obtain affordable housing; Help for persons at risk of becoming homeless; Access to emergency rehabilitation funding; Facilitation toward retaining affordable housing stock; Availability of affordable permanent housing, particularly to disadvantaged minorities; Additional public housing units in Texarkana; Additional Section

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8 rental assistance vouchers to serve the unmet needs in Texarkana; A variety of financing alternatives for affordable housing, including grants, forgivable loans, individual development accounts, other loans and Section 8 voucher purchase assistance; Education on Fair Housing Practices; Easy access to information on available resources to assist with the purchase a decent, affordable home and help with basic needs; Supportive housing for persons with special needs (including veterans, senior citizens, handicapped and HIV/AIDS) to live in dignity and independence; Decent, affordable housing that is accessible to job opportunities; Safe and livable neighborhoods; Removal of blighting influences and desolate properties and facilities; Revitalization and restoration of low-income deteriorating communities; Restoration and preservation of historical properties; Improved access and rehabilitation to public facilities; and Infrastructure improvements in low-income neighborhoods.

### Discussion

The City intends to focus its housing efforts in the Beverly Community and in Downtown Texarkana in order to address both the needs for affordable housing and Brownfields redevelopment. The City will work with the Housing Authority and local lenders to qualify applicants for the Home Buyer Assistance Program to provide down payment assistance to two low/mod households. The Housing Rehabilitation Program will assist eight low/mod households with housing repairs to improve living conditions. The City was awarded Section 108 Loan Funds that will be used to rehabilitate a downtown structure into Hotel Grim Lofts and will make twenty low/mod housing units available.

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# MA-15 Housing Market Analysis: Cost of Housing - 91.210(a)

## Introduction

Costs of home ownership and rental units, even in distressed neighborhoods, exceeds the ability to pay for many residents in the City. Median Home values increased by 42%, while median incomes rose by 38% (check number) in the same time period. Home values in Texarkana have been more stable than in many other parts of the country; but, household income has risen more as a result of consolidation of households rather than improve wages or opportunities.

Data sources for this Cost of Housing Analysis are the American Community Survey 2005-2009, The Texas A&M Real Estate Center Report, and the Chamber of Commerce's Detailed Report as well as through consolations with owners, renters, and developers in the city. the City does not receive HOME funds; consequently, no data is provided in Monthly Rent table below for those categories.

## Cost of Housing

| | Base Year: 2000 | Most Recent Year: 2009 | % Change |
|---|---|---|---|
| Median Home Value | 64,300 | 91,500 | 42% |
| Median Contract Rent | 377 | 463 | 23% |

**Table 29 – Cost of Housing**

**Data Source:** 2000 Census (Base Year), 2005-2009 ACS (Most Recent Year)

| Rent Paid | Number | % |
|---|---|---|
| Less than $500 | 4,071 | 60.9% |
| $500-999 | 2,426 | 36.3% |
| $1,000-1,499 | 106 | 1.6% |
| $1,500-1,999 | 55 | 0.8% |
| $2,000 or more | 28 | 0.4% |
| ***Total*** | ***6,686*** | ***100.0%*** |

**Table 30 - Rent Paid**

**Data Source:** 2005-2009 ACS Data

## Housing Affordability

| % Units affordable to Households earning | Renter | Owner |
|---|---|---|
| 30% HAMFI | 580 | No Data |
| 50% HAMFI | 1,410 | 955 |
| 80% HAMFI | 3,155 | 1,349 |
| 100% HAMFI | No Data | 2,454 |
| ***Total*** | ***5,145*** | ***4,758*** |



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**Table 31 – Housing Affordability**

**Data Source:** 2005-2009 CHAS

## Monthly Rent

| Monthly Rent ($) | Efficiency (no bedroom) | 1 Bedroom | 2 Bedroom | 3 Bedroom | 4 Bedroom |
|---|---|---|---|---|---|
| Fair Market Rent | 447 | 579 | 712 | 887 | 952 |
| High HOME Rent | 0 | 0 | 0 | 0 | 0 |
| Low HOME Rent | 0 | 0 | 0 | 0 | 0 |

**Table 32 – Monthly Rent**

**Data Source Comments:** FY 2013 Fair Market Rent Documentation System The Final FY 2013 Texarkana, TX-Texarkana, AR MSA FMRs for All Bedroom Sizeshttp://www.huduser.org/

### Is there sufficient housing for households at all income levels?

There is not sufficient suitable housing for households at all income levels.

### How is affordability of housing likely to change considering changes to home values and/or rents?

Housing affordability is likely to decrease as home values and rents continue to increase. In the poorest neighborhoods, more potentially owner-occupied homes will become lost inventory as the neighborhoods' desirability decreases along with property conditions.

### How do HOME rents / Fair Market Rent compare to Area Median Rent? How might this impact your strategy to produce or preserve affordable housing?

Fair Market Rents (FMRs) are primarily used to determine payment standard amounts for the Housing Choice Voucher program, to determine initial renewal rents for some expiring project-based Section 8 contracts, to determine initial rents for housing assistance payment (HAP) contracts in the Moderate Rehabilitation Single Room Occupancy program (Mod Rehab), and to serve as a rent ceiling in the HOME rental assistance program. The U.S. Department of Housing and Urban Development (HUD) annually estimates FMRs for 530 metropolitan areas and 2,045 nonmetropolitan county FMR areas. By law the final FMRs for use in any fiscal year must be published and available for use at the start of that fiscal year, on October 1.

Final FY 2013 FMRs By Unit Bedrooms

- Efficiency: $447
- One-Bedroom: $579
- Two-Bedroom: $712

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- Three-Bedroom: $887
- Four-Bedroom:$952

Area median contract rent of $463 falls between the Fair Market Efficiency Rent and an One-Bedroom Rent, meaning that in Texarkana, the Fair Market Rental Rate is higher than contract rentals. Considering the fact that many, if not most, rentals are in housing stock built before 1980, it can be assumed that on the whole, preserving housing stock will result in maintaining lower contract rents; but could exacerbate the problems associated with older housing and distressed neighborhoods. Subsidies may be required to assist renters and owners to stay in affordable housing if contract rents rise in conjunction with home values.

**Discussion**

In Texarkana's Beverly Neighborhood, home values continue to decline, and the majority of affordable housing is in substandard condition. There are many homes, both renter and owner-occupied that can be rehabilitated. Where there are significant numbers of substandard, not candidates for rehabilitation, the City proposes to assist developers that are willing to develop affordable housing stock. The City will work with the Housing Authority and local lenders to qualify applicants for the Home Buyer Assistance Program to provide down payment assistance to two low/mod households. The Housing Rehabilitation Program will assist eight low/mod households with housing repairs to improve living conditions. The City was awarded Section 108 Loan Funds that will be used to rehabilitate a downtown structure into Hotel Grim Lofts and will make twenty low/mod housing units available.

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# MA-20 Housing Market Analysis: Condition of Housing – 91.210(a)

## Introduction

This section of the Housing Market Analysis, Condition of Housing, describes the characteristics of the housing market in terms of supply, demand, condition, and the cost of housing; the housing stock available to serve persons with disabilities; and to serve persons with HIV/AIDS and their families.

## Definitions

This jurisdiction defines "standard condition" as a structure that meets HUD's Housing Quality Standards (HQS) and all applicable state and local codes.

"Substandard condition" is a structure that does not meet HUD's Housing Quality Standards (HQS) and/or applicable state and local codes.

"Substandard condition but suitable for rehabilitation" is defined as a structure where costs for labor, materials, tools, and other costs of improving buildings, including repair directed toward an accumulation of deferred maintenance; replacement of principal fixtures and components of existing buildings; installation of security devices; and improvement through alterations or incidental additions to, or enhancement of, existing buildings, including improvements to increase the efficient use of energy in buildings, and structural changes necessary to make the structure accessible for persons with physical handicaps do not exceed 75% of the value of the building before conversion or where rehabilitation costs are less than 75 percent of the replacement cost of the building.

Housing units with 2 or more conditions as identified in the Conditions table, would automatically meet the substandard definition.

## Condition of Units

| Condition of Units | Owner-Occupied | | Renter-Occupied | |
|---|---|---|---|---|
| | Number | % | Number | % |
| With one selected Condition | 1,844 | 25% | 2,718 | 41% |
| With two selected Conditions | 19 | 0% | 158 | 2% |
| With three selected Conditions | 0 | 0% | 60 | 1% |
| With four selected Conditions | 0 | 0% | 0 | 0% |
| No selected Conditions | 5,651 | 75% | 3,750 | 56% |
| ***Total*** | ***7,514*** | ***100%*** | ***6,686*** | ***100%*** |

**Table 33 - Condition of Units**

**Data Source:** 2005-2009 ACS Data



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## Year Unit Built

| Year Unit Built | Owner-Occupied | | Renter-Occupied | |
|---|---|---|---|---|
| | Number | % | Number | % |
| 2000 or later | 604 | 8% | 1,037 | 16% |
| 1980-1999 | 1,734 | 23% | 1,474 | 22% |
| 1950-1979 | 4,311 | 57% | 3,336 | 50% |
| Before 1950 | 865 | 12% | 839 | 13% |
| ***Total*** | ***7,514*** | ***100%*** | ***6,686*** | ***101%*** |

**Table 34 – Year Unit Built**

**Data Source:** 2005-2009 CHAS

## Risk of Lead-Based Paint Hazard

| Risk of Lead-Based Paint Hazard | Owner-Occupied | | Renter-Occupied | |
|---|---|---|---|---|
| | Number | % | Number | % |
| Total Number of Units Built Before 1980 | 5,176 | 69% | 4,175 | 62% |
| Housing Units build before 1980 with children present | 1,898 | 25% | 833 | 12% |

**Table 35 – Risk of Lead-Based Paint**

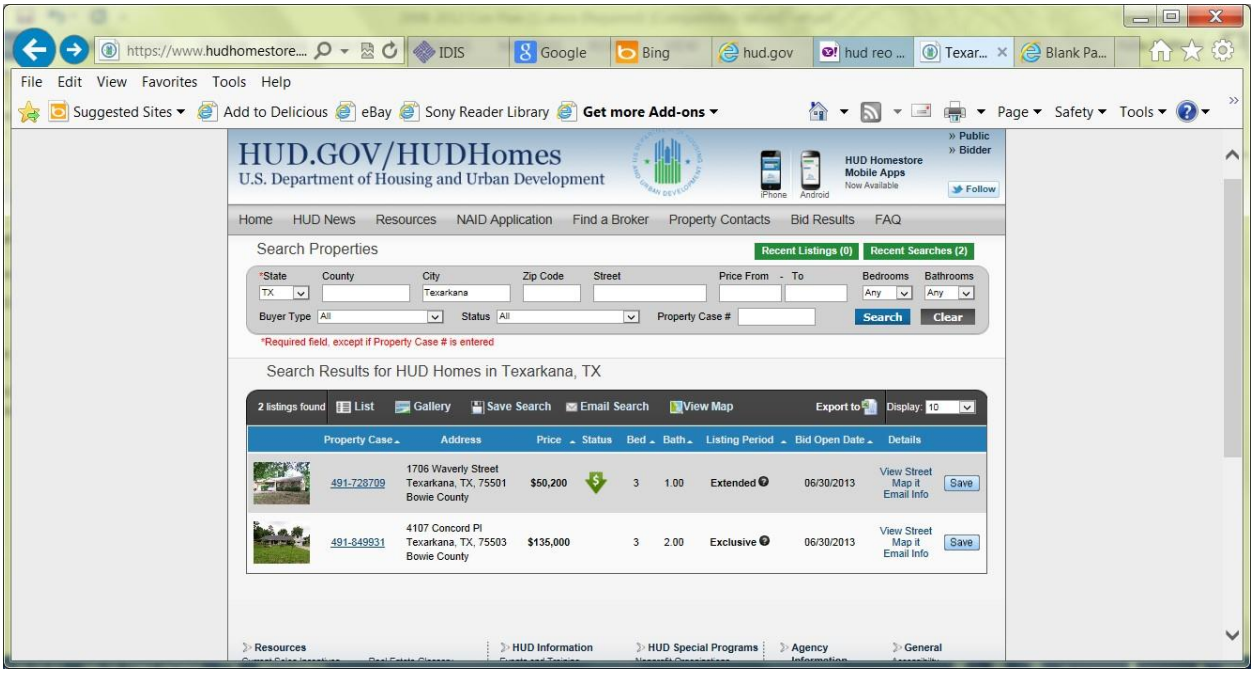
**Data Source:** 2005-2009 ACS (Total Units) 2005-2009 CHAS (Units with Children present)

## Vacant Units

| | Suitable for Rehabilitation | Not Suitable for Rehabilitation | Total |
|---|---|---|---|
| Vacant Units | 0 | 0 | 0 |
| Abandoned Vacant Units | 0 | 0 | 0 |
| REO Properties | 0 | 0 | 0 |
| Abandoned REO Properties | 0 | 0 | 0 |

**Table 36 - Vacant Units**

**Data Source:** 2005-2009 CHAS




**REO Properties on HomeStore**

## Need for Owner and Rental Rehabilitation

Housing stock age can substantially impact the need for owner and rental rehabilitation. Based on the city's relatively high percentage of housing stock built prior to 1950, 12% for owner-occupied housing and 13% of renter-occupied housing as well as the conditions found in each category, the City assumes a substantial number of these homes would benefit from rehabilitation. However, as reported by the City's Environmental Services unit and Public Works/Inspections unit, many of these owner and renter-occupied units are not fit for human habitation and would not qualify for rehabilitation as the costs of rehabilitation would far exceed the 75% of value threshold. Few units built before 1980 were built to Section 504 Accessibility Standards or meet energy efficiency standards of today. With an aging population and more families consolidating across generations, the City concludes that providing rental rehabilitation to improve accessibility and improve affordability for families with a disabled or elderly family member would improve affordability and assist low and very low income families.

## Estimated Number of Housing Units Occupied by Low or Moderate Income Families with LBP Hazards

Based on the 2005-2009 ACS and 2005-2009 CHAS data presented here, 69% of owner occupied units and 62% of renter occupied units were built before 1980. Twenty-five percent of the owner-occupied units have children present and 12% of the rental unit also have children present.

## Discussion

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The Condition of Units table above shows the number of units, by owner or renter occupation, based on the number of "conditions" the unit has. These correspond to the "Housing Problems" in the Needs Assessment analysis. These conditions are: (1) lacks complete plumbing facilities; (2) lacks complete kitchen facilities; (3) more than 1 person per room; and (4) a cost burden greater than 30%. Data is from the American Community Survey 2005-2009. of the 7,514 owner-occupied units, 1,844 units have one or more condition with the remainder having no documented conditions. of the 6,686 renter-occupied units, 41% or 2,718 units have one condition, 158 units (2%) have 2 conditions, 60 units (1%) have 3 conditions.

The age of Texarkana's housing stock presents problems for owners, renters, and the City. Newer construction, units built in 1980 or later, tend to have fewer significant problems; 31% (2,338) of owner-occupied units fall into this category and, with slightly more newer units, renter-occupied units constitute 38% of the units (2,511). Properties built before 1980 constitute the bulk of Texarkana's housing stock with 5,176 (69%) owner-occupied units and 4,175 (63%) renter-occupied units.

The City will work with the Housing Authority and local lenders to qualify applicants for the Home Buyer Assistance Program to provide down payment assistance to two low/mod households. The Housing Rehabilitation Program will assist eight low/mod households with housing repairs to improve living conditions. The City was awarded Section 108 Loan Funds that will be used to rehabilitate a downtown structure into Hotel Grim Lofts and will make twenty low/mod housing units available.

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## MA-25 Public and Assisted Housing – 91.210(b)

### Introduction

The Housing Authority of Texarkana, HATT, is the local Public Housing Authority. Their Five Year Plan is attached and is cross referenced here. Currently, the Housing Authority of the City of Texarkana, Texas (HATT) operates public housing in the City. The City reviewed the Housing Authority of Texarkana, Texas' 5-Year Plan and Annual Action Plan for a Certificate of Consistency with the City's 5-Year Consolidated Plan. As the City works to overcome obstacles and enhance coordination through improved communication and marketing, public housing and resident initiatives are positively impacted. HATT is a member of the Texarkana Homeless Coalition and is working with other housing providers and the City to identify housing options for homeless persons.

This section of the plan summarizes the needs of public housing, including:

- public housing develops in Texarkana;
- the number and physical condition of public housing units;
- restoration and revitalization needs of public housing;
- public housing waiting lists;
- compliance with Section 504 and accessibility of public housing stock.

PHYSICAL INSPECTION SCORES:

HUD's Real Estate Assessment Center conducts physical property inspections of properties that are owned, insured or subsidized by HUD, including public housing and multifamily assisted housing. About 20,000 such inspections are conducted each year to ensure that assisted families have housing that is decent, safe, sanitary and in good repair. The results provided by HUD represent the inspections conducted from 2001 through September 2009, beofre demolition of the Housing Authority's demolition of it's most troubled properties. HATT has since removed those properties from inventory and has replaced them with new properties that would significantly improve their average inspections score. HATT used these scores to 1) better understand the physical condition of the HUD-assisted housing stock, as well as changes in the stock over time; 2) plan for future affordable housing needs.

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## Totals Number of Units

| | Program Type | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Certificate | Mod-Rehab | Public Housing | Vouchers | | | | | |
| | | | | Total | Project - based | Tenant - based | Special Purpose Voucher | | |
| | | | | | | | Veterans Affairs Supportive Housing | Family Unification Program | Disabled * |
| # of units vouchers available | 0 | 0 | 577 | 606 | 2 | 604 | 0 | 0 | 0 |
| # of accessible units | | | | | | | | | |
| *includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition | | | | | | | | | |

**Table 37 – Total Number of Units by Program Type**

**Data Source:** PIC (PIH Information Center)

### Describe the supply of public housing developments:

### Describe the number and physical condition of public housing units in the jurisdiction, including those that are participating in an approved Public Housing Agency Plan:

The City of Texarkana continues to work with the Housing Authority of the City of Texarkana, Texas (HATT) and a private development company in the development, planning and implementation of a large scale revitalization project in the Rose Hill Neighborhood. The City is also collaborating with HATT during the implementation of the HOPE VI grant award, which includes demolition of Covington Homes, Stephens Courts and Griff King Courts, three low income housing projects, and construction of multi-family and infill housing throughout the area.

- The Housing Authority has 6 different apartment and duplex complexes with 452 units throughout the city.
- The HOPE VI grant award to the PHA has resulted in the demolition of Covington Homes, a dilapidated PHA complex. In its, place, The Oaks at Rosehill has been constructed and is now rented to capacity. The Oaks at Rosehill features 27 mixed- income units that contain 128 apartments, a fitness center and community center.
- The construction of the 124 unit Pecan Ridge began in July 2011 and opened in June 2012. The project is currently at capacity.
- The third outdated PHA complex, Griff King, was demolished following the completion of Pecan Ridge.
- The Texas Department of Housing and Community Affairs awarded Low Income Housing Tax Credits to assist in the financing of Rosehill Ridge in August 2011. Construction is currently underway and the project will be completed in September 2013.

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- The Housing Authority in collaboration with the City is developing single family units for low and moderate income families. The Housing Authority will use HOPE VI funds to buy down the mortgages of these units to make them affordable.
- The City continues to assist the PHA in the acquisition of lots, demolition and clearance. Subsidized housing on the existing PHA site and the surrounding community is a part of the replacement housing.
- The project includes developing a community with commercial as well as residential opportunities throughout the area expanding beyond and eliminating the present boundaries of public housing. Rosehill Ridge will consist of 122 units, of which 32 will be public housing and 90 will be tax credit housing. This blending will encourage new development throughout the area giving new life to this depressed area.

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### Public Housing Condition

| Public Housing Development | Average Inspection Score |
|---|---|
| | |

**Table 38 – Public Housing Condition**

### Describe the restoration and revitalization needs of public housing units in the jurisdiction:

Under the Hope VI award, the city and HATT have made significant strides toward replacing pre-1950's public housing stock. Three Public Housing properties were demolished, making way for three new, much needed housing properties.

### Describe the public housing agency's strategy for improving the living environment of low- and moderate-income families residing in public housing:

Under the Hope VI grant, HATT provided extensive supportive housing services directly to public housing residents. The grant ends on September 30, 2013. HATT is transitioning to a referral-based system that will enable them to ensure public housing residents have sufficient access to necessary services provided by federal, state, local, and/or non-profit agencies. Services include access to educational resources like GED preparation and computer skills training through the Literacy Council, vocational and job training programs offered through Workforce Solutions, Texarkana Community College, and Texas A&M Texarkana, financial management skills training, child care, and other relevant support services.

### Discussion:

Texarkana, Texas and the Housing Authority of Texarkana have made significant, meaning strides toward ensuring that extremely-low, low-, and moderate-income citizens have access to safe, affordable housing. While these gains are meaningful, the city's goals have not been fully realized. With the expiration of the Hope VI grant, the City and HATT will continue to work together to improve access to safe, affordable housing.

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## MA-30 Homeless Facilities and Services – 91.210(c)

### Introduction

The section of the Consolidated Plan includes a brief inventory of facilities, housing, and services that meet the needs of homeless persons within the jurisdiction. Of special concern are the chronically homeless, both individuals and families, families with children, veterans and their children, unaccompanied youth, and victims of domestic violence and their families.

Facilities Available for the Homeless include:

- Randy Sams' Shelter for the Homeless (emergency shelter for 86 unaccompanied adults)
- Domestic Violence Prevention, Inc. (emergency shelter for 17 unaccompanied adults, transitional supportive housing for 60 family members and 14 unaccompanied adults)
- The Salvation Army, Texarkana, Arkansas (9 family rooms for up to 36 people and 25 beds for

Note: The Randy Sams' Outreach Shelter provides the only available beds for people who are chronically homeless in Texarkana, Texas. The Salvation Army Homeless Shelters for Families, and Unaccompanied Men are located in Texarkana, Arkansas. Their facility is list here because they are the only local provider of shelter for homeless families in the region. Crossing state lines for shelter is problematic for many homeless persons because assistance is usually tied to state of residence. Special Health Services of Texas provides some support for HIV/AIDS patients in the region. Community Health Core (formerly Sabine Valley Health) plans to provide supportive housing and permanent supportive housing to homeless veterans and their families as well as supportive housing for MHMR clientele.

### Facilities and Housing Targeted to Homeless Households

| | Emergency Shelter Beds | | Transitional Housing Beds | Permanent Supportive Housing Beds | |
|---|---|---|---|---|---|
| | Year Round Beds (Current & New) | Voucher / Seasonal / Overflow Beds | Current & New | Current & New | Under Development |
| Households with Adult(s) and Child(ren) | 36 | 25 | 60 | 0 | 0 |
| Households with Only Adults | 139 | 0 | 14 | 0 | 0 |
| Chronically Homeless Households | 0 | 25 | 0 | 0 | 0 |
| Veterans | 0 | 0 | 0 | 0 | 0 |
| Unaccompanied Youth | 0 | 0 | 0 | 0 | 0 |

**Table 39 - Facilities and Housing Targeted to Homeless Households**

**Data Source Comments:** Data was derived from consultation with The Salvation Army, Texarkana, Randy Sam's Homeless Shelter, Domestic Violence Prevention, Texarkana, and Texarkana's Continuum of Care/Homeless Coalition.



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**Describe mainstream services, such as health, mental health, and employment services to the extent those services are used to complement services targeted to homeless persons**

Mainstream services used to complement services targeted to the homeless population include the following:

Christus St. Michael Health Care System: general medical services / emergency care

Wadley Regional Medical Center: general medical services / emergency care

Bowie County Family Health Center: medical and family planning and counseling, WIC, confidential testing for STDs

Special Heath Resources: free HIV/AIDS antibody testing, prevention/intervention; education/counseling, utility, prescription assistance

Friendship Center: hot meals, groceries, utilities, gasoline, lodging

Domestic Violence Prevention: emergency shelter, financial, family violence prevention, etc.

Randy Sams' Shelter for the Homeless: emergency shelter, meals, groceries, utility assistance

**List and describe services and facilities that meet the needs of homeless persons, particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth. If the services and facilities are listed on screen SP-40 Institutional Delivery Structure or screen MA-35 Special Needs Facilities and Services, describe how these facilities and services specifically address the needs of these populations.**

Services and facilities that meet the needs of homeless persons, particularly homeless individuals and families, families with children, veterans and their families, and unaccompanied youth listed on SP-40 and MA35:

Christus St. Michael Health Care System: general medical services / emergency care

Wadley Regional Medical Center: general medical services / emergency care

Bowie County Family Health Center: medical and family planning and counseling, WIC, confidential testing for STDs

Special Heath Resources: free HIV/AIDS antibody testing, prevention/intervention; education/counseling, utility, prescription assistance

Friendship Center: hot meals, groceries, utilities, gasoline, lodging

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Domestic Violence Prevention: emergency shelter, financial, family violence prevention, etc.

Randy Sams' Shelter for the Homeless: emergency shelter, meals, groceries, utility assistance

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## MA-35 Special Needs Facilities and Services – 91.210(d)

### Introduction

The primary goal for serving special needs populations is to assist public and nonprofit agencies in expanding and enhancing their provision of housing and services to the elderly, disabled and dually/multiply diagnosed, persons with HIV/AIDS, victims of domestic violence, and persons with addictions. The City recognizes services required by special-needs populations often overlap the housing needs and supportive services for the homeless as identified and addressed throughout the Consolidated Plan.

### Including the elderly, frail elderly, persons with disabilities (mental, physical, developmental), persons with alcohol or other drug addictions, persons with HIV/AIDS and their families, public housing residents and any other categories the jurisdiction may specify, and describe their supportive housing needs

The elderly, frail elderly, persons with disabilities, persons with alcohol or other drug addictions, persons with HIV/AIDS and their families, public housing residents, and victims of domestic violence present a range of complex problems that put them at greater risk of severe income limitations and homelessness. These populations have a much more difficult time finding, securing, and maintaining adequate housing and necessary social services. The City serves as the fiscal agent for a Supportive Housing Grant administered by Domestic Violence Prevention of Texarkana. DVP provides supportive housing to 60 family members and 14 individuals without families. Of these residents, one head-of-household is a veteran, 2 are HIV/Aids positive, and 2 are classified as chronically homeless. The City acts as fiscal agent and sponsor of the Supportive Housing Grant (SHP) administered through Domestic Violence Prevention in Texarkana. The City meets the needs of these residents by providing case management, counselling, life skills training, and child care assistance for job seekers, and

### Describe programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing

At this time, there are no programs which ensure that persons returning from mental and physical health institutions receive appropriate supportive housing, though local institutions attempt to assist these populations in connecting to appropriate social service organizations that may be able to assist them in procuring supportive housing. The only existing supportive housing program in **Texarkana at this time, ...** The City is developing a supportive partnership with Community Health Core, a non-profit providing MHMR services in the Northeast Texas region will be providing services in Texarkana. They intend to expand MHMR services in Texarkana to provide supportive housing particularly to veterans utilizing their mental health care services.

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**Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. 91.315(e)**

The City intends to continue partnering with Domestic Violence Prevention, Inc to provide supportive housing to victims of domestic violence and their families. The City will re-apply for the SHP grant as appropriate to continue these services.

The City will support programs sponsored by HATT to provide services to low-income persons with special needs, especially the elderly and frail elderly.

**For entitlement/consortia grantees: Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. (91.220(2))**

The priorities for Texarkana in addressing the needs of these population groups include:

- To assist public and nonprofit agencies in providing housing and supportive services to the elderly and frail elderly;
- To assist public and nonprofit agencies in providing housing and supportive services to homeless persons and those “at-risk” of homelessness.
- To assist the Texarkana Homeless Coalition and those agencies that are part of the coalition, serving special needs populations.

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## MA-40 Barriers to Affordable Housing – 91.210(e)

### Negative Effects of Public Policies on Affordable Housing and Residential Investment

There are many factors that affect the cost and production or maintenance of housing affordable to extremely low-, low-, and moderate-income families (at or below 80% of Median Family Income (MFI)). An analysis of these factors has aided the City in developing programs that reduce the adverse effects of these constraints on the supply and cost of housing.

Most of the City of Texarkana's policies were enacted to protect and further the public welfare. For instance, building codes and subdivision standards are required by law for the protection and general welfare of the community. Development impact fees are recovered from the developer to assure that the public costs of new developments are paid by that development. While recognizing the changing need of public policies, the City will review them periodically to determine whether they have become excessive or represent an unnecessary constraint on the development or maintenance of affordable housing.

The City of Texarkana, Texas has not identified any public policies that serve as barriers to affordable housing, and therefore did not need to develop strategies to remove or lessen negative effects that serve as barriers to affordable housing. However, the City has identified the following other barriers to affordable housing:

- Substantial down payments required to purchase new or existing homes;
- Availability of credit to low and moderate income persons with credit problems;
- Availability of decent affordable single-family units and affordable rental properties.

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# MA-45 Non-Housing Community Development Assets – 91.215 (f)

## Introduction

In this section of the Consolidated Plan, the City considers Non-Housing Community Development Assets, the priority non-housing community development needs that are eligible for assistance through the CDBG program, especially economic development needs using data on Texarkana's economic conditions, the local workforce, and needs of local businesses. Data is derived from the 2005-2009 American Community Survey (ACS) and the 2010 ESRI Business Analyst Package and the Bureau of Labor Statistics (BLS).

## Economic Development Market Analysis

## Business Activity

| Business by Sector | Number of Workers | Number of Jobs | Share of Workers % | Share of Jobs % | Jobs less workers % |
|---|---|---|---|---|---|
| Agriculture, Mining, Oil & Gas Extraction | 135 | 29 | 1 | 0 | -1 |
| Arts, Entertainment, Accommodations | 1,585 | 1,545 | 11 | 10 | -1 |
| Construction | 749 | 455 | 5 | 3 | -2 |
| Education and Health Care Services | 3,997 | 4,699 | 27 | 30 | 3 |
| Finance, Insurance, and Real Estate | 654 | 1,360 | 4 | 9 | 5 |
| Information | 181 | 195 | 1 | 1 | 0 |
| Manufacturing | 1,237 | 690 | 8 | 4 | -4 |
| Other Services | 1,054 | 1,059 | 7 | 7 | 0 |
| Professional, Scientific, Management Services | 1,210 | 527 | 8 | 3 | -5 |
| Public Administration | 811 | 780 | 5 | 5 | 0 |
| Retail Trade | 2,088 | 2,736 | 14 | 18 | 4 |
| Transportation and Warehousing | 782 | 299 | 5 | 2 | -3 |
| Wholesale Trade | 587 | 1,074 | 4 | 7 | 3 |
| Total | 15,070 | 15,448 | -- | -- | -- |

**Table 40 - Business Activity**

**Data Source:** 2005-2009 ACS (Workers), 2010 ESRI Business Analyst Package (Jobs)

## Labor Force

| | |
|---|---|
| Total Population in the Civilian Labor Force | 17,087 |
| Civilian Employed Population 16 years and over | 15,070 |
| Unemployment Rate | 11.80 |
| Unemployment Rate for Ages 16-24 | 46.06 |



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| | |
|---|---|
| Unemployment Rate for Ages 25-65 | 5.69 |

**Table 41 - Labor Force**

**Data Source:** 2005-2009 ACS Data

| Occupations by Sector | Number of People |
|---|---|
| Management, business and financial | 5,225 |
| Farming, fisheries and forestry occupations | 12 |
| Service | 2,978 |
| Sales and office | 3,798 |
| Construction, extraction, maintenance and repair | 1,214 |
| Production, transportation and material moving | 1,843 |

**Table 42 – Occupations by Sector**

**Data Source:** 2005-2009 ACS Data

## Travel Time

| Travel Time | Number | Percentage |
|---|---|---|
| < 30 Minutes | 12,667 | 88% |
| 30-59 Minutes | 1,417 | 10% |
| 60 or More Minutes | 330 | 2% |
| ***Total*** | ***14,414*** | ***100%*** |

**Table 43 - Travel Time**

**Data Source:** 2005-2009 ACS Data

## Education:

Educational Attainment by Employment Status (Population 16 and Older)

| Educational Attainment | In Labor Force | | |
|---|---|---|---|
| | Civilian Employed | Unemployed | Not in Labor Force |
| Less than high school graduate | 1,045 | 229 | 1,449 |
| High school graduate (includes equivalency) | 3,312 | 362 | 1,683 |
| Some college or Associate's degree | 4,666 | 375 | 1,057 |
| Bachelor's degree or higher | 3,334 | 82 | 673 |

**Table 44 - Educational Attainment by Employment Status**

**Data Source:** 2005-2009 ACS Data

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Educational Attainment by Age

| | Age | | | | |
|---|---|---|---|---|---|
| | 18–24 yrs | 25–34 yrs | 35–44 yrs | 45–65 yrs | 65+ yrs |
| Less than 9th grade | 146 | 236 | 148 | 208 | 500 |
| 9th to 12th grade, no diploma | 534 | 551 | 702 | 878 | 551 |
| High school graduate, GED, or alternative | 1,744 | 1,775 | 1,216 | 2,379 | 1,674 |
| Some college, no degree | 1,412 | 1,517 | 1,308 | 1,943 | 978 |
| Associate's degree | 213 | 273 | 508 | 656 | 155 |
| Bachelor's degree | 130 | 660 | 705 | 1,212 | 584 |
| Graduate or professional degree | 46 | 186 | 474 | 873 | 394 |

**Table 45 - Educational Attainment by Age**

**Data Source:** 2005-2009 ACS Data

Educational Attainment – Median Earnings in the Past 12 Months

| Educational Attainment | Median Earnings in the Past 12 Months |
|---|---|
| Less than high school graduate | 13,852 |
| High school graduate (includes equivalency) | 20,061 |
| Some college or Associate's degree | 29,470 |
| Bachelor's degree | 42,744 |
| Graduate or professional degree | 56,842 |

**Table 46 – Median Earnings in the Past 12 Months**

**Data Source:** 2005-2009 ACS Data

**Based on the Business Activity table above, what are the major employment sectors within your jurisdiction?**

Education and Health Care Services constitute the bulk of jobs in Texarkana with 4,699 jobs, 1,963 more jobs (30% share) than the second highest sector, Retail Trade, at 2,736 jobs (18%). Agriculture, Mining, Oil, and Gas Extraction reports the fewest jobs with 29 jobs in the area. Professional, Scientific, and Management Services has the highest percentage of oversupply of workers with 1,210 workers and only 527 jobs reported.

**Describe the workforce and infrastructure needs of the business community:**

Significant numbers of workers have either no high school diploma/GED or no Bachelor's degree. This segment of the population also earns substantially less than their counterparts with degrees. Persons with less than a high school diploma earn $13,852 per year, 24% of earnings with a graduate degree at $56,842, and 32% of a bachelor's degree (42,744). Earning with a high school diploma jump to $20,061



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and $29,061 with some college or an associate's degree. This significant difference between some college and no high school equivalency strongly points to the importance of supporting high school retention programs and workforce development programs. Seven thousand and fifty-five residents between the ages of 18 and 44 years old fall into the category of high school equivalency or less education. Designing workforce programs that target wage earners in this demographic has the greatest potential to impact the earning potential of individuals and families earning less than moderate incomes. Workforce needs also include the need for skilled trade workers, workers with certifications for environmental assessment and cleanup, workers with computer skills, workers with office work training and certifications. Workers with improved math, science, and communication skills are also in demand.

Economic development professionals in Texarkana, Texas report that the leading reason for loosing potential business relocations is that the local workforce does not have the requisite education or skills for their needs.

Infrastructure needs reported by the business community include improvements to downtown, city gateway areas, safety and security like street lights and sidewalks, assistance with environmental contamination assessment and cleanup in redevelopment areas, facade improvements downtown, and incentive packages for consolidation of larger parcels of land.

**Describe any major changes that may have an economic impact, such as planned local or regional public or private sector investments or initiatives that have affected or may affect job and business growth opportunities during the planning period. Describe any needs for workforce development, business support or infrastructure these changes may create.**

The City's Brownfields redevelopment efforts downtown, in the 7th Street Corridor, in the Rosehill community and in the Beverly neighborhood all have either already begun or will have significant positive economic impacts on the city and in these communities. The Hope VI award of $21 million has attracted approximately $80 million dollars in other private and public investments. The City's Brownfields redevelopment initiative has brought the city $400,000 for brownfields assessment, $400,000 to assess and clean up a dangerous derelict building next door to a $4 million private investment, and $900,000 for an EPA Brownfields revolving loan fund. A private developer interested in bringing low-moderate income housing to downtown by redevelopment of the Grimm Hotel property estimates that every dollar spent on downtown redevelopment equals approximately $1.75 in local revenue generation. The Texarkana area have lost approximately 3,000 jobs as a result of loss of manufacturing and shut-downs at Red River Army Depot. Potentially off-setting job losses in the defense industry and local manufacturing, Tex-Americas Center has secured funding to assess and cleanup 20,000 acres and over 500 buildings vacated by the U.S. Army in the Base Re-Alignment and Closure Process. This will mean expanded remediation work for local workers and expansion of economic opportunities in years to come.

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**How do the skills and education of the current workforce correspond to employment opportunities in the jurisdiction?**

The areas of highest job surpluses are the Education/Healthcare, Finance/Insurance/Real Estate and the Retail sectors all of which are areas where some college through graduate degrees would be of benefit to job seekers. Economic developers, Workforce Development, and the local P-16 Council all recommend expanding access to GED preparation and testing, high school retention programs, vocational training, and college education as essential to expanding economic opportunities for a workforce ill-prepared for today's employer needs.

**Describe any current workforce training initiatives, including those supported by Workforce Investment Boards, community colleges and other organizations. Describe how these efforts will support the jurisdiction's Consolidated Plan.**

Texarkana's Workforce training initiatives include an EPA Job Training Grant that has been used to provide forty five unemployed persons with certification required for Environmental Technicians. The City re-applied to train an additional 40 workers. As of the writing of this planning document, the EPA had not yet announced awards. Workforce Development has several workforce training initiatives including some re-training for workers that have lost their jobs due to mass lay-offs. Texarkana Community College offers workforce training in industrial arts, construction, culinary arts, and for electricians. These efforts support the goals of this Consolidated Plan as increasing the skills and certifications of the local workforce can raise incomes, reducing homelessness and improving families' ability to secure housing at all income levels.

**Does your jurisdiction participate in a Comprehensive Economic Development Strategy (CEDS)?**

Yes

**If so, what economic development initiatives are you undertaking that may be coordinated with the Consolidated Plan? If not, describe other local/regional plans or initiatives that impact economic growth.**

Ark-Tex Council of Governments leads the Comprehensive Economic Development Strategy (CEDS) process in this region. The Comprehensive Economic Development Strategy is a survey conducted on the economic state of the North East Texas Economic Development District (NETEDD) as mandated by the EDA. This survey addresses the strengths and weaknesses of NETEDD, which consists of eleven counties encompassing over 6,500 square miles which is home to approximately 293,000 people. The survey is completed with input from individuals from all over the NETEDD region including, but not limited to, economic development managers, city managers, chambers of commerce, representatives from housing, education, and health, political and public advocates, and other interested parties. The CEDS is

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conducted every five years to assess the economic progress made in the region and to set new economic goals for the region. The most recent CEDS Report was completed in 2008. ATCOG is in the process of completing a new plan.

**Discussion**

The tables above show labor market and education statistics relevant to the community development planning process. Texarkana has 17,087 people in the Civilian Labor Force, which includes the number of employed persons (15,070) plus those actively looking for work. Business Activity, as noted in the data table below, indicates an over-supply of workers for available jobs in six of the thirteen sectors identified, with four categories indicating a shortage of workers. Education and Health Care Services, Finance, Insurance, and Real Estate, Retail Trade, and Wholesale Trade show room for growth in the labor market. Jobs (15,448) exceed workers (15,070) with 378 jobs going unfilled. The unemployment rate shown in the table, 11.8%, is now considerably lower, at approximately 7.8%. Considering the region has lost approximately 3,000 jobs from the region in the past three years, it is believed that the number of persons who have stopped looking for work account for apparent decreases in the unemployment rate as these individuals are not counted as part of the labor force. Unemployment for younger workers, those between the ages of 16 and 24 presents the most troubling number at 46.06%.

The majority of workers are employed in the Management, Business, and Financial sector of the local economy, with 5,225 workers and the Sales and Office sector with 3,798 workers. Service accounts for 2,978 workers, Production, Transportation, and Material Moving has 1,843 workers and Construction, extraction, maintenance and Repair accounts for 1,214 workers. Farming, Fisheries, and Forestry only accounts for 12 workers in Texarkana.

Travel time to and from work is still manageable for workers in the area with the vast majority, 88%, commuting less than 30 minutes per trip to or from work.

Educational attainment is the greatest demographic indicator for potential income; those with less than a high school diploma or only a high school diploma/GED earn substantially less than workers with some college through graduate degrees at every age.

Support for economic development is crucial to improve the numbers of available jobs for residents of Texarkana, Texas.

The City was awarded Section 108 Loan Funds that will be used to rehabilitate a downtown structure into Hotel Grim Lofts and will make twenty low/mod housing units available as well as seventy-two fair market units. This project will also bring new jobs to the downtown area.

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## MA-50 Needs and Market Analysis Discussion

### Are there areas where households with multiple housing problems are concentrated? (include a definition of "concentration")

Texarkana has many safe, affordable, and livable neighborhoods. However, some areas of the city have increasingly become areas where housing and social problems are concentrated, areas where poverty and lack of decent housing exacerbate other social issues. These are areas where with multiple housing problems and a concentration of abandoned, substandard housing are havens for criminal activity, depriving decent citizens of peace of mind and property value. Concentration is here defined as 44% percent or more of the housing stock in an area of 2 or more adjacent block groups with households experiencing more than one of the Four Housing Problems. (Lacking complete kitchens, lacking complete plumbing, more than one person per room, and/or paying 305 or more of household income for housing.)

The Beverly Community in Texarkana, Texas has significant housing and poverty issues. As such, the City has designated the Beverly Neighborhood as a priority local Target Area. The map below shows the city's area of concentration of housing problems by census tracts. Also of note, the downtown area has few affordable housing opportunities for people wanting to live in the downtown area. Many of the residential structures in the Downtown - 7th Street Corridor are substandard or substandard with significant rehabilitation potential.

### Are there any areas in the jurisdiction where racial or ethnic minorities or low-income families are concentrated? (include a definition of "concentration")

Area of Low and Moderate Income Concentration: An area consisting of one or more adjacent block groups in which 44 percent or more of total persons are considered low or moderate income according to definitions and figures provided by HUD as shown on the CPD maps below.

Area of Minority Concentration: An area consisting of one or more adjacent block groups in which 44 percent or more of total persons are classified as "minority." HCHCDA defines minority to include all ethnic groups other than Non-Hispanic Whites as shown on the CPD maps below.

Many communities in Texarkana provide safe, decent, affordable housing for residents of all strata of racial and ethnic minorities. However, in areas of minority and/or low-income concentration, housing values are generally much lower than the city as a whole, crime rates are higher, and there are fewer opportunities for employment. Both the Beverly neighborhood and downtown are prime examples of areas where minority and low income concentration pose significant challenges to redevelopment and the goal associated with providing safe, suitable, livable communities for everyone.

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### What are the characteristics of the market in these areas/neighborhoods?

The City's designation of the Beverly Neighborhood as a local Target Community is based on the concentrations of poverty, minorities, abandoned and/or substandard housing, and high numbers of households with one or more of the Four Housing Problems or Four Severe Housing Problems. In many ways, Beverly is similar to other neighborhoods in Texarkana, in that these social and market factors have depressed the neighborhoods making them unattractive to developers. These neighborhoods cost the city in lost property taxes and increase police, fire, and environmental services. Estimates of the number of abandoned, substandard properties suggest that one in six homes have been boarded up in the Beverly community.

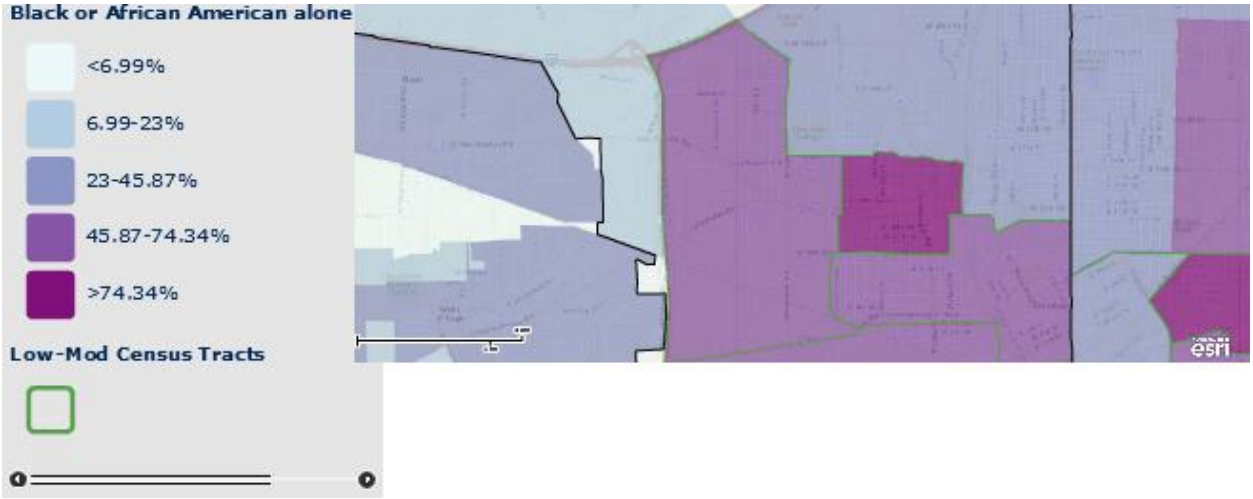
### Are there any community assets in these areas/neighborhoods?

The City has an extensive network of parks, schools, churches, shopping, and social service organizations located throughout the city. The City's partnership with the T-Line public transportation system has resulted in transportation availability in most neighborhood in the city.

Only one park exists in the Beverly community. The park is located on a flood plain and cannot be updated using state or federal funding. Other community assets include grocery stores, employment opportunities, and Texarkana Community College.

### Are there other strategic opportunities in any of these areas?

Substantial strategic opportunities exist in both the Beverly Neighborhood and in Downtown Texarkana with an appropriate level of commitment of resources to remove barriers and create incentives for redevelopment.




**CPD Maps Areas of Minority Concentration**

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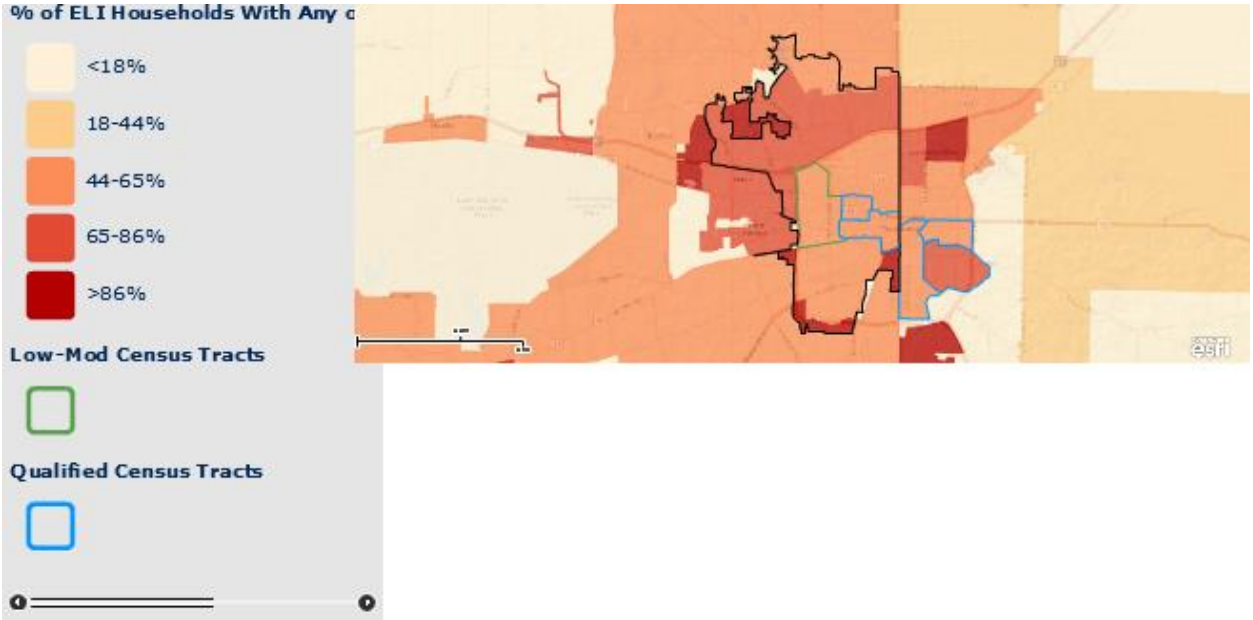


**CPD Maps Extremely Low Income and Housing Problems Concentration**

# Beverly Heights Housing Condition

| | 1990 | 2000 | 2010 | % Change |
|---|---|---|---|---|
| Population | 2612 | 2562 | 2293 | -12.21% |
| Households | 921 | 877 | 774 | -15.96% |
| Housing Units Total | 1103 | 1021 | 918 | -16.77% |
| Owner Occupied Housing Units | 480 | 434 | 268 | -44.17% |
| Renter Occupied Housing Units | 441 | 468 | 506 | 14.74% |
| Vacant Housing Units * | 182 | 119 | 144 | -20.88% |

**Beverly Heights**

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# Beverly Heights Economic Condition 2012

| Variable | City of Texarkana | Beverly Heights Revitalization Area | Variance |
|---|---|---|---|
| 2012 Median Household Income | $37,526 | $17,262 | 46.00% |
| 2012 Average Household Income | $54,894 | $26,446 | 48.18% |
| 2012 Per Capita Income | $23,297 | $10,477 | 44.97% |
| 2012 Median Home Value | $136,770 | $37,863 | 27.68% |
| 2012 Average Home Value | $167,164 | $46,187 | 27.63% |

**Beverly Heights Economic Conditions**

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# Beverly Heights Housing Condition

| | 1990 | 2000 | 2010 | % Change |
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| Population | 2612 | 2562 | 2293 | -12.21% |
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**Beverly Heights Housing Conditions**

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# Change in City - Beverly Heights Economic Conditions 1990 – 2012

| Variable | City of Texarkana | Variance | Beverly Heights Area | Variance |
|---|---|---|---|---|
| 1990 Median Household Income | $22,885 | | $15,445 | |
| 2000 Median Household Income | $29,751 | 23.08% | $15,622 | 1.13% |
| 2012 Median Household Income | $37,526 | 39.02% | $17,262 | 10.53% |
| | | | | |
| 1990Average Household Income | $31,125 | | $18,969 | |
| 2000 Average Household Income | $43,788 | 28.92% | $22,796 | 16.79% |
| 2012 Average Household Income | $54,894 | 43.30% | $26,446 | 28.27% |
| | | | | |
| 1990 Per Capita Income | $12,266 | | $7,199 | |
| 2000 Per Capita Income | $17,815 | 31.15% | $8,268 | 12.93% |
| 2012 Per Capita Income | $23,297 | 47.35% | $10,477 | 31.29% |
| | | | | |
| 1990Median Home Value | $48,876 | | $28,409 | |
| 2000 Median Home Value | $65,773 | 25.69% | $31,250 | 9.09% |
| 2012 Median Home Value | $136,770 | 64.26% | $37,863 | 24.97% |
| | | | | |
| 1990Average Home Value | $59,747 | | $32,079 | |
| 2000 Average Home Value | $84,105 | 28.96% | $32,486 | 1.25% |
| 2012 Average Home Value | $167,164 | 64.26% | $46,187 | 30.55% |

**beverly Heights Comparison Table**

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# Strategic Plan

## SP-05 Overview

### Strategic Plan Overview

This City of Texarkana, Texas Consolidated Plan identifies the priority needs of this jurisdiction and describes strategies that the City will undertake to serve those priority needs. This section of the Consolidated Plan describes the City's **Geographic Priorities** and **Priority Needs** in light of the **Influence of Market Conditions** and **Anticipated Resources**. This section of the City's Consolidated Plan also discusses the **Instructional Delivery Structure** for the City's **Goals**. The City addresses **Public Housing**, **Barriers to Affordable Housing**, the City's **Homelessness Strategy**, **Lead-based Paint Hazards**, the City's **Anti-Poverty Strategy**, and **Monitoring** of progress.

Neighborhood Revitalization Area / Strategic Vision for Change

The City of Texarkana has developed a long-range strategy for significantly impacting low and moderate-income communities through new housing and economic development activities. The areas identified for geographically determined investment allocation in this Consolidated Plan were selected based on consultation with area agencies, citizen input, and overwhelmingly agreed upon by the duly-elected City Council Members representing every ward in the city. These areas have both great need and present significant opportunity to meet the City's goals.

The City has developed strong links between representatives of the low and moderate-income community's public service agencies, public housing agency, educational institutions, health facilities and the business community for the purpose of developing an ongoing strategic plan for reinvestment in the low income communities.

The City is currently addressing identified needs through coordinating the use of CDBG and other federal, state and local funds in distressed areas and through providing services to low and moderate income households. In addition, the City, with its collaborative partners and citizens, has identified neighborhoods appropriate for revitalization efforts which includes the Downtown area and Beverly neighborhood. The Supportive Housing Program (SHP) is administered through Domestic Violence Prevention, Texarkana, one of the City's active partners on the Homeless Coalition. Plans to secure additional funding from the State of Texas' TDHCA Housing Trust Fund (HTF) and Emergency Shelter (ESG) will make additional shelter for the homeless, prevention of homelessness and housing affordability possible if this funding can be secured. The City was awarded Section 108 Loan Funds that will be used to rehabilitate a downtown structure into Hotel Grim Lofts and will make twenty low/mod housing units available as well as seventy-two fair market units. This project will also bring new jobs to the downtown area.

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## SP-10 Geographic Priorities – 91.215 (a)(1)

### Geographic Area

| | | |
|---|---|---|
| 1 | **Area Name:** | Beverly Community Revitalization |
| | **Area Type:** | Local Target area |
| | **Other Target Area Description:** | |
| | **HUD Approval Date:** | |
| | **% of Low/ Mod:** | |
| | **Revival Type:** | Comprehensive |
| | **Other revival Description:** | |
| | **Identify the neighborhood boundaries for this target area.** | Boundaries for this target area:<br>Southern border: New Boston Road, also US Hwy 82<br>Western border: Robinson Road<br>Northern border: College Drive<br>Eastern border: Richmond Road to Summerhill Road<br>Comprised mostly of Qualified Census Tract 106. |

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| | | |
|---|---|---|
| | **Include specific housing and commercial characteristics of this target area.** | This once thriving community is bordered on all four sides by commercially zoned streets with an interior comprised of older housing stock, both single family and apartment complexes, and many vacant, boarded buildings. These commercial zones are showing their age as most are either single commercial structures or dilapidated strip malls. The City's main water treatment facility is located in the commercial section. Also, the area's only park sits next to this facility. Park improvements are problematic here as it lies within an established flood plain. Within the core are also homes that while older are still owner-occupied. This is an area of minority, elderly, and poverty concentrations.<br>The Beverly Community exhibits multiple housing problems including significant decreases in several major categories. Population has decreased from 2,612 in 1990 to 2,293 in 2010, with the number of households for the same period also declining form 921 to 774. Total number of housing units likewise decreased from 1,103 to 918 households. the number of vacant housing units decreased from 182 to 144. During this same time period, renter occupied housing units rose from 441 to 506 while owner occupied housing units dramatically decreased 44.17% from 480 to 268.<br>This significant finding is mirrored in differences between the economic/commercial differences between the community and the city as a whole. In 2012, average median household income for Texarkana, Texas was $37,526, but only $17,262 in Beverly Heights, a variance of 46%. Per capita income was also lower by 45% as compared to the city at $23,297 per person in the city and only $10,477 in Beverly.<br>Median home values in the city were reported at $136,770 and only $37,863 in Beverly, a difference of 28%.<br>On the northern border of the area lies one of Texarkana's most valued assets, Texarkana Community College. Just north of the college, both commercial and residential areas are thriving with new businesses and well-established homes and neighborhoods that are either maintaining or increasing in value. The proximity to this thriving area indicates a substantial opportunity for improvements in the community that will be beneficial to the entire city and the region. |

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| | | |
|---|---|---|
| | **How did your consultation and citizen participation process help you to identify this neighborhood as a target area?** | The city's consultations and citizen participation process are central to the development of Beverly Heights as a Local Target Area. The Beverly neighborhood has stood in direct contrast to the more prosperous neighborhoods to the north for more than twenty years. As conditions in the Rosehill area improved, crime in Beverly and the problems of substandard housing and vacant, derelict housing exponentially increased. Residents, service agencies, as well as law enforcement and emergency services began reporting higher and higher numbers of people impacted by this community's decline. Citizens from the area began approaching their Council Members, the Mayor, and staff about removing slum and blight conditions, addressing concentrations of poverty, improving economic opportunities, and providing more affordable, quality housing opportunities well over ten years ago. The City's programs were insufficient to address the full range of needs in this community. With the lessons learned with the successes associated with the implementation of the Hope VI grant award in the Rosehill community, the City began developing the plan to concentrate resources in like manner in 2012. By May of 2013, the City was prepared to seek approval from the citizens of the community and the City as a whole. Following the methodology prescribed in the Citizen Participation Plan, the City held public hearing on adoption of the Beverly Community as a Local Target Area. With overwhelming support, the ordinance was adopted in May 2013. |
| | **Identify the needs in this target area.** | Needs in this area include access to affordable, livable housing, removal of slum and blight conditions associated with derelict, vacant and boarded homes interspersed with functional housing, minority and poverty concentrations, public facilities for health care and recreation/exercise. Other needs include high concentration of households with one or more of the Four Housing Problems or Severe Housing Problems, low and extremely-low incomes for both owner-occupied and renter-occupied households, high percentages of at-risk of homelessness households, high numbers of homes without accessibility features and/or low-efficiency ratings, and lack of services and/or opportunities for children and the elderly. |

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| | | |
|---|---|---|
| | **What are the opportunities for improvement in this target area?** | The Beverly Neighborhood presents many opportunities for improvements with targeted resource distribution. At the northern boundary, Texarkana Community College brings individuals from all over the region into the area. However, at this time, those that visit the college avoid the crime ridden neighborhoods surrounding the institution. With appropriate planning and implementation, this area could easily provide suitable housing both for current residents and for those that attend or work at the college. Likewise, the other commercial corridors that are the boundaries of Census Tract 106/Beverly have significant commercial viability for neighborhood appropriate redevelopment. The area also has housing stock needing improvements that could prolong the viability of the homes for both owners and renters. With home-ownership rates roughly forty-five percent lower than the city's rates, improving opportunities for home-ownership could also stabilize the community. Further, improvements in public facilities like parks and health care facilities, the addition of streetlights, bike lanes, sidewalks, and safe walking trails, will also make the community safer and more livable. Jobs and services within this area are two additional areas of opportunity that can improve this community. |
| | **Are there barriers to improvement in this target area?** | Significant barriers exist to improvement in this area including variable citizen participation and adequate funding. Other The City is making significant strides toward overcoming these barriers with the building of trust between the City and citizens as well as identifying public and private funding for revitalization in this target area. |
| **2** | **Area Name:** | Downtown Area |
| | **Area Type:** | Local Target area |
| | **Other Target Area Description:** | |
| | **HUD Approval Date:** | |
| | **% of Low/ Mod:** | |
| | **revival Type:** | Comprehensive |
| | **Other revival Description:** | |

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| | | |
|---|---|---|
| | **Identify the neighborhood boundaries for this target area.** | The Downtown Area Local Target Area is sometimes referred to as the Downtown/7th Street Corridor as this is descriptive of the boundaries of the Target Area. It is bounded on one side by the Kansas City Southern Railroad (Front Street) and 7th Street (Martin Luther King Blvd.) on the other. It's eastern and western border are Stateline Avenue, literally the Texas/Arkansas border, on the east side and Lakeside Drive/Summerhill Road on the west.<br>Major thoroughfares include:<br>MLK<br>Texas Blvd<br>4th Street<br>Oak Street<br>Front Street<br>Stateline Ave |
| | **Include specific housing and commercial characteristics of this target area.** | The Downtown/7th Street Corridor, Downtown Local Target area is an area of over 200 Brownfields properties with suspected or confirmed environmental contamination in an area of approximately 240 acres. |
| | **How did your consultation and citizen participation process help you to identify this neighborhood as a target area?** | Citizens of Texarkana have asked the City to focus on downtown revitalization for at least ten years. Consultation with numerous agencies, public meetings, public hearings, citizen surveys, and votes of the duly elected City Council Members establish a strong consensus for moving forward to arrest the decline of this historic center of the town and revitalize the area's economic potential and potential for providing affordable housing close to city, county, state, federal and non-profit services. |
| | **Identify the needs in this target area.** | Downtown and the 7th Street Corridor present many challenges to redevelopment. Of primary concern is that more than 200 properties within a 200 acre area are either confirmed or suspected of having various levels of environmental contamination ranging from lead paint to deadly gasoline additive buried underground and potentially leaking into the area's ground water. Many commercial, industrial, and residential properties are neglected, abandoned, or substandard. These problem properties are mixed in with functioning homes, businesses, and essential government services. |

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| | | |
|---|---|---|
| | **What are the opportunities for improvement in this target area?** | Developers are attracted to redevelopment downtown because of the existing infrastructure and unique architecture. The area is a food dessert with great opportunity for affordable housing and commercial endeavors. |
| | **Are there barriers to improvement in this target area?** | The most significant barriers are the costs associated with environmental assessment and cleanup of asbestos, lead paint, mold, pigeon guano, and other hazardous or petroleum based contaminants. Texarkana's solid relationship with the U.S. EPA Brownfields program and the Texas Commission on Environmental Quality mitigate some of these challenges. |

**Table 47 - Geographic Priority Areas**

## General Allocation Priorities

Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA)

**Beverly Neighborhood Revitalization Area and Downtown Texarkana:**

The City of Texarkana, Texas is working in cooperation with the Texarkana Independent School District, Housing Authority of Texarkana, Texas, Texarkana Community College, non-profit agencies, and the private sector to bring about the revitalization of the City's Downtown/7th Street Corridor and Beverly Neighborhood.

These geographic regions were chosen because they have great potential and great need. These areas are bordered by major transportation routes, which are prime real estate for commercial development. These neighborhoods are provide significant opportunity for quality affordable housing. New multifamily units along with the development of new single family housing will provide what these neighborhoods need the most – safe, secure, quality, affordable, housing for families.

The combination of affordable rental units and the development of new single family housing will provide families who currently reside in these neighborhoods opportunities to become future property owners. The development of new affordable housing stock will provide opportunities for those families currently locked out of the homeownership market the opportunity to make their initial investment in the American dream of home ownership.

Moreover, the economic development potential in these areas can bring what is most needed to sustain these low-mod income areas: jobs.

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## SP-25 Priority Needs - 91.215(a)(2)

### Priority Needs

| | | |
|---|---|---|
| 1 | **Priority Need Name** | Aff. Housing Rehabilitation-Existing Units |
| | **Priority Level** | High |
| | **Population** | Extremely Low<br>Low<br>Large Families<br>Families with Children<br>Elderly |
| | **Geographic Areas Affected** | Downtown Area<br>Beverly Community Revitalization |
| | **Associated Goals** | Housing Reconstruction<br>Evaluate and Reduce Lead Paint Hazards<br>Administer the CDBG Program |
| | **Description** | H1: Provide decent and affordable housing through single-family owner-occupied housing reconstruction for lower income residents.<br>DH-2 Objective |
| | **Basis for Relative Priority** | Priority Level of Low or High does not indicate the priority to the community or the population served. Rather, High Priority indicates the City of Texarkana will use CDBG funds at some point in the five years covered by this plan to address the priority need. Low Priority means the City expects other funding sources or community stakeholders to address Low Priorities. |
| 2 | **Priority Need Name** | Aff. Housing Rehab-Existing Units Lead Paint |
| | **Priority Level** | Low |
| | **Population** | Extremely Low<br>Low<br>Moderate<br>Large Families<br>Families with Children<br>Elderly |
| | **Geographic Areas Affected** | Downtown Area<br>Beverly Community Revitalization |
| | **Associated Goals** | Evaluate and Reduce Lead Paint Hazards<br>Administer the CDBG Program |
| | **Description** | H2: Evaluate and Reduce Lead Hazards<br>DH-1 Availability and Accessibility |

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| | | |
|---|---|---|
| | **Basis for Relative Priority** | Based on volume of pre-1980 housing where children are present. Significant health risk involved in exposure to children.<br>Priority Level of Low or High does not indicate the priority to the community or the population served. Rather, High Priority indicates the City of Texarkana will use CDBG funds at some point in the five years covered by this plan to address the priority need. Low Priority means the City expects other funding sources or community stakeholders to address Low Priorities. |
| **3** | **Priority Need Name** | Aff. Housing Rental Assistance |
| | **Priority Level** | Low |
| | **Population** | Extremely Low<br>Low<br>Large Families<br>Families with Children<br>Elderly<br>Public Housing Residents<br>veterans |
| | **Geographic Areas Affected** | Downtown Area<br>Beverly Community Revitalization |
| | **Associated Goals** | Rental Assistance Information Dissemination<br>Domestic Violence Prevention Supportive Housing<br>Administer the CDBG Program |
| | **Description** | H. Provide rental assistance to low income individuals and families through dissemination of Section 8 Housing information.<br>DH-2 Affordability |
| | **Basis for Relative Priority** | Relatively high numbers of low income families with housing cost burden of 50% or more. |
| **4** | **Priority Need Name** | Aff. Housing Production of New Units |
| | **Priority Level** | Low |
| | **Population** | Extremely Low<br>Low<br>Moderate<br>Large Families<br>Families with Children<br>Elderly |
| | **Geographic Areas Affected** | Downtown Area<br>Beverly Community Revitalization |

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| | | |
|---|---|---|
| | **Associated Goals** | Housing Reconstruction<br>Section 108 Loan Program for Economic Development<br>Administer the CDBG Program |
| | **Description** | Support development of new affordable housing units in distressed communities.<br>DH-1 Availability/Accessibility |
| | **Basis for Relative Priority** | Community priority for removal of Slum and Blight and proliferation of Brownfields in distressed areas. |
| **5** | **Priority Need Name** | Homelessness Outreach |
| | **Priority Level** | Low |
| | **Population** | Extremely Low<br>Low<br>Large Families<br>Families with Children<br>Elderly<br>Rural<br>Chronic Homelessness<br>Individuals<br>Families with Children<br>Mentally Ill<br>Chronic Substance Abuse<br>veterans<br>Persons with HIV/AIDS<br>Victims of Domestic Violence<br>Unaccompanied Youth<br>Elderly<br>Frail Elderly<br>Persons with Mental Disabilities<br>Persons with Physical Disabilities<br>Persons with Developmental Disabilities<br>Persons with Alcohol or Other Addictions<br>Persons with HIV/AIDS and their Families<br>Victims of Domestic Violence |
| | **Geographic Areas Affected** | Downtown Area<br>Beverly Community Revitalization |
| | **Associated Goals** | Homelessness Outreach<br>Administer the CDBG Program |

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| | | |
|---|---|---|
| | **Description** | Support community efforts to provide outreach to homeless individuals. Provide access to information on community service organization that address basic needs for homeless and special needs individual including mental health and substance abuse treatment, housing related services, elder care, and other social services. Provide information to promote easy access to emergency shelters for the homeless. Target area are designated, but the City expects this effort to be city-wide.<br>SL -1 Availability/Accessibility |
| | **Basis for Relative Priority** | Homelessness in Texarkana. No Texarkana, Texas homeless shelter for families. Priority Level of Low or High does not indicate the priority to the community or the population served. Rather, High Priority indicates the City of Texarkana will use CDBG funds at some point in the five years covered by this plan to address the priority need. Low Priority means the City expects other funding sources or community stakeholders to address Low Priority. |
| **6** | **Priority Need Name** | Homelessness Emergency Shelter |
| | **Priority Level** | High |
| | **Population** | Rural<br>Chronic Homelessness<br>Individuals<br>Families with Children<br>Mentally Ill<br>Chronic Substance Abuse<br>veterans<br>Persons with HIV/AIDS<br>Victims of Domestic Violence<br>Unaccompanied Youth |
| | **Geographic Areas Affected** | Downtown Area<br>Beverly Community Revitalization |
| | **Associated Goals** | Homelessness Outreach<br>Homelessness Emergency Shelter<br>Administer the CDBG Program |
| | **Description** | Assist Randy Sams Homeless Shelter in application for ESG funding.<br>SL-1 Availability/Accessibility |

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| | | |
|---|---|---|
| | **Basis for Relative Priority** | Emergency shelter cannot serve families with children or unaccompanied youth. Shelter is frequently filled to capacity. Shelter lacks efficient heat and air. Shelter needs supportive services space.<br>Priority Level of Low or High does not indicate the priority to the community or the population served. Rather, High Priority indicates the City of Texarkana will use CDBG funds at some point in the five years covered by this plan to address the priority need. Low Priority means the City expects other funding sources or community stakeholders to address Low Priorities. |
| **7** | **Priority Need Name** | Homelessness Prevention |
| | **Priority Level** | High |
| | **Population** | Extremely Low<br>Low<br>Moderate<br>Individuals<br>Families with Children<br>Mentally Ill<br>Chronic Substance Abuse<br>veterans<br>Persons with HIV/AIDS |
| | **Geographic Areas Affected** | Downtown Area<br>Beverly Community Revitalization |
| | **Associated Goals** | Rental Assistance Information Dissemination<br>Homelessness Outreach<br>Homelessness Emergency Shelter<br>Homelessness Prevention<br>Domestic Violence Prevention Supportive Housing<br>Administer the CDBG Program |
| | **Description** | Prevent homelessness in at-risk populations.<br>DH-1 Availability/Accessibility |
| | **Basis for Relative Priority** | Priority of Low or High does not indicate the priority to the community or the population served. Rather, High Priority indicates the City of Texarkana will use CDBG funds at some point in the five years covered by this plan to address the priority need. |
| **8** | **Priority Need Name** | Non-H - Public Facilities Parks Improvements |
| | **Priority Level** | High |

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| | | |
|---|---|---|
| | **Population** | Extremely Low<br>Low<br>Moderate<br>Non-housing Community Development |
| | **Geographic Areas Affected** | Downtown Area<br>Beverly Community Revitalization |
| | **Associated Goals** | Public Facilities and Parks<br>Administer the CDBG Program |
| | **Description** | Improvements to public facilities/parks, trails, public buildings, public spaces.<br>SL-1 Availability/Accessibility |
| | **Basis for Relative Priority** | Priority of Low or High does not indicate the priority to the community or the population served. Rather, High Priority indicates the City of Texarkana will use CDBG funds at some point in the five years covered by this plan to address the priority need. Low Priority indicates that the City expects other funding sources or community stakeholders to address Low Priority items. |
| **9** | **Priority Need Name** | Non-H - Public Improvements & Infrastructure |
| | **Priority Level** | High |
| | **Population** | Extremely Low<br>Low<br>Moderate<br>Non-housing Community Development |
| | **Geographic Areas Affected** | Downtown Area<br>Beverly Community Revitalization |
| | **Associated Goals** | Section 108 Loan Program for Economic Development<br>Public Improvements and Infrastructure<br>Public Facilities and Parks<br>Administer the CDBG Program |
| | **Description** | Provide Public Improvements and Infrastructure in target areas.<br>SL-1 Availability/Accessibility |
| | **Basis for Relative Priority** | Priority of Low or High does not indicate the priority to the community or the population served. Rather, High Priority indicates the City of Texarkana will use CDBG funds at some point in the five years covered by this plan to address the priority need. Low Priority indicates that the City expects other funding sources or community stakeholders to address Low Priority items. |
| **10** | **Priority Need Name** | Non-Housing - Public Services |
| | **Priority Level** | High |

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| | | |
|---|---|---|
| | **Population** | Extremely Low<br>Low<br>Moderate<br>Non-housing Community Development |
| | **Geographic Areas Affected** | Downtown Area<br>Beverly Community Revitalization |
| | **Associated Goals** | Public Services - Health Department<br>Administer the CDBG Program |
| | **Description** | Public Services provided to low and moderate income persons. |
| | **Basis for Relative Priority** | Priority of Low or High does not indicate the priority to the community or the population served. Rather, High Priority indicates the City of Texarkana will use CDBG funds at some point in the five years covered by this plan to address the priority need. Low Priority indicates that the City expects other funding sources or community stakeholders to address Low Priority items. |
| **11** | **Priority Need Name** | Non-H - Economic Development |
| | **Priority Level** | High |
| | **Population** | Non-housing Community Development |
| | **Geographic Areas Affected** | Downtown Area<br>Beverly Community Revitalization |
| | **Associated Goals** | Section 108 Loan Program for Economic Development<br>CDBG Revolving Loan Fund<br>Administer the CDBG Program |
| | **Description** | Provide economic development activities and services in target areas to increase jobs, labor market participation rates, and create suitable living environments. |
| | **Basis for Relative Priority** | Priority Level of Low or High does not indicate the priority to the community or the population served. Rather, High Priority indicates the City of Texarkana will use CDBG funds at some point in the five years covered by this plan to address the priority need. Low Priority means the City expects other funding sources or community stakeholders to address Low Priorities. |
| **12** | **Priority Need Name** | Aff. Housing |
| | **Priority Level** | High |

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| | | |
|---|---|---|
| | **Population** | Low<br>Moderate<br>Large Families<br>Families with Children<br>Elderly<br>Public Housing Residents |
| | **Geographic Areas Affected** | Downtown Area<br>Beverly Community Revitalization |
| | **Associated Goals** | Housing Reconstruction<br>Section 108 Loan Program for Economic Development<br>First Time Home Buyer Down Payment Assistance<br>Administer the CDBG Program |
| | **Description** | Provide support for affordable housing for low and moderate income individuals and families. |
| | **Basis for Relative Priority** | Priority Level of Low or High does not indicate the priority to the community or the population served. Rather, High Priority indicates the City of Texarkana will use CDBG funds at some point in the five years covered by this plan to address the priority need. Low Priority means the City expects other funding sources or community stakeholders to address Low Priorities. |

**Table 48 – Priority Needs Summary**

## Narrative (Optional)

Priority Level of Low or High does not indicate the priority to the community or the population served. Rather, High Priority indicates the City of Texarkana will use CDBG funds at some point in the five years covered by this plan to address the priority need. Low Priority means the City expects other funding sources or community stakeholders to address "low" priorities.

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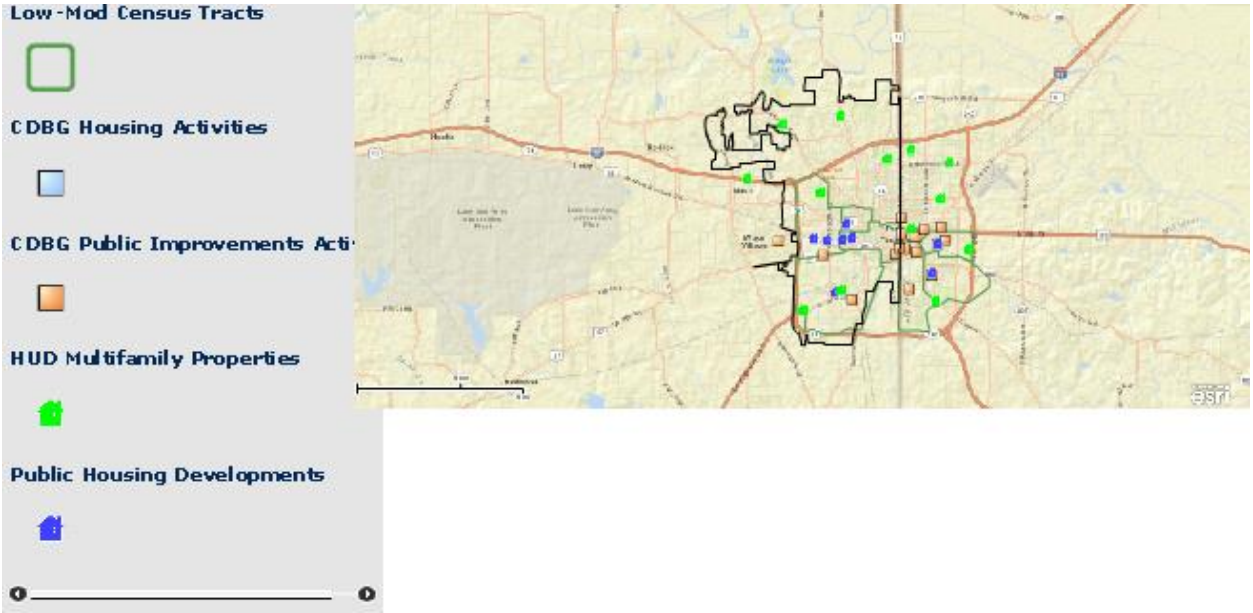
## SP-30 Influence of Market Conditions – 91.215 (b)

### Influence of Market Conditions

| Affordable Housing Type | Market Characteristics that will influence the use of funds available for housing type |
|---|---|
| Tenant Based Rental Assistance (TBRA) | Texarkana, Texas has high numbers of renters that currently have a housing cost burden greater than 50%. Many of these are in neighborhoods with high minority and low income concentrations. |
| TBRA for Non-Homeless Special Needs | Non-homeless, special needs individuals and families including, but not limited to, veterans, HIV/AIDS renters, the elderly, MHMR, constitute a significant proportion of households in Texarkana and are at greater risk for homelessness. |
| New Unit Production | Substandard properties abound in neighborhoods where there are high concentrations of minority and extremely low and low income individuals. Reconstruction and building new affordable units can help to revitalize these communities. |
| Rehabilitation | Texarkana also has high numbers of homes with one or more of the four housing problems. Downtown Texarkana has many properties that are structurally sound but require rehabilitation to be livable. |
| Acquisition, including preservation | Acquisition of properties for preservation, redevelopment, or to remove slum and blight conditions is necessary to stabilize neighborhoods and support revitalization efforts. |

**Table 49 – Influence of Market Conditions**




**CPD Maps**

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## SP-35 Anticipated Resources - 91.215(a)(4), 91.220(c)(1,2)

### Introduction

The City of Texarkana, Texas will use every funding source available to meet the housing, economic development, and social services needs of the residents of the city. The table below list some of the funding sources the City has already secured or for which the City will apply.

### Anticipated Resources

| Program | Source of Funds | Uses of Funds | Expected Amount Available Year 1 | | | | Expected Amount Available Reminder of ConPlan $ | Narrative Description |
|---|---|---|---|---|---|---|---|---|
| | | | Annual Allocation: $ | Program Income: $ | Prior Year Resources: $ | Total: $ | | |
| CDBG | public - federal | Acquisition<br>Admin and Planning<br>Economic Development<br>Housing<br>Public Improvements<br>Public Services | 285,999 | 2,500 | 517,866 | 806,365 | 806,365 | Expected Amount Available based on yearly allocation plus program income times four years. |
| Section 108 | public - federal | Economic Development<br>Housing<br>Public Improvements | 1,429,000 | 0 | 0 | 1,429,000 | 1,429,000 | The City was awarded Section 108 Loans funds to bolster redevelopment in downtown. Plans are to rehabilitate a downtown historic structure into Hotel Grim Lofts that will make 20 low/mod units available. |



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| Program | Source of Funds | Uses of Funds | Expected Amount Available Year 1 | | | | Expected Amount Available Reminder of ConPlan $ | Narrative Description |
|---|---|---|---|---|---|---|---|---|
| | | | Annual Allocation: $ | Program Income: $ | Prior Year Resources: $ | Total: $ | | |
| Supportive Housing Program | public - federal | Housing<br>Other | 450,000 | 0 | 0 | 450,000 | 1,800,000 | The City acts as fiscal agent to support Domestic Violence Prevention's Supportive Housing Program which provides housing and supportive services to victims of domestic violence and their families. |
| Other | public - state | Housing | 320,000 | 0 | 0 | 320,000 | 1,280,000 | The City will seek funding from TDHCA for housing reconstruction on 10 houses. |
| Other | public - state | Public Improvements<br>Public Services | 20,000 | 0 | 0 | 20,000 | 0 | The City will apply to the Texas Department of State Health Services for assistance for the Texarkana-Bowie County Department. |
| Other | public - local | Housing<br>Public Services<br>Other | 16,000 | 0 | 0 | 16,000 | 52,000 | The City intends to contribute labor/services for homeless services, prevention and outreach, especially in support of the Homeless Coalition and applications for funding. |

**Table 50 - Anticipated Resources**



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**Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied**

The City recognizes the importance of leveraging resources. It is estimated that these community development projects will bring $1.75 in private resources spent in the local economy for each grant dollar invested. Moreover, most of the projects will require substantial private investments at a 9 to 1 ratio. Matching requirements will be met by in-kind donations of labor and/or materials.

**If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan**

Publicly owned land or property located within the jurisdiction includes housing lots owned by the city, city parks, and scattered properties located in downtown. This property may be used to promote economic development, provide support for homeless programs, and/or affordable housing in Texarkana, Texas. Additionally, publicly owned land may also be used to support public health activities, infrastructure and public services, promoting livability and sustainability within the jurisdiction.

**Discussion**

The City expects to use CDBG funding as a leveraging tool to support community and economic development within the jurisdiction.

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## SP-40 Institutional Delivery Structure – 91.215(k)

Explain the institutional structure through which the jurisdiction will carry out its consolidated plan including private industry, non-profit organizations, and public institutions.

| Responsible Entity | Responsible Entity Type | Role | Geographic Area Served |
|---|---|---|---|
| Domestic Violence Prevention | Non-profit organizations | Homelessness<br>Non-homeless special needs<br>Rental<br>public services | Jurisdiction |
| RANDY SAMS' OUTREACH SHELTER, INC. | Non-profit organizations | Homelessness<br>public services | Jurisdiction |
| Housing Authority of Texarkana, Texas | PHA | Non-homeless special needs<br>Ownership<br>Rental<br>neighborhood improvements<br>public facilities<br>public services | Jurisdiction |
| THE SALVATION ARMY-TEXARKANA | Non-profit organizations | Homelessness<br>Rental<br>public services | Jurisdiction |

**Table 51 - Institutional Delivery Structure**

### Assess of Strengths and Gaps in the Institutional Delivery System

Strengths and gaps are continuously assessed as an effort to enhance the coordination between the public and assisted housing providers, and among public and private health, mental health and other service agencies. Strengths include the broad range of services and service quality.

The City of Texarkana, Texas consulted with the Housing Authority of Texarkana, Texas during the development of this Plan. The Housing Authority of Texarkana, Texas (HATT) is the primary provider of the public housing units and subsidized housing programs. It is a separate legal entity controlled by a board of directors charged with the responsibility of helping to provide safe, decent and sanitary housing to the low income segment of population.

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**Availability of services targeted to homeless persons and persons with HIV and mainstream services**

| Homelessness Prevention Services | Available in the Community | Targeted to Homeless | Targeted to People with HIV |
|---|---|---|---|
| **Homelessness Prevention Services** | | | |
| Counseling/Advocacy | X | X | X |
| Legal Assistance | X | X | |
| Mortgage Assistance | X | | |
| Rental Assistance | X | X | X |
| Utilities Assistance | X | | |
| **Street Outreach Services** | | | |
| Law Enforcement | X | X | |
| Mobile Clinics | | | |
| Other Street Outreach Services | X | X | X |
| **Supportive Services** | | | |
| Alcohol & Drug Abuse | X | X | |
| Child Care | X | | |
| Education | X | X | |
| Employment and Employment Training | X | X | X |
| Healthcare | X | | X |
| HIV/AIDS | X | X | X |
| Life Skills | X | X | X |
| Mental Health Counseling | X | | X |
| Transportation | X | X | X |
| **Other** | | | |
| | | | |

**Table 52 - Homeless Prevention Services Summary**

**Describe how the service delivery system including, but not limited to, the services listed above meet the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth)**

By far, the most significant gap in services recognized at this time is in provision of supportive housing for veterans and their families as well as for MHMR residents. Additionally, persons with HIV/AIDs are often served by programs addressing their other needs and no information about their health status is solicited. The Randy Sams shelter works closely with the Friendship center to address many of the mainstream services needed by homeless residents.

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**Describe the strengths and gaps of the service delivery system for special needs population and persons experiencing homelessness, including, but not limited to, the services listed above**

One of the significant issues related to the service delivery model is that efforts could be coordinated better through the Homeless Coalition. Texarkana, Texas has no shelter for homeless families. The jurisdiction has no HUD VASH program provider.

**Provide a summary of the strategy for overcoming gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs**

The Salvation Army, located in Texarkana, Arkansas, is currently working with a property owner to secure a property in Texarkana, Texas, which would allow Texas homeless families to obtain services in Texas. Community Health Core provides mental health services and works with homeless veterans and their families. The City anticipates that Community Healthcore will obtain funding to provide HUD VASH to this segment of the homeless population.

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## SP-45 Goals Summary – 91.215(a)(4)

### Goals Summary Information

| Sort Order | Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|---|---|---|---|---|---|---|---|---|
| **1** | SHP Supportive Housing Program/CoC Transitional Housing Program | 2013 | 2017 | Homeless<br>Non-Homeless Special Needs | | Aff. Housing<br>Rental Assistance<br>Homelessness Prevention | Supportive Housing Program: $2,250,000 | Homelessness Prevention: 60 Persons Assisted |
| **2** | Home Buyer Assistance | 2013 | 2017 | Affordable Housing | | Aff. Housing | CDBG: $20,000 | Direct Financial Assistance to Homebuyers:<br>2 Households Assisted |
| **3** | CDBG Revolving Loan Fund | 2013 | 2017 | Non-Housing Community Development | Downtown Area<br>Beverly Community Revitalization | Non-H - Economic Development | CDBG: $630,000 | Facade treatment/business building rehabilitation:<br>5 Business<br><br>Jobs created/retained:<br>10 Jobs<br><br>Businesses assisted:<br>5 Businesses Assisted |
| **4** | Housing Reconstruction | 2013 | 2017 | Affordable Housing | Downtown Area<br>Beverly Community Revitalization | Aff. Housing Rehabilitiation-Existing Units<br>Aff. Housing Production of New Units<br>Aff. Housing | CDBG: $500,000<br>TDHCA: $1,600,000 | Homeowner Housing Rehabilitated:<br>14 Household Housing Unit |



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| Sort Order | Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|---|---|---|---|---|---|---|---|---|
| **5** | Evaluate and Reduce Lead Paint Hazards | 2013 | 2017 | Affordable Housing | | Aff. Housing Rehabilitiation-Existing Units<br>Aff. Housing Rehab-Existing Units Lead Paint | General Fund: $15,000 | Public service activities for Low/Moderate Income Housing Benefit:<br>100 Households Assisted |
| **6** | Rental Assistance Information Dissemination | 2013 | 2017 | Affordable Housing<br>Public Housing | | Aff. Housing Rental Assistance<br>Homelessness Prevention | General Fund: $5,000 | Public service activities for Low/Moderate Income Housing Benefit:<br>100 Households Assisted<br><br>Homelessness Prevention:<br>100 Persons Assisted |
| **7** | Public Facilities and Parks | 2013 | 2017 | Non-Housing Community Development | Downtown Area<br>Beverly Community Revitalization | Non-H - Public Facilities Parks Improvements<br>Non-H - Public Improvements & Infrastructure | CDBG: $93,500 | Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit:<br>100 Persons Assisted<br><br>Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit:<br>20 Households Assisted |



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| Sort Order | Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|---|---|---|---|---|---|---|---|---|
| **8** | Public Services - Health Department | 2013 | 2017 | Non-Homeless Special Needs Non-Housing Community Development | | Non-Housing - Public Services | Texas DHSH: $20,000<br><br>CDBG: $42,899 | Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 100 Persons Assisted |
| **9** | Public Improvements and Infrastructure | 2014 | 2017 | Non-Housing Community Development | Downtown Area Beverly Community Revitalization | Non-H - Public Improvements & Infrastructure | CDBG: $97,556 | Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 50 Persons Assisted<br><br>Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 5 Households Assisted<br><br>Buildings Demolished: 5 Buildings<br><br>Housing Code Enforcement/Foreclosed Property Care: 10 Household Housing Unit |



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| Sort Order | Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|---|---|---|---|---|---|---|---|---|
| **10** | Homelessness Emergency Shelter | 2013 | 2017 | Homeless | | Homelessness Emergency Shelter Homelessness Prevention | General Fund: $16,000 | Homeless Person Overnight Shelter: 100 Persons Assisted |
| **11** | Homelessness Prevention | 2013 | 2017 | Homeless Non-Homeless Special Needs | | Homelessness Prevention | General Fund: $16,000 | Homelessness Prevention: 100 Persons Assisted |
| **12** | Homelessness Outreach | 2013 | 2017 | Homeless Non-Homeless Special Needs | Downtown Area Beverly Community Revitalization | Homelessness Outreach Homelessness Emergency Shelter Homelessness Prevention | General Fund: $16,000 | Homeless Person Overnight Shelter: 100 Persons Assisted<br><br>Homelessness Prevention: 100 Persons Assisted |
| **13** | Section 108 Loan Program for Economic Development | 2013 | 2017 | Affordable Housing Non-Housing Community Development | Downtown Area Beverly Community Revitalization | Aff. Housing Production of New Units Non-H - Public Improvements & Infrastructure Non-H - Economic Development Aff. Housing | Section 108: $1,429,000 | Facade treatment/business building rehabilitation: 5 Business<br><br>Rental units constructed: 5 Household Housing Unit<br><br>Jobs created/retained: 15 Jobs<br><br>Businesses assisted: 5 Businesses Assisted |



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| Sort Order | Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|---|---|---|---|---|---|---|---|---|
| **14** | Section 108 Loan Program for Economic Development-Prepayment on $1,429,000 Loan | 2016 | 2017 | Affordable Housing<br>Non-Housing Community Development | Downtown Area<br>Beverly Community Revitalization | Aff. Housing Production of New Units<br>Non-H - Public Improvements & Infrastructure<br>Non-H - Economic Development<br>Aff. Housing | CDBG: $512,265 | Facade treatment/business building rehabilitation: 1 Business<br>Rental units constructed: 92 Low/Mod rental units constructed: 20 Household Housing Unit<br>Jobs created/retained: 3 Jobs<br>Businesses assisted: 1 |



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| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| **15** | Administer the CDBG Program | 2013 | 2017 | Administration | Downtown Area Beverly Community Revitalization | Aff. Housing Rehabilitiation-Existing Units<br>Aff. Housing Rehab-Existing Units Lead Paint<br>Aff. Housing Rental Assistance<br>Aff. Housing Production of New Units<br>Homelessness Outreach<br>Homelessness Emergency Shelter<br>Homelessness Prevention<br>Non-H - Public Facilities Parks Improvements<br>Non-H - Public Improvements & Infrastructure<br>Non-Housing - Public Services<br>Non-H - Economic Development<br>Aff. Housing | CDBG: $57,699 | Other: 1 Other |



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**Table 53 – Goals Summary**

## Goal Descriptions

| | | |
|---|---|---|
| 1 | **Goal Name** | SHP Supportive Housing Program/CoC Transitional Housing Program |
| | **Goal Description** | Act as fiscal agent for the Domestic Violence Prevention's and Texarkana Friendship Center's Transistional Housing Program, SHP grant and CoC grant. |
| 2 | **Goal Name** | Home Buyer Assistance |
| | **Goal Description** | Provide down payment assistance for first time home buyers. |
| 3 | **Goal Name** | CDBG Revolving Loan Fund |
| | **Goal Description** | Provide loans to qualified property owners for rehabilitation of commercial or residentail property in downtown Texarkana. |
| 4 | **Goal Name** | Housing Reconstruction |
| | **Goal Description** | Provide decent and affordable housing through single-family owner-occupied housing reconstruction for lower income residents. |
| 5 | **Goal Name** | Evaluate and Reduce Lead Paint Hazards |
| | **Goal Description** | Provide information and education to the public, re: lead risks; Evaluate and reduce lead hazards by giving reconstruction priority to eligible residents most at risk for lead poisoning; Develop technical capacity with staff |
| 6 | **Goal Name** | Rental Assistance Information Dissemination |
| | **Goal Description** | Provide rental assistance information to Texarkana residents via available information channels. Provide referrals to the Housing Authority. |
| 7 | **Goal Name** | Public Facilities and Parks |
| | **Goal Description** | Provide improvements to public facilities and parks to improve safety, usability, and accessibility of public facilities and parks. |
| 8 | **Goal Name** | Public Services - Health Department |
| | **Goal Description** | Provide public health services through the Texarkana-Bowie County Health Department. |



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| | | |
|---|---|---|
| 9 | **Goal Name** | Public Improvements and Infrastructure |
| | **Goal Description** | Provide public improvements and infrastructure in distressed and/or low-mod areas. Focus will be on Target Areas. Improvements may include water/sewer lines, sidewalks, trails, bike lanes, streetlights, communal spaces, flood control, rain gardens, and/or community garden spaces. May also include code enforcement and forclosed property care. |
| 10 | **Goal Name** | Homelessness Emergency Shelter |
| | **Goal Description** | Support Randy Sams Homeless Shelter to obtain ESG funding. Purchase and deploy eCivis grants management software to manage grant applications and track progress. |
| 11 | **Goal Name** | Homelessness Prevention |
| | **Goal Description** | Participate in Homeless Coalition to support Continuum of Care operations and homelessness prevention services. Provide social services information to the public. Track participation through eCivis software. |
| 12 | **Goal Name** | Homelessness Outreach |
| | **Goal Description** | Support community efforts to provide outreach to homeless individuals or those at-risk of homelessness. Provide access to information on community service organizations that address basic needs for homeless and special needs individuals. Provide information to police, fire, and health care facilities on options for assisting homeless persons. Participation in the Homeless Coalition will be central to meeting this goal. |
| 13 | **Goal Name** | Section 108 Loan Program – Hotel Grim Lofts |
| | **Goal Description** | The City will use these loan funds to assist with rehabilitation of a downtown structure into Hotel Grim Lofts that will provide twenty low/mod units. |
| 14 | **Goal Name** | Section 108 Loan Program for Economic Development-Prepayment |
| | **Goal Description** | CDBG funds will be used to pre-pay $512,265 of the $1,429,000 balance on the City's Section 108 loan. Loan funds used to provide 20 low/mod housing units in the Hotel Grim Lofts in downtown Texarkana. |
| 15 | **Goal Name** | Administer the CDBG Program |
| | **Goal Description** | Administration of the CDBG Program. |



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**Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.315(b)(2)**

Though the City does not participate in the HOME program, the City recognizes and applies HOME's definition of affordable housing. According to HUD's Office of Affordable Housing:

The generally accepted definition of affordability is for a household to pay no more than 30 percent of its annual income on housing. Families who pay more than 30 percent of their income for housing are considered cost burdened and may have difficulty affording necessities such as food, clothing, transportation and medical care. An estimated 12 million renter and homeowner households now pay more then 50 percent of their annual incomes for housing, and a family with one full-time worker earning the minimum wage cannot afford the local fair-market rent for a two-bedroom apartment anywhere in the United States. The lack of affordable housing is a significant hardship for low-income households preventing them from meeting their other basic needs, such as nutrition and healthcare, or saving for their future and that of their families. http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/affordablehousing/

Consequently, Texarkana's strategic goals for this five year period include provisions of affordable housing for 80 extremely low-income, low-income, and/or moderate-income families including housing reconstruction for 15 households, first-time home buyer assistance to 5 households, assistance to 60 households through the partnership with Domestic Violence Prevention and the Supportive Housing Program.



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## SP-50 Public Housing Accessibility and Involvement – 91.215(c)

### Need to Increase the Number of Accessible Units (if Required by a Section 504 Voluntary Compliance Agreement)

Texarkana is not required to increase the number of accessible units under a Section 504 Voluntary Compliance Agreement.

### Activities to Increase Resident Involvements

The Housing Authority actively promotes resident involvement through targeted outreach via website, flyers, emails, mailing lists, and community notice boards at all community centers on Housing Authority properties.

### Is the public housing agency designated as troubled under 24 CFR part 902?

No

### Plan to remove the 'troubled' designation

The Texarakana, Texas Housing Authority is not designed as "troubled" under 24 CFR part 902.

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## SP-55 Barriers to affordable housing – 91.215(h)

### Barriers to Affordable Housing

There are many factors that affect the cost and production or maintenance of housing affordable to extremely low-, low-, and moderate-income families (at or below 80% of Median Family Income (MFI)). An analysis of these factors has aided the City in developing programs that reduce the adverse affects of these constraints on the supply and cost of housing.

Most of the City of Texarkana's policies were enacted to protect and further the public welfare. For instance, building codes and subdivision standards are required by law for the protection and general welfare of the community. Development impact fees are recovered from the developer to assure that the public costs of new developments are paid by that development. While recognizing the changing need of public policies, the City will review them periodically to determine whether they have become excessive or represent an unnecessary constraint on the development or maintenance of affordable housing.

The City of Texarkana, Texas has not identified any public policies that serve as barriers to affordable housing, and therefore did not need to develop strategies to remove or lessen negative effects that serve as barriers to affordable housing. However, the City has identified the following other barriers to affordable housing:

- Substantial down payments required to purchase new or existing homes;
- Availability of credit to low and moderate income persons with credit problems;
- Availability of decent affordable single-family units and affordable rental properties.

### Strategy to Remove or Ameliorate the Barriers to Affordable Housing

The Analysis of Impediments indicated no significant institutional barriers to affordable housing exist in Texarkana. Pre-development, building permit and inspection expenses are average in terms of housing construction and renovation costs.

To maintain the City's commitment to prevent barriers to affordable housing the City will:

- Maintain flexibility in zoning and building requirements when appropriate to allow for infill housing development and to provide technical assistance to developers of affordable housing. Posters & literature displayed and made available at city office buildings, utility building, and the public library;
- Monitor city-sponsored projects for equal access and compliance of the Fair Housing Act and Building Dept. officials monitors code compliance to Fair Housing standards;
- Hold periodic Public Hearings providing information and requesting public comment on fair housing or related issues ;

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- Provide homebuyer and homeowner education, including fair housing information, was provided by the city and other local housing services providers;
- Conduct outreach efforts to for-profit and non-profit builders and developers through funding and technical assistance to increase the supply of decent, affordable housing within low to moderate income neighborhoods as well as creation of affordable housing on a city-wide basis;
- Maintain an Affirmative Marketing Plan to directly market newly-developed City-assisted housing units to minority groups least likely to apply to homeownership programs.
- Meet with local lenders and home builders to encourage the use of non-traditional client loan qualifying and loan products to better serve the needs of homebuyer households with challenges that preclude conventional qualification;
- Conduct public outreach regarding availability of housing and housing assistance including translation of housing application materials into Spanish, and maintains bi-lingual staff in order to assist applicants and clients who are not English-proficient;
- Support local Continuum of Care efforts for homeless populations and provides ongoing support and technical assistance to the Texarkana Homeless Coalition;
- Work with local agencies that provide financial case management and credit counseling;
- Researching the possibility of adopting a Fair Housing ordinance to ensure that fair housing options are available to its citizens.

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## SP-60 Homelessness Strategy – 91.215(d)

### Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City continues to take a leadership role in the Texarkana Homeless Coalition and has been an integral part of the Continuum of Care (CoC) Process. The Texarkana Homeless Coalition is part of the Texas Balance of State CoC but maintains a local planning process to identify local needs, priorities and goals to assist homeless families and individuals in Texarkana. The CoC was developed through a planned process in conjunction with the City, the Texas Homeless Network and local housing and service providers and is based upon historical data, surveys, and the knowledge of the many different providers' staff. The City worked closely with coalition members to conduct a point in time count for sheltered and unsheltered homeless, subpopulation groups, and identify gaps and needs for housing and supportive services.

The City's primary goal is to assist non-profit agencies in expanding and enhancing their access to available HUD Continuum of Care and Emergency Solutions Grant funding. Within this priority are five major strategies:

- To enhance collaboration between homeless providers and other supportive service agencies through consultant support of the operation of the Texarkana Homeless Coalition;
- To coordinate resources in the community for the expansion and enhancement of a multi-county and multi-state Continuum of Care system;
- To assist in the prevention of homelessness through the use of housing rehabilitation and reconstruction to help prevent homelessness;
- To collaborate with the Texarkana Homeless Coalition and assist in the development of housing alternatives for homeless persons; and
- To continue collaboration with Texarkana Homeless Coalition through their participation in the Texas Balance of State Continuum of Care and the development of permanent supportive housing programs for chronically homeless individuals and families.

The City provided the following to the Texarkana Homeless Coalition in PY11:

- Attended monthly Texarkana Homeless Coalition meetings and provided technical and consultation support in the development of the Coalition's 5-Year Plan to End Homelessness.
- Assisted with Point-in-Time Homeless Count for Texarkana, Texas in January, 2011 in conjunction with the Texas Balance of State CoC count. This "Shelter & Housing Inventory Point-In-Time" count was conducted in January 2012 and included an update of the current emergency, transitional housing and permanent supportive housing inventory continuum of care inventory, as well as those under development. Specifically, the definitions used for survey

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purposes were: 1) Emergency Shelter: Buildings designed to house persons experiencing homelessness and 2) Transitional Housing: Temporary and transitional housing programs for persons experiencing homelessness and which may include supportive services. Homeless subpopulations were tallied for "sheltered" persons in each category.

- Serves as the fiscal agent for the SHP grant.

In addition, for unsheltered persons, a further attempt was made to indicate the name of the person and identify the person's "usual geographic location". Unmet housing needs were agreed upon by the Coalition members using the data obtained from the count and housing and supportive services staff also provided information on the unmet needs that exist within their target population.

- Serving as the fiscal agent for a Supportive Housing Program Grant ($907,635) on behalf of the Texarkana Friendship Center and Domestic Violence Prevention, two members of the Coalition, to implement a transitional housing program in Texarkana.

**Addressing the emergency and transitional housing needs of homeless persons**

**Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.**

**Help low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families who are likely to become homeless after being discharged from a publicly funded institution or system of care, or who are receiving assistance from public and private agencies that address housing, health, social services, employment, education or youth needs**

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## SP-65 Lead based paint Hazards – 91.215(i)

### Actions to address LBP hazards and increase access to housing without LBP hazards

There are approximately 11,000 housing units built in the City of Texarkana prior to 1980. As such, those units exhibit a higher probability of containing lead paint hazards than those constructed since that time. Of the older units, 8,000 are occupied and the remainder (3,500) are either vacant or have been demolished. Assuming a proportionate distribution of housing by tenure through all income levels, approximately 4,750 of these housing units are being occupied by extremely low, low, and moderate-income families.

Southwest Texarkana's residential area is filled with older housing stock. In addition, populations living at 80% MFI or below are more likely to live in sub-standard housing and have other risk factors that increase the risk of lead poisoning, including poor nutrition, older housing with children less than 6 years of age, and higher levels of exposure to lead dust due to poor cleanliness.

The City of Texarkana will continue to focus on two areas during the 2013-2017 program years to evaluate and reduce lead-based paint hazards:

Provide extensive training for the City's Code Enforcement, Inspection and Demolition Departments on recognizing lead based paint and other contaminants that may be present in older housing stock; By following the State of Texas' goal to eliminate lead poisoning in children less than 72 months of age, the City will increase the availability of information concerning lead-based paint for the general public through partnering with the Texarkana Bowie County Family Health Center by using brochures, posters, etc. and through electronic media, including television commercials and the City website. The information will cover the importance of being informed on sources of lead exposure, including lead paint hazards and where to get assistance;The City will continue to pursue lead-based paint evaluation and reduction through housing demolition activities proposed.

### How are the actions listed above related to the extent of lead poisoning and hazards?

Housing identified as having lead hazards are targeted for abatement and remediation to make the housing stock lead-safe. Removing all lead-based paint from every house within the City of Texarkana is not an economically feasible or realistic goal. However, the City addresses this issue through disseminating printed information concerning lead-based paint hazards to all residents in our housing rehabilitation/reconstruction program. Additionally, the City's housing rehabilitation/reconstruction contractors are certified and/or have received training in the identification of lead hazards, proper methods of paint stabilization, interim control, abatement procedures and rehabilitation/reconstruction activities.The City also ensures compliance with lead hazard reduction requirements when CDBG funding is used to acquire and/or renovate existing buildings for housing.The City includes language in all sub recipient contracts identifying all lead regulations and procedures for notification and remediation.

### How are the actions listed above integrated into housing policies and procedures?



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The City's housing policies and procedures reflect the goals enumerated in the CDBG plan.

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## SP-70 Anti-Poverty Strategy – 91.215(j)

### Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families

As detailed throughout this document regarding the priority needs identified by the City, and the goals and objectives established to address those needs, the City hopes to reduce the number of poverty-level families by targeting CDBG and other federal, state and local funds to projects that will provide services to foster self-sufficiency, in conjunction with the provision of housing, shelter and other public facilities. The overriding goal of the City is to provide the environment and tools necessary to enable all city residents to realize a greater degree of economic stability.

The City's Anti-Poverty Strategy Includes:

Collaborating with local college and community supportive service providers to provide access to information on:

- Job skills training

- Employment opportunities

- Financial management training

Apply to Federal and State grant funding programs to provide:

- Down-payment and closing cost assistance

- Housing Reconstruction and Emergency housing repairs

- Job Training

- Business start-up

- Commercial property assessment and cleanup

### How are the Jurisdiction poverty reducing goals, programs, and policies coordinated with this affordable housing plan

The goals, programs, and policies in this plan are targetted to low and moderate income individuals, to distressed areas, and to assisting other agencies that also seek to ammeliorate poverty in the region.

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## SP-80 Monitoring – 91.230

**Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements**

The PCD Department is responsible for establishing fundability then monitoring all other projects and activities that are funded by CDBG and other federal and state agencies. In the beginning of each program year, the PCD Department develops an Annual Monitoring Plan/Schedule for all projects and activities.

This plan is derived by conducting a risk assessment analysis on all projects and activities included in the Action Plan and takes into consideration HUD's requirements for post-completion monitoring such as minimum-use period, affordability, income eligibility, and housing quality standards requirements. A risk assessment is a qualitative analysis of certain risk factors that helps determine the relative compliance and performance risk for a specific project or activity. The objective of the risk assessment is to allocate a larger share of monitoring resources to those program functions posing the highest risk. The risk factors considered include program/project complexity; level of funding; sub recipient, public agency or project sponsor capacity; quality of existing reporting documentation; and whether there is a history of compliance issues.

All projects administered by PCD undergo annual desk reviews as well as periodic reviews when reimbursement is requested. When these activities involve construction, PCD staff members perform a physical inspection of the work that has been completed and reviews the Davis Bacon documentation prior to any payment, if applicable. On-site monitoring visits are conducted in accordance with the Annual Monitoring Plan/Schedule. The City of Texarkana understands the importance of performing a periodic self-evaluation with respect the goals and objectives outlined in the Consolidated Plan as well as the activities included in each Action Plans. The purpose of this review is to ensure long-term compliance with program and comprehensive planning requirements.

The core component of the City's structure for program monitoring is the Integrated Disbursement and Information System (IDIS). In this system, all CDBG funded projects can be reviewed in report format to track the timely expenditure of funds as well as overall program performance. The City must ensure that all program funds are expended in a timely manner. Each program's definition of timeliness is provided below. A grantee is considered to be timely, "if 60 days prior to the end of the grantee's program year, the balance in its line-of-credit does not exceed 1.5 times the annual grant."

The primary means of assessing program performance is through the development of the Consolidated Annual Performance and Evaluation Report (CAPER) at the end of each program year. The information that is provided in this report allows the City and HUD to review the overall program performance. The

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performance measurement system clearly demonstrates whether the City has met the annual goals and objectives and whether the City is on target to meet the five-year goals and objectives.

The second layer of program performance is provided through a periodic review by the City's Internal Audit Department as well as an annual review by independent external auditors. The information that is obtained from these audits is evaluated and often incorporated as revisions to the City's policies and procedures.

The final layer of monitoring is through citizen participation. PCD staff gives presentations at community meetings during the year throughout the City to discuss community needs and activities that are underway to meet those needs. An overview of how CDBG funds are being utilized and what is being accomplished is also presented.

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# Expected Resources

## AP-15 Expected Resources – 91.220(c)(1,2)

### Introduction

The City of Texarkana, Texas will use every funding source available to meet the housing, economic development, and social services needs of the residents of the city. The table below list some of the funding sources the City has already secured or for which the City will apply.

### Anticipated Resources

| Program | Source of Funds | Uses of Funds | Expected Amount Available Year 1 | | | | Expected Amount Available Reminder of ConPlan $ | Narrative Description |
|---|---|---|---|---|---|---|---|---|
| | | | Annual Allocation: $ | Program Income: $ | Prior Year Resources: $ | Total: $ | | |
| CDBG | public - federal | Acquisition<br>Admin and Planning<br>Economic Development<br>Housing<br>Public Improvements<br>Public Services | 285,999 | 2,500 | 517,866 | 806,365 | 806,365 | Expected Amount Available based on yearly allocation plus program income times four years. |



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| Program | Source of Funds | Uses of Funds | Expected Amount Available Year 1 | | | | Expected Amount Available Reminder of ConPlan $ | Narrative Description |
|---|---|---|---|---|---|---|---|---|
| | | | Annual Allocation: $ | Program Income: $ | Prior Year Resources: $ | Total: $ | | |
| Section 108 | public - federal | Economic Development Housing Public Improvements | 1,429,000 | 0 | 0 | 1,429,000 | 1,429,000 | The City has been awarded Section 108 Loans funds to bolster redevelopment in downtown. Plans are to rehabilitate a downtown historic structure into Hotel Grim Lofts and make twenty low/mod housing units available. |
| Supportive Housing Program | public - federal | Housing Other | 450,000 | 0 | 0 | 450,000 | 1,800,000 | The City acts as fiscal agent to support Domestic Violence Prevention's Supportive Housing Program which provides housing and supportive services to victims of domestic violence and their families. |
| Other | public - state | Housing | 320,000 | 0 | 0 | 320,000 | 1,280,000 | The City will seek funding from TDHCA for housing reconstruction on 10 houses. |
| Other | public - state | Public Improvements Public Services | 20,000 | 0 | 0 | 20,000 | 0 | The City will apply to the Texas Department of State Health Services for assistance for the Texarkana-Bowie County Department. |
| Other | public - local | Housing Public Services Other | 16,000 | 0 | 0 | 16,000 | 52,000 | The City intends to contribute labor/services for homeless services, prevention and outreach, especially in support of the Homeless Coalition and applications for funding. |



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**Table 54 - Expected Resources – Priority Table**

## Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City recognizes the importance of leveraging resources. It is estimated that these community development projects will bring $1.75 in private resources spent in the local economy for each grant dollar invested. Moreover, most of the projects will require substantial private investments at a 9 to 1 ratio. Matching requirements will be met by in-kind donations of labor and/or materials.



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### If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Publically owned land or property located within the jurisdiction includes housing lots owned by the city, city parks, and scattered properties located in downtown. This property may be used to promote economic development, provide support for homeless programs, and/or affordable housing in Texarkana, Texas. Additionally, publicly owned land may also be used to support public health activities, infrastructure and public services, promoting livability and sustainability within the jurisdiction.

### Discussion

The City expects to use CDBG funding as a leveraging tool to support community and economic development within the jurisdiction.

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# Annual Goals and Objectives

## AP-20 Annual Goals and Objectives

### Goals Summary Information

| Sort Order | Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|---|---|---|---|---|---|---|---|---|
| **1** | Domestic Violence Prevention Supportive Housing | 2013 | 2017 | Homeless<br>Non-Homeless Special Needs | | Aff. Housing<br>Rental Assistance<br>Homelessness<br>Emergency Shelter<br>Non-Housing - Public Services | Supportive Housing Program: $450,000 | Tenant-based rental assistance / Rapid Rehousing: 60 Households Assisted<br>Housing for People with HIV/AIDS added: 2 Household Housing Unit |
| **2** | Home Buyer Assistance | 2016 | 2017 | Affordable Housing | | Aff. Housing | CDBG: $20,000 | Direct Financial Assistance to Homebuyers: 2 households assisted |
| **2** | CDBG Revolving Loan Fund | 2016 | 2017 | Non-Housing Community Development | Downtown Area | Non-H - Economic Development | CDBG: $0 | Facade treatment/business building rehabilitation:<br>Jobs created/retained:<br>Businesses assisted: |



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| Sort Order | Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|---|---|---|---|---|---|---|---|---|
| **3** | Housing Reconstruction | 2016 | 2017 | Affordable Housing | Beverly Community Revitalization | Aff. Housing Rehabilitiation-Existing Units<br>Aff. Housing Production of New Units | CDBG: $80,000 | Homeowner Housing Rehabilitated: 8 Household Housing Units |
| **4** | Evaluate and Reduce Lead Paint Hazards | 2013 | 2017 | Affordable Housing | | Aff. Housing Rehab-Existing Units Lead Paint | General Fund: $3,000 | Public service activities for Low/Moderate Income Housing Benefit: 20 Households Assisted |
| **5** | Rental Assistance Information Dissemination | 2013 | 2017 | Affordable Housing<br>Public Housing | | Aff. Housing Rental Assistance | General Fund: $1,000 | Public service activities for Low/Moderate Income Housing Benefit: 20 Households Assisted |
| **6** | Public Facilities and Parks | 2013 | 2017 | Non-Housing Community Development | Downtown Area<br>Beverly Community Revitalization | Non-H - Public Facilities Parks Improvements | CDBG: $93,500 | Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 20 Persons Assisted<br>Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 5 Households Assisted |



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| Sort Order | Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|---|---|---|---|---|---|---|---|---|
| **7** | Public Services - Health Department | 2013 | 2017 | Non-Homeless Special Needs<br>Non-Housing Community Development | | Non-H - Public Improvements & Infrastructure<br>Non-Housing - Public Services | Texas DHSH: $20,000<br>CDBG: $42,899 | Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 50 Persons Assisted |
| **8** | Homelessness Emergency Shelter | 2013 | 2017 | Homeless | | Homelessness Emergency Shelter | CDBG: $40,000 | Homeless Person Overnight Shelter: 200 Persons Assisted<br>Overnight/Emergency Shelter/Transitional Housing Beds added: 10 Beds |
| **9** | Homelessness Prevention | 2013 | 2017 | Homeless<br>Non-Homeless Special Needs | | Homelessness Prevention | CDBG: $20,000 | Homelessness Prevention: 50 Persons Assisted |
| **10** | Homelessness Outreach | 2013 | 2017 | Homeless<br>Non-Homeless Special Needs | | Homelessness Outreach<br>Homelessness Prevention | General Fund: $4,000 | Homeless Person Overnight Shelter: 100 Persons Assisted<br>Homelessness Prevention: 20 Persons Assisted |
| **11** | Section 108 Loan Program for Economic Development | 2016 | 2017 | Affordable Housing<br>Non-Housing Community Development | Downtown Area<br>Beverly Community Revitalization | Non-H - Public Improvements & Infrastructure<br>Non-H - Economic Development<br>Aff. Housing | Section 108: $1,429,000 | Facade treatment/business building rehabilitation: 1 Business<br>Rental units constructed: 92<br>Low/Mod rental units constructed: 20 Household Housing Unit<br>Jobs created/retained: 3 Jobs<br>Businesses assisted: 1 |



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| Sort Order | Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|---|---|---|---|---|---|---|---|---|
| **12** | Section 108 Loan Program for Economic Development – Prepayment on $1,429,000 Loan balance | 2016 | 2017 | Affordable Housing<br>Non-Housing Community Development | Downtown Area<br>Beverly Community Revitalization | Non-H - Public Improvements & Infrastructure<br>Non-H - Economic Development<br>Aff. Housing | CDBG: $512,265 | Facade treatment/business building rehabilitation: 1 Business<br>Rental units constructed: 92<br>Low/Mod rental units constructed: 20 Household Housing Unit<br>Jobs created/retained: 3 Jobs<br>Businesses assisted: 1 |



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| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| **12** | Administer the CDBG Program | 2016 | 2017 | Administration | Downtown Area Beverly Community Revitalization | Aff. Housing Rehabilitiation-Existing Units Aff. Housing Rehab-Existing Units Lead Paint Aff. Housing Rental Assistance Aff. Housing Production of New Units Homelessness Outreach Homelessness Emergency Shelter Homelessness Prevention Non-H - Public Facilities Parks Improvements Non-H - Public Improvements & Infrastructure Non-Housing - Public Services Non-H - Economic Development Aff. Housing | CDBG: $57,699 | Other: 1 Other |



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**Table 55 – Goals Summary**

## Goal Descriptions

| | | |
|---|---|---|
| 1 | **Goal Name** | Domestic Violence Prevention Supportive Housing |
| | **Goal Description** | Continue as Fiscal Agent for Domestic Violence Prevention's Supportive Housing Program |
| 2 | **Goal Name** | Home Buyer Assistance |
| | **Goal Description** | Provide down payment assistance to low/mod households. |
| 3 | **Goal Name** | CDBG Revolving Loan Fund |
| | **Goal Description** | Provide low-cost loans to property owners in downtown for facade improvements and/or other necessary improvements for commercial business viability. |
| 4 | **Goal Name** | Housing Reconstruction |
| | **Goal Description** | Promote the availability of City operated owner-occupied housing assistance programs through the media; Solicit applications for assistance from low income residents; Conduct applicant screening and approval; Provide home-buyer education counseling and assistance; Facilitate reconstruction of single-family properties.<br>Funding Sources: City of Texarkana, CDBG, TDHCA, Non-profit Agencies, Private Sector Lenders, Lender Incentives, City-wide Annual Target Areas (Census Tracts 104, 105, 106) Downtown and Beverly Neighborhoods |
| 5 | **Goal Name** | Evaluate and Reduce Lead Paint Hazards |
| | **Goal Description** | • Provide information and education to the public, re: lead risks<br>• Evaluate and reduce lead hazards by giving reconstruction priority to eligible residents most at risk for lead poisoning<br>• Develop technical capacity with staff<br>City of Texarkana, CDBG; Non-profit agencie, Texarkana Bowie County Health Dept., ocal hospitals, Housing Authority |
| 6 | **Goal Name** | Rental Assistance Information Dissemination |
| | **Goal Description** | Provide distressed families with information on obtaining rental assistance via web, public access channel, in office, and through partner agencies. |



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| | | |
|---|---|---|
| 7 | **Goal Name** | Public Facilities and Parks |
| | **Goal Description** | Provide improvements for usability and accessibility for public facilities and parks. |
| 8 | **Goal Name** | Public Services - Health Department |
| | **Goal Description** | Provide assistance to the Texarkana-Bowie County Family Health Center to ensure health services are available to low and moderate income persons. |
| 9 | **Goal Name** | Public Improvements and Infrastructure |
| | **Goal Description** | Provide public improvements and infrastructure in distressed and/or low/mod areas. Focus will be on Target Areas. The City will provide ADA specified improvements at the Beverly Community Center to insure persons with disabilities have full access to all services provided at the center. Other improvements may include water/sewer lines, sidewalks, trails, bike lanes, streetlights, communal spaces, flood control, rain gardens, and/or community garden spaces. May also include code enforcement and foreclosed property care. |
| 10 | **Goal Name** | Homelessness Emergency Shelter |
| | **Goal Description** | Assist Randy Sams Shelter for application to Emergency Shelter Grant for essential rehabilitation on facility and expansion to provide shelter and care for families. |
| 11 | **Goal Name** | Homelessness Prevention |
| | **Goal Description** | Provide grants development support to organizations that provide services to homeless and special needs individuals. Provide easy access to information for supportive service organizations that provide services to homeless and special needs individuals Attend and participate in Texarkana Homeless Coalition meetings. Host trainings and meetings for the Texarkana Homeless Coalition, providing meeting space, food, and administrative services required for the meetings. Provide consultant and technical services toward writing a Continuum of Care for the Texarkana Homeless Coalition. Apply to the State of Texas' ESG, HOPWA and SHP programs for funding to provide housing for the homeless and special needs individuals. |
| 12 | **Goal Name** | Homelessness Outreach |
| | **Goal Description** | Outreach to potentially homeless and homeless individuals to ensure awareness of shelters and services. Outreach to public agencies as distributors of information. |



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| | | |
|---|---|---|
| **13** | **Goal Name** | Section 108 Loan Program for Economic Development |
| | **Goal Description** | Section 108 Loan Program to make low cost loans available for development of mixed use properties Downtown. The City will use these loan funds to assist with rehabilitation of a downtown historic structure into Hotel Grim Lofts that will provide 20 low/mod housing units. |
| **14** | **Goal Name** | Section 108 Loan Program for Economic Development-Prepayment |
| | **Goal Description** | CDBG funds will be used to pre-pay $512,265 pf the $1,429,000 balance pm the City's Section 108 loan. Loan funds used to provide 20 low/mod housing units in the Hotel Grim Lofts in downtown Texarkana. |
| **15** | **Goal Name** | Administer the CDBG Program |
| | **Goal Description** | Administer the CDBG program. |



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# Projects

## AP-35 Projects – 91.220(d)

### Introduction

In this section of the CDBG Annual Plan, the City of Texarkana, Texas provides a summary of the eligible program and/or activities that will take place during the program to address the priority needs and specific objectives identified in the Strategic Plan. Eligible programs and activities are referred to as "Projects."

### Projects

| # | Project Name |
|---|---|
| 1 | SHP Supportive Housing Program/CoC Transitional Housing Program |
| 2 | Home Buyer Assistance Program |
| 3 | Revolving Loan Fund |
| 4 | Housing Reconstruction |
| 5 | Evaluate and Reduce Lead Paint Hazards |
| 6 | Rental Assistance Information |
| 7 | Public Facilties and Parks |
| 8 | Public Services - Health Department |
| 9 | Public Improvements and Infrastructure |
| 10 | Homelessness Emergency Shelter Assistance |
| 11 | Homelessness Prevention |
| 12 | Homeless Outreach |
| 13 | Section 108 Loans for Economic Development |
| 14 | Section 108 Loan Program - Prepayment |
| 15 | CDBG Program Administration |

**Table 56 – Project Information**

### Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Priorities selected as High or Low Priority Goals and Projects were identified through analysis of local need, market analysis, consultation with local, state, and federal agencies and citizen partipation. High Priority projects will receive funding through CDBG funds. Funding for Low Priority Goals and Projects comes from sources other then CDBG. The greatest obstacle to addressing underserved needs is obviously funding.

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## AP-38 Project Summary

### Project Summary Information

| | | |
|---|---|---|
| 1 | **Project Name** | SHP Supportive Housing Program/CoC Transitional Housing Program |
| | **Target Area** | |
| | **Goals Supported** | Domestic Violence Prevention and Texarkana Friendship Center Supportive Housing/CoC Transitional Housing Programs |
| | **Needs Addressed** | Aff. Housing Rental Assistance<br>Homelessness Prevention |
| | **Funding** | Supportive Housing Program: $450,000 |
| | **Description** | Act as fiscal agent for the Domestic Violence Prevention's and Texarkana Friendship Center's Supportive/Transitional Housing Program SHP grant. |
| | **Planned Activities** | Act as fiscal agent for the Domestic Violence Prevention's and Texarkana Friendship Center's Supportive/Transitional Housing Program SHP grant. |
| 2 | **Project Name** | Home Buyer Assistance Program |
| | **Target Area** | |
| | **Goals Supported** | Affordable Housing |
| | **Needs Addressed** | Affordable Housing |
| | **Funding** | CDBG: $20,000 |
| | **Description** | Provide down payment assistance for low/mod households. |
| | **Planned Activities** | Provide down payment assistance for two low/mod households. The City will work with Housing Authority and local lenders to qualify applicants for the program. |



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| | | |
|---|---|---|
| 3 | **Project Name** | Revolving Loan Fund |
| | **Target Area** | Downtown Area |
| | **Goals Supported** | CDBG Revolving Loan Fund |
| | **Needs Addressed** | Non-H - Economic Development |
| | **Funding** | CDBG: $100,000 |
| | **Description** | Provide revolving loans to private businesses for economic development in target areas. |
| | **Planned Activities** | Provide loans to qualified property owners for rehabilitation of commercial or residential property in downtown Texarkana. |
| 4 | **Project Name** | Housing Reconstruction |
| | **Target Area** | Beverly Community Revitalization |
| | **Goals Supported** | Housing Reconstruction |
| | **Needs Addressed** | Aff. Housing Rehabilitiation-Existing Units |
| | **Funding** | CDBG: $148,000<br>TDHCA: $320,000 |
| | **Description** | Reconstruction of housing for low and moderate income homeowners. |
| | **Planned Activities** | Housing Reconstruction of units for low and moderate income units. Housing rehabilitation funds for housing repairs for low and moderate income households. |
| 5 | **Project Name** | Evaluate and Reduce Lead Paint Hazards |
| | **Target Area** | Downtown Area<br>Beverly Community Revitalization |
| | **Goals Supported** | Evaluate and Reduce Lead Paint Hazards |



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|---|---|---|
| | **Needs Addressed** | Aff. Housing Rehab-Existing Units Lead Paint |
| | **Funding** | General Fund: $3,000 |
| | **Description** | Provide information and education to the public, re: lead risks; Evaluate and reduce lead hazards by giving reconstruction priority to eligible residents most at risk for lead poisoning; Develop technical capacity with staff. |
| | **Planned Activities** | Provide information and education to the public, re: lead risks; Evaluate and reduce lead hazards by giving reconstruction priority to eligible residents most at risk for lead poisoning; Develop technical capacity with staff. |
| **6** | **Project Name** | Rental Assistance Information |
| | **Target Area** | |
| | **Goals Supported** | Rental Assistance Information Dissemination |
| | **Needs Addressed** | Aff. Housing Rental Assistance |
| | **Funding** | General Fund: $1,000 |
| | **Description** | The City will disseminate information to assist persons and households to obtain affordable housing, housing assistance, and/or homelessness prevention information. |
| | **Planned Activities** | The City will disseminate information to assist persons and households to obtain affordable housing, housing assistance, and/or homelessness prevention information. |
| **7** | **Project Name** | Public Facilties and Parks |
| | **Target Area** | Downtown Area<br>Beverly Community Revitalization |
| | **Goals Supported** | Public Facilities and Parks |
| | **Needs Addressed** | Non-H - Public Facilities Parks Improvements |
| | **Funding** | CDBG: $20,191 |
| | **Description** | Improvements to public facilities and parks in target areas. |



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|---|---|---|
| | **Planned Activities** | Provide improvements to public facilities and parks to improve safety, usability, and accessibility in target areas. |
| **8** | **Project Name** | Public Services - Health Department |
| | **Target Area** | |
| | **Goals Supported** | Public Services - Health Department |
| | **Needs Addressed** | Non-Housing - Public Services |
| | **Funding** | Texas DHSH: $20,000<br>CDBG: $42,899 |
| | **Description** | Improvements to health department facilties. |
| | **Planned Activities** | The City intends to assist the Health Department to secure funding through DHSH for improvements to the public health facility in order to improve services there. The City will use CDBG funds in working with homeless providers, health department, community college, neighborhood organizations, employers of low/mod persons, and owners of micro-businesses to provide public service benefits. |
| **9** | **Project Name** | Public Improvements and Infrastructure |
| | **Target Area** | Downtown, Beverly |
| | **Goals Supported** | Non-Housing Community Development |
| | **Needs Addressed** | Non-H – Public Improvements and Infrastructure |
| | **Funding** | CDBG: $97,556 |



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|---|---|---|
| | **Description** | Provide public improvements and infrastructure in distressed and/or low/mod areas. Focus will be on Target Areas. The City will provide ADA specified improvements at the Beverly Community Center to insure persons with disabilities have full access to all services provided at the center. Other improvements may include water/sewer lines, sidewalks, trails, bike lanes, streetlights, communal spaces, flood control, rain gardens, and/or community garden spaces. May also include code enforcement and foreclosed property care. |
| | **Planned Activities** | Provide public improvements and infrastructure in distressed and/or low/mod areas. Focus will be on Target Areas. The City will provide ADA specified improvements at the Beverly Community Center to insure persons with disabilities have full access to all services provided at the center. Other improvements may include water/sewer lines, sidewalks, trails, bike lanes, streetlights, communal spaces, flood control, rain gardens, and/or community garden spaces. May also include code enforcement and foreclosed property care. |
| **10** | **Project Name** | Homelessness Emergency Shelter Assistance |
| | **Target Area** | |
| | **Goals Supported** | Homelessness Emergency Shelter |
| | **Needs Addressed** | Homelessness Emergency Shelter |
| | **Funding** | General Fund: $4,000 |
| | **Description** | Assistance for fund development for emergency shelter including participation in Homeless Coalition. |
| | **Planned Activities** | The City plans to assist the Homeless Coalition and Randy Sams Homeless shelter to research and apply for grants and will participate on the Coalition; contributions of personnel costs through the City's General Fund. |
| **11** | **Project Name** | Homelessness Prevention |
| | **Target Area** | |
| | **Goals Supported** | Homelessness Prevention |
| | **Needs Addressed** | Homelessness Prevention |
| | **Funding** | General Fund: $4,000 |



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|---|---|---|
| | **Description** | Assitance for homelessness prevention programs through funding for grant management programs. |
| | **Planned Activities** | The City intends to contribute personnel resources paid for through General Fund to the Homeless Coalition and to support Randy Sams Homeless Shelter through implementation of the eCivis software. |
| **12** | **Project Name** | Homeless Outreach |
| | **Target Area** | |
| | **Goals Supported** | Homelessness Outreach |
| | **Needs Addressed** | Homelessness Prevention |
| | **Funding** | General Fund: $4,000 |
| | **Description** | Provide Outreach to homeless persons to assist them in receiving services, shelter, and housing. |
| | **Planned Activities** | |
| **13** | **Project Name** | Section 108 Loans for Economic Development – Hotel Grim Lofts |
| | **Target Area** | Downtown Area |
| | **Goals Supported** | Section 108 Loan Program for Economic Development |
| | **Needs Addressed** | Aff. Housing Production of New Units<br>Non-H - Public Improvements & Infrastructure<br>Non-H - Economic Development<br>Aff. Housing |
| | **Funding** | Section 108: $1,429,000 |
| | **Description** | Section 108 Loan Program to make low cost loans available for development of mixed use properties Downtown. The City will use these loan funds to assist with rehabilitation of a downtown historic structure into Hotel Grim Lofts that will provide 20 low/mod housing units. |



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| | | |
|---|---|---|
| | **Planned Activities** | Section 108 Loan Program to make low cost loans available for development of mixed use properties Downtown. The City will use these loan funds to assist with rehabilitation of a downtown historic structure into Hotel Grim Lofts that will provide 20 low/mod housing units. |
| **14** | **Project Name** | Section 108 Loans for Economic Development – Hotel Grim Lofts |
| | **Target Area** | Downtown Area |
| | **Goals Supported** | Section 108 Loan Program for Economic Development - Prepayment |
| | **Needs Addressed** | Aff. Housing Production of New Units<br>Non-H - Public Improvements & Infrastructure<br>Non-H - Economic Development<br>Aff. Housing |
| | **Funding** | CDBG: $512,265 |
| | **Description** | Prepayment of $512,265 on $1,429,000 Section 108 loan |
| | **Planned Activities** | CDBG funds will be used to pre-pay $512,265 of the $1,429,000 balance on the City's Section 108 loan. Loan funds used to provide 20 low/mod housing units in the Hotel Grim Lofts in downtown Texarkana. |
| **14** | **Project Name** | CDBG Program Administration |
| | **Target Area** | Downtown Area<br>Beverly Community Revitalization |



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| | | |
|---|---|---|
| | **Goals Supported** | Domestic Violence Prevention Supportive Housing<br>CDBG Revolving Loan Fund<br>Housing Reconstruction<br>Evaluate and Reduce Lead Paint Hazards<br>Rental Assistance Information Dissemination<br>Public Facilities and Parks<br>Public Services - Health Department<br>Homelessness Emergency Shelter<br>Homelessness Prevention<br>Homelessness Outreach<br>Section 108 Loan Program for Economic Development<br>Administer the CDBG Program |
| | **Needs Addressed** | Aff. Housing Rehabilitiation-Existing Units<br>Aff. Housing Rehab-Existing Units Lead Paint<br>Aff. Housing Rental Assistance<br>Aff. Housing Production of New Units<br>Homelessness Outreach<br>Homelessness Emergency Shelter<br>Homelessness Prevention<br>Non-H - Public Facilities Parks Improvements<br>Non-H - Public Improvements & Infrastructure<br>Non-Housing - Public Services<br>Non-H - Economic Development<br>Aff. Housing |
| | **Funding** | CDBG: $57,699 |
| | **Description** | Administer the CDBG program |
| | **Planned Activities** | Administer the CDBG program. |

**Table 57 – Project Summary**



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## AP-50 Geographic Distribution – 91.220(f)

**Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed**

Texarkana has many safe, affordable, and livable neighborhoods. However, some areas of the city have increasingly become areas where housing and social problems are concentrated, areas where poverty and lack of decent housing excaserbate other social issues. These are areas where with multiple housing problems and a concentration of abandoned, substandard housing are havens for criminal activity, depriving decent citizens of peace of mind and property value. Concentration is here defined as 44% percent or more of the housing stock in an area of 2 or more adjacent block groups with households experiencing more than one of the Four Housing Problems. (Lacking complete kitchens, lacking complete plumbing, more than one person per room, and/or paying 305 or more of household income for housing.)

The Beverly Community in Texarkana, Texas has significant housing and poverty issues. As such, the City has designated the Beverly Neighborhood as a priority local Target Area. The downtown area has few affordable housing opportunties for people wanting to live in the downtown area. Many of the residential structures in the Downtown - 7th Street Corridor are substandard or substandard with significant rehabilitiation potential.

In areas of minority and/or low-income concentration, housing values are generally much lower than the city as a whole, crime rates are higher, and there are fewer opportunities for employment. Both the Beverly neighborhood and downtown are prime examples of areas where minority and low income concentration pose significant challenges to redevelopment and the goal associated with providing safe, suitable, livable communities for everyone.

The City's designation of the Beverly Neighborhood as a local Target Community is based on the concentrations of poverty, minorities, abandoned and/or substandard housing, and high numbers of households with one or more of the Four Housing Problems or Four Severe Housing Problems. In many ways, Beverly is similar to other neighborhoods in Texarkana, in that these social and market factors have depressed the neighborhoods making them unattractive to developers. These neighborhoods cost the city in lost property taxes and increase police, fire, and environmental services. Estimates of the number of abandoned, substandard properties suggest that one in six homes have been boarded up in the Beverly community.

The City has an extensive network of parks, schools, churches, shopping, and social service organizations located throughout the city. The City's partnership with the T-Line public transportation system has resulted in transportation availablilty in most neighborhood in the city. Only one park exists in the Beverly community. The park is located on a flood plain and cannot be updated using state or federal funding. Other community assets include grocery stores, employment opportunities, and Texarkana

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Community College.

Substantial strategic opportunities exist in both the Beverly Neighborhood and in Downtown Texarkana with an appropriate level of commitment of resources to remove barriers and create incentives for redevelopment and economic opportunities benefitting the entire city. Consequently, 80% of CDBG funds will be spent in the target areas, with an even split between the two.

## Geographic Distribution

| Target Area | Percentage of Funds |
|---|---|
| Downtown Area | 40 |
| Beverly Community Revitalization | 40 |

**Table 58 - Geographic Distribution**

## Rationale for the priorities for allocating investments geographically

Reductions in federal funding are felt across the country. In Texarkana, HUD's new funding allocation formulas resulted in the loss of nearly 25% of the CDBG budget. Texarkana's experience with targeting resources in the Rosehill neighborhood and the attraction of private capital there, resulted in neighborhood transformation. Consequently, the City concluded that the best way to maximize the CDBG budget would be to concentrate on specific areas for improvement in housing and living conditions that would have the most return on investment. Citizens of Texarkana and the duly elected City Council chose, by City Ordinance, to focus City resources in Downtown and the Beverly community, with the expectation that the funds expended there would provide the greatest benefit the City.

## Discussion

Target Areas are central to Texarkana's plan to improve both the Downtown/7th Street Corridor and the Beverly Heights Community. . The City will work with the Housing Authority and local lenders to qualify applicants for the Home Buyer Assistance Program to provide down payment assistance to two low/mod households. The Housing Rehabilitation Program will assist eight low/mod households with housing repairs to improve living conditions. The City was awarded Section 108 Loan Funds that will be used to rehabilitate a downtown structure into Hotel Grim Lofts and will make twenty low/mod housing units available.

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# Affordable Housing

## AP-55 Affordable Housing – 91.220(g)

### Introduction

The City works with many partner agencies, non-profits, and churches to provide housing and services to extremely-low to moderate-income people. Rental assistance, supportive housing, homelessness and homelessness prevention are of primary concern. The City of Texarkana has committed to continueing the collaborative partnerships with these agencies to ensure the maximum number of families and individuals will receive the assistance they need for suitable housing and shelter.

| One Year Goals for the Number of Households to be Supported | |
|---|---|
| Homeless | 300 |
| Non-Homeless | 300 |
| Special-Needs | 300 |
| Total | 900 |

**Table 59 - One Year Goals for Affordable Housing by Support Requirement**

| One Year Goals for the Number of Households Supported Through | |
|---|---|
| Rental Assistance | 1,000 |
| The Production of New Units | 5 |
| Rehab of Existing Units | 5 |
| Acquisition of Existing Units | 0 |
| Total | 1,010 |

**Table 60 - One Year Goals for Affordable Housing by Support Type**

### Discussion

Some of the outcomes listed above will be funded through assistance to homeless shelters, supportive housing programs, and the Housing Authority of Texarkana, Texas (HATT).

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# AP-60 Public Housing – 91.220(h)

## Introduction

The City of Texarkana, Texas plans to carry out several activities supporting public housing in the course of the program year covered by this Action Plan. The City works closely with HATT, the Housing Authority of Texarkana, Texas. Over the course the past five years, HATT has transformed the Rosehill Neighborhood and the experience of living in public housing for many low-income individuals with the assistance of the Hope VI award. That program ends September 30, 2013. Never the less, HATT and the City are committed to revitalizing the neighborhoods and public housing of Texarkana.

## Actions planned during the next year to address the needs to public housing

The City will continue to work with HATT to expand the number of units available to individuals and families in need of public housing and to provide more Section 8 properties within the jurisdiction. The City will provide citizens with access to Fair Housing information, rental assistance programs, and economic and educational opportunities for improving self-sufficiency. Also, the City recognizes that home ownership increases housing and neighborhood stability. Consequently, the City will assist HATT with its home ownership opportunity programs.

## Actions to encourage public housing residents to become more involved in management and participate in homeownership

Information provided to public housing residents will include encouragement for participation in management and homeownership.

## If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

HATT is an exemplary public housing authority and is not designated as troubled.

## Discussion

The City will work with the Housing Authority and local lenders to qualify applicants for the Home Buyer Assistance Program to provide down payment assistance to two low/mod households. The Housing Rehabilitation Program will assist eight low/mod households with housing repairs to improve living conditions. The City was awarded Section 108 Loan Funds that will be used to rehabilitate a downtown structure into Hotel Grim Lofts and will make twenty low/mod housing units available.

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## AP-65 Homeless and Other Special Needs Activities – 91.220(i)

**Introduction**

**Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including**

**Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs**

**Addressing the emergency shelter and transitional housing needs of homeless persons**

**Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again**

**Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs**

**Discussion**

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## AP-75 Barriers to affordable housing – 91.220(j)

**Introduction:**

There are many factors that affect the cost and production or maintenance of housing affordable to extremely low-, low-, and moderate-income families (at or below 80% of Median Family Income (MFI). An analysis of these factors has aided the City in developing programs that reduce the adverse affects of these constraints on the supply and cost of housing.

**Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment**

The Analysis of Impediments indicated no significant institutional barriers to affordable housing exist in Texarkana. Pre-development, building permit and inspection expenses are average in terms of housing construction and renovation costs.

To maintain the City's commitment to prevent barriers to affordable housing the City will:

- Maintain flexibility in zoning and building requirements when appropriate to allow for infill housing development and to provide technical assistance to developers of affordable housing. Posters & literature displayed and made available at city office buildings, utility building, and the public library;
- Monitor city-sponsored projects for equal access and compliance of the Fair Housing Act and Building Dept. officials monitors code compliance to Fair Housing standards;
- Hold periodic Public Hearings providing information and requesting public comment on fair housing or related issues ;
- Provide homebuyer and homeowner education, including fair housing information, was provided by the city and other local housing services providers;
- Conduct outreach efforts to for-profit and non-profit builders and developers through funding and technical assistance to increase the supply of decent, affordable housing within low to moderate income neighborhoods as well as creation of affordable housing on a city-wide basis;
- Maintain an Affirmative Marketing Plan to directly market newly-developed City-assisted housing units to minority groups least likely to apply to homeownership programs.
- Meet with local lenders and home builders to encourage the use of non-traditional client loan qualifying and loan products to better serve the needs of homebuyer households with challenges that preclude conventional qualification;
- Conduct public outreach regarding availability of housing and housing assistance including translation of housing application materials into Spanish, and maintains bi-lingual staff in order

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to assist applicants and clients who are not English-proficient;

- Support local Continuum of Care efforts for homeless populations and provides ongoing support and technical assistance to the Texarkana Homeless Coalition;
- Work with local agencies that provide financial case management and credit counseling;
- Researching the possibility of adopting a Fair Housing ordinance to ensure that fair housing options are available to its citizens.

**Discussion:**

Most of the City of Texarkana's policies were enacted to protect and further the public welfare. For instance, building codes and subdivision standards are required by law for the protection and general welfare of the community. Development impact fees are recovered from the developer to assure that the public costs of new developments are paid by that development. While recognizing the changing need of public policies, the City will review them periodically to determine whether they have become excessive or represent an unnecessary constraint on the development or maintenance of affordable housing.

The City of Texarkana, Texas has not identified any public policies that serve as barriers to affordable housing, and therefore did not need to develop strategies to remove or lessen negative effects that serve as barriers to affordable housing. However, the City has identified the following other general barriers to affordable housing:

- Substantial down payments required to purchase new or existing homes;
- Availability of credit to low and moderate income persons with credit problems;
- Availability of decent affordable single-family units and affordable rental properties.

The City will work with the Housing Authority and local lenders to qualify applicants for the Home Buyer Assistance Program to provide down payment assistance to two low/mod households. The Housing Rehabilitation Program will assist eight low/mod households with housing repairs to improve living conditions. The City was awarded Section 108 Loan Funds that will be used to rehabilitate a downtown structure into Hotel Grim Lofts and will make twenty low/mod housing units available.

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## AP-85 Other Actions – 91.220(k)

### Introduction:

This section of the Action Plan addresses the planned actions of the City of Texarkana, Texas to carry out the following strategies outlined in the Consolidated Plan:

- Foster and maintain affordable housing;
- Evaluate and reduce lead-based paint hazards;
- Reduce the number of povery-level families;
- Develop institution structure; and
- Enhance coordination.

In addition, the City identifies obstacles to meeting underserved needs and prooposes actions to overcome those obstacles.

### Actions planned to address obstacles to meeting underserved needs

- Provide support to organizations that provide services to homeless and special needs individuals
- Provide financial support to organizations that provide services to homeless and special needs individuals.
- Provide easy access to information for supportive service organizations that provide services to homeless and special needs individuals

### Actions planned to foster and maintain affordable housing

- Provide decent and affordable housing through single-family owner-occupied housing reconstruction for lower income residents
- Promote the availability of City operated owner-occupied housing assistance programs through the media
- Solicit applications for assistance from low income residents
- Conduct applicant screening and approval
- Provide home-buyer education counseling and assistance
- Facilitate reconstruction of single-family properties

### Actions planned to reduce lead-based paint hazards

- Provide information and education to the public, re: lead risks
- Evaluate and reduce lead hazards by giving reconstruction priority to eligible residents most at

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risk for lead poisoning
- Develop technical capacity with staff

**Actions planned to reduce the number of poverty-level families**

- Pursue economic development of Downtown and Beverly communities
- Work with the Chamber of Commerce to bring jobs to low- and moderate-income families

**Actions planned to develop institutional structure**

- Implement eCivis grants research, writing, and reporting software project to build institutional capacity
- Improve coordination with Public Services Department to address flood zone management in low-mod income communities
- Establish communication and reporting protocols with police, fire, and emergency services to obtain regular statistical reporting and provide first-line professionals with homelessness services information

**Actions planned to enhance coordination between public and private housing and social service agencies**

- Actively participate in Continuum of Care/Homeless Coalition
- Assist with Homeless Point-in-Time Homeless Count

**Discussion:**

The City of Texarkana recognizes the challenges to fostering and maintaining affordable housing, evaluating and reducing lead-based paint hazards, reducing the number of povery-level families, developing institution structure, enhancing coordination, and addressing underserved needs. The City's Target Area approach to implementing programs and providing services to low-moderate income families will ensure that all fundemental goals of the program will be met. This Action Plan is consistent with HUD's Mission to create strong, sustainable, inclusive communities and quality affordable homes for all; strengthening the housing market to bolster the economy and protect consumers; meeting the need for quality affordable rental homes: utilizing housing as a platform for improving quality of life and building inclusive and sustainable communities free from discrimination. The City will work with the Housing Authority and local lenders to qualify applicants for the Home Buyer Assistance Program to provide down payment assistance to two low/mod households. The Housing Rehabilitation Program will assist eight low/mod households with housing repairs to improve living conditions. The City was awarded Section 108 Loan Funds that will be used to rehabilitate a downtown structure into Hotel Grim Lofts and will make twenty low/mod housing units available.

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# Program Specific Requirements

## AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

**Introduction:**

This section address the program-specific requirements for the Annual Action Plan. The Consolidated Plan Final Rule contains requirements regarding this section of this CDBG Action Plan.

All program income that will have been received before the start of the next program year will have been reprogrammed. The City has no Section 108 loans, urban renewal settlements, or float funded activities. No grant funds will have been returned to the line of credit for which the planned use has not been included in a prior statement or plan. The City does not expect to use any funds for urgent need activities.

The City of Texarkana, Texas estimates that 70% of program funds will be used for activities that benefit persons of low and moderate income over a consecutive period of three years, years 2013-2015 including the year covered by this Annual Action Plan.

**Community Development Block Grant Program (CDBG)**
**Reference 24 CFR 91.220(l)(1)**

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

| | |
|---|---|
| 1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed | 0 |
| 2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan. | 0 |
| 3. The amount of surplus funds from urban renewal settlements | 0 |
| 4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan | 0 |
| 5. The amount of income from float-funded activities | 0 |
| **Total Program Income:** | **0** |

**Other CDBG Requirements**

| | |
|---|---|
| 1. The amount of urgent need activities | 0 |

Attachment: 2017-024 ATTH 01 Amended 2013-2017 Con Plan 2.16.17 (1612 : 2017-024 RES amending the CDBG 2013-2017 Five-Year



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2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income.Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan. 70.00%

**Discussion:**

The City of Texarkana, Texas does not recieve HOME funds. The City expects that all program income will have been programed and that Section 108 Loan proceeds will be receipted in the appropriate program year.

Additionally, the City expects no surplus funds from urban renewal settlements, grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan., and no income from float-funded activities.

Seventy percent of CDBG funds will be used for activities that benefit persons of low and moderate income, with an Overall Benefit calculated over a period of three consecutive years to determine that the minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income.

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Attachment: 2017-024 ATTH 02 Action Plan revision 1.31.17 (1612 : 2017-024 RES amending the CDBG 2013-2017 Five-Year Consolidated Plan

# City of Texarkana, Texas
# 2016 Annual Action Plan

## (DRAFT AMENDMENT 2/15/2017)

The Annual Action Plan for the City of Texarkana, Texas
Community Development Block Grant Program
Prepared in Accordance with the
United States Department of Housing and Urban Development's Planning Requirements



OMB Control No: 2506-0117 (exp. 07/31/2015)

Attachment: 2017-024 ATTH 02 Action Plan revision 1.31.17 (1612 : 2017-024 RES amending the CDBG 2013-2017 Five-Year Consolidated Plan

# Executive Summary

## AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

### 1. Introduction

This Annual Action Plan is effective October 1, 2016 through September 30, 2017. The Annual Action Plan is required by the U.S. Department of Housing and Urban Development in order for the City of Texarkana, Texas to receive federal housing and community development funds under the Community Development Block Grant (CDBG) program.

The overall goals of the City's program have been created according to HUD's established objectives. They are designed to develop viable urban communities principally for low- and moderate-income persons with household incomes at or below 80% of Median Family Income by

- Providing decent housing;
- Providing a suitable living environment; and
- Expanding economic opportunities.

The statutes for the CDBG grant programs set forth three basic goals against which the plan and the jurisdiction's performance under the plan will be evaluated by HUD. These statutory program goals are:

DECENT HOUSING

- assisting homeless persons obtain affordable housing;
- assisting persons at risk of becoming homeless;
- retaining the affordable housing stock;
- increasing the availability of affordable permanent housing in standard condition to low-income and moderate-income families, particularly to members of disadvantaged minorities without discrimination on the basis of race, color, religion, sex, national origin, familial status, or disability;
- increasing the supply of supportive housing which includes structural features and services to enable persons with special needs (including persons with HIV/AIDS) to live in dignity and independence; and
- providing affordable housing that is accessible to job opportunities.

A SUITABLE LIVING ENVIRONMENT

- improving the safety and livability of neighborhoods; eliminating blighting influences and the deterioration of property and facilities;



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- increasing access to quality public and private facilities and services;
- reducing the isolation of income groups within areas through spatial de-concentration of housing opportunities for lower income persons and the revitalization of deteriorating neighborhoods;
- restoring and preserving properties of special historic, architectural, or aesthetic value;
- and conserving energy resources and use of renewable energy sources.

EXPANDED ECONOMIC OPPORTUNITIES

- job creation and retention; establishment, stabilization and expansion of small businesses (including micro-businesses); the provision of public services concerned with employment;
- the provision of jobs to low-income persons living in areas affected by those programs and activities, or jobs resulting from carrying out activities under programs covered by the plan;
- availability of mortgage financing for low-income persons at reasonable rates using non-discriminatory lending practices;
- access to capital and credit for development activities that promote the long-term economic and social viability of the community; and
- empowerment and self-sufficiency for low-income persons to reduce generational poverty in federally assisted housing and public housing.



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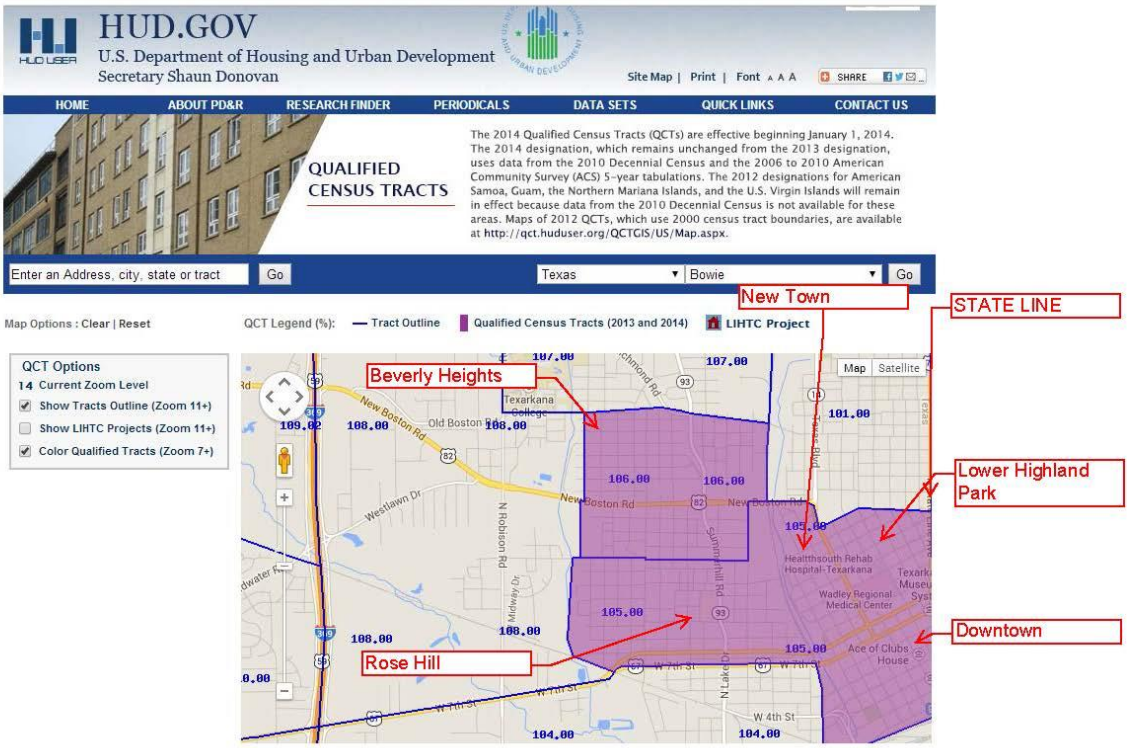


**Texarkana Qualified Census Tracts**



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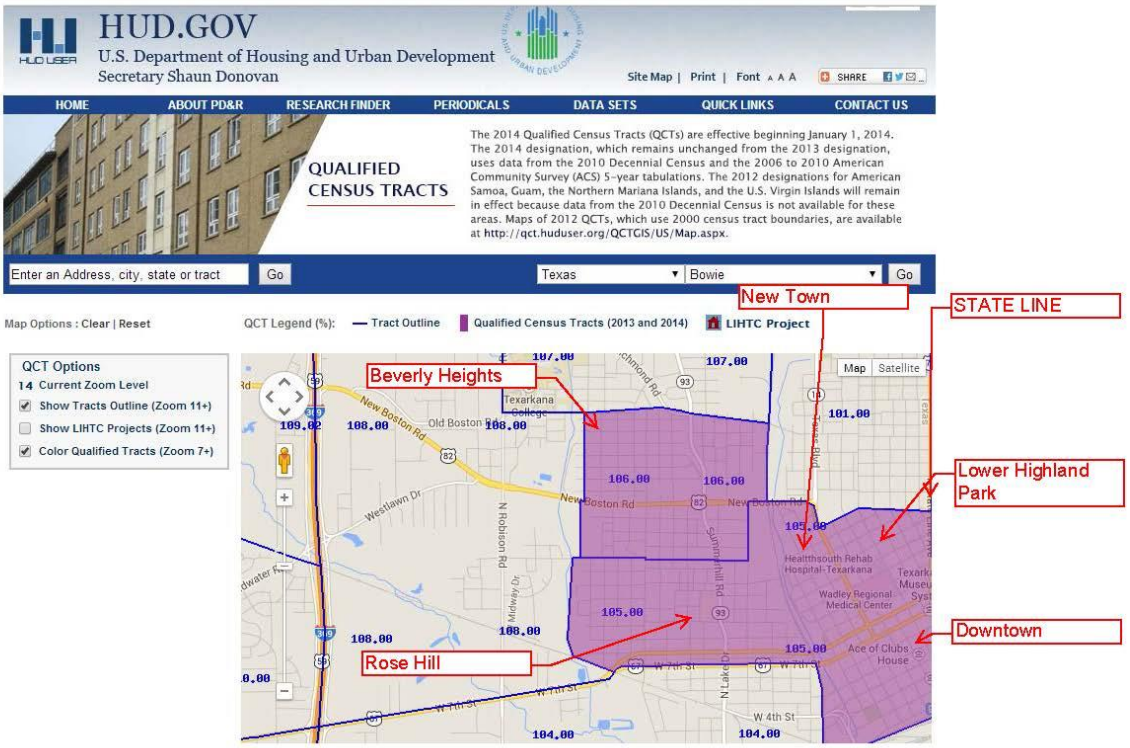


**Low and Moderate Income Areas**

## 2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

In accordance with the goals, objectives, and statutory rules, the City will provide at least five housing rehabilitation grants to extremely low, low and or moderate income households, provide several low- and moderate income persons with down payment assistance, provide support for infrastructure in the Beverly Target Area including sidewalk, trails, and community garden projects, provide ADA improvements for Beverly Community Center, and provide public service activities. The City will also administer the CDBG program.



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## 3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

How were goals and projects chosen?

Texarkana, Texas is experiencing changes in housing patterns, though many of the issues impacting safe and affordable housing remain. Texarkana's population increased by 4% when comparing the 2000 Census population to the population counts in the 2005-2009 American Community Survey. At the same time, median income rose by 28% from $29,727 to $38,037 and the number of households declined by 6% from 15,105 to 14,200. Families in Texarkana seem to be consolidating, relying on income from more individuals per household contributing income. The most common housing problems in Texarkana are cost burden problems where renters and owners have housing costs that exceed 30% of household income.

Renters characterized as Small Related Renter households with a cost burden exceeding 50% of income are statistically the household type most often affected by at least one housing problem. Accessible units, especially for the frail and elderly, are in high demand in the city among current and prospective public housing tenants. The Housing Authority of Texarkana, Texas (HATT) has approximately 1,200 qualified households on the waiting list for public housing or rental assistance, with little chance of receiving assistance as HATT has a 2% vacancy rate.

Collaboration between the City and the Housing Authority of Texarkana, Texas (HATT) with funding of the Hope VI grant resulted in the remarkable transformation of the Rosehill Neighborhood and the state of Public Housing in this city. This collaboration between the City, HATT, neighborhood groups, the Homeless Coalition, and other service providers can serve as a model for transformation of other areas of the City. The key to this type of success is in working together to identify needs, solutions, funding, and community-oriented mechanisms for transformational change. The City expects to repeat this level of transformation in two new target areas, Downtown Texarkana and the Beverly Neighborhood, addressing concentrations of poverty and proliferation of Brownfields. This close collaboration resulted in the first multi-agency Emergency Shelter Grant application, a partnership application to the Citizens Institute for Rural Design, a successful Better Block implementation, CDBG Revolving Loan Fund loans, adoption of two Target Areas, Beverly Community clean ups, and wide-spread support for downtown redevelopment projects.

Two areas in Texarkana have emerged as priority areas for public improvements and economic development opportunities: the Beverly Community, and Downtown Texarkana. The Beverly Community is an area of minority concentration, extremely-low and low-income residents, as well as numerous substandard homes and facilities. The Beverly and Downtown/ 7th Street Corridor present substantial opportunities to impact low and moderate income persons by addressing Brownfields issues and environmental contamination, slum and blight, food desert status, safety issues like inadequate



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roadways, inadequate lighting, storm water run-off, flood management, lack of storm shelters, few bike lanes/walking trails, as well as food security issues like access to a functional sheltered farmers' market, community gardens, all public improvements requested by citizens of Texarkana.

## 4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

In preparation of the Annual Action Plan, the City of Texarkana, Texas held several public meetings concerning the housing and community development needs of the community. The City prepared this 2016 Annual Action Plan to advance the objectives identified in the City's 2013-2017 Consolidated Plan for which the City conducted community surveys to solicit citizen and agency comments. These citizen comments were incorporated in the development of the City's 2013-2017 Consolidated Plan, Citizens Participation Plan, 2013 Action Plan, 2014 Action Plan, 2015 Action Plan, a planned minor amendment to the Consolidated Plan and this 2016 Action Plan, which together identifies priority activities for the City's Community Development Block Grant (CDBG) funds in Program Year 2016.

Additionally, the City conducted surveys at public neighborhood meetings. These were distributed online and as paper copies.

Survey Link: https://www.surveymonkey.com/r/texarkanapriorities2

Citizen participation activities were conducted throughout the year and included several public town hall style meetings, hearings and public meetings before the council, and continued through community meetings, and consultations with area service agencies and the Homeless Coalition.

- April 28th: Rosehill Neighborhood Meeting
- May 5th: Highland Park Neighborhood Meeting
- May 12th: Beverly Neighborhood Meeting

Public meetings for Citizen input on this 2016 Amended Annual Action Plan will be held during the following City Council Meetings:

- February 27, 2017: First Briefing
- March 13, 2017: Public Hearing

Public Comment Period for the Amended Action Plan is February 20th through March 22nd, 2017.



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## 5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

Consensus as to Texarkana's most urgent needs centers on assistance to the homeless, addressing economic development, slum and blight eradication, safety issues, sidewalk improvements/trails, reducing crime, activities for neighborhood children, cleanups of neighborhoods, substandard housing, Brownfields issues, and concentration of resources to address issues in Target Areas. Additional concerns expressed include the need for improving the livability of troubled neighborhoods, the need to improve the Farmers Market, and continued progress on redevelopment of downtown, especially the Grim Hotel for commercial and residential purposes. Other comments received from surveys include:

1. Need to slow traffic on Olive Street
2. Alley cleanups and frequent grading/dragging of alleys. They are horrible and add to insect, rodent and snake problems.
3. Better communication/more inclusive news alerts (individual invitations, newspaper announcements).
4. Remove swamp in Ferguson Park
5. Homeowners need help with housing repairs
6. Make landlords watch who they rent to
7. Need pocket parks
8. Need nice grocery stores, bike trails, nice parks, community centers

## 6. Summary of comments or views not accepted and the reasons for not accepting them

There were no comments or views not accepted.

## 7. Summary

In this fourth year of the Consolidated Plan, the City of Texarkana, Texas continues to pursue three primary goals: providing decent housing; providing a suitable living environment; and expanding economic opportunities.

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## PR-05 Lead & Responsible Agencies – 91.200(b)

### 1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

| Agency Role | Name | Department/Agency |
|---|---|---|
| | | |
| CDBG Administrator | TEXARKANA | Department of Planning and Community Development |

**Table 1 – Responsible Agencies**

### Narrative (optional)

The Department of Planning and Community Development oversees the Community Development Block Grant Program. This office was formerly known as the Office of Community Development and Grants.

The Department of Planning & Community Development implements a variety of programs to assist in the development of the City's economic future and foster a better quality of life. These programs encompass comprehensive planning, zoning administration, physical revitalization of targeted areas, retaining and attracting businesses to Texarkana, creating new residential opportunities, revitalization of neighborhoods and job training opportunities.

The Department is also responsible for research, application and administration of grant programs and projects. Grant funding is used for projects such as improving infrastructure, public parks, purchasing equipment for city departments, improving energy efficiency, implementing housing reconstruction and homebuyer assistance, transitional housing and job training programs for low-income individuals and families, and addressing contaminated brownfield sites.

### Consolidated Plan Public Contact Information

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john.whitson@txkusa.org

**Texarkana, Texas City Council**

P.O. Box 1967

Texarkana, Texas 75504-1967

(903) 798-3900

**Mayor Bob Bruggeman**

Ward 1 Council Member Jean H. Matlock

Ward 2 Council Member Willie Ray

Ward 3 Council Member Tina Veal-Gooch

Ward 4 Council Member Brian Matthews

Ward 5 Council Member Christy P. Paddock

Ward 6 Council Member Josh Davis



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## AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

### 1. Introduction

The City of Texarkana, Texas' Consolidated Plan encompasses activities to be undertaken during the period of October 1, 2013 through September 30, 2017 by the City of Texarkana, an entity recognized by the U.S. Department of Housing and Urban Development (HUD) grant funding under the Community Development Block Grant (CDBG) program. This 2016 Amended Annual Action Plan is Texarkana's plan for administration of the CDBG program from October 1, 2016 to September 30, 2017.

**Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))**

Entities that collaborate with the City to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies include:

- Housing Authority of Texarkana, Texas (HATT)
- Randy Sams Homeless Shelter
- The Salvation Army, Texarkana
- The Friendship Center
- Texarkana Community College
- The Homeless Coalition of Texarkana (Continuum of Care)
- Texarkana-Bowie County Family Health Center

The City collaborates routinely with these entities, and their respective constituencies through regular meetings, cross-agency steering committees and boards, mailing lists, public postings, and email subscriptions. The City is also using social media to reach out to and interact with these agencies and their constituencies.

Public Comment Period: July 4, 2016 through August 3, 2016 (30+ days)

Amendment Public Comment Period: February 20, 2017 through March 22, 2017 (30+ days)

Interested parties were encouraged to attend these public meetings and hearings to present their opinions, views, and recommendations. Persons or groups were also advised that they could provide written comments by sending them to the Department of Planning and Community Development, P.O. Box 1967 Texarkana, Texas 75504-1967.

Surveys for the Consolidated Plan were accepted from June 19, 2013 until July 6, 2013. Links to the surveys were posted on the City's website, advertised in flyers emailed to community organizations, the

Continuum of Care, local churches, planning organizations, the Chamber of Commerce, and the Housing Authority.

- **Agency: https://www.surveymonkey.com/s/communitysurveyserviceproviders**
- **Individuals: https://www.surveymonkey.com/s/conplancitizenssurvey**

The Community Needs Survey was available from April 23rd through May 12th.

- **https://www.surveymonkey.com/r/texarkanapriorities2**

All other written comments were received by August 3, 2016 for inclusion in the plan. Public comments on the draft: accepted from July 4, 2016 to August 3, 2016. Public comments on the amendment: accepted from February 20, 2017 to March 22, 2017.

Public Notices of the community meetings, public hearings, survey, and draft availability were posted at City Hall, on the City's website and in the Texarkana Gazette and on their website. Newspaper legal notice ran prior to release of the 2016 Action Plan Draft and 2016 Amended Action Plan Draft and included dates, times, and addresses for public meetings, as well as instructions for submitting comments.

**Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.**

The City maintains close relationships and coordinates with the Doorways Home (local) Continuum of Care and the Texas Homeless Network (THN-statewide) in order to address the needs of homeless persons, particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth and persons at risk of homelessness. In Program Year 2013, the city worked with partners of the Homeless Coalition and Continuum of Care to submit the areas first collaborative Emergency Solutions Grant. That grant would have helped more than one thousand homeless or at-risk of homeless individuals and families through this partnership, with the City serving as the fiscal agent for the program.

In Program Year 2014, the City applied for, and received a Technical Assistance grant through the Texas Balance of State to improve the ESG application. While the scoring improved, the application was again unsuccessful.

In Program Year 2015, the City worked with Program partners Randy Sams' Outreach Program (RSOS), the Texarkana Friendship Center (TFC), and East Texas Veterans Resources (ETVR) to submit a third application. If funded, the ESG project will allow for a Coordinated Access program One-Stop-Shop to serve homeless persons and families, as well as others in a housing crisis to receive case management services at the Texarkana-Bowie County Health Department. It will provide funds for Homelessness



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Prevention, Street Outreach, Emergency Shelter, and Rapid Rehousing. This effort extends the City's emphasis on housing the chronically homeless, homeless veterans and other persons at risk of homelessness.

The City also serves as fiscal agent for the Continuum of Care Grant as part of the Texas Homeless Network. This Rapid Rehousing program is carried out by Randy Sams' Outreach Shelter (RSOS) and The Texarkana Friendship Center Incorporated (TFCI). The program provides housing and supportive services for forty households per year where the beneficiaries are/were either homeless or at-risk of homelessness. The program is a Rapid Rehousing program that employs the Housing First model and the VI-SPDAT and FVI-SPDAT for prioritization.

**Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS**

The City designates two staff members to participate in the Continuum of Care in order to address the needs of the homeless, at-risk of homeless persons, and veterans. Staff works with the Homeless Coalition and service providers to establish appropriate methodologies for implementation of the Homeless Management Information System (HMIS) as well as performance standards meeting or exceeding those required for Emergency Solutions Grants recipients. The City serves as fiscal agent for the Continuum of Care grant, assisting homeless and at-risk of homelessness persons including domestic violence victims to obtain housing and supportive services. Additionally, the Coalition, as a member of the Texas Homeless Network Continuum of Care, has been chosen to participate in a program designed to consolidate services under the THN Coordinated Access Pilot Program. Staff attends local CoC meetings, attends the Regional Planning Group webinars, meetings, and trainings, and participates state-wide through participation in regional and statewide conferences. The Texarkana Doorways Home Homeless Coalition hosts the annual Point in Time count of homeless persons, conducts training for coalition partners, raises funds for the local coalition and partner agencies, and makes community-wide decisions regarding ESG and other programs that serve this target population. The Coalition is also now participating in the Functional Zero-Ending Veterans' Homelessness initiative.

**Doorways Home Texarkana Coordinated Access Emergency Solutions Grant Application**

As the lead applicant for this collaborative program under the Texas Balance of State Continuum of Care, the City of Texarkana, Texas will provide Street Outreach, Emergency Shelter, Homelessness Prevention, and Rapid Re-Housing services in order to assist homeless people or people at risk of homelessness in Texarkana, Texas to quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness. The City has been awarded Emergency Solution Grant (ESG) funds from Texas Department of Housing and Community Assistance to create a One-Stop Shop that will be located inside the Health Department building for services to prevent homelessness and assist those who are homeless. Service providers will not be charged rent or utilities to locate their case managers



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and services in the City owned building.

Program partners include reliable service providers that participate in the Texarkana Homeless Coalition: the Randy Sams Outreach Shelter, Texarkana Friendship Center, and East Texas Veterans Resources. This project embodies TDHCA's strategic goals to increase community wide planning and resource use, apply coordinated services that make the most of local organizational strengths, implement proven, research-driven, efficient service delivery tools, and vastly improve performance measurements and, most importantly, emphasize outcomes.

As a Texas Balance of State Continuum of Care Coordinated Access Pilot Project, this collaboration advances Texarkana's efforts to capture each organization's strengths in delivering services to persons either at risk of homelessness or experiencing homeless as defined by HUD ESG Interim Rules with "lightest touch" methodologies and HUD best practices without duplication of costs and/or services.

Each partner delivers HMIS, programmatic and administrative commitments with the City providing grant and HMIS administration. Randy Sams will provide Emergency Shelter while The Friendship Center and East Texas Veterans Resources will provide Homelessness Prevention and Street Outreach. ETVR will provide Rapid Re-housing. The program will serve over 700 persons total.



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**2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities**

**Table 2 – Agencies, groups, organizations who participated**

| | | |
|---|---|---|
| 1 | **Agency/Group/Organization** | Housing Authority of Texarkana, Texas |
| | **Agency/Group/Organization Type** | Housing<br>PHA<br>Services - Housing<br>Services-Children<br>Services-Elderly Persons<br>Services-Persons with Disabilities<br>Services-Persons with HIV/AIDS<br>Services-Victims of Domestic Violence<br>Services-homeless<br>Services-Health<br>Services-Education<br>Services-Employment<br>Service-Fair Housing<br>Services - Victims |
| | **What section of the Plan was addressed by Consultation?** | Housing Need Assessment<br>Public Housing Needs<br>Homeless Needs - Chronically homeless<br>Homeless Needs - Families with children<br>Homelessness Needs - Veterans<br>Homelessness Needs - Unaccompanied youth<br>Homelessness Strategy<br>Non-Homeless Special Needs<br>Market Analysis<br>Economic Development<br>Anti-poverty Strategy<br>Lead-based Paint Strategy |
| | **Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?** | Participation on the Homeless Coalition; City supports development of HATT's five year and one year plans; partners on the HOPE VI grant; presentations given at Public Housing community facilities; presentation to Homeless Coalition. |



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| | | |
|---|---|---|
| 2 | **Agency/Group/Organization** | RANDY SAMS' OUTREACH SHELTER, INC. |
| | **Agency/Group/Organization Type** | Housing<br>Services - Housing<br>Services-Children<br>Services-Elderly Persons<br>Services-Persons with Disabilities<br>Services-Persons with HIV/AIDS<br>Services-Victims of Domestic Violence<br>Services-homeless<br>Services-Health<br>Services - Victims |
| | **What section of the Plan was addressed by Consultation?** | Housing Need Assessment<br>Public Housing Needs<br>Homeless Needs - Chronically homeless<br>Homeless Needs - Families with children<br>Homelessness Needs - Veterans<br>Homelessness Needs - Unaccompanied youth<br>Homelessness Strategy<br>Non-Homeless Special Needs<br>Market Analysis<br>Economic Development<br>Anti-poverty Strategy |
| | **Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?** | Coordination through the Homeless Coalition and ESG partnership. |
| 3 | **Agency/Group/Organization** | Main Street Texarkana |
| | **Agency/Group/Organization Type** | Housing<br>Planning organization<br>Business and Civic Leaders<br>Historic Preservation |
| | **What section of the Plan was addressed by Consultation?** | Housing Need Assessment<br>Economic Development<br>Anti-poverty Strategy |



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| | | |
|---|---|---|
| | **Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?** | Regular coordination of activities; partner on EPA Brownfields projects; coordination through the Arts and Historic Commission. |
| 4 | **Agency/Group/Organization** | SALVATION ARMY-TEXARKANA |
| | **Agency/Group/Organization Type** | Housing<br>Services - Housing<br>Services-Children<br>Services-Elderly Persons<br>Services-Persons with Disabilities<br>Services-Persons with HIV/AIDS<br>Services-Victims of Domestic Violence<br>Services-homeless<br>Services-Health<br>Services-Education<br>Services-Employment<br>Service-Fair Housing<br>Services - Victims |
| | **What section of the Plan was addressed by Consultation?** | Housing Need Assessment<br>Public Housing Needs<br>Homeless Needs - Chronically homeless<br>Homeless Needs - Families with children<br>Homelessness Needs - Veterans<br>Homelessness Needs - Unaccompanied youth<br>Homelessness Strategy<br>Non-Homeless Special Needs<br>Market Analysis<br>Economic Development<br>Anti-poverty Strategy |
| | **Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?** | Regular participation on Homeless Coalition; solicitation to participate; works with the city to assess housing needs, anti-poverty strategies. |



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### Identify any Agency Types not consulted and provide rationale for not consulting

There were no agency types not consulted. City personnel extended the invitation to participate in plan development to all agency types represented in the city.

### Other local/regional/state/federal planning efforts considered when preparing the Plan

| Name of Plan | Lead Organization | How do the goals of your Strategic Plan overlap with the goals of each plan? |
|---|---|---|
| Continuum of Care | Homeless Coalition of Texarkana | Both plans address the needs of homeless individuals and families. |

**Table 3 – Other local / regional / federal planning efforts**

### Narrative (optional)

The Office of Planning and Community Development works in conjunction with the City's duly elected Council of Ward Representatives, the City Manager's Office, Finance, Inspections, Public Works, Street, Environmental Services and Parks and Recreation Departments to oversee the development of the Consolidated Plan and administer the programs and activities incorporated in the Plan.
In preparation of the Consolidated Plan and Annual Action Plan, the City of Texarkana, Texas held public meetings and conducted community surveys (Consolidated Plan) to solicit citizen and agency comments concerning the housing and community development needs of the community. Citizen comments were incorporated in the development of the City's 2013-2017 Consolidated Plan, Citizens Participation Plan, 2013 Action Plan, 2014 Action Plan, 2015 Action Plan, 2016 Action Plan and 2016 Amended Action Plan.

The City designates two staff members to participate in the Continuum of Care to address the needs of the homeless, at-risk of homeless persons, and veterans. Staff works with the Homeless Coalition and service providers to establish appropriate methodologies for implementation of the Homeless Management Information System (HMIS) as well as performance standards meeting or exceeding those required for Emergency Solutions Grants recipients. The City serves as fiscal agent for the Supportive Housing Grant, assisting homeless and at-risk of homelessness persons including domestic violence victims to obtain housing and supportive services. Additionally, the Coalition, as a member of the Texas Homeless Network Continuum of Care, has been chosen to participate in a program designed to consolidate services.

## AP-12 Participation – 91.105, 91.200(c)

**1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting**

**Citizen Participation Outreach**

| Sort Order | Mode of Outreach | Target of Outreach | Summary of response/attendance | Summary of comments received | Summary of comments not accepted and reasons | URL (If applicable) |
|---|---|---|---|---|---|---|
| 1 | Newspaper Ad | Minorities<br><br>Non-English Speaking - Specify other language: Spanish<br><br>Persons with disabilities<br><br>Non-targeted/broad community<br><br>Residents of Public and Assisted Housing | Attendance at Public Briefings and Council Meetings. No request for translation. No request for accommodations. | Positive responses. No formal comments. Supportive of Downtown RLF, improving living environment in Beverly Community, Farmers' Market, and coordination with HATT and Homeless Coalition. | No comments not accepted. | |



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| Sort Order | Mode of Outreach | Target of Outreach | Summary of response/attendance | Summary of comments received | Summary of comments not accepted and reasons | URL (If applicable) |
|---|---|---|---|---|---|---|
| 2 | Public Meeting | Minorities<br><br>Non-English Speaking - Specify other language: Spanish<br><br>Persons with disabilities<br><br>Non-targeted/broad community<br><br>Residents of Public and Assisted Housing | Attendance at Public Briefings and Council Meetings. No request for translation. No request for accommodations. | Positive responses. No formal comments. Supportive of Downtown RLF, improving living environment in Beverly Community, Farmers' Market, and coordination with HATT and Homeless Coalition. | No comments not accepted. | |



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| Sort Order | Mode of Outreach | Target of Outreach | Summary of response/attendance | Summary of comments received | Summary of comments not accepted and reasons | URL (If applicable) |
|---|---|---|---|---|---|---|
| 3 | Public Hearing | Minorities<br><br>Non-English Speaking - Specify other language: Spanish<br><br>Persons with disabilities<br><br>Non-targeted/broad community<br><br>Residents of Public and Assisted Housing | Attendance at Public Hearing. No request for translation. No request for accommodations. | Positive responses. No formal comments. Supportive of Downtown RLF, improving living environment in Beverly Community, Farmers' Market, and coordination with HATT and Homeless Coalition. | No comments not accepted. | |

**Table 4 – Citizen Participation Outreach**



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# Expected Resources

## AP-15 Expected Resources – 91.220(c) (1, 2)

### Introduction

This Annual Action Plan is effective October 1, 2016 through September 30, 2017. The Annual Action Plan is required by the U.S. Department of Housing and Urban Development in order for the City of Texarkana, Texas to receive federal housing and community development funds under the Community Development Block Grant (CDBG) program.

The City of Texarkana, Texas will use every funding source available to meet the housing, economic development, and social services needs of the residents of the city. CDBG funds will be used to fund projects identified on the Five Year Consolidated Plan as High Priority Needs within the community for which other funding is not available.

The overall goals of the City's program have been created per HUD's established objectives. They are designed to develop viable urban communities principally for low- and moderate-income persons with household incomes at or below 80% of Median Family Income by:

- Providing decent housing;
- Providing a suitable living environment; and
- Expanding economic opportunities.

Other funding sources include the Continuum of Care program. The City works closely with the Domestic Violence Prevention, Inc. (DVP) and the Texarkana Friendship Center to administer a program for Texarkana's victims of domestic violence and their families. The program helps more than forty families in crisis situations per year. Providing accounting, oversight, technical assistance and capacity building enables DVP and TFCI to provide housing and services to some of the most in need of our community. The City also has established relationships with The Texas Department of Housing and Community Affairs (TDHCA) and the Texas Department of State Health Services (DHSH). Texarkana utilized the TDHCA "Reservation System" to apply for and receive assistance to low and extremely low income households that were living in substandard housing. The "Housing Reconstruction" program allowed the City to tear down the existing structures and rebuild the homes in the current neighborhood. In 2015, the City did not pursue the Housing Reconstruction Program, but instead focused on providing grants to low-income homeowners for Rehabilitation and Down Payment Assistance. These two programs will continue into 2016.

Additionally, the City partners with Bowie County to provide many health care services to moderate, low, and extremely low income persons in Texarkana through the Texarkana, Texas-Bowie County Family Health Services. The City provides oversight and management to the clinic. Also, homeless service

providers work closely with the City to address the needs of the homeless population with the goal of ending homelessness in Texarkana. The city applied for and was awarded Emergency Solution Grant (ESG) funds to create a One-Stop Shop that will be located inside the Health Department building for services to prevent homelessness and assist those who are homeless. Service providers will not be charged rent or utilities to locate their case managers and services in the City owned building.

The table below shows the City's expected CDBG funds. The City should receive $285,999 as the City's Annual Allocation, $1,429,000 in Section 108 Loan Funds and $2,500 in Program Income. Additionally, the City will have $517,866 of the prior year's allocation available. These resources will allow the City to work toward meeting the obligation to provide decent housing, provide a suitable living environment, and expand economic opportunities for the residents of Texarkana.

### Priority Table

| Program | Source of Funds | Uses of Funds | Expected Amount Available Year 1 | | | | | Expected Amount Available Reminder of ConPlan $ | Narrative Descriptio |
|---|---|---|---|---|---|---|---|---|---|
| | | | Annual Allocation: $ | Program Income: $ | Prior Year Resources: $ | Section 108 Loan $ | Total: $ | | |
| CDBG | public - federal | Acquisition<br>Admin and Planning<br>Economic Development<br>Housing<br>Public Improvements<br>Public Services | 285,999 | 2,500 | 517,866 | 1,429,000 | 2,235,365 | 2,235,365 | The amoun $2,235,365 is total availabl CDBG activit |

**Table 5 - Expected Resources – Priority Table**

### Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City recognizes the importance of leveraging resources. It is estimated that over the course of the 5 Year Plan, these community development projects will bring $1.75 in private resources spent in the local economy for each grant dollar invested. Moreover, most of the projects will require substantial private investments at a 9 to 1 ratio. Matching requirements will be met by in-kind donations of labor and/or materials. The programs listed above do not require matching funds. When matching funds are required, the City usually provides in-kind matching through labor and supplies or provides cash matches from the City's general funds.



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**If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan**

Publicly owned land or property located within the jurisdiction includes housing lots owned by the city, city parks, and scattered properties located in downtown. This property may be used to promote economic development, provide support for homeless programs, and/or affordable housing in Texarkana, Texas. Additionally, publicly owned land may also be used to support public health activities, infrastructure and public services, promoting livability and sustainability within the jurisdiction.

**Discussion**

The City expects to use CDBG funding as a leveraging tool to support community and economic development within the jurisdiction. The programs above do not have matching requirements that require using CDBG funds to match. The City will provide the Health Department building as space for a One-Stop Shop for coordinated access for homeless services. Service providers will not be charged rent or utilities to locate their case managers and services in the City owned building. The citizens of Texarkana are willing to invest in affordable housing, suitable living environments, and providing economic opportunities. Ensuring a bright future for our most distressed neighborhoods and commercial areas will assist the entire community to grow and prosper.

# Annual Goals and Objectives

## AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

*See Tables on the following pages:*

**Goals Summary Information**



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| Sort Order | Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|---|---|---|---|---|---|---|---|---|
| **1** | CDBG Program Administration | 2013 | 2017 | Administration | Downtown Area | Aff. Housing Rehabilitiation-Existing Units<br>Aff. Housing Rehab-Existing Units Lead Paint<br>Aff. Housing Rental Assistance<br>Aff. Housing Production of New Units<br>Homelessness Outreach<br>Homelessness Emergency Shelter<br>Homelessness Prevention<br>Non-H - Public Facilities Parks Improvements<br>Non-H - Public Improvements & Infrastructure<br>Non-Housing - Public Services<br>Non-H - Economic Development<br>Aff. Housing | CDBG: $57,699 | Other: 1 Other |



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| Sort Order | Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|---|---|---|---|---|---|---|---|---|
| **2** | Home Buyer Assistance | 2014 | 2017 | Affordable Housing | Downtown Area<br>Beverly Community Revitalization | Aff. Housing | CDBG: $20,000 | Direct Financial Assistance to Homebuyers: 2 Households Assisted |
| **3** | Housing Rehabilitation | 2016 | 2017 | Affordable Housing | Beverly Community Revitalization | Aff. Housing Rehabilitiation-Existing Units | CDBG: $80,000 | Homeowner Housing Rehabilitated: 8 Household Housing Unit |
| **4** | Public Services - Health Department | 2013 | 2017 | Non-Homeless Public Service Needs<br>Non-Housing Community Development | Downtown Area<br>Beverly Community Revitalization | Non-Housing - Public Services | CDBG: $42,899 | Public service activities other than Low/Moderate Income Housing Benefit: 50 Persons Assisted |
| **5** | Public Improvements and Infrastructure – Park & Public Access Improvements | 2014 | 2017 | Non-Housing Community Development | Beverly Community Revitalization | Non-H - Public Improvements & Infrastructure<br><br>Non-H – Public Facilities Parks Improvements | CDBG: $93,500 | Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 500 Persons Assisted |
| **6** | Section 108 Loan-Hotel Grim Lofts | 2016 | 2017 | Affordable Housing | Downtown Area | Aff. Housing | $1,429,000 | Section 108 Loan for Hotel Grim Lofts to provide 20 Low/Mod Housing units |



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| Sort Order | Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|---|---|---|---|---|---|---|---|---|
| 7 | Section 108 Loan - Prepayment | 2016 | 2017 | Affordable Housing | Downtown Area | Aff. Housing | $512,265 | Section 108 Loan pre-payment of $512,265 out o $1,429,000 loan for 20 Low/Mod Housing units |

**Table 6 – Goals Summary**

## Goal Descriptions

| | | |
|---|---|---|
| 1 | **Goal Name** | Administer the CDBG Program |
| | **Goal Description** | The City will administer the CDBG program in accordance will all applicable rules and regulations. |
| 2 | **Goal Name** | First Time Home Buyer Down Payment Assistance |
| | **Goal Description** | Two extremely low income, low income, or moderate income families will receive down payment assistance through implementation of this goal. The City will work with the Housing Authority and local lenders to qualify applicants for the program. This is intended for gap financing in the Downtown or Beverly Neighborhoods. |
| 3 | **Goal Name** | Housing Rehabilitation |
| | **Goal Description** | The City will work with local organizations to identify recipients of funds for Housing Rehabilitation for extremely low and low income families. Candidates are selected from areas of poverty concentration, especially in the Beverly and Downtown areas. City personnel document housing problems of candidates including structural problems, kitchen, bathroom, plumbing, electrical systems problems, as well as general conditions of the home. |
| 4 | **Goal Name** | Public Services - Health Department |
| | **Goal Description** | The City will work with homeless providers, health department, community college, neighborhood organizations, employers of low/mod persons, and owners of micro-businesses to provide public service benefits. |



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| | | |
|---|---|---|
| 5 | **Goal Name** | Public Improvements and Infrastructure - Park & Public Access Improvements |
| | **Goal Description** | Under this goal, the City will conduct projects and activities that improve living conditions within the city, focusing resources on Target Areas. The City will provide ADA specified improvements at the Beverly Community Center to insure persons with disabilities have full access to all services provided at the Center. |
| 6 | **Goal Name** | Section 108 Loan – Hotel Grim Lofts |
| | **Goal Description** | The City will use these loan funds to assist with rehabilitation of a downtown historic structure into the Hotel Grim Lofts that will provide 20 Low/Mod housing units. |
| 7 | **Goal Name** | Section 108 Loan |
| | **Goal Description** | Funds will be used to pre-pay $512,265 of the $1,429,000 balance on the City's Section 108 Loan. Loan funds used to provide 20 Low/Mod housing units in the Hotel Grim Lofts in downtown Texarkana. |

**Table 7 – Goal Descriptions**

**Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b):**



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## AP-35 Projects – 91.220(d)

### Introduction

In this section of the CDBG Annual Plan, the City of Texarkana, Texas provides a summary of the eligible program and/or activities that will take place during the program to address the priority needs and specific objectives identified in the Strategic Plan. Eligible programs and activities are referred to as "Projects."

The Projects which the City intends to complete in Program Year 2016 include the following:

| # | Project Name |
|---|---|
| 1 | CDBG Program Administration |
| 2 | Home Buyer Assistance |
| 3 | Housing Rehabilitation |
| 4 | Public Service Activities -Health Dept |
| 5 | Park and Public Access Improvements-Beverly Community Center |
| 6 | Section 108 Loan Program – Hotel Grim Lofts |
| 7 | Section 108 Loan payments |

**Table 8 – Project Information**

| | CDBG PY 2016 Action Plan Budget Amendment | REVISED | ORIGINAL |
|---|---|---|---|
| | **Amended Expenditures PY 2016** | **BUDGET** | **BUDGET** |
| 1 | Program Administration | 57,699.80 | 59,712.00 |
| 2 | Home Buyer Assistance | $20,000.00 | 40,000.00 |
| 3 | Housing Rehabilitation | $80,000.00 | 50,000.00 |
| 4 | Revolving Loan Fund for Downtown | $0.00 | 60,000.00 |
| 5 | 203/205 Renovations | $0.00 | 74,064.00 |
| 6 | Public Service Activities | $42,899.85 | 44,784.00 |
| 7 | Beverly Community Center Improvements | $93,500.00 | 93,500.00 |
| 8 | Hotel Grim Project | $1,429,000.00 | - |
| 9 | Section 108 Loan | $512,265.05 | - |
| | **TOTAL Expenditures** | **2,235,364.70** | **422,060.00** |
| | | | |
| | **Amended Revenues PY 2016** | | |
| | To Reprogram | 517,865.70 | 120,000.00 |
| | Annual Allocation | 285,999.00 | 298,560.00 |
| | Section 108 Loan Funds | 1,429,000.00 | - |
| | Program Income | 2,500.00 | 3,500.00 |
| | **TOTAL Revenues** | **$2,235,364.70** | **422,060.00** |

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**Describe the reasons for allocation priorities and any obstacles to addressing underserved needs**

Priorities selected as High or Low Priority Goals and Projects were identified through analysis of local need, market analysis, consultation with local, state, and federal agencies and citizen participation. High Priority projects will receive funding through CDBG funds. Funding for Low Priority Goals and Projects comes from sources other than CDBG. The greatest obstacle to addressing underserved needs is obviously funding.

# Projects

## AP-38 Projects Summary

### Project Summary Information

**Table 9 – Project Summary**

| | | |
|---|---|---|
| 1 | **Project Name** | CDBG Program Administration |
| | **Target Area** | Downtown Area |
| | **Goals Supported** | Administer the CDBG Program |
| | **Needs Addressed** | Aff. Housing Rehabilitiation-Existing Units<br>Aff. Housing Rehab-Existing Units Lead Paint<br>Aff. Housing Rental Assistance<br>Aff. Housing Production of New Units<br>Homelessness Outreach<br>Homelessness Emergency Shelter<br>Homelessness Prevention<br>Non-H - Public Facilities Parks Improvements<br>Non-H - Public Improvements & Infrastructure<br>Non-Housing - Public Services<br>Non-H - Economic Development<br>Aff. Housing |
| | **Funding** | CDBG: $57,699 |
| | **Description** | Administer the CDBG program |
| | **Target Date** | 9/30/2017 |
| | **Estimate the number and type of families that will benefit from the proposed activities** | N/A |
| | **Location Description** | City of Texarkana, Texas |
| | **Planned Activities** | The City of Texarkana, Texas will administer the CDBG program under this activity. |
| 2 | **Project Name** | Home Buyer Assistance Program |
| | **Target Area** | Downtown Area<br>Beverly Community Revitalization |
| | **Goals Supported** | Home Buyer Assistance Program |



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| | | |
|---|---|---|
| | **Needs Addressed** | Aff. Housing -Existing Units |
| | **Funding** | CDBG: $20,000 |
| | **Description** | Down payment assistance for low/mod income households. Up to two households will be assisted. |
| | **Target Date** | 9/30/2017 |
| | **Estimate the number and type of families that will benefit from the proposed activities** | Approximately two very low-, low-, and/or moderate income households will benefit from down payment assistance. |
| | **Location Description** | Program focus will be on the Revitalization Areas, though other areas could be considered. |
| | **Planned Activities** | The City will work with the Housing Authority of Texarkana, Texas and local banks to identify and qualify potential borrowers that need assistance with down payment to make purchasing a home more affordable. |
| **3** | **Project Name** | Housing Rehabilitation |
| | **Target Area** | Beverly Community Revitalization |
| | **Goals Supported** | Housing Rehabilitation |
| | **Needs Addressed** | Aff. Housing Rehabilitiation-Existing Units |
| | **Funding** | CDBG: $80,000 |
| | **Description** | Housing rehabilitation for low and moderate income homeowners. No dislocation will occur. The City plans to work closely with neighborhood associations in Texarkana, Texas to select applicants for rehabilitation. |
| | **Target Date** | 9/30/2017 |
| | **Estimate the number and type of families that will benefit from the proposed activities** | Up to eight low to moderate income families will be assisted. |
| | **Location Description** | Program focus will be on the Revitalization Areas, though other areas could be considered. |
| | **Planned Activities** | Housing rehabilitation for low and moderate income homeowners. No dislocation will occur. The City plans to work closely with local housing agencies in Texarkana, Texas to select applicants for rehabilitation. |



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| | | |
|---|---|---|
| 4 | **Project Name** | Public Service Activities |
| | **Target Area** | Downtown Area |
| | **Goals Supported** | Public Services - Health Department |
| | **Needs Addressed** | Non-Housing - Public Services |
| | **Funding** | CDBG: $42,899 |
| | **Description** | The City will work with homeless providers, health department, community college, neighborhood organizations, employers of low/mod persons, and owners of micro-businesses to provide public service benefits. |
| | **Target Date** | 9/30/2017 |
| | **Estimate the number and type of families that will benefit from the proposed activities** | 50 |
| | **Location Description** | Downtown Texarkana, Texas |
| | **Planned Activities** | The City will work with homeless providers, health department, community college, neighborhood organizations, employers of low/mod persons, and owners of micro-businesses to provide public service benefits. |
| 5 | **Project Name** | Park and Public Access Improvements-Beverly Community Center |
| | **Target Area** | Beverly Community Revitalization |
| | **Goals Supported** | Public Improvements and Infrastructure |
| | **Needs Addressed** | Non-H - Public Facilities Parks Improvements<br>Non-H - Public Improvements & Infrastructure |
| | **Funding** | CDBG: $93,500 |
| | **Description** | The City will pursue improvements to public spaces in order to improve ADA access to recreation activities at Beverly Park Community Center, provide improvements to green space, community garden space, sidewalks and trails to include infrastructure improvements to improve public access and livability. |
| | **Target Date** | 9/30/2017 |



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| | | |
|---|---|---|
| | **Estimate the number and type of families that will benefit from the proposed activities** | Approximately 500 persons assisted. These public spaces are in the Beverly Target Area where the poverty rate exceeds 45%. |
| | **Location Description** | Beverly Community |
| | **Planned Activities** | The City will improve ADA access to the Beverly Park Community Center, improving access for handicapped individuals. Sidewalk and trail improvements, tree planting, and park improvements |
| 6 | **Project Name** | Section 108 Loan Program - Hotel Grim Lofts |
| | **Target Area** | Downtown Area |
| | **Goals Supported** | Section 108 Loan for Low/Mod Housing Benefits |
| | **Needs Addressed** | Affordable Housing |
| | **Funding** | CDBG Section 108 Loan Funds: $1,429,000 |
| | **Description** | Section 108 Loan funds to assist with the rehabilitation of a downtown historic structure into the Hotel Grim Lofts that will provide 20 Low/Mod Housing units. |
| | **Target Date** | 9/30/2017 |
| | **Estimate the number and type of families that will benefit from the proposed activities** | Approximately 20 families assisted. |
| | **Location Description** | Downtown Texarkana, Texas |
| | **Planned Activities** | Section 108 Loan funds to assist with the rehabilitation of a downtown historic structure into the Hotel Grim Lofts that will provide 20 Low/Mod Housing units. |
| 9 | **Project Name** | Section 108 Loan - Prepayment |
| | **Target Area** | Downtown Area |
| | **Goals Supported** | Section 108 Loan Low/Mod Housing Benefits |
| | **Needs Addressed** | Affordable Housing |
| | **Funding** | CDBG: $512,265 |



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| | | |
|---|---|---|
| | **Description** | Funds will be used to pre-pay $512,265 of the $1,429,000 balance on the City's Section 108 Loan. Loan funds used to provide 20 Low/Mod units in the Hotel Grim Lofts in downtown Texarkana. |
| | **Target Date** | 9/30/2017 |
| | **Estimate the number and type of families that will benefit from the proposed activities** | Approximately 20 families assisted. |
| | **Location Description** | Downtown Texarkana, Texas |
| | **Planned Activities** | Funds will be used to pre-pay $512,265 of the $1,429,000 balance on the City's Section 108 Loan. Loan funds used to provide 20 Low/Mod units in the Hotel Grim Lofts in downtown Texarkana. |



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## AP-50 Geographic Distribution – 91.220(f)

### Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Texarkana has many safe, affordable, and livable neighborhoods. However, some areas of the city have increasingly become areas where housing and social problems are concentrated, areas where poverty and lack of decent housing exacerbate other social issues. These are areas with multiple housing problems and a concentration of abandoned, substandard housing that are havens for criminal activity, depriving decent citizens of peace of mind and property value. Concentration is here defined as 44% percent or more of the housing stock in an area of 2 or more adjacent block groups with households experiencing more than one of the Four Housing Problems. (Lacking complete kitchens, lacking complete plumbing, more than one person per room, and/or paying 305 or more of household income for housing.)

The Beverly Community in Texarkana, Texas has significant housing and poverty issues. As such, the City has designated the Beverly Neighborhood as a priority local Target Area. The downtown area has few affordable housing opportunities for people wanting to live in the downtown area. Many of the residential structures in the Downtown - 7th Street Corridor are substandard or substandard with significant rehabilitation potential.

In areas of minority and/or low-income concentration, housing values are generally much lower than the city as a whole, crime rates are higher, and there are fewer opportunities for employment. Both the Beverly neighborhood and downtown are prime examples of areas where minority and low income concentration pose significant challenges to redevelopment and the goal associated with providing safe, suitable, livable communities for everyone.

The City's designation of the Beverly Neighborhood as a local Target Community is based on the concentrations of poverty, minorities, abandoned and/or substandard housing, and high numbers of households with one or more of the Four Housing Problems or Four Severe Housing Problems. In many ways, Beverly is similar to other neighborhoods in Texarkana, in that these social and market factors have depressed the neighborhoods making them unattractive to developers. These neighborhoods cost the city in lost property taxes and increase police, fire, and environmental services. Estimates of the number of abandoned, substandard properties suggest that one in six homes have been boarded up in the Beverly community.

The City has an extensive network of parks, schools, churches, shopping, and social service organizations located throughout the city. The City's partnership with the T-Line public transportation system has resulted in transportation availability in most neighborhood in the city. Only one park exists in the Beverly community. The park is located on a flood plain and cannot be updated using state or federal funding. Other community assets include grocery stores, employment opportunities, and Texarkana

Community College.

Substantial strategic opportunities exist in both the Beverly Neighborhood and in Downtown Texarkana with an appropriate level of commitment of resources to remove barriers and create incentives for redevelopment and economic opportunities benefitting the entire city. Consequently, 80% of CDBG funds will be spent in the target areas, with an even split between the two.

## Geographic Distribution

| Target Area | Percentage of Funds |
|---|---|
| Downtown Area | 39 |
| Beverly Community Revitalization | 41 |

**Table 10 - Geographic Distribution**

## Rationale for the priorities for allocating investments geographically

Reductions in federal funding are felt across the country. In Texarkana, HUD's new funding allocation formulas resulted in the loss of nearly 25% of the CDBG budget. Texarkana's experience with targeting resources in the Rosehill neighborhood and the attraction of private capital there, resulted in neighborhood transformation. Consequently, the City concluded that the best way to maximize the CDBG budget would be to concentrate on specific areas for improvement in housing and living conditions that would have the most return on investment. Citizens of Texarkana and the duly elected City Council chose, by City Ordinance, to focus City resources in Downtown and the Beverly community, with the expectation that the funds expended there would provide the greatest benefit the City.

## Discussion

Target Areas are central to Texarkana's plan to improve both the Downtown/7th Street Corridor, Rosehill, and the Beverly Communities.



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# Affordable Housing

## AP-55 Affordable Housing – 91.220(g)

### Introduction

The City works with many partner agencies, non-profits, and churches to provide housing and services to extremely-low to moderate-income people. Rental assistance, supportive housing, homelessness and homelessness prevention are of primary concern. The City of Texarkana has committed to continuing the collaborative partnerships with these agencies to ensure the maximum number of families and individuals will receive the assistance they need for suitable housing and shelter.

| One Year Goals for the Number of Households to be Supported | |
|---|---|
| Homeless | 50 |
| Non-Homeless | 50 |
| Special-Needs | 50 |
| Total | 150 |

**Table 11 - One Year Goals for Affordable Housing by Support Requirement**

| One Year Goals for the Number of Households Supported Through | |
|---|---|
| Rental Assistance | 0 |
| The Production of New Units | 0 |
| Rehab of Existing Units | 5 |
| Acquisition of Existing Units | 0 |
| Total | 5 |

**Table 12 - One Year Goals for Affordable Housing by Support Type**

### Discussion

Some of the outcomes listed above will be funded through sources other than CDBG. Programs operate through assistance to homeless shelters, supportive housing programs, and the Housing Authority of Texarkana, Texas (HATT).



Attachment: 2017-024 ATTH 02 Action Plan revision 1.31.17 (1612 : 2017-024 RES amending the CDBG 2013-2017 Five-Year Consolidated Plan

Attachment: 2017-024 ATTH 02 Action Plan revision 1.31.17 (1612 : 2017-024 RES amending the CDBG 2013-2017 Five-Year Consolidated Plan

## AP-60 Public Housing – 91.220(h)

### Introduction

The City of Texarkana, Texas plans to carry out several activities supporting public housing in the course of the program year covered by this Action Plan. The City works closely with HATT, the Housing Authority of Texarkana, Texas. Over the course the past five years, HATT and City have transformed the Rosehill Neighborhood and the experience of living in public housing for many low-income individuals with the assistance of the Hope VI award. That program ended September 30, 2013. Never the less, HATT and the City are committed to revitalizing the neighborhoods and public housing of Texarkana.

### Actions planned during the next year to address the needs to public housing

The City will continue to work with HATT to expand the number of units available to individuals and families in need of public housing and to provide more Section 8 properties within the jurisdiction. The City will provide citizens with access to Fair Housing information, rental assistance programs, and economic and educational opportunities for improving self-sufficiency. Also, the City recognizes that home ownership increases housing and neighborhood stability. Consequently, the City will assist HATT with its home ownership opportunity programs.

### Actions to encourage public housing residents to become more involved in management and participate in homeownership

The City of Texarkana and HATT provides information to public housing residents that includes encouragement for participation in management and homeownership. The City and HATT provided informational brochures, websites, and social media interaction supporting these important goals.

### If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

HATT is an exemplary public housing authority and is not designated as troubled.

### Discussion

The City's efforts to improve Public Housing resulted in A Hope VI grant through which the City and HATT were able to demolish the aged and blighted public housing units, replacing them with through mixed use public housing areas that are clean, well-maintained, and functioning to provide safe and livable housing to over a thousand households in Texarkana. While these funds are no longer available, the transformative power of this relationship with the Housing Authority and citizens means other blighted neighborhoods can also be changed for the better.

Attachment: 2017-024 ATTH 02 Action Plan revision 1.31.17 (1612 : 2017-024 RES amending the CDBG 2013-2017 Five-Year Consolidated Plan

## AP-65 Homeless and Other Special Needs Activities – 91.220(i)

### Introduction

Homelessness in Texarkana, Texas is a challenging, but not intractable, problem. Every year, HUD requires the Texarkana Continuum of Care to collect data on homelessness at a single point-in-time during the last week in January. The Texas Homeless Network annually assists Texarkana's Continuum of Care through the Texarkana Homeless Coalition with their Point-in-Time homeless survey preparation and data analysis. The data that follows is a compilation of data collected on the day of January 21, 2016 by members of the Texarkana Homeless Coalition, a year considered as representative of homelessness in Texarkana and the last year for which there is a completed and approved report. One hundred five surveys were collected representing one hundred forty one people, though this represents only a small portion of the number of homeless in Texarkana, This Action Plan is also informed by Texarkana's sustained participation in the Homeless Coalition and regular interaction with homeless service providers, Randy Sams' Outreach Shelter, The Salvation Army of Texarkana, and Friendship Center of Texarkana through the Homeless Management Information Systems (HMIS) or from agency collaborations.

The Continuum of Care estimates there are 366 people who are homeless each day in the city. The median length of homelessness is 10.5 months, with a range of one day to over forty years of homelessness. This significant range might skew the median length considerably, with 20.7% of those counted in the Point-in-Time Survey reporting chronic homelessness. Over 79% of those counted are not chronically homeless. Forty-one percent of respondents reported their homelessness was their first time homeless in at least a three year period, as compared to 13.8% that reported they had been homeless continuously for more than a year and 34.5% that had 2-3 episodes of homelessness in the past three years.

72.3% Male
27.8% Female
12.4% Households with children
20.7% Chronic homelessness

### Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City intends to continue dedicating resources to participation in the Homeless Coalition, serving as fiscal agent for the Continuum of Care Program, working closely with Randy Sams' Outreach Shelter, the Texarkana Friendship Center, HATT and other housing and service providers, and partnering with willing

agencies to apply for Texas Department of Housing and Community Affairs Emergency Solutions Grants.

**Addressing the emergency shelter and transitional housing needs of homeless persons**

The City intends to continue dedicating resources to participation in the Homeless Coalition, serving as fiscal agent for the Continuum of Care Grant, working closely with Randy Sams' Outreach Shelter, the Texarkana Friendship Center, HATT and other housing and service providers, and partnering with willing agencies to apply for Texas Department of Housing and Community Affairs Emergency Solutions Grants. The Rapid Rehousing program is carried out by Randy Sams Outreach Shelter and The Texarkana Friendship Center Incorporated (TFCI). The program provides housing and supportive services for forty households per year where the beneficiaries are/were either homeless or at-risk of homelessness. The program is a Rapid Rehousing program that employs the Housing First model and the VI-SPDAT and FVI-SPDAT for prioritization.

**Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again**

The City intends to continue dedicating resources to participation in the Homeless Coalition, serving as fiscal agent for the Continuum of Care Program, working closely with HATT and other housing and service providers, and partnering with willing agencies to apply for Texas Department of Housing and Community Affairs Emergency Solutions grants. The partnership with East Texas Veteran Resources is based on the goal of ending veteran homelessness.

**Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.**

The City intends to continue dedicating resources to participation in the Homeless Coalition, serving as fiscal agent for the Continuum of Care Program, working closely with HATT and other housing and service providers, and partnering with willing agencies to apply for Texas Department of Housing and



Attachment: 2017-024 ATTH 02 Action Plan revision 1.31.17 (1612 : 2017-024 RES amending the CDBG 2013-2017 Five-Year Consolidated Plan

Community Affairs Emergency Solutions grants.

**Discussion**

As a Texas Balance of State Continuum of Care Coordinated Access Pilot Project, this collaboration advances Texarkana's efforts to capture each organization's strengths in delivering services to persons either at risk of homelessness or experiencing homeless as defined by HUD ESG Interim Rules with "lightest touch" methodologies and HUD best practices without duplication of costs and/or services. All programs now employ the Housing First Model. The City will contract with the Housing Authority of Texarkana, Texas and sub-grant to all other project partners. The City will ensure appropriate use of grant funds, act as fiscal agent, ensure timely reporting by all program partners, and collaborate with all partners to ensure proposed outcomes are met.

Each partner delivers HMIS, programmatic and administrative commitments with the City providing grant and HMIS administration. Randy Sams' will provide Outreach and Emergency Shelter including mental health services; Housing Authority will provide Credit Counseling for Homelessness Prevention and Rapid Re-Housing; Salvation Army will provide Rapid Re-Housing assistance; and, due to overwhelming caseloads, Salvation Army and the Friendship Center will both provide Homelessness Prevention.

Doorways Home Texarkana is a Coordinated Access Emergency Solutions grant application prepared as a collaborative project to address homeless and other special needs housing and supportive services. Texarkana assisted a project team comprised of homeless service and housing providers to prepare a partnership based Emergency Solutions Grant proposal. As the lead applicant for this collaborative program under the Texas Balance of State Continuum of Care, the City of Texarkana, Texas proposed to provide Street Outreach, Emergency Shelter, Homelessness Prevention, and Rapid Re-Housing services through experienced providers in order to assist homeless people or people at risk of homelessness in Texarkana, Texas to quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness. While not successful in this first collaborative application, the project partners believe that the best way to provide quality services to Texarkana's homeless population is through continuing to work together and to re-apply in subsequent years.

Program partners include reliable service providers that participate in the Texarkana Homeless Coalition: the Randy Sams' Outreach Shelter, Texarkana Friendship Center, Housing Authority of Texarkana, Texas and the Salvation Army of Texarkana. This project will increase community wide planning and resource use, apply coordinated services that make the most of local organizational strengths, implement proven, research-driven, efficient service delivery tools, and vastly improve performance measurements and, most importantly, emphasize outcomes.

The City receives no HOPWA funds.



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## AP-75 Barriers to affordable housing – 91.220(j)

### Introduction

There are many factors that affect the cost and production or maintenance of housing affordable to extremely low-, low-, and moderate-income families (at or below 80% of Median Family Income (MFI)). An analysis of these factors has aided the City in developing programs that reduce the adverse effects of these constraints on the supply and cost of housing.

Most of the City of Texarkana's policies were enacted to protect and further the public welfare. For instance, building codes and subdivision standards are required by law for the protection and general welfare of the community. These are routinely reviewed. Development impact fees are recovered from the developer to assure that the public costs of new developments are paid by that development. While recognizing the needs to adjust public policies to adapt to changing conditions, the City will continue to review policies periodically to determine whether they have become excessive or represent an unnecessary constraint on the development or maintenance of affordable housing.

The City of Texarkana, Texas identified race and concentrations of poverty that present as barriers to affordable housing and continues to develop strategies to remove or lessen negative effects of these barriers to affordable housing. The City identified the following other barriers to affordable housing:

• Substantial down payments required to purchase new or existing homes;

• Availability of credit to low and moderate income persons with credit problems;

• Availability of decent affordable single-family units and affordable rental properties.

### Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The Analysis of Impediments indicates race and concentrations of poverty constitute barriers to affordable housing in Texarkana. Pre-development, building permit and inspection expenses are average in terms of housing construction and renovation costs. To maintain the City's commitment to prevent barriers to affordable housing the City will:

• Maintain flexibility in zoning and building requirements when appropriate to allow for infill housing development and to provide technical assistance to developers of affordable housing. Posters &

literature displayed and made available at city office buildings, utility building, and the public library;

• Monitor city-sponsored projects for equal access and compliance of the Fair Housing Act and Building Dept. official's monitors code compliance to Fair Housing standards;

• Hold periodic Public Hearings providing information and requesting public comment on fair housing or related issues;

• Provide homebuyer and homeowner education, including fair housing information, was provided by the city and other local housing services providers;

• Conduct outreach efforts to for-profit and non-profit builders and developers through funding and technical assistance to increase the supply of decent, affordable housing within low to moderate income neighborhoods as well as creation of affordable housing on a city-wide basis;

• Maintain an Affirmative Marketing Plan to directly market newly-developed City-assisted housing units to minority groups least likely to apply to homeownership programs.

• Meet with local lenders and home builders to encourage the use of non-traditional client loan qualifying and loan products to better serve the needs of homebuyer households with challenges that preclude conventional qualification;

• Conduct public outreach regarding availability of housing and housing assistance including translation of housing application materials into Spanish, and maintains bi-lingual staff in order to assist applicants and clients who are not English-proficient;

• Support local Continuum of Care efforts for homeless populations and provides ongoing support and technical assistance to the Texarkana Homeless Coalition;

• Work with local agencies that provide financial case management and credit counseling;

• Researching the possibility of adopting a Fair Housing ordinance to ensure that fair housing options are available to its citizens.

**Discussion**

Most of the City of Texarkana's policies were enacted to protect and further the public welfare. For instance, building codes and subdivision standards are required by law for the protection and general welfare of the community. Development impact fees are recovered from the developer to assure that the public costs of new developments are paid by that development. While recognizing the changing need of public policies, the City will review them periodically to determine whether they have become excessive or represent an unnecessary constraint on the development or maintenance of affordable



Attachment: 2017-024 ATTH 02 Action Plan revision 1.31.17 (1612 : 2017-024 RES amending the CDBG 2013-2017 Five-Year Consolidated Plan

housing.

- Substantial down payments required to purchase new or existing homes;
- Availability of credit to low and moderate income persons with credit problems;
- Availability of decent affordable single-family units and affordable rental properties.

As Texarkana prepares to embark on the development of a new Comprehensive Plan for the City, the City will review the Analysis of Impediments to improve affordability, accessibility and suitability of housing for the citizens of Texarkana, Texas.



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## AP-85 Other Actions – 91.220(k)

### Introduction

This section of the Action Plan addresses the planned actions of the City of Texarkana, Texas to carry out the following strategies outlined in the Consolidated Plan:

1. Foster and maintain affordable housing;
2. Evaluate and reduce lead-based paint hazards;
3. Reduce the number of poverty-level families;
4. Develop institution structure; and
5. Enhance coordination.
6. In addition, the City identifies obstacles to meeting underserved needs and proposes actions to overcome those obstacles.

### Actions planned to address obstacles to meeting underserved needs

1. Provide support to organizations that provide services to homeless and special needs individuals;
2. Provide financial support to organizations that provide services to homeless and special needs individuals;
3. Provide easy access to information for supportive service organizations that provide services to homeless and special needs individuals.

### Actions planned to foster and maintain affordable housing

1. Provide decent and affordable housing through single-family owner-occupied housing reconstruction for lower income residents;
2. Promote the availability of City operated owner-occupied housing assistance programs through the media;
3. Solicit applications for assistance from low income residents;
4. Conduct applicant screening and approval;
5. Provide home-buyer education counseling and assistance;
6. Facilitate rehabilitation of single-family properties

### Actions planned to reduce lead-based paint hazards

1. Provide information and education to the public, re: lead risks;
2. Evaluate and reduce lead hazards by giving reconstruction priority to eligible residents most at risk for lead poisoning;

3. Develop technical capacity with staff.

### Actions planned to reduce the number of poverty-level families

1. Pursue economic development of Downtown and Beverly communities;
2. Work with the Chamber of Commerce to bring jobs to low- and moderate-income families.

### Actions planned to develop institutional structure

1. Improve coordination with Public Services Department to address flood zone management in low-mod income communities;
2. Establish communication and reporting protocols with police, fire, and emergency services to obtain regular statistical reporting and provide first-line professionals with homelessness services information.

### Actions planned to enhance coordination between public and private housing and social service agencies

1. Actively participate in Continuum of Care/Homeless Coalition;
2. Assist with Homeless Point-in-Time Homeless Count.

### Discussion

The City of Texarkana recognizes the challenges to fostering and maintaining affordable housing, evaluating and reducing lead-based paint hazards, reducing the number of poverty-level families, developing institution structure, enhancing coordination, and addressing underserved needs. The City's Target Area approach to implementing programs and providing services to low-moderate income families will ensure that all fundamental goals of the program will be met. This Action Plan is consistent with HUD's Mission to create strong, sustainable, inclusive communities and quality affordable homes for all; strengthening the housing market to bolster the economy and protect consumers; meeting the need for quality affordable rental homes: utilizing housing as a platform for improving quality of life and building inclusive and sustainable communities free from discrimination.



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Attachment: 2017-024 ATTH 02 Action Plan revision 1.31.17 (1612 : 2017-024 RES amending the CDBG 2013-2017 Five-Year Consolidated Plan

# Program Specific Requirements

## AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

### Introduction

This section address the program-specific requirements for the Annual Action Plan. The Consolidated Plan Final Rule contains requirements regarding this section of this CDBG Action Plan.

All program income that will have been received before the start of the next program year will have been reprogrammed. The City has recently received Section 108 loans fund award approval. The City is working closely with the community and developers to redevelop the Hotel Grim as the Grim Lofts project and will use the Section 108 Loan funds for this purpose as a Special Economic Development project. The City has no urban renewal settlements, or float funded activities. No grant funds will have been returned to the line of credit for which the planned use has not been included in a prior statement or plan. The City does not expect to use any funds for urgent need activities.

The City of Texarkana, Texas estimates that 70% of program funds will be used for activities that benefit persons of low and moderate income over a consecutive period of three years, years 2014-2016 including the year covered by this Annual Action Plan.

**Community Development Block Grant Program (CDBG)**
**Reference 24 CFR 91.220(l)(1)**

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

| | |
|---|---|
| 1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed | 0 |
| 2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan. | 0 |
| 3. The amount of surplus funds from urban renewal settlements | 0 |
| 4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan | 0 |
| 5. The amount of income from float-funded activities | 0 |
| **Total Program Income:** | **0** |



OMB Control No: 2506-0117 (exp. 07/31/2015)

Attachment: 2017-024 ATTH 02 Action Plan revision 1.31.17 (1612 : 2017-024 RES amending the CDBG 2013-2017 Five-Year Consolidated Plan

## Other CDBG Requirements

| | |
|---|---|
| 1. The amount of urgent need activities | 0 |
| 2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan. | 70.00% |

## Discussion

The City of Texarkana, Texas does not receive HOME funds. The City expects that all program income will have been programed and that Section 108 Loan proceeds will be receipted in the program year. Additionally, the City expects no surplus funds from urban renewal settlements, grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan, and has no income from float-funded activities. Seventy percent of CDBG funds will be used for activities that benefit persons of low and moderate income, with an Overall Benefit calculated over a period of three consecutive years to determine that the minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income.

CITY OF TEXARKANA TEXAS

# CDBG Amended Annual Action Plan, Amended Consolidated Plan & Section 108 Loan Funds

## Community Development Block Grant

**Planning & Community Development**
**February 27, 2017**

Attachment: 2017-024 ATTH 03 Presentation Revised 2016 CDBG Action Plan (1612 : 2017-024 RES

# Consolidated Plan and Annual Action Plan Amendments

The City of Texarkana, Texas is amending the 2013-2017 Consolidated Plan, the 2016 Annual Action Plan and announcing the award approval of Section 108 Loan Funds for the period of October 1, 2016 to September 30, 2017. Funds available in Community Development Block Grant (CDBG), Section 108 Loan Funds, prior year reallocated funds and local program income are $2,235,365.

The City plans to amend the budget as follows:

- Re-allocating $30,000 from Revolving Loan Fund activity to Housing Rehabilitation activity.
- Re-allocating $30,000 from Revolving Loan Fund activity, $20,000 from Home Buyer Assistance activity, $74,064 from 203/205 Renovations activity and $388,201 from prior year funds to Section 108 Loan Fund Program activity for total of $512,265.
- Adding recently approved Section 108 Loan Funds from U.S. Department of Housing and Urban Development in the amount of $1,429,000 for the Hotel Grim Lofts Project.

As stated in the City's Citizen Participation Plan, a change in CDBG budget allocations of 25% or more in allocated funding constitutes the need for a substantial amendment and requires City Council approval and Public Notice for citizen input.

# Citizen Participation

2 Public Meetings

- § Feb 27th City Council Meeting 1st Briefing
- § Mar 13th City Council Public Meeting

30 day public comment period for Amended Action Plan, Amended Consolidated Plan and Section 108 Loan Funds (February 20th – March 22nd, 2017)

Advertisement of Public Comment Period:

- § Gazette Legal Notice
- § City Website

Draft copies available electronically on Planning & Community Development Homepage

Paper copies available upon request at City Hall

# Texarkana TX HUD PY 2016 CDBG Amended Budget

| CDBG PY 2016 Action Plan Amended Budget | Amended | Original |
|---|---|---|
| Amended Expenditures PY 2016 | Budget | Budget |
| Hotel Grim Project | $1,429,000.00 | 0.00 |
| Housing Rehabilitation | $80,000.00 | 50,000.00 |
| First Time Home Buyer Assistance | $20,000.00 | 40,000.00 |
| Revolving Loan Fund for Downtown | $0.00 | 60,000.00 |
| Beverly Community Center ADA improvements | $93,500.00 | 93,500.00 |
| 203/205 Renovations | $0.00 | 74,064.00 |
| Section 108 Loan | $512,265.05 | 0.00 |
| Public Service Activities | $42,899.85 | 44,784.00 |
| Program Administration | 57,699.80 | 59,712.00 |
| TOTAL Expenditures | $2,235,364.70 | 422,060.00 |
| | | |
| Amended Revenues PY 2016 | | |
| PY2015 carryover | 517,865.70 | 120,000.00 |
| PY 2016 Allocation | 285,999.00 | 298,560.00 |
| Section 108 Loan - Hotel Grim Project | 1,429,000.00 | 0.00 |
| Estimated Program Income | 2,500.00 | 3,500.00 |
| TOTAL Revenues | $2,235,364.70 | 422,060.00 |

Attachment: 2017-024 ATTH 03 Presentation Revised 2016 CDBG Action Plan (1612 : 2017-024 RES

**NOTICE OF PUBLIC HEARINGS AND REQUEST FOR CITIZEN INPUT**
**ON THE CITY OF TEXARKANA, TEXAS**
**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)**
**AMENDED CONSOLIDATED PLAN, AMENDED ANNUAL**
**ACTION PLAN AND SECTION 108 LOAN FUNDS**

The City of Texarkana, Texas is amending the 2013-2017 Consolidated Plan, the 2016 Annual Action Plan and announcing the award approval of Section 108 Loan Funds for the year that began October 1, 2016. Funds available in Community Development Block Grant (CDBG), Section 108 Loan Funds, prior year reallocated funds and local program income are $2,235,365. The City plans to amend the budget as follows:

- Re-allocating $30,000 from Revolving Loan Fund to Housing Rehabilitation Activity.
- Re-allocating $30,000 from Revolving Loan Fund, $20,000 from Home Buyer Assistance activity, $74,064 from 203/205 Renovations activity, $388,201 from prior year funds to Section 108 loan fund program for $512,265.
- Adding recently approved Section 108 Loan Funds from U.S. Department of Housing and Urban Development in the amount of $1,429,000 for the Hotel Grim Lofts Project.

As stated in the City's Citizen Participation Plan, a change in CDBG budget allocations of 25% or more in allocated funding constitutes the need for a substantial amendment and requires City Council approval and Public Notice for public comment.

The City of Texarkana will make the following items available for Public Comment Period from Feb 20th to Mar 22nd, 2017. Citizens may review the plan at Texas City Hall, Planning and Community Development Office, 220 Texas Blvd in Texarkana, Texas or on line at the City's website http://www.ci.texarkana.tx.us/.

Citizens are encouraged to attend the upcoming Public Meetings/Hearings to offer input on the Amended Plans and Loan Fund. A First Briefing will be held on February 27, 2017 and a Public Hearing will occur on March 13, 2017 at 6 PM at the Texas City Hall located at 220 Texas Blvd, Texarkana, Texas.

Written comments regarding the Amended Plans, Section 108 Loan or the proposed usage of funds should be sent to David Orr, Director of Planning and Community Development, City of Texarkana, 220 Texas Boulevard, Texarkana, Texas 75501 no later than March 22, 2017 at 12pm. Written responses will be provided if name and return address are included.

All public hearings are held in facilities that are wheelchair accessible and provide handicapped parking. Interpretive services for deaf or non-English speaking citizens will be available with an advance notice of 48 hours. Arrangements for such services can be made by calling the City of Texarkana at 903-798-3902 or through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.

Attachment: 2017-024 ATTH 03 Presentation Revised 2016 CDBG Action Plan (1612 : 2017-024 RES

# City of Texarkana, Texas

## Developing Perspectives and Goals Pending Approval by the City Council:

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

**Perspectives and Goals Additional Comments:**

NONE

**Resource Impact:**

| | |
|---|---|
| Staff time required if item is approved: | No Additional |

**Other Potential Impacts:**

NONE APPLICABLE

## Public Information Plan:

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

Other:

Attachment: 2017-024 Goals & Perspectives (1612 : 2017-024 RES amending the CDBG 2013-2017 Five-Year Consolidated Plan and the 2016

City of Texarkana, Texas

Version:

# Briefing Sheet

**Update Date:** 2/22/2017 10:06 AM

| | | | |
|---|---|---|---|
| **Lead Department:** | Planning and Community Development | **Action Officer:** | Daphnea Ryan, |
| **Subject:** | Resolution No. 2017-025 accepting HUD Section 108 Loan Guarantee Assistance in the amount of $1,429,000. | | |

| | | | | | |
|---|---|---|---|---|---|
| **Briefing:** | 3/27/2017 | **Public Hearing:** | 3/13/2017 | **Second Briefing:** | March 27, 2017 |
| **Council Vote:** | 4/10/2017 | | | | |

**Item Schedule**

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

**Updates/History of Briefing:**

**Executive Summary and Background Information:**

The City of Texarkana, Texas applied for and has been awarded a HUD CDBG Section 108 Loan Guarantee Assistance in the amount of $1,429,000 for the Grim Lofts Project.

The Hotel Grim Lofts is a mixed use historic preservation project involving residential space in downtown Texarkana. The goal is to redevelop the hotel with 98 housing units and commercial
space on the first level. The financing plan is to use 108 funds from HUD along with federal and
state historic credits, an EPA cleanup loan, conventional debt, and any other eligible sources. The proposal is for market apartments with apartments set aside of approximately 20 units for affordable family.

This resolution is being presented to request Council approval to accept the loan funds from HUD. A future resolution will be presented to Council regarding the terms and conditions of loaning these funds to the developer.

**Potential Options:**

- None
-

**Fiscal Implications:**

$1,429,000 in loan funds available.

**Staff Recommendation:**

Staff recommends acceptance.

**Advisory Board/Committee Review:**

None

**Board/Committee Recommendation:**

NOT APPLICABLE

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

NOT APPLICABLE

## Attachments

a. 2017-025 RES Approving Acceptance of HUD Section 108 Loan Guarantee Assistance (DOCX)
b. 2017-025 ATTH 01 Funding Agreement Award Letter (PDF)
c. 2017-025 ATTH 02 Application revised 10.12.16 w-signed pages (PDF)
d. 2017-025 Goals & Perspectives (DOCX)

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## Staff Coordination

| | | | | |
|---|---|---|---|---|
| Planning and Community Development | David Orr | Department Head Review | Completed | 02/20/2017 11:29 AM |
| Finance Department | Kristin Peeples | Finance Review | Completed | 02/21/2017 10:21 AM |
| Deputy City Manager - Shirley Jaster Review | Shirley Jaster | Deputy City Manager | Completed | 02/21/2017 10:24 AM |
| Deputy City Manager - Kyle Dooley Review | Kyle Dooley | Deputy City Manager | Completed | 02/21/2017 10:41 AM |
| Public Information Officer | Lisa Thompson | PIO Review | Completed | 02/21/2017 11:09 AM |
| City Manager | John Whitson | City Manager Review | Completed | 02/22/2017 11:13 AM |
| City Council | Vicky Coopwood | Meeting | Completed | 02/27/2017 6:00 PM |

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## Meeting History

| | | | |
|---|---|---|---|
| 02/27/17 | City Council | MOVED FORWARD | Next: 03/13/17 |

**RESOLUTION NO. 2017 – 025**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING ACCEPTANCE OF THE HUD SECTION 108 LOAN GUARANTEE ASSISTANCE IN THE AMOUNT OF $1,429,000; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS,** the U. S. Department of Housing and Urban Development has provided the City of Texarkana, Texas, with Section 108 Loan Guarantee Assistance for the redevelopment of the Hotel Grim located at 301 N. State Line Avenue; and

**WHEREAS,** the amended draft 2013-2017 Consolidated Plan and amended draft 2016 Action Plan reflect budget amendments that include the addition of these funds; and

**WHEREAS,** the City Council recognizes the public benefit from downtown revitalization.

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

**SECTION 1:** That the City Manager is hereby authorized to accept HUD Section 108 Loan Guarantee Assistance in the amount of $1,429,000.

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

**PASSED AND APPROVED** in Regular Council Session on this the **10th day of April, 2017**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2017-025 RES Approving Acceptance of HUD Section 108 Loan Guarantee Assistance (1613 : 2017-025 RES approving acceptance

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

JAN - 4 2017

The Honorable Bob Bruggeman
Mayor, City of Texarkana
220 Texas Blvd.
Texarkana. TX 75501

Dear Mayor Bruggeman:

Congratulations! I am pleased to inform you that the City of Texarkana's (hereafter, the "City") request for loan guarantee assistance under Section 108 of the Housing and Community Development Act of 1974, as amended, has been approved. Such assistance is to consist of the guarantee of notes or other obligations in the principal amount of $1,429,000, plus interest thereon, which shall be issued to finance activities described in the City's application (B-15-MC-48-1000) for the Hotel Grim Lofts Project.

This offer of commitment ("Commitment") is subject, however, to the conditions specified in Item 8 of the Funding Approval (Form HUD-7082).

The first condition provides that in the event the City fails to submit notes or other obligations for inspection and guarantee by the Secretary of Housing and Urban Development ("HUD") before March 31, 2018, the Commitment will expire as of such date.

The second condition provides that the repayment schedule for the indebtedness evidenced by the notes or other obligations (the "Guaranteed Loan") must be acceptable to HUD.

The third condition provides that the City shall provide additional security for the Guaranteed Loan, and such additional security must be acceptable to HUD. The additional security shall be identified in the Contract for Loan Guarantee Assistance ("Contract"), specified at 24 CFR 570.705(b)(1), which will be signed by HUD at the time the notes or other obligations are guaranteed. The City's application and other supporting material identify the following additional security for the Guaranteed Loan: the City will collaterally assign its interest in a third party loan, secured by a lien on real property and improvements.

In addition, this condition provides that the Contract shall permit HUD to use existing pledged Community Development Block Grant ("CDBG") grants to prepay (or defease) the Guaranteed Loan if HUD determines that the pledge of future CDBG funds is insufficient to assure payment of amounts due thereunder. HUD reserves the right to require further security upon evaluation of the foregoing security arrangements. If necessary, the City may substitute other collateral security for the security described in the application (other than the pledge of CDBG funds), subject to HUD's approval of such substitution.



Attachment: 2017-025 ATTH 01 Funding Agreement Award Letter (1613 : 2017-025 RES approving acceptance of HUD Section 108 Loan

The fourth condition provides that prior to submitting notes or other obligations for inspection and guarantee by HUD, the City shall submit information required under Section 102(b) of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3531). This information shall be submitted on Form HUD-2880 to HUD's Fort Worth Regional Office. A copy of Form HUD-2880 is enclosed for this purpose.

The fifth condition provides that prior to submitting notes or other obligations for inspection and guarantee by HUD, the City must comply with the mandatory conditions for the HUD regulatory waiver granted by HUD with respect to the criteria for national objectives at 24 CFR 570.208(a)(3).

The sixth condition provides that the City is required to pay a fee of 2.59% of the principal amount of loan guaranteed under this Commitment to cover the credit subsidy costs as announced in the *Federal Register* on October 4, 2016 (81 FR 68297). This fee applies to all Section 108 guaranteed loan commitments issued in Fiscal Year 2017. The fee is applied only at the time of loan disbursements. The amount to be paid at that time is equal to 2.59% of the principal amount of the requested Guaranteed Loan advance. The fee may be paid directly by the City or, alternatively, it may be deducted from the Guaranteed Loan advance(s). If the fee is paid directly by the City, it may be paid from CDBG grant funds drawn down under the CDBG line of credit or with another source.

In addition to the special conditions cited above, the release of funds for the project to be carried out with loan guarantee assistance is conditioned upon compliance by the City with all applicable provisions of the HUD Environmental Review Procedures (24 CFR Part 58). The City is reminded that these Procedures include limitations on the commitment of HUD and non-HUD funds on an activity or project prior to HUD's approval of the request for release of funds and related certification of compliance with environmental requirements. Please refer to 24 CFR 58.22 for a description of the limitations and the entities to whom they apply.

Please furnish us, at the address specified below, your timetable for execution of the activities described in your application. These activities will be financed through a public offering of Section 108 guaranteed obligations. If you need funds prior to the next public offering, please notify HUD at the address below and instructions for obtaining interim financing will be provided.

Please execute the three enclosed copies of the Funding Approval (Form HUD-7082) and return two copies to the Department of Housing and Urban Development, Financial Management Division, Room 7180, 451 Seventh Street, S.W., Washington, D.C. 20410. One copy should be retained for your files. By signing the Funding Approval, the City's Grant Agreement for grant number B-15-MC-48-1000, as authorized by HUD on November 18, 2015, is amended to include loan guarantee assistance. The amended Grant Agreement thereby incorporates this new Funding Approval the City's loan guarantee application (B-15-MC-48-1000), and Subpart M of the block grant regulations governing loan guarantees, as well as such agreements, schedules, and other documentation required for submission or execution in connection therewith.



Attachment: 2017-025 ATTH 01 Funding Agreement Award Letter (1613 : 2017-025 RES approving acceptance of HUD Section 108 Loan

Please do not hesitate to reach out if we can support you in the use of your Section 108 guaranteed funds. Please contact Paul D. Webster, Director, Financial Management Division at (202) 402-4563, if you need assistance.

Sincerely,

Stanley Gimont, Deputy
Assistant Secretary for Grant
Programs (Acting)

Enclosures

Attachment: 2017-025 ATTH 01 Funding Agreement Award Letter (1613 : 2017-025 RES approving acceptance of HUD Section 108 Loan

# Funding Approval/Agreement

Title I of the Housing and Community Development Act (Public Law 930383)

**U.S. Department of Housing and Urban Development**
Office of Community Planning and Development
Community Development Block Grant Program

HI-00515R of 20515R

| | | |
|---|---|---|
| 1. Name of Grantee (as shown in item 5 of Standard Form 424)<br>City of Texarkana, Texas | 3. Grantee's 9-digit Tax ID Number | 4. Date use of funds may begin (mm/dd/yyyy) |
| 2. Grantee's Complete Address (as shown in item 5 of Standard Form 424)<br>220 Texas Blvd.<br>Texarkana, Texas 75501-1967 | 5a. Project/Grant No. 1<br>B-15-MC-48-1000 | 6a. Amount Approved |
| | 5b. Project/Grant No. 2 | 6b. Amount Approved |
| | 5c. Project/Grant No. 3 | 6c. Amount Approved |

**Grant Agreement:** This Grant Agreement between the Department of Housing and Urban Development (HUD) and the above named Grantee is made pursuant to the authority of Title I of the Housing and Community Development Act of 1974, as amended, (42 USC 5301 et seq.). The Grantee's submissions for Title I assistance, the HUD regulations at 24 CFR Part 570 (as now in effect and as may be amended from time to time), and this Funding Approval, including any special conditions, constitute part of the Agreement. Subject to the provisions of this Grant Agreement, HUD will make the funding assistance specified here available to the Grantee upon execution of the Agreement by the parties. The funding assistance specified in the Funding Approval may be used to pay costs incurred after the date specified in item 4 above provided the activities to which such costs are related are carried out in compliance with all applicable requirements. Pre-agreement costs may not be paid with funding assistance specified here unless they are authorized in HUD regulations or approved by waiver and listed in the special conditions to the Funding Approval. The Grantee agrees to assume all of the responsibilities for environmental review, decision making, and actions, as specified and required in regulations issued by the Secretary pursuant to Section 104(g) of Title I and published in 24 CFR Part 58. The Grantee further acknowledges its responsibility for adherence to the Agreement by sub-recipient entities to which it makes funding assistance hereunder available.

| | | | |
|---|---|---|---|
| U.S. Department of Housing and Urban Development (By Name)<br>Stanley Gimont | | Grantee Name<br>City of Texarkana, Texas | |
| Title<br>Deputy Assistant Secretary for Grant Programs (Acting) | | Title<br>CITY MANAGER | |
| Signature | Date (mm/dd/yyyy)<br>JAN - 4 2017 | Signature<br>John A Whitson | Date (mm/dd/yyyy)<br>01/30/2017 |

7. Category of Title I Assistance for this Funding Action (check only one)
- ☐ a. Entitlement, Sec 106(b)
- ☐ b. State-Administered, Sec 106(d)(1)
- ☐ c. HUD-Administered Small Cities, Sec 106(d)(2)(B)
- ☐ d. Indian CDBG Programs, Sec 106(a)(1)
- ☐ e. Surplus Urban Renewal Funds, Sec 112(b)
- ☐ f. Special Purpose Grants, Sec 107
- ☒ g. Loan Guarantee, Sec 108

8. Special Conditions (check one)
- ☐ None
- ☒ Attached

9a. Date HUD Received Submission (mm/dd/yyyy)

9b. Date Grantee Notified (mm/dd/yyyy)

9c. Date of Start of Program Year (mm/dd/yyyy)

10. check one
- ☒ a. Orig. Funding Approval
- ☐ b. Amendment Amendment Number

11. Amount of Community Development Block Grant

| | FY ( ) | FY ( ) | FY ( ) |
|---|---|---|---|
| a. Funds Reserved for this Grantee | | | |
| b. Funds now being Approved | | | |
| c. Reservation to be Cancelled (11a minus 11b) | | | |

12a. Amount of Loan Guarantee Commitment now being Approved
$1,429,000

**Loan Guarantee Acceptance Provisions for Designated Agencies:**
The public agency hereby accepts the Grant Agreement executed by the Department of Housing and Urban Development on the above date with respect to the above grant number(s) as Grantee designated to receive loan guarantee assistance, and agrees to comply with the terms and conditions of the Agreement, applicable regulations, and other requirements of HUD now or hereafter in effect, pertaining to the assistance provided it.

12b. Name and complete Address of Public Agency
N/A

12c. Name of Authorized Official for Designated Public Agency
N/A

Title

Signature

**HUD Accounting use Only**

| Batch | TAC | Program | Y | A | Reg | Area | Document No. | Project Number | Category | Amount | Effective Date (mm/dd/yyyy) | F |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 153 176 | | | | | | | | | | | |
| | | | Y | | | | | Project Number | | Amount | | |
| | | | Y | | | | | Project Number | | Amount | | |

| Date Entered PAS (mm/dd/yyyy) | Date Entered LOCCS (mm/dd/yyyy) | Batch Number | Transaction Code | Entered By | Verified By |
|---|---|---|---|---|---|
| | | | | | |

24 CFR 570 form HUD-7082 (4/93)

Attachment: 2017-025 ATTH 01 Funding Agreement Award Letter (1613 : 2017-025 RES approving acceptance of HUD Section 108 Loan

8. Special Conditions.

(a) In the event the public entity fails to submit notes or other obligations for inspection and guarantee by the Secretary of Housing and Urban Development (HUD) before **March 31, 2018**, the commitment will terminate and expire as of such date.

(b) The repayment schedule for the public entity's debt obligation, as defined in 24 CFR 570.701, must be acceptable to the Secretary.

(c) Pursuant to 24 CFR 570.705(b)(3), the public entity shall provide additional security for the Guaranteed Loan and such additional security must be acceptable to HUD. The additional security shall be identified in the Section 108 Contract for Loan Guarantee Assistance specified by 24 CFR 570.705(b)(1), which will be executed by HUD at the time the notes or other obligations are guaranteed.

The Contract shall also permit HUD to use pledged grants to prepay (or defease) the Guaranteed Loan if HUD determines that the pledge of future grants is insufficient to assure payment of amounts due thereunder.

(d) Prior to submitting notes or other obligations for inspection and guarantee by HUD, the public entity shall submit information required under Section 102(b) of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3531). This information shall be submitted on Form HUD-2880 to HUD's Fort Worth Regional Office.

(e) The City must comply with the mandatory conditions imposed under its approved request to waive a HUD regulatory provision for a national objective at 24 CFR 570.208(a)(3) and to apply the exception at 24 CFR 570.208(a)(3)(i) to the Hotel Grim Lofts Project. The conditions are below:

1. The City must provide written notification to the Fort Worth Regional Office of its adoption and publication of its standards for determining affordable rents.
2. The City must require the Developer to record a use restriction against the Project property that will impose a 10-year affordability requirement with respect to the Grim Hotel Lofts project, requiring at least 20 percent of the units to be occupied by LMI households at affordable rents. The Developer must record a use restriction against the Project property that will remain in effect for the full 10-year period.
3. The City will conduct annual, on-site monitoring of the Project to verify compliance with the conditions for the duration of the affordability period.
4. The City will provide HUD Financial Management Division (FMD) and the Regional Office a status report not later than 15 days from the end of each

Attachment: 2017-025 ATTH 01 Funding Agreement Award Letter (1613 : 2017-025 RES approving acceptance of HUD Section 108 Loan

quarter during the construction and lease-up period. The report will include status updates on construction completion, Section 108 funds disbursement, initial occupancy of LMI units, and any other information as required by the Regional Office. The Regional Office may also require the City to continue to provide these reports on an ongoing basis during the affordability period.

The actions required under conditions 1-2 must be completed prior to HUD's guarantee of a note or other obligation pursuant to a loan guarantee commitment for the Hotel Grim Lofts Project.

(f) The public entity is required to pay a fee of 2.59% of the principal amount of the loan guaranteed under this Commitment to cover the credit subsidy costs as announced in the *Federal Register* on October 4, 2016 (81 FR 68297).

Attachment: 2017-025 ATTH 01 Funding Agreement Award Letter (1613 : 2017-025 RES approving acceptance of HUD Section 108 Loan

# APPLICANT COMPLETENESS GUIDE
# SECTION 108 LOAN GUARANTEE PROGRAM
# ENTITLEMENT PUBLIC ENTITIES
# 24 CFR §570.700 – §570.709

## SECTION I – GENERAL INFORMATION

Please ensure the submission includes:

- ❑ Standard Form 424 (form SF-424) – Application for Federal Assistance;
  - ❑ Applicant's congressional district(s); and

- ❑ Name, title, address, telephone and fax numbers, and e-mail of applicant contacts:

Chief elected official or chief executive officer

Name & Title: John Whitson, City Manger
Organization: City of Texarkana
Address (Street): 220 Texas Blvd
Address (City/State/Zip): Texarkana. Texas 75501
Phone & Fax: 903-798-3930 (O), 903.798.3448 (F)
E-mail: john.whitson@txkusa.org

Staff contact

Name & Title: David Orr, Planning & Community Development Director
Organization: City of Texarkana
Address (Street): 220 Texas Blvd
Address (City/State/Zip): Texarkana, Texas 75501
Phone & Fax: 903-798-3902 (O), 903-798-3913
E-mail: david.orr@txkusa.org

Consultant contact (If applicant has designated a consultant as principal contact)

Name & Title: Mattye Gouldsby Jones
Organization: Coats/Rose
Address (Street): Two Lincoln Centre, 5420 LBJ Freeway #600
Address (City/State/Zip): Dallas, Texas 75240
Phone and Fax: 972.982.8453
E-mail: MJones@coatsrose.com



Attachment: 2017-025 ATTH 02 Application revised 10.12.16 w-signed pages (1613 : 2017-025 RES approving acceptance of HUD Section 108

## SECTION II – THE APPLICATION

- **Citizen Participation Requirements (570.704(a)).** Provide a brief description of how the public entity met all presubmission and citizen participation requirements before submission of the application for loan guarantee assistance to HUD.

The City of Texarkana, Texas assures compliance with HUD's citizen participation regulations applicable to CDBG and Section 108, as cited at **24 CFR §570.704(a)(2)** consistent with its citizen participation plan . The Texarkana, Texas City Council held a public hearing and approved submission of the Section 108 Loan Guarantee Application for loan funds for the Hotel Grim Lofts project at its August 10, 2015 meeting.

The City of Texarkana, Texas will have complied with all pre-submission and citizen participation requirements as required in its Citizen Participation Plan and Part 570.704(a) upon submission of the application for a Section 108 Loan for the Grim Lofts Project including all required participation of the public, affected citizens, potential beneficiaries, and the community at large.

The City has developed strong links between representatives of the low and moderate-income community's public service agencies, public housing agency, educational institutions, health facilities and the business community for the purpose of developing an ongoing strategic plan for reinvestment in the low income communities. Citizens of Texarkana have clearly communicated their desire to redevelop the Hotel Grim; consequently, the City anticipates widespread support of the application.

The City is preparing the application appropriately, in accordance with the Consolidated Plan and Citizen Participation Plan, providing sufficient detail for each activity and for each national objective, describing the location, and allowing citizens to determine how they will be impacted by the decisions being made. Program income will also be included in loan calculations.

The application will be published community-wide as required. Additional information will be available on the City's website or by contacting the office of Planning and Community Development. All public comments will be considered and included in the application.

Once the application is finalized, the City will follow all appropriate procedures to amend the 2013-2017 Consolidated Plan, which will include the completed application. In addition to the Public Hearing requirements of the City's Citizen Participation Plan, the City has held a series of public hearings at different stages of the project's development.

- **Statement of Community Development Objectives (570.704(a)(1)(i)(A)).** Provide the statement of community development objectives in the Consolidated Plan to be achieved by use of Section 108 funds (Also provide the citation of the objectives in the Consolidated Plan).

The City of Texarkana, Texas intends to use the proceeds of a Section 108 Loan from the



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Department of Housing and Urban Development (HUD) to meet essential community development objectives as outlined in the 2013-2017 Consolidated Plan as approved by the City Council of Texarkana, Texas, the City's Citizen Participation Plan, and the Department of Housing and Urban Development. The key Community Development Objectives to be addressed with this Section 108 Loan are to meet the CDBG LOW & MODERATE INCOME PERSONS HOUSING (LMH) National Objective.

This project will help achieve the community development objectives stated in the 2013-2017 Consolidated Plan by reducing barriers to affordable housing – 91.215(h) by increasing the availability of decent affordable single-family units and affordable rental properties. The intent to apply for Section 108 Loans to bolster redevelopment in downtown/7th Street Corridor and Beverly neighborhood was stated under expected/anticipated resources in the Consolidated Plan. Furthermore, the City's Consolidated Plan identified the most common housing issues in Texarkana are associated with cost burden problems where renters have housing costs that exceed 30% of household income (Consolidated Plan p.38). This project will help achieve community development objectives stated in the plan by increasing the number of affordable rental units in the downtown target revitalization area.

This project will meet the National Objective of primary benefit to low and moderate income persons in accordance with CFR 570.208 (a)(3), and the Criteria for Public Benefit is expected to be met by providing housing to residents in the area. Furthermore, this building is located within a low to moderate income individual qualifying PY 2014 - PY 2015 census track area (Tract 105, 48037010500) and geographic target priority area (Tract 105, 48037010500) identified in the Consolidated Plan.

- **Project Description.**

Project Background

Restoration and redevelopment of the historic Hotel Grim built in 1925 originally as an eight-story hotel. The building contains 103,200 square feet and when built, was the second tallest structure in Texarkana. The iconic building is strategically located on State Line Avenue on the Texas and Arkansas border. The proposed project will preserve the historic elements of the building while completely updating the property.

Proposed Project

The Hotel Grim Lofts is a mixed use historic preservation project involving residential space in downtown Texarkana. The goal is to redevelop the hotel with 98 housing units and commercial space on the first level. The financing plan is to use 108 funds from HUD along with federal and state historic credits, an EPA cleanup loan, conventional debt, and any other eligible sources. The proposal is for market apartments with apartments set aside for affordable family. Section 108 funds will only be used to finance housing rehabilitation for the 20 LMI units and will include 1 and 2 bedroom units. The financial information disclosed hereto including the pro forma, sources and uses include the 20 units to be leased to Low-Mod income families and 78 units to market rate income families or non-LMI. The units will be the same for LMI and market rate



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individuals and families. The breakdown of LMI unit size includes 7 efficiency units, 6 one bedroom units and 7 two bedroom units.

- Describe the project structure and participants (as applicable), including:
  - The name of the applicant public entity, or its designated public agency (if applicable), that will act as a borrower and issue the debt obligations (570.704(b)(2));

    City of Texarkana, Texas

  - Amount of Section 108 assistance sought (May not exceed 5 times the CDBG allocation and should be in $1,000 increments) (570.705(a)(2));

    FY 2015 Annual Allocation is $298,560 x 5 = **$1,492,000**

  - The entity that will undertake the project;

    Grimm Lofts, LLC

  - The principal developer or business;

    Jim Sari and Mark Bouldin

  - Who will provide equity;

    Federal Historic Tax Credits (Federal & State)

  - Who will own the assets upon completion, including land and improvements; and

    Jim Sari 50% ownership and Mark Bouldin 50% ownership

  - The types of businesses that will be assisted.

    Creation of additional LMH residential space

- **Section 108 Program Fees (570.704(a)(1)(i)(D)).**
  - *See Federal Register notice for current fee amount.*

    FY 2016: 2.59% of principal amount of the loan

  - A description of any CDBG funds, including guaranteed loan funds and grant funds, that will be used to pay fees required under 570.705(g). The description must include an estimate of the amount of CDBG funds that will be used for this purpose.

    Program fees will be deducted from the loan and the planned use will be included in the consolidated plan. Per HUD field office, City will rely on further guidance on this in the future that provides the actual mechanics of the fee.



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- *If the applicant will use grant funds to pay required fees, it must include this planned use of grant funds in its consolidated plan*; therefore, the description must state that the planned use of grant funds has been included in the consolidated plan.
- *Pursuant to 570.712, the fees are payable from the grant allocated to the issuer pursuant to the Act (including program income derived therefrom) or from other sources, but are only payable from guaranteed load funds if the fee is deducted from the disbursement of guaranteed loan funds.*

- **Environmental Review (570.704(d)).** Provide a brief description on the status of the environmental review procedures for the release of funds for the project (24 CFR Part 58).

The City of Texarkana is following 24 CFR Part 58 Environmental Review Procedures as required in accordance with the National Environmental Policy Act (NEPA). A Phase I Petroleum Assessment was completed for the project on September 18, 2014 and a Phase II Petroleum Assessment was completed on May 27, 2015. State Historic Preservation Office has reviewed and approved this site for eligible state and federal tax credits. A copy of their review will be provided. No funds will be dispersed prior to environmental clearance, and it is understood that any physical development hard costs undertaken prior to environmental clearance cannot be reimbursed through Section 108.

- **Displacement, relocation, acquisition, and replacement of housing (570.704(e)).** If applicable, describe how the public entity assisted will comply with displacement, relocation, acquisition, and/or replacement of low and moderate income housing activities to be undertaken in connection with the project (570.606).

N/A

- ***Labor Standards.*** *Please note that each project assisted is subject to the provisions of 24 CFR Part 70 (570.707).*

The City of Texarkana is knowledgeable of and will comply with the Davis- Bacon Act and with Section 3 Requirements. The City has established partnerships with local businesses to expand opportunities for local residents as part of its efforts to strengthen the local economy.

- **Project Implementation Schedule**. Indicate the estimated project schedule, including expected date when Section 108 permanent/interim financing is needed for project costs. Identify each major task/activity associated with implementing the project and provide the projected begin and completion dates. The following is a sample format:

| Major Tasks/Activities | Begin Date | End Date |
|---|---|---|
| 1. EPA RLF Funding (Phase I & II Assessments complete) | July 1, 2014 | October 1, 2015 |
| 2. Historic Tax Credits (State & Federal) | July 1, 2014 | November 1, 2015 |
| 3. HUD CDBG 108 Loan | May 1, 2016 | October 10, |



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| | | |
|---|---|---|
| | | 2016 |
| 4. Developer Bank Loan (Churchill Stateside Group) | October 10, 2016 | November 10, 2016 |
| 5. | | |

- **Statement of Sources and Uses.** Indicate all project financial sources and related dollar amounts including the Section 108 and owner/developer equity and all principal project cost components (uses) and related dollar amounts.

The City of Texarkana, Texas proposes to lend the developer $1,492,000 in Section 108 Loan funds for the following purposes:

| **Sources:** | **Amount** |
|---|---|
| Section 108 Loan | $1,492,000 |
| EDI or BEDI Grant | $0 |
| Other – City Housing Fund | $458,000 |
| Other – EPA RLF | $650,000 |
| Federal Historic Tax Credits | $2,008,107 |
| State Historic Tax Credits | $2,510,134 |
| Owner / Developer Equity | $5,870,000 |
| Other – Deferred | $259,000 |
| **Total Sources:** | **$13,247,241** |

| **Uses:** | **Amount** |
|---|---|
| Project Cost - Land | $ 50,000 |
| Project Cost - Building | $ 450,000 |
| Project Cost – Site work | $ 400,000 |
| Project Cost – Building Rehab | $ 8,400,000 |
| Project Cost - Fees | $ 3,947,000 |
| | |
| | |
| **Total Uses:** | **$13,247,200** |

- **Budget.** Clearly indicate all project costs, identify the eligible activities to be carried out with Section 108 assistance, and national objective(s) to be met (see national objective codes listed below), along with the budgeted amounts for each activity. The following is a sample format:
  - *Note: Guaranteed loan funds may not be used to reimburse the CDBG program account or line of credit for costs incurred by the public entity or designated public agency and paid with CDBG grant funds or program income (570.703).*

| **Eligible Activity** | **$Section 108** | **$EDI/ BEDI** | **$CDBG** | **$Equity/ Other** | ***National Objective (See codes below)** |
|---|---|---|---|---|---|
| Acquisition of improved or unimproved real | | | | | |



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| | | | | | |
|---|---|---|---|---|---|
| property in fee or by long-term lease, including acquisition for economic development purposes (570.703(a)) | | | | | |
| Rehabilitation of real property owned or acquired by the public entity or its designated public agency (570.703(b)) | | | | | |
| Payment of interest on 108 loan obligations (570.703(c)) | | | | | |
| Relocation costs of 108-assisted activity (570.703(d)) | | | | | |
| Clearance, demolition and removal of buildings and improvements on real property acquired or rehabilitated pursuant to (a) acquisition and (b) rehabilitation, except where necessary to carry out other eligible 108 activity (570.703(e)) | | | | | |
| Site preparation, including construction, reconstruction, or installation of public or other site improvements, utilities, or facilities (other than buildings) or remediation of properties, which is: (1) related to the redevelopment or use of the real property acquired or rehabilitated pursuant to (a) acquisition and (b) rehabilitation or (2) for an economic development purpose(570.703(f)) | | | | | |
| Payment of 108 issuance, underwriting, servicing, trust administration, and other costs associated with private sector financing (570.703(g)) | | | | | |
| Housing rehabilitation eligible under 570.202 (570.703(h)) | $1,492,000 | | | | LMH |
| Economic development eligible under 570.203 (570.703(i)(1)) | | | | | |
| Economic development as "community economic development" eligible under 570.204 (570.703(i)(2)) | | | | | |
| Construction of housing by nonprofit organizations (570.703(j)) [Discontinued] | | | | | |
| 108 debt service reserve to be used in accordance with requirements specified in the contract (570.703(k)) | | | | | |
| Acquisition, construction, reconstruction, rehab or historic preservation, or installation of public facilities to the extent eligible under 570.201(c), including public streets, sidewalks, other site improvements and public utilities, and environmental remediation (570.703(l)) | | | | | |
| Public works, site or other improvements in colonias (570.703(m)) | | | | | |
| Payment of fees charged by HUD pursuant to 570.712 (570.703(n)) | | | | | |
| **Total Budget:** | **$1,492,000** | **$** | **$** | **$** | LMH |

- **National Objective Compliance (570.704(b)(1)).**



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- Provide a description of how each of the eligible activities to be carried out with Section 108 funds will meet a CDBG national objective and indicate which national objective the activities will meet.

The housing rehabilitation eligible activities will meet LMI Housing National Objective by providing for permanent residential structures for LMI qualified households. For compliance with the CDBG LMI Housing National Objective, the project will adopt an affordability standard for rent (typically no more than 30 percent of income and provide income verification as well). Also, the project set rent limits similar to FMRs for the area and ensure 51% of the assisted units are occupied by LMI households.

The 20 housing units to be leased to Low-Mod income families will include a 5 year affordability period. The units will be the same for LMI and market rate individuals and families. The breakdown of LMI unit size includes 7 efficiency units, 6 one bedroom units and 7 two bedroom units.

Additionally, an affirmative fair housing marketing plan will be provided prior to closing. Quest Assets Management, Inc will oversee the intake, re-exam and provide documentation to the City that the affordability requirements are met.

- If the application proposes multiple activities with multiple national objectives, tie each eligible activity to a national objective.

| National Objectives | Citation | *Code |
|---|---|---|
| Low- and moderate-income persons – area benefit | 570.208(a)(1) | LMA |
| Low- and moderate-income persons – limited clientele | 570.208(a)(2) | LMC |
| **Low- and moderate-income persons – housing** | **570.208(a)(3)** | **LMH** |
| Low- and moderate-income persons – job creation or retention | 570.208(a)(4) | LMJ |
| Prevention or elimination of slums or blight – area basis | 570.208(b)(1) | SBA |
| Prevention or elimination of slums or blight – spot basis | 570.208(b)(2) | SBS |
| Prevention or elimination of slums or blight – urban renewal | 570.208(b)(3) | SBR |
| Urgent need/imminent threat | 570.208(c) | URG |

- **Generic Application Screening Activities & Guidelines for Evaluating and Selecting Economic Development Projects: Underwriting & Public Benefit Standards (570.209).**

  In evaluating the proposed project's use of the Section 108 Economic Development Loan Fund, the City used the following criteria.

**Project Management**

The City of Texarkana, Texas Planning & Community Development Department administers the 108 Loan Fund. The Planning & Community Development Community Development Director & CDBG Administrator under technical assistance provided by a third-party consultant completed underwriting due diligence. Below are the underwriting standards for City of Texarkana, Texas Section 108 Loan Fund.



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**National Objective**

All loans shall meet a national objective as specified in 24 CFR 570.208. No loan shall be approved without verification of compliance with the national objective requirements, specified in 24 CFR 570.208, by the Fort Worth Regional Office of the United States Department of Housing and Urban Development.

**Eligibility**

In addition to meeting one of the program's National Objectives all projects assisted through the loan fund must fall within one of the eligible activities.

**Financial Underwriting**

The loan shall be evaluated based on:

1.) Ability to Repay

Projects to be funded will have at least a 1:1 projected debt coverage ratio.

2.) Collateral

Projects to be funded should have a loan to value ratio of not greater than 80 percent and the value should be supported by an appraisal prior to funding. In certain cases outside guarantees may suffice for additional collateral.

3.) Development Team Capacity and Experience

Projects funded shall have a development team that has both the capacity and experience to complete the project as demonstrated by past projects and financial strength.

4.) Developer Commitment

Developer commitment can take many forms. While each project is likely to be different the forms of developer commitment that can be expected include: adequate equity, guarantees of completion, guarantees to fund shortfalls or guarantees of minimum cash flow.

5.) Character

Projects to be funded should have developers with good credit histories, demonstrated integrity, and quality references.

- ❑ If any of the following five items are applicable, prepare and attach a narrative on the issues:
  - ❑ **Generic application**. If the application is generic in nature, (e.g., use of Section 108 as



Attachment: 2017-025 ATTH 02 Application revised 10.12.16 w-signed pages (1613 : 2017-025 RES approving acceptance of HUD Section 108

economic development loan fund where specific businesses to be assisted have not yet been identified) describe the types of activities to be carried out and the criteria which the applicant will use to screen activities for assistance. N/A

- ❑ **Generic special economic development (570.703(i)(1)).** If the application is for generic special economic development activities, provide a summary of the process established to complete basic financial underwriting of the project(s) and a public benefit evaluation in accordance with 570.209(a), (b) and Appendix A to Part 570. N/A

- ❑ **Single special economic development (570.703(i)(1)).** If the application is for a single special economic development activity, summarize the basic information used for the financial underwriting of the project and for the public benefit evaluation in accordance with 570.209(a), (b) and Appendix A to Part 570. N/A

- ❑ **Generic CBDO community economic development (570.703(i)(2)).** If the application is for generic community economic development activities carried out by a CBDO that would otherwise be eligible under 570.203, were it not for the involvement of the CBDO, provide a summary of the process established to complete basic financial underwriting of the project(s) and a public benefit evaluation in accordance with 570.209(a), (b) and Appendix A to Part 570. N/A

- ❑ **Single CBDO community economic development (570.703(i)(2)).** If the application is for a single special economic development activity carried out by a CBDO that would otherwise be eligible under 570.203, were it not for the involvement of the CBDO, summarize the basic information used for the financial underwriting of the project and for the public benefit evaluation in accordance with 570.209(a), (b) and Appendix A to Part 570. N/A

- ❑ **Section 108 Loan Repayment Source (570.704(b)(2)).** Identification of proposed Section 108 loan repayment source. Examples of sources of repayment may include one or a combination of the following:

  - ❑ CDBG funds
  - ❑ Program income
  - ✓ Other local sources, etc. (describe other sources)

  Developer will repay the City with project revenue. The loan repayment schedule is detailed below and is proposed to include a 5 year interest only period with payments thereafter to include $99,466.67 annually in principle. The justification for the 5 year interest only is for an extended construction and lease up period to meet the proposed pro forma.

- ❑ **Section 108 Loan Repayment Schedule (570.704(b)(2)).** Identification of proposed Section 108 repayment schedule. The term may not exceed twenty years (570.705(f)); the schedule should show principal only; and principal amounts must be in $1,000 increments.

| Year | Principal | Year | Principal | Year | Principal | Year | Principal |
|---|---|---|---|---|---|---|---|



Attachment: 2017-025 ATTH 02 Application revised 10.12.16 w-signed pages (1613 : 2017-025 RES approving acceptance of HUD Section 108

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 1 | Interest Only | 6 | $99,466.67 | 11 | $99,466.67 | 16 | $99,466.67 |
| 2 | Interest Only | 7 | $99,466.67 | 12 | $99,466.67 | 17 | $99,466.67 |
| 3 | Interest Only | 8 | $99,466.67 | 13 | $99,466.67 | 18 | $99,466.67 |
| 4 | Interest Only | 9 | $99,466.67 | 14 | $99,466.67 | 19 | $99,466.67 |
| 5 | Interest Only | 10 | $99,466.67 | 15 | $99,466.67 | 20 | $99,466.67 |

- ❑ **Additional Security Requirements (570.705(b)(3))**. Applicant must pledge its existing and future CDBG entitlement amounts. Applicant may identify proposed additional security beyond pledge of CDBG funds, as applicable. Examples of security may include one or a combination of the following:

  - ✓ The asset financed with the Section 108 funds
  - ✓ A first or second lien on real property (HUD 108 2nd Lien position)
  - ❑ A lien on machinery or equipment
  - ❑ Debt service reserves
  - ❑ The pledge of an income stream
  - ❑ A pledge of future tax increments
- ❑ Other security (describe other security)

- ❑ **Other Supporting Documents and Exhibits**. Provide any supporting documents and exhibits that may further describe project details.

  - ✓ Location maps
  - ✓ Project photographs
  - ✓ Financial projections and analysis (pro forma financial statements, etc.)
  - ✓ Location Map
  - ✓ Resume and Qualifications of Developers/Owners
  - ❑ Evidence of site control
  - ❑ Business plan and market analysis
  - ❑ Appraisal

## SECTION III – SECTION 108 CERTIFICATIONS

- ❑ **Section 108 Certifications (570.704(b))**. Standard CDBG certifications are not acceptable. Applicant should submit the Section 108 certification forms. Preferably, each certification will be individually executed but certifications included as part of application submitted with original signature of appropriately authorized official are acceptable.

  - ✓ Certification of legal authority to pledge CDBG grants required under 570.705(b)(2) (570.704(b)(3));
  - ✓ Certification of efforts to obtain "other financing" (570.704(b)(4));
  - ✓ Statement regarding lobbying (570.704(b)(7)); and
  - ✓ Public Entity Certifications 570.704(b)(8).



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**Application for Federal Assistance SF-424** Version 02

| *1. Type of Submission: | *2. Type of Application | * If Revision, select appropriate letter(s) |
|---|---|---|
| ☐ Preapplication | ☒ New | |
| ☒ Application | ☐ Continuation | *Other (Specify) |
| ☐ Changed/Corrected Application | ☐ Revision | _____ |

3. Date Received:

4. Applicant Identifier:

5a. Federal Entity Identifier:

*5b. Federal Award Identifier:
B14MC481000

**State Use Only:**

6. Date Received by State:

7. State Application Identifier:

**8. APPLICANT INFORMATION:**

*a. Legal Name: City of Texarkana, Texas

*b. Employer/Taxpayer Identification Number (EIN/TIN):
75-6000689

*c. Organizational DUNS:
062929187

**d. Address:**

*Street 1: P.O. Box 1967
Street 2:
*City: Texarkana
County: Bowie
*State: Texas
Province:
*Country: USA
*Zip / Postal Code 75504-1967

**e. Organizational Unit:**

Department Name:
Planning & Community Development

Division Name:

**f. Name and contact information of person to be contacted on matters involving this application:**

Prefix: Mr.
*First Name: David
Middle Name: W.
*Last Name: Orr
Suffix: Jr.

Title: Director of Planning & Community Development

Organizational Affiliation:
City of Texarkana, Texas

*Telephone Number: (903) 798-3902
Fax Number: (903) 798-3913

*Email: david.orr@txkusa.org

Attachment: 2017-025 ATTH 02 Application revised 10.12.16 w-signed pages (1613 : 2017-025 RES approving acceptance of HUD Section 108

**Application for Federal Assistance SF-424** Version 02

***9. Type of Applicant 1: Select Applicant Type:**

C. City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

Municipality

***10 Name of Federal Agency:**

**Housing & Urban Development Community Development Block Grant Section 108 Loan Fund**

**11. Catalog of Federal Domestic Assistance Number:**

14-218

CFDA Title:

Housing & Community Development CDBG Section 108 Loan Program

***12 Funding Opportunity Number:**

*Title:

**13. Competition Identification Number:**

Title:

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

***15. Descriptive Title of Applicant's Project:**

Hotel Grim Lofts is a mixed use historic preservation project involving residential space in downtown Texarkana. The goal is to redevelop the hotel with 92 housing units and commercial space on the first level. The financing plan is to use 108 funds from HUD along with federal and state historic credits, an EPA cleanup loan, conventional debt, and any other eligible sources. The proposal is for market apartments with apartments set aside for affordable family and senior housing. The proposal is to have a condominium legal structure on the first two floors which will include the spaces for the units to be leased to Low-Mod income families (Condo #1) and floors 3-8 will be a separate legal condominium structure leasing units to market rate income families (Condo #2).

Attachment: 2017-025 ATTH 02 Application revised 10.12.16 w-signed pages (1613 : 2017-025 RES approving acceptance of HUD Section 108

OMB Number: 4040-000
Expiration Date: 01/31/200

**Application for Federal Assistance SF-424** Version 02

**16. Congressional Districts Of:**

*a. Applicant: TX-004 *b. Program/Project: TX-004

**17. Proposed Project:**

*a. Start Date: 10/1/2015 *b. End Date: 09/30/2018

**18. Estimated Funding ($):**

| | |
|---|---|
| *a. Federal | 1,492,000.00 |
| *b. Applicant | 0.00 |
| *c. State | 0.00 |
| *d. Local | 11,398,000.00 |
| *e. Other | 0.00 |
| *f. Program Income | $12,890,000.00 |
| *g. TOTAL | |

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on _____

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E. O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

☐ Yes ☒ No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

**Authorized Representative:**

Prefix: Mr. *First Name: John

Middle Name: A

*Last Name: Whitson

Suffix:

*Title: City Manager

*Telephone Number: (903) 798-3900 Fax Number:

* Email: john.whitson@txkusa.org

*Signature of Authorized Representative: John A Whitson *Date Signed: 4 MAY 16

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Attachment: 2017-025 ATTH 02 Application revised 10.12.16 w-signed pages (1613 : 2017-025 RES approving acceptance of HUD Section 108

OMB Number
Expiration Date: 01/31/2009

**Application for Federal Assistance SF-424** Version 02

***Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

N/A

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**Certification A**

**Entitlement Public Entity Certifications**

In accordance with the Housing and Community Development Act of 1974, as amended, (the "Act") and with **24 CFR §570.704 (b)(8)**, public entity certifies that:

**(i)** It possesses the legal authority to submit the application for assistance under 24 CFR Part 570, Subpart M ("Subpart M") and to use the guaranteed loan funds in accordance with the requirements of Subpart M.

**(ii)** Its governing bod y has duly adopted or passed as an official act a resolution, motion or similar official action authorizing the person identified as the official representative of the public entity to submit the application and amendments thereto and all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the public entity to act in connection with the application to provide such additional information as may be required.

**(iii)** Before submission of its application to HUD, the public entity has:

A) Furnished citizens with information required by **24 CFR §570.704(a)(2)(i);**

B) Held at least one public hearing to obtain the views of citizens on community development and housing g needs; and

C) Prepared its application in accordance with **24 CFR §570.704(a)(l)(iv)** and made the application available to the public.

**(iv)** It is following a detailed citizen participation plan which meets the requirements described in **24 CFR § 570.704(a)(2).**

**(v)** The public entity will affirmatively further fair housing, and the guaranteed loan funds will be administered in compliance with:

i. Title VI of the Civil Rights Act of 1964 (42 U .S.C. 2000d *et seq.);* and

ii. The Fair Housing Act (42 U.S.C. 360 1-20) .

(vi) In the aggregate, at least 70 percent of all CDBG funds, as defined at **24 CFR §570.3(c),** to be expended during the one, two, or three consecutive years specified by the public entity for its CDBG program will be for activities which benefit low and moderate income persons, as described in criteria at **24 CFR §570.208(a).**

(vii) It will comply with the requirements governing displacement, relocation , real property acquisition , and the replacement of low and moderate te income housing described in **24 CFR §570.606.**

(viii) It will comply with the requirements of **24 CFR §570.200(c)(2)** with regard to the use of special assessments to recover the capital costs of activities assisted with guaranteed loan funds.

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(ix) (Where applicable, the public entity may also include the following additional certification.) It lacks sufficient resources from funds provided under Subpart M or program income to allow it to comply with the provisions of §570.200(c)(2), and it must therefore assess properties s owned and occupied by moderate income persons , to recover the guaranteed loan funded portion of the capital cost without paying such assessments in their behalf from guaranteed loan funds.

Signed: John A Whitson

John A. Whitson
City Manager, ICMA-CM

Date: 4 MAY 16

Attachment: 2017-025 ATTH 02 Application revised 10.12.16 w-signed pages (1613 : 2017-025 RES approving acceptance of HUD Section 108

Certification B

Certification of Efforts to Obtain Other Financing

The City of Texarkana, Texas hereby assures and certifies with respect to its application for a loan guarantee pursuant to Section 108 of the Housing and Community Development Act of 1974, as amended, that it has made efforts to obtain financing for the activities described herein without the use of such guarantee, it will maintain the documentation of such efforts for the term of the loan guarantee, and it cannot complete such financing consistent with timely execution of the project without such guarantee.

Signed: John A Whitson

John A. Whitson
City Manager, ICMA-CM

Date: 4 MAY 16

Attachment: 2017-025 ATTH 02 Application revised 10.12.16 w-signed pages (1613 : 2017-025 RES approving acceptance of HUD Section 108

Certification C

Certification of Legal Authority to Pledge Grants

The public entity hereby certifies and assures with respect to its application for a loan guarantee pursuant to Section 108 of the Housing and Community Development Act of 1974, as amended, that it possesses the legal authority to make the pledge of grants required under 24 CFR 570.705(b)(2).

Signed: John A. Whitson

John A. Whitson
City Manager, ICMA-CM

Date: 4 MAY 16

Attachment: 2017-025 ATTH 02 Application revised 10.12.16 w-signed pages (1613 : 2017-025 RES approving acceptance of HUD Section 108

Certification D

**Certification Regarding Drug-free Workplace Requirements**

The certification set out below is a material representation upon which reliance is placed by the U.S. Department of Housing and Urban Development in awarding the loan guarantee assistance. If it is later determined that the public entity knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the U.S. Department of Housing and Urban Development, in additions to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

Certification

A. The public entity certifies that it will provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution , dispensing, possession or use of a controlled substance is prohibited in the public entity's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

b. Establishing a drug-free awareness program to inform employees about-

(1) The dangers of drug abuse in the workplace;
(2) The public entity's policy of maintaining a drug-free workplace;
(3) Any available drug counseling, rehabilitation, and employee assistance programs; and
(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the activities undertaken with the loan guarantee assistance be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the loan guarantee, the employee will -
(1) Abide by the terms of the statement; and
(2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

Signed: John A Whitson

John A. Whitson
City Manager, ICMA-CM

Date: 4 MAY 16

Attachment: 2017-025 ATTH 02 Application revised 10.12.16 w-signed pages (1613 : 2017-025 RES approving acceptance of HUD Section 108

Certification E

**Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions**

**(1)** The prospective primary participant certifies to the best of its knowledge and belief ,

that it and its principals:

**(a)** Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

**(b)** Have not with a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction ; violation of Federal or State antitrust statutes or commission of embezzlement , theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

**(c)** Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph ( 1)(b) of this certification; and

**(d)** Have not within a three year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause of default.

**(2)** Where the prospective primary participant is unable to certify to any of the statement s in this certification , such prospective participant shall attach an explanation to this proposal.

Signed: John A Whitson

John A. Whitson
City Manager, ICMA-CM

Date: 4 MAY 16

Attachment: 2017-025 ATTH 02 Application revised 10.12.16 w-signed pages (1613 : 2017-025 RES approving acceptance of HUD Section 108

# Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Signed: John A Whitson

John A. Whitson
City Manager, ICMA-CM

Date: 4 MAY 16

Attachment: 2017-025 ATTH 02 Application revised 10.12.16 w-signed pages (1613 : 2017-025 RES approving acceptance of HUD Section 108

# Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Signed: John A Whitson

John A. Whitson

City Manager, ICMA-CM

Date: 4 MAY 16

Attachment: 2017-025 ATTH 02 Application revised 10.12.16 w-signed pages (1613 : 2017-025 RES approving acceptance of HUD Section 108

**RESOLUTION NO. 2015 - 080**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, SUPPORTING THE HOTEL GRIM REDEVELOPMENT PROJECT AND COMMITTING FUNDING IN THE FORM OF A CDBG SECTION 108 LOAN, EPA REVOLVING LOAN, AND/OR OTHER FUNDING MUNICIPAL LOAN FUNDS TO SARI AND COMPANY FOR THE PURPOSE OF REDEVELOPING THE GRIM HOTEL; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS,** the City Council of the City of Texarkana, Texas (the "City") has been apprised of the redevelopment plans for the Hotel Grim into a mixed use development in downtown Texarkana; and

**WHEREAS,** the Council of Development Finance Agencies (CDFA) Response Team has visited the city and prepared a report regarding recommendations for public financing strategies for the project; and

**WHEREAS,** the City Council of the City of Texarkana, Texas acknowledges the historical and economic significance of the Hotel Grim to the City, and is in support of the redevelopment of the property as market rate apartments and commercial space; and

**WHEREAS,** Sari & Company, a developer of historic properties is submitting applications for State and Federal Historic Preservation Tax Credits to the Texas Historical Commission and the National Park Service to be used for the redevelopment of the Hotel Grim; and

**WHEREAS,** the City Council of the City of Texarkana, Texas supports the applications for State and Federal Historic Preservation Tax Credits, and is willing to commit project funding in the form of a CDBG Section 108 Loan, EPA Revolving Loan, and/or other municipal loan funds contingent upon the award of the Historic Preservation Tax Credits.

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

**SECTION 1:** That the City Council of the City of Texarkana, Texas, hereby approves the support of the Historic Preservation Tax Credits by Sari & Company to be used for the redevelopment of the Hotel Grim into market rate apartments and commercial space; and approves the submission of loan request applications to appropriate agencies for HUD CDBG Section 108 Loan Funds, EPA Brownfield Revolving Loan Funds, or other municipal loan programs to the Grim Hotel redevelopment project.

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

**PASSED AND APPROVED** in Regular Council Session on this the **10th day of August, 2015**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

4:37 p.m.

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CITY OF
TEXARKANA
TEXAS

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

May 5, 2016

Ms. Shirley Henley, Director
Fort Worth Regional Office, Region VI
U.S. Department of Housing and Urban Development
801 Cherry Street, Unit #45, STE. 2500
Fort Worth, Texas 76102

Dear Ms. Henley:

The City of Texarkana, Texas is pleased to submit an application for a Section 108 Loan Guarantee Program loan. If approved, this loan will provide low to moderate income housing in downtown Texarkana through the revitalization of the Hotel Grim building.

If you have any questions or need additional information about this application, please contact me at 903.798.3902. I appreciate your assistance and look forward to working with you and your staff on this endeavor.

Sincerely,

David W. Orr
Director of Planning & Community Development

Enclosure

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Attachment: 2017-025 ATTH 02 Application revised 10.12.16 w-signed pages (1613 : 2017-025 RES approving acceptance of HUD Section 108

### What are the most common housing problems?

There are 14,200 households in Texarkana, Texas, a decrease of 6% from the time of the 2000 Census. The most common housing problems in Texarkana are cost burden problems where renters and owners have housing costs that exceed either the greater than 30% of household income or 30% of household income.

One thousand four hundred and five renter households have a housing cost burden greater than 50% of income. Of those, 1,050 household have income in the range of 0-30% of Area Median Income, with 290 households in the 31-50% of AMI, and 65 in the range of 51-80% of AMI. For home owners, the most common problem is in having a housing cost burden greater than 30% of Area Median Income with 75 in the range of 0-30% of Area Median Income, 170 households in the 31-50% of AMI, and 480 in the range of 51-80% of AMI and 195 in the 81-100% of AMI.

Taken together, the most common housing problem in Texarkana is a cost burden greater than 30% of income with 3,940 of renter and owner households at 80% or less of Area Median Income paying more than 30% of household income on housing.

### Are any populations/household types more affected than others by these problems?

Renters characterized as Small Related Renter households, a household of at least one adult where the members of the household are related to one another, with a cost burden exceeding 50% of income are statistically the household type most often affected by at least one housing problem.

### Describe the characteristics and needs of Low-income individuals and families with children (especially extremely low-income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered 91.205(c)/91.305(c)). Also discuss the needs of formerly homeless families and individuals who are receiving rapid re-housing assistance and are nearing the termination of that assistance

Low-income individuals and families with children, especially those how are extremely low-income, most frequently have one or more of the Four Housing Problems, or Four Severe Housing Problems. They are more likely to be elderly, a large family, unemployed, or have significant illness or disability in the household. In Texarkana, these at-risk households are more likely to be Black/African American. Formerly homeless families and individuals who are receiving rapid re-housing assistance and are nearing the termination of that assistance are in great peril of returning to a shelter at the termination of their assistance if they have not achieved long-term improvements in income levels or resolved the issues that originally led to the former homeless state. They are not eligible for additional



OMB Control No: 2506-0117 (exp. 07/31/2015)

# City of Texarkana, Texas

## Developing Perspectives and Goals Pending Approval by the City Council:

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

**Perspectives and Goals Additional Comments:**

NONE

**Resource Impact:**

| | |
|---|---|
| Staff time required if item is approved: | No Additional |

**Other Potential Impacts:**

NONE APPLICABLE

## Public Information Plan:

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

Other:

Attachment: 2017-025 Goals & Perspectives (1613 : 2017-025 RES approving acceptance of HUD Section 108 Loan Guarantee Assistance)

City of Texarkana, Texas

Version:

# Briefing Sheet

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

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

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

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

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

**Updates/History of Briefing:**

NOT APPLICABLE

**Executive Summary and Background Information:**

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

**Potential Options:**

- None

**Fiscal Implications:**

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

**Staff Recommendation:**

Utility staff recommends approval.

**Advisory Board/Committee Review:**
NONE

**Board/Committee Recommendation:**
NOT APPLICABLE

**Advisory Board/Committee Meeting Date and Minutes:**
NOT APPLICABLE

## Attachments

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

## Staff Coordination

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

## Meeting History

| | | | |
|---|---|---|---|
| 02/13/17 | City Council | MOVED FORWARD | Next: 02/27/17 |
| 02/27/17 | City Council | MOVED FORWARD | Next: 03/13/17 |

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

# RESOLUTION NO. 2017-010

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

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

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

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

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

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

**SECTION 1:** That the lowest and best bid by a responsible vendor, submitted by Mid-Continental Restoration Company, Inc. of Fort Worth, Texas, a copy of which is attached hereto as **ATTH02** be and is hereby approved in an amount with the Texas portion not to exceed $62,611.21 and the total amount not to exceed $99,970.00 for the installation of approximately 540 linear feet of crack repair and 136 square feet of spalled/deteriorated concrete repair and related appurtenances for the Millwood WTP – Settling Basin Concrete Repairs.

**SECTION 2:** That the City Manager be and is authorized to contract with Mid-Continental Restoration Company, Inc. of Fort Worth, Texas for the above-described services.

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

**PASSED AND APPROVED** in Regular Council Session on this the **27th day of March, 2017**.

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

2017-010 ATTH01

# Bid Tabulation

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

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

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

| | |
|---|---|
| Time First Bid Opened: | 2:00 P.M. |
| Number of Bidders: | Two |
| Apparent Low Bidder: | Mid-Continental Restoration Co., Inc. |

BIDTAB

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

Bid Tabulation
MILLWOOD WTP
SETTLING BASIN CONCRETE REPAIRS

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

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

# City of Texarkana, Texas

## Developing Perspectives and Goals Pending Approval by the City Council:

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

**Perspectives and Goals Additional Comments:**

NONE

**Resource Impact:**

| | |
|---|---|
| Staff time required if item is approved: | No Additional |

**Other Potential Impacts:**

NONE APPLICABLE

## Public Information Plan:

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

Other:

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

City of Texarkana, Texas

Version: A

# Briefing Sheet

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

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

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

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

## Updates/History of Briefing:

None

## Executive Summary and Background Information:

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

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

## Potential Options:

- None
-

## Fiscal Implications:

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

## Staff Recommendation:

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

## Advisory Board/Committee Review:

# City of Texarkana, Texas

NONE

## Board/Committee Recommendation:

NOT APPLICABLE

## Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

## Attachments

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

## Staff Coordination

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

## Meeting History

| | | | |
|---|---|---|---|
| 02/13/17 | City Council | MOVED FORWARD | Next: 02/27/17 |
| 02/27/17 | City Council | MOVED FORWARD | Next: 03/13/17 |

**RESOLUTION NO. 2017-013**

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

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

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

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

**Section 1.** As provided for in §11.3(b) of the Qualified Allocation Plan ("QAP"), it is expressly acknowledged and confirmed that the City of Texarkana has more than twice the state average of units per capita supported by housing tax credits or private activity bonds.

**Section 2.** The City of Texarkana, acting through its governing body, hereby has no objection to the proposed "Residences at Texarkana" located at 1521 Moores Lane (TDHCA # 17703), confirms that its governing body has voted specifically to issue no objection to the construction of the development and to authorize an allocation of housing tax credits for the development pursuant to Tex. Gov't Code §2306.6703(a)(4), and that this formal action has been taken to put on record the opinion expressed by the city on this ____ day of February, 2017.

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

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

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

**Section 5.** For and on behalf of the governing body, Bob Bruggeman, Mayor, is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

**Section 6.** This Resolution shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** in Regular Council Session on this **27th day of March, 2017**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

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

**RESOLUTION NO. 2017-013**

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

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

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

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

**Section 1.** As provided for in §11.3(b) of the Qualified Allocation Plan ("QAP"), it is expressly acknowledged and confirmed that the City of Texarkana has more than twice the state average of units per capita supported by housing tax credits or private activity bonds.

**Section 2.** The City of Texarkana, acting through its governing body, hereby supports the proposed "Residences at Texarkana" located at 1521 Moores Lane (TDHCA # 17703), confirms that its governing body has voted specifically to approve the construction of the development and to authorize an allocation of housing tax credits for the development pursuant to Tex. Gov't Code §2306.6703(a)(4), and that this formal action has been taken to put on record the opinion expressed by the city on this ____ day of February, 2017.

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

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

**Section 5.** For and on behalf of the governing body, Bob Bruggeman, Mayor, is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

**Section 6.** This Resolution shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** in Regular Council Session on this **27th day of February, 2017**.

ATTEST:

| | |
|---|---|
| VICKY COOPWOOD, ASST. CITY SECRETARY | BOB BRUGGEMAN, MAYOR |

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

# RESIDENCES AT TEXARKANA

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

**Project Description:**

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

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

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

**Site Features:**

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

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

**Unit Features:**

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

**Services:**

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

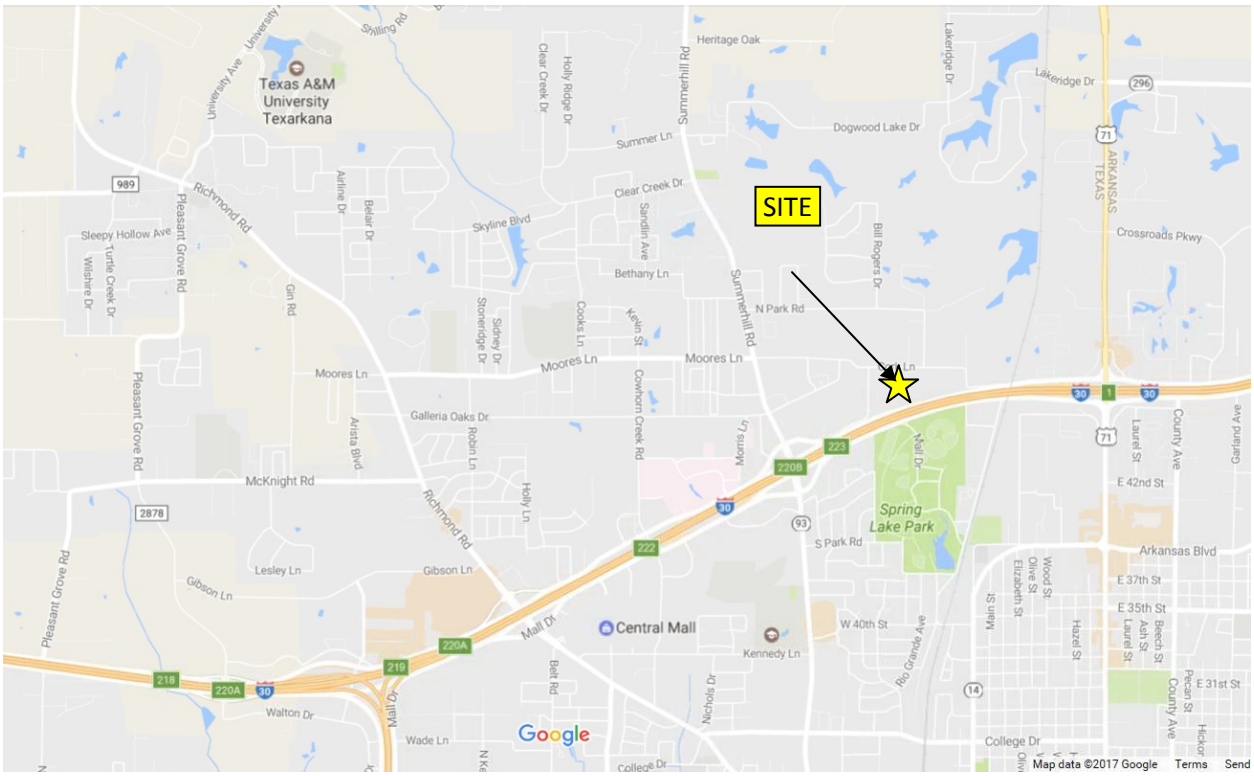
Attachment: 2017-013 ATTH 01 Brochure Residences Moores 2017-0118 (1598 : 2017-013 RES Support for TDHCA Tax Credit Application -

**Economics:**

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

**Location:**

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




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

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

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

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

## The NuRock Companies

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

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

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

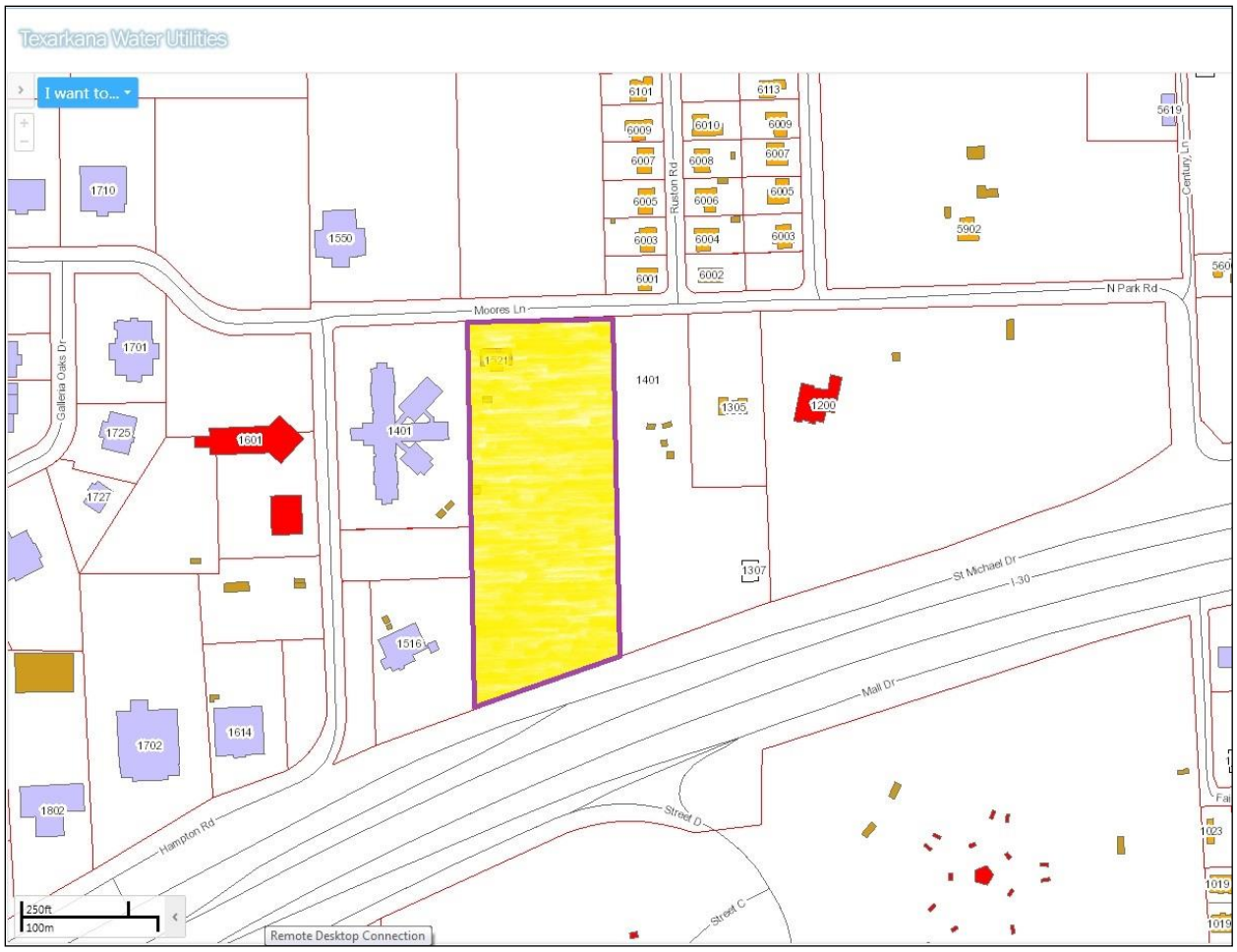
The NuRock Companies
4925 Greenville Avenue
Suite 1305
Dallas, TX 75206
(972) 573-3400

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

# EXHIBIT "A"

Legal Description

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

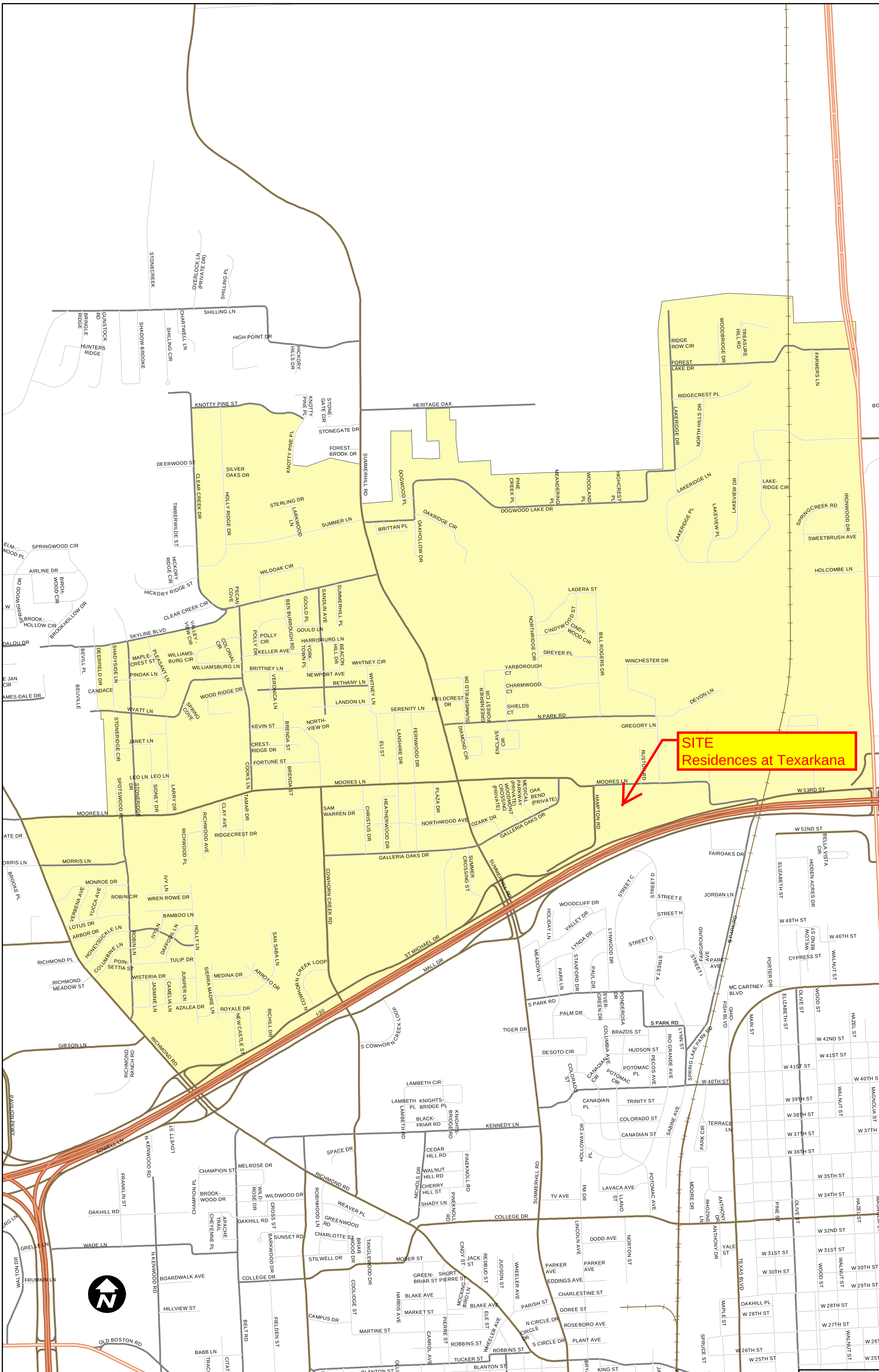







Attachment: 2017-013 ATTH 02 Legal Descr - Moores Lane (1598 : 2017-013 RES Support for TDHCA Tax Credit Application - Residences at

# Texarkana, TX - Ward 6




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

Packet Pg. 60

A

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

January 20, 2017

30 JAN 17
DAVID ORR

RECEIVED
JAN 30 2017
BY:

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

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

Dear Mayor Bruggeman:

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

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

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

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

Sincerely,

Marni Holloway

Marni Holloway
Director, Multifamily Finance

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

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

## Relevant Development Information as Presented by the Applicant:

**Project Number:** 17701

**Development Name:** Heritage Pines

**Development Address:** 4015 New Boston Rd

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

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

**Set Aside:** ☐ Nonprofit ☐ USDA ☐ At-Risk

**Construction Type:** New Construction

**Credit/ Funding Request:** $1,050,506

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

## Applicant Information:

**Owner Contact:** Len Vilicic

**Owner Address:** 4925 Greenville Ave, Ste. 1305

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

**Owner Phone:** (972) 573-3400

**Owner Email:** lvilicic@nurock.com



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

## Relevant Development Information as Presented by the Applicant:

**Project Number:** 17703

**Development Name:** Residences at Texarkana

**Development Address:** 1521 Moores Lane

**Development City:** Texarkana **Development Zip:** 75503 **Region:** 4

**Regional Allocation:** Urban **Target Population:** General

**Set Aside:** ☐ Nonprofit ☐ USDA ☐ At-Risk

**Construction Type:** New Construction

**Credit/ Funding Request:** $1,050,506

**Total Low Income Units:** 88 **Total Market Rate Units:** 0 **Total Units:** 88

## Applicant Information:

**Owner Contact:** Len Vilicic

**Owner Address:** 4925 Greenville Ave, Ste. 1305

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

**Owner Phone:** (972) 573-3400

**Owner Email:** lvilicic@nurock.com



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

## TEX-Coopwood, Vicky

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

Hi David,

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

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

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

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

Please let me know if you need anything else.

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

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

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

Rec'd - Vinny Cooperwood

# Neighbors Against Multi-family Development

## 1201 Moores Lane

RECEIVED
FEB 27 2017
BY:

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

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

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

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

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

Rec'd Mary Coopwood

RECEIVED
FEB 27 2017
BY:

# Neighbors Against Multi-family Development

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| Name | Address | Signature |
|---|---|---|
| Cindy Porter | 34 Northridge Cr | |
| Kaye Ellison | 35 Northridge Cir | Kaye C. Ellison |
| Tad Ellison | 35 Northridge Cir | |
| James Markham | 30 Northridge Cr. | |
| Bobbie Guillot | 31 Northridge Cr | Bobbie Guillot |
| Scott Carter | 29 Northridge Cir | Scott Carter |
| Mavour Lucy | 12 Northridge Cir | Mavour Lucy |
| David Christian | 11 Northridge Cir | |
| John B Green III | 6 Northridge Cir | |
| David Baumgardner | 3 Northridge | David B |
| Marcus R. Harris | 4 Northridge Cir | Marcus R Harris |
| Sherry G. Harris | 4 Northridge | Sherry Harris |
| Ben Floyd Jr. | 1 Northridge Cir | Ben Floyd Jr. |
| Ed + Dottie Miller | 2 Dreyer Place | |
| Helen Mobley | 7 Dreyer Place | Helen Mobley |
| Jill Laurius | 9 Dreyer Place | Jill Laurius |
| Brian Purtle | 14 Dreyer Place | |
| Michelle Purtle | 14 Dreyer Place | Michelle Purtle |

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

Rec'd Vicky Coopwood

RECEIVED
FEB 27 2017
BY:

# Neighbors Against Multi-family Development

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| Name | Address | Signature |
|---|---|---|
| Betty Pesek | 13 Cindywood | Betty Pesek |
| Katie Pesek | 13 Cindywood | Katie Pesek |
| Haley Aven | 4 Cindywood | Haley Aven |
| Chuck Eastman | 9 Cindywood | Chuck Eastman |
| W R Beaty | 9 Cindywood Cir | W R Beaty |
| Troy Potter | 9 Ladera Drive | Troy Potter |
| J Cook | 11 Ladera Dr | J Cook |
| Susan Stanley | 3 Ladera Dr. | Susan V. Stanley |
| John P. Stanley | 3 Ladera Dr | John P. Stanley |
| Malcolm Smith | 26 Northridge Circle | Malcolm Smith |
| JAMES Clem | 22 Bill Rogers | James Clem |
| CAROL Hoffman | 20 Bill Rogers Dr. | Carol Hoffman |
| Carol Yazel | 14 Bill Rogers Dr | Carol Yazel |
| Beverly Tye | 6600 N. Park Rd | Beverly Tye |
| Paul Tye | 6600 N. Park Rd | Paul Tye |
| Jeanette Power | 32 Northridge Cir | Jeanette Power |
| Sam Warren | 5 Cindywood St | SAM WARREN |
| Bobbie WARREN | 5 CINDYWOOD | Bobbie J. Warren |

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

Reid Vinny Corporon

RECEIVED
FEB 27 2017
BY:

# Neighbors Against Multi-family Development

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| Name | Address | Signature |
|---|---|---|
| Kay Thomas | 17 Northridge Cr. | Kay Thomas |
| Wilson Garrett | 6501 N. Park Rd. | Wilson Garrett |
| Janella Garrett | 6501 N Park Rd | Janella Garrett |
| Maurice Clem | 1 Devon Lane | |
| Vicki Orr | 1 Devon Lane | |
| Jerry Rochelle | 8 Dreyer Place | Jerry Rochelle |
| Jane Rochelle | 8 Dreyer Place | Jane Rochelle |
| Janis Rollins | 21 Northridge Circle | Janis Rollins |
| Matt Sowers | 4 Ladera Drive | Matt Sowers |
| Lisa Sowers | 4 Ladera | Lisa Sowers |
| SEAN ROMMEL | 23 NORTHRIDGE | |
| Jameson Rommel | 23 Northridge Cir | Jameson Rommel |
| JOHN POWER | 32 NORTHRIDGE | |
| Allen Clement | 21 Northridge Circle | Allen Clement |
| Patti Thomas | 6604 N. Park Rd. | Patti Thomas |
| William Thomas | 6604 N. Park Rd. | William Thomas |
| Melanie Smith | 26 Northridge | Melanie Smith |
| Sandra Payette | 5627 CENTURY | Sandra Payette |

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

Rec'd Supp Compound

RECEIVED FEB 27 2017 BY:

# Neighbors Against Multi-family Development

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| Name | Address | Signature |
|---|---|---|
| Steve and Sue Gibbs | 3 Gregory Lane Texarkana 75503 | Steven Gibbs |
| Scott + Tanya Austin | 9 Gregory Lane Texarkana 75503 | Scott Austin |
| Rhonda + Paul Bullman | 6 Gregory Lane Texarkana 75503 | R Bullman |
| Linda Rogers | 5 Gregory Lane | Linda Rogers |
| Kevin + Dobbie Ashford | 6203 N. Park Rd Texarkana 75503 | Kevin Ashford |
| JEFF HARRELL | 6009 N. Park Rd. Texarkana 75503 | J H Harrell |
| J.T. CAMPBELL | 6113 N. PARK RD 75503 | [illegible] |
| Sandra K. Hoover | 8 Gregory Ln. Texarkana, Tx. | Sandra K. Hoover |
| Darius Scott | 6115 North Park Rd Tx Tx | Darius Scott |
| Buel & Sharon Fant | 4 Gregory Ln Texarkana Tx | [illegible] |
| Lorian Turner | 6205 N. Park Rd | Lorian Turner |
| Rick Boyette | 5627 Cherry Ln | [illegible] |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

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

Rec'd Duplicate

RECEIVED
FEB 27 2017
BY:

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| Name | Address | Signature |
|---|---|---|
| Pam Revels | 6010 Ruston Road | Pamela Revels |
| JONATHAN REVELS | 6010 RUSTON RD. | [illegible] |
| CASEY BOYETTE | 5622 CENTURY LN | [illegible] |
| Paul Miller | 5915 Winchester | [illegible] |

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

Rec'd: Jenny Coopwood



# Neighbors Against Multi-family Development

## 1201 Moores Lane

RECEIVED
FEB 27 2017
BY:

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

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

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

# NuRock Report Card
## Tenant Reviews of Similar Projects

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

(1) www.apartmentratings.com

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

SEARCH

Home / Texas / Austin / Onion Creek Luxury Apartments (formerly ...

33%

# Onion Creek Luxury Apartments
(formerly Alexan at Onion Creek)

**10701 S. IH 35, Austin, TX 78747**

83 12

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

## Reviews

| 83 | 33% | 73% |
|---|---|---|
| Reviews | % Recommended | City Average |

**Overall:**

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

Write Review

Sort Most Recent

**RESIDENT** Dec 22, 2016
LIVED HERE: 2014 - 2016

✖ **I do not recommmend this property**

**Overall:**

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

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

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

SEARCH

Home / Texas / Austin / Eagles Landing Apartments

62% **Eagles Landing Apartments**

**8000 Decker Lane, Austin, TX 78724**

**44** **6**

## Reviews

| 44 | 62% | 73% |
|---|---|---|
| Reviews | % Recommended | City Average |

**Overall:**

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

Write Review

**Sort** Most Recent

**PROSPECTIVE RESIDENT** Jun 23, 2016
VISITED : 2016

✔ **I recommend this property**

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

**Overall:**

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

No comments

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

SEARCH

Home / Texas / Fort Worth / Residences of Diamond Hill

34% **Residences of Diamond Hill**

**3601 Deen Road, Fort Worth, TX 76106**

33 2

## Reviews

| 33 | 34% | 62% |
|---|---|---|
| Reviews | % Recommended | City Average |

**Overall:**

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

Write Review

Sort Most Recent

**PROSPECTIVE RESIDENT** Sep 26, 2016
VISITED : 2016

✖ **I do not recommmend this property**

**Overall:**

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

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

No comments

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

SEARCH

Home / Texas / Fort Worth / Sunset Pointe Apartments

# 49% Sunset Pointe Apartments

5400 Sycamore School Road, Fort Worth, TX 76123

71 4

## Reviews

| 71 | 49% | 62% |
|---|---|---|
| Reviews | % Recommended | City Average |

**Overall:**

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

Write Review

Sort Most Recent

**RESIDENT**
LIVED HERE: 2009 - 2016

Nov 29, 2016

✔ I recommend this property

**Overall:**

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

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

No comments

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

SEARCH

Home / Georgia / East Point / SaddleBrook

12% **SaddleBrook**

**4171 Washingon Road, East Point, GA 30344**

9 2

## Reviews

| 9 | 12% | 53% |
|---|---|---|
| Reviews | % Recommended | City Average |

**Overall:**

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

Write Review

**Sort** Most Recent

**RESIDENT**
LIVED HERE: 2016

Dec 19, 2016

✖ **I do not recommmend this property**

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

**Overall:**

**Noise:**

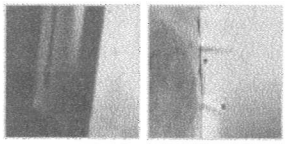
**Maintenance:**

**Safety:**

**Neighborhood:**

**Grounds:**

**Office Staff:**



No comments

Write a response

**RESIDENT**

Nov 04, 2015



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SEARCH

Home / Georgia / Decatur / Chapel Run Apartments

# 20% Chapel Run Apartments

**4522 Snapfinger Woods Drive, Decatur, GA 30035**

**25** **3**

## Reviews

| 25 | 20% | 54% |
|---|---|---|
| Reviews | % Recommended | City Average |

**Overall:**

**Noise:** **Maintenance:**

**Safety:** **Neighborhood:**

**Grounds:** **Office Staff:**

Write Review

**Sort** Most Recent

**RESIDENT** Nov 15, 2016
LIVED HERE: 2016

✖ **I do not recommmend this property**

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

**Overall:**

**Noise:**

**Maintenance:**

**Safety:**

**Neighborhood:**

**Grounds:**

**Office Staff:**

No comments

Write a response

**PROSPECTIVE RESIDENT** Sep 27, 2016
VISITED : 2016

✖ **I do not recommmend this property**

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SEARCH

Home / Georgia / Clarkston / Tuscany Village Apartments

11% **Tuscany Village Apartments**

**600 Northern Ave, Clarkston, GA 30021**

10 0

## Reviews

| 10 | 11% | 44% |
|---|---|---|
| Reviews | % Recommended | City Average |

**Overall:**

**Noise:** **Maintenance:**

**Safety:** **Neighborhood:**

**Grounds:** **Office Staff:**

Write Review

**Sort** Most Recent

**PROSPECTIVE RESIDENT** Sep 05, 2015
VISITED : 2015

✖ **I do not recommmend this property**

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

**Overall:**

**Noise:**

**Maintenance:**

**Safety:**

**Neighborhood:**

**Grounds:**

**Office Staff:**

No comments

Write a response

**RESIDENT** Apr 03, 2015
LIVED HERE: 2015

✖ **I do not recommmend this property**

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SEARCH

Home / Georgia / Atlanta / Hidden Crest Apartments

10% **Hidden Crest Apartments**

**3200 Stone Road Southwest, Atlanta, GA 30331**

51 13

## Reviews

| 51 | 10% | 64% |
|---|---|---|
| Reviews | % Recommended | City Average |

**Overall:**

**Noise:** **Maintenance:**

**Safety:** **Neighborhood:**

**Grounds:** **Office Staff:**

Write Review

Sort Most Recent

**RESIDENT** Aug 22, 2016
LIVED HERE: 2014 - 2016

✖ **I do not recommmend this property**

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

**Overall:**

**Noise:**

**Maintenance:**

**Safety:**

**Neighborhood:**

**Grounds:**

**Office Staff:**

No comments

Write a response

**RESIDENT** Feb 04, 2016
LIVED HERE: 2014

✖ **I do not recommmend this property**



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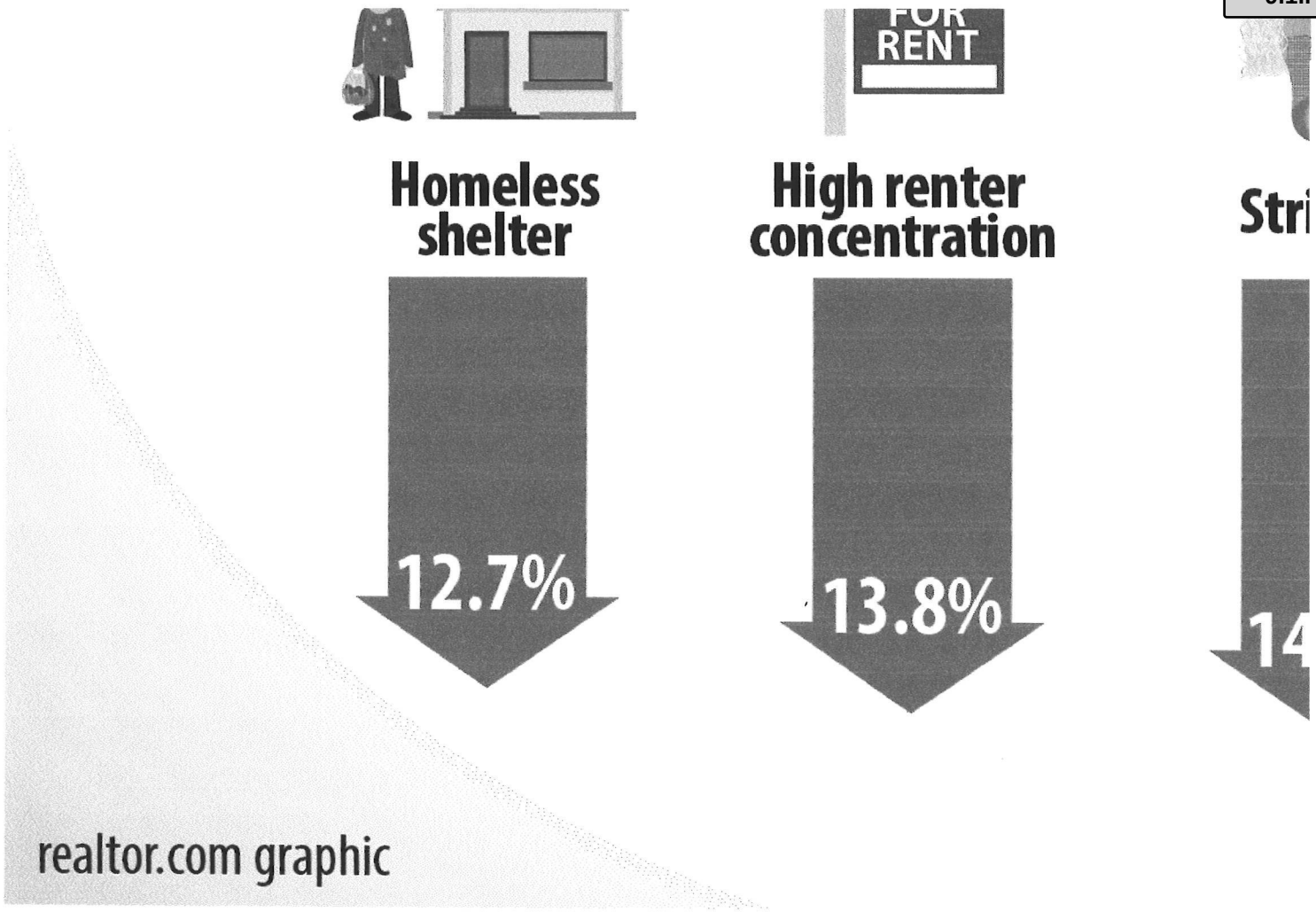


Keep in mind the difference between **causation** and **correlation**: Does having a cemetery or shooting range in the neighborhood cause home prices to drop? Or are those businesses drawn to the area because of cheap real estate? We don't have a definite answer, but their presence is generally a sign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

## Hospital

**The drag:** 3.2%

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

## Shooting range

**The drag:** 3.7%

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

## Power plant

**The drag:** 5.3%

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

## Funeral home

**The drag:** 6.5%

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

## Cemetery

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**The drag:** 12.3%

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

## Homeless shelter

**The drag:** 12.7%

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

## High concentration of renters

**The drag:** 13.8%

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

## Strip club

**The drag:** 14.7%

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

## Bad school

**The drag:** 22.2%

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

---

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

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

Related topics: data journalism home prices

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## TEX-Coopwood, Vicky

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

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

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

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

Sent from my iPad

Begin forwarded message:

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



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

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

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

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

Janis

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

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

## TEX-Coopwood, Vicky

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

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

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

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

Sent from my iPad

Begin forwarded message:

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

Mr. Davis,

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

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

Thank you for your consideration,

Troy Lemons



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

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## TEX-Coopwood, Vicky

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

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

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

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

Sent from my iPad

Begin forwarded message:

**From:** "Tony Orihuela" <tony@yamahasportscenter.com>
**Date:** February 27, 2017 at 2:53:28 PM CST
**To:** <joshd@cableone.net>
**Subject: Rezoning Request**

Josh,

As a resident and taxpayer of the Northridge area, I am deeply opposed to the proposed zoning request on Moore's lane next to the Boot's & Saddle Club property. In my opinion, this would not be good for the area or for the taxpayers. This area contributes greatly to the tax base in Texarkana and having multi-family housing I believe would undermine the values of our properties.

Thank you for your time and consideration concerning this request.

Regards,

Tony Orihuela



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5804 Greenbriar Forest Circle
Texarkana, TX 75503
903.748.7782

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

## TEX-Coopwood, Vicky

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

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

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

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

Sent from my iPad

Begin forwarded message:

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



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

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## TEX-Coopwood, Vicky

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

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

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

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

Sent from my iPad

Begin forwarded message:

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

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

Sent from my iPhone



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## TEX-Coopwood, Vicky

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

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

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

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

Sent from my iPad

Begin forwarded message:

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

Mr. Davis,

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

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



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

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

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

Thanks,
Bill Gooding

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

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## TEX-Coopwood, Vicky

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

John A. Whitson, ICMA-CM
City Manager
PO Box 1967
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220 Texas Blvd
Office (903) 798-3930
Cell (903) 949-7839
City Website: http://www.ci.texarkana.tx.us/
City Council Agendas and Council Videos: http://texarkanacitytx.iqm2.com/Citizens/Default.aspx

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

Sent from my iPhone

Begin forwarded message:

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

Mr. Davis,

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

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

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



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

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

---

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

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## TEX-Coopwood, Vicky

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

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

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

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

Sent from my iPhone

Begin forwarded message:

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

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

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

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



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

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

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

Please oppose the building of this apartment complex.

Thank you,

Randy Kimpfbeck

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

## TEX-Coopwood, Vicky

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

David,

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

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

Sincerely,

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

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

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

# City of Texarkana, Texas

## Developing Perspectives and Goals Pending Approval by the City Council:

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

**Perspectives and Goals Additional Comments:**

NONE

**Resource Impact:**

| | |
|---|---|
| Staff time required if item is approved: | Medium |

**Other Potential Impacts:**

NONE APPLICABLE

**Public Information Plan:**

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

Other:

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