



# CITY OF TEXARKANA

## CITY COUNCIL

AGENDA • APRIL 23, 2018

---

**Council Chambers**

**Regular Meeting**

**6:00 PM**

---

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

### **Mayor**

Bob Bruggeman

### **Ward 1**

Jean H. Matlock

### **Ward 3**

Betty Williams

### **Ward 5**

Bill Harp

### **Ward 2**

Mary Hart

### **Ward 4**

Christie Alcorn

### **Ward 6**

Josh Davis



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

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

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

- I. CALL TO ORDER, ROLL CALL, ESTABLISHMENT OF QUORUM**
- II. INVOCATION AND PLEDGE BY COUNCIL MEMBER JOSH DAVIS**
- III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST**

**Upcoming City Council Meetings:**

Monday, May 14, 2018 at 6:00 p.m.

**Tuesday, May 29, 2018 at 6:00 p.m.**

Monday, June 11, 2018 at 6:00 p.m.

**Upcoming Joint City Meeting:**

The Texarkana Chamber of Commerce will host a "Joint Texarkana Community Committee" meeting with Texarkana, Arkansas, on Tuesday, May 8, 2018, at 3:00 p.m. The meeting will be held at the Ark-Tex Council of Governments building located at 4808 Elizabeth Street, Texarkana, Texas. The topic of the meeting is "Crime in Texarkana" and it is open to the public.

**Parks & Recreation Events:**

|                                           |                                                          |                  |
|-------------------------------------------|----------------------------------------------------------|------------------|
| April 27 <sup>th</sup> - 29 <sup>th</sup> | Scout-O-Rama                                             | Spring Lake Park |
| May 5 <sup>th</sup>                       | Alzheimer's Alliance Wine Fest                           | Spring Lake Park |
| May 5 <sup>th</sup>                       | 1 <sup>st</sup> Choice Pregnancy Center Walk for Life/5K | Spring Lake Park |
| May 12 <sup>th</sup>                      | USSSA Softball Tournament                                | Wallace Park     |

All Parks & Recreation information can be found on the city website  
<http://tx-texarkana.civicplus.com> or by calling (903) 798-3978.

***Appointments to Boards & Commissions***

**IV. ITEMS FOR CONSIDERATION*****Consent Items***

1. Consider approval of the minutes of the Regular Meeting of the City Council held on April 9, 2018 at 6:00 PM.
2. Resolution No. 2018-048 delegating authority to the City Manager for site selection, purchase price, and purchase of multiple tracts of real property for locating future fire stations, with the aggregate purchase prices not to exceed project funds approved in the 2017 capital improvement plan.

Public Hearing:

Council Vote: April 23, 2018

3. Resolution No. 2018-049 approving the funding of a loan from the Facade Revolving Loan Fund Program with funds from the Economic Development Fund and authorizing the City Manager to execute the loan documents.

Public Hearing:

Council Vote: April 23, 2018

4. Resolution No. 2018-051 assembling a Budget Advisory Committee to advise the City Council on the proposed fiscal year 2018-19 city budget.

Public Hearing:

Council Vote: April 23, 2018

***Open Forum: Public Comments (Limit 5 minutes each - SIGN-UP SHEET REQUIRED)***

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

***Action Items***

5. Resolution No. 2018-050 authorizing approval of SWEPCO interim rate decreases, a 90-day suspension of the proposed effective date for permanent rate decreases to allow for due diligence review, intervention in PUC and related proceedings through Cities Advocating Reasonable Deregulation, and retention of special legal counsel and experts for rate proceedings.

Public Hearing:  
Council Vote: April 23, 2018

## **V. FIRST BRIEFINGS**

1. Ordinance No. 2018-040 granting a Specific Use Permit to allow the application of permanent cosmetics/microblading on Lot 2, Block 1, Richmond Road Development Addition, located at 5602 Richmond Road (Suite 108). Curt Green, applicant. Chi Do, agent.

Public Hearing: May 14, 2018  
Council Vote: May 14, 2018

2. Ordinance No. 2018-041 rezoning a 5.913 acre tract of land in the George Brinlee HRS, A-18, located at the dead-end of North Kenwood Road. Single Family-2 to General Retail. Walnut Church of Christ, applicant. Kayla Wood, MTG Engineering and Surveying, agent.

Public Hearing: May 14, 2018  
Council Vote: May 14, 2018

3. Ordinance No. 2018-042 granting a Specific Use Permit to allow outside sales, storage and display of automobiles, boats and RV's on a 5.913 acre tract of land in the George Brinlee HRS, A-18, located at the dead-end of North Kenwood Road. Walnut Church of Christ, applicant. Kayla Wood, MTG Engineering and Surveying, agent.

Public Hearing: May 14, 2018  
Council Vote: May 14, 2018

4. Ordinance No. 2018-043 rezoning a 0.95 acre tract of land in the George Brinlee HRS, A-18, located at the dead-end of Franklin Street. Single Family-2 to General Retail. Charles Firmin, Jr., applicant. Kayla Wood, MTG Engineering and Surveying, agent.

Public Hearing: May 14, 2018  
Council Vote: May 14, 2018

5. Ordinance No. 2018-044 granting a Specific Use Permit to allow outside sales, storage and display of automobiles, boats and RV's on a 0.95 acre tract of land in the George Brinlee HRS, A-18, located at the dead-end of Franklin Street. Charles Firmin, Jr., applicant. Kayla Wood, MTG Engineering and Surveying, agent.

Public Hearing: May 14, 2018  
Council Vote: May 14, 2018

6. Ordinance No. 2018-045 rezoning a 12.618 acre tract of land in the George Brinlee HRS, A-18, located at 2916 Pleasant Grove Road. Single Family-1 to Neighborhood Service. Aaron Gaylor, applicant.

Public Hearing: May 14, 2018  
Council Vote: May 14, 2018

7. Ordinance No. 2018-046 revoking Specific Use Permit No. S-682 that permitted the location of a tattoo studio on part of a 25.334 acre tract in the Eli Moore HRS, A-401, located at 2729 New Boston Road (Suite 110A). City of Texarkana, Texas, applicant.

Public Hearing: May 14, 2018  
Council Vote: May 14, 2018

8. Ordinance No. 2018-047 granting a Specific Use Permit to allow the location of a tattoo studio on part of a 25.334 acre tract in the Eli Moore HRS, A-18, located at 2827 New Boston Road. New Boston Retail Group, LLC, applicant. David Dukes, agent.

Public Hearing: May 14, 2018  
Council Vote: May 14, 2018

## **VI. PUBLIC HEARINGS**

1. Resolution No. 2018-038 approving the City of Texarkana, Texas Water Conservation & Drought Contingency Plan.

Public Hearing: April 23, 2018  
Council Vote: May 14, 2018

## **VII. ITEMS FOR DISCUSSION**

Staff Updates

## **VIII. ADMINISTRATIVE COMMENTS**

1. City Council

## 2. City Staff

**IX. CLOSED SESSION**

The City Council will convene into closed session pursuant to Texas Government Code Section 551.071 - Consultation with Attorney.

**X. RECONVENE INTO OPEN SESSION****XI. ADJOURNMENT**

Jennifer Evans  
City Secretary

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

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

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

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

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



# CITY OF TEXARKANA

## CITY COUNCIL

MINUTES • APRIL 9, 2018

Council Chambers

Regular Meeting

6:00 PM

220 TEXAS BLVD.  
TEXARKANA, TX 75501

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

| Member Name | Title  | Status  | Arrived |
|-------------|--------|---------|---------|
| Aggeman     | Mayor  | Present |         |
| Matlock     | Ward 1 | Present |         |
| art         | Ward 2 | Present |         |
| Williams    | Ward 3 | Present |         |
| Alcorn      | Ward 4 | Present |         |
| p           | Ward 5 | Present |         |
| vis         | Ward 6 | Present |         |

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

Legal Counsel: Jeff Lewis.

### II. INVOCATION AND PLEDGE BY COUNCIL MEMBER JEAN MATLOCK

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

#### Upcoming City Council Meetings:

Monday, April 23, 2018 at 6:00 p.m.

Monday, May 14, 2018 at 6:00 p.m.

**Tuesday, May 29, 2018 at 6:00 p.m. (Due to Memorial Day holiday)**

#### TAMU-T Big Event:

City-wide projects to include neighborhood clean-ups, community garden, parks department projects will be held Saturday, April 14<sup>th</sup> from 8:00 a.m. - 12:00 p.m.

#### Rosehill Annual Celebration:

Minutes Acceptance: Minutes of Apr 9, 2018 6:00 PM (Consent Items)

This 2018 celebration will be held at Tiger Stadium at Grim Park on Saturday, April 21st from 10:00 a.m. - 2:00 p.m.

### **Parks & Recreation Events:**

|                        |                                           |                  |
|------------------------|-------------------------------------------|------------------|
| April 14 <sup>th</sup> | City of Texarkana, Texas Wellness Walk 5K | Spring Lake Park |
| April 14 <sup>th</sup> | USSSA Softball Tournament                 | Wallace Park     |
| April 14 <sup>th</sup> | USSSA Baseball Tournament                 | Spring Lake Park |
| April 14 <sup>th</sup> | FASA Softball Tournament                  | Karrh Park       |
| April 21 <sup>st</sup> | Dixie Baseball Tournament                 | Spring Lake Park |
| April 21 <sup>st</sup> | Community Yard & Electronic Recycle       | Spring Lake Park |
| April 21 <sup>st</sup> | Hands On Texarkana Dragon Boat Races      | Bringle Lake     |

All Parks & Recreation information can be found on the city website <http://tx-texarkana.civicplus.com> or by calling (903) 798-3978.

The Mayor welcomed to the meeting several students from local area schools.

### ***Presentations***

Certified Annual Financial Report for fiscal year ending September 30, 2017 - by Holliday, Lemons & Cox

Rhonda Jones presented an overview of the report and commended staff for minimal findings and supportive cooperation with audit staff.

### ***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)**

There were no public comments made at Open Forum.

## **V. ITEMS FOR CONSIDERATION**

### ***Consent Items***

(6:23 p.m.)

|                  |                                              |
|------------------|----------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | Jean H. Matlock, Ward 1                      |
| <b>SECONDER:</b> | Betty Williams, Ward 3                       |
| <b>AYES:</b>     | Matlock, Hart, Williams, Alcorn, Harp, Davis |
| <b>EXCUSED:</b>  | Bruggeman                                    |

1. Consider approval of the minutes of the Regular Meeting of the City Council held on March 26, 2018 at 6:00 PM.
2. Resolution No. 2018-037 amending the 2018 council meeting schedule.

Public Hearing:  
Council Vote: April 9, 2018

### *Action Items*

3. Consideration and possible adoption of Council meeting rules, order of business, and open forum procedures.

A motion was made by Council Member Hart to adopt the proposed council meeting policy and procedures. The motion was seconded by Council Member Alcorn. Vote results as follows: 6 Ayes, 0 Nays.  
(6:26 p.m.)

4. Ordinance No. 2018-030 establishing a new chapter in the Code of Ordinances - Chapter 21 "Alcoholic Beverages".

Public Hearing: March 12, 2018  
Council Vote: April 9, 2018

The Mayor asked the City Secretary to proceed with a roll call vote.  
(6:29 p.m.)

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [5 TO 1]</b>               |
| <b>MOVER:</b>    | Betty Williams, Ward 3                |
| <b>SECONDER:</b> | Bill Harp, Ward 5                     |
| <b>AYES:</b>     | Matlock, Hart, Williams, Alcorn, Harp |
| <b>NAYS:</b>     | Davis                                 |
| <b>EXCUSED:</b>  | Bruggeman                             |

5. Resolution No. 2018-039 approving the preliminary budget calendar for fiscal year 2019.

Public Hearing:  
Council Vote: April 9, 2018

Kristin Peeples shared a few comments with council. Council consensus approved a forthcoming resolution to reassemble a Budget Advisory Committee for the fiscal year 2018-19 budget.

(6:40 p.m.)

|                  |                                              |
|------------------|----------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | Josh Davis, Ward 6                           |
| <b>SECONDER:</b> | Mary Hart, Ward 2                            |
| <b>AYES:</b>     | Matlock, Hart, Williams, Alcorn, Harp, Davis |
| <b>EXCUSED:</b>  | Bruggeman                                    |

## VI. FIRST BRIEFINGS

1. Resolution No. 2018-035 authorizing City Staff to proceed with necessary work for major street maintenance projects for Fiscal Year 2018.

Public Hearing:

Council Vote: April 9, 2018

Dusty Henslee briefed this agenda item.

(6:51 p.m.)

|                  |                                              |
|------------------|----------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | Mary Hart, Ward 2                            |
| <b>SECONDER:</b> | Bill Harp, Ward 5                            |
| <b>AYES:</b>     | Matlock, Hart, Williams, Alcorn, Harp, Davis |
| <b>EXCUSED:</b>  | Bruggeman                                    |

2. Ordinance No. 2018-036 authorizing the City Manager to enter into an agreement with the SWEPCO Commercial Standard Offer Program and to amend the budget expenditures for Fiscal Year 2018 to include additional General Fund expenditures of One Hundred Twenty Thousand Three Hundred Dollars (\$120,300) for the purchase of 256 LED street light fixtures from Dealers Electric.

Public Hearing:

Council Vote: April 9, 2018

Dusty Henslee briefed this agenda item.

(6:56 p.m.)

|                  |                                              |
|------------------|----------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | Josh Davis, Ward 6                           |
| <b>SECONDER:</b> | Betty Williams, Ward 3                       |
| <b>AYES:</b>     | Matlock, Hart, Williams, Alcorn, Harp, Davis |
| <b>EXCUSED:</b>  | Bruggeman                                    |

3. Resolution No. 2018-038 approving the City of Texarkana, Texas Water Conservation & Drought Contingency Plan.

Public Hearing: April 23, 2018  
 Council Vote: May 14, 2018

J. D. Phillips briefed this agenda item.

|                |                      |                                |
|----------------|----------------------|--------------------------------|
| <b>RESULT:</b> | <b>MOVED FORWARD</b> | <b>Next: 4/23/2018 6:00 PM</b> |
|----------------|----------------------|--------------------------------|

## VII. PUBLIC HEARINGS

1. Motion to move Ordinance No. 2018-032 up for council vote.

(7:02 p.m.)

|                  |                                              |
|------------------|----------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | Josh Davis, Ward 6                           |
| <b>SECONDER:</b> | Bill Harp, Ward 5                            |
| <b>AYES:</b>     | Matlock, Hart, Williams, Alcorn, Harp, Davis |
| <b>EXCUSED:</b>  | Bruggeman                                    |

2. Ordinance No. 2018-032 rezoning an approximate 0.85 acre tract of land in the George Brinlee HRS, A-18, located at 3320 Robin Lane. Single Family-1 to Two Family-2. Brandon Taylor and Brad Meador, under contract to purchase. Dennis Schafer, agent.

Public Hearing: April 9, 2018  
 Council Vote: May 14, 2018

Brandon Taylor and Brad Meador asked council for an expedited vote at this hearing.  
 (7:03 p.m.)

|                  |                                              |
|------------------|----------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | Bill Harp, Ward 5                            |
| <b>SECONDER:</b> | Josh Davis, Ward 6                           |
| <b>AYES:</b>     | Matlock, Hart, Williams, Alcorn, Harp, Davis |
| <b>EXCUSED:</b>  | Bruggeman                                    |

## VIII. SECOND BRIEFING WITH UPDATES - NONE

**IX. SECOND BRIEFING WITHOUT UPDATES - NONE****X. ITEMS FOR DISCUSSION**

## Staff Updates

City Manager Jaster said a few upgrades were made to the council chambers with the installation of two new televisions and a timer. As staff makes upgrades from time-to-time, council suggestions are always welcomed.

**XI. ADMINISTRATIVE COMMENTS**

## 1. City Council

Council had no administrative comments for staff.

## 2. City Staff

Staff had no administrative comments for council.

**XII. CLOSED SESSION**

The City Council convened into closed session pursuant to Texas Government Code Section 551.087 - Deliberation Regarding Economic Development Negotiations.

**XIII. RECONVENED INTO OPEN SESSION****XIV. ADJOURNMENT**

## 1.

A motion was made to adjourn the meeting.  
(8:27 p.m.)

|                  |                                              |
|------------------|----------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | Jean H. Matlock, Ward 1                      |
| <b>SECONDER:</b> | Christie Alcorn, Ward 4                      |
| <b>AYES:</b>     | Matlock, Hart, Williams, Alcorn, Harp, Davis |
| <b>EXCUSED:</b>  | Bruggeman                                    |

## City of Texarkana, Texas

## Briefing Sheet

Version:  
Update Date: 4/16/2018 12:18 PM

**Lead Department:** Fire Department      **Action Officer:** Eric Schlotter, Fire Chief  
Resolution No. 2018-048 delegating authority to the City Manager for site selection, purchase price, and purchase of multiple tracts of real property for locating future fire stations, with the aggregate purchase prices not to exceed project funds approved in the 2017 capital improvement plan.

**Subject:** project funds approved in the 2017 capital improvement plan.

**Briefing:** 4/23/2018      **Public Hearing:**      **Council Vote:** 4/23/2018

## Item Schedule

Schedule 3: No briefing required (one week)

## Updates/History of Briefing:

"NOT APPLICABLE"

## Executive Summary and Background Information:

The resolution before you, if approved, would grant the necessary authority to the City Manager to execute all documents necessary to acquire three parcels of real property for the purposes of a fire station relocation.

The fire station relocation project is included in the Capital Improvement Plan and initial funding for land acquisition has already been approved. The three potential locations have been identified and the owners of each are aware of our intentions.

## Potential Options:

- Approve resolution
- Reject resolution

## Fiscal Implications:

The funding for the property was approved by Ordinance 2017-049.

## Staff Recommendation:

Staff recommends approval.

## Advisory Board/Committee Review:

"NONE"

## Board/Committee Recommendation:

"NOT APPLICABLE"

## Advisory Board/Committee Meeting Date and Minutes:

"NOT APPLICABLE"

## City of Texarkana, Texas

**Attachments**

- a. 2018-048 Goals & Perspectives (DOCX)
- b. 2018-048 RES Auth CM to purchase land for fire stations (jcl rev) (DOC)

**Staff Coordination**

|                                   |                     |                        |                     |            |
|-----------------------------------|---------------------|------------------------|---------------------|------------|
| Fire Department                   | Eric Schlotter      | Department Head Review | Completed           |            |
|                                   | 04/10/2018 8:40 AM  |                        |                     |            |
| Finance Department                | Kristin Peebles     | Finance Review         | Completed           | 04/11/2018 |
|                                   | 11:34 AM            |                        |                     |            |
| Purchasing and Contracting        |                     | Sharon Moore           | Purchasing Review   |            |
|                                   | Completed           | 04/11/2018 11:36 AM    |                     |            |
| Deputy City Manager - Kyle Dooley |                     | Kyle Dooley            | Deputy City Manager |            |
| Review                            | Completed           | 04/12/2018 10:06 AM    |                     |            |
| Public Information Officer        |                     | Lisa Thompson          | PIO Review          | Completed  |
|                                   | 04/12/2018 10:18 AM |                        |                     |            |
| City Manager                      | Shirley Jaster      | City Manager Review    | Completed           | 04/19/2018 |
|                                   | 9:11 AM             |                        |                     |            |
| City Council                      | Vicky Coopwood      | Meeting                | Pending             | 04/23/2018 |
|                                   | 6:00 PM             |                        |                     |            |

**Meeting History**

## City of Texarkana, Texas

## Developing Perspectives and Goals Pending Approval by the City Council:

| Perspectives         | Goals                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Serve the Community  | <input type="checkbox"/> Promote an Environmentally Sensitive & Livable Community<br><input checked="" type="checkbox"/> Provide a Safe Community<br><input checked="" type="checkbox"/> Deliver Quality Services<br><input type="checkbox"/> Foster a Healthy Community                                                                                                                                                                 |
| Run the Operations   | <input checked="" type="checkbox"/> Enhance Community Preparedness & Responsiveness<br><input type="checkbox"/> Maximize Partnership Opportunities<br><input type="checkbox"/> Provide Courteous & Responsive Customer Service<br><input checked="" type="checkbox"/> Model a Positive City Image<br><input checked="" type="checkbox"/> Deliver Efficient Services<br><input type="checkbox"/> Cultivate Community Involvement & Access |
| Manage the Resources | <input type="checkbox"/> Maintain Fiscal Strength<br><input checked="" type="checkbox"/> Maximize Utilization & Resources<br><input type="checkbox"/> Invest in Infrastructure & Transportation                                                                                                                                                                                                                                          |
| Develop Personnel    | <input type="checkbox"/> Develop a Skilled & Diverse Workforce<br><input type="checkbox"/> 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:

|                                                                 |                                                               |
|-----------------------------------------------------------------|---------------------------------------------------------------|
| <input type="checkbox"/> Newspaper Notice (Required by Statute) | <input type="checkbox"/> Public Hearing (Required by Statute) |
| <input type="checkbox"/> Public Forum/Input Session             | <input type="checkbox"/> Press Release                        |
| <input type="checkbox"/> E-News Distribution                    | <input type="checkbox"/> Website Notice                       |
| <input type="checkbox"/> Social Media (Twitter, Facebook, etc.) | <input type="checkbox"/> Special Mailing                      |
| <input type="checkbox"/> Flyers Posted                          | <input type="checkbox"/> Banners Posted                       |
| <input type="checkbox"/> Survey                                 | <input type="checkbox"/> Automated Phone Call                 |
| <input checked="" type="checkbox"/> None Required               | <input type="checkbox"/>                                      |

Other:

**RESOLUTION NO. 2018 - 048**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, DELEGATING AUTHORITY TO THE CITY MANAGER FOR SITE SELECTION, PURCHASE PRICE, AND PURCHASE OF MULTIPLE TRACTS OF REAL PROPERTY ON BEHALF OF THE CITY FOR LOCATING FUTURE FIRE STATIONS, AND AUTHORITY TO OBTAIN APPRAISALS, ENTER INTO CONTRACTS OF SALE, AND SIGN ALL OTHER DOCUMENTS REQUIRED FOR PURCHASE AND ACQUISITION OF SAID TRACTS OF REAL PROPERTY, WITH THE AGGREGATE PURCHASE PRICES NOT TO EXCEED PROJECT FUNDS APPROVED IN THE 2017 CAPITAL IMPROVEMENT PLAN; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City will be relocating some of its fire stations in the future and acquisition of multiple tracts will be required for those future fire stations; and

**WHEREAS**, the 2017 Capital Improvement Plan bond approved funding for design and to secure property for the future fire stations; and

**WHEREAS**, the City Council intends for this resolution to delegate to the City Manager, all authority necessary in accordance with any applicable law, City ordinance, and City purchasing procedures, and to select the sites for acquisition, negotiate and finalize purchase prices, secure any appraisals as may be required by law, and enter into contracts of sale and sign all other documents required for purchase and acquisition of the multiple tracts, without any further action of the Council other than authorizing this Resolution; provided that the aggregate purchase prices of the multiple tracts do not exceed the project funds approved in the 2017 Capital Improvement Plan for the future fire stations.

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

**SECTION 1:** The City Council delegates authority to the City Manager for site selection, purchase price, and purchase of multiple tracts of real property on behalf of the City for locating future fire stations, and further delegates authority to the City Manager to obtain appraisals, enter into contracts of sale, and sign all other documents required for purchase and acquisition of said tracts of real property on behalf of the City.

**SECTION 2:** The purchase authority delegated in Section 1 of this Resolution is limited to the project funds approved in the 2017 Capital Improvement Plan for design and property acquisition of future fire stations.

**SECTION 3:** Other than passage of this Resolution, no further action of the City Council shall be required for the City Manager to exercise the authority set forth in Section 1 of this Resolution.

**SECTION 4:** This Resolution shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** in Regular Council Session on this the **23<sup>rd</sup> day of April, 2018.**

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

## City of Texarkana, Texas

## Briefing Sheet

Version:

Update Date: 4/18/2018 7:46 PM

**Lead Department:** Economic Development      **Action Officer:** Jerry Sparks, Economic Developer  
**Subject:** Resolution No. 2018-049 approving the funding of a loan from the Facade Revolving Loan Fund Program with funds from the Economic Development Fund and authorizing the City Manager to execute the loan documents.

**Briefing:** 4/23/2018      **Public Hearing:**      **Council Vote:** 4/23/2018

## Item Schedule

## Updates/History of Briefing:

(Insert Date Here):

(Insert Text Here) or Select, Delete this and all text with parentheses and say "NOT APPLICABLE"

## Executive Summary and Background Information:

## Potential Options:

- Approve funding of loan from Façade Revolving Loan Program
- Deny funding of loan from Façade Revolving Loan Program

## Fiscal Implications:

\$25,000 will be used from the Economic Development Fund. Funding amount is included in the FY 18 budget.

## Staff Recommendation:

Staff recommends approval

## Advisory Board/Committee Review:

Internal loan review committee recommends approval

## Board/Committee Recommendation:

Not Applicable

## Advisory Board/Committee Meeting Date and Minutes:

## Attachments

- RES 2018-049 Authorizing City Manager to enter into Facade RLF agreement (DOC)
- RES 2018-049 ATTH 01-Loan Report (DOC)

## City of Texarkana, Texas

- c. RES 2018-049 ATTH 02-Scoring Matrix (PDF)
- d. RES 2018-049 ATTH 03-Facade designs (PDF)

---

### Staff Coordination

|                                   |                        |                        |
|-----------------------------------|------------------------|------------------------|
| Economic Development              | Jerry Sparks           | Department Head Review |
| Pending                           |                        |                        |
| Deputy City Manager - Kyle Dooley | Kyle Dooley            | Deputy City Manager    |
| Review Pending                    |                        |                        |
| Public Information Officer        |                        | PIO Review Pending     |
| City Manager                      | City Manager Review    | Pending                |
| City Council                      | Vicky Coopwood Meeting | Pending 04/23/2018     |
| 6:00 PM                           |                        |                        |

---

### Meeting History

**RESOLUTION NO. 2018 - 049**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE FUNDING OF A LOAN FROM THE FAÇADE REVOLVING LOAN FUND PROGRAM WITH FUNDS FROM THE ECONOMIC DEVELOPMENT FUND AND AUTHORIZING THE CITY MANAGER TO EXECUTE LOAN DOCUMENTS ON BEHALF OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, by Resolution No. 64-2013, the City Council established a Façade/Landscape Revolving Loan Fund (FLRLF) for the purpose of restoring or improving façades and landscaping; and

**WHEREAS**, the Façade/Landscape Revolving Loan Fund (FLRLF) will be capitalized with Economic Development funds on an annual basis in an amount not to exceed **FIFTY THOUSAND DOLLARS (\$50,000)** annually; and

**WHEREAS**, the Façade Revolving Loan committee has recommended the potential funding of a loan for construction of façade improvements by Henry's Siding & Restoration Inc. in an amount not to exceed **TWENTY-FIVE THOUSAND DOLLARS (\$25,000)**; and

**WHEREAS**, the City Council recognizes the need for funding of projects to preserve structures and further economic development as evidenced by their creation and approval of the Façade Revolving Loan policy BY Ordinance No. 064-2013.

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

**SECTION 1:** The City Council of the City of Texarkana, Texas, approves funding a loan from the Façade Revolving Loan Fund to Henry's Siding & Restoration Inc. and its owner, Vickie Henry-Guillot, in an amount not to exceed **TWENTY-FIVE THOUSAND DOLLARS (\$25,000)** with collateral of a subsidiary lien on real estate and the personal guaranty of Vickie Henry-Guillot.

**SECTION 2:** The City Council of the City of Texarkana, Texas, authorizes the City Manager to execute loan documents for the Façade Revolving Loan Fund on behalf of the City in amounts not to exceed **TWENTY-FIVE THOUSAND DOLLARS (\$25,000)**.

**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 **23<sup>rd</sup>** day of April, 2018.

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

Attachment: RES 2018-049 Authorizing City Manager to enter into Façade RLF agreement (1819 : 2018-049 RES Authorizing CM to enter into

*City of Texarkana  
Façade Revolving Loan Fund*

|                                   |                                                                                        |
|-----------------------------------|----------------------------------------------------------------------------------------|
| <b>LOAN PROGRAM:</b>              | <b>Façade RLF</b>                                                                      |
| <b>POTENTIAL BORROWER:</b>        | <b>Henry's Siding<br/>Vickie Henry-Guillot</b>                                         |
| <b>Objective:</b>                 | <b>Improvements to 13<sup>th</sup> &amp; Texas Blvd property</b>                       |
| <b>Recommended Loan Approval:</b> | <b>\$25,000 for 10 years @ Bank rate + 1%</b>                                          |
| <b>Sources of funds:</b>          | <b>Economic Development Fund</b>                                                       |
| <b>Collateral:</b>                | <b>Real Estate, personal guaranty</b>                                                  |
| <b>Type of Project:</b>           | <b>Improvements to commercial property that has<br/>been vacant for several years.</b> |
| <b>Jobs:</b>                      | <b>20 new jobs</b>                                                                     |

**Narrative:**

This is a request for a second loan from the Façade RLF.

The loan proceeds will be used for additional improvements to property at 13<sup>th</sup> & Texas Blvd. The property has been vacant or used for storage for several years.

The completed project will:

- restore arched windows that face 13<sup>th</sup> Street
- allow for an entrance from 13<sup>th</sup> Street
- improvements will be made to the Texas Blvd side of the building as a part of the overall project
- landscaping, fencing, and awnings will be included in the project

Current financial information statements are on file. The location is within the target area for the Façade RLF. The borrower's financial statements indicate an ability to repay the loan if the operation does not produce adequate cash flow.

The building will house the Red Bone Brewery which is expected to open in June of 2018.

**Recommendation for terms/conditions:**

10 years at bank rate +1%

Submission of plans or drawings for façade improvements

Updated financial statement

Budget for remaining improvements

Obtaining all necessary permits

Attachment: RES 2018-049 ATTH 01-Loan Report (1819 : 2018-049 RES Authorizing CM to enter into Façade RLF agreement)

## Facade Grant Approval Matrix

**Applicant: Henry's Siding (2nd request)**

### Policy Criteria

**5 points for 1st criteria; 1 point subsequent criteria**

Complies with zoning and designated district requirements  
 Technical drawings available for staff review/approval  
 Restoring façade of cultural, architectural, or historic significance  
 Owner occupied/owner operated building  
 Available cash match from private funds  
 Project Costs Reasonable  
 All Sources of Funding Committed  
 Reasonable Owner Equity (1 point for each 10% equity, max of 5)

### Comments

5  
 1  
 1  
 Partial occupancy  
 1  
 1  
  
 9

### Financial Criteria

**(must meet at least one of the following)**

**O-5 points for each criteria; scores will determine approval, term, & interest rate**

Collateral  
 Cash Flow & Repayment Ability  
 Business Credit History  
 Project Costs Reasonable  
 All Sources of Funding Committed

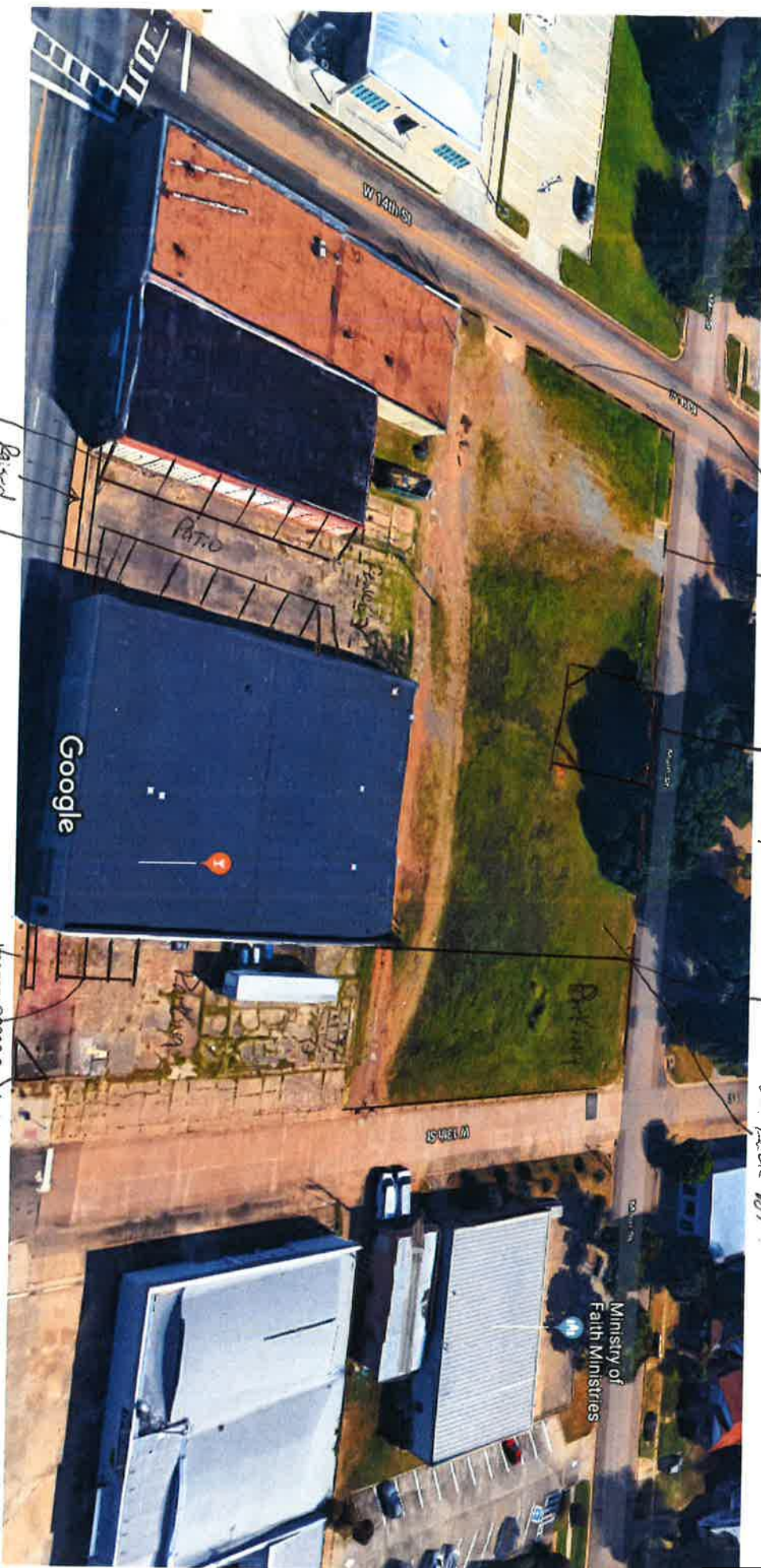
4 2nd lien on buildings  
 3 New business  
 5  
 5  
  
 Personal statements  
 indicate adequate net  
 2 worth

Reasonable Owner Equity (1 point for each 10% equity, max of 5)

19

Attachment: RES 2018-049 ATTH 03-Facade designs (1819 : 2018-049 RES Authorizing CM to enter into Facade RLF agreement)

Google Maps



Fence All Around Back  
Pavilion for Events at Stage

Trees & Shrubs to Decorate for Events at Back lot

Raised Flower Beds

Raised Flower Entry Beds Roof

Ornamental Tree with Shrubs

Imagery ©2018 Google, Map data ©2018 Google 50 ft

Google Maps 1304 Texas Blvd



Image capture: Jun 2017 © 2018 Google

Texarkana, Texas  
Google, Inc.

Street View - Jun 2017

Rosed  
flower  
beds

After Bar Not Complete

New windows  
at doors  
Cost 34,000<sup>00</sup>

Roof to Patio

Google Maps 899 W 13th St



Texarkana, Texas



Street View - Jan 2013

Before  
Windows &  
Doors

Image capture Jan 2013 © 2018 Google

Google Maps 1298 Texas Blvd



Google

After But not complete

Texarkana, Texas  
Google, Inc.

Street View - Jun 2017

Image capture: Jun 2017 © 2018 Google

near entry

Google Maps 1300 Texas Blvd



Google

Image capture: Jun 2017 © 2018 Google

After

New Shutters  
and fence

Texarkana, Texas  
Google, Inc.

Street View - Jun 2017

W 20th St

Google Maps 811 W 13th St



Before

Image capture: Jan 2013 © 2018 Google

Texarkana, Texas  
Google, Inc.

Street View - Jan 2013



Imagery ©2018 Google, Map data ©2018 Google 10 ft



Imagery ©2018 Google, Map data ©2018 Google 20 ft

Google Maps 899 W 13th St



Texarkana, Texas  
Google, Inc.

Street View - Jan 2013

Before

Image capture: Jan 2013 © 2018 Google

W 20th St

[https://www.google.com/maps/@33.4305655,-94.051143a,15y,340.99h,86.83t/data=!3m6!1e1!3m4!1s\\_gYZmTMm47r5gl.dALLICsAl2e0J71133121816656](https://www.google.com/maps/@33.4305655,-94.051143a,15y,340.99h,86.83t/data=!3m6!1e1!3m4!1s_gYZmTMm47r5gl.dALLICsAl2e0J71133121816656)

Google Maps 1398 Texas Blvd



Texarkana, Texas



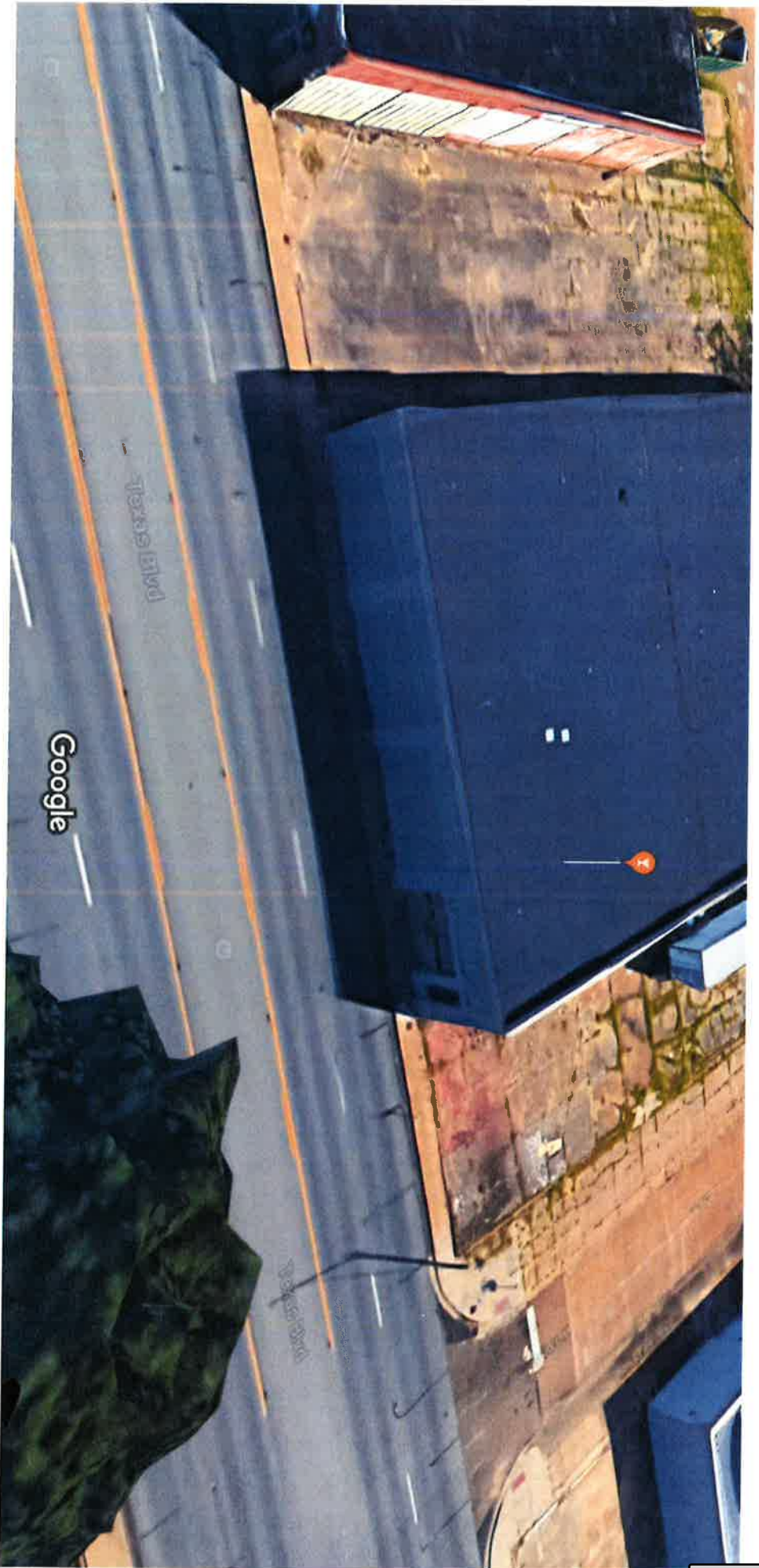
Google, Inc.

Street View - Jun 2017

Image capture: Jun 2017 © 2018 Google



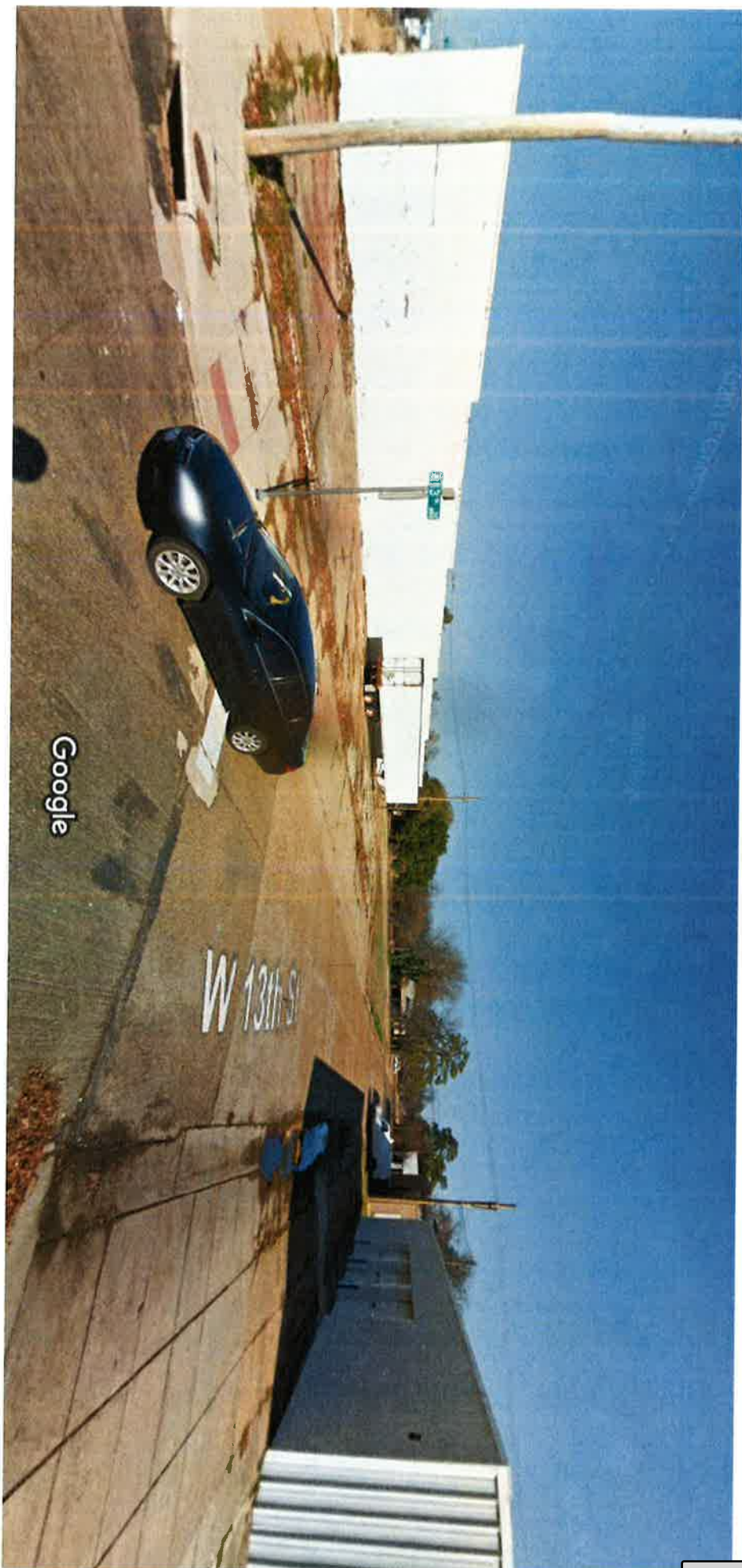
Attachment: RES 2018-049 ATTH 03-Facade designs (1819 : 2018-049 RES Authorizing CM to enter into Facade RLF agreement)



Imagery ©2018 Google, Map data ©2018 Google 20 ft

Before  
Windows &  
Door

Google Maps 899 W 13th St



Before

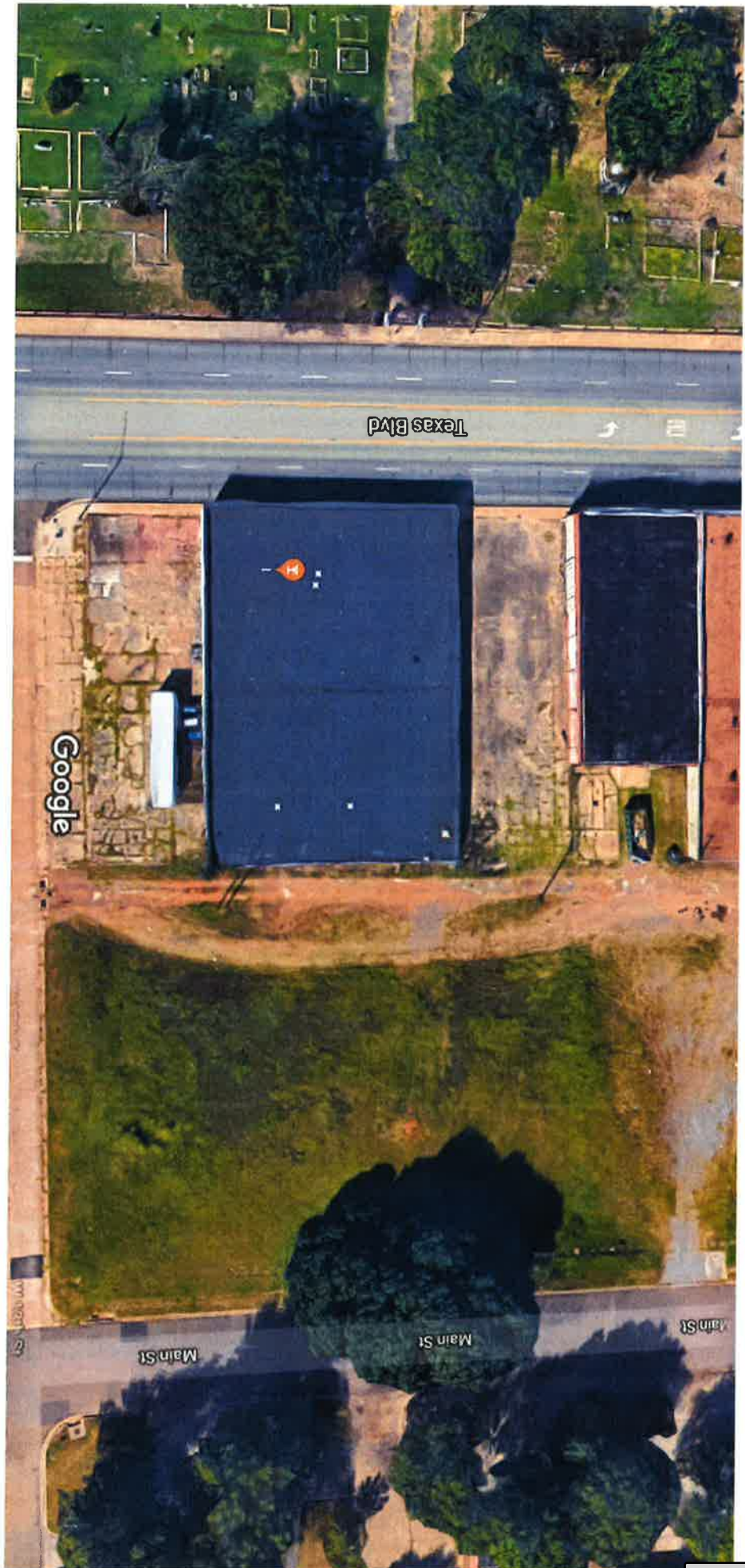
Google

Texarkana, Texas

Google, Inc.

Street View - Jan 2013

Image capture: Jan 2013 © 2018 Google



Imagery ©2018 Google, Map data ©2018 Google 50 ft



Before  
13th St

Imagery ©2018 Google, Map data ©2018 Google 20 ft

## City of Texarkana, Texas

## Briefing Sheet

Version:

Update Date: 4/19/2018 8:22 AM

**Lead Department:** City Manager      **Action Officer:** Jennifer Evans, City Secretary  
**Subject:** Resolution No. 2018-051 assembling a Budget Advisory Committee to advise the City Council on the proposed fiscal year 2018-19 city budget.

**Briefing:** 4/23/2018      **Public Hearing:**      **Council Vote:** 4/23/2018

## Item Schedule

## Updates/History of Briefing:

NOT APPLICABLE

## Executive Summary and Background Information:

This resolution provides for Council authorization to assemble a budget advisory committee composed of seven citizens to advise the council on the fiscal year 2017-18 city budget. More information will be presented at the meeting.

## Potential Options:

- To adopt the resolution
- To not adopt the resolution

## Fiscal Implications:

None. Appointed citizen members to the committee would volunteer their service.

## Staff Recommendation:

Staff recommends the wish of the council.

## Advisory Board/Committee Review:

NONE

## Board/Committee Recommendation:

NOT APPLICABLE

## Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

## Attachments

- 2018-051 RES Assembling Citizens Budget Advisory Committee (DOCX)
- 2018-051 Goals & Perspectives (DOCX)

## City of Texarkana, Texas

### Staff Coordination

|                              |                    |                        |                     |            |
|------------------------------|--------------------|------------------------|---------------------|------------|
| City Manager                 | Shirley Jaster     | Department Head Review | Completed           |            |
|                              | 04/19/2018 9:32 AM |                        |                     |            |
| Deputy City Manager - Review | Kyle Dooley        | Kyle Dooley            | Deputy City Manager |            |
|                              | Completed          | 04/19/2018 3:00 PM     |                     |            |
| Public Information Officer   |                    | Lisa Thompson          | PIO Review          | Completed  |
|                              | 04/19/2018 3:12 PM |                        |                     |            |
| City Manager                 | Shirley Jaster     | City Manager Review    | Completed           | 04/19/2018 |
| 4:41 PM                      |                    |                        |                     |            |
| City Council                 | Vicky Coopwood     | Meeting                | Pending             | 04/23/2018 |
| 6:00 PM                      |                    |                        |                     |            |

### Meeting History

## RESOLUTION NO. 2018 - 051

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ASSEMBLING A BUDGET ADVISORY COMMITTEE TO ADVISE THE CITY COUNCIL ON THE FISCAL YEAR 2018-19 CITY BUDGET; AND ESTABLISHING AN EFFECTIVE DATE.

**WHEREAS**, by Resolution No. 2017-093, the City Council assembled a budget advisory committee, composed of seven citizens to advise the City Council regarding the fiscal year 2017-18 city budget, which dissolved upon the City Council's adoption of the fiscal year 2017-18 City budget by Ordinance No. 2017-081; and

**WHEREAS**, by Resolution No. 2017-104, the City Council reauthorized the budget advisory committee, the term of which ended upon the City Council's approval of the preliminary budget calendar for the fiscal year 2018-2019; and

**WHEREAS**, the City Council desires to assemble a budget advisory committee to advise the City Council on the fiscal year 2018-19 City budget, with the Mayor and each Councilmember appointing, respectively, one citizen to said committee.

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

**SECTION 1:** That the City Council assembles a budget advisory committee composed of seven citizens to advise the City Council regarding the fiscal year 2018-19 City budget. The Mayor and each Councilmember shall designate, respectively, an appointee for the committee and shall inform the City Manager of said appointees by 5 p.m., Thursday, April 26, 2018, who shall cause the committee list to be released to the public.

**SECTION 2:** That the budget advisory committee may make recommendations to the Council but shall neither control nor supervise public business or policy.

**SECTION 3:** That the committee shall be dissolved upon the adoption of the fiscal year 2018-19 City budget.

**SECTION 4:** 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 **23<sup>rd</sup>** day of **April, 2018**.

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

Attachment: 2018-051 RES Assembling Citizens Budget Advisory Committee (1831 : 2018-051 RES Budget Advisory Committee)

## City of Texarkana, Texas

## Developing Perspectives and Goals Pending Approval by the City Council:

| Perspectives         | Goals                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Serve the Community  | <input type="checkbox"/> Promote an Environmentally Sensitive & Livable Community<br><input type="checkbox"/> Provide a Safe Community<br><input checked="" type="checkbox"/> Deliver Quality Services<br><input type="checkbox"/> Foster a Healthy Community                                                                                                                                                                 |
| Run the Operations   | <input type="checkbox"/> Enhance Community Preparedness & Responsiveness<br><input type="checkbox"/> Maximize Partnership Opportunities<br><input type="checkbox"/> Provide Courteous & Responsive Customer Service<br><input type="checkbox"/> Model a Positive City Image<br><input checked="" type="checkbox"/> Deliver Efficient Services<br><input checked="" type="checkbox"/> Cultivate Community Involvement & Access |
| Manage the Resources | <input type="checkbox"/> Maintain Fiscal Strength<br><input type="checkbox"/> Maximize Utilization & Resources<br><input type="checkbox"/> Invest in Infrastructure & Transportation                                                                                                                                                                                                                                          |
| Develop Personnel    | <input type="checkbox"/> Develop a Skilled & Diverse Workforce<br><input type="checkbox"/> 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:

|                                                                 |                                                               |
|-----------------------------------------------------------------|---------------------------------------------------------------|
| <input type="checkbox"/> Newspaper Notice (Required by Statute) | <input type="checkbox"/> Public Hearing (Required by Statute) |
| <input type="checkbox"/> Public Forum/Input Session             | <input type="checkbox"/> Press Release                        |
| <input type="checkbox"/> E-News Distribution                    | <input type="checkbox"/> Website Notice                       |
| <input type="checkbox"/> Social Media (Twitter, Facebook, etc.) | <input type="checkbox"/> Special Mailing                      |
| <input type="checkbox"/> Flyers Posted                          | <input type="checkbox"/> Banners Posted                       |
| <input type="checkbox"/> Survey                                 | <input type="checkbox"/> Automated Phone Call                 |
| <input checked="" type="checkbox"/> None Required               | <input type="checkbox"/>                                      |

Other:

## City of Texarkana, Texas

## Briefing Sheet

Version:  
Update Date: 4/16/2018 12:21 PM

**Lead Department:** City Manager      **Action Officer:** Jennifer Evans, City Secretary  
Resolution No. 2018-050 authorizing approval of SWEPCO interim rate decreases, a 90-day suspension of the proposed effective date for permanent rate decreases to allow for due diligence review, intervention in PUC and related proceedings through Cities Advocating Reasonable Deregulation, and retention of special legal counsel and experts for rate proceedings.

**Subject:** of special legal counsel and experts for rate proceedings.

**Briefing:** 4/23/2018      **Public Hearing:**      **Council Vote:** 4/23/2018

## Item Schedule

## Updates/History of Briefing:

NOT APPLICABLE

## Executive Summary and Background Information:

On April 5, 2018, the City Manager received from SWEPCO a Statement of Intent to decrease its base revenues by approximately \$18 million, which equates to a decrease of approximately 4.9% in base revenue. SWEPCO proposes to implement its proposed decrease in rates effective May 10, 2018, but also seeks approval of its rates on an interim basis beginning May 14, 2018.

SWEPCO's application poses complex regulatory issues primarily driven by the recent change in the federal tax laws, and in particular the Tax Cut and Jobs Act of 2017 ("TCJA") that went into effect on January 1, 2018. The reduction in SWEPCO's federal income tax expense is the basis for SWEPCO's proposed reduction in its rates for utility service. The TCJA resulted in a major change in federal income-tax laws, including a reduction in the corporate, federal-income-tax rate SWEPCO is subject to, going from 35% to 21%. SWEPCO's cost of service is set assuming a federal income tax expense based on a tax rate of 35%, and under the TCJA, the new tax rate is 21%. This means that absent action by the City, SWEPCO would experience a windfall, recovering an expense in rates (based on a tax rate of 35%) that it does not incur.

In SWEPCO's recently completed rate case in Docket No. 46449, the Public Utility Commission of Texas ("PUC") ordered SWEPCO to reduce its rates to pass through to ratepayers the reduction in SWEPCO's federal-income-tax expense. To comply with the PUC's order in Docket No. 46449, SWEPCO filed a Statement of Intent with the City on or about April 4, 2018 to decrease its base revenues. SWEPCO alleges that the reduction in the tax rate from 35% to 21%, results in a reduction in its cost of service of about \$18 million.

*Suspension of Proposed Effective Date*

SWEPCO's application to decrease rates presents unique and complex issues involving not only traditional rate setting, but also federal tax laws. To have time to review SWEPCO's requested rate change, the Council is requested to suspend SWEPCO's proposed effective date for a minimum of ninety (90) days from May 10, 2018. Suspension of SWEPCO's proposed effective date would permit the City to exercise its due diligence with regard to SWEPCO's

## City of Texarkana, Texas

proposed change in rates and allow its special regulatory counsel and experts an opportunity to perform a review of SWEPCO's application and request additional information as necessary to fully evaluate the proposal and determine the most appropriate response. During the suspension period, the City will retain its right to dismiss SWEPCO's Statement of Intent if the City determines that SWEPCO failed to properly invoke the City's jurisdiction, provide adequate notice or resolve matters by agreement with the City. The City can also deny SWEPCO's request and adopt a decrease different than that requested by SWEPCO.

### *Interim Rates*

As part of its request, SWEPCO also seeks approval of its rate decrease on an interim basis. Approving rates on an interim basis means that the rates in place during the suspension period are subject to refund or surcharge, once final action is taken. Interim approval of SWEPCO's proposal is unusual, but so is SWEPCO's request. It is extremely rare for SWEPCO to affirmatively seek a decrease in its rates. Given that SWEPCO proposes a rate decrease, approval on an interim basis is not unreasonable.

### *Representation and City's Participation in "CARD"*

In Resolution Nos. 2017-006 and 2017-044, the City Council authorized the City's participation in the coalition of cities named the "Cities Advocating Reasonable Deregulation" ("CARD") in rate matters involving SWEPCO, including SWEPCO's most recent rate and fuel cases. Over twenty cities are part of CARD, including Atlanta, Henderson, Kilgore, Linden, Longview, Marshall, Mt. Pleasant, and Mt. Vernon. The Council's previous resolutions authorized the retention of the law firm of Herrera Law & Associates, PLLC (through Alfred R. Herrera). The accompanying Resolution reauthorizes retention of Herrera Law & Associates as Special Counsel and reauthorizes the City's continued participation in the CARD coalition.

### *Intervention at the Public Utility Commission of Texas*

SWEPCO filed its Statement of Intent to decrease rates with the City and with the Public Utility Commission of Texas on about April 5, 2018. It is important to participate in the proceedings before the PUCT because its rulings could impact rates within the City. Thus, the accompanying Resolution authorizes intervention in proceedings at the PUCT as well as any appeals taken from the PUCT's decision.

### **Potential Options:**

- Approve the resolution on or before May 10, 2018 (note, however, that the April 23 meeting is the only regular meeting scheduled before that deadline).
- Take no action; and by operation of law, after May 10, 2018, SWEPCO's proposed rates will be deemed approved.

---

### **Fiscal Implications:**

Cities, by statute, are entitled to recover their reasonable rate-case expenses from the utility. Legal counsel and consultants approved by the City will submit monthly invoices to a CARD-designated city (historically, Longview) to serve as the "coordinating" city who will then

## City of Texarkana, Texas

forward invoices to SWEPCO for reimbursement. CARD legal counsel has represented to the City that no individual city's budget is negatively affected. The accompanying resolution directs SWEPCO to reimburse CARD's rate case expenses on a monthly basis based on presentation of invoices from the cities.

### Staff Recommendation:

Staff recommends approval of the resolution, which will accomplish the following:

- 1) A suspension of SWEPCO's proposed effective date for 90 days beyond SWEPCO's proposed effective date or as may be amended by agreement or otherwise;
- 2) An approval of SWEPCO's proposed decrease in rates on an interim basis during the suspension period with an effective date of interim rates of May 14, 2018; and
- 3) The City's continued participation in CARD, intervention in proceedings at the PUCT and any related proceedings and/or appeals, and reauthorized retention of the law firm of Herrera Law & Associates, PLLC to represent the City's interest in matters related to SWEPCO's rate case, advise the City with regard to SWEPCO's application, and to retain consultants subject to approval by the CARD steering committee to assist Special Counsel in its review of SWEPCO's application to decrease rates.

### Advisory Board/Committee Review:

NONE

### Board/Committee Recommendation:

NOT APPLICABLE

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

NOT APPLICABLE

### Attachments

- a. 2018-050 RES SWEPCO-CARD-TJCA-Suspend (jcl rev) (PDF)
- b. 2018-050 Goals & Perspectives (PDF)

### Staff Coordination

|                              |                    |                        |                     |
|------------------------------|--------------------|------------------------|---------------------|
| City Manager                 | Shirley Jaster     | Department Head Review | Completed           |
|                              | 04/19/2018 9:08 AM |                        |                     |
| Deputy City Manager - Review | Kyle Dooley        | Kyle Dooley            | Deputy City Manager |
|                              | Completed          | 04/19/2018 2:58 PM     |                     |
| Public Information Officer   |                    | Lisa Thompson          | PIO Review          |
|                              | 04/19/2018 3:13 PM |                        | Completed           |
| City Manager                 | Shirley Jaster     | City Manager Review    | Completed           |
| 4:41 PM                      |                    |                        | 04/19/2018          |
| City Council                 | Vicky Coopwood     | Meeting                | Pending             |
| 6:00 PM                      |                    |                        | 04/23/2018          |

### Meeting History

**RESOLUTION NO. 2018-050**

**A RESOLUTION OF THE CITY OF TEXARKANA, TEXAS, SUSPENDING THE EFFECTIVE DATE FOR NINETY DAYS IN CONNECTION WITH THE RATE DECREASE FILING OF SOUTHWESTERN ELECTRIC POWER COMPANY MADE ON OR ABOUT APRIL 5, 2018; APPROVING INTERIM RATES SUBJECT TO REFUND; REQUIRING THE REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; AUTHORIZING PARTICIPATION IN THE COALITION OF SIMILARLY SITUATED CITIES; AUTHORIZING INTERVENTION AND PARTICIPATION IN RELATED RATE PROCEEDINGS; AUTHORIZING THE RETENTION OF SPECIAL COUNSEL; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the United States Congress recently enacted the Tax Cut and Jobs Act of 2017 (“TCJA”), which resulted in a major change in federal income-tax laws, including a reduction in the corporate federal income-tax rate from 35% to 21%; and

**WHEREAS**, the Public Utility Commission of Texas (“PUCT”) in Southwestern Electric Power Company’s (“SWEPCO” or the “Company”) recently completed rate case – Docket No. 46449 – ordered SWEPCO to reduce its rates to pass through to ratepayers the reduction in SWEPCO’s federal income-tax expense; and

**WHEREAS**, to comply with the PUCT’s order in Docket No. 46449, SWEPCO filed a Statement of Intent with the City on or about April 5, 2018 to decrease its base revenues; and

**WHEREAS**, SWEPCO’s cost of service is set assuming a federal income tax expense based on a tax rate of 35% and under the TCJA the new tax rate is 21%; and

**WHEREAS**, pursuant to §33.001 of the Public Utility Regulatory Act, the City has exclusive, original jurisdiction over the electric rates, operations, and services provided within city limits by SWEPCO; and

**WHEREAS**, SWEPCO proposes an effective date of May 10, 2018, for its rates, but also proposes to implement its proposed decrease in rates on an interim basis as of May 14, 2018; and

**WHEREAS**, SWEPCO asserts that its proposed decrease in rates would result in a decrease to its base revenues of approximately \$18 million, which equates to a decrease of approximately 4.9% in base revenue; and

**WHEREAS**, an evaluation of SWEPCO's proposal presents a complex series of issues regarding the implementation of the federal Tax Cut and Jobs Act of 2017; and

**WHEREAS**, the City will need an opportunity to exercise its due diligence to complete its review of SWEPCO's filing to enable the City to adopt a final decision as a local regulatory authority with regard to SWEPCO's requested rate decrease; and

**WHEREAS**, the City will require the assistance of specialized legal counsel and rate experts to review the merits of SWEPCO's application to decrease rates, consistent with past actions of the City Council in Resolution Nos. 2017-006 and 2017-044; and

**WHEREAS**, to the extent SWEPCO seeks review at the Public Utility Commission of Texas of the City's final decision regarding SWEPCO's statement of intent to change rates, the decision of the Public Utility Commission of Texas could have an impact on the rates paid by the City and its citizens who are customers of SWEPCO and in order for the City's participation to be meaningful it is important that the City promptly intervene in such proceeding at the Public Utility Commission of Texas.

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

**SECTION 1.** The findings set out in the preceding recitals are in all things approved and incorporated herein as if fully set forth.

**SECTION 2.** SWEPCO's proposed effective date for its proposed decrease in rates is hereby **SUSPENDED** for ninety days beyond SWEPCO's proposed effective date or as may be amended by agreement or otherwise.

**SECTION 3.** SWEPCO's request for interim approval of its rate decrease is **APPROVED** with an effective date of May 14, 2018, or such other effective date that coincides with the effective date for interim rates ordered by the Public Utility Commission of Texas, such interim rates to be charged during the suspension period established in Section 2 and are subject to refund or surcharge as necessary to be consistent with the final approved rates.

**SECTION 4.** The statutory suspension period may be further extended or its Statement of Intent dismissed if SWEPCO does not provide adequate data from which the City may make a reasonable determination of the propriety of the Company's proposal, or if SWEPCO does not provide timely, meaningful, and proper public notice of its request to decrease rates and revenue, or if its Statement of Intent is otherwise materially deficient.

**SECTION 5.** The City authorizes intervention in proceedings related to SWEPCO's Statement of Intent before the Public Utility Commission of Texas and related proceedings in courts of law and participation in the coalition of cities known as Cities Advocating Reasonable Deregulation ("CARD").

**SECTION 6.** The City hereby orders SWEPCO to reimburse the City's rate case expenses as provided in the Public Utility Regulatory Act and that SWEPCO shall do so on a monthly basis and within 30 days after submission of the City's invoices for the City's reasonable costs associated with the City's activities related to this rate review or to related proceedings involving SWEPCO before the City, the Public Utility Commission of Texas, or any court of law.

**SECTION 7.** Subject to the City's right to terminate employment at any time, the City Council retains and authorizes the law firm of Herrera Law & Associates, PLLC, to act as Special Counsel with regard to rate proceedings involving SWEPCO before the City, the Public Utility Commission of Texas, or any court of law, and to retain such experts as may be reasonably necessary for review of SWEPCO's rate application subject to approval by the City.

**SECTION 8.** The City, through its participation in CARD, shall review the invoices of the lawyers and rate experts for reasonableness before submitting the invoices to SWEPCO for reimbursement.

**SECTION 9.** A copy of this resolution shall be sent to SWEPCO's local representative and to Mr. Alfred R. Herrera, Herrera Law & Associates, PLLC, 816 Congress Ave., Suite 950, Austin, Texas 78701.

**SECTION 10.** The meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

**SECTION 11.** This resolution shall become effective from and after its passage and approval.

**PASSED AND APPROVED** in Regular Council Session this the **23<sup>rd</sup> day of April, 2018.**

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  | <input type="checkbox"/> Promote an Environmentally Sensitive & Livable Community<br><input type="checkbox"/> Provide a Safe Community<br><input checked="" type="checkbox"/> Deliver Quality Services<br><input type="checkbox"/> Foster a Healthy Community                                                                                                                                                                 |
| Run the Operations   | <input checked="" type="checkbox"/> Enhance Community Preparedness & Responsiveness<br><input type="checkbox"/> Maximize Partnership Opportunities<br><input type="checkbox"/> Provide Courteous & Responsive Customer Service<br><input type="checkbox"/> Model a Positive City Image<br><input checked="" type="checkbox"/> Deliver Efficient Services<br><input type="checkbox"/> Cultivate Community Involvement & Access |
| Manage the Resources | <input type="checkbox"/> Maintain Fiscal Strength<br><input type="checkbox"/> Maximize Utilization & Resources<br><input type="checkbox"/> Invest in Infrastructure & Transportation                                                                                                                                                                                                                                          |
| Develop Personnel    | <input type="checkbox"/> Develop a Skilled & Diverse Workforce<br><input type="checkbox"/> 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:

|                                                                 |                                                               |
|-----------------------------------------------------------------|---------------------------------------------------------------|
| <input type="checkbox"/> Newspaper Notice (Required by Statute) | <input type="checkbox"/> Public Hearing (Required by Statute) |
| <input type="checkbox"/> Public Forum/Input Session             | <input type="checkbox"/> Press Release                        |
| <input type="checkbox"/> E-News Distribution                    | <input type="checkbox"/> Website Notice                       |
| <input type="checkbox"/> Social Media (Twitter, Facebook, etc.) | <input type="checkbox"/> Special Mailing                      |
| <input type="checkbox"/> Flyers Posted                          | <input type="checkbox"/> Banners Posted                       |
| <input type="checkbox"/> Survey                                 | <input type="checkbox"/> Automated Phone Call                 |
| <input checked="" type="checkbox"/> None Required               | <input type="checkbox"/>                                      |

Other:

## City of Texarkana, Texas

## Briefing Sheet

Version:

Update Date: 4/12/2018 3:29 PM

**Lead Department:** Planning and Community Development **Action Officer:** Debbie Burk,  
Ordinance No. 2018-040 granting a Specific Use Permit to allow the application  
of permanent cosmetics/microblading on Lot 2, Block 1, Richmond Road  
Development Addition, located at 5602 Richmond Road (Suite 108). Curt  
**Subject:** Green, applicant. Chi Do, agent.

**Briefing:** 4/23/2018 **Public Hearing:** 5/14/2018 **Council Vote:** 5/14/2018

## Item Schedule

## Updates/History of Briefing:

NOT APPLICABLE

## Executive Summary and Background Information:

S-685: This is a request by Curt Green, owner, and Chi Do, agent, for a Specific Use Permit, SUP, to allow the location of a permanent cosmetics/microblading business in a tenant space (Suite 108) at 5602 Richmond Road which is Lot 2, Block 1, Richmond Road Development Addition.

The adjacent zoning is General Retail to the north, east and south, and Office to the west across Richmond Road. The adjacent land use is the Sportsplex to the north and east, a bank to the south and vacant land to the west.

The Comprehensive Plan has designated this as a retail area.

This property is zoned General Retail (GR). A Specific Use Permit is required to allow the one additional use of a permanent cosmetics/microblading business which is also considered a "tattoo" per the City's Zoning Ordinance. The State of Texas will regulate this business as to licensing and other health related issues. Several medical facilities and hair salons are now offering this type service for clients.

This request meets all city requirements to allow this one additional use on this property. There should be adequate parking for this business.

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

## Potential Options:

None

## Fiscal Implications:

None

## Staff Recommendation:

## City of Texarkana, Texas

Staff recommends for approval with the following stipulations:

1. That the owner/or any employee performing the application of permanent cosmetics/microblading (tattooing) procedures be currently licensed by the State and meet all Federal, State and City licensing laws and health regulations. (A copy of the current license must be provided to the City prior to the opening of the business).
2. That the Specific Use Permit be intended for the application of permanent cosmetics/microblading only.
3. That if this use ever ceases to exist at this location, the City may revoke the Specific Use Permit.

### Advisory Board/Committee Review:

Planning and Zoning Commission

### Board/Committee Recommendation:

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

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

April 2, 2018

### Attachments

- a. 2018-040 ORD granting SUP at 5602 Richmond Rd. (PDF)
- b. 2018-040 ATTH 01 (maps) (PDF)
- c. 2018-040 ATTH 02 (photo of prop.) (PDF)
- d. 2018-040 Goals & Perspectives (DOCX)

### Staff Coordination

|                                    |                    |                        |
|------------------------------------|--------------------|------------------------|
| Planning and Community Development | David Orr          | Department Head Review |
| Completed                          | 04/15/2018 2:17 PM |                        |
| Deputy City Manager - Kyle Dooley  | Kyle Dooley        | Deputy City Manager    |
| Review                             | Completed          | 04/16/2018 1:38 PM     |
| Public Information Officer         | Lisa Thompson      | PIO Review             |
|                                    | 04/16/2018 1:46 PM | Completed              |
| City Manager                       | Shirley Jaster     | City Manager Review    |
| 10:17 AM                           |                    | Completed              |
| City Council                       | Vicky Coopwood     | Meeting                |
| 6:00 PM                            |                    | Pending                |
|                                    |                    | 04/23/2018             |

### Meeting History

S-685

**ORDINANCE NO. 2018-040**

**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-685 TO ALLOW THE ONE ADDITIONAL USE OF APPLICATION OF PERMANENT COSMETICS/MICROBLADING ON LOT 2, BLOCK 1, RICHMOND ROAD DEVELOPMENT ADDITION, LOCATED AT 5602 RICHMOND ROAD (SUITE 108), IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, an application has been filed with the City of Texarkana, Texas, requesting an Amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the **one additional use of application of permanent cosmetics/microblading** on Lot 2, Block 1, Richmond Road Development Addition, located at 5602 Richmond Road (Suite 108), 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 six (6) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the one additional use of application of permanent cosmetics/microblading** 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-685 for the purpose of allowing the one additional use of application of permanent cosmetics/ microblading** on the following described property, to-wit: **Lot 2, Block 1, Richmond Road Development Addition, located at 5602 Richmond Road (Suite 108), in the City of Texarkana, Bowie County, Texas.**

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

1. That the owner/or any employee performing the application of permanent cosmetics/microblading be currently licensed by the state and meet all federal, state and city licensing laws and health regulations. A copy of the current license must be provided to the City prior to the opening of the business.
2. That the Specific Use Permit be intended for the application of permanent cosmetics and microblading only.
3. That if this use ever ceases to exist at this location, the City may automatically revoke the Specific Use Permit.

**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 **14<sup>th</sup> day of May, 2018.**

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

5602 Richmond Rd. Suite 108  
Department of Planning & Community Development



1:2,500



5602 Richmond Rd. Suite 108  
Department of Planning & Community Development



1:1,500



# Department of Planning and Community Development

5602 Richmond Road (Suite 108)



Attachment: 2018-040 ATTH 02 (photo of prop.) (1821 : 2018-040 ORD granting SUP at 5602 Richmond



## City of Texarkana, Texas

## Developing Perspectives and Goals Pending Approval by the City Council:

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

## Perspectives and Goals Additional Comments:

NONE

## Resource Impact:

NA

No Additional

## Other Potential Impacts:

NA

## Public Information Plan:

|                                     |                                        |                                     |                                      |
|-------------------------------------|----------------------------------------|-------------------------------------|--------------------------------------|
| <input checked="" type="checkbox"/> | Newspaper Notice (Required by Statute) | <input checked="" type="checkbox"/> | Public Hearing (Required by Statute) |
| <input type="checkbox"/>            | Public Forum/Input Session             | <input type="checkbox"/>            | Press Release                        |
| <input type="checkbox"/>            | E-News Distribution                    | <input checked="" type="checkbox"/> | Website Notice                       |
| <input type="checkbox"/>            | Social Media (Twitter, Facebook, etc.) | <input checked="" type="checkbox"/> | Special Mailing                      |
| <input type="checkbox"/>            | Flyers Posted                          | <input type="checkbox"/>            | Banners Posted                       |
| <input type="checkbox"/>            | Survey                                 | <input type="checkbox"/>            | Automated Phone Call                 |
| <input checked="" type="checkbox"/> | None Required                          | <input checked="" type="checkbox"/> | Sign Posted                          |

Other:

## City of Texarkana, Texas

Version:

Update Date: 4/12/2018 3:33 PM

**Briefing Sheet**

**Lead Department:** Planning and Community Development **Action Officer:** Debbie Burk,  
Ordinance No. 2018-041 rezoning a 5.913 acre tract of land in the George  
Brinlee HRS, A-18, located at the dead-end of North Kenwood Road. Single  
Family-2 to General Retail. Walnut Church of Christ, applicant. Kayla Wood,  
**Subject:** MTG Engineering and Surveying, agent.

**Briefing:** 4/23/2018 **Public Hearing:** 5/14/2018 **Council Vote:** 5/14/2018

| Item Schedule |
|---------------|
|               |

**Updates/History of Briefing:**

NOT APPLICABLE

**Executive Summary and Background Information:**

Z-18-7: This is a request by Mike Brewington, representing Walnut Church of Christ, owner, and Kayla Wood, MTG Engineering and Surveying, agent, to rezone an approximate 5.913 acre tract of land in the George Brinlee HRS, A-18, located at the dead end of North Kenwood Road from Single Family-2 to General Retail. This property is currently vacant land.

The adjacent zoning is PD-Commercial to the north, PD-Multiple Family-1 to the east and Single Family-2 to the west and south. The adjacent land use is vacant land to the north and east and residences to the west and south.

The potential buyer of this property, Gregg Orr, is proposing to build a parking lot area for the outside sales, storage and display of automobiles, boats and RV's. See attached proposed layout. It should be noted that North Kenwood Road will have to be extended to provide access to this property.

The applicant should be aware that a 7' screening device is required along the east, south and west property lines where this property abuts to residential zoning.

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

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

**Potential Options:**

None

## City of Texarkana, Texas

### Fiscal Implications:

None

### Staff Recommendation:

The current Comprehensive Plan has designated this area as a low density residential area. The new Comprehensive plan designates this as a mixed-use area. With the recent rezoning of the property immediately to the north to PD-Commercial, this retail zoning for a parking lot could act as a buffer between the Commercially zoned property to the north and the residential properties to the south. Therefore, staff recommends for approval of the request.

### Advisory Board/Committee Review:

Planning and Zoning Commission

### Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of the request.

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

April 2, 2018

### Attachments

- a. 2018-041 ORD Rezoning dead-end of N. Kenwood (PDF)
- b. 2018-041 ATTH 01 (maps) (PDF)
- c. 2018-041 ATTH 02 (proposed layout) (PDF)
- d. 2018-041 Goals & Perspectives (DOCX)

### Staff Coordination

|                                    |                    |                        |
|------------------------------------|--------------------|------------------------|
| Planning and Community Development | David Orr          | Department Head Review |
| Completed                          | 04/15/2018 2:22 PM |                        |
| Deputy City Manager - Kyle Dooley  | Kyle Dooley        | Deputy City Manager    |
| Review                             | Completed          | 04/16/2018 1:45 PM     |
| Public Information Officer         | Lisa Thompson      | PIO Review             |
|                                    | 04/16/2018 1:47 PM | Completed              |
| City Manager                       | Shirley Jaster     | City Manager Review    |
| 1:05 PM                            |                    | Completed              |
| City Council                       | Vicky Coopwood     | Meeting                |
| 6:00 PM                            |                    | Pending                |
|                                    |                    | 04/23/2018             |

### Meeting History

**ORDINANCE NO. 2018-041**

**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 5.913 ACRE TRACT OF LAND IN THE GEORGE BRINLEE HRS, A-18, LOCATED AT THE DEAD-END OF NORTH KENWOOD ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM SINGLE FAMILY-2 TO GENERAL RETAIL; 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 5.913 acre tract of land in the George Brinlee HRS, A-18 (**Exhibit "A"**), located at the dead-end of North Kenwood Road in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to General Retail**; 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 six (6) to zero (0) to recommend the application for rezoning from Single Family-2 to General Retail on a 5.913 acre tract of land in the George Brinlee HRS, A-18 (Exhibit "A"), located at the dead-end of North Kenwood Road to the City Council of Texarkana, Texas; and**

**WHEREAS**, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-2 to General Retail** 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 5.913 acre tract of land in the George Brinlee HRS, A-18 (**Exhibit "A"**), located at the dead end of North Kenwood Road in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to General Retail**.

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

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

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

**PASSED AND APPROVED** in Regular Council Session on this the **14<sup>th</sup> day of May, 2018.**

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

**EXHIBIT 'A'**

All that certain 5.913 acre tract of land, being a part of Lot Numbered One (1) of the Alex Watson Estate 50 acre tract in the George Brinlee Headright Survey, Abstract No. 18, Bowie County, Texas, as shown by Deed of record in Volume 39, Page 476 of the Deed Records of Bowie County, Texas, and described by metes and bounds as follows:

COMMENCING at an iron pipe at the Southwest corner of said Alex Watson Estate 50 acre tract;  
 THENCE East 284.84 feet, along the South boundary line of said Alex Watson 50 acre tract, same being the South boundary line of Lot 1 allotted to Squire Watson, to an iron pin for the Point of Beginning at the Southeast corner of a 0.952 acre tract conveyed to James D. Harris by Deed of record in Volume 610, Page 907 of the Deed Records of Bowie County, Texas;  
 THENCE East 539.59 feet, along the South boundary line of said Lot 1, same being the North boundary line of Kenwood Park Addition, to an iron pipe at the Southwest corner of a 0.492 acre tract conveyed by Paul F. Stanphill and wife, Mary L. Stanphill, to Samuel Lewis Compton by Deed of record in Volume 443, Page 529 of the Deed Records of Bowie County, Texas;

THENCE North 00 deg. 16 min. 59 sec. West 143.00 feet to an iron pin at the Northwest corner of said Compton tract;

THENCE East 150.00 feet to an iron pin at the Northeast corner of said Compton tract;

THENCE South 00 deg. 16 min. 59 sec. East 143.00 feet to an iron pin at the Southeast corner of said Compton tract;

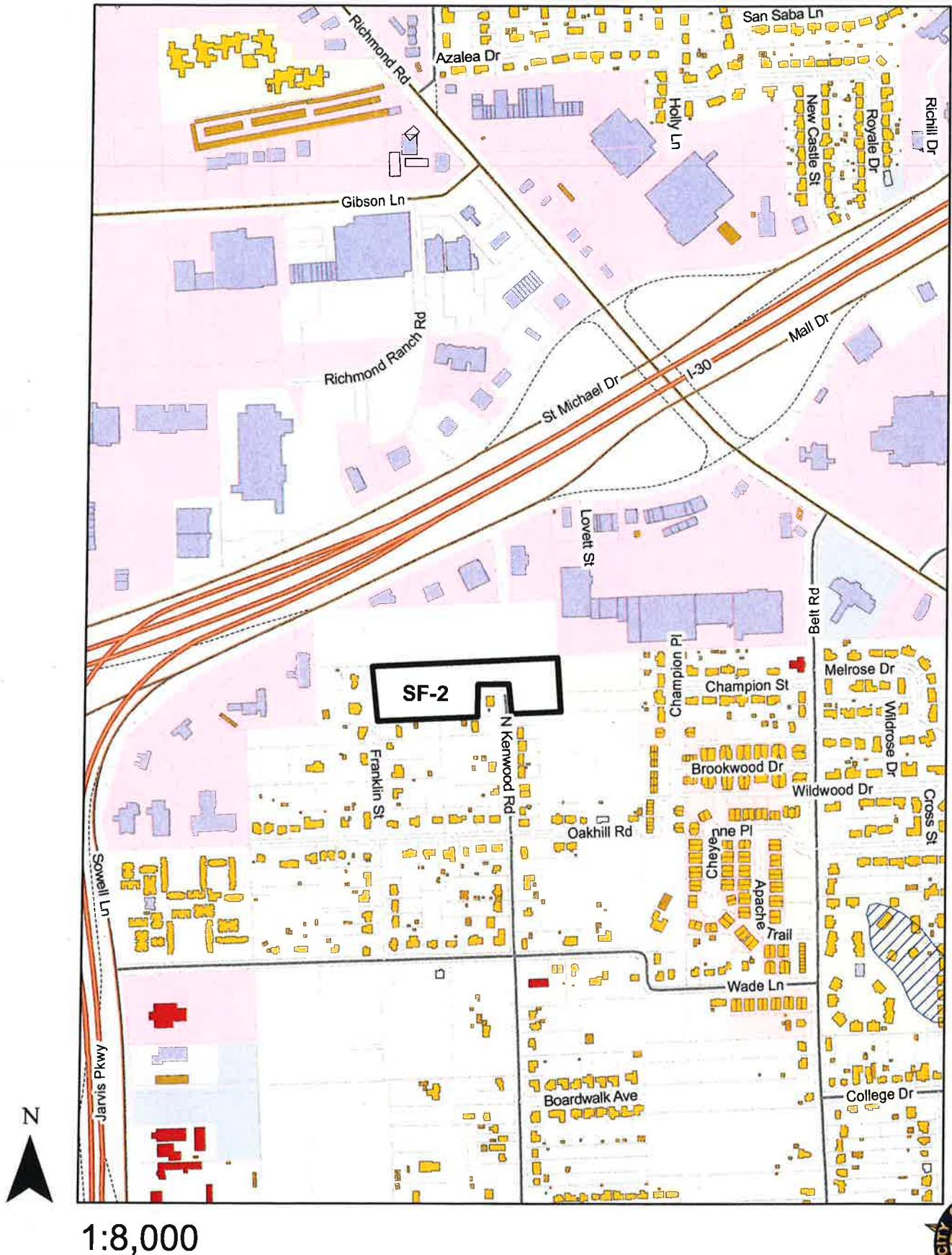
THENCE East 284.41 feet, along the South boundary line of said Lot 1, to an iron pipe at fence corner at the Southeast corner of said Alex Watson 50 acre tract;

THENCE North 00 deg. 24 min. 17 sec. West 287.00 feet, with a fence along the East boundary line of said Alex Watson 50 acre tract, to an iron pipe and fence corner at the Northeast corner of said Lot 1;

THENCE North 89 deg. 51 min. 25 sec. West 967.40 feet, with a fence along the North boundary line of Lot 1, to an iron pipe at the Northeast corner of a 0.952 acre tract conveyed by Paul F. Stanphill to Vern Parke by Deed of record in Volume 498, Page 627 of the Deed Records of Bowie County, Texas;

THENCE South 00 deg. 05 min. 08 sec. East 289.41 feet, along the East boundary line of said Parke and Harris tracts to the Point of Beginning, containing 5.913 acres of land, more or less.

# Department of Planning & Community Development



Attachment: 2018-041 ATTH 01 (maps) (1822 : 2018-041 ORD rezoning at dead-end of N. Kenwood Rd.)

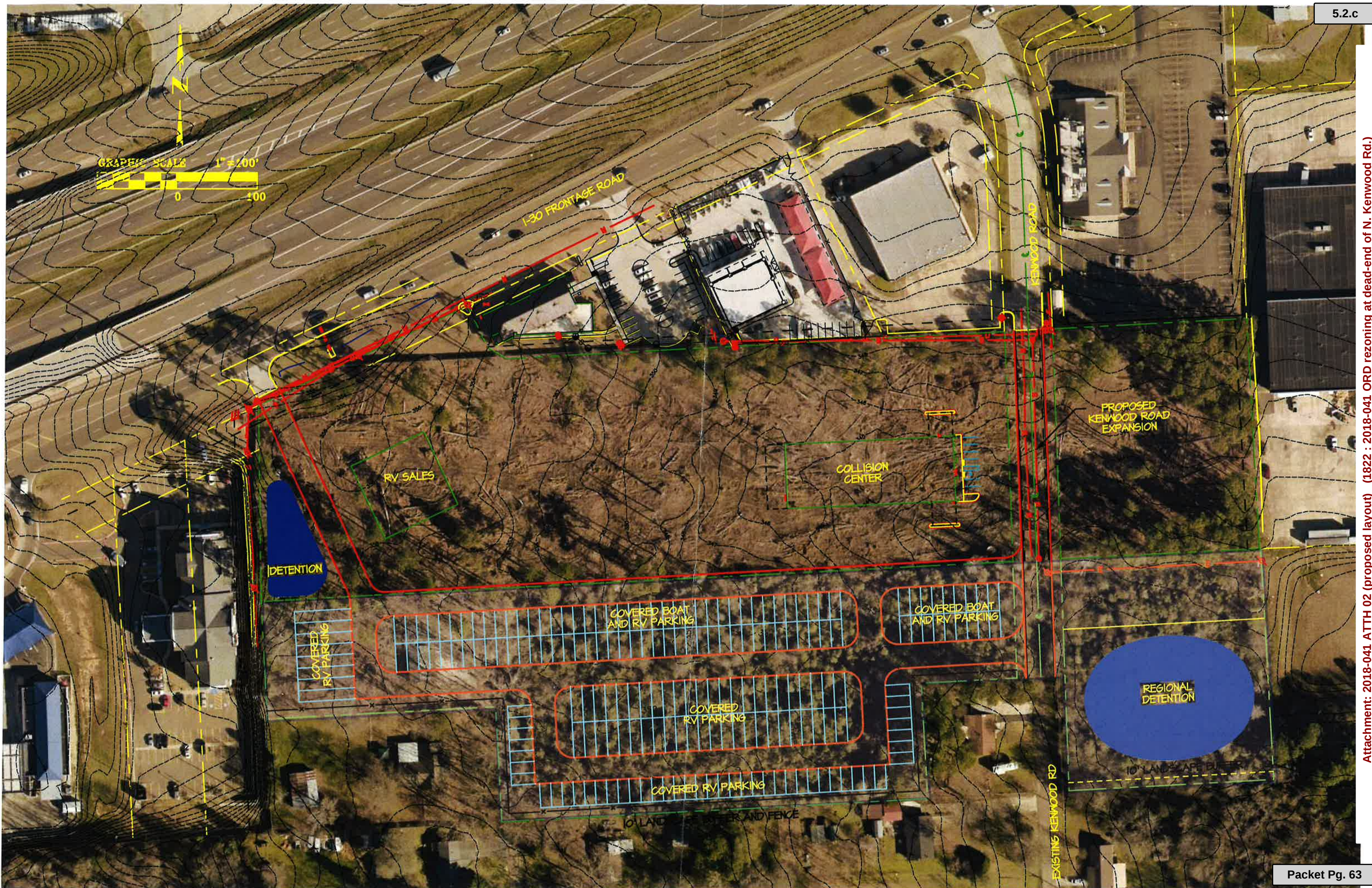


# Department of Planning & Community Development



1:4,000





## City of Texarkana, Texas

## Developing Perspectives and Goals Pending Approval by the City Council:

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

## Perspectives and Goals Additional Comments:

NONE

## Resource Impact:

NA

No Additional

## Other Potential Impacts:

NA

## Public Information Plan:

|                                     |                                        |                                     |                                      |
|-------------------------------------|----------------------------------------|-------------------------------------|--------------------------------------|
| <input checked="" type="checkbox"/> | Newspaper Notice (Required by Statute) | <input checked="" type="checkbox"/> | Public Hearing (Required by Statute) |
| <input type="checkbox"/>            | Public Forum/Input Session             | <input type="checkbox"/>            | Press Release                        |
| <input type="checkbox"/>            | E-News Distribution                    | <input checked="" type="checkbox"/> | Website Notice                       |
| <input type="checkbox"/>            | Social Media (Twitter, Facebook, etc.) | <input checked="" type="checkbox"/> | Special Mailing                      |
| <input type="checkbox"/>            | Flyers Posted                          | <input type="checkbox"/>            | Banners Posted                       |
| <input type="checkbox"/>            | Survey                                 | <input type="checkbox"/>            | Automated Phone Call                 |
| <input checked="" type="checkbox"/> | None Required                          | <input checked="" type="checkbox"/> | Sign Posted                          |

Other:

## City of Texarkana, Texas

## Briefing Sheet

Version:

Update Date: 4/12/2018 3:37 PM

**Lead Department:** Planning and Community Development **Action Officer:** Debbie Burk  
Ordinance No. 2018-042 granting a Specific Use Permit to allow outside sales, storage and display of automobiles, boats and RV's on a 5.913 acre tract of land in the George Brinlee HRS, A-18, located at the dead-end of North Kenwood Road. Walnut Church of Christ, applicant. Kayla Wood, MTG Engineering and Surveying, agent.

**Subject:**

**Briefing:** 4/23/2018 **Public Hearing:** 5/14/2018 **Council Vote:** 5/14/2018

## Item Schedule

## Updates/History of Briefing:

NOT APPLICABLE

## Executive Summary and Background Information:

S-686: This is a request by Mike Brewington, representing Walnut Church of Christ, owner, and Kayla Wood, MTG Engineering and Surveying, agent, for a Specific Use Permit to allow the outdoor sales, storage and display of automobiles, boats and RV's on an approximate 5.913 acre tract of land in the George Brinlee HRS, A-18, located at the dead end of North Kenwood Road. This property is currently vacant land.

The adjacent zoning is PD-Commercial to the north, PD-Multiple Family-1 to the east and Single Family-2 to the west and south. The adjacent land use is vacant land to the north and east and residences to the west and south.

The potential buyer of this property, Gregg Orr, is proposing to build a parking lot area for the outside sales, storage and display of automobiles, boats and RV's. See attached proposed layout. A Specific Use Permit is required to allow this type use.

The applicant should be aware that a 7' screening device is required along the east, south and west property lines where this property abuts to residential zoning.

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

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

## Potential Options:

## City of Texarkana, Texas

None

### **Fiscal Implications:**

None

### **Staff Recommendation:**

The current Comprehensive Plan has designated this area as a low density residential area. However, with the recent rezoning of the property immediately to the north to PD-Commercial, the General Retail zoning with a Specific Use Permit to allow a parking lot could act as a buffer between the Commercially zoned property to the north and the residential properties to the south. Therefore, staff recommends for approval of the request.

### **Advisory Board/Committee Review:**

Planning and Zoning Commission

### **Board/Committee Recommendation:**

The Planning and Zoning Commission unanimously recommended for approval of the request with the following stipulation:

- Any outside lighting be directed downward and shielded away from adjacent residential properties.

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

April 2, 2018

### **Attachments**

- a. 2018-042 ORD granting SUP at dead-end of N. Kenwood Rd. (PDF)
- b. 2018-042 ATTH 01 (maps) (PDF)
- c. 2018-042 ATTH 02 (proposed layout) (PDF)
- d. 2018-042 Goals & Perspectives (DOCX)

### **Staff Coordination**

|                                    |                    |                        |
|------------------------------------|--------------------|------------------------|
| Planning and Community Development | David Orr          | Department Head Review |
| Completed                          | 04/15/2018 2:25 PM |                        |
| Deputy City Manager - Kyle Dooley  | Kyle Dooley        | Deputy City Manager    |
| Review                             | Completed          | 04/16/2018 1:47 PM     |
| Public Information Officer         | Lisa Thompson      | PIO Review             |
|                                    | 04/16/2018 1:48 PM | Completed              |
| City Manager                       | Shirley Jaster     | City Manager Review    |
| 1:08 PM                            |                    | Completed              |
| City Council                       | Vicky Coopwood     | Meeting                |
| 6:00 PM                            |                    | Pending                |
|                                    |                    | 04/23/2018             |

### **Meeting History**

S-686

**ORDINANCE NO. 2018-042**

**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-686 TO ALLOW OUTSIDE SALES, STORAGE AND DISPLAY OF AUTOMOBILES, BOATS AND RV'S ON A 5.913 ACRE TRACT OF LAND IN THE GEORGE BRINLEE HRS, A-18, LOCATED AT THE DEAD-END OF NORTH KENWOOD 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 an Amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow **outside sales, storage and display of automobiles, boats and RV's** on a 5.913 acre tract of land (**Exhibit "A"**) located at the dead-end of North Kenwood Road, in the City of Texarkana, Bowie County, Texas; and

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

**WHEREAS**, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously six (6) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow outside sales, storage and display of automobiles, boats and RV's** 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-686 for the purpose of allowing outside sales, storage and display of automobiles, boats and RV's** on the following described property, to-wit: **A 5.913 acre tract of land in the George Brinlee HRS, A-18 (Exhibit "A") located at the dead-end of North Kenwood Road, in the City of Texarkana, Bowie County, Texas.**

**SECTION 2:** That the following stipulation is hereby imposed and made a part of this Ordinance:

- Any outside lighting be directed downward and shielded away from adjacent residential properties.

**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 **14<sup>th</sup> day of May, 2018.**

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

**EXHIBIT 'A'**

All that certain 5.913 acre tract of land, being a part of Lot Numbered One (1) of the Alex Watson Estate 50 acre tract in the George Brinlee Headright Survey, Abstract No. 18, Bowie County, Texas, as shown by Deed of record in Volume 39, Page 476 of the Deed Records of Bowie County, Texas, and described by metes and bounds as follows:

COMMENCING at an iron pipe at the Southwest corner of said Alex Watson Estate 50 acre tract;  
 THENCE East 284.84 feet, along the South boundary line of said Alex Watson 50 acre tract, same being the South boundary line of Lot 1 allotted to Squire Watson, to an iron pin for the Point of Beginning at the Southeast corner of a 0.952 acre tract conveyed to James D. Harris by Deed of record in Volume 610, Page 907 of the Deed Records of Bowie County, Texas;  
 THENCE East 539.59 feet, along the South boundary line of said Lot 1, same being the North boundary line of Kenwood Park Addition, to an iron pipe at the Southwest corner of a 0.492 acre tract conveyed by Paul F. Stanphill and wife, Mary L. Stanphill, to Samuel Lewis Compton by Deed of record in Volume 443, Page 529 of the Deed Records of Bowie County, Texas;

THENCE North 00 deg. 16 min. 59 sec. West 143.00 feet to an iron pin at the Northwest corner of said Compton tract;

THENCE East 150.00 feet to an iron pin at the Northeast corner of said Compton tract;

THENCE South 00 deg. 16 min. 59 sec. East 143.00 feet to an iron pin at the Southeast corner of said Compton tract;

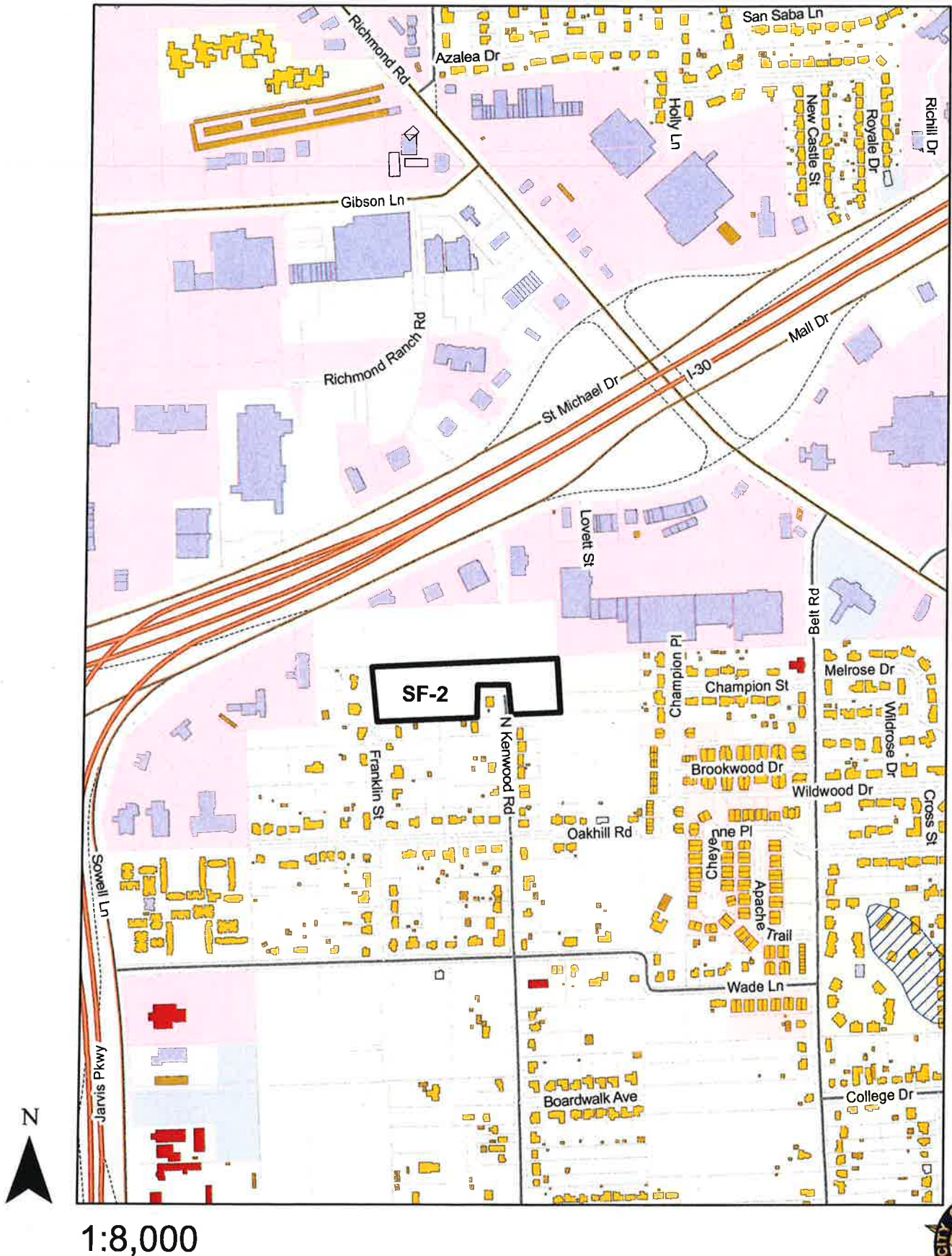
THENCE East 284.41 feet, along the South boundary line of said Lot 1, to an iron pipe at fence corner at the Southeast corner of said Alex Watson 50 acre tract;

THENCE North 00 deg. 24 min. 17 sec. West 287.00 feet, with a fence along the East boundary line of said Alex Watson 50 acre tract, to an iron pipe and fence corner at the Northeast corner of said Lot 1;

THENCE North 89 deg. 51 min. 25 sec. West 967.40 feet, with a fence along the North boundary line of Lot 1, to an iron pipe at the Northeast corner of a 0.952 acre tract conveyed by Paul F. Stanphill to Vern Parke by Deed of record in Volume 498, Page 627 of the Deed Records of Bowie County, Texas;

THENCE South 00 deg. 05 min. 08 sec. East 289.41 feet, along the East boundary line of said Parke and Harris tracts to the Point of Beginning, containing 5.913 acres of land, more or less.

# Department of Planning & Community Development



Attachment: 2018-042 ATTH 01 (maps) (1823 : 2018-042 ORD granting SUP at dead-end of N. Kenwood Rd.)

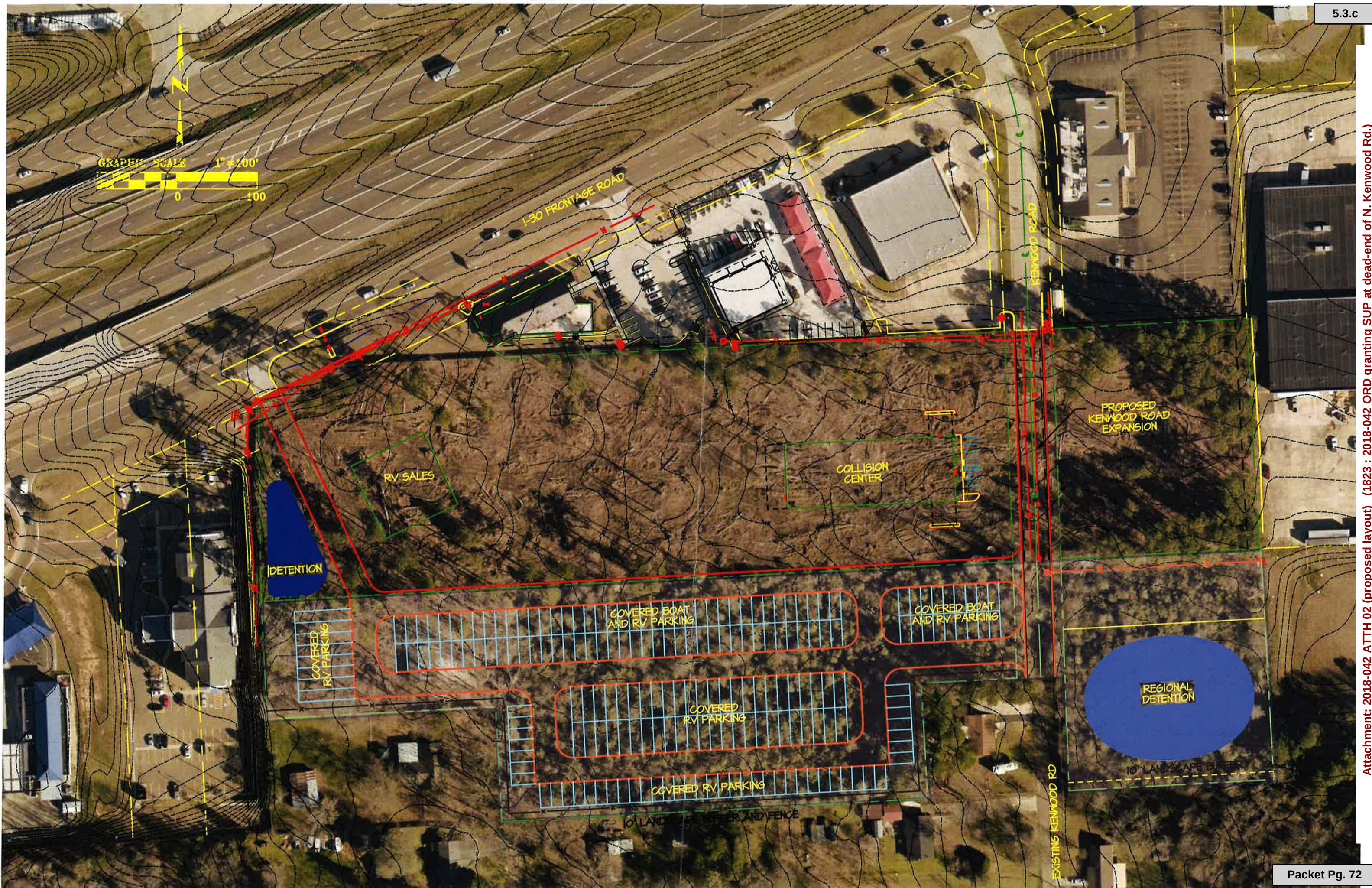


# Department of Planning & Community Development



1:4,000





## City of Texarkana, Texas

## Developing Perspectives and Goals Pending Approval by the City Council:

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

## Perspectives and Goals Additional Comments:

NONE

## Resource Impact:

NA

No Additional

## Other Potential Impacts:

NA

## Public Information Plan:

|                                     |                                        |                                     |                                      |
|-------------------------------------|----------------------------------------|-------------------------------------|--------------------------------------|
| <input checked="" type="checkbox"/> | Newspaper Notice (Required by Statute) | <input checked="" type="checkbox"/> | Public Hearing (Required by Statute) |
| <input type="checkbox"/>            | Public Forum/Input Session             | <input type="checkbox"/>            | Press Release                        |
| <input type="checkbox"/>            | E-News Distribution                    | <input checked="" type="checkbox"/> | Website Notice                       |
| <input type="checkbox"/>            | Social Media (Twitter, Facebook, etc.) | <input checked="" type="checkbox"/> | Special Mailing                      |
| <input type="checkbox"/>            | Flyers Posted                          | <input type="checkbox"/>            | Banners Posted                       |
| <input type="checkbox"/>            | Survey                                 | <input type="checkbox"/>            | Automated Phone Call                 |
| <input checked="" type="checkbox"/> | None Required                          | <input checked="" type="checkbox"/> | Sign Posted                          |

Other:

## City of Texarkana, Texas

## Briefing Sheet

Version:

Update Date: 4/12/2018 3:42 PM

**Lead Department:** Planning and Community Development **Action Officer:** Debbie Burk,  
Ordinance No. 2018-043 rezoning a 0.95 acre tract of land in the George  
Brinlee HRS, A-18, located at the dead-end of Franklin Street. Single Family-2  
to General Retail. Charles Firmin, Jr., applicant. Kayla Wood, MTG  
**Subject:** Engineering and Surveying, agent.

**Briefing:** 4/23/2018 **Public Hearing:** 5/14/2018 **Council Vote:** 5/14/2018

## Item Schedule

## Updates/History of Briefing:

NOT APPLICABLE

## Executive Summary and Background Information:

Z-18-8: This is a request by Charles Firmin, Jr., owner, and Kayla Wood, MTG Engineering and Surveying, agent, to rezone an approximate 0.95 acre tract of land in the George Brinlee HRS, A-18, located at the dead end of Franklin Street from Single Family-2 to General Retail. A residence is currently located on this property.

The adjacent zoning is PD-Commercial to the north, General Retail to the west and Single Family-2 to the east and south. The adjacent land use is vacant land to the north and east, a residence to the south and a hotel to the west.

The potential buyer of this property, Gregg Orr, is proposing to build a parking lot area for the outside sales, storage and display of automobiles, boats and RV's at this location. See attached proposed layout.

The applicant should be aware that a 7' screening device is required along the southern property line where this property abuts to residential zoning.

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

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

## Potential Options:

None

## City of Texarkana, Texas

### Fiscal Implications:

None

### Staff Recommendation:

The current Comprehensive Plan has designated this area as a low density residential area. The new Comprehensive Plan designates this as a mixed-use area. With the recent rezoning of the property immediately to the north to PD-Commercial, this retail zoning for a parking lot could act as a buffer between the Commercially zoned property to the north and the residential properties to the south. Therefore, staff recommends for approval of the request.

### Advisory Board/Committee Review:

Planning and Zoning Commission

### Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of the request.

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

April 2, 2018

### Attachments

- a. 2018-043 ORD rezoning at dead-end of Franklin St. - (PDF)
- b. 2018-043 ATTH 01 (maps) (PDF)
- c. 2018-043 ATTH 02 (proposed layout) (PDF)
- d. 2018-043 Goals & Perspectives (DOCX)

### Staff Coordination

|                                    |                    |                                          |
|------------------------------------|--------------------|------------------------------------------|
| Planning and Community Development | David Orr          | Department Head Review                   |
| Completed                          | 04/15/2018 2:29 PM |                                          |
| Deputy City Manager - Kyle Dooley  | Kyle Dooley        | Deputy City Manager                      |
| Review Completed                   | 04/16/2018 1:49 PM |                                          |
| Public Information Officer         | Lisa Thompson      | PIO Review Completed                     |
|                                    | 04/16/2018 1:53 PM |                                          |
| City Manager                       | Shirley Jaster     | City Manager Review Completed 04/19/2018 |
| 11:55 AM                           |                    |                                          |
| City Council                       | Vicky Coopwood     | Meeting Pending 04/23/2018               |
| 6:00 PM                            |                    |                                          |

### Meeting History

**ORDINANCE NO. 2018-043**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING A 0.95 ACRE TRACT OF LAND IN THE GEORGE BRINLEE HRS, A-18, LOCATED AT THE DEAD-END OF FRANKLIN STREET IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM SINGLE FAMILY-2 TO GENERAL RETAIL; 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 0.95 acre tract of land in the George Brinlee HRS, A-18 (**Exhibit “A”**), located at the dead-end of Franklin Street in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to General Retail**; 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 six (6) to zero (0) to recommend the application for rezoning from Single Family-2 to General Retail on a 0.95 acre tract of land in the George Brinlee HRS, A-18 (Exhibit “A”), located at the dead-end of Franklin Street to the City Council of Texarkana, Texas; and**

**WHEREAS**, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-2 to General Retail** 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 0.95 acre tract of land in the George Brinlee HRS, A-18 (**Exhibit “A”**), located at the dead end of Franklin Street in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to General Retail**.

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

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

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

**PASSED AND APPROVED** in Regular Council Session on this the **14<sup>th</sup> day of May, 2018.**

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

**EXHIBIT 'A'**

All that certain tract or parcel of land situated in the GEORGE BRINLEE HEARDRIGHT SURVEY, Abstract No. 18, Bowie County, Texas, and being a part of the Lot Numbered One (1) of the Alex Watson Estate, 50 acre tract as recorded in Volume 39, Page 476, of the Deed Records of Bowie County, Texas and herein described tract of land being that certain 0.952 acre tract conveyed to Robert A. Porter and wife, Sharla A. Porter by deed recorded in Volume 1628, Pages 322-323 of the Real Property Records of Bowie County, Texas and the subject tract being more particularly described by metes and bounds as follows:

BEGINNING at an iron pipe found for corner in an existing fence line, said point being North, 291.19 feet and West 961.90 feet from the Southeast corner of the

said Alex Watson 50 acre tract and also being North, 1505.08 feet and West 1425.79 feet from the Southeast corner of the said George Brinlee Headright Survey and the said POINT OF BEGINNING also being the Northeast corner of the said 0.952 acre Porter tract;

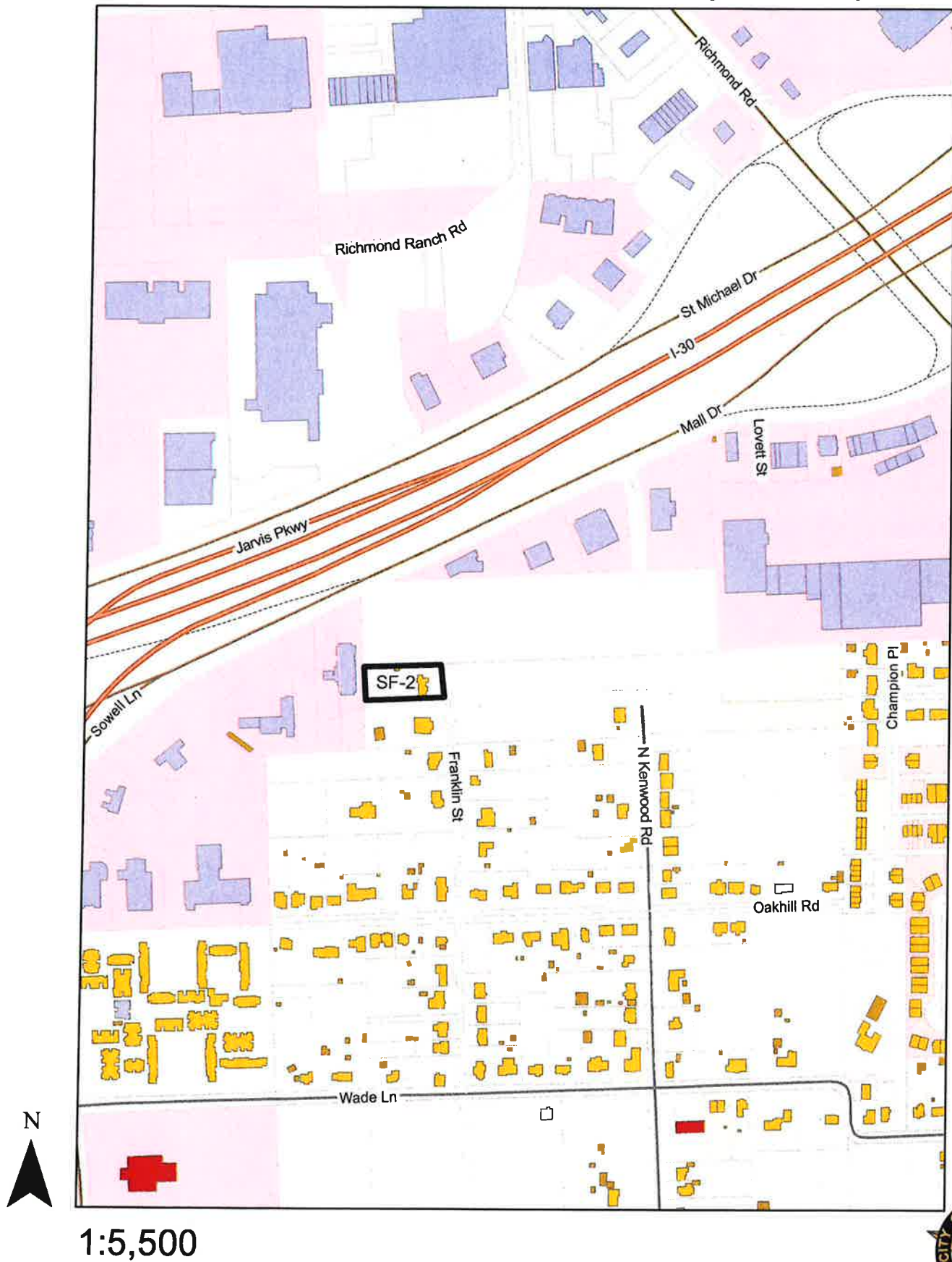
THENCE: S 00° 03' 47" W, 144.88 feet with the approximate centerline of an existing street or road designated as Franklin Drive and with the West boundary line of a certain tract recorded on Volume 1636, Page 10 of the Real Property Records of Bowie County, Texas to a 3/8 inch iron pipe found for corner at the Southeast corner of said 0.952 acre Porter tract and being the Northeast corner of a certain tract conveyed to Vadamae Harris as recorded in Volume 655, Page 629 of the Deed Records of Bowie County, Texas;

THENCE: N 89° 44' 30" W, 285.53 feet with the South boundary line of said 0.952 acre Porter tract and the North boundary line of said Harris tract to a 1 inch pipe found for corner in an existing fence line at the Southwest corner of said Porter tract;

THENCE: N 00° 02' 34' E, 146.06 feet along an existing fence line, being the West boundary line of said 0.952 acre Porter tract and the East line of a certain 7.035 acre tract conveyed to Ann M. Raffaelli by deed recorded in Volume 672, Page 119 of the Deed Records of Bowie County, Texas to a 1 inch pipe found for corner in an existing fence corner at the Northwest corner of said Porter tract;

THENCE: S 89° 30' 19" E, 284.59 feet along an existing fence line, being the North boundary line of said 0.952 acre Porter tract and the South boundary line of a certain 8.084 acre tract recorded in Volume 1954, Page 188 of the Real Property Records of Bowie County, Texas to the POINT OF BEGINNING and containing 0.95 acres of land, more or less.

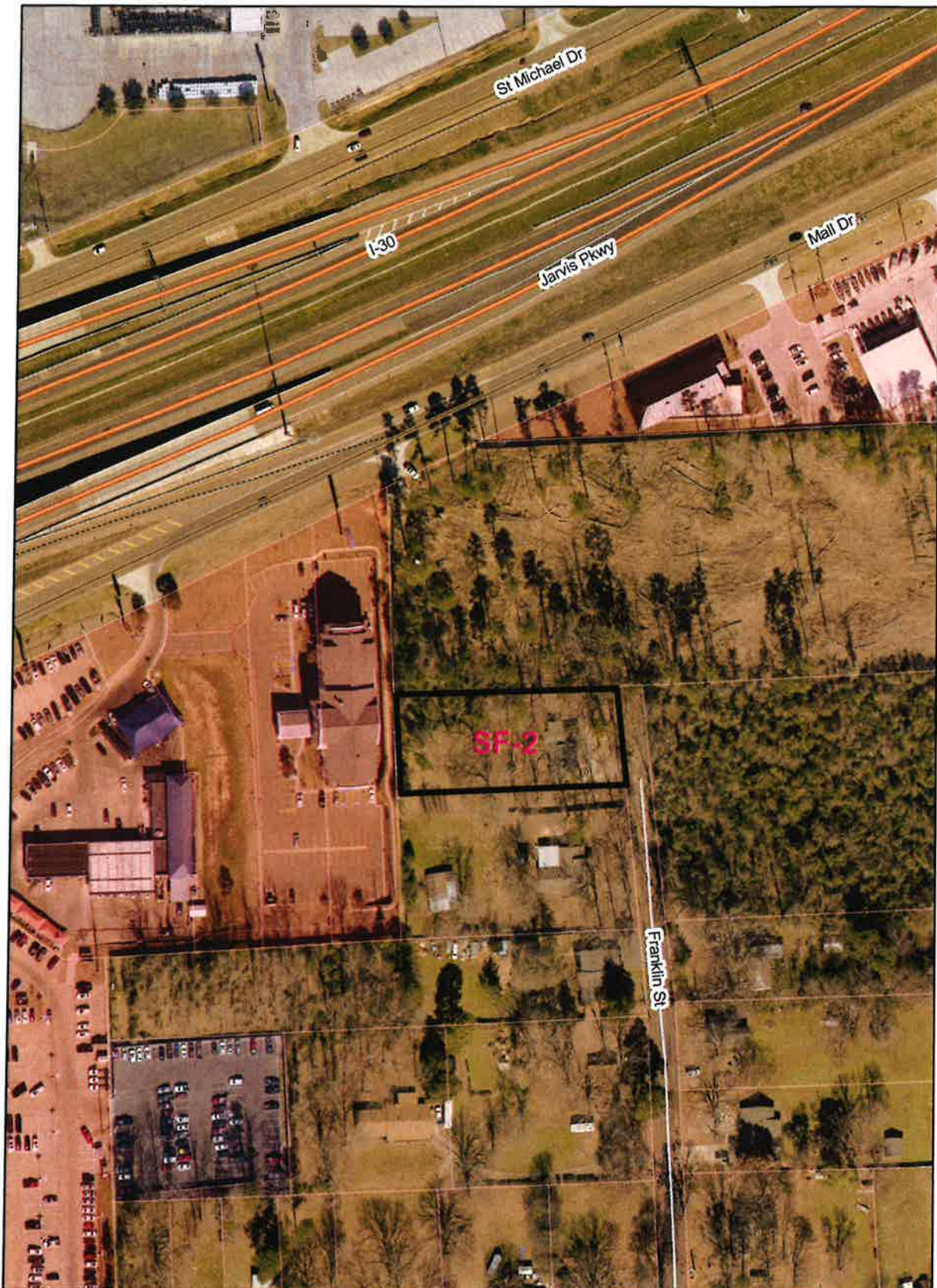
# Department of Planning & Community Development



1:5,500

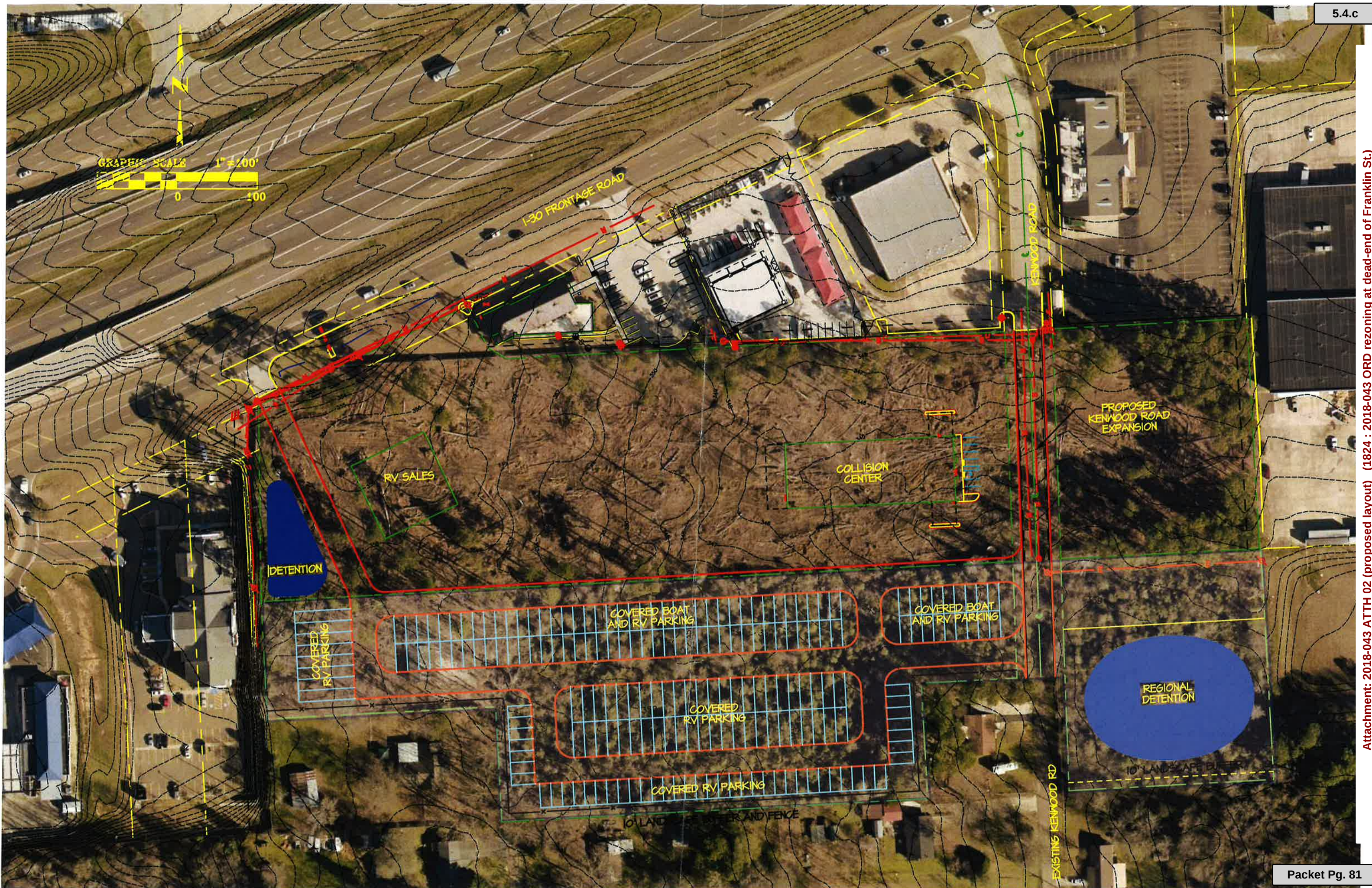


## Department of Planning &amp; Community Development



1:2,000





## City of Texarkana, Texas

## Developing Perspectives and Goals Pending Approval by the City Council:

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

## Perspectives and Goals Additional Comments:

NONE

## Resource Impact:

NA

No Additional

## Other Potential Impacts:

NA

## Public Information Plan:

|                                     |                                        |                                     |                                      |
|-------------------------------------|----------------------------------------|-------------------------------------|--------------------------------------|
| <input checked="" type="checkbox"/> | Newspaper Notice (Required by Statute) | <input checked="" type="checkbox"/> | Public Hearing (Required by Statute) |
| <input type="checkbox"/>            | Public Forum/Input Session             | <input type="checkbox"/>            | Press Release                        |
| <input type="checkbox"/>            | E-News Distribution                    | <input checked="" type="checkbox"/> | Website Notice                       |
| <input type="checkbox"/>            | Social Media (Twitter, Facebook, etc.) | <input checked="" type="checkbox"/> | Special Mailing                      |
| <input type="checkbox"/>            | Flyers Posted                          | <input type="checkbox"/>            | Banners Posted                       |
| <input type="checkbox"/>            | Survey                                 | <input type="checkbox"/>            | Automated Phone Call                 |
| <input checked="" type="checkbox"/> | None Required                          | <input checked="" type="checkbox"/> | Sign Posted                          |

Other:

## City of Texarkana, Texas

## Briefing Sheet

Version:

Update Date: 4/12/2018 3:55 PM

**Lead Department:** Planning and Community Development **Action Officer:** Debbie Burk  
Ordinance No. 2018-044 granting a Specific Use Permit to allow outside sales, storage and display of automobiles, boats and RV's on a 0.95 acre tract of land in the George Brinlee HRS, A-18, located at the dead-end of Franklin Street. Charles Firmin, Jr., applicant. Kayla Wood, MTG Engineering and Surveying, agent.

**Subject:** agent.

**Briefing:** 4/23/2018 **Public Hearing:** 5/14/2018 **Council Vote:** 5/14/2018

## Item Schedule

## Updates/History of Briefing:

NOT APPLICABLE

## Executive Summary and Background Information:

S-687: This is a request by Charles Firmin, Jr., owner, and Kayla Wood, MTG Engineering and Surveying, agent, for a Specific Use Permit to allow the outdoor sales, storage and display of automobiles, boats and RV's on an approximate 0.95 acre tract of land in the George Brinlee HRS, A-18, located at the dead end of Franklin Street. A residence is currently located on this property.

The adjacent zoning is PD-Commercial to the north, General Retail to the west and Single Family-2 to the east and south. The adjacent land use is vacant land to the north and east, a residence to the south and a hotel to the west.

The potential buyer of this property, Gregg Orr, is proposing to build a parking lot area for the outside sales, storage and display of automobiles, boats and RV's at this location. See attached proposed layout. A Specific Use Permit is required to allow this type use.

The applicant should be aware that a 7' screening device is required along the southern property line where this property abuts to residential zoning.

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

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

## Potential Options:

## City of Texarkana, Texas

None

**Fiscal Implications:**

None

**Staff Recommendation:**

The current Comprehensive Plan has designated this area as a low density residential area. However, with the recent rezoning of the property immediately to the north to PD-Commercial, this retail zoning with a Specific Use Permit for a parking lot could act as a buffer between the Commercially zoned property to the north and the residential property to the south. Therefore, staff recommends for approval of the request.

**Advisory Board/Committee Review:**

Planning and Zoning Commission

**Board/Committee Recommendation:**

The Planning and Zoning Commission unanimously recommended for approval of the request with the following stipulation:

- Any outside lighting be directed downward and shielded away from adjacent residential properties.

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

April 2, 2018

**Attachments**

- 2018-044 ORD granting SUP at dead-end of Franklin St. (PDF)
- 2018-044 ATTH 01 (maps) (PDF)
- 2018-044 ATTH 02 (proposed layout) (PDF)
- 2018-044 Goals & Perspectives (DOCX)

**Staff Coordination**

|                                    |                    |                        |
|------------------------------------|--------------------|------------------------|
| Planning and Community Development | David Orr          | Department Head Review |
| Completed                          | 04/15/2018 2:13 PM |                        |
| Deputy City Manager - Kyle Dooley  | Kyle Dooley        | Deputy City Manager    |
| Review                             | Completed          | 04/16/2018 1:50 PM     |
| Public Information Officer         | Lisa Thompson      | PIO Review             |
|                                    | 04/16/2018 1:53 PM | Completed              |
| City Manager                       | Shirley Jaster     | City Manager Review    |
| 11:56 AM                           |                    | Completed              |
| City Council                       | Vicky Coopwood     | Meeting                |
| 6:00 PM                            |                    | Pending                |
|                                    |                    | 04/23/2018             |

**Meeting History**

**City of Texarkana, Texas**

S-687

**ORDINANCE NO. 2018-044**

**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-687 TO ALLOW OUTSIDE SALES, STORAGE AND DISPLAY OF AUTOMOBILES, BOATS AND RV'S ON A 0.95 ACRE TRACT OF LAND IN THE GEORGE BRINLEE HRS, A-18, LOCATED AT THE DEAD-END OF 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 to grant a **Specific Use Permit** to allow **outside sales, storage and display of automobiles, boats and RV's** on a 0.95 acre tract of land (**Exhibit "A"**) located at the dead-end of 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 six (6) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow outside sales, storage and display of automobiles, boats and RV's** 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-687 for the purpose of allowing outside sales, storage and display of automobiles, boats and RV's** on the following described property, to-wit: **A 0.95 acre tract of land in the George Brinlee HRS, A-18 (Exhibit "A") located at the dead-end of 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:

- Any outside lighting be directed downward and shielded away from adjacent residential properties.

**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 **14<sup>th</sup> day of May, 2018.**

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

**EXHIBIT 'A'**

All that certain tract or parcel of land situated in the GEORGE BRINLEE HEARDRIGHT SURVEY, Abstract No. 18, Bowie County, Texas, and being a part of the Lot Numbered One (1) of the Alex Watson Estate, 50 acre tract as recorded in Volume 39, Page 476, of the Deed Records of Bowie County, Texas and herein described tract of land being that certain 0.952 acre tract conveyed to Robert A. Porter and wife, Sharla A. Porter by deed recorded in Volume 1628, Pages 322-323 of the Real Property Records of Bowie County, Texas and the subject tract being more particularly described by metes and bounds as follows:

BEGINNING at an iron pipe found for corner in an existing fence line, said point being North, 291.19 feet and West 961.90 feet from the Southeast corner of the

said Alex Watson 50 acre tract and also being North, 1505.08 feet and West 1425.79 feet from the Southeast corner of the said George Brinlee Headright Survey and the said POINT OF BEGINNING also being the Northeast corner of the said 0.952 acre Porter tract;

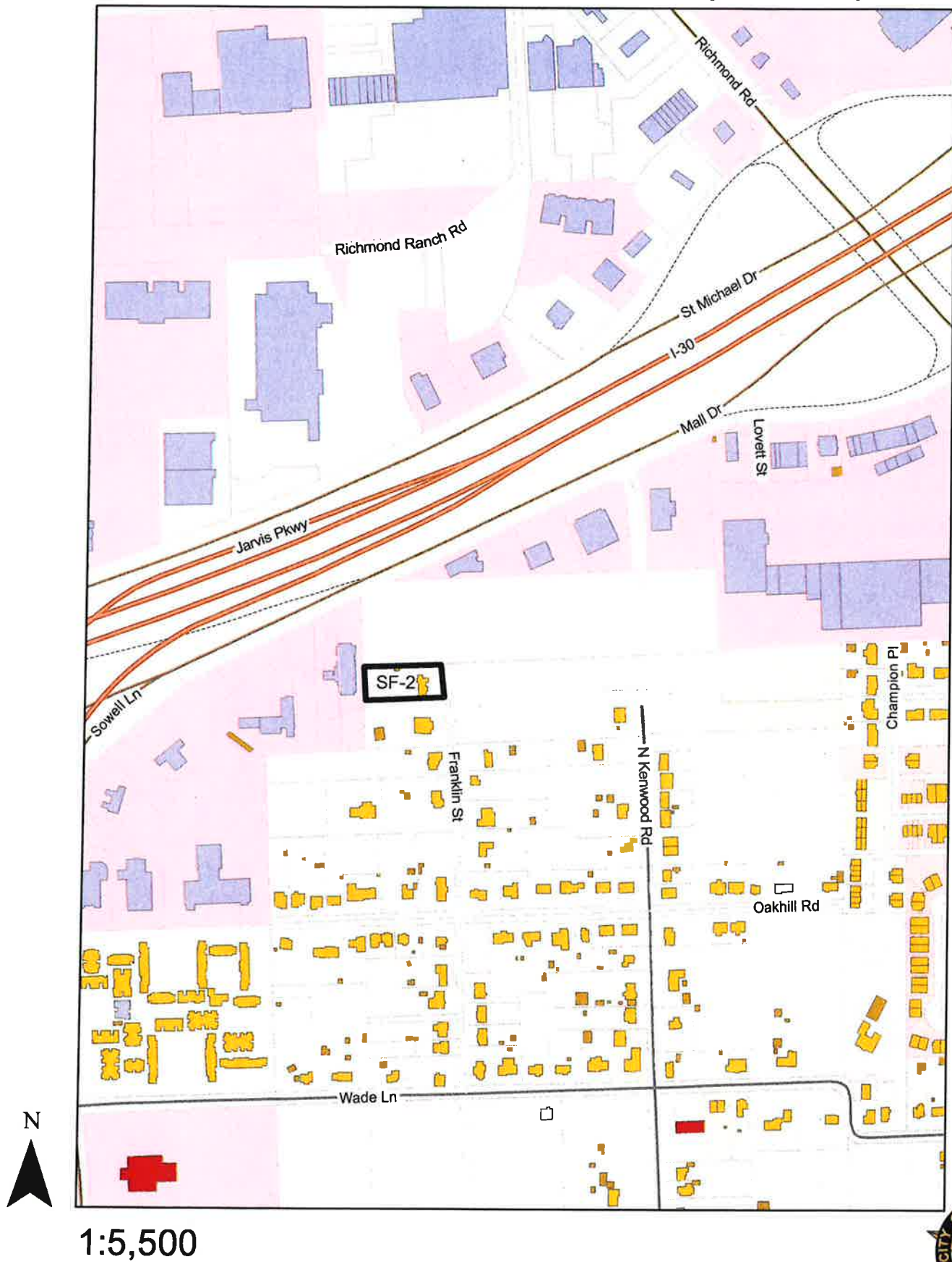
THENCE: S 00° 03' 47" W, 144.88 feet with the approximate centerline of an existing street or road designated as Franklin Drive and with the West boundary line of a certain tract recorded on Volume 1636, Page 10 of the Real Property Records of Bowie County, Texas to a 3/8 inch iron pipe found for corner at the Southeast corner of said 0.952 acre Porter tract and being the Northeast corner of a certain tract conveyed to Vadamae Harris as recorded in Volume 655, Page 629 of the Deed Records of Bowie County, Texas;

THENCE: N 89° 44' 30" W, 285.53 feet with the South boundary line of said 0.952 acre Porter tract and the North boundary line of said Harris tract to a 1 inch pipe found for corner in an existing fence line at the Southwest corner of said Porter tract;

THENCE: N 00° 02' 34' E, 146.06 feet along an existing fence line, being the West boundary line of said 0.952 acre Porter tract and the East line of a certain 7.035 acre tract conveyed to Ann M. Raffaelli by deed recorded in Volume 672, Page 119 of the Deed Records of Bowie County, Texas to a 1 inch pipe found for corner in an existing fence corner at the Northwest corner of said Porter tract;

THENCE: S 89° 30' 19" E, 284.59 feet along an existing fence line, being the North boundary line of said 0.952 acre Porter tract and the South boundary line of a certain 8.084 acre tract recorded in Volume 1954, Page 188 of the Real Property Records of Bowie County, Texas to the POINT OF BEGINNING and containing 0.95 acres of land, more or less.

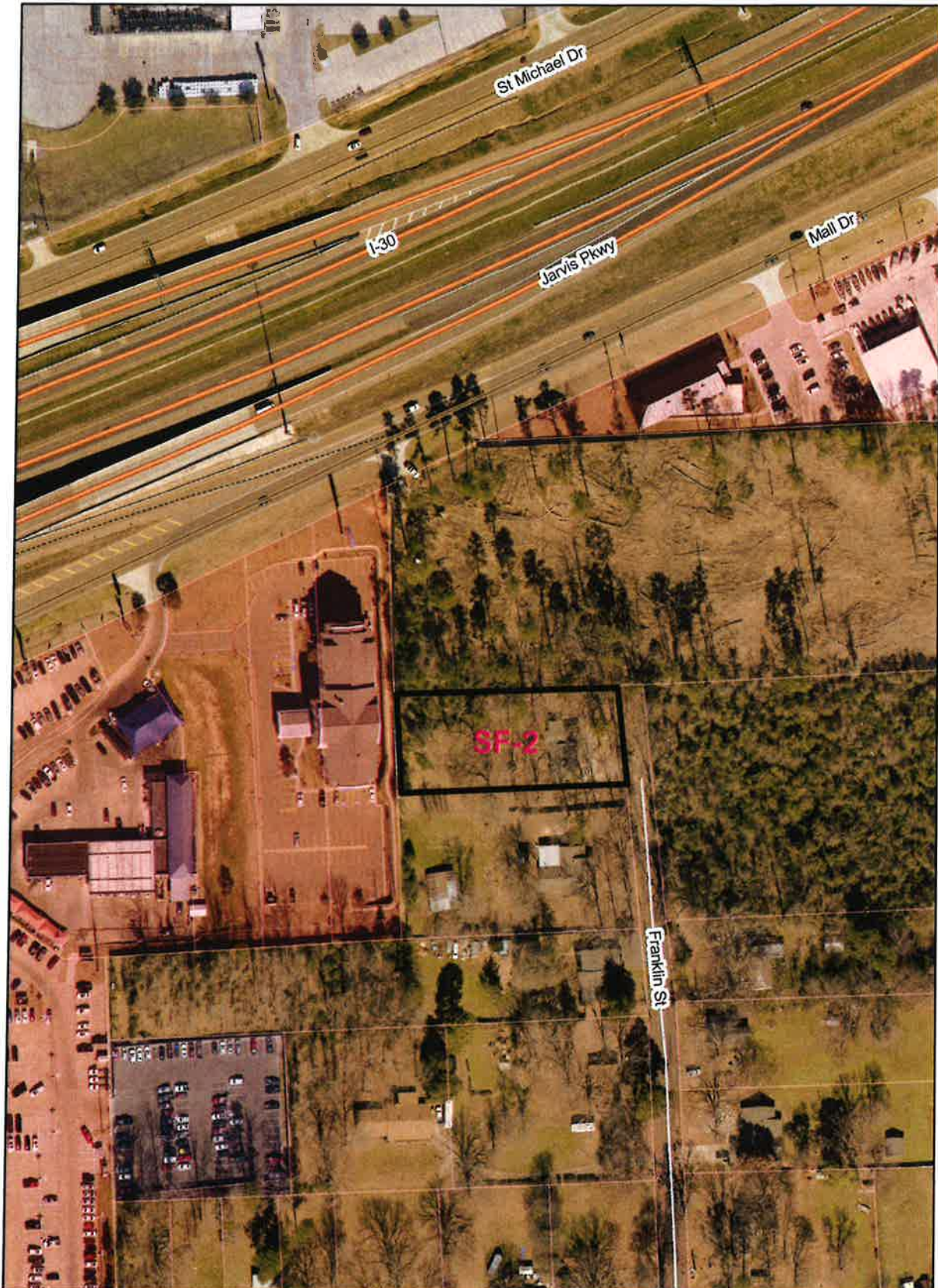
# Department of Planning & Community Development



Attachment: 2018-044 ATTH 01 (maps) (1825 : 2018-044 ORD granting SUP at dead-end of Franklin St.)

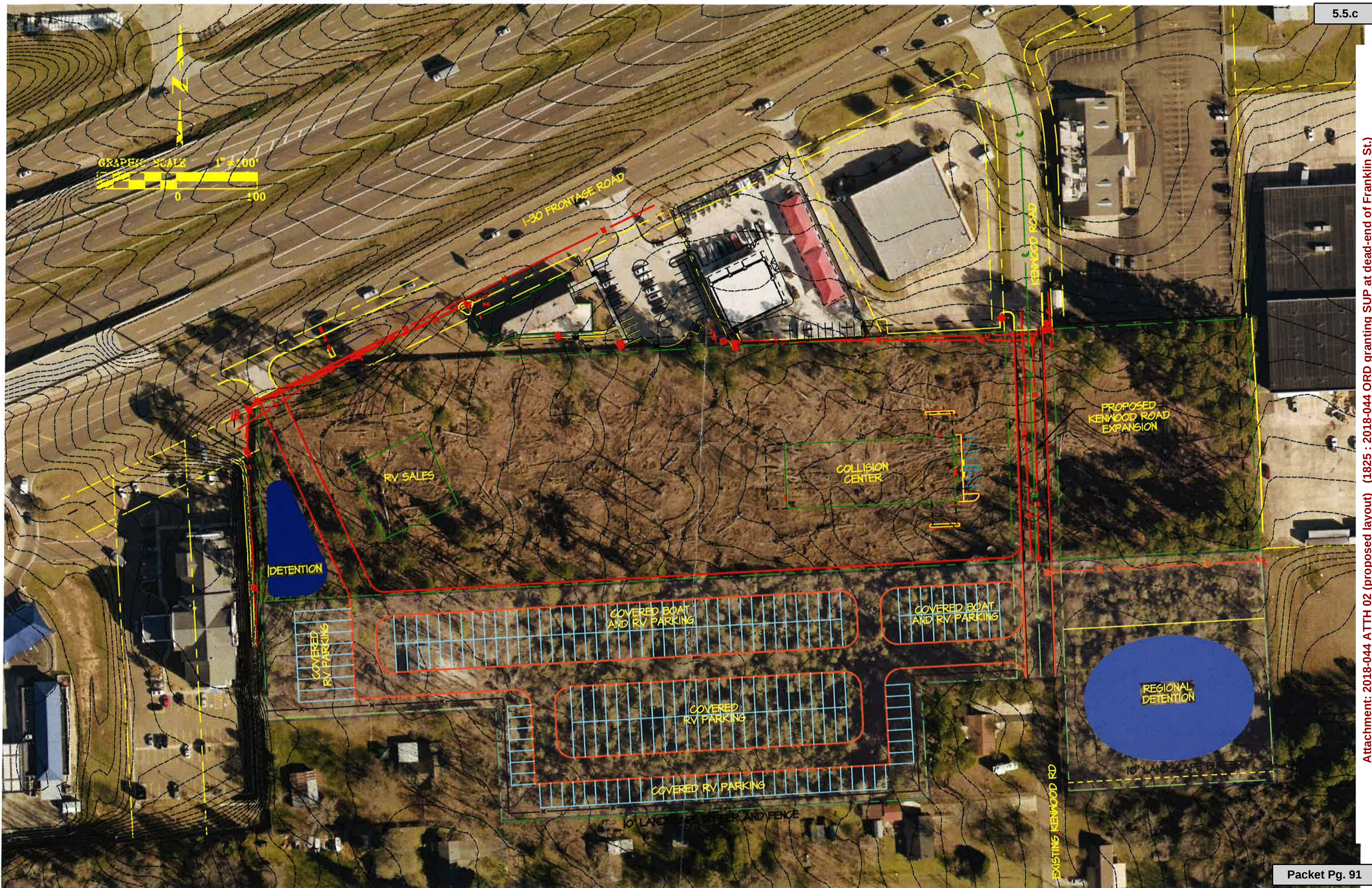


## Department of Planning &amp; Community Development



1:2,000





## City of Texarkana, Texas

## Developing Perspectives and Goals Pending Approval by the City Council:

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

## Perspectives and Goals Additional Comments:

NONE

## Resource Impact:

NA

No Additional

## Other Potential Impacts:

NA

## Public Information Plan:

|                                     |                                        |                                     |                                      |
|-------------------------------------|----------------------------------------|-------------------------------------|--------------------------------------|
| <input checked="" type="checkbox"/> | Newspaper Notice (Required by Statute) | <input checked="" type="checkbox"/> | Public Hearing (Required by Statute) |
| <input type="checkbox"/>            | Public Forum/Input Session             | <input type="checkbox"/>            | Press Release                        |
| <input type="checkbox"/>            | E-News Distribution                    | <input checked="" type="checkbox"/> | Website Notice                       |
| <input type="checkbox"/>            | Social Media (Twitter, Facebook, etc.) | <input checked="" type="checkbox"/> | Special Mailing                      |
| <input type="checkbox"/>            | Flyers Posted                          | <input type="checkbox"/>            | Banners Posted                       |
| <input type="checkbox"/>            | Survey                                 | <input type="checkbox"/>            | Automated Phone Call                 |
| <input checked="" type="checkbox"/> | None Required                          | <input checked="" type="checkbox"/> | Sign Posted                          |

Other:

## City of Texarkana, Texas

## Briefing Sheet

Version:

Update Date: 4/16/2018 12:22 PM

**Lead Department:** Planning and Community Development **Action Officer:** Debbie Burk  
**Subject:** Ordinance No. 2018-045 rezoning a 12.618 acre tract of land in the George Brinlee HRS, A-18, located at 2916 Pleasant Grove Road. Single Family-1 to Neighborhood Service. Aaron Gaylor, applicant.

**Briefing:** 4/23/2018 **Public Hearing:** 5/14/2018 **Council Vote:** 5/14/2018

## Item Schedule

## Updates/History of Briefing:

NOT APPLICABLE

## Executive Summary and Background Information:

Z-18-9: This is a request by Aaron Gaylor, under contract to purchase, to rezone a 12.618 acre tract of land located in the George Brinlee HRS, A-18 from Single Family-1 to Neighborhood Service. The existing use is a vacant commercial building (formerly Forza Motorcars, LTD). This car repair business (Forza) was considered nonconforming since it existed when this property was annexed into the city limits. That business would have required General Retail or Commercial zoning.

The adjacent zoning is Single Family-1 to the north, east and south and General Retail and Single Family-1 to the west. The adjacent land use is vacant land to the east and vacant land and residences to the north, south and west.

The applicant, Mr. Aaron Gaylor, is proposing to open a small fitness center and multi-sport center at this location. Several uses the proposed multi-sport center will provide is karate lessons and an inside and outside soccer practice area.

The applicant should be aware that a 7' screening device is required along the northern, eastern and southern property lines where this property abuts to residential zoning.

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

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

## Potential Options:

None

## City of Texarkana, Texas

---

### Fiscal Implications:

None

### Staff Recommendation:

The current Comprehensive Plan has designated this area as a “mixed use area”. Neighborhood Service zoning is allowed in a mixed-use area. With the construction of an apartment complex and new school on the extension of Gibson Lane to the north of this property, this type use could be an asset to the area and provide a service to the neighborhood. Therefore, staff recommends that this request be approved.

### Advisory Board/Committee Review:

Planning and Zoning Commission

### Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of the request.

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

April 2, 2018

### Attachments

- a. 2018-045 ORD rezoning at 2916 Pleasant Grove Rd. (PDF)
- b. 2018-045 ATTH 01 (maps) (PDF)
- c. 2018-045 ATTH 02 (photo of prop.) (PDF)
- d. 2018-045 Goals & Perspectives (DOCX)

---

### Staff Coordination

|                                    |                    |                        |
|------------------------------------|--------------------|------------------------|
| Planning and Community Development | David Orr          | Department Head Review |
| Completed                          | 04/15/2018 2:32 PM |                        |
| Deputy City Manager - Kyle Dooley  | Kyle Dooley        | Deputy City Manager    |
| Review                             | 04/16/2018 1:52 PM |                        |
| Public Information Officer         | Lisa Thompson      | PIO Review             |
| Completed                          | 04/16/2018 1:53 PM | Completed              |
| City Manager                       | Shirley Jaster     | City Manager Review    |
| 9:14 AM                            |                    | Completed              |
| City Council                       | Vicky Coopwood     | Meeting                |
| 6:00 PM                            |                    | Pending                |
|                                    |                    | 04/23/2018             |

---

### Meeting History

## ORDINANCE NO. 2018-045

**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 12.618 ACRE TRACT OF LAND IN THE GEORGE BRINLEE HRS, A-18, LOCATED AT 2916 PLEASANT GROVE ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM SINGLE FAMILY-1 TO NEIGHBORHOOD SERVICE; 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 12.618 acre tract of land in the George Brinlee HRS, A-18 (**Exhibit “A”**), located at 2916 Pleasant Grove Road in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Neighborhood Service**; 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 six (6) to zero (0) to recommend the application for rezoning from Single Family-1 to Neighborhood Service on a 12.618 acre tract of land in the George Brinlee HRS, A-18 (Exhibit “A”), located at 2916 Pleasant Grove Road** to the City Council of Texarkana, Texas; and

**WHEREAS**, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-1 to Neighborhood Service** 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 12.618 acre tract of land in the George Brinlee HRS, A-18 (**Exhibit “A”**), located at 2916 Pleasant Grove Road in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Neighborhood Service**.

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

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

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

**PASSED AND APPROVED** in Regular Council Session on this the **14<sup>th</sup> day of May, 2018.**

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

**EXHIBIT A**

## Property Description

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PART OF THE GEORGE BRINLEE HEADRIGHT SURVEY, ABSTRACT NO. 18, BOWIE COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND CONVEYED TO HEMP HALL TO JOSEPH D. HOSEY AND KATHERINE F. HOSEY BY WARRANTY DEED RECORDED IN VOLUME 2721, PAGE 255 OF THE REAL PROPERTY RECORDS OF BOWIE COUNTY, TEXAS, AND BEING A PART OF THAT 40 ACRE TRACT OF LAND CONVEYED TO E. T. POUNDS AND WIFE, EFFIE POUNDS BY DEED RECORDED IN VOLUME 129, PAGE 507 OF THE DEED RECORDS OF BOWIE COUNTY, TEXAS, AND THE SUBJECT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED TRY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT LOCATED ON THE EAST RIGHT-OF-WAY OF PLEASANT GROVE ROAD (F. M. HIGHWAY NO. 2878) AT THE NORTHWEST CORNER OF THE ABOVE MENTIONED HOSEY TRACT OF LAND, SAME BEING REFERENCED BY A 1/2" IRON PIN FOUND S 87 DEG. 53' 08" W, 0.42 FEET FROM THE SAME;

THENCE: N 87 DEG. 53' 08" E, 1316.30 FEET WITH THE NORTH LINE OF SAID HOSEY TRACT TO A 1/2" IRON PIN SET FOR CORNER IN A FENCE CORNER AT THE NORTHEAST CORNER OF SAME, SAID CORNER BEING LOCATED ON THE WEST LINE OF A CERTAIN TRACT OF LAND AS CONVEYED TO FRED R. NORTON AS RECORDED IN VOLUME 2259, PAGE 220 OF THE REAL PROPERTY RECORDS OF BOWIE COUNTY, TEXAS;

THENCE: S 01 DEG. 37' 28" E, 188.93 FEET WITH AN OLD FENCE LINE, BEING THE EAST LINE OF SAID HOSEY TRACT OF LAND AND BEING THE WEST LINE OF SAID NORTON TRACT OF LAND TO AN ANGLE POINT FOR CORNER;

THENCE: S 02 DEG. 44' 20" W, 215.72 FEET WITH AN OLD FENCE LINE, BEING THE EAST LINE OF SAID HOSEY TRACT OF LAND AND BEING THE WEST LINE OF SAID NORTON TRACT OF LAND TO A FENCE CORNER FOR CORNER AT THE SOUTHEAST CORNER OF SAID HOSEY TRACT OF LAND;

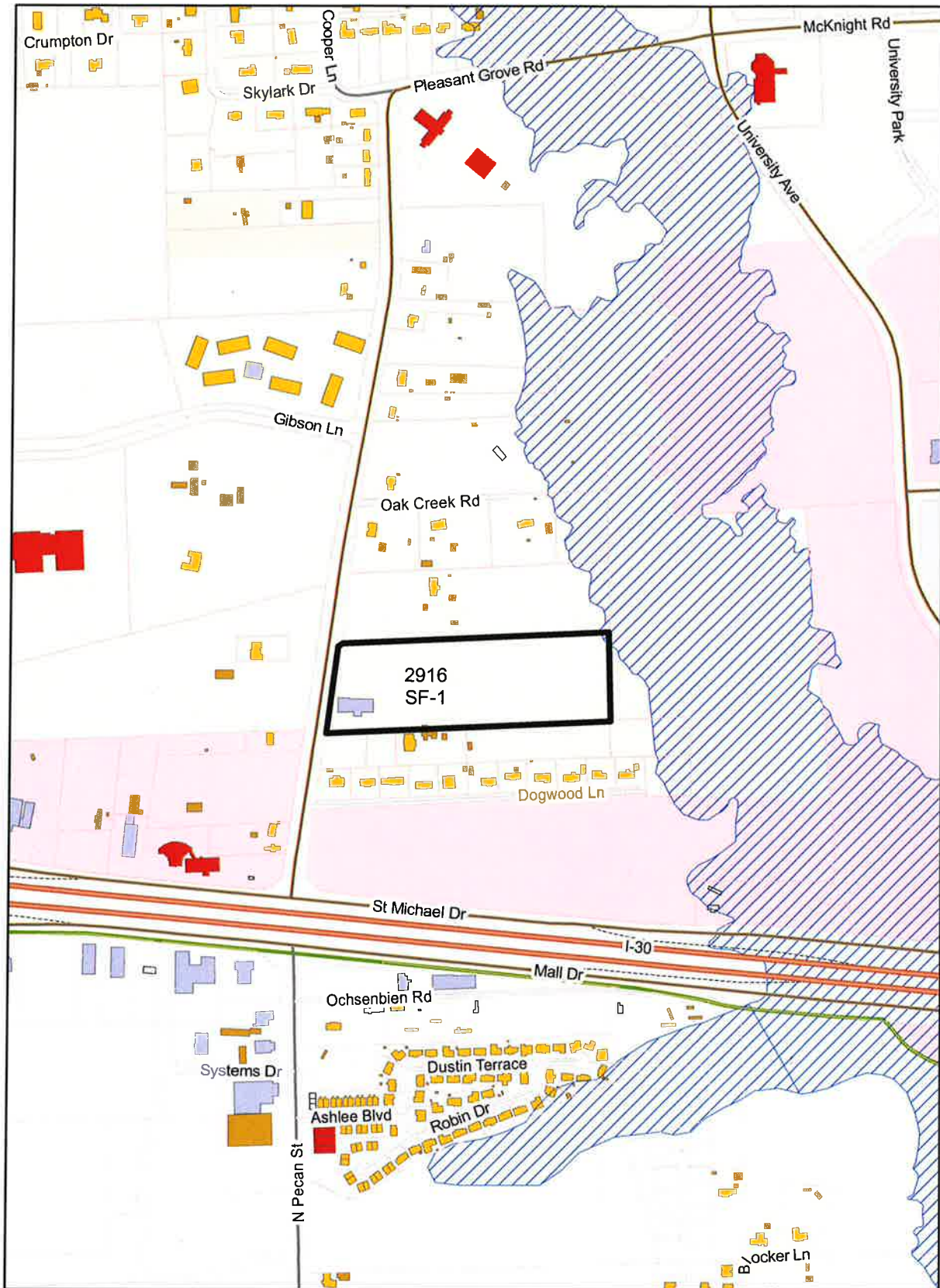
THENCE: S 87 DEG. 48' 12" W, 1385.50 FEET WITH THE SOUTH LINE OF SAID HOSEY TRACT OF LAND TO A 1/2" IRON PIN SET FOR CORNER ON THE EAST RIGHT-OF-WAY LINE OF PLEASANT GROVE ROAD;

THENCE: N 08 DEG. 53' 00" E, 278.72 FEET WITH THE EAST RIGHT-OF-WAY LINE OF PLEASANT GROVE ROAD TO AN ANGLE POINT IN SAME;

THENCE: N 14 DEG. 35' 38" E, 100.50 FEET WITH THE EAST RIGHT-OF-WAY LINE OF PLEASANT GROVE ROAD TO AN ANGLE POINT IN SAME;

THENCE: N 08 DEG. 53' 00" E, 36.68 FEET WITH THE EAST RIGHT-OF-WAY LINE OF PLEASANT GROVE ROAD TO THE POINT OF BEGINNING AND CONTAINING 12.618 ACRES OF LAND, MORE OR LESS.

# 2916 Pleasant Grove Rd. Department of Planning & Community Development



1:8,000



# 2916 Pleasant Grove Rd. Department of Planning & Community Development



1:3,000



# Department of Planning and Community Development

## 2916 Pleasant Grove Road



Attachment: 2018-045 ATTH 02 (photo of prop.) (1826 : 2018-045 ORD rezoning 2916 Pleasant Grove Rd.)



## City of Texarkana, Texas

## Developing Perspectives and Goals Pending Approval by the City Council:

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

## Perspectives and Goals Additional Comments:

NONE

## Resource Impact:

NA

No Additional

## Other Potential Impacts:

NA

## Public Information Plan:

|                                     |                                        |                                     |                                      |
|-------------------------------------|----------------------------------------|-------------------------------------|--------------------------------------|
| <input checked="" type="checkbox"/> | Newspaper Notice (Required by Statute) | <input checked="" type="checkbox"/> | Public Hearing (Required by Statute) |
| <input type="checkbox"/>            | Public Forum/Input Session             | <input type="checkbox"/>            | Press Release                        |
| <input type="checkbox"/>            | E-News Distribution                    | <input checked="" type="checkbox"/> | Website Notice                       |
| <input type="checkbox"/>            | Social Media (Twitter, Facebook, etc.) | <input checked="" type="checkbox"/> | Special Mailing                      |
| <input type="checkbox"/>            | Flyers Posted                          | <input type="checkbox"/>            | Banners Posted                       |
| <input type="checkbox"/>            | Survey                                 | <input type="checkbox"/>            | Automated Phone Call                 |
| <input checked="" type="checkbox"/> | None Required                          | <input checked="" type="checkbox"/> | Sign Posted                          |

Other:

## City of Texarkana, Texas

## Briefing Sheet

Version:

Update Date: 4/12/2018 4:09 PM

**Lead Department:** Planning and Community Development **Action Officer:** Debbie Burk  
**Subject:** Ordinance No. 2018-046 revoking Specific Use Permit No. S-682 that permitted the location of a tattoo studio on part of a 25.334 acre tract in the Eli Moore HRS, A-401, located at 2729 New Boston Road (Suite 110A). City of Texarkana, Texas, applicant.

**Briefing:** 4/23/2018 **Public Hearing:** 5/14/2018 **Council Vote:** 5/14/2018

## Item Schedule

## Updates/History of Briefing:

NOT APPLICABLE

## Executive Summary and Background Information:

Revoke S-682: This is a request by the City of Texarkana, Texas to revoke a Specific Use Permit that was approved in January, 2018 to allow the location of a tattoo studio in a tenant space (Suite 110 A) in the Oaklawn Village Shopping Center, 2729 New Boston Road (part of a 25.334 acre tract of land in the Eli Moore HRS, A-401). That tattoo studio never opened for business.

The adjacent zoning is General Retail to the north, south, east and west. The adjacent land use is retail businesses to the north, east and west (Shorty's Donuts) and a parking lot to the south.

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

## Potential Options:

None

## Fiscal Implications:

None

## Staff Recommendation:

Staff recommends that the Specific Use Permit be revoked. An application for a tattoo studio in another tenant space in Oaklawn Village Shopping Center is on the agenda for consideration.

## Advisory Board/Committee Review:

Planning and Zoning Commission

## Board/Committee Recommendation:

## City of Texarkana, Texas

The Planning and Zoning Commission unanimously recommended for approval of the request.

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

April 2, 2018

### Attachments

- a. 2018-046 ORD revoking S-682 (PDF)
- b. 2018-046 ATTH 01 (maps) (PDF)
- c. 2018-046 Goals & Perspectives (DOCX)

### Staff Coordination

|                                    |                               |                        |
|------------------------------------|-------------------------------|------------------------|
| Planning and Community Development | David Orr                     | Department Head Review |
| Completed                          | 04/15/2018 2:34 PM            |                        |
| Deputy City Manager - Kyle Dooley  | Kyle Dooley                   | Deputy City Manager    |
| Review Completed                   | 04/16/2018 1:52 PM            |                        |
| Public Information Officer         | Lisa Thompson                 | PIO Review Completed   |
|                                    | 04/16/2018 1:53 PM            |                        |
| City Manager Shirley Jaster        | City Manager Review Completed | 04/18/2018             |
| 10:15 AM                           |                               |                        |
| City Council Vicky Coopwood        | Meeting Pending               | 04/23/2018             |
| 6:00 PM                            |                               |                        |

### Meeting History

Revoke S-682

**ORDINANCE NO. 2018-046**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, REVOKING SPECIFIC USE PERMIT NO. S-682 THAT PERMITTED THE LOCATION OF A TATTOO STUDIO ON PART OF A 25.334 ACRE TRACT OF LAND IN THE ELI MOORE HRS, A-401, LOCATED AT 2729 NEW BOSTON ROAD (SUITE 110 A) IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, by Ordinance No. 2017-122, dated January 8, 2018, the City Council approved the issuance of Specific Use Permit No. S-682 that **permitted the location of a tattoo studio** on part of a 25.334 acre tract in the Eli Moore HRS, A-401, located at 2729 New Boston Road (Suite 110A) 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 six (6) to zero (0) to recommend** to the City Council of Texarkana, Texas, that **Specific Use Permit No. S-682 be revoked** on said property; and

**WHEREAS**, after consideration of said application and the recommendation by the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby determine that the **tattoo studio for which the Council granted Specific Use Permit No. S-682 under Ordinance No. 2017-122 never opened for business and that Specific Use Permit No. S-682 should be revoked** in accordance with the special terms and conditions therein.

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

**SECTION 1:** That Specific Use Permit No. S-682 permitting the location of a tattoo studio on part of a 25.334 acre tract in the Eli Moore HRS, A-401, located at 2729 New Boston Road (Suite 110A) in the City of Texarkana, Bowie County, Texas, **be and is hereby revoked**.

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

**SECTION 3:** It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then

Attachment: 2018-046 ORD revoking S-682 (1827 : 2018-046 ORD revoking SUP)

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 **14<sup>th</sup> day of May 2018**.

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

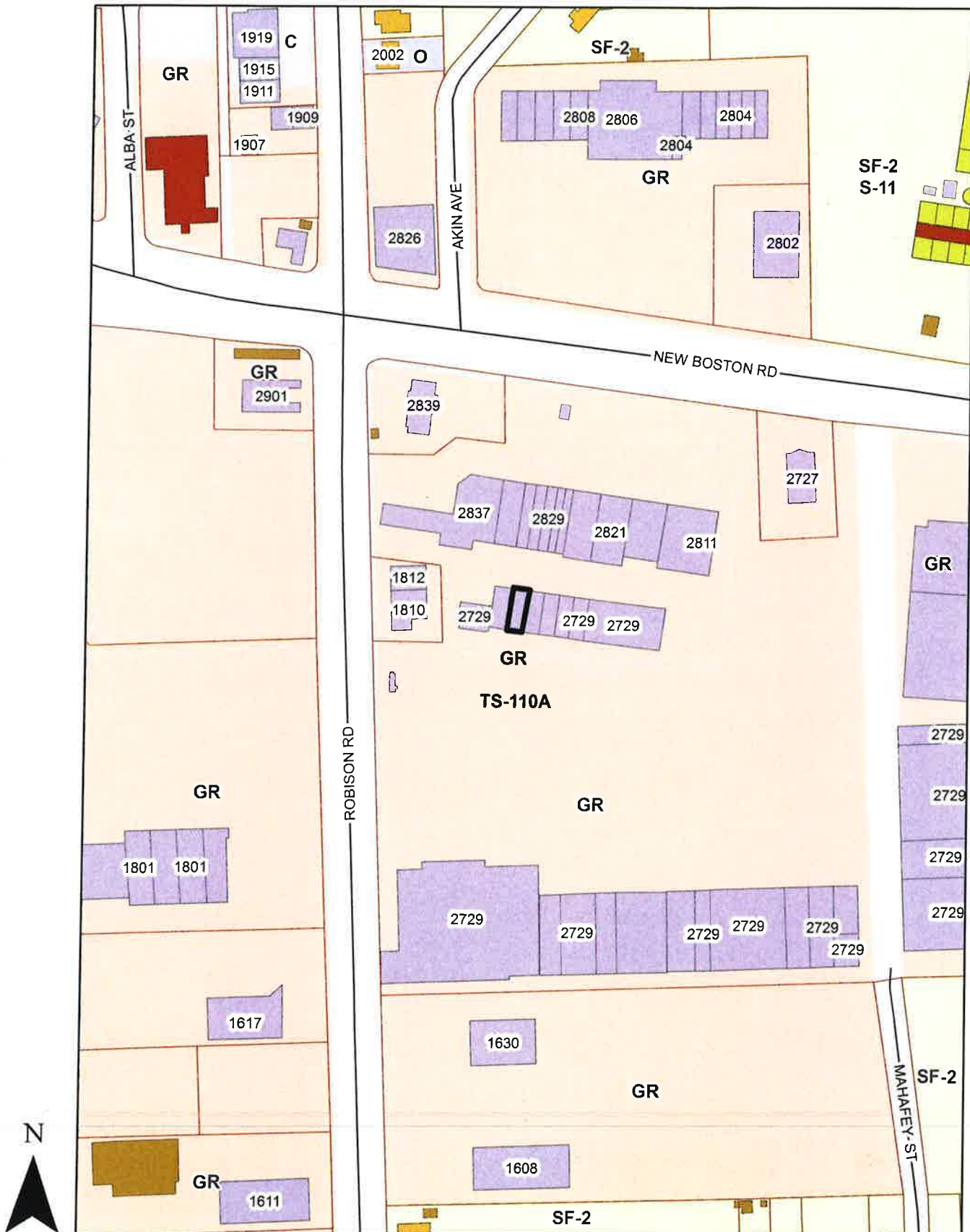
\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

Attachment: 2018-046 ORD revoking S-682 (1827 : 2018-046 ORD revoking SUP)

# Oaklawn Shopping Center 110A

## Dept. of Planning and Community Development

5.7.b



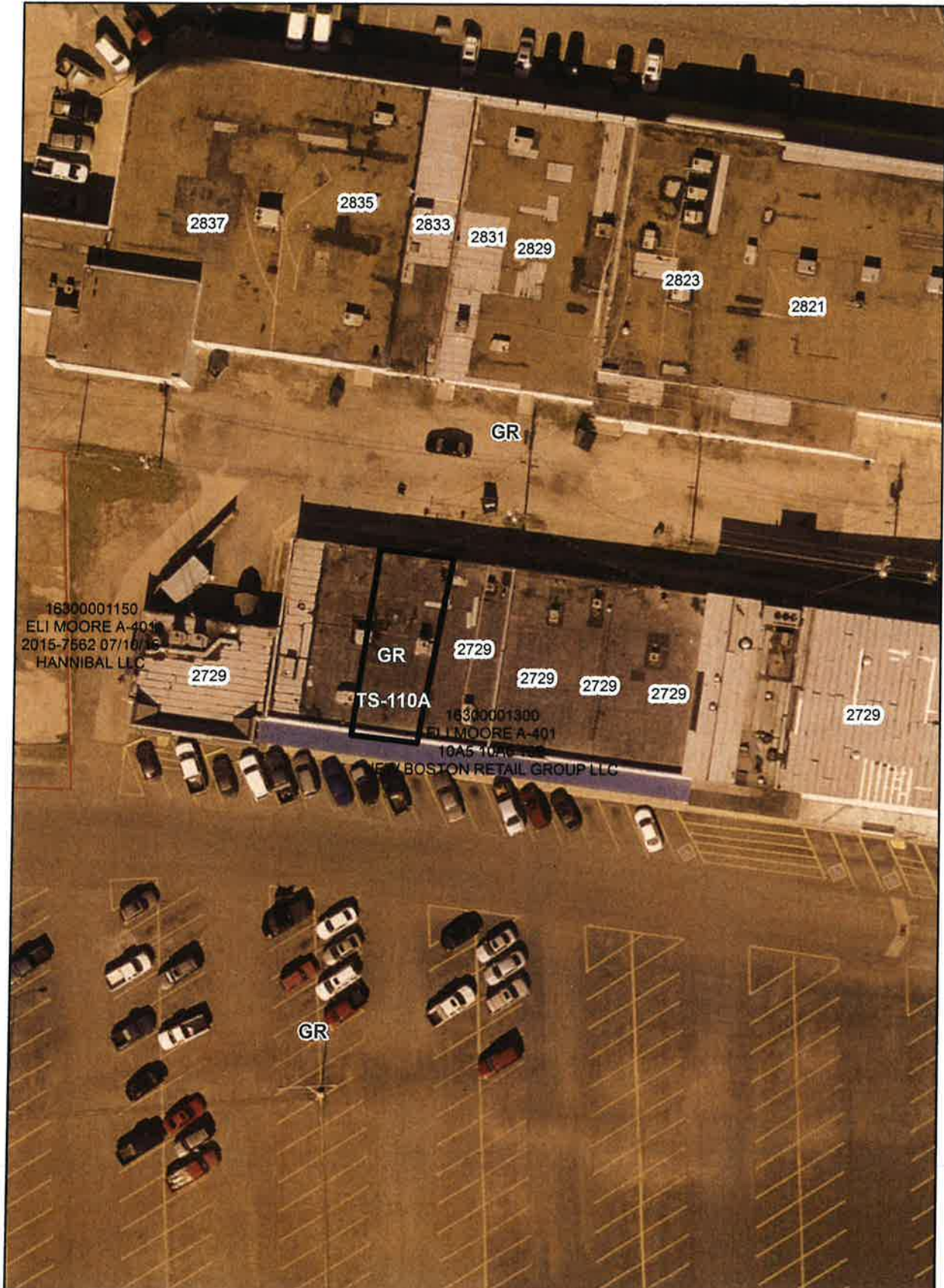
1:2,500

Attachment: 2018-046 ATTH 01 (maps) (1827 : 2018-046 ORD revoking SUP)



# Oaklawn Shopping Center 110A

## Dept. of Planning and Community Development



Attachment: 2018-046 ATTH 01 (maps) (1827 : 2018-046 ORD revoking SUP)



1:600



## City of Texarkana, Texas

## Developing Perspectives and Goals Pending Approval by the City Council:

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

## Perspectives and Goals Additional Comments:

NONE

## Resource Impact:

NA

No Additional

## Other Potential Impacts:

NA

## Public Information Plan:

|                                     |                                        |                                     |                                      |
|-------------------------------------|----------------------------------------|-------------------------------------|--------------------------------------|
| <input checked="" type="checkbox"/> | Newspaper Notice (Required by Statute) | <input checked="" type="checkbox"/> | Public Hearing (Required by Statute) |
| <input type="checkbox"/>            | Public Forum/Input Session             | <input type="checkbox"/>            | Press Release                        |
| <input type="checkbox"/>            | E-News Distribution                    | <input checked="" type="checkbox"/> | Website Notice                       |
| <input type="checkbox"/>            | Social Media (Twitter, Facebook, etc.) | <input checked="" type="checkbox"/> | Special Mailing                      |
| <input type="checkbox"/>            | Flyers Posted                          | <input type="checkbox"/>            | Banners Posted                       |
| <input type="checkbox"/>            | Survey                                 | <input type="checkbox"/>            | Automated Phone Call                 |
| <input checked="" type="checkbox"/> | None Required                          | <input checked="" type="checkbox"/> | Sign Posted                          |

Other:

## City of Texarkana, Texas

## Briefing Sheet

Version:  
Update Date: 4/19/2018 10:07 AM

**Lead Department:** Planning and Community Development **Action Officer:** Debbie Burk,  
Ordinance No. 2018-047 granting a Specific Use Permit to allow the location of  
a tattoo studio on part of a 25.334 acre tract in the Eli Moore HRS, A-18,  
located at 2827 New Boston Road. New Boston Retail Group, LLC, applicant.  
**Subject:** David Dukes, agent.

**Briefing:** 4/23/2018 **Public Hearing:** 5/14/2018 **Council Vote:** 5/14/2018

| Item Schedule |
|---------------|
|               |

### Updates/History of Briefing:

NOT APPLICABLE

### Executive Summary and Background Information:

S-688: This is a request by New Boston Retail Group, LLC, owner, and David Dukes, agent, for a Specific Use Permit, SUP, to allow the location of a tattoo studio in a tenant space at 2827 New Boston Road (in the Oaklawn Village Shopping Center being a part of a 25.334 acre tract of land in the Eli Moore HRS, A-401).

A tattoo studio was previously approved in another tenant space in January, 2018. That tattoo studio never opened and is being revoked.

The adjacent zoning is General Retail to the north, south, east and west. The adjacent land use is retail businesses to the north, south, east and west.

This property is zoned General Retail (GR). A Specific Use Permit is required to allow the one additional use of a tattoo studio in this zoning district. The State of Texas will regulate this business as to licensing and other health related issues.

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

### Potential Options:

None

### Fiscal Implications:

None

### Staff Recommendation:

## City of Texarkana, Texas

This request meets all city requirements to allow the one additional use of a tattoo studio on this property. There is adequate parking for this business. Staff recommends for approval with the following stipulations:

1. That the owner/or any employee performing the application of tattooing procedures be currently licensed by the State and meet all Federal, State and City licensing laws and health regulations. (A copy of the current license must be provided to the City prior to the opening of the business).
2. That if any complaints concerning minors or any violations of the regulations listed above occur, the City has the right to revoke the Specific Use Permit.
3. That if this use ever ceases at this location, the City may revoke the Specific Use Permit that allows a tattoo studio.
4. That the sale of tobacco products or drug paraphernalia is prohibited.
5. The hours of operation will be Sunday thru Thursday – 1:00 p.m. to 10: 00 p.m. and Friday and Saturday – 1:00 p.m. to 1:00 a.m.
6. Any remodeling of the current building must meet all city codes and requires licensed contractors.
7. No painting of the windows or the building with advertisement or graphic art.
8. No loitering allowed.

### Advisory Board/Committee Review:

Planning and Zoning Commission

### Board/Committee Recommendation:

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

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

April 2, 2018

### Attachments

- a. 2018-047 ATTH 01 (maps) (PDF)
- b. 2018-047 ORD granting SUP for tattoo studio (PDF)
- c. 2018-047 ATTH 02 (photo of prop.) (PDF)
- d. 2018-047 Goals & Perspectives (DOCX)

### Staff Coordination

|                                    |                    |                               |
|------------------------------------|--------------------|-------------------------------|
| Planning and Community Development | David Orr          | Department Head Review        |
| Completed                          | 04/15/2018 2:36 PM |                               |
| Deputy City Manager - Kyle Dooley  | Kyle Dooley        | Deputy City Manager           |
| Review Completed                   | 04/16/2018 1:53 PM |                               |
| Public Information Officer         | Lisa Thompson      | PIO Review Completed          |
|                                    | 04/16/2018 1:54 PM |                               |
| City Manager                       | Shirley Jaster     | City Manager Review Completed |
| 9:10 AM                            |                    | 04/19/2018                    |

**City of Texarkana, Texas**

City Council  
6:00 PM

Vicky Coopwood

Meeting

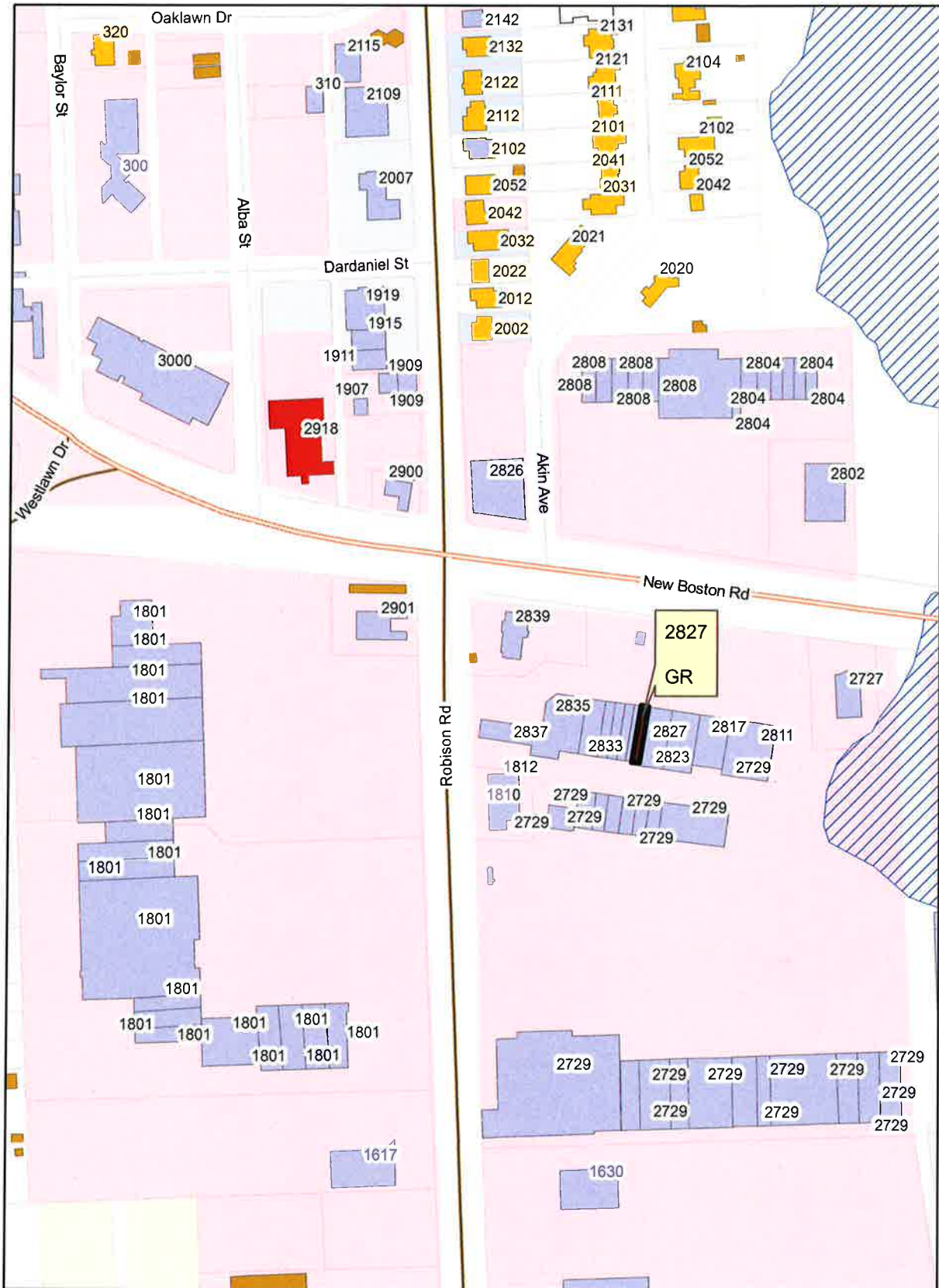
Pending

04/23/2018

---

**Meeting History**

# 2827 New Boston Rd. Department of Planning & Community Development



1:3,000



2827 New Boston Rd.  
Department of Planning & Community Development



1:1,000

Attachment: 2018-047 ATTH 01 (maps) (1828 : 2018-047 granting SUP at 2827 New Boston Rd.)



S-688

## ORDINANCE NO. 2018-047

**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-688 TO ALLOW THE ONE ADDITIONAL USE OF A TATTOO STUDIO ON PART OF A 25.334 ACRE TRACT OF LAND IN THE ELI MOORE HRS, A-401, LOCATED AT 2827 NEW BOSTON 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 an Amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the **one additional use of a tattoo studio** on part of a 25.334 acre tract of land in the Eli Moore HRS, A-401, located at 2827 New Boston Road in the City of Texarkana, Bowie County, Texas; and

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

**WHEREAS**, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously six (6) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the one additional use of a tattoo studio** on said property; and

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

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

**SECTION 1:** That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant a **Specific Use Permit Numbered S-688 for allowing the one additional use of a tattoo studio** at 2827 New Boston Road in the City of Texarkana, Bowie County, Texas.

Attachment: 2018-047 ORD granting SUP for tattoo studio (1828 : 2018-047 granting SUP at 2827 New Boston Rd.)

**SECTION 2:** That the following special terms and conditions are hereby imposed and made part of this Ordinance:

1. That the owner/or any employee performing the application of tattooing procedures be currently licensed by the State and meet all Federal, State and City licensing laws and health regulations. (A copy of the current license must be provided to the City prior to the opening of the business).
2. That if any complaints concerning minors or any violations of the regulations listed above occur, the City has the right to revoke the Specific Use Permit.
3. That if this use ever ceases at this location, the City may revoke the Specific Use Permit that allows a tattoo studio.
4. That the sale of tobacco products or drug paraphernalia is prohibited.
5. The hours of operation will be Sunday thru Thursday – 1:00 p.m. to 10: 00 p.m. and Friday and Saturday – 1:00 p.m. to 1:00 a.m.
6. Any remodeling of the current building must meet all city codes and requires licensed contractors.
7. No painting of the windows or the building with advertisement or graphic art.
8. No loitering allowed.

**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 **14<sup>th</sup> day of May, 2018.**

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

# Department of Planning and Community Development

2827 New Boston Road



Attachment: 2018-047 ATTH 02 (photo of prop.) (1828 : 2018-047 granting SUP at 2827 New Boston Rd.)



## City of Texarkana, Texas

## Developing Perspectives and Goals Pending Approval by the City Council:

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

## Perspectives and Goals Additional Comments:

NONE

## Resource Impact:

NA

No Additional

## Other Potential Impacts:

NA

## Public Information Plan:

|                                     |                                        |                                     |                                      |
|-------------------------------------|----------------------------------------|-------------------------------------|--------------------------------------|
| <input checked="" type="checkbox"/> | Newspaper Notice (Required by Statute) | <input checked="" type="checkbox"/> | Public Hearing (Required by Statute) |
| <input type="checkbox"/>            | Public Forum/Input Session             | <input type="checkbox"/>            | Press Release                        |
| <input type="checkbox"/>            | E-News Distribution                    | <input checked="" type="checkbox"/> | Website Notice                       |
| <input type="checkbox"/>            | Social Media (Twitter, Facebook, etc.) | <input checked="" type="checkbox"/> | Special Mailing                      |
| <input type="checkbox"/>            | Flyers Posted                          | <input type="checkbox"/>            | Banners Posted                       |
| <input type="checkbox"/>            | Survey                                 | <input type="checkbox"/>            | Automated Phone Call                 |
| <input checked="" type="checkbox"/> | None Required                          | <input checked="" type="checkbox"/> | Sign Posted                          |

Other:

## City of Texarkana, Texas

## Briefing Sheet

Version:  
Update Date: 4/16/2018 10:11 AM

**Lead Department:** Water Utilities      **Action Officer:** Pam White,  
**Subject:** Resolution No. 2018-038 approving the City of Texarkana, Texas Water  
Conservation & Drought Contingency Plan.

**Briefing:** 4/23/2018      **Public Hearing:** 4/23/2018      **Council Vote:** 5/14/2018

## Item Schedule

Schedule 3: No briefing required (one week)

## 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 State of Texas also requires municipal water systems providing water service to 3,300 or more connections to submit a water conservation and drought contingency plan (Title 30, Texas Administrative Code, §288.2 & §288.20). The Texas Commission on Environmental Quality (TCEQ) reviews the water conservation and drought contingency plans approximately every five (5) years. The original plan for the City of Texarkana, Texas was approved by the City Council on January 27, 1997. The current plan was approved by the City Council in December 2012. Upon review of the current plan and TCEQ's current requirements, the Utility staff made some minor modifications to the current plan. Information about water use data, the Utility's new billing software and conservation water rates were added to the plan.

## Potential Options:

- None

## Fiscal Implications:

None

## Staff Recommendation:

The Utility staff recommends approval of the water conservation and drought contingency plan.

## Advisory Board/Committee Review:

NONE

## Board/Committee Recommendation:

NOT APPLICABLE

## Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

**City of Texarkana, Texas**

## Attachments

- a. 2018-038 RES Water Conservation & Drought Plan (DOC)
- b. 2018-038 ATTH 01 Contingency Plan (PDF)
- c. 2018-038 Goals & Perspectives (DOCX)

## Staff Coordination

|                              |                                     |                                   |                     |            |
|------------------------------|-------------------------------------|-----------------------------------|---------------------|------------|
| Water Utilities              | JD Phillips<br>03/27/2018 2:19 PM   | Department Head Review            | Completed           |            |
| Water Utilities              | JD Phillips<br>03/27/2018 2:19 PM   | Water Utilities Review            | Completed           |            |
| TWU Finance<br>2:29 PM       | Jim Cornelius                       | TWU Finance Review                | Completed           | 03/27/2018 |
| Deputy City Manager - Review | Kyle Dooley<br>Completed            | Kyle Dooley<br>03/28/2018 8:50 AM | Deputy City Manager |            |
| Public Information Officer   | Lisa Thompson<br>03/28/2018 8:52 AM | PIO Review                        | Completed           |            |
| City Manager<br>5:13 PM      | Shirley Jaster                      | City Manager Review               | Completed           | 04/04/2018 |
| City Council<br>6:00 PM      | Jennifer Evans                      | Meeting                           | Completed           | 04/09/2018 |

## Meeting History

04/09/18 City Council MOVED FORWARD Next: 04/23/18  
J. D. Phillips briefed this agenda item.

## RESOLUTION NO. 2018-038

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE CITY OF TEXARKANA, TEXAS WATER CONSERVATION & DROUGHT CONTINGENCY PLAN; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Texas Administrative Code, Title 30, Chapter 288 - Water Conservation Plans, Drought Contingency Plans, Guidelines and Requirements requires municipal and wholesale water providers to prepare and approve a water conservation and drought contingency plan; and

**WHEREAS**, Texarkana, Texas, water and sewer staff has previously prepared and maintained a Water Conservation and Drought Contingency Plan for the City of Texarkana, Texas; and

**WHEREAS**, the City of Texarkana's current approved water conservation and drought contingency plan was updated to meet current TCEQ requirements, **ATTH 01**.

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

**SECTION 1:** The proposed City of Texarkana Water Conservation & Drought Contingency Plan, **ATTH 01**, 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 **29<sup>th</sup> day of May, 2018**.

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

# CITY OF TEXARKANA, TEXAS WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

Name of Entity: Texarkana Water Utilities

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

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

Prepared By: J.D. Phillips, P.E.

Title: Executive Director

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

## A. WATER CONSERVATION PLAN - TEXARKANA, TEXAS

### 1. Minimum Requirements

- A. **Utility Profile:** The Texarkana Water Utilities serves the residents of Texarkana, Arkansas and Texarkana, Texas as well as providing potable water to residents in Miller County, Arkansas and Bowie and Red River Counties in Texas. The total population served by the Utility is just over 100,000. The Utility has approximately 24,643 accounts in both Texarkanas that serve a population of approximately 67,633. Total gallons per capita day (GPCD) were 157 in 2016 and residential GPCD was 71 in 2016.

The Utility has the ability to treat and pump 33,000,000 gallons of water per day. The Utility has two (2) water treatment plants. The Wright Patman Water Treatment Plant treats water from Lake Wright Patman and

has a daily capacity of 18,000,000 gallons per day. The Millwood Water Treatment Plant treats water from Millwood Lake and has a daily capacity of 15,000,000 gallons per day. Average daily flows are 15,000,000 gallons per day and the peak flow is approximately 28,300,000 gallons per day.

The Utility has three (3) wastewater treatment plants. The South Regional Wastewater Treatment Plant has a rated capacity of 18,000,000 gallons per day and serves the majority of the residents of Texarkana, Arkansas and Texarkana, Texas. The Wagner Creek Wastewater Treatment Plant has a rated capacity of 2,000,000 gallons per day and serves residents of northwest Texarkana, Wake Village and Nash, Texas. The McKinney Bayou Wastewater Treatment Plant has a rated capacity of 950,000 gallons per day and serves areas of north Texarkana, Arkansas and Texas.

- B. **Record management system to record water pumped, water deliveries, water sales and water losses:** The Texarkana Water Utilities implemented a new billing software in January of 2018. The new billing software has the capability to classify water sales into residential (single family and multi-family), commercial, institutional, industrial, agricultural and wholesale.

The Texarkana Water Utilities maintains daily records of the amounts of raw water taken from both supply sources and the amount of treated water pumped into the distribution system

- C. **Specification of conservation goals:** Texarkana believes the goal of its water conservation plan should be to reduce water consumption from its present gallons per capita daily (GPCD) of 157 GPCD to 153 GPCD by 2023 and 150 GPCD by 2028. This goal should be obtained by increasing the public awareness of the importance of water conservation and the retrofit plumbing program.
- D. **Metering devices:** The Utility has a meter located on the raw water supply line at the Wright Patman Water Treatment Plant and the influent point at the Millwood Water Treatment Plant. The meters are calibrated yearly to maintain an accuracy of plus or minus 5.0%. The Texarkana Water Utilities maintains daily records of the amounts of raw water taken from both supply sources and the amount of treated water pumped into the distribution system.
- E. **Program for universal metering:** The Texarkana Water Utilities

currently meters all water users, including the Utility, City and other public facilities. The majority of existing small multi-family dwellings are currently individually metered and the Utility is working with developers to install individual meters at new apartment complexes. The Utility has a meter shop that both tests and repairs water meters. The Utility has in place a program to replace all residential and small commercial meters approximately every ten (10) years as the meters age and accuracy diminishes. Money is budgeted for this program in the Utility's annual budget. The Utility has a goal to test large commercial meters every year to insure their accuracy. The Utility's computerized billing system automatically kicks out abnormally high meter readings so that they are checked to see if a leak has occurred at an account. Meter readers are trained to take notice if a water meter's leak indicator is turning so that a leak is caught.

- F. **Measures to determine and control unaccounted for uses of water:** 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 division employees suspect a leak. The Utility's customer service division distributes dye tablets to customers to determine if the customer has a leaking toilet bowl. The Utility also requires that backflow prevention devices installed on fire mains have detector assemblies installed so that illegal connections to fire systems can be discovered. Meters readers look for illegal connections as they run their routes and look at the leak indicators on the water meters. The Utility also budgets funds to replaces sections of two inch (2") galvanized water main each year.
- G. **Program of continuing public education and information regarding water conservation:** The Texarkana Water Utilities will continue the existing education programs on water usage as well as expand them where necessary. The Utility staff regularly makes presentations to local schools and encourages local schools to take tours of the water treatment plants to learn more about the sources and treatment of drinking water. The Utility has the ability to print water conserving messages on its customers monthly bills and has done so in the past. The Utility also distributes water conservation literature prepared by the Texas Water Development Board and the American Water Works Association. The Utility has also added water conservation tips on the Utility's web site.

- H. **Water rate structure which is not “promotional”:** The Utility implemented conservation water rates on October 1, 2015 which use a tiered rate structure. There are five (5) tiers based upon water usage for residential customers. The rate structure is comprised of two (2) components - a fixed service charge and a volume charge based upon water consumption. The Utility’s minimum residential water charge is \$8.15 for the service charge and \$1.75 per 1,000 gallons for the first 2,000 gallons of water, \$2.00 per 1,000 gallons for the next 3,000 gallons of water, \$3.25 per 1,000 gallons for the next 2,000 gallons of water, \$3.75 per 1,000 gallons for the next 3,000 gallons of water and \$4.00 per 1,000 gallons for all water usage over 10,000 gallons. The Utility’s minimum commercial water charge is \$9.28 for the service charge and \$3.25 per 1,000 gallons for all water. The commercial service charge increases as the size of the meter increases. The service charge includes administrative costs such as the reading of the meter and billing.
- I. **Reservoir systems operations plan:** Both reservoirs that the Texarkana Water Utilities draws from, Lake Wright Patman and Millwood Lake, are owned and operated by the U.S. Corps of Engineers. The Corps of Engineers controls the levels of both lakes and the release rates. The Corps has cooperated in the past with Utility and withheld releases from Lake Wright Patman during times of low lake levels.
- J. **Means of implementation and enforcement**
1. On January 27, 1997 the Texarkana, Texas City Council adopted a water conservation and drought contingency plan that was prepared by the Texarkana Water Utilities and accepted by the Texas Water Development Board on February 19, 1997.
  2. The Texarkana Water Utilities will work with the City of Texarkana, Texas to implement and enforce the conservation plan. The City’s Inspection Department currently enforces the local plumbing codes. The City does enforce the installation of low flow plumbing fixtures in all new residences and commercial establishments. The City also enforces a program of retro-fitting low flow fixtures into existing residences and commercial establishments when modifications to the plumbing system are made.
- K. **Documentation of coordination with Regional Water Planning Groups:**  
The Sulphur River Basin Authority’s Water Conservation and Emergency

Water Demand Management Plan dated August 1996 was used as a guide for the preparation of the Drought Contingency Plan.

## 2. Additional Content Requirements

- A. **Program of leak detection, repair and water loss accounting:** 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 division employees suspect a leak. Water Utilities' customer service representatives also work with residents to determine if there are leaks on the customer's side of the water. One of the ways this is accomplished is by distributing dye tablets to customers to determine if the customer has a leaking toilet bowl.
- B. **Wholesale water supply contract requirements:** 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.
- C. **Identification of Alternative Water Sources**
  1. Amount of water needed for various durations - The Average daily demand for Texarkana and its wholesale customers is 15,000,000 gallons per day. During times of emergency the Utility can and will implement the existing water conservation plan to curtail the use of water.
  2. Emergency water shipments - The Utility can request the emergency shipment of water by the local National Guard and Army and Marine Corps Reserve Units.
  3. Emergency water supply sources - TWU currently uses the two largest raw water supply sources available in the area as its water sources. Lake Wright Patman is located in northeast Texas in the Sulphur River basin and Millwood Reservoir is located in southwest Arkansas in the Little River basin. Bringle Lake was the primary source of raw water before Lake Wright Patman was constructed and the Red River has been used in the past as a source of raw water during an emergency, but the pumping capabilities

that existed at those times are no longer in place.

4. Identification of alternate storage and treatment sources - If both of Texarkana's water treatment plants were disabled for an extended period of time, the Utility may be able to establish a connection with the water treatment plant located at the Domtar paper mill in Ashdown, Arkansas. The paper mill is located within two (2) miles of the Millwood Water Treatment Plant and has a large treatment capacity.
5. Regional aid agreements (interconnections) - TWU does not currently have any regional aid agreements with other water utilities due to the geography of the region.

### 3. Additional Conservation Strategies

- A. **Conservation-oriented water rates:** As previously stated the Utility's rates do not encourage the wasting of water by lowering the rate as more water is used. The Utility's rate structure is an inclining block rate.
- B. **Adoption of ordinances, plumbing codes, and/or rules requiring water-conserving plumbing fixtures:** The City of Texarkana, Texas enforces the local plumbing codes. The City's Inspection Department does enforce the installation of low flow plumbing fixtures in all new residences and commercial establishments.
- C. **Program for the replacement or retrofit of water-conserving plumbing fixtures in existing structures:** The City also enforces a program of retro-fitting low flow fixtures into existing residences and commercial establishments when modifications to the plumbing system are made.
- D. **Reuse and/or recycling of wastewater and/or greywater:** The Utility has researched the possibility of recycling wastewater with limited results. The Utility uses the treated effluent at the South Regional Wastewater Treatment (SRWWTP) for flushing pump seals and other applications where non-potable water can be used. The remoteness of the SRWWTP from potential users has limited the possibility of recycling the effluent.
- E. **Program for pressure control and/or reduction in the distribution system and/or for customer connections:** Texarkana does not have areas of high water pressure. The highest static water pressures in the City are approximately eighty pounds per square inch (80 psi).

- F. **Program and/or ordinances for landscape water management:**  
Texarkana's climate hampers residents ability to practice anything more limited "Xeriscaping". With average rainfall of almost fifty inches (50") many of the adapted, low-water using plants and grasses such as buffalo grass and pampa grass would die due to over watering from the rain in a normal year. Citizens can more efficiently use their irrigation water by not over watering their lawns and mulching their flower beds to prevent evaporation. The Utility provides mulching material to its customers at a nominal cost as part of its composting section.
- G. **Method for monitoring the effectiveness and efficiency of the water conservation plan:** The Utility will review water sales to determine if the water conservation plan is effective. The review must take into account the number of new connections that have been made and the amount of rainfall during the year.

## B. DROUGHT CONTINGENCY PLAN

### 1. Minimum Requirements

- A. **Provisions to inform the public and opportunity for public input:**  
On \_\_\_\_\_ the Texarkana, Texas City Council adopted a water conservation and drought contingency plan that was prepared by the Texarkana Water Utilities. The plan was approved at an open City Council Meeting and there was the opportunity for public input at this time.
- B. **Provisions for a program of public education regarding plan:**  
The Texarkana Water Utilities has a good working relationship with the local media sources and will in time of drought or other emergency water condition ask these media sources to help notify the public of the provisions of the plan.
- C. **Documentation of coordination with the Regional Water Planning Groups:**  
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 Regional Water Planning Group.
- D. **Description of the information to be monitored by the water supplier,**

**and specific criteria for the initiation and termination of drought response stages:** During times of potential drought situations the staff of the Texarkana Water Utilities will monitor the level of lake Wright Patman and other critical system components. When the following conditions occur the Utility staff will declare a drought or other emergency condition:

1. When the level of Wright Patman Reservoir is 220.60 and falling.
  - a. The conservation pool elevation for Lake Wright Patman is 220.60. If the level of the lake drops below this elevation the Texarkana Water Utilities will have to curtail production at the Wright Patman Water Treatment Plant until a channel can be dredged to the existing intake structure and modifications made to the intake structure.
  - b. The drought of 2010 - 2011 is the most severe drought that has occurred since Lake Wright Patman was impounded. During the drought of 2010 - 2011, the minimum lake elevation that occurred was 222.84.
2. When the raw water supply from Wright Patman reservoir is unavailable due to low service pump failure or the raw water transmission main is out of service due to a break or the Millwood transmission main is out of service due to a break and treated water demand is 18 million gallons per day or higher.
  - a. Raw water is pumped to the Wright Patman Water Treatment Plant through a thirty-three inch (33") main and treated water is pumped to Texarkana from the Millwood Water Treatment Plant through a forty-two inch (42") main. If either one of the mains is damaged Texarkana loses the capacity of the respective plant.
  - b. The Wright Patman Water Treatment Plant is rated at 18 million gallons per day and the Millwood Water Treatment Plant can be operated at a rate of 20 million gallons per day in an emergency.
  - c. The average daily usage for the Texarkana Water Utilities is 15 million gallons per day, therefore either plant can produce enough water to meet the demands of the average day. If one of the plants were to go down during a period of high usage, residents will be requested to implement water conservation practices until the plant is returned to service.
3. When the high service pumps at the Wright Patman Water

Treatment Plant or the Millwood Water Treatment Plant are out of service and treated water demand is 18 million gallons per day or higher.

- a. Treated water is pumped from each of the water treatment plants into the water distribution system by the high service pumps located at each plant. The pumps can fail due to mechanical problems or loss of electrical service.
  - b. The Wright Patman Water Treatment Plant is rated at 18 million gallons per and the Millwood Water Treatment Plant can be operated at a rate of 20 million gallons per day in an emergency.
  - c. The average daily usage for the Texarkana Water Utilities is 15 million gallons per day, therefore either plant can produce enough water to meet the demands of the average day. If one of the plants were to go down during a period of high usage, residents will be requested to implement water conservation practices until the plant is returned to service.
4. When there is a supply source contamination that causes either of the reservoirs that supplies Texarkana to be unusable and treated water demand is 18 million gallons per day or higher.
- a. If either of the lakes are contaminated, the Utility will shut down the low service pumps at the Lake Wright Patman raw water pump station or the internal low service pumps at the Millwood Water Treatment Plant until the source of contamination has been eliminated.
  - b. The Wright Patman Water Treatment Plant is rated at 18 million gallons per and the Millwood Water Treatment Plant can be operated at a rate of 20 million gallons per day in an emergency.
  - c. The average daily usage for the Texarkana Water Utilities is 15 million gallons per day, therefore either plant can produce enough water to meet the demands of the average day. If one of the plants were to go down during a period of high usage, residents will be requested to implement water conservation practices until the plant is returned to service.
- E. **Implementation of plan in response to these situations:** The Drought Contingency Plan will be initiated during any of the above mentioned criteria by notifying the Texarkana, Texas City Manager, City Council and the Texas Commission on Environmental Quality (TCEQ).

- F. **Plan to include specific water supply or water demand management measures to be implemented during each stage of the plan including, but not limited to, the following:** The Utility staff has developed a four (4) stage water demand management plan. As previously stated the City Manager, the City Council and the TCEQ will be notified as before each stage is implemented:

### **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:

- (1) When the level of Wright Patman Reservoir is 220.60 and falling;
- (2) When the raw water supply from Wright Patman Reservoir is unavailable due to low service pump failure or the raw water transmission main is out of service due to a break or the Millwood transmission main is out of service due to a break and treated water demand is 18 million gallons per day or higher;
- (3) When the high service pumps at the Wright Patman Water Treatment Plant or the Millwood Water Treatment Plant are out of service and treated water demand is 18 million gallons per day or higher;
- (4) When there is a supply source contamination that causes either of the reservoirs that supplies Texarkana to be unusable and treated water demand is 18 million gallons per day or higher.

Voluntary Goal: Inform the customers of the Texarkana Water Utilities and the general public of the situation and encourage the wise use of water.

Measures:

- (1) When the mild water shortage conditions exist, the Texarkana Water Utilities will inform its customers of the drought condition by mail and telephone.
- (2) The Texarkana Water Utilities will advise its customers of the condition(s) that are causing the water shortage. Each customer will follow its individual emergency measures.

Termination: Stage 1 shall be rescinded either by rising lake levels and

reduced water demand, repair of the transmission mains or pumps, or the contaminant level in the reservoir has been reduced to acceptable levels.

**Water Management Strategies:** During Stage 1 the Utility will ask citizens to curtail the outdoor use of water for non-essential water uses such as car washing and irrigation through media sources such as the newspaper, television and radio. 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 mild water shortage exists when any two (2) of the following conditions occurs:

- (1) When the level of Wright Patman Reservoir is 220.60 and falling;
- (2) When the raw water supply from Wright Patman Reservoir is unavailable due to low service pump failure or the raw water transmission main is out of service due to a break or the Millwood transmission main is out of service due to a break and treated water demand is 18 million gallons per day or higher;
- (3) When the high service pumps at the Wright Patman Water Treatment Plant or the Millwood Water Treatment Plant are out of service and treated water demand is 18 million gallons per day or higher;
- (4) When there is a supply source contamination that causes either of the reservoirs that supplies Texarkana to to be unusable and treated water demand is 18 million gallons per day or higher.

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

**Termination:** Stage 2 shall be rescinded by either rising lake levels and reduced water demand, repair of the transmission mains or pumps, or the contaminant level in the reservoir has been reduced to acceptable levels. Upon termination of Stage 2, Stage 1 becomes operative.

**Water Management Strategies:** During Stage 2 the Utility may request its

wholesale and retail customers to implement mandatory lawn irrigation restrictions. The public will be notified through media sources such as the newspaper, television and radio. 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 may request 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:

- (1) When the level of Wright Patman Reservoir is 220.60 and falling;
- (2) When the raw water supply from Wright Patman Reservoir is unavailable due to low service pump failure or the raw water transmission main is out of service due to a break or the Millwood transmission main is out of service due to a break and treated water demand is 18 million gallons per day or higher;
- (3) When the high service pumps at the Wright Patman Water Treatment Plant or the Millwood Water Treatment Plant are out of service and treated water demand is 18 million gallons per day or higher;
- (4) When there is a supply source contamination that causes either of the reservoirs that supplies Texarkana to be unusable and treated water demand is 18 million gallons per day or higher.

Target Goal: When a severe water shortage exists, the Texarkana Water Utilities will implement water management strategies in an attempt to achieve a forty percent (40%) mandatory reduction in non-essential outdoor water use and a thirty percent (30%) reduction in total water use.

Termination: Stage 3 shall be rescinded either by rising lake levels and reduced water demand, repair of the transmission mains or pumps, or the contaminant level in the reservoir has been reduced to acceptable levels. Upon termination of Stage 3, Stage 2 becomes operative.

Water Management Strategies: During Stage 3 the Utility will enforce a policy whereby the use of any water for any outdoor activity is banned. The public will be notified through media sources such as the newspaper,

television and radio. The Utility will contact its wholesale customers by certified letter and request that the wholesale customer notify its customers of the severe 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, the 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 both water treatment plants, Wright Patman and Millwood, at the same time.

**Target Goal:** When an emergency water shortage exists, the Texarkana Water Utilities will implement water management strategies in an attempt to reduce daily water use to 8.65 million gallons per day (MGD).

**Termination:** Stage 4 shall be rescinded when either of the water treatment plants, Wright Patman or Millwood, are capable of pumping potable water into the distribution system.

**Water Management Strategies:** During Stage 4 the Utility request that customers only use water for sanitary puposes. The public will be notified through media sources such as television and radio. 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 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.

#### **G. Plan to include procedures to be followed for the initiation or**

**termination of each drought response stage, including procedures for notification of the public:** As the conditions that initiated the need to implement the Drought Contingency Plan are abated, either by rising lake levels and reduced water demand or repair of the transmission mains and/or pumps, the Utility will terminate the stages of the water demand management plan in reverse order of their implementation. All parties that were notified by the initiation of the plan will also be notified of the termination of the plan.

H. **Procedures for granting variances to the plan:** Citizens or businesses seeking variances to any stage of the plan will be required to submit them to the City of Texarkana, Texas City Council. The City Council will conduct public hearings as to why the variance should be granted and will vote upon the granting of the variance.

I. **Procedures for the enforcement of any mandatory water use restrictions, including specification of penalties for violations of such restrictions:**

The Utility staff will work closely with the Texarkana, Texas City Council, the Texarkana, Texas City Attorney's office and the Texarkana, Texas Police Department to develop procedures for the enforcement of mandatory water use restrictions. The Utility will ask the City Attorney's office to prepare the proper Ordinances to provide for penalties for violations of water use restrictions, the Utility will present the Ordinances to the City Council for public discussion and approval and the Police Department will ticket citizens who are illegally using water.

2. Review and update plan as appropriate, at least every five (5) years The plan will be reviewed and updated on or before December 31, 2022.

## City of Texarkana, Texas

## Developing Perspectives and Goals Pending Approval by the City Council:

| Perspectives         | Goals                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Serve the Community  | <input type="checkbox"/> Promote an Environmentally Sensitive & Livable Community<br><input type="checkbox"/> Provide a Safe Community<br><input checked="" type="checkbox"/> Deliver Quality Services<br><input type="checkbox"/> Foster a Healthy Community                                                                                                                                                      |
| Run the Operations   | <input type="checkbox"/> Enhance Community Preparedness & Responsiveness<br><input type="checkbox"/> Maximize Partnership Opportunities<br><input type="checkbox"/> Provide Courteous & Responsive Customer Service<br><input type="checkbox"/> Model a Positive City Image<br><input checked="" type="checkbox"/> Deliver Efficient Services<br><input type="checkbox"/> Cultivate Community Involvement & Access |
| Manage the Resources | <input type="checkbox"/> Maintain Fiscal Strength<br><input type="checkbox"/> Maximize Utilization & Resources<br><input type="checkbox"/> Invest in Infrastructure & Transportation                                                                                                                                                                                                                               |
| Develop Personnel    | <input type="checkbox"/> Develop a Skilled & Diverse Workforce<br><input type="checkbox"/> 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:

|                                                                 |                                                               |
|-----------------------------------------------------------------|---------------------------------------------------------------|
| <input type="checkbox"/> Newspaper Notice (Required by Statute) | <input type="checkbox"/> Public Hearing (Required by Statute) |
| <input type="checkbox"/> Public Forum/Input Session             | <input type="checkbox"/> Press Release                        |
| <input type="checkbox"/> E-News Distribution                    | <input type="checkbox"/> Website Notice                       |
| <input type="checkbox"/> Social Media (Twitter, Facebook, etc.) | <input type="checkbox"/> Special Mailing                      |
| <input type="checkbox"/> Flyers Posted                          | <input type="checkbox"/> Banners Posted                       |
| <input type="checkbox"/> Survey                                 | <input type="checkbox"/> Automated Phone Call                 |
| <input checked="" type="checkbox"/> None Required               | <input type="checkbox"/>                                      |

Other: