CITY OF TEXARKANA

CITY COUNCIL

MINUTES ● MARCH 28, 2016

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	6:00 PM
Jean H. Matlock	Ward 1	Present	6:00 PM
Willie Ray	Ward 2	Present	6:00 PM
Tina Veal-Gooch	Ward 3	Present	6:00 PM
Brian Matthews	Ward 4	Present	6:00 PM
Christy P. Paddock	Ward 5	Present	6:00 PM
Josh Davis	Ward 6	Present	6:00 PM

Staff Present: City Manager John Whitson, Jennifer Evans, Robby Robertson, Lisa Thompson, Lynn Henry, Karey Parker, Charlie Bassett, Shirley Jaster, Sharon Moore, Vicky Coopwood, Dusty Henslee, J.D. Phillips, CeCe White, Jim Cornelius, David Orr, and Jerry Sparks.

Legal Counsel: Jeff Lewis

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER JOSH DAVIS

III. MAYOR'S OPENING REMARKS

Upcoming City Council Meetings:

Monday, April 11, 2016 at 6:00 p.m.
Monday, April 25, 2016 at 6:00 p.m.
Monday, May 9, 2016 at 6:00 p.m.
Monday, May 23, 2016 at 6:00 p.m.

Parks & Recreation Events:

April 1st	Spring Soccer League Begins	Wallace Park
April 1st	Spring Softball Tournament	Karrh/Wallace Park
April 1st - 3rd	Scout-O-Rama	Spring Lake Park
April 5th	Spring Church Softball League Begins	Wallace Park
April 9th	Spring Softball Tournament	Karrh/Wallace Park

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

Mayor Bruggeman recognized and welcomed all the students from Texas High Mr. Littman's government class. Among the high school students in the audience was City Attorney Jeff Lewis' daughter Rachel.

Mayor Bruggeman congratulated Council Member Matthews for his prestigious recognition by the Alpha Phi Alpha Fraternity - Kappa Gamma Lambda Chapter. He was chosen as the recipient of the Distinguished Gentleman's Award - in honor of visionary founders, known as jewels. Dr. Matthews will be honored on April 2nd.

Mayor Bruggeman welcomed the new Texarkana Chamber of Commerce President Mike Malone. Mr. Malone related a few details of his business background in the chamber business. He stated that he was very happy for the opportunity to serve the citizens of both Texarkana cities.

Appointments to Boards & Commissions

There were no appointments made to any board or commission.

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

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

There were no public comments made at open forum.

V. ITEMS FOR CONSIDERATION

Consent Items

(6:11 p.m.)

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

1. Consider approval of the minutes of the Regular Meeting of the City Council held on March 14, 2016 at 6:00 PM.

2. Resolution No. 2016-017 approving the International Paper Mill Water Treatment Plant Water Conservation and Drought Contingency Plan for Wholesale Public Water Suppliers.

Public Hearing: February 22, 2016
Second Briefing: March 14, 2016
Council Vote: March 28, 2016

Action Items

3. Resolution No. 2016-041 authorizing the City Manager to enter into a contract with American Ramp Company of Joplin, Missouri for the design, equipment, and construction of a skateboard park.

   Public Hearing:
   Second Briefing:
   Council Vote: March 28, 2016

   Robby Robertson briefed this item.
   (6:16 p.m.)

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

4. Resolution No. 2016-044 rescinding Resolution No. 2015-140 that directed the enforcement of code provisions for the full payment of the water and sewer account balance of Forest Point Apartment Homes and adopting Ordinance No. 2016-044 imposing a lien against the property for unpaid utility charges.

   Public Hearing:
   Second Briefing:
   Council Vote: March 28, 2016

   City Manager Whitson provided updated information concerning the proposed sale and purchase of Forest Point Apartment Homes scheduled for later in the week. Jeff Lewis made additional comments regarding Ordinance No. 2016-044 which outlines council's authority to place a lien on the property for delinquent and unpaid bills for municipal utility service.

   Mr. Lewis suggested, if council wished, to adopt Resolution No. 2016-044 with one motion and with another motion, adopt Ordinance No. 2016-044 with a reading of the caption. Claire Jaynes addressed council. Council Member Veal-Gooch made brief summary comments regarding this issue.
   (6:27 p.m.)

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

5. Motion to adopt Ordinance No. 2016-044.

(6:28 p.m.)

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

VI. FIRST BRIEFINGS

1. Ordinance No. 2016-029 amending Chapter 140 entitled "Zoning" of the Code of Ordinances of the City of Texarkana, Texas, by amending regulations for Changeable Electronic Variable Message Signs (CEVMS) pertaining to sign size, nonconforming signs, damaged signs and definitions.

   Public Hearing: April 11, 2016
   Second Briefing: April 25, 2016
   Council Vote: May 9, 2016

   David Orr briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 4/11/2016 6:00 PM**

2. Ordinance No. 2016-030 amending Chapter 140 entitled "Zoning" of the Code of Ordinances of the City of Texarkana, Texas, by amending regulations for Changeable Electronic Variable Message Signs (CEVMS) pertaining to prohibiting CEVMS along certain corridors.

   Public Hearing: April 11, 2016
   Second Briefing: April 25, 2016
   Council Vote: May 9, 2016

   David Orr briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 4/11/2016 6:00 PM**

3. Ordinance No. 2016-031 amending the Code of Ordinances of the City of Texarkana, Texas, by establishing minimum housing standards for all dwelling units.

   Public Hearing: April 11, 2016
   Second Briefing: April 25, 2016
   Council Vote: May 9, 2016

   Lynn Henry briefed this item. Jeff Lewis made additional briefing comments.

RESULT:	**MOVED FORWARD**	**Next: 4/11/2016 6:00 PM**

4. Ordinance No. 2016-032 requiring property owners to register rental property through dwelling unit permits requiring inspections and establishing a permit fee.

   Public Hearing: April 11, 2016
   Second Briefing: April 25, 2016
   Council Vote: May 9, 2016

   Lynn Henry briefed this item. City Manager Whitson and Jeff Lewis made additional briefing comments.

RESULT:	**MOVED FORWARD**	**Next: 4/11/2016 6:00 PM**

5. Ordinance No. 2016-033 amending PD-00-5(GR) for revision to site plan to allow new signage on Lots 12-15 & 8A, Block 2, Galleria Oaks #1, Parcel 3, Replat #2, located at 5502 Medical Parkway. Max Alley Investment, LLC, owner. Trey Ayers, Effective Signs, agent.

   Public Hearing: April 11, 2016
   Second Briefing: April 25, 2016
   Council Vote: May 9, 2016

   David Orr briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 4/11/2016 6:00 PM**

6. Ordinance No. 2016-034 amending PD-79-5(GR) for revision to site plan to allow additional signage on a certain 9.75 acre tract of land in the George Brinlee HRS, A-18, located at 4317 McKnight Road. The Oaks Assisted Living Facility, owner. Billy White, Whatley Signs, agent.

Public Hearing: April 11, 2016
Second Briefing: April 25, 2015
Council Vote: May 9, 2016

David Orr briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 4/11/2016 6:00 PM**

7. Ordinance No. 2016-035 rezoning a 332.73' x 140' strip of land being a part of an 8.47 acre tract in the George Brinlee HRS, A-18, located in the 5200 block of North Kings Highway. Single Family-3 to Planned Unit Residential. Jay Strickland, owner. MTG Engineering, agent.

Public Hearing: April 11, 2016
Second Briefing: April 25, 2016
Council Vote: May 9, 2016

David Orr briefed this item. Kayla Wood, of MTG Engineers, made additional briefing comments.

RESULT:	**MOVED FORWARD**	**Next: 4/11/2016 6:00 PM**

8. Resolution No. 2016-036 approving the fiscal year 2017 budget calendar.

Public Hearing:
Second Briefing:
Council Vote: April 11, 2016

Charlie Bassett briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 4/11/2016 6:00 PM**

9. Resolution No. 2016-037 authorizing staff to proceed with necessary work to demolish neighborhood specific substandard structures.

Public Hearing: April 11, 2016
Second Briefing: April 25, 2016
Council Vote: May 9, 2016

City Manager Whitson briefed this item and showed a time-lapsed video of the demolition of one home in the city.

RESULT:	**MOVED FORWARD**	**Next: 4/11/2016 6:00 PM**

10. Resolution No. 2016-038 authorizing the City Manager to purchase the building and property located at 808 Olive Street, Texarkana, Texas in an amount not to exceed One Hundred Thirty Thousand and No/100 Dollars ($130,000.00).

    Public Hearing: April 11, 2016
    Second Briefing: April 25, 2018
    Council Vote: May 9, 2016

    J.D. Phillips briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 4/11/2016 6:00 PM**

11. Resolution No. 2016-039 authorizing the City Manager to enter into an agreement with Halff & Associates for Comprehensive Planning Services.

    Public Hearing: April 11, 2016
    Second Briefing: April 25, 2016
    Council Vote: May 9, 2016

    David Orr briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 4/11/2016 6:00 PM**

12. Ordinance No. 2016-040 amending Chapter 140, Article V, Sec. 106, Historical Designation of the Code of Ordinances of the City of Texarkana, Texas.

    Public Hearing: April 11, 2016
    Second Briefing: April 25, 2016
    Council Vote: May 9, 2016

    David Orr briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 4/11/2016 6:00 PM**

VII. PUBLIC HEARINGS

1. Motion to move Resolution No. 2016-025 up for council vote.

   (7:37 p.m.)

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

2. Resolution No. 2016-025 authorizing the City Manager to enter into an incentive agreement with Harte-Hanks, Inc. funded by the City of Texarkana's Economic Development Fund in an amount not to exceed TWO HUNDRED THOUSAND DOLLARS ($200,000).

   Public Hearing: March 28, 2016
   Second Briefing: April 11, 2016
   Council Vote: April 25, 2016

   There were no public comments made at this hearing.
   (7:38 p.m.)

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

3. Motion to move Resolution No. 2016-026 up for council vote.

   (7:39 p.m.)

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

4. Resolution No. 2016-026 authorizing the City Manager to execute a gateway monument agreement with the Texas Department of Transportation regarding the City of Texarkana's construction and maintenance of a gateway monument along Interstate 30 right-of-way.

   Public Hearing: March 28, 2016
   Second Briefing: April 11, 2016
   Council Vote: April 25, 2016

   There were no public comments made at this hearing.
   (7:39 p.m.)

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

5. Motion to move Resolution No. 2016-027 up for council vote.

(7:41 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christy P. Paddock, Ward 5
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

6. Resolution No. 2016-027 authorizing the City Manager to enter into a contract for the repainting and repairs of the Pleasant Grove Elevated Storage Tank in an amount not to exceed TWO HUNDRED FOUR THOUSAND SEVEN HUNDRED DOLLARS ($204,700).

Public Hearing:	March 28, 2016
Second Briefing:	April 11, 2016
Council Vote:	April 25, 2016

There were no public comments made at this hearing.
(7:41 p.m.)

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

VIII. SECOND BRIEFING WITH UPDATES - NONE

IX. SECOND BRIEFING WITHOUT UPDATES

1. Ordinance No. 2016-021 granting a Specific Use Permit to allow a 100' monopole cellular telecommunications tower and maintenance platform on a 0.0980 acre tract of leased space being a part of a 5.65 acre tract of land in the George Brinlee HRS, A-18, located at 910 Franklin Street. Walnut Church of Christ, owner. Hart Mason, J. Mark Hodges, Inc., agent.

Public Hearing: March 14, 2016
Second Briefing: March 28, 2016
Council Vote: April 11, 2016

Hart Mason addressed the issues, that were brought up at the March 14th council meeting, of lighting on the cell tower and possible road damage during the proposed construction phase.

RESULT:	**MOVED FORWARD**	**Next: 4/11/2016 6:00 PM**

X. ITEMS FOR DISCUSSION

Staff Updates

City Manager Whitson informed council that the Planning and Community Development Department (PCDD) just completed a site visit with the Fort Worth Housing Authority contact for the Community Development Block Grant program which had no audit findings. Congratulations was given to PCDD Director David Orr and staff.

City Manager Whitson also informed council that he would be out of the office beginning Wednesday, March 30th and returning to the office on Tuesday, April 5th. Shirley Jaster will be in charge during his absence.

XI. ADMINISTRATIVE COMMENTS

1. City Council

   Council Member Matlock described a list of known and potential problems resulting from overcrowding and poor parking conditions occuring on the weekends at Bell Park on Lincoln Street. Many of the streets surrounding the park are dead end streets with no feasible access for emergency response vehicles. City Manager Whitson responded that the Police Chief has already been advised and is working on this issue.

2. City Staff

   There were no comments made by city staff.

XII. ADJOURNMENT

A motion was made to adjourn the meeting.
(7:46 p.m.)

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

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

CITY OF TEXARKANA

CITY COUNCIL

MINUTES • MARCH 14, 2016

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	
Tina Veal-Gooch	Ward 3	Present	
Brian Matthews	Ward 4	Present	
Christy P. Paddock	Ward 5	Present	
Josh Davis	Ward 6	Present	

Staff Present: City Manager John Whitson, Jennifer Evans, Dan Shiner, Michael Henry, Charlie Bassett, Shirley Jaster, Jennifer Strayhorn, Sherry Jackson Hawkins, Jeff Estes, Kyle Dooley, Lisa Thompson, Vicky Coopwood, Robby Robertson, J.D. Phillips, Eric Schlotter, Rea Donna Jones, and David Orr.

Legal Counsel: Jeff Lewis

II. INVOCATION BY MAYOR BOB BRUGGEMAN AND PLEDGE OF ALLEGIANCE

After the invocation, the pledge was led by Boy Scout Troop 13.

III. MAYOR'S OPENING REMARKS

Upcoming City Council Meetings:

Monday, March 28, 2016 at 6:00 p.m.
Monday, April 11, 2016 at 6:00 p.m.
Monday, April 25, 2016 at 6:00 p.m.
Monday, May 9, 2016 at 6:00 p.m.

The annual Farmers Market Vendor Meeting & Seed Swap will be held on Wednesday, March 16th from 4:00 p.m. - 6:00 p.m. at City Hall, in the Council Chambers on the second floor.

The 2nd Annual Arbor Day will be held Saturday, March 19th - members of the Texas A&M Forest Service, Keep Texarkana Beautiful and City Staff will be on hand to give away 1,500 trees at Spring Lake Park across from the Rotary Splash Pad from 9:00 a.m. - 12:00 p.m.

Minutes Acceptance: Minutes of Mar 14, 2016 6:00 PM (Consent Items)

Parks & Recreation Events:

March 17th - 20th	Huggins Baseball Tournament	Spring Lake Park
March 21st	Spring Softball League Begins	Karrh Park
March 26th - 27th	Spring Softball Tournament	Karrh/Wallace Park

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

Mayor Bruggeman announced that the Salvation Army has been serving the Texarkana community for 120 years and celebrated this event on Friday, March 11th. Mayor Bruggeman invited staff, parents, and students from the Salvation Army to join him while he read the joint city proclamation. Lt. Bernadette thanked the city and everyone who has given support to the organization over the years.

Mayor Bruggeman recognized and welcomed a student from Texas High Mr. Littman's government class.

Presentations

Public Safety Communications Tower Update - by Police Department

The Public Safety Communications Tower update was given by Michael Henry.

Comprehensive Annual Financial Report - by Holliday, Lemons, & Cox, P.C. Report Link: http://www.ci.texarkana.tx.us/DocumentCenter/View/3527

The Comprehensive Annual Financial Report was presented by Faith Phillips.

Appointments to Boards & Commissions

Motion to make appointments to various Boards and Commissions.

Council Member Davis recommended appointing Jay Davis to the Planning and Zoning Commission. **(*Note: Council Member Davis and Appointee Jay Davis have no familial relationship)**

Council Member Veal-Gooch recommended appointing Trey Connolly to the Historic Landmark Preservation Committee.
(6:37 p.m.)

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

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

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

Minutes Acceptance: Minutes of Mar 14, 2016 6:00 PM (Consent Items)

There were no public comments made at Open Forum.

V. ITEMS FOR CONSIDERATION

Consent Items

(6:39 p.m.)

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

1. Consider approval of the minutes of the Regular Meeting of the City Council held on February 22, 2016 at 6:00 PM.

2. Resolution No. 2016-005 establishing and adopting a policy related to citizen submitted petitions.

   Public Hearing: February 8, 2016
   Second Briefing: February 22, 2016
   Council Vote: March 14, 2016

3. Resolution No. 2016-024 acknowledging receipt of the 2015 Police Department Racial Profiling Report.

   Public Hearing:
   Second Briefing:
   Council Vote: March 14, 2016

Closed Session

The City Council convened in closed session pursuant to section 551.071, Texas Government Code, for a private consultation with the City Attorney to seek advice regarding the breach of contract, unjust enrichment, and malfeasance assertions/settlement offer by Claire Jaynes / Forest Point Apartment Homes [*cf.* proposed Resolution 2015-140].

Reconvened into Open Session

Minutes Acceptance: Minutes of Mar 14, 2016 6:00 PM (Consent Items)

Action Items

4. Resolution No. 2015-140 finding and determining no valid basis supporting claims made by Forest Point Apartment Homes of being overcharged for water and sewer services; requiring Forest Point Apartment Homes to make full payment; authorizing alternative short-term payment plans; directing enforcement of Code provisions in the event Forest Point Apartment Homes fails to make full payment of its account balance.

   Public Hearing: January 11, 2016
   Second Briefing: January 25, 2016
   Council Vote: March 14, 2016

   Jeff Lewis made a few comments. Council Member Paddock and Council Member Veal-Gooch each made additional comments before the vote.
   (7:54 p.m.)

RESULT:	**ADOPTED AS AMENDED [UNANIMOUS]**
MOVER:	Christy P. Paddock, Ward 5
SECONDER:	Josh Davis, Ward 6
AYES:	Matlock, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

5. Resolution No. 2016-028 authorizing the City Manager to enter into a contract for the New Boston Road Water Treatment Plant Switchgear Replacement in an amount not to exceed THREE HUNDRED FIVE THOUSAND SIX HUNDRED THIRTY-NINE DOLLARS ($305,639).

   Public Hearing:
   Second Briefing:
   Council Vote: March 14, 2016

   J.D Phillips briefed this item.
   (7:57 p.m.)

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

VI. FIRST BRIEFINGS

Minutes Acceptance: Minutes of Mar 14, 2016 6:00 PM (Consent Items)

1. Resolution No. 2016-025 authorizing the City Manager to enter into an incentive agreement with Harte-Hanks, Inc. funded by the City of Texarkana's Economic Development Fund in an amount not to exceed TWO HUNDRED THOUSAND DOLLARS ($200,000).

   Public Hearing: March 28, 2016
   Second Briefing: April 11, 2016
   Council Vote: April 25, 2016

   David Orr briefed this item.

RESULT:	MOVED FORWARD	Next: 3/28/2016 6:00 PM

2. Resolution No. 2016-026 authorizing the City Manager to execute a gateway monument agreement with the Texas Department of Transportation regarding the City of Texarkana's construction and maintenance of a gateway monument along Interstate 30 right-of-way.

   Public Hearing: March 28, 2016
   Second Briefing: April 11, 2016
   Council Vote: April 25, 2016

   Kyle Dooley briefed this item.

RESULT:	MOVED FORWARD	Next: 3/28/2016 6:00 PM

3. Resolution No. 2016-027 authorizing the City Manager to enter into a contract for the repainting and repairs of the Pleasant Grove Elevated Storage Tank in an amount not to exceed TWO HUNDRED FOUR THOUSAND SEVEN HUNDRED DOLLARS ($204,700).

   Public Hearing: March 28, 2016
   Second Briefing: April 11, 2016
   Council Vote: April 25, 2016

   J.D. Phillips briefed this item.

RESULT:	MOVED FORWARD	Next: 3/28/2016 6:00 PM

VII. PUBLIC HEARINGS

1. Motion to move Ordinance No. 2016-020 up for council vote.

   (8:10 p.m.)

Minutes Acceptance: Minutes of Mar 14, 2016 6:00 PM (Consent Items)

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

2. Ordinance No. 2016-020 amending the budget estimates of the expenditures in the 2003 and 2005 Bond Funds for the fiscal year ending September 30, 2016 to include funding to complete Shilling Road and Bringle Ridge Drive reconstruction project.

Public Hearing: March 14, 2016
Second Briefing: March 28, 2016
Council Vote: April 11, 2016

There were no public comments made at this hearing.
(8:11 p.m.)

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

3. Ordinance No. 2016-021 granting a Specific Use Permit to allow a 100' monopole cellular telecommunications tower and maintenance platform on a 0.0980 acre tract of leased space being a part of a 5.65 acre tract of land in the George Brinlee HRS, A-18, located at 910 Franklin Street. Walnut Church of Christ, owner. Hart Mason, J. Mark Hodges, Inc., agent.

Public Hearing: March 14, 2016
Second Briefing: March 28, 2016
Council Vote: April 11, 2016

Verizon Wireless Representative Hart Mason spoke at this public hearing. Charles Puratt spoke in opposition to this proposed ordinance. Dwight Brown expressed concern of road damage on Franklin Street during the proposed construction project of this cellular telecommunications tower.

RESULT:	**MOVED FORWARD**	**Next: 3/28/2016 6:00 PM**

4. Motion to move Resolution No. 2016-022 up for council vote.

(8:33 p.m.)

Minutes Acceptance: Minutes of Mar 14, 2016 6:00 PM (Consent Items)

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

5. Resolution No. 2016-022 authorizing the City Manager to enter into a memorandum of agreement for the Heritage Gateway Public Artwork Project.

Public Hearing: March 14, 2016
Second Briefing: March 28, 2016
Council Vote: April 11, 2016

David Orr referenced a change to the Memorandum of Understanding regarding Main Street Texarkana. City Manager Whitson made a few comments. There were no public comments made at this hearing.
(8:33 p.m.)

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

VIII. SECOND BRIEFING WITH UPDATES - NONE.

IX. SECOND BRIEFING WITHOUT UPDATES

1. Resolution No. 2016-017 approving the International Paper Mill Water Treatment Plant Water Conservation and Drought Contingency Plan for Wholesale Public Water Suppliers.

Public Hearing: February 22, 2016
Second Briefing: March 14, 2016
Council Vote: March 28, 2016

RESULT:	**MOVED FORWARD**	**Next: 3/28/2016 6:00 PM**

X. ITEMS FOR DISCUSSION

Staff Updates

City Manager Whitson informed council that the Sulphur River Basin Authority (SRBA) board accepted the city's request to be on the March 15, 2016 SRBA agenda. City Manager Whitson, on

Minutes Acceptance: Minutes of Mar 14, 2016 6:00 PM (Consent Items)

behalf of the council, will make a request for a joint meeting of the council and SRBA board to discuss their studies and efforts in the basin.

XI. ADMINISTRATIVE COMMENTS

1. Council Members

Council Member Paddock said she has received several complaints from citizens trying to enter traffic from Galleria Oaks onto Richmond Road especially during high traffic times. City Manager Whitson said that the city does not plan to place a traffic signal device at that intersection because it would cause other traffic management issues. When traffic lights are placed to close together, it causes traffic to back up into other intersections. He asked and suggested that citizens plan a route that would access existing signal devices when they choose to enter onto Richmond Road.

Council Member Davis said a question that he receives from Ward 6 residents is why more strategic planning was not incorporated in the 2009 bond process for Galleria Oaks to help alleviate heavy traffic issues in that area. City Manager Whitson responded that he was not employed with the city at that time and Kyle Dooley said he was not part of that planning process. Mayor Bruggeman said, at that time, Moores Lane was a two-lane road and there was not a left turn lane. Galleria Oaks was built, in hopes, to help alleviate some of that traffic.

Council Member Veal-Gooch asked if College Drive, from Moore Drive to Potomac Avenue, is still closed due to repairs. Kyle Dooley said that backfill was done today and staff hoped to apply hot mix on the road tomorrow. That portion of the street is projected to be open Wednesday or Thursday of this week.

2. City Staff

Staff had no comments.

XII. ADJOURNMENT

A motion was made to adjourn the meeting.
(8:40 p.m.)

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

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

Minutes Acceptance: Minutes of Mar 14, 2016 6:00 PM (Consent Items)

City of Texarkana, Texas

Version: C

Briefing Sheet

Update Date: 2/2/2016 12:18 PM

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

Subject: Resolution No. 2016-017 approving the International Paper Mill Water Treatment Plant Water Conservation and Drought Contingency Plan for Wholesale Public Water Suppliers.

Briefing:	3/28/2016	**Public Hearing:**	2/22/2016	**Second Briefing:**	March 14, 2016 **Council Vote:** 3/28/2016

Item Schedule

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

The State of Texas requires wholesale water providers to prepare and approve a water conservation and drought contingency plan (Title 30, Texas Administrative Code, §288.5 & §288.22). The Texas Commission on Environmental Quality (TCEQ) reviews and administers the plans. The TCEQ has requested the City of Texarkana, Texas, as the owner, to prepare a water conservation and drought contingency plan for the International Paper wholesale water system. The International Paper wholesale water system currently serves the International Paper mill and the Cities of Atlanta and Domino, Texas. The City of Texarkana's current water conservation and drought contingency plan was used as a guide in preparing the International Paper plan. The plan was submitted to the TCEQ for administrative review and the TCEQ has accepted the plan pending approval of the Texarkana, Texas City Council.

Potential Options:

- "None"
-

Fiscal Implications:

None

Staff Recommendation:

TWU staff recommend approval.

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. 2016-017 RES Approving the International Paper Plant Water Conservation Plan (DOC)
b. 2016-017 ATTH 01 IP Water Consevation Plan (DOC)
c. 2016-017 Goals & Perspectives (DOCX)
d. 2016-017 RES Approving IP Plant Water Conservation Plan signed (PDF)

Staff Coordination

Water Utilities	JD Phillips 01/27/2016 8:53 AM	Department Head Review	Completed	
Public Information Officer	Lisa Thompson	PIO Review	Completed	01/27/2016 1:49 PM
City Secretary	Jennifer Evans	Review	Completed	02/02/2016 12:18 PM
City Manager	John Whitson	City Manager Review	Completed	02/03/2016 7:26 AM
City Council	Jennifer Evans	Meeting	Completed	02/08/2016 6:00 PM

Meeting History

02/08/16	City Council	MOVED FORWARD	Next: 02/22/16
02/22/16	City Council	MOVED FORWARD	Next: 03/14/16
03/14/16	City Council	MOVED FORWARD	Next: 03/28/16

RESOLUTION NO. 2016 - 017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE INTERNATIONAL PAPER MILL WATER TREATMENT PLANT WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN FOR WHOLESALE PUBLIC WATER SUPPLIERS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Title 30 Texas Administrative Code §288.5 Water Conservation Plans for Wholesale Water Suppliers and §288.22 Drought Contingency Plans for Wholesale Water Suppliers requires wholesale water providers to prepare and approve a water conservation and drought contingency plan; and

WHEREAS, the Texarkana, Texas Water and Sewer staff has prepared a Water Conservation and Drought Contingency Plan for Wholesale Public Water Suppliers for the International Paper Mill WTP; and

WHEREAS, the City of Texarkana's current approved water conservation plan was used as a guide in preparing the International Paper plan and the proposed plan was submitted to the Texas Commission on Environmental Quality (TCEQ) for administrative review and the TCEQ has accepted the plan pending approval of the Texarkana, Texas City Council, a copy of which is **attached** hereto.

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

SECTION 1: The proposed International Paper Mill WTP Profile and Water Conservation and Drought Contingency Plan for Wholesale Public Water Suppliers, a copy of which is attached hereto, be and is hereby approved.

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

PASSED AND APPROVED in Regular Council Session on this the **28th day of March, 2016.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2016-017 RES Approving the International Paper Plant Water Conservation Plan [Revision 1] (1435 : 2016-017 RES IP WTP Water

Attachment: 2016-017 ATTH 01 IP Water Conservation Plan (1435 : 2016-017 RES IP WTP Water Conservation and Drought Continency Plan)

City of Texarkana, Texas
INTERNATIONAL PAPER MILL WTP
PROFILE & WATER CONSERVATION PLAN
FOR WHOLESALE PUBLIC WATER SUPPLIERS

Name of Entity: Texarkana Water Utilities

Address & Zip: 801 Wood Street, Texarkana, Texas 75501

Telephone Number: (903) 798-3800 Fax: (903) 793-0610

Form Completed By: J.D. Phillips, P.E.

Title: Director of Engineering

Signature:_____ Date:_____

Name and Phone Number of Person/Department responsible for implementing a water conservation program: J.D. Phillips, P.E.
Engineering Department
Texarkana Water Utilities
(903) 798-3821

PROFILE

I. WHOLESALE SERVICE AREA POPULATION AND CUSTOMER DATE

A. Population and Service Area Data

1. Service areas size in square miles: 12.97 sq. Miles
(A copy of service-area map is attached)

2. Current Population of service area: 5673

3. Current Population of Wholesale Customers Served for:

   a. water: 5,673
   b. wastewater: 5,596

4. Population served for previous five years:

Year	Population
2010	5,768
2011	5,755
2012	5,684
2013	5,706
2014	5,673

5. Projected population for service area in the following decades:

Year	Population
2020	5,934
2030	6,164
2040	6,393
2050	6,393
2060	6,393

6. List source or method for the calculation of current and projected population:

www.texas-demographics.com

Extrapolated from data from 2011 Region D Water Plan

U.S. Census Bureau State & County Quick Facts
http://quickfacts.census.gov/qfd/index.html

B. Customer Data

List (or attach) the names of all the wholesale customers, amount of annual contract, and amount of the annual use for each of the previous year:

	Wholesale Customer	Contracted Amount (acre-feet)	Previous Year Amount of Water Delivered (acre-feet)
(1)	Atlanta, Texas	1,657.2	931.1
(2)	Domino, Texas	165.7	45.0
(3)	International Paper	67,544.7	30,658.0

Attachment: 2016-017 ATTH 01 IP Water Consevation Plan (1435 : 2016-017 RES IP WTP Water Conservation and Drought Continency Plan)

Attachment: 2016-017 ATTH 01 IP Water Conservation Plan (1435 : 2016-017 RES IP WTP Water Conservation and Drought Continency Plan)

II. WATER USE DATA FOR SERVICE AREA

A. Water Delivery

Indicate if the water provided under wholesale contracts is treated or raw water and the annual amount for each previous year:

	Total amount delivered or sold for previous year (acre-feet)
Treated	976.10
Raw	30,658.05

B. Water Accounting Data

1. Total amount of water diverted at point of diversion(s) for previous five year (in acre-feet) for all water uses:

Lake Wright Patman

Year	2010	2011	2012	2013	2014	2015
January	2,946.86	2,585.91	2,650.31	2,724.87	2,693.44	2,814.30
February	2,644.56	2,395.27	2,459.95	2,413.89	2,432.09	2,564.17
March	3,055.31	2,505.22	2,427.62	2,728.62	2,643.72	2,835.00
April	3,017.24	2,594.58	2,192.26	2,724.76	2,768.19	2,785.13
May	2,960.46	2,653.61	2,523.65	2,729.54	2,957.63	2,955.51
June	2,900.93	2,582.51	2,467.01	2,626.10	2,716.96	2,890.01
July	2,937.63	2,852.95	2,572.35	2,850.20	2,746.06	2,882.04
August	2,927.01	2,724.97	2,827.67	2,946.09	2,724.57	3,029.03
September	2,675.43	2,597.43	2,634.93	2,848.54	1,944.91	
October	2,476.07	2,534.81	2,494.83	2,388.37	2,684.21	
November	2,609.17	2,792.21	2,588.97	2,588.26	2,704.22	
December	2,676.11	2,537.51	2,782.49	2,662.00	2,561.16	
TOTALS	**33,826.78**	**31,356.98**	**30,622.04**	**32,231.24**	**31,577.16**	

2. Wholesale population served and total amount of water diverted for municipal use for previous five years:

Year	Total Population Served	Total Annual Water Diverted for Municipal Use (acre-feet)
2010	5,768	1,044.1
2011	5,755	1,118.9
2012	5,684	1,013.1
2013	5,706	972.8
2014	5,673	976.1

C. Projected Water Demands

(Water use is in acre-feet per year)

Cass County	**2020**	**2030**	**2040**	**2050**
Municipal Water Use	4,993	5,130	5,277	5,263
Manufacturing Water Use	115,199	121,355	127,237	132,324
Power Water Use	0	0	0	0
Mining Water Use	851	874	896	939
Irrigation Water Use	6	6	6	6
Livestock Water Use	834	834	834	834
Total County Demand	**121,883**	**128,199**	**134,250**	**139,344**

(Data obtained from Northeast Texas Regional Water Plan)

III. WATER SUPPLY SYSTEM DATA

A. Water Supply Sources

List all current water supply sources and the amounts authorized with each:

Attachment: 2016-017 ATTH 01 IP Water Conservation Plan (1435 : 2016-017 RES IP WTP Water Conservation and Drought Continency Plan)

Attachment: 2016-017 ATTH 01 IP Water Conservation Plan (1435 : 2016-017 RES IP WTP Water Conservation and Drought Continency Plan)

Source:	Amount Authorized:
Surface Water:	
Lake Wright Patman	108,654 acre-feet/year

Other:
None

B. Treatment and Distribution System

1. Design daily capacity of system: 40.8 Million Gallons per Day

2. Storage Capacity: Elevated 0 MG, Ground 0.372 MG

3. Water System Description:

The International Paper/Texarkana Water Utilities Water Treatment Plant (IP/TWU WTP) serves residents of Domino, Texas and Atlanta, Texas as well as providing potable and process water to the IP Paper Mill at Domino, Texas. The total population served by IP/TWU is 5673.

The IP/TWU WTP has the ability to treat 40,800,000 gallons of water per day. The majority of this water is used by the paper mill as process water. The water plant has the ability to pump 3,369,000 gallons of potable water per day. Average daily consumption of potable water is 1,273,000 gallons per day. There is one clearwell at the water plant capable of storing 372,000 gallons.

International Paper takes their water directly from the water treatment facility at the paper mill. There are approximately 65,260 LF of distribution pipelines from the water treatment plant. The pipeline that supplies the Cities of Domino and Atlanta is sixteen inches (16") in diameter and approximately 62,020 feet in length from the paper mill approximately to Atlanta. There is also a 3,240 foot eight inch (8") spur to Queen City, Texas. Queen City has no current contract to purchase water from the Texarkana Water Utilities.

IV. WASTEWATER SYSTEM DATA

Attachment: 2016-017 ATTH 01 IP Water Conservation Plan (1435 : 2016-017 RES IP WTP Water Conservation and Drought Continency Plan)

A. Wastewater System Data

International Paper operates a wastewater treatment facility owned by the Texarkana Water Utilities at their plant site. Atlanta, Texas owns and operates its own wastewater treatment facilities. More specific data about the individual cities' wastewater treatment plants can be provided in their water conservation and drought contingency plans.

WATER CONSERVATION PLAN
FOR
MUNICIPAL AND WHOLESALE
WATER SUPPLIERS

Specific, Quantified 5 & 10-Year Targets

The State Water Conservation Implementation Task Force recommended a statewide goal for municipal use of 140 gallons per capita per day (gpcpd). Systems which experience a per capita usage greater usage greater than 140 gpcpd should perform a water audit to more clearly identify the source of the higher consumption. 140 gpcpd will not be considered an enforceable limit, but rather a reasonable target.

Higher per capita consumption figures are often related to "unaccounted-for" water - water which is produced or purchased, but not sold to the end user. Systems with a water "loss" greater than fifteen percent (15%) will be encouraged to perform physical and record surveys to identify the sources of their unaccounted-for water.

		Base	Goal			
		Reduction from Base GPCD				
Water User Group	GPCD*	2020	2030	2040	2050	2060

Attachment: 2016-017 ATTH 01 IP Water Conservation Plan (1435 : 2016-017 RES IP WTP Water Conservation and Drought Continency Plan)

Domino	115	0	0	0	0	0
Atlanta	206	6	10	13	14	14

* - Gallons Per Capita Daily

These goals were established by using data from the North East Texas Regional Water Plan. The goals are not enforceable by the Utility and the Utility does not mean to suggest that these are enforceable limits. Numbers for Domino are from the Cass County-Other Sulphur River Basin line item.

Metering Devices

The Texarkana Water Utilities has a meter located on the raw water supply line at the International Paper Mill. The meter is calibrated yearly to maintain an accuracy of plus or minus 5.0%.

Record Management Program

The Texarkana Water Utilities maintains daily records of the amounts of raw water taken from Wright Patman Reservoir and the amount of treated water pumped into the distribution system.

Metering/Leak-Detection and Repair Program

The Texarkana Water Utilities currently meters all wholesale accounts. The Utility has its own meter shop that both tests and repairs water meters in the Utility's distribution system. Large meters that are beyond the Utility's testing capabilities are regularly tested by outside sources. The Utility's operations division does leak detection in the field. The operations division has leak detection equipment and has received training from the Texas Water Development Board in its proper use. The Utility staff will continue to utilize the leak detection equipment in areas where metering totals indicate a loss, where unexplained wet areas appear and when operations and water production divisions employees suspect a leak. The Utilities operations divisions employees are capable of repairing any size water distribution main in the distribution system and there are two (2) manufactures of repair products in the Texarkana area that the Utility works with.

Reservoir Systems Operations Plan

The reservoir that the IP/TWU draws from, Lake Wright Patman, is owned and operated by the U.S. Army Corps of Engineers. The Corps of Engineers controls the level of the

Attachment: 2016-017 ATTH 01 IP Water Conservation Plan (1435 : 2016-017 RES IP WTP Water Conservation and Drought Continency Plan)

lake and the release rates. The Corps has cooperated in the past with the Utility and withheld releases from Lake Wright Patman during times of low lake levels.

Contract Requirements for Successive Customer Conservation

As wholesale water supply contracts are renewed or entered into after approval of this plan, the Utility will require the wholesale customer to develop and implement a water conservation plan or provide documentation that they already have a plan that has been approved by the TCEQ. If the Utility's wholesale customer intends to resell the water, the customer's contract will require that successive customers will be required to implement water conservation measures in accordance with the provisions of Title 30 TAC Chapter 288.5(G).

Enforcement Procedure & Official Adoption

On _____ __, 2016 the Texarkana, Texas City Council adopted the Wholesale Water Conservation Plan with Ordinance No. XXX-XX.

Coordination with the Regional Water Planning Group

The service area of the Texarkana Water Utilities is located within the Northeast Texas Regional Water Planning Group and the Texarkana Water Utilities has provided a copy of this water conservation plan to the Northeast Texas Regional Water Planning Group.

Plan Review and Update

This water conservation plan shall be reviewed and updated no later than _____ __, 2021.

DROUGHT CONTINGENCY PLAN
FOR
MUNICIPAL AND WHOLESALE
PUBLIC WATER SUPPLIERS

Attachment: 2016-017 ATTH 01 IP Water Conservation Plan (1435 : 2016-017 RES IP WTP Water Conservation and Drought Continency Plan)

The Texarkana Water Utilities understands that water conservation is a viable strategy for protecting water resources both now and in the future, and that adequate planning for times of drought or emergency is a necessary part of conservation. The purpose of this plan is to prepare for the possibility of a drought or emergency situation where water is in short supply. This plan will help to ensure that the Texarkana Water Utilities and its wholesale customers use water wisely and efficiently during periods of drought.

The Texarkana Water Utilities utilizes surface water from Wright Patman Reservoir. Supply is secured by water right from the U.S. Army Corps of Engineers with a contract. Wholesale customers of the Texarkana Water Utilities include; Domino and Atlanta, Texas and the International Paper Company Mill. The contracted amounts for each entity is as follows:

CITY	Annual Amount (1000 Gallons)
Domino, Texas	54,000
Atlanta, Texas	540,000
International Paper Mill	22,009,500

International Paper takes their water directly from the water treatment facility at the paper mill. There are approximately 65,260 LF of distribution pipelines from the water treatment plant. The pipeline that supplies the Cities of Domino and Atlanta is sixteen inches (16") in diameter and approximately 62,020 feet in length from the paper mill approximately to Atlanta. There is also a 3,240 foot eight inch (8") spur to Queen City, Texas. Queen City has no current contract to purchase water from the Texarkana Water Utilities.

Coordination With the North East Texas Regional Water Planning Group

A copy of this adopted plan will be submitted to the NETRWPG, % Northeast Texas Municipal Water District, P.O. Box 955, Hughes Springs, Texas 75656. Proof of submittal is attached hereto as Figure 1.

Informing the Public

Efforts to inform the wholesale customers and the public about each stage of the plan, and when stages are implemented or rescinded, will be through different means. Wholesale customers will be notified by telephone and in writing. The public will be notified by website announcements and the local media sources: radio; television; and newspapers. The Utility maintains a current listing of all local media outlets to send public service announcements.

Authorization/Applicability

The Mayor or his/her designee is hereby authorized to monitor weather conditions as well as

Attachment: 2016-017 ATTH 01 IP Water Consevation Plan (1435 : 2016-017 RES IP WTP Water Conservation and Drought Continency Plan)

water supply and demand conditions and to implement the Drought Contingency Plan as appropriate. The Texarkana, Texas City Council authorizes the Plan by an ordinance of the City Council, which has been included in this Plan.

Coordination with the Texas Commission on Environmental Quality

This plan was submitted to the executive director of the Texas Commission of Environmental Quality on _____ __, 2016.

Plan Definitions

For the purposes of this Plan, the following definitions, taken from TCEQ guidanace, shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by the Texarkana Water Utilities.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, rights-of-way and medians.

Attachment: 2016-017 ATTH 01 IP Water Consevation Plan (1435 : 2016-017 RES IP WTP Water Conservation and Drought Continency Plan)

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

(a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
(b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle
(c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard surfaced areas;
(d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
(e) flushing gutters or permitting water to run or accumulate in any gutter or street;
(f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or jacuzzi-type pools;
(g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
(h) failure to repair a controllable leaks within a reasonable period after having been given notice directing the repair of such leaks; and
(i) use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

RESPONSE TO A DROUGHT EVENT

Stage 1 - Mild Water Shortage

Initiation: The Texarkana Water Utilities will consider that a mild water shortage exists when any one (1) of the following conditions occurs:

(a) When the level of Wright Patman Reservoir is 220.60 and falling;
(b) When the treated water supply main from the IP/TWU WTP is out of service due to a break and treated water demand is 0.95 million gallons per day or higher (Atlanta has 950,000 gallons of storage);
(c) When the high service pumps at the IP/TWU WTP are out of service and treated water demand is 0.95 million gallons per day or higher (Atlanta has 950,000 gallons of storage);
(d) When only two (2) of the pumps at the raw water pump platform are operational.

Target Goal: Inform the wholesale customers of the Texarkana Water Utilities/IP of the situation and encourage the wise use of water.

Attachment: 2016-017 ATTH 01 IP Water Conservation Plan (1435 : 2016-017 RES IP WTP Water Conservation and Drought Continency Plan)

Measures:

(a) When mild water shortage conditions exist, the Texarkana Water Utilities will inform its wholesale customers of the drought condition by mail and telephone.
(b) The wholesale customers will be asked to provide information and answer inquiries from their citizens.
(c) Texarkana Water Utilities will advise its wholesale customers of the condition(s) that are causing the water shortage. Each wholesale customer in turn will follow its individual emergency measures.

Termination: Stage 1 shall be rescinded either by rising lake levels and reduced water demand or repair of the transmission main or pumps.

Water Management Strategies: During Stage 1 the Utility will contact its wholesale customers by certified letter and request that the wholesale customer notify its customers of the mild water shortage and implement their drought contingency plans. The Utility will reserve the right to curtail water deliveries to wholesale water customers by a pro-rata method as provided in Texas Water Code, §11.039.

Stage 2 - Moderate water Shortage

Initiation: The Texarkana Water Utilities will consider that a moderate water shortage exists when any two (2) of the following conditions occurs:

(a) When the level of Wright Patman Reservoir is 220.60 and falling;
(b) When the treated water supply main from the IP/TWU WTP is out of service due to a break and treated water demand is 0.95 million gallons per day or higher (Atlanta has 950,000 gallons of storage);
(c) When the high service pumps at the IP/TWU WTP are out of service and treated water demand is 0.95 million gallons per day or higher (Atlanta has 950,000 gallons of storage);
(d) When only two (2) of the pumps at the raw water pump platform are operational.

Target Goal: When a moderate water shortage exists, the Texarkana Water Utilities will ask the wholesale customers to implement their water management strategies in an attempt to achieve a thirty percent (30%) voluntary reduction in non-essential water use.

Termination: Stage 2 shall be rescinded either by rising lake levels and reduced water demand or repair of the transmission mains or pumps. Upon termination of Stage 2, Stage

Attachment: 2016-017 ATTH 01 IP Water Consevation Plan (1435 : 2016-017 RES IP WTP Water Conservation and Drought Continency Plan)

1 becomes operative.

Water Management Strategies: During Stage 2 the Utility may requests its wholesale customers to implement voluntary lawn irrigation restrictions through the media. The Utility will contact its wholesale customers by certified letter and request that the wholesale customer notify its customers of the moderate water shortage and implement their drought contingency plans. The Utility will ask the International Paper Mill to reduce the use of water for non-production related activities. The Utility may requests its wholesale customers to prohibit such other non-essential outdoor uses such as car washing, filling of swimming pools, etc. The Utility will reserve the right to curtail water deliveries to wholesale water customers by a pro-rata method as provided in Texas Water Code, §11.039.

Stage 3 - Severe Water Shortage

Initiation: The Texarkana Water Utilities will consider that a severe water shortage exists when any three (3) of the following conditions occurs:

(a) When the level of Wright Patman Reservoir is 220.60 and falling;
(b) When the treated water supply main from the IP/TWU WTP is out of service due to a break and treated water demand is 0.95 million gallons per day or higher (Atlanta has 950,000 gallons of storage);
(c) When the high service pumps at the IP/TWU WTP are out of service and treated water demand is 0.95 million gallons per day or higher (Atlanta has 950,000 gallons of storage);
(d) When only two (2) of the pumps at the raw water pump platform are operational.

Target Goal: When a severe water shortage exists, the Texarkana Water Utilities will request the wholesale customers implement their water management strategies in an attempt to achieve a ninety percent (90%) voluntary reduction in non-essential outdoor water use and a thirty percent (30%) reduction in total water use. The Utility will request the International Paper Mill implement industrial best management practices (BMPs) for the use of water in non-production related activities.

Termination: Stage 3 shall be rescinded either by rising lake levels and reduced water demand or repair of the transmission mains or pumps. Upon termination of Stage 3, Stage 2 becomes operative.

Water Management Strategies: During Stage 3 the Utility will contact its wholesale customers by certified letter and request that the wholesale customers notify their customers of the severe water shortage and implement their drought contingency plans.

Attachment: 2016-017 ATTH 01 IP Water Conservation Plan (1435 : 2016-017 RES IP WTP Water Conservation and Drought Continency Plan)

The Utility will reserve the right to curtail water deliveries to wholesale water customers by a pro-rata method as provided in Texas Water Code, §11.039. The Utility will notify the Executive Director of TCEQ within five (5) business days of implementing any mandatory provisions of the drought contingency plan. If the restrictions of this stage of the plan cause undue hardship on a customer, that customer may request a variance from the City of Texarkana, Texas City Council. These requests will be considered on a case-by-case basis.

Stage 4 - Emergency Water Shortage

Initiation: The Texarkana Water Utilities will consider that an emergency water shortage exists when the Utility is unable to produce or provide treated water from the IP/TWU WTP due to an unscheduled shutdown of the raw water pump station, raw water transmission main or the IP/TWU WTP.

Target Goal: When an emergency water shortage exits, the Texarkana Water Utilities will request the wholesale customers implement their water management strategies in an attempt to reduce daily water use to .35 million gallons per day (MGD).

Termination: Stage 4 shall be rescinded when the IP/TWU WTP is capable of pumping potable water into the distribution system.

Water Management Strategies: During Stage 4 the Utility will contact its wholesale customers by telephone and request that the wholesale customer notify its customers of the emergency water shortage and implement their drought contingency plans. The Utility will reserve the right to curtail water deliveries to wholesale water customers by a pro-rata method as provided in Texas Water Code, §11.039. The Utility will notify the Executive Director of TCEQ within five (5) business days of implementing any mandatory provisions of the drought contingency plan. If the restrictions of this stage of the plan cause undue hardship on a customer, that customer may request a variance from the City of Texarkana, Texas City Council. These requests will be considered on a case-by-case basis.

PLAN EXECUTION

Public Involvement

The Texarkana Water Utilities will keep its customers, municipal and wholesale, apprised of initiation of the drought contingency plan, and changes in stages, by utilizing local media sources such as the newspaper, television and radio.

Attachment: 2016-017 ATTH 01 IP Water Conservation Plan (1435 : 2016-017 RES IP WTP Water Conservation and Drought Continency Plan)

Enforcement

The Mayor or his/her designee, is responsible for monitoring weather conditions and water supplies, and determining when to initiate and terminate stages of the drought contingency plan.

The Texarkana, Texas City Council has adopted this plan through Ordinance ____-____, and made it an official City policy. A copy of the ordinance is attached hereto as Figure 2.

Notification of TCEQ on Mandatory Provisions

The Executive Director at TCEQ shall be notified within five (5) business days in any mandatory provisions of this plan are implemented. The TCEQ Executive Director can be reached at (512) 239-3900.

Variance Procedures

The Mayor or his/her designee may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the customer requesting such variance and if one or more of the following conditions are met:

(a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
(b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Customers requesting an exemption from the provisions of this Plan shall file a petition for variance with the Texarkana Water Utilities within five (5) days after the Plan or a particular drought response stage has been invoked. All petitions for variance shall be reviewed by the Mayor or his/her designee, and shall include the following:

(a) Name and address of the petitioner(s).
(b) Purpose of water use.
(c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
(d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
(e) Description of the relief requested.

(f) Period of time for which the variance is sought.
(g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
(h) Other pertinent information.

Variance granted by the Texarkana, Texas City Council shall be subject to the following conditions, unless waived or modified:

(a) Variances granted shall include a timetable for compliance.
(b) Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

No Variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

5-Year Updates

This plan shall be reevaluated and updated every five (5) years based on updated information; especially the latest adopted Northeast Texas Regional Water Planning Group Regional Water Plan. This Plan will be reviewed and updated on or before _____ __, 2021.

Attachment: 2016-017 ATTH 01 IP Water Consevation Plan (1435 : 2016-017 RES IP WTP Water Conservation and Drought Continency Plan)

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: 2016-017 Goals & Perspectives (1435 : 2016-017 RES IP WTP Water Conservation and Drought Continency Plan)

RESOLUTION NO. 2016 - 017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE INTERNATIONAL PAPER MILL WATER TREATMENT PLANT WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN FOR WHOLESALE PUBLIC WATER SUPPLIERS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Title 30 Texas Administrative Code §288.5 Water Conservation Plans for Wholesale Water Suppliers and §288.22 Drought Contingency Plans for Wholesale Water Suppliers requires wholesale water providers to prepare and approve a water conservation and drought contingency plan; and

WHEREAS, the Texarkana, Texas Water and Sewer staff has prepared a Water Conservation and Drought Contingency Plan for Wholesale Public Water Suppliers for the International Paper Mill WTP; and

WHEREAS, the City of Texarkana's current approved water conservation plan was used as a guide in preparing the International Paper plan and the proposed plan was submitted to the Texas Commission on Environmental Quality (TCEQ) for administrative review and the TCEQ has accepted the plan pending approval of the Texarkana, Texas City Council, a copy of which is **attached** hereto.

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

SECTION 1: The proposed International Paper Mill WTP Profile and Water Conservation and Drought Contingency Plan for Wholesale Public Water Suppliers, a copy of which is attached hereto, be and is hereby approved.

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

PASSED AND APPROVED in Regular Council Session on this the **28th day of March, 2016.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:11 p.m.

Attachment: 2016-017 RES Approving IP Plant Water Conservation Plan signed (1435 : 2016-017 RES IP WTP Water Conservation and Drought Continency

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 3/22/2016 10:37 AM

Lead Department: Parks, Recreation & Health **Action Officer:** Jennifer Evans, City Secretary

Subject: Resolution No. 2016-041 authorizing the City Manager to enter into a contract with American Ramp Company of Joplin, Missouri for the design, equipment, and construction of a skateboard park.

	Public	Second	Council
Briefing: 3/28/2016	**Hearing:**	**Briefing:**	**Vote:** 3/28/2016

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Staff recommends Design Option #1 Pro Series for the construction of a skateboard park. See attachment.

Potential Options:

- None
-

Fiscal Implications:

CDBG Funds available

Staff Recommendation:

Staff recommends approval of this resolution.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2016-041 RES Skateboard Park Construction and Design (DOC)
b. 2016-041 EXH 'A' Skateboard Park Proposal (PDF)
c. 2016-041 Goals & Perspectives (DOCX)

d. 2016-041 RES authorizing CM to contract for a skate park signed (PDF)

Staff Coordination

Parks, Recreation & Health	Completed	Robby Robertson 03/22/2016 10:44 AM	Department Head Review	
Finance Department	Jennifer Evans	Finance Review	Skipped	03/22/2016 10:25 AM
Purchasing and Contracting	Completed	Sharon Moore 03/22/2016 10:59 AM	Purchasing Review	
Assistant City Manager Review	Completed	Shirley Jaster 03/22/2016 11:15 AM	Assistant City Manager	
Public Information Officer	03/22/2016 11:25 AM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	03/22/2016 2:21 PM
City Council	Jennifer Evans	Meeting	Completed	03/28/2016 6:00 PM

Meeting History

RESOLUTION NO. 2016 - 041

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH AMERICAN RAMP COMPANY OF JOPLIN, MISSOURI IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FORTY-FOUR THOUSAND FIVE HUNDRED DOLLARS ($244,500) FOR THE DESIGN EQUIPMENT AND CONSTRUCTION OF A SKATEBOARD PARK BETWEEN WEST THIRD STREET AND BROAD STREET NEXT TO KIDTOPIA PARK; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Community Development Block Grant (CDBG) funds have already been allocated and approved in the Fiscal Year 2016 budget; and

WHEREAS, the project was included in the CDBG action plan and discussed at the CDBG public hearing process; and

WHEREAS, on March 17, 2016, one (1) bid was received from American Ramp Company of Joplin, Missouri, and is summarized on the bid form attached hereto as **Exhibit "A";** and

WHEREAS, the sole bidder met the project specifications to design and build the skateboard park.

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

SECTION 1: That the sole bidder to design and construct the skateboard park for the City of Texarkana, Texas is hereby declared to be American Ramp Company of Joplin, Missouri.

SECTION 2: That the City Manager be and is hereby authorized to enter into a contract with American Ramp Company of Joplin, Missouri for the design, equipment, and construction of the skateboard park.

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 **28th day of March, 2016**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2016-041 RES Skateboard Park Construction and Design (1461 : 2016-041 RES Skateboard Park)

EXHIBIT 'A'

ARC®

AMERICAN RAMP COMPANY

PROPOSAL FOR:

REQUEST FOR PROPOSALS NO. 16-2202-06 SKATEBOARD PARK

City of Texarkana, Texas

Firm Name:	American Ramp Company
Firm Address:	601 S. McKinley Ave., Joplin, MO 64801
Headquarters Address:	Same as above
Office Telephone Number:	417-206-6816
Office Fax Number:	417-206-6888
Email Address:	john@americanrampcompany.com
Years in Business:	17 years
Type of Organization:	Corporation
Date of Organization:	Established November 1998

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

DID YOU KNOW?

SKATER OWNED
SINCE 1998
PRO SKATER APPROVED

AMERICAN RAMP COMPANY...

- Is skater owned and operated
- Is the world's largest skatepark provider
- Has built 2,500+ parks in 37 countries including Hong Kong, Saudi Arabia, England, China, Japan, Canada, Guam, United Arab Emirates, Taiwan, Ireland, Israel, Spain, Iceland, Turkey, Germany, Puerto Rico, Australia, Dominican Republic, Egypt, Poland, Norway, Nigeria, Costa Rica, Bahrain, Singapore, Romania, Armenia, Mexico and the US
- Is the only skatepark company that offers every build option: precast and poured-in-place concrete, steel, wood, composite, and fiberglass
- Has a 57,000 square foot facility that contains a state of the art fully automated concrete batch plant, 4,000 watt laser table, CNC router, CNC brake press, tooling center, complete fabrication shop and much more
- Any municipality can satisfy the bid process and buy direct utilizing one of ARC's state or national purchasing contracts
- Employs a team of engineers and can provide location specific stamped construction drawings in all 50 states

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

Letter of Interest

Hello!

We are very excited to propose on the Texarkana Skatepark Project! Working with the parks department and running webinars with the local users of the park over the last few years has given us a great amount of information that will help make the project a seamless success. Being the closest and most qualified skatepark company we certainly look forward to working for you.

ARC has provided over 2500 skateparks in 37 countries and we are excited to bring that level of expertise to your project. As the only skatepark provider who works on every build method factory direct, we think it's a great choice to consider a concrete skatepark and look forward to helping you make the best decision on the type of park you choose. That's the reason we leave every option on the table for our customers unlike other companies who only work in one build method. We think each community is unique in their needs and their requirements and we want our customers to have their say in their park and not be limited.

In these pages you'll see two great options for the park. First our 20 year warranty, all steel Pro Series. While running webinars and in previous discussions, this is the method that your parks department chose because of its long warranty, durability and ability to reach multiple users from skateboarders to BMX bike riders, as well as mountain bikes, strider bikes, longboards, and in line skates. This build method has very little maintenance due to its fastener free riding surface and is great to continue to expand as the years go by and the park can continue to grow with the community. This is our municipal favorite build method and what our customers choose about 80% of the time.

We've also included an option with our precast concrete SOLO Series. Our SOLO Series has a 15 year warranty and utilizes high strength concrete in order to make sure the park can withstand the use of action sports. This build method is great for skate plazas and for parks that are meant to be permanent.

Another option to consider is to use cast in place concrete, however that build method only allows for 1 year warranty which isn't near enough to the RFP requirements. Also, without knowing site specific conditions in your area, any skatepark provider who is proposing a cast in place concrete park would have to assume that the location is perfect and would require no additional engineering or fill material which is rarely, if ever, the case. For this reason, a cast in place concrete design any skatepark provider would show you at this point would likely need to be shrunk to take these considerations into account. This is simply not an issue for Pro Series parks, and is minimized when using precast concrete.

We hope that the information you find in this proposal is helpful. If you have any questions, please let me know and we'll be happy to help out! We're looking forward to getting started!

John Hunter
Vice President
American Ramp Company

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

Statement of Qualifications

American Ramp Company operates out of a fully equipped 57,000 SF corporate office and manufacturing facility located in Joplin, MO. Our team uses state-of-the-art network infrastructure to operate a variety of design, engineering and management software. All 3D conceptual designs are modeled using 3D Studio Max and all construction drawings are created using AutoCAD Civil 2010 which are networked to a variety of plotters, laser printers, and a digital press. In addition to our ability to create hard copy drawings, American Ramp Company has full Webinar capabilities allowing our design team to interact with your skatepark users in real time anywhere on the planet.

Our creative team is qualified in multiple disciplines to handle skatepark projects from promotion to conception to construction! American Ramp Company offers custom skatepark design services to municipalities, architects, engineers, landscape architects, contractors, and private interest groups. In addition to skatepark design, we assist clients in the planning of spectator viewing and pedestrian areas, material and color selection, landscape design, public workshop facilitation, and education seminars.

We can provide meeting advertisement flyers, facilitation of user group meetings and workshops, and create social media sites such as Facebook or Twitter specifically tailored to your project. State of the art graphic and modeling tools are utilized to relay design developments with accuracy and precision. We design and print all layouts and 3D illustration drawings inhouse and can arrange delivery to both the City or other local liaisons for your skate community's review and approval.

All of our designers are skateboarders themselves making them uniquely qualified to understand current skate trends and safety issues. Combined expertise in landscape architecture, project management, and action sports marketing make American Ramp Company the top choice for skatepark development, design, and construction.

CONSTRUCTION DRAWINGS & SERVICES

Our team of engineers has over a decade of experience in creating workable construction drawings and specifications.

Skatepark construction requires very detailed plans outlining how every inch of the park is to be built. We engineer and depict the size, length, radius, material, and dimension of every element in the skatepark. All surface area slope calculations are provided along with drawings detailing every connection in the park. These drawings are the blueprints to ensure your projects success.

In addition to the detailed drawings, a book of written specifications will be prepared to complete the level of detail needed to relay all project information to your builder. Our skatepark specification book includes all concrete mix designs, metal fabrication charts, and reinforcement strength requirements to ensure your skatepark is built to the highest standard.

All drawings will be sealed and stamped by a licensed engineer upon completion and delivered in both digital form and large format paper prints.

As the premier builder of skateparks in North America, we are experts at all stages of the construction process: clearing and grubbing, excavation, site prep, grading, form work, custom coping/rails manufacturing and installation, shotcrete application and finishing, flatwork, landscaping and site improvements.

INCORPORATING STREET, PARK, AND BMX ELEMENTS

In order to combine ramps for skateboarding and BMX use there are two main issues that need to be looked at closely. The first is the park flow. BMX bikes move much faster through a park than skateboarders and they can turn much quicker. As a result the potential for collisions increases dramatically if the ramps are not positioned correctly by an experienced firm that understands how to properly place the equipment based on how the users will ride the park. The second issue is the amount of damage BMX bikes can do to equipment if they are not built correctly. Through our years of experience we have learned exactly where to place protective steel edging and what angles to use where to protect equipment from being damaged from BMX use.

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

Project Approach

In creating a signature skatepark, ARC staff will collaborate with City staff and the local skate community to gain input on the design. Through the facilitation of a series of public workshops, we will utilize the community's ideas to formulate a conceptual design. The proposed skatepark design may incorporate current street & plaza style skating elements along with transition and bowl areas.

In addition to the skatepark, ARC can provide consultation for the integration of spectator viewing areas, entry signage, covered structure, landscaping & trash receptacles. The final skatepark design will appeal to all skill levels and host a variety of ages and abilities. The design efforts will ultimately produce construction contract documents and specifications suitable for construction.

WORKLOAD CAPACITY

We take a very proactive approach with all of our design projects and embrace technology as much as possible to keep all parties informed. As skater operated company our key staff has a vested interest in the success of your project.

With our adaptive planning and understanding of organizational workloads, ARC will accommodate your skatepark with a timely and efficient approach. Our weekly meetings between the project managers, superintendents and field personnel keep our projects on target and running smoothly. With our successful track record, we are confident we will provide you with the superior customer service you need and should expect.

Being a national designer of skateparks, our database of project costs is constantly being reviewed and updated. This translates into realistic cost estimates and cost saving solutions that no other skatepark designer can provide.

COLLABORATIVE EFFORT

Our design team often works in collaboration with other design disciplines in developing projects that are creatively unique, environmentally responsible, and proactively managed.

The majority of our projects are for public clients so we are very familiar with governmental decision-making, including CDBG requirements and review process as well as the importance of obtaining public input in a new design. One of the most challenging aspects of a public works project can be gaining the consensus of the users, general public and project stakeholders. Our team has successfully worked with the most spirited groups around North America in bringing about productive collaborations.

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

Project Team

Nathan Bemo
– Owner/Skateboarder

- 20 plus years experience in skateboarding and ramp building
- Met with hundreds of municipal and military leaders across the world to design skateparks
- Worked closely with professional skateboarder Jud "Farmboy" Heald on several different skatepark design projects
- Demonstrated an excellent understanding of skatepark flow, design, and material quality
- Maintains an excellent rapport with the skating community as well as with the decision-makers who are involved in the skatepark process
- Holds contractor's licenses in multiple states

ACCOMPLISHMENTS

- Founded American Ramp Company in 1998 and continues to lead the design team for ARC
- Designed and co-designed ramps for use in competitive skating worldwide
- Member of the ASTM Skateparks Standards Committee Board

Andras Hordos
– Design Engineer

- Creative Park Design
- 8 Years experience in Skatepark design
- 10+ years experience in BMX riding and ramp building
- Extensive experience in Pro Engineer CAD software, 3D Designer and Photoshop image editing software
- MSc. Civil Engineer degree from Budapest University of Technology and Economics, Hungary
- Structural Engineering and Construction and Building Management

Don Wimer
– Project Superintendent

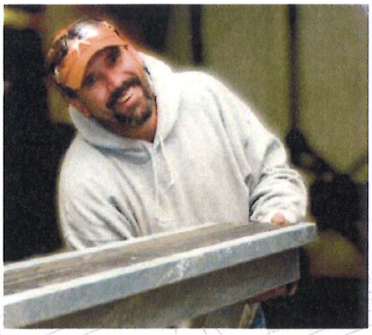
- Eight years experience Installation Superintendent with 150+ installations
- Seven years On-site Installation experience - Stealth, Pro, X, and Solo (Pre-Cast) Series
- 15 years Production Supervision experience

NOTABLE PRE-CAST INSTALLATIONS:

- Largest Pre-Cast park in Hong Kong
- Canarsie Park, Brooklyn, NY
- Lone Pine Skate Plaza, Lone Pine, CA
- Glynn County Skatepark, Glynn County, GA

INTERNATIONAL INSTALLATIONS:

- Puerto Rico
- Guam
- Spain
- Ireland
- Poland
- Hong Kong
- 2 + Years CNC Operation experience
- 2 + Years of Batch plant supervision
- 10 years General Construction experience



Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

Chuck Dodge
– Skatepark Designer/BMXer

EDUCATION

- Graduated from Missouri Southern State University with a Bachelor's degree in Art, emphasis in Graphic Communications

PROFESSIONAL EXPERIENCE

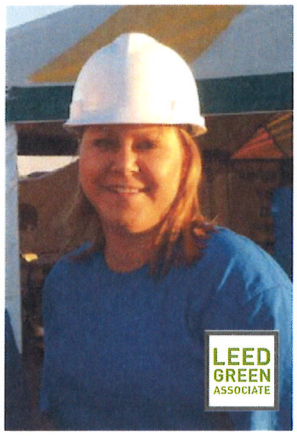
- 5+ years of experience in skate park design (500+ actual project designs)
- 10 + years of BMX riding experience (skateboarding occasionally)
- Rides for Dirt Bros, Blue Six, and gets support from Etnies
- 9+ years experience with Adobe Creative Suite & 3D modeling with 3DS Max

Chuck Dodge has an unrivaled ability to create skate park designs that are aestetically pleasing and functionally sound. Over the past decade Chuck has toured throughout the U.S. giving him the opportunity to visit many skate parks of every style and flavor. Having this hands-on experience has fine tuned his ability to recognize what defines a well designed skate park. His passion for BMXing and skateboarding nurtures his drive to create skate park environments that are coherent to their surroundings and be able to distinguish them as one-of-a-kind skate park destinations.

JD Fields
– Skatepark Designer/Skateboarder

- 5+ years experience in skate park design 100's of skateparks
- Extensive experience in 3D modeling using 3ds Max
- Specializes in concrete plaza and flow park design
- 13+ years of skateboarding experience
- Traveled all over the U.S. doing shows and contests
- First Sponsored in 2005 by Impact Skate Shop
- Has travelled throughout the US skateboarding many parks
- Placed 1st (Expert) at the Autumn Ramp Park Summer Contest Series
- Favorite type of skateboarding: Street and Vert
- Favorite ARC feature/ramp to skate: Halo Bank

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)



Heather Ogden
– Project Manager

QUALIFICATIONS

- 16 years experience in the construction industry with positions in Construction Management, Project Management, Estimating, LEED Project Coordination and Project Accounting.
- Heather was recruited in 2010 by American Ramp Company to work with the estimating and project management team on all projects involving onsite construction. Since joining American Ramp Company, she has completed numerous custom skate park throughout the United States and Canada and has worked her way to leading the estimating and project management team at American Ramp Company.
- Heather's experience in the construction industry includes a broad range of projects including commercial new construction, custom residential estates, high rise development, LEED projects, Skateparks, Bike Parks and Playgrounds.
- Heather has an extensive background in all aspects of a construction project. Heather is involved in our projects beginning with conceptual design, during construction and through the completion and opening of our parks.

CERTIFICATIONS

- San Jose State University – Construction Estimating Certification
- San Jose State University – Construction Project Management Certification
- Mohave Community College – Real Estate Law and Sales Certification
- LEED Green Associate
- OSHA 10-Hour Certification
- Certified PICP Specialist by ICPI (Permeable Interlocking Concrete Pavers)

NOTABLE PROJECTS

- Lone Pine Skatepark, Lone Pine, CA – Completion May, 2012
- Audie Murphy Ranch Skatepark, Menifee, CA – Completion Summer, 2013
- Palisades Skate Spot, Washington, DC – Completion June, 2013
- North Glynn Skateboard Park, Glynn County, GA – Completion September, 2010
- Lions Field Skatepark, Mundelein, IL – Completion August, 2014
- Cosca Skatepark, Cosca, MD – Completion March, 2013
- Melrose Skatespot, Prince George's County, MD – Completion December, 2011
- Optimist Skatepark, Washington, MO – Completion August, 2012
- Oliviera Skatepark, Brownsville, TX – Completion July, 2014
- Two Rivers Bike Park, Highlandville, MO – Completion June, 2013
- Slaughter Pen Gateway Trail, Bentonville, AR – Completion August, 2012

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

Project Timeline

TX, Texarkana Proposed Pro Series Schedule

ID	Task Mode	Task Name	Duration	Start	Finish
1		**TX, Texarkana Proposed Schedule**	**172 days**	**Thu 3/17/16**	**Fri 11/11/16**
2		Proposals Due	1 day	Thu 3/17/16	Thu 3/17/16
3		Contractor Interviews & Selection (Estimated)	2 days	Fri 3/18/16	Mon 3/21/16
4		Contract Award (Estimated)	1 day	Tue 3/29/16	Tue 3/29/16
5		City Council First Briefing	1 day	Mon 4/11/16	Mon 4/11/16
6		City Council Public Hearing & Vote	1 day	Mon 4/25/16	Mon 4/25/16
7		NTP - Design Starts	10 days	Thu 4/28/16	Wed 5/11/16
8		Conceptual Design Sent to City for Review	2 days	Thu 5/12/16	Fri 5/13/16
9		Design Changes Made	1 day	Mon 5/16/16	Mon 5/16/16
10		Final Design Sent to Parks & Recreation	1 day	Tue 5/17/16	Tue 5/17/16
11		Manufacturing Order Received	20 days	Wed 5/18/16	Tue 6/14/16
12		Construction of Concrete Pad	11 days	Wed 5/25/16	Wed 6/8/16
13		Shipping of Equipment	2 days	Wed 6/15/16	Thu 6/16/16
14		Installation of Pro Series Equipment	10 days	Fri 6/17/16	Thu 6/30/16
15		Manufacturing Order Received	20 days	Mon 10/3/16	Fri 10/28/16
16		Shipping of Equipment	2 days	Fri 10/28/16	Mon 10/31/16
17		Installation of Pro Series Equipment	10 days	Mon 10/31/16	Fri 11/11/16

Project: 03.14.16 Proposed Pro Sc
Date: Mon 3/14/16

Task
Split
Milestone
Summary
Project Summary
External Tasks
External Milestone
Inactive Task
Inactive Milestone
Inactive Summary
Manual Task
Duration-only
Manual Summary Rollup
Manual Summary
Start-only
Finish-only
Deadline
Progress

***These dates are subject to change based on actual dates contract is awarded and design is approved.**

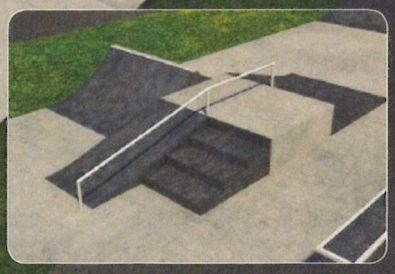
Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

Design Option #1

Customer created design
Pro Series as per specifications.

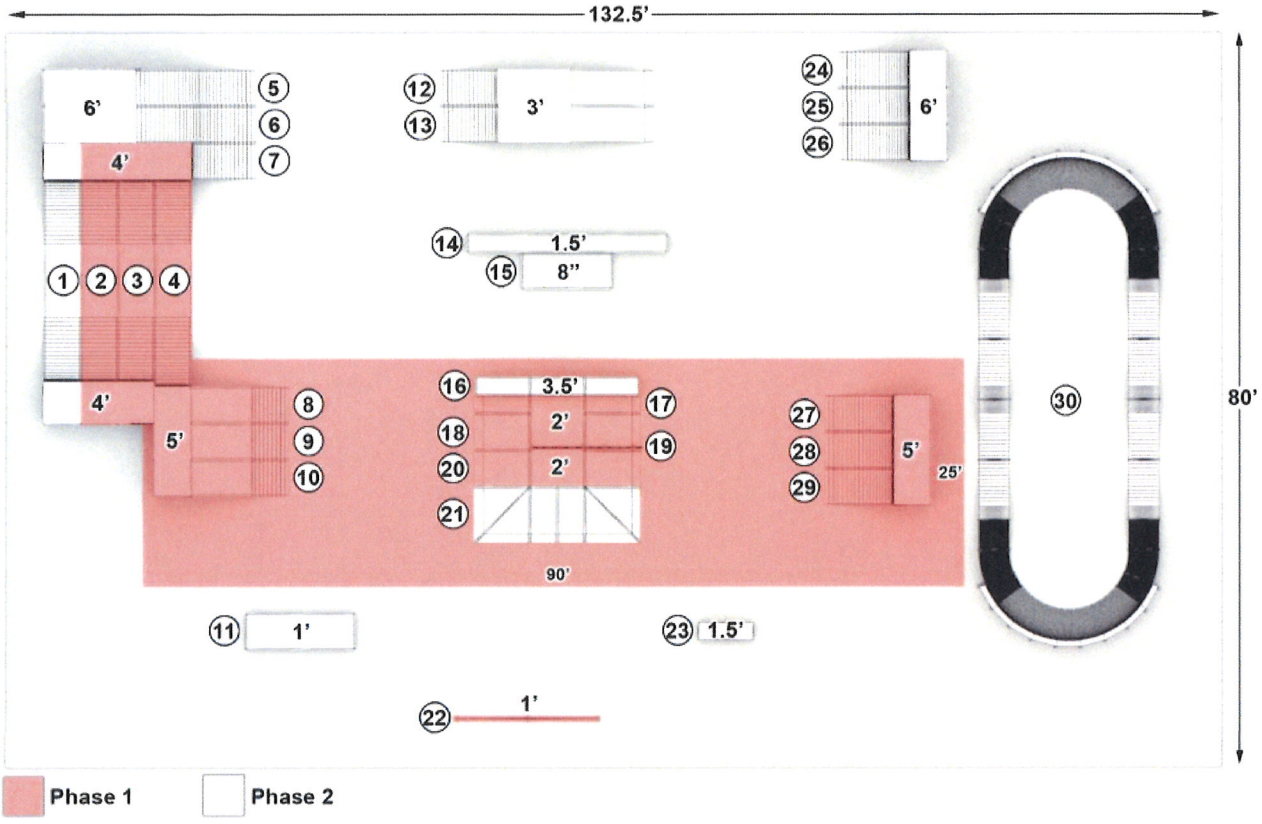
Design Option #2

Concrete skatepark design
as per addendum.

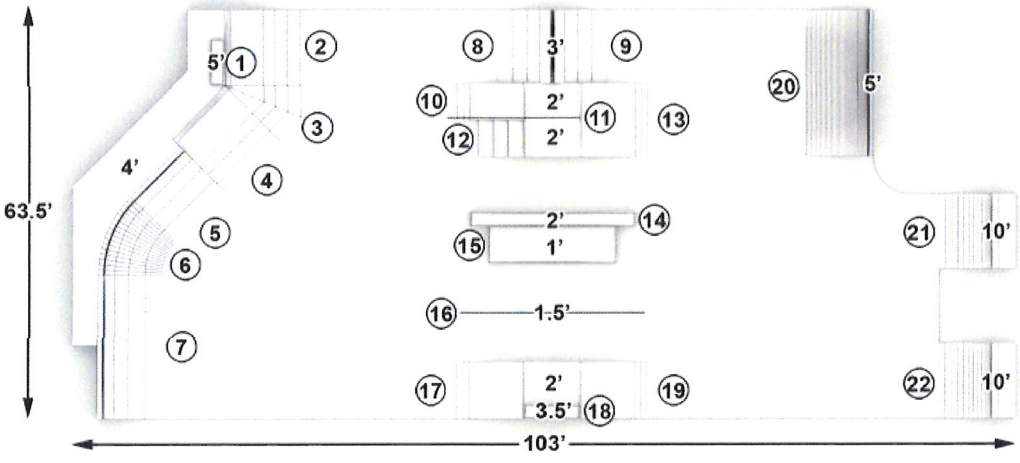


800.949.2024

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)



SKATEPARKS DRAWN TO SCALE.



Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

Turnkey Pricing

COST FOR DESIGN/BUILD SERVICES
NOT TO EXCEED

$244,500

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

Active Current Projects

CABOT, ARKANSAS
- Scope: Concrete Skatepark Design
- To be completed summer 2016
- Construction Budget: $250,000 estimate.

PITTSBURG, KANSAS
- Scope: Concrete Skatepark Design/Build
- Design to be completed summer 2016
- Construction to be completed pending community fundraising.
- Construction Budget: $200,000 estimate.

CEDAR PARK, TEXAS
- Scope: Bike Park Construction
- To be completed April 2016
- Construction Budget: $50,000.

BROWNWOOD, TEXAS
- Scope: Pro Series Skatepark Design/Build
- To be completed summer 2016
- Concrete locally sourced to reduce cost.
- Construction Budget: $100,000 estimate.

PLYMOUTH, MINNESOTA
- Scope: Pumptrack Construction
- To be completed May 2016
- Construction Budget: $47,000.

COVINGTON, WASHINGTON
- Scope: Pro Series Skatepark Design
- To be completed summer 2016
- Construction Budget: $100,000 estimate.

DALTON, GEORGIA
- Scope: Pro Series Skatepark Design
- To be completed summer 2016
- Construction Budget: $100,000 estimate.

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

CONCRETE PROJECT REFERENCES

SCHERERVILLE SKATEPARK
SCHERERVILLE, IN

SCHERERVILLE SKATEPARK

SCOPE OF SERVICES: Design & build of precast concrete skate plaza

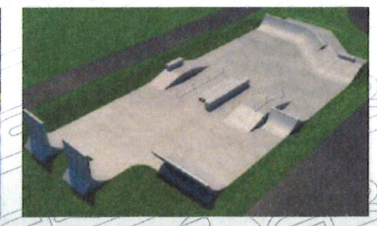
PROJECT COMPLETION: July 2015

PROJECT COST: $220,000

EQUIPMENT COST: $160,000

PER SQUARE FT. COST: $34.65

CONTACT:
John Novacich
Superintendent of Parks and Recreation
219-865-5530
jnovacich@schererville.org



Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

PRO SERIES PROJECT REFERENCES

HIGHLAND STATION SKATEPARK

SCOPE OF SERVICES: Design, Manufacturing, Installation of Pro Series Skate/BMX Park

PROJECT COMPLETION: August 2015

EQUIPMENT COST: $50,000.00

Concrete flatwork existed prior to construction.

CONTACT:
Randy Newsom
Operations Supt.
817-230-0448
rnewsom@ci.saginaw.tx.us
Saginaw, TX

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

PRO SERIES PROJECT REFERENCES

JACKSONVILLE SKATEPARK
JACKSONVILLE, NC

SCOPE OF SERVICES: Skatepark design, equipment manufacturing and installation

PROJECT COMPLETION: August 2012

EQUIPMENT COST: $335,980

Concrete flatwork existed prior to construction.

CONTACT:
Richard Cole
910-449-5605
coler@usmc-mccs.org

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

CONCRETE PROJECT REFERENCES

LIONS FIELD SKATEPARK
MUNDELEIN, IL

LIONS FIELD SKATEPARK

SCOPE OF SERVICES: Design, manufacturing, installation of precast concrete skatepark, flatwork

PROJECT COMPLETION: August 2014

PROJECT COST: $138,000

EQUIPMENT COST: $83,000

PER SQUARE FT. COST: $30.98

CONTACT:
Margaret Resnick
Director of Parks and Recreation
847.388.5460
mresnick@mundeleinparks.org

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

CONCRETE PROJECT REFERENCES

EWERT PARK SKATEPARK
JOPLIN, MO

EWERT PARK SKATEPARK

SCOPE OF SERVICES: Skatepark design, equipment manufacturing and installation

PROJECT COMPLETION: June 2015

PROJECT COST: $303,000

EQUIPMENT COST: $200,000

PER SQUARE FT. COST: $30.69

CONTACT:
City of Joplin
Chris Cotten, Parks Director
417.624.6937
ccotten@joplinmo.org

800.949.2024

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

PRO SERIES PROJECT REFERENCES

MEDICINE ROOT SKATEPARK
KYLE, SD

MEDICINE ROOT SKATEPARK

SCOPE OF SERVICES: Design, Build and Installation of PRO Series Skatepark

PROJECT COMPLETION: August 2014

CONTRACT VALUE: $65,000

CONTACT:
Frank Gangone
IT Specialist
605 455 6155
fgangone@littlewound.us

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

PRO SERIES PROJECT REFERENCES

EDISON TOWNSHIP SKATEPARK
EDISON, NJ

EDISON TOWNSHIP SKATEPARK

SCOPE OF SERVICES: Design & Build

PROJECT COMPLETION: December 2014

EQUIPMENT COST: $250,000

CONTACT:
Denise Halliwell-DeSantis
Parks & Recreation Director
732.248.7265
dhalliwell@edisonnj.org

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

CONCRETE PROJECT REFERENCES

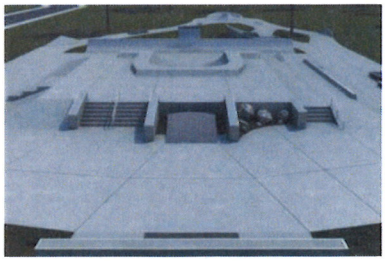
OLIVIERA SKATEPARK
BROWNSVILLE, TX

SCOPE OF SERVICES: Custom Design Services, Community Engagement, Construction documents, Precast Concrete Manufacturing, Delivery and Installation

PROJECT COMPLETION: July 2014

CONTRACT VALUE: $450,000

CONTACT:
Chris Patterson
Director of Parks and Recreation
956.542.2064
parks@cob.us



Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

PRO MX SERIES PROJECT REFERENCES

WINSLOW SKATEPARK
WINSLOW, AZ

WINSLOW SKATEPARK

SCOPE OF SERVICES: Design, build, manufacturing of skatepark

PROJECT COMPLETION: May 2014

EQUIPMENT COST: $200,000

CONTACT:
Scott Lancaster
Public Works
928.587.1629
scott.lancaster@ci.winslow.az.us
Winslow, AZ

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

CONCRETE PROJECT REFERENCES

LEGACY SKATEPARK
MANCHESTER, IA

LEGACY SKATEPARK

SCOPE OF SERVICES: Design, manufacturing, installation of precast concrete skatespot

PROJECT COMPLETION: August 2013

EQUIPMENT COST: $55,000

CONTACT:
Doug Foley
Director of Parks and Recreation
563.927.3636
dfoley@manchester-ia.org
Manchester, IA

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

Warranty (Solo Series)

SOLO G2 PRE-CAST CONCRETE

PRODUCT WARRANTY

Solo Series
15 year limited on all precast ramp components
* Begins on the date of delivery or when the on-site work is complete, under the condition that the skatepark equipment has no defect in material and/or workmanship. Should purchaser believe American Ramp Company has failed to meet the terms of this warranty, they shall notify American Ramp Company, and American Ramp Company shall, at its sole discretion, repair or provide replacement parts. Installation of replacement parts are not covered under this warranty and freight is to be prepaid by purchaser. This warranty is exclusive and is in lieu of all other warranties, whether expressed, implied, or statutory.
Exceptions to Warranty
The warranty does not cover any modifications, additions, or changes to the equipment unless approved in writing by American Ramp Company. American Ramp Company will in no way be held liable for any damages, problems, or injuries that occur as a result of an installation that is not factory installed or supervised by factory trained personnel.
Disclaimer of Consequential Damages
American Ramp Company shall not be held liable to purchaser, purchaser's customers, or other users of the product, or to anyone else for incidental, consequential or any other direct loss or damage or for lost profits or revenues of any kind, arising out of this agreement, whether in any action for or arising out of breach of contract, tort, fraud, or otherwise.
Safety
Purchasers are responsible for ordering equipment appropriate to the level of expected users. Equipment should be inspected regularly by purchaser to ensure that it is safe and in good repair. Should the purchaser neglect any suggested maintenance, this warranty is rendered invalid. Purchaser assumes all liability for site location and any and all problems resulting from such placement (noise, vandalism, traffic, etc.).

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

Warranty (Pro Series)

PRODUCT WARRANTY

Pro Series
20 year limited on all steel ramp components
* Begins on the date of delivery or when the on-site work is complete, under the condition that the skatepark equipment has no defect in material and/or workmanship. Should purchaser believe American Ramp Company has failed to meet the terms of this warranty, they shall notify American Ramp Company, and American Ramp Company shall, at its sole discretion, repair or provide replacement parts. Installation of replacement parts are not covered under this warranty and freight is to be prepaid by purchaser. This warranty is exclusive and is in lieu of all other warranties, whether expressed, implied, or statutory.
Exceptions to Warranty
Repairs required by normal wear, neglect, abuse, accident, vandalism, use of products other than the intended purpose, and acts of nature or God are not warrantied. The warranty does not cover any modifications, additions, or changes to the equipment unless approved in writing by American Ramp Company. American Ramp Company will in no way be held liable for any damages, problems, or injuries that occur as a result of an installation that is not factory installed or supervised by factory trained personnel.
Disclaimer of Consequential Damages
American Ramp Company shall not be held liable to purchaser, purchaser's customers, or other users of the product, or to anyone else for incidental, consequential or any other direct loss or damage or for lost profits or revenues of any kind, arising out of this agreement, whether in any action for or arising out of breach of contract, tort, fraud, or otherwise.
Safety
Purchasers are responsible for ordering equipment appropriate to the level of expected users. Equipment should be inspected regularly by purchaser to ensure that it is safe and in good repair. Should the purchaser neglect any suggested maintenance, this warranty is rendered invalid. Purchaser assumes all liability for site location and any and all problems resulting from such placement (noise, vandalism, traffic, etc.).

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

Community Engagement

Community Engagement Meeting

Name	Address	E-mail	Skate/In-line/BMX

COMMUNITY MEETING SIGN-IN SHEET

Community Engagement Meeting

1. What do you ride more than once a week?

   ☐ Skateboard ☐ BMX Bike ☐ Inline Skates ☐ Razor Scooter

2. What is the name of, and where is your favorite skatepark?

3. Is there anything you really like, or dislike about it?

4. On a scale of 1 to 5, please rate how important it is to have the following skate elements in your new skatepark.

Bowls	Benches	Manual Pads	Mini-Ramps
Tables	¼ Pipes	Stairs	Drops
Rails	Banks	Hubba Ledge	Jersey Quarter

5. What type of skater or biker are you?

   ☐ Plaza ☐ Bowl ☐ Ramps ☐ Other

6. What is your skill level?

   ☐ Beginner ☐ Intermediate ☐ Advanced ☐ Pro

7. Email Address

SAMPLE SKATER SURVEY

PUBLIC INPUT & CONCEPT DESIGN

The ARC design team has developed a comprehensive series of workshops which focus not only on the skatepark elements but, also the perimeter uses and functions as well. As skateboarders ourselves, we can easily identify and "speak the language" of the skatepark users and advisory group participants. We provide all meeting materials, hardware, illustrations, etc. needed to facilitate the public meetings. The City only needs to provide a meeting room, tables, chairs, electricity and your ideas. By inviting discussions regarding locations and preferences of spectator viewing, separation of beginner areas, and incorporation of park amenities, we have had great success in achieving a sense of ownership by the majority of the general public as well as the skate community.

In facilitating public workshops with the kids, we have found the younger skaters can sometimes be intimidated by the more vocal older crowd. We have designed a portion of our workshop to include an anonymous questionnaire where users can express their ideas without influence from the older participants. These meetings really are a lot of fun!

DESIGN DISCUSSION

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

Moran Center Skatepark
Community Engagement Meeting

1. Introduction to Project Team
   a. City Staff
   b. Prime Consultant
   c. Skatepark Designer

2. Project History
   a. Existing Use
   b. Master Plan
   c. Planning Goals

3. Powerpoint Presentation

   b. Key Staff Introduction
   c. Featured Projects
   d. Design Process Overview
   e. Specialty Construction Overview

4. Skatepark Questionnaire/ Design Workshop
   a. Review of Questionnaire Form
   b. Pros & Cons Exercise of Sample Designs
   c. Break into Workgroups/ Design Session

5. Summary
   a. Open Discussion of Workshop Results
   b. Identify Preffered Concept Design
   c. Where Do We Go From Here?
   d. Announce Next Meeting Time and Location

6. Adjourn

SAMPLE COMMUNITY MEETING AGENDA

PUBLIC MEETING

SKATE SESSION

DESIGN SESSION

SKATE TRIP

SITE REVIEW

While conducting design meeting we'll perform a site visit, to ensure that layout and flow coinside with existing site conditions.

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

Methods & Processes

COMMUNITY ENGAGEMENT

ARC is fully prepared and excited to work with the City in leading public relations efforts in the skatepark design process. Proper promotion to the local community is an integral part of the development of skatepark projects. The success of every skatepark is dependent on feedback from the local skate culture and support from the community.

Though a series of community meetings and webinars, we can create a skatepark design to meet the needs of area residents. We would also offer to create a social media site dedicated to the skatepark project. This would become a hub for the local skaters to comment on the design progress allowing all opinions to be heard.

We specialize in translating community input and project goals into an amazing skatepark facility.

DONOR RECOGNITION

ARC will work closely with your community to identify specific ways donors can be approached and acknowledged. In the past we have been able to incorporate donations made by local suppliers including, cement powder, steel rebar, approved fill material, and landscaping materials. While the labor required for sculpting and finishing concrete is a specialized skill, we encourage local labor be involved in the construction of peripheral elements and park improvements. Your project donors can be acknowledged in many ways throughout the physical skatepark. Examples of previous donor acknowledgements include skatepark signage, entry brick, custom tile in bowl areas, and architectural concrete stenciling. We strive to ensure that the method of community acknowledgement is unique and fitting to your local environments.

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

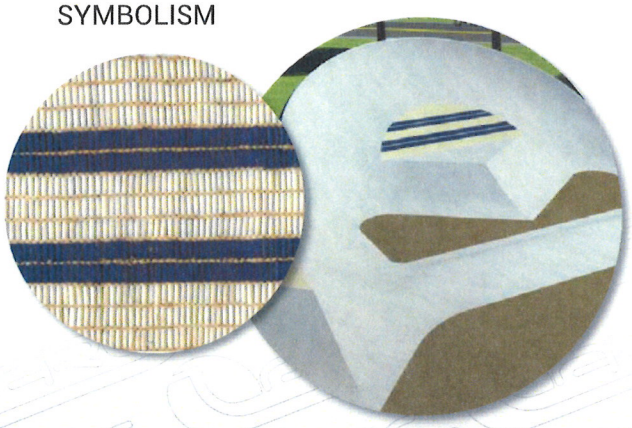
LOCAL INFLUENCE AND SKATEPARK IDENTITY

Our design team specializes in the integration of local identity into all our skatepark projects. Incorporating local materials, history, or symbolism has resulted in collaborative projects that are unique the project location. Some past examples include etching local team mascots in to the skate area, integrating tribal symbols into radial features, and honoring skaters with memorial elements. For the design of the Skate Park, our team looks forward to collaborating with the City and local community to identify ways to incorporate local influence to make the skatepark both functionally challenging, and visually unique.

SKATER MEMORIAL

SCHOOL MASCOT

TRIBAL SYMBOLISM



SAFETY, SECURITY, AND CLIMATE RECOMMENDATIONS

The most important factor in creating a safe and secure skatepark is the visibility into the facility. By locating the park adjacent to parking areas and access roads it keeps activity close to the facility and will be less likely to attract vandals and troublemakers. Additional considerations are elements such as emergency vehicle accessibility and telephone locations in case of emergency. Our experience finds that the skaters tend to self police their park, especially when they have had influence in shaping its design. If graffiti is discovered, ARC staff can provide recommendations for products that work well in removing it from your park.

Our construction crews have built custom skateparks in climates varying from sandy beach, to dry desert, to the coldest Canadian environments. The best preparation you can take in ensuring your skatepark withstands the elements to have a geotechnical investigation done on the site of the project while the skatepark is being designed. These investigations provide us specific recommendations as to the type of soil preparation and fill material that may be required for proper development.

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

This page intentionally left blank as per RFP requirements of 30 page maximum.

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

This page intentionally left blank as per RFP requirements of 30 page maximum.

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

Attachment: 2016-041 EXH 'A' Skateboard Park Proposal (1461 : 2016-041 RES Skateboard Park)

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: 2016-041 Goals & Perspectives (1461 : 2016-041 RES Skateboard Park)

RESOLUTION NO. 2016 - 041

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH AMERICAN RAMP COMPANY OF JOPLIN, MISSOURI IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FORTY-FOUR THOUSAND FIVE HUNDRED DOLLARS ($244,500) FOR THE DESIGN EQUIPMENT AND CONSTRUCTION OF A SKATEBOARD PARK BETWEEN WEST THIRD STREET AND BROAD STREET NEXT TO KIDTOPIA PARK; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Community Development Block Grant (CDBG) funds have already been allocated and approved in the Fiscal Year 2016 budget; and

WHEREAS, the project was included in the CDBG action plan and discussed at the CDBG public hearing process; and

WHEREAS, on March 17, 2016, one (1) bid was received from American Ramp Company of Joplin, Missouri, and is summarized on the bid form attached hereto as **Exhibit "A";** and

WHEREAS, the sole bidder met the project specifications to design and build the skateboard park.

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

SECTION 1: That the sole bidder to design and construct the skateboard park for the City of Texarkana, Texas is hereby declared to be American Ramp Company of Joplin, Missouri.

SECTION 2: That the City Manager be and is hereby authorized to enter into a contract with American Ramp Company of Joplin, Missouri for the design, equipment, and construction of the skateboard park.

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 **28th day of March, 2016**.

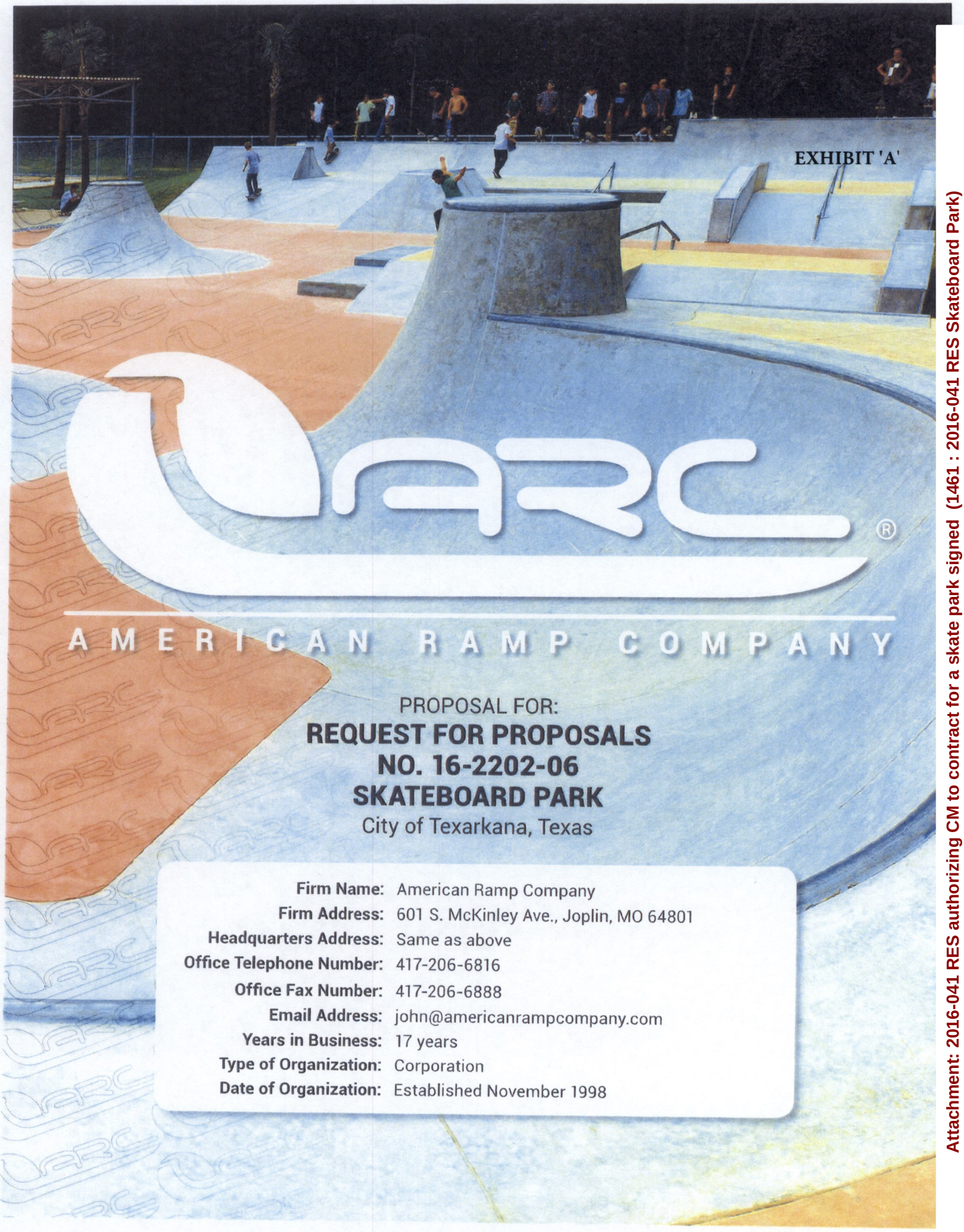
ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

4:16 p.m.

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)



PROPOSAL FOR:

REQUEST FOR PROPOSALS
NO. 16-2202-06
SKATEBOARD PARK

City of Texarkana, Texas

Firm Name:	American Ramp Company
Firm Address:	601 S. McKinley Ave., Joplin, MO 64801
Headquarters Address:	Same as above
Office Telephone Number:	417-206-6816
Office Fax Number:	417-206-6888
Email Address:	john@americanrampcompany.com
Years in Business:	17 years
Type of Organization:	Corporation
Date of Organization:	Established November 1998

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

DID YOU KNOW?

SKATER OWNED SINCE 1998 PRO SKATER APPROVED

AMERICAN RAMP COMPANY...

- Is skater owned and operated
- Is the world's largest skatepark provider
- Has built 2,500+ parks in 37 countries including Hong Kong, Saudi Arabia, England, China, Japan, Canada, Guam, United Arab Emirates, Taiwan, Ireland, Israel, Spain, Iceland, Turkey, Germany, Puerto Rico, Australia, Dominican Republic, Egypt, Poland, Norway, Nigeria, Costa Rica, Bahrain, Singapore, Romania, Armenia, Mexico and the US
- Is the only skatepark company that offers every build option: precast and poured-in-place concrete, steel, wood, composite, and fiberglass
- Has a 57,000 square foot facility that contains a state of the art fully automated concrete batch plant, 4,000 watt laser table, CNC router, CNC brake press, tooling center, complete fabrication shop and much more
- Any municipality can satisfy the bid process and buy direct utilizing one of ARC's state or national purchasing contracts
- Employs a team of engineers and can provide location specific stamped construction drawings in all 50 states

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

Letter of Interest

Hello!

We are very excited to propose on the Texarkana Skatepark Project! Working with the parks department and running webinars with the local users of the park over the last few years has given us a great amount of information that will help make the project a seamless success. Being the closest and most qualified skatepark company we certainly look forward to working for you.

ARC has provided over 2500 skateparks in 37 countries and we are excited to bring that level of expertise to your project. As the only skatepark provider who works on every build method factory direct, we think it's a great choice to consider a concrete skatepark and look forward to helping you make the best decision on the type of park you choose. That's the reason we leave every option on the table for our customers unlike other companies who only work in one build method. We think each community is unique in their needs and their requirements and we want our customers to have their say in their park and not be limited.

In these pages you'll see two great options for the park. First our 20 year warranty, all steel Pro Series. While running webinars and in previous discussions, this is the method that your parks department chose because of its long warranty, durability and ability to reach multiple users from skateboarders to BMX bike riders, as well as mountain bikes, strider bikes, longboards, and in line skates. This build method has very little maintenance due to its fastener free riding surface and is great to continue to expand as the years go by and the park can continue to grow with the community. This is our municipal favorite build method and what our customers choose about 80% of the time.

We've also included an option with our precast concrete SOLO Series. Our SOLO Series has a 15 year warranty and utilizes high strength concrete in order to make sure the park can withstand the use of action sports. This build method is great for skate plazas and for parks that are meant to be permanent.

Another option to consider is to use cast in place concrete, however that build method only allows for 1 year warranty which isn't near enough to the RFP requirements. Also, without knowing site specific conditions in your area, any skatepark provider who is proposing a cast in place concrete park would have to assume that the location is perfect and would require no additional engineering or fill material which is rarely, if ever, the case. For this reason, a cast in place concrete design any skatepark provider would show you at this point would likely need to be shrunk to take these considerations into account. This is simply not an issue for Pro Series parks, and is minimized when using precast concrete.

We hope that the information you find in this proposal is helpful. If you have any questions, please let me know and we'll be happy to help out! We're looking forward to getting started!

John Hunter
Vice President
American Ramp Company

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

Statement of Qualifications

American Ramp Company operates out of a fully equipped 57,000 SF corporate office and manufacturing facility located in Joplin, MO. Our team uses state-of-the-art network infrastructure to operate a variety of design, engineering and management software. All 3D conceptual designs are modeled using 3D Studio Max and all construction drawings are created using AutoCAD Civil 2010 which are networked to a variety of plotters, laser printers, and a digital press. In addition to our ability to create hard copy drawings, American Ramp Company has full Webinar capabilities allowing our design team to interact with your skatepark users in real time anywhere on the planet.

Our creative team is qualified in multiple disciplines to handle skatepark projects from promotion to conception to construction! American Ramp Company offers custom skatepark design services to municipalities, architects, engineers, landscape architects, contractors, and private interest groups. In addition to skatepark design, we assist clients in the planning of spectator viewing and pedestrian areas, material and color selection, landscape design, public workshop facilitation, and education seminars.

We can provide meeting advertisement flyers, facilitation of user group meetings and workshops, and create social media sites such as Facebook or Twitter specifically tailored to your project. State of the art graphic and modeling tools are utilized to relay design developments with accuracy and precision. We design and print all layouts and 3D illustration drawings inhouse and can arrange delivery to both the City or other local liaisons for your skate community's review and approval.

All of our designers are skateboarders themselves making them uniquely qualified to understand current skate trends and safety issues. Combined expertise in landscape architecture, project management, and action sports marketing make American Ramp Company the top choice for skatepark development, design, and construction.

CONSTRUCTION DRAWINGS & SERVICES

Our team of engineers has over a decade of experience in creating workable construction drawings and specifications.

Skatepark construction requires very detailed plans outlining how every inch of the park is to be built. We engineer and depict the size, length, radius, material, and dimension of every element in the skatepark. All surface area slope calculations are provided along with drawings detailing every connection in the park. These drawings are the blueprints to ensure your projects success.

In addition to the detailed drawings, a book of written specifications will be prepared to complete the level of detail needed to relay all project information to your builder. Our skatepark specification book includes all concrete mix designs, metal fabrication charts, and reinforcement strength requirements to ensure your skatepark is built to the highest standard.

All drawings will be sealed and stamped by a licensed engineer upon completion and delivered in both digital form and large format paper prints.

As the premier builder of skateparks in North America, we are experts at all stages of the construction process: clearing and grubbing, excavation, site prep, grading, form work, custom coping/rails manufacturing and installation, shotcrete application and finishing, flatwork, landscaping and site improvements.

INCORPORATING STREET, PARK, AND BMX ELEMENTS

In order to combine ramps for skateboarding and BMX use there are two main issues that need to be looked at closely. The first is the park flow. BMX bikes move much faster through a park than skateboarders and they can turn much quicker. As a result the potential for collisions increases dramatically if the ramps are not positioned correctly by an experienced firm that understands how to properly place the equipment based on how the users will ride the park. The second issue is the amount of damage BMX bikes can do to equipment if they are not built correctly. Through our years of experience we have learned exactly where to place protective steel edging and what angles to use where to protect equipment from being damaged from BMX use.

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

Project Approach

MENIFEE SKATEPARK
Menifee, CA

In creating a signature skatepark, ARC staff will collaborate with City staff and the local skate community to gain input on the design. Through the facilitation of a series of public workshops, we will utilize the community's ideas to formulate a conceptual design. The proposed skatepark design may incorporate current street & plaza style skating elements along with transition and bowl areas.

In addition to the skatepark, ARC can provide consultation for the integration of spectator viewing areas, entry signage, covered structure, landscaping & trash receptacles. The final skatepark design will appeal to all skill levels and host a variety of ages and abilities. The design efforts will ultimately produce construction contract documents and specifications suitable for construction.

WORKLOAD CAPACITY

We take a very proactive approach with all of our design projects and embrace technology as much as possible to keep all parties informed. As skater operated company our key staff has a vested interest in the success of your project.

With our adaptive planning and understanding of organizational workloads, ARC will accommodate your skatepark with a timely and efficient approach. Our weekly meetings between the project managers, superintendents and field personnel keep our projects on target and running smoothly. With our successful track record, we are confident we will provide you with the superior customer service you need and should expect.

Being a national designer of skateparks, our database of project costs is constantly being reviewed and updated. This translates into realistic cost estimates and cost saving solutions that no other skatepark designer can provide.

COLLABORATIVE EFFORT

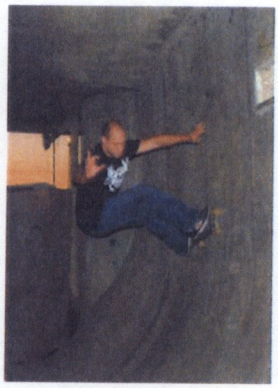
Our design team often works in collaboration with other design disciplines in developing projects that are creatively unique, environmentally responsible, and proactively managed.

The majority of our projects are for public clients so we are very familiar with governmental decision-making, including CDBG requirements and review process as well as the importance of obtaining public input in a new design. One of the most challenging aspects of a public works project can be gaining the consensus of the users, general public and project stakeholders. Our team has successfully worked with the most spirited groups around North America in bringing about productive collaborations.

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

Project Team

Nathan Bemo
– Owner/Skateboarder

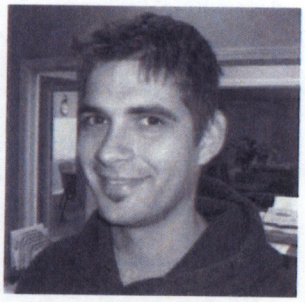


- 20 plus years experience in skateboarding and ramp building
- Met with hundreds of municipal and military leaders across the world to design skateparks
- Worked closely with professional skateboarder Jud "Farmboy" Heald on several different skatepark design projects
- Demonstrated an excellent understanding of skatepark flow, design, and material quality
- Maintains an excellent rapport with the skating community as well as with the decision-makers who are involved in the skatepark process
- Holds contractor's licenses in multiple states

ACCOMPLISHMENTS

- Founded American Ramp Company in 1998 and continues to lead the design team for ARC
- Designed and co-designed ramps for use in competitive skating worldwide
- Member of the ASTM Skateparks Standards Committee Board

Andras Hordos
– Design Engineer



- Creative Park Design
- 8 Years experience in Skatepark design
- 10+ years experience in BMX riding and ramp building
- Extensive experience in Pro Engineer CAD software, 3D Designer and Photoshop image editing software
- MSc. Civil Engineer degree from Budapest University of Technology and Economics, Hungary
- Structural Engineering and Construction and Building Management

Don Wimer
– Project Superintendent

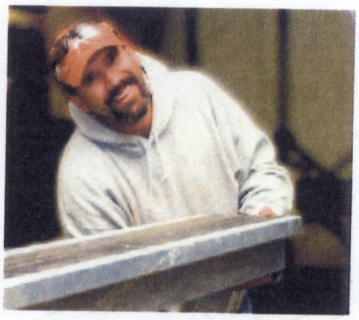
- Eight years experience Installation Superintendent with 150+ installations
- Seven years On-site Installation experience - Stealth, Pro, X, and Solo (Pre-Cast) Series
- 15 years Production Supervision experience

NOTABLE PRE-CAST INSTALLATIONS:

- Largest Pre-Cast park in Hong Kong
- Canarsie Park, Brooklyn, NY
- Lone Pine Skate Plaza, Lone Pine, CA
- Glynn County Skatepark, Glynn County, GA

INTERNATIONAL INSTALLATIONS:

- Puerto Rico
- Guam
- Spain
- Ireland
- Poland
- Hong Kong
- 2 + Years CNC Operation experience
- 2 + Years of Batch plant supervision
- 10 years General Construction experience



Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

Chuck Dodge
– Skatepark Designer/BMXer

EDUCATION

- Graduated from Missouri Southern State University with a Bachelor's degree in Art, emphasis in Graphic Communications

PROFESSIONAL EXPERIENCE

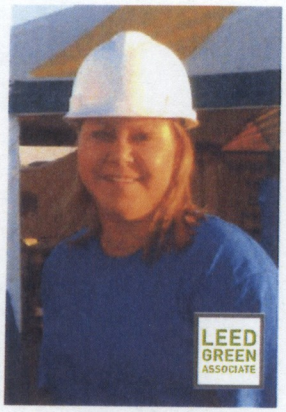
- 5+ years of experience in skate park design (500+ actual project designs)
- 10 + years of BMX riding experience (skateboarding occasionally)
- Rides for Dirt Bros, Blue Six, and gets support from Etnies
- 9+ years experience with Adobe Creative Suite & 3D modeling with 3DS Max

Chuck Dodge has an unrivaled ability to create skate park designs that are aestetically pleasing and functionally sound. Over the past decade Chuck has toured throughout the U.S. giving him the opportunity to visit many skate parks of every style and flavor. Having this hands-on experience has fine tuned his ability to recognize what defines a well designed skate park. His passion for BMXing and skateboarding nurtures his drive to create skate park environments that are coherent to their surroundings and be able to distinguish them as one-of-a-kind skate park destinations.

JD Fields
– Skatepark Designer/Skateboarder

- 5+ years experience in skate park design 100's of skateparks
- Extensive experience in 3D modeling using 3ds Max
- Specializes in concrete plaza and flow park design
- 13+ years of skateboarding experience
- Traveled all over the U.S. doing shows and contests
- First Sponsored in 2005 by Impact Skate Shop
- Has travelled throughout the US skateboarding many parks
- Placed 1st (Expert) at the Autumn Ramp Park Summer Contest Series
- Favorite type of skateboarding: Street and Vert
- Favorite ARC feature/ramp to skate: Halo Bank

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)



Heather Ogden
– Project Manager

QUALIFICATIONS

- 16 years experience in the construction industry with positions in Construction Management, Project Management, Estimating, LEED Project Coordination and Project Accounting.
- Heather was recruited in 2010 by American Ramp Company to work with the estimating and project management team on all projects involving onsite construction. Since joining American Ramp Company, she has completed numerous custom skate park throughout the United States and Canada and has worked her way to leading the estimating and project management team at American Ramp Company.
- Heather's experience in the construction industry includes a broad range of projects including commercial new construction, custom residential estates, high rise development, LEED projects, Skateparks, Bike Parks and Playgrounds.
- Heather has an extensive background in all aspects of a construction project. Heather is involved in our projects beginning with conceptual design, during construction and through the completion and opening of our parks.

CERTIFICATIONS

- San Jose State University – Construction Estimating Certification
- San Jose State University – Construction Project Management Certification
- Mohave Community College – Real Estate Law and Sales Certification
- LEED Green Associate
- OSHA 10-Hour Certification
- Certified PICP Specialist by ICPI (Permeable Interlocking Concrete Pavers)

NOTABLE PROJECTS

- Lone Pine Skatepark, Lone Pine, CA – Completion May, 2012
- Audie Murphy Ranch Skatepark, Menifee, CA – Completion Summer, 2013
- Palisades Skate Spot, Washington, DC – Completion June, 2013
- North Glynn Skateboard Park, Glynn County, GA – Completion September, 2010
- Lions Field Skatepark, Mundelein, IL – Completion August, 2014
- Cosca Skatepark, Cosca, MD – Completion March, 2013
- Melrose Skatespot, Prince George's County, MD – Completion December, 2011
- Optimist Skatepark, Washington, MO – Completion August, 2012
- Oliviera Skatepark, Brownsville, TX – Completion July, 2014
- Two Rivers Bike Park, Highlandville, MO – Completion June, 2013
- Slaughter Pen Gateway Trail, Bentonville, AR – Completion August, 2012

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

Project Timeline

TX, Texarkana Proposed Pro Series Schedule

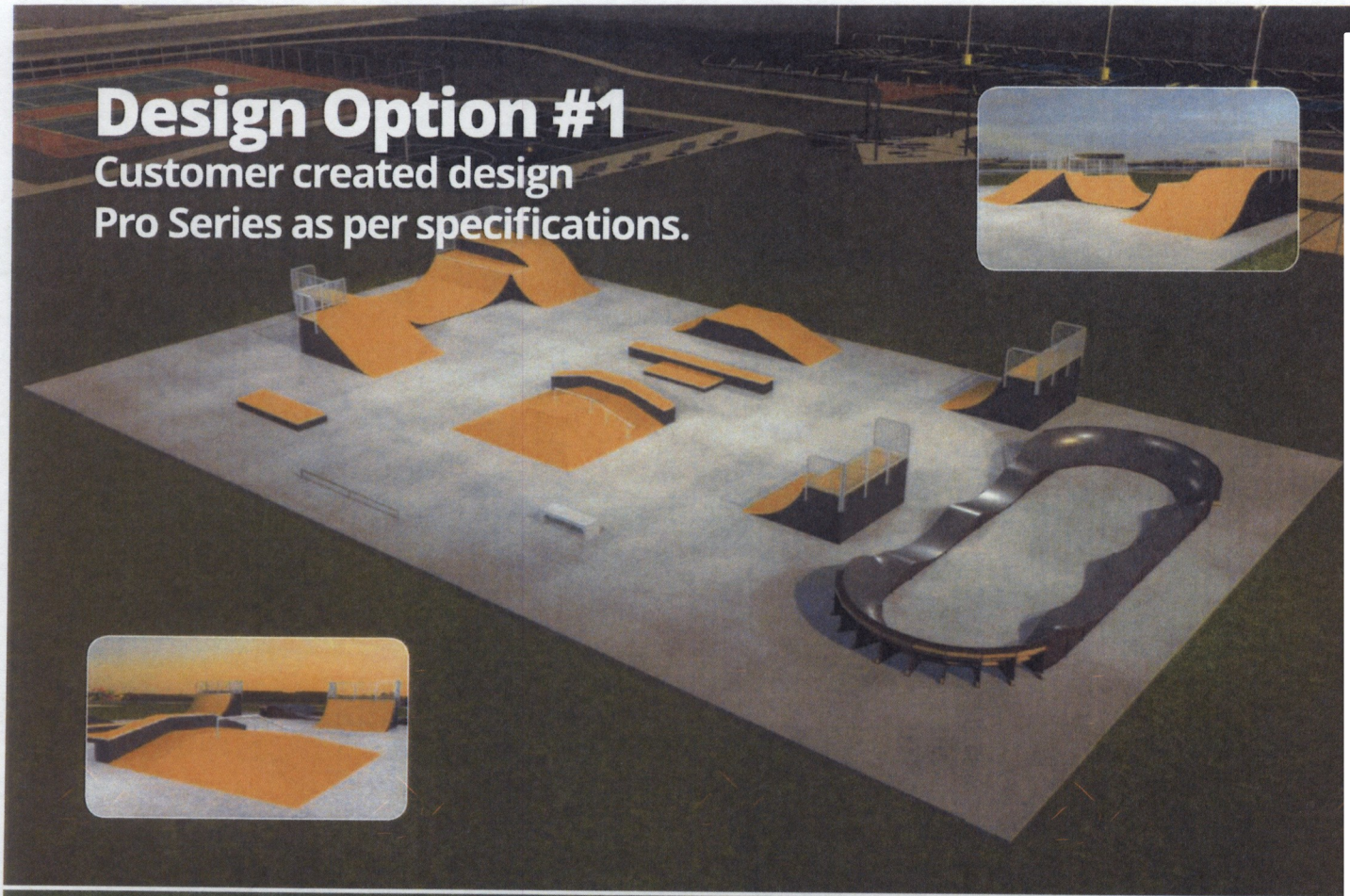
ID	Task Mode	Task Name	Duration	Start	Finish
1		**TX, Texarkana Proposed Schedule**	**172 days**	**Thu 3/17/16**	**Fri 11/11/16**
2		Proposals Due	1 day	Thu 3/17/16	Thu 3/17/16
3		Contractor Interviews & Selection (Estimated)	2 days	Fri 3/18/16	Mon 3/21/16
4		Contract Award (Estimated)	1 day	Tue 3/29/16	Tue 3/29/16
5		City Council First Briefing	1 day	Mon 4/11/16	Mon 4/11/16
6		City Council Public Hearing & Vote	1 day	Mon 4/25/16	Mon 4/25/16
7		NTP - Design Starts	10 days	Thu 4/28/16	Wed 5/11/16
8		Conceptual Design Sent to City for Review	2 days	Thu 5/12/16	Fri 5/13/16
9		Design Changes Made	1 day	Mon 5/16/16	Mon 5/16/16
10		Final Design Sent to Parks & Recreation	1 day	Tue 5/17/16	Tue 5/17/16
11		Manufacturing Order Received	20 days	Wed 5/18/16	Tue 6/14/16
12		Construction of Concrete Pad	11 days	Wed 5/25/16	Wed 6/8/16
13		Shipping of Equipment	2 days	Wed 6/15/16	Thu 6/16/16
14		Installation of Pro Series Equipment	10 days	Fri 6/17/16	Thu 6/30/16
15		Manufacturing Order Received	20 days	Mon 10/3/16	Fri 10/28/16
16		Shipping of Equipment	2 days	Fri 10/28/16	Mon 10/31/16
17		Installation of Pro Series Equipment	10 days	Mon 10/31/16	Fri 11/11/16

Project: 03.14.16 Proposed Pro Sc
Date: Mon 3/14/16

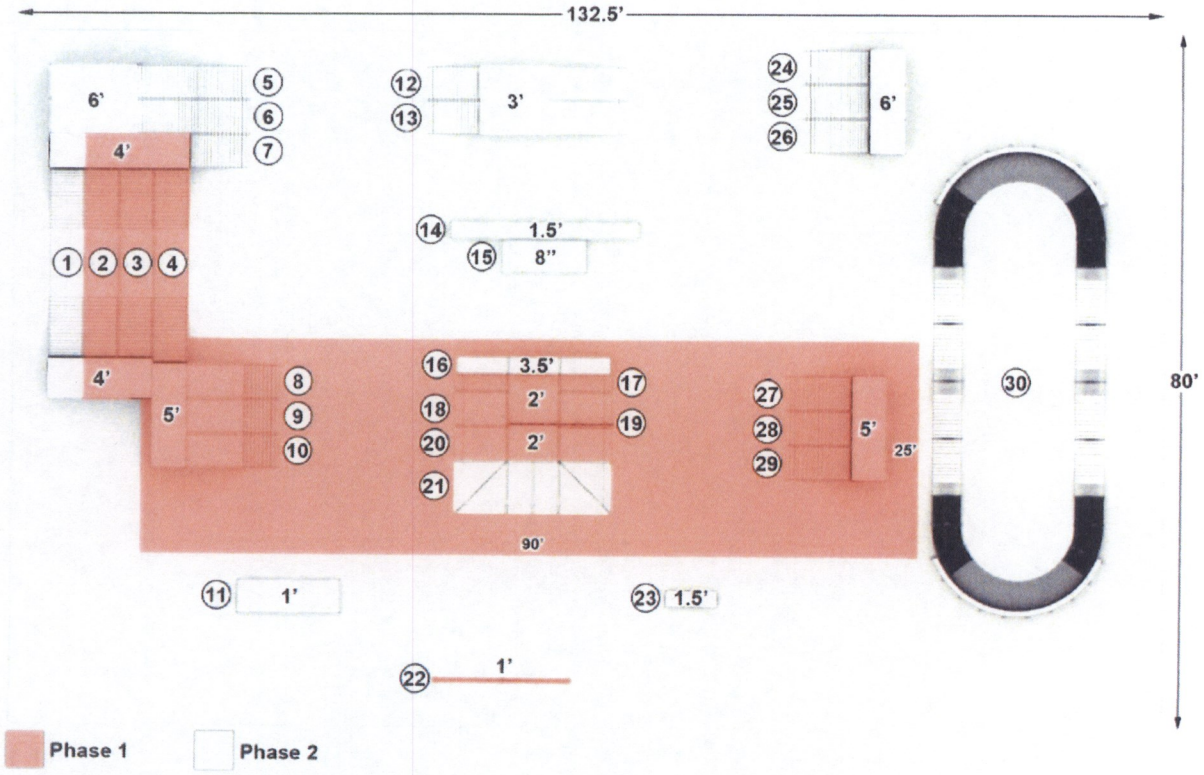
Task	External Tasks	Manual Task	Finish-only	]
Split	External Milestone	Duration-only	Deadline	
Milestone	Inactive Task	Manual Summary Rollup	Progress	
Summary	Inactive Milestone	Manual Summary		
Project Summary	Inactive Summary	Start-only	E	

*These dates are subject to change based on actual dates contract is awarded and design is approved.

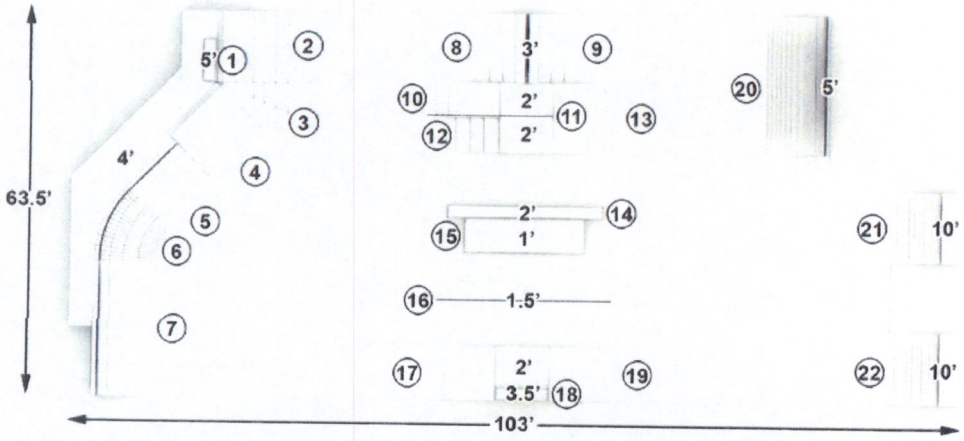
Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)



Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)



SKATEPARKS DRAWN TO SCALE.



Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

Turnkey Pricing

COST FOR DESIGN/BUILD SERVICES
NOT TO EXCEED

$244,500

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

Active Current Projects

CABOT, ARKANSAS
- Scope: Concrete Skatepark Design
- To be completed summer 2016
- Construction Budget: $250,000 estimate.

PITTSBURG, KANSAS
- Scope: Concrete Skatepark Design/Build
- Design to be completed summer 2016
- Construction to be completed pending community fundraising.
- Construction Budget: $200,000 estimate.

CEDAR PARK, TEXAS
- Scope: Bike Park Construction
- To be completed April 2016
- Construction Budget: $50,000.

BROWNWOOD, TEXAS
- Scope: Pro Series Skatepark Design/Build
- To be completed summer 2016
- Concrete locally sourced to reduce cost.
- Construction Budget: $100,000 estimate.

PLYMOUTH, MINNESOTA
- Scope: Pumptrack Construction
- To be completed May 2016
- Construction Budget: $47,000.

COVINGTON, WASHINGTON
- Scope: Pro Series Skatepark Design
- To be completed summer 2016
- Construction Budget: $100,000 estimate.

DALTON, GEORGIA
- Scope: Pro Series Skatepark Design
- To be completed summer 2016
- Construction Budget: $100,000 estimate.

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

CONCRETE PROJECT REFERENCES

SCHERERVILLE SKATEPARK
SCHERERVILLE, IN

SCHERERVILLE SKATEPARK

SCOPE OF SERVICES: Design & build of precast concrete skate plaza

PROJECT COMPLETION: July 2015

PROJECT COST: $220,000

EQUIPMENT COST: $160,000

PER SQUARE FT. COST: $34.65

CONTACT:
John Novacich
Superintendent of Parks and Recreation
219-865-5530
jnovacich@schererville.org

800.949.2024

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

PRO SERIES PROJECT REFERENCES

HIGHLAND STATION SKATEPARK
SAGINAW, TX

HIGHLAND STATION SKATEPARK

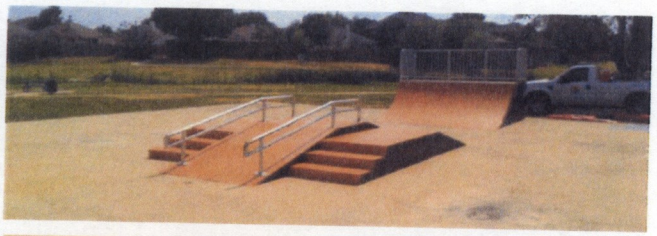
SCOPE OF SERVICES: Design, Manufacturing, Installation of Pro Series Skate/BMX Park

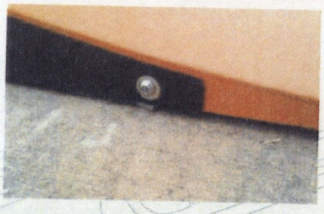
PROJECT COMPLETION: August 2015

EQUIPMENT COST: $50,000.00

Concrete flatwork existed prior to construction.

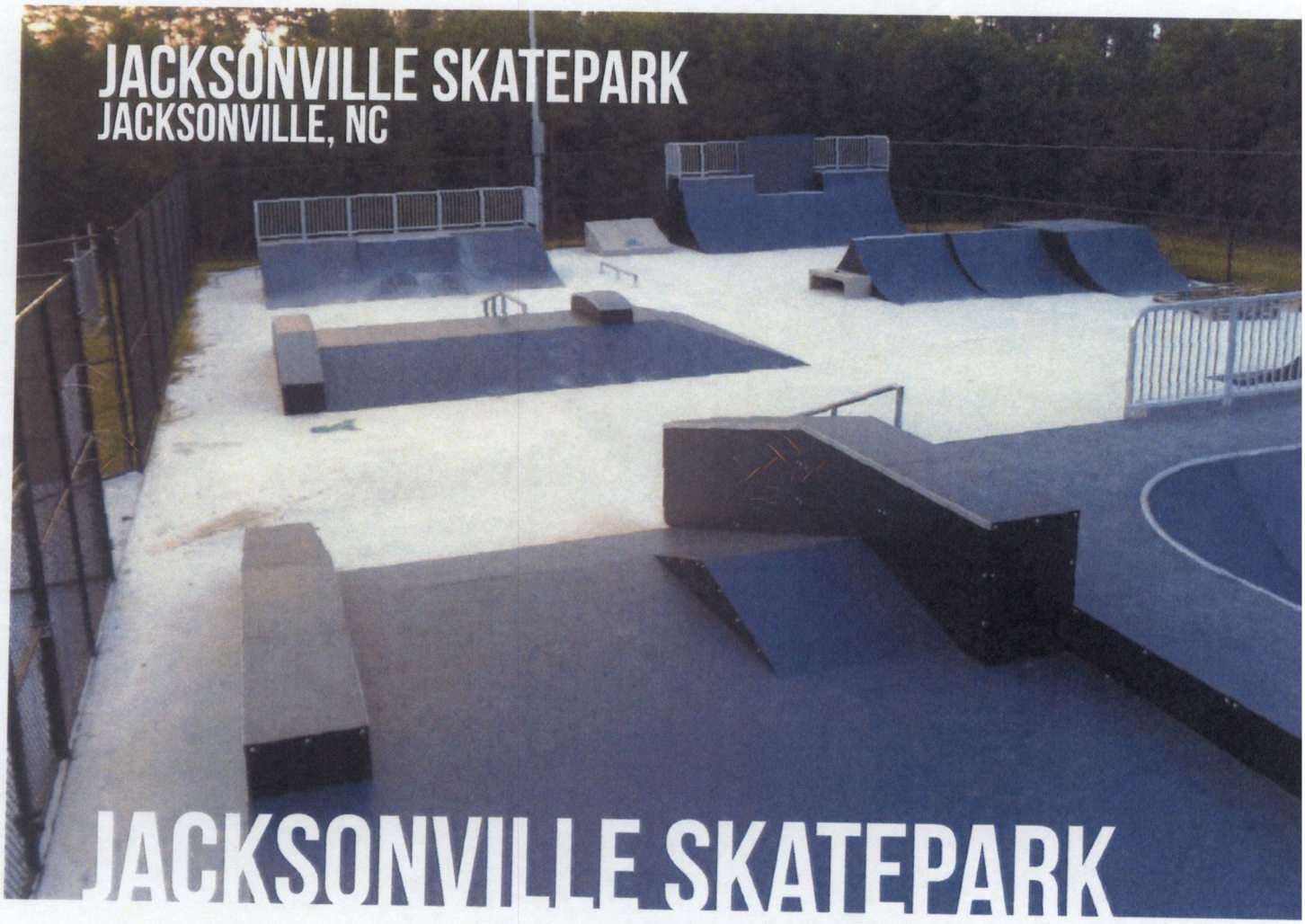
CONTACT:
Randy Newsom
Operations Supt.
817-230-0448
rnewsom@ci.saginaw.tx.us
Saginaw, TX





Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

PRO SERIES PROJECT REFERENCES



JACKSONVILLE SKATEPARK

SCOPE OF SERVICES: Skatepark design, equipment manufacturing and installation

PROJECT COMPLETION: August 2012

EQUIPMENT COST: $335,980

Concrete flatwork existed prior to construction.

CONTACT:
Richard Cole
910-449-5605
coler@usmc-mccs.org

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

CONCRETE PROJECT REFERENCES

LIONS FIELD SKATEPARK

SCOPE OF SERVICES: Design, manufacturing, installation of precast concrete skatepark, flatwork

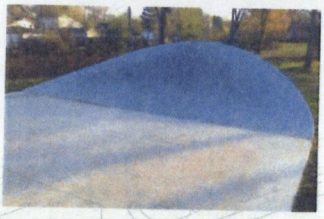
PROJECT COMPLETION: August 2014

PROJECT COST: $138,000

EQUIPMENT COST: $83,000

PER SQUARE FT. COST: $30.98

CONTACT:
Margaret Resnick
Director of Parks and Recreation
847.388.5460
mresnick@mundeleinparks.org



Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

CONCRETE PROJECT REFERENCES

EWERT PARK SKATEPARK

SCOPE OF SERVICES: Skatepark design, equipment manufacturing and installation

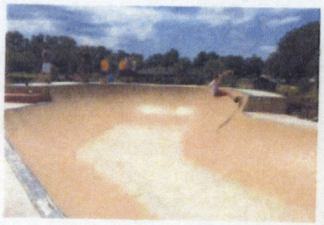
PROJECT COMPLETION: June 2015

PROJECT COST: $303,000

EQUIPMENT COST: $200,000

PER SQUARE FT. COST: $30.69

CONTACT:
City of Joplin
Chris Cotten, Parks Director
417.624.6937
ccotten@joplinmo.org



Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

PRO SERIES PROJECT REFERENCES

MEDICINE ROOT SKATEPARK
KYLE, SD

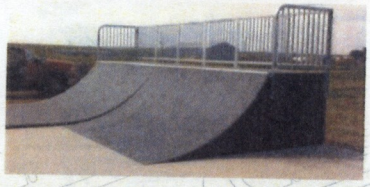
MEDICINE ROOT SKATEPARK

SCOPE OF SERVICES: Design, Build and Installation of PRO Series Skatepark

PROJECT COMPLETION: August 2014

CONTRACT VALUE: $65,000

CONTACT:
Frank Gangone
IT Specialist
605 455 6155
fgangone@littlewound.us



Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

PRO SERIES PROJECT REFERENCES

EDISON TOWNSHIP SKATEPARK

SCOPE OF SERVICES: Design & Build

PROJECT COMPLETION: December 2014

EQUIPMENT COST: $250,000

CONTACT:
Denise Halliwell-DeSantis
Parks & Recreation Director
732.248.7265
dhalliwell@edisonnj.org

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

CONCRETE PROJECT REFERENCES

OLIVIERA SKATEPARK
BROWNSVILLE, TX

SCOPE OF SERVICES: Custom Design Services, Community Engagement, Construction documents, Precast Concrete Manufacturing, Delivery and Installation

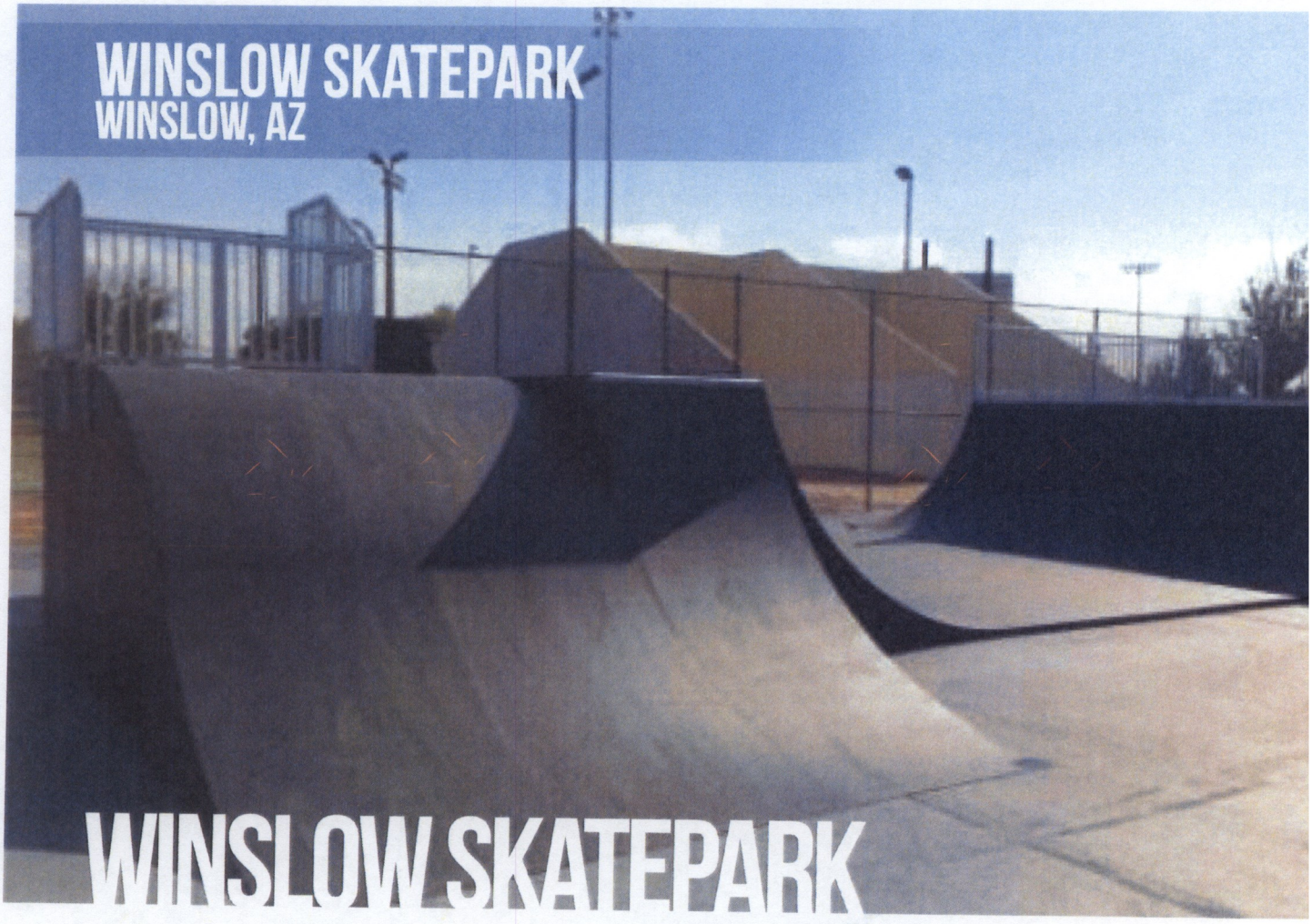
PROJECT COMPLETION: July 2014

CONTRACT VALUE: $450,000

CONTACT:
Chris Patterson
Director of Parks and Recreation
956.542.2064
parks@cob.us

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

PRO MX SERIES PROJECT REFERENCES



WINSLOW SKATEPARK

SCOPE OF SERVICES: Design, build, manufacturing of skatepark

PROJECT COMPLETION: May 2014

EQUIPMENT COST: $200,000

CONTACT:
Scott Lancaster
Public Works
928.587.1629
scott.lancaster@ci.winslow.az.us
Winslow, AZ

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

CONCRETE PROJECT REFERENCES

SCOPE OF SERVICES: Design, manufacturing, installation of precast concrete skatespot

PROJECT COMPLETION: August 2013

EQUIPMENT COST: $55,000

CONTACT:
Doug Foley
Director of Parks and Recreation
563.927.3636
dfoley@manchester-ia.org
Manchester, IA

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

Warranty (Solo Series)

SOLO G2 PRE-CAST CONCRETE

PRODUCT WARRANTY

Solo Series

15 year limited on all precast ramp components

* Begins on the date of delivery or when the on-site work is complete, under the condition that the skatepark equipment has no defect in material and/or workmanship. Should purchaser believe American Ramp Company has failed to meet the terms of this warranty, they shall notify American Ramp Company, and American Ramp Company shall, at its sole discretion, repair or provide replacement parts. Installation of replacement parts are not covered under this warranty and freight is to be prepaid by purchaser. This warranty is exclusive and is in lieu of all other warranties, whether expressed, implied, or statutory.

Exceptions to Warranty

The warranty does not cover any modifications, additions, or changes to the equipment unless approved in writing by American Ramp Company. American Ramp Company will in no way be held liable for any damages, problems, or injuries that occur as a result of an installation that is not factory installed or supervised by factory trained personnel.

Disclaimer of Consequential Damages

American Ramp Company shall not be held liable to purchaser, purchaser's customers, or other users of the product, or to anyone else for incidental, consequential or any other direct loss or damage or for lost profits or revenues of any kind, arising out of this agreement, whether in any action for or arising out of breach of contract, tort, fraud, or otherwise.

Safety

Purchasers are responsible for ordering equipment appropriate to the level of expected users. Equipment should be inspected regularly by purchaser to ensure that it is safe and in good repair. Should the purchaser neglect any suggested maintenance, this warranty is rendered invalid. Purchaser assumes all liability for site location and any and all problems resulting from such placement (noise, vandalism, traffic, etc.).

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

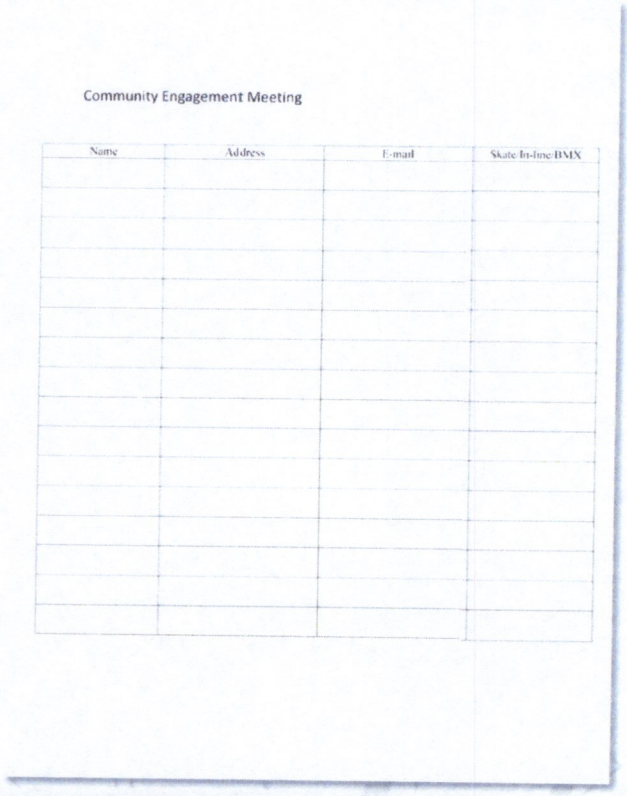
Warranty (Pro Series)

PRODUCT WARRANTY

Pro Series
20 year limited on all steel ramp components
* Begins on the date of delivery or when the on-site work is complete, under the condition that the skatepark equipment has no defect in material and/or workmanship. Should purchaser believe American Ramp Company has failed to meet the terms of this warranty, they shall notify American Ramp Company, and American Ramp Company shall, at its sole discretion, repair or provide replacement parts. Installation of replacement parts are not covered under this warranty and freight is to be prepaid by purchaser. This warranty is exclusive and is in lieu of all other warranties, whether expressed, implied, or statutory.
Exceptions to Warranty
Repairs required by normal wear, neglect, abuse, accident, vandalism, use of products other than the intended purpose, and acts of nature or God are not warrantied. The warranty does not cover any modifications, additions, or changes to the equipment unless approved in writing by American Ramp Company. American Ramp Company will in no way be held liable for any damages, problems, or injuries that occur as a result of an installation that is not factory installed or supervised by factory trained personnel.
Disclaimer of Consequential Damages
American Ramp Company shall not be held liable to purchaser, purchaser's customers, or other users of the product, or to anyone else for incidental, consequential or any other direct loss or damage or for lost profits or revenues of any kind, arising out of this agreement, whether in any action for or arising out of breach of contract, tort, fraud, or otherwise.
Safety
Purchasers are responsible for ordering equipment appropriate to the level of expected users. Equipment should be inspected regularly by purchaser to ensure that it is safe and in good repair. Should the purchaser neglect any suggested maintenance, this warranty is rendered invalid. Purchaser assumes all liability for site location and any and all problems resulting from such placement (noise, vandalism, traffic, etc.).

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

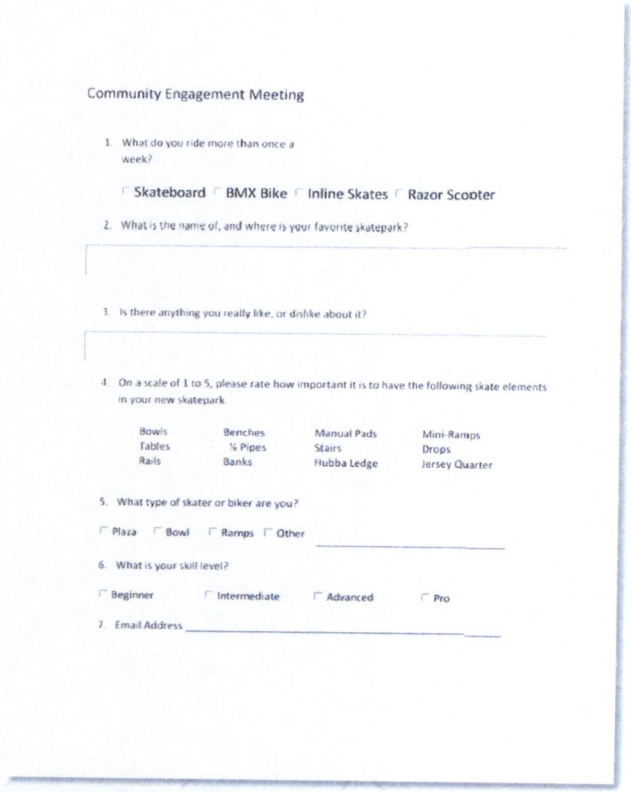
Community Engagement



Community Engagement Meeting

Name	Address	E-mail	Skate/In-line/BMX

COMMUNITY MEETING SIGN-IN SHEET



Community Engagement Meeting

1. What do you ride more than once a week?

☐ Skateboard ☐ BMX Bike ☐ Inline Skates ☐ Razor Scooter

2. What is the name of, and where is your favorite skatepark?

3. Is there anything you really like, or dislike about it?

4. On a scale of 1 to 5, please rate how important it is to have the following skate elements in your new skatepark

Bowls	Benches	Manual Pads	Mini-Ramps
Tables	¼ Pipes	Stairs	Drops
Rails	Banks	Hubba Ledge	Jersey Quarter

5. What type of skater or biker are you?

☐ Plaza ☐ Bowl ☐ Ramps ☐ Other

6. What is your skill level?

☐ Beginner ☐ Intermediate ☐ Advanced ☐ Pro

7. Email Address

SAMPLE SKATER SURVEY

PUBLIC INPUT & CONCEPT DESIGN

The ARC design team has developed a comprehensive series of workshops which focus not only on the skatepark elements but, also the perimeter uses and functions as well. As skateboarders ourselves, we can easily identify and "speak the language" of the skatepark users and advisory group participants. We provide all meeting materials, hardware, illustrations, etc. needed to facilitate the public meetings. The City only needs to provide a meeting room, tables, chairs, electricity and your ideas. By inviting discussions regarding locations and preferences of spectator viewing, separation of beginner areas, and incorporation of park amenities, we have had great success in achieving a sense of ownership by the majority of the general public as well as the skate community.

In facilitating public workshops with the kids, we have found the younger skaters can sometimes be intimidated by the more vocal older crowd. We have designed a portion of our workshop to include an anonymous questionnaire where users can express their ideas without influence from the older participants. These meetings really are a lot of fun!

DESIGN DISCUSSION

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

Moran Center Skatepark
Community Engagement Meeting

1. Introduction to Project Team
   a. City Staff
   b. Prime Consultant
   c. Skatepark Designer
2. Project History
   a. Existing Use
   b. Master Plan
   c. Planning Goals
3. Powerpoint Presentation
   b. Key Staff Introduction
   c. Featured Projects
   d. Design Process Overview
   e. Specialty Construction Overview
4. Skatepark Questionnaire/ Design Workshop
   a. Review of Questionnaire Form
   b. Pros & Cons Exercise of Sample Designs
   c. Break into Workgroups/ Design Session
5. Summary
   a. Open Discussion of Workshop Results
   b. Identify Preffered Concept Design
   c. Where Do We Go From Here?
   d. Announce Next Meeting Time and Location
6. Adjourn

SAMPLE COMMUNITY MEETING AGENDA

PUBLIC MEETING

SKATE SESSION

DESIGN SESSION

SKATE TRIP

SITE REVIEW

While conducting design meeting we'll perform a site visit, to ensure that layout and flow coinside with existing site conditions.

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

Methods & Processes

COMMUNITY ENGAGEMENT

ARC is fully prepared and excited to work with the City in leading public relations efforts in the skatepark design process. Proper promotion to the local community is an integral part of the development of skatepark projects. The success of every skatepark is dependent on feedback from the local skate culture and support from the community.

Though a series of community meetings and webinars, we can create a skatepark design to meet the needs of area residents. We would also offer to create a social media site dedicated to the skatepark project. This would become a hub for the local skaters to comment on the design progress allowing all opinions to be heard.

We specialize in translating community input and project goals into an amazing skatepark facility.

DONOR RECOGNITION

ARC will work closely with your community to identify specific ways donors can be approached and acknowledged. In the past we have been able to incorporate donations made by local suppliers including, cement powder, steel rebar, approved fill material, and landscaping materials. While the labor required for sculpting and finishing concrete is a specialized skill, we encourage local labor be involved in the construction of peripheral elements and park improvements. Your project donors can be acknowledged in many ways throughout the physical skatepark. Examples of previous donor acknowledgements include skatepark signage, entry brick, custom tile in bowl areas, and architectural concrete stenciling. We strive to ensure that the method of community acknowledgement is unique and fitting to your local environments.

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

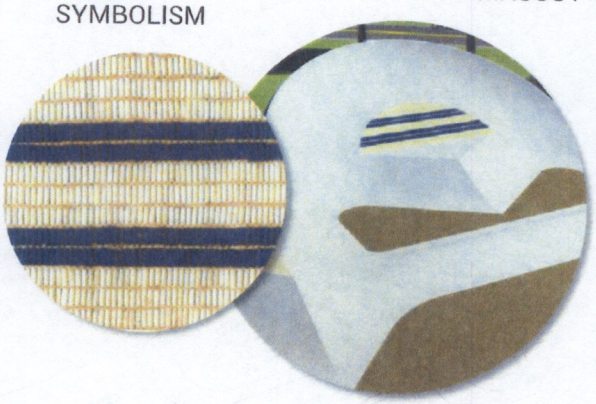
LOCAL INFLUENCE AND SKATEPARK IDENTITY

Our design team specializes in the integration of local identity into all our skatepark projects. Incorporating local materials, history, or symbolism has resulted in collaborative projects that are unique the project location. Some past examples include etching local team mascots in to the skate area, integrating tribal symbols into radial features, and honoring skaters with memorial elements. For the design of the Skate Park, our team looks forward to collaborating with the City and local community to identify ways to incorporate local influence to make the skatepark both functionally challenging, and visually unique.

SKATER MEMORIAL

SCHOOL MASCOT

TRIBAL SYMBOLISM



SAFETY, SECURITY, AND CLIMATE RECOMMENDATIONS

The most important factor in creating a safe and secure skatepark is the visibility into the facility. By locating the park adjacent to parking areas and access roads it keeps activity close to the facility and will be less likely to attract vandals and troublemakers. Additional considerations are elements such as emergency vehicle accessibility and telephone locations in case of emergency. Our experience finds that the skaters tend to self police their park, especially when they have had influence in shaping its design. If graffiti is discovered, ARC staff can provide recommendations for products that work well in removing it from your park.

Our construction crews have built custom skateparks in climates varying from sandy beach, to dry desert, to the coldest Canadian environments. The best preparation you can take in ensuring your skatepark withstands the elements to have a geotechnical investigation done on the site of the project while the skatepark is being designed. These investigations provide us specific recommendations as to the type of soil preparation and fill material that may be required for proper development.

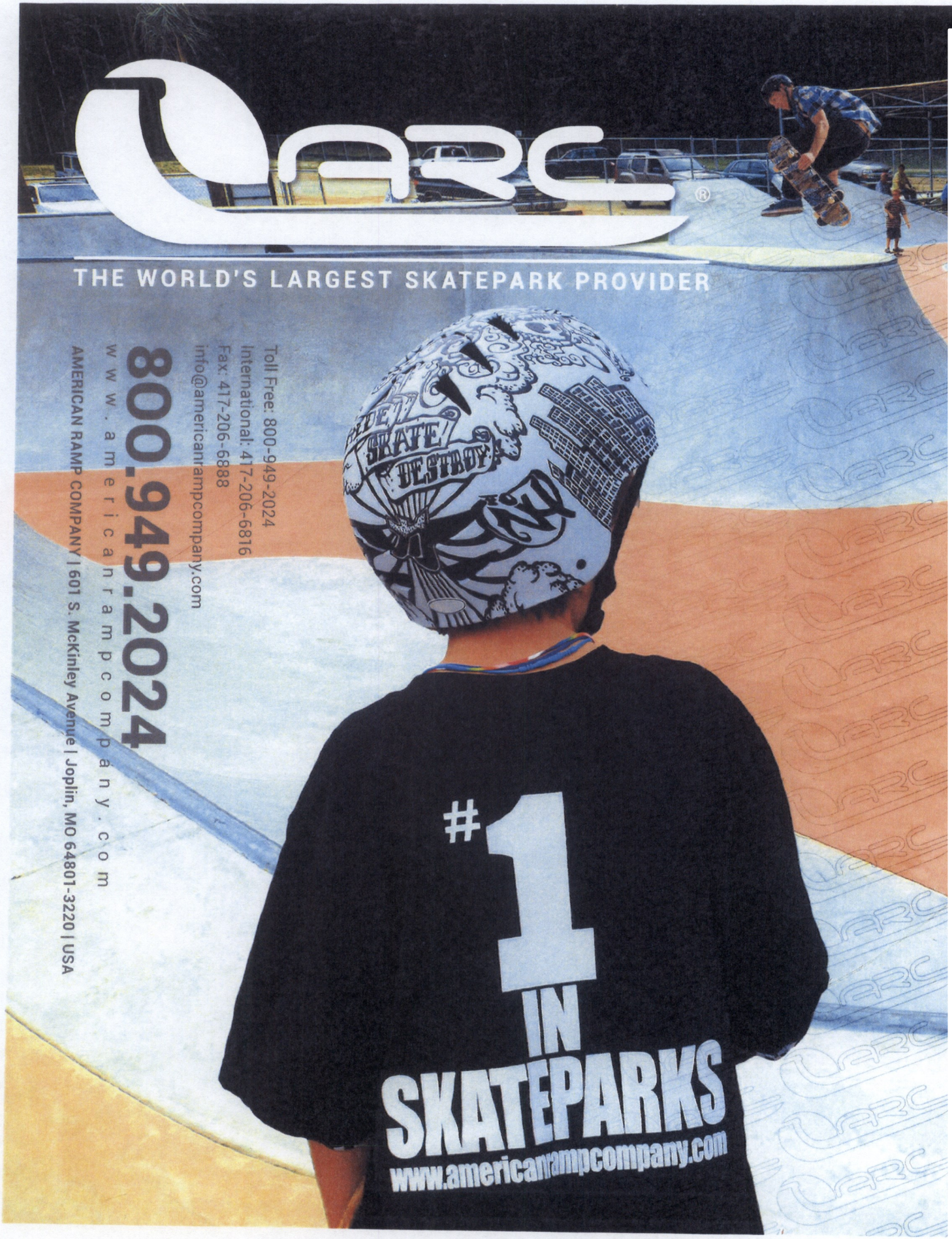
Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

This page intentionally left blank as per RFP requirements of 30 page maximum.

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

This page intentionally left blank as per RFP requirements of 30 page maximum.

Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)



Attachment: 2016-041 RES authorizing CM to contract for a skate park signed (1461 : 2016-041 RES Skateboard Park)

City of Texarkana, Texas

Version: C

Briefing Sheet

Update Date: 3/24/2016 4:25 PM

Lead Department: City Manager **Action Officer:** John Whitson, City Manager

Subject: Resolution No. 2016-044 rescinding Resolution No. 2015-140 that directed the enforcement of code provisions for the full payment of the water and sewer account balance of Forest Point Apartment Homes and adopting Ordinance No. 2016-044 imposing a lien against the property for unpaid utility charges.

	Public	Second	Council
Briefing: 3/28/2016	**Hearing:**	**Briefing:**	**Vote:** 3/28/2016

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

On 14 MAR 16, during a regular council meeting the city council adopted Resolution 2015-140 wherein the city council directed enforcement of code provisions in the event Forest Point Apartment Homes failed to make full payment of its water and sewer account balance and conditionally authorized the city manager to negotiate an agreement to facilitate payment of the account balance in arrears with the retention of a disinterested calibration expert and a payment plan.

Resolution 2015-140 stated that full payment of the balance is due at 4 P.M. CDT, April 13, 2016 except if an agreement is reached between the city and the apartment management/owners providing for full payment, time payments of the balance, or an adjusted payment in full or over time should the meter prove to be operating outside of the published calibration standards.

On 23 MAR 16, at approximately 11:00 a.m. CDT, TWU Customer Services received a telephone inquiry about setting up a new utility account at the Forest Point Apartment Homes address. Upon further inquiry the caller stated that her company was purchasing the property and would be closing on the property the following week.

On 23 MAR 16, at approximately 3:00 p.m. CDT, TWU Customer Services received a request to establish a new utility account for a residence on Texas Boulevard known to be the residence of Claire Jaynes. Neither Mr. nor Mrs. Jaynes has called to close the current utility account and the billing address is the same address as Forest Point Apartment Homes. Upon further research it was determined that the home on Texas Boulevard has sold and the seller was a company whose business address was also the same address as Forest Point Apartment Homes on Kennedy Lane.

The buyers of Forest Point Apartment Homes is an LLC formed by C&W Ventures Management Company http://www.candwventures.com/ . The buyers have been informed that in addition to establishing a new utility account with TWU they also have to apply for a new Certificate of Occupancy

(CO). They were also advised that the city must perform an inspection of the property prior to issuance of the CO which they desire to be performed before they close on the property.

Based on further review of the statutes and referring to another Texas City's interpretation and action, the staff recommends the city council also adopt Ordinance 2016-044 that will impose a lien on the property for the unpaid utility bill.

Potential Options:

- Adopt the proposed resolution
- Deny the proposed resolution
- Adopt an amended resolution

Fiscal Implications:

The account is currently in arrears a grand total of $37,811.09. There is expected to be some additional costs related to pursuit of payment from the sellers of the property. State law prohibits attaching the past due amount to the new ownership and the city code does not permit a utility lien to be filed against the property.

Staff Recommendation:

Adopt 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. 2016-044 RES Rescinding Resolution 2015-140 (DOC)
b. 2016-044 ORD Imposing a Lien for Delinquent Utility Bill (DOC)
c. 2016-044 ATTH 01 Plat (PDF)
d. 2016-044 Goals & Perspectives (DOCX)
e. 2016-044 ORD Imposing a Lien on Forest Point Apartment Homes signed (PDF)
f. 2016-044 RES Rescinding Reso. 2015-140 Forest Point Apartment Homes signed (PDF)

Staff Coordination

City Manager	John Whitson 03/24/2016 2:14 PM	Department Head Review	Completed
City Attorney	Jeffery C. Lewis	Review	Completed 03/24/2016 2:25 PM
Assistant City Manager Review	Completed	Shirley Jaster 03/24/2016 2:27 PM	Assistant City Manager

Public Information Officer	Lisa Thompson	PIO Review	Completed	03/24/2016 2:35 PM
City Manager	John Whitson	City Manager Review	Completed	03/24/2016 4:13 PM
City Council	Jennifer Evans	Meeting	Completed	03/28/2016 6:00 PM

Meeting History

RESOLUTION NO. 2016-044

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, RESCINDING RESOLUTION NO. 2015-140; DIRECTING ENFORCEMENT OF CODE PROVISIONS FOR THE FULL PAYMENT OF THE WATER AND SEWER ACCOUNT BALANCE OF FOREST POINT APARTMENT HOMES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, City Code Section 42-46 provides a means to estimate water usage when a meter fails to properly register water usage; and

WHEREAS, City Code Section 42-48 provides for a due date and place of payment based on the date of mailing of the monthly bill; and

WHEREAS, City Code Section 42-49 provides for assessing penalties when bills are not paid within 15 days following the due date; and

WHEREAS, City Code Section 42-50 provides for the water to be turned off if the bill is not paid within 30 days of the due date and the service will not be restored until the bill is paid in full including appropriate service charges and penalty; and

WHEREAS, City Code Section 42-51 (e) provides that service charges will be added to those accounts that are not paid by the due date and time specified on the customer's second notice regardless if the service is actually turned off or not before payment is received; and

WHEREAS, City Code Section 42-53 provides that all provisions of the article shall be deemed to be incorporated in every contract between the water and sewer systems and its customers, and each customer shall be charged with the knowledge of the provisions of the article and, by applying for and accepting water or sewer services from the water and sewer systems, the customer shall be deemed to have assented to the provisions of the article; and

WHEREAS, the customer, Forest Point Apartment Homes, has short-paid the monthly bill for water and sewer services for bills issued after January 6, 2015, when the account balance was $0.00, leaving an account balance in arrears of $37,811.09 as of March 23, 2016 (hereafter, "the balance in arrears"); and

WHEREAS, from the information presented during public meetings, the City Council cannot determine the customer's method for calculating the short-payments made after the customer paid $3,961.68 credited on 03/02/2015 (an amount which corresponded to the regular 01/21/2015 billing), nor determine that the customer's meter has failed or otherwise malfunctioned at any time in 2015 to the current date, nor conclude that the balance in arrears should be removed as requested by the customer; and

WHEREAS, in an effort to resolve this matter within the policy decisions made by the City Council as reflected in the Code of Ordinances, the City Council in Resolution No. 2015-140

Attachment: 2016-044 RES Rescinding Resolution 2015-140 (1464 : 2016-044 RES Rescinding Resolution 2015-140 and Adopting an Ordinance

extended an offer to the customer by authorizing the City Manager to negotiate an agreement with Forest Point Apartment Homes for the retention of a disinterested calibration expert together with authorizing the City Manager's recommendation to offer payment plans for the balance in arrears; and

WHEREAS, the representative of Forest Point Apartment Homes has yet to accept the offer extended by the City Council; and

WHEREAS, the City Council has been made aware of the pending sale of Forest Point Apartment Homes, with closing scheduled to take place March 29, 2016; and

WHEREAS, the City Council finds and determines, based upon the information presented and the changed circumstances of ownership, that Resolution No. 2015-140 should be rescinded and substituted with this resolution.

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

SECTION 1: Resolution No. 2015-140 is rescinded.

SECTION 2: The City Council directs the City Manager to carry out and enforce the provisions of the Code of Ordinances, including Code provisions and legal remedies related to collection of an unpaid or outstanding balance, with respect to all parties responsible for the balance in arrears of Forest Point Apartment Homes.

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

PASSED AND APPROVED in Regular Council Session on this the **28th day of March, 2016**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2016-044 RES Rescinding Resolution 2015-140 (1464 : 2016-044 RES Rescinding Resolution 2015-140 and Adopting an Ordinance

ORDINANCE NO. 2016-044

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, IMPOSING A LIEN AGAINST CERTAIN REAL PROPERTY COMMONLY IDENTIFIED AS FOREST POINT APARTMENT HOMES, 2605 KENNEDY LANE, TEXARKANA, TEXAS, FOR DELINQUENT AND UNPAID BILLS FOR MUNICIPAL UTILITY SERVICE TO SAID REAL PROPERTY, ACCOUNT NO. 03918120-05 AND AUTHORIZING RECORDATION OF THE LIEN; PROVING A SUPERCESION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, has provided municipal water and sewer utility service to the following described real property:

> **Property commonly known as Forest Point Apartment Homes located at 2605 Kennedy Lane, Texarkana, Bowie County, Texas, and more specifically described as Forest Point Apartments, in the Mary E. Wills Subdivision, Block/Tract 6, 7, and B, recorded January 30, 2007 in the Bowie County, Texas property records in Volume 5073, page 330 and containing 8.688 acres of land more or less.**

WHEREAS, the account or customer number for municipal water and sewer utility services provided to the said above described real property is Account No. 03918120-05; and

WHEREAS, the account balance for Account No. 03918120-05 has been short-paid for each monthly bill for water and sewer services for bills issued after January 6, 2015, when the account balance was $0.00, leaving an account balance in arrears of $37,811.09 as of March 23, 2016; and

WHEREAS, the above-described property is not a homestead as protected by the Texas Constitution; and

WHEREAS, Section 552.0025 of the Texas Local Government Code authorizes the imposition by a municipality of a lien against an owner's property for delinquent bills for municipal utility service to the property; and

WHEREAS, the City Council of the City of Texarkana has determined that the best interest of its citizens and rate payers will be served by securing the payment of the said delinquent bills by the imposition of a lien against the property served by the City's municipal water and sewer utility service; and

WHEREAS, the City Council finds and determines that the provisions of this ordinance are reasonable and necessary as specifically authorized by applicable state law and promote the orderly conduct of the business of the City of Texarkana.

Attachment: 2016-044 ORD Imposing a Lien for Delinquent Utility Bill [Revision 1] (1464 : 2016-044 RES Rescinding Resolution 2015-140 and

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

SECTION 1. Pursuant to the authorization of Texas Local Government Code Section 552.0025, the City Council of the City of Texarkana, Texas, does hereby declare and impose a lien on the following described real property to secure payment of delinquent bills of the City of Texarkana in the amount of $37,811.09, Account No. 03918120-05, for municipal water and sewer utility service to the service address and property described below:

> **Property commonly known as Forest Point Apartments located at 2605 Kennedy Lane, Texarkana, Bowie County, Texas, and more specifically described as Forest Point Apartments, in the Mary E. Wills Subdivision, Block/Tract 6, 7, and B, recorded January 30, 2007 in the Bowie County, Texas property records in Volume 5073, page 330 and containing 8.688 acres of land more or less.**

The City Secretary for the City of Texarkana, Texas, is hereby directed to perfect said lien by recording in the real property records of Bowie County, Texas, notice of this lien, by recording a certified copy of this Ordinance in the real property records of Bowie County, Texas.

SECTION 2. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

SECTION 3. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the provisions of this ordinance shall control. Nothing adopted herein is intended to, in any way, nor shall any such provision be deemed to supersede or control over the provisions of the Comprehensive Zoning Ordinance.

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

SECTION 5. This Ordinance shall be in full force and effect immediately after its passage and approval.

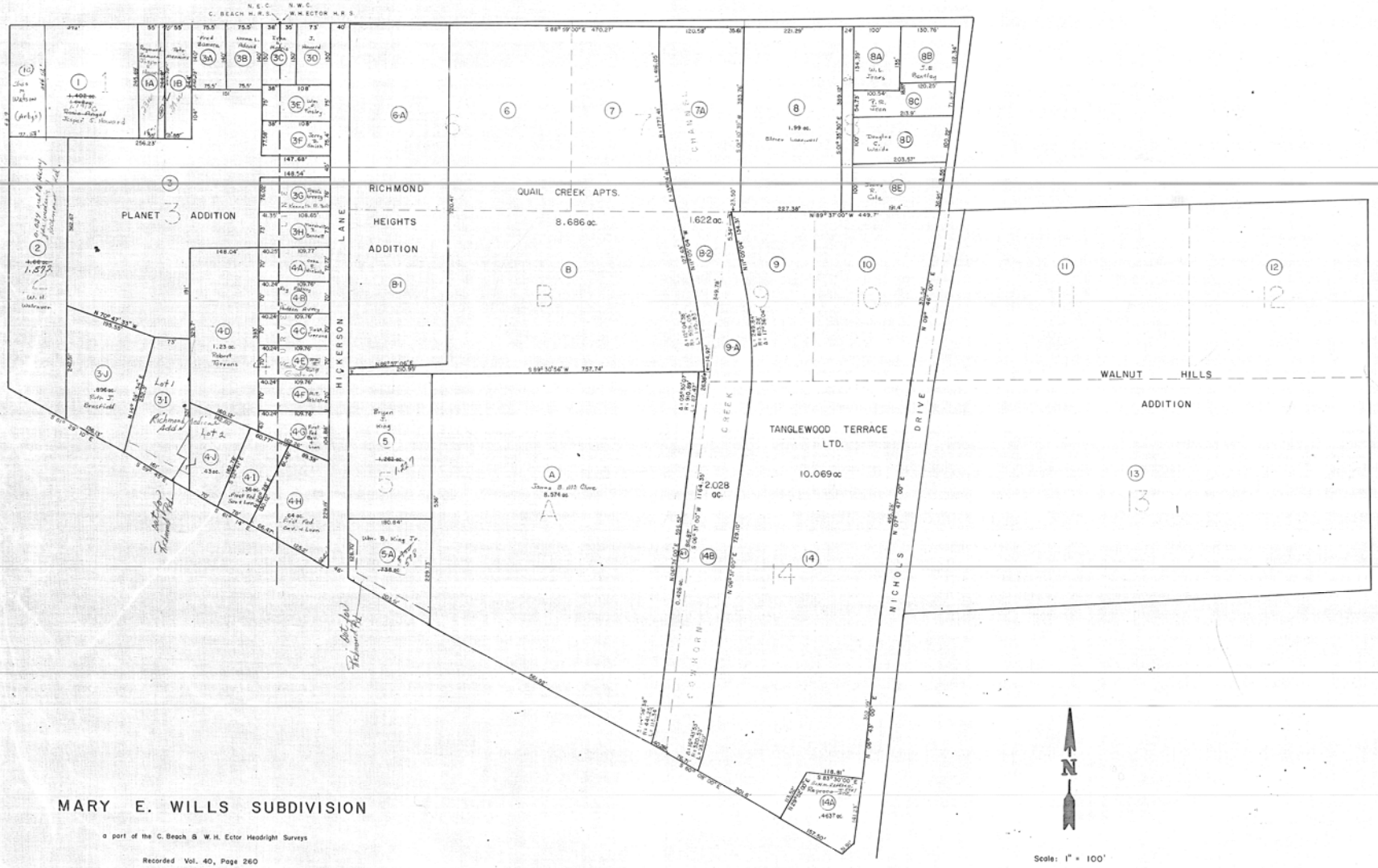
PASSED AND APPROVED in Regular Council Session on this the **28th day of March, 2016**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2016-044 ORD Imposing a Lien for Delinquent Utility Bill [Revision 1] (1464 : 2016-044 RES Rescinding Resolution 2015-140 and



MARY E. WILLS SUBDIVISION

a part of the C. Beach & W. H. Ector Headright Surveys

Recorded Vol. 40, Page 260

PREPARED BY TAX DEPARTMENT
CITY OF TEXARKANA, TEXAS
compiled from records of
TEXARKANA TITLE & ABSTRACT CO

August, 1976

D. BAIRD

Mary E. Wills Subd.

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: 2016-044 Goals & Perspectives (1464 : 2016-044 RES Rescinding Resolution 2015-140 and Adopting an Ordinance to File a Lein)

ORDINANCE NO. 2016-044

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, IMPOSING A LIEN AGAINST CERTAIN REAL PROPERTY COMMONLY IDENTIFIED AS FOREST POINT APARTMENT HOMES, 2605 KENNEDY LANE, TEXARKANA, TEXAS, FOR DELINQUENT AND UNPAID BILLS FOR MUNICIPAL UTILITY SERVICE TO SAID REAL PROPERTY, ACCOUNT NO. 03918120-05 AND AUTHORIZING RECORDATION OF THE LIEN; PROVING A SUPERCESION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, has provided municipal water and sewer utility service to the following described real property:

> **Property commonly known as Forest Point Apartment Homes located at 2605 Kennedy Lane, Texarkana, Bowie County, Texas, and more specifically described as Forest Point Apartments, in the Mary E. Wills Subdivision, Block/Tract 6, 7, and B, recorded January 30, 2007 in the Bowie County, Texas property records in Volume 5073, page 330 and containing 8.688 acres of land more or less.**

WHEREAS, the account or customer number for municipal water and sewer utility services provided to the said above described real property is Account No. 03918120-05; and

WHEREAS, the account balance for Account No. 03918120-05 has been short-paid for each monthly bill for water and sewer services for bills issued after January 6, 2015, when the account balance was $0.00, leaving an account balance in arrears of $37,811.09 as of March 23, 2016; and

WHEREAS, the above-described property is not a homestead as protected by the Texas Constitution; and

WHEREAS, Section 552.0025 of the Texas Local Government Code authorizes the imposition by a municipality of a lien against an owner's property for delinquent bills for municipal utility service to the property; and

WHEREAS, the City Council of the City of Texarkana has determined that the best interest of its citizens and rate payers will be served by securing the payment of the said delinquent bills by the imposition of a lien against the property served by the City's municipal water and sewer utility service; and

WHEREAS, the City Council finds and determines that the provisions of this ordinance are reasonable and necessary as specifically authorized by applicable state law and promote the orderly conduct of the business of the City of Texarkana.

Attachment: 2016-044 ORD Imposing a Lien on Forest Point Apartment Homes signed (1464 : 2016-044 RES Rescinding Resolution 2015-140 and

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

SECTION 1. Pursuant to the authorization of Texas Local Government Code Section 552.0025, the City Council of the City of Texarkana, Texas, does hereby declare and impose a lien on the following described real property to secure payment of delinquent bills of the City of Texarkana in the amount of $37,811.09, Account No. 03918120-05, for municipal water and sewer utility service to the service address and property described below:

> **Property commonly known as Forest Point Apartments located at 2605 Kennedy Lane, Texarkana, Bowie County, Texas, and more specifically described as Forest Point Apartments, in the Mary E. Wills Subdivision, Block/Tract 6, 7, and B, recorded January 30, 2007 in the Bowie County, Texas property records in Volume 5073, page 330 and containing 8.688 acres of land more or less.**

The City Secretary for the City of Texarkana, Texas, is hereby directed to perfect said lien by recording in the real property records of Bowie County, Texas, notice of this lien, by recording a certified copy of this Ordinance in the real property records of Bowie County, Texas.

SECTION 2. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

SECTION 3. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the provisions of this ordinance shall control. Nothing adopted herein is intended to, in any way, nor shall any such provision be deemed to supersede or control over the provisions of the Comprehensive Zoning Ordinance.

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

SECTION 5. This Ordinance shall be in full force and effect immediately after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **28th day of March, 2016**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:28 p.m.

Attachment: 2016-044 ORD Imposing a Lien on Forest Point Apartment Homes signed (1464 : 2016-044 RES Rescinding Resolution 2015-140 and

RESOLUTION NO. 2016-044

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, RESCINDING RESOLUTION NO. 2015-140; DIRECTING ENFORCEMENT OF CODE PROVISIONS FOR THE FULL PAYMENT OF THE WATER AND SEWER ACCOUNT BALANCE OF FOREST POINT APARTMENT HOMES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, City Code Section 42-46 provides a means to estimate water usage when a meter fails to properly register water usage; and

WHEREAS, City Code Section 42-48 provides for a due date and place of payment based on the date of mailing of the monthly bill; and

WHEREAS, City Code Section 42-49 provides for assessing penalties when bills are not paid within 15 days following the due date; and

WHEREAS, City Code Section 42-50 provides for the water to be turned off if the bill is not paid within 30 days of the due date and the service will not be restored until the bill is paid in full including appropriate service charges and penalty; and

WHEREAS, City Code Section 42-51 (e) provides that service charges will be added to those accounts that are not paid by the due date and time specified on the customer's second notice regardless if the service is actually turned off or not before payment is received; and

WHEREAS, City Code Section 42-53 provides that all provisions of the article shall be deemed to be incorporated in every contract between the water and sewer systems and its customers, and each customer shall be charged with the knowledge of the provisions of the article and, by applying for and accepting water or sewer services from the water and sewer systems, the customer shall be deemed to have assented to the provisions of the article; and

WHEREAS, the customer, Forest Point Apartment Homes, has short-paid the monthly bill for water and sewer services for bills issued after January 6, 2015, when the account balance was $0.00, leaving an account balance in arrears of $37,811.09 as of March 23, 2016 (hereafter, "the balance in arrears"); and

WHEREAS, from the information presented during public meetings, the City Council cannot determine the customer's method for calculating the short-payments made after the customer paid $3,961.68 credited on 03/02/2015 (an amount which corresponded to the regular 01/21/2015 billing), nor determine that the customer's meter has failed or otherwise malfunctioned at any time in 2015 to the current date, nor conclude that the balance in arrears should be removed as requested by the customer; and

WHEREAS, in an effort to resolve this matter within the policy decisions made by the City Council as reflected in the Code of Ordinances, the City Council in Resolution No. 2015-140

Attachment: 2016-044 RES Rescinding Reso. 2015-140 Forest Point Apartment Homes signed (1464 : 2016-044 RES Rescinding Resolution 2015-140 and

extended an offer to the customer by authorizing the City Manager to negotiate an agreement with Forest Point Apartment Homes for the retention of a disinterested calibration expert together with authorizing the City Manager's recommendation to offer payment plans for the balance in arrears; and

WHEREAS, the representative of Forest Point Apartment Homes has yet to accept the offer extended by the City Council; and

WHEREAS, the City Council has been made aware of the pending sale of Forest Point Apartment Homes, with closing scheduled to take place March 29, 2016; and

WHEREAS, the City Council finds and determines, based upon the information presented and the changed circumstances of ownership, that Resolution No. 2015-140 should be rescinded and substituted with this resolution.

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

SECTION 1: Resolution No. 2015-140 is rescinded.

SECTION 2: The City Council directs the City Manager to carry out and enforce the provisions of the Code of Ordinances, including Code provisions and legal remedies related to collection of an unpaid or outstanding balance, with respect to all parties responsible for the balance in arrears of Forest Point Apartment Homes.

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

PASSED AND APPROVED in Regular Council Session on this the **28th day of March, 2016**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:27 p.m.

Attachment: 2016-044 RES Rescinding Reso. 2015-140 Forest Point Apartment Homes signed (1464 : 2016-044 RES Rescinding Resolution 2015-140 and

City of Texarkana, Texas

Version: E

Briefing Sheet

Update Date: 3/22/2016 3:12 PM

Lead Department:	Planning and Community Development **Action Officer:** Debbie Burk,
Subject:	Ordinance No. 2016-029 amending Chapter 140 entitled "Zoning" of the Code of Ordinances of the City of Texarkana, Texas, by amending regulations for Changeable Electronic Variable Message Signs (CEVMS) pertaining to sign size, nonconforming signs, damaged signs and definitions.

Briefing: 4/25/2016	**Public Hearing:**	4/11/2016	**Second Briefing:**	April 25, 2016	**Council Vote:** 5/9/2016

Item Schedule

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

Updates/History of Briefing:

NA

Executive Summary and Background Information:

Through a series of public workshops and public hearings, the Planning and Zoning Commission and City Council have found it in the best interest of the City to amend regulations pertaining to Changeable Electronic Variable Message Signs (CEVMS).

Following are the highlights of the proposed changes for this Ordinance:

This ordinance sets CEVMS guidelines for institutional uses, reduces current CEVMS limits from 50 sq. ft. to 32 sq. ft. in General Retail zoning and above, establishes nonconforming CEVMS guidelines, established substantially damaged CEVMS guidelines and amends the institutional sign definition. *Please note that the current Specific Use Permit (SUP) for CEVMS is no longer referenced in the proposed ordinance.

CEVMS for Institutional Uses will be allowed in all zoning districts. CEVMS no larger than 24 sq. ft. in size will be allowed for Institutional uses in the Agriculture, SF-1, SF-2, SF-3, PUR, 2F-1, 2F-2, TH, MF-1, MF-2, Office and Neighborhood Services zoning districts. CEVMS in these zoning districts would be turned off from 10:00 p.m. to 7:00 a.m. Maximum overall sign ~~size~~ structure can be no larger than 70 square feet in size and 8 feet in height. If at any time the institutional use changes, the signage must conform to applicable zoning district regulations.

CEVMS for Institutional Uses will be allowed no larger than 32 square feet in size for all uses in the General Retail, Limited Commercial, Central Business, Commercial, Industrial-1, Industrial-2 and PD zoning districts. Maximum overall sign ~~size~~ structure can be no larger than 70 square feet in size and 8 feet in height. If at any time the institutional use changes, the signage must conform to applicable zoning district regulations.

CEVMS no larger than 32 square feet in size will be allowed for all uses in the General Retail, Limited Commercial, Central Business, Commercial, Industrial-1, Industrial-2 and PD zoning districts.

All CEVMS shall be measured by the square footage of the sign face and not by the overall sign structure unless otherwise stated in Ordinance.

(7) Nonconforming CEVMS

A nonconforming CEVMS shall be allowed to be continued and maintained at the existing location, when lawfully existing on the effective date of this ordinance, subject to the following conditions:

1. The face of the sign may be changed, but no change or alteration shall be made that would increase the non-conformity.

2. A nonconforming sign shall be removed if any of the following conditions applies:

a. The City may require removal of an on premise sign if the business, person, or activity that the sign originally identifies or advertises has ceased to operate on the premises or no longer has a valid Certificate of Occupancy. ~~for one (1) year. If the premise containing the sign or sign structure is leased, the sign or sign structure must be removed no later than two (2) years after the date the most recent tenant ceases to operate on the premises.~~ This section shall also apply to any sign structure containing no signage.

b. The City may require removal of a sign or sign structure if the Building Official determines it to be substandard under any applicable ordinances of the City of Texarkana, Texas to the extent that the sign becomes a hazard.

c. The City may require removal of a sign or sign structure if it becomes substantially damaged as defined by this ordinance. Replacement must conform to zoning regulations.

(8) Substantially Damaged CEVMS

Substantially Damaged CEVMS – any sign where the cost of repairing the sign is more than sixty (60) percent of the cost of erecting a new sign of the same type at the same location.

Amend Sign, Institutional Definition

Current definition “Sign, institutional, means an accessory sign for the identity of a school, church, hospital or similar public or quasi-public institution.”

Proposed definition “Sign, institutional, to the means an accessory sign for the identity of a school, church, hospital, colleges, universities and civic center.”

Potential Options:

None

Fiscal Implications:

NA

Staff Recommendation:

Staff recommends for approval of this Ordinance.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

March 16, 2016

Attachments

a. 2016-029 ORD amending Code of Ordinances pertaining to CEVMS size nonconforming etc (jcl rev) (DOCX)
b. 2016-029 ATTH 01 Minutes from 2-1-16 joint workshop (PDF)
c. 2016-029 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development		David Orr	Department Head Review	Completed 03/21/2016 10:11 AM
Assistant City Manager Review	Completed 03/21/2016 2:04 PM	Shirley Jaster	Assistant City Manager	
Public Information Officer		Lisa Thompson	PIO Review	Completed 03/21/2016 2:13 PM
City Manager	John Whitson	City Manager Review	Completed	03/22/2016 9:46 AM
City Council	Jennifer Evans	Meeting	Completed	03/28/2016 6:00 PM

Meeting History

Publish

Attachment: 2016-029 ORD amending Code of Ordinances pertaining to CEVMS size nonconforming etc (jcl rev) [Revision 1] (1447 : 2016-029

ORDINANCE NO. 2016-029

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE LAND DEVELOPMENT CODE OF THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS, BY AMENDING ORDINANCES AND RELATED DEFINITIONS FOR CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS OR CHANGEABLE COPY SIGNS OR DEVICES IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING AN EXPIRATION CLAUSE FOR ORDINANCE NO. 2016-016; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Texarkana, Texas, and the City Council of the City of Texarkana, Texas, find and determine that:

Certain signs and sign structures can create a pleasing environment for tourists, shoppers, and the rest of the community;

Certain signs and sign structures overwhelm the public, unduly distract and confuse motorists by diverting attention away from the roadway, and result in safety threats to vehicular and pedestrian traffic; and

The best interest of the public safety, health and general welfare shall be served and advanced by regulating the construction, design, repair, demolition, maintenance, and use of signs in order to accomplish the following goals and objectives: preserve the quality of life for City residents, visitors, and property owners; maintain the public rights-of-way; prevent threats to public safety, including traffic hazards; restrict signs that unduly interfere with scenic views, that are detrimental to property values, or constitute a public nuisance; promote roadway and pedestrian safety; encourage effective communication with the public; uphold the principles of free speech; and improve the appearance of the City and enhancing the community's character while preserving the authentic cultural heritage of the area; and

WHEREAS, through a series of public workshops and public hearings with citizen input, the Planning and Zoning Commission of the City of Texarkana, Texas and the City Council of the City of Texarkana, Texas, have presented proposed changes to Changeable Electronic Variable Message Signs or Changeable Copy Signs or Devices (collectively, "CEVMS"); 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, after giving the requisite notices by publication and otherwise, and after holding public 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, **voted to recommend approval of the changes to Changeable Electronic Variable Message Signs or Changeable Copy Signs or Devices and related definitions;** and

Publish

Attachment: 2016-029 ORD amending Code of Ordinances pertaining to CEVMS size nonconforming etc (jcl rev) [Revision 1] (1447 : 2016-029

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 the Land Development Code of the City of Texarkana, Texas, for **Changeable Electronic Variable Message Signs or Changeable Copy Signs or Devices** and related definitions is 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 140-239, "Permanent type signs**,"** of Article IX, "Signs" of the Land Development Code of the Code of Ordinances of the City of Texarkana, Texas, shall be amended to add the following to its existing provisions:

CEVMS for Institutional Uses will be allowed in all zoning districts.

CEVMS no larger than 16 square feet in size will be allowed for Institutional uses in the Agriculture, SF-1, SF-2, SF-3, PUR, 2F-1, 2F-2, TH, MF-1, MF-2, Office and Neighborhood Services zoning districts. CEVMS in these zoning districts will be turned off from 10:00 p.m. to 7:00 a.m. Maximum overall sign structure can be no larger than 70 square feet in size and 8 feet in height. If at any time the institutional use changes, the signage must conform to applicable zoning district regulations.

CEVMS for Institutional Uses will be allowed no larger than 32 square feet in size for all uses in the General Retail, Limited Commercial, Central Business, Commercial, Industrial-1, Industrial-2 and PD zoning districts. Maximum overall sign structure can be no larger than 70 square feet in size and 8 feet in height. If at any time the institutional use changes, the signage must conform to applicable zoning district regulations.

CEVMS no larger than 32 square feet in size will be allowed for all uses in the General Retail, Limited Commercial, Central Business, Commercial, Industrial-1, Industrial-2 and PD zoning districts.

All CEVMS shall be measured by the square footage of the sign face and not by the overall sign structure unless otherwise stated in the Ordinance.

SECTION 2: The definition of "Changeable electronic variable message sign (CEVMS) or changeable copy sign" contained in Section 140-179, "Special definitions and explanations noted in use regulations," of Article VII, "Supplemental Regulations" of the Land Development Code of the Code of Ordinances of the City of Texarkana, Texas is hereby amended in its entirety as follows:

Changeable electronic variable message sign or changeable copy sign or device (collectively, "CEVMS") means a sign with the capability of displaying words, symbols, figures or images controlled by electronic communications or mechanical processes.

(1) For off-premises CEVMS, refer to section 140-245 for height, size and setback requirements applicable thereto.

(2) For off-premises CEVMS, the message or image on the CEVMS must remain static for a minimum of eight seconds or more and a change of message shall be accomplished simultaneously on the entire sign face.

Publish

For on-premises CEVMS, the message or image must remain static for a minimum of four seconds and change of message shall be accomplished within two seconds.

(3) CEVMS must contain a default mechanism that freezes the sign in either one position or a black screen if a malfunction occurs.

(4) No CEVMS shall be erected without a light detector/photocell (dimmer switch) by which the sign's brightness shall be dimmed when ambient conditions darken so that signs are not unreasonably bright for the safety of the motoring public. The maximum brightness shall not exceed 5,000 nits from sunrise to sunset and 1,000 nits from sunset to sunrise.

(5) CEVMS shall not:

a. Be illuminated by flashing lights, strobe lights, lights resembling emergency vehicles, or moving lights;

b. Contain or display moving video or streamed video advertising;

c. Consist of a static image projected upon a stationary object;

d. Be a mobile sign located on a truck, trailer, or any moving vehicle; or

e. Be attached to any wall, window, or any type exterior facade of any building.

(6) The owner of CEVMS shall coordinate with local authorities to display public service announcements (PSAs), and when appropriate, emergency information important to the traveling public, such as Amber Alerts or alerts concerning terrorist attacks or natural disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.

(7) If otherwise authorized by the Land Development Code, replacement of a nonconforming CEVMS must be accomplished with CEVMS conforming to zoning regulations.

(8) If lawfully existing on May 5, 2016, a nonconforming CEVMS shall be allowed to continue at its existing location subject to the following:

a. The face of the sign may be changed, provided that no change or alteration shall be made that would increase the nonconformity; and

b. Removal of an on-premise, nonconforming sign or any sign structure (whether or not the structure contains signage) shall be required if:

1. The business, person, or activity that the sign originally identifies or advertises either has ceased to operate on the premises or no longer has a valid Certificate of Occupancy;

2. The Certificate of Occupancy changes for the business, person, or activity that the sign advertises or identifies;

3. The sign or sign structure is a hazard or substandard as determined by the Building Official; or

4. The cost of repairing the sign or sign structure is more than sixty (60) percent of the cost of erecting a new sign of the same type at the same location.

SECTION 3: The definition of "Sign, institutional" contained in Section 140-179, "Special definitions and explanations noted in use regulations," of Article VII, "Supplemental Regulations" of the Land

Attachment: 2016-029 ORD amending Code of Ordinances pertaining to CEVMS size nonconforming etc (jcl rev) [Revision 1] (1447 : 2016-029

Publish

Development Code of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety as follows:

> *Sign, institutional*, means an accessory sign for the identity of a school, church, hospital, college, university, or civic center.

SECTION 4: The definitions of "Hospital (acute care)" and "Hospital (chronic care)" contained in Section 140-179, "Special definitions and explanations noted in use regulations," of Article VII, "Supplemental Regulations" of the Land Development Code of the Code of Ordinances of the City of Texarkana, Texas, are hereby deleted and replaced with the following:

> *Hospital* means an establishment licensed pursuant to the Texas Hospital Licensing Law that: a) offers services, facilities, and beds for use for more than 24 hours for two or more unrelated individuals requiring diagnosis, treatment, or care for illness, injury, deformity, abnormality, or pregnancy; and b) regularly maintains, at a minimum, clinical laboratory services, diagnostic X-ray services, treatment facilities including surgery or obstetrical care or both, and other definitive medical or surgical treatment of similar extent. [*See* Tex. Health & Safety Code § 241.003(5).]

SECTION 5: Except as provided herein, all ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict; provided, however, that Ordinance No. 2016-016, which established a 90-day moratorium on CEVMS, shall not be repealed but rather shall expire on the first day this Ordinance is in full force and effect.

SECTION 6: That the City Secretary be and is hereby directed to publish the formal Ordinance title for three (3) successive days in the Texarkana Gazette within ten (10) days of the passage of this Ordinance, as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

SECTION 7: 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 8: That all ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 9: That this Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **9th day of May, 2016**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2016-029 ORD amending Code of Ordinances pertaining to CEVMS size nonconforming etc (jcl rev) [Revision 1] (1447 : 2016-029

MINUTES
JOINT SIGN WORKSHOP MEETING
CITY COUNCIL AND
PLANNING AND ZONING COMMISSION
CONFERENCE ROOM
2ND FLOOR, TEXAS MUNICIPAL BUILDING
220 TEXAS BOULEVARD, TEXARKANA, TEXAS
MONDAY, FEBRUARY 1, 2016
6:30 P.M.

The City Council and Planning and Zoning Commission of the City of Texarkana, Texas met in a sign workshop session, Monday, February 1, 2016 at 6:30 p.m. in the Conference Room in the Municipal Building, 220 Texas Boulevard, Texarkana, Texas with the following members present:

CITY COUNCIL MEMBERS ATTENDING:

Mayor Bob Bruggeman
Ms. Tina Veal-Gooch
Ms. Christy Paddock
Dr. Brian Matthews

PLANNING AND ZONING COMMISSION MEMBERS ATTENDING:

Ms. Diana Patterson Kinsey
Mr. Tom Coleman
Mr. Keith Garrett
Dr. Wanda Northam

ALSO ATTENDING:

Mr. John Whitson, City Manager
Mr. Jeff Lewis, City Attorney
Mr. David Orr, Director of Planning and Community Development
Ms. Jennifer Evans, City Secretary
Ms. Debbie Burk, Zoning Administrator

Ms. Diana Kinsey called the meeting to order at 6:30 p.m. She turned the meeting over to Mr. David Orr.

Mr. Orr stated that staff has provided City Council and Commission members with proposed changes and/or choices that are results of the sign workshop meetings that began in July, 2015. Mr. Orr explained that at the meeting in January, representatives from Whatley Signs were present at the meeting. Mr. David Whatley had stated that the 15 square feet and 25 square feet proposed CEVMS sizes were too small to be readable. He suggested increasing the sizes from 15 to 24 square feet and from 25 to 32 square feet.

Mr. Orr stated that the draft also shows the maximum overall size for CEVMS to be no larger than 70 square feet in size and 8 feet in height. Mr. Orr added that there was discussion at the last meeting about how to measure the square footage. He stated that the following definition has been added: "All CEVMS shall be measured by the square footage of the sign face and not by the overall sign structure unless otherwise states in Ordinance." He added that

Attachment: 2016-029 ATTH 01 Minutes from 2-1-16 joint workshop (1447 : 2016-029 ORD amending Code of Ordinance for CEVMS (size, def.

the draft still contained wording for nonconforming and damaged CEVMS. He stated that staff had prepared an amendment to the "Institutional" definition, that being" "Sign, institutional, means an accessory sign for the identify of a school, church, hospital, college, university and civic center." He added that it was suggested at the last meeting to add Texas Boulevard to the list of prohibited corridors. Those corridors now include: Galleria Oaks Drive, Cowhorn Creek Road north of I-30, Moores Lane, Richmond Road north of Moores Lane, Pleasant Grove Road and Texas Boulevard.

Mayor Bruggeman asked Mr. Mike Adcock with Hi-tech signs who was present at the meeting about the resolution of a 15 or 24 square foot electronic message sign. Mr. Adcock stated that a 15 square foot sign may be too small to read. He stated that resolution is important. Mr. Adcock also voiced concerns about the nonconforming signage. He stated that he is opposed to the fact that a sign for a business that is sold loses its nonconforming status and has to be replaced. He added that the new guidelines are too restrictive.

Dr. Matthews asked about defining public uses.

Ms. Gooch stated that public uses have already been defined in the proposed ordinance.

After more discussion among the members, Dr. Northam stated that a decision needs to be made as to the size of CEVMS. Dr. Northam added that she is happy with the 15 square feet in lower density areas. She added that she has a concern about electronic signs that malfunction. She asked if they could be made to be turned off or go to a black screen.

Mr. Orr pointed out that he had spoken to Mr. Gene Joyce, Chairman of the Commission about the proposed sign size. He stated that Mr. Joyce indicated that 15 and 25 square feet signs would force businesses to install monument style signs.

Mr. Whitson made the comment that existing pole sign not being used need to be removed.

After more discussion about sign size, the majority of the members voted to increase the electronic portion of the sign from 15 to 24 square feet and from 25 to 32 square feet.

There being no further business, the meeting was adjourned.

Diana Patterson Kinsey

FOR Diana Kinsey

Debbie Burk, Secretary

Attachment: 2016-029 ATTH 01 Minutes from 2-1-16 joint workshop (1447 : 2016-029 ORD amending Code of Ordinance for CEVMS (size, def.

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:

The Planning and Zoning Commission and City Council find it in the best interest of the public safety and general welfare to regulate the construction, design, demolition, maintenance and use of electronic messaging signage (CEVMS) to preserve the quality of life for city residences, visitors, and property owners.

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: 2016-029 Goals & Perspectives (1447 : 2016-029 ORD amending Code of Ordinance for CEVMS (size, def. etc.))

City of Texarkana, Texas

Version: G

Briefing Sheet

Update Date: 3/29/2016 3:23 PM

Lead Department:	Planning and Community Development	**Action Officer:**	Debbie Burk,
Subject:	Ordinance No. 2016-030 amending Chapter 140 entitled "Zoning" of the Code of Ordinances of the City of Texarkana, Texas, by amending regulations for Changeable Electronic Variable Message Signs (CEVMS) pertaining to prohibiting CEVMS along certain corridors.		

Briefing:	4/25/2016	**Public Hearing:**	4/11/2016	**Second Briefing:**	April 25, 2016	**Council Vote:**	5/9/2016

Item Schedule

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

Updates/History of Briefing:

NA

Executive Summary and Background Information:

Through a series of public workshops and public hearings, the Planning and Zoning Commission and City Council have found it in the best interest of the City to amend regulations pertaining to Changeable Electronic Variable Message Signs (CEVMS).

Following are the highlights of the proposed changes for this Ordinance:

(9) This ordinance prohibits CEVMS along the following corridors except for institutional uses:

a) Galleria Oaks Drive
b) Cowhorn Creek Road north of I-30
c) Moores Lane
d) Richmond Road north of Moores Lane
e) Pleasant Grove Road
f) Texas Boulevard

Potential Options:

None

Fiscal Implications:

NA

Staff Recommendation:
Staff recommends for approval of this Ordinance.

Advisory Board/Committee Review:
Planning and Zoning Commission

Board/Committee Recommendation:
The Planning and Zoning Commission unanimously recommended for approval of this ordinance.

Advisory Board/Committee Meeting Date and Minutes:
March 15, 2016

Attachments

a. 2016-030 ORD amending Code of Ordinances (prohibited corridors for CEVMS) (DOCX)
b. 2016-030 ATTH 01 Minutes from 2-1-16 joint workshop (PDF)
c. 2016-030 Goals & Perspectives (DOCX)
d. 2016-030 ATTH 02 Prohibited Corridors (PDF)

Staff Coordination

Planning and Community Development		David Orr	Department Head Review	Completed 03/21/2016 10:12 AM
Assistant City Manager Review	Completed	Shirley Jaster	Assistant City Manager	03/21/2016 2:09 PM
Public Information Officer		Lisa Thompson	PIO Review	Completed 03/21/2016 2:13 PM
City Manager	Shirley Jaster	City Manager Review	Completed	03/22/2016 11:17 AM
City Council	Jennifer Evans	Meeting	Completed	03/28/2016 6:00 PM

Meeting History

Publish

Attachment: 2016-030 ORD amending Code of Ordinances (prohibited corridors for CEVMS) [Revision 5] (1448 : 2016-030 ORD amending Code

ORDINANCE NO. 2016-030

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF TEXARKANA, TEXAS, BY AMENDING SECTION 140-179, "SPECIAL DEFINITIONS AND EXPLANATIONS NOTED IN USE REGULATIONS," OF ARTICLE VII, "SUPPLEMENTAL REGULATIONS", TO ADD PROHIBITED CORRIDORS FOR CHANGEABLE COPY SIGNS OR DEVICES 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, upon the recommendation of the Planning and Zoning Commission of the City of Texarkana, Texas, amended the Land Development Code of the City of Texarkana, Texas, with regard to Changeable Electronic Variable Message Signs or Changeable Copy Signs or Devices (collectively, "CEVMS") by enacting Ordinance No. 2016-029; and

WHEREAS, consistent with the findings and determinations set forth in Ordinance No. 2016-029, the Planning and Zoning Commission recommends specific prohibited corridors for CEVMS; and

WHEREAS, the City Council of the City of Texarkana, Texas, finds and determines that amending the Land Development Code of the City of Texarkana, Texas, to prohibit CEVMS along certain specific corridors is in the best interest of citizens and the City's future growth and is consistent with the findings and determinations set forth in Ordinance No. 2016-029, which are incorporated herein by reference for all purposes.

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

SECTION 1: The definition of "Changeable electronic variable message sign (CEVMS) or changeable copy sign" contained in Section 140-179, "Special definitions and explanations noted in use regulations," of Article VII, "Supplemental Regulations" of the Land Development Code of the City of Texarkana, Texas, is hereby amended to add item (9) to read as follows:

(9) Except for Institutional Uses, CEVMS shall be prohibited along the following corridors:

a. Galleria Oaks Drive
b. Cowhorn Creek Road north of I-30
c. Moores Lane
d. Richmond Road north of Moores Lane
e. Pleasant Grove Road
f. Texas Boulevard

Publish

SECTION 2: Except as provided herein, all ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict; provided, however, that Ordinance No. 2016-016, which established a 90-day moratorium on CEVMS, shall not be repealed but rather shall expire as provided in Ordinance No. 2016-029.

SECTION 3: 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: 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: This Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **9th day of May, 2016**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2016-030 ORD amending Code of Ordinances (prohibited corridors for CEVMS) [Revision 5] (1448 : 2016-030 ORD amending Code

MINUTES
JOINT SIGN WORKSHOP MEETING
CITY COUNCIL AND
PLANNING AND ZONING COMMISSION
CONFERENCE ROOM
2ND FLOOR, TEXAS MUNICIPAL BUILDING
220 TEXAS BOULEVARD, TEXARKANA, TEXAS
MONDAY, FEBRUARY 1, 2016
6:30 P.M.

The City Council and Planning and Zoning Commission of the City of Texarkana, Texas met in a sign workshop session, Monday, February 1, 2016 at 6:30 p.m. in the Conference Room in the Municipal Building, 220 Texas Boulevard, Texarkana, Texas with the following members present:

CITY COUNCIL MEMBERS ATTENDING:

Mayor Bob Bruggeman
Ms. Tina Veal-Gooch
Ms. Christy Paddock
Dr. Brian Matthews

PLANNING AND ZONING COMMISSION MEMBERS ATTENDING:

Ms. Diana Patterson Kinsey
Mr. Tom Coleman
Mr. Keith Garrett
Dr. Wanda Northam

ALSO ATTENDING:

Mr. John Whitson, City Manager
Mr. Jeff Lewis, City Attorney
Mr. David Orr, Director of Planning and Community Development
Ms. Jennifer Evans, City Secretary
Ms. Debbie Burk, Zoning Administrator

Ms. Diana Kinsey called the meeting to order at 6:30 p.m. She turned the meeting over to Mr. David Orr.

Mr. Orr stated that staff has provided City Council and Commission members with proposed changes and/or choices that are results of the sign workshop meetings that began in July, 2015. Mr. Orr explained that at the meeting in January, representatives from Whatley Signs were present at the meeting. Mr. David Whatley had stated that the 15 square feet and 25 square feet proposed CEVMS sizes were too small to be readable. He suggested increasing the sizes from 15 to 24 square feet and from 25 to 32 square feet.

Mr. Orr stated that the draft also shows the maximum overall size for CEVMS to be no larger than 70 square feet in size and 8 feet in height. Mr. Orr added that there was discussion at the last meeting about how to measure the square footage. He stated that the following definition has been added: "All CEVMS shall be measured by the square footage of the sign face and not by the overall sign structure unless otherwise states in Ordinance." He added that

Attachment: 2016-030 ATTH 01 Minutes from 2-1-16 joint workshop [Revision 1] (1448 : 2016-030 ORD amending Code of Ordinance pertaining

the draft still contained wording for nonconforming and damaged CEVMS. He stated that staff had prepared an amendment to the "Institutional" definition, that being" "Sign, institutional, means an accessory sign for the identify of a school, church, hospital, college, university and civic center." He added that it was suggested at the last meeting to add Texas Boulevard to the list of prohibited corridors. Those corridors now include: Galleria Oaks Drive, Cowhorn Creek Road north of I-30, Moores Lane, Richmond Road north of Moores Lane, Pleasant Grove Road and Texas Boulevard.

Mayor Bruggeman asked Mr. Mike Adcock with Hi-tech signs who was present at the meeting about the resolution of a 15 or 24 square foot electronic message sign. Mr. Adcock stated that a 15 square foot sign may be too small to read. He stated that resolution is important. Mr. Adcock also voiced concerns about the nonconforming signage. He stated that he is opposed to the fact that a sign for a business that is sold loses its nonconforming status and has to be replaced. He added that the new guidelines are too restrictive.

Dr. Matthews asked about defining public uses.

Ms. Gooch stated that public uses have already been defined in the proposed ordinance.

After more discussion among the members, Dr. Northam stated that a decision needs to be made as to the size of CEVMS. Dr. Northam added that she is happy with the 15 square feet in lower density areas. She added that she has a concern about electronic signs that malfunction. She asked if they could be made to be turned off or go to a black screen.

Mr. Orr pointed out that he had spoken to Mr. Gene Joyce, Chairman of the Commission about the proposed sign size. He stated that Mr. Joyce indicated that 15 and 25 square feet signs would force businesses to install monument style signs.

Mr. Whitson made the comment that existing pole sign not being used need to be removed.

After more discussion about sign size, the majority of the members voted to increase the electronic portion of the sign from 15 to 24 square feet and from 25 to 32 square feet.

There being no further business, the meeting was adjourned.

Diana Patterson Kinsey

FOR Diana Kinsey

Debbie Burk, Secretary

Attachment: 2016-030 ATTH 01 Minutes from 2-1-16 joint workshop [Revision 1] (1448 : 2016-030 ORD amending Code of Ordinance pertaining

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:

The Planning and Zoning Commission and City Council find it in the best interest of the public safety and general welfare to regulate the construction, design, demolition, maintenance and use of electronic messaging signage (CEVMS) to preserve the quality of life for city residences, visitors, and property owners.

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

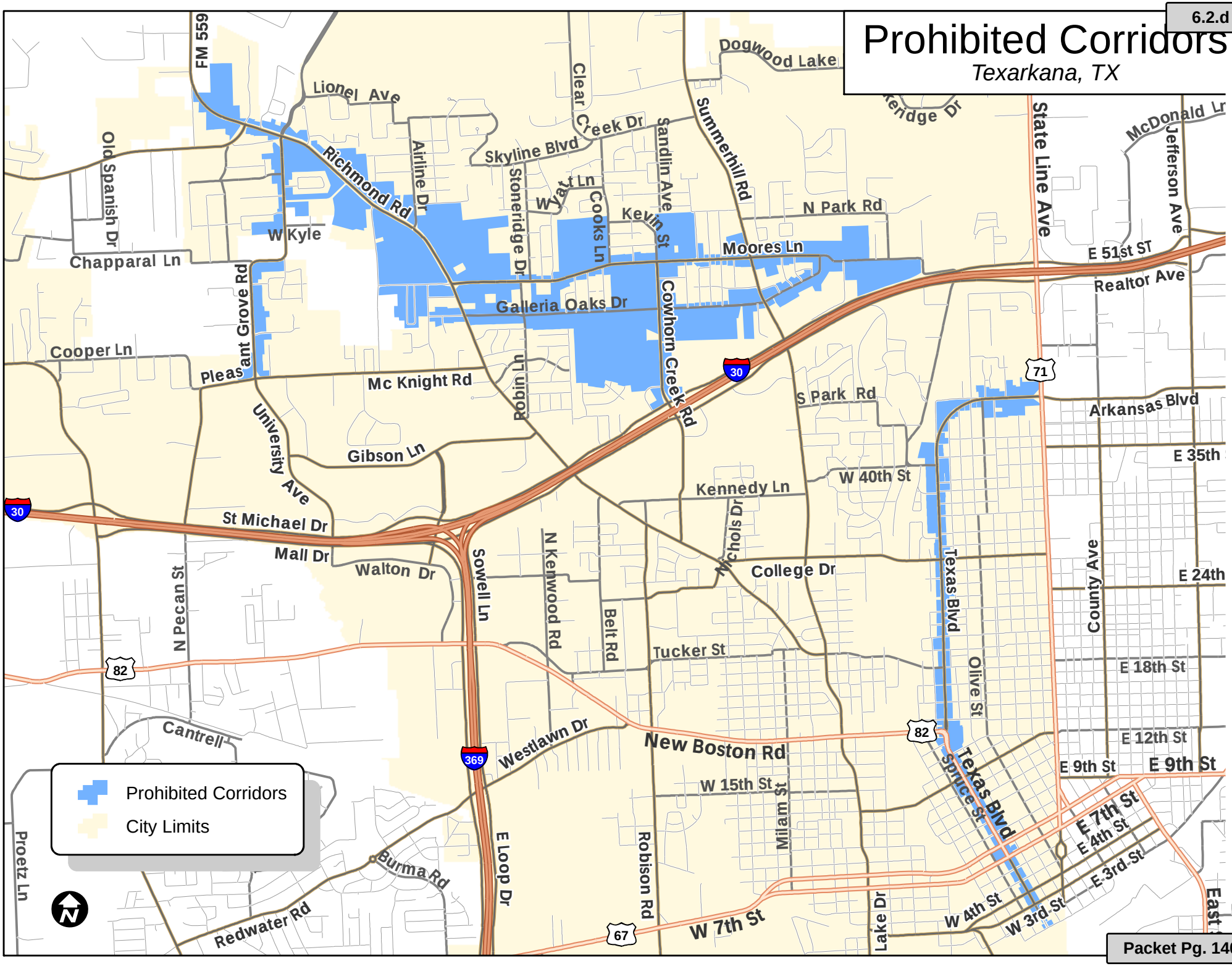
☑	Newspaper Notice (Required by Statute)	☑	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☑	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☐	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☐	None Required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

Other:

Attachment: 2016-030 Goals & Perspectives [Revision 1] (1448 : 2016-030 ORD amending Code of Ordinance pertaining to CEVMS (prohibited

Prohibited Corridors

Texarkana, TX



Attachment: 2016-030 ATTH 02 Prohibited Corridors (1448 : 2016-030 ORD amending Code of Ordinance

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 4/6/2016 11:19 AM

Lead Department:	Building Code Administration	**Action Officer:**	Jennifer Evans, City Secretary		
Subject:	Ordinance No. 2016-031 amending the Code of Ordinances of the City of Texarkana, Texas, by establishing minimum housing standards for all dwelling units.				
Briefing:	4/25/2016	**Public Hearing:**	4/11/2016	**Second Briefing:**	April 25, 2016
Council Vote:	5/9/2016				

Item Schedule

Updates/History of Briefing:

Executive Summary and Background Information:

City staff has determined that dwelling units in the city are not being maintained in a suitable manner for our citizens. By establishing Minimum Housing Standards it will improve living conditions for our citizens.

Potential Options:

Approve or deny the ordinance

-

Fiscal Implications:

Staff time to enforce

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

Building and Standards Commission, BSC, met on Wednesday, March 24, 2016.

Board/Committee Recommendation:

Building and Standards Commission recommended for approval .

Advisory Board/Committee Meeting Date and Minutes:

Building and Standards Committee March 23, 2016 - meeting minutes attached

Attachments

a. 2016-031 ORD Minimum Housing Standards (DOC)
b. 2016-031 EXH 'A' Minimum Housing Standards (DOCX)

c. 2016-031 Goals & Perspectives (DOCX)
d. 2016-031 ATTH 01 Meeting Minutes (PDF)

Staff Coordination

Building Code Administration	Completed	Lynn Henry 03/21/2016 3:15 PM	Department Head Review	
City Attorney	Vicky Coopwood	City Attorney Review	Skipped	03/23/2016 2:46 PM
Assistant City Manager Review	Completed	Shirley Jaster 03/24/2016 10:10 AM	Assistant City Manager	
Public Information Officer	03/24/2016 10:36 AM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	03/24/2016 10:40 AM
City Council	Jennifer Evans	Meeting	Completed	03/28/2016 6:00 PM

Meeting History

PUBLISH

ORDINANCE NO. 2016 - 031

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING CHAPTER 105 OF THE LAND DEVELOPMENT CODE OF THE CITY OF TEXARKANA, TEXAS, BY ESTABLISHING MINIMUM HOUSING STANDARDS AND MAKING A TECHNICAL AMENDMENT CLARIFYING CONSTRUCTION DEEMED AS A RESIDENCE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Texarkana, Texas, finds and determines that establishing minimal housing standards for dwellings, including lodging and rental properties, will improve living conditions and provide greater clarity for enforcement of housing standards within the City; and

WHEREAS, the City Council of the City of Texarkana, Texas, further finds and determines that a technical amendment should be made to clarify the requisite construction standards to deem a building or structure as a residence.

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

SECTION 1. Chapter 105, "Buildings and Construction", "Article I. - In General", of the Land Development Code of the City of Texarkana, Texas, shall be amended to add **Section 105-9. - Minimum Housing Standards**, as set forth in **Exhibit "A"** to this Ordinance, incorporated herein by reference for all purposes.

SECTION 2. Chapter 105, "Buildings and Construction", Article II, "Building, Residential and Energy Technical Codes", "Division 3. - Residential Code", Section 105-98, "International Residential Code for One- and Two-Family Dwellings, 2015 edition adopted.", of the Land Development Code of the City of Texarkana, Texas, shall be amended to add the following sentence (addition boldfaced and underscored):

> There is hereby adopted by the city for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, that certain building code known as the International Building Code, 2015 edition, save and except such portions as are hereinafter amended, modified or deleted by this division, said code being incorporated herein as if fully set out herein; the provisions thereof shall be controlling in the construction of all buildings and other structures contained within the corporate limits of the city. **A building or structure must be constructed to said code to be considered a residence.**

Attachment: 2016-031 ORD Minimum Housing Standards (1451 : 2016-031 ORD minimum housing standards)

PUBLISH

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

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

SECTION 5. 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 6. This Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **9th day of May, 2016**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2016-031 ORD Minimum Housing Standards (1451 : 2016-031 ORD minimum housing standards)

PUBLISH

Exhibit "A" to Ordinance No. 2016-031

Sec. 105-9. - Minimum Housing Standards.

(a) Room, space and floor area.

(1) Ceiling heights.

(a) Habitable space shall have a ceiling height of not less than seven (7) feet except as otherwise permitted in this section. Kitchens, halls, bathrooms and toilet compartments shall have a ceiling height of not less than seven (7) feet measured to the lowest projection from the ceiling. Where exposed beam ceiling members are spaced at less than forty-eight (48) inches on center, ceiling height shall be measured to the bottom of those members. Where exposed beam ceiling members are spaced at forty-eight (48) inches or more on center, ceiling height shall be measured to the bottom of the deck supported by those members provided that the bottom of the members is not less than seven (7) feet above the floor.

(b) In a room with a sloping ceiling, the prescribed ceiling height for the room is required in only onehalf the area thereof. No portion of a room measuring less than five (5) feet from the finished floor to the finished ceiling shall be included in any computation of the minimum area thereof. In a room with furred ceiling, the prescribed ceiling height is required in twothirds of the area thereof, but in no case shall the height of the furred ceiling be less than seven (7) feet.

(2) Floor area.

(a) Floor area. Every dwelling unit shall have at least 150 square feet of habitable floor area for the first occupant and 100 square feet of habitable floor area for each additional occupant. Except for kitchens, habitable rooms shall have an area of not less than 70 square feet. Where more than two persons occupy a room used for sleeping purposes the required floor area of 70 square feet shall be increased at the rate of fifty square feet for each occupant in excess of two.

(b) Nothing in this subsection shall prohibit the use of an efficiency living unit within a multifamily dwelling that meets the following requirements:

(i) The unit shall have a living room of not less than two hundred twenty (220) square feet of habitable floor area. An additional one hundred (100) square feet of floor area shall be provided for each occupant of such unit in excess of two (2).

(ii) The unit shall be provided with a separate closet.

(iii) The unit shall be provided with a kitchen sink, cooking appliances and refrigeration facilities each having a clear working space of not less than thirty (30) inches in front.

(iv) The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.

Attachment: 2016-031 ORD Minimum Housing Standards (1451 : 2016-031 ORD minimum housing standards)

PUBLISH

(3) Width. No habitable room other than a kitchen shall be less than seven (7) feet in dimension. Each water closet stool shall be located in a clear space not less than thirty (30) inches in width. A clear space in front of the water closet stool of not less than twenty-four (24) inches shall be provided.

(4) Capacity. A dwelling unit shall not be occupied by more than three persons who are unrelated to the first person listed on the deed of record as the owner (or first signatory on the executed lease if the property is leased) by blood, adoption or marriage, with the exception of:

(a) Children who are related to an occupant of the dwelling unit by blood, adoption, or marriage within two degrees of affinity or consanguinity; and

(b) Minor children who occupy the dwelling unit as a lawfully placed foster child.

(b) Light and ventilation.

(1) Natural light and ventilation. All habitable rooms within a dwelling unit shall be provided with natural light by means of exterior glazed openings with an area not less than the greater of onetenth of the floor area of such room or ten (10) square feet. All bathrooms, water closet compartments, laundry rooms and similar rooms shall be provided with natural ventilation by means of operable exterior openings with an area not less than the greater of onetwentieth of the floor area of such room or one and one-half (11/2) square feet. All habitable rooms within a dwelling unit shall be provided with natural ventilation by means of operable exterior openings with an area of not less than the greater of onetwentieth of the floor area of such room or five (5) square feet. Unless mechanical ventilation is provided, all openable windows must have installed serviceable insect screens.

(2) Origin of light and ventilation. Required exterior openings for natural light and ventilation shall open directly onto a street or public alley or a yard or court located on the same lot as the building or when allowed by other law. Required exterior openings may open into a roofed porch where the porch:

(a) Abuts a street, yard or court;

(b) Has a ceiling height of not less than seven (7) feet; and

(c) Has a longer side at least sixtyfive (65) percent open and unobstructed.

A required exterior opening in a room may open into a vent shaft which is open and unobstructed to the sky and not less than (4) feet in least dimension. No vent shaft shall extend through more than two (2) stories.

For the purpose of determining light and ventilation requirements, any room may be considered as a portion of an adjoining room when onehalf of the area of the common wall is open and unobstructed and provides an opening of not less than onetenth of the floor area on the interior room or twentyfive (25) square feet, whichever is greater.

(3) Mechanical ventilation. In lieu of required exterior openings for natural ventilation, a mechanical ventilation system may be provided. Such system shall be capable of providing two (2) air changes per hour in all habitable rooms and in public corridors. Onefifth of the air supply shall be taken from outside. In bathrooms, water closet

Attachment: 2016-031 ORD Minimum Housing Standards (1451 : 2016-031 ORD minimum housing standards)

PUBLISH

compartments, laundry rooms and similar rooms, a mechanical ventilation system shall be connected directly to the outside and shall be capable of providing five (5) air changes per hour.

(4) Hallways. All public hallways, stairs and other exit ways shall be adequately lighted at all times in accordance with the requirements of the Building Code.

(c) Sanitation.

(1) Dwelling units. Every dwelling unit shall be provided with a bathroom equipped with facilities consisting of a water closet, lavatory and either a bathtub or shower.

(2) Kitchen. Every dwelling unit shall be provided with a kitchen and kitchen sink. Wooden sinks or sinks of similarly absorbent material are prohibited.

(3) Fixtures. All plumbing fixtures shall be connected to a sanitary sewer or to an approved private sewage disposal system. All plumbing fixtures shall be connected to an approved system of water supply and provided with hot and cold running water under adequate pressure necessary for normal operation. All tubs, lavatories and commodes shall be of an approved glazed earthenware type or of a similar approved nonabsorbent material.

(4) Room separations finish. Every water closet, bathtub or shower required by this article shall be installed in a room which will afford privacy to the occupant. A room in which a water closet is located shall be separated from food preparation or food storage rooms. Every bathroom shall have an approved moisture resistant finish on the flooring or subflooring.

(5) Floor coverings. When in the opinion of the City, the floor covering of a dwelling unit, which is leased or rented to a party other than the owner, is in a condition that normal cleaning will not reduce mold spore and bacterial concentrations to safe levels, the floor covering shall be replaced with new floor covering which conforms to the currently adopted version of the International Building Code.

(6) Cleanout Plugs. All sanitary sewer cleanouts must have plugs (caps) installed to prevent entrance of rodents and storm water to the sanitary sewer system. Plugs must comply with the International Plumbing Code section 708.

(d) Mechanical requirements.

(1) Heating. Every dwelling unit shall be provided with approved heating facilities in operating condition capable of maintaining a room temperature of seventy-one (71) degrees Fahrenheit at a point three (3) feet above the floor in all habitable rooms.

(2) Electrical power. If electrical power is available, the dwelling unit shall be connected to such electrical power. Every habitable room shall contain at least two (2) supplied electrical convenience outlets or one (1) convenience outlet and one (1) supplied electrical light fixture. Every bathroom, kitchen, laundry room, and public hallway shall contain at least one (1) supplied electric light fixture and one (1) supplied convenience outlet. Electric circuits and outlets shall be maintained in operating condition and shall be sufficient to safely carry a load consistent with the standards contained in the version of the National Electrical Code most recently adopted by the City.

Attachment: 2016-031 ORD Minimum Housing Standards (1451 : 2016-031 ORD minimum housing standards)

PUBLISH

(3) Water heaters. All water heaters shall be installed in accordance with the Plumbing Code and shall be provided with an over temperature safety device manufactured, listed and installed in accordance with applicable nationally recognized safety standards for such devices. Every water heater shall have a discharge line the same diameter as the outlet and shall drain to the exterior of the building. If it is not reasonably possible to drain the discharge line to the exterior of the building, the line shall terminate not less than six (6) inches nor more than eight (8) inches from the floor. No water heater which depends upon direct combustion of fuel for heat shall be installed in any room used for sleeping or in a bathroom, nor in any closet or other confined space opening into a sleeping room or bathroom. In buildings constructed prior to the adoption of this section, the water heater may be installed in any location as long as approved safety dividers or shields are properly in place for the water heater and the installation does not create an additional hazard.

(4) Ventilation for fuelburning devices. Each heating and cooking device that burns solid fuel shall be properly connected to a chimney or flue. Chimney, flue and vent attachments shall be maintained in operating condition.

(5) Smoke and Carbon Monoxide Alarms. Smoke Alarms shall be installed as per the International Property Maintenance Code section 704 in existing residences. In bedroom additions or remodels smoke and carbon monoxide alarms must be installed per the International Residential Code section R314.

(6) Cooling tower testing. Each owner of a multifamily dwelling or lodging establishment which utilizes a cooling tower as a functional portion of an HVAC system shall, at the owner's expense, perform annual testing of the cooling tower for the presence of Legionella pneumophila. The testing shall be performed by a third party entity using analytical and collection procedures approved by the City. In the event that the property owner cannot provide a proper sampling technique, the property owner, on a form provided for such use by the City, may request that the sample be obtained and tested by the City Health Department and reimburse same for incurred expenses. The owner shall provide the laboratory test report to the City within 10 days of receipt for negative results and within 48 hours of receipt for positive test results.

(7) Pathogen testing. When, in the opinion of the City, there is epidemiologic, microbiological, or physical evidence of the presence of a bacterial or fungal pathogen within the water supply, cooling tower(s), or HVAC system of a multifamily dwelling, the owner shall, at the owner's expense, utilize a third party testing entity and perform tests for human pathogens. The owner shall test for any pathogens specified by the City utilizing analytical procedures approved by the City. The owner shall provide the original document of the test results to the City within 48 hours of receipt by the owner.

(e) Exits.

(1) Every dwelling unit shall have access directly to the outside or to a public corridor.

(2) Every sleeping room below the fourth story shall have at least one operable window or exterior door for emergency egress. The window or exterior door shall be operable from inside the dwelling without the use of tools or separate devices. All required egress windows and doors shall have the following minimum dimensions:

Attachment: 2016-031 ORD Minimum Housing Standards (1451 : 2016-031 ORD minimum housing standards)

PUBLISH

(a)(i) A minimum net clear opening of five square feet on the first floor and five and seven tenths square feet on the second and higher floors;

(ii) A minimum net clear opening height of twenty-four inches;

(iii) A minimum net clear opening width of twenty inches; and

(iv) If the required opening is a window, a finished sill height of not more than forty-four inches above the floor; or

(b) The minimum dimensions required by law applicable at the time the dwelling was constructed.

(f) Lodging. All of the provisions of this section apply to lodging with the exception of subsections (a)(2), (a)(4), (b)(1), (b)(2), and (c)(2). The following additional standards shall apply to lodging but do not apply to singlefamily or multifamily dwellings unless required by another provision of this Code:

(1)Furnishings shall be maintained in good condition and clean. Furnishings with excessive wear, tears, or stains shall be replaced.

(2)After each occupancy, the guest room shall be vacuumed, smooth surfaces on all fixtures shall be cleaned and sanitized, and trash shall be removed from the room. Glasses, pitchers, ice buckets, coffee pots, and eating and cooking utensils (other than disposable, single use utensils) shall be cleaned and sanitized.

(3)All rooms, furnishings, and bedding shall be free from an accumulation or infestation of insects or ectoparasites. If a lodging room becomes infested with insects of any type, the room shall not be occupied until the infestation is controlled. Lodging establishments shall, at a minimum, perform monthly pest control for all lodging rooms, or at more frequent intervals as required by the Director, in order to prevent infestation. Records of pest control treatments shall be made available for review on request by the Director.

(4)Soap shall be provided in every lodging room by means of dispensed liquid or with new individually wrapped bar soap. Used bar soap shall be removed from the lodging room when the guest ends the occupancy. Other toiletries provided by the lodging establishment which have been opened by the guest shall be removed when the guest ends the occupancy. Used soap and toiletries shall be discarded and shall not be used for any other purpose. A dispensed liquid soap shall be provided in all common and public bathrooms and toilets.

(5)Single service utensils and single service articles shall be replaced after each occupancy when visibly damaged or evidence of tampering or contamination exists.

(6)Ice provided to guests in any manner shall be produced only from potable water. Ice machines shall be free from visible trash and sediment. Ice shall not be made or stored in an owner's or managers private refrigerator or private living areas. Ice that is not produced at the lodging establishment shall be obtained from an approved source and shall be properly labeled and protected from contamination during transportation and storage. Ice machines shall be of sanitary, durable, corrosionresistant, and easily cleanable construction. Ice machines shall be kept sanitized and in good repair. Ice storage bins shall be drained into an approved sewage system and must have a physical

Attachment: 2016-031 ORD Minimum Housing Standards (1451 : 2016-031 ORD minimum housing standards)

air gap. When replacement of a selfservice ice machine becomes necessary or additional machines are added, an automatic self serve ice dispensing machine shall be installed instead. Ice machines shall be located in a place that provides protection from the elements and possible sources of contamination. Exterior ice machine locations shall have, at a minimum, overhead protection. The area shall be kept clean and shall be free of accumulation of excessive moisture, drippage, or trash. An ice machine with a storage bin for ice shall be equipped with an ice scoop that is attached to the ice bin with a tether of easily cleanable material. The tether shall be of such a length to prevent the scoop from touching the ground and shall be maintained in a clean and sanitary condition.

(7)Lodging rooms shall be provided with clean linens for every bed in the room after each occupancy and enough towels for at least two occupants. All linens, towels, and laundry provided to a guest shall be provided in a clean, sanitary condition without excessive stains or damage. During laundering, clean linens, towels, and laundry shall be kept in separate carts and stored away from soiled linens, towels, and laundry. Clean linens, towels, and laundry shall be protected from dust, dirt, vermin, or other contamination.

(8)Lodging establishments with nonguest laundry facilities shall use the laundry only for the washing and drying of linens, towels, uniforms, and aprons necessary to the operation of the lodging establishment; other uses of the laundry are prohibited. Laundry equipment such as washers and dryers shall be of commercialgrade and shall be installed and used according to manufacturer's instructions and specifications. Laundry facilities shall be separated from any other permanent living quarters by complete partitioning and solid selfclosing doors. Traffic through or use by guests of a nonguest laundry facility is prohibited. Laundry facilities for the use of guests, if provided, shall be located separate from nonguest laundry facilities. Guest laundry facilities shall be clean and maintained in good repair.

(9)The lodging establishments shall be kept in a clean and sanitary condition and in good repair. Kitchen amenities in guestrooms with kitchens or kitchenettes shall be properly maintained and in good working order.

(10) The lodging establishment shall keep, for a period of no less than ninety days, records of the cleaning frequency of rooms that are used for extended guests stays. The records shall include information regarding the last cleaning performed and any room damage or repairs.

(11) No employee of a lodging establishment who is a carrier of or infected with a communicable disease (as specified by the Health Authority), or who is affected with a boil, an infected wound or an acute respiratory infection, shall work in a lodging establishment in any capacity in which there is a likelihood that the employee may transmit the disease to other persons. Employees who work with or handle single service items, such as clean laundry, ice or beverages or who perform tasks that would contaminate their hands shall thoroughly wash their hands and exposed areas of their arms before starting work, after smoking, eating or using the toilet. Employees shall keep their fingernails trimmed evenly and clean. Employees involved in guest services and housekeeping functions shall wear clean clothing, in good repair. When performing cleaning functions that could bring the employee into contact with human waste or bodily fluids, the employee shall be provided protective gloves for optional use.

Attachment: 2016-031 ORD Minimum Housing Standards (1451 : 2016-031 ORD minimum housing standards)

PUBLISH

(12) Not more than ten percent of the lodging rooms in lodging establishment may be used for storage purposes. At least ninety percent of the lodging rooms in a lodging establishment shall be available for occupancy or occupied by a guest.

Attachment: 2016-031 ORD Minimum Housing Standards (1451 : 2016-031 ORD minimum housing standards)

Exhibit "A" to Ordinance No. 2016-031

Sec. 105-9. - Minimum Housing Standards.

(a) Room, space and floor area.

(1) Ceiling heights.

(a) Habitable space shall have a ceiling height of not less than seven (7) feet except as otherwise permitted in this section. Kitchens, halls, bathrooms and toilet compartments shall have a ceiling height of not less than seven (7) feet measured to the lowest projection from the ceiling. Where exposed beam ceiling members are spaced at less than forty-eight (48) inches on center, ceiling height shall be measured to the bottom of those members. Where exposed beam ceiling members are spaced at forty-eight (48) inches or more on center, ceiling height shall be measured to the bottom of the deck supported by those members provided that the bottom of the members is not less than seven (7) feet above the floor.

(b) In a room with a sloping ceiling, the prescribed ceiling height for the room is required in only onehalf the area thereof. No portion of a room measuring less than five (5) feet from the finished floor to the finished ceiling shall be included in any computation of the minimum area thereof. In a room with furred ceiling, the prescribed ceiling height is required in twothirds of the area thereof, but in no case shall the height of the furred ceiling be less than seven (7) feet.

(2) Floor area.

(a) Floor area. Every dwelling unit shall have at least 150 square feet of habitable floor area for the first occupant and 100 square feet of habitable floor area for each additional occupant. Except for kitchens, habitable rooms shall have an area of not less than 70 square feet. Where more than two persons occupy a room used for sleeping purposes the required floor area of 70 square feet shall be increased at the rate of fifty square feet for each occupant in excess of two.

(b) Nothing in this subsection shall prohibit the use of an efficiency living unit within a multifamily dwelling that meets the following requirements:

(i) The unit shall have a living room of not less than two hundred twenty (220) square feet of habitable floor area. An additional one hundred (100) square feet of floor area shall be provided for each occupant of such unit in excess of two (2).

(ii) The unit shall be provided with a separate closet.

(iii) The unit shall be provided with a kitchen sink, cooking appliances and refrigeration facilities each having a clear working space of not less than thirty (30) inches in front.

(iv) The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.

Attachment: 2016-031 EXH 'A' Minimum Housing Standards (1451 : 2016-031 ORD minimum housing standards)

(3) Width. No habitable room other than a kitchen shall be less than seven (7) feet in dimension. Each water closet stool shall be located in a clear space not less than thirty (30) inches in width. A clear space in front of the water closet stool of not less than twenty-four (24) inches shall be provided.

(4) Capacity. A dwelling unit shall not be occupied by more than three persons who are unrelated to the first person listed on the deed of record as the owner (or first signatory on the executed lease if the property is leased) by blood, adoption or marriage, with the exception of:

(a) Children who are related to an occupant of the dwelling unit by blood, adoption, or marriage within two degrees of affinity or consanguinity; and

(b) Minor children who occupy the dwelling unit as a lawfully placed foster child.

(b) Light and ventilation.

(1) Natural light and ventilation. All habitable rooms within a dwelling unit shall be provided with natural light by means of exterior glazed openings with an area not less than the greater of onetenth of the floor area of such room or ten (10) square feet. All bathrooms, water closet compartments, laundry rooms and similar rooms shall be provided with natural ventilation by means of operable exterior openings with an area not less than the greater of onetwentieth of the floor area of such room or one and onehalf (11/2) square feet. All habitable rooms within a dwelling unit shall be provided with natural ventilation by means of operable exterior openings with an area of not less than the greater of onetwentieth of the floor area of such room or five (5) square feet. Unless mechanical ventilation is provided, all openable windows must have installed serviceable insect screens.

(2) Origin of light and ventilation. Required exterior openings for natural light and ventilation shall open directly onto a street or public alley or a yard or court located on the same lot as the building or when allowed by other law. Required exterior openings may open into a roofed porch where the porch:

(a) Abuts a street, yard or court;

(b) Has a ceiling height of not less than seven (7) feet; and

(c) Has a longer side at least sixtyfive (65) percent open and unobstructed.

A required exterior opening in a room may open into a vent shaft which is open and unobstructed to the sky and not less than (4) feet in least dimension. No vent shaft shall extend through more than two (2) stories.

For the purpose of determining light and ventilation requirements, any room may be considered as a portion of an adjoining room when onehalf of the area of the common wall is open and unobstructed and provides an opening of not less than one-tenth of the floor area on the interior room or twentyfive (25) square feet, whichever is greater.

(3) Mechanical ventilation. In lieu of required exterior openings for natural ventilation, a mechanical ventilation system may be provided. Such system shall be capable of providing two (2) air changes per hour in all habitable rooms and in public corridors. Onefifth of the air supply shall be taken from outside. In bathrooms, water

Attachment: 2016-031 EXH 'A' Minimum Housing Standards (1451 : 2016-031 ORD minimum housing standards)

closet compartments, laundry rooms and similar rooms, a mechanical ventilation system shall be connected directly to the outside and shall be capable of providing five (5) air changes per hour.

(4) Hallways. All public hallways, stairs and other exit ways shall be adequately lighted at all times in accordance with the requirements of the Building Code.

(c) Sanitation.

(1) Dwelling units. Every dwelling unit shall be provided with a bathroom equipped with facilities consisting of a water closet, lavatory and either a bathtub or shower.

(2) Kitchen. Every dwelling unit shall be provided with a kitchen and kitchen sink. Wooden sinks or sinks of similarly absorbent material are prohibited.

(3) Fixtures. All plumbing fixtures shall be connected to a sanitary sewer or to an approved private sewage disposal system. All plumbing fixtures shall be connected to an approved system of water supply and provided with hot and cold running water under adequate pressure necessary for normal operation. All tubs, lavatories and commodes shall be of an approved glazed earthenware type or of a similar approved nonabsorbent material.

(4) Room separations finish. Every water closet, bathtub or shower required by this article shall be installed in a room which will afford privacy to the occupant. A room in which a water closet is located shall be separated from food preparation or food storage rooms. Every bathroom shall have an approved moisture resistant finish on the flooring or subflooring.

(5) Floor coverings. When in the opinion of the City, the floor covering of a dwelling unit, which is leased or rented to a party other than the owner, is in a condition that normal cleaning will not reduce mold spore and bacterial concentrations to safe levels, the floor covering shall be replaced with new floor covering which conforms to the currently adopted version of the International Building Code.

(6) Cleanout Plugs. All sanitary sewer cleanouts must have plugs (caps) installed to prevent entrance of rodents and storm water to the sanitary sewer system. Plugs must comply with the International Plumbing Code section 708.

(d) Mechanical requirements.

(1) Heating. Every dwelling unit shall be provided with approved heating facilities in operating condition capable of maintaining a room temperature of seventy-one (71) degrees Fahrenheit at a point three (3) feet above the floor in all habitable rooms.

(2) Electrical power. If electrical power is available, the dwelling unit shall be connected to such electrical power. Every habitable room shall contain at least two (2) supplied electrical convenience outlets or one (1) convenience outlet and one (1) supplied electrical light fixture. Every bathroom, kitchen, laundry room, and public hallway shall contain at least one (1) supplied electric light fixture and one (1) supplied convenience outlet. Electric circuits and outlets shall be maintained in operating condition and shall be sufficient to safely carry a load consistent with the standards contained in the version of the National Electrical Code most recently adopted by the City.

Attachment: 2016-031 EXH 'A' Minimum Housing Standards (1451 : 2016-031 ORD minimum housing standards)

(3) Water heaters. All water heaters shall be installed in accordance with the Plumbing Code and shall be provided with an over temperature safety device manufactured, listed and installed in accordance with applicable nationally recognized safety standards for such devices. Every water heater shall have a discharge line the same diameter as the outlet and shall drain to the exterior of the building. If it is not reasonably possible to drain the discharge line to the exterior of the building, the line shall terminate not less than six (6) inches nor more than eight (8) inches from the floor. No water heater which depends upon direct combustion of fuel for heat shall be installed in any room used for sleeping or in a bathroom, nor in any closet or other confined space opening into a sleeping room or bathroom. In buildings constructed prior to the adoption of this section, the water heater may be installed in any location as long as approved safety dividers or shields are properly in place for the water heater and the installation does not create an additional hazard.

(4) Ventilation for fuelburning devices. Each heating and cooking device that burns solid fuel shall be properly connected to a chimney or flue. Chimney, flue and vent attachments shall be maintained in operating condition.

(5) Smoke and Carbon Monoxide Alarms. Smoke Alarms shall be installed as per the International Property Maintenance Code section 704 in existing residences. In bedroom additions or remodels smoke and carbon monoxide alarms must be installed per the International Residential Code section R314.

(6) Cooling tower testing. Each owner of a multifamily dwelling or lodging establishment which utilizes a cooling tower as a functional portion of an HVAC system shall, at the owner's expense, perform annual testing of the cooling tower for the presence of Legionella pneumophila. The testing shall be performed by a third party entity using analytical and collection procedures approved by the City. In the event that the property owner cannot provide a proper sampling technique, the property owner, on a form provided for such use by the City, may request that the sample be obtained and tested by the City Health Department and reimburse same for incurred expenses. The owner shall provide the laboratory test report to the City within 10 days of receipt for negative results and within 48 hours of receipt for positive test results.

(7) Pathogen testing. When, in the opinion of the City, there is epidemiologic, microbiological, or physical evidence of the presence of a bacterial or fungal pathogen within the water supply, cooling tower(s), or HVAC system of a multifamily dwelling, the owner shall, at the owner's expense, utilize a third party testing entity and perform tests for human pathogens. The owner shall test for any pathogens specified by the City utilizing analytical procedures approved by the City. The owner shall provide the original document of the test results to the City within 48 hours of receipt by the owner.

(e) Exits.

(1) Every dwelling unit shall have access directly to the outside or to a public corridor.

(2) Every sleeping room below the fourth story shall have at least one operable window or exterior door for emergency egress. The window or exterior door shall be operable from inside the dwelling without the use of tools or separate devices. All required egress windows and doors shall have the following minimum dimensions:

Attachment: 2016-031 EXH 'A' Minimum Housing Standards (1451 : 2016-031 ORD minimum housing standards)

(a)(i) A minimum net clear opening of five square feet on the first floor and five and seven tenths square feet on the second and higher floors;

(ii) A minimum net clear opening height of twenty-four inches;

(iii) A minimum net clear opening width of twenty inches; and

(iv) If the required opening is a window, a finished sill height of not more than forty-four inches above the floor; or

(b) The minimum dimensions required by law applicable at the time the dwelling was constructed.

(f) Lodging. All of the provisions of this section apply to lodging with the exception of subsections (a)(2), (a)(4), (b)(1), (b)(2), and (c)(2). The following additional standards shall apply to lodging but do not apply to singlefamily or multifamily dwellings unless required by another provision of this Code:

(1) Furnishings shall be maintained in good condition and clean. Furnishings with excessive wear, tears, or stains shall be replaced.

(2) After each occupancy, the guest room shall be vacuumed, smooth surfaces on all fixtures shall be cleaned and sanitized, and trash shall be removed from the room. Glasses, pitchers, ice buckets, coffee pots, and eating and cooking utensils (other than disposable, single use utensils) shall be cleaned and sanitized.

(3) All rooms, furnishings, and bedding shall be free from an accumulation or infestation of insects or ectoparasites. If a lodging room becomes infested with insects of any type, the room shall not be occupied until the infestation is controlled. Lodging establishments shall, at a minimum, perform monthly pest control for all lodging rooms, or at more frequent intervals as required by the Director, in order to prevent infestation. Records of pest control treatments shall be made available for review on request by the Director.

(4) Soap shall be provided in every lodging room by means of dispensed liquid or with new individually wrapped bar soap. Used bar soap shall be removed from the lodging room when the guest ends the occupancy. Other toiletries provided by the lodging establishment which have been opened by the guest shall be removed when the guest ends the occupancy. Used soap and toiletries shall be discarded and shall not be used for any other purpose. A dispensed liquid soap shall be provided in all common and public bathrooms and toilets.

(5) Single service utensils and single service articles shall be replaced after each occupancy when visibly damaged or evidence of tampering or contamination exists.

(6) Ice provided to guests in any manner shall be produced only from potable water. Ice machines shall be free from visible trash and sediment. Ice shall not be made or stored in an owner's or managers private refrigerator or private living areas. Ice that is not produced at the lodging establishment shall be obtained from an approved source and shall be properly labeled and protected from contamination during transportation and storage. Ice machines shall be of sanitary, durable, corrosionresistant, and easily cleanable construction. Ice machines shall be kept sanitized and in good repair. Ice

Attachment: 2016-031 EXH 'A' Minimum Housing Standards (1451 : 2016-031 ORD minimum housing standards)

storage bins shall be drained into an approved sewage system and must have a physical air gap. When replacement of a selfservice ice machine becomes necessary or additional machines are added, an automatic self serve ice dispensing machine shall be installed instead. Ice machines shall be located in a place that provides protection from the elements and possible sources of contamination. Exterior ice machine locations shall have, at a minimum, overhead protection. The area shall be kept clean and shall be free of accumulation of excessive moisture, drippage, or trash. An ice machine with a storage bin for ice shall be equipped with an ice scoop that is attached to the ice bin with a tether of easily cleanable material. The tether shall be of such a length to prevent the scoop from touching the ground and shall be maintained in a clean and sanitary condition.

(7) Lodging rooms shall be provided with clean linens for every bed in the room after each occupancy and enough towels for at least two occupants. All linens, towels, and laundry provided to a guest shall be provided in a clean, sanitary condition without excessive stains or damage. During laundering, clean linens, towels, and laundry shall be kept in separate carts and stored away from soiled linens, towels, and laundry. Clean linens, towels, and laundry shall be protected from dust, dirt, vermin, or other contamination.

(8) Lodging establishments with nonguest laundry facilities shall use the laundry only for the washing and drying of linens, towels, uniforms, and aprons necessary to the operation of the lodging establishment; other uses of the laundry are prohibited. Laundry equipment such as washers and dryers shall be of commercialgrade and shall be installed and used according to manufacturer's instructions and specifications. Laundry facilities shall be separated from any other permanent living quarters by complete partitioning and solid selfclosing doors. Traffic through or use by guests of a nonguest laundry facility is prohibited. Laundry facilities for the use of guests, if provided, shall be located separate from nonguest laundry facilities. Guest laundry facilities shall be clean and maintained in good repair.

(9) The lodging establishments shall be kept in a clean and sanitary condition and in good repair. Kitchen amenities in guestrooms with kitchens or kitchenettes shall be properly maintained and in good working order.

(10) The lodging establishment shall keep, for a period of no less than ninety days, records of the cleaning frequency of rooms that are used for extended guests stays. The records shall include information regarding the last cleaning performed and any room damage or repairs.

(11) No employee of a lodging establishment who is a carrier of or infected with a communicable disease (as specified by the Health Authority), or who is affected with a boil, an infected wound or an acute respiratory infection, shall work in a lodging establishment in any capacity in which there is a likelihood that the employee may transmit the disease to other persons. Employees who work with or handle single service items, such as clean laundry, ice or beverages or who perform tasks that would contaminate their hands shall thoroughly wash their hands and exposed areas of their arms before starting work, after smoking, eating or using the toilet. Employees shall keep their fingernails trimmed evenly and clean. Employees involved in guest services and housekeeping functions shall wear clean clothing, in good repair. When

Attachment: 2016-031 EXH 'A' Minimum Housing Standards (1451 : 2016-031 ORD minimum housing standards)

performing cleaning functions that could bring the employee into contact with human waste or bodily fluids, the employee shall be provided protective gloves for optional use.

(12) Not more than ten percent of the lodging rooms in lodging establishment may be used for storage purposes. At least ninety percent of the lodging rooms in a lodging establishment shall be available for occupancy or occupied by a guest.

Attachment: 2016-031 EXH 'A' Minimum Housing Standards (1451 : 2016-031 ORD minimum housing standards)

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: 2016-031 Goals & Perspectives (1451 : 2016-031 ORD minimum housing standards)

Building and Standards Committee

Minutes

March 23, 2016 Meeting 11:30 AM City Council Chambers

I. Meeting was called to order by Lynn Henry @ 11:25.

II. Quorum was established by Members present: Myron Stringer-Board President, Dan Boyles, Eddie Coe, Betty Williams, and James Cook. Others present Lynn Henry-Chief Building Official and Randy House.

III. Lynn proceeded to give explanation of proposed City Ordinance 2016-031 for Minimum Housing Standards.

IV. Lynn presented City Ordinance 2016-032 for dwelling unit permits.

V. Dan Boyles made motion to adopt City Ordinance 2016-031 for Minimum Housing Standard. Motion was seconded by Myron Stringer. Motion passed unanimous .

VI. Dan Boyles made motion to adopt City Ordinance 2016-032 for Dwelling Unit Permits with the addition to Sec 105-1.02 (G) upon property ownership change the city will allow a 30 day grace period to comply with new permit. Motion passed unanimously.

VII. Myron Stringer made motion to adjourn @12:10 Dan Boyles seconded motion.

Minutes prepared by Randy House

Minutes approved by Myron Stringer, Board President

Myron Stringer

Attachment: 2016-031 ATTH 01 Meeting Minutes (1451 : 2016-031 ORD minimum housing standards)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 4/6/2016 11:20 AM

Lead Department:	Building Code Administration	**Action Officer:**	Jennifer Evans, City Secretary		
Subject:	Ordinance No. 2016-032 requiring property owners to register rental property through dwelling unit permits requiring inspections and establishing a permit fee.				
Briefing:	4/25/2016	**Public Hearing:**	4/11/2016	**Second Briefing:**	April 25, 2016
Council Vote:	5/9/2016				

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

City staff has determined that lodging, dwellings and rental property is not being maintained in good repair in many parts of our city. Owner information is not readily available for Code Enforcement, Fire Department and the Police Department on rental, dwelling units or lodging for violations or emergency situations.

Potential Options:

- Approve the ordinance as written or make amendments.
- Deny the ordinance.

Fiscal Implications:

Will need to hire additional Inspector to perform required inspections. Additional costs in Attachment 01.

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

Building and Standards Commission, BSC, met on Wednesday, March 23, 2016.

Board/Committee Recommendation:

The BSC recommended for approval with one change. The Commission recommended to allow a 30 day grace period for a change in property ownership to comply with a new permit. That change has been added in the ordinance under Exhibit A.

Advisory Board/Committee Meeting Date and Minutes:

Building and Standards Committee March 23, 2016 – meeting minutes attached

Attachments

a. 2016-032 ORD Dwelling Unit Permits (DOC)
b. 2016-032 ATTH 01 Inspector Costs (DOCX)
c. 2016-032 Goals & Perspectives (DOCX)
d. 2016-032 ATTH 02 Meeting Minutes (PDF)
e. 2016-032 EXH A Dwelling Unit Permits (DOCX)

Staff Coordination

Building Code Administration	Completed	Lynn Henry 03/21/2016 3:28 PM	Department Head Review	
City Attorney	Vicky Coopwood	City Attorney Review	Skipped	03/23/2016 2:48 PM
Assistant City Manager Review	Completed	Shirley Jaster 03/23/2016 5:15 PM	Assistant City Manager	
Public Information Officer	03/23/2016 5:16 PM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	03/23/2016 9:33 PM
City Council	Jennifer Evans	Meeting	Completed	03/28/2016 6:00 PM

Meeting History

PUBLISH

ORDINANCE NO. 2016 - 032

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING CHAPTER 105 OF THE LAND DEVELOPMENT CODE OF THE CITY OF TEXARKANA, TEXAS, BY ESTABLISHING DWELLING RENTAL PERMITS AND INSPECTIONS; AMENDING THE MASTER FEE LIST FOR DWELLING RENTAL PERMITS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, staff currently does not having access to rental property owners information; and

WHEREAS, creating a permitting program for rental dwelling units will give staff access to tenant and owners information; and

WHEREAS, this permit process will improve living conditions for rental tenants by inspection of the units to meet minimum housing standards.

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

SECTION 1: Chapter 105, "Buildings and Construction", "Article I. - In General", of the Land Development Code of the City of Texarkana, Texas, shall be amended to add **Section 105-10. - Dwelling Rental Permits,** as set forth in **Exhibit "A"** to this Ordinance, incorporated herein by reference for all purposes.

SECTION 2: The Master Fee List shall be amended to add an annual fee of $15.00 for each dwelling rental permit.

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

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

SECTION 5. 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 6. This Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **9th day of May, 2016**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2016-032 ORD Dwelling Unit Permits (1452 : 2016-032 ORD dwelling unit permits)

PUBLISH

Exhibit "A" to Ordinance No. 2016-032

Sec. 105-10. - Dwelling rental permits

(a) Permit required. No person shall rent a dwelling without first obtaining a permit issued under the provisions of this section. It shall be unlawful to submit a false or fraudulent application for a dwelling rental permit. A person who rents a dwelling knowing that a permit has not been issued for that dwelling or who knows that the permit issued for that dwelling has been revoked commits an offense each day the dwelling is occupied by a tenant.

(b) Application; form. An applicant for a dwelling rental permit shall file with the City a written application, on a form provided by the City, signed by the owner (or the owner's authorized agent) of the dwelling to be permitted. An applicant who owns more than one dwelling shall file a separate application for each dwelling.

(c) Form; contents. The application shall include:

1. The name, physical street address, telephone number, and driver's license or other government-issued identification number of the owner, and the name, street address, and telephone number of any property manager of the property for which an application is being submitted;

2. If the owner is other than an individual, the legal name, all trade names, and the registered agent, managing partner, or other person authorized to accept service on behalf of the owner; and

3. The name and telephone number of the tenant responsible for the dwelling, if available, at the time of application.

4. Description of property in relation to compliance with section 105-9 [Minimum Housing Standards].

(d) Agent for service. An applicant may designate on the application a local agent who shall be the authorized agent for purposes of notice and other communications provided in this section. If an owner designates an agent for service as provided in this subsection, service of any notice under this Code on the designated agent shall constitute service upon the owner unless the Chief Building Official or designee receives actual notice from the owner that the designated agent is no longer authorized to accept service on behalf of the owner.

(e) Smoke alarm and occupancy limits certification. The applicant shall certify that the dwelling for which the application is submitted is equipped with properly working smoke

Attachment: 2016-032 ORD Dwelling Unit Permits (1452 : 2016-032 ORD dwelling unit permits)

alarms in accordance with the provisions of the International Residential Code section R314 (*cf.* section 105-98) and that the dwelling will not violate the occupancy limits established by section 105-9**.**

(f) Accessibility of permit; replacement. A dwelling rental permit issued pursuant to this section shall be maintained by the City, with a copy provided to the permittee.

(g) Permit non-assignable; surrender. A permit issued under this section is not assignable or transferable. A permit is valid only for the dwelling premises for which it is issued. It shall be unlawful for any person to counterfeit, forge, change, deface, or alter a permit. A permit may be canceled only upon written request of the owner(s) and surrender of the permit document to the Chief Building Official or designee. The surrender of a permit shall be effective immediately upon its delivery to the Chief Building Official or designee.

(h) Permit term and fee.

1. Each rental permit issued under this section shall be valid for three years from its date of issuance, unless suspended or revoked.

2. Applications for permit shall include an annual permit fee in an amount as established by the City Council from time to time which is on file in the City Secretary's office or City website.

3. Upon expiration of the permit period, if an enforcement action has been taken against a property or the owner of a property, the property shall revert to an annual permit unless, upon inspection of the property and verification of compliance with this section, the Chief Building Official or designee determines that the public interest will be served by re-permitting the property for a three-year permit interval.

(i) Inspection. The premises for which the application is submitted or for which a permit has been previously issued shall be inspected for compliance with the provisions of section 105-9 as follows:

1. Expiration of initial three-year permit. A rental dwelling shall be inspected by the City upon the expiration of the initial three-year permit; provided, however, the Chief Building Official or designee may waive reinspection if no enforcement action for a violation of a provision of this section has been commenced during the previous permit period against either the permit holder or the permitted property.

2. Change in tenancy. A rental dwelling shall be inspected by the City each time there is a change in tenancy. A release of utilities may be provided

Attachment: 2016-032 ORD Dwelling Unit Permits (1452 : 2016-032 ORD dwelling unit permits)

upon application for utilities pending a change in tenancy inspection; provided, however, a release for utility services shall not be issued unless:

A. The inspection reveals that the premises contains no life safety violations or critical violations; or

B. Without good cause and through no fault of the applicant, the City failed to inspect the premises within three business days of the City's receipt of a written request for inspection.

3. Public complaint. A rental dwelling shall be inspected by the City upon receipt by the Chief Building Official or designee of a written complaint for possible non-compliance with the provisions of section 105-9.

4. City observation. A rental dwelling shall be inspected by the City upon receipt by the Chief Building Official or designee of a written document from a City employee identifying possible non-compliance with the provisions of section 105-9.

5. Reinspection as necessary to determine compliance. If the owner (or property manager) of the dwelling submits sufficient proof to the City from which the City is able to determine that all noted violations have been remedied and Code-compliant, the Chief Building Official or designee may waive the need for reinspection. Sufficient proof shall include an affidavit from the owner (or property manager) stating that the repairs have been completed, copies of all receipts for materials used and labor expended for remedying the violations, and photographs of the remediation or repairs. No permit shall be issued and no release of utilities shall be given if, as a result of an inspection, it is determined that the premises do not comply with section 105-9.

(j) Temporary tenancies. It shall be an affirmative defense to prosecution under subsection (a) that the dwelling was rented or leased for a period of less than sixty (60) days to a person who was the immediate past owner of the dwelling.

(k) Change of dwelling ownership. Notwithstanding the provisions of subsection (a), the immediate next owner of the dwelling shall have a grace period of thirty (30) days from the date of acquiring title to the dwelling to obtain a permit issued under the provisions of this section.

(l) Suspension of permit. A rental permit may be temporarily suspended by the City if:

1. A life safety violation exists on the premises of the permitted dwelling;

Attachment: 2016-032 ORD Dwelling Unit Permits (1452 : 2016-032 ORD dwelling unit permits)

PUBLISH

2. After notice and a period of correction stated in the notice, a critical violation remains on the premises of the permitted dwelling; or

3. After a change in tenancy, the City has not received a request for inspection within sixty (60) days of application for utilities.

(m) Reinstatement of suspended permit. A person whose permit has been suspended may, at any time, make written application for a reinspection for the purpose of reinstating the permit. Within ten (10) days following receipt of a request, which shall include a statement signed by the applicant that in the applicant's opinion, all of the violations that caused suspension of the permit have been corrected, the City shall make a reinspection. Upon reinspection, if all life safety, critical, and noncritical violations have been corrected, the permit shall be reinstated.

(n) Revocation of permit. For serious or repeated violations of any of the requirements of this section, or for interference with the City or any of its agents in the performance of their duties, the rental permit may be permanently revoked after the City has provided an opportunity for a hearing. Prior to such action, the City shall notify the holder of the permit in writing, stating the reasons for which the permit is subject to revocation and setting a permanent revocation date of no less than ten (10) days from the date of notice. The permit shall be permanently revoked unless the permit holder files a written request for a hearing with the Chief Building Official prior to the permanent revocation date stated in the notice. A permit subject to a hearing for review of a permanent revocation notice shall be suspended pending the outcome of the hearing.

(o) Hearings. The hearings provided for in this section shall be conducted by the Building and Standards Commission at a time and place designated by the commission. Based on the record, the commission shall sustain, modify, or rescind any official notice or order considered in the hearing. The City shall notify the permit holder of the hearing decision.

Attachment: 2016-032 ORD Dwelling Unit Permits (1452 : 2016-032 ORD dwelling unit permits)

Additional Dwelling Unit Inspector

Approximation of Costs

Salary and Benefits	$ 59,545.00
Vehicle Costs	26,510.00
Total Costs	$ 86,055.00

Approximately 6,000 Rental Units in the city at permit costs of $15.00 each will provide $90,000.00 in collected funds.*

* Rental Unit numbers taken from CityData.com

Attachment: 2016-032 ATTH 01 Inspector Costs (1452 : 2016-032 ORD dwelling unit permits)

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: 2016-032 Goals & Perspectives (1452 : 2016-032 ORD dwelling unit permits)

Building and Standards Committee

Minutes

March 23, 2016 Meeting 11:30 AM City Council Chambers

I. Meeting was called to order by Lynn Henry @ 11:25.

II. Quorum was established by Members present: Myron Stringer-Board President, Dan Boyles, Eddie Coe, Betty Williams, and James Cook. Others present Lynn Henry-Chief Building Official and Randy House.

III. Lynn proceeded to give explanation of proposed City Ordinance 2016-031 for Minimum Housing Standards.

IV. Lynn presented City Ordinance 2016-032 for dwelling unit permits.

V. Dan Boyles made motion to adopt City Ordinance 2016-031 for Minimum Housing Standard. Motion was seconded by Myron Stringer. Motion passed unanimous .

VI. Dan Boyles made motion to adopt City Ordinance 2016-032 for Dwelling Unit Permits with the addition to Sec 105-1.02 (G) upon property ownership change the city will allow a 30 day grace period to comply with new permit. Motion passed unanimously.

VII. Myron Stringer made motion to adjourn @12:10 Dan Boyles seconded motion.

Minutes prepared by Randy House

Minutes approved by Myron Stringer, Board President

Myron Stringer

Attachment: 2016-032 ATTH 02 Meeting Minutes (1452 : 2016-032 ORD dwelling unit permits)

Sec. 105-10. - Dwelling rental permits

(a) Permit required. No person shall rent a dwelling without first obtaining a permit issued under the provisions of this section. It shall be unlawful to submit a false or fraudulent application for a dwelling rental permit. A person who rents a dwelling knowing that a permit has not been issued for that dwelling or who knows that the permit issued for that dwelling has been revoked commits an offense each day the dwelling is occupied by a tenant.

(b) Application; form. An applicant for a dwelling rental permit shall file with the City a written application, on a form provided by the City, signed by the owner (or the owner's authorized agent) of the dwelling to be permitted. An applicant who owns more than one dwelling shall file a separate application for each dwelling.

(c) Form; contents. The application shall include:

1. The name, physical street address, telephone number, and driver's license or other government-issued identification number of the owner, and the name, street address, and telephone number of any property manager of the property for which an application is being submitted;

2. If the owner is other than an individual, the legal name, all trade names, and the registered agent, managing partner, or other person authorized to accept service on behalf of the owner; and

3. The name and telephone number of the tenant responsible for the dwelling, if available, at the time of application.

4. Description of property in relation to compliance with section 105-9 [Minimum Housing Standards].

(d) Agent for service. An applicant may designate on the application a local agent who shall be the authorized agent for purposes of notice and other communications provided in this section. If an owner designates an agent for service as provided in this subsection, service of any notice under this Code on the designated agent shall constitute service upon the owner unless the Chief Building Official or designee receives actual notice from the owner that the designated agent is no longer authorized to accept service on behalf of the owner.

(e) Smoke alarm and occupancy limits certification. The applicant shall certify that the dwelling for which the application is submitted is equipped with properly working smoke alarms in accordance with the provisions of the International Residential Code section R314 (*cf.* section 105-98) and that the dwelling will not violate the occupancy limits established by section 105-9.

(f) Accessibility of permit; replacement. A dwelling rental permit issued pursuant to this section shall be maintained by the City, with a copy provided to the permittee.

(g) Permit non-assignable; surrender. A permit issued under this section is not assignable or transferable. A permit is valid only for the dwelling premises for which it is issued. It shall be unlawful for any person to counterfeit, forge, change, deface, or alter a permit. A permit may be canceled only upon written request

Attachment: 2016-032 EXH A Dwelling Unit Permits (1452 : 2016-032 ORD dwelling unit permits)

of the owner(s) and surrender of the permit document to the Chief Building Official or designee. The surrender of a permit shall be effective immediately upon its delivery to the Chief Building Official or designee.

(h) Permit term and fee.

1. Each rental permit issued under this section shall be valid for three years from its date of issuance, unless suspended or revoked.

2. Applications for permit shall include an annual permit fee in an amount as established by the City Council from time to time which is on file in the City Secretary's office or City website.

3. Upon expiration of the permit period, if an enforcement action has been taken against a property or the owner of a property, the property shall revert to an annual permit unless, upon inspection of the property and verification of compliance with this section, the Chief Building Official or designee determines that the public interest will be served by re-permitting the property for a three-year permit interval.

(i) Inspection. The premises for which the application is submitted or for which a permit has been previously issued shall be inspected for compliance with the provisions of section 105-9 as follows:

1. Expiration of initial three-year permit. A rental dwelling shall be inspected by the City upon the expiration of the initial three-year permit; provided, however, the Chief Building Official or designee may waive reinspection if no enforcement action for a violation of a provision of this section has been commenced during the previous permit period against either the permit holder or the permitted property.

2. Change in tenancy. A rental dwelling shall be inspected by the City each time there is a change in tenancy. A release of utilities may be provided upon application for utilities pending a change in tenancy inspection; provided, however, a release for utility services shall not be issued unless:

   A. The inspection reveals that the premises contains no life safety violations or critical violations; or

   B. Without good cause and through no fault of the applicant, the City failed to inspect the premises within three business days of the City's receipt of a written request for inspection.

3. Public complaint. A rental dwelling shall be inspected by the City upon receipt by the Chief Building Official or designee of a written complaint for possible non-compliance with the provisions of section 105-9.

4. City observation. A rental dwelling shall be inspected by the City upon receipt by the Chief Building Official or designee of a written document from a City employee identifying possible non-compliance with the provisions of section 105-9.

Attachment: 2016-032 EXH A Dwelling Unit Permits (1452 : 2016-032 ORD dwelling unit permits)

5. Reinspection as necessary to determine compliance. If the owner (or property manager) of the dwelling submits sufficient proof to the City from which the City is able to determine that all noted violations have been remedied and Code-compliant, the Chief Building Official or designee may waive the need for reinspection. Sufficient proof shall include an affidavit from the owner (or property manager) stating that the repairs have been completed, copies of all receipts for materials used and labor expended for remedying the violations, and photographs of the remediation or repairs. No permit shall be issued and no release of utilities shall be given if, as a result of an inspection, it is determined that the premises do not comply with section 105-9.

(j) Temporary tenancies. It shall be an affirmative defense to prosecution under subsection (a) that the dwelling was rented or leased for a period of less than sixty (60) days to a person who was the immediate past owner of the dwelling or who shall be the immediate next owner of the dwelling.

(k) Change of dwelling ownership. Notwithstanding the provisions of subsection (a), the immediate next owner of the dwelling shall have a grace period of thirty (30) days from the date of acquiring title to the dwelling to obtain a permit issued under the provisions of this section.

(l) Suspension of permit. A rental permit may be temporarily suspended by the City if:

1. A life safety violation exists on the premises of the permitted dwelling;

2. After notice and a period of correction stated in the notice, a critical violation remains on the premises of the permitted dwelling; or

3. After a change in tenancy, the City has not received a request for inspection within sixty (60) days of application for utilities.

(m) Reinstatement of suspended permit. A person whose permit has been suspended may, at any time, make written application for a reinspection for the purpose of reinstating the permit. Within ten (10) days following receipt of a request, which shall include a statement signed by the applicant that in the applicant's opinion, all of the violations that caused suspension of the permit have been corrected, the City shall make a reinspection. Upon reinspection, if all life safety, critical, and noncritical violations have been corrected, the permit shall be reinstated.

(n) Revocation of permit. For serious or repeated violations of any of the requirements of this section, or for interference with the City or any of its agents in the performance of their duties, the rental permit may be permanently revoked after the City has provided an opportunity for a hearing. Prior to such action, the City shall notify the holder of the permit in writing, stating the reasons for which the permit is subject to revocation and setting a permanent revocation date of no less than ten (10) days from the date of notice. The permit shall be permanently revoked unless the permit holder files a written request for a hearing with the Chief Building Official prior to the permanent revocation date stated in the notice. A permit subject to a hearing for review of a permanent revocation notice shall be suspended pending the outcome of the hearing.

(o) Hearings. The hearings provided for in this section shall be conducted by the Building and Standards Commission at a time and place designated by the commission. Based on the record, the commission shall

Attachment: 2016-032 EXH A Dwelling Unit Permits (1452 : 2016-032 ORD dwelling unit permits)

sustain, modify, or rescind any official notice or order considered in the hearing. The City shall notify the permit holder of the hearing decision.

Attachment: 2016-032 EXH A Dwelling Unit Permits (1452 : 2016-032 ORD dwelling unit permits)

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 4/7/2016 9:37 AM

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

Subject: Ordinance No. 2016-033 amending PD-00-5(GR) for revision to site plan to allow new signage on Lots 12-15 & 8A, Block 2, Galleria Oaks #1, Parcel 3, Replat #2, located at 5502 Medical Parkway. Max Alley Investment, LLC, owner. Trey Ayers, Effective Signs, agent.

	Public	Second	Council
Briefing: 4/11/2016	**Hearing:** 4/11/2016	**Briefing:** April 25, 2016	**Vote:** 5/9/2016

Item Schedule

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

Updates/History of Briefing:

Not applicable

Executive Summary and Background Information:

Amendment to PD-00-5(GR): This is a request by Max Alley Investments, LLC, owner, and Trey Ayers, Effective Sign Company, agent, for a revision to the site plan to allow new signage on the drive-thru canopy at 5502 Medical Parkway (Lots 12-15 & 8A, Block 2, Galleria Oaks #1, Parcel 3, Replat #2).

The adjacent zoning is Commercial to the east, PD-GR and Commercial to the north, and PD-GR to the south and west. The adjacent land use is offices.

This property was previously occupied by Cardiology Specialists. That business has relocated. DaVita Dialysis is now moving to this location. They will utilize the existing building and have constructed a building expansion. The new expansion was part of the original site plan that was submitted and approved.

DaVita plans to utilize the existing monument sign by changing out the name.

This proposal for new signage is to allow the installation of formed plastic channel letters on the drive-thru canopy. The tallest letter "V" is 56" in size. The total width of all the letters is 144". The letters will not be illuminated.

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Staff recommends for approval.

Advisory Board/Committee Review:

Planning and Zoning Commission.

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval with the condition that

the letters on the canopy are not illuminated.

Advisory Board/Committee Meeting Date and Minutes:

March 15, 2016

Attachments

a. 2016-033 ORD amending PD-00-5(GR) for sign approval (DOCX)
b. 2016-033 ATTH 01 Sign and maps (PDF)
c. 2016-033 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	Completed	David Orr 03/16/2016 3:39 PM	Department Head Review	
Assistant City Manager Review	Completed	Shirley Jaster 03/18/2016 1:11 PM	Assistant City Manager	
Public Information Officer	03/18/2016 1:18 PM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	03/18/2016 10:10 PM
City Council	Jennifer Evans	Meeting	Completed	03/28/2016 6:00 PM

Meeting History

ORDINANCE NO. 2016-033

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-00-5(GR) FOR REVISION TO THE SITE PLAN TO ALLOW NEW SIGNAGE ON LOTS 12-15 & SA, BLOCK 2, GALLERIA OAKS #1, PARCEL 3, REPLAT #2, LOCATED AT 5502 MEDICAL PARKWAY, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISIDNG AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting a revision to the site plan to allow new signage (Exhibit A) on Lots 12-15 & 8A, Block 2, Galleria Oaks #1 Parcel 3, Replat #2, located at 5502 Medical Parkway 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 five (5) to zero (0) to recommend approval of the petition for revision to the site plan to allow new signage (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 approval of the revision to the site plan to allow new signage (Exhibit A) 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 revision to the site plan submitted to allow new signage (Exhibit A) on Lots 12-15 & 8A, Block 2, Galleria Oaks #1, Parcel 3, Replat #2, located at 5502 Medical Parkway in the City of Texarkana, Bowie County, Texas, be and is hereby approved and hereby amends PD-00-5(GR) .

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

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

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

PASSED AND APPROVED in regular Council Session on this the 9th day of May, 2016.

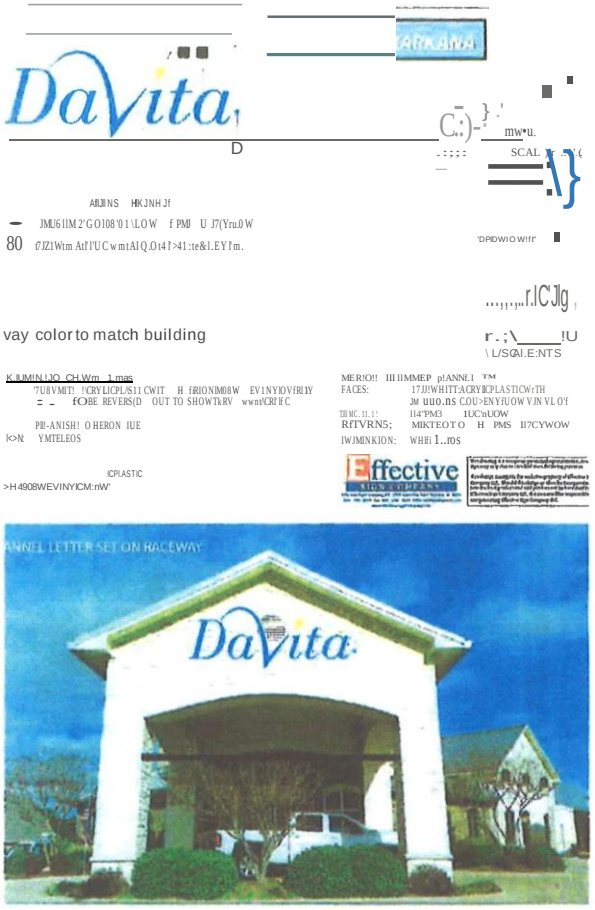
ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2016-033 ORD amending PD-00-5(GR) for sign approval [Revision 1] (1454 : 2016-033 ORD amend. to PD-00-5(GR) to allow new

EXHIBIT A

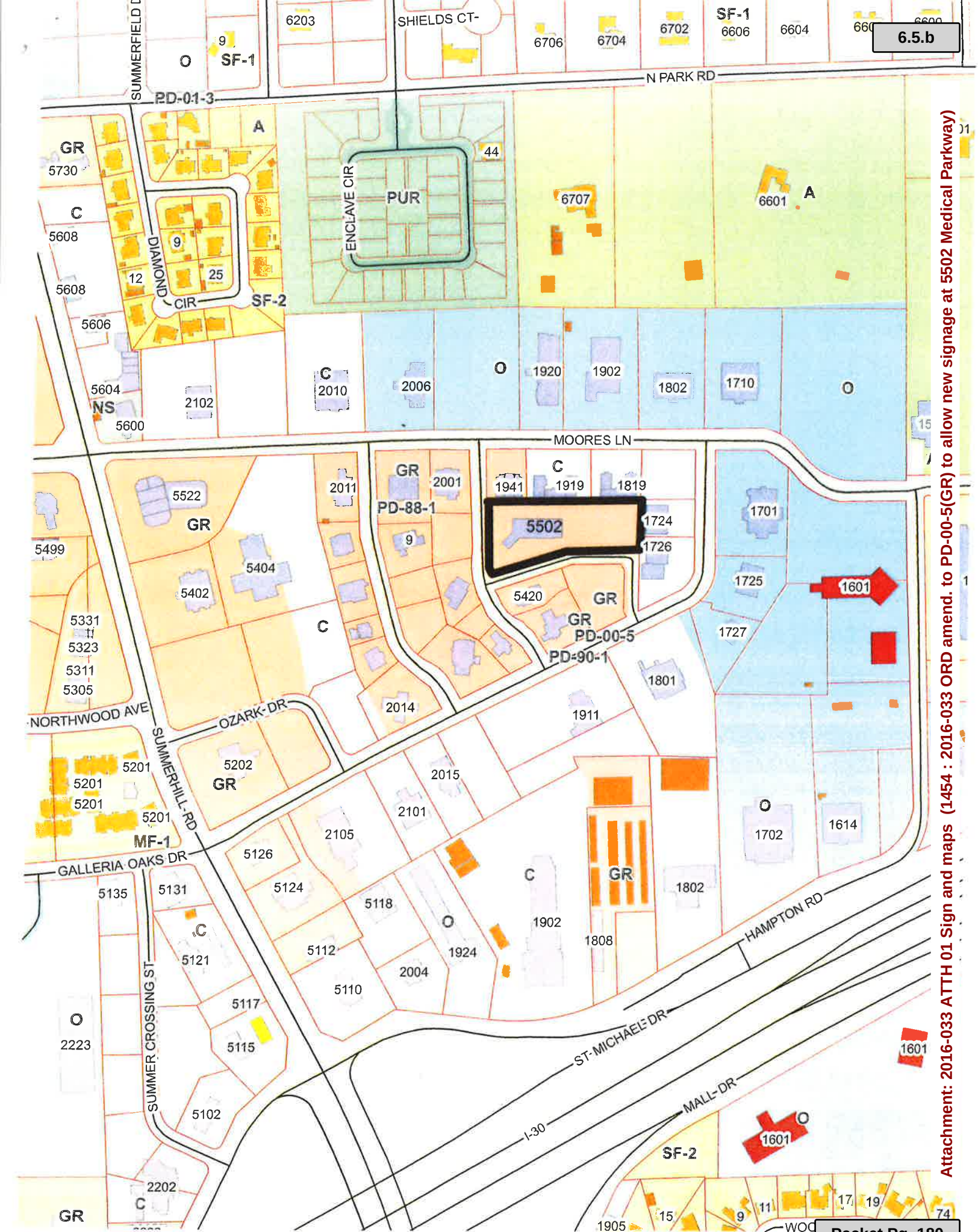


NON-LLUMINATED FORMED PLASTIC CHANNEL LETTERS TO BE INSTALLED ON DRIVE-THRU CANOPY. TALLEST LETTER "V" IS 56" IN SIZE. THE TOTAL OVERALL WIDTH IS 144".

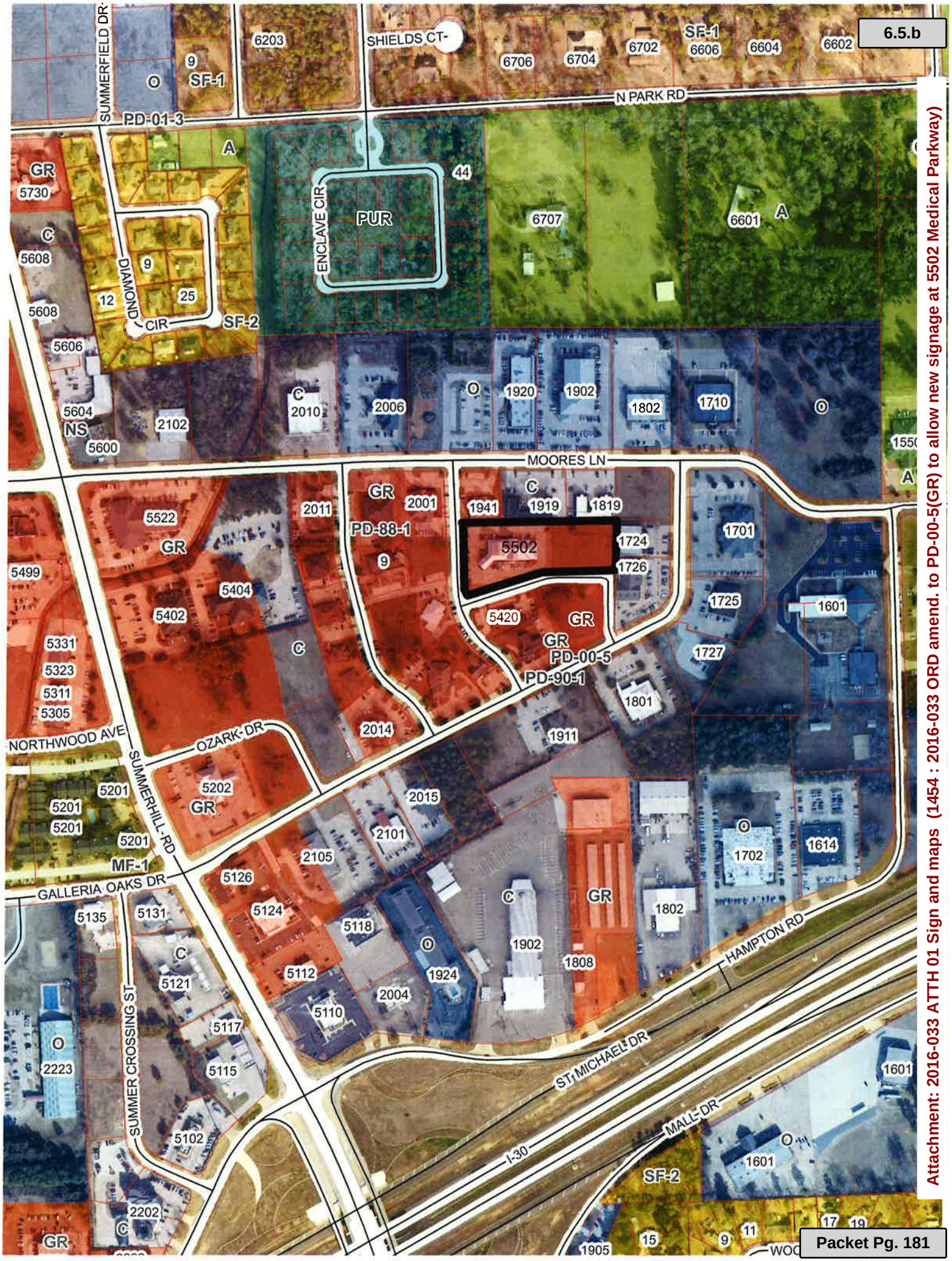
Attachment: 2016-033 ORD amending PD-00-5(GR) for sign approval [Revision 1] (1454 : 2016-033 ORD amend. to PD-00-5(GR) to allow new

EXHIBIT A

NON-ILLUMINATED FORMED PLASTIC CHANNEL LETTERS TO BE INSTALLED ON DRIVE-THRU CANOPY. TALLEST LETTER "V" IS 56" IN SIZE. THE TOTAL OVERALL WIDTH IS 144".



Attachment: 2016-033 ATTH 01 Sign and maps (1454 : 2016-033 ORD amend. to PD-00-5(GR) to allow new signage at 5502 Medical Parkway)



Attachment: 2016-033 ATTH 01 Sign and maps (1454 : 2016-033 ORD amend. to PD-00-5(GR) to allow new signage at 5502 Medical Parkway)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

Attachment: 2016-033 Goals & Perspectives (1454 : 2016-033 ORD amend. to PD-00-5(GR) to allow new signage at 5502 Medical Parkway)

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 4/7/2016 9:38 AM

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

Subject: Ordinance No. 2016-034 amending PD-79-5(GR) for revision to site plan to allow additional signage on a certain 9.75 acre tract of land in the George Brinlee HRS, A-18, located at 4317 McKnight Road. The Oaks Assisted Living Facility, owner. Billy White, Whatley Signs, agent.

Briefing: 4/11/2016	**Public Hearing:** 4/11/2016	**Second Briefing:** April 25, 2015	**Council Vote:** 5/9/2016

Item Schedule

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

Updates/History of Briefing:

Not applicable

Executive Summary and Background Information:

Amendment to PD-79-5(GR): This is a request by Morgan Wilhite, representing the Oaks Assisted Living Facility, owner, and Billy White, Whatley Signs, agent, for a site plan revision to allow the location of an additional sign at 4317 McKnight Road (an approximate 10-acre tract of land located in the George Brinlee HRS, A-18). The proposed new sign will be located on the interior of the property to advertise the new apartments/duplexes that have been constructed.

The adjacent zoning is Office, Agriculture and GR to the north, SF-1 to the west, GR to the south and PD-GR to the east. The adjacent land usage is an office and vacant land to the north, vacant land to the south, offices and "The Magnolia" (an Alzheimer's facility) to the east and residences and vacant land to the west.

The proposed monument style sign has a face 2' 8.5" in height and 6' 3.5." in width with a brick structure. The overall size of the proposed sign with structure is 4' 6" in height and 9' in width. Please see attached rendering of sign and map showing the location of the proposed sign.

Please see attached rendering of proposed sign and a map showing the proposed sign location. The new sign will advertise the independent living apartments.

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

March 15, 2016

Attachments

a. 2016-034 ORD amending PD-79-5(GR) for sign approval (PDF)
b. 2016-034 ATTH 01 Sign and maps (PDF)
c. 2016-034 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development Review	Completed	David Orr 03/16/2016 3:40 PM	Department Head Review	
Assistant City Manager Review	Completed	Shirley Jaster 03/18/2016 1:08 PM	Assistant City Manager	
Public Information Officer	03/18/2016 1:17 PM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	03/18/2016 10:08 PM
City Council	Jennifer Evans	Meeting	Completed	03/28/2016 6:00 PM

Meeting History

ORDINANCE NO. 2016-034

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-79-5(GR) FOR REVISION TO THE SITE PLAN TO ALLOW NEW SIGNAGE ON A CERTAIN 9.75 ACRE TRACT OF LAND IN THE GEORGE BRINLEE HRS, A-18, LOCATED AT 4317 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 with the City of Texarkana, Texas, requesting a **revision to the site plan to allow new signage (Exhibit A)** on a certain 9.75 acre tract of land in the George Brinlee HRS, A-18 **(Exhibit B)**, located at 4317 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 five (5) to zero (0) to recommend approval of the petition for revision to the site plan to allow new signage (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 **approval of the revision to the site plan to allow new signage (Exhibit A)** 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 revision to the site plan submitted to allow new signage (**Exhibit A**) on a certain 9.75 acre tract of land in the George Brinlee HRS, A-18 (**Exhibit B**), located at 4317 McKnight Road in the City of Texarkana, Bowie County, Texas, be and is hereby approved and hereby amends PD-79-5(GR).

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

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

SECTION 4: That this Ordinance shall be in full force and effect from and after its passage and approval. **PASSED AND APPROVED** in regular Council Session on this the **9th day of May, 2016.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2016-034 ORD amending PD-79-5(GR) for sign approval [Revision 1] (1455 : 2016-034 ORD amend. to PD-79-5(GR) for signage at

EXHIBIT A

Overall size: 4'6"H x 9'W

Attachment: 2016-034 ORD amending PD-79-5(GR) for sign approval [Revision 1] (1455 : 2016-034 ORD amend. to PD-79-5(GR) for signage at

EXHIBIT B

PD-79-5(GR)

PROPERTY:

All that certain tract or parcel of land situated in the GEORGE BRINLEE HEADRIGHT SURVEY, Abstract No. 16, Bowie County, Texas, and being a part of that certain 32-1/2 acre tract of land conveyed by J. B. Adkison et ux, to T. W. Powell, et ux, by Deed dated July 10, 1943, and recorded in Volume 193, Page 317 of the Deed Records of Bowie County, Texas, and also being a portion of a certain 2.00 acre tract and a portion of a certain 2-1/2 acre tract described in Deed from R. E. Williams and wife, Laura Ethel Williams to Ross J'Dor, dated July 16, 1945, recorded in Volume 218, Page 1-2 of the Deed Records of Bowie County, Texas, and the subject tract being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch reinforcing steel rod found for corner at an existing fence corner, being the Southwest corner of the above mentioned 32-1/2 acre tract;

THENCE: North 01 deg. 45 min. 01 sec. West, 800.94 feet along an existing fence line, the West line of said 32-1/2 acre tract, to a 5/8 inch reinforcing steel rod found for corner at an existing fence corner being the Southwest corner of the above mentioned 2.00 acre tract, which was sold out of the said 32-1/2 acre tract.

THENCE: North 84 deg. 59 min. 42 sec. East, 313.90 feet along an existing fence line being the South line of said 2.00 acre tract, to a 1 inch pipe found for corner;

THENCE: North 01 deg. 16 min. 15 sec. West, 207.54 feet to a 1 inch iron pipe found for corner in the South right-of-way line of McKnight Road (Texas F. M. Road No. 1297);

THENCE: North 87 deg. 39 min. 29 sec. East, 154.65 feet along the South right-of-way line of McKnight Road to a 1 inch iron pipe found for corner;

THENCE: South 01 deg. 09 min. 50 sec. East, 258.50 feet to a 1 inch iron pipe found for corner;

THENCE: North 85 deg. 08 min. 43 sec. East, 99.94 feet to a 1 inch pipe found for corner;

THENCE: South 01 deg. 45 min. 01 sec. East, 806.98 feet to a 1/2 inch reinforcing steel rod set for corner in the South line of said 32-1/2 acre tract;

THENCE: South 85 deg. 48 min. 01 sec. West, 527.35 feet with the South line of said 32-1/2 acre tract, being a line approximately 0.40 feet South of and parallel to the existing fence line, to the POINT OF BEGINNING and containing 10.68 acres of land, more or less.

Save and except the north 0.94 acre tract of land zoned Agriculture (A). Total acreage is 9.74 acres.

Attachment: 2016-034 ORD amending PD-79-5(GR) for sign approval [Revision 1] (1455 : 2016-034 ORD amend. to PD-79-5(GR) for signage at

Overall size: 4′ 6″ H x 9′W

4504
ARISTA BLVD
4310
4210
4152
4154
4156
4112
4110
3201
3201
3202
ARBOR DR
MC KNIGHT RD
3130
3110
RICHMOND RD
4321
4307
4225
3113
4501
4323
Sign Location
4206
4110
4106
3107
4317
RICHMOND PL
3101
4205
4203
4109
4107
4105
3003
3003
3003
3003
4104
4102
RICHMOND MEADOW ST
4205

Option 1-B

Manufacture and install: (1) single faced, non-illuminated, foamcore, monument sign. Sign shall be constructed of polystyrene core and coated with an exclusive hard coating process giving it durability.

Overall size: 4' 6" H x 9' W

Letter size:
"T" in The = 4.75" H
"A, K, S" in Oaks = 9.5" H
Upper case letters in "Independent Apartments" = 3.5" H

Sign shall have a textured finish. Customer may choose paint colors from Pantone chart or furnish paint colors. This design includes simulated brick. Close up photos shall be taken of the brick of your choice & fabricated to match.

☐ APPROVED AS SHOWN
☐ APPROVED WITH CHANGES AS NOTED
☐ REVISE AND SUBMIT NEW PROOF WITH CHANGES

The Oaks Independent Apartments
Designed for

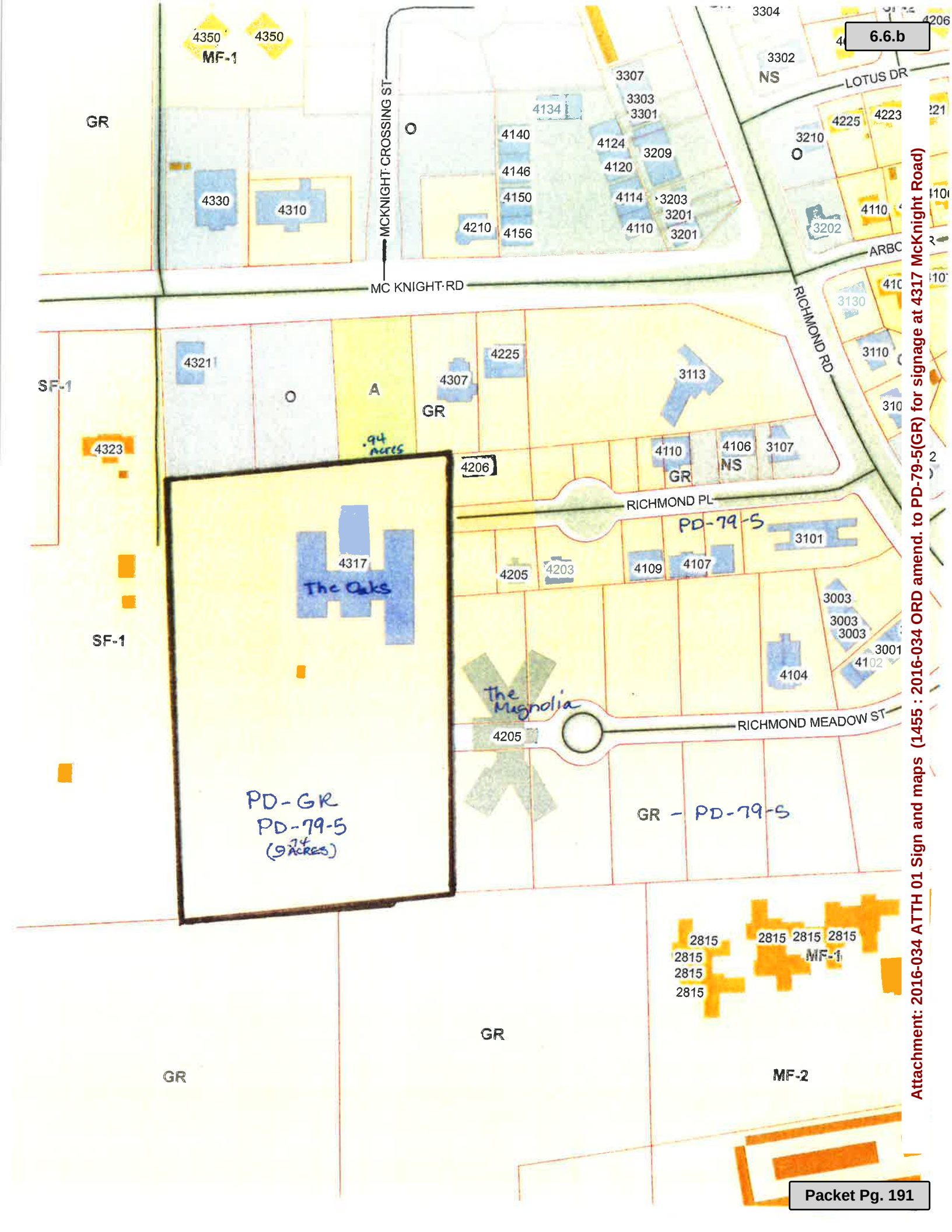
Signature of Authorized Representative

Date

PROPERTY OF WHATLEY SIGN COMPANY - NOT BE DUPLICATED
This art is the exclusive property of Whatley Sign Company and is for the sole purpose of viewing by the recipient. It is not to be released to outside parties. Any duplication and/or copying of these drawings in part or in whole is prohibited. Any violation of these terms will result in penalties and prosecution under copyright laws.

Due to variations in printing, the colors shown are representations and should be used as a guide only.

WHATLEY
SIGN COMPANY
1109 E 51st Street 870.773.2139 P
Texarkana, AR 71854 870.772.5703 F
www.whatleysign.com



Attachment: 2016-034 ATTH 01 Sign and maps (1455 : 2016-034 ORD amend. to PD-79-5(GR) for signage at 4317 McKnight Road)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

Attachment: 2016-034 Goals & Perspectives (1455 : 2016-034 ORD amend. to PD-79-5(GR) for signage at 4317 McKnight Road)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 3/22/2016 3:24 PM

Lead Department:	Planning and Community Development	**Action Officer:**	Debbie Burk,		
Subject:	Ordinance No. 2016-035 rezoning a 332.73' x 140' strip of land being a part of an 8.47 acre tract in the George Brinlee HRS, A-18, located in the 5200 block of North Kings Highway. Single Family-3 to Planned Unit Residential. Jay Strickland, owner. MTG Engineering, agent.				
Briefing: 4/11/2016	**Public Hearing:** 4/11/2016	**Second Briefing:**	April 25, 2016	**Council Vote:**	5/9/2016

Item Schedule

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

Updates/History of Briefing:

Not applicable

Executive Summary and Background Information:

Z-16-5: This is a request by Jay Strickland, owner, and MT & G Engineering, agent to rezone a 332.73' x 140' strip of land being a part of an 8.46 acre tract in the George Brinlee HRS, A-18, located in the 5200 block of North Kings Highway. The proposal is to plat this 8.46 acre tract for single family residences. The plat has not been submitted or approved but a draft is attached that shows the proposed layout. The first five lots off North Kings Highway do not meet lot depth requirements for the Single Family-3 zoning district so this proposal is to rezone those five lots to Planned Unit Residential (PUR). PUR are single family homes on lots that are 3750 square feet or more in size and are intended as "garden or patio homes". The proposed homes on these five lots will be "garden" homes. The remaining lots in the proposed subdivision meet Single Family-3 ordinance setback requirements.

The adjacent zoning is Single Family-3 to the north and Single Family-1 to the west, south and east. The adjacent land use is vacant land to the north and residences to the south, east and west.

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

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Since the proposal is to develop this property with single family residences, staff recommends for approval of this request.

Advisory Board/Committee Review:

The Planning and Zoning Commission.

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

March 16, 2016

Attachments

a. 2016-035 ORD rezoning 5200 blk. N. Kings Hwy. (PDF)
b. 2016-035 ATTH 01 Maps (PDF)
c. 2016-035 ATTH 02 Proposed plat layout (PDF)
d. 2016-035 ATTH 03 Renderings of proposed residences (PDF)
e. 2016-035 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development		David Orr	Department Head Review	Completed 03/16/2016 3:40 PM
Assistant City Manager Review	Completed	Shirley Jaster 03/18/2016 1:07 PM	Assistant City Manager	
Public Information Officer		Lisa Thompson	PIO Review	Completed 03/18/2016 1:08 PM
City Manager	John Whitson	City Manager Review	Completed	03/18/2016 10:02 PM
City Council	Jennifer Evans	Meeting	Completed	03/28/2016 6:00 PM

Meeting History

Z-16-5

ORDINANCE NO. 2016-035

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING A 332.73' X 140' STRIP OF LAND BEING A PART OF AN 8.47 ACRE TRACT IN THE GEORGE BRINLEE HRS, A-18, LOCATED IN THE 5200 BLOCK OF NORTH KINGS HIGHWAY IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM SINGLE FAMILY-3 TO PLANNED UNIT RESIDENTIAL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone a 332.73' x 140' strip of land being a part of an 8.47 acre tract in the George Brinlee HRS, A-18, (**Exhibit A**), located in the 5200 block of North Kings Highway in the City of Texarkana, Bowie County, Texas, from **Single Family-3 to Planned Unit Residential;** and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas **voted five (5) to zero (0) to recommend approval of the application for rezoning** from **Single Family-3 to Planned Unit Residential** to the City Council of Texarkana, Texas; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone a 332.73' x 140' strip of land being a part of an 8.47 acre in the George Brinlee HRS, A-18 (**Exhibit A**), located in the 5200 block of North Kings Highway in the City of Texarkana, Bowie County, Texas, from **Single Family-3 to Planned Unit Residential.**

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.

Attachment: 2016-035 ORD rezoning 5200 blk. N. Kings Hwy. [Revision 1] (1456 : 2016-035 ORD Z-15-5: 5200 blk. N. Kings Hwy. SF-3 to PUR)

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

PASSED AND APPROVED in Regular Council Session on this the **9th day of May, 2016.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

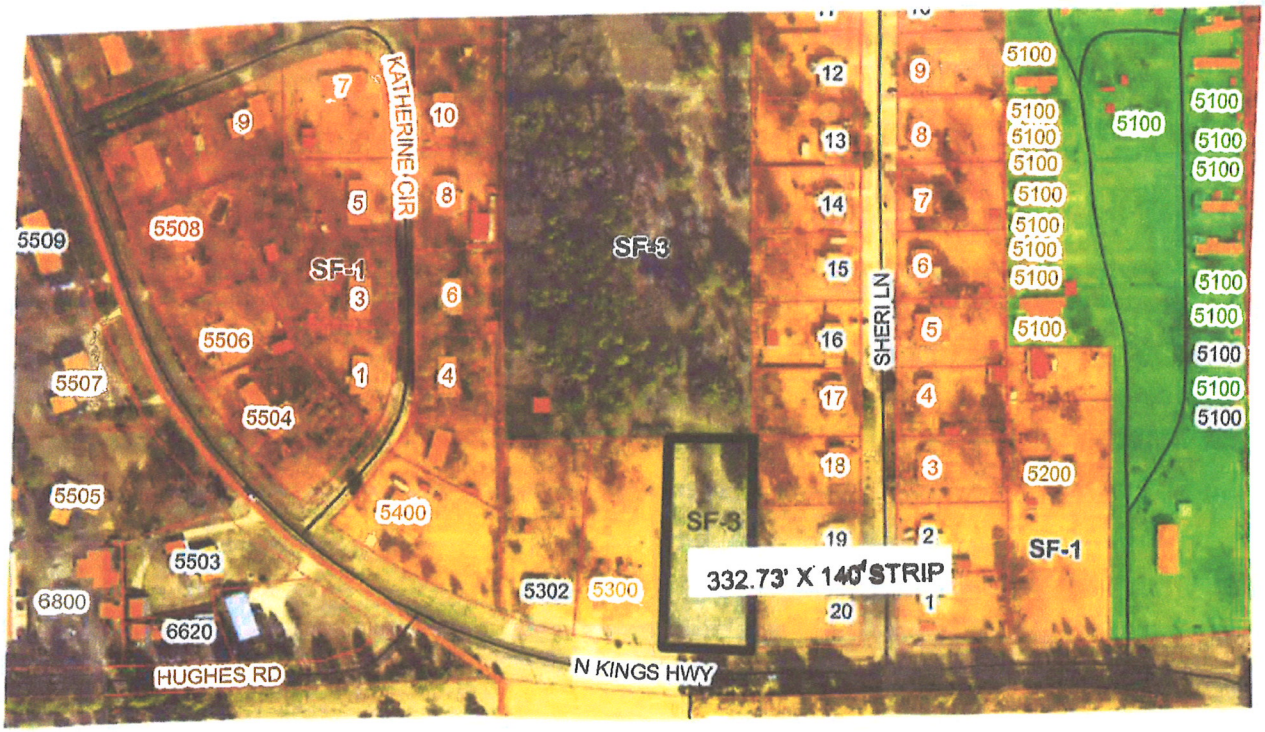
Attachment: 2016-035 ORD rezoning 5200 blk. N. Kings Hwy. [Revision 1] (1456 : 2016-035 ORD Z-15-5: 5200 blk. N. Kings Hwy. SF-3 to PUR)

EXHIBIT A

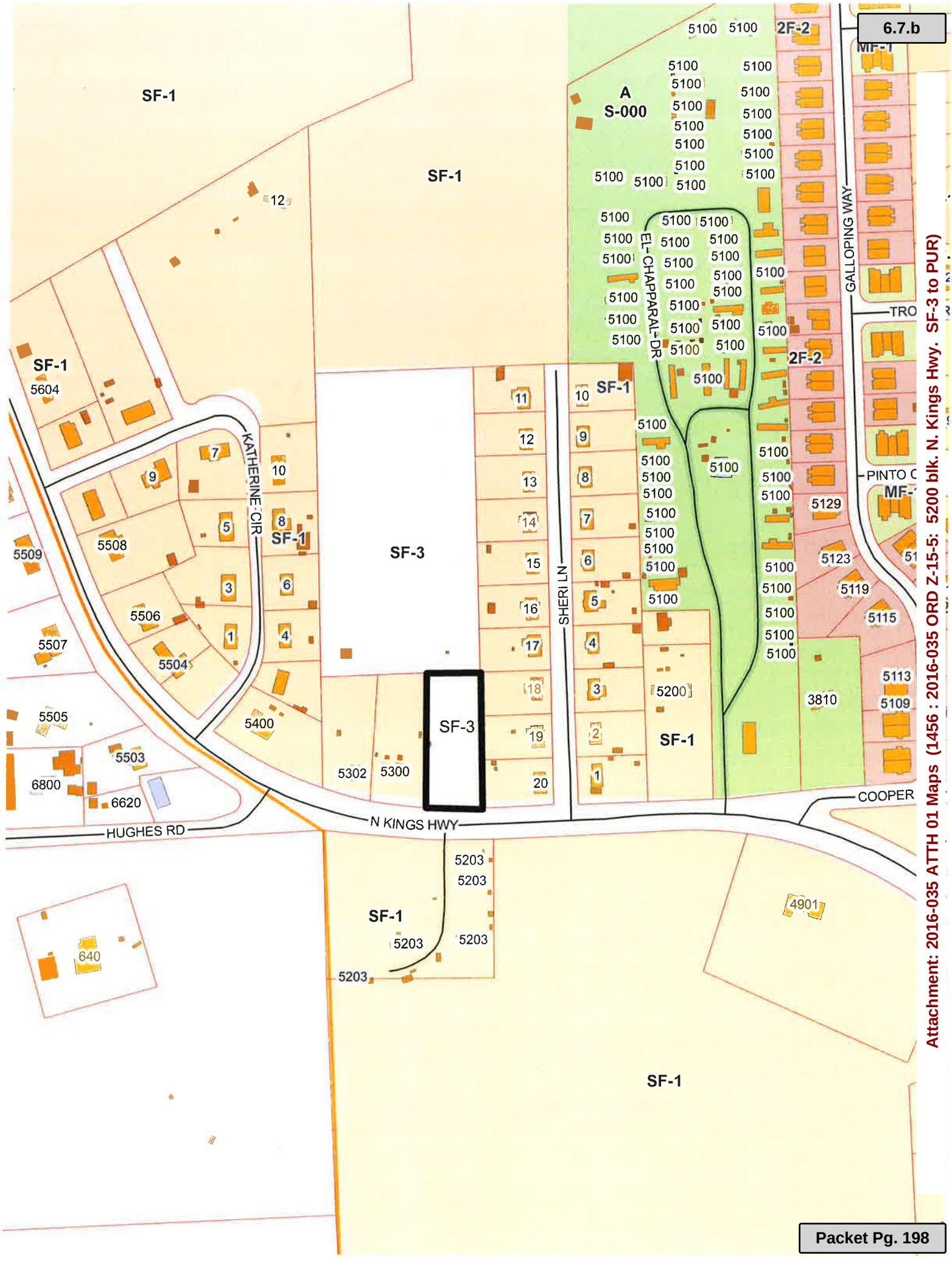
A 332.73' X 140' strip of land being a part of the following 8.475 acre tract in the George Brinlee HRS, A-18:

All that certain tract or parcel of land situated in the GEORGE BRINLEE HEADRIGHT SURVEY, Abstract No. 18, Bowie County, Texas, and also being a part of that certain 24.3 acre tract conveyed by Etoy Holmes, a widow, to Charles W. E. Sisk and wife, Lowral Sisk, by Deed of Record dated

BEGINNING at a 1/2 inch iron pin set for corner at an existing fence corner, being the Northwest corner of said 24.3 acre tract;
THENCE: East, 418.64 feet (called 413.20 feet in a previous legal description) along an existing fence line, being the North line of said 24.3 acre tract, to a 1 inch pipe found for corner at the Northeast corner of same;
THENCE: South, 1101.36 feet along an existing fence line, being the East line of said 24.3 acre tract to a 1/2 inch iron pin set for corner in the North right-of-way line of F. M. Road No. 989;
THENCE: West, 140.00 feet with the North right-of-way line of F. M. Road No. 989 to a 1/2 inch iron pin found for corner at the Southeast corner of a certain 1.02 acre tract conveyed from Lowral Sisk to Jim H. Sisk by deed dated March 9, 1983 and recorded in Volume 698, Page 213 of the Deed Records of Bowie County, Texas;
THENCE: North, 331.24 feet (being called 332.78 feet in a previous legal description) to a 1/2 inch iron pin found for corner at the Northeast corner of said 1.02 acre tract;
THENCE: West, 278.65 feet with the North line of said 1.02 acre tract to the West boundary line of said 24.3 acre tract;
THENCE: North, 770.11 feet along an existing fence line, being the West line of said 24.3 acre tract to the POINT OF BEGINNING and containing 8.475 acres of land, more or less.



Attachment: 2016-035 ORD rezoning 5200 blk. N. Kings Hwy. [Revision 1] (1456 : 2016-035 ORD Z-15-5: 5200 blk. N. Kings Hwy. SF-3 to PUR)



Attachment: 2016-035 ATTH 01 Maps (1456 : 2016-035 ORD Z-15-5: 5200 blk. N. Kings Hwy. SF-3 to PUR)

Attachment: 2016-035 ATTH 01 Maps (1456 : 2016-035 ORD Z-15-5: 5200 blk. N. Kings Hwy. SF-3 to PUR)

ROAD CENTER LINE 1401.00'
SEWER LINE 1930.86'
WATER LINE 1815.24'

PUR 332.73' x 140'
Lot #1- House #3 (1250 SF)
Lot #2- House #1 (1315 SF)
Lot #3- House #2 (1431 SF)
Lot #4- House #3 (1250 SF)
Lot #5- House #1 (1315 SF)

GRAPHIC SCALE 1"=100'
0 100

PROPERTY LAYOUT

KINGS HWY DEVELOPMENT
CLINT YATES

Date	Revision/Description

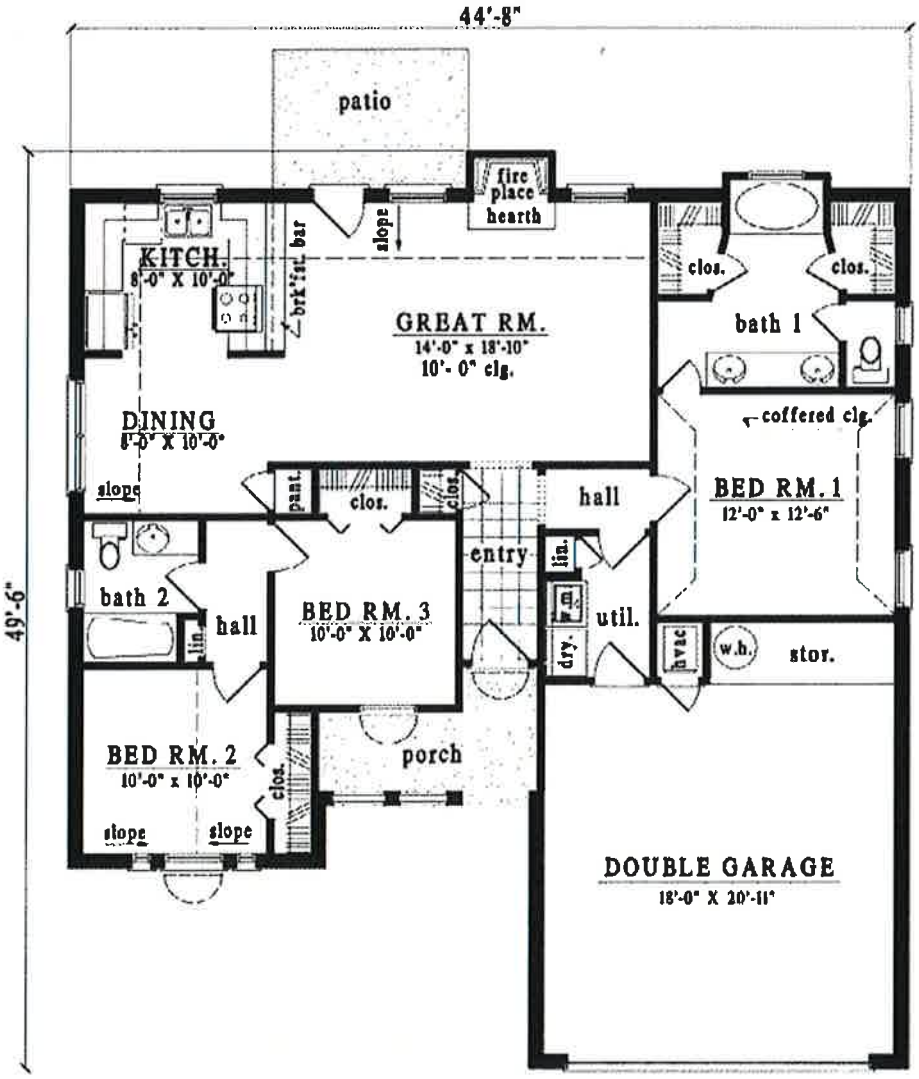
Drawn By	Checked By	Project No.	Dwg. Date
LM	KM	126003	2/17/2016

MTG engineers & surveyors
5430 SUMMERHILL RD. | P.O. BOX 3786
TEXARKANA TEXAS 75501
P 903.838.8533 | F 903.832.4700
www.mtgengineers.com
©MTG 2016 TBPE NO. 354

File No. | Sheet No.

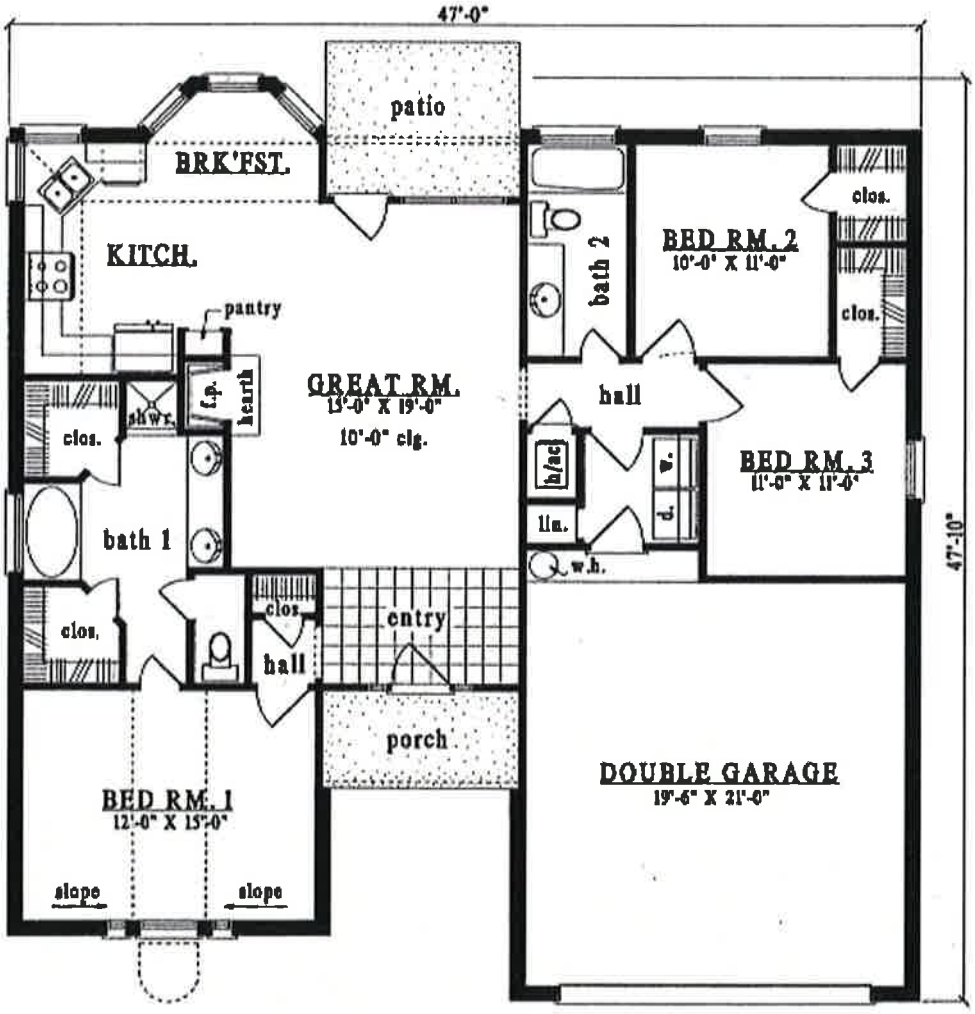
...\126003 Kings Highway Subdivision, Jay Strickland, Texarkana\05 Engineering Design\Concept_01 2016.pro
2/16 0:53PM

House Plan #1 (1315 SF)



Attachment: 2016-035 ATTH 03 Renderings of proposed residences (1456 : 2016-035 ORD Z-15-5: 5200 blk. N. Kings Hwy. SF-3 to PUR)

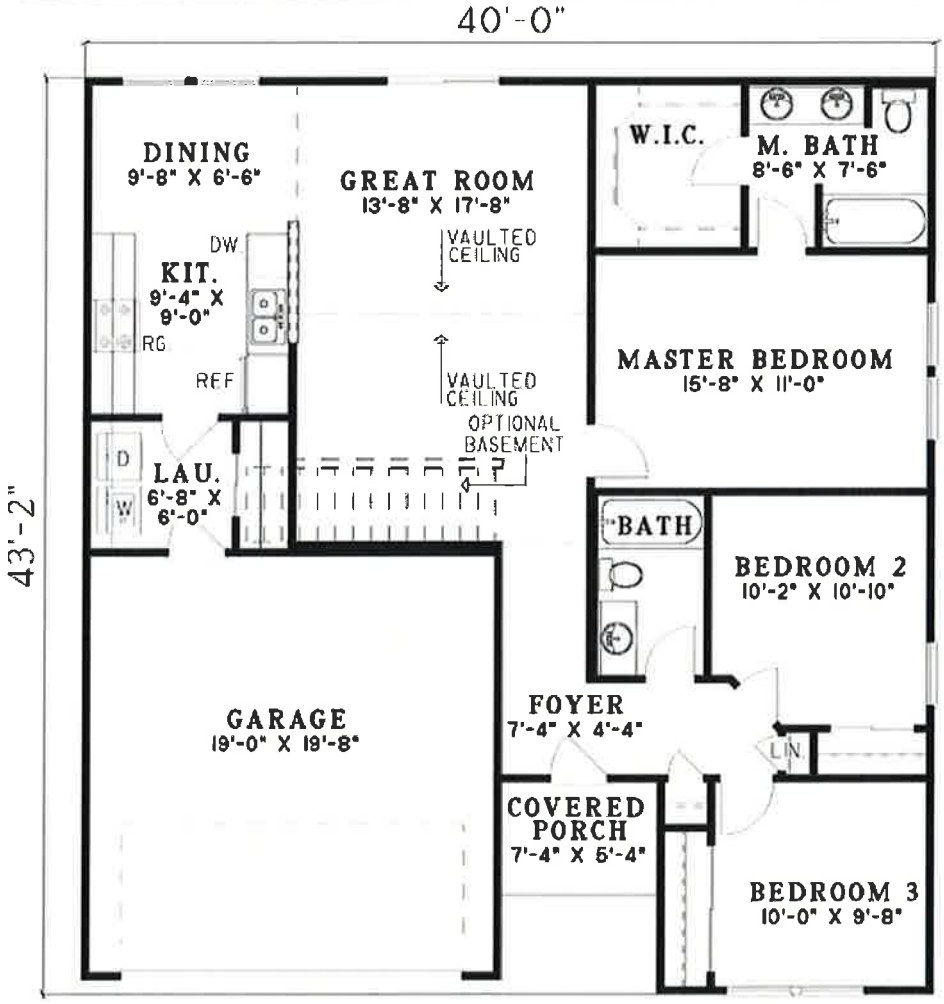
House Plan #2 (1431 SF)



FLOOR PLAN

Attachment: 2016-035 ATTH 03 Renderings of proposed residences (1456 : 2016-035 ORD Z-15-5: 5200 blk. N. Kings Hwy. SF-3 to PUR)

House Plan #3 (1250 SF)



Attachment: 2016-035 ATTH 03 Renderings of proposed residences (1456 : 2016-035 ORD Z-15-5: 5200 blk. N. Kings Hwy. SF-3 to PUR)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

Attachment: 2016-035 Goals & Perspectives (1456 : 2016-035 ORD Z-15-5: 5200 blk. N. Kings Hwy. SF-3 to PUR)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 3/15/2016 4:49 PM

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

Subject: Resolution No. 2016-036 approving the fiscal year 2017 budget calendar.

	Public	Second	Council
Briefing: 4/11/2016	**Hearing:**	**Briefing:**	**Vote:** 4/11/2016

Item Schedule

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

Updates/History of Briefing:

Not applicable

Executive Summary and Background Information:

The city charter requires City Council approval of the schedule for preparing and adopting the City's annual operating budget for the next fiscal cycle that will begin October 1, 2016 and end September 30, 2017.

Potential Options:

- Approve
- Reject

Fiscal Implications:

None

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

Not applicable

Advisory Board/Committee Meeting Date and Minutes:

Not applicable

Attachments

a. 2016-036 EXH 'A' FY 2017 Budget Calendar (PDF)
b. 2016-036 RES Budget Calendar (DOC)

City of Texarkana, Texas

Staff Coordination

Finance Department	Charlie Bassett	Department Head Review	Completed	03/16/2016 8:52 AM
Finance Department	Charlie Bassett	Finance Review	Completed	03/16/2016 8:52 AM
Assistant City Manager Review		Shirley Jaster	Assistant City Manager	Completed 03/16/2016 10:02 AM
Public Information Officer		Lisa Thompson	PIO Review	Completed 03/16/2016 10:31 AM
City Manager	John Whitson	City Manager Review	Completed	03/22/2016 8:26 AM
City Council	Jennifer Evans	Meeting	Completed	03/28/2016 6:00 PM

Meeting History

Exhibit A - Budget Calendar FY 2017

Initial Planning		
Mon	April 11	City Council approves budget calendar
Mon	April 11	Budget instructions, worksheets, and forms issued to departments
Preliminary Preparation		
Fri	May 13	Budget requests returned to Finance department
Mon	May 16 - Wed July 20	Budget entry by Finance department and meetings with departments as necessary. Finance department prepares proposed budget for presentation to City Council.
Public Meetings		
Mon	June 13	Workshop with Hotel Occupancy Tax recipients
Mon	June 20	Budget workshop for Hotel Occupancy Tax Fund
Mon	July 25	First briefing of proposed budget in City Council meeting
Mon	August 1	Budget Open House meetings at 9:00 a.m., 2:00 p.m., and 5:30 p.m.
Mon	August 8	Public hearing on budget, first briefing on tax rate
Fri	August 12	Notice of first public hearing on tax rate
Mon	August 15	Workshop on budget and tax rate
Fri	August 19	Notice of second public hearing on tax rate
Mon	August 22	Second briefing on budget, first public hearing on tax rate, first briefing on resolution ratifying budget
Mon	August 29	Second public hearing on tax rate
Mon	September 12	Adoption of budget, record vote for adoption of tax rate, record vote to ratify budget that raises more tax revenue than last year
Implementation		
Sat	October 1	Fiscal year begins, adopted budget is implemented
Mon	December 12	Final budget book posted and distributed
Mon	December 12	Submit budget to Government Finance Officers Association (GFOA)

Attachment: 2016-036 EXH 'A' FY 2017 Budget Calendar (1457 : 2016-036 RES FY 2017 Budget Calendar)

RESOLUTION NO. 2016 - 036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE PRELIMINARY BUDGET CALENDAR FOR FISCAL YEAR 2017; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the charter requires the City Council to approve the calendar that sets the schedule for preparing and adopting the City's annual operating budget for the next fiscal cycle that will begin October 1, 2016 and end September 30, 2017; and

WHEREAS, the preliminary budget calendar for the fiscal year ending September 30, 2017 is attached as "**Exhibit A**".

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

SECTION 1: That the preliminary budget calendar for the fiscal year ending September 30, 2017 is hereby approved.

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of April, 2016**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2016-036 RES Budget Calendar (1457 : 2016-036 RES FY 2017 Budget Calendar)

City of Texarkana, Texas

Version: C

Briefing Sheet

Update Date: 4/6/2016 11:21 AM

Lead Department: Public Works Department **Action Officer:** Kyle Dooley,

Subject: Resolution No. 2016-037 authorizing staff to proceed with necessary work to demolish neighborhood specific substandard structures.

Briefing:	4/11/2016	**Public Hearing:**	4/11/2016	**Second Briefing:**	April 25, 2016	**Council Vote:**	5/9/2016

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

In August 2014, Public Works Street Crews began work on demolishing the "Top 40" substandard residential structures, as directed by Council. The plan was to demolish two structures a month until the "Top 40" were all removed. By February 2016, staff had completed the removal of the "Top 40", doing so on schedule and within the appropriated budget.

Moving forward from the "Top 40", staff has 44 residential structures that have either orders to demolish from the Building and Standards Commission or an owner's signed consent form for demolition. Thirty-one of the 44 structures have been cleared environmentally and are ready to demolish. Staff is working on the remaining 13 to get them cleared environmentally. Demolishing structures at the rate of two per month, staff should complete the demolition of these 44 structures by December 2017. While staff has and will continue to make steady progress in demolishing these residential structures, after December 2017, there will still be over 250 residential substandard structures. That number does not include any structures that may become substandard between now and December 2017.

The "Top 40" and the next 44 houses to be demolished are spread across the city. Demolishing two per month, city crews have been taking one house down in an area because it was "next on the list", even though there may be several more in need of demolition in the same neighborhood. Often it is months before demolition crews return to the neighborhood to demolition another structure. One thing that we have heard from both citizens and staff is that unless you live directly by one of the houses we demolish, you don't know that we have taken any houses down. In other words, our efforts, while admirable in completing the goal of removing the "Top 40", have not been making an impact on neighborhoods with so many other substandard structures in need of removal.

Staff has been working together to try and change that. We have formed a planning and working group that includes representatives from Public Works, Fire, Police, Community Development, Code Enforcement, Parks and Recreation, and Inspection. The group discussed a goal of concentrating city staff and resources in neighborhoods around the city to try and support revitalization efforts. The idea that the group has discussed centers on going into neighborhoods and demolishing all the homes in the area that need to be removed instead of our current

demolition practice. Taking that one step further, we discussed coordinating the demolition in an area with other city departments to concentrate the city's efforts and help make a larger neighborhood impact. While we are demolishing structures, we also could be patching streets, cleaning drainage channels, taking care of weed lots, and working on code violations to try and really improve the neighborhood. Also, we would like to engage existing neighborhood groups or help start new ones where none exist. This would be done to help sustain and continue the neighborhood improvement once the initial demolition and other tasks are complete. Staff feels like this plan would not only positively impact the neighborhoods, but also help the city be more efficient in our demolition program, both from a time and budgetary standpoint.

To accomplish this goal, we needed to define "neighborhoods" in the city with substandard structures. We took the overall substandard structure map and looked for areas that would have ten to fifteen substandard structures in them. We ended up with the city divided into twenty areas, each with approximately ten to fifteen substandard structures in them. It was very apparent from the map that the highest concentration of substandard structures were in areas along and around New Boston Road. Based on that high concentration of substandard structures, staff thought that we should begin along New Boston Road and continue outward as we progress. Specifically, staff recommends following this order for demolition: Area 16, Area 17, Area 15, Area 14, and Area 13.

Staff decided to use a grouping of ten to fifteen substandard structures because that represents approximately a six-month window of demolitions at our current rate of two per month. The six-month window would allow staff to be able to get into two areas per year and demolish all substandard structures at one time. The plan would be once all the substandard structures are ready to be demolished in one area, we would set a start date for demolition and continue the demolition in this area until all substandard structures are removed. Currently, we are removing two per month and it takes staff typically less than a week to complete the demolition. With the new plan, we estimate that we might work for up to a month to remove all the substandard structures in an area, but we would be getting six months of houses down in one month. Also, during this time, other departments would be working in the neighborhood to help improve the area, as discussed previously. The remaining months would be used to plan for the next neighborhood demolition and clean up. Crews that were typically doing two demolitions per month would be working on other items until the next round of demolitions is scheduled to occur. To get the structures through the condemnation process along with getting asbestos testing and abating completed for ten to fifteen structures can take up to a year. Also, other departments would be working on preliminary plans for these areas. Having enough lead time to properly plan for these big events twice a year is a key to success. That is what is driving staff to bring this to Council now. Currently, we have an inventory of structures ready to take down through December 2017, but deciding now what areas we would like to start working on for future demolitions would give us an opportunity to go ahead and start making plans, setting dates, and getting houses ready for demolition in these areas.

If our neighborhood specific demolition proposal is approved, it would also open up the future possibility of working with the Texas National Guard and the Police Department in a program called "Operation Crackdown". I have attached a presentation that we received from the Texas National Guard that further explains the program. Should the Council decide to try and participate in the program, having a standing inventory of structures ready to be taken down would be a key in making that possible.

Staff has looked at how many substandard structures there are across the city and it is easy to be overwhelmed when looking at how large our inventory is. This neighborhood approach to demolition seems to be a way not only to start making headway with our large substandard

inventory, but also to put together an overall program that could make a positive impact on our neighborhoods. Staff recommends approval.

Potential Options:

- Authorize staff to proceed with neighborhood specific demolition schedule.
- Do not authorize staff to proceed with neighborhood specific demolition schedule.

Fiscal Implications:

Not Applicable

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2016-037 RES Neighborhood Specific Demolition Schedule (DOC)
b. 2016-037 Exhibit 'A' - Overall Substandard Structure Location Map (PDF)
c. 2016-037 Exhibit 'B' - Zoomed Substandard Structure Location Map (PDF)
d. 2016-037 ATTH 01 Operation Crackdown Slide Show (PDF)

Staff Coordination

Public Works Department	Completed	Kyle Dooley	Department Head Review	03/16/2016 3:41 PM
Parks, Recreation & Health	03/16/2016 3:47 PM	Robby Robertson	Review	Completed
Police	Jennifer Evans	Review	Skipped	03/21/2016 11:22 AM
Fire Department	Chris Black	Review	Completed	03/21/2016 11:37 AM
Planning and Community Development	03/21/2016 12:53 PM	David Orr	Review	Completed
Building Code Administration	03/21/2016 1:31 PM	Lynn Henry	Review	Completed
Assistant City Manager Review	Completed	Shirley Jaster	Assistant City Manager	03/21/2016 1:49 PM
Public Information Officer	03/21/2016 2:10 PM	Lisa Thompson	PIO Review	Completed

City of Texarkana, Texas

City Manager 8:44 AM	John Whitson	City Manager Review	Completed	03/22/2016
City Council 6:00 PM	Jennifer Evans	Meeting	Completed	03/28/2016

Meeting History

Attachment: 2016-037 RES Neighborhood Specific Demolition Schedule [Revision 1] (1453 : 2016-037 RES neighborhood specific demolition

RESOLUTION NO. 2016–037

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING STAFF TO PROCEED WITH NECESSARY WORK TO DEMOLISH SUBSTANDARD STRUCTURES IN THE FOLLOWING ORDER, AS SHOWN ON THE MAPS IN EXHIBIT "A" AND EXHIBIT "B": AREA 16, AREA 17, AREA 15, AREA 14, AND AREA 13; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, city staff has demolished the "Top 40" structures as directed by City Council and completed on schedule and within the appropriated budget; and

WHEREAS, city staff has forty-four (44) more structures that have been ordered to be demolished by the Building and Standards Commission or have owner-signed consent; and

WHEREAS, demolishing at the rate of two structures per month, the current "ready to demolish" inventory would be exhausted in November of 2017; and

WHEREAS, as of December 2017, there will still be over two hundred and fifty (250) residential structures in need of possible demolition; and

WHEREAS, city staff has recognized that, while progress is being made in demolishing substandard structures, neighborhood impact, revitalization, nor maximum service and resource efficiency have been realized because the demolished structures have been spread all across the city and not neighborhood specific; and

WHEREAS, City Council approval of a more neighborhood driven demolition schedule would lend itself to making a positive neighborhood impact and could be adaptable to pursue Operation Crackdown through the Texas National Guard, where the Texas National Guard comes in and demolishes approximately thirty (30) structures within a two-week period; and

WHEREAS, City Council approval of this proposed neighborhood driven demolition schedule would promote opportunities for other city departments to work with neighborhood groups in a concentrated effort in these designated areas supporting other revitalization efforts.

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

SECTION 1: City staff is authorized to proceed with the necessary work to demolish substandard structures in the following order, as shown on the maps in **Exhibit "A"** and **Exhibit "B" ":** Area 16, Area 17, Area 15, Area 14, and Area 13.

SECTION 2: The City Council recognizes the need for a more neighborhood driven demolition schedule to help provide more efficient and cost effective services.

SECTION 3: The City Council agrees that this schedule would promote opportunities for other city departments to work with neighborhood groups in a concentrated effort in these designated

areas to support other revitalization efforts.

SECTION 4: A map showing the overall substandard structure locations is attached hereto and incorporated herein as **Exhibit "A".**

SECTION 5: A map showing the zoomed substandard structure locations is attached hereto and incorporated herein as **Exhibit "B".**

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 the **9th day of May, 2016**.

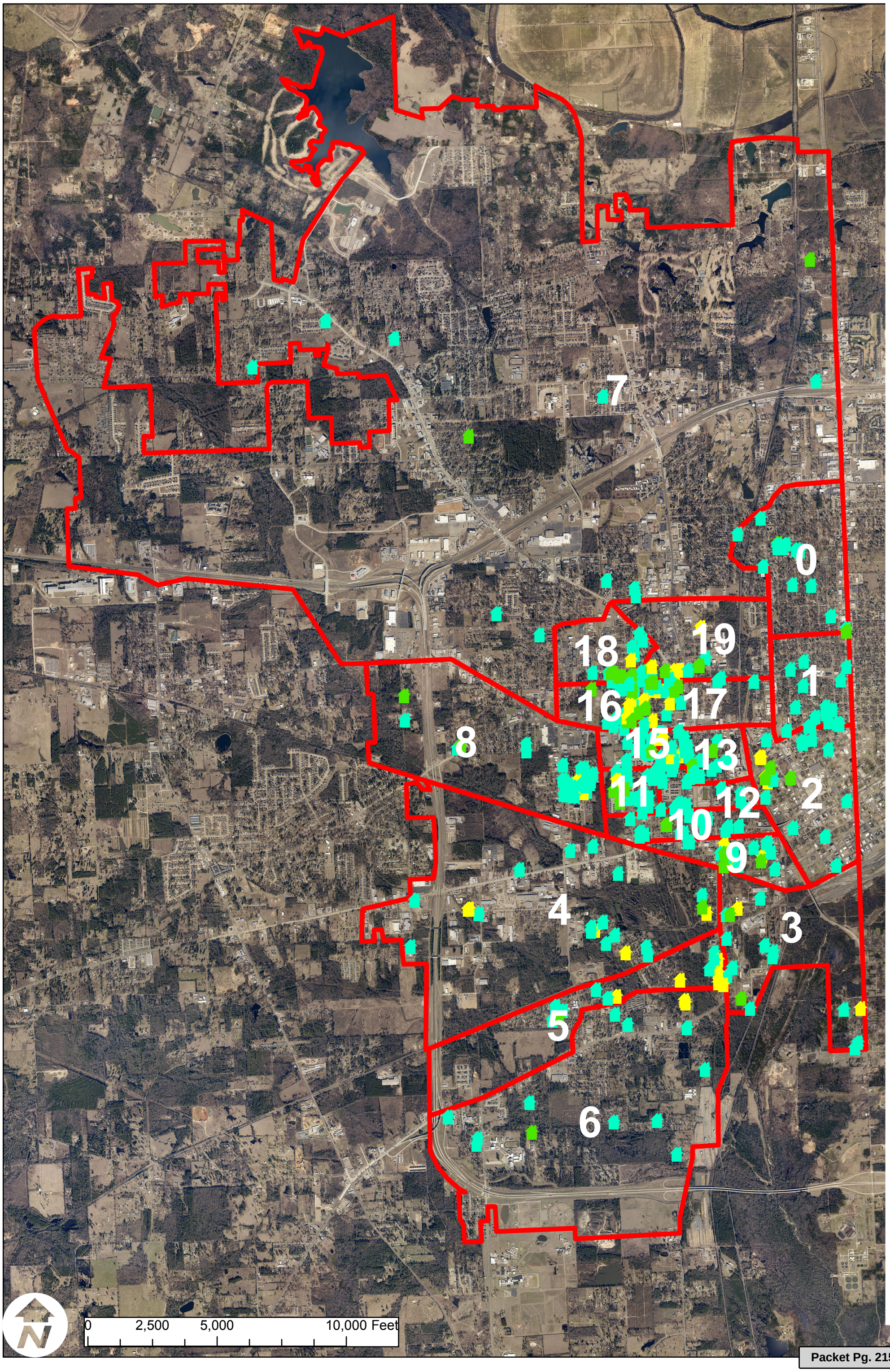
ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

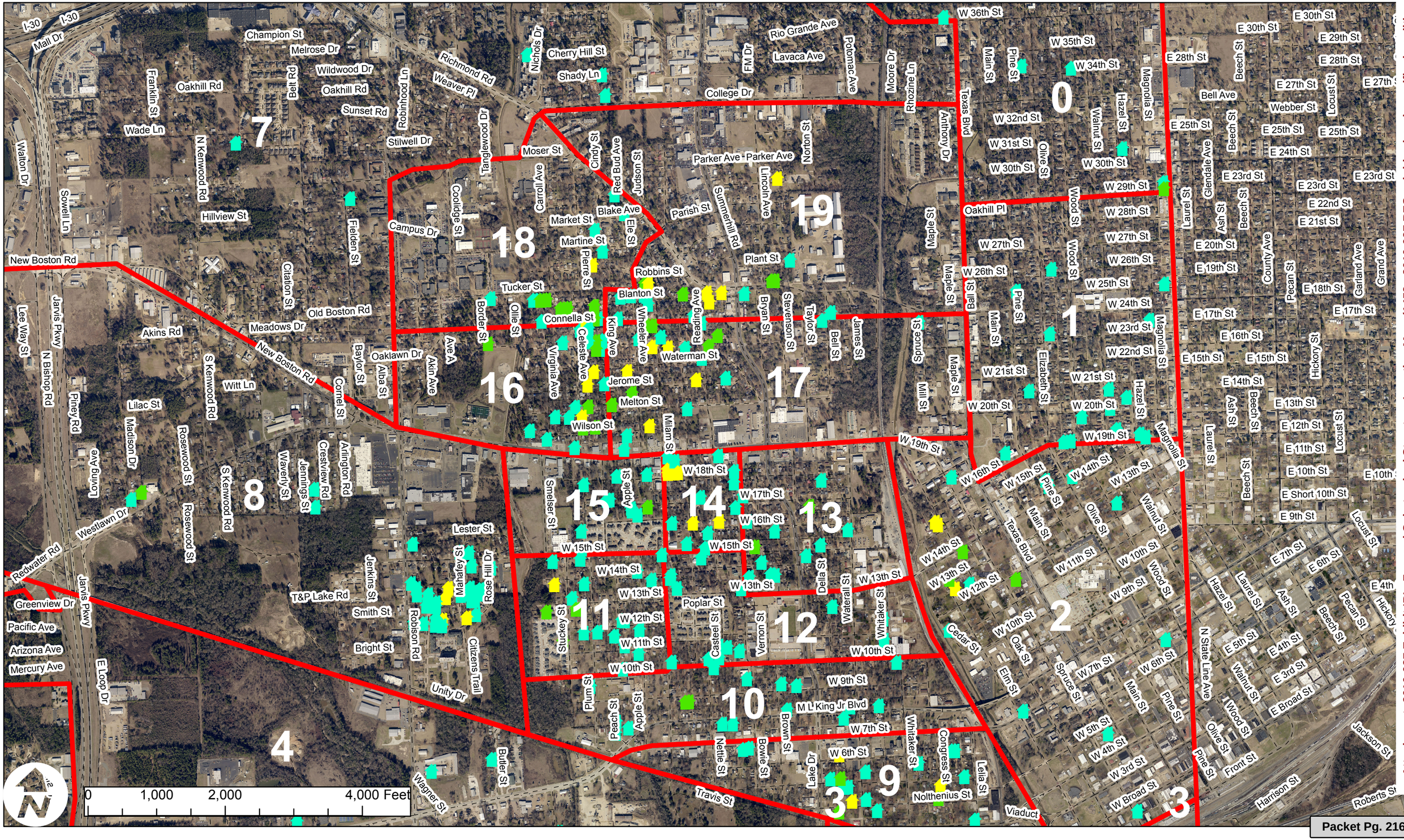
Attachment: 2016-037 RES Neighborhood Specific Demolition Schedule [Revision 1] (1453 : 2016-037 RES neighborhood specific demolition

Texarkana Substandard Structure List



Attachment: 2016-037 Exhibit 'A' - Overall Substandard Structure Location Map (1453 : 2016-037 RES neighborhood specific demolition schedule)

Texarkana Substandard Structure List



Attachment: 2016-037 Exhibit 'B' - Zoomed Substandard Structure Location Map (1453 : 2016-037 RES neighborhood specific demolition

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Second Lieutenant Bruce Robison

Staff Sergeant Jeff M

Texas Military Forces
OPERATION CRACKDOWN

AGENDA

- Mission Statement
- Why?
- History
- City Request Process
- Required Paperwork
- Heavy Equipment
- Planning Meetings
- Mission Execution
- Media Day
- Mission Completion
- Cost to National Guar
- Cost to City
- Cost to Owner
- Contact Information

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

MISSION STATEMENT

Operation Crackdown provides engineer assets to assist municipalities in reclaiming control of known drug trafficking areas by working with affected communities to knock down structures that are proven drug trafficking locations. This mission helps rid neighborhoods of gangs, drugs, and associated violent activity and allows for community revitalization.

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

WHY SHOULD YOU PARTICIPATE?

- 83% of abandoned or open buildings show signs of drug abuse, prostitution or criminal activity
- Crime rates are twice as high on blocks with abandoned or open buildings than on controlled buildings blocks
- Millions of dollars are spent each year to mitigate and abate the problem
- A recent University of Michigan study found that investing $3.5 million over a 3 year period resulted in an increase in surrounding property value of more than $112.5 million

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

HISTORY

The Texas National Guard Counterdrug Program began Operation Crackdown in 1993. Its first mission was in San Antonio where Texas Army National Guard Engineers supported local law enforcement agencies in San Antonio to tear down "drug houses"

1993	San Antonio
1994	Taylor
1995	San Antonio/Taylor
1996	San Antonio/Elgin/Taylor/Richmond
1997	Corpus/Taylor/San Antonio
1998	Elgin/Corpus Christi
1999	Nueces Co/Corpus Christi
2000	Elgin/Galveston
2001	San Antonio/Corpus Christi
2002	Corpus Christi/Robstown
2003	Corpus Christi/Robstown
2004	Kingsville/Robstown/Corpus Christi
2005	Corpus Christi
2006	Corpus Christi/Bishop/Nueces Co
2007	Granger/Corpus Christi/Nueces Co/Kingsville
2008	Kingsville/Corpus Christi/Eden
2009	Robstown/Corpus Christi/ Eden
2010	Kingsville
2011	Dallas/Harlingen
2012	Calvert/Dallas/Harlingen
2013	Dallas
2014	Harlingen/ Laredo/Dallas

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

CITY REQUEST PROCESS

-Letter of Request

- Must be on City Letterhead
- Must have Point of Contact
- Must be addressed to Counterdrug Commander
- Must request structure demolition
- Must have drug nexus
- Must be signed by certifying official

- Minimum of 30 Structures to fill two week mission

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

YOUR LETTERHEAD HERE

ADDRESS Ph: (XXX) XXX-XXXX Fax: (XXX) XXX-XXXX **CITY, STATE, ZIP CODE**

POC

E-MAIL

DDMMYY

Colonel Suzanne Adkinson
Counterdrug Commander
Joint Counterdrug Task Force
P.O. Box 5218
Austin, TX 78763

Dear COL Adkinson:

The City of YOUR CITY is requesting assistance from the National Guard Counterdrug Task Force in the demolition of the XX properties identified by the YOUR CITY Police Department as being abandoned and in hazardous condition. Further, it is the belief of the Police Department that these properties are being used for illicit trade, use and manufacturing of drugs as well as other illegal activities.

Any assistance that you can provide in helping the City of YOUR CITY to clean up these unsafe and unsavory places would be appreciated.

Sincerely,

YOUR NAME HERE
TITLE

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

REQUIRED PAPERWORK

ALL DOCUMENTS WILL BE IN TABBED 3-RING BINDER

- Letter of Request
- Memorandum of Understanding signed by City and National Guard
- Map plotting all locations
- TABS for each address will include:
    - Photos of structures to ensure correct location
    - Agreement to Participate signed by Owner, City and National Guard
    - Hold Harmless Agreement signed by owner
    - Covenant Not to Sue signed by owner
    - Historical Review stating structure is not a historical structure
    - Memorandum on letterhead from Police Department stating drug nexus

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

NATIONAL GUARD EQUIPMENT

-Large Equipment to include:

- 1-2x M916A3/M870A3 Tractor and Trailer
- 1x Tracked Excavator
- 1x Wheeled Front End Loader
- 1x 3/4 Ton Pickup Truck with Cargo Trailer

- Need a secured location to store this equipment
  - Equipment Dropped Off Prior To NG Arrival

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

M916A3 Tractor
M870A3 Trailer

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

Tracked Excavator 48,000lbs
0 degree turn, 36in bucket

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

24,000lbs Wheeled Loader
with a 3.5 yard bucket with NO rippers

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

3/4 Ton Pickup Truck with Cargo Trailer

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

90 DAY MEETING

- Initial Marketing/Introductions Meeting
- Letter of Request / MOU signed
- Planning Requirements
- Gets The Ball Rolling

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

60 DAY MEETING

- Status Meeting to Ensure Correct Documentation
- Issues Needing Clarification
- Any Additional Planning

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

30 DAY MEETING

- Complete Review of Binder for All Documents
- Physical Inspection of Each Location to Check for:
  - Utilities Shut Off/Disconnected
  - Hazardous Materials Removed
  - Brush Clearing (for Owner) Guidance if Necessary
  - Planning Unloading and Loading for Demolition
- Media Day Site Selection
- Any Other Issues That Need To Be Worked Out

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

MISSION EXECUTION

- Work Schedule (Off Weekends)
  - First Week – Monday – Friday
  - Second Week – Monday – Thursday
  - Hours are 0700 – Until Landfill Closes or Light Restricts Safe
- Required City Personnel
  - Must Have City Official at All Times as Main POC
    - Must Have Names and Phone Numbers for Emergencies
  - Must Have Police Escort/Protection at All Times

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

MEDIA DAY

- In Florida, authorities discovered a marijuana grow house inside an abandoned house across the street from a middle school
- Site Selection Requirements
  - Large Lot
  - Open Layout/Minimal Trees
  - Medium Size Structure/No Brick
  - Off Main Roads Due to Amount of Visitors
  - Proximity to Elementary School
    - Anti-Drug Presentation at School for Entire School
    - One Class (30 Max) Comes to Demolition Demonstration
- Media Release
  - Completed by City Public Relations Office

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

MEDIA DAY AGENDA

LOCATIONS:

City, Texas
Anti-Drug Presentation at Elementary School
@ XXXX School Address Here, City, TX
Demolition Site
@ XXXX Demolition Address Here, City, TX

WEEKDAY, DD MONTH YYYY		
0800-0900	Arrive at Sites to begin setup	CO / CRACKDOWN / City Rep
0900-0945	CO Presentation at J.P. Starks Elem	CO / Elem
0945-1000	Transport Select Children to Demolition Site	CO / Elem
1000-1015	Media B-Roll / Children Setup	Media
1015-1020	Mayor Speech	City Rep
1020-1025	City Manager Speech	City Rep
1025-1030	City Attorney Speech	City Rep
1030-1035	City Council Speech	City Rep
1035-1040	Joint Counterdrug Task Force Speech	JCDTF
1030-1035	Texas Military Forces Speech	TXMF
1035-1100	Operation CRACKDOWN Demolition	CRACKDOWN
1100	Event Complete / Interviews	All

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

MISSION COMPLETION

- Clean Equipment
  - Need a Pressure Washing System to Clean Equipment
  - Stage Equipment for Pickup
- After Action Review
  - Lessons Learned/Best Practices for All Parties Involved
    - Sustains
    - Improves

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Joint Counterdrug Task Force
OPERATION CRACKDOWN

COST TO NATIONAL GUARD

Personnel Used for CRACKDOWN

5-8 Total Personnel

1 JCDTF OIC/NCOIC

2-3 Heavy Equipment Operators/Ground Crew (ANG)

2-4 M916/M870 Operators/Ground Crew (ARNG)

P&A Funds	Asset Forfeiture Funds
Base Pay	Heavy Equipment Leasing
Per Diem	Tools
	Fuel
	T-Shirts/Hats
Approx. $20,000.00 Per Mission	Approx. $16,000.00 Per Mission

We use drug money to knock down drug houses

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

COST TO CITY

- Asbestos Testing
  - 660 ft Rule (If Demolishing Two (2) Structures Within 660ft, Must Test for Asbestos
- Asbestos Abatement
  - If Positive Must Abate Prior to National Guard Arrival for Mission Execution
- Dump Trucks Contract (If Applicable)
  - 40 Yard Truck Preferred
  - Count Depends on Size of Truck and Where Landfill is Located

- Landfill Costs (If Applicable)

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Joint Counterdrug Task Force
OPERATION CRACKDOWN

COST TO HOME OWNER

ABSOLUTELY NOTHING

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

6.9.d

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

6.9.d

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

6.9.d

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

Texas Military Forces
OPERATION CRACKDOWN

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

TEXAS MILITARY FORCES

2d Lt Bruce Robison
512-782-6166
bruce.e.robison4.mil@mail.mil

SSG Jeff McCracken
512-782-7769
jeffrey.d.mccracken2.mil@mail.mil

Attachment: 2016-037 ATTH 01 Operation Crackdown Slide Show (1453 : 2016-037 RES

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 4/6/2016 11:22 AM

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

Subject: Resolution No. 2016-038 authorizing the City Manager to purchase the building and property located at 808 Olive Street, Texarkana, Texas in an amount not to exceed One Hundred Thirty Thousand and No/100 Dollars ($130,000.00).

Briefing: 4/11/2016	**Public Hearing:** 4/11/2016	**Second Briefing:** April 25, 2018	**Council Vote:** 5/9/2016

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The Texarkana Water Utilities recently became aware that the building and property located at 808 Olive Street were available for purchase. This building is located across the alley from the Utilities' existing building at 801 Wood Street. After consulting with the City Managers of Texarkana, Texas and Texarkana, Arkansas, the Utility staff negotiated a price of $130,000 for the building and two (2) lots the building is located on. An appraisal of the property was made by The Appraisal Group and the building and property were valued at $135,000. A Phase 1 Environmental Site Assessment (ESA) of the property was made by HEC Environmental Group, Inc. and no evidence of recognized environmental conditions in connection with the subject property were identified. The Utility would propose to move the Information Technology (IT) and the Geographic Information System (GIS) Departments into the building. The IT and GIS Departments are currently located in a building located on Summerhill Road that the Utility rents. Moving the IT and GIS Departments into the building located at 808 Olive Street would have several advantages for the Utility and the Cities. The Olive Street building is larger than the building on Summerhill Road and more parking is available on the Utilities' existing parking lots. Access to the IT and GIS Departments would be improved for City and Utility personnel by bringing the departments back downtown to the vicinity of both city halls and the Utility's main office. Parking for citizens needing information would also be improved. The building will require some remodeling of the former dental office portion of the building.

Potential Options:

- None

Fiscal Implications:

Funds for the purchase of the building are available in the Utilities' Capital Improvement Fund portion of the budget. The Utility is currently paying Three Thousand and No/100 Dollars ($3,000.00) per month rent for the building on Summerhill Road. The payback for the Olive Street building would be less than four (4) years.

Staff Recommendation:

The City Manager and Texarkana Water Utilities staff recommend approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2016-038 RES Approving Building Purchase (DOC)
b. 2016-038 ATTH 01 The Appraisal Group Letter (PDF)
c. 2016-038 ATTH 02 HEC Environmental Group (PDF)
d. 2016-038 Goals & Perspectives (DOCX)

Staff Coordination

Water Utilities	JD Phillips	Department Head Review	Completed	03/16/2016 2:47 PM
Water Utilities	Jim Cornelius	Review	Completed	03/16/2016 3:19 PM
Public Information Officer	Lisa Thompson	PIO Review	Completed	03/16/2016 3:39 PM
City Manager	John Whitson	City Manager Review	Completed	03/18/2016 3:05 PM
City Council	Jennifer Evans	Meeting	Completed	03/28/2016 6:00 PM

Meeting History

Attachment: 2016-038 RES Approving Building Purchase [Revision 1] (1458 : 2016-038 RES authorizing the purchase of the building & property

RESOLUTION NO. 2016 - 038

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO PURCHASE THE PROPERTY AND BUILDING LOCATED AT 808 OLIVE STREET, ALSO DESCRIBED AS ALL OF LOTS EIGHT (8) AND NINE (9), IN BLOCK NINETY-FOUR (94), IN TRIGGS/CITY ADDITION, TO THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THIRTY THOUSAND AND NO/100 DOLLARS ($130,000.00) FROM JEFF WRIGHT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Texarkana Water Utilities recently became aware that the building and property located at 808 Olive Street was available for purchase; and

WHEREAS, after consulting with the City Managers of Texarkana, Texas and Texarkana, Arkansas a purchase price of ONE HUNDRED THIRTY THOUSAND AND NO/100 DOLLARS ($130,000.00) was negotiated; and

WHEREAS, an appraisal of ONE HUNDRED THIRTY-FIVE THOUSAND AND NO/100 DOLLARS ($135,000.00) was made of the property by The Appraisal Group and a Phase 1 Environmental Site Assessment of the property was made by the HEC Environmental Group, Inc. and no evidence of recognized environmental conditions were identified; and

WHEREAS, funds for the purchase of the building and property are available in the Texarkana Water Utilities' Capital Improvement Fund portion of the budget and the Texarkana, Texas portion of the purchase cost will be EIGHTY-ONE THOUSAND EIGHT HUNDRED THIRTY-FIVE AND NO/100 DOLLARS ($81,835.00).

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

SECTION 1: That the acquisition by the City of Texarkana, Texas, from Jeff Wright of the property described hereinabove, commonly known as 808 Olive Street, Texarkana, Texas 75501 is hereby approved.

SECTION 2: That the City Manager be and is authorized to execute a land purchase agreement on behalf of the City and take such further steps and execute any and all other documents necessary to conclude the acquisition of the above described property at the purchase price of ONE HUNDRED THIRTY THOUSAND AND NO/100 DOLLARS ($130,000.00) with the Texarkana, Texas portion being EIGHTY-ONE THOUSAND EIGHT HUNDRED THIRTY-FIVE AND NO/100 DOLLARS ($81,835.00) and to pay reasonable and necessary costs ordinarily associated with a closing.

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 **9th day of May, 2016.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2016-038 RES Approving Building Purchase [Revision 1] (1458 : 2016-038 RES authorizing the purchase of the building & property

THE APPRAISAL GROUP
Real Estate Appraisals
2415 Texas Boulevard
Phone (903) 793-3211 ⊄ Texarkana, TX 75503 ⊄ Fax (903) 793-3307

February 12, 2016

Interim Executive Director
Texarkana Water Utilities
801 Wood Street
Texarkana, Texas 75501

Re: Appraisal analysis of office property located at 808 Olive Street, Texarkana, Bowie County, Texas.

Dear Mr. Phillips:

Pursuant to your request, I have prepared an appraisal for the above referenced property. The purpose of this appraisal is to estimate the market value of the subject property's fee simple interest for use in decision making process regarding the property that is the subject of this analysis. In this analysis, the leased fee interest was not considered applicable - the property is currently vacant. This appraisal is intended for the use of the client only.

This appraisal analysis intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice. As such, it presents summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. The depth of discussion contained in this report is specific to the needs of the client and for the intended use of the client. The appraiser is not responsible for unauthorized use of this report.

The attached report details the scope of the appraisal, level of reporting, definition of value, valuation methodology, and pertinent data researched and analyzed in the development of this appraisal.

I certify that I have no present or contemplated future interest in the property beyond this estimate of value, and that I am unbiased with respect to the parties involved. Your attention is directed to the Limiting Conditions and Assumptions of this report. Acceptance of this report constitutes an agreement with these conditions and assumptions.

Attachment: 2016-038 ATTH 01 The Appraisal Group Letter (1458 : 2016-038 RES authorizing the purchase of the building & property located at

I have no knowledge of the presence of hazardous materials; however, this is not my field of expertise, and recommendation of the retention of an expert in this field is made.

Statements of fact are, to the best of my knowledge, correct, and compensation for making the appraisal is not contingent on the value conclusions reported herein. I have, in the past, completed appraisal assignments of similar properties, and believe the competency provision to be fulfilled. I have included supporting data, reasoning, etc. The effective date of this report is the date of inspection, January 22, 2016, the date I inspected the property.

The appraisal problem, as applied to the subject, is to determine ***Market Value, "AS IS" on the Appraisal Date*** - "An opinion of the market value of the property in the condition observed upon inspection, and as it physically and legally exists, without hypothetical conditions, assumptions, or qualifications, as of the date the appraisal."

The **"AS IS"** value estimate of the subject office property, in its "as is" condition, as it physically and legally exists on the effective date of the appraisal, January 22, 2016, under the herein stated assumptions and limiting conditions, is estimated as follows:

"AS IS" 808 Olive Street	**$135,000.00**

It is my opinion that, with proper marketing, the subject property would sell for the above estimated value within one year of the date of the appraisal, based upon current market activity and interviews with market participants.

EXTRAORDINARY ASSUMPTIONS- I have assumed that the property is not impacted by any environmental issues, and that all systems are in overall average/operating condition.

Respectfully submitted,
The Appraisal Group
2415 Texas Boulevard
Texarkana, Texas 75503

Pam Bonds

Pam Bonds, MAI, SRA
Member #12014
Arkansas Certification #CG 0336
Expires 06/30/16
Texas Certification #TX 1320451-G
Expires 04/30/17

Attachment: 2016-038 ATTH 01 The Appraisal Group Letter (1458 : 2016-038 RES authorizing the purchase of the building & property located at

1. SUMMARY

HEC Environmental Group, Inc. (HEC) was retained by Texarkana Water Utilities to conduct a Phase I Environmental Site Assessment (ESA) of the commercial property located at 808 Olive Street, Texarkana, Texas. The assessment was performed in accordance with ASTM International Standard E 1527-13. The subject property is developed but currently vacant.

On Thursday, February 25, 2016, a representative of HEC conducted a site inspection to assess the possible presence of petroleum products, regulated hazardous materials, and hazardous waste at the subject property. HEC's investigation also included reconnaissance of adjacent properties, background research, and review of available local, State, and Federal regulatory databases regarding the presence or unauthorized release(s) of petroleum products and environmentally hazardous substances at, or in the vicinity of, the subject property.

HEC contracted with Environmental Data Resources, Inc. (EDR) of Southport, Connecticut to perform a regulatory database review for the subject property for locations within the ASTM minimum search distance from the subject property. The subject property was not identified in the regulatory database review.

The regulatory database search results indicated no Superfund sites within the search radius of the subject property. The regulatory database search results indicated fifteen Brownfield sites within the search radius of the subject property. The regulatory database search results indicated one above ground storage site within the search radius of the subject property. The regulatory database search results indicated twelve leaking storage tank facilities within the search radius for the subject property. The regulatory database search results indicated fifteen underground storage tank site within the search radius for the subject property. The regulatory database search results indicated one dry cleaners within the search radius for the subject property.

HEC did not observe evidence of recognized environmental conditions associated with the subject property during the February 25, 2016, site visit.

A review of historical records did not indicate environmental concerns on the subject property in the past.

Based upon the results of this Phase I ESA, HEC has not identified evidence of recognized environmental conditions in connection with the subject property.

It is the opinion of HEC further investigation is not needed to determine if historical operations have negatively impacted the subject property environmentally.

Attachment: 2016-038 ATTH 02 HEC Environmental Group (1458 : 2016-038 RES authorizing the purchase of the building & property located at

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: 2016-038 Goals & Perspectives (1458 : 2016-038 RES authorizing the purchase of the building & property located at 808 Olive

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 3/21/2016 10:18 AM

Lead Department:	Planning and Community Development	**Action Officer:**	Daphnea Ryan,				
Subject:	Resolution No. 2016-039 authorizing the City Manager to enter into an agreement with Halff & Associates for Comprehensive Planning Services.						
Briefing:	4/11/2016	**Public Hearing:**	4/11/2016	**Second Briefing:**	April 25, 2016	**Council Vote:**	5/9/2016

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Texarkana, Texas' current Comprehensive Plan was adopted in June 2001 with minor map updates in 2007. The City requested proposals to update the Comprehensive Plan to focus on the City's future from a citywide perspective with a strong emphasis on land use planning, infrastructure, transportation, economic development and neighborhood integrity and sustainability. The concentration will be on updating the overall Comprehensive Plan, Future Land Use Map and Zoning Map; developing a Downtown Master Plan; and developing a Citizen Participation Plan.

Potential Options:

- None
-

Fiscal Implications:

$60,000 currently budgeted

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

RFQ Review Committee recommends approval

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2016-039 RES Authorizing Comprehensive Planning Agreement (DOCX)
b. 2016-039 Goals & Perspectives (PDF)

c. 2016-039 ATTH 01 Halff Associates & A&M U Proposal (PDF)
d. 2016-039 ATTH 04 Halff Associates Time Schedule (PDF)
e. 2016-039 ATTH 03 Halff Associates Project Budget Proposal (PDF)
f. 2016-039 ATTH 02 Halff Associates Project Scope (PDF)

Staff Coordination

Planning and Community Development		David Orr	Department Head Review	Completed 03/21/2016 11:29 AM
Purchasing and Contracting		Sharon Moore	Purchasing Review	Completed 03/21/2016 11:43 AM
Finance Department	Kristin Peeples	Finance Review	Completed	03/21/2016 1:29 PM
Finance Department	Charlie Bassett	Finance Review	Completed	03/23/2016 7:02 AM
Assistant City Manager Review		Shirley Jaster	Assistant City Manager	Completed 03/23/2016 8:06 AM
Public Information Officer		Lisa Thompson	PIO Review	Completed 03/23/2016 8:29 AM
City Manager	John Whitson	City Manager Review	Completed	03/23/2016 9:33 PM
City Council	Jennifer Evans	Meeting	Completed	03/28/2016 6:00 PM

Meeting History

RESOLUTION NO. 2016 -039

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT OR CONTRACTS WITH ONE OR MORE PARTIES FOR THE COMPREHENSIVE PLANNING SERVICES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City is required to have a Comprehensive Plan and the City recognizes the need to update the current Comprehensive Plan; and

WHEREAS, the current Comprehensive Plan was completed in 2001; and

WHEREAS, the City released a Request for Qualifications and the Review Committee recommends Halff & Associates.

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

SECTION 1: That the City Manager be and is hereby authorized to enter into a contract with Halff & Associates or other parties to update the City of Texarkana, Texas, Comprehensive Plan.

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 **9th day of May, 2016.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2016-039 RES Authorizing Comprehensive Planning Agreement [Revision 1] (1459 : 2016-039 RES Comprehensive Planning

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Low

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2016-039 Goals & Perspectives (1459 : 2016-039 RES Comprehensive Planning Services)

RFQ # 16-2001-05

City of Texarkana
Comprehensive Plan

2 March 2016

Presented by:

HALFF

Texas A&M University Texarkana

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

Halff Associates
1201 North Bowser Road
Richardson, TX 75081-2275
Tel: 214-346-6200 Fax: 214-739-0095
www.halff.com

Primary Point of Contact:
Rick Leisner, AICP
Director of Planning
Email: rleisner@halff.com
Office: 214-217-6606
Cell: 214-755-7377

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

2 March 2016

Purchasing and Contracts Department
City of Texarkana
220 Texas Boulevard
Texarkana, TX 75504

RE: City of Texarkana RFQ #16-2001-05 - Qualifications for Comprehensive Plan Services

Selection Committee:

The **Halff Associates, Inc.** (Halff) Team is excited to present our Statement of Qualifications for Texarkana's Comprehensive Plan. With the Halff Team's extensive experience working in cities like yours with comprehensive issues toward growth and revitalization, we believe we are perfectly suited to be your partner in this important endeavor.

Halff is known for more than 65 years of planning and engineering expertise in Texas and is widely recognized for the quality and creativity of our staff. In the past decade alone, Halff has been recognized more than 30 times nationally, statewide, and locally for planning excellence. We have assembled a team especially tailored for this comprehensive effort in Texarkana. The team and their focus includes:

Halff Associates, Inc. . . . . *Community Planning, Downtown Revitalization, Infrastructure, Mobility, Citizen Engagement and Leadership*

Texas A&M University - Texarkana . . . . . *Public Engagement Local Coordination*

Our approach to comprehensive planning is not only innovative but also focuses on community preferences and implementation. We believe it is essential for the Comprehensive Plan to reflect the community's vision for its future, yet be practical for day-to-day application.

In bringing together expertise in the areas of market analysis, comprehensive planning, and plan implementation, we commit the experience and creativity of a core group of planners, analysts, designers and engineers to work side by side with you over the coming months to help unify the vision of Texarkana.

We look forward to answering your questions and amplifying on our approach in the near future.

Sincerely,

Rick Leisner, AICP
Project Manager

cc: Lenny Hughes, Principal in Charge

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

3. TABLE OF CONTENTS

1 **Title Sheet** . . . . . page 1

2 **Cover Letter** . . . . . page 2

3 **Table of Contents** . . . . . page 3

4 **Current Active Projects Matrix** . . . . . page 4

5 **Halff Team** . . . . . page 5
- Halff Overview
- Texas A&M - Texarkana

6 **Representative Projects** . . . . . page 7
- Ennis Comprehensive Plan
- Midlothian Comprehensive Plan
- Harlingen Comprehensive Plan
- Oak Ridge Comprehensive Plan
- Cedar Hill Parks Visioning Master Plan

7 **Project Engagement Approach** . . . . . page 16

8 **Team Composition** . . . . . page 18
- Key Individual Bio's

9 **Professional References** . . . . . page 19
- References
- Licensing in Texas

10 **Philosophy & Project Understanding** . . . . page 20

Appendix . . . . . appendix A.1
A. Resumés
B. Professional Services Agreement

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

CURRENT ACTIVE PROJECT MATRIX

Assessment of Halff Present Workload Project Name / Type of Project / Location	Firm's Role	% Complete	Est. Completion Date
Frisco Parks / Master Plan / Frisco, TX	Park Planning	99	Spring 2016
McKinney Parks / Master Plan / McKinney, TX	Park Planning	75	Summer 2016
TxDOT 635 / Corridor Study / Dallas, TX	Design	75	Summer 2016
Ft. Worth Storm Water / Master Plan / Ft. Worth, TX	Design	10	Winter 2016
Ennis / Comprehensive Master Plan / Ennis, TX	Urban Planning	95	Spring 2016
Corporate Drive / Corridor Study / Lewisville, TX	Design	75	Spring 2016
Laud Howell Parkway / Corridor Master Plan / McKinney, TX	Design	10	Spring 2016
The Colony Trails / Master Plan / The Colony, TX	Park Planning	5	Spring 2017
Envision 2040 Midlothian / Comprehensive Plan / Midlothian, TX	Urban Planning	60	Fall 2017

INFORMATION REQUIRED FROM TEXARKANA

Information that the City will be required to provide for purposes of the comprehensive planning process includes:

1. All previous and current studies and projects (as available) that may have an effect on the outcome of the long-range City Comprehensive Plan
2. All adopted plans and studies related development and growth of Texarkana, downtown and any special districts
3. The most recently updated digital base map and aerial imagery of the planning area
4. GIS data that reference items like city limit lines, school district lines, roadway centerlines, appraisal district data, water and sewer facilities, public facilities, park and open space facilities, rivers, lakes, and other major drainage ways
5. Most recent and detailed census data
6. Financial data
7. Building permit data (to have an understanding of growth trends over the last 5-years)
8. Capital Improvement Projects and other current projects
9. City communications protocols
10. Logistics support for meetings, notices, etc.

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

FIRM BACKGROUND AND FOCUS

HALFF®

Office Locations

- Richardson, TX (headquarters)
- Austin, TX
- Conroe, TX
- Dallas, TX
- Flower Mound, TX
- Fort Worth, TX
- Frisco, TX
- Georgetown, TX
- Grand Prairie, TX
- Houston, TX
- McAllen, TX
- Midland, TX
- Oklahoma City, OK
- San Antonio, TX
- Shreveport, LA
- Tyler, TX

Number of Personnel

540+ company-wide

Disciplines

- Urban planning
- Engineering
- Architecture
- Landscape architecture

Services

- Comprehensive plans
- Downtown plans
- Park and open space system plans
- Trail network plans
- Park, open space, and trail design
- Streetscape planning, concepts, and construction
- Implementation strategies
- Transportation planning
- Infrastructure planning
- Public involvement

Founded by Dr. Albert H. Halff in 1950, Halff has grown to a practice of more than 540 distinguished professionals offering services throughout Texas. Our services include: citywide planning, urban design, architecture, full-service engineering and transportation design, hydrologic and hydraulic engineering, environmental services, landscape architecture, geographic information systems, public involvement, and visual science services.

In keeping with the standards of our founder, we set high performance expectations and hold ourselves accountable for the quality of our work and the results we achieve as individuals, as team members and as a company.

Halff Associates' approach to urban planning and design incorporates a strong design-oriented background developed from more than 25 years of architecture and landscape architecture practice. We understand and believe that some of the most important components of comprehensive planning and urban design are developing and implementing a vision for the future, creating a strong sense of place, and fostering environmental and economic sustainability. Our comprehensive and citywide efforts are tailored to the specific needs of our client communities. We create frameworks and strategies to help you achieve your vision!

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

TEXAS A&M UNIVERSITY - TEXARKANA

As a member of The Texas A&M University System, Texas A&M University-Texarkana is a comprehensive regional University that provides students with academically challenging, engaging, and rewarding educational experiences through quality teaching, scholarship, student support services, co-curricular programming, research, and service. Through the personal attention of our faculty and staff, students are afforded the opportunity to acquire the knowledge, abilities, and skills to become leaders in their chosen profession and to prepare for the opportunities of serving in a global environment.

A&M-Texarkana has served the higher education needs of our region since 1971 and been a proud member of The Texas A&M University System since 1996. We have had a great past and are looking forward to an even stronger future. We are transforming an already fine institution into a truly comprehensive university, one that offers a wide array of degree programs, student activities, and residential facilities. While providing opportunities associated with large universities, we have also held fast to our small campus feel. Indeed, students here are known in the classroom by their names, not their ID numbers. Our small class sizes encourage interaction among students and faculty, and our staff are dedicated to meeting students' individual needs. This emphasis on student engagement, both inside and outside the classroom is a hallmark of the A&M Texarkana experience and one that makes this a very special place to earn your college degree.

Mass Communication is the mass production or distribution of news, art, entertainment, or persuasive messages intended for a large audience, in all media from print to corporate communications to independent online broadcasting – from the Wall Street Journal to Instagram. Mass Communication students complete hands-on communication projects in preparation for the professional world in a diverse and challenging program of courses.

If you enjoy writing, organizing concepts or images, and connecting with others, and aspire to a meaningful livelihood communicating ideas, proposals, and useful information to readers, listeners, viewers, and audiences worldwide from your company, computer, or community, Mass Communication is the career path for you. The Mass Communication program also supervises all public speaking (SPCH) courses offered on campus.

Mass Communication majors earn a Bachelor of Science in Mass Communication from a University system with a stellar national and international reputation, preparing them for useful work in many fields of mass communication, or to continue studies in a graduate program.

In general, students learn about the world of mass media, polishing verbal and writing skills, devising devise public relations campaigns, writing news stories, researching topics from advertising and politics to comic books and video games, or creating ads, magazine layouts, and even short films.

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

ENNIS COMPREHENSIVE PLAN

COMPREHENSIVE PLANNING

Project Location:
Ennis, TX

Population:
18,700

Date of Involvement:
March 2015 to May 2016

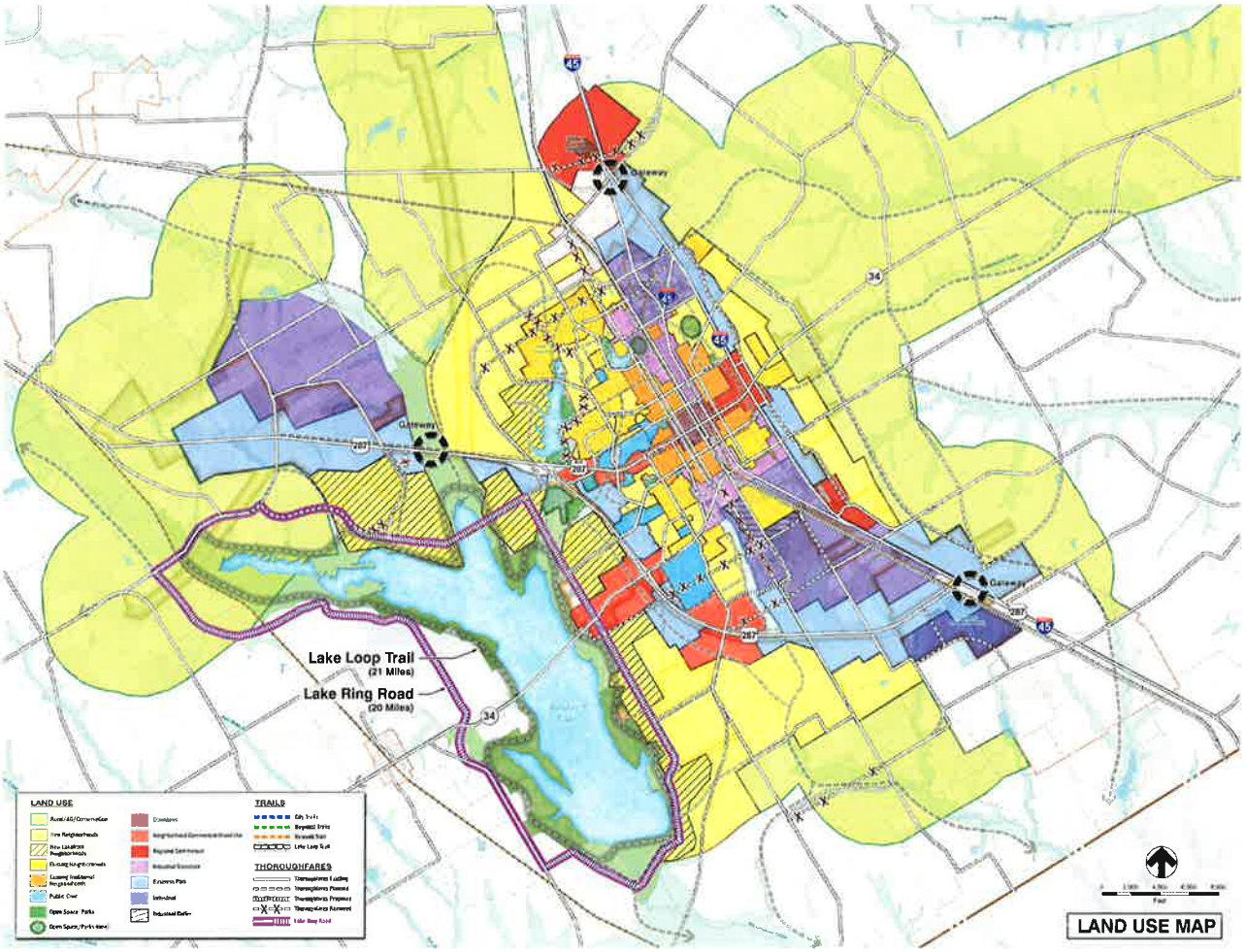
Client Information:
Mr. Marty Nelson
Economic Development Director
Phone: (972) 921-4794

Services Provided:
Land use planning, downtown planning, thoroughfare planning, public engagement, visioning, park, hike and bike trails.

Probable Cost:
$97,350

Scope:
The main comprehensive plan elements for this project include the Future Land Use Plan (FLUP), the Future Thoroughfare Plan (FTP), Parks and Recreation, and Trails. Other than these plan elements, the planning team also addressed a number of focus areas to ensure their optimal performance. Focus areas include downtown, and four major road corridors.

Through a process of comprehensive public engagement (including a citizen survey with about 2,000 respondents), the planning team facilitated meetings with the Comprehensive Plan Action Committee, stakeholder groups, and the public at large, to define and articulate an overall vision for the future of Ennis.



Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

ENNIS COMPREHENSIVE PLAN

COMPREHENSIVE PLANNING

This project is relevant to the upcoming effort on the Texarkana Comprehensive Plan due to the fact this project centered on similar issues, used a Steering Committee to vet concepts and recommendations prior to presenting to the community and created a public engagement plan with numerous methods to engage the citizens and local stakeholders.

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

ENVISION 2040 MIDLOTHIAN COMPREHENSIVE PLAN

RECENT PROJECT EXPERIENCE

Project Location:
Midlothian, TX

Population:
21,350

Date of Involvement:
July 2015 to August 2016

Client Information:
Mr. Kevin Lasher, AICP
Planning Director
City of Midlothian
kevin.lasher@midlothian.tx.us
Phone: (972) 775-7172

Services Provided:
Land use planning, downtown planning, thoroughfare planning, public engagement, visioning, park, hike and bike trails.

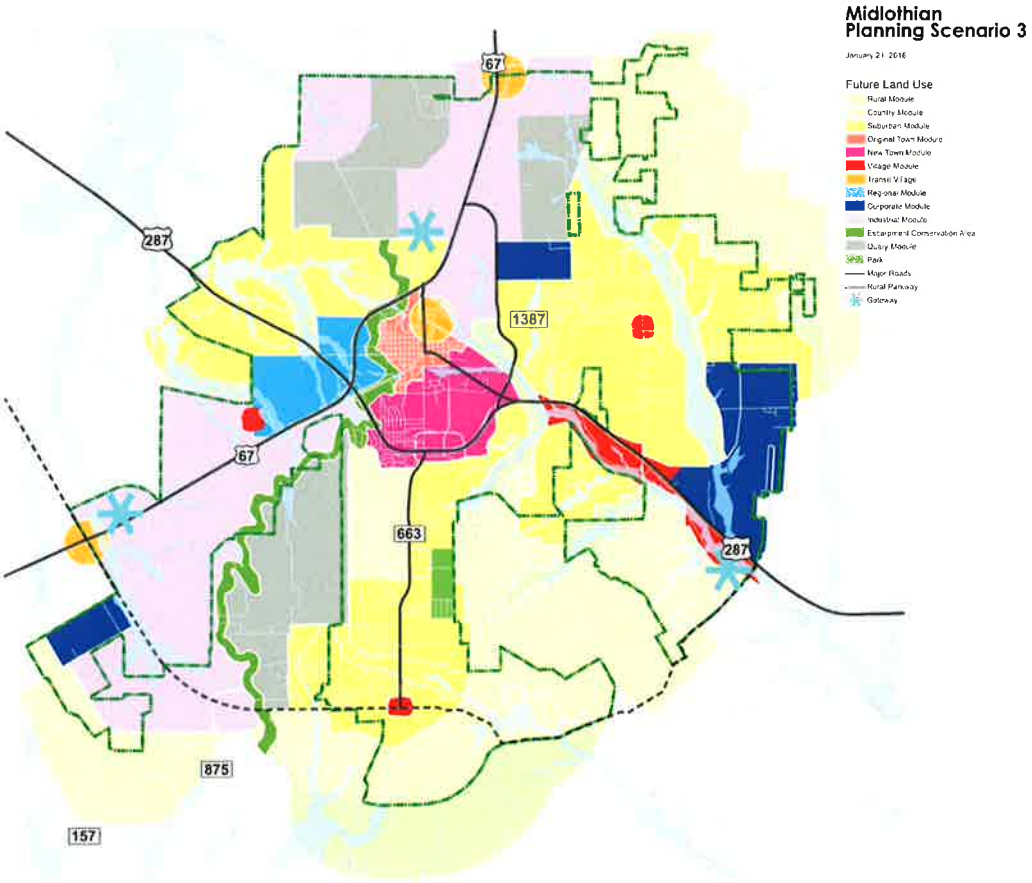
Probable Cost:
$114,750

Scope:
The City of Midlothian is a fast growing city of approximately 21,700 residents located within 25 miles of either Downtown Dallas or Downtown Fort Worth. Midlothian has a strong tradition of municipal excellence and progressive planning. The EnVision 2040 Midlothian Comprehensive Plan will serve to update the city's existing plan (EnVision 2025 Midlothian) and provide a road map for the future.

This planning process is aggressively using social media and web-based tools to meaningfully engage the community. The plan's web page (envisionmidlothian.com) is the hub for all information related to schedule, past presentations, citizen's inputs and progress being made. The consultant team is using social media to:

- Create a Facebook page to gauge the public's response to various planning concepts proposed, polling questions and videos to be able to address concerns promptly.
- SurveyMonkey provides us the capability to invite participants to share their views through an online survey (or series of surveys) on their time, their input into our community planning events.
- mySidewalk (formerly MindMixer) can provide an online platform for input and dialogue that supplements online surveys.

The plan will include recommendations for Future Land Use, Parks and Trails, Transportation and Mobility, Implementation Strategies along with Downtown.



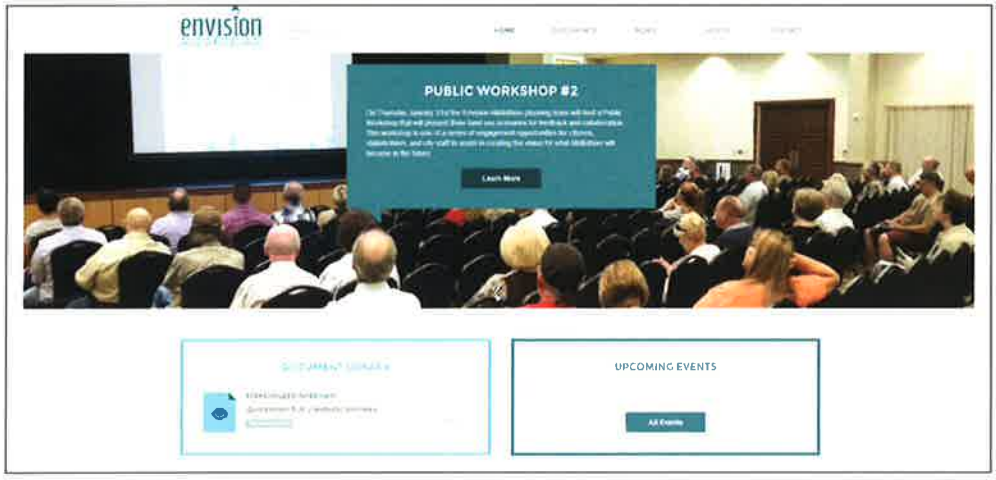
Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

ENVISION 2040 MIDLOTHIAN COMPREHENSIVE PLAN

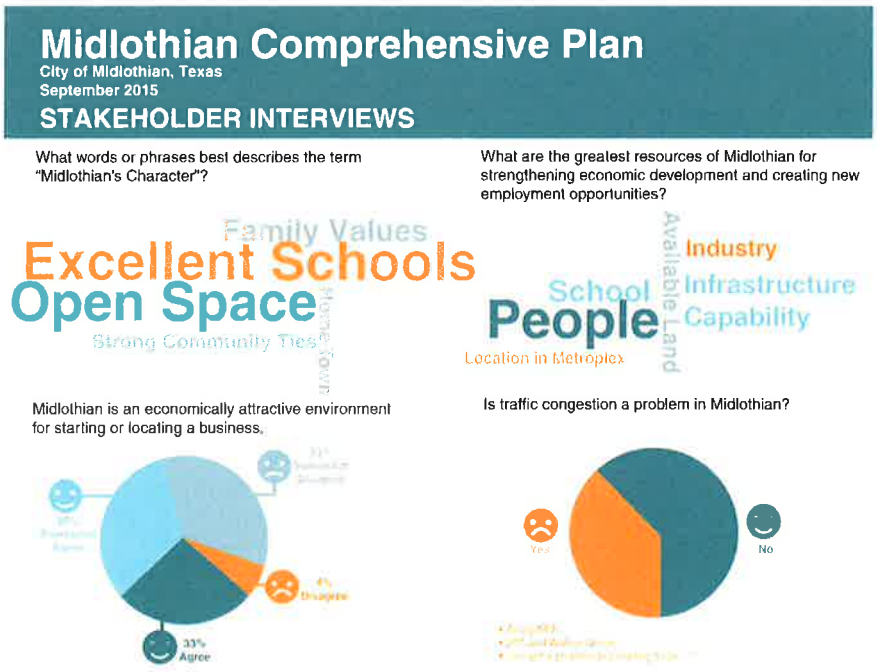
RECENT PROJECT EXPERIENCE

www.EnVisionMidlothian.com

Project Web Site - Home Page



This project is relevant to the upcoming effort on the Texarkana Comprehensive Plan due to the fact that this project is currently in-progress, is using web-based communication to engage more citizens and stakeholders and includes the revitalization of downtown as an important aspect to the community's vision going forward. Another key relevant component of this project is the successful use of a scenario based planning process --- that is, a planning process that educates and explores different development patterns, densities and their related revenue potential for their communities.



Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

HARLINGEN COMPREHENSIVE PLAN

COMPREHENSIVE PLANNING

Project Location:
Harlingen, TX

Population:
65,000

Date of Involvement:
Spring 2015

Client Information:
Mr. Gabriel Gonzales
Assistant City Manager, Interim Planning Director
Phone: (956) 216-5002

Services Provided:
City profile and assessment, public engagement, visioning, goal setting, recommendations, implementation strategy.

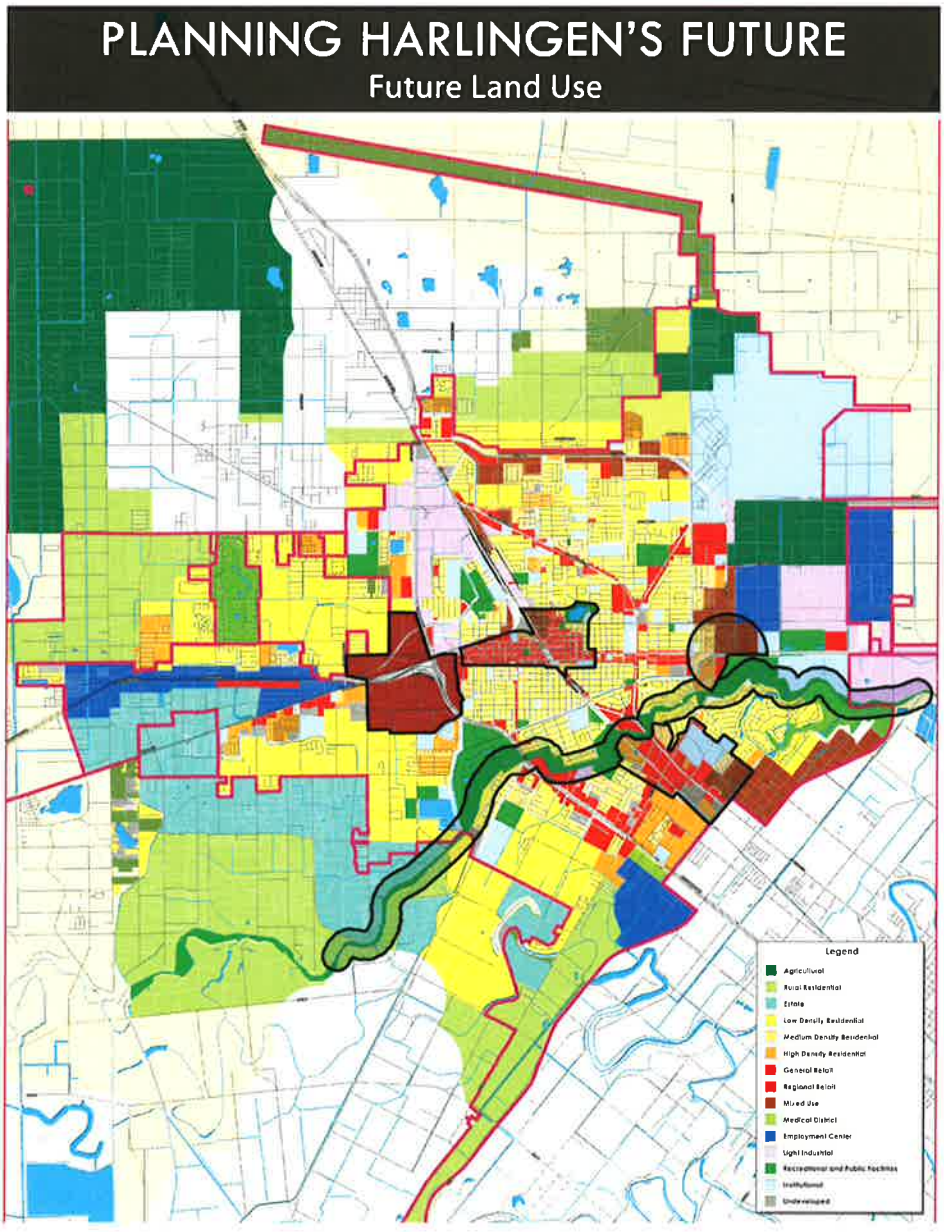
Probable Cost:
$129,900

Scope:
Halff Associates prepared this Comprehensive Plan Update for the City of Harlingen, a community with a population of 70,000. The plan identified solutions to solidify its identity and develop a strong sense of place. The plan will also help the City strengthen its economic underpinnings.

A key focus of the Harlingen Comprehensive Plan is revitalizing and enhancing the City's downtown.

Other important components of the plan include the creation of new neighborhoods and quality housing, and revitalization of older neighborhoods.

Extensive public involvement is underway in Harlingen, with a series of workshops that focus on key issues, citywide citizen surveys, and even intercept surveys at key events. This emphasis on extensive citizen feedback is designed to create a plan that will be embraced by the City's residents.



Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

HARLINGEN COMPREHENSIVE PLAN

COMPREHENSIVE PLANNING

This project is relevant to the upcoming effort on the Texarkana Comprehensive Plan due to the fact this project centered on similar issues such as; enhancing growth in Downtown, creating long-term community sustainability, better neighborhood sustainability, and increasing economic development, also using a Steering Committee to vet concepts and recommendations prior to presenting to the community and also created a public engagement plan with numerous methods to engage the citizens and local stakeholders.

Demolished home lot - Before

Demolished home lot - After

'F' Street - Before

'F' Street - After

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

OAK RIDGE NORTH COMPREHENSIVE PLAN

COMPREHENSIVE PLANNING

Project Location:
Oak Ridge North, TX

Population:
3,000

Date of Involvement:
June 2013

Client Information:
Ms. Susan Cates, Director of Economic Development
27424 Robinson Road
Oak Ridge North, TX 77385
(832) 381-3227
scates@oakridgenorth.com

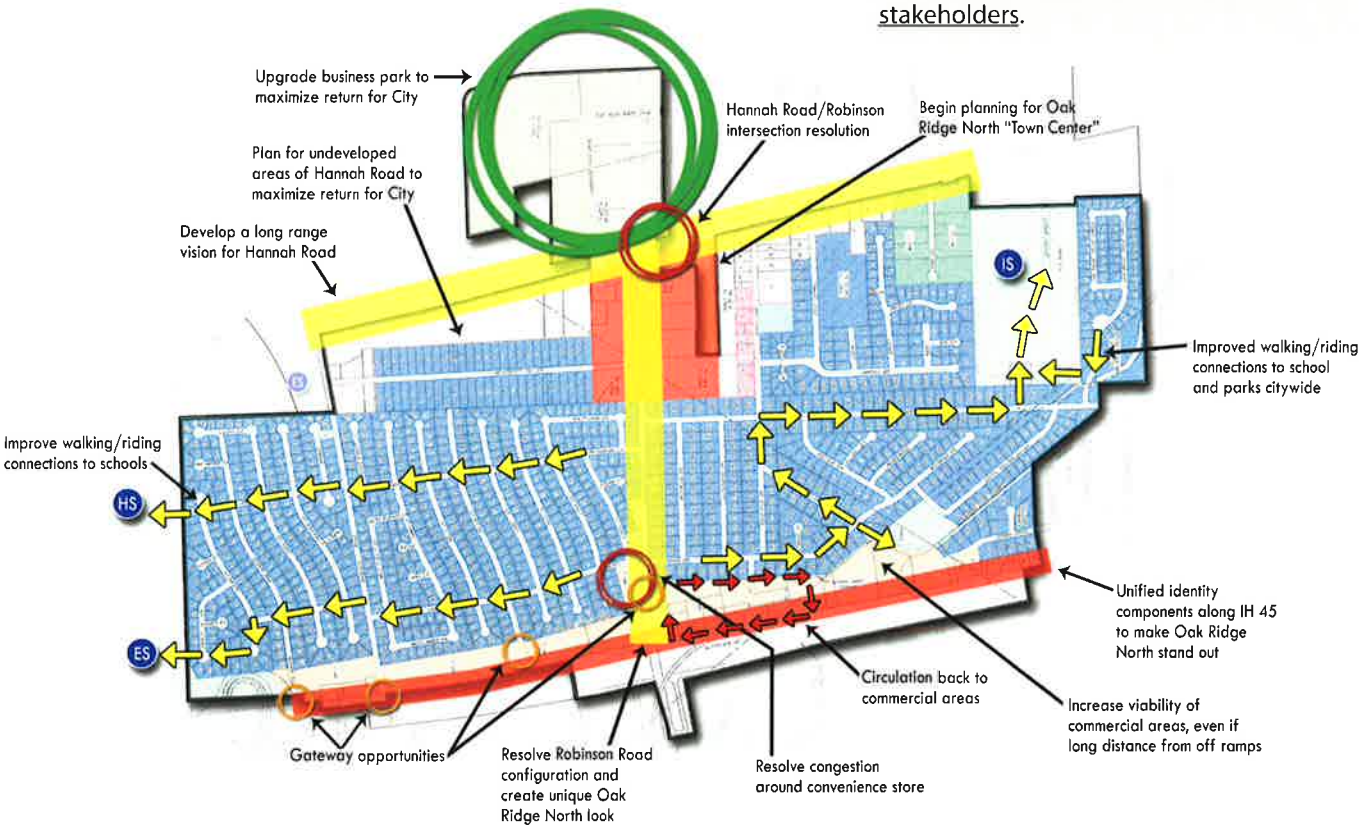
Services Provided:
Land use planning, thoroughfare planning, public engagement facilitation, visioning, traffic analysis (cursory), trail and bicycle network, streetscapes.

Probable Cost:
$89,000

Scope:
Halff Associates completed the comprehensive plan for a community of 3,000 residents located approximately 30 miles north of Houston and across IH 45 from the Woodlands. Oak Ridge North struggles with aging infrastructure that was built 40+ years ago and with community identity. They want to be recognized in the Houston area, and want to attract retailers and businesses to their city.

Their comprehensive plan focuses on ways to upgrade infrastructure and commercial building facades so that new businesses are attracted to the city. It also recommends changes to city codes so that the existing character of the neighborhoods is preserved and new homeowners are attracted to living here. It also focuses on creating a new "downtown" for the city. The plan included extensive public involvement, ranging from surveys to citizen visioning and focus group meetings.

This project is relevant to the upcoming effort on the Texarkana Comprehensive Plan due to the fact this project centered on similar issues such as; dealing with aging poor infrastructure, creating a better downtown and increasing new economic development, also using a Steering Committee to share concepts and recommendations prior to presenting to the community. Another key relevant component of this project we created a public engagement plan with numerous methods to engage the citizens and local stakeholders.



Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

CEDAR HILL VISIONING MASTER PLAN

PARKS, RECREATION, OPEN SPACE, TRAILS, AND STREETSCAPE MASTER PLAN

Project Location:
Cedar Hill, TX

Population:
45,000

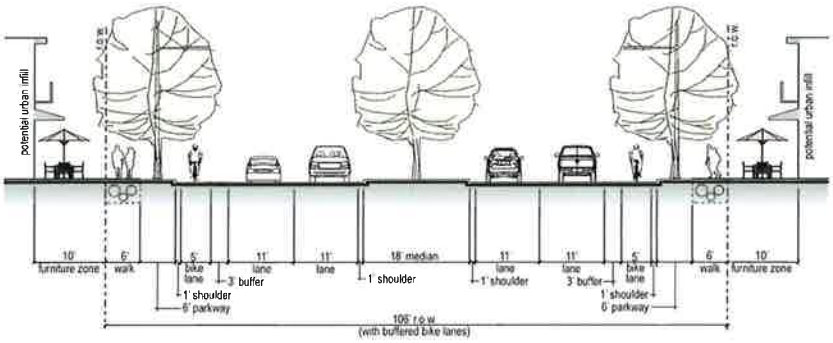
Date of Completion:
September 2012

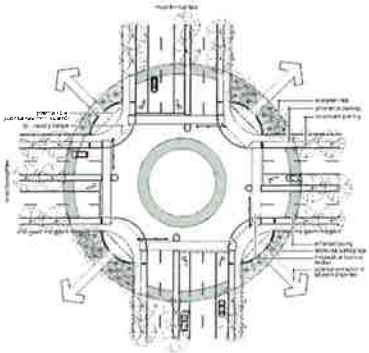
Client Information:
Ms. Rhoda Savage (McKinney, TX)
Parks and Recreation Director
Phone: (972) 547-7481

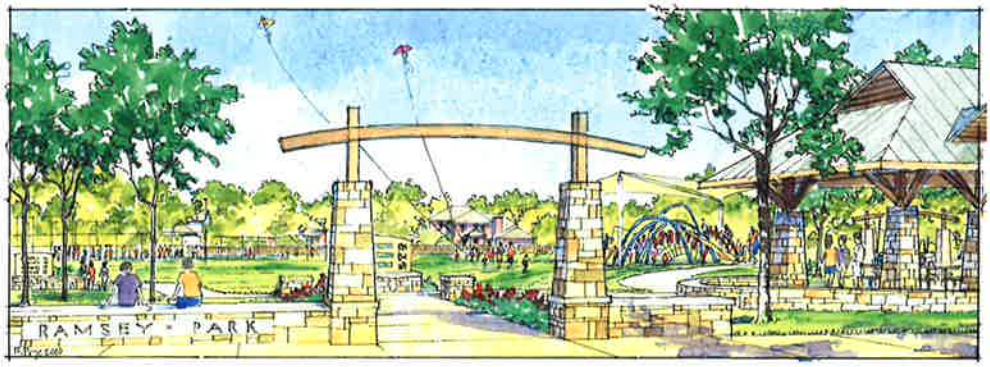
Services Provided:
Park planning, trail planning, on-street bicycle planning, open space preservation, streetscape planning and conceptual design

Scope:
This master plan defines the vision for the future of Cedar Hill and identifies strategic actions to enhance the quality of life and image of the community. The 2012 Parks, Recreation, Trails and Open Space Visioning Master Plan prepared for the City of Cedar Hill is unique and different from a normal Parks Master Plan. Inspired by city leaders' vision to simultaneously address the image and character of the City, the brief was to develop a Master Plan that not only covers parks, recreation and open space as is typical of this type of plan but that also addresses trails, on-street bikeways and streetscapes. This approach makes perfect sense as parks, open space, trails, and streetscapes are deemed important image- and character-defining features that are often the first and most lasting impression presented to visitors.

Key to the project is the unique natural environment of Cedar Hill, which includes the escarpment with its dramatic limestone outcroppings, the prolific cedar trees, and the adjacent Joe Pool Lake and Cedar Hill State Park. All of these elements combine to make Cedar Hill an important destination. Components of the study include an analysis of benchmarks and level of service for park land and recreation facilities, an analysis and recommended program for indoor recreation facilities and aquatic facilities, a master plan for a citywide hike and bike trail system; a citywide on-street bikeway system including bike lanes and shared lanes; and a streetscape and entry feature plan that includes concepts for gateways and entry monuments as well as design guidelines.





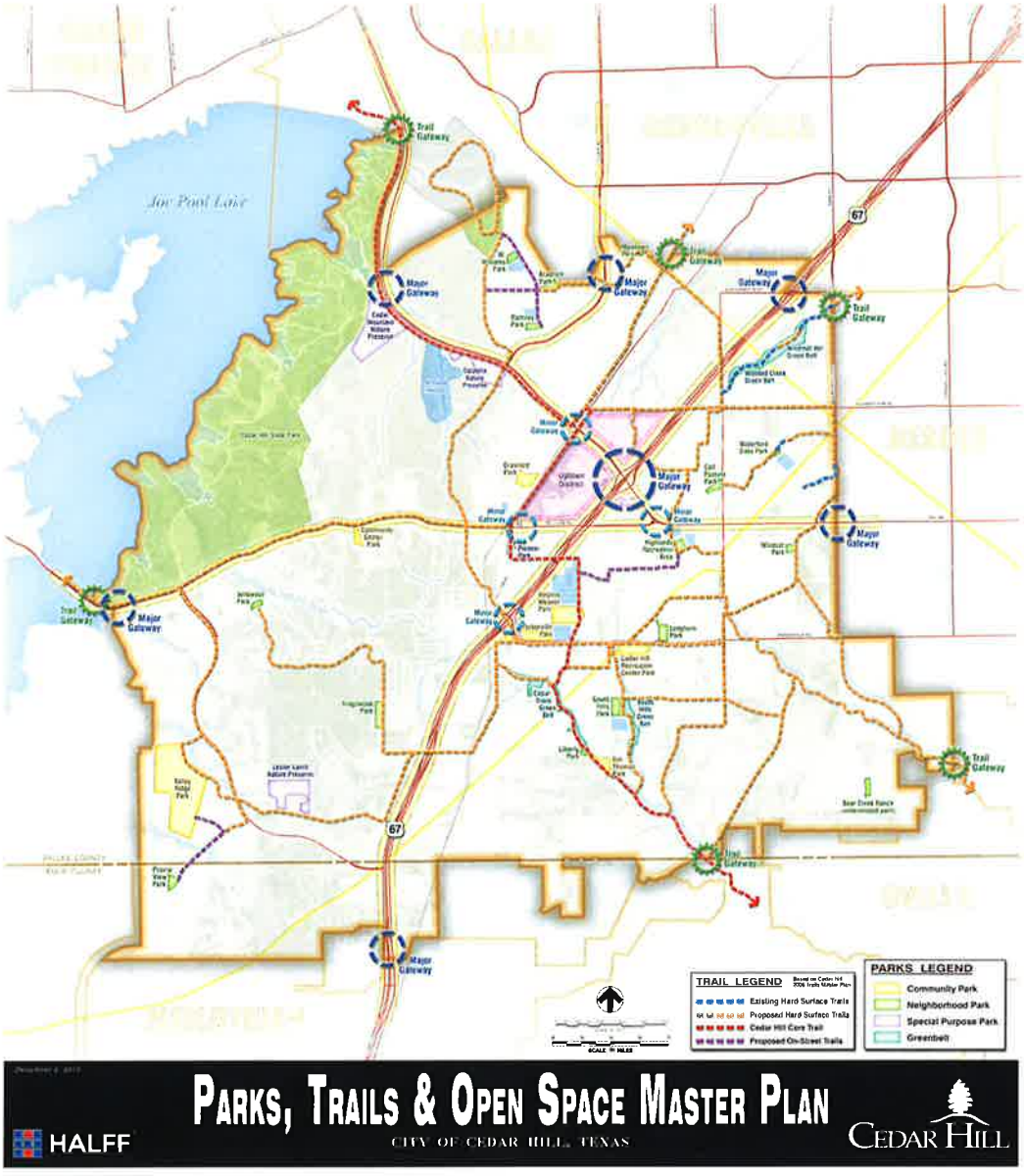


HALFF

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

CEDAR HILL VISIONING MASTER PLAN

PARKS, RECREATION, OPEN SPACE, TRAILS, AND STREETSCAPE MASTER PLAN



This project is relevant to the upcoming effort on the Texarkana Comprehensive Plan due to the important relationship that new proposed growth and development, along with a revitalized Downtown has on the need for direct pedestrian linkages, bicycle routes and open space connections with this successful development. Today the most used outdoor family recreational sport and/or park is the pedestrian trail. The new development opportunities from the Comprehensive Plan must define trail and walkway connections to local neighborhoods along with the potential for mixed used.

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

PUBLIC ENGAGEMENT APPROACH

Halff's planning philosophy includes inclusive community engagement that both educates and collaborates with the citizens. We recognize a community's educated, skilled, and involved citizenry; their effective involvement contributes to elected and appointed officials making informed decisions. We will work closely with city staff to tailor a community process that reflects the needs and social culture of the community at different phases during the initiative. Below lists the tools we have used in the past year:

Scenario Based Alternatives
We use a scenario based planning process to assist the community in reviewing and refining new or revitalized development patterns in their community, and comparing one to another (which aides in establishing a direction). A total of three scenarios will be developed as a means of gauging the benefits and / or impacts of each scenario. The three scenarios will include the following:

- Current Trend - To measure the current trend of development and growth
- Scenario A - Alternative growth scenario developed during the community charrette
- Scenario B - Alternative growth scenario developed during the community charrette

Website
Project web page(s) will convey general project information such as meeting dates, background information, and contact information. It will also provide a means for obtaining public input and serve as the main portal for videos, presentations, workshop information, and downloadable reports.

Stakeholder Interviews (Individual)
The Halff Team conducts 30-45 minute interviews at the early phase of a community planning project to gain individual perspectives related to current economy, key opportunities that the city should be positioning itself to pursue, and key limitations or perceptions that the city should be working to overcome, etc. The interview team will use a set of questions as a starting point and then use follow-up questions to probe for more detailed responses. The team will develop the interview questions and distribute them to city staff for review and comment.

Sticky Dot Preference
The sticky dot process for preference selection is also widely used by the Halff team. This process requires less technology but still allows a person to engage a meeting without speaking. A single person's choice is still secret and provides results by the end of a meeting or charrette. This tool is important in getting quality results and managing a budget.

Visual Preference Survey (VPS)
We use visual preference surveys to communicate better with a broad base of citizens on their preference for physical design or development options. Basically the survey consists of a series of images that participants must score according to their preference.

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

Charrette

A community charrette can be scheduled at a key point during the planning process. The charrette will be advertised on the city / project website, through email messaging and social media, and other available city channels. The participants will be engaged in the planning process through a number of techniques, including utilizing chips or stickers to allocate development types to areas of the city, colored markers to discuss future development densities, image boards to examine future building types and urban design characteristics.

Social Media Interface

The web and other online tools are increasingly important forms of communication. For this type of project, web-based engagement will be designed by the Halff Team to make information available more broadly (to anyone who chooses to go online), more conveniently (whenever someone is online or connected) and with more flexibility (by using a variety of online and social networking tools). The final components of the web strategy will be determined through discussions with staff and your project Steering Committee. It can include:

- Facebook (www.facebook.com)
- LinkedIn (www.linkedin.com)
- YouTube (www.youtube.com)
- Instagram (www.instagram.com)

Surveys

We use an online SurveyMonkey account and web site to invite participants to share their views through an online survey (or series of surveys) they can access whenever they choose. The Halff Team will provide content for online survey mechanisms to secure input throughout the update process and to solicit follow-up feedback about the results of community meetings for the planning process.

Keypad Polling

Keypad polling is an electronic meeting support tool that allows users to respond to multiple choice questions using a wireless keypad. Every audience member has exactly one vote, so no single voices can dominate the conversation. Keypad polling is much more efficient than using paper ballots, since votes are tabulated instantly. Individual votes are secret, so people may be more comfortable giving honest opinions than with raised hands.

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

TEAM COMPOSITION

This page defines the core team proposed in the Halff Team for the Texarkana Texas Comprehensive Plan. Their proposed role is noted along with a summary of their relevant experience.

Rick Leisner, AICP
Project Role: Project Manager/Director [Halff Associates]
Rick Leisner is a planner and urban designer with more than 25 years of progressive experience in project planning, design, management and leadership. Rick has completed over 50 comprehensive, downtown, redevelopment and special district plans in his career, many winning Texas and regional awards. Mr. Leisner has spoken at numerous State of Texas and national conferences on recent planning / urban design assignments and SMART Growth trends. Collaborating, working together and building consensus on planning and community initiatives is possibly Rick's greatest individual asset.

Lenny Hughes, ASLA
Project Role: PIC / Park and Trail Planning Task Leader [Halff Associates]
Lenny Hughes, Vice President and Director of Landscape Architecture, joined Halff in 1995. He has more than 20 years of experience in landscape architectural design, park and trail design, park planning, management, bidding/ negotiations and an extensive background in public engagement.

Dr. Kevin Ells
Project Role: Public Engagement – Local Coordination Task Leader [Texas A&M - Texarkana]
Associate Professor, Program Coordinator - Mass Communication
College of Education and Liberal Arts
Dr. Ells will be the point person at the Mass Communication Department at Texas A&M University-Texarkana which will provide local support and communication inputs for the project. The local Texas A&M Team will work closely with Halff to implement their community engagement events. This team will be a great resource to the project.

Dean Stuller, PE
Project Role: Transportation Planning Task Leader [Halff Associates]
Dean Stuller has 34 years of experience in the traffic engineering and planning field. He has been the transportation planner collaborating on many of Halff's comprehensive and downtown plans. Dean has an excellent understanding of the need for a multi-modal transportation system to move people and goods around town and the region.

Brian Haynes, PE
Project Role: Infrastructure Planning Task Leader [Halff Associates]
Brian Haynes has designed and managed civil projects involving: municipal roadways, transportation planning and studies, site development, drainage planning and design, water and wastewater design, floodplain reclamation studies, floodplain management and environmental studies. He has been the infrastructure engineer collaborating on many of Halff's comprehensive and downtown plans.

The above summary defines the roles these professionals have played on the selected example projects provided in this submission. This team of individuals will be supported by the talented and innovative staff of planners, landscape architects and engineers in our **+150 person Richardson, Texas office**.

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

PROFESSIONAL REFERENCES

The following is a list of references for the Halff Team. We invite you to contact them to find out about the quality of services that they received from our team members for projects that are similar to yours.

HALFF - Project Name Location	Exhibit Similar Characteristics	Completed within 5-years	Population +/-	Reference Information
Harlingen Comprehensive Plan Harlingen, TX	YES	YES	65,000	**Mr. Joel Olivo** **Harlingen Planning and Zoning Manager,** City of Harlingen 956-216-5180
EnVision 2040 Midlothian Comprehensive Plan Midlothian, TX *	YES	YES	21,350	**Mr. Kevin Lasher, AICP** **Planning Director,** City of Midlothian kevin.lasher@midlothian.tx.us 972-775-7172
Ennis Comprehensive Plan Ennis, TX	YES	YES	18,700	**Mr. Marty Nelson** **Economic Development Director,** City of Ennis mnelson@ennistx.gov 972-921-47944
Cedar Hill Visioning Master Plan Cedar Hill, TX	YES	YES	48,100	**Ms. Rhoda Savage** **Economic Development Director,** City of McKinney (currently) rsavage@mckinneytexas.org 972-547-7481
Kennedale Comprehensive Plan Kennedale, TX	YES	YES	8,900	**Mr. Bob Hart** **City Manager,** City of Kennedale bhart@cityofkennedale.com 817-985-2102

* EnVision 2040 Midlothian Comprehensive Plan is currently being completed by Rick Leisner.

PROFESSIONAL LICENSING IN TEXAS

HALFF - Licensed Professionals	National & TX Licensed Planner	Texas Licensed Land Architect	Texas Licensed Engineer
Rick Leisner, AICP	No. 10125		
Lenny Hughes, RLA		TX No. 2067	
Jim Carrillo, FAICP, RLA	No. 9875	TX No. 1377	
Matt Bucchin, AICP, LEED Green	No. 22097		
Dean Stuller, PE			TX No. 60264
Brian Haynes, PE			TX No. 90985
David Buchanan, RLA		TX No. 2570	
Jonathan West, RLA		TX No. 2628	
Kirk Wilson, RLA		TX No. 3103	

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

PHILOSOPHY & PROJECT UNDERSTANDING

A comprehensive plan for the City of Texarkana requires an innovative, community-driven approach that empowers the city and its leaders to make informed but market responsive decisions about the future. With purposeful community engagement and careful considerations of community planning priorities we will prepare a plan that is based on a collective community vision. Reflective of our understanding of the City of Texarkana's context and prior planning efforts, the Halff Team proposes the following philosophy for the city's comprehensive plan:

Articulate the Community's Vision
It is important to ensure that the vision for the future is articulated based on the community's current values and goals. Through a concerted public participation effort, we will facilitate community input as described on the following pages. We are experienced in using the following public engagement tools to increase citizen participation and define the community's vision: focus groups, visual preference surveys (VPS), project website, scenario based alternatives, charrettes, keypad polling and online surveys.

Economic Development & Catalyst Areas
We believe that the City of Texarkana needs a comprehensive plan that provides not only a broad vision for the city, but also a strategy for increasing economic development. We will focus on the locations within the City of Texarkana that have the greatest potential for immediate and long-term positive impacts. It is our belief that public infrastructure improvements should be undertaken with the goal of catalyzing development and redevelopment thus providing a net positive return on public investment.

For downtown, our team understands the need to build on the success of downtown by creating a Downtown Sector Plan that ties land use, urban design, transportation, and economic development based on realistic market opportunities. Revitalization of downtown is a key success needed for this plan.

This plan will focus on creating stronger neighborhood integrity and sustainability through redevelopment of catalytic areas. Under utilized and vacant properties can become the keys to neighborhood revitalization. This team has experience in creating plans and strategies for neighborhood and commercial corridor reinvestment.

Quality of Life
The overriding principle behind a market and economic analysis as part of comprehensive planning is to create sustainable communities which advances "Quality of Life" of its citizens.

The marriage of planning, urban design, market, and economic disciplines ensures that a community's vision is both innovative and grounded in reality. Our focus on implementation from both a physical and economic perspective provides communities with a usable "road map" for future development decisions.

The work products which result from these efforts speak to the interests of a variety of audiences, including: tourism; business and property owners; advocacy groups, including neighborhood associations; businesses and residents within their influence area; and elected and appointed officials.

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

Rick Leisner, AICP
HALFF ASSOCIATES, INC.

Project Manager / Community Planning

YEARS EXPERIENCE
25+

EDUCATION
Master of Landscape Architecture/ Urban Design,
University of Pennsylvania

Bachelor of Landscape Architecture,
Kansas State University

PROFESSIONAL REGISTRATION
Planner: American Institute of Certified Planners
License No. 90985

PROFESSIONAL MEMBERSHIPS AND GROUPS
American Society of Landscape Architects

Greater Dallas Planning Council

Rick Leisner is a planner and urban designer with more than 25 years of progressive experience in project planning, design, management and leadership as a consultant. City Comprehensive Planning, Town Design, Downtown Planning, Urban Revitalization Studies, Corridor Planning and Park Planning and Design are a significant part of his large-scale portfolio. Mr. Leisner's projects range from regional to site specific, public or private, urban to rural in context and always include stakeholders for building consensus while utilizing implementation codes/strategies toward creating better places.

SELECTED COMPREHENSIVE PLAN PROJECTS
- EnVision Midlothian 2040 Comprehensive Plan; Midlothian, TX
- Sunnyvale Comprehensive Plan; Sunnyvale, TX
- Fairview Comprehensive Plan; Fairview, TX
- EnVision Midlothian 2025 Comprehensive Plan; Midlothian, TX
- City of McKinney Comprehensive Plan (and Fiscal Impact Analysis); McKinney, TX
- Northwest Sector Study; McKinney, TX
- Comprehensive Plan & Corridor Revitalization; Pantego, TX
- Town of Argyle Comprehensive Plan and Specific Corridor Plans; Argyle, TX
- Flower Mound Comprehensive Plan & "SMART Growth" Strategy; Flower Mound, TX (1999)
- Galveston Comprehensive Plan; Galveston, TX
- Comprehensive Plan and Corridor Plans; Argyle, TX
- Wylie Comprehensive Plan; Wylie, TX
- Town of Flower Mound Comprehensive Plan; Flower Mound, TX (1994)
- Imagine Brownsville 2020 – Comprehensive Plan and Redevelopment Strategy; Brownsville, TX
- Trinity Corridor Comprehensive Land Use and Urban Design Plan; Dallas, TX
- Piedmont Comprehensive Plan, Piedmont, OK
- Northwest Area Community Development Master Plan; Mesa, AZ
- E-470 Corridor - Land Use Plan; Aurora, CO
- West Side Strategic Plan: Comprehensive Growth Strategy; Albuquerque and Berbernillio County, NM
- Fitzhugh/Capital Neighborhood Plan; Dallas, TX
- Southside District Economic Development Plan; Monroe, LA
- TOD / Station Area Development Plans – Downtown / CBD Garland and Forest Lane; Garland, TX

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

Lenny Hughes, RLA
HALFF ASSOCIATES, INC.

Principal-in-Charge / Park and Trail Planning

YEARS EXPERIENCE
20

EDUCATION
Bachelor of Science/Landscape Architecture, Oklahoma State University

PROFESSIONAL REGISTRATION
Registered Landscape Architect, State of Texas – No. 2067

Mr. Hughes, Vice President and Director of Landscape Architecture, joined Halff in 1995. He has more than 20 years of experience in landscape architectural design, commercial landscape design, park design, park planning, management, bidding/ negotiations, and an extensive background in horticulture.

Representative projects include:

Hwy 78 Beautification Study, Sachse, Texas – Principal in Charge of a team of planners and landscape architects responsible for conceptual design and schematic design development for a 3 mile long stretch of State Highway 78 corridor from Murphy Rd. to Maxwell Creek. The corridor study included Design Charrettes, Public Involvement meetings and coordination with the key and major stakeholders and business owners along the Hwy 78 corridor. The project included Aesthetic Design Guidelines, Gateway Monuments, Trail Facility Planning and Landscape Plantings.

2012 Parks, Recreation, Trails, & Open Space Visioning Master Plan, Cedar Hill, Texas – PIC for a master plan designed to establish a vision for the future of the city and identify strategic actions to enhance the community's quality of life and image. This plan is unique in that in addition to traditional park master plan elements, it includes an on-street bikeway plan and a streetscape master plan. In total, the plan recommends 14 new neighborhood parks, two new community parks and other park and open space development totaling 885 additional acres of land.

2010 Parks, Recreation, and Open Space Master Plan, Granbury, Texas – Principal for the Parks Master Plan which places an emphasis on the geographically unique location of the city, the importance of the tourist industry and the natural qualities found in the landscape, Lake Granbury and Comanche Peak, which lies outside the city limits yet has a significant visual impact on the city's image.

2009 Parks, Recreation, and Trails Master Plan, Mansfield, Texas – Principal for a project that is comprised of a complete Parks Master Plan and a separate but complete Trails Master Plan, studied and presented in one report. The project greatly expanded the concept of a Parks and Trails Master Plan by including the Planning, Engineering and Public Works Departments in recommended alternative development strategies for the city, alternative transportation options including bike routes, and measures to protect the fully developed hydrological 100-year floodplain.

Successful Parks System & Trail Planning Projects

- McKinney Parks, Open Space and Trails Master Plan; McKinney, TX
- 2014 Frisco Parks Master Plan; Frisco, TX
- Cedar Hill Parks & Trails Master Plan; Cedar Hill, TX
- Wylie Parks Master Plan, Wylie, TX
- City of Lewisville Parks Master Plan; Lewisville, TX
- 2014 Parks Master Plan; Temple, TX
- Trinity River Master Implementation Plan, Dallas, TX
- Six Cities Trail Plan, North TX
- 2011 Parks Master Plan, Colleyville, TX
- 2009 Community Development Master Plan, The Colony, TX
- City of Mansfield Trails Master Plan, Mansfield, TX
- City of Mesquite Trails Master Plan, Mesquite, TX

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

Dean Stuller, PE
HALFF ASSOCIATES, INC.

Transportation & Traffic Analysis

YEARS EXPERIENCE
35

EDUCATION
Bachelor of Science/Engineering Science, University of Texas at Austin

PROFESSIONAL REGISTRATION
Licensed Professional Engineer
State of Texas – No. 60264

Mr. Stuller has 34 years of experience in the Traffic Engineering field. He began his Traffic Engineering career at the City of Dallas in the Street and Sanitation and Transportation Departments where he worked for almost 15 years. Twelve of those years he served as a District Engineer responsible for traffic operations and related issues in one-half of the city. Since leaving the city, he has worked 19 years as a traffic engineering/ transportation consultant serving clients in both the public and private sectors, regarding traffic and transportation related issues.

Kennedale Comprehensive Plan, Kennedale, Texas – As traffic engineer, worked with the project team on sizing the roads on the city's thoroughfare plan based upon existing and proposed land uses.

Colleyville Comprehensive Plan, Colleyville, Texas – As traffic engineer, worked with the team on evaluating existing and projected traffic volumes on the identified streets on the city's thoroughfare plan and determining recommended cross sections. Working with team to enhance SH 26 (Colleyville Boulevard) and make it more compatible for pedestrians and bicycles as part of the TxDOT planned improvements along the corridor.

Cleburne, Downtown Master Plan, Cleburne, Texas – As traffic engineer, worked with the project team evaluating cross-sections of streets in the downtown area including number of lanes, lane width, on-street parking, sidewalk widths, pedestrian routing and bulb-outs at intersections. Looked at traffic calming options on the streets in the downtown area.

Brenham Downtown Master Plan Update, Brenham, Texas – As traffic engineer, worked with the project team assisting in the areas of parking, pedestrian flow, vehicle flow and circulation and vehicle access to the downtown area.

South Texas College, McAllen, Texas – Principal for a Traffic Impact Study to accompany a Comprehensive Master Plan for the Pecan Campus. Evaluated impacts to the adjacent roadway system based upon future growth of the campus as well as evaluated access, parking and on-site circulation related to master plan.

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

Brian Haynes, PE, CFM
HALFF ASSOCIATES, INC.

Infrastructure

YEARS EXPERIENCE
17

EDUCATION
Bachelor of Science/Civil Engineering
Texas Tech University

PROFESSIONAL REGISTRATION
Licensed Professional Engineer
State of Texas – No. 90985

Certified Floodplain Manager
Certification No. 0659-04N

Since joining Halff Associates in June 1998, Mr. Haynes has designed and managed civil projects involving: municipal roadways, transportation planning and studies, site development, drainage planning and design, water and wastewater design, floodplain reclamation studies, floodplain management, mapping/surveying, environmental studies, master plan studies, and general engineering services. Mr. Haynes serves as the Town Engineer for the Towns of Copper Canyon, Double Oak, and Hickory Creek.

Representative projects include:

Master Plan Studies
Copper Canyon Town Center, Texas – Senior Project Manager for the master plan update of the Town Center's proposed mixed-use development on approximately 200-acres of land located on FM 407. Colleyville Comprehensive Plan, Colleyville, Texas – Engineering support for the Colleyville Comprehensive Plan prepared by Halff Associates, Inc.

Transportation Planning and Studies
Roanoke Mixed-Used Development, Roanoke, Texas – Principal for the Roanoke Mixed-Used Development Site. Project included layout of infrastructure based on conceptual plan and preparing a plat for a 23 acre site.

Drainage Planning and Design
Oakridge Trail Culvert Improvement Drainage Study, Town of Copper Canyon, Texas – Senior Project Manager for the Oakridge Trail Culvert Improvement drainage study. The study analyzed existing drainage conditions on Poindexter Branch Tributary 1.2 and provided drainage improvement recommendations for the Oakridge Trail culvert. The drainage study proved there would be no adverse flooding impacts downstream of the improved culvert.

Flood Reclamation Studies
McDermott Road and Rasor Blvd LOMR, City of Plano, Texas – Principal for the McDermott Road and Rasor Blvd LOMR. Coordinate with City of Plano and FEMA due the current study for the FEMA Map Modernization program.

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

Kevin Ells
TEXAS A&M

Public Engagement

EDUCATION

Louisiana State University, Ph.D. in Communication Studies (2008)

York University (Toronto), Master of Environmental Studies – Area of Concentration: Media and Political Ecology (Political and Environmental Communication) (1995)

Dalhousie University (Halifax, Canada), Bachelor of Commerce (Finance); minor in Music

TEACHING POSITIONS

Associate Professor of Mass Communication, Basic Course Director (2014-)
Program Coordinator, (2015-), Texas A&M University – Texarkana

U.S. Fulbright Scholar, Journalism Faculty, Baku State University, Azerbaijan (Spring 2015)

Associate Professor (2012-13) Program Coordinator (2013), Assistant Professor of Communication Studies (2006-12), Director of Forensics (2007-12), LSU Alexandria

PEER-REVIEWED ARTICLES

"Chaos and Complexity in Paul Auster's New York Trilogy," with G. Jones, in Restoring the Mystery of the Rainbow: Literature's Refraction of Science, C. Barfoot & V. Tinkler, eds. Rodopi Press (DQR Studies in Literature, Vol. 47), 2011, pp. 627-639

"Innis, Illich, Interstate: Media Ecology as Rhetorical Criticism," Explorations in Media Ecology, Vol. 8, 2009, pp. 181-194

"Almost Indigenous: Cultural Tourism in Acadia and Acadiana," co-authored with G. Jones, Journal of Enterprising Communities: People and Places in the Global Economy, Vol. 3, No. 2, 2009, pp. 193-204

"Ecological Rhetoric through Vicarious Narrative: The Enduring Significance of Garrett Hardin's 'The Tragedy of the Commons,'" Environmental Communication: A Journal of Nature and Culture, Vol. 2, No. 3, November 2008, pp. 320-339

"Strands of Sand," Text and Performance Quarterly, Vol. 25, No. 3, July 2005, pp. 239-254

AWARDS AND HONORS

Fulbright Teaching Award to Azerbaijan, U.S. Scholar Program, Feb-June, 2015

National Endowment for the Humanities Summer Institute "A Fierce Green Fire at 100: Aldo Leopold and the Roots of Environmental Ethics," Institute for Humanities Research, Arizona State University, 2009

National Communication Association National Doctoral Honors Seminar (Rhetoric), Oklahoma University, 2005

ACADEMIC SERVICE

Texas A&M University – Texarkana

Budget subcommittee chair, publicity coordinator, Program for Learning and Community Engagement (PLACE) Committee (2015-)

Faculty co-chair, Assessment Committee (2015-)

Member and editor, Quality Enhancement Plan Committee, (2015-)

Advisor, Mass Communication Club (2014-)

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

Amy Muckleroy Carwile
TEXAS A&M

Public Engagement

EDUCATION

Ph. D.	The University of Alabama	May, 2009
M.A.	The University of Alabama	May, 2006
B.A.	Mississippi State University	December, 2004

TEACHING APPOINTMENTS

Assistant Professor August 2010 – Present
Mass Communication Program, College of Education and Liberal Arts
Texas A&M University - Texarkana

Assistant Professor August 2009 – August 2010
Director of Public Speaking Program, College of Communication and Information Sciences
Department of Communication Studies
The University of Alabama

ADMINISTRATIVE APPOINTMENTS

Texas A&M University-Texarkana
Program Coordinator, Mass Communication August 2010 – December 2014
College of Education & Liberal Arts

Interim Director, Academic Assessment August 2013 – August 2014
Office of the Provost/Vice President of Academic Affairs

SELECTED PUBLICATIONS

Chilcutt, A. S., & Carwile, A. M. (2014). The Importance of Communication Training. *Georgia Academy of General Dentistry Explorer*, Spring.
Carwile, A. (2011). *Constructing effective speeches: A step-by-step guide to public speaking*. San Diego, CA: Cognella.
Mills, C. B.; & Carwile, A. M. (2009). The good, the bad, and the borderline: Separating teasing from bullying. *Communication Education*, 58, 276-301.

SELECTED AWARDS AND HONORS

Exemplary Online Instructor – Texas A&M University Texarkana – 2015
College of Education & Liberal Arts Faculty Research Grant ($2000 - with Dr. Angela Sikorski) – 2013
Texas A&M Faculty Author Award Recognition – 2013
Literacy Council, Bowie & Miller Counties, Inc. Community Service Award – 2011
Texas A&M Chancellor's Award for Teaching Excellence – 2011 Fall
Top 4 Student Paper, Public Relations Division, National Communication Association – 2008
Top 4 Student Paper, Interpersonal Division, Southern States Communication Association – 2008

PROFESSIONAL & COMMUNITY SERVICE

KTXK Radio 91.5 (NPR Affiliate) – Member, Advisory Board – 2010, 2011, 2012
Southern States Communication Association – Manuscript reviewer & Chair, multiple divisions
Association for Education in Journalism & Mass Communication – Vice Chair, ESIG; Manuscript reviewer, multiple divisions
Iowa Journal of Communication – Editorial Board Member – 2014, 2015
Texas A & M University at Texarkana – Faculty Athletic Representative (NAIA); Chair, Vice-Chair, & Secretary, Academic Affairs Advisory Council; Chair, Multiple faculty search committees

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

STANDARD FORM OF AGREEMENT BETWEEN CLIENT AND THE PROFESSIONAL PLANNING SERVICES PROVIDER FOR PROFESSIONAL SERVICES

THIS IS AN AGREEMENT EFFECTIVE THE LATEST DATE OF EXECUTION AS PROVIDED BELOW BETWEEN CITY OF TEXARKANA, TEXAS (CLIENT), AND HALFF ASSOCIATES, INC.

I. SCOPE

Halff Associates, Inc. (hereinafter "Halff", "Professional Planning Services Provider") agrees to perform the services described in the attached Scope(s) of Services, **Exhibit A**, which incorporates these terms and conditions. The parties intend to enter into this standard form of agreement which will be executed by the parties, but the parties also intend to execute scope(s) of services that may be executed from time to time that will also be bound by the terms of this agreement. Unless modified in writing by the parties hereto, the duties of Halff shall not be construed to exceed those services specifically set forth in the Scope of Services. The Scope of Services and these General Terms and Conditions, when executed by **City of Texarkana, Texas** (hereinafter "Client"), shall constitute a binding Agreement on both parties. Halff shall perform its obligations under this agreement as an independent contractor and not as an agent on fiduciary or any other party

II. COMPENSATION

Client agrees to pay monthly invoices or their undisputed portions within 30 days of receipt. Payment later than 30 days shall include interest at 1-1/2 percent per month or lesser maximum enforceable interest rate, from the date the Client received the invoice until the date Halff receives payment. Such interest is due and payable when the overdue payment is made.

It is understood and agreed by the parties that receipt of payment(s) by Halff from Client is in no way contingent upon Client's receipt of payment, funding, reimbursement or any other remuneration from others.

Time-related charges will be billed as specified in this Agreement. Unless stated otherwise in this Agreement, direct expenses will be billed at actual cost and subcontracted services and costs will be billed at actual cost plus a service charge of 10 percent. Mileage incurred will be billed at current IRS rates.

III. RESPONSIBILITY

Halff is employed to render a professional service only, and any payments made by Client are compensation solely for such services rendered and recommendations made in carrying out the work. Halff shall follow the standard practices of the applicable and relevant profession to make findings, provide opinions, make factual presentations, and provide professional advice and recommendations. Halff shall not be required to provide any certification, assignment or warranty of its work but, upon request and for a separate fee, Halff may provide written statements regarding its services under this Agreement. Such statements shall be in a form acceptable to Halff and shall be requested with sufficient advance notice to allow Halff to review the documents and prepare a suitable statement.

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

IV. SCOPE OF CLIENT SERVICES

Client agrees to provide those services described in the attached Scope of Services as well as those that may be normal, customary or required.

V. OWNERSHIP OF DOCUMENTS

Upon Halff's completion of services and receipt of payment in full, Halff shall grant to Client an exclusive license to use the drawings, instruments and data produced in connection with Halff's performance of the work under this Agreement. Said drawings, instruments and data may be copied, duplicated, reproduced, used and disclosed by Client for any purposes Client deems appropriate in connection with the work under this Agreement. **Client agrees that such documents are not intended or represented to be suitable for reuse by Client or others for purposes outside the Scope of Services of this Agreement.** Any reuse by Client, or by those who obtain said information from Client, without written verification or adaptation by Halff will be at Client's sole risk and without liability or legal exposure to Halff, Halff's subconsultants or independent associates. Client shall indemnify Halff, Halff's subconsultants and independent associates for all damage, liability or cost arising therefrom. Halff may reuse all drawings, reports, data and other information developed in performing the services described by this Agreement in Halff's other activities.

VI. INDEMNIFICATION

Halff agrees to indemnify and hold Client harmless from any actual damage, liability or costs, including reasonable attorney's fees and expenses, to the extent caused directly by a negligent act or omission or willful misconduct of Halff, Halff's subconsultants or those for whom Halff is legally liable, as a direct result of the performance of the professional services which are the subject of this Agreement.

In the event that Client is found to be concurrently negligent, Halff shall not indemnify for the proportionate negligence of Client, but shall indemnify for the portion of negligence solely attributable to Halff, its agents, servants, employees, and subcontractors of any tier, their agents, servants and employees.

Neither party shall be liable to the other for incidental or consequential damages, whether or not the possibility of such damages has been disclosed or could have been reasonably foreseen.

The parties shall indemnify one another against damages of third parties recoverable from the indemnitee to the extent caused by the comparative negligence of the indemnitor. **Such negligence shall be measured by standards in effect at the time services are rendered, not by later standards. All legal actions by either party against the other arising out of or in any way connected with the services to be performed hereunder shall be barred and under no circumstances shall any such claim be initiated by either party after three (3) years have passed from the date of issuance of the Certificate of Completion, unless Halff's services shall be terminated earlier, in which case the date of termination of this Agreement shall be used.**

VII. INSURANCE

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

A. Commercial general liability insurance, including personal injury liability, blanket contractual liability, and broad form

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

property damage liability. The limit shall be not less than $1,000,000.

B. Automobile bodily injury and property damage liability insurance with a limit of not less than $1,000,000.
C. Statutory workers' compensation and employers' liability insurance as required by state law.
D. Professional liability insurance, in the amount of $2,000,000 per claim and in the aggregate.

VIII. SUBCONTRACTS
Halff shall be entitled, to the extent determined appropriate by Halff, to subcontract any portion of the work described in the Scope of Services.

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

X. INTEGRATION
These terms and conditions and the letter agreement (Scope of Services) to which they are attached represent the entire understanding of Client and Halff as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered herein. The Agreement may not be modified or altered except in writing signed by both parties.

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

XII. SUSPENSION OF SERVICES
A. If work under this Agreement is suspended for more than thirty (30) calendar days in the aggregate, Halff shall be compensated for services performed and charges incurred prior to receipt of notice to suspend and, upon resumption, an equitable adjustment in fees to accommodate the resulting demobilization and mobilization costs. In addition, there shall be an equitable adjustment in the work schedule based on the delay caused by the suspension. If work under this Agreement is suspended for more than ninety (90) calendar days in the aggregate, Halff may, at its option, terminate this Agreement upon giving notice in writing to the Client. Halff may request that the work be suspended by notifying Client, in writing, of circumstances that are interfering with normal progress of the work.

B. If the Client fails to make payments when due or otherwise is in breach of this Agreement, Halff may suspend performance of services upon five (5) calendar days notice to the Client. Halff shall have no liability whatsoever to the Client for any costs or damages as a result of such suspension caused by any breach of this Agreement by the Client.

XIII. TERMINATION OF WORK
Either the Client or Halff may terminate this Agreement at any time with or without cause upon giving the other party ten (10) calendar days prior written notice. Client agrees that termination of Halff for Client's convenience shall only be utilized in good faith, and shall not be utilized if the purpose or result is the performance of all or part of Halff's services under this Agreement by Client or by another service provider. The Client shall within ten (10) calendar days of termination pay Halff for all services rendered and all costs incurred up to the date of termination, in accordance with the compensation provisions of this contract.

XIV. TAXES
The fees and costs stated in this Agreement, unless stated otherwise, exclude all sales, consumer, use and other taxes which are or may be promulgated following execution of this Agreement. Client agrees to reimburse Halff and Halff's subconsultants for the taxes paid by Halff and its subconsultants in accordance with the laws and regulations of the applicable taxing authorities.

XV. ALTERNATIVE DISPUTE RESOLUTION
Any conflicts that arise during the work described by this Agreement or following the completion thereof shall be submitted to nonbinding mediation unless the parties agree otherwise. The parties further agree to require all independent contractors and consultants retained in connection with this Agreement to include a similar mediation provision in all Agreements with subcontractors, subconsultants, suppliers or fabricators.

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

XVII. TIMELINESS OF PERFORMANCE
Halff agrees to perform its services with due and reasonable diligence consistent with sound professional practices and will strive to meet the schedules defined in the attached scope(s) of work.

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

APPROVED:

Professional Planning Services Provider:

HALFF ASSOCIATES, INC.

Signature:_____

Typed or Printed Name:_____

Title:_____

Date:_____

APPROVED:

Client: CITY OF TEXARKANA, TEXAS

Signature:_____

Typed or Printed Name:_____

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

Title:_____

Date:_____

EXHIBIT A

TASK ORDER Number 1

(General) – INCLUDES SCOPE OF WORK, FEE SCHEDULE, SCHEDULE FOR PERFORMANCE OF SERVICES AND CLARIFICATIONS AS INCLUDED BELOW AND ON THE FOLLOWING PAGES

Halff agrees to perform the services contained in the following Scope of Services dated _____ 20_____ (provided on the following pages and included as part of this Task Order 1). Additional Task Orders, numbered sequentially and including a similar cover sheet may be executed by the parties. All services shall be performed under and in accordance the terms and conditions provided above and the specific Task Orders executed by the parties.

Attachment: 2016-039 ATTH 01 Halff Associates & A&M U Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

Comprehensive Plan

City of Texarkana, TX

PROJECT DURATION : 11 Months

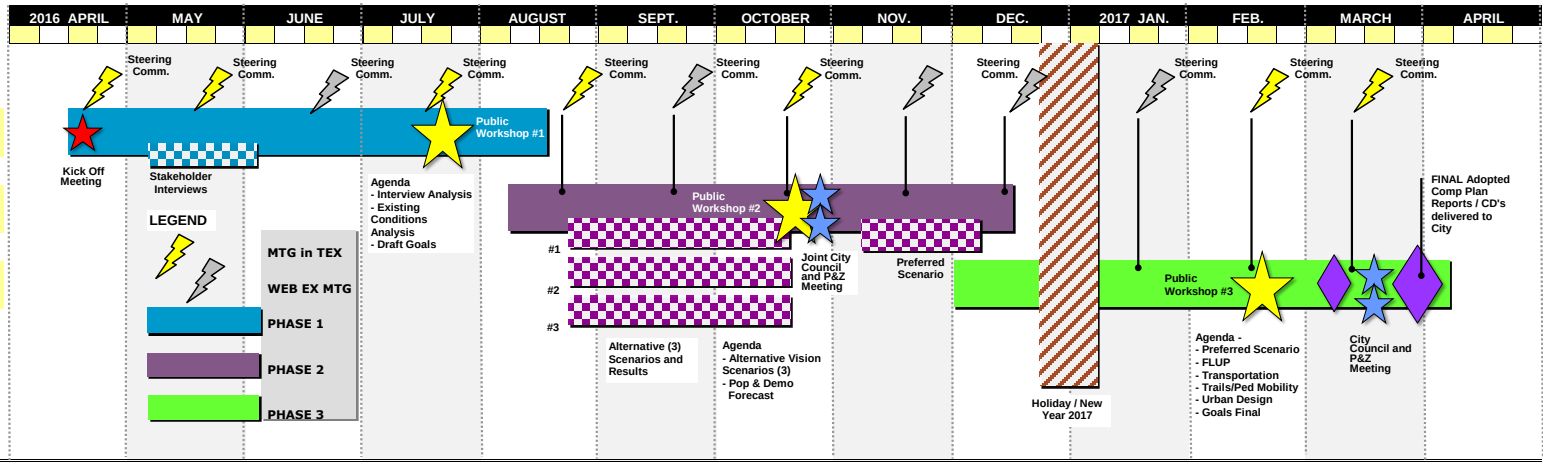
DATE: MARCH 2016

Phase 1 - Project Initiation and the Status of Texarkana

Phase 2 - City Wide Vision Plan

Phase 3 - Comprehensive Plan & Implementation

Proposed TImeline



Attachment: 2016-039 ATTH 04 Halff Associates Time Schedule (1459 : 2016-039 RES Comprehensive

Comprehensive Plan
Texarkana, Texas
Project Budget

PROJECT BUDGET

Phase I - Project Initiation and the Status of Texarkana

TASK 1	COMMUNICATION, OUTREACH, AND MANAGEMENT
TASK 2	PUBLIC PARTICIPATION / CONSENSUS BUILDING
TASK 3	OPPORTUNITIES AND CONSTRAINTS ANALYSIS
TASK 4	PUBLIC PARTICIPATION / CONSENSUS BUILDING SERIES #1

Phase II - City Wide Vision Plan

TASK 5	ALTERNATIVE SCENARIOS (3)
TASK 6	PUBLIC PARTICIPATION / CONSENSUS BUILDING SERIES #2
TASK 7	PREFERRED SCENARIO (1)

Phase III - Comprehensive Plan & Implementation

TASK 8	FUTURE LAND USE PLAN
TASK 9	TRANSPORTATION ELEMENT
TASK 10	PARKS AND TRAILS ELEMENT
TASK 11	URBAN DESIGN ELEMENT
TASK 12	DOWNTOWN SPECIFIC PLAN ELEMENT
TASK 13	PUBLIC PARTICIPATION / CONSENSUS BUILDING SERIES #3
TASK 14	IMPLEMENTATION STRATEGIES
TASK 15	COMPREHENSIVE PLAN PREPARATION & ADOPTION

Texas A&M University Texarkana

Professor and student participation at/during/behind Public Workshops, engagement events and as a social media partner.

Professional Planning, Public Engagement, etc.	$51,000.00
Travel, printing and expenses	$ included above

Project Website and Engagement Platform

Halff would develop a custom website that would be fully responsive, meaning the layout would adapt to all devices from smartphones to tablets to laptops to desktops. The site will provide access to all necessary project information, documents, links, news and events.

Service	$ 9,000.00
TOTAL:	$60,000.00

ADDITIONAL SERVICE OPTIONS

CHARRETTE – ONE DAY

The Halff Team will conduct a day long planning charrette to establish planning scenarios and concept for Downtown redevelopment alongside participation with local citizens and community stakeholders. We will be defining early concepts for city wide future land uses, Downtown and redevelopment opportunities. Citizens will work with the planners at a series of tables defining different plan inputs. The city will provide a large venue for the charrette which will include visits

Attachment: 2016-039 ATTH 03 Halff Associates Project Budget Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

Attachment: 2016-039 ATTH 03 Halff Associates Project Budget Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

by the Mayor, City Council members and local media. An evening presentation to summarize the day and outcomes will conclude the event. $4,500.00

CHARRETTE – TWO DAY
The Halff Team will conduct a two-day long planning charrette to establish planning scenarios and concept for Downtown redevelopment alongside participation with local citizens and community stakeholders. We will be defining early concepts for city wide future land uses, Downtown and redevelopment opportunities. Citizens will work with the planners at a series of tables defining different plan inputs. The city will provide a large venue for the charrette which will include visits by the Mayor, City Council members and local media. An evening presentation to summarize the outcomes will conclude the event. $9,000.00

STEERING COMMITTEE MEETINGS (All attended by Halff in Texarkana)
Halff can attend the five meetings in Texarkana currently schedule to use Web-ex technology to conduct the meeting. This is for Rick Leisner (Project Manager) and some meetings to have another colleague attend plus travel costs. $14,300.00

OPEN HOUSE EVENTS
The team will meet with various constituent groups including developers, design professionals and residents at 4 open house formats to solicit ideas and comments from the public which can be connected to Steering Committee meeting series. $ 5,800.00

PRINT DESIGN MATERIALS
Design Posters, cards and flyers promoting the project website and engagement platform as well as public meetings and events encouraging residents and stakeholders to visit the site, meetings and get engaged. $500.00 - Print Design Materials

VIDEOS
Introduction Video
Halff would produce a short 1-2 minute video that introduces the Comprehensive Plan project. The video would show the logo and branding for the plan as well as state the goals and objectives of the plan and communicate that community engagement is important for the plan to be successful. It will serve as a commercial to get people to go the new site project website, social platforms and get them excited about the future of Texarkana.

Project Video
This video will be produced at the end of the project and would be a 3-5 minute video. It will provide a highlight reel summary of the process and some of the key features of the plan. Footage would include public engagement events, meetings, behind the scenes footage, drone footage of city, etc. $6,000.00 / Videos (2)

INFRASTRUCTURE ELEMENT
Evaluate major existing infrastructure system plans and define general recommendations for future modifications to those plans that may be required in order to achieve the community vision and to support the approved preferred scenario for the future mix of land uses. This could roll into implementation actions and future CIP programs. $7,900.00

TELEPHONE SURVEY (Statically Valid)
A better understanding of how a diverse group of residents in a city feel about city services, initiatives and quality of life issues are critical. Learning to be proactive in planning, and to better understand resident attitudes instead of to a small group of concerned citizens is critical in today's society. Public opinion research is a tool that has been successfully utilized to better meet the needs of its citizenry. Cost for these survey depends upon the number of citizens the community desires input. $ TBD

PUBLIC WORKSHOP #4
The Halff Team could add a public workshop after the preferred scenario has been created from comments received from the community. This additional workshop could also correspond to including Open House meetings before evening workshops. A schedule for this added workshop could be in December. $4,000.00

End of Comprehensive Plan Budget

Attachment: 2016-039 ATTH 03 Halff Associates Project Budget Proposal (1459 : 2016-039 RES Comprehensive Planning Services)

Comprehensive Plan
Texarkana, Texas
Project Scope

Phase I - Project Initiation and the Status of Texarkana

Communicate though the community and to the leadership of Texarkana the role of a Comprehensive Plan. This phase will provide the energy and define community issues for previous phases. Initiates the project and establishes the factual basis on which the rest of the plan is developed.

Phase II - City Wide Vision Plan

Identifies needs based on technical analysis of data developed in phase one and involves citizens, community groups and Texarkana leadership in refining technical issues and identifying issues and refining goals and objectives concerning community planning and development. Establishes the preferred city wide Vision.

Phase III - Comprehensive Plan & Implementation

Develops plan elements, policies and programs to address critical issues and achieve community goals and objectives. Develops the implementation tools necessary to focus actions needed to ensure plans, guidelines, policies and programs are recommended.

Phase I – Project Initiation and the Status of Texarkana

TASK 1 COMMUNICATION, OUTREACH, AND MANAGEMENT

1.1 Kick-off Introduction Meeting

The team will meet with the City and their team to review and agree on process for the following: project management, project schedule and project meetings. A graphic project schedule will be presented.

1.2 Base Mapping and Aerial Photography

The Halff team will create a digital base for the project from files and aerial data provided to the consultant from the City. The most recent base and aerial information is best for increased accuracy during the city wide planning process.

1.3 Analysis of Texarkana Reports and Data Sets

The team will review and study existing data and reports that relate to development potential and redevelopment of targeted areas. The City will provide copies (hard and electronic) of existing reports and data for the Halff Team to review. This information will be provided by the client at the start of the project.

The following plan elements should serve as input for plan's development:

- City of Texarkana, Texas Comprehensive Plan (2001)
- Future Land Use Map Update (2007)
- Texarkana Bicycle and Pedestrian Master Plan (2009)
- City of Texarkana, Texas Parks and Recreation Master Plan (2009)

Attachment: 2016-039 ATTH 02 Halff Associates Project Scope (1459 : 2016-039 RES Comprehensive Planning Services)

- City of Texarkana, Texas Planning and Zoning Ordinance (2015)
- City of Texarkana, Texas Hazard Mitigation Plan (2011)
- City of Texarkana, Texas Storm Water Management Plan (2014)
- City of Texarkana, Texas Emergency Management Plan (2015)
- CDBG Annual Action Plan (2015)
- CDBG 5 year Consolidated Action Plan (2013-2017)
- Texarkana Regional Mobility Plan (2006)
- MPO Transportation Improvement Program (2015-2018)
- MPO Unified Planning Work Program (FY16-17)
- MPO FY15 Annual List of Obligated Projects
- MPO Texarkana Urban Transportation Study (2015-2040)
- City of Texarkana, Texas Capital Improvement Plan (Draft)
- TIRZ I Annual Report 2015
- TIRZ II Annual Report 2015

1.4 Stakeholder Interviews (30 minutes each)
The Halff Team will conduct 30 interviews of the following people individually to solicit input regarding the Comprehensive Plan. The Halff Team will produce the interview questions prior to the interviews. The client (City of Texarkana) will contact and confirm a time for the stakeholder. Client will provide invitations and meeting rooms for the interviews. Interview should include people such as the following:

- Mayor
- Texarkana City Council
- Planning & Zoning Commission (Chairman)
- Steering Committee members
- Economic Development Leadership
- Regional organizations members (MPO)
- Representatives of existing development
- Downtown Stakeholders
- Key Senior Staff

TASK 2 PUBLIC PARTICIPATION / CONSENSUS BUILDING

2.1 City Presentations & Meetings
The Halff team will be conducting regularly scheduled presentations to a series of interested stakeholders. These presentations will be focused on the specific topic of the month as the process evolves. The presentations will be aided with a power point presentation and will include paper handouts. With the proposed schedule in mind, handouts will be distributed 48-hrs.prior to the presentation.

2.1.1 Joint City Council / Planning & Zoning Commission – Meeting
This joint meeting of the Texarkana City Council / Planning & Zoning Commission will serve as a review, input, and approval process for the Comprehensive Plan. This meeting will be regularly scheduled. The meetings can be schedule for afternoon or evening depending upon topic and need for public participation.

2.1.2 Steering Committee
The Steering Committee (identified by the City with assistance from Halff) will serve as a review, input, and directional body for the Comprehensive Plan throughout the planning process. The Halff Team will meet monthly during the planning process to present materials for committee background, discuss critical issues related to the development of the Comprehensive Plan, and obtain

Attachment: 2016-039 ATTH 02 Halff Associates Project Scope (1459 : 2016-039 RES Comprehensive Planning Services)

feedback and direction from the Committee. The team will attend all meetings, either in person or via web-ex. The schedule of these meetings is noted on the graphic project schedule. The City will be responsible for providing a venue for the committee meetings and notifying committee members of meeting dates and times. The Halff Team will provide agendas and materials for facilitated discussion at each meeting.

2.2 Communication & Consensus

The Halff Team will develop and maintain a series of communication systems that are specifically targeted for Texarkana to receiving input during the planning process. The modes of communication target the many different social-economic groups in the community.

2.2.1 Media News Release

The team will develop a written news release for the several local Texarkana newspapers and television networks that will define upcoming events and planning topics looking for community input. The Halff Team will write a piece that totals two (2) over the plan period. Distribution of the copy will be uploaded on the Plan website and completed by the client.

2.2.2 Comprehensive Plan Logo (branding)

The Halff Team will partner with the City to develop a project specific branding strategy to allow for the project to have a consistent and commonly known name for project stakeholders. Halff will brainstorm with the City on concepts and ideas to develop some preliminary project branding ideas (including a project name, logo, and color scheme) for consideration by the City. After review and comment by the City, Halff will finalize the brand concept for use across the project.

We would create a unified brand for the comprehensive plan project that would be carried through all project communications including the website, print materials, plan documents, meetings and public events. A unified and recognizable brand for the Comprehensive Plan is critical to help engage the community and produce a unified plan.

2.2.3 Comprehensive Plan Web Page

A project website could convey project information such as meeting dates, background information, and contact information. It will also provide a means for obtaining public input and serve as the main portal for videos, presentations, schedule information, workshop information, educational links and downloadable documents.

The team would develop a custom website that would be fully responsive, meaning the layout would adapt to all devices from smartphones to tablets to laptops to desktops. The site will provide access to all necessary project information, documents, links, news and events.

2.2.4 Community Survey

SurveyMonkey (www.surveymonkey.com) provides the capability to invite participants to share their views through an online survey they can access whenever they choose. These surveys supplement meeting discussions because they allow input from people who either can't participate in the larger meeting sessions or choose not to. The team will design and upload a survey to solicit community input regarding desires for future community development, Downtown needs and growth and development viewpoints.

Attachment: 2016-039 ATTH 02 Halff Associates Project Scope (1459 : 2016-039 RES Comprehensive Planning Services)

2.3 Goals & Objectives Statement - Preliminary

The team will develop a preliminary set of goals and objectives to evaluate the alternative comprehensive plan scenarios and eventual preferred scenario, and land use plan against. The initial goals and objectives statement will come from the stakeholder interviews. The team will attempt to get the goals and objectives to be measurable, such as an example level of service, as possible. These goals and objectives will be organized in a series of categories, such as transportation, land use, infrastructure systems, quality of life, and others.

TASK 3 OPPORTUNITIES AND CONSTRAINTS ANALYSIS

3.1 Vision Opportunities – Physical Framework

The Halff Team will develop a series (2) of graphic plans (natural systems and man-made systems) that will establish growth and development zones for the City of Texarkana, based on the collective set of goals and objectives as established by the stakeholders of Texarkana. The plans will physically define areas for growth as related to an analysis of the opportunities and constraints analysis.

3.2 Existing Land Use

The Halff Team will develop a plan graphic that defines the location and influence of existing land uses in the comprehensive planning area. Halff Team will complete a visual reconnaissance of the City of Texarkana, taking digital photographs to record issues. The following systems will be mapped in a single graphic plan in color for the City (with relationships to current plans in Texarkana).

Residential (3 to 5 density/building typologies)
Mixed Use
Retail - Neighborhood
Retail - Regional
Office - Neighborhood
Office - Corporate Park
Industrial – Light
Industrial – Heavy
Public Facilities
Public Parks

3.3 Population & Demographics

Demographic data required for analysis. Data sources will be gathered from local sources and using their current population models.

3.3.1 Historical Perspective
3.3.2 Projections and Trends

TASK 4 PUBLIC PARTICIPATION / CONSENSUS BUILDING SERIES #1

4.1 Public Workshop #1 – Current Status & Existing Analysis

This workshop meeting of Texarkana citizens & stakeholders will serve as a review, input, and approval process for specific tasks related to the development of the Comprehensive Plan. This meeting will be regularly scheduled. The workshop will be schedule for evening to increase public participation and will include solicitation events to maximize engagement. The workshop will be advertised on our comprehensive plan web page and in local newspapers.

Attachment: 2016-039 ATTH 02 Halff Associates Project Scope (1459 : 2016-039 RES Comprehensive Planning Services)

4.2 Steering Committee Meeting
The Halff team will conduct a meeting with the Steering Committee prior to the Public Workshop to review content and discuss future tasks.

Deliverables Phase 1:
a. Base maps (City and Downtown)
b. Stakeholder Interview Results
c. Steering Committee Meetings
d. Project Web Page
e. Project Logo
f. Goals & Objective Statements – Preliminary
g. Opportunities and Constraints Analysis
h. Public Workshop #1

Phase II – City Wide Vision Plan

TASK 5 ALTERNATIVE SCENARIOS (3)

5.1 Alternative City-wide Scenarios (3)
The Halff Team will develop three (3) comprehensive Vision scenarios for the city. The scenarios will project land uses as a total percentage of a module, there will be several modules that will identify with the unique / regions of the community. The scenario will project land uses as a total percentage of a module, there will be several modules that may identify with the unique / regions of the community. Each scenario will generate an implication to the following issues and other elements that may result from stakeholder input:

	Objectives	*Plan Location*
1)	Goals, Objectives and Policy Statements	Scenarios
2)	Community Vision/L.I.F.T. Initiative/Bi-city Cooperation	Scenarios
3)	Future Land Use	Scenarios
4)	Public Transportation	Trans Element
5)	Neighborhood Integrity	Scenarios
6)	Infrastructure and Long Range Capital Improvements	Implementation
7)	Pedestrian Mobility	Trans Element
8)	Parks, Open Space and Environment	Parks Element
9)	Economic Development	Scenarios
10)	Reuse Planning	Scenarios
11)	Alternative Transportation Options (bicycle/pedestrian)	Trans Element
12)	Streetscaping and PlaceMaking	Urban Design Element
13)	Sustainable Communities	Scenarios

5.2 Alternative Downtown Scenarios (2-3)
The Halff Team will develop two to three (2-3) comprehensive redevelopment scenarios for Downtown. These scenarios will look to achieve the community's goals by leveraging from existing opportunities. The options will explore growing economic development, increasing housing, creating quality public space and amenities and opportunities for new employment. Plans will be created that define buildings, parking, access, public space and other downtown features.

Attachment: 2016-039 ATTH 02 Halff Associates Project Scope (1459 : 2016-039 RES Comprehensive Planning Services)

TASK 6 PUBLIC PARTICIPATION / CONSENSUS BUILDING SERIES #2

6.1 Public Workshop #2 – Alternatives (City and Downtown)
This workshop meeting of Texarkana citizens & stakeholders will serve as a review, input, and approval process for specific tasks related to the development of the Comprehensive Plan. This meeting will be regularly scheduled. The workshop will be schedule for evening to increase public participation and will include solicitation events to maximize engagement. The workshop will be advertised on our comprehensive plan web page and in local newspapers.

6.2 Steering Committee Meeting
The Halff team will conduct a meeting with the Steering Committee prior to the Public Workshop to review content and discuss future tasks.

TASK 7 PREFERRED SCENARIO (1)

7.1 Preferred City-wide Scenario (1)
The Halff Team will develop one preferred (1) comprehensive Vision scenario for the city from the community input me have gathered. The scenario will project land uses as a total percentage of a module, there will be several modules that will identify with the unique / regions of the community. The scenario will project land uses as a total percentage of a module, there may be several modules that will identify with the unique / regions of the community. The scenario will generate an implication to the following issues and other elements that may result from stakeholder input:

	Objectives	*Plan Location*
1)	Goals, Objectives and Policy Statements	Scenarios
2)	Community Vision/L.I.F.T. Initiative/Bi-city Cooperation	Scenarios
3)	Future Land Use	Scenarios
4)	Neighborhood Integrity	Scenarios
5)	Economic Development	Scenarios
6)	Reuse Planning	Scenarios
7)	Sustainable Communities	Scenarios

7.2 Preferred Downtown Scenario (1)
The Halff Team will develop one (1) comprehensive redevelopment scenarios for Downtown. These scenarios will look to achieve the community's goals by leveraging from existing opportunities. The concept will explore growing economic development, increasing housing, creating quality public space and amenities and opportunities for new employment. A plan will be created that define buildings, parking, access, public space and other downtown features.

7.3 Goals & Objectives Statement - Final
The team will develop a final set of goals and objectives to evaluate the alternative comprehensive plan scenarios and eventual preferred scenario, and land use plan against. The initial goals and objectives statement will come from the stakeholder interviews. The team will attempt to get the goals and objectives to be measurable, such as an example level of service, as possible. These goals and objectives will be organized in a series of categories, such as transportation, land use, infrastructure systems, quality of life, and others.

Attachment: 2016-039 ATTH 02 Halff Associates Project Scope (1459 : 2016-039 RES Comprehensive Planning Services)

Deliverables Phase 2:
a. Alternative City-wide Scenarios (3)
b. Alternative Downtown Scenarios (2-3)
c. Public Workshop #2
d. Steering Committee Meeting
e. Preferred City-wide Scenario (1)
f. Preferred Downtown Scenario (1)
g. *Goals & Objectives Statement - Final*

Phase III – Comprehensive Plan & Implementation

TASK 8 FUTURE LAND USE PLAN

Develop a Future Land Use Plan Element, as a part of the Comprehensive Plan that defines the relationship of a future development to other systems. The data will include a graphic map including all land use categories. This element will include the following data, plan graphics, and supporting information:

8.1 Future Land Use Plan
The team will develop a land use plan that responds to the input received on the preferred alternative scenario and related City and MPO growth model. Land uses are listed and will have supporting tablature data and text:

Residential (3 to 5 density/building typologies)
Mixed Use
Retail - Neighborhood
Retail - Regional
Office - Neighborhood
Office - Corporate Park
Industrial – Light
Industrial – Heavy
Public Facilities
Public Parks

TASK 9 TRANSPORTATION ELEMENT

9.1 Thoroughfare Multimodal Plan
Develop a Transportation Plan Element, as a part of the Comprehensive Plan that defines the relationship of a proposed system to the Land Use Plan Element. Also recommendations for updates to the Thoroughfare Plan will emphasize a multimodal approach to include vehicular, pedestrian mobility, hike/bike trails, and public transit. The data will include a graphic plan to identify future relationships.

The Thoroughfare Multimodal Plan update recommendations should consider future infrastructure improvements including:

- Public Transportation
- Multi-modal mobility (vehicular/bike/pedestrian)

Attachment: 2016-039 ATTH 02 Halff Associates Project Scope (1459 : 2016-039 RES Comprehensive Planning Services)

TASK 10 PARKS AND TRAILS ELEMENT

10.1 Recommendations will be made, relating to the modifications needed to integrate the park/trails and future land use plan together. Review and offer recommendations for better utilization of the parks and open spaces. This task shall also include an evaluation of the existing parks and recreation opportunities in the City and make recommendations for expansion or improvement to serve the projected population and existing and future development patterns.

- Parks
- Pedestrian Trails

TASK 11 URBAN DESIGN ELEMENT

11.1 The Halff Team shall develop strategies that address community image and preservation of community attributes and character. The strategies should consider enhancing the aesthetics of the city through streetscape design, community design guidelines, wayfinding/branding opportunities along major corridors and identification of significant areas of interests. A focus will include these areas:

- Streetscaping
- PlaceMaking
- Community Gateways

TASK 12 DOWNTOWN SPECIFIC PLAN ELEMENT

12.1 The Halff Team shall evaluate the area generally known as "Downtown Master Plan" and create a specific area plan for the district based on community input from the alternatives. Recommendations based on the evaluation will include how to address improvements through implementable action steps.

This plan shall include growth strategies to:

a) Integration of developments to encourage a live, work, play environment
b) Enhance linkages to surrounding neighborhoods
c) Create a desirable urban environment that promotes private investment
d) Special events and programming of public spaces
e) Preservation of the character of the area
f) Grow economic development
g) Develop recommendations regarding pedestrian access

TASK 13 PUBLIC PARTICIPATION / CONSENSUS BUILDING SERIES #3

13.1 Public Workshop #3
This workshop meeting of Texarkana citizens & stakeholders will serve as a review, input, and approval process for specific tasks related to the development of the Comprehensive Plan Update. This meeting will be regularly scheduled. The workshop will be schedule for evening to maximize public participation. The workshop will be advertised on our comprehensive plan web page, social media sites and in local newspapers.

13.2 Steering Committee Meeting
The Halff team will conduct a meeting with the Steering Committee prior to the Public Workshop to review content and discuss future tasks.

Attachment: 2016-039 ATTH 02 Halff Associates Project Scope (1459 : 2016-039 RES Comprehensive Planning Services)

TASK 14 IMPLEMENTATION STRATEGIES

14.1 Draft Strategies

Based on feedback from the draft comprehensive plan elements and final direction received from the stakeholders, the Halff Team will prepare a matrix that identifies specific short (1-year), medium (3-years) and long-term (10-years) implementation actions and strategies, responsible parties, supporting parties, timeframes, and potential funding sources for the goals associated with each element, along with recommendations related to additional studies that should be undertaken by the City.

Comprehensive Plan goals will be prioritized relative to local resources (time, money, manpower) and desired outcomes. Certain actions will need to be put in motion early since they take longer to come to fruition (i.e., legislative reform). In addition, certain goals may need to be advanced during a specific timeframe in order to avoid missing a market opportunity. Finally, the goals will need to be flexible enough to respond to certain strategic initiatives that might present themselves (i.e., private investment in targeted catalyst area).

14.2 Review Meeting

Meeting to review and discuss draft implementation strategies and actions.

14.3 Final Strategies

Based on feedback from the review meeting, the Halff Team will prepare a matrix that identifies specific short, medium and long-term implementation actions and strategies, responsible parties, supporting parties, timeframes, and potential funding sources for the goals associated with each element, along with recommendations related to additional studies that should be undertaken by the City.

TASK 15 COMPREHENSIVE PLAN PREPARATION & ADOPTION

15.1 Draft Texarkana Comprehensive Plan Report

A. Prepare a draft comprehensive plan report including a map of the City, surveys, charts, graphics, and photographs in the plan which help explain and support the planning process and conclusions.
B. Meet with Client to review the draft document and receive direction for revisions.

15.2 Steering Committee – Approval Meeting

The Halff team will conduct a meeting with the Steering Committee to solicit approval of the Draft Comprehensive Plan and move forward for an adoption hearing.

15.3 Planning & Zoning Commission – Approval Meeting

The Halff team will conduct a meeting with the Planning & Zoning Commission to solicit approval of the Draft Comprehensive Plan and move forward for an adoption hearing.

15.4 Texarkana City Council Hearing – Adoption Hearing

The Halff team will conduct a Public Hearing with the City Council to solicit approval of the Draft Comprehensive Plan and move forward on final printing.

15.5 Final Texarkana Comprehensive Plan Report

A. Prepare a final comprehensive plan report including a map of the City, surveys, charts, graphics, and photographs in the plan which help explain and support the planning process and conclusions as approved by City Council

Attachment: 2016-039 ATTH 02 Halff Associates Project Scope (1459 : 2016-039 RES Comprehensive Planning Services)

Deliverables Phase 3:

a. Future Land Use Plan
b. Thoroughfare Multimodal Plan
c. Parks and Trails Element
d. Urban Design Element
e. Downtown Specific Plan
f. Public Workshop #3
g. Steering Committee Meeting
h. Plan Implementation Strategies
i. Draft Comprehensive Plan Reports (3)
j. Final Comprehensive Plan Reports (10 color 3-ring notebooks at 8 ½ x 11)
k. CD's (10)
l. Adoption Presentations (2)

End of Scope Work

Attachment: 2016-039 ATTH 02 Halff Associates Project Scope (1459 : 2016-039 RES Comprehensive Planning Services)

City of Texarkana, Texas

Version: D

Briefing Sheet

Update Date: 4/6/2016 11:25 AM

Lead Department:	Planning and Community Development	**Action Officer:**	Daphnea Ryan,
Subject:	Ordinance No. 2016-040 amending Chapter 140, Article V, Sec. 106, Historical Designation of the Code of Ordinances of the City of Texarkana, Texas.		

Briefing: 4/25/2016	**Public Hearing:**	4/11/2016	**Second Briefing:**	April 25, 2016	**Council Vote:** 5/9/2016

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The Historic Landmark Preservation Committee (HLPC) was formed by Ordinance No. 32-77. The HLPC has a need to revise the ordinance to accommodate current needs such as reducing the number of members, which also negates reducing the number of members for a quorum. The HLPC also wishes to adopt By-Laws and is requesting to add language to the current ordinance to allow this request.

The current Chapter 140-106(d) reads as follows:

(d) The historic landmark preservation committee shall be composed of nine members. There should be one member from each of the following: An institution authorized to make home loans, a real estate agent, a representative of the city museums system, with the remaining members to be named at the discretion of the city council. Meetings of the historic landmark preservation committee shall be at the call of the chairperson and at such times as the committee shall determine. All meetings shall be open to the public. The committee shall keep minutes of its proceedings, showing the vote of each member upon each question, or indicating absentee or failure to vote. Records of examinations and other official actions shall be kept and filed immediately in the office of the community redevelopment and grants and shall be public record. The committee should include the following committees: 1) Guidelines and standards review, 2) Community involvement and marketing; and 3) Expansion, preservation and revitalization. Each committee member shall serve on at least one committee. Ex officio members of the committee shall include the city manager, the executive director of community redevelopment and grants, and the marketing and communications manager. The members of the committee shall select a chairperson, a vice-chairperson and a secretary. Five members shall constitute a quorum.

The amended Chapter 140-106(d) will read as follows:

(d) The Historic Landmark Preservation Committee is authorized to promulgate a mission statement and internal rules, regulations, and bylaws not inconsistent with the City Charter, City ordinances, and applicable state and federal law.

The Historic Landmark Preservation Committee shall consist of seven members and two alternates, each serving without compensation, who are residents of the City. There should be

one member from an institution authorized to make home loans and at least one real estate agent, with the remaining members to be named at the discretion of the City Council. Preference shall be considered for applicants who are residents of historic districts, existing or being considered, and owners of historic structures. Citizens wishing to serve on the Historic Landmark Preservation Committee shall submit a letter of request to the City Planner requesting appointment. The City Planner shall forward requests to the City Council for appointment. Historic Landmark Preservation Committee members shall be appointed by the City Council, each serving a three-year term renewable without limitation to the number of consecutive terms. Historic Landmark Preservation Committee members who wish to resign their position shall submit a resignation to the City Planner who shall provide it to the City Council for acceptance. The City Manager shall serve in an ex-officio capacity on the Historic Landmark Preservation Committee. Non-voting members shall include the Executive Director of Main Street Texarkana and a representative designated by the Texarkana Museum System. Persons who have expertise in areas related to the Historic Landmark Preservation Committee such as (but not limited to) architecture, history, economic development, or building construction may volunteer and serve on the Historic Landmark Preservation Committee as non-voting members whether they are City residents or not. Such experts shall submit a letter of request for consideration to the City Planner. The City Planner shall forward requests to the City Council for appointment.

The Historic Landmark Preservation Committee shall establish its own regular meeting schedule. The Historic Landmark Preservation Committee shall elect a chairman and a vice chairman. All Historic Landmark Preservation Committee meetings are subject to the Texas Open Meetings Statutes. Minutes of all meetings shall be maintained in accordance with the Public Records laws and regulations with approved Historic Landmark Preservation Committee meeting minutes. Four members constitute a quorum.

Each Historic Landmark Preservation Committee member shall serve on at least one Sub-Committee. From time to time the Historic Landmark Preservation Committee may designate other Sub-Committees for special projects of a temporary nature. The Historic Landmark Preservation Committee shall include the following Sub-Committees:

Guidelines and Standards Review.

Community Involvement and Marketing.

Expansion, Preservation, and Revitalization.

Potential Options:

- None
-

Fiscal Implications:

None

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

Planning and Zoning Commission approved by unanimous vote and recommends approval by City Council.

Board/Committee Recommendation:

Historic Landmark Preservation Committee approved by unanimous vote and recommends approval by City Council.

Advisory Board/Committee Meeting Date and Minutes:

March 15, 2016

Attachments

a. 2016-040 ORD Amending Chapter 140 Article V 106 Historic Designation (DOC)
b. 2016-040 Goals & Perspectives (PDF)
c. 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (PDF)
d. 2016-040 ATTH 02 Ch_140 ZONING_Sec 106 Historic Desig and 140-317 (PDF)

Staff Coordination

Planning and Community Development		David Orr	Department Head Review	Completed 03/23/2016 8:41 AM
Purchasing and Contracting		Daphnea Ryan	Purchasing Review	Skipped 03/21/2016 11:30 AM
Finance Department	Daphnea Ryan	Finance Review	Skipped	03/21/2016 11:30 AM
Finance Department	Daphnea Ryan	Finance Review	Skipped	03/21/2016 11:30 AM
Assistant City Manager Review		Shirley Jaster	Assistant City Manager	Completed 03/23/2016 10:14 AM
Public Information Officer		Lisa Thompson	PIO Review	Completed 03/23/2016 1:16 PM
City Manager	John Whitson	City Manager Review	Completed	03/23/2016 9:35 PM
City Council	Jennifer Evans	Meeting	Completed	03/28/2016 6:00 PM

Meeting History

PUBLISH

Attachment: 2016-040 ORD Amending Chapter 140 Article V 106 Historic Designation [Revision 6] (1460 : 2016-040 ORD amending Chapter 140

ORDINANCE NO. 2016 – 040

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING CHAPTER 140-106, HISTORIC DESIGNATION, OF THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING FOR A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, desires to have residents of the City to promote historic preservation activity through maintenance, protection, and preservation of the City's historic resources.

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

SECTION 1: That Chapter 140, Zoning, Article V, Special District Designations, of the Code of Ordinances of the City of Texarkana, Texas is hereby amended as follows:

Sec. 140-106 – Historic Designation

(d) The Historic Landmark Preservation Committee is authorized to promulgate a mission statement and internal rules, regulations, and bylaws not inconsistent with the City Charter, City ordinances, and applicable state and federal law.

The Historic Landmark Preservation Committee shall consist of seven members and two alternates, each serving without compensation, who are residents of the City. There should be one member from an institution authorized to make home loans and at least one real estate agent, with the remaining members to be named at the discretion of the City Council. Preference shall be considered for applicants who are residents of historic districts, existing or being considered, and owners of historic structures. Citizens wishing to serve on the Historic Landmark Preservation Committee shall submit a letter of request to the City Planner requesting appointment. The City Planner shall forward requests to the City Council for appointment. Historic Landmark Preservation Committee members shall be appointed by the City Council, each serving a three-year term renewable without limitation to the number of consecutive terms. Historic Landmark Preservation Committee members who wish to resign their position shall submit a resignation to the City Planner who shall provide it to the City Council for acceptance. The City Manager shall serve in an ex-officio capacity on the Historic Landmark Preservation Committee. Non-voting members shall include the Executive Director of Main Street Texarkana and a representative designated by the Texarkana Museum System. Persons who have expertise in areas related to the Historic Landmark Preservation Committee such as, but not limited to, architecture, history, economic development, or building construction, may volunteer and serve on the Historic Landmark Preservation Committee as non-voting members whether they are City residents or not.

PUBLISH

Such experts shall submit a letter of request for consideration to the City Planner. The City Planner shall forward requests to the City Council for appointment.

The Historic Landmark Preservation Committee shall establish its own regular meeting schedule. The Historic Landmark Preservation Committee shall elect a chairman and a vice chairman. All Historic Landmark Preservation Committee meetings are subject to the Texas Open Meetings Statutes. Minutes of all meetings shall be maintained in accordance with the Public Records laws and regulations with approved Historic Landmark Preservation Committee meeting minutes. Four members constitute a quorum.

Each Historic Landmark Preservation Committee member shall serve on at least one sub-committee. From time to time the Historic Landmark Preservation Committee may designate other sub-committees for special projects of a temporary nature. The Historic Landmark Preservation Committee shall include the following sub-committees:

Guidelines and Standards Review
Community Involvement and Marketing
Expansion, Preservation, and Revitalization

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

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

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

SECTION 5: That this Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **9th day of May, 2016**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2016-040 ORD Amending Chapter 140 Article V 106 Historic Designation [Revision 6] (1460 : 2016-040 ORD amending Chapter 140

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: 2016-040 Goals & Perspectives (1460 : 2016-040 ORD amending Chapter 140 Article V Sec 106)

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

ORDINANCE NO. 150-2011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY AMENDING "HISTORIC LANDMARK PRESERVATION COMMITTEE" SECTION 8-200 D. DUE TO CLERICAL ERROR; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

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

SECTION 1: That due to a clerical error in Ordinance No. 144-2009 dated October 26, 2009, the Zoning Ordinance of the City of Texarkana, Texas, be amended by amending "HISTORIC LANDMARK PRESERVATION COMMITTEE" Section 8-200 D. to read as shown herein below and incorporated herein:

D. The Historic Landmark Preservation Committee shall be composed of nine (9) members. There should be one member from each of the following: an institution authorized to make home loans, a real estate agent, a representative of the Texarkana Museums System, with the remaining members to be named at the discretion of the City Council. Meetings of the Historic Landmark Preservation Committee shall be at the call of the Chairman and at such times as the Committee shall determine. All meetings shall be open to the public. The Committee shall keep minutes of its proceedings, showing the vote of each member upon each question, or indicating absentee or failure to vote. Records of examinations and other official actions shall be kept and filed immediately in the office of the Community Redevelopment and Grants and shall be public record. The Committee should include the following committees: 1) guidelines and standards review, 2) community involvement and marketing, 3) expansion, preservation, and revitalization. Each Committee member shall serve on at least one committee. Ex Officio members of the Committee shall include the City Manager, the Executive Director of Community Redevelopment and Grants, and the Marketing and Communications Manager. The members of the Committee shall select a chairman, a vice chairman, and a secretary. Five members shall constitute a quorum.

SECTION 2: That the Zoning Ordinance of the City of Texarkana, Texas, be and is hereby amended and incorporated herein as described hereinabove.

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

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

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

PASSED AND APPROVED in Special Council Session on this the 8th day of September, 2011.

STEPHEN A. MAYO, MAYOR

ATTEST:

KERRY MEREDITH, CITY SECRETARY

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

ORDINANCE NO. 144-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY AMENDING "HISTORIC LANDMARK PRESERVATION COMMITTEE" SECTION 8-200 D.; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

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

SECTION 1: That the Planning and Zoning Commission of the City of Texarkana, Texas, in a vote of **four (2) to two (2),** recommended that the Zoning Ordinance of the City of Texarkana, Texas, be amended by amending "HISTORIC LANDMARK PRESERVATION COMMITTEE" Section 8-200 D. to read as shown herein below and incorporated herein:

D. The Historic Landmark Preservation Commission shall be composed of nine (9) members. There should be one member from each of the following: an institution authorized to make home loans, a real estate agent, a representative of the Texarkana Museums System, with the remaining members to be named at the discretion of the City Council. Meetings of the Historic Landmark Preservation Commission shall be at the call of the Chairman and at such times as the Commission shall determine. All meetings shall be open to the public. The Commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or indicating absentee or failure to vote. Records of examinations and other official actions shall be kept and filed immediately in the office of the Community Redevelopment and Grants and shall be public record. The Commission should include the following committees: 1) guidelines and standards review, 2) community involvement and marketing, 3) expansion, preservation, and revitalization. Each commission member shall serve on at least one committee. Ex Officio members of the Commission shall include the CEO/City Manager, the Executive Director of Community Redevelopment and Grants, and the Marketing and Communications Manager. The members of the Commission shall select a chairman, a vice chairman and a secretary. Five members shall constitute a quorum.

SECTION 2: That the Zoning Ordinance of the City of Texarkana, Texas, be and is hereby amended and incorporated herein as described hereinabove.

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

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

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

PASSED AND APPROVED in Regular Council Session on this the 26th day of October, 2009.

STEPHEN A. MAYO, MAYOR

ATTEST:

KERRY MEREDITH, CITY SECRETARY

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

ORDINANCE NO. 315-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, SECTION 8-200 "HISTORIC DESIGNATION" BY AMENDING IN ITS ENTIRETY SECTION (F) PERTAINING TO A TAX EXEMPTION CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING FOR A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Historic Landmark Preservation Committee recommends property tax relief in order to encourage historic preservation for properties located within Historic Residential Overlay Districts; and

WHEREAS, the Historic Landmark Preservation Committee has proposed an amendment to the current Zoning Ordinance in Section 8-200 "Historic Designation," amending in its entirety Section (F) to provide for an exemption from annual City taxation of 20% of the assessed value of a structure located within a Historic Residential Overlay District; and

WHEREAS, pursuant to Section 21-100 "Amendments to the Zoning Ordinance or Zoning Map" of the Zoning Ordinance of the City of Texarkana, Texas, said proposal was referred to the Planning and Zoning Commission for consideration; and

WHEREAS, the Planning and Zoning Commission of Texarkana, Texas, held a public meeting on the **6th day of November, 2006,** after published notice of said public hearing on the proposed amendment to the Zoning Ordinance (Ordinance No. 127-70) in regard to Section 8-200(F) "Historic Designation" of the Zoning Ordinance of the City of Texarkana, Texas, said notice having been given not less than ten (10) days before the date set for hearing; and

WHEREAS, after consideration of said proposed amendment to the Zoning Ordinance, the Planning and Zoning Commission of the City of Texarkana, Texas, voted 4-0-1 (with one abstention) to recommend that said proposed amendment described hereinabove be adopted; and

WHEREAS, subsequent to the public hearing before the Planning and Zoning Commission, notice was given of another public hearing to be held by the City Council of the City of Texarkana, Texas, in the Municipal Building at **7:00 p.m. on November 13, 2006,** to consider the advisability of amending the

G:\Attorney\ORDS 1994-2006\06ord\315.doc
amended

Zoning Ordinance (Ordinance No. 127-70) as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, said notice of time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the TEXARKANA GAZETTE, Texarkana, U.S.A., a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard in the matter of the proposed Zoning amendment, and the City Council of the City of Texarkana, Texas, being informed as to the nature of the amendment of the Zoning Ordinance (Ordinance No. 127-70) and having considered the recommendation of the Planning and Zoning Commission to adopt an exemption of 20% of the assessed value of qualified properties as proposed by the Historic Landmark Preservation Committee, finds and determines that the desired goals and incentives to maintain and preserve qualified historical properties could be achieved fairly and appropriately by approving an exemption of 10% of the assessed value of those properties and that said amendment is in the best interest and will promote the health, safety and welfare of the community;

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

SECTION 1: That Section 8-200(F) of "Historic Designation" of the Zoning Ordinance of the City of Texarkana, Texas be and is hereby amended in its entirety which shall read as follows:

> **F. In accordance with state law, the City Council finds that all structures located within designated Historic Residential Overlay Districts are historically significant and entitled to tax relief in order to encourage historic preservation. The City shall exempt 10% of the assessed value of a structure, including the land necessary for access to and use of the structure, from annual City ad valorem taxation. In order to receive this tax exemption, the structure must have been located within a designated Historic Residential Overlay District on the first day of January of the applicable tax year and must be designated as the owner's homestead for the applicable tax year.**

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

G:\Attorney\ORDS 1994-2006\06ord\315.doc
amended

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

SECTION 3: That a copy of the Zoning Ordinance (Ordinance No. 127-70), as amended herein, shall be filed and made available to interested citizens in accordance with Sec. 30-1. "Zoning ordinance adopted." of the Code of Ordinances of the City of Texarkana, Texas.

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

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

SECTION 6: That this Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

PASSED AND APPROVED in Regular Council Session on this the 13th day of November, 2006.

JAMES W. BRAMLETT, MAYOR

ATTEST:

GERI HADDOCK, CITY SECRETARY

APPROVED AS TO FORM:

THOMAS H. ARNOLD, CITY ATTORNEY

G:\Attorney\ORDS. 1994-2006\06ord\315 doc
Amended

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

ORDINANCE NO. 363-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, SECTION 8-200 "HISTORIC DESIGNATION" BY AMENDING SECTION (G) ESTABLISHING THE HIGHLAND PARK - BINGHAM PARK HISTORIC RESIDENTIAL OVERLAY DISTRICT BY ADDING (G.1) TO EXPAND THE DISTRICT TO INCLUDE PROPERTY ON WALNUT STREET; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING FOR A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Historic Landmark Preservation Committee previously recommended the establishment of the Highland Park - Bingham Park Historic Residential Overlay District for the protection of the aesthetic and visual character of this historic residential neighborhood; and

WHEREAS, the City Council voted to approve the establishment of the Highland Park - Bingham Park Historic Residential Overlay District on November 28, 2005; and

WHEREAS, several residents of Walnut Street between West 25th Street and West 29th Street requested that their homes be added to the Highland Park - Bingham Park Historic Residential Overlay District; and

WHEREAS, the Historic Landmark Preservation Committee recommends the expansion of the Highland Park - Bingham Park Historic Residential Overlay District to include all property on Walnut Street between West 25th Street and West 29th Street; and

WHEREAS, pursuant to Section 21-100 "Amendments to the Zoning Ordinance or Zoning Map" of the Zoning Ordinance of the City of Texarkana, Texas, the recommendation was referred to the Planning and Zoning Commission for an approval; and

WHEREAS, the Planning and Zoning Commission of Texarkana, Texas, held a public meeting on the **5th day of December, 2005,** after published notice of said public hearing on the proposed amendment to the Zoning Ordinance (Ordinance No. 127-70) in regard to Section 8-200 "Historic Designation" of the Zoning Ordinance of the City of Texarkana, Texas, said notice having been given not less than ten (10) days before the date set for hearing; and

WHEREAS, after consideration of said amendment to the Zoning Ordinance the Planning and Zoning Commission of the City of Texarkana, Texas, voted unanimously to recommend that the said amendment be adopted; and

WHEREAS, subsequent to the public hearing before the Planning and Zoning Commission, notice was given of another public hearing to be held by the City Council of the City of Texarkana, Texas, in the Municipal Building at **7:00 p.m. on December 12, 2005**, to consider the advisability of amending the Zoning Ordinance (Ordinance No. 127-70) as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, said notice of time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the TEXARKANA GAZETTE, Texarkana, U.S.A., a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard in the matter of the proposed Zoning amendment, and the City Council of the City of Texarkana, Texas, being informed as to the nature of the amendment of the Zoning Ordinance (Ordinance No. 127-70), have found and determined that the amendment should be enacted as said amendment is in the best interest and will promote the health, safety and welfare of the community;

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

SECTION 1: That Section 8-200 of "Historic Designation" of the Zoning Ordinance of the City of Texarkana, Texas, be amended by amending Section (G) by adding (G.1), which shall read as follows:

G.1 The Highland Park – Bingham Park Historic Residential Overlay District shall hereby include all property on Walnut Street between West 25th Street and West 29th Street.

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

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

SECTION 3: That a copy of the Zoning Ordinance (Ordinance No. 127-70), as amended herein, shall be filed and made available to interested citizens in accordance with Sec. 30-1. "Zoning ordinance adopted." of the Code of Ordinances of the City of Texarkana, Texas

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

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

SECTION 6: That this Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

PASSED AND APPROVED in Regular Council Session on this the 12th day of December, 2005.

Jim W. Bramlett
JAMES W. BRAMLETT, MAYOR

ATTEST:

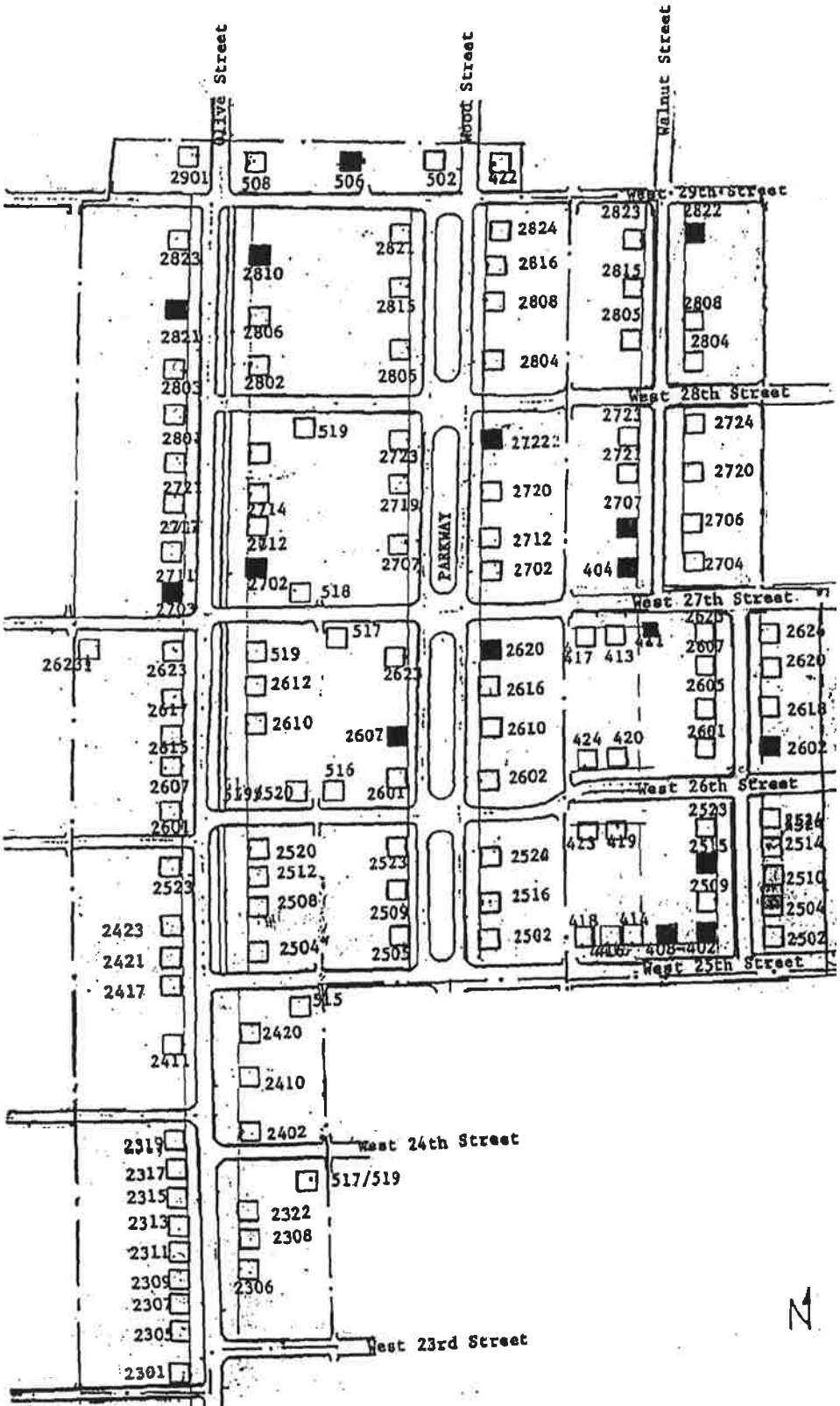
Geri Haddock
GERI HADDOCK, CITY SECRETARY 7:45 p.m.

APPROVED AS TO FORM:

Deborah Jones
DEBORAH JONES, ASSISTANT CITY ATTORNEY

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

THE HIGHLAND PARK – BINGHAM PARK OVERLAY DISTRICT



Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

HIGHLAND PARK - BINGHAM PARK HISTORIC OVERLAY DISTRICT EXPANDED AREA

There are 34 combining structures in the expanded district, and eight (8) non-conforming, for a total of 42 structures. Structures built in the district mainly represent four periods of architecture and construction from 1903 through 1935: the Craftsman (also Bungalow), Queene Anne, Folk Victorian, and Prairie styles.

ARCHITECTURAL STYLES

STYLE	#
Craftsman & Bungalow	26
Folk Victorian	1
Prairie	2
Queen Anne	2
Greek	1
Gable Front and Wings	2
TOTAL	34

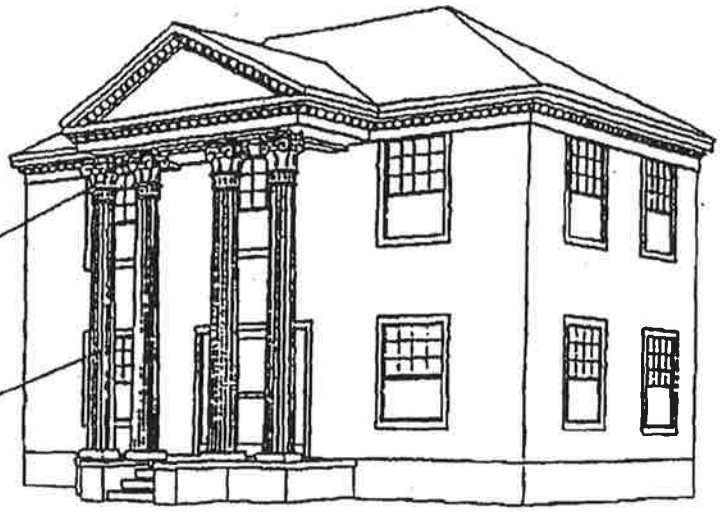
The Craftsman style homes constitute 62 percent of the houses constructed in the district.

CRAFTSMAN

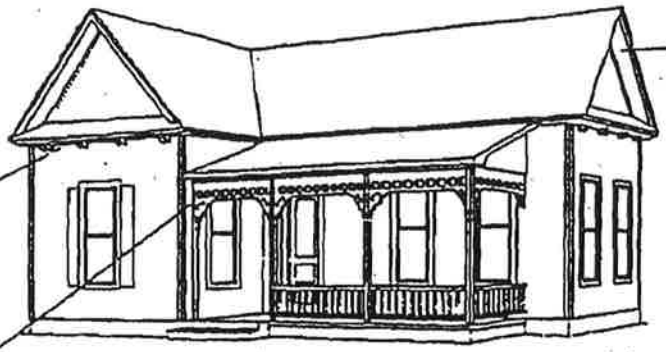
COLONIAL REVIVAL

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

NEOCLASSICAL REVIVAL



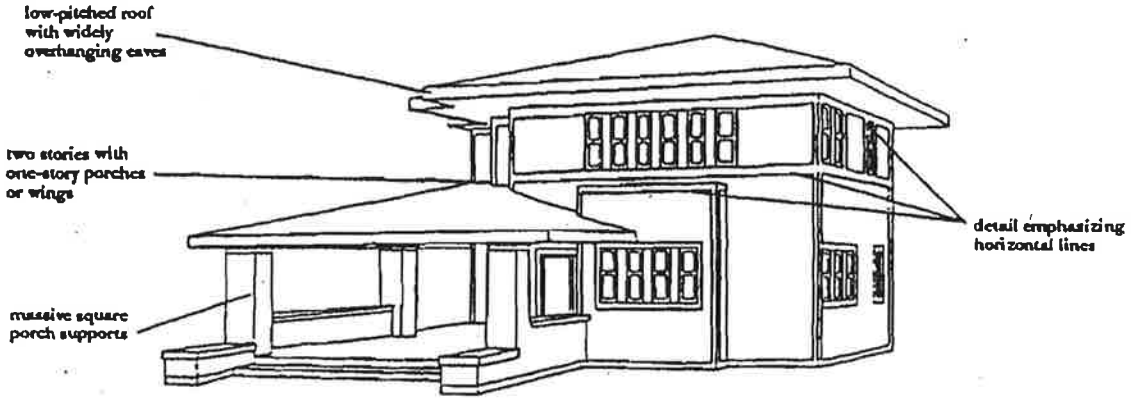
FOLK VICTORIAN



Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

TUDOR REVIVAL

PRAIRIE



Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

QUEEN ANNE

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

ORDINANCE NO. 335-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, SECTION 8-200 "HISTORIC DESIGNATION" BY ADDING SECTION (G) ESTABLISHING THE HIGHLAND PARK - BINGHAM PARK HISTORIC RESIDENTIAL OVERLAY DISTRICT INCLUDING THE ADOPTION OF DEVELOPMENT STANDARDS AND PRESERVATION CRITERIA FOR THE DISTRICT; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING FOR A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Historic Landmark Preservation Committee recommends the establishment of the Highland Park - Bingham Park Historic Residential Overlay District for the protection of the aesthetic and visual character of this historic residential neighborhood; and

WHEREAS, the Historic Landmark Preservation Committee recommends the adoption of Development Standards and Preservation Criteria for the Highland Park - Bingham Park Historic Residential Overlay District; and

WHEREAS, the Historic Landmark Preservation Committee has recommended an addition to the current Zoning Ordinance in Section 8-200 "Historic Designation", adding Section (G) which will establish the Highland Park - Bingham Park Historic Residential Overlay District as more fully described hereinbelow in Section 1; and

WHEREAS, the proposed Section (G) includes the adoption of Development Standards and Preservation Criteria for the Highland Park - Bingham Park Historic Residential Overlay District, attached hereto and incorporated herein as Exhibit "A" ; and

WHEREAS, pursuant to Section 21-100 "Amendments to the Zoning Ordinance or Zoning Map" of the Zoning Ordinance of the City of Texarkana, Texas, the recommendation was referred to the Planning and Zoning Commission for an approval; and

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

WHEREAS, the Planning and Zoning Commission of Texarkana, Texas, held a public meeting on the **15th day of November, 2005**, after published notice of said public hearing on the proposed amendment to the Zoning Ordinance (Ordinance No. 127-70) in regard to Section 8-200 "Historic Designation" of the Zoning Ordinance of the City of Texarkana, Texas, as more fully described hereinbelow in Section 1 and Exhibit "A", said notice having been given not less than ten (10) days before the date set for hearing; and

WHEREAS, after consideration of said amendment to the Zoning Ordinance the Planning and Zoning Commission of the City of Texarkana, Texas, voted unanimously to recommend that the said amendment be adopted as described more fully hereinbelow in Section 1 and Exhibit "A"; and

WHEREAS, subsequent to the public hearing before the Planning and Zoning Commission, notice was given of another public hearing to be held by the City Council of the City of Texarkana, Texas, in the Municipal Building at **7:00 p.m. on November 28, 2005**, to consider the advisability of amending the Zoning Ordinance (Ordinance No. 127-70) as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, said notice of time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the TEXARKANA GAZETTE, Texarkana, U.S.A., a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard in the matter of the proposed Zoning amendment, and the City Council of the City of Texarkana, Texas, being informed as to the nature of the amendment of the Zoning Ordinance (Ordinance No. 127-70), have found and determined that the amendment should be enacted as said amendment is in the best interest and will promote the health, safety and welfare of the community;

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

SECTION 1: That Section 8-200 of "Historic Designation" of the Zoning Ordinance of the City of Texarkana, Texas be and is hereby amended by adding a Section, to be numbered 8-200(G), which shall read as follows:

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

G. The Highland Park – Bingham Park Historic Residential Overlay District is hereby established. The purpose and intent of the Highland Park – Bingham Park Historic Residential Overlay District is to provide for the protection of the aesthetic and visual character of this historic residential neighborhood. The neighborhood consists of homes built between 1903 and 1935 and includes Craftsman (Arts and Crafts), Prairie, and Colonial style homes. The City's first park, Bingham Park, which is now the Parkway along Wood Street is a highlight of the neighborhood. Additionally, the boyhood home of Ross Perot and the former home of Wright Patman are located within the neighborhood.

The Highland Park – Bingham Park Historic Residential Overlay District shall include all property on Wood Street between West 25th Street and West 29th Street and all property on Olive Street between West 23rd Street and West 29th Street. Additionally, the District shall include residences fronting on West 29th Street between the intersections of Wood Street and Olive Street. An official map of the Highland Park – Bingham Park Historic Residential Overlay District shall be kept on file in the Planning and Zoning Department and the boundaries of the Highland Park – Bingham Park Historic Residential Overlay District shall be shown on the City's Official Zoning Map.

Development Standards and Preservation Criteria for the Highland Park – Bingham Park Historic Residential Overlay District are hereby adopted as an official attachment to the zoning ordinance. A violation of any provision contained within the Development Standards and Preservation Criteria for the District is a violation of the zoning ordinance. Copies of the Development Standards and Preservation Criteria for the Highland Park – Bingham Park Historic Residential Overlay District shall be available in the office of the Director of Planning.

No person shall construct, reconstruct, alter, change, restore, remove, or demolish any exterior architectural feature of a building or structure or develop, construct, relocate, or demolish any building or structure within the District without first obtaining a Certificate of Appropriateness. All new development and changes to existing development located within the District, except for ordinary maintenance and repair, shall be reviewed in accordance with the Development Standards and Preservation Criteria for the Highland Park – Bingham Park Historic Residential Overlay District by the Historic Landmark Preservation Committee pursuant to Section E above.

The Development Standards and Preservation Criteria for this Overlay District control in the event of a conflict with the requirements for the underlying zoning district or other ordinances. Except, this Section does not apply to life safety codes such as building or fire codes. If a proposed development or change in an external feature will not be visible from a public right-of-way once the project is completed, the Committee may waive review of the project.

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

SECTION 2: That Section 8-200(G) above adopts as an official attachment to the Zoning Ordinance (Ordinance No. 127-70), Development Standards and Preservation Criteria for the Highland Park - Bingham Park Historic Residential Overlay District which are attached hereto and incorporated in as Exhibit "A".

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

SECTION 4: That a copy of the Zoning Ordinance (Ordinance No. 127-70), as amended herein, shall be filed and made available to interested citizens in accordance with Sec. 30-1. "Zoning ordinance adopted." of the Code of Ordinances of the City of Texarkana, Texas

SECTION 5: 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 all ordinances or parts of ordinances in conflict herewith are specifically repealed.

SECTION 7: That this Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

PASSED AND APPROVED in Regular Council Session on this the 28th day of November, 2005.

Jas W. Bramlett

JAMES W. BRAMLETT, MAYOR

ATTEST:

Geri Haddock

GERI HADDOCK, CITY SECRETARY 7:55 p.m.

APPROVED AS TO FORM:

Deborah Jones

DEBORAH JONES, ASSISTANT CITY ATTORNEY

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

DEVELOPMENT STANDARDS AND PRESERVATION CRITERIA FOR THE HIGHLAND PARK - BINGHAM PARK HISTORIC RESIDENTIAL OVERLAY DISTRICT

A. DEVELOPMENT STANDARDS.

(a) In general. The Development Standards for this Historic Overlay District control in the event of a conflict with the requirements for the underlying zoning district.

(b) Height requirements. The maximum permitted heights for buildings and structures are:

(1) 25 feet for a main building; and
(2) 20 feet for an accessory building or structure.

(c) Lot size requirements. Lots must conform to the following standards:

(1) Each lot must have a minimum area of 7,200 square feet and a minimum depth of 150 feet.
(2) Each lot must have a width no less than 50 percent of the average width of all lots in both the same and the opposite blockface.

(d) Maximum lot coverage. The maximum permitted lot coverage for all buildings and structures combined is 40 percent.

(e) Minimum front yard.

(1) All buildings and structures must have a minimum front yard set back of 25 feet.
(2) The main building on an interior lot must have a front yard setback that is:
(A) equal to that of the closest main building on either side of the lot in the same blockface; or
(B) between those of the closest main buildings on either side of the lot in the same blockface.
(3) The main building on a corner lot must have a front yard setback that is within five percent of that of the closest main building in the same blockface.

(f) Minimum rear yard. The minimum permitted rear yard setbacks for buildings and structures are:

(1) 10 feet for a main building if the lot is 230 feet or less in depth;
(2) 20 feet for a main building if the lot is over 230 but less than or equal to 250 feet in depth;
(3) 30 feet for a main building if the lot is over 250 feet in depth; and
(4) 5 feet for an accessory building or structure.

"Exhibit A"

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

(g) Minimum side yards.

(1) All buildings and structures must have:
(A) on interior lots, a minimum side yard the greater of 5; and
(B) on corner lots, a minimum corner side yard the greater of 15 feet or 80 percent of the average corner side yard of the other corner lots at the same intersection
(2) Except as otherwise provided in this section, no balcony, porch, or any portion of a building may extend into the required side yard. Roof eaves may project up to three feet into the required side yard.

(h) Off-street parking requirements. Residential uses must provide at least two off-street parking spaces behind the front yard for each dwelling unit when alley is accessible.

(i) Signs. Signs of any character shall be not larger than 4 square foot. (ex. 2'x 2')

B. PRESERVATION CRITERIA. The following preservation criteria apply to all property in the Bingham Park Historic District:

(a) Building placement, form, and treatment.

(1) Accessory buildings. Accessory buildings:

(A) are only permitted in the rear yard no closer than 15 feet to a main building; and
(B) must be compatible with the scale, shape, roof form, materials, detailing, and color of a main building.

(2) Additions. All additions to a building must be compatible with the dominant horizontal or vertical characteristics, scale, shape, roof form, materials, detailing, and color of the building.

(3) Architectural detail. Materials, colors, structural and decorative elements, and the manner in which they are used, applied, or joined together must be typical of the style and period of a main building and compatible with the other buildings on the blockface.

(4) Awnings.

(A) All awnings on the front and side facades of a main building must be typical of its style and period and complement its color scheme.

(B) Wood, metal, and plastic awnings are not permitted unless they:
(i) are on an accessory building or the rear façade of a main building;
(ii) complement the color scheme of the building to which they are attached; and
(iii) are totally screened.

(5) Building placement. All buildings must be placed so as not to adversely affect the rhythm of spaces between buildings on the blockface.

(6) Building widths. The minimum permitted width for a main building is 80 percent of the average width of the existing main buildings in the blockface.

(7) Chimneys. All chimneys must be compatible with the style and period of a main building. Chimneys on the front 50 percent of a main building or on a corner side façade must be:
(A) constructed of brick, stucco, stone, or other materials that look typical of the style and period of a main building; and
(B) of a style and proportion that is typical of the style and period of a main building.

(8) Color.
(A) Brick and stone surfaces. Brick and stone surfaces not previously painted must not be painted unless the applicant establishes that:
(i) painting is the only method by which the brick or stone may be restored or preserved; or
(ii) the color and texture of replacement brick or stone cannot be matched with that of the existing brick or stone surface and the paint color matches that of the existing brick or stone surface.
(B) Certain colors prohibited. Fluorescent and metallic colors are not permitted on the exterior of any structure in this district.
(C) Dominant and trim colors. All structures must have a dominant color and no more than three trim colors. The colors of a structure must be complementary of each other and the overall character of this district.
(D) Gutters and downspouts. Gutters and downspouts must be painted or colored to match or complement the color scheme of the structure to which they are attached.
(E) Roof colors. Roof colors must complement the style and overall color scheme of the structure.
(F) Stain. The use and color of stain must be typical of the style and period of the building on which the stain is applied.

(9) Columns.
(A) Function. Columns are only permitted as vertical supports near the front entrance of a main building, or as vertical supports for porches.
(B) Materials. Columns must be constructed of brick, wood, cut stone, or other materials that look typical of the style and period of a main building. No pipe or wrought iron columns are permitted.
(C) Style. Columns must be of a style typical of the style and period of a main building.
(D) Width dimensions.
(i) The width of a one-story column shaft at its widest point must be at least one-eighth the height of the column.
(ii) The width of a two-story column shaft at its widest point must be at least one-eight the height of the column.

(10) Façade materials.
(A) In general. The only permitted façade materials are brick, wood siding, stone, and stucco. All façade treatments and materials must be typical of the style and period of a main building.
(B) Brick. All exposed brick on facades must be fired brick as defined by the American Standard Testing Materials Designation C-126-75A. Type Grade FBS-SW.

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

(C) Wood facades. Existing wood facades must be preserved as wood facades. Wood shingles are not permitted as a primary façade material, but may be used in roof gables and on foundation skirts in a manner that is typical of the style and period of a main building.

(11) Front entrances and porches.
(A) Detailing. Railings, moldings, tile work, carvings, and other detailing and architectural decorations on front entrances and porches must be typical of the style and period of a main building.
(B) Enclosures. A front entrance or porch may not be enclosed with any material, including iron bars, glass, or mesh screening.
(C) Façade openings. Porches must not obscure or conceal any façade openings in a main building.
(D) Floor coverings. Carpeting is not permitted as a porch floor or step covering.
(E) Location. An entrance treatment, including door transoms, sidelights, stained glass, trim, and hardware, must be retained in its original location.
(F) Style. The main building must have a front porch or entry treatment with a shape, roof form, materials, and colors that are typical of the style and period of the building.

(12) Height to width ratio. The relationship between the height and width of the front façade of a main building, including side projections, must be compatible with those of the other main buildings in the blockface.

(13) Porte cocheres. Except as otherwise provided in this subsection, porte cocheres must be preserved as architectural features and not be enclosed on any side by fences, gates, or any other materials. A wrought iron gate is permitted across the rear opening of a porte cochere if it has a screening factor of less than 50 percent and is compatible with the style and scale of a main building.

(14) Roof forms.
(A) Eaves and soffits. The height of eaves and soffits on a main building must be within 10 percent of the height of eaves and soffits on the closest main building in this district of a similar style and having the same number of stories.
(B) Materials and colors. Roof materials and colors must complement the style and overall color scheme of the building or structure. Tar and gravel (built-up) is only permitted as a roof material on covered porches and porte cocheres with flat roofs.
(C) Overhang. The roof overhang on a building must be compatible with the style and scale of the building. A replacement roof on an existing building must have an overhang that is equal to or greater than the overhang of the roof it replaces.
(D) Patterns. Roof patterns of a main building must be typical of the style and period of the architecture of the building and include separate substructure roofs.
(E) Skylights and solar panels. Skylights and solar panels are only permitted on:
(i) the rear 50 percent of the roof of a main building on an interior lot;
(ii) the rear inside quadrant of the roof of a main building on a corner lot; and
(iii) the roof of an accessory building in the rear yard.
(F) Slope and pitch. The degree and direction of roof slope and pitch must be typical of the style and period of a main building and compatible with existing building forms in this district. Flat or Mansard roof designs are not permitted on main or accessory buildings or structures, except that a covered porch or porte cochere may have a flat roof that is typical of the style and period of a main building.

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

(15) Stairs. Second story exterior staircases are only permitted on accessory buildings and the rear 50 percent of a main building, except that they are not permitted on a corner side façade.

(16) Window and doors.
(A) Front façade openings. The total number of window and door openings (combined) in the front façade of a main building must be equal to or greater than the total number of original window and door openings (combined) in that façade. The number of door openings in the front façade of a main building may not be increased.
(B) Glass. Clear, decorative stained, and clear leaded glass typical of the style and period of the building may be permitted in any window opening. Reflective, tinted, opaque, and mirrored glass and plastic are not permitted in any opening. Translucent glass is not permitted except in a bathroom window.
(C) Screens, storm doors, and storm windows. Screens, storm doors, and storm windows may be permitted if:

(i) their frames are painted or colored to match or complement the color scheme of a main building;

(ii) they do not obscure significant features of the window and doors they cover; and

(iii) the screen mesh is 18 by 16 gauge.

(D) Security and ornamental bars. Security and ornamental bars are only permitted on an accessory building or on the rear or side facades of a main building.
(E) Shutters. Shutters must be typical of the style and period of the building and appear to be installed in a manner to perform their intended function.
(F) Style.

(i) All windows and doors in the front façade of a main building must be proportionally balanced in a manner typical of the style and period of the building.

(ii) No single, fixed plate glass is allowed except as part of an original period design. The size and proportion of window and door openings located on the front and side facades of a main building must be typical of the style and period of the building.

(iii) All windows, doors, and lights in the front and side facades of a main building must be typical of the style and period of the building and compatible with the windows, doors, and lights in the front and side facades of the other main buildings in the blockface. Windows must contain at least two lights (window panes). Sidelights must be compatible in style and materials with the door.

(iv) The frames of windows must be trimmed in a manner typical of the style and period of the building.

(b) Landscaping

(1) Fences.
(A) Definitions. The following definitions apply to terms used in these fence regulations:

(i) FINISHED SIDE means the side of a fence that does not reveal the structural components.

(ii) STRUCTURAL COMPONENT means a post, column, or other vertical or horizontal member providing support and strength for a fence.

(B) Form. Fences must be constructed and maintained in a vertical position.

(C) Height. The maximum permitted height for a fence is eight feet.

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

(D) Location.

(i) Fences are not permitted in the front yard.

(ii) A fence in an interior side yard must be located in the rear 50 percent of the side yard and behind the rearmost side projection of a main building, except that the commission may allow a fence to be located in the rear 75 percent of the side yard if it determines that the fence does not screen any portion of a significant architectural feature of a main building on the same or an adjacent lot.

(iii) A fence in the corner side yard must not be directly in front of the corner side façade, however, if a fence covers no more than 50 percent of the corner side façade, it may be permitted if:

(aa) more screening is necessary to insure privacy due to unusually high pedestrian or vehicular traffic; and

(bb) the fence does not screen all or any portion of a significant architectural feature of a main building.

(iv) A fence in the corner side yard must be set back a minimum of two feet from a public sidewalk.

(v) A fence must run either parallel or perpendicular to a building wall or lot line.

(vi) A fence on a vacant lot must be set back a distance that is equal to or greater than the setback of the closest main building in the same blockface. In the case of a single interior vacant lot, the setback of the fence must be equal to or greater than the setback of a main building on the adjacent lot with the greater setback.

(E) Materials. A fence must be constructed of one or more of the following materials: wrought iron, wood, brick, or stucco. Exposed concrete blocks are not permitted. Chain link fencing is permissible if it is not visible from public right-of-way.

(F) Masonry fences.

(i) The color, texture, pattern, and dimensions of masonry and the color, width, type, and elevation of mortar joints in a fence column or base must match the masonry and mortar joints of a main building as nearly as practicable.

(ii) All exposed brick in a fence must be fired brick as defined by the American Standard Testing Materials Designation C-126-75A. Type Grade FBS-SW.

(G) Metal fences.

(i) Wrought iron fences must be compatible with the style and period of a main building.

(ii) If a wrought iron is painted or colored, it must compliment the style and overall color scheme of the structure.

(H) Wooden fences.

(i) All wooden structural posts must be a least four inches in diameter (nominal size).

(ii) The side of a wooden fence facing a public street must be the finished side.

(iii) Wooden fences may be painted or stained a color that is complementary to a main building.

(2) Certain items prohibited in front and corner side yards. The following items are not permitted in the front and corner side yards:

(A) Berms higher than 2 feet.
(B) Pylons and similar structures.
(C) Rock or sculpture gardens.
(D) Permanent cooking or BBQ grills.
(E) Upholstered furniture. This prohibition includes porch areas.

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

(F) Satellite Dishes and Antennas. If reception requires such placement, then a satellite dish will be allowed if screened from public view by landscaping or building materials similar to those used on the façade of the main building.
(G) Basketball goals and playground equipment will not be permitted in the front or corner side yard.

(3) Outdoor lighting. Outdoor light fixtures on the front façade of a main building and on poles in the front yard must be compatible with the style and period of a main building and not obscure or conflict with significant architectural details. Overhead and exposed wiring and conduit for outdoor lighting is not permitted. However, temporary holiday lighting displays are permitted from November through January.

(4) Pavement, filler, and edging materials. If the landscape beds collectively comprise more than 25 percent of the combined areas of the front and corner side yards, the landscape plan must reviewed and approved by the commission. No more than 25 percent of the front yard of a residential use may be covered by pavement or filler materials.

(5) Planter boxes. Planter boxes must be:
(A) an integral part of and typical of the style and period of a main building;
(B) 18 inches or less in height:
(C) 36 inches or less in depth; and
(D) constructed of brick, stone, or smooth-finish concrete that matches or is compatible in texture, color, and style with a main building.

(6) Retaining walls. Retaining walls are not permitted in the front and side yards except to preserve a natural or existing slope or to make slope similar to that of an adjacent lot. The height of a retaining wall must not exceed the height of the slope it retains. A retaining wall must be constructed of unpainted stone, brick, stucco, or smooth-finished concrete that is compatible in texture, color, and style with a main building.

(7) Sidewalks, driveways, and curbing.
(A) Materials.
(i) Asphaltic or artificially colored concrete or epoxy resin is permitted as a sidewalk, driveway, or curbing material.
(ii) All public sidewalks and curbing must be constructed of brush finish concrete.
(iii) All private sidewalks and driveways must be constructed of brush finish concrete, brick, tile, slate, or exposed aggregate. Gravel is allowed in the center strip of a ribbon driveway.
(B) Width, style, and spacing.
(i) The maximum permitted width of a driveway in the front yard is 10 feet. The driveway width may be expanded to 20 feet at any point behind the front façade.
(ii) Ribbon driveways are only permitted if the owner establishes that a ribbon driveway was an original architectural element of the site. If a ribbon driveway is permitted, the ribbons must be at least one foot wide.
(iii) Circular driveways are not permitted in the front yard.
(iv) A driveway constructed in the front yard adjacent to an existing driveway on an adjacent lot must be spaced a minimum of one foot from the existing driveway on the adjacent lot.
(C) Parking on driveways. No vehicles shall be parked on the lawn area of a property.

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

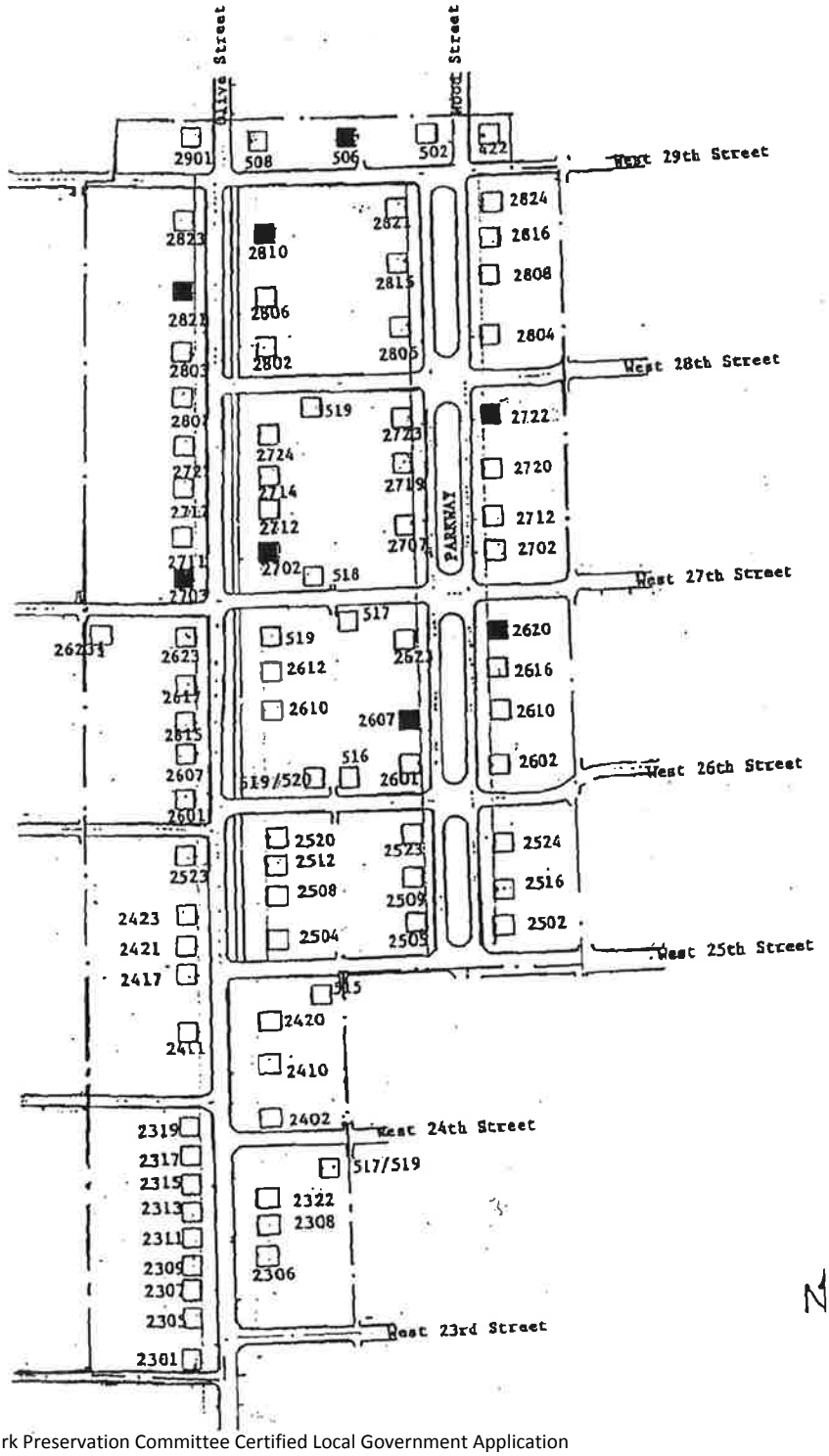
THE HIGHLAND PARK – BINGHAM PARK OVERLAY DISTRICT

DISTRICT BOUNDARY

CONTRIBUTING ELEMENT

NON-CONTRIBUTING ELEMENT

STREET ADDRESS 111



Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

ORDINANCE NO. 141-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, SECTION 8-200 "HISTORIC DESIGNATION" BY ADDING SECTION (F) PERTAINING TO A TAX FREEZE AND/OR ABATEMENT; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING FOR A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Historic Landmark Preservation Committee recommends property tax relief in order to encourage historic preservation for properties rezoned as Historic District; and

WHEREAS, the Historic Landmark Preservation Committee recommends that such property tax relief for residentially zoned property should only apply to the property owner's homestead; and

WHEREAS, the Historic Landmark Preservation Committee has recommended an addition to the current Zoning Ordinance in Section 8-200 "Historic Designation", creating a new Section (F) which will provide for such property tax relief in order to encourage historic preservation for properties rezoned as Historic District, which is more fully described hereinbelow in Section 1; and

WHEREAS, pursuant to Section 21-100 "Amendments to the Zoning Ordinance or Zoning Map" of the Zoning Ordinance of the City of Texarkana, Texas, the recommendation was referred to the Planning and Zoning Commission for an approval; and

WHEREAS, the Planning and Zoning Commission of Texarkana, Texas, held a public meeting on the **2nd day of May, 2005,** after published notice of said public hearing on the proposed amendment to the Zoning Ordinance (Ordinance No. 127-70) in regard to Section 8-200 "Historic Designation" of the Zoning Ordinance of the City of Texarkana, Texas, and more fully described hereinbelow in Section 1, said notice having been given not less than ten (10) days before the date set for hearing; and

WHEREAS, after consideration of said amendment to the Zoning Ordinance the Planning and Zoning Commission of the City of Texarkana, Texas, voted unanimously to recommend that the said amendment be adopted as described more fully hereinbelow in Section 1; and

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

WHEREAS, subsequent to the public hearing before the Planning and Zoning Commission, notice was given of another public hearing to be held by the City Council of the City of Texarkana, Texas, in the Municipal Building at **7:00 p.m. on May 9, 2005,** to consider the advisability of amending the Zoning Ordinance (Ordinance No. 127-70) as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, said notice of time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the TEXARKANA GAZETTE, Texarkana, U.S.A., a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard in the matter of the proposed Zoning amendment, and the City Council of the City of Texarkana, Texas, being informed as to the nature of the amendment of the Zoning Ordinance (Ordinance No. 127-70), have found and determined that the amendment should be enacted as said amendment is in the best interest and will promote the health, safety and welfare of the community;

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

SECTION 1: That Section 8-200 of "Historic Designation" of the Zoning Ordinance of the City of Texarkana, Texas be and is hereby further amended by adding a Section, to be numbered 8-200(F), which shall read as follows:

> **F. In accordance with state law, the City Council finds that all sites and structures designated as Historic Districts within the City of Texarkana, Texas are historically significant and entitled to tax relief in order to encourage historic preservation. The tax exemption shall exempt from City ad valorem taxation any increase in the assessed value of a structure or site designated as a Historic District for a period of twenty (20) years following its designation as a Historic District. To receive the tax exemption the structure or site must have been designated as a Historic District on the first day of January of the applicable tax year and must be claimed as the owner's homestead if zoned for residential use.**

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

SECTION 3: That a copy of the Zoning Ordinance (Ordinance No. 127-70), as amended herein, shall be filed and made available to interested citizens in accordance with Sec. 30-1. "Zoning ordinance adopted." of the Code of Ordinances of the City of Texarkana, Texas

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

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

SECTION 6: That this Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

PASSED AND APPROVED in Regular Council Session on this the 9th day of May, 2005.

Jim W. Bramlett

JAMES W. BRAMLETT, MAYOR

ATTEST:

Geri Haddock

GERI HADDOCK, CITY SECRETARY 8:10 p.m.

APPROVED AS TO FORM:

Deborah Jones

DEBORAH JONES, ASSISTANT CITY ATTORNEY

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

ORDINANCE NO. 138-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, SECTION 8-200 "HISTORIC DESIGNATION" (E) IN ITS ENTIRETY PERTAINING TO THE GRANTING OF A CERTIFICATE OF APPROPRIATENESS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING FOR A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Historic Landmark Preservation Committee has recommended an amendment to the current Zoning Ordinance in Section 8-200 "Historic Designation", amending Section (E) in its entirety to streamline the process for the granting of a Certificate of Appropriateness and allowing the Historic Landmark Preservation Committee to be the ruling board for this process, which is more fully described hereinbelow in Section 1; and

WHEREAS, pursuant to Section 21-100 "Amendments to the Zoning Ordinance or Zoning Map" of the Zoning Ordinance of the City of Texarkana, Texas, the recommendation was referred to the Planning and Zoning Commission for an approval; and

WHEREAS, the Planning and Zoning Commission of Texarkana, Texas, held a public meeting on the **2nd day of May, 2005**, after published notice of said public hearing on the proposed amendment to the Zoning Ordinance (Ordinance No. 127-70) in regard to Section 8-200 "Historic Designation" of the Zoning Ordinance of the City of Texarkana, Texas, and more fully described hereinbelow in Section 1, said notice having been given not less than ten (10) days before the date set for hearing; and

WHEREAS, after consideration of said amendment to the Zoning Ordinance the Planning and Zoning Commission of the City of Texarkana, Texas, voted unanimously to recommend that the said amendment be adopted as described more fully hereinbelow in Section 1; and

WHEREAS, subsequent to the public hearing before the Planning and Zoning Commission, notice was given of another public hearing to be held by the City Council of the City of Texarkana, Texas, in the Municipal Building at **7:00 p.m. on May 9, 2005**, to consider the advisability of amending the Zoning Ordinance (Ordinance No. 127-70) as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, said notice of time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the TEXARKANA GAZETTE, Texarkana, U.S.A., a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard in the matter of the proposed Zoning

amendment, and the City Council of the City of Texarkana, Texas, being informed as to the nature of the amendment of the Zoning Ordinance (Ordinance No. 127-70), have found and determined that the amendment should be enacted as said amendment is in the best interest and will promote the health, safety and welfare of the community;

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

SECTION 1: That Section 8-200(E)of "Historic Designation" of the Zoning Ordinance of the City of Texarkana, Texas, be and is hereby amended in its entirety to read as follows:

E. No person shall construct, reconstruct, alter, change, restore, remove, or demolish any exterior architectural feature of a building or structure or develop, construct, relocate, or demolish any building or structure with a Historic Designation or within a Historic Overlay District in the City of Texarkana, Texas without first obtaining a Certificate of Appropriateness. Exterior architectural features include the kind, color and basic texture of all exterior building materials and such features as windows, doors, lights, and signs.

An application for a Certificate of Appropriateness shall be made by the owner of the subject property and filed with the Director of Planning on the City's official form. The Director of Planning shall determine the completeness of an application for a Certificate of Appropriateness. Incomplete or applications not in compliance with building codes or other ordinances shall be returned to the applicant for completion and compliance. The Director of Planning shall within seven (7) days refer a completed application to the Historic Landmark Preservation Committee.

The Historic Landmark Preservation Committee shall hold a public hearing on an application for a Certificate of Appropriateness within thirty (30) days of their receipt of the application. Notice of application for a Certificate of Appropriateness shall be posted at the project site such that it is visible from the public right-of-way, including contact information and meeting date. If the Historic Landmark Preservation Committee does not take action within thirty (30) days of receipt of a completed application, a Certificate of Appropriateness shall be deemed issued by the Committee.

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

At the public hearing, the Historic Landmark Preservation Committee shall investigate and approve or disapprove an application for a Certificate of Appropriateness by a majority vote. A written report regarding the decision should be prepared by the Director of Planning within five (5) days after the public hearing.

Upon approval of an application, the Building Official shall be authorized to issue any necessary permits following the City's standard process. Should an application be disapproved, a copy of the written report stating the reasons for disapproval shall be mailed to the applicant with notice of their right to appeal the decision to the Zoning Board of Adjustment.

No application for the same project shall be considered within one (1) year of the disapproval of the application by the Historic Landmark Preservation Committee. The applicant may submit a design for an entirely new project or a revised design that substantially responds to the reasons for denial as set forth by the Committee at any time.

Ordinary Maintenance and Repair shall be exempt from the requirement of a Certificate of Appropriateness. The Director of Planning shall be responsible for making a determination whether or not any given project constitutes Ordinary Maintenance and Repair and shall report such projects periodically to the Historic Landmark Preservation Committee.

Ordinary Maintenance and Repair is any work, the sole purpose and effect of which is to correct deterioration, decay or damage which does not result in a change in the existing appearance and materials of a property. Examples include minor repairs to windows and doors; repairing walkways or drives; roofing, foundation, or chimney work when no substantial change in appearance occurs. Ordinary Maintenance and Repair also includes in-kind repair and replacement. Ordinary Maintenance and Repair must be compatible with the Development Standards of the Historic District in which it is performed.

The following general review criteria shall be met in issuing any Certificate of Appropriateness: the proposed work complies with the Development Standards and Preservation Criteria for the District; the integrity of an individual historic structure is preserved; new buildings or additions are designed to

be compatible with surrounding historic properties; and the overall character of the District is protected.

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

SECTION 3: That a copy of the Zoning Ordinance (Ordinance No. 127-70), as amended herein, shall be filed and made available to interested citizens in accordance with Sec. 30-1. "Zoning ordinance adopted." of the Code of Ordinances of the City of Texarkana, Texas

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

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

SECTION 6: That this Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

PASSED AND APPROVED in Regular Council Session on this the 9th day of May, 2005.

JAMES W. BRAMLETT, MAYOR

ATTEST:

GERI HADDOCK, CITY SECRETARY 8:09 p.m.

APPROVED AS TO FORM:

DEBORAH JONES, ASSISTANT CITY ATTORNEY

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

ORDINANCE NO. 161-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, SETTING THREE (3) YEAR TERMS OF SERVICE FOR CERTAIN BOARDS, COMMITTEES AND COMMISSIONS; REPEALING CERTAIN TERM LIMITATIONS; AND PLACING ATTENDANCE REQUIREMENTS ON ALL BOARDS, COMMITTEES AND COMMISSIONS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Texarkana, Texas, desires to create consistent three (3) year terms of service for all boards, committees and commissions of the City of Texarkana, Texas when such terms of service are not otherwise set by state law; and

WHEREAS, the City Council of the City of Texarkana, Texas, desires the ability to retain trained volunteers for service on all boards, committees and commissions of the City of Texarkana, Texas; and

WHEREAS, the City Council of the City of Texarkana, Texas, desires to place attendance requirements on all boards, committees and commissions of the City of Texarkana, Texas to ensure consistent and reliable service to the public;

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

SECTION 1: That the terms of service for the boards, committees or commissions listed in Section 2 below shall be and are hereby changed to three (3) year terms of service to create consistent three (3) year terms of service for all boards, committees and commissions of the City of Texarkana, Texas when such terms of service are not otherwise set by state law.

SECTION 2: That the following boards, committees or commissions of the City of Texarkana, Texas, shall have three (3) year terms of service: Building Code Revision Committee, Electrical Examining Board, Historic Landmark Preservation Commission, Library Commission, Permit and License Appeal Board (SOB), and Plumbing and Zoning Commission.

SECTION 3: That any member of a board, committee or commission of the City of Texarkana, Texas may be appointed and reappointed to an unlimited number of terms of service.

SECTION 4: That it shall be the policy of the City Council of the City of Texarkana, Texas to obtain some new members on each board, committee, or commission of the City of Texarkana, Texas so that at least some members of each board, committee or commission shall be serving their first term on such board, committee or commission, but this is not a firm requirement.

SECTION 5: That it shall be the policy of the City Council of the City of Texarkana, Texas to endeavor to have residents from each Ward serving on the various boards, committees, or commissions of the City of Texarkana, Texas. Each City Council member shall have equal opportunity to recommend residents from their Ward for service on the various boards, committees, and commissions.

SECTION 6: That two(2)unexcused meeting absences by a member of a board, committee, or commission of the City of Texarkana, Texas shall be grounds for removal of the member from the board, committee, or commission by the City Council.

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

SECTION 8: 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 9: 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 28th day of June, 2004.

JAMES W. BRAMLETT, MAYOR

ATTEST:

GERI HADDOCK, CITY SECRETARY 7:20 p.m.

APPROVED AS TO FORM:

DEBORAH JONES, ASSISTANT CITY ATTORNEY

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

ORDINANCE NO. 195-85

AN ORDINANCE AMENDING ORDINANCE 127-70 (THE ZONING ORDINANCE) OF THE CITY OF TEXARKANA, TEXAS SO AS TO DELETE THE PRESENT CHAPTER 3A AS CREATED BY ORDINANCE 32-77 WHICH PROVIDED FOR THE DESIGNATION OF HISTORIC SITES AND DISTRICTS AND TO ADD A NEW SECTION 8-200 ENTITLED "HISTORIC DESIGNATION"; PROVIDING FOR PUBLIC HEARING; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; CONTAINING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND TO BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION.

WHEREAS, the Planning and Zoning Commission of the City of Texarkana, Texas, held a public hearing on the 7th day of May, 1985, after published notice of such public hearing before the Planning and Zoning Commission on the proposed changes in the Zoning Ordinance so as to amend the said section, said notice having been given not less than ten days before the date set for hearing; and

WHEREAS, after consideration of said changes and amendments to the Zoning Ordinance, the Planning and Zoning Commission of the City of Texarkana, Texas voted unanimously to recommend to the City Council of Texarkana, Texas, that the amendment be adopted; and

WHEREAS, subsequent to the public hearing of the Zoning Commission, notice was given of a further public hearing to be held by the City Council of the City of Texarkana, Texas, in the Municipal Building at 7:00 p.m. on May 28, 1985 to consider the advisability of amending the Zoning Ordinance as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such notice of the time and place of such hearing having been given at least fifteen days prior to such hearing by publication in the Texarkana Gazette, a newspaper of general circulation in the City of Texarkana, Texas; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on the matter of the proposed amendment; and the City Council of the City of Texarkana, Texas, being informed as to the nature of the amendment of the Zoning Ordinance, have found and determined that this amendatory ordinance should be enacted since its provisions are in the best interest and will promote the health, safety and welfare of the community.

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, adopted on September 14, 1970, and made a part of the Code of Ordinances of said City by Section 30-1 of said Code, is hereby amended by deleting in its entirety the present Chapter 3A and substituting therefor a new Section 8-200 entitled "Historic Designation" to read in its entirety as follows:

"8-200. Historic Designation

A. Sites, structures, and areas that have been determined to be either architecturally, historically, archaeologically, or culturally significant may be designated as an Historic District. The regulations for historic districts are intended to preserve and protect historic, culturally or architecturally worthy buildings, structures, sites, and neighborhoods. For all zoning districts which contain the historic district prefix designation, the regulations for both the zoning district and the historic designation shall apply. Whenever there is a conflict between the regulations of the historic designation and the zoning district, the more restrictive regulations shall apply.

B. In determining the historical district, site or area, one or more of the following criteria shall be considered:

1. Character, interest or value as part of the development, heritage or cultural characteristics of the City, state or nation.

2. Location as the site of an historical event.

3. Structure with a distinguishing architectural type.

4. Relationship to other distinctive buildings, sites, districts or structures which are historically significant.

5. Unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community, the City or this region.

6. Identification with a person who has significantly contributed to the development or culture of the City, state or nation.

C. The Historic Landmark Preservation Committee shall recommend that certain sites, districts, areas, buildings or structures be designated as historical districts, sites or areas, and shall delineate the boundaries thereof. Such recommendation shall be submitted to the Planning and Zoning Commission and to the City Council. Such request for historical designation shall be acted upon by the Planning and Zoning Commission and the City Council as prescribed by Section 21-100. The prefix "H" shall indicate on the Zoning District Map the zoning designation of those areas, sites, districts, buildings or structures which are designated as historical districts. Such designation shall be in addition to any other zoning classification established for such site.

D. The Historic Landmark Preservation Committee, as established by Ordinance Number 32-77, is composed of not less than seven (7) members appointed by the City Council. All members must be

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

residents of the City of Texarkana, Texas. Four (4) members shall constitute a quorum. The terms of the members shall be two years. The members of the Committee shall elect from among themselves, a chairman, vice chairman and secretary each year within thirty (30) days of the anniversary date of their appointments. The Committee shall be composed of one representative from each of the following: an institution authorized to make home loans, an architect, a real estate agent, and a representative of the Texarkana Historical Museum and Society, with the remaining persons to be named at the discretion of the City Council. In making appointments to the Committee, the City Council shall consider each appointee's interest in the City, knowledge of the history of the community, education and interest in the historical and cultural preservation and development of the City.

E. After approval of the Historic Designation by the City Council, a Certificate of Appropriateness must be issued by the Director of Planning before a permit is issued for any of the following:

1. Demolition of an historic building or structure.

2. Moving of an historic building or structure.

3. Material changes, other than those stated in the originally approved application for the historic designation, in the exterior appearance of existing buildings by the addition, reconstruction, alteration or maintenance or involving exterior color.

The Director of Planning shall transmit the application for a Certificate of Appropriateness, together with the supporting information and material, including a recommendation from the Committee, to the Zoning Board of Adjustment for approval or disapproval. The Board shall act upon the application pursuant to its rules. If the Board approves the application, a Certificate shall be issued by the Director of Planning. The Board shall state in writing the reasons for its approval or disapproval of the Certificate of Appropriateness.

SECTION 2: The penalty provisions set forth in Section 23-100 of Ordinance 127-70 (Zoning Ordinance) as amended, shall apply to any failure to comply with the terms of this Ordinance.

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

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

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

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

SECTION 6: That this ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED AND APPROVED in Regular Council Session on this the 28th day of May, 1985.

DURWOOD SWANGER, Mayor

ATTEST:

CHRISTIE HARDIN, City Secretary 8:57 P.m.

APPROVED AS TO FORM:

City Attorney

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD

ORDINANCE NO. 204-84

AN ORDINANCE PROVIDING THAT ANY APPOINTEE TO CERTAIN BOARDS OR COMMISSIONS, WHO HAS SERVED FOR TWO CONSECUTIVE TWO-YEAR TERMS MUST VACATE THE POSITION FOR AT LEAST ONE YEAR BEFORE BECOMING ELIGIBLE FOR REAPPOINTMENT TO A FURTHER TERM ON THE SAME BOARD OR COMMISSION; LIMITING THE APPLICATION OF THIS ORDINANCE TO THE BOARD OF ADJUSTMENT, THE ELECTRICAL EXAMINING BOARD, THE HISTORICAL LANDMARK PRESERVATION COMMITTEE AND THE CITY'S APPOINTEES TO THE NORTHEAST TEXAS MENTAL HEALTH/MENTAL RETARDATION BOARD OF TRUSTEES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; CONTAINING A SEVERABILITY CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, the City Council of the City of Texarkana, Texas deems it to be in the best interests of the City to provide for limits on the number of consecutive years which board and commission members may be appointed to serve;

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

SECTION 1: That any appointee to boards or commissions listed in Section 2 below who has served for two consecutive two-year terms must vacate the position for at least one year before becoming eligible for reappointment to a further term on the same board or commission.

SECTION 2: That the terms of this Ordinance shall be applicable to appointees to the Board of Adjustment, the Electrical Examining Board, the Historical Landmark Preservation Committee and the City's appointees to the Northeast Texas Mental Health/Mental Retardation Board of Trustees.

SECTION 3: That service by an appointee during any part of a term on a board or commission shall be deemed, for purposes of this Ordinance, to have been service for a full term.

SECTION 4: That service as an alternate member on a board or commission shall be deemed, for the purpose of this Ordinance, to have been service as a regular member.

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

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD

SECTION 7: That this Resolution shall become effective upon its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the 13th day of August, 1984.

DURWOOD SWANGER, Mayor

ATTEST:

CHRISTIE HARDIN, City Secretary 8:10 P.m.

APPROVED AS TO FORM:

Asst City Attorney

ORDINANCE NO. 32-77

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ON SEPTEMBER 7, 1970, AND RECORDED IN ORDINANCE BOOK 12, PAGES 351 THROUGH 431 OF THE ORDINANCE RECORDS OF THE CITY OF TEXARKANA, TEXAS, BY ADDING A NEW CHAPTER 3A PROVIDING FOR THE DESIGNATION OF HISTORIC SITES AND DISTRICTS; DEFINING CERTAIN TERMS; ESTABLISHING THE HISTORIC LANDMARK PRESERVATION COMMITTEE; PROVIDING FOR CERTIFICATES OF APPROPRIATENESS; CONTAINING A PENALTY CLAUSE; CONTAINING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND TO BECOME EFFECTIVE UPON ITS PASSAGE, APPROVAL AND PUBLICATION.

WHEREAS, the Legislature of the State of Texas has enacted Article 1011a, Vernon's Annotated Texas Statutes, empowering cities of the State of Texas to adopt regulations and restrictions for the preservation and protection of historical places and areas of historical and cultural importance and significance; and

WHEREAS, the City Council of Texarkana, Texas, is aware that the city has numerous areas, places, buildings, and structures of significant historical value which reflect the heritage of the City, the State, and its people:

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, be amended by adding a new chapter 3A to read as follows:

3A-100 STATEMENT OF PURPOSE

This ordinance is designed to protect sites, structures and areas that have been determined to be either architecturally, historically, archaeologically, or culturally significant to the City of Texarkana, Texas, from being indiscriminately razed, and to afford the City, interested persons, historical societies or organizations the opportunity to acquire or to arrange for the preservation or restoration of such buildings, sites or areas.

3A-200 DEFINITIONS

A. The terms "historical district" or "historical site" shall mean any site, district, area, building or structure of historical, archaeological or cultural importance or value which the Historic Landmark Preservation Committee, with approval from the City Council, determines shall be protected, preserved, or enhanced in the interest of culture, prosperity, education, and welfare of the people.

B. The term "building" shall mean any structure, place or other construction built for the shelter or enclosure of persons, animals, chattels, or movable property of any kind or any part of such structure when subdivided by division walls or party walls extending to or above the roof and without opening in such separate walls.

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

The term "building" shall be construed as if followed by the words "or any part thereof".

C. The term "committee" shall mean the Historic Landmark Preservation Committee which shall serve as an advisory body to both the Planning and Zoning Commission and the Board of Adjustments.

D. The term "city" shall be construed to mean the City of Texarkana, Texas.

E. The term "landmark" shall mean any improvement which has a special character or special historic interest or value as part of the development, heritage, or cultural characteristics of the City, State or nation and which has been designated as a landmark pursuant to the provisions of this chapter.

F. The term "landmark site" shall mean any parcel of land of historic significance due to a substantial value in tracing the history of aboriginal man, upon which a historic event has occurred, or which is culturally significant, and which has been designated as a landmark site under this chapter, or an improvement, parcel, or part thereof, used as constituting part of the premises on which the landmark is situated.

3A-300 (A) DESIGNATION OF SITES AND DISTRICTS

The Historic Landmark Preservation Committee may designate certain sites, districts, areas, buildings or structures in the City of Texarkana, Texas, as historical districts, sites or areas and define,amend and delineate the boundaries thereof, subject to the review of the Planning and Zoning Commission and approval by the City Council. The suffix "H" shall indicate on the Zoning District Map the zoning designation of those areas, sites, districts, buildings or structures which are designated as historical districts or sites. Such designation shall be in ADDITION to any other use designation established by the Zoning Ordinance of Texarkana, Texas.

(B) CRITERIA

In determining the historical district, site or area, the City Council shall consider one or more of the following:

(1) Character, interest or value as part of the development, heritage or cultural characteristics of the City of Texarkana, this region, state or nation.

(2) Location as the site of an historical event.

(3) Embodiment of distinguishing characteristics of an architectural type or specimen.

(4) Relationship to other distinctive buildings, sites, districts or structures which are historically significant and preserved, or which are eligible for preservation.

(5) Unique location of singular physical characteristics representing an established, and familiar visual feature of a neighborhood, community, the City or this region.

(6) Identification with a person or persons who have significantly contributed to the development or culture of the City, region, state or nation.

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

(C) RELATIONSHIP TO ZONING DISTRICTS

The regulations for historic sites or districts are intended to preserve and protect historic, culturally or architecturally worthy buildings, structures, sites, and neighborhoods. In all zoning districts which contain or overlap a site or district designated "historic", the regulations for both the zoning district and the historic site or district shall apply. Whenever there is a conflict between the regulations of the historic site or district and the underlying zone, the more restrictive shall apply.

3A-400 ESTABLISHMENT OF THE HISTORIC LANDMARK COMMITTEE

A. There is hereby created a committee to be known as the Historic Landmark Preservation Committee, herein called the Committee, to be composed of not less than seven (7) members approved by the City Council of Texarkana, Texas, within sixty (60) days of the passage of this ordinance.

B. The Historic Landmark Preservation Committee shall be composed of one representative from each of the following: an institution authorized to make home loans, an architect, a realtor, a representative of the Texarkana Historical Museum and Society, with the remaining persons to be named at the discretion of the City Council. In making appointments to the Committee, the City Council shall consider each appointee's interest in the City, knowledge of the history of the community, education and interest in the historical and cultural preservation and development of the City. All members of the Committee must be residents of Texarkana, Texas.

C. Each member appointed to the Historic Landmark Preservation Committee shall serve for a term of two years except that the initial members shall serve staggered terms as follows: four members shall serve for one year and the remaining three members shall serve for two years; all members appointed thereafter shall serve for a two year term. The City Council shall determine the terms of the first approved members. Ex officio members of the Committee shall include the City Manager, the City Engineer and the Director of Planning.

D. The members of the Committee shall elect from among themselves, a chairman, vice chairman and secretary, each year within thirty (30) days of the anniversary date of their appointments.

E. Four members shall constitute a quorum.

F. Powers and duties of the Committee:

The Committee shall have the power, subject to Subsection 3A-300 (A) of this chapter, to recommend to the Planning and Zoning Commission designation of landmarks, landmark sites and historic districts within the city limits of Texarkana, Texas. Such designation shall be made based upon criteria in Subsection 3A-300 (B) hereof. Once designated by ordinance, such landmarks, landmark sites, and historic districts or areas shall be subject to the provisions of this ordinance. The Committee shall also serve as an advisory body to the Board of Adjustments when that board considers requests for variances from the zoning ordinances which involve buildings, sites or districts designated as historic under this ordinance.

The Committee shall adopt rules to govern its proceedings, provided however, that such rules are not inconsistent with the zoning ordinance of the City of Texarkana, Texas, or the statutes of the State of Texas. Meetings of the Historic Landmark Preservation Committee shall be at the Call of the chairman and at such times as the Committee shall determine. All meetings of the Committee shall be open to the public. The Committee shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicate such fact,

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Committee and shall be a public record.

The Committee is further authorized to serve in conjunction with a similar Committee from Texarkana, Arkansas.

3A-500 APPLICATION PROCEDURES

A. Any person or entity may request a historical zone designation by submitting an application in triplicate to the Director of Planning containing the following:

(1) Name and permanent address of the owner (or owners, if more than one) together with their written consent and approval of such historic designation for the subject property.

(2) Name and permanent address of the applicant or applicants, as the case may be.

(3) Location and legal description of the subject property.

(4) Reasons and justification for requesting the historical district or site designation in light of established criteria and other relevant factors.

(5) General plans for preservation and/or restoration, if any.

B. A $25.00 filing fee must be paid by the applicant upon the filing of an application to initiate, amend, supplement, change, modify or repeal the Historical Zone boundaries.

C. Upon receipt of such application, the Director of Planning shall submit one copy of such application to the Planning and Zoning Commission and Historical Landmark Preservation Committee at the next regularly scheduled meeting of the Planning and Zoning Commission. Both the Planning and Zoning Commission and Historical Landmark Preservation Committee shall consider the application. The Historical Landmark Preservation Committee shall make its recommendations to the Planning and Zoning Commission at the next regularly scheduled meeting of the Planning and Zoning Commission. The application for the proposed Historical Zoning designation shall be presented to the City Council in the same manner as all other zoning ordinances.

D. After, and subject to, the written consent and approval of the owner (or owners, as the case may be) as aforesaid, and compliance with all prerequisites herein, any property within the City limits of Texarkana, Texas, may be rezoned as a historical site, district, or area, if upon the determination of the City Council such property is determined to have historical, cultural, archaeological or educational value which reflects the heritage of the City, this region, state, or nation, in the same manner as all other zoning ordinances.

3A-600 CERTIFICATION OF APPROPRIATENESS

A. Purpose. The purpose of the Certificate of Appropriateness is to make all concerned parties aware that all required submittals and approvals have been completed and that the proper permit may be issued for the start of the proposed work. The issuance of a Certificate of Appropriateness is an administrative procedure which must be completed and said Certificate must be presented to the Building Inspection Department prior to the issuance of a Demolition Permit, a Moving Permit or a Building Permit in all areas of the City with a Historical Zone designation.

B. Required. After approval of historical designation by the City Council, a Certificate of Appropriateness must be issued by the Director of Planning after approval of the Board of Adjustment before a permit is issued for any of the following:

(1) Demolition of an historic building.

(2) Moving an historic building.

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

(3) Material change(s) other than those stated in the original approved application, in the exterior appearance of existing buildings classified as historic by addition, reconstruction, alteration or maintenance or involving exterior color.

C. Application for Certificate of Appropriateness.

Application for a Certificate of Appropriateness shall be made in the Office of the Director of Planning on forms provided therefore, obtainable at said office. A $10.00 filing fee will be paid by the applicant upon the filing of an application for a Certificate of Appropriateness. Detailed drawings, plans or specifications shall not be required but each application shall be accompanied by such sketches, drawings, photographs, descriptions or other information showing the proposed exterior alterations, additions, changes or new construction as are reasonably required for the Historic Landmark Preservation Committee to make recommendations.

D. Action on Applications for Certificate of Appropriateness

The Director of Planning shall transmit the application for a Certificate of Appropriateness, together with the supporting information and material, including the recommendations of the Historic Landmark Preservation Committee, to the Board of Adjustments for approval. The Board shall act upon the application pursuant to its rules. If the Board disapproves the application, a Certificate of Appropriateness shall not be issued. The Board shall state its reasons in writing, and the Director of Planning shall advise the applicant and a permit shall not be issued. Appeal of any decision of the Board of Adjustment shall be to the District Court of Bowie County, Texas.

3A-700 PENALTY

Any person found in violation of this ordinance shall be deemed guilty of a misdemeanor and punished by fine not exceeding $200.00, and if such violation be continuing, each day's violation shall be a separate offense.

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

Section 4: That this ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED AND APPROVED in Regular Council Session on this the 14th day of March, 1977.

David L. Keller, Mayor

ATTEST:

Helen B. Talbert, City Secretary

APPROVED as to legality and form:

City Attorney

Attachment: 2016-040 ATTH 01 Historical Ordinances 1977 to 2011 HLPCommittee (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

Chapter 140 - ZONING , Article V - Special District Designations, Sec. 140-106

(Ord. of 9-7-1970, § 8-101)

Secs. 140-82—140-105. - Reserved.

ARTICLE V. - SPECIAL DISTRICT DESIGNATIONS

Sec. 140-106. - Historic designation.

(a) Sites, structures and areas that have been determined to be either architecturally, historically, archaeologically or culturally significant may be designated as a historic district. The regulations for historic districts are intended to preserve and protect historic, culturally or architecturally worthy buildings, structures, sites and neighborhoods. For all zoning districts which contain the historic district prefix designation, the regulations for both the zoning district and the historic designation shall apply. Whenever there is a conflict between the regulations of the historic designation and the zoning district, the more restrictive regulations shall apply.

(b) In determining the historical district, site or area, one or more of the following criteria shall be considered:

(1) Character, interest or value as part of the development, heritage or cultural characteristics of the city, state or nation.

(2) Location as the site of an historical event.

(3) Structure with a distinguishing architectural type.

(4) Relationship to other distinctive buildings, sites, districts or structures which are historically significant.

(5) Unique location of singular physical characteristics representing an established and familiar visual feature or a neighborhood, community, the city or this region.

(6) Identification with a person who has significantly contributed to the development or culture of the city, state or nation.

(c) The historic landmark preservation committee shall recommend that certain sites, districts, areas, buildings or structures be designated as historical districts, sites or areas, and shall delineate the boundaries thereof. Such recommendation shall be submitted to the planning and zoning commission and to the city council. Such request for historical designation shall be acted upon by the planning and zoning commission and the city council as prescribed by section 140-317. The prefix "H" shall indicate on the zoning district map the zoning designation of those areas, sites, districts, buildings or structures which are designated as historical districts. Such designation shall be in addition to any other zoning classification established for such site.

(d) The historic landmark preservation committee shall be composed of nine members. There should be one member from each of the following: An institution authorized to make home loans, a real estate agent, a representative of the city museums system, with the remaining members to be named at the discretion of the city council. Meetings of the historic landmark preservation committee shall be at the call of the chairperson and at such times as the committee shall determine. All meetings shall be open to the public. The committee shall keep minutes of its proceedings, showing the vote of each member upon each question, or indicating absentee or failure to vote. Records of examinations and other official actions shall be kept and filed immediately in the office of the community redevelopment and grants and shall be public record. The committee should include the following committees: 1) Guidelines and standards review, 2) Community involvement and marketing; and 3) Expansion,

Attachment: 2016-040 ATTH 02 Ch_140 ZONING_Sec 106 Historic Desig and 140-317 (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

preservation and revitalization. Each committee member shall serve on at least one committee. Ex officio members of the committee shall include the city manager, the executive director of community redevelopment and grants, and the marketing and communications manager. The members of the committee shall select a chairperson, a vice-chairperson and a secretary. Five members shall constitute a quorum.

(e) No person shall construct, reconstruct, alter, change, restore, remove or demolish any exterior architectural feature of a building or structure or develop, construct, relocate or demolish any building or structure with a historic designation or within a Historic Overlay District in the city without first obtaining a certificate of appropriateness. Exterior architectural features include the kind, color and basic texture of all exterior building materials and such features as windows, doors, lights and signs.

(1) An application for a certificate of appropriateness shall be made by the owner of the subject property and filed with the director of planning on the city's official form. The director of planning shall determine the completeness of an application for a certificate of appropriateness. Incomplete or applications not in compliance with building codes or other ordinances shall be returned to the applicant for completion and compliance. The director of planning shall within seven days refer a completed application to the historic landmark preservation committee.

(2) The historic landmark preservation committee shall hold a public hearing on an application for a certificate of appropriateness within 30 days of their receipt of the application. Notice of application for a certificate of appropriateness shall be posted at the project site such that it is visible from the public right-of-way, including contact information and meeting date. If the historic landmark preservation committee does not take action within 30 days of receipt of a completed application, a certificate of appropriateness shall be deemed issued by the committee.

(3) At the public hearing, the historic landmark preservation committee shall investigate and approve or disapprove an application for a certificate of appropriateness by a majority vote. A written report regarding the decision should be prepared by the director of planning within five days after the public hearing.

(4) Upon approval of an application, the building official shall be authorized to issue any necessary permits following the city's standard process. Should an application be disapproved, a copy of the written report stating the reasons for disapproval shall be mailed to the applicant with notice of their right to appeal the decision to the zoning board of adjustment.

(5) No application for the same project shall be considered within one year of the disapproval of the application by the historic landmark preservation committee. The applicant may submit a design for an entirely new project or a revised design that substantially responds to the reasons for denial as set forth by the committee at any time.

(6) Ordinary maintenance and repair shall be exempt from the requirement of a certificate of appropriateness. The director of planning shall be responsible for making a determination whether or not any given project constitutes ordinary maintenance and repair and shall report such projects periodically to the historic landmark preservation committee.

(7) Ordinary maintenance and repair is any work, the sole purpose and effect of which is to correct deterioration, decay or damage which does not result in a change in the existing appearance and materials of a property. Examples include minor repairs to windows and doors; repairing walkways or drives and; roofing, foundation or chimney work when no substantial change in appearance occurs. Ordinary maintenance and repair also includes in-kind repair and replacement. Ordinary maintenance and repair must be compatible with the development standards of the historic district in which it is performed.

(8) The following general review criteria shall be met in issuing any certificate of appropriateness: the proposed work complies with the development standards and preservation criteria for the district; the integrity of an individual historic structure is preserved; new buildings or additions are designed to be compatible with surrounding historic properties; and the overall character of the district is protected.

Attachment: 2016-040 ATTH 02 Ch_140 ZONING_Sec 106 Historic Desig and 140-317 (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

Attachment: 2016-040 ATTH 02 Ch_140 ZONING_Sec 106 Historic Desig and 140-317 (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

(f) In accordance with state law, the city council finds that all structures located within designated Historic Residential Overlay Districts are historically significant and entitled to tax relief in order to encourage historic preservation. The city shall exempt ten percent of the assessed value of a structure, including the land necessary for access to and use of the structure, from annual city ad valorem taxation. In order to receive this tax exemption, the structure must have been located within a designated Historic Residential Overlay District on January 1 of the applicable tax year and must be designated as the owner's homestead for the applicable tax year.

(g) The Highland Park-Bingham Park Historic Residential Overlay District is hereby established. The purpose and intent of the Highland Park-Bingham Park Historic Residential Overlay District is to provide for the protection of the aesthetic and visual character of this historic residential neighborhood. The neighborhood consists of homes built between 1903 and 1935 and includes arts and crafts, prairie and cottage style homes. The neighborhood also includes the boyhood home of Ross Perot and the home of Wright Patman.

(1) The Highland Park-Bingham Park Historic Residential Overlay District shall include all property on Wood Street between West 25th Street and West 29th Street and all property on Olive Street between West 23rd Street and West 29th Street. Additionally, the district shall include residences fronting on West 29th Street between the intersections of Wood Street and Olive Street. An official map of the Highland Park-Bingham Park Historic Residential Overlay District shall be kept on file in the planning and zoning department and the boundaries of the Highland Park-Bingham Park Historic Residential Overlay District shall be shown on the city's official zoning map.

(2) Development standards and preservation criteria for the Highland Park-Bingham Park Historic Residential Overlay District are hereby adopted as an official attachment to this chapter. A violation of any provision contained within the development standards and preservation criteria for the district is a violation of this chapter. Copies of the development standards and preservation criteria for the Highland Park-Bingham Park Historic Residential Overlay District shall be available in the office of the director of planning.

(3) No person shall construct, reconstruct, alter, change, restore, remove or demolish any exterior architectural feature of a building or structure or develop, construct, relocate or demolish any building or structure within the district without first obtaining a certificate of appropriateness. All new development and changes to existing development located within the district, except for ordinary maintenance and repair, shall be reviewed in accordance with the development standards and preservation criteria for the Highland Park-Bingham Park Historic Residential Overlay District by the historic landmark preservation committee pursuant to subsection (e) of this section.

(4) The development standards and preservation criteria for this overlay district control in the event of a conflict with the requirements for the underlying zoning district or other ordinances. Except, this section does not apply to life safety codes such as building or fire codes. If a proposed development or change in an external feature will not be visible from a public right-of-way once the project is completed, the committee may waive review of the project. The Highland Park-Bingham Park Historic Residential Overlay District shall also hereby include all property on Walnut Street between West 25th Street and West 29th Street.

State Law reference— Zoning authority of governing body of a municipality to designate places and areas of historical, cultural or architectural importance and significance, and regulate the construction, reconstruction, alteration or razing of buildings and other structures within such designated places and areas, Texas Local Government Code §§ 211.001, 211.003.

(Ord. of 9-7-1970, § 8-200; Ord. No. 138-2005, 5-9-2005; Ord. No. 315-2006, 11-13-2006; Ord. No. 144-2009, 10-26-2009)

(Ord. of 9-7-1970, § 20-100)

Sec. 140-317. - Amendments to this chapter or zoning map.

(a) The city council may, by the adoption of an ordinance, amend, supplement or change the regulations or text of this article or the classification or boundary of a zoning district. The planning and zoning commission may on its own motion or on a request from the city council, propose changes or amendments. Any property owner may petition the city council for a change or amendment in the classification or boundary of the owner's property or for a change or amendment in the regulations or text of this article.

(b) The planning and zoning commission shall hold a public hearing on any change or amendment prior to making its report and recommendation to the city council. The planning and zoning commission shall submit its report and recommendation on any changes or amendments to the city council before the city council can take any action of those changes or amendments. When a change or amendment relates to a classification or boundary of a zoning district, written notice of such public hearing of the planning and zoning commission shall be sent to all owners of real property lying within 200 feet of the property on which the change is requested. Such notice shall be given to each owner as shown on the last approved city tax roll by depositing the notice, properly addressed and postage paid, in the city post office not less than ten days before the date of the public hearing. The city shall post a sign on the property to be rezoned as further public notification. When a change or amendment relates to the regulations or text of this article not affecting specific property, notice of the public hearing before the planning and zoning commission shall be given not less than ten days before the hearing by publication in a newspaper of general circulation in the city, without the necessity of notifying property owners by mail. Such notice shall state the date, time and place of the public hearing and the nature of the subject to be considered.

(c) The city council shall hold a public hearing on any amendment or change to the regulations or text of this article or any amendment or change to the classification or boundary of a zoning district. Notice of such public hearing shall be given by publication of the date, time and place of such hearing and the nature of the subject to be considered in a newspaper of general circulation in the city not less than 15 days before the hearing.

(d) A majority vote of the city council shall be required to adopt an ordinance approving any amendment or change, except that a three-fourths vote of the city council shall be required when either:

(1) The planning and zoning commission has recommended for denial of an amendment or change; or

(2) A written protest against an amendment or change has been filed which is signed by the owners of 20 percent or more of the area included in such change or signed by the owners of 20 percent or more of the area within 200 feet of such change. In order to be considered, the petition must be received and filed before or at the planning and zoning commission meeting at which the item is to be heard.

(e) In the event an amendment or change affecting the classification or boundary of a zoning district, for which application has been made, is not approved, no person shall file a subsequent request for an amendment on the same lot or tract for a period of one year from the date of such action, except that a subsequent request can be submitted at any time if such request is to a more restrictive zoning classification than was not approved or if the request was denied without prejudice by the city council. The Planned Development designation shall be considered to be a more restrictive zoning classification.

(f) A person requesting an amendment or change of the regulations or text of this article or the classification or boundary of a zoning district (including rezoning of property, specific use permits, and

Attachment: 2016-040 ATTH 02 Ch_140 ZONING_Sec 106 Historic Desig and 140-317 (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

amendments to Planned Development Districts for approval or modifications of site plans) shall provide a nonrefundable filing fee in an amount as established by the city council from time to time and on file in the city secretary's office or city website.

(Ord. of 9-7-1970, § 21-100; Ord. No. 209-1996, 7-8-1996; Ord. No. 272-2002, 11-25-2002; Ord. No. 116-2011, 7-25-2011)

Attachment: 2016-040 ATTH 02 Ch_140 ZONING_Sec 106 Historic Desig and 140-317 (1460 : 2016-040 ORD amending Chapter 140 Article V Sec

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 3/8/2016 10:44 AM

Lead Department: Economic Development **Action Officer:** Jerry Sparks, Economic Developer

Subject: Resolution No. 2016-025 authorizing the City Manager to enter into an incentive agreement with Harte-Hanks, Inc. funded by the City of Texarkana's Economic Development Fund in an amount not to exceed TWO HUNDRED THOUSAND DOLLARS ($200,000).

Briefing:	3/28/2016	**Public Hearing:**	3/28/2016	**Second Briefing:**	April 11, 2016	**Council Vote:**	4/25/2016

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

Harte-Hanks is requesting a third incentive agreement. At the time of this application, Harte-Hanks had approximately 650 employees in its facility in the Oaklawn area. The company plans to expand that number to approximately 775. Harte Hanks will use the funds for employee training and leadership development. The first incentive agreement was for an amount not to exceed $400,000 and helped establish Harte-Hanks in our community. The most recent agreement was for an amount not to exceed $250,000 in 2012. Harte-Hanks fulfilled all of the terms of the two earlier agreements.

Harte-Hanks operates out of a facility in the Kitty Wells Center on Robison Road (Oaklawn area). This location is in an area the City has targeted for redevelopment. The number of Harte-Hanks employees in this area increases potential customers for area businesses. The location is near the housing authority developments and the campus of Texarkana College.

The creation and retention of retail and service sector jobs in this redevelopment area are vital parts of attaining one or more of the goals of our HUD/CDBG comprehensive plan.

Funding for a potential incentive was included in the FY16 budget.

Potential Options:

- Approve the staff recommendation for incentive funding from the Economic Development Fund
- Deny the application for incentive funding.

Fiscal Implications:

Maximum expenditure would be $50,000 annually or a total of $200,000.

Staff Recommendation:

Staff recommendation is to offer an incentive of an amount not to exceed $200,000 over a five-year period based on 1% of wages paid in excess of $11,000,000 per year. No single year payment will exceed $50,000 during the term of the incentive agreement.

Advisory Board/Committee Review:

The internal staff review committee reviewed the request. The recommendation was the consensus of the committee.

Board/Committee Recommendation:

Not applicable

Advisory Board/Committee Meeting Date and Minutes:

The meeting was September 22, 2015.

Attachments

a. 2016-025 RES Harte Hanks 2016 incentive (DOC)
b. 2016-025 ATTH 01 Project briefing sheet (DOCX)
c. 2016-025 ATTH 02 2011 Economic Development strategy 15 Nov 2011 proposed (PDF)
d. 2016-025 Goals & Perspectives (DOCX)
e. 2016-025 RES Harte Hanks Incentive Agreement signed (PDF)

Staff Coordination

Economic Development	Completed	Jerry Sparks 03/02/2016 7:25 AM	Department Head Review	
Planning and Community Development	03/02/2016 9:33 AM	David Orr	Review	Completed
Finance Department	Charlie Bassett	Finance Review	Completed	03/02/2016 2:22 PM
Purchasing and Contracting	Skipped	Jennifer Evans 03/01/2016 8:39 AM	Purchasing Review	
Assistant City Manager Review	Completed	Shirley Jaster 03/02/2016 2:56 PM	Assistant City Manager	
Public Information Officer	03/02/2016 2:58 PM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	03/06/2016 9:50 PM
City Council	Jennifer Evans	Meeting	Completed	03/14/2016 6:00 PM

Meeting History

City of Texarkana, Texas

03/14/16	City Council	MOVED FORWARD	Next: 03/28/16

RESOLUTION NO. 2016-025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INCENTIVE AGREEMENT WITH HARTE-HANKS, INC FUNDED BY THE CITY OF TEXARKANA'S ECONOMIC DEVELOPMENT FUND IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS ($200,000) FOR A TERM NOT TO EXCEED FIVE (5) YEARS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council, by Ordinance 292-05, established an Economic Development Fund to provide incentives for specified activities; and

WHEREAS, the City Council, by Ordinance 190-2011, adopted an Economic Development Fund Policy establishing criteria for incentive eligibility; and

WHEREAS, Harte-Hanks Inc. requested consideration of an incentive as a part of the company's plan to expand employment in a redevelopment area and create new jobs in our community.

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

SECTION 1: That the City Manager, be and is hereby authorized to enter into an economic development incentive agreement for an amount not to exceed Two Hundred Thousand Dollars ($200,000) for a period of no more than five (5) years with Harte-Hanks Inc.

SECTION 2: That the City Manager is hereby authorized to execute the necessary documents to implement said incentive agreement.

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 **25th day of April 2016.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2016-025 RES Harte Hanks 2016 incentive (1443 : 2016-025 RES authorizing City Manager to enter into an incentive agreement)

2016-025 Resolution of the City Council of Texarkana, TX
Briefing Sheet

PROGRAM:	**Economic Development Fund**
PROJECT:	**Harte-Hanks Inc**
Objective:	**Retain or create jobs and increase gross payroll in redevelopment area**
Amount:	**$200,000**
Sources of funds:	**Economic Development Fund**
Impact:	**Increased wages in redevelopment area**
Review/approval:	**Internal review conducted by staff committee to determine eligibility and recommend funding level**

Narrative:
Harte-Hanks

Harte-Hanks is requesting a third incentive agreement. At the time of this application, Harte-Hanks had approximately 650 employees in its facility in the Oaklawn area. The company plans to expand that number to approximately 775. Harte Hanks will use the funds for employee training and leadership development. The most recent agreement was for an amount not to exceed $250,000. Harte-Hanks fulfilled all of the terms of the two earlier agreements.

Harte-Hanks has increased employment from their initial goal of 200 employees to the current size in their location in the Kitty Wells Center on Robison Road at New Boston Road. This location is in an area the City has targeted for redevelopment. The number of Harte-Hanks employees in this area increases potential customers for area businesses.

The creation and retention of retail and service sector jobs in this redevelopment area are vital parts of attaining one or more of the goals of our HUD comprehensive plan.

Attachment: 2016-025 ATTH 01 Project briefing sheet (1443 : 2016-025 RES authorizing City Manager to enter into an incentive agreement)

ECONOMIC DEVELOPMENT FUND GUIDELINES & STRATEGY
Ordinance #190-November 2011
An amendment to Ordinance #292-05

The dynamics of economic development in the communities of Texas have changed dramatically over the past 15 years, particularly since the passage of enabling legislation that allows communities to implement a sales tax for the exclusive purpose of funding economic development efforts. For plausible reasons, Texarkana has had no such dedicated source. This lack of funding has made it increasingly difficult for Texarkana to effectively compete with other Texas communities for job-creating prospects who predictably look for communities who will provide tangible incentives. The decision of the Council in 2004 to dedicate future revenues from the increased utility franchise fees specifically to the economic development effort will enable Texarkana to begin entering the arena of legitimate competition for new job prospects. The stated purpose of this initiative shall be to:

- Promote new, and expand existing, long-term employment opportunities for the citizens of Texarkana, Texas
- Enhance property values and expand the base for the taxing entities within the City of Texarkana, Texas
- Promote diversity within the local economy
- Help enhance the standard of living and raise the median wage for the citizens of Texarkana, Texas

Generally, it is recommended that the City adhere to the basic permissible uses identified in the Handbook on Economic Development Laws for Texas Cities that applies to those communities utilizing Section 4A tax proceeds. Specifically, fund expenditures should be permissible for employee training, supporting infrastructure, land, buildings, equipment, facilities and other improvements that are suitable to promote the following types of enterprises:

1. Manufacturing & industrial projects
2. Distribution centers & small warehousing projects
3. Recycling programs
4. Programs to promote new & expanded business development, with the exception of commercial and retail business development
5. Facilities and buildings to promote job creation &/or business retention
6. Job training programs
7. Research & development programs
8. Infrastructure & improvements, including wet utility construction, repair and extensions, and environment remediation, directly associated with an otherwise allowable use
9. Land acquisition directly associated with an otherwise allowable use
10. Grants for job training
11. Matching funds for Federal or State grants
12. Collateral & debt service
13. Economic Development feasibility studies
14. Closed or re-aligned military bases
15. Staffing & administration costs directly related to specifically allowable uses
16. Research, promotion & advertising directly related to specifically allowable uses
17. Restaurant and retail facilities that will generate more than 100 jobs or increase the ad valorem tax base more than $10,000,000.
18. Tourism and entertainment facilities that will generate more than 100 jobs or increase the ad valorem tax base more than $10,000,000.
19. Provide inter-city agency loans to approved projects in any of the City's Tax Increment Reinvestment Zones so long as those loans do not exceed the lesser of 50% of the EDF reserves or $1,000,000. Said inter-agency loans may be an interest rate equal to the most recent debt instrument issued by the City.

V1: 16Nov11

Attachment: 2016-025 ATTH 02 2011 Economic Development strategy 15 Nov 2011 proposed (1443 : 2016-025 RES authorizing City Manager to

ECONOMIC DEVELOPMENT FUND GUIDELINES & STRATEGY
Ordinance #190-November 2011
An amendment to Ordinance #292-05

In all instances, the use of these funds should be associated directly with the creation and/or retention of Primary Jobs defined as: *those available at a company for which a majority of the products or services of that company are ultimately exported or provided thus infusing new dollars into the local economy; and included in one of the listed sectors of the North American Industry Classification System (NAICS). Examples of sectors are:*

NAICS	DESCRIPTION
111	Crop Production
112	Animal Production
113	Forestry & Logging
114	Commercial Fishing
115	Support Activities for Agriculture & Forestry
211-213	Mining
221	Utilities
311-339	Manufacturing
42	Wholesale Trade
48-49	Transportation & Warehousing
51 (excludes 512131 & 512132	Information (excludes movie theaters & drive in theaters)
62 (excludes subsectors 713 &812)	Health Care & Social Assistance
523-525	Securities, commodity contracts, other financial investments and related activities; insurance carriers and related activities; funds, trusts and other financial vehicles
5413,5415, 5416, 5417, 5419	Scientific research & development services
551	Management of companies & enterprises
922140	Correctional institutions

Attachment: 2016-025 ATTH 02 2011 Economic Development strategy 15 Nov 2011 proposed (1443 : 2016-025 RES authorizing City Manager to

ECONOMIC DEVELOPMENT FUND GUIDELINES & STRATEGY
Ordinance #190-November 2011
An amendment to Ordinance #292-05

While the list of permissible uses included herein is not intended to be blocked from amendment, deletion or addition, it should be noted that other certain uses be identified as specifically non-permissible uses. Among them:

1. Retail & restaurant projects with less than 100 newly created jobs or less than a $10,000,000 increase in advalorem tax base
2. Athletic facility projects
3. Parks & related public space improvements
4. Tourism & entertainment facilities with less than 100 newly created jobs or less than a $10,000,000 increase in ad valorem tax base
5. Infrastructure improvements not directly associated with specific eligible projects
6. Housing & residence projects not directly associated with specific eligible projects
7. Removal, repair &/or renovation of non-residential structures not directly associated with specific eligible projects

The expenditure of funds for allowable uses shall be permissible within the limits of Texarkana, Texas, its extra-territorial jurisdiction, and projects of significant importance in Bowie County Texas and Miller County AR upon approval of the City Council.

.

Attachment: 2016-025 ATTH 02 2011 Economic Development strategy 15 Nov 2011 proposed (1443 : 2016-025 RES authorizing City Manager to

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: 2016-025 Goals & Perspectives (1443 : 2016-025 RES authorizing City Manager to enter into an incentive agreement)

RESOLUTION NO. 2016-025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INCENTIVE AGREEMENT WITH HARTE-HANKS, INC FUNDED BY THE CITY OF TEXARKANA'S ECONOMIC DEVELOPMENT FUND IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS ($200,000) FOR A TERM NOT TO EXCEED FIVE (5) YEARS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council, by Ordinance 292-05, established an Economic Development Fund to provide incentives for specified activities; and

WHEREAS, the City Council, by Ordinance 190-2011, adopted an Economic Development Fund Policy establishing criteria for incentive eligibility; and

WHEREAS, Harte-Hanks Inc. requested consideration of an incentive as a part of the company's plan to expand employment in a redevelopment area and create new jobs in our community.

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

SECTION 1: That the City Manager, be and is hereby authorized to enter into an economic development incentive agreement for an amount not to exceed Two Hundred Thousand Dollars ($200,000) for a period of no more than five (5) years with Harte-Hanks Inc.

SECTION 2: That the City Manager is hereby authorized to execute the necessary documents to implement said incentive agreement.

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 **25th day of April 2016.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:38p.m.

Attachment: 2016-025 RES Harte Hanks Incentive Agreement signed (1443 : 2016-025 RES authorizing City Manager to enter into an incentive agreement)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 3/8/2016 10:45 AM

Lead Department: Public Works Department **Action Officer:** Kyle Dooley,

Subject: Resolution No. 2016-026 authorizing the City Manager to execute a gateway monument agreement with the Texas Department of Transportation regarding the City of Texarkana's construction and maintenance of a gateway monument along Interstate 30 right-of-way.

Briefing: 3/28/2016	**Public Hearing:** 3/28/2016	**Second Briefing:** April 11, 2016	**Council Vote:** 4/25/2016

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Staff has been working with MTG Engineers to come up with a design for a "Welcome to Texarkana" sign for eastbound IH30 traffic. Council had previously decided that the sign should look similar in design to the existing sign for westbound IH30 traffic that was installed on the Arkansas side. After presentations and consideration, Council had also previously decided that the location would be on the west side of the Kings Highway Overpass at IH30, which would be inside of Texas Department of Transportation (TxDOT) right of way.

These types of signs are called "Gateway Monuments" by TxDOT. A proposal must be submitted to TxDOT for approval of a gateway monument to be installed and maintained inside TxDOT right of way. Part of that submittal requires that the local entity requesting the monument adopt a resolution recommending approval of the monument and requesting installation of the monument within TxDOT right of way. Also, a Gateway Monument Agreement would need to be signed by the City and TxDOT. This resolution would authorize the City Manager to execute the needed Gateway Monument Agreement along with recommending approval of the monument and stating installation of the monument would be proposed inside TxDOT right of way. If approved, this resolution, along with the Gateway Monument Agreement and plan drawings of the monument, would be submitted to TxDOT for review and approval.

Potential Options:

- Approve authorizing the City Manager to execute a gateway monument agreement with TxDOT..
- Do not approve authorizing the City Manager to execute a gateway monument agreement with TxDOT.

Fiscal Implications:

If the agreement is approved, a budget amendment will be brought back for Council consideration once construction pricing has been established.

City of Texarkana, Texas

Staff Recommendation:
Staff recommends approval.

Advisory Board/Committee Review:
NONE

Board/Committee Recommendation:
NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:
NOT APPLICABLE

Attachments
a. 2016-026 RES Agreement with TxDOT for Gateway Monument Sign (DOC)
b. 2016-026 Goals & Perspectives (DOCX)
c. 2016-026 Exhibit 'A' - Gateway Monument Agreement (PDF)
d. 2016-026 Exhibit 'B' - Gateway Monument Plans (PDF)
e. 2016-026 RES Gateway Monument Agreement with TxDOT signed (PDF)

Staff Coordination

Public Works Department	Completed	Kyle Dooley	Department Head Review	03/04/2016 8:40 AM
Public Information Officer	03/04/2016 9:18 AM	Lisa Thompson	PIO Review	Completed
Assistant City Manager Review	Completed	Shirley Jaster	Assistant City Manager	03/04/2016 9:23 AM
City Manager	John Whitson	City Manager Review	Completed	03/06/2016 9:56 PM
City Council	Jennifer Evans	Meeting	Completed	03/14/2016 6:00 PM

Meeting History

03/14/16	City Council	MOVED FORWARD	Next: 03/28/16

Attachment: 2016-026 RES Agreement with TxDOT for Gateway Monument Sign [Revision 1] (1444 : 2016-026 RES agreement with TxDOT for

RESOLUTION NO. 2016–026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A GATEWAY MONUMENT AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION REGARDING THE CITY OF TEXARKANA'S CONSTRUCTION AND MAINTENANCE OF A GATEWAY MONUMENT ALONG INTERSTATE 30 RIGHT OF WAY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to construct a gateway monument sign within the State's right-of-way on Interstate 30 at the King's Highway Overpass; and

WHEREAS, subject to compliance with the terms and conditions of a Gateway Monument Agreement, the State will allow the City to construct a gateway monument sign on the west side of the King's Highway Overpass along Interstate 30; and

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

SECTION 1: The monument location is located within the city limits of Texarkana, Texas.

SECTION 2: The City Manager is authorized to execute a Gateway Monument Agreement with the State of Texas, said Agreement being attached hereto and incorporated herein as **Exhibit "A".**

SECTION 3: As is stated in the Gateway Monument Agreement, the City of Texarkana acknowledges responsibility for all costs related to the installation of the Gateway Monument. The City of Texarkana also commits to ensuring the long term maintenance of the Gateway Monument, including maintaining any associated landscaping and lighting, timely removal of graffiti, and repairing and/or removing the Gateway Monument as stated in the Gateway Monument Agreement.

SECTION 5: A schematic drawing showing the general design of the Gateway Monument is attached hereto and incorporated herein as **Exhibit "B".**

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 the **25th day of April, 2016**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Low

Other Potential Impacts:

None Applicable

Public Information Plan:

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

Other:

Attachment: 2016-026 Goals & Perspectives (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

Contract No. _____

GATEWAY MONUMENT AGREEMENT

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

THIS AGREEMENT is made by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the "State", and the _____ of _____, acting through its duly authorized officials, as evidenced by Resolution or Ordinance Number _____, dated _____, hereinafter called the "Local Entity".

BACKGROUND

The State owns and maintains a system of highways, including _____ in _____ County, Texas, for public use and benefit. The State agrees to allow for the construction of a Gateway Monument within the State's right of way and the Local Entity agrees to construct the Monument and to conduct the long term maintenance for this structure located at _____ from _____ to _____, referred to as the "Gateway Monument," more specifically described in **Attachment "A,"** Project Map, which is attached hereto. The Local Entity will conduct the Monument's long term maintenance activities through the use of Local Entity forces, contractors, or other means satisfactory to the Local Entity and the State.

THEREFORE, in consideration of the mutual promises contained in this Agreement, the parties agree to the following.

A G R E E M E N T

SECTION 1. PERIOD OF THE AGREEMENT

This Agreement becomes effective when finally executed by the State and shall continue unless or until otherwise terminated as provided by this agreement.

SECTION 2. FINANCIAL RESPONSIBILITIES

All costs covered by this agreement including design, engineering, testing, construction, installation, access for maintenance, maintenance, labor, materials, supplies, traffic control, additional improvements, and if required, removal of the Gateway Monument, shall be the responsibility of the Local Entity.

Any administrative costs associated with the Gateway Monument that are incurred by the State, such as those related to proposal review, as well as developing, issuing, and monitoring the Agreement for approved the Gateway Monument project shall be the responsibility of the State.

Attachment: 2016-026 Exhibit 'A' - Gateway Monument Agreement (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

Contract No. _____

Attachment: 2016-026 Exhibit 'A' - Gateway Monument Agreement (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

SECTION 3. RESPONSIBILITY OF THE PARTIES

A. The Local Entity agrees to:

1. Provide Gateway Monument design plans to the State before execution of this agreement according to TxDOT policy and, upon final approval, furnish and construct the Gateway Monument according to plans approved by the State, which are set out more specifically in **Attachment "B,"** Local Entity's Final Gateway Monument Proposal, which is attached to this Agreement, and include any other related installation items that may be required; and

2. Furnish, erect, and maintain any barricades, signs and traffic handling devices, in accordance with the latest Texas Manual of Uniform Traffic Control Devices (MUTCD) and to the satisfaction of the State related to this project, as may be required to protect the safety of the public; and

3. Conduct periodic inspections of the Gateway Monument as deemed necessary; and

4. Provide for the construction and maintenance of all associated appurtenances that are considered by the State to be a part of the project. The Local Entity further agrees to remove such items from the project's location and restore the area to the satisfaction of the State upon termination of this Agreement in accordance with Section 9.

B. The State agrees to:

1. Review and evaluate the Gateway Monument proposal submitted by the Local Entity with due consideration to safety (location, potential for motorist distraction, accessibility for maintenance, etc.), aesthetics, community support and maintainability; and

2. Coordinate with other TxDOT Divisions, as appropriate, as well as interact with the Federal Highway Administration (FHWA) for input, review and approval; and

3. Cooperate with the Local Entity to determine the requirements for barricades, signs, and traffic handling devices to be used by the Local Entity during the construction and maintenance of the Gateway Monument; and

4. Provide maintenance access to the project location for the Local Entity or for its Contractor or group, and if possible, from outside the highway right of way; and

5. Conduct periodic inspections of the Gateway Monument as deemed necessary.

C. The Local Entity and State further agree that nothing contained in this Agreement will be construed to:

1. Give either party the power to direct and control the day-to-day activities of the other; or

2. Constitute the parties as partners, joint venturers, co-owners, or otherwise as participants in a joint or common undertaking; or

3. Allow either party to create or assume any obligation on behalf of the other party for any purpose whatsoever.

SECTION 4. DESIGN AND PLACEMENT OF GATEWAY MONUMENTS

A. Gateway Monuments shall be designed and placed so as to:

1. Be freestanding.

2. Feature only the letters of the community name and/or officially adopted seal.

3. Include, if required by TxDOT, approved protective graffiti coatings.

4. Be appropriate to its proposed setting and community context.

5. Be in proper size and scale with its surroundings.

6. Be composed of materials that are durable for the projected life span of the project.

7. Be located beyond the clear zone, for both main lane traffic and frontage road traffic.

8. Be located where maintenance can be safely performed, as specified in the Gateway Monument Agreement, and in conformance with TxDOT procedures.

9. Be subject to the review and approval of TxDOT in consideration of design, size, and scale for appropriate integration on urban or rural highway features.

Attachment: 2016-026 Exhibit 'A' - Gateway Monument Agreement (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

Contract No. _____

B. Gateway Monuments shall not:

1. Be allowed within the center median areas of interstate highway rights-of-way.

2. Contain religious, political, special interest, private, or commercial messages of any sort, including, but not limited to, symbols, logos, business names, trade names, jingles, or slogans.

3. Contain any displays of any sort, advertising, decorative banners, flags, or flag poles.

4. Display telephone numbers, street addresses, or Internet addresses.

5. Interfere with airspace above the roadway.

6. Create a distraction to the motoring public; for example, the Gateway Monument shall be large enough to interpret at highway speed, but not be so large that it demands attention from the motorist.

7. Include reflective or glaring surface finishes.

8. Include illumination that impairs or distracts the vision of transportation system users. Other lighting may be permitted.

9. Display blinking or intermittent or moving lights, including changeable message signs, digital displays, or lighted static displays such as LED.

10. Include moving elements (kinetic art) or simulate movement.

11. Include water features of any sort.

12. Interfere with official traffic control devices, nor interfere with the operational right-of-way above the roadway.

13. Be placed within State right-of-way upon trees, or painted or drawn upon rocks or other existing natural features.

14. Make use of or simulate colors or combinations of colors usually reserved for official traffic control devices described in the Texas Manual on Uniform Traffic Control Devices.

Attachment: 2016-026 Exhibit 'A' - Gateway Monument Agreement (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

Contract No. _____

15. Require the removal of trees or other vegetation for visibility, or harm trees during construction. Pruning of tree branches or roots, and removal of shrubs should be avoided.

16. Negatively impact existing highway features, including existing signs, irrigation systems, necessary drainage patterns, and facilities.

SECTION 5. MAINTENANCE

The Local Entity shall provide regularly scheduled maintenance, as described in **Attachment "B,"** the Local Entity's Final Gateway Monument Proposal, for its projected lifespan. Maintenance shall include, but not be limited to, restoration work to maintain the integrity of the approved Gateway Monument, maintenance of any associated landscaping or lighting, and graffiti removal. Gateway Monuments shall be kept clean, free of graffiti, and in good repair. Graffiti removal shall conform to the most current TxDOT policies and guidelines, which require prompt removal of offensive messages and timely removal of all other graffiti. Maintenance practices of the Local Entity or its agent shall protect air and water quality as required by federal and state law.

SECTION 6. MONUMENT REMOVAL

The Local Entity shall remove the Gateway Monument covered by this agreement, if in the opinion of TxDOT, it creates safety or operational concerns due to deterioration or inadequate maintenance or upon termination of the main Gateway Monument Agreement. TxDOT will notify the Local Entity when it has determined that the Gateway Monument requires special attention. In the event the Local Entity fails to maintain, repair, rehabilitate, or remove the Gateway Monument in a timely manner, TxDOT may choose to remove the Gateway Monument after thirty (30) days following notification to the Local Entity, and bill the Local Entity for all costs of removal and restoration of the area.

TxDOT reserves the right to remove the Gateway Monument due to construction, rehabilitation, violation of the terms of this agreement, or other necessary activities affecting the transportation facilities without any obligation, compensation to, or approval of the Local Entity. TxDOT will strive to notify the Local Entity of its intent to remove the Gateway Monument to allow for timely removal and salvage by the Local Entity, if possible.

TxDOT reserves the right to remove or alter any Gateway Monument that presents an immediate safety hazard to the public without delay or advanced notification to the Local Entity.

SECTION 7. USE OF CONTRACTOR OR GROUP

The Local Entity shall have the right to engage any responsible Contractor or group to perform or provide any portion of the Local Entity's Gateway Monument

Attachment: 2016-026 Exhibit 'A' - Gateway Monument Agreement (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

activities specified in this Agreement. However, notwithstanding this provision, the Local Entity shall continue to remain responsible to the State to ensure performance of all its duties and responsibilities specified in this Agreement. The Local Entity shall ensure that any Contractor or group complies with all provisions of this agreement, and federal, state, and local laws, and regulations as may be applicable.

In the event the Local Entity engages a Contractor to perform Gateway Monument construction or maintenance activities under this Agreement, the Local Entity shall ensure that said Contractor shall indemnify the State for any and all damages and claims for damages by said Contractor, its employees, agents, or representatives, including any claims resulting from bodily injury or death to others, or, for loss of or damage to property of others, arising out of, incident to, or in any manner connected to Gateway Monument construction or maintenance activities, and, for any or all liability arising from the negligent acts of said Contractor, its employees, agents, or representatives.

In the event the Local Entity engages and approves a responsible group to perform Gateway Monument construction or maintenance activities under this Agreement, the Local Entity shall require and ensure that said Contractor or group follow all the terms of this Agreement as well as all Attachments.

SECTION 8. INDEMNIFICATION

A. The Local Entity and the State each acknowledge responsibility for the acts, deeds, errors and omissions of its own employees. The parties agree that the Texas Tort Claims Act pertaining to governmental liability for tortious conduct and/or property damage shall apply to this Agreement.

B. The Local Entity shall also indemnify and save harmless the State from any and all expense, including, but not limited to, attorney fees, which may be incurred by the State in litigation or otherwise resisting a claim or liabilities that may be imposed on the State as a result of error, omission, or act of the Local Entity, its agents, or its employees.

SECTION 9. TERMINATION

This Agreement may be terminated under any of the following conditions:

A. By mutual written agreement and consent of both parties; or

B. By either party upon giving the other party thirty (30) days prior written notice; or

C. By the State, in the event the State determines that the Gateway Monument is not in the best interest of the traveling public.

Attachment: 2016-026 Exhibit 'A' - Gateway Monument Agreement (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

Contract No. _____

If either party terminates this Agreement, as provided herein, the Local Entity will be responsible for repair or removal of the Gateway Monument. In the event that the Local Entity does not provide the repair or removal services, the State may remove or repair the Gateway Monument and shall be entitled to reimbursement from the Local Entity for any reasonable costs incurred by the State to restore the State's right of way to its original condition.

SECTION 10. AMENDMENTS
Amendments to this Agreement shall be in writing and shall be executed by both parties.

SECTION 11. AUDIT
The state auditor may conduct an audit or investigation of any entity receiving funds from the state directly under the contract or indirectly through a subcontract under the contract. Acceptance of funds directly under the contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

SECTION 12. SUCCESSORS AND ASSIGNS
Subject to the provisions of Section 7, the Local Entity shall not assign or otherwise transfer its rights and obligations under this Agreement except with prior written consent of the State, and any prohibited assignment or transfer shall be null and void.

SECTION 13. REMEDIES
This Agreement shall not be considered as specifying the exclusive remedy for any default. All legal remedies may be pursued by either party and shall be cumulative.

SECTION 14. INSURANCE
If this agreement authorizes the Local Entity or its contractor to perform any work on State right of way, before beginning work, the entity performing the work shall provide the State with a fully executed copy of the State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on the State right of way. This coverage shall be maintained until all work on the State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and the State may recover damages and all costs of completing the work.

Attachment: 2016-026 Exhibit 'A' - Gateway Monument Agreement (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

Contract No. _____

SECTION 15. NOTICES
All notices to either party by the other under this Agreement shall be delivered personally or sent by U.S. mail, postage prepaid, addressed to such party at the following addresses:

STATE : Texas Department of Transportation District Engineer (mailing address) _____ _____ _____, Texas _____	**LOCAL ENTITY:** City of _____ Attn: _____ _____ _____

SECTION 16. GRATUITIES
Texas Transportation Commission policy mandates that employees of the State shall not accept any benefits, gifts, or favors from any person doing business or who reasonably speaking may do business with the State under this Agreement. The only exceptions allowed are ordinary business lunches and items that have received advanced written approval of the Texas Department of Transportation Executive Director. Any person doing business with or who may reasonably speaking do business with the State under this Agreement may not make any offer of benefits, gifts or favors to State employees, except as mentioned here above. Failure on the part of the Local Entity to adhere to this policy may result in the termination of this Agreement.

SECTION 17. SIGNATORY WARRANTY
Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

SECTION 18. INCORPORATION OF PROVISIONS
Attachments “A” and “B” are made part of this contract. The parties shall comply with the provisions of Attachments “A” and “B” as if they were set forth in full within the body of this contract.

THEREFORE, the Parties have executed this Agreement in duplicate originals.

Attachment: 2016-026 Exhibit 'A' - Gateway Monument Agreement (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

Contract No. _____

THE CITY OF _____

By: _____

Title: _____

Date: _____

THE STATE OF TEXAS

Certified as being executed for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by The Texas Transportation Commission

Attest: _____
City Clerk

By: _____
_____
District Engineer
_____ District

Date: _____

Approved as to form:

_____
City Attorney

List of Attachments:

"A" – Project Map for Gateway Monument
"B" - Local Entity's Final Gateway Monument Proposal

Attachment: 2016-026 Exhibit 'A' - Gateway Monument Agreement (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

CONSTRUCTION PLANS
FOR
E.B. IH 30 GATEWAY SIGN
FOR
CITY OF TEXARKANA, TEXAS

EXHIBIT 'B'

TEXARKANA, TEXAS
JOB NO. 156087
MARCH, 2016

REFERENCE LIST

City of Texarkana, Texas
Ph: 903-798-3943
Kyle Dooley, P.E.

A.E.P. Electric
Ph: 903-223-5733
Dusty Wiley

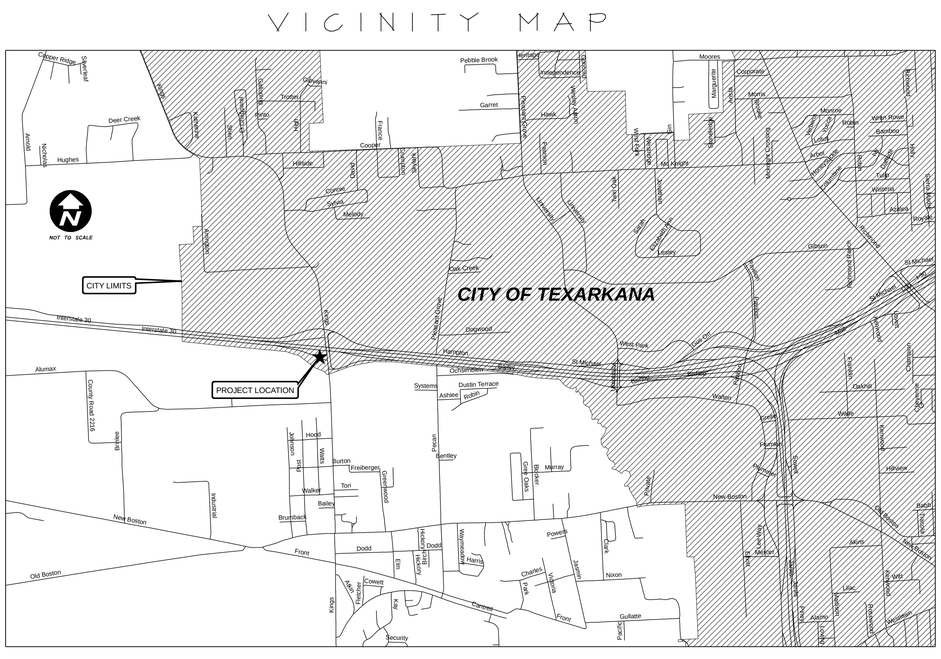
Windstream
Ph: 903-223-4665
James Latimer

Texarkana Water Utilities
Ph: 903-798-3800
Gary Smith

Centerpoint Energy
Ph: 870-779-6338
Diane Engelkes

Texas 811
Know what's below. Call before you dig.

VICINITY MAP



INDEX OF DRAWINGS

1. TITLE SHEET
2. AREA MAP & SITE VISION LINES
3. SITE PLAN
4. SIGN ELEVATION & DETAILS

STATE OF TEXAS
DAVID A. WILLIAMS
68437
REGISTERED
PROFESSIONAL ENGINEER
3/3/2016

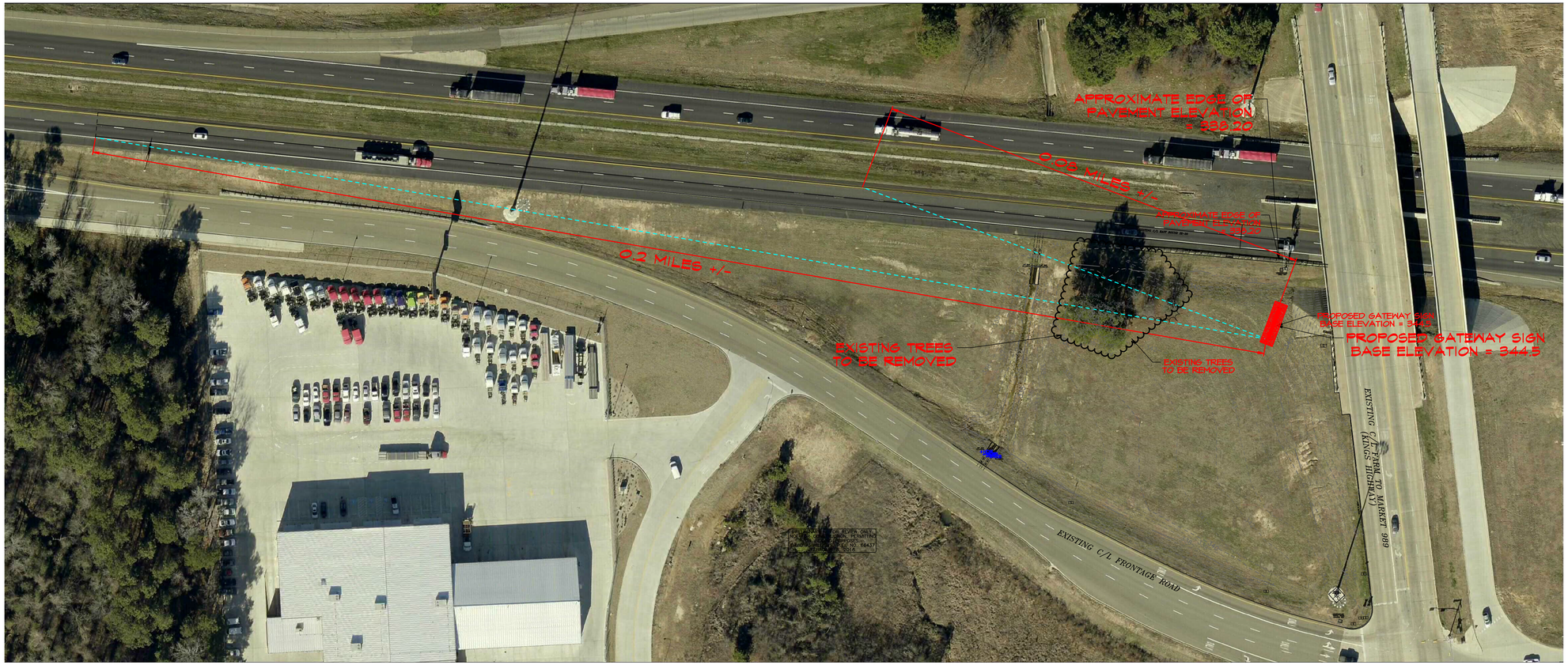
MTG ENGINEERS & SURVEYORS, INC.
TEXAS REGISTERED
ENGINEERING FIRM F-354

ISSUED FOR PERMITTING PURPOSES ONLY.

MTG engineers & surveyors
5930 SUMMERHILL RD.
TEXARKANA TEXAS 75503
P 903.838.8533 | F 903.832.4700
www.mtgengineers.com
TBPE FIRM NO. F-354 | ASBL NO. 125

© MTG 2016

SET NO. _____



GRAPHIC SCALE 1"=60'
0 60

DAVID A. WILLIAMS
66437
REGISTERED PROFESSIONAL ENGINEER
STATE OF TEXAS
3/3/2016

MTG ENGINEERS & SURVEYORS, INC.
TEXAS REGISTERED
ENGINEERING FIRM F-354

ISSUED FOR PERMITTING PURPOSES ONLY.

AREA MAP AND SITE VISION LINES

EB IH 30 GATEWAY SIGN
CITY OF TEXARKANA, TEXAS

Date	Revision/Description

Drawn By	Checked By	Project No.	Dwg. Date
X.X.X.	X.X.X.	156087	2/2016

File No. | Sheet No. 2

MTG engineers & surveyors
5930 SUMMERHILL RD. | P.O. BOX 3786
TEXARKANA TEXAS 75501
P 903.838.8533 | F 903.832.4700
www.mtgengineers.com
TBPE FIRM NO. F-354 | ASBL NO. 125
© MTG 2015

X:\2015 Projects\156087 Texarkana Gateway Sign, City of Texarkana\05 Engineering Design\Design\DES 01.pro
Thu Mar 3, 2016 4:59PM

N

GRAPHIC SCALE 1"=20'

0 20

GENERAL NOTES:

ALL CONCRETE SHALL BE 3,000 PSI WITH 4% – 6% ENTRAINED AIR.

ALL REINFORCEMENT SHALL BE ASTM A-615, GR 60.

EXPOSED EDGES OF FOUNDATION SHALL HAVE A 3/4 CHAMFER AND A LIGHT BROOM FINISH.

ALL DISTURBED AREAS SHALL BE REVEGETATED.

SIGN MATERIAL NOTES:

PROPOSED ROCK MATERIAL TO BE A FLAGSTONE TYPE STONE.

MESSAGE BACKGROUND TO BE A EGGSHELL COLOR STUCCO MATERIAL.

PROPOSED LETTERS TO BE A NAVY COLORED LED INTERNAL BACKLIGHT LETTER.

ELECTRICITY FOR SIGN TO BE ROUTED UNDERGROUND FROM AN EXISTING STREET LIGHT OPERATED AND MAINTAINED BY THE CITY OF TEXARKANA.

NO LANDSCAPING OR IRRIGATION IMPROVEMENTS ARE PROPOSED.

ALL ACCESS TO THE WORK SITE WILL BE FROM THE FRONTAGE ROAD. NO ACCESS FROM IH 30 MAIN LANES WILL BE ALLOWED.

STATE OF TEXAS
DAVID A. WILLIAMS
66437
REGISTERED
PROFESSIONAL ENGINEER
3/3/2016

MTG ENGINEERS & SURVEYORS, INC.
TEXAS REGISTERED
ENGINEERING FIRM F-354
ISSUED FOR PERMITTING PURPOSES ONLY.

SITE PLAN

EB IH 30 GATEWAY SIGN
CITY OF TEXARKANA, TEXAS

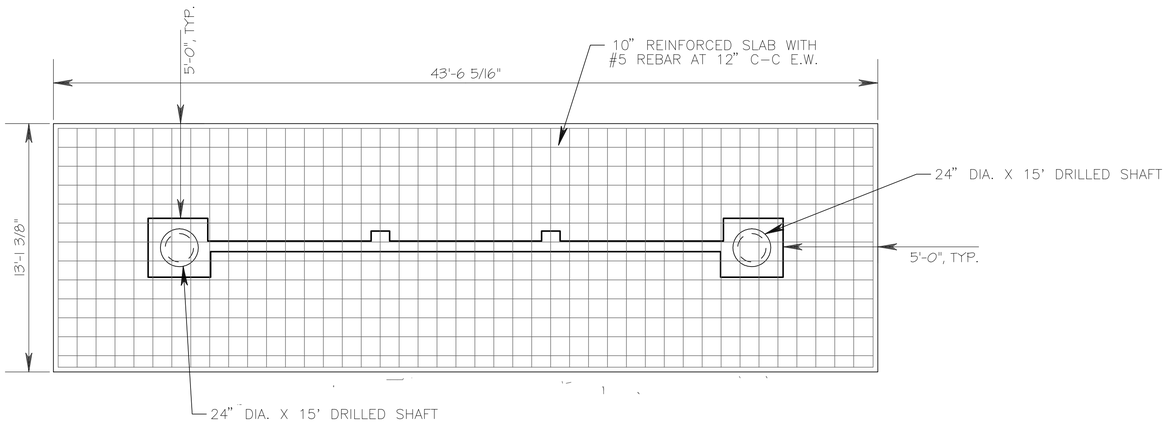
Date	Revision/Description

Drawn By	Checked By	Project No.	Dwg. Date
X.X.X.	X.X.X.	156087	2/2016

MTG engineers & surveyors
5430 SUMMERHILL RD. | P.O. BOX 3786
TEXARKANA TEXAS 75501
P 903.838.8533 | F 903.832.4700
www.mtgengineers.com
TBPE FIRM NO. F-354 | ASBL NO. 125
© MTG 2015

File No. | Sheet No. 3

X:\2015 Projects\156087 Texarkana Gateway Sign, City of Texarkana\05 Engineering Design\Design\DES 01.pro
Thu Mar 3, 2016 5:00PM



FOUNDATION PLAN

GENERAL NOTES:

ALL CONCRETE SHALL BE 3,000 PSI WITH 4% – 6% ENTRAINED AIR.

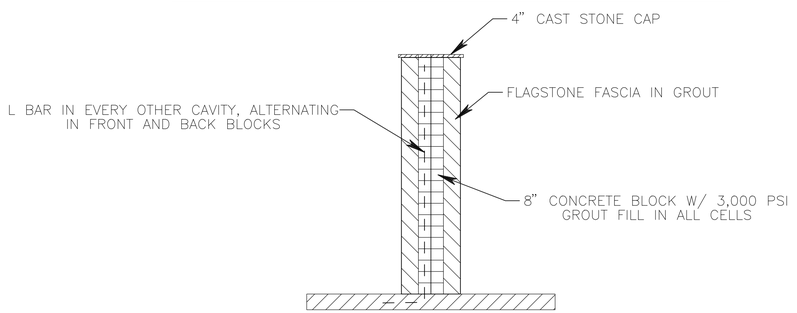
ALL REINFORCEMENT SHALL BE ASTM A-615, GR 60.

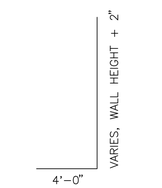
EXPOSED EDGES OF FOUNDATION SHALL HAVE A 3/4 CHAMFER AND A LIGHT BROOM FINISH.

ALL DISTURBED AREAS SHALL BE REVEGETATED.

SCALE: 1/4" = 1'

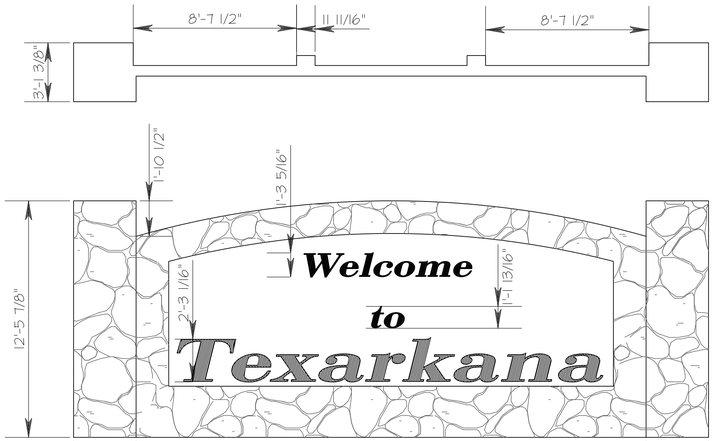
FOUNDATION ELEVATION





L BAR (#4)

WALL SECTION



PROPOSED SIGN

SCALE: 1/4" = 1'

SIGN MATERIAL NOTES:

PROPOSED ROCK MATERIAL TO BE A FLAGSTONE TYPE STONE.

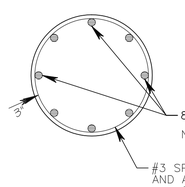
MESSAGE BACKGROUND TO BE A EGGSHELL COLOR STUCCO MATERIAL.

PROPOSED LETTERS TO BE A NAVY COLORED LED INTERNAL BACKLIGHT LETTER.

ELECTRICITY FOR SIGN TO BE ROUTED UNDERGROUND FROM AN EXISTING STREET LIGHT OPERATED AND MAINTAINED BY THE CITY OF TEXARKANA.

NO LANDSCAPING OR IRRIGATION IMPROVEMENTS ARE PROPOSED.

ALL ACCESS TO THE WORK SITE WILL BE FROM THE FRONTAGE ROAD. NO ACCESS FROM IH 30 MAIN LANES WILL BE ALLOWED.



NOTE: #7 BARS SHALL EXTEND A MIN. OF 1'-7" INTO WALL

24" D.S.

STATE OF TEXAS
DAVID A. WILLIAMS
68437
REGISTERED
PROFESSIONAL ENGINEER
3/3/2016

MTG ENGINEERS & SURVEYORS, INC.
TEXAS REGISTERED
ENGINEERING FIRM F-354

ISSUED FOR PERMITTING PURPOSES ONLY.

SIGN ELEVATION & DETAILS

EB IH 30 GATEWAY SIGN
CITY OF TEXARKANA, TEXAS

Date	Revision/Description

Drawn By	Checked By	Project No.	Dwg. Date	File No.	Sheet No.
XXX.	XXX.	156087	2/2016		4

MTG engineers & surveyors
5430 SUMMERHILL RD. | P.O. BOX 3786
TEXARKANA TEXAS 75501
P 903.838.8533 | F 903.832.4700
www.mtgengineers.com
TBPE FIRM NO. F-354 | ASBL NO. 125
© MTG 2015

X:\2015 Projects\156087 Texarkana Gateway Sign, City of Texarkana\05 Engineering Design\Design\DES 01.pro
Thu Mar 3, 2016 5:11PM

RESOLUTION NO. 2016–026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A GATEWAY MONUMENT AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION REGARDING THE CITY OF TEXARKANA'S CONSTRUCTION AND MAINTENANCE OF A GATEWAY MONUMENT ALONG INTERSTATE 30 RIGHT OF WAY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to construct a gateway monument sign within the State's right-of-way on Interstate 30 at the King's Highway Overpass; and

WHEREAS, subject to compliance with the terms and conditions of a Gateway Monument Agreement, the State will allow the City to construct a gateway monument sign on the west side of the King's Highway Overpass along Interstate 30; and

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

SECTION 1: The monument location is located within the city limits of Texarkana, Texas.

SECTION 2: The City Manager is authorized to execute a Gateway Monument Agreement with the State of Texas, said Agreement being attached hereto and incorporated herein as **Exhibit "A".**

SECTION 3: As is stated in the Gateway Monument Agreement, the City of Texarkana acknowledges responsibility for all costs related to the installation of the Gateway Monument. The City of Texarkana also commits to ensuring the long term maintenance of the Gateway Monument, including maintaining any associated landscaping and lighting, timely removal of graffiti, and repairing and/or removing the Gateway Monument as stated in the Gateway Monument Agreement.

SECTION 5: A schematic drawing showing the general design of the Gateway Monument is attached hereto and incorporated herein as **Exhibit "B".**

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 the **25th day of April, 2016**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:39 p.m.

Attachment: 2016-026 RES Gateway Monument Agreement with TxDOT signed (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

EXHIBIT 'A'

Contract No. _____

GATEWAY MONUMENT AGREEMENT

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

THIS AGREEMENT is made by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the "State", and the _____ of _____, acting through its duly authorized officials, as evidenced by Resolution or Ordinance Number _____, dated _____, hereinafter called the "Local Entity".

BACKGROUND

The State owns and maintains a system of highways, including _____ in _____ County, Texas, for public use and benefit. The State agrees to allow for the construction of a Gateway Monument within the State's right of way and the Local Entity agrees to construct the Monument and to conduct the long term maintenance for this structure located at _____ from _____ to _____, referred to as the "Gateway Monument," more specifically described in **Attachment "A,"** Project Map, which is attached hereto. The Local Entity will conduct the Monument's long term maintenance activities through the use of Local Entity forces, contractors, or other means satisfactory to the Local Entity and the State.

THEREFORE, in consideration of the mutual promises contained in this Agreement, the parties agree to the following.

AGREEMENT

SECTION 1. PERIOD OF THE AGREEMENT

This Agreement becomes effective when finally executed by the State and shall continue unless or until otherwise terminated as provided by this agreement.

SECTION 2. FINANCIAL RESPONSIBILITIES

All costs covered by this agreement including design, engineering, testing, construction, installation, access for maintenance, maintenance, labor, materials, supplies, traffic control, additional improvements, and if required, removal of the Gateway Monument, shall be the responsibility of the Local Entity.

Any administrative costs associated with the Gateway Monument that are incurred by the State, such as those related to proposal review, as well as developing, issuing, and monitoring the Agreement for approved the Gateway Monument project shall be the responsibility of the State.

Attachment: 2016-026 RES Gateway Monument Agreement with TxDOT signed (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

Contract No. _____

SECTION 3. RESPONSIBILITY OF THE PARTIES

A. The Local Entity agrees to:

1. Provide Gateway Monument design plans to the State before execution of this agreement according to TxDOT policy and, upon final approval, furnish and construct the Gateway Monument according to plans approved by the State, which are set out more specifically in **Attachment "B,"** Local Entity's Final Gateway Monument Proposal, which is attached to this Agreement, and include any other related installation items that may be required; and

2. Furnish, erect, and maintain any barricades, signs and traffic handling devices, in accordance with the latest Texas Manual of Uniform Traffic Control Devices (MUTCD) and to the satisfaction of the State related to this project, as may be required to protect the safety of the public; and

3. Conduct periodic inspections of the Gateway Monument as deemed necessary; and

4. Provide for the construction and maintenance of all associated appurtenances that are considered by the State to be a part of the project. The Local Entity further agrees to remove such items from the project's location and restore the area to the satisfaction of the State upon termination of this Agreement in accordance with Section 9.

B. The State agrees to:

1. Review and evaluate the Gateway Monument proposal submitted by the Local Entity with due consideration to safety (location, potential for motorist distraction, accessibility for maintenance, etc.), aesthetics, community support and maintainability; and

2. Coordinate with other TxDOT Divisions, as appropriate, as well as interact with the Federal Highway Administration (FHWA) for input, review and approval; and

3. Cooperate with the Local Entity to determine the requirements for barricades, signs, and traffic handling devices to be used by the Local Entity during the construction and maintenance of the Gateway Monument; and

Attachment: 2016-026 RES Gateway Monument Agreement with TxDOT signed (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

4. Provide maintenance access to the project location for the Local Entity or for its Contractor or group, and if possible, from outside the highway right of way; and

5. Conduct periodic inspections of the Gateway Monument as deemed necessary.

C. The Local Entity and State further agree that nothing contained in this Agreement will be construed to:

1. Give either party the power to direct and control the day-to-day activities of the other; or

2. Constitute the parties as partners, joint venturers, co-owners, or otherwise as participants in a joint or common undertaking; or

3. Allow either party to create or assume any obligation on behalf of the other party for any purpose whatsoever.

SECTION 4. DESIGN AND PLACEMENT OF GATEWAY MONUMENTS

A. Gateway Monuments shall be designed and placed so as to:

1. Be freestanding.

2. Feature only the letters of the community name and/or officially adopted seal.

3. Include, if required by TxDOT, approved protective graffiti coatings.

4. Be appropriate to its proposed setting and community context.

5. Be in proper size and scale with its surroundings.

6. Be composed of materials that are durable for the projected life span of the project.

7. Be located beyond the clear zone, for both main lane traffic and frontage road traffic.

8. Be located where maintenance can be safely performed, as specified in the Gateway Monument Agreement, and in conformance with TxDOT procedures.

9. Be subject to the review and approval of TxDOT in consideration of design, size, and scale for appropriate integration on urban or rural highway features.

Attachment: 2016-026 RES Gateway Monument Agreement with TxDOT signed (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

B. Gateway Monuments shall not:

1. Be allowed within the center median areas of interstate highway rights-of-way.

2. Contain religious, political, special interest, private, or commercial messages of any sort, including, but not limited to, symbols, logos, business names, trade names, jingles, or slogans.

3. Contain any displays of any sort, advertising, decorative banners, flags, or flag poles.

4. Display telephone numbers, street addresses, or Internet addresses.

5. Interfere with airspace above the roadway.

6. Create a distraction to the motoring public; for example, the Gateway Monument shall be large enough to interpret at highway speed, but not be so large that it demands attention from the motorist.

7. Include reflective or glaring surface finishes.

8. Include illumination that impairs or distracts the vision of transportation system users. Other lighting may be permitted.

9. Display blinking or intermittent or moving lights, including changeable message signs, digital displays, or lighted static displays such as LED.

10. Include moving elements (kinetic art) or simulate movement.

11. Include water features of any sort.

12. Interfere with official traffic control devices, nor interfere with the operational right-of-way above the roadway.

13. Be placed within State right-of-way upon trees, or painted or drawn upon rocks or other existing natural features.

14. Make use of or simulate colors or combinations of colors usually reserved for official traffic control devices described in the Texas Manual on Uniform Traffic Control Devices.

Attachment: 2016-026 RES Gateway Monument Agreement with TxDOT signed (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

15. Require the removal of trees or other vegetation for visibility, or harm trees during construction. Pruning of tree branches or roots, and removal of shrubs should be avoided.

16. Negatively impact existing highway features, including existing signs, irrigation systems, necessary drainage patterns, and facilities.

SECTION 5. MAINTENANCE

The Local Entity shall provide regularly scheduled maintenance, as described in **Attachment "B,"** the Local Entity's Final Gateway Monument Proposal, for its projected lifespan. Maintenance shall include, but not be limited to, restoration work to maintain the integrity of the approved Gateway Monument, maintenance of any associated landscaping or lighting, and graffiti removal. Gateway Monuments shall be kept clean, free of graffiti, and in good repair. Graffiti removal shall conform to the most current TxDOT policies and guidelines, which require prompt removal of offensive messages and timely removal of all other graffiti. Maintenance practices of the Local Entity or its agent shall protect air and water quality as required by federal and state law.

SECTION 6. MONUMENT REMOVAL

The Local Entity shall remove the Gateway Monument covered by this agreement, if in the opinion of TxDOT, it creates safety or operational concerns due to deterioration or inadequate maintenance or upon termination of the main Gateway Monument Agreement. TxDOT will notify the Local Entity when it has determined that the Gateway Monument requires special attention. In the event the Local Entity fails to maintain, repair, rehabilitate, or remove the Gateway Monument in a timely manner, TxDOT may choose to remove the Gateway Monument after thirty (30) days following notification to the Local Entity, and bill the Local Entity for all costs of removal and restoration of the area.

TxDOT reserves the right to remove the Gateway Monument due to construction, rehabilitation, violation of the terms of this agreement, or other necessary activities affecting the transportation facilities without any obligation, compensation to, or approval of the Local Entity. TxDOT will strive to notify the Local Entity of its intent to remove the Gateway Monument to allow for timely removal and salvage by the Local Entity, if possible.

TxDOT reserves the right to remove or alter any Gateway Monument that presents an immediate safety hazard to the public without delay or advanced notification to the Local Entity.

SECTION 7. USE OF CONTRACTOR OR GROUP

The Local Entity shall have the right to engage any responsible Contractor or group to perform or provide any portion of the Local Entity's Gateway Monument

Attachment: 2016-026 RES Gateway Monument Agreement with TxDOT signed (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

activities specified in this Agreement. However, notwithstanding this provision, the Local Entity shall continue to remain responsible to the State to ensure performance of all its duties and responsibilities specified in this Agreement. The Local Entity shall ensure that any Contractor or group complies with all provisions of this agreement, and federal, state, and local laws, and regulations as may be applicable.

In the event the Local Entity engages a Contractor to perform Gateway Monument construction or maintenance activities under this Agreement, the Local Entity shall ensure that said Contractor shall indemnify the State for any and all damages and claims for damages by said Contractor, its employees, agents, or representatives, including any claims resulting from bodily injury or death to others, or, for loss of or damage to property of others, arising out of, incident to, or in any manner connected to Gateway Monument construction or maintenance activities, and, for any or all liability arising from the negligent acts of said Contractor, its employees, agents, or representatives.

In the event the Local Entity engages and approves a responsible group to perform Gateway Monument construction or maintenance activities under this Agreement, the Local Entity shall require and ensure that said Contractor or group follow all the terms of this Agreement as well as all Attachments.

SECTION 8. INDEMNIFICATION

A. The Local Entity and the State each acknowledge responsibility for the acts, deeds, errors and omissions of its own employees. The parties agree that the Texas Tort Claims Act pertaining to governmental liability for tortious conduct and/or property damage shall apply to this Agreement.

B. The Local Entity shall also indemnify and save harmless the State from any and all expense, including, but not limited to, attorney fees, which may be incurred by the State in litigation or otherwise resisting a claim or liabilities that may be imposed on the State as a result of error, omission, or act of the Local Entity, its agents, or its employees.

SECTION 9. TERMINATION

This Agreement may be terminated under any of the following conditions:

A. By mutual written agreement and consent of both parties; or

B. By either party upon giving the other party thirty (30) days prior written notice; or

C. By the State, in the event the State determines that the Gateway Monument is not in the best interest of the traveling public.

Attachment: 2016-026 RES Gateway Monument Agreement with TxDOT signed (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

If either party terminates this Agreement, as provided herein, the Local Entity will be responsible for repair or removal of the Gateway Monument. In the event that the Local Entity does not provide the repair or removal services, the State may remove or repair the Gateway Monument and shall be entitled to reimbursement from the Local Entity for any reasonable costs incurred by the State to restore the State's right of way to its original condition.

SECTION 10. AMENDMENTS

Amendments to this Agreement shall be in writing and shall be executed by both parties.

SECTION 11. AUDIT

The state auditor may conduct an audit or investigation of any entity receiving funds from the state directly under the contract or indirectly through a subcontract under the contract. Acceptance of funds directly under the contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

SECTION 12. SUCCESSORS AND ASSIGNS

Subject to the provisions of Section 7, the Local Entity shall not assign or otherwise transfer its rights and obligations under this Agreement except with prior written consent of the State, and any prohibited assignment or transfer shall be null and void.

SECTION 13. REMEDIES

This Agreement shall not be considered as specifying the exclusive remedy for any default. All legal remedies may be pursued by either party and shall be cumulative.

SECTION 14. INSURANCE

If this agreement authorizes the Local Entity or its contractor to perform any work on State right of way, before beginning work, the entity performing the work shall provide the State with a fully executed copy of the State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on the State right of way. This coverage shall be maintained until all work on the State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and the State may recover damages and all costs of completing the work.

Attachment: 2016-026 RES Gateway Monument Agreement with TxDOT signed (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

Contract No. _____

SECTION 15. NOTICES
All notices to either party by the other under this Agreement shall be delivered personally or sent by U.S. mail, postage prepaid, addressed to such party at the following addresses:

STATE : Texas Department of Transportation District Engineer (mailing address) _____ _____ _____, Texas _____	**LOCAL ENTITY:** City of _____ Attn: _____ _____ _____

SECTION 16. GRATUITIES
Texas Transportation Commission policy mandates that employees of the State shall not accept any benefits, gifts, or favors from any person doing business or who reasonably speaking may do business with the State under this Agreement. The only exceptions allowed are ordinary business lunches and items that have received advanced written approval of the Texas Department of Transportation Executive Director. Any person doing business with or who may reasonably speaking do business with the State under this Agreement may not make any offer of benefits, gifts or favors to State employees, except as mentioned here above. Failure on the part of the Local Entity to adhere to this policy may result in the termination of this Agreement.

SECTION 17. SIGNATORY WARRANTY
Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

SECTION 18. INCORPORATION OF PROVISIONS
Attachments "A" and "B" are made part of this contract. The parties shall comply with the provisions of Attachments "A" and "B" as if they were set forth in full within the body of this contract.

THEREFORE, the Parties have executed this Agreement in duplicate originals.

Attachment: 2016-026 RES Gateway Monument Agreement with TxDOT signed (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

Contract No. _____

THE CITY OF _____

By: _____

Title: _____

Date: _____

THE STATE OF TEXAS

Certified as being executed for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by The Texas Transportation Commission

Attest: _____
City Clerk

By: _____
_____
District Engineer
_____ District

Date: _____

Approved as to form:

_____
City Attorney

List of Attachments:

"A" – Project Map for Gateway Monument
"B" - Local Entity's Final Gateway Monument Proposal

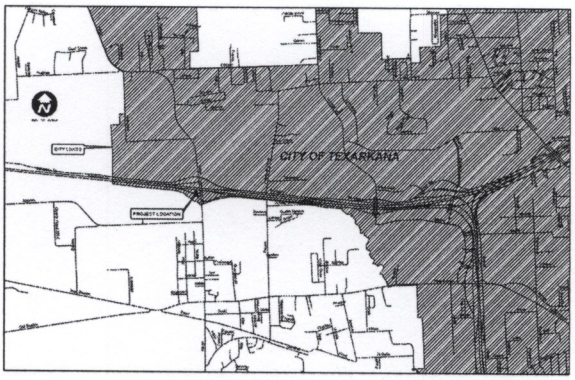
Attachment: 2016-026 RES Gateway Monument Agreement with TxDOT signed (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

CONSTRUCTION PLANS
FOR
E.B. IH 30 GATEWAY SIGN
FOR
CITY OF TEXARKANA, TEXAS

EXHIBIT 'B'

TEXARKANA, TEXAS
JOB NO. 156087
MARCH, 2016

VICINITY MAP



REFERENCE LIST

City of Texarkana, Texas
Ph: 903-798-3943
Kyle Dooley, P.E.

A.E.P. Electric
Ph: 903-223-5733
Dusty Wiley

Windstream
Ph: 903-223-4665
James Latimer

Texarkana Water Utilities
Ph: 903-798-3800
Gary Smith

Centerpoint Energy
Ph: 870-774-6338
Diane Engelkes

Texas 811 Know what's below. Call before you dig.

INDEX OF DRAWINGS

1. TITLE SHEET
2. AREA MAP & SITE VISION LINES
3. SITE PLAN
4. SIGN ELEVATION & DETAILS

MTG engineers & surveyors
5930 SUMMERHILL RD.
TEXARKANA TEXAS 75503
P 903.838.8533 | F 903.832.4700
mtgengineers.com
TBPE FIRM NO. F-354 | ASBL NO. 125
©MTG 2016

SET NO. ____

Attachment: 2016-026 RES Gateway Monument Agreement with TxDOT signed (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

N
GRAPHIC SCALE 1"=400'
0
400
800
PROPOSED GATEWAY SIGN
BASE ELEVATION = 344.6
EXISTING
EXISTING
EXISTING

Attachment: 2016-026 RES Gateway Monument Agreement with TxDOT signed (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

PROPOSED GATEWAY SIGN
ELEVATION = 344.5

GENERAL NOTES:

ALL CONCRETE SHALL BE 3,000 PSI WITH 4% – 6% ENTRAINED AIR.

ALL REINFORCEMENT SHALL BE ASTM A-615, GR 60.

EXPOSED EDGES OF FOUNDATION SHALL HAVE A 3/4 CHAMFER AND A LIGHT BROOM FINISH.

ALL DISTURBED AREAS SHALL BE REVEGETATED.

SIGN MATERIAL NOTES:

PROPOSED ROCK MATERIAL TO BE A FLAGSTONE TYPE STONE.

MESSAGE BACKGROUND TO BE A EGGSHELL COLOR STUCCO MATERIAL.

PROPOSED LETTERS TO BE A NAVY COLORED LED INTERNAL BACKLIGHT LETTER.

ELECTRICITY FOR SIGN TO BE ROUTED UNDERGROUND FROM AN EXISTING STREET LIGHT OPERATED AND MAINTAINED BY THE CITY OF TEXARKANA.

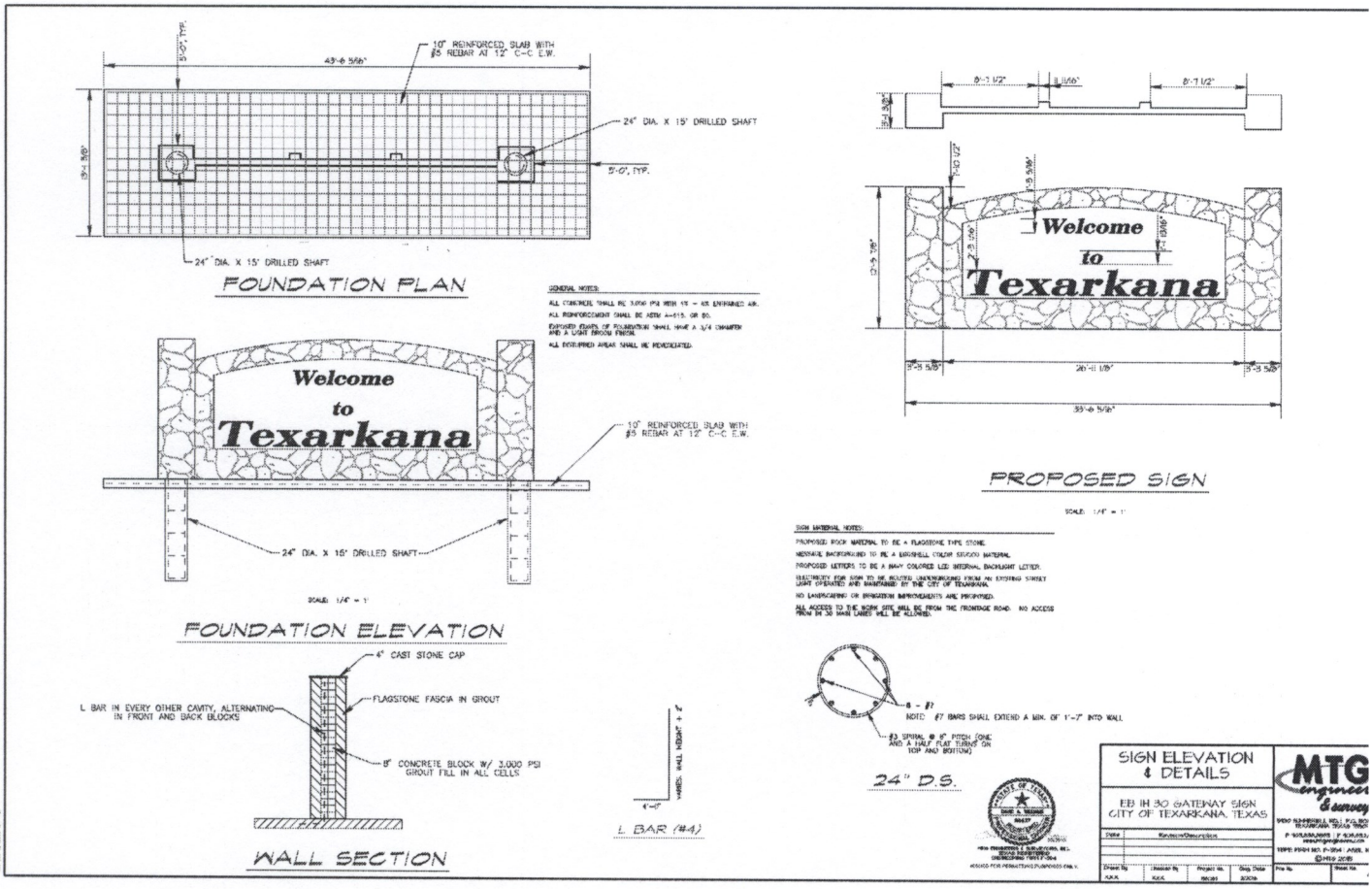
NO LANDSCAPING OR IRRIGATION IMPROVEMENTS ARE PROPOSED.

ALL ACCESS TO THE WORK SITE WILL BE FROM THE FRONTAGE ROAD. NO ACCESS FROM IH 30 MAIN LANES WILL BE ALLOWED.

SITE PLAN

EB IH 30 GATEWAY SIGN
CITY OF TEXARKANA, TEXAS

MTG engineering & surveying



Attachment: 2016-026 RES Gateway Monument Agreement with TxDOT signed (1444 : 2016-026 RES agreement with TxDOT for Gateway Monument Sign)

City of Texarkana, Texas

Version: C

Briefing Sheet

Update Date: 3/2/2016 11:10 AM

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

Subject: Resolution No. 2016-027 authorizing the City Manager to enter into a contract for the repainting and repairs of the Pleasant Grove Elevated Storage Tank in an amount not to exceed TWO HUNDRED FOUR THOUSAND SEVEN HUNDRED DOLLARS ($204,700).

Briefing: 3/28/2016	**Public Hearing:**	3/28/2016	**Second Briefing:**	April 11, 2016	**Council Vote:** 4/25/2016

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 16, 2016 for the 2016 Texarkana Water Utilities Tank Painting Project. Two tanks were included in the project: The Arkansas Boulevard elevated tank and the Pleasant Grove elevated tank. Fourteen (14) bid packages for the project were sent out and five (5) contractors bid on the project. Tankez Coatings, Inc. of Fort Worth, Texas was the apparent low bidder for the project with a total bid of $232,700.00 and a bid of $204,700.00 for the interior and exterior sandblasting and repainting of the Pleasant Grove elevated tank. The Pleasant Grove elevated tank was constructed in 1993 and has not been repainted since its construction. The existing coatings need to be removed and replaced to keep the tank in compliance with the Texas Commission on Environmental Quality regulations. The interior ladder and top hatch of the Pleasant Grove tank will be replaced in this project also. The Utility bid the painting of a new Pleasant Grove Independent School District logo as a separate bid item. The bid for the Pleasant Grove logo is $6,000.00, which is included in the $204,700.00. The school district has been notified of the cost and will decide if they wish to go ahead with the painting of the logo. Tankez Coatings, Inc. has satisfactorily painted several tanks in the area including Red River County Water Supply, the City of Blossom, Texas and the Lamar County Water Supply. Their references were excellent.

Potential Options:

- None

Fiscal Implications:

Funds are available in the Utility's Capital Improvement Fund for this project. $275,000.00 was budgeted in the Utility's Texas Capital Improvement Fund for this project.

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

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2016-027 RES Pleasant Grove Storage Tank (DOC)
b. 2016-027 ATTH 01 Bid Tabulation (DOCX)
c. 2016-027 Goals & Perspectives (DOCX)
d. 2016-027 RES Painting Contract for PG Storage Tank signed (PDF)

Staff Coordination

Water Utilities	JD Phillips	Department Head Review	Completed	03/01/2016 10:43 AM
Water Utilities	Jim Cornelius	Review	Completed	03/01/2016 11:37 AM
Public Information Officer	Lisa Thompson	PIO Review	Completed	03/01/2016 11:53 AM
City Manager	John Whitson	City Manager Review	Completed	03/06/2016 10:02 PM
City Council	Jennifer Evans	Meeting	Completed	03/14/2016 6:00 PM

Meeting History

03/14/16	City Council	MOVED FORWARD	Next: 03/28/16

RESOLUTION NO. 2016 - 027

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 TANKEZ COATINGS, INC OF FORT WORTH, TEXAS, IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FOUR THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS ($204,700.00) FOR THE EXTERIOR AND INTERIOR REPAINTING AND REPAIRS OF THE PLEASANT GROVE ELEVATED STORAGE TANK; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on February 16, 2016, five (5) bids were received by the Texarkana Water Utilities for the 2016 Texarkana Water Utilities Tank Painting Project; and

WHEREAS, the project will consist of repainting the interior of the Arkansas Boulevard elevated tank (to be funded by the Arkansas Capital Improvement Fund) and repainting and repairing the Pleasant Grove elevated tank; and

WHEREAS, the lowest and best bid by a responsible vendor for this project was submitted by Tankez Coatings, Inc. of Fort Worth, Texas, a copy of which is attached hereto as 2016-027 ATTH01, in an amount not to exceed TWO HUNDRED FOUR THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS ($204,700.00); and

WHEREAS, the funds were budgeted in the Texarkana Water Utilities 2015-2016 Budget at TWO HUNDRED SEVENTY-FIVE THOUSAND NO/100 DOLLARS ($275,000.00) in the Texas Capital Improvement 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 Tankez Coatings, Inc. of Fort Worth, Texas, a copy of which is attached hereto as 2016-027 ATTH01, be and is hereby approved in an amount not to exceed TWO HUNDRED FOUR THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS ($204,700.00) for the exterior and interior repainting and repairs of the Pleasant Grove elevated storage tank for the 2016 Texarkana Water Utilities Tank Paint Project.

SECTION 2: That the City Manager be and is authorized to contract with Tankez Coatings, 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 **25th day of April, 2016**.

Attachment: 2016-027 RES Pleasant Grove Storage Tank [Revision 1] (1445 : 2016-027 RES for the Repainting and Repairs of the Pleasant

ATTEST:

_____	_____
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2016-027 RES Pleasant Grove Storage Tank [Revision 1] (1445 : 2016-027 RES for the Repainting and Repairs of the Pleasant

Bid Tabulation

Repair and Repainting of the Pleasant Grove and Arkansas Boulevard Elevated Water Storage Tanks

2:00 P.M. Tuesday, February 16, 2016

1.	Pittsburgh Tank & Tower Maint. Co.,Inc. Henderson, Kentucky	No Bid
2.	Maguire Iron, Inc. Sioux Falls, South Dakota	$344,500.00
3.	Champion Coatings, Inc. Savage, Minnesota	No Bid
4.	Belt Construction Texarkana, Arkansas	$308,050.00
5.	Protective Linings and Coatings, Inc. Alexander, Arkansas	No Bid
6.	Tankez Coatings, Inc. Ft. Worth, Texas	$232,700.00
7.	Utility Service Co., Inc. Perry, Georgia	$269,800.00
8.	J & A Coatings Hughes Springs, Texas	No Bid
9.	Preferred Tank & Tower Henderson, Kentucky	No Bid
10.	Isqft/Lawton Dallas, Texas	No Bid
11.	Williams Painting & Sandblasting, Inc. Tyler, Texas	$262,455.00
12.	H & W Industrial Services Kilgore, Texas	No Bid
13.	A & M Construction and Utilities, Inc. Rowlett, Texas	No Bid
14.	Augustus Paint Midlothian, Texas	No Bid

Attachment: 2016-027 ATTH 01 Bid Tabulation [Revision 1] (1445 : 2016-027 RES for the Repainting and Repairs of the Pleasant Grove Elevated

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

Number of Bidders: 5

Apparent Low Bidder: Tankez Coating

Attachment: 2016-027 ATTH 01 Bid Tabulation [Revision 1] (1445 : 2016-027 RES for the Repainting and Repairs of the Pleasant Grove Elevated

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: 2016-027 Goals & Perspectives (1445 : 2016-027 RES for the Repainting and Repairs of the Pleasant Grove Elevated Storage

RESOLUTION NO. 2016 - 027

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 TANKEZ COATINGS, INC OF FORT WORTH, TEXAS, IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FOUR THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS ($204,700.00) FOR THE EXTERIOR AND INTERIOR REPAINTING AND REPAIRS OF THE PLEASANT GROVE ELEVATED STORAGE TANK; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on February 16, 2016, five (5) bids were received by the Texarkana Water Utilities for the 2016 Texarkana Water Utilities Tank Painting Project; and

WHEREAS, the project will consist of repainting the interior of the Arkansas Boulevard elevated tank (to be funded by the Arkansas Capital Improvement Fund) and repainting and repairing the Pleasant Grove elevated tank; and

WHEREAS, the lowest and best bid by a responsible vendor for this project was submitted by Tankez Coatings, Inc. of Fort Worth, Texas, a copy of which is attached hereto as 2016-027 ATTH01, in an amount not to exceed TWO HUNDRED FOUR THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS ($204,700.00); and

WHEREAS, the funds were budgeted in the Texarkana Water Utilities 2015-2016 Budget at TWO HUNDRED SEVENTY-FIVE THOUSAND NO/100 DOLLARS ($275,000.00) in the Texas Capital Improvement 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 Tankez Coatings, Inc. of Fort Worth, Texas, a copy of which is attached hereto as 2016-027 ATTH01, be and is hereby approved in an amount not to exceed TWO HUNDRED FOUR THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS ($204,700.00) for the exterior and interior repainting and repairs of the Pleasant Grove elevated storage tank for the 2016 Texarkana Water Utilities Tank Paint Project.

SECTION 2: That the City Manager be and is authorized to contract with Tankez Coatings, 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 **25th day of April, 2016**.

Attachment: 2016-027 RES Painting Contract for PG Storage Tank signed (1445 : 2016-027 RES for the Repainting and Repairs of the Pleasant Grove

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:41 p.m.

Attachment: 2016-027 RES Painting Contract for PG Storage Tank signed (1445 : 2016-027 RES for the Repainting and Repairs of the Pleasant Grove

Bid Tabulation

Repair and Repainting of the Pleasant Grove and Arkansas Boulevard Elevated Water Storage Tanks

2:00 P.M. Tuesday, February 16, 2016

1.	Pittsburgh Tank & Tower Maint. Co.,Inc. Henderson, Kentucky	No Bid
2.	Maguire Iron, Inc. Sioux Falls, South Dakota	$344,500.00
3.	Champion Coatings, Inc. Savage, Minnesota	No Bid
4.	Belt Construction Texarkana, Arkansas	$308,050.00
5.	Protective Linings and Coatings, Inc. Alexander, Arkansas	No Bid
6.	Tankez Coatings, Inc. Ft. Worth, Texas	$232,700.00
7.	Utility Service Co., Inc. Perry, Georgia	$269,800.00
8.	J & A Coatings Hughes Springs, Texas	No Bid
9.	Preferred Tank & Tower Henderson, Kentucky	No Bid
10.	Isqft/Lawton Dallas, Texas	No Bid
11.	Williams Painting & Sandblasting, Inc. Tyler, Texas	$262,455.00
12.	H & W Industrial Services Kilgore, Texas	No Bid
13.	A & M Construction and Utilities, Inc. Rowlett, Texas	No Bid
14.	Augustus Paint Midlothian, Texas	No Bid

Attachment: 2016-027 RES Painting Contract for PG Storage Tank signed (1445 : 2016-027 RES for the Repainting and Repairs of the Pleasant Grove

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

Number of Bidders: 5

Apparent Low Bidder: Tankez Coating

Attachment: 2016-027 RES Painting Contract for PG Storage Tank signed (1445 : 2016-027 RES for the Repainting and Repairs of the Pleasant Grove

City of Texarkana, Texas

Version: C

Briefing Sheet

Update Date: 3/21/2016 11:13 AM

Lead Department:	Planning and Community Development **Action Officer:** Debbie Burk,
Subject:	Ordinance No. 2016-021 granting a Specific Use Permit to allow a 100' monopole cellular telecommunications tower and maintenance platform on a 0.0980 acre tract of leased space being a part of a 5.65 acre tract of land in the George Brinlee HRS, A-18, located at 910 Franklin Street. Walnut Church of Christ, owner. Hart Mason, J. Mark Hodges, Inc., agent.

Briefing:	**Public Hearing:**	**Second Briefing:**	**Council Vote:**
4/11/2016	3/14/2016	March 28, 2016	4/11/2016

Item Schedule

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

Updates/History of Briefing:

Two residents from the area spoke in opposition to this request at the City Council Public Hearing meeting on March 14, 2016.

Executive Summary and Background Information:

S-666: This is a request by Walnut Church of Christ, property owner, and Hart Mason with J. Mark Hodges, Inc., agent, requesting a Specific Use Permit to allow the location of a Verizon Wireless new build 100' monopole cellular telecommunications tower and maintenance platform on a 0.0980 acre tract of leased space being a part of a 5.65 acre tract of land in the George Brinlee HRS, A-18, located at 910 Franklin Street. This property is located on a wooded tract of land at the dead end of Franklin Street.

The adjacent zoning is Single Family-2 to the north, south, east and west. The adjacent land use is residences to the west and south and vacant land to the north and east.

Verizon Wireless has indicated in a "statement of need" letter to the City that "existing towers do not provide adequate coverage to the immediate vicinity of this proposed site". The letter further states that "this site is needed to provide fill in coverage to the area surrounding it. There are no other towers in the surrounding area that can provide the required coverage".

The proposed cellular tower will be a collapsible monopole type construction, 100 feet in height. Verizon Wireless has leased a 50' x 50' tract of land along with gravel driveway access (from Franklin Street) to the proposed tower. Trees will be removed within the leased area. The plan is to install an outdoor steel platform on a concrete pad that will hold equipment. A chain link fence with gate will secure the tower and equipment.

At the present time, Verizon is the only carrier for the tower. Based on correspondence from Verizon, the tower is structurally capable of supporting additional carriers.

There appears to be three homes that are within 100-125 feet of the proposed tower site.

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Due to this being a relatively isolated site, staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

- That if the cellular telecommunications tower and platform is not constructed within a three (3) year period from the date of this Ordinance, the Specific Use Permit will be revoked.

Advisory Board/Committee Meeting Date and Minutes:

February 1, 2016

Attachments

a. 2016-021 ORD requesting SUP for cell tower (PDF)
b. 2016-021 ATTH 01 zoning and aerial maps (PDF)
c. 2016-021 ATTH 02 maps showing ground site (PDF)
d. 2015-021 ATTH 03 Statement of need from Verizon (PDF)
e. 2016-021 ATTH 04 letter from tower manufacturer (PDF)
f. 2016-021 ATTH 05 map showing both tower locations (PDF)
g. 2016-021 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	Completed	David Orr 02/08/2016 3:47 PM	Department Head Review	
Assistant City Manager Review	Completed	Shirley Jaster 02/08/2016 4:02 PM	Assistant City Manager	
Public Information Officer	02/08/2016 4:29 PM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	02/15/2016 8:29 AM

City of Texarkana, Texas

City Council 6:00 PM	Jennifer Evans	Meeting	Completed	02/22/2016

Meeting History

02/22/16	City Council	MOVED FORWARD	Next: 03/14/16
03/14/16	City Council	MOVED FORWARD	Next: 03/28/16

ORDINANCE NO. 2016-021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-666 TO ALLOW THE LOCATION OF A 100' MONOPOLE CELLULAR TELECOMMUNICATIONS TOWER AND MAINTENANCE PLATFORM ON A 0.0980 ACRE TRACT OF LEASED SPACE BEING A PART OF A 5.65 ACRE TRACT OF LAND IN THE GEORGE BRINLEE HRS-18, LOCATED AT 910 FRANKLIN 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 so as to grant a **Specific Use Permit** to allow **the location of a 100' monopole cellular telecommunications tower and maintenance platform (Exhibit 'A')** on a 0.0980 acre tract of leased space being a part of a 5.65 acre tract of land in the George Brinlee HRS, A-18 **(Exhibit 'B'),** located at 910 Franklin Street, in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously five (5) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the location of a 100' monopole cellular telecommunications tower and maintenance platform (Exhibit 'A')** on said property; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended so as to grant **Specific Use Permit numbered S-666 for the purpose of allowing the location of a 100' monopole cellular telecommunications tower with maintenance platform (Exhibit 'A') on a 0.0980 acre tract of leased space being a part of a 5.65 acre tract of land in the George Brinlee HRS, A-18 (Exhibit 'B'), located at 910 Franklin Street in the City of Texarkana, Bowie County, Texas.**

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

- That if the cellular telecommunications tower and platform is not constructed within a three (3) year period from the date of this Ordinance, the Specific Use Permit will be revoked.

Attachment: 2016-021 ORD requesting SUP for cell tower [Revision 1] (1439 : 2016-021 ORD granting SUP for cell tower at 910 Franklin Street)

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

ATTEST:

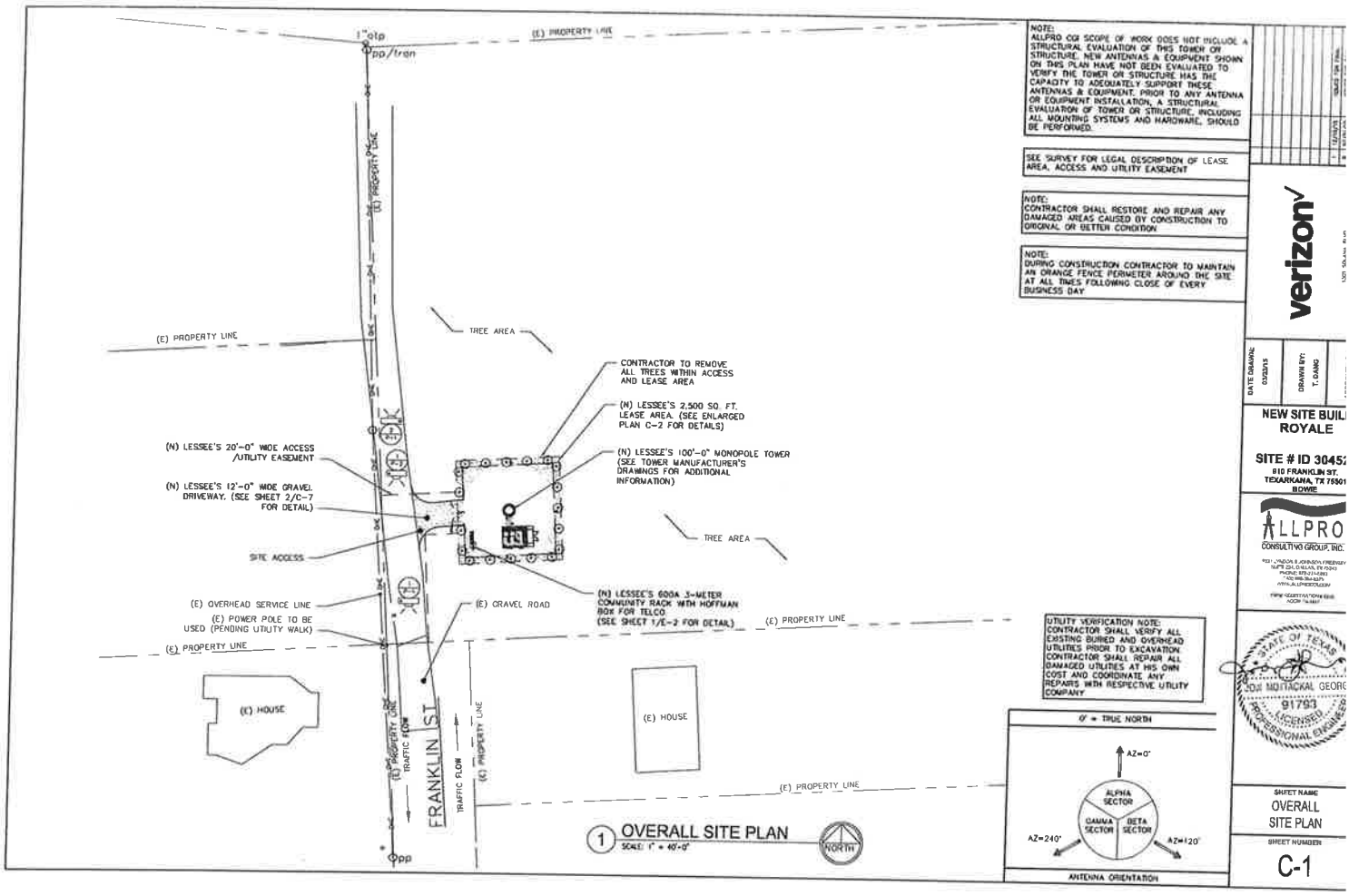
JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2016-021 ORD requesting SUP for cell tower [Revision 1] (1439 : 2016-021 ORD granting SUP for cell tower at 910 Franklin Street)

EXHIBIT 'A'

A 100' MONOPOLE CELLULAR TELECOMMUNICATIONS TOWER AND MAINTENANCE PLATFORM FOR VERIZON WIRELESS, INC., LOCATED AT 910 FRANKLIN STREET.



Attachment: 2016-021 ORD requesting SUP for cell tower [Revision 1] (1439 : 2016-021 ORD granting SUP for cell tower at 910 Franklin Street)

EXHIBIT 'B'

LESSEE'S LAND SPACE

BEING a tract of land situated in the George Brinlee Headright Survey, Abstract No 18, Texarkana, Bowie County, Texas, also being out of and a portion of that certain tract of land conveyed to Walnut Street Church of Christ, as recorded in Volume 1838, Page 10 of the Deed Records of Bowie County, Texas, and being more particularly described as follows:

COMMENCING at a 1 inch open top pipe found for the southwest corner of said Church tract and the north right-of-way line of said Franklin Street;
THENCE North 03 degrees 17 minutes 15 seconds West, a distance of 72.16 feet to a Point;
THENCE North 86 degrees 42 minutes 45 seconds East, a distance of 36.15 feet to a Point;
THENCE North 03 degrees 17 minutes 15 seconds West, a distance of 15.00 feet to the POINT OF BEGINNING hereof;

THENCE North 86 degrees 42 minutes 45 seconds East, a distance of 50.00 feet to a Point;
THENCE South 03 degrees 17 minutes 15 seconds East, a distance of 50.00 feet to a Point;
THENCE South 86 degrees 42 minutes 45 seconds West, a distance of 50.00 feet to a Point;
THENCE North 03 degrees 17 minutes 15 seconds West, a distance of 50.00 feet to the POINT OF BEGINNING hereof and containing 0.0574 acres or 2,500 square feet of land, more or less.

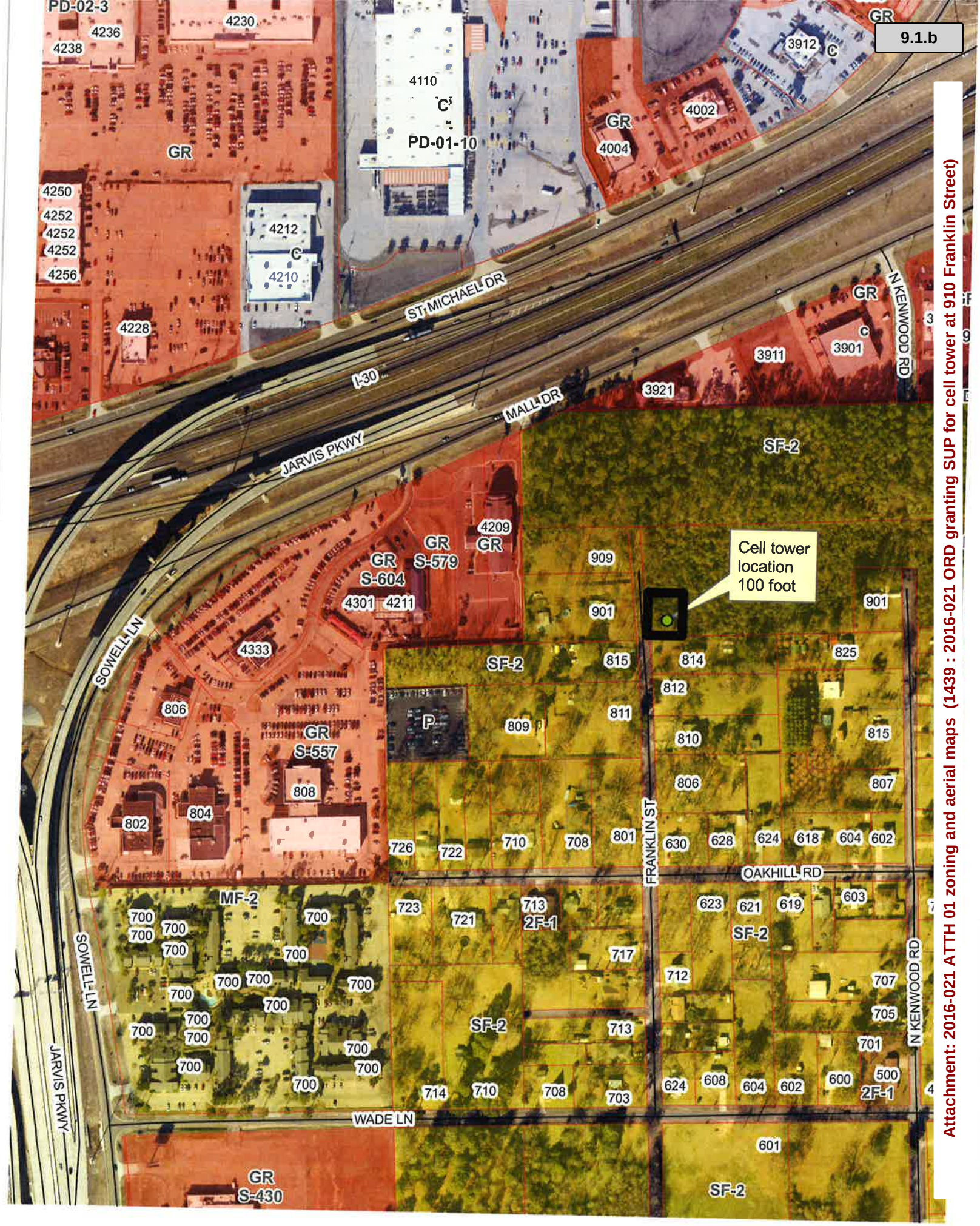
LESSEE'S ACCESS AND UTILITY RIGHT-OF-WAY

BEING a tract of land situated in the George Brinlee Headright Survey, Abstract No 18, Texarkana, Bowie County, Texas, also being out of and a portion of that certain tract of land conveyed to Walnut Street Church of Christ, as recorded in Volume 1838, Page 10 of the Deed Records of Bowie County, Texas, and being more particularly described as follows:

BEGINNING at a 1 inch open top pipe found for the southwest corner of said Church tract and the north right-of-way line of said Franklin Street;
THENCE North 03 degrees 17 minutes 15 seconds West, a distance of 72.16 feet to a Point;
THENCE North 86 degrees 42 minutes 45 seconds East, a distance of 36.15 feet to a Point;
THENCE South 03 degrees 17 minutes 15 seconds East, a distance of 20.00 feet to a Point;
THENCE South 86 degrees 42 minutes 45 seconds West, a distance of 16.15 feet to a Point;
THENCE South 03 degrees 17 minutes 15 seconds East, a distance of 52.19 feet to a Point;
THENCE South 86 degrees 47 minutes 53 seconds West, a distance of 20.00 feet to the POINT OF BEGINNING hereof and containing 0.0408 acres or 1,767 square feet of land, more or less.

Attachment: 2016-021 ORD requesting SUP for cell tower [Revision 1] (1439 : 2016-021 ORD granting SUP for cell tower at 910 Franklin Street)

Attachment: 2016-021 ATTH 01 zoning and aerial maps (1439 : 2016-021 ORD granting SUP for cell tower at 910 Franklin Street)



Attachment: 2016-021 ATTH 01 zoning and aerial maps (1439 : 2016-021 ORD granting SUP for cell tower at 910 Franklin Street)

1 SITE PHOTOGRAPH
SCALE: NTS

2 SITE PHOTOGRAPH
SCALE: NTS

3 SITE PHOTOGRAPH
SCALE: NTS

4 SITE PHOTOGRAPH
SCALE: NTS

verizon

DATE DRAWN: 03/23/15
DRAWN BY: T. DANG
APPROVED BY:

NEW SITE BUILD
ROYALE

SITE # ID 304528
910 FRANKLIN ST.
TEXARKANA, TX 75501
BOWIE

ALLPRO
CONSULTING GROUP, INC.

STATE OF TEXAS
JOJI MOTTACKAL GEORGE
91793
LICENSED
PROFESSIONAL ENGINEER

SHEET NAME
SITE PHOTOGRAPHS

SHEET NUMBER
P-1

Attachment: 2016-021 ATTH 02 maps showing ground site (1439 : 2016-021 ORD granting SUP for cell tower at 910 Franklin Street)

1 SITE PHOTOGRAPH
SCALE: NTS

2 SITE PHOTOGRAPH
SCALE: NTS

3 SITE PHOTOGRAPH
SCALE: NTS

4 SITE PHOTOGRAPH
SCALE: NTS

verizon

DATE DRAWN: 03/2019
DRAWN BY: T. GANG
APPROVED BY: J. GEORGE

NEW SITE BUILD
ROYALE

SITE # ID 304528
910 FRANKLIN ST.
TEXARKANA, TX 75501
BOWIE

ALLPRO CONSULTING GROUP, INC.

STATE OF TEXAS
JOJI MATTACKAL GEORGE
91793
LICENSED
PROFESSIONAL ENGINEER

SHEET NAME
SITE PHOTOGRAPHS

SHEET NUMBER
P-2

Attachment: 2016-021 ATTH 02 maps showing ground site (1439 : 2016-021 ORD granting SUP for cell tower at 910 Franklin Street)

Attachment: 2015-021 ATTH 03 Statement of need from Verizon (1439 : 2016-021 ORD granting SUP for cell tower at 910 Franklin Street)

City of Texarkana
220 Texas Blvd
Texarkana, TX 75504

December 7, 2015

Re: Verizon Wireless New Build Cell Tower
"Statement of Need for New Proposed Tower"
Verizon Site: Royale, Loc. #304528
E911 Address: 910 Franklin St., Texarkana, TX 75501
Property Owner: Walnut Street Church of Christ, 2720 Moores Lane, Texarkana, Texas 75503

To Whom It May Concern,

In my capacity as a Radio Frequency Engineer for Verizon Wireless (hereinafter "Verizon"), I am writing to you for and on behalf of Verizon in support of Verizon's application to construct a 100' monopole-telecommunication facility known as the Royale site. My responsibilities for Verizon include, but are not limited to, the design and engineering of Verizon's wireless communications network in the State of Texas.

Presently, Verizon operates the following surrounding sites – Summerhill Road, Wake Village, and West 17th sites. The above mentioned sites do not provide adequate coverage to the immediate vicinity of the proposed Royale site. Royale site is designed to provide fill-in coverage to area surrounding it. There are no other towers in the surrounding area that can provide the required coverage.

There are no towers within the search area or immediate vicinity that can be utilized and a map will be provided showing the location of the sites that are within three (3) miles of this proposed location. By allowing a tower at 100' monopole, Verizon will be able to properly provide adequate coverage to areas surrounding Royale.

The facility will meet all standards of the FCC, FAA, and/or other Federal Agencies having jurisdiction.

Sincerely,

Said Rachid
RF Design Engineer
Verizon Wireless

Sabre Industries™
Towers and Poles

December 1, 2015

Hart Mason
JMARKHODGESINC
SH-26 Lake Cherokee
Henderson, TX 75652

RE: Proposed 100 ft Sabre Monopole for Royale, TX

Dear Mr. Mason,

Upon receipt of order, we propose to design and supply the above referenced Sabre monopole for a Basic Wind Speed of 90 mph with no ice and 30 mph with 3/4" ice, Structure Class II, Exposure Category C, and Topographic Category 1, in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-G, "Structural Standard for Antenna Supporting Structures and Antennas".

When designed according to this standard, the wind pressures and steel strength capacities include several safety factors, resulting in an overall minimum safety factor of 25%. Therefore, it is highly unlikely that the monopole will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within one of the monopole shaft sections. This would result in a buckling failure mode, where the steel shaft would bend beyond its elastic limit (beyond the point where the shaft would return to its original shape upon removal of the wind load).

Therefore, the overall effect of an extreme wind event would be localized buckling of the monopole shaft. Assuming that the wind pressure profile is similar to that used to design the monopole, the shaft will buckle at the location of the highest combined stress ratio in the upper portion of the monopole. This would result in the portion of the monopole above "folding over" onto the portion below, essentially collapsing upon itself. ***Please note that this letter only applies to a monopole designed and manufactured by Sabre Towers & Poles***. In the unlikely event of total separation, this, in turn, would result in collapse of that portion to the ground within a radius equal to 100 feet.

Sincerely,

STATE OF TEXAS
AMY R. HERBST
96945
LICENSED
PROFESSIONAL ENGINEER
12/1/15

Amy R. Herbst, P.E.
Senior Design Engineer

Sabre Towers and Poles • 7101 Southbridge Drive • P.O. Box 658 • Sioux City, IA 51102-0658
P: 712-258-6690 **F**: 712-279-0814 **W**: www.SabreTowersandPoles.com

Attachment: 2016-021 ATTH 04 letter from tower manufacturer (1439 : 2016-021 ORD granting SUP for cell tower at 910 Franklin Street)

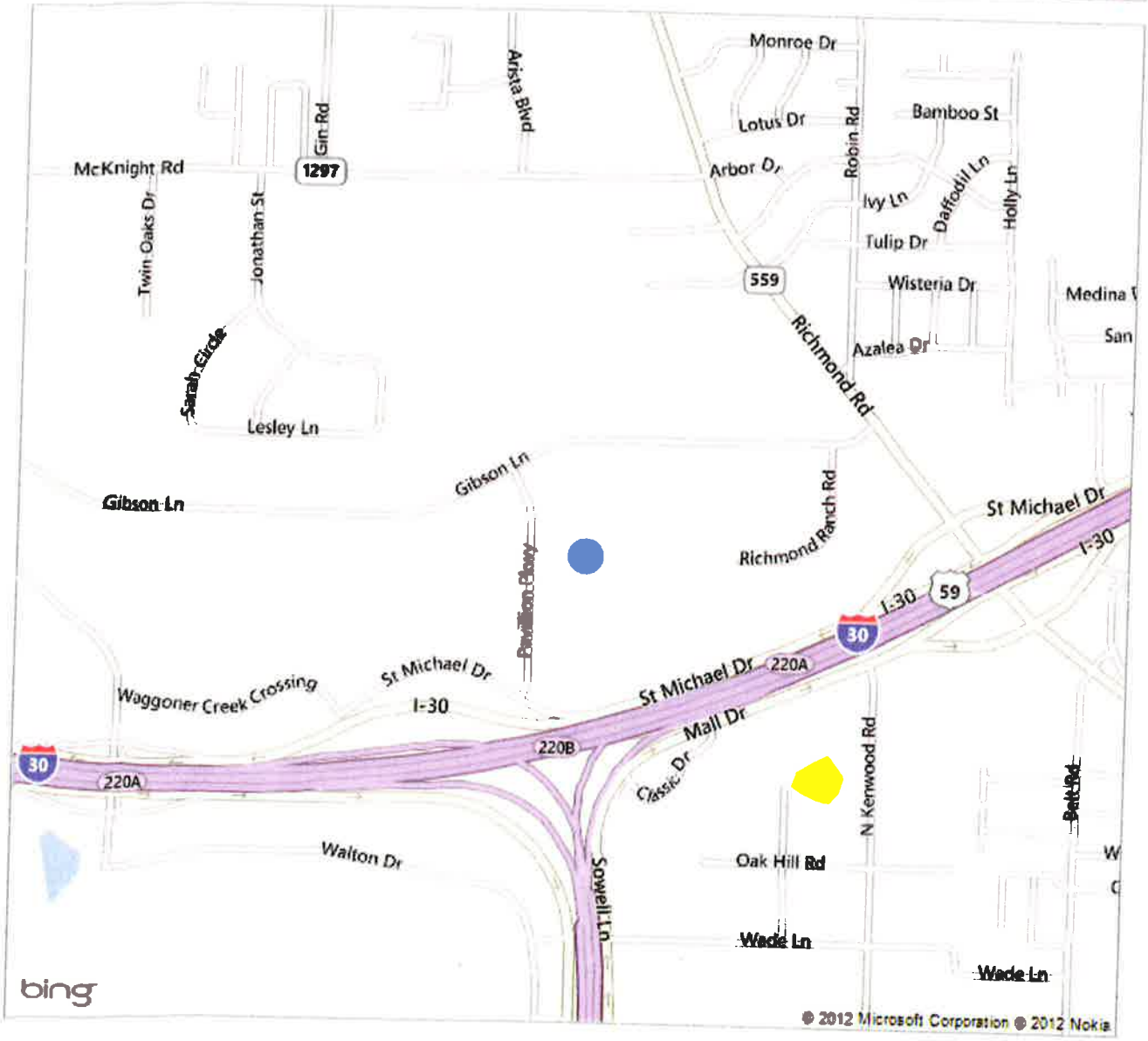
Print

bing Maps

33.4565277777778, -94.0971666666667

N-991

On the go? Use **m.bing.com** to find maps, directions, businesses, and more



Attachment: 2016-021 ATTH 05 map showing both tower locations (1439 : 2016-021 ORD granting SUP for cell tower at 910 Franklin Street)

City of Texarkana, Texas

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:	
NA	No Additional

Other Potential Impacts:

NA

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

Attachment: 2016-021 Goals & Perspectives (1439 : 2016-021 ORD granting SUP for cell tower at 910 Franklin Street)