



CITY OF TEXARKANA

CITY COUNCIL

AGENDA • MAY 8, 2017

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

Christy P. Paddock

Ward 2

Willie Ray

Ward 4

Brian Matthews

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 DR. BRIAN MATTHEWS**
- III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST**

Upcoming City Council Meetings:

Monday, May 22, 2017 at 6:00 p.m.

Monday, June 12, 2017 at 6:00 p.m.

Monday, June 26, 2017 at 6:00 p.m.

Parks & Recreation Events:

May 11 th	Senior Day	Spring Lake Park
May 13 th	Heart Walk	Spring Lake Park
May 18 th	Movies in the Park - "Finding Dory" **	Spring Lake Park
May 19 th - 20 th	Baseball Tournament	Spring Lake Park

**** Movie will start around 8:00 p.m. (Dusk)**

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

Annual Peace Officer Memorial Ceremony:

The 9th annual ceremony for fallen Peace Officers will be held at 10:00 a.m., Wednesday, May 10, 2017, at the Sullivan Performing Arts Center & John Thomas Theater located at 3941 Summerhill Road.

Presentations

Put On Purple Day Proclamation - May 19, 2017

Kids to Parks Day Proclamation - May 20, 2017

Appointments to Boards & Commissions

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

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

V. ITEMS FOR CONSIDERATION

Consent Items

1. Consider approval of the minutes of the Regular Meeting of the City Council held on April 24, 2017 at 6:00 PM.
2. Ordinance No. 2017-051 amending budget expenditures for the fiscal year ending September 30, 2017 to appropriate additional funding in the Rotary Splash Pad Fund in the amount of Seven Thousand Five Hundred Dollars (\$7,500) for donations received.

Public Hearing:
Second Briefing:
Council Vote: May 8, 2017

Action Items

VI. FIRST BRIEFINGS

1. Resolution No. 2017-052 approving TxDOT Transportation Alternatives Set Aside Grant Program application.

Public Hearing: May 8, 2017
Second Briefing:
Council Vote: May 8, 2017

VII. PUBLIC HEARINGS

1. Ordinance No. 2017-045 amending the Code of Ordinances Chapter 18 "Fire Protection and Emergency Medical Services", Section 18.14 "Outdoor Burning".

Public Hearing: May 8, 2017
Second Briefing: May 22, 2017
Council Vote: June 12, 2017

2. Ordinance No. 2017-048 rezoning Lot 11, Block 6, Richmond Hills 2nd Addition, located at 3102 Richmond Road. Office to General Retail. Gary Treadway, applicant.

Public Hearing: May 8, 2017
Second Briefing: May 22, 2017
Council Vote: June 12, 2017

3. Resolution No. 2017-050 authorizing the City Manager to enter into an agreement for legal services with Lynn, Ross & Gannaway, LLC.

Public Hearing: May 8, 2017
Second Briefing: May 22, 2017
Council Vote: June 12, 2017

VIII. SECOND BRIEFING WITH UPDATES

IX. SECOND BRIEFING WITHOUT UPDATES

X. ITEMS FOR DISCUSSION

Staff Updates

XI. ADMINISTRATIVE COMMENTS

1. Council
2. Staff

XII. 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).

Briefing Sheet

Update Date: 4/18/2017 10:30 AM

Lead Department: City Manager

Action Officer: Jennifer Evans, City Secretary

Subject: Put On Purple Day Proclamation - May 19, 2017

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Potential Options:

- None
-

Fiscal Implications:

None

Staff Recommendation:

For Mayor to proclaim May 19, 2017 as "Put On Purple Day" in recognition of Lupus Awareness

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- Lupus Proclamation 051917 (JPG)



PROCLAMATION

WHEREAS, an estimated 1.5 million Americans suffer from Lupus, the chronic inflammatory, autoimmune disease that can affect various parts of the body, especially the skin, joints, blood and kidneys; and

WHEREAS, Lupus can be difficult to diagnose because its symptoms are similar to those of many other illnesses and major gaps exist in understanding the causes and consequences; and

WHEREAS, the Lupus Foundation of America, Lone Star Chapter is part of a national force devoted to solving the cruel mystery of lupus while providing caring support to those who suffer from its brutal impact; and

WHEREAS, the Chapter rallies the Texarkana community to wear the color purple and to further unify the support for those living with the disease; and

WHEREAS, awareness is vital in raising funds for research for those affected by lupus; and it is our responsibility as a community to advocate on their behalf and to further encourage educational programs so everyone affected by lupus can have an improved quality of life.

NOW THEREFORE, I, Bob Bruggeman, by virtue of the authority vested in me as the Mayor of the City of Texarkana, Texas, do hereby proclaim May 19, 2017 as

“Put On Purple Day”

throughout the City of Texarkana, Texas, and urge all citizens to support the cause of raising awareness of lupus, so that we can have a world with NO lupus.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the corporate seal of the City to be affixed this 8th day of May, 2017.

*Bob Bruggeman, Mayor
City of Texarkana, Texas*

Attest:

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



Briefing Sheet

Version:
Update Date: 3/21/2017 12:07 PM

Lead Department: City Manager

Action Officer: Jennifer Evans, City Secretary

Subject: Kids to Parks Day Proclamation - May 20, 2017

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Kids to Parks Day, organized and launched by the National Park Trust is May 20, 2017

Potential Options:

- None
-

Fiscal Implications:

None

Staff Recommendation:

Mayor to proclaim May 20, 2017 as Kids to Parks Day

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- Kids to Parks Day 052017 (PDF)

A Texarkana, Texas Proclamation

Kids to Parks Day

WHEREAS, May 20th, 2017 is the seventh *Kids to Parks Day* organized and launched by the National Park Trust; and

WHEREAS, *Kids to Parks Day* empowers kids and encourages families to get outdoors and visit America's parks; and

WHEREAS, it is important to introduce a new generation to our nation's parks because of the decline in Park attendance over the last decades; and

WHEREAS, we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes mellitus, hypertension and hypercholesterolemia; and

WHEREAS, *Kids to Parks Day* is open to all children and adults across the country to encourage a large and diverse group of participants; and

WHEREAS, *Kids to Parks Day* will broaden children's appreciation for nature and the outdoors.

NOW THEREFORE, I, Bob Bruggeman, Mayor of Texarkana, Texas, do hereby proclaim to participate in

“Kids to Parks Day”

I urge residents of Texarkana to make time on May 20, 2017 to take the children in their lives to a neighborhood, state, or national park.

Dated this 8th day of May, 2017.

Bob Bruggeman, Mayor

Attest:

Jennifer Evans, City Secretary



CITY OF TEXARKANA

CITY COUNCIL

MINUTES • APRIL 24, 2017

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	
May	Ward 2	Absent	
Williams	Ward 3	Present	
Matthews	Ward 4	Present	
P. Paddock	Ward 5	Present	
W. Davis	Ward 6	Present	

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

Legal Counsel: Jeff Lewis

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER CHRISTY PADDOCK

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, May 8, 2017 at 6:00 p.m.

Monday, May 22, 2017 at 6:00 p.m.

Monday, June 12, 2017 at 6:00 p.m.

Parks & Recreation Events:

April 29 th	Community Garage Sale	Spring Lake Park
April 29 th	Dragon Boat Races	Bringle West Park
May 1 st	Commercial Softball League Begins	Wallace Park
May 6 th	Wine Festival	Spring Lake Park

Minutes Acceptance: Minutes of Apr 24, 2017 6:00 PM (Consent Items)

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

Mayor Bruggeman shared several comments with the audience:

Though absent from the meeting, Council Member Ray was wished a happy birthday.

Future Leaders Exchange (FLEX) students Loridana Braga from Moldova and Elena Rossi from Italy were thanked for their community service and academic achievements demonstrated at Texas High School. Both students expressed appreciation for Texarkana's hospitality and welcoming spirit shown while staying in the United States. Mayor Bruggeman gave each student a city lapel pin.

Council Member Matthews was a nominee for the Wilbur (Smith) Award in the category of local excellence in community leadership. The Believe in Beverly Neighborhood Association received the Wilbur Award for best community organization.

Council Member Williams was thanked for her community beautification efforts displayed in repotting flowers in front of the Bi-State Justice building this past weekend.

On April 25th, Texarkana College will host various activities in promotion of higher education. The Education Strategic Plan for Texas or "60X30TX" is a statewide program setting the goal of having 60 percent of Texans between the ages of 25-34 hold a postsecondary credential or degree by the year 2030. This goal is designed to accommodate future workforce needs and help Texas remain as a competitive and prosperous state.

Bryce's Cafeteria is closing at the end of April. The Lawrence family has been serving local citizens since 1931. After eight decades of home cooking and friendly service, the restaurant will be greatly missed.

The Mayor welcomed Bowie County Judge James Carlow, New Boston Mayor Johnny Branson, and incoming Maud Mayor David Gibson to the meeting.

Presentations

Patrick Smith, Commander of American Legion Post 25, along with Wendell Van Hook, presented 13 participants in the Texas Boys State program. The program is an educational overview of government at the local, county and state level. The program brings together students who have exhibited strong academic potential, solid leadership skills, dedicated commitment to service, and strength shown in character.

Mayor Bruggeman also attended this program in 1979. These local area high school students will attend the 77th anniversary program at the University of Texas at Austin June 11-16, 2017. Each delegate received a city lapel pin.

Appointments to Boards & Commissions

Council Member Matthews recommended the appointments of Steven McCowan and Charles Tyous to the Building & Standards Committee.

1. Motion to make appointments to the Building & Standards Committee.

(6:29 p.m.)

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

2. Mayor Bruggeman reappointed Denis Washington to the TexAmericas Center board.

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

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

There were no public comments made at Open Forum.

V. ITEMS FOR CONSIDERATION

Consent Items

(6:31 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Josh Davis, Ward 6
SECONDER:	Christy P. Paddock, Ward 5
AYES:	Matlock, Williams, Matthews, Paddock, Davis
ABSENT:	Ray
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on April 10, 2017 at 6:00 PM.
2. Consider approval of the minutes of the Joint City Committee Special Meeting of the City Council held on April 11, 2017 at 3:00 PM.

Action Items - None

VI. FIRST BRIEFINGS

1. Ordinance No. 2017-045 amending the Code of Ordinances Chapter 18 "Fire Protection and Emergency Medical Services", Section 18.14 "Outdoor Burning".

Public Hearing: May 8, 2017
 Second Briefing: May 22, 2017
 Council Vote: June 12, 2017

Eric Schlotter briefed this item.

RESULT:	MOVED FORWARD	Next: 5/8/2017 6:00 PM
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2. Ordinance No. 2017-048 rezoning Lot 11, Block 6, Richmond Hills 2nd Addition, located at 3102 Richmond Road. Office to General Retail. Gary Treadway, applicant.

Public Hearing: May 8, 2017
 Second Briefing: May 22, 2017
 Council Vote: June 12, 2017

David Orr briefed this item.

RESULT:	MOVED FORWARD	Next: 5/8/2017 6:00 PM
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3. Ordinance No. 2017-049 approving contracts for the design of the Perot Theater Restoration Project in an amount not to exceed Seven Hundred Five Thousand Nine Hundred Eighty-Three Dollars and Fifty Cents (\$705,983.50) and the design of the Downtown Art Park Project in an amount not to exceed Seven Hundred Five Thousand Nine Hundred Eighty-Three Dollars and Fifty Cents (\$705,983.50) and amending the budget for the 2017 Bond Fund for the fiscal year beginning October 1, 2016 and ending September 30, 2017 for a total of Two Million Four Thousand Four Hundred Sixty-Seven Dollars and No Cents (\$2,004,467.00) for the design of the Perot Theater Restoration Project (\$705,983.50), the design of the Downtown Art Park Project (\$705,983.50), the design of the Airport Terminal Project (\$50,000.00), and the design of the Fire Station Relocation Project (\$542,500.00).

Public Hearing:
 Second Briefing:
 Council Vote: April 24, 2017

Kristin Peebles briefed this item. David Orr also made additional comments.
 (6:38 p.m.)

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

4. Resolution No. 2017-050 authorizing the City Manager to enter into an agreement for legal services with Lynn, Ross & Gannaway, LLC.

Public Hearing: May 8, 2017
 Second Briefing: May 22, 2017
 Council Vote: June 12, 2017

Jim Powell briefed this item.

RESULT:	MOVED FORWARD	Next: 5/8/2017 6:00 PM
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VII. PUBLIC HEARINGS

1. Motion to move Resolution No. 2017-038 up for council vote.

(6:43 p.m.)

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

2. Resolution No. 2017-038 supporting the Riverbend Water Resource District in implementing the Corps of Engineers' Lake Wright Patman Ultimate Rule Curve and obtaining future water rights in Lake Wright Patman.

Public Hearing: April 24, 2017
 Second Briefing: May 8, 2017
 Council Vote: May 22, 2017

Steve Mayo addressed council during this hearing. Mayor Bruggeman thanked Executive Director Liz Fazio Hale and board members of the Riverbend Water Resources District for their attendance in support of this resolution.

(6:44 p.m.)

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

3. Motion to move Ordinance. No. 2017-039 up for council vote.

(6:45 p.m.)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Christy P. Paddock, Ward 5
SECONDER: Josh Davis, Ward 6
AYES: Matlock, Williams, Matthews, Paddock, Davis
ABSENT: Ray
EXCUSED: Bruggeman

4. Ordinance No. 2017-039 amending the Code of Ordinances Chapter 28 "Offenses and Miscellaneous Provisions", Sec. 28-237 concerning building construction hours of operation.

Public Hearing: April 24, 2017
 Second Briefing: May 8, 2017
 Council Vote: May 22, 2017

There were no public comments made at this hearing.

(6:45 p.m.)

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

5. Motion to move Resolution No. 2017-040 up for council vote.

(6:46 p.m.)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Josh Davis, Ward 6
SECONDER: Betty Williams, Ward 3
AYES: Matlock, Williams, Matthews, Paddock, Davis
ABSENT: Ray
EXCUSED: Bruggeman

6. Resolution No. 2017-040 approving and adopting an amendment to the Municipal Solid Waste Collection and Transportation Agreement.

Public Hearing: April 24, 2017
 Second Briefing: May 8, 2017
 Council Vote: May 22, 2017

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

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

7. Motion to move Resolution No. 2017-041 up for council vote.

(6:48 p.m.)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Christy P. Paddock, Ward 5
SECONDER: Josh Davis, Ward 6
AYES: Matlock, Williams, Matthews, Paddock, Davis
ABSENT: Ray
EXCUSED: Bruggeman

8. Resolution No. 2017-041 approving and authorizing the City Manager to enter into a one (1) year contract with four (4) additional one (1) year renewal options with DAM Investments, LLC, dba US Lawns of Texarkana, LLC, to supply mowing and landscaping services for selected city parks and University Avenue in an amount not to exceed \$148,757.10.

Public Hearing: April 24, 2017
 Second Briefing: May 8, 2017
 Council Vote: May 22, 2017

There were no public comments made at this hearing.
 (6:48 p.m.)

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

9. Motion to move Resolution No. 2017-042 up for council vote.

(6:49 p.m.)

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

10. Resolution No. 2017-042 authorizing the City Manager to enter into a contract for the repairing and repainting of the Walnut Street and West Fourth Street elevated water storage tanks in an amount not to exceed \$445,000.00.

Public Hearing: April 24, 2017
 Second Briefing: May 8, 2017
 Council Vote: May 22, 2017

There were no public comments made at this hearing.
 (6:50 p.m.)

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

11. Motion to move up Resolution No. 2017-043 up for council vote.

(6:51 p.m.)

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

12. Resolution No. 2017-043 authorizing Texarkana Water Utilities to be charged an administrative fee by the City's General Fund.

Public Hearing: April 24, 2017
 Second Briefing: May 8, 2017
 Council Vote: May 22, 2017

There were no public comments made at this hearing.
 (6:51 p.m.)

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

VIII. SECOND BRIEFING WITH UPDATES - NONE

IX. SECOND BRIEFING WITHOUT UPDATES

1. Motion to move Ordinance No. 2017-034 up for council vote.

(6:52 p.m.)

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

2. Ordinance No. 2017-034 amending Chapter 100 "General Administrative Provisions" and Chapter 105 of the Land Development Code "Buildings & Construction" for clarification purposes by changing Sec. 105-8 from "Required" to "Permit Required", adding Sec. 105-9 "Stop Work Order", and adding Sec. 105-10 "Offense; Penalty."

Public Hearing: April 10, 2017
 Second Briefing: April 24, 2017
 Council Vote: May 8, 2017

(6:53 p.m.)

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

X. ITEMS FOR DISCUSSION

Staff Updates - There were no updates for council.

XI. ADMINISTRATIVE COMMENTS**1. City Council**

Council Member Davis thanked staff for beginning the concrete streets reconstruction project in the Forest Lake subdivision. Citizens living in this area have been patient and are very grateful that this project is finally moving forward.

2. City Staff

City Manager Whitson thanked the council for expediting agenda items related to the Capital Improvement Plan projects.

These council actions are advancing key projects in various parts of the city that are not only scheduled for fiscal year 2017 but also fiscal year 2018. Staff is very eager to oversee these much needed projects.

XII. ADJOURNMENT

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 5/1/2017 8:46 AM

Lead Department: Finance Department **Action Officer:** Kristin Peeples,
Ordinance No. 2017-051 amending budget expenditures for the fiscal year
ending September 30, 2017 to appropriate additional funding in the Rotary
Splash Pad Fund in the amount of Seven Thousand Five Hundred Dollars
Subject: (\$7,500) for donations received.

Briefing: 5/8/2017 **Public** **Second** **Council**
Hearing: **Hearing:** **Briefing:** **Vote:** 5/8/2017

Item Schedule

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

In February of 2017 the City received a donation from Capital One Bank in the amount of seven thousand five hundred dollars and no cents (\$7,500.00) for the splash pad at Spring Lake Park. The parks department has earmarked the money to be spent on a new shade port at the splash pad. Because the donation was not anticipated at the time the budget was prepared, the funds were not appropriated in the fiscal year 2017 budget.

Potential Options:

- Approve
- Deny

Fiscal Implications:

The net cost to the City will be zero dollars. The cost of the new shade port is offset by the donation from Capital One Bank.

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. 2017-051 ORD Amending Splash Pad Budget FY 17 (DOC)
- b. 2017-051 Goals & Perspectives (DOCX)

Staff Coordination

Finance Department	Kristin Peeples	Department Head Review	Completed	
	04/27/2017 4:52 PM			
Finance Department	Kristin Peeples	Finance Review	Completed	04/27/2017
	4:52 PM			
Parks, Recreation & Health		Robby Robertson	Review	Completed
	04/28/2017 9:11 AM			
Deputy City Manager - Shirley Jaster		Shirley Jaster	Deputy City Manager	
Review	Completed	04/28/2017 9:35 AM		
Deputy City Manager - Kyle Dooley		Kyle Dooley	Deputy City Manager	
Review	Completed	04/28/2017 9:56 AM		
Public Information Officer		Vicky Coopwood	PIO Review	Skipped
	05/04/2017 11:24 AM			
City Manager	John Whitson	City Manager Review	Completed	05/04/2017
	11:36 AM			
City Council	Vicky Coopwood	Meeting	Pending	05/08/2017
	6:00 PM			

Meeting History

ORDINANCE NO. 2017 - 051

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGET EXPENDITURES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017, TO APPROPRIATE ADDITIONAL FUNDING IN THE ROTARY SPLASH PAD FUND IN THE AMOUNT OF SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500) FOR DONATIONS RECEIVED; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a donation in the amount of **Seven Thousand Five Hundred Dollars (\$7,500)** was received for the splash pad at Spring Lake Park; and

WHEREAS, these funds were not appropriated in the budget for the fiscal year ending September 30, 2017; and

WHEREAS, the budget for the fiscal year ending September 30, 2017 should be amended to appropriate **Seven Thousand Five Hundred Dollars (\$7,500)** in the Rotary Splash Pad Fund.

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

SECTION 1: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2016, and ending September 30, 2017, be amended to reflect additional expenditures in the amount of **Seven Thousand Five Hundred Dollars (\$7,500)** in the Rotary Splash Pad Fund.

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

PASSED AND APPROVED in Regular Council Session on this the **8th day of May, 2017.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: Low

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

City of Texarkana, Texas

Version: A

Update Date: 5/4/2017 1:16 PM

Briefing Sheet

Lead Department:	<u>Planning and Community Development</u>	Action Officer:	<u>David Orr, Planning & Community Development Director</u>
Subject:	<u>Resolution No. 2017-052 approving TxDOT Transportation Alternatives Set Aside Grant Program application.</u>		
Briefing:	<u>5/8/2017</u>	Public Hearing:	<u>5/8/2017</u>
		Second Briefing:	
		Council Vote:	<u>5/8/2017</u>

Item ScheduleSchedule 2: Brief once - vote once (two weeks)**Updates/History of Briefing:**

NOT APPLICABLE

Executive Summary and Background Information:

The TxDOT Transportation Alternatives Set Aside Grant Program Application includes a sidewalk construction project in two locations within the central section of the City of Texarkana, Texas to improve pedestrian and bicycle access to Texarkana College and to Texarkana Independent School District's Grim Stadium and nearby residential areas. Among the benefits of the project will be to provide a safe place for persons, including school age children, to walk or ride bicycles on sidewalks instead of possibly walking in streets.

The proposed improvements are the construction of sidewalks behind curbs on two separate routes designated as Route 1 and Route 2. The sidewalks will be either 5 or 6 feet wide, depending on location and constructed with reinforced concrete. Route 1 sidewalks have a total length of 5,578 feet. The route begins at the northeast corner of the intersection of Kennedy Lane and Cowhorn Creek Road. Construction of a new sidewalk section along the north side of Kennedy Lane is currently under contract and will extend along Cowhorn Creek south to its intersection with Kennedy Lane and will turn west to terminate at Cowhorn Creek Road. At the southeast corner of Kennedy Lane and Cowhorn Creek Road is the point where the Route 1 sidewalk will begin.

The sidewalk on the east side of Cowhorn Creek Road will extend south to the northeast corner of FM 559 (Richmond Road) and Cowhorn Creek Road. The sidewalk will continue along the north side of Richmond Road to the northwest corner of Richmond Road and College Drive. The sidewalk will continue along the west and then north side of College Drive from the southwest corner of Richmond Road and College Drive to the northeast corner of College Drive and Robison Road. From the southeast corner of Robison Road and College Drive, the sidewalk will continue along the east side of Robison Road a distance of approximately 170 feet. At this point the sidewalk continues northeast a distance of 245 feet connecting to the existing circular path on the north side of the Texarkana College property.

City of Texarkana, Texas

Route 2 begins at the southwest intersection of US 82 (New Boston Road) and SH 93 (Summerhill Road) and extends along the west side of SH 93 a distance of 2,773 feet to a point north of 15th Street where it connects to an existing sidewalk.

The total estimated construction cost is \$629,536 with \$78,692 required in matching funds. The matching funds will include \$59,806 in estimated survey, design, and administrative oversight and \$18,886 in cash match.

Potential Options:

- Approve
- Deny

Fiscal Implications:

\$78,692 (\$59,806 for design and \$18,886 cash match)

Staff Recommendation:

Staff recommends for approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. 2017-052 ATTH 01 2017 TASA_Nomination Form_Excel_draft 4_April 27, 2017 (XLSM)
- b. 2017-052 ATTH 02 SEGMENT NO. 1 5.2.17 (PDF)
- c. 2017-052 ATTH 03 SEGMENT NO. 2 (PDF)
- d. 2017-052 ATTH 04 TYPICAL SECTION 1 (PDF)
- e. 2017-052 ATTH 05 TYPICAL SECTION 2 (PDF)
- f. 2017-052 Goals & Perspectives (DOCX)
- g. 2017-052 RES approving TXDOT Transportation Alternatives Set Aside Grant Progr (DOC)
- h. 2017-052 ATTH 06 TASA_Nomination Form_Route 1_draft_May 1, 2017 (XLSM)
- i. 2017-052 ATTH 07 TASA_Nomination Form_Route 2_draft_May 1, 2017 (XLSM)
- j. 2017-052 ATTH 08 TA Set Aside Split Cost(XLSX)
- k. 2017-052 ATTH 09 Letter of Support TC (PDF)

Staff Coordination

City of Texarkana, Texas

Planning and Community Development	David Orr	Department Head Review	
Completed	04/27/2017 5:36 PM		
Finance Department	Kristin Peebles	Finance Review	Completed 05/01/2017
8:31 AM			
Deputy City Manager - Shirley Jaster	Shirley Jaster	Deputy City Manager	
Review	Completed	05/03/2017 4:58 PM	
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager	
Review	Completed	05/04/2017 7:46 AM	
Public Information Officer	Vicky Coopwood	PIO Review	Skipped
	05/04/2017 11:24 AM		
City Manager	John Whitson	City Manager Review	Completed 05/04/2017
11:38 AM			
City Council	Vicky Coopwood	Meeting	Pending 05/08/2017
6:00 PM			

Meeting History

BUDGET SUMMARY

26. Project Budget Summary (many lines automatically populate)

Total Itemized Construction Cost Estimate (topic 23 total, from page 7)			1.	\$629,536
Total Additional Construction-Related Costs (topic 24 total, from page 8)			2.	\$0
Total Construction Cost Estimate (line 1 + line 2)			3.	\$629,536
TxDOT Administrative Cost (15% of line 3)			4.	\$94,430
Total Project Cost Estimate [line 3 + line 4 (Unless EDCP or In-kind authorized)]			5.	(see line 14)
Federal Funds Requested (80% Maximum)	80%	of line 5	6.	(see line 15)
Local Match Required (20% Minimum)	20%	of line 5	7.	(see line 18)

Project sponsors may increase the required Local Match by adjusting the Local Match percentage in the box above. If the Economically Disadvantaged Counties Program (EDCP) reduction is applied (amount shown in number 8 below) and/or an eligible in-kind contribution is identified (amount shown in line 10), then the federal participation and local match will be fixed at 80% federal participation and 20% local match (refer to calculations numbered 8 through 18).

Economically Disadvantaged Counties Program (EDCP) Reduction (Must be authorized by TxDOT)

Allowable EDCP Adjustment	Bowie 62%	▼	8a.	\$78,062
Additional EDCP Adjustment	(select, if applicable)	▼	8b.	\$0
Total EDCP Adjustment	Total	62%	8c.	\$78,062

Construction Cost Eligible for In-kind Contributions

Total Construction Cost Estimate (line 3 above)	\$629,536
Construction Cost using EDCP for local match	- \$390,312
Construction Cost Eligible for In-kind Contribution	9. \$239,223

Eligible In-kind Contributions (Must be authorized by TxDOT)

Total In-kind cost(s) from topic 25 on page 8 or a maximum of 25% of line 9, whichever is less.	10. \$59,806
---	--------------

Total Construction Cost Estimate (line 3)	11.	\$629,536
Eligible in-kind contributions (line 10)	12.	\$59,806
TxDOT Administrative Cost (line 4)	13.	\$94,430
Total Project Value Estimate (line 11 + line 12 + line 13)	14.	\$783,772
Total Federal Participation (fixed at 80% of line 14 only when EDCP and/or In-kind applied)	15.	\$627,017
Total Local Match (fixed at 20% of line 14 only when EDCP and/or In-kind applied)	16.	\$156,754

LG Match Adjustment

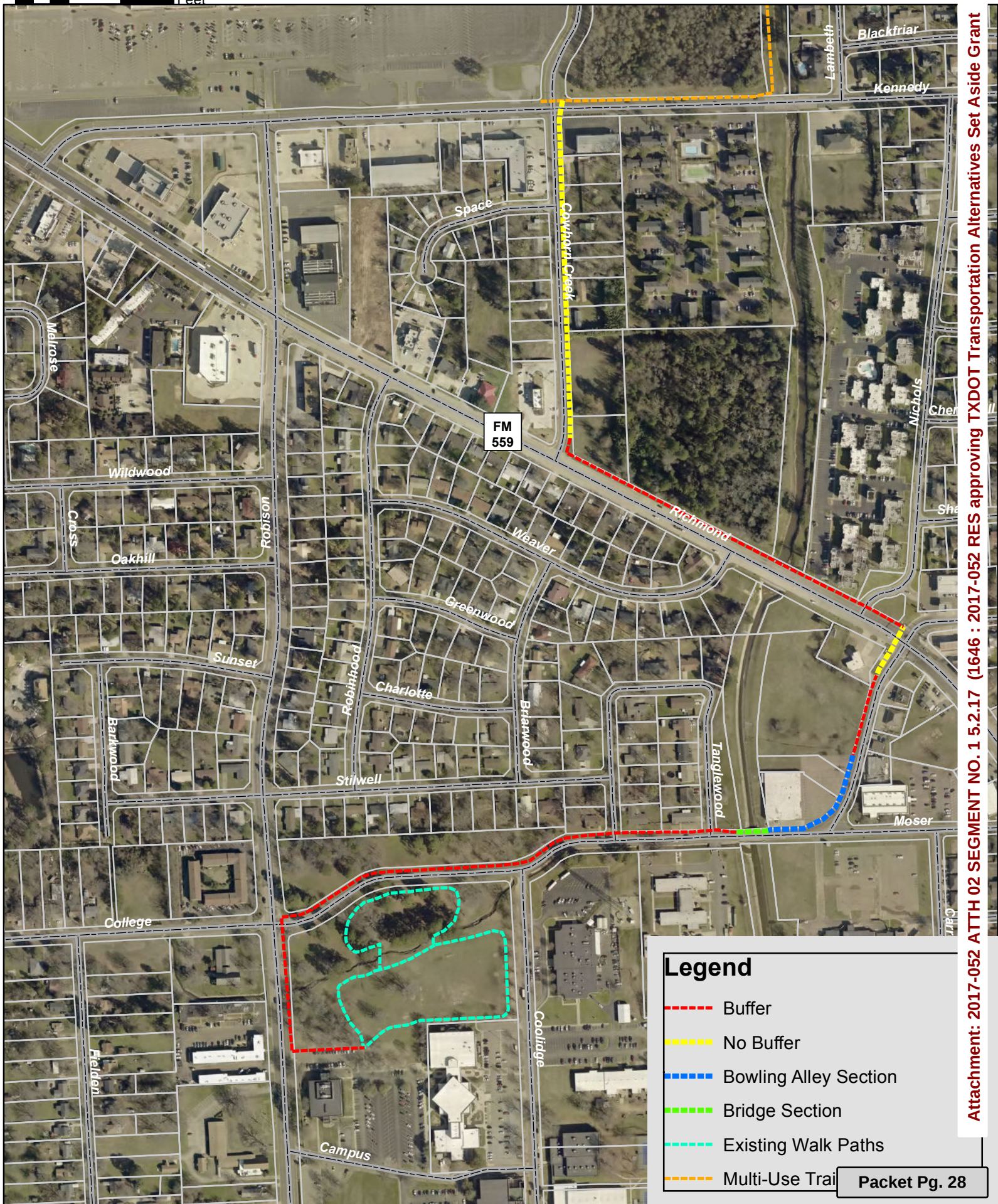
Total EDCP Reduction (line 8)	\$78,062
Eligible In-kind contributions (line 10)	+ \$59,806
Total LG Match Adjustment	17. \$137,868
LG Cash Match Required (line 16 - line 17)	18. \$18,886



0 90 180 360 540 Feet

SEGMENT NO. 1
CITY OF TEXARKANA, TEXAS
2017 TRANSPORTATION ALTERNATIVES PROGRAM

6.1.b



Legend

- Buffer
- No Buffer
- Bowling Alley Section
- Bridge Section
- Existing Walk Paths
- Multi-Use Trail

Packet Pg. 28

Attachment: 2017-052 ATTH 02 SEGMENT NO. 1 5.2.17 (1646 : 2017-052 RES approving TXDOT Transportation Alternatives Set Aside Grant



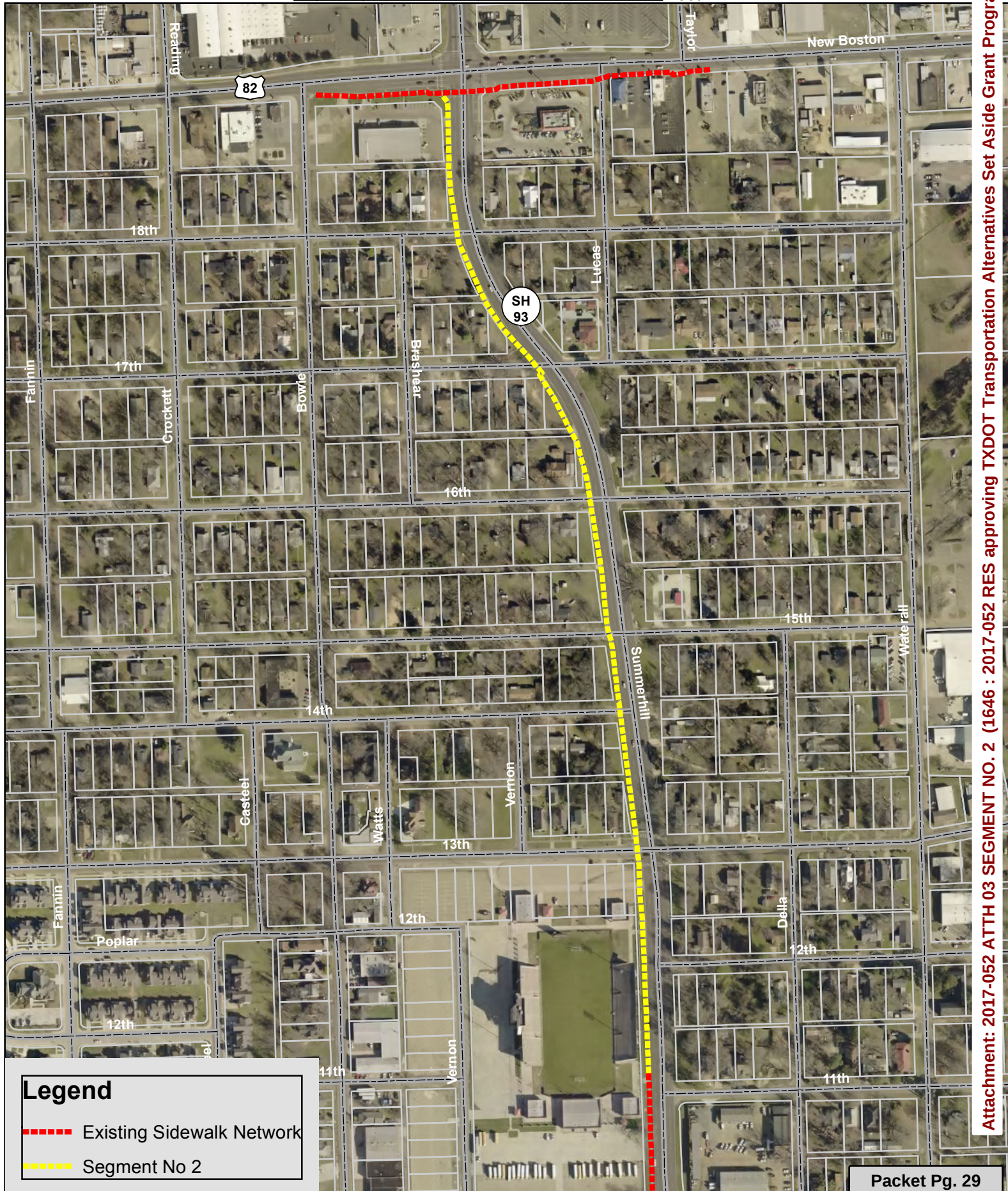
SEGMENT NO. 2

CITY OF TEXARKANA, TEXAS

2017 TRANSPORTATION ALTERNATIVES PROGRAM

6.1.c

0 125 250 500 750 1,000 Feet



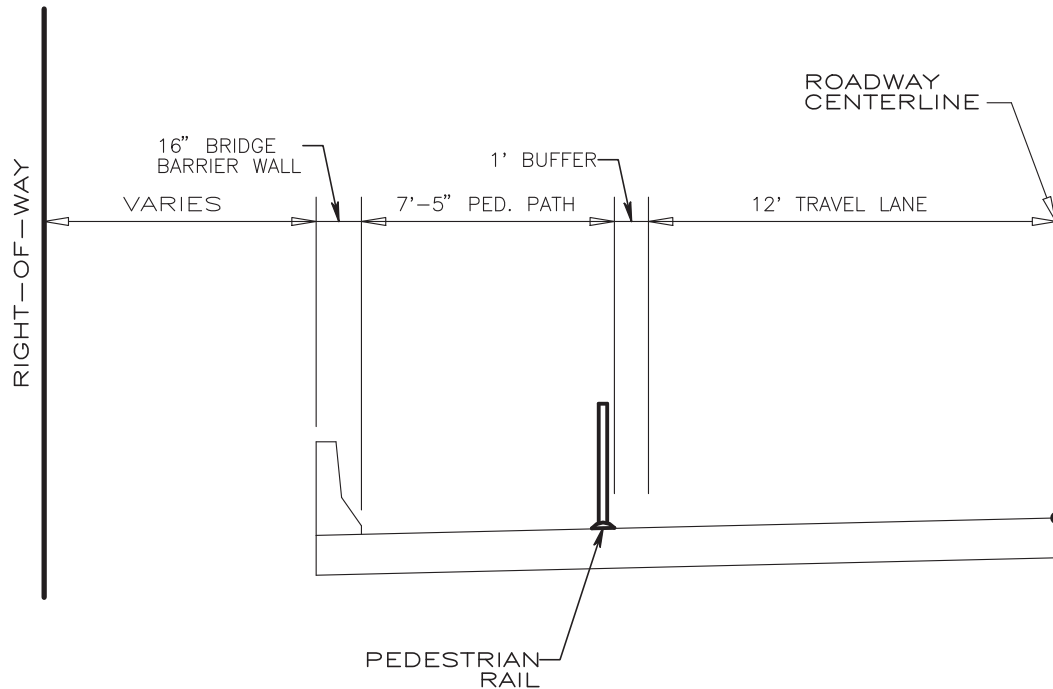
Legend

- Existing Sidewalk Network
- Segment No 2

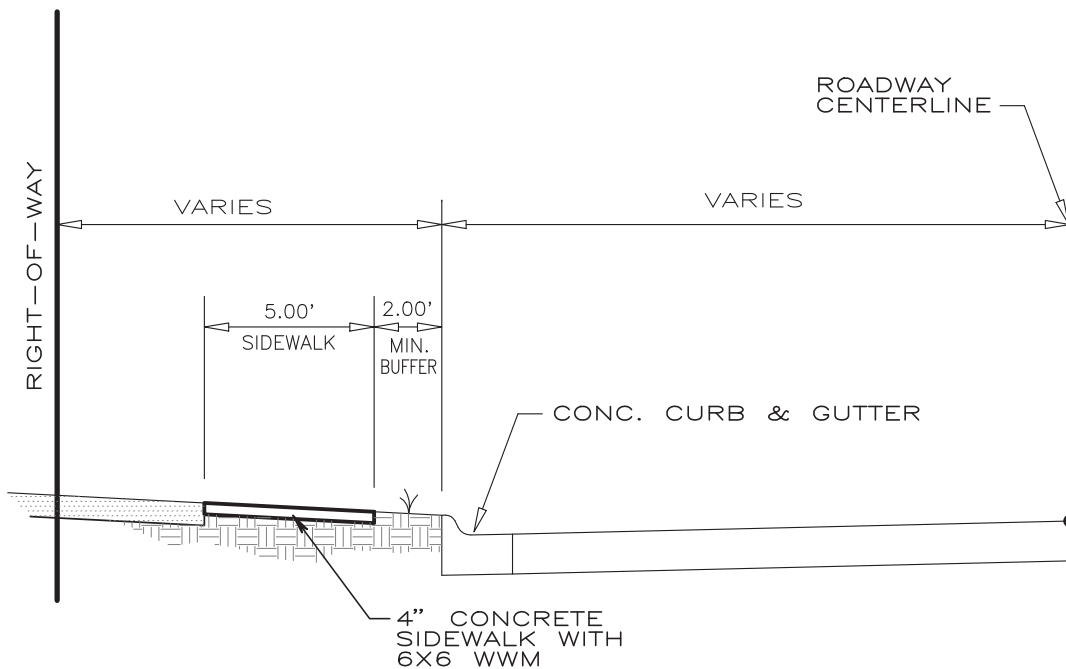
Attachment: 2017-052 ATTH 03 SEGMENT NO. 2 (1646 : 2017-052 RES approving TXDOT Transportation Alternatives Set Aside Grant Program

TYPICAL SECTIONS CITY OF TEXARKANA, TEXAS 2017 TRANSPORTATION ALTERNATIVES PROGRAM

6.1.d



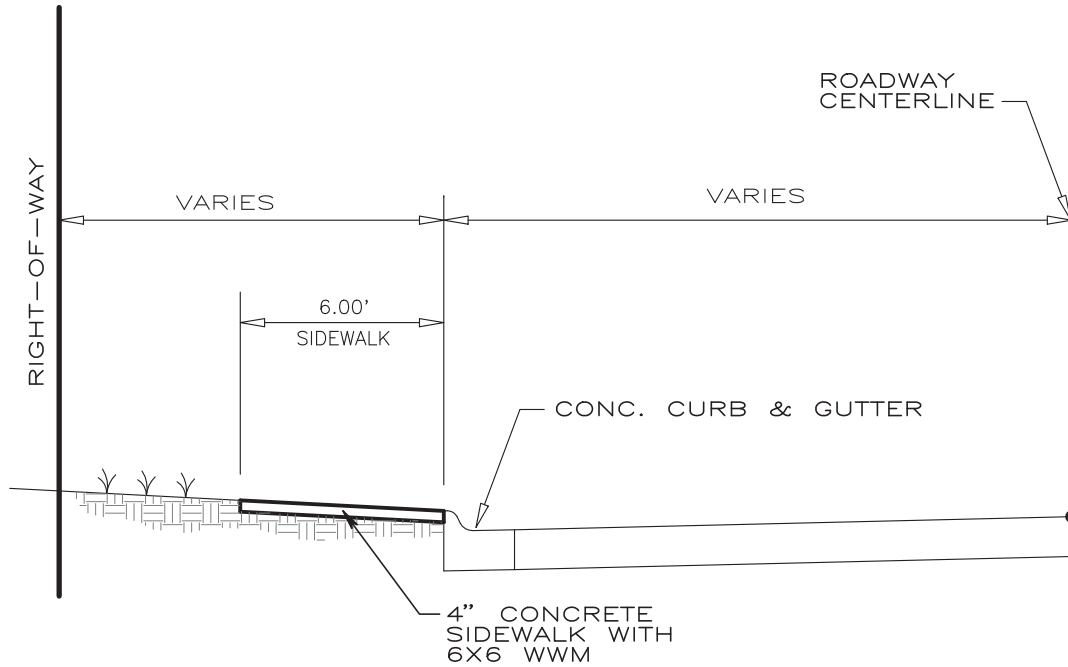
BRIDGE SECTION



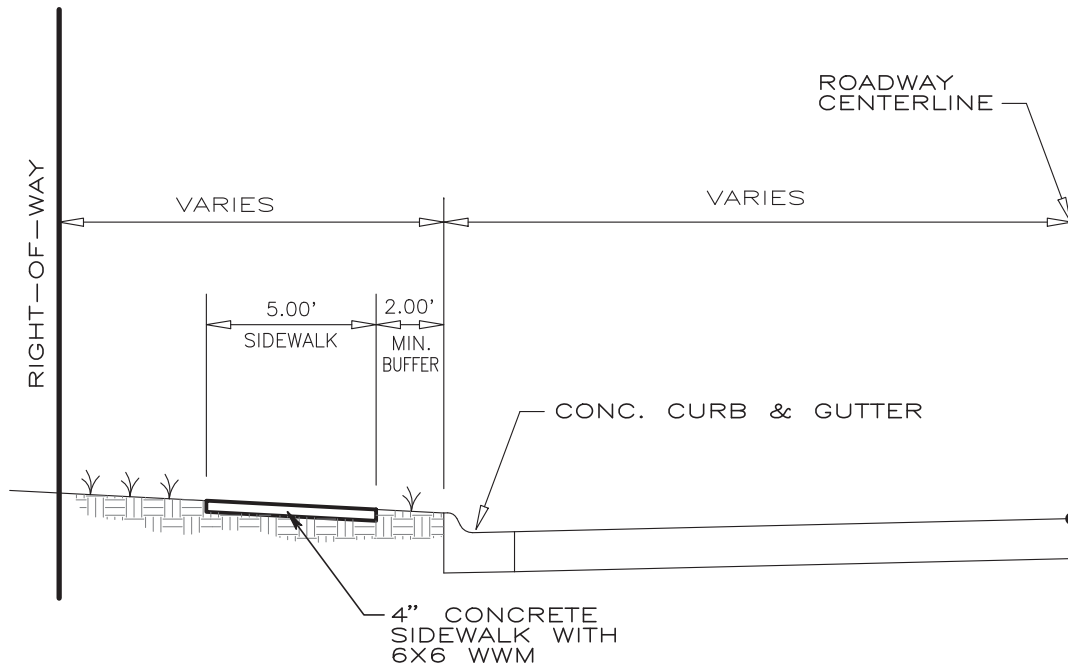
BOWLING ALLEY SECTION

TYPICAL SECTIONS CITY OF TEXARKANA, TEXAS 2017 TRANSPORTATION ALTERNATIVES PROGRAM

6.1.e



SIDEWALK SECTION (NO BUFFER)



SIDEWALK SECTION (WITH BUFFER)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: High

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

RESOLUTION NO. 2017-052**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, SUPPORTING THE COWHORN CREEK TRAIL EXTENSION AND SUMMERHILL ROAD SIDEWALK PROJECTS FOR THE TXDOT TRANSPORTATION SET-ASIDE PROGRAM APPLICATIONS; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City of Texarkana, Texas, supports the Transportation Set Aside Program applications submitted on May 22, 2017 to construct sidewalks along major pedestrian corridors to Texarkana College and Texarkana Independent School District's Tiger Stadium in Grim Park; and

WHEREAS, the successful implementation of these projects will reduce hazards to pedestrians along these corridors, including school age children and residents of surrounding neighborhoods; and

WHEREAS, the successful implementation of these projects will provide a safe place for persons to walk or ride bicycles on sidewalks instead of possibly walking or riding bicycles in the streets; and

WHEREAS, the City of Texarkana, Texas, supports alternative, multi-modal, and varied means of transportation.

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

SECTION 1. That the City of Texarkana, Texas, supports funding these projects as described in the 2017 TA Set-Aside Nomination forms (including the construction budget, the department's 15% administrative cost, and the required local match) and is willing to commit to the projects' development, implementation, construction, maintenance, management, and financing. The City of Texarkana, Texas, is willing and able to enter into an agreement with the department by resolution or ordinance, should the projects be selected for funding.

SECTION 2. That the recitals set forth in the WHEREAS clauses of this Resolution are true and correct and are incorporated as part of this Resolution.

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 **8th day of May, 2017.**

Bob Bruggeman, Mayor

ATTEST:

Jennifer Evans, City Secretary

PROJECT INFORMATION

9. Project Description

Provide a well-developed narrative about the project for which the project sponsor is seeking funding. Describe the **Eligible Project Activity** (topic 6 on page 1). Explain the benefits the project will provide to the surface transportation system. Include details about the proposed improvements and summarize the work activities to be performed. Review the **Project Evaluation and Selection Criteria** topic in the 2017 TA Set-Aside Program Guide and address criteria categories as part of the project description.

(Limited to 3,000 characters with spaces. Do not add spaces between lines. Use print preview to verify text fits in the box below.)

This is a sidewalk construction project located in the north-central section of the City of Texarkana, Texas near Central Mall, a major retail area, and Cowhorn Creek to Texarkana College. As a project to construct sidewalks, this is an eligible project activity under topic 6. The proposed sidewalk will have a total length of 5,578 feet, 5 or 6 feet wide depending on location, and be constructed of reinforced concrete 4 inches in depth.

The route begins at the northeast corner of the intersection of Kennedy Lane and Cowhorn Creek Road. Construction of a new sidewalk section along the north side of Kennedy Lane is currently under contract and will extend along Cowhorn Creek south to its intersection with Kennedy Lane and will turn west to terminate at Cowhorn Creek Road. At the southeast corner of Kennedy Lane and Cowhorn Creek Road is the point where the proposed sidewalk will begin. The sidewalk on the east side of Cowhorn Creek Road will extend south to the northeast corner of FM 559 (Richmond Road) and Cowhorn Creek Road. The sidewalk will continue along the north side of Richmond Road to the northwest corner of Richmond Road and College Drive. The sidewalk will continue along the west and then north side of College Drive from the southwest corner of Richmond Road and College Drive to the northeast corner of College Drive and Robison Road. From the southeast corner of Robison Road and College Drive, the sidewalk will continue along the east side of Robison Road a distance of approximately 170 feet. At this point the sidewalk continues northeast a distance of 245 feet connecting to the existing circular path on the north side of the Texarkana College property.

PROJECT INFORMATION

9. Project Description

Provide a well-developed narrative about the project for which the project sponsor is seeking funding. Describe the **Eligible Project Activity** (topic 6 on page 1). Explain the benefits the project will provide to the surface transportation system. Include details about the proposed improvements and summarize the work activities to be performed. Review the **Project Evaluation and Selection Criteria** topic in the 2017 TA Set-Aside Program Guide and address criteria categories as part of the project description.

(Limited to 3,000 characters with spaces. Do not add spaces between lines. Use print preview to verify text fits in the box below.)

This is a sidewalk construction project located within the central section of the City of Texarkana, Texas along the west side of SH 93 (Summerhill Road) from US 82 (New Boston Road) to just north of West 11th Street. The 5 foot wide sidewalk will be 4 inches in depth with a length of 2,773 feet. The sidewalk will be entirely located within the existing right-of-way on the west side of Summerhill Road. This proposed sidewalk will connect to two existing sidewalks. One existing sidewalk runs east and west long New Boston Road at the northern end of the proposed side. At the southern end of the proposed sidewalk it connects to an existing sidewalk along Summerhill Road, currently terminating just north of West 11th Street. The proposed sidewalk will terminate adjacent to Tiger Stadium, the football stadium for Texarkana Independent School District. As a project to construct sidewalks, this is an eligible project activity under topic 6. Among the benefits of the project will be to provide a safe place for persons, including school age children, to walk or ride bicycles on sidewalks instead of possibly walking in Summerhill Road which is an arterial running through the city. This sidewalk will serve residents of all ages in the large residential area adjacent to both east and west of Summerhill Road between New Boston Road and US 67 (Martin Luther King Boulevard).

SEGMENT 1 - KENNEDY TO TEXARKANA COLLEGE

REMOVING CONC (CURB OR CURB & GUTTER)	704	LF	\$5.00	\$3,520.00
REMOVE CONC (RAIL)	0	LF	\$50.00	\$0.00
REMOVING CONC (APPROACH SLAB)	0	SY	\$100.00	\$0.00
REMOVING STAB BASE AND ASPH PAV (6")	0	SY	\$4.00	\$0.00
FURNISHING AND PLACING TOPSOIL (4")	1,990	SY	\$7.50	\$14,925.00
BLOCK SODDING	990	SY	\$3.25	\$3,217.50
CELL FBR MLCH SEED (PERM) (URBAN) (CLAY)	1,606	SY	\$1.00	\$1,606.00
FERTILIZER	0	TON	\$600.00	\$150.00
CL C CONC (APPR SLAB	3	CY	\$800.00	\$2,400.00
RAIL (TY T501)	40	LF	\$125.00	\$5,000.00
RAIL (PEDESTRIAN RAIL)	110	LF	\$140.00	\$15,400.00
LOW PROFILE SED CONT DEVICE	4,225	LF	\$5.00	\$21,125.00
EARTHWORK (EROS & SEDM CONT, IN VEH	7	CY	\$100.00	\$700.00
CURB RAMPS	44	EA	\$1,750.00	\$77,000.00
CONC SIDEWALKS (4")	3,290	SY	\$60.00	\$197,400.00
BARRICADES, SIGNS AND TRAFFIC HANDLING *	6	MO	\$3,750.00	\$22,500.00
ROBINSON @ COLLEGE PED SIGNALS	1	LS	\$47,500.00	\$47,500.00
CROSSWALK PAVEMENT MARKINGS	1	LS	\$2,750.00	\$2,750.00
MOBILIZATION	1	LS	\$30,000.00	\$30,000.00
ESTIMATED SUBTOTAL				\$445,193.50

SEGMENT 2 - SUMMERHILL (FROM N.B. ROAD TO TIGER STADIUM)

REMOVING CONC (CURB OR CURB & GUTTER)	261	LF	\$5.00	\$1,305.00
REMOVE CONC (RAIL)	40	LF	\$50.00	\$2,000.00
REMOVING CONC (APPROACH SLAB)	13	SY	\$100.00	\$1,300.00
REMOVING STAB BASE AND ASPH PAV (6")	495	SY	\$4.00	\$1,980.00
FURNISHING AND PLACING TOPSOIL (4")	1,232	SY	\$7.50	\$9,240.00
BLOCK SODDING	616	SY	\$3.25	\$2,002.00
CELL FBR MLCH SEED (PERM) (URBAN) (CLAY)	1,232	SY	\$1.00	\$1,232.00
FERTILIZER	0	TON	\$600.00	\$90.00

CL C CONC (APPR SLAB	0	CY	\$800.00	\$0.00
RAIL (TY T501)	0	LF	\$125.00	\$0.00
RAIL (PEDESTRIAN RAIL)	0	LF	\$140.00	\$0.00
LOW PROFILE SED CONT DEVICE	2,275	LF	\$5.00	\$11,375.00
EARTHWORK (EROS & SEDM CONT, IN VEH	4	CY	\$100.00	\$400.00
CURB RAMPS	15	EA	\$1,750.00	\$26,250.00
CONC SIDEWALKS (4")	1,850	SY	\$60.00	\$111,000.00
BARRICADES, SIGNS AND TRAFFIC HANDLING *	6	MO	\$1,250.00	\$7,500.00
ROBINSON @ COLLEGE PED SIGNALS	0	LS	\$47,500.00	\$0.00
CROSSWALK PAVEMENT MARKINGS	0	LS	\$2,750.00	\$0.00
MOBILIZATION *	1	LS	\$10,000.00	\$10,000.00
ESTIMATED SUBTOTAL				\$185,674.00
STIMATED GRAND TOTA				\$630,867.50

* - Barricades and mobilization are an approximate % based on total cost of project. If only one segment is constructed these costs may be greater.



TEXARKANA COLLEGE

Office of the President | James Henry Russell, CPA

May 3, 2017

Texarkana College
2500 North Robison Road
Texarkana, TX 75599
903.823.3198
jameshenry.russell@texarkanacollege.edu

John A. Whitson, City Manager
City of Texarkana, Texas
220 Texas Blvd.
Texarkana, TX 75501

Dear Mr. Whitson:

Texarkana College is a fully accredited two-year institution with a long history of providing excellent educational opportunities in northeast Texas and the surrounding areas. Founded in 1927, and with a mission statement that includes community as one of our key guiding beliefs, we strive to be an impactful institute within the community, focusing on the betterment of Texarkana as a whole.

Texarkana College supports the efforts of the City of Texarkana, Texas to apply for the Transportation Alternatives Set-Aside Program. As these projects will directly affect the connectivity of our campus and benefit many of the students enrolled in our institution, we are greatly pleased with the plans as they stand. Texarkana College is a supporter of a walkable Texarkana and recognizes the health benefits a walkable community receives.

We will continue to support these projects as they move forward. If awarded, Texarkana College will work with the City of Texarkana, Texas to grant an easement for connecting the proposed trail through the college's property to connect with the existing trail.

Sincerely,

James Henry Russell

City of Texarkana, Texas

Version: A

Update Date: 4/20/2017 4:11 PM

Briefing Sheet

Lead Department: Fire Department **Action Officer:** Eric Schlotter, Fire Chief
Subject: Ordinance No. 2017-045 amending the Code of Ordinances Chapter 18 "Fire Protection and Emergency Medical Services", Section 18.14 "Outdoor Burning".
Briefing: 5/8/2017 **Public Hearing:** 5/8/2017 **Second Briefing:** May 22, 2017 **Council Vote:** 6/12/2017

Item ScheduleSchedule 1: Brief twice - vote once (six weeks)**Updates/History of Briefing:**

"NOT APPLICABLE"

Executive Summary and Background Information:

Ordinance 2017-045 is an amendment to Chapter 18, Section 14 parts (a)(n)(r) of the Code of Ordinances which regulate outdoor burning within the city limits. Specifically, the changes include adding a definition for "Landclearing Operation", replacing the term "Land Development" with "Landclearing Operation" and changing the appeal process by setting the city manager or his designee as the individual to hear appeals for burning permit denials.

The changes proposed in Ordinance 2017-045 are a result of discussions between council and staff during the process of hearing Resolution 2017-022 which was an appeal of a burning permit denial. During the discussion it was determined that the current Ordinance did not properly define Land Development and it was proposed to change the term to Landclearing Operation which is well defined in the state statute regulating outdoor burning and to also amend the appeals process so that it is handled at the staff level.

Potential Options:

- "None"
-

Fiscal Implications:

None

Staff Recommendation:

Staff recommends adoption of the Ordinance

Advisory Board/Committee Review:

"NONE"

Board/Committee Recommendation:

"NOT APPLICABLE"

City of Texarkana, Texas

Advisory Board/Committee Meeting Date and Minutes:

"NOT APPLICABLE"

Attachments

- a. 2017-045 ORD amending the Code Chapter 18 Section 18.14 Outdoor Burning (DOC)
- b. 2017-045 ATTH 01 Ch. 18 sec. 14 Code of Ordinances Redline Version of Changes (DOCX)
- c. 2017-045 Goals and Perspectives (DOCX)

Staff Coordination

Fire Department	Eric Schlotter 04/11/2017 3:11 PM	Department Head Review	Completed
Municipal Prosecutor	Deborah Jones 04/12/2017 9:48 AM	Asst. City Attorney Review	Completed
Deputy City Manager - Shirley Jaster Review	Completed	Shirley Jaster 04/12/2017 2:23 PM	Deputy City Manager
City Attorney	Jeffery C. Lewis 04/12/2017 2:54 PM	City Attorney Review	Completed 04/12/2017
Deputy City Manager - Shirley Jaster Review	Completed	Shirley Jaster 04/12/2017 3:00 PM	Deputy City Manager
Deputy City Manager - Kyle Dooley Review	Completed	Kyle Dooley 04/12/2017 3:16 PM	Deputy City Manager
Public Information Officer	04/18/2017 9:33 AM	Lisa Thompson	PIO Review Completed
City Manager	John Whitson 04/19/2017 10:35 AM	City Manager Review	Completed 04/19/2017
City Council	Jennifer Evans 04/24/2017 6:00 PM	Meeting	Completed 04/24/2017

Meeting History

04/24/17 City Council MOVED FORWARD Next: 05/08/17
Eric Schlotter briefed this item.

ORDINANCE NO. 2017 - 045

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING SECTIONS 18-14(A), (N), (R); OF THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS, PROVIDING FOR PUBLICATION; PROVIDING FOR A REPEALER CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council has expressed a desire to amend Section 18 of the Code of Ordinances to provide additional definition for permitted outdoor burning and to amend the appeals process for denials of burning permits; and

WHEREAS, City Staff has submitted recommended amendments to add a definition for “landclearing operation” consistent with state regulations and to specify an administrative appeals process for denials of burning permits.

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

SECTION 1: That Section 18-14(a) of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended to add the following definition:

Land Clearing Operation means the uprooting, cutting, or clearing of vegetation in connection with conversion for the construction of buildings, rights-of-way, residential, commercial, or industrial development, or the clearing of vegetation to enhance property value, access, or production; *landclearing operation* does not include the maintenance burning of on-site property wastes such as fallen limbs, branches, or leaves, or other waste from routine property clean-up activities, nor does it include burning following clearing for ecological restoration.

SECTION 2: That Section 18-14(n) of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety to read as follows:

(n) *Exception for permitted burning; generally.* At the discretion of the fire chief or designated representative, outdoor burning may be allowed. All permitted outdoor burning must meet the “General Requirements for Allowable Outdoor Burning” as specified in Texas Commission on Environmental Quality (TCEQ) regulations. Outdoor burning shall only be permitted for the purpose of a “landclearing operation” as defined in this Code. Outdoor burning is not allowed within the fire limits of the city.

SECTION 3: That Section 18-14(r) of the Code of Ordinances of the City of Texarkana, Texas is hereby amended in its entirety to read as follows:

(r) *Outdoor Burning; appeals.* Persons who are denied burning permits may appeal by filing a written notice of appeal with the city secretary. The appeal must be filed within 10 days after receipt of the notice of denial. The city manager or his/her designee shall

hear and determine the appeal, and the decision of the city manager or his/her designee shall be final.

SECTION 4: That the city secretary shall give notice of the passage of this ordinance as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

SECTION 5: That in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION 6: That all ordinances or parts of ordinances in conflict herewith are specifically repealed.

SECTION 7: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **12th day of June, 2017**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Sec. 18-14. - Outdoor burning.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Bonfire means a large outdoor fire utilized for recreational or ceremonial purposes.

Chimney means a single opening, moveable, outdoor fireplace design with a stack or chimney to draft air into a fire and smoke to be drawn out the top of the stack.

Extinguished means the absence of any visible flames, glowing coals, heat or smoke.

Fire pit means a place or structure designed and approved for the burning of combustible material that does not have a flue, chimney or duct and the combustion gases are emitted directly into the atmosphere.

Landclearing Operation – The uprooting, cutting, or clearing of vegetation in connection with conversion for the construction of buildings, rights-of-way, residential, commercial, or industrial development, or the clearing of vegetation to enhance property value, access, or production. It does not include the maintenance burning of on-site property wastes such as fallen limbs, branches, or leaves, or other wastes from routine property clean-up activities, nor does it include burning following clearing for ecological restoration.

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Open burning means a fire or smoldering combustible material which is not contained completely within an approved container, but shall not include charcoal, gas or electric grills and smokers.

Outdoor fireplace means an enclosed and permanently affixed outdoor fire receptacle which incorporates a permanently affixed chimney or flue and is constructed of brick, rock or other masonry material.

Portable outdoor fireplace means a movable container that is commercially manufactured and designed with a chamber to hold an outdoor fire, used for heat or light, but not for cooking. A portable outdoor fireplace must be equipped with a screen capable of preventing burning embers from escaping.

Recreational fire means a fire for the purpose of cooking, obtaining warmth, or viewing for pleasure.

Responsible party means the property owner or occupant that causes or allows a recreational fire to be ignited or maintained on their property.

- (b) *Prohibition of open burning.* No person may cause, suffer, or allow any open burning within the city limits, except as allowed by permit, recreational fires and firefighter training as specified in this chapter.
- (c) *Exception for recreational fires; generally.* Recreational fires in an approved container are allowed. Any person may burn acceptable fuels in an approved container for the purpose of cooking, viewing for pleasure, or obtaining warmth, on property owned or occupied by such person. Fires must meet the requirements as listed in this section. No permit is required for such fires. Recreational fires are not allowed at any time a burn ban is in effect in accordance with section 18-93. Recreational fires are not allowed within the fire limits of the city.
- (d) *Recreational fires; approved containers.*
- (1) Approved containers for recreational fires are chimneys, fire pits, outdoor fireplaces, and portable outdoor fireplaces.
 - (2) Chimneys and portable outdoor fireplaces must be commercially manufactured for that specific purpose. Outdoor fireplaces and fire pits may be commercially manufactured or site built.
 - (3) Approved containers must have enclosed sides made from bricks, concrete blocks, heavy gauge metal or other suitable noncombustible material.
 - (4) Approved containers must have a spark arrestor mesh screen to contain sparks. Screens shall be of expanded metal (or equivalent noncombustible material) with openings no larger than one-half inch.

- (5) Width of approved containers must not exceed three feet at its widest point.
- (6) Walls of approved containers cannot exceed two feet in height measured from the floor of the fire area to the top of the wall, excluding any chimney.
- (7) Approved containers must be set upon or built into the bare ground or a noncombustible material such as brick, stone or concrete.
- (e) *Recreational fires; fuels.* Acceptable fuels are clean, dry, seasoned firewood; charcoal; or commercially manufactured compressed fire logs. The following listed items are not acceptable fuels and shall not be burned:
 - (1) Commercial or domestic waste, trash or garbage.
 - (2) Leaves, pine needles or grass clippings.
 - (3) Lumber (treated or untreated), construction debris.
 - (4) Yard debris, unless it meets the definition of firewood or kindling.
 - (5) Flammable or combustible liquids.
 - (6) Electrical insulation, plastics, asphaltic materials, potentially explosive materials, chemical wastes, and items containing natural or synthetic rubber must not be burned.
- (f) *Recreational fires; responsible party responsibilities.* The responsible party shall:
 - (1) Remain in charge of the fire or keep a competent adult in charge of the fire.
 - (2) Ensure flame height is maintained at three feet or less.
 - (3) Ensure that the fire does not create a risk of fire or damage to persons or property.
 - (4) Extinguish all burning material immediately upon receipt of a complaint regarding the permitted burning, subject to the discretion and direction of the fire chief or designee.
 - (5) Have a means of extinguishing the fire on hand at all times while the fire is burning.
 - (6) Ensure the fire is extinguished, leaving only cold ashes, before supervision of the fire ends.
- (g) *Recreational fires; acceptable locations.*
 - (1) For approved containers other than fire pits, a minimum clearance of at least ten feet shall be maintained from buildings, property lines, trees, overhead power lines, combustible fences, combustible decks, or any combustible material.
 - (2) Fire pits shall have a minimum clearance of at least 25 feet from buildings, property lines, trees, overhead power lines, combustible fences, combustible decks or any combustible material.
 - (3) Recreational fires shall not be located over a natural gas line or under overhead utility lines.
- (h) *Recreational fires; fire department authority.* The fire chief or designated representative, shall have authority to enter private property where a recreational fire is burning to ensure the safety of said fire, to investigate a reported nuisance, or to ensure compliance with this section. The fire department representative shall have authority to extinguish or to have extinguished said fire if the fire is creating a danger, is creating a nuisance, or is in violation of this section.
- (i) *Exception for bonfires; generally.* At the discretion of the fire chief or designated representative, bonfires may be allowed. Bonfires must meet the "General Requirements for Allowable Outdoor Burning" as specified in Texas Commission on Environmental Quality (TCEQ) regulations in the Tex. Admin. Code ch. 30, section 111.219, except that burning shall be allowed outside the time limits specified therein. Bonfires are not allowed within the fire limits of the city.
- (j) *Bonfires; permit required.*
 - (1) A permit shall be required prior to allowing a bonfire.

- (2) Before issuing a permit, the fire chief or designee shall inspect the proposed bonfire site and ensure compliance with applicable rules.
 - (3) Any permit issued under this section shall specify the approved location, the acceptable fuels, the date and time approved, and any special conditions applicable to this bonfire.
 - (4) The responsible party receiving the permit shall ensure the permit is available on the scene of the bonfire for the duration of the event.
 - (5) The fire chief or designee, at their discretion, may require standby fire services prior to issuing a bonfire permit.
- (k) *Bonfires; responsible party responsibilities.* The responsible party shall:
- (1) Remain in charge of the fire or keep a competent adult in charge of the fire.
 - (2) Ensure that the fire does not create a risk of fire or damage to persons or property.
 - (3) Extinguish all burning material immediately upon receipt of a complaint regarding the permitted burning, subject to the discretion and direction of the fire chief or designee.
 - (4) Have a means of extinguishing the fire on hand at all times while the fire is burning.
 - (5) Ensure the fire is extinguished, leaving only cold ashes, before supervision of the fire ends.
- (l) *Bonfires; fuels.* Acceptable fuels are clean, dry, seasoned firewood; logs, limbs, pallets, lumber (not treated lumber), or other wood products. Small quantities of flammable or combustible liquids approved by the fire chief or designee, may be used for igniting the fire. The following listed items are not acceptable fuels and shall not be burned:
- (1) Commercial or domestic waste, trash or garbage.
 - (2) Treated lumber, construction debris.
 - (3) Flammable or combustible liquids (except as specified for ignition).
 - (4) Electrical insulation, plastics, asphaltic materials, potentially explosive materials, chemical wastes, and items containing natural or synthetic rubber.
- (m) *Exception for firefighter training; generally.* Open burning may be conducted for firefighter training. Burning for firefighter training must be conducted in accordance with Texas Commission on Environmental Quality (TCEQ) regulations in the Tex. Admin. Code ch. 30, section 111.205 "Exception for Fire Training".
- (n) *Exception for permitted burning; generally .* At the discretion of the fire chief or designated representative, outdoor burning may be allowed. All permitted outdoor burning must meet the "General Requirements for Allowable Outdoor Burning" as specified in Texas Commission on Environmental Quality (TCEQ) regulations in the Tex. Admin. Code ch. 30, section 111.219. Outdoor burning shall only be permitted for the purpose of [a Landclearing Operation](#)~~land development~~. Outdoor burning is not allowed within the fire limits of the city.
- (o) *Outdoor burning; permit required .*
- (1) A permit shall be required prior to allowing outdoor burning.
 - (2) Before issuing a permit, the fire chief or designee shall inspect the proposed outdoor burning site and ensure compliance with applicable rules.
 - (3) Any permit issued under this section shall specify the approved location, the acceptable fuels, the date and time approved, and any special conditions applicable to this outdoor burning.
 - (4) The responsible party receiving the permit shall ensure the permit is available on the scene of the fire for the duration of the event.
 - (5) The fire chief or designee, at their discretion, may require standby fire services prior to issuing an outdoor burning permit.

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- (p) *Outdoor burning; responsible party responsibilities* . The responsible party shall:
- (1) Remain on site and in charge of the fire or keep a competent adult on site and in charge of the fire.
 - (2) Ensure the fire does not create a risk of damage to person or property.
 - (3) Immediately upon receipt of a complaint regarding the permitted burning, all burning material shall be extinguished.
 - (4) Have equipment on site to control and extinguish the fire.
 - (5) Not commence burning when wind speed is predicted to be less than six mph or greater than 23 mph.
 - (6) Ensure piles will be not less than 300 feet from any residential, recreational, commercial, or industrial area except those located on the property where burning is taking place.
 - (7) Ensure burning will start no earlier than one hour after sunrise, and be completed no later than one hour before sunset.
 - (8) Ensure the fire will be extinguished if the fire escapes control.
 - (9) Be responsible and liable for any damages.
- (q) *Outdoor burning; fuels* . Only trees, brush, and other plant materials may be burned. The following listed items are not acceptable fuels and shall not be burned.
- (1) Electrical insulation, plastic, heavy oil, asphaltic material, chemical waste, construction or demolition material, or items that contain rubber.
 - (2) Old tires shall not be used to start fires.
- (r) *Outdoor burning; appeals* . Persons who are denied burning permits may appeal by filing a written notice of appeal with the city secretary. The appeal must be filed within ten days after receipt of the notice of denial. The city ~~manager or his/her designee~~council shall hear and determine the appeal, and the decision of the ~~city manager or his/her designee~~council shall be final.
- (s) Penalty for violation. Any person violating any provision of this section shall be deemed guilty of a misdemeanor and, upon conviction, in the municipal court of the city, shall be fined not more than \$2,000.00. Each day of any such violation shall be deemed to be a separate offense.

(Code 1961, § 9-13; Ord. No. 226-08, § 1, 10-27-2008; Ord. No. 2015-135, §§ 1—3, 1-25-2016)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 4/28/2017 4:41 PM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,
Ordinance No. 2017-048 rezoning Lot 11, Block 6, Richmond Hills 2nd
Addition, located at 3102 Richmond Road. Office to General Retail. Gary
Subject: Treadway, applicant.

Briefing: 5/8/2017 **Public Hearing:** 5/8/2017 **Second Briefing:** May 22, 2017 **Council Vote:** 6/12/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Z-17-5: This is a request by Mr. Gary Treadway, owner, requesting to rezone Lot 11, Block 6, Richmond Hills 2nd Addition, located at 3102 Richmond Road from Office to General Retail. The proposed use is a resale shop.

The adjacent zoning is General Retail to the north, Single Family-2 to the east, PD-General to the south and PD-General Retail and Neighborhood Service to the west. The adjacent land usage is businesses to the north, south and west and a residence to the east.

The Comprehensive Plan has designated this property as a retail area.

This property at 3102 Richmond Road is currently zoned Office and has been used for many years as an office type use. The building is now vacant and the owner, Mr. Gary Treadway, has been approached about leasing the property for a resale shop. This type use would require rezoning to the General Retail zoning district. There are three lots directly to the north of this lot that are currently zoned General Retail. There is Planned Development-General Retail zoning to the south and west of this lot.

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

Potential Options:

None

Fiscal Implications:

City of Texarkana, Texas

None

Staff Recommendation:

Since there are multiple General Retail zoned properties along this section of Richmond Road and since this type use is consistent with other uses in this area, staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

April 3, 2017

Attachments

- a. 2017-048 ORD Rezoning at 3102 Richmond Road (DOCX)
- b. 2017-048 ATTH 01 Maps (PDF)
- c. 2017-048 ATTH 02 Zoning district definitions (PDF)
- d. 2017-048 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	04/13/2017 11:39 AM	
Deputy City Manager - Shirley Jaster	Shirley Jaster	Deputy City Manager
Review	Completed	04/13/2017 1:26 PM
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager
Review	Completed	04/13/2017 3:10 PM
Public Information Officer	Lisa Thompson	PIO Review
	Completed	04/18/2017 10:31 AM
City Manager	John Whitson	City Manager Review
10:28 AM	Completed	04/19/2017
City Council	Jennifer Evans	Meeting
6:00 PM	Completed	04/24/2017

Meeting History

04/24/17 City Council MOVED FORWARD Next: 05/08/17
David Orr briefed this item.

Z-17-5

ORDINANCE NO. 2017-048

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOT 11, BLOCK 6, RICHMOND HILLS 2ND ADDITION, LOCATED AT 3102 RICHMOND ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM OFFICE 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 Lot 11, Block 6, Richmond Hills 2nd Addition, located at 3102 Richmond Road in the City of Texarkana, Bowie County, Texas, from **Office 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 six (6) to zero (0) to recommend the application for rezoning from Office to General Retail** 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 **Office to General Retail** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone Lot 11, Block 6, Richmond Hills 2nd Addition, located at 3102 Richmond Road in the City of Texarkana, Bowie County, Texas, from **Office 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 **12th day of June, 2017.**

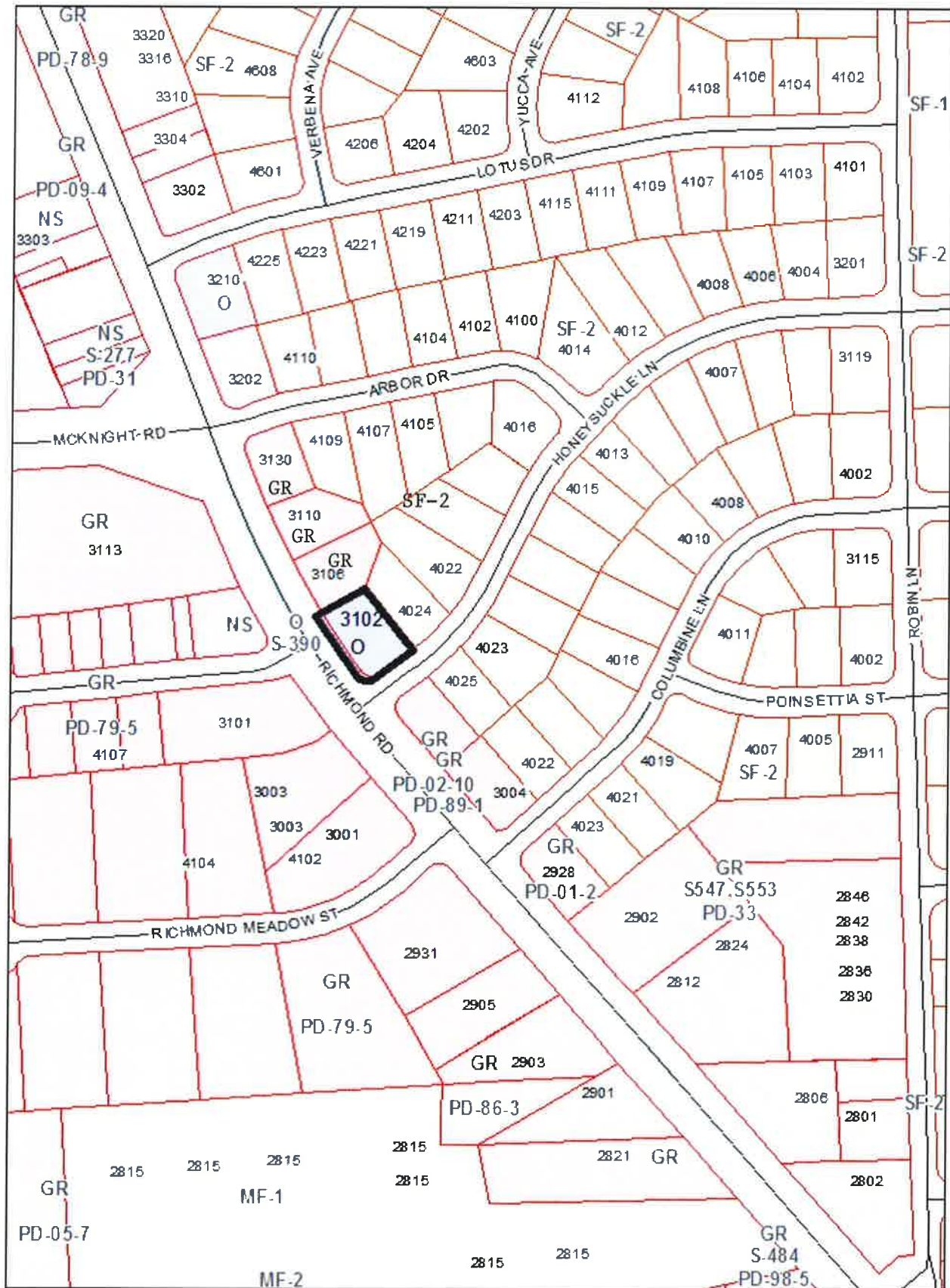
ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

3102 Richmond Road

Department of Planning and Community Development



1:2,800

Attachment: 2017-048 ATTH 01 Maps (1641 : 2017-048 ORD rezoning 3102 Richmond Road from Office to GR)



3102 Richmond Road

Department of Planning and Community Development



1:2,500

Attachment: 2017-048 ATTH 01 Maps (1641 : 2017-048 ORD rezoning 3102 Richmond Road from Office to GR)





CITY OF TEXARKANA TEXAS

ZONING DISTRICT DEFINITIONS

Po Box 1967
220 Tex
Texarkana T
(903) 798-3945
www.txkusa.org

7.2.c

For complete definition of Use District and Permitted Uses, consult City Zoning Ordinance

- "A" Agriculture Districts – Single Family homes on 1 acres or more of land; ranches farms, stables, public utility facilities, country clubs, schools, churches, green houses and other agrarian related uses.
- "SF-1" Single-Family Dwelling District 1 – Uses permitted in "A" District plus, Single Family homes on lots of 12,000 square feet or more.
- "SF-2" Single-Family Dwelling District 2 – Uses permitted in "SF-1" District plus: Single Family homes on lots of 7,200 square feet or more.
- "SF-3" Single-Family Dwelling District 3 – Uses permitted in "SF-2" District plus: Single Family homes on lots of 5,000 square feet or more, modular or factory fabricated dwelling. HUD code manufactured homes subject to a specific location and a Specific use Permit (SUP).
- "PUR" Planned Unit Residential – Single family homes on lots intended as Garden Homes, 3750 square feet or more, Zero lot line homes/Patio Homes, 5000-6000 square feet or more. Subdivision must note housing type. Not to exceed 6 homes per gross acres over 2 acres, 8 homes under 2 acres.
- "2F-1" Two-Family Dwelling District 1 – Uses permitted in "SF-3" District plus: Two-Family dwelling units (duplexes) on lots of 10,000 square feet or more.
- "2F-2" Two Family Dwelling District 2 – Uses permitted in "2F-1" District plus: Duplexes on lots of 6,000 square feet or more.
- "TH" Townhouses Dwelling district – Uses permitted in "2F-2" District plus: Townhouses on lots of 2,000 square feet or more. Not to exceed 14 ½ dwelling units per gross acre.
- "MF-1" Multiple Family Dwelling District 1 – Uses permitted in "TH" District plus: Apartments are not to exceed 24 units per gross acres, row houses not to exceed 21 units per gross acres, hospitals, boarding, and rooming houses.
- "MF-2" Multiple Family Dwelling District 2 – Uses permitted in "MF-1" District plus: Apartments, not to exceed 27 units per gross acres, fraternity or sorority houses, kindergarten, nursery or day school, nursing home, commercial parking lot with specific approval of City Council, high-rise apartments.
- "P" Parking District – Single Family detached homes, parking lots (private and public), nursing home, and schools.
- "O" Office District – Uses permitted in "P" District plus: Bank, savings & loan office, fraternity or sorority house, museum or art gallery, kindergarten, day care, medical office, general business office, hotel and motel.
- "NS" Neighborhood Services District – Uses permitted in "MF-2" and "O" districts plus: Theater, antique shop, bakery, barber, beauty shop, camera shop, drug store, food store, hardware store, restaurant (no drive-in service), greenhouse or nursery.
- "GR" General Retail District – Uses permitted in "NS" District plus: Gas stations, new and used automobile sales, service and display, amusement parks, swim or tennis clubs, private club with specific approval of City Council, bus stations, parking lots, auto parts sales (indoor), department store, general retail uses as specified in the Zoning Ordinance, per clinic.
- "LC" Limited Commercial District – Uses permitted in "GR" District plus: Auto glass or seat cover shop, commercial golf course, indoor pistol or rifle range, office/warehouse (no outside storage), and plumbing shops (with a Specific Use Permit).
- "CB" Central Business District – Uses permitted in "LC" District plus: Storage yards, dance hall or night club, commercial golf course, private club, roller skating rink, drive-in theater, freight terminal, rail yards, muffler shop, auto repairing and painting, outdoor new and used auto sales lots, advertising signs, bakery, building material, cabinet shops, and other light manufacturing uses, warehouse.
- "C" Commercial District – Uses permitted in "CB" District plus: Hatchery, tire retreading plant, auto storage or auction, truck parking lot, private stables, contractors storage yard, manufacturing laboratory, open air sales, mobile homes sales or rental, wholesale storage facilities, heavy machinery sales and storage.
- "I-1" Industrial District 1 – All uses permitted in "C" District with the exception of Single-Family homes, duplexes and attached single family housing plus: outdoor sale and storage of auto parts and accessories, refinery, oil and gas well, light manufacturing.
- "I-2" Industrial District 2 – Any use with the exception of housing in any form, not prohibited by any other laws or regulations of the Code of Ordinances of the City, County or State of Texas.
- "PD" Planned Development District – Any permitted use when approved as part of an overall project plan by the City Council; subject to conditions as indicated in the City Zoning Ordinance.

Attachment: 2017-048 ATTH 02 Zoning district definitions (1641 : 2017-048 ORD rezoning 3102 Richmond Road from Office to GR)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

City of Texarkana, Texas

Version: C

Update Date: 4/19/2017 2:34 PM

Briefing Sheet

Lead Department: Human Resources **Action Officer:** Jim Powell, Director of Human Resources

Subject: Resolution No. 2017-050 authorizing the City Manager to enter into an agreement for legal services with Lynn, Ross & Gannaway, LLC.

Briefing: 5/8/2017 **Public Hearing:** 5/8/2017 **Second Briefing:** May 22, 2017 **Council Vote:** 6/12/2017

Item ScheduleSchedule 1: Brief twice - vote once (six weeks)**Updates/History of Briefing:**

NOT APPLICABLE

Executive Summary and Background Information:

Voters passed collective bargaining for firefighters in November 2016. In March, the City Manager was notified the Firefighters Association selected the IAFF Local 367 as their exclusive bargaining agent. Negotiations between the City and IAFF Local 367 are expected to begin in late 2017 or early 2018. Lynn, Ross & Gannaway is recognized as one of the preeminent civil service and collective bargaining law firms in Texas. Ms. Bettye Lynn has practiced law for over 32 years. She has extensive experience in civil service and collective bargaining negotiations, and represents cities and other public entities across the State of Texas.

Potential Options:

- Option 1: Approve Resolution as presented.
- Option 2: Reject resolution and utilize local legal services.
- Option 3: Reject resolution and search for other legal representation specializing in civil service and collective bargaining.

Fiscal Implications:

Legal services are billed on an hourly rate of \$275.00 per hour. Partners bill at \$225.00 per hour. Legal Assistant is billed at \$75.00 per hour. In performing legal services for the City, the Firm may incur costs for items such as postage, faxes, courier and filing fees, travel expenses, mileage reimbursements, not to exceed IRS standards, transcripts expenses, document preparation, investigation costs, copying costs at \$.20 per page if the Firm makes the copies or at cost if an outside copying service is utilized, and other charges related to the City's matter. Travel time is considered billable time and is billed accordingly.

Staff Recommendation:

Staff recommends approval of resolution 2017-050.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

City of Texarkana, Texas

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. 2017-050 RES Authorizing City Manager to enter into contract (DOC)
- b. 2017-050 ATTH 01 Engagement Letter (PDF)
- c. 2017-050 Goals & Perspectives (DOCX)

Staff Coordination

Human Resources	Jim Powell	Department Head Review	Completed	
	04/13/2017 4:08 PM			
Finance Department	Kristin Peeples	Finance Review	Completed	04/13/2017
	5:00 PM			
Purchasing and Contracting		Sharon Moore	Purchasing Review	
	Completed	04/17/2017 7:27 AM		
Deputy City Manager - Shirley Jaster		Shirley Jaster	Deputy City Manager	
Review	Completed	04/18/2017 10:09 AM		
Deputy City Manager - Kyle Dooley		Kyle Dooley	Deputy City Manager	
Review	Completed	04/18/2017 11:16 AM		
Public Information Officer		Lisa Thompson	PIO Review	Completed
	04/18/2017 11:17 AM			
City Manager	John Whitson	City Manager Review	Completed	04/19/2017
	8:39 AM			
City Council	Jennifer Evans	Meeting	Completed	04/24/2017
	6:00 PM			

Meeting History

04/24/17 City Council MOVED FORWARD Next: 05/08/17
 Jim Powell briefed this item.

RESOLUTION NO. 2017 - 050

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER IN CONTRACT WITH LYNN, ROSS & GANNAWAY, LLP OF FORT WORTH, TEXAS FOR LEGAL SERVICES RELATED TO COLLECTIVE BARGAINING, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a petition was filed with the City Secretary pursuant to Section 174.051 of the Texas Local Government Code, to call for an election to consider adoption of collective bargaining for the City's fire fighters; and

WHEREAS, an election was held on Tuesday, November 8, 2016 to determine whether a majority of those voting are in favor of or opposed to collective bargaining for City of Texarkana fire fighters; and

WHEREAS, the voters of the City of Texarkana voted in favor of allowing collective bargaining for City of Texarkana fire fighters; and

WHEREAS, the scope of engagement is summarized in **ATTH 01**.

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

SECTION 1: That the recommendation to engage the law firm of Lynn, Ross & Gannaway, LLP to provide legal services related to collective bargaining matters is approved.

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

PASSED AND APPROVED in Regular Council Session on this the **12th day of June, 2017**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



306 WEST BROADWAY AVENUE
FORT WORTH, TEXAS 76104
817.332.8505 MAIN/817.332.8548 FAX
LABORCOUNSEL.NET

April 13, 2017

John A. Whitson
City Manager
City of Texarkana
Via Email: John.whitson@txkusa.org

RE: Initial Representation Agreement –
Collective Bargaining

Dear Mr. Whitson:

On behalf of Lynn, Ross & Gannaway, LLP, (the “Firm”), let me thank the City of Texarkana (“City”) for entrusting us again to represent the City in its Collective Bargaining matter. This letter will set forth the terms of our initial engagement. Experience has shown that a letter such as this is useful both to the client and to the Firm to express our respective expectations and undertakings.

I. SCOPE OF ENGAGEMENT

From our discussions with you, we understand that the scope of our engagement is to provide the City with advice on Collective Bargaining, and other counsel as the City may request from time to time. In general, our services may include analysis of legal and factual issues, analysis of applicable law, drafting and preparation of documents, and written and oral communications with City officials.

The terms and conditions of the Firm’s representation of the City, as set forth in this letter, will apply to any other future services which you instruct the Firm to perform, unless some other written agreement is reached between the City and the Firm at the time those instructions are received. However, unless specifically requested to perform other services on behalf of the City, the scope of our representation of the City will be limited as reflected above.

II. STAFFING

I will be the attorney at our Firm primarily responsible for performing the assigned legal work. Where appropriate, I may also utilize the services of legal assistants in the Firm. I will attempt wherever possible to make work assignments to maximize effectiveness and time efficiency, and minimizes the City’s legal expenses. Our goal is to provide to the City cost effective, high quality legal services.



III. BASIS FOR FEES AND COSTS

My time is billed on an hourly basis, or increments thereof. At present, my hourly rate is \$275.00. Partners are billed at \$225.00 per hour, and our Legal Assistant is billed at \$75.00 per hour.

In performing legal services for the City, the Firm may incur costs and advance sums on behalf of the City for items such as postage, faxes, courier and filing fees, travel expenses, mileage reimbursements (not to exceed IRS standards), transcript expenses, document preparation, investigation costs, copying costs at \$.20 per page if the Firm makes the copies or at our cost if an outside copying service makes the copies, and other charges related to the City's matter. Depending on the size of those charges, we may request that they be advanced by the City. However, to the extent that the Firm advances those expenses, the City agrees to reimburse the Firm for them on a monthly basis. Travel time is considered billable time and is billed accordingly.

The Firm will send the City monthly statements, indicating the current status of the City's account as to both fees and cost disbursements. These statements will be payable in full upon receipt. Our billing cycle ends on the 20th of each month. The City will not be sent a bill if no work was performed and no expenses were incurred during the billing cycle. Our bills provide a detailed description of work performed, including the name of the attorney performing the work, the date the work was performed, the time spent, the dollar amount for each time entry, and any expenses incurred on behalf of the City.

If, upon your receipt of the statement, you have any questions with regard to any charge set forth in it, or any item of information contained in it, please promptly telephone or write me so that we may discuss these matters when they are fresh in both our minds. I want to avoid any misunderstanding between us concerning fees or charges.

IV. CONCLUSION

Thank you for retaining us to assist the City on a forward-going basis. If this letter meets with the City's approval and understanding of our respective responsibilities, please sign it and return to me. This Agreement will take effect when you have signed it, but its effective date will be retroactive to the date the Firm first provided you with services.

Very Truly Yours,



Bettye Lynn
 lynn@laborcounsel.net
 Direct Dial: 817.332.8504

BL/jc



City of Texarkana
February 8, 2017
Page 3

Agreed to and accepted this _____ day of February, 2017.

John A. Whitson, City Manager

Attachment: 2017-050 ATTH 01 Engagement Letter (1643 : 2017-050 RES authorizing the City Manager to enter into an agreement for legal

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other: