CITY OF TEXARKANA

CITY COUNCIL

MINUTES ● MAY 13, 2024

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

220 TEXAS BLVD., TEXARKANA, TX 75501

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

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

Staff Present: City Manager David Orr, Jennifer Evans, Lisa Thompson, Brandon Uselton, Dusty Henslee, Brooke Stone, Chiquita Burks, Kristin Peeples, Chris Black, Vashil Fernandez, Keith Beason, and Mashell Daniel.

Municipal Court: Judge Sherry Jackson Hawkins.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY ANDREA WILLIAMS MCCOY FOR COUNCIL MEMBER BETTY WILLIAMS

III. PROCLAMATION PRESENTATION

Mayor Bruggeman read the proclamation encouraging all to increase awareness and understanding of mental health, utilize steps to protect ones' mental health, and see the need for appropriate and accessible services for all people with mental illnesses.

He presented the proclamation to Community Healthcore representatives Stacy Tidwell and Linda Hooks. Ms. Tidwell and Ms. Hooks said they appreciate the collaboration between the city and Community Healthcore.

Mental Health Awareness Month

RESULT:	CLOSE ACTION

IV. IN MEMORIAM...WARD 3 COUNCIL MEMBER BETTY JO COOK WILLIAMS



The city suffered an enormous loss with the passing of Ward 3 Council Member Betty Williams, on Sunday, May 12, 2024. Council Member Williams began serving on the City Council in January of 2017. Prior to her council service, she devoted her life to teaching for 32 out of 33 years. She loved the children! She would light up when school district students would come to the council meeting for various presentations. She took pride in downtown Texarkana by picking up trash and taking care of the planters.

The entire city council shared various comments reflecting on the life and service of Council Member Williams.

City Manager Orr said what stood out to him the most was Council Member Williams had a warm personality and positivity about the community. She was a constant encourager and faithfully seved the residents in Ward 3.

Her family members graciously accepted the invitation of joining council and staff at the council meeting. They were her husband Doug, of 58 years, daughter Andrea Williams McCoy, son Alton Williams and his wife and son, Trina and Poca Williams.

She was a sweet, kind, heartfelt, and dedicated servant who loved Texarkana. **She will be greatly missed and always honored for the citizens she served in the City of Texarkana, Texas.**

Council Member Williams' memorial service will be held on Friday, May 24th at 10:00 a.m. at Walnut Church of Christ, 2720 Moores Lane, Texarkana, Texas.

V. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings

Tuesday, May 28, 2024, at 11:00 a.m. (with Budget Advisory Committee)
Monday, June 10, 2024, at 6:00 p.m.
Monday, July 8, 2024, at 6:00 p.m.

Parks & Recreation Activities

May Events:

May 18th	Texarkana Disc Golf Assoc. Disc Golf Tournament	Spring Lake Park
May 18th	Let it Out, Walk to End Domestic Violence & Abuse 10:30 a.m. to 6:00 p.m.	Beverly Park
May 18th	2nd Annual Pickleball Tournament - hosted by High Powered 9:00 a.m. to 6:00 p.m.	Southwest Center
May 18th & 19th	TYSA USSSA - Softball Tournament	Karrh Park
May 18th & 19th	USA District 44 - Softball Tournament	Karrh Park
May 18th & 19th	USSSA - Baseball Tournament	Spring Lake Park
May 30th	Movies in the Park (at dusk) - featuring **"Barbie"**	Spring Lake Park
May 31st & June 1st	Dixie Pre All-Star Tournament	Spring Lake Park

June Events:

June 3rd	Rotary Splash Pad Opens	Spring Lake Park
June 6th	Movies in the Park (at dusk) - featuring **"Wonka"**	Spring Lake Park
June 8th & 9th	NCS Softball Tournament	Wallace Park

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

Other Spring Events

May 18th & 25th June 1st & 8th	Famers Market Days	500 N. State Line Ave Texarkana, Texas

Perot Theatre Show
Tom's **"Elton John"** Tribute will be held on Monday, May 27th at 8:00 p.m.

VI. OPEN FORUM: COMMENTS FROM THE PUBLIC

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

David Green addressed council about possible train derailment, railroad track conditions, and noise pollution created by the trains.

VII. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

There were no appointments or reappointments made to any board, commission, or committee.

VIII. ITEMS FOR CONSIDERATION

Consent Items

(6:42 p.m.)

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

1. Consider approval of the minutes of the Regular Meeting of the City Council held on April 22, 2024 at 6:00 PM.

2. Consider approval of the minutes of the Joint City Committee of the City Council and Texarkana Arkansas Board of Directors, hosted by the Texarkana Airport Authority Board, held on April 24, 2024 at 3:00 PM.

3. Ordinance No. 2024-052 amending budgeted expenditures in the 2017 Bond Fund (Fund 423) to allocate $1,749,296.33 for the fiscal year ending September 30, 2024, for the airport terminal project and authorizing payment to the Texarkana Regional Airport for a total project amount not to exceed $2,368,579.20.

   Public Hearing:
   Council Vote: May 13, 2024

4. Resolution No. 2024-058 authorizing the City Manager to purchase a new chiller for an HVAC unit from contractor, Krause Service Company Inc., of Nash, Texas, for the Southwest Center, with budgeted funds, in an amount not to exceed $94,825.60, from the Community Development Block Grant Fund (Fund 204).

   Public Hearing:
   Council Vote: May 13, 2024

Action Items

[There were no Action Items.]

IX. CLOSED SESSION

The City Council convened into Closed Session pursuant to Texas Government Code Section 551.074 (Personnel Matters) to discuss or deliberate the reappointment of Sherry L. Jackson, J.D., as City Judge of the City's Municipal Court of Record and the amendment of Judge Jackson's compensation agreement.

X. RECONVENED INTO OPEN SESSION

1. Ordinance No. 2024-050 reappointing the Municipal Court Judge, Sherry L. Jackson, J.D., and approving a two-year compensation agreement.

   Public Hearing:
   Council Vote: May 13, 2024

(6:59 p.m.)

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

XI. FIRST BRIEFINGS

1. Ordinance No. 2024-053 amending PD-02-13 for site plan approval on Lot 4, Block 6, Richmond Development Fifth Subdivision, located at 3408 Arista Boulevard. Katy Atwood, owner, and Kayla Wood, MTG Engineers and Surveyors, agent.

Public Hearing: June 10, 2024
Council Vote: June 10, 2024

Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 6/10/2024 6:00 PM**

2. Ordinance No. 2024-054 rezoning on Lots 34-42 and 45-51, Midland Addition, located at 300 Savannah Hill Drive, from General Retail to Commercial. Patrick Hill, owner.

Public Hearing: June 10, 2024
Council Vote: June 10, 2024

Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 6/10/2024 6:00 PM**

3. Ordinance No. 2024-055 rezoning on Lot 1 and 37 1/2 ft of Lot 2, Witt Addition, located at 3309 New Boston Road, from General Retail to Planned Development-Commercial. Richard Seals, owner.

Public Hearing: June 10, 2024
Council Vote: June 10, 2024

Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 6/10/2024 6:00 PM**

4. Ordinance No. 2024-056 granting a Specific Use Permit for one additional use of permanent cosmetics on Lots 7 & 8, Block 29, Ghio-Fish Boulevard Addition, located at 3218 Texas Boulevard. Bryan Callaway, owner, and Marianne Hawkins, agent.

Public Hearing: June 10, 2024
Council Vote: June 10, 2024

Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 6/10/2024 6:00 PM**

XII. PUBLIC HEARINGS

1. Ordinance No. 2024-042 amending Section 12-3 of the Code of Ordinances to designate single polling locations for each city election precinct/ward to align with polling places utilized by Bowie County.

Public Hearing: May 13, 2024
Council Vote: May 13, 2024

There were no public comments made at this hearing.
(7:06 p.m.)

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

2. Ordinance No. 2024-043 rezoning the N 250' of Lots 7, 8, 9, and 10, Block 2, Carrie D. Harts 1st, located at 4001 New Boston Road from Commercial-Agriculture to Commercial. F.M. Slack, owner, and Clint Head, agent.

Public Hearing: May 13, 2024
Council Vote: May 13, 2024

There were no public comments made at this hearing.
(7:07 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christie Page, Ward 4
SECONDER:	Jay Davis, Ward 6
AYES:	Bruggeman, Matlock, Hart, Page, Meador, Davis
ABSENT:	Williams

3. Ordinance No. 2024-044 amending PD-15-5 for site plan approval on Lot 6, Block 3, John T Spears First Addition, located at 3603 Texas Boulevard. Bradley and Sarah Berry, owners.

Public Hearing: May 13, 2024
Council Vote: May 13, 2024

There were no public comments made at this hearing.
(7:09 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jay Davis, Ward 6
SECONDER:	Christie Page, Ward 4
AYES:	Bruggeman, Matlock, Hart, Page, Meador, Davis
ABSENT:	Williams

4. Ordinance No. 2024-046 amending PD-23-4 for site plan approval on a 15.15-acre tract of land (being Tract 81) H.S. Janes HRS, A-306, located at 500 S Bishop Road. Russ Huckaby, owner, and Jess Griffin, agent.

Public Hearing: May 13, 2024
Council Vote: May 13, 2024

There were no public comments made at this hearing.
(7:10 p.m.)

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

5. Ordinance No. 2024-047 amending the Code of Ordinances by adding Article IX, "Door-to-Door Selling", to Chapter 28, of the Code of Ordinances.

Public Hearing: May 13, 2024
Council Vote: May 13, 2024

Jeff Lewis said he conferred with the City Prosecutor after the April 22nd council comments related to this agenda item. The proposed ordinance does not require a fee, license, or permit. Therefore, this ordinance does not conflict with the specific Texas law that applies to licensed alarm companies, which exempts them from any city requirements of a fee, license or permit. This ordinance is very consistent with state law and door-to-door sales persons are expected to register with the city,

There were no public comments made at this hearing.
(7:13 p.m.)

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

6. Resolution No. 2024-051 authorizing the City Manager to execute Subordination Non-Disturbance and Attornment (SNDA) agreements for two existing EPA Revolving Loan Fund cleanup loans and two Economic Development Facade Revolving Loan Fund loans with Texarkana Renewal Properties, LLC, and agreements to restructure ownership of property held as liens in an effort to support downtown redevelopment.

Public Hearing: May 13, 2024
Council Vote: May 13, 2024

Vashil Fernandez briefed this agenda item.

There were no public comments made at this hearing.
(7:17 p.m.)

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

XIII. CITY MANAGER'S REPORT

Lake Wright Patman Programmatic Agreement
Staff had the opportunity to attend the Caddo Conference recently in Fayetteville, Arkansas, which was highlighted by the official signing of the Lake Wright Patman Programmatic Agreement with the Caddo Nation of Oklahoma <https://www.linkedin.com/company/caddo-nation-of-oklahoma/>. This agreement was over two years in the making in partnership with Riverbend and was critical toward the implementation of the Ultimate Rule Curve project at the lake. The city also secured the opportunity to host the Caddo Conference next year in Texarkana and will be sending out more details soon.

First Budget Advisory Committee (BAC) Meeting Recap
The first BAC meeting, for the preparation of the Fiscal Year 2025 budget, was held on May 8th. The next BAC meeting is scheduled for Wednesday, May 15th at noon. That meeting will primarily discuss TWU's budget along with the city's health insurance. Due to scheduling conflicts with some committee members, a request was made to move the joint BAC/City Council meeting, to Tuesday, May 28th at 11:00 a.m. instead of Wednesday, May 29th at noon as originally scheduled.

SAVE THE DATE: Jim E. Yates Airport Terminal Grand Opening, Friday, June 28th at 11:00 a.m. at 2600 Txk Blvd, Texarkana, Arkansas 71854

XIV. ADMINISTRATIVE COMMENTS

1. City Council

   Council Member Matlock asked if all the Budget Advisory Committee representatives were in attendance at the first meeting held on May 8th. City Manager Orr said he would provide her a list of who attended.

2. City Staff

   2024 Comprehensive Plan Update - Vashil Fernandez said as for downtown Texarkana, the proposal of tax relief for the redevelopment of historic commercial properties was adopted, by the council, which has helped to provide incentives for the adaptive re-use of historical structures.

   Staff assisted with and supported the formation of a **new** neighborhood association in New Town which will help rejuvenate the Bell Park area.

As for land use and green space preservation, over the last two years community gardens have been built in the Rosehill, Beverly, and New Town neighborhoods. The city also has community gardens at the Collins Senior Center and one by the Health Department.

These gardens are utilized to encourage and create healthier communities.

Comprehensive Plan Tracking Report

RESULT:	**CLOSE ACTION**

XV. CLOSED SESSION

The City Council convened into closed session pursuant to the following sections of the Texas Government Code:

A. Section 551.071 (Consultation with Attorney)

B. Section 551.072 (Real Property)

C. Section 551.087 (Economic Development Negotiations) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have, locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations: Project Totality.

XVI. RECONVENED INTO OPEN SESSION

XVII. ADJOURNMENT

A motion was made to adjourn the meeting.
(7:40 p.m.)

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

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

Briefing Sheet

Version:
Update Date: 5/6/2024 10:45 AM

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

Subject: Mental Health Awareness Month

Attachments

a. Mental Health Awareness (May) (PDF)

P R O C L A M A T I O N

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, all Americans experience times of difficulty and stress in their lives; and

WHEREAS, mental health conditions are real and prevalent in our nation and prevention is an effective way to reduce the burden of mental health conditions; and

WHEREAS, with early and effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

WHEREAS, Community Healthcore is the local mental health authority assisting residents in nine East Texas counties; and

WHEREAS, Community Healthcore provides a 24 hours/7 days a week crisis hotline, outpatient mental health services, skills training, and support services for children and adults; and

WHEREAS, Community Healthcore served 2,004 Texarkana, Texas, residents in fiscal year 2023.

NOW, THEREFORE, I, Bob Bruggeman, Mayor of the City of Texarkana, Texas, do hereby proclaim May 2024 as

"MENTAL HEALTH AWARENESS MONTH"

in the City of Texarkana, Texas. I also call upon the citizens, government agencies, public and private institutions, businesses, and schools to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental illnesses.

Signed this 13th day of May, 2024.

_____

Bob Bruggeman, Mayor

_____

Jennifer Evans, TRMC, City Secretary

Attachment: Mental Health Awareness (May) (4237 : Mental Health Awareness Month Proc.)

CITY OF TEXARKANA

CITY COUNCIL

MINUTES ● APRIL 22, 2024

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

220 TEXAS BLVD., TEXARKANA, TX 75501

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

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

Staff Present: City Manager David Orr, Jennifer Evans, Kristin Peeples, Karey Parker, Chris Black, Mashell Daniel, Brooke Stone, Robby Robertson, Chiquita Burks, Vashil Fernandez, and Lisa Thompson.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER MARY HART

III. SPECIAL MEETING PRESENTATIONS

Annual Comprehensive Financial Report and Single Audit Report for Fiscal Year Ending - September 30, 2023 - by David Coleman, CPA, FORVIS, LLP

Mr. Coleman provided an overview of the financial highlights of the ACFR. He also discussed the audit scope and results for fiscal year 2023. Overall, the city's general fund unassigned fund balance was healthy for the year. TWU's operating revenues increased, approximately three million dollars, from fiscal year 2022 to fiscal year 2023.

The pension plans for police, fire, TWU, and general employees are all adequately funded. The city received unmodified "clean" opinions with no reportable matters. He was very happy to report the city is completely caught up with its federal and financial statement audits since the cyber ransomware attack the city experienced in 2020.

Texarkana ISD Student Spaceflight Experiments Program - by Morriss Elementary School Students

Minutes Acceptance: Minutes of Apr 22, 2024 6:00 PM (Consent Items)

Morriss Elementary School Principal Lauren Pilgreen presented four fifth-grade students: Isaac Steele, Lynnley Galloway, Lizzy LaGrone, and Cooper Wood.

The students chose concrete for their experiment to test in microgravity. The experiment required them to work on formulas to test their hypothesis and figure out how much concrete, water, and sand would fit into a small test tube.

The purpose of their experiment is to support research on the possibility of building structures on the moon. They said this project taught them teamwork and perseverance. Starting over is common, but giving up is not an option. The Mayor thanked them for a presentation well done!

IV. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings
Monday, May 13, 2024, at 6:00 p.m.
Monday, June 10, 2024, at 6:00 p.m.

Parks & Recreation Activities
April Events:

April 27th	Community Yard Sale and Electronic Recycling - 8am to 3pm	Spring Lake Park
April 27th	TYSA Softball Tournament	Karrh Park
April 27th	Zumba in the Park - 10 to 11am	Spring Lake Park

May Events:

May 4th	Alzheimer's Alliance - 9th Annual Texarkana Wine Festival	Spring Lake Park
May 4th	1st Choice Pregnancy Center - Walk for Life	Spring Lake Park
May 11th	Hands on Texarkana - Dragon Boat Races	Bringle Lake Park West

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

Other Spring Events

April 30th	Total Health & Wellness Expo - 9am to 6pm	Texarkana Texas Convention Center
May 3rd - 5th	Hobie Bass Open Series - Kayak Fishing Tournament	Lake Wright Patman

Minutes Acceptance: Minutes of Apr 22, 2024 6:00 PM (Consent Items)

May 4th	Farmers Market Opening Day - 8am to 1pm	500 N. State Line Avenue, Texarkana, Texas

Joint City Regional Airport Meeting

The City Council will meet with the Texarkana Arkansas Board of Directors on Wednesday, April 24th to receive an update on matters related to the airport's new terminal construction progress, a preview of its upcoming budget cycle, and the Capital Improvement Plan.

The joint meeting will be held at the Ark-Tex Council of Governments building located at 4808 Elizabeth St., Texarkana, Texas. The meeting will begin at 3:00 p.m. and is open to the public.

V. OPEN FORUM: COMMENTS FROM THE PUBLIC

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

Keith Cotton asked about partnering with the city to bring a forum to Spring Lake Park called "Music in the Park". Mr. Cotton said there is great interest in the community of residents who would enjoy some jazz music at the park. He also said it would be nice if more lighting was added to the entertainment area of the park, near the stage, to enhance that space for a music festival.

VI. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Council made no appointments or reappointments to any board, commission, or committee.

VII. ITEMS FOR CONSIDERATION

Consent Items

(6:26 p.m.)

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

1. Consider approval of the minutes of the Regular Meeting of the City Council held on March 25, 2024 at 6:00 PM.

Action Items

Minutes Acceptance: Minutes of Apr 22, 2024 6:00 PM (Consent Items)

2. Joint Resolution No. 2024-048, with the Board of Directors of the City of Texarkana, Arkansas, supporting the fiscal year 2024 Consolidated Rail Infrastructure and Safety Improvements (CRISI) grant application for Union Station Redevelopment.

   Public Hearing:
   Council Vote: April 22, 2024

   Vashil Fernandez briefed this agenda item.
   (6:28 p.m.)

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

3. Resolution No. 2024-049 approving the amendment of the CDBG 2023 Annual Action Plan.

   Public Hearing:
   Council Vote: April 22, 2024

   Vashil Fernandez briefed this agenda item.
   (6:31 p.m.)

RESULT:	**ADOPTED [5 TO 0]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Jay Davis, Ward 6
AYES:	Bruggeman, Matlock, Hart, Meador, Davis
ABSENT:	Williams
AWAY:	Page

VIII. FIRST BRIEFINGS

1. Ordinance No. 2024-042 amending Section 12-3 of the Code of Ordinances to designate single polling locations for each city election precinct/ward to align with polling places utilized by Bowie County.

   Public Hearing: May 13, 2024
   Council Vote: May 13, 2024

   Jeff Lewis briefed this agenda item.

Minutes Acceptance: Minutes of Apr 22, 2024 6:00 PM (Consent Items)

RESULT:	MOVED FORWARD	Next: 5/13/2024 6:00 PM

2. Ordinance No. 2024-043 rezoning the N 250' of Lots 7, 8, 9, and 10, Block 2, Carrie D. Harts 1st, located at 4001 New Boston Road from Commercial-Agriculture to Commercial. F.M. Slack, owner, and Clint Head, agent.

   Public Hearing: May 13, 2024
   Council Vote: May 13, 2024

   Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 5/13/2024 6:00 PM

3. Ordinance No. 2024-044 amending PD-15-5 for site plan approval on Lot 6, Block 3, John T Spears First Addition, located at 3603 Texas Boulevard. Bradley and Sarah Berry, owners.

   Public Hearing: May 13, 2024
   Council Vote: May 13, 2024

   Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 5/13/2024 6:00 PM

4. Ordinance No. 2024-045 approving a Specific Use Permit to allow one additional use of a daycare on Lot 32, Block 2, Oaklawn Subdivision, located 2201 N Akin Avenue. Tameka King, owner.

   Public Hearing: May 13, 2024
   Council Vote: May 13, 2024

   Mashell Daniel briefed this agenda item.

RESULT:	WITHDRAWN

5. Ordinance No. 2024-046 amending PD-23-4 for site plan approval on a 15.15-acre tract of land (being Tract 81) H.S. Janes HRS, A-306, located at 500 S Bishop Road. Russ Huckaby, owner, and Jess Griffin, agent.

   Public Hearing: May 13, 2024
   Council Vote: May 13, 2024

   Mashell Daniel briefed this agenda item.

Minutes Acceptance: Minutes of Apr 22, 2024 6:00 PM (Consent Items)

RESULT:	**MOVED FORWARD**	**Next: 5/13/2024 6:00 PM**

6. Ordinance No. 2024-047 amending the Code of Ordinances by adding Article IX, "Door-to-Door Selling", to Chapter 28, of the Code of Ordinances.

Public Hearing: May 13, 2024
Council Vote: May 13, 2024

Jeff Lewis briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 5/13/2024 6:00 PM**

IX. PUBLIC HEARINGS

1. Ordinance No. 2024-032 rezoning an approximate 0.17-acre tract of land (being Part of Tract 35), W. H. Ector, HRS, A-695, located at 1319 Richmond Road from Multiple Family-1/Planned Development-General Retail to Neighborhood Service. Sundar Adhikari, owner, and Rita Johnson-Williams, agent.

Public Hearing: April 22, 2024
Council Vote: April 22, 2024

There were no public comments made at this hearing.
(6:46 p.m.)

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

2. Ordinance No. 2024-033 granting a Specific Use Permit to allow the location of a daycare on the N 1/2 of Lots 9-12 and Part of the Alley, Block 55, Grandview, located at 1616 Iowa Street. Callie Donelson, owner, and Stephanie Thompson, agent.

Public Hearing: April 22, 2024
Council Vote: April 22, 2024

Stephanie Thompson addressed council about doing some upgrades to the property.
(6:48 p.m.)

Minutes Acceptance: Minutes of Apr 22, 2024 6:00 PM (Consent Items)

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

3. Ordinance No. 2024-034 rezoning an approximate 20.70-acre tract of land (being part of Tracts 9-12, 13, 17, 18 and 19), R. E. Sevey HRS, A-523, located at 2300 Buchanan Road from Single Family-1 to Planned Development - Commercial. Jeff Wright, LEISD, owner, and Robert Sanderson, agent.

Public Hearing: April 22, 2024
Council Vote: April 22, 2024

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

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jay Davis, Ward 6
SECONDER:	Christie Page, Ward 4
AYES:	Bruggeman, Matlock, Hart, Page, Meador, Davis
ABSENT:	Williams

4. Ordinance No. 2024-035 rezoning an approximate 4-acre tract of land (being Tract 64), J. A. Talbot HRS, A-564, located at 5613 Richmond Road from Single Family-1 to Planned Development General Retail. Josh Morriss, Morriss Family LP, owners, and Jason Bolling, Guggenheim Development Services LLC, agent.

Public Hearing: April 22, 2024
Council Vote: April 22, 2024

There were no public comments made at this hearing.
(6:52 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jay Davis, Ward 6
SECONDER:	Christie Page, Ward 4
AYES:	Bruggeman, Matlock, Hart, Page, Meador, Davis
ABSENT:	Williams

5. Ordinance No. 2024-036 amending PD-24-1(GR) for site plan approval on an approximate 4-acre tract of land (being Tract 64), J. A. Talbot HRS, A-564, located at 5613 Richmond Road. Josh Morriss, Morriss Family LP, owner, and Jason Bolling, Guggenheim Development Services LLC, agent.

Public Hearing: April 22, 2024
Council Vote: April 22, 2024

Minutes Acceptance: Minutes of Apr 22, 2024 6:00 PM (Consent Items)

There were no public comments made at this hearing.
(6:53 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jay Davis, Ward 6
SECONDER:	Christie Page, Ward 4
AYES:	Bruggeman, Matlock, Hart, Page, Meador, Davis
ABSENT:	Williams

X. CITY MANAGER'S REPORT

Sales Tax Update
Sales tax receipts for the month of April (February sales) totaled $1,667,563.65, an increase of 0.25% compared to the same month in the prior year. Fiscal year-to-date collections totaled $8,616,147.98, a decrease of $324,214.84 (-3.63%) compared to last year.

Excluding the February adjustments related to an energy sector company, fiscal year-to-date collections would have totaled $9,033,892.98, an increase of $93,530.16 (1.05%) compared to last year.

FY 25 Budget Planning Update
Departmental budget meetings are underway in preparation for the FY 25 proposed budget. Staff anticipates finishing most of the departmental meetings within the next two weeks and have tentatively scheduled the following Budget Advisory Committee Meetings:

Wednesday, May 8th at noon
Wednesday, May 15th at noon
Wednesday, May 29th at noon (joint meeting with Council)

MyGOV Information
Each council member received a MyGOV flyer with information detailing the city's online reporting system that provides two-way communication for residents.

SAVE THE DATES
TML Region 15 Meeting in New Boston, April 23, 2024, 5:30-8pm

Joint City Airport Meeting Wednesday, April 24th at 3pm at the ATCOG Building located at 4808 Elizabeth St., Texarkana, Texas.

XI. ADMINISTRATIVE COMMENTS

1. City Council

   Mayor Bruggeman recognized attendee Kelly Mitchell, who was appointed by the Governor as the Sulphur River Basin Authority (SRBA) Board President. Mr. Mitchell is beginning his seventh year with the SRBA.

Minutes Acceptance: Minutes of Apr 22, 2024 6:00 PM (Consent Items)

He also serves on the city's Budget Advisory Committee. He was thanked for his tireless service to and for the residents of Texarkana, Texas.

2. City Staff

Staff had no administrative comments for council.

XII. ADJOURNMENT

A motion was made to adjourn the meeting.
(6:57 p.m.)

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

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

Minutes Acceptance: Minutes of Apr 22, 2024 6:00 PM (Consent Items)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 5/7/2024 3:02 PM

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

Subject: Consider approval of the minutes of the Joint City Committee of the City Council and Texarkana Arkansas Board of Directors, hosted by the Texarkana Airport Authority Board, held on April 24, 2024 at 3:00 PM.

Attachments

a. DRAFT Minutes Jt. Airport mtg 042424 (PDF)

MINUTES

Joint Texarkana Community

City Council of the City of Texarkana, Texas
Board of Directors of the City of Texarkana, Arkansas

Ark-Tex Council of Governments
4808 Elizabeth Street
Texarkana, TX 75503
April 24, 2024 ** 3:00 p.m.

Elected Official in Attendance
Texarkana, Texas – Mayor Bob Bruggeman, Ward 2 Council Member Mary Hart, Ward 6 Council Member Jay Davis. **Texarkana, Arkansas** – Ward 1 Board Director Terry Roberts, Ward 5 Board Director Danny Jewell.

City Support Staff in Attendance
Texarkana, Texas – City Manager David Orr, Jennifer Evans, Lisa Thompson, Gary Smith, Kenny Icenhower. **Texarkana, Arkansas** – City Manager Robert Thompson.

Texarkana Regional Airport Update – by Airport Director Paul Mehrlich.

Chair Mike Mayo welcomed all to the meeting which included elected officials from both cities in attendance.

Mr. Mehrlich began his briefing with the 20-year Master Plan. It proposes to initially extend the runway another 500 feet and strengthen taxiway Alpha. Also included are necessary projects related to soil and stormwater and adding more hangars for potential landside development in the future as the airport grows.

After answering questions from the board, the floor was open to the public and a few residents made comments expressing how their properties will be affected by this proposed plan. The master plan will be reviewed in 10 years which does allow for changes if warranted.

Attachment: DRAFT Minutes Jt. Airport mtg 042424 (4239 : Joint Airport Meeting Minutes 042424)

The board adopted a resolution for the original 20-year master plan. The next step is to take the plan to both city governments for consideration.

Mr. Mehrlich continued the meeting with his director's report detailing items such as progress on the new terminal, access road design & construction, real estate development, advertising, and operations.

The ribbon cutting for the new terminal is scheduled for Friday, June 28th at 11:00 a.m.

The next regular meeting of the airport board will be held on May 30th at 9:00 a.m. on the second floor of the **new** administrative conference room at 2600 TXK Blvd, Texarkana, Arkansas.

The meeting was adjourned at 4:06 p.m.

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: DRAFT Minutes Jt. Airport mtg 042424 (4239 : Joint Airport Meeting Minutes 042424)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 5/10/2024 9:51 AM

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

Subject: Ordinance No. 2024-052 amending budgeted expenditures in the 2017 Bond Fund (Fund 423) to allocate $1,749,296.33 for the fiscal year ending September 30, 2024, for the airport terminal project and authorizing payment to the Texarkana Regional Airport for a total project amount not to exceed $2,368,579.20.

Briefing: 5/13/2024 **Public Hearing:** **Council Vote:** 5/13/2024

Item Schedule

Updates/History of Briefing:

N/A

Executive Summary and Background Information:

The City of Texarkana, Texas committed $2,368,579.20 of local match for the construction of the Texarkana Regional Airport terminal. The City has paid $435,308.37 in expenses for the terminal project through the fiscal year ending September 30, 2023. The City anticipates spending the remaining amount of $1,749,296.33 in the current fiscal year. Approval of this ordinance will allow staff to amend the existing budget in the 2017 Bond Fund (Fund 423) to allocate a total of $1,749,296.33 in expenditures for the terminal project and authorize the City Manager to issue payment to Texarkana Regional Airport for a total project amount not to exceed $2,368,579.20.

Potential Options:

- Approve
- Deny

Fiscal Implications:

Funds are available in the 2017 Bond Fund (Fund 423)

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

N/A

Board/Committee Recommendation:

N/A

Advisory Board/Committee Meeting Date and Minutes:

N/A

Attachments

a. 2024-052 ORD Authorizing Payment for Airport Terminal Project (DOCX)
b. 2024-052 Goals & Perspectives (DOCX)
c. 2024-052 ORD Pymt Airport Terminal Proj. signed (PDF)

Staff Coordination

Finance Department	Kristin Peeples 05/06/2024 4:13 PM	Department Head Review	Completed	
Finance Department	Kristin Peeples	Finance Review	Completed	05/06/2024 4:13 PM
City Manager	David Orr	City Manager Review	Completed	05/09/2024 5:07 PM
City Council	Jennifer Evans	Meeting	Completed	05/13/2024 6:00 PM

Meeting History

ORDINANCE NO. 2024-052

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGETED EXPENDITURES IN THE 2017 BOND FUND (FUND 423) TO ALLOCATE $1,749,296.33 FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2024, FOR THE AIRPORT TERMINAL PROJECT AND AUTHORIZING PAYMENT TO TEXARKANA REGIONAL AIRPORT FOR A TOTAL PROJECT AMOUNT NOT TO EXCEED $2,368,579.20; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, made a commitment to the Texarkana Regional Airport terminal project for a total amount not to exceed $2,368,579.20 with funds available in the 2017 Bond Fund (Fund 423); and

WHEREAS, expenditures for the Texarkana Regional Airport terminal project, through the fiscal year ending September 30, 2023, total $435,308.37; and

WHEREAS, the City anticipates expending the remainder of the funds for the project in the fiscal year ending September 30, 2024, in the amount of $1,749,296.33, and

WHEREAS, by this Ordinance, the City Council authorizes amending the budget in the 2017 Bond Fund (Fund 423) to allocate $1,749,296.33 in expenditures, for the fiscal year ending September 30, 2024, for the airport terminal project and authorizing payment to Texarkana Regional Airport for a total project amount not to exceed $2,368,579.20.

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

SECTION 1: The City Council authorizes the City Manager or designee to amend the budget in the 2017 Bond Fund (Fund 423) to allocate $1,749,296.33 in expenditures, for the fiscal year ending September 30, 2024, for the airport terminal project and make payment to Texarkana Regional Airport for a total project amount not to exceed $2,368.579.20.

SECTION 2: This ordinance shall be in full force and in effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **13th day of May, 2024**.

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2024-052 ORD Authorizing Payment for Airport Terminal Project (4238 : 2024-052 ORD Amending 2017 Bond Fund and Payment to

City of Texarkana, Texas

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

Resource Impact:	
Staff time required if item is approved:	Low
Other Potential Impacts:	

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

Attachment: 2024-052 Goals & Perspectives (4238 : 2024-052 ORD Amending 2017 Bond Fund and Payment to Airport)

ORDINANCE NO. 2024-052

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGETED EXPENDITURES IN THE 2017 BOND FUND (FUND 423) TO ALLOCATE $1,749,296.33 FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2024, FOR THE AIRPORT TERMINAL PROJECT AND AUTHORIZING PAYMENT TO TEXARKANA REGIONAL AIRPORT FOR A TOTAL PROJECT AMOUNT NOT TO EXCEED $2,368,579.20; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, made a commitment to the Texarkana Regional Airport terminal project for a total amount not to exceed $2,368,579.20 with funds available in the 2017 Bond Fund (Fund 423); and

WHEREAS, expenditures for the Texarkana Regional Airport terminal project, through the fiscal year ending September 30, 2023, total $435,308.37; and

WHEREAS, the City anticipates expending the remainder of the funds for the project in the fiscal year ending September 30, 2024, in the amount of $1,749,296.33, and

WHEREAS, by this Ordinance, the City Council authorizes amending the budget in the 2017 Bond Fund (Fund 423) to allocate $1,749,296.33 in expenditures, for the fiscal year ending September 30, 2024, for the airport terminal project and authorizing payment to Texarkana Regional Airport for a total project amount not to exceed $2,368,579.20.

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

SECTION 1: The City Council authorizes the City Manager or designee to amend the budget in the 2017 Bond Fund (Fund 423) to allocate $1,749,296.33 in expenditures, for the fiscal year ending September 30, 2024, for the airport terminal project and make payment to Texarkana Regional Airport for a total project amount not to exceed $2,368.579.20.

SECTION 2: This ordinance shall be in full force and in effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **13th day of May, 2024**.

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:42 p.m.

Attachment: 2024-052 ORD Pymt Airport Terminal Proj. signed (4238 : 2024-052 ORD Amending 2017 Bond Fund and Payment to Airport)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 5/10/2024 8:36 AM

Lead Department: Parks, Recreation & Health **Action Officer:** Keith Beason,

Subject: Resolution No. 2024-058 authorizing the City Manager to purchase a new chiller for an HVAC unit from contractor, Krause Service Company Inc., of Nash, Texas, for the Southwest Center, with budgeted funds, in an amount not to exceed $94,825.60, from the Community Development Block Grant Fund (Fund 204).

Briefing: 5/13/2024 **Public Hearing:** **Council Vote:** 5/13/2024

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

(May 13, 2024):
NOT APPLICABLE

Executive Summary and Background Information:

The Parks and Recreation Staff requests the purchase of a chiller for the central heat and air system at the Southwest Center. Currently the chiller is down and is not providing air conditioning to the building, and we hope to have this repair done as soon as possible as we approach Summer temperatures.

Potential Options:

- Approve
- Deny

Fiscal Implications:

$94,825.60 from the Community Development Block Grant Fund (Fund 204)

Staff Recommendation:

Staff recommends approval of this request.

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2024-058 RES Approving CM to purchase a new chiller for Southwest Center (DOCX)
b. 2024-058 Goals & Perspectives (DOCX)
c. 2024-058 EXH 'A' Chiller Estimate (PDF)
d. 2024-058 RES SWC chiller repl. signed (PDF)

Staff Coordination

Parks, Recreation & Health	Completed	Robby Robertson 05/09/2024 9:37 AM	Department Head Review	
Finance Department 5:06 PM	Kristin Peeples	Finance Review	Completed	05/09/2024
City Manager 5:08 PM	David Orr	City Manager Review	Completed	05/09/2024
City Council 6:00 PM	Jennifer Evans	Meeting	Completed	05/13/2024

Meeting History

RESOLUTION NO. 2024-058

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO APPROVE THE PURCHASE AND INSTALLATION OF A NEW CHILLER FROM KRAUSE SERVICE COMPANY INC., OF NASH, TEXAS, IN AN AMOUNT NOT TO EXCEED NINETY-FOUR THOUSAND EIGHT HUNDRED TWENTY-FIVE DOLLARS AND SIXTY CENTS ($94,825.60), TO BE PAID WITH FUNDS BUDGETED IN THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND (FUND 204); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the central heat and air unit at the Southwest Center stopped working on the week of May 1st, 2024, and is in need of immediate repair; and

WHEREAS, the City's contracted provider, Krause Service Company Inc., identified the problem as two grounded compressors, which will require all three to be replaced; and

WHEREAS, the project will consist of the installation of a new 70-ton chiller, guard and ethernet switch; and

WHEREAS, Krause Service Company Inc. submitted a proposal with a total cost of **ninety-four thousand eight hundred twenty-five dollars, and sixty cents ($94,825.60)** through the Texas Buy Board Purchasing Cooperative; and

WHEREAS, the proposal from Krause Service Company Inc. is attached as **Exhibit "A"**.

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

SECTION 1: The City Manager be and is hereby authorized to purchase a new chiller for the Southwest Center through Krause Service Company Inc. in an amount not to exceed **ninety-four thousand eight hundred twenty-five dollars and sixty cents ($94,825.60).**

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of May, 2024**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2024-058 RES Approving CM to purchase a new chiller for Southwest Center (4244 : 2024-058 RES New chiller for SWC.)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2024-058 Goals & Perspectives (4244 : 2024-058 RES New chiller for SWC.)

2024-058 EXH 'A'

Krause Service Company Inc.
200 Industrial Blvd
Nash, TX 75569

Estimate

Date	Estimate #
3/7/2024	03072024-01

TX - TACLA020659E AR - HVACR2114040
LA - 56513

Name / Address
City of Texarkana, TX. P.O. Box 1967 Texarkana, TX. 75504

Project
Southwest Center Chiller Estimate

Description	Total
Found chiller not cooling. Found 2 grounded compressors on chiller. Chiller has 3 compressors total. Compressor that is operating currently is in the same circuit of 1 of compressors that is grounded, so will have to replace all 3 compressors. When changing compressors will have to replace all freon on system. **BOTH ESTIMATES GOOD FOR 30 DAYS**	
Option #1: Compressor Changeout (3 compressors total) Price includes compressors, driers, freon, & labor. Systems holds 62lbs of R410A Warranty: 1 Yr parts Compressors have 30 day lead time	48,900.00
Option #2: Complete Chiller Changeout. Estimate to provide and install new Carrier 70 ton chiller. Price includes all piping, pipe insulation, electrical connections, freight, & crane. AIR-COOLED SCROLL CHILLER • 70 Tons – 208/230-3-60 • VARIABLE SPEED FAN (6-POLE) • SSV OPTION • SUCTION LINE INSULATION • BACnet IP • STD COMPR. HOT GAS BYPASS – DX • COIL HEADER COVERS + GRILLES + HAIL GUARD • STD SCCR (10kA) • MCHX COIL • PIC6 + REMOTE CONNECTIVITY WITH ETHERNET SWITCH • RAPID RESTART • DX, EVAPORATOR HEATER • SINGLE POINT NO DISCONNECT Warranty: 1 Yr Labor / 5 Yr Parts Chiller has a 38-40 week lead time	94,825.60

Phone #	Fax #	E-mail	Total
903-831-3912		KRAUSESERVICECO@AOL.COM	

Attachment: 2024-058 EXH 'A' Chiller Estimate (4244 : 2024-058 RES New chiller for SWC.)

RESOLUTION NO. 2024-058

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO APPROVE THE PURCHASE AND INSTALLATION OF A NEW CHILLER FROM KRAUSE SERVICE COMPANY INC., OF NASH, TEXAS, IN AN AMOUNT NOT TO EXCEED NINETY-FOUR THOUSAND EIGHT HUNDRED TWENTY-FIVE DOLLARS AND SIXTY CENTS ($94,825.60), TO BE PAID WITH FUNDS BUDGETED IN THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND (FUND 204); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the central heat and air unit at the Southwest Center stopped working on the week of May 1st, 2024, and is in need of immediate repair; and

WHEREAS, the City's contracted provider, Krause Service Company Inc., identified the problem as two grounded compressors, which will require all three to be replaced; and

WHEREAS, the project will consist of the installation of a new 70-ton chiller, guard and ethernet switch; and

WHEREAS, Krause Service Company Inc. submitted a proposal with a total cost of **ninety-four thousand eight hundred twenty-five dollars, and sixty cents ($94,825.60)** through the Texas Buy Board Purchasing Cooperative; and

WHEREAS, the proposal from Krause Service Company Inc. is attached as **Exhibit "A"**.

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

SECTION 1: The City Manager be and is hereby authorized to purchase a new chiller for the Southwest Center through Krause Service Company Inc. in an amount not to exceed **ninety-four thousand eight hundred twenty-five dollars and sixty cents ($94,825.60).**

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of May, 2024**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:42 p.m.

Attachment: 2024-058 RES SWC chiller repl. signed (4244 : 2024-058 RES New chiller for SWC.)

2024-058 EXH 'A'

Krause Service Company Inc.
200 Industrial Blvd
Nash, TX 75569

Estimate

Date	Estimate #
3/7/2024	03072024-01

TX - TACLA020659E AR - HVACR2114040
LA - 56513

Name / Address
City of Texarkana, TX. P.O. Box 1967 Texarkana, TX. 75504

Project
Southwest Center Chiller Estimate

Description	Total
Found chiller not cooling. Found 2 grounded compressors on chiller. Chiller has 3 compressors total. Compressor that is operating currently is in the same circuit of 1 of compressors that is grounded, so will have to replace all 3 compressors. When changing compressors will have to replace all freon on system. **BOTH ESTIMATES GOOD FOR 30 DAYS**	
Option #1: Compressor Changeout (3 compressors total) Price includes compressors, driers, freon, & labor. Systems holds 62lbs of R410A Warranty: 1 Yr parts Compressors have 30 day lead time	48,900.00
Option #2: Complete Chiller Changeout. Estimate to provide and install new Carrier 70 ton chiller. Price includes all piping, pipe insulation, electrical connections, freight, & crane. AIR-COOLED SCROLL CHILLER • 70 Tons – 208/230-3-60 • VARIABLE SPEED FAN (6-POLE) • SSV OPTION • SUCTION LINE INSULATION • BACnet IP • STD COMPR. HOT GAS BYPASS – DX • COIL HEADER COVERS + GRILLES + HAIL GUARD • STD SCCR (10kA) • MCHX COIL • PIC6 + REMOTE CONNECTIVITY WITH ETHERNET SWITCH • RAPID RESTART • DX, EVAPORATOR HEATER • SINGLE POINT NO DISCONNECT Warranty: 1 Yr Labor / 5 Yr Parts Chiller has a 38-40 week lead time	94,825.60

Phone #	Fax #	E-mail	Total
903-831-3912		KRAUSESERVICECO@AOL.COM	

Attachment: 2024-058 RES SWC chiller repl. signed (4244 : 2024-058 RES New chiller for SWC.)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 4/26/2024 10:41 AM

Lead Department: Human Resources **Action Officer:** J.W. Bramlett, Human Resources Specialist

Subject: Ordinance No. 2024-050 reappointing the Municipal Court Judge, Sherry L. Jackson, J.D., and approving a two-year compensation agreement.

Briefing: 5/13/2024 **Public Hearing:** **Council Vote:** 5/13/2024

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

In Ordinance No. 145-09, the City Council established the City's municipal court as a "municipal court of record" pursuant to Chapter 30 of the Texas Government Code to provide a more efficient disposition of cases arising in the City and in order to more effectively enforce the ordinances of the City.

A municipal court of record is required to provide a court reporter to create and preserve a record in cases tried before the court, while an ordinary municipal court typically does not create or preserve a record. Appeals from either type of municipal court are generally to the county court. The creation and preservation of a "record" increases the efficiency of any appeals from decisions of the municipal court of record: such an appeal from a municipal court of record is based on specific points of error as contained in the "record". In contrast, an appeal from an ordinary municipal court results in a brand new trial since no record was created (the technical term is "trial de novo", meaning all of the witnesses and all of the documentation submitted in the first trial must be presented again).

Sec. 30.00006 of the Texas Government Code, applicable to judges of municipal courts of record, provides in pertinent part as follows:

Sec. 30.00006. JUDGE.

(a) A municipal court of record is presided over by one or more municipal judges.

(b) The governing body shall by ordinance appoint its municipal judges.

(c) A municipal judge must:

(1) be a resident of this state;
(2) be a citizen of the United States;
(3) be a licensed attorney in good standing; and
(4) have two or more years of experience in the practice of law in this state.

(d) The governing body shall provide by ordinance for the term of office of its municipal judges. The term must be for a definite term of two or four years.

* * *

(h) The governing body shall determine the salary of a municipal judge. The amount of a judge's salary may not be diminished during the judge's term of office. The salary may not be based directly or indirectly on fines, fees, or costs collected by the court.

The Honorable Sherry Jackson, Municipal Judge of The Municipal Court of Record in the City of Texarkana, Texas, desires to be reappointed to another two-year term effective June 1, 2024.

Potential Options:

- Approve Reappointment
- Deny Reappointment

Fiscal Implications:

A reappointment with salary set at current levels is currently budgeted.

Staff Recommendation:

Staff recommends adoption of the ordinance as presented.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2024-050 ORD Reappointing Municipal Judge (DOCX)
b. 2024-050 EXH 'A' Jackson 2024 (DOCX)
c. 2024-050 Goals & Perspectives (DOCX)
d. 2024-050 ORD Reappoint Municipal Judge Jackson signed (PDF)

Staff Coordination

Human Resources	J.W. Bramlett 04/19/2024 1:53 PM	Department Head Review	Completed	
City Manager 5:06 PM	David Orr	City Manager Review	Completed	05/09/2024

City of Texarkana, Texas

City Council 6:00 PM	Jennifer Evans	Meeting	Completed	05/13/2024

Meeting History

ORDINANCE NO. 2024 - 050

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, REAPPOINTING SHERRY L. JACKSON, J.D., AS MUNICIPAL JUDGE OF THE MUNICIPAL COURT OF RECORD IN THE CITY OF TEXARKANA, TEXAS, FOR A TWO-YEAR TERM; APPROVING A COMPENSATION AGREEMENT AND DETERMINING THE SALARY FOR THE OFFICE OF MUNICIPAL JUDGE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 30.00006 of the Texas Government Code, applicable to municipal courts of record, provides that the governing body of the municipality shall provide by ordinance for the term of office of its municipal judges and shall determine the salary of a municipal judge; and

WHEREAS, the City Charter of the City of Texarkana, Texas, requires that the Council elect a municipal judge each even year by a majority vote for a two-year term; and

WHEREAS, Section 30.00006(c) of the Texas Government Code provides that a municipal judge must be a resident of this state, be a citizen of the United States, be a licensed attorney in good standing, and have two or more years of experience in the practice of law in this state; and

WHEREAS, the City Charter requires that a municipal judge shall have been a resident of the City of Texarkana, Texas, for at least one year preceding the appointment.

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

SECTION 1: That Sherry L. Jackson, J.D., is deemed qualified under the Texas Government Code and the City Charter to serve as Municipal Judge of the Municipal Court of Record in the City of Texarkana, Texas, and is hereby reappointed to that office for a term of two years commencing on June 1, 2024.

SECTION 2: That the salary for the Municipal Judge and other expense reimbursements, training requirements, and performance reporting shall be determined by the City Council as set forth in the Compensation Agreement as set out in **Exhibit "A**" to this Ordinance, incorporated herein by reference for all purposes, and such agreement is hereby approved.

SECTION 3: That the City Manager, on behalf of the City Council, is authorized and directed to execute the approved Compensation Agreement.

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 **13th day of May, 2024**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2024-050 ORD Reappointing Municipal Judge (4228 : 2024-050 ORD Reappointment of Judge Sherry Jackson)

COMPENSATION AGREEMENT

THIS AGREEMENT is made and entered into by and between the City of Texarkana, Texas, a municipal corporation ("CITY") and Sherry L. Jackson, J.D. ("MUNICIPAL JUDGE").

WITNESSETH:

WHEREAS, CITY desires to employ the services of Sherry L. Jackson, J.D. as the MUNICIPAL JUDGE of the City of Texarkana, Texas; and

WHEREAS, it is the desire of the City Council of the City of Texarkana, Texas, to provide certain compensation benefits, establish certain conditions of employment and to set working conditions of said MUNICIPAL JUDGE; and

WHEREAS, Sherry L. Jackson, J.D., desires to accept employment as the MUNICIPAL JUDGE of the City of Texarkana, Texas;

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and confessed, the parties agree as follows:

Section 1. Duties.

CITY hereby agrees to employ said Sherry L. Jackson, J.D., as the MUNICIPAL JUDGE of said CITY to perform the functions and duties authorized under State law, the City Charter and City Ordinances, and to perform other legally permissible and proper duties and functions as the Council or City Manager shall from time-to-time assign.

Section 2. Term.

A. Sherry L. Jackson, J.D., shall commence serving as the MUNICIPAL JUDGE on the first day of June, 2024, and continue serving under the terms of this contract through the last day of May, 2026. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the City Council to terminate the services of the MUNICIPAL JUDGE at any time, with or without cause. Sufficiency of cause shall be solely within the discretion of CITY. Nothing contained within this Agreement shall be construed to confer an expectation of continued employment or a property interest therein.

B. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the MUNICIPAL JUDGE to resign at any time from her position with the CITY.

C. MUNICIPAL JUDGE agrees to remain in the exclusive employment of CITY and to accept no other employment by another employer during the term of this Agreement.

Attachment: 2024-050 EXH 'A' Jackson 2024 (4228 : 2024-050 ORD Reappointment of Judge Sherry Jackson)

The term "employment" shall not be construed to include occasional teaching, writing, consulting, serving as legal counsel for issues unrelated to CITY business, or mediation performed on the MUNICIPAL JUDGE'S time off or compensatory time off.

Section 3. Compensation and Benefits.

A. CITY agrees to pay the MUNICIPAL JUDGE for her services rendered pursuant hereto an annual base salary of $89,128.00 payable in accordance with the same schedule that other employees of the CITY are paid and subject to the same applicable deductions for taxes, social security, benefit plans and other wage withholdings.

B. CITY agrees to provide the MUNICIPAL JUDGE with compensation benefits as follows:

(1) CITY to pay Health Insurance benefits for employee only;

(2) Texas Municipal Retirement System: employee contribution equal 7% Matching Ratio 2:1;

(3) Longevity pay in accordance with CITY practices as it relates to other CITY employees;

(4) Professional and Association dues to appropriate memberships in State organizations and other related training as approved in consultation with the City Manager. Approved training and travel will be reimbursed at normal and customary CITY rates.

(5) The salary amounts in Section 3A shall be increased in the event the City Council budgets and appropriates a percentage increase of salaries for director-level City employees, and shall not be reduced unless the City Council and MUNICIPAL JUDGE mutually agree in writing to such reduction, or unless a "Force Majeure" event requires such a reduction for all CITY payroll.

Section 4. Performance Evaluation.

The MUNICIPAL JUDGE, at least once annually, shall provide the City Council with a written report of her continuing education activities and any specific areas of interest related to her abilities to perform the full range of her court duties.

Section 5. Hours of Work.

The position of MUNICIPAL JUDGE is a professional position, and MUNICIPAL JUDGE agrees that during regular business hours she will generally be involved in the pursuit of CITY business. CITY recognizes that on occasion the MUNICIPAL JUDGE must devote time outside regular business hours of municipal office in performing her powers and duties (i.e. night court, etc.), and CITY agrees that the MUNICIPAL JUDGE may attend to personal matters during regular business hours when such use is reasonable and does not interfere with her duties or is compelled by unusual circumstances.

Attachment: 2024-050 EXH 'A' Jackson 2024 (4228 : 2024-050 ORD Reappointment of Judge Sherry Jackson)

Section 6. Expenses.

The MUNICIPAL JUDGE shall be reimbursed for job-related expenses incurred in the conduct of CITY business, in the same manner and for the same purposes as other CITY employees.

Section 7. Severance.

If, and only if, terminated other than "for cause" by the City Council as defined hereinbelow, the MUNICIPAL JUDGE shall upon termination receive one lump sum payment of severance pay not to exceed the equivalent of two (2) months standard salary plus accumulated vacation time as provided in CITY's Personnel Handbook. If the MUNICIPAL JUDGE resigns of her own initiative, leaves for other employment, retires, or is terminated "for cause" this section does not apply. The term "for cause," as used in this section, shall mean a conviction for a misdemeanor involving moral turpitude or personal gain or for any felony or a pattern of insubordination which stems from a persistent failure to comply with a legally authorized written directive from the City Manager or City Council and which continues after a reasonable opportunity to remediate such failure to comply.

Section 8. Vacation, Sick Leave, Retirement, and other Benefits.

In addition to the benefits provided in this Agreement, all provisions of CITY's Code of Ordinances and Employee Personnel Handbook relating to health care, vacation, sick leave, retirement system contributions, holidays and other fringe benefits and working conditions as they now exist or may be amended, shall also apply to the MUNICIPAL JUDGE as they would to other employees of the CITY, insofar as those provisions, rules and regulations are not inconsistent with this Agreement.

Section 9. Notices.

Any notice required or permitted to be delivered hereunder shall be deemed received when sent by United States mail, postage prepaid, certified mail, return receipt requested, addressed to CITY or MUNICIPAL JUDGE as the case may be at the address set forth opposite the signature of the party.

Section 10. Entire Agreement.

This Agreement constitutes the sole and only agreement of the parties and supersedes any prior understandings or written or oral agreements between the parties respecting this subject matter.

Section 11. Successor and Assigns.

This Agreement shall be binding on and inure to the benefit of the parties to it and their respective heirs, executors, administrators, legal representatives, successors, and assigns.

Attachment: 2024-050 EXH 'A' Jackson 2024 (4228 : 2024-050 ORD Reappointment of Judge Sherry Jackson)

Section 12. Governing Law.

This Agreement is governed by the laws of the State of Texas; and venue for any action concerning this Agreement shall be Bowie County, Texas.

Section 13. Amendment.

This Agreement may be amended by the mutual written agreement of the parties.

Section 14. Legal Construction.

In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

Section 15. No Waiver.

The failure to enforce or insist on performance of any term or provision of this Agreement by CITY shall not be construed as a waiver of such provision.

Section 16. Force Majeure.

Notwithstanding any other provision of this Agreement, CITY shall not be liable for its non-performance or delayed performance of any duty or obligation owed to MUNICIPAL JUDGE, by this Agreement or otherwise, because of a "Force Majeure" (defined as an event, circumstance, or act that is beyond the CITY's reasonable control, such as an act of God, an act of the public enemy, strikes, other labor disturbances, natural or government-declared disasters, hurricanes, earthquakes, fires, floods, epidemics, pandemics, embargoes, war, riots, ransomware or cyber events, or any other similar cause).

EXECUTED this _____day of May, 2024.

MUNICIPAL JUDGE

By: _____

Sherry L. Jackson, J.D.
Texas Municipal Court
100 N. Stateline, Box 1
Texarkana, Texas 75501

CITY OF TEXARKANA, TEXAS

By: _____

David W. Orr, Ph.D.
City Manager
220 Texas Blvd.
Texarkana, Texas 75501

ATTEST:

By: _____

Jennifer Evans, City Secretary

Attachment: 2024-050 EXH 'A' Jackson 2024 (4228 : 2024-050 ORD Reappointment of Judge Sherry Jackson)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2024-050 Goals & Perspectives (4228 : 2024-050 ORD Reappointment of Judge Sherry Jackson)

ORDINANCE NO. 2024 - 050

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, REAPPOINTING SHERRY L. JACKSON, J.D., AS MUNICIPAL JUDGE OF THE MUNICIPAL COURT OF RECORD IN THE CITY OF TEXARKANA, TEXAS, FOR A TWO-YEAR TERM; APPROVING A COMPENSATION AGREEMENT AND DETERMINING THE SALARY FOR THE OFFICE OF MUNICIPAL JUDGE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 30.00006 of the Texas Government Code, applicable to municipal courts of record, provides that the governing body of the municipality shall provide by ordinance for the term of office of its municipal judges and shall determine the salary of a municipal judge; and

WHEREAS, the City Charter of the City of Texarkana, Texas, requires that the Council elect a municipal judge each even year by a majority vote for a two-year term; and

WHEREAS, Section 30.00006(c) of the Texas Government Code provides that a municipal judge must be a resident of this state, be a citizen of the United States, be a licensed attorney in good standing, and have two or more years of experience in the practice of law in this state; and

WHEREAS, the City Charter requires that a municipal judge shall have been a resident of the City of Texarkana, Texas, for at least one year preceding the appointment.

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

SECTION 1: That Sherry L. Jackson, J.D., is deemed qualified under the Texas Government Code and the City Charter to serve as Municipal Judge of the Municipal Court of Record in the City of Texarkana, Texas, and is hereby reappointed to that office for a term of two years commencing on June 1, 2024.

SECTION 2: That the salary for the Municipal Judge and other expense reimbursements, training requirements, and performance reporting shall be determined by the City Council as set forth in the Compensation Agreement as set out in **Exhibit "A"** to this Ordinance, incorporated herein by reference for all purposes, and such agreement is hereby approved.

SECTION 3: That the City Manager, on behalf of the City Council, is authorized and directed to execute the approved Compensation Agreement.

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 **13th day of May, 2024**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:59 p.m.

Attachment: 2024-050 ORD Reappoint Municipal Judge Jackson signed (4228 : 2024-050 ORD Reappointment of Judge Sherry Jackson)

COMPENSATION AGREEMENT

THIS AGREEMENT is made and entered into by and between the City of Texarkana, Texas, a municipal corporation ("CITY") and Sherry L. Jackson, J.D. ("MUNICIPAL JUDGE").

WITNESSETH:

WHEREAS, CITY desires to employ the services of Sherry L. Jackson, J.D. as the MUNICIPAL JUDGE of the City of Texarkana, Texas; and

WHEREAS, it is the desire of the City Council of the City of Texarkana, Texas, to provide certain compensation benefits, establish certain conditions of employment and to set working conditions of said MUNICIPAL JUDGE; and

WHEREAS, Sherry L. Jackson, J.D., desires to accept employment as the MUNICIPAL JUDGE of the City of Texarkana, Texas;

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and confessed, the parties agree as follows:

Section 1. Duties.

CITY hereby agrees to employ said Sherry L. Jackson, J.D., as the MUNICIPAL JUDGE of said CITY to perform the functions and duties authorized under State law, the City Charter and City Ordinances, and to perform other legally permissible and proper duties and functions as the Council or City Manager shall from time-to-time assign.

Section 2. Term.

A. Sherry L. Jackson, J.D., shall commence serving as the MUNICIPAL JUDGE on the first day of June, 2024, and continue serving under the terms of this contract through the last day of May, 2026. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the City Council to terminate the services of the MUNICIPAL JUDGE at any time, with or without cause. Sufficiency of cause shall be solely within the discretion of CITY. Nothing contained within this Agreement shall be construed to confer an expectation of continued employment or a property interest therein.

B. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the MUNICIPAL JUDGE to resign at any time from her position with the CITY.

C. MUNICIPAL JUDGE agrees to remain in the exclusive employment of CITY and to accept no other employment by another employer during the term of this Agreement.

Attachment: 2024-050 ORD Reappoint Municipal Judge Jackson signed (4228 : 2024-050 ORD Reappointment of Judge Sherry Jackson)

The term "employment" shall not be construed to include occasional teaching, writing, consulting, serving as legal counsel for issues unrelated to CITY business, or mediation performed on the MUNICIPAL JUDGE'S time off or compensatory time off.

Section 3. Compensation and Benefits.

A. CITY agrees to pay the MUNICIPAL JUDGE for her services rendered pursuant hereto an annual base salary of $89,128.00 payable in accordance with the same schedule that other employees of the CITY are paid and subject to the same applicable deductions for taxes, social security, benefit plans and other wage withholdings.

B. CITY agrees to provide the MUNICIPAL JUDGE with compensation benefits as follows:

(1) CITY to pay Health Insurance benefits for employee only;

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(4) Professional and Association dues to appropriate memberships in State organizations and other related training as approved in consultation with the City Manager. Approved training and travel will be reimbursed at normal and customary CITY rates.

(5) The salary amounts in Section 3A shall be increased in the event the City Council budgets and appropriates a percentage increase of salaries for director-level City employees, and shall not be reduced unless the City Council and MUNICIPAL JUDGE mutually agree in writing to such reduction, or unless a "Force Majeure" event requires such a reduction for all CITY payroll.

Section 4. Performance Evaluation.

The MUNICIPAL JUDGE, at least once annually, shall provide the City Council with a written report of her continuing education activities and any specific areas of interest related to her abilities to perform the full range of her court duties.

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The position of MUNICIPAL JUDGE is a professional position, and MUNICIPAL JUDGE agrees that during regular business hours she will generally be involved in the pursuit of CITY business. CITY recognizes that on occasion the MUNICIPAL JUDGE must devote time outside regular business hours of municipal office in performing her powers and duties (i.e. night court, etc.), and CITY agrees that the MUNICIPAL JUDGE may attend to personal matters during regular business hours when such use is reasonable and does not interfere with her duties or is compelled by unusual circumstances.

Attachment: 2024-050 ORD Reappoint Municipal Judge Jackson signed (4228 : 2024-050 ORD Reappointment of Judge Sherry Jackson)

Section 6. Expenses.

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Section 7. Severance.

If, and only if, terminated other than "for cause" by the City Council as defined hereinbelow, the MUNICIPAL JUDGE shall upon termination receive one lump sum payment of severance pay not to exceed the equivalent of two (2) months standard salary plus accumulated vacation time as provided in CITY's Personnel Handbook. If the MUNICIPAL JUDGE resigns of her own initiative, leaves for other employment, retires, or is terminated "for cause" this section does not apply. The term "for cause," as used in this section, shall mean a conviction for a misdemeanor involving moral turpitude or personal gain or for any felony or a pattern of insubordination which stems from a persistent failure to comply with a legally authorized written directive from the City Manager or City Council and which continues after a reasonable opportunity to remediate such failure to comply.

Section 8. Vacation, Sick Leave, Retirement, and other Benefits.

In addition to the benefits provided in this Agreement, all provisions of CITY's Code of Ordinances and Employee Personnel Handbook relating to health care, vacation, sick leave, retirement system contributions, holidays and other fringe benefits and working conditions as they now exist or may be amended, shall also apply to the MUNICIPAL JUDGE as they would to other employees of the CITY, insofar as those provisions, rules and regulations are not inconsistent with this Agreement.

Section 9. Notices.

Any notice required or permitted to be delivered hereunder shall be deemed received when sent by United States mail, postage prepaid, certified mail, return receipt requested, addressed to CITY or MUNICIPAL JUDGE as the case may be at the address set forth opposite the signature of the party.

Section 10. Entire Agreement.

This Agreement constitutes the sole and only agreement of the parties and supersedes any prior understandings or written or oral agreements between the parties respecting this subject matter.

Section 11. Successor and Assigns.

This Agreement shall be binding on and inure to the benefit of the parties to it and their respective heirs, executors, administrators, legal representatives, successors, and assigns.

Attachment: 2024-050 ORD Reappoint Municipal Judge Jackson signed (4228 : 2024-050 ORD Reappointment of Judge Sherry Jackson)

Section 12. Governing Law.

This Agreement is governed by the laws of the State of Texas; and venue for any action concerning this Agreement shall be Bowie County, Texas.

Section 13. Amendment.

This Agreement may be amended by the mutual written agreement of the parties.

Section 14. Legal Construction.

In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

Section 15. No Waiver.

The failure to enforce or insist on performance of any term or provision of this Agreement by CITY shall not be construed as a waiver of such provision.

Section 16. Force Majeure.

Notwithstanding any other provision of this Agreement, CITY shall not be liable for its non-performance or delayed performance of any duty or obligation owed to MUNICIPAL JUDGE, by this Agreement or otherwise, because of a "Force Majeure" (defined as an event, circumstance, or act that is beyond the CITY's reasonable control, such as an act of God, an act of the public enemy, strikes, other labor disturbances, natural or government-declared disasters, hurricanes, earthquakes, fires, floods, epidemics, pandemics, embargoes, war, riots, ransomware or cyber events, or any other similar cause).

EXECUTED this 14th day of May, 2024.

MUNICIPAL JUDGE

By: _____

Sherry L. Jackson, J.D.
Texas Municipal Court
100 N. Stateline, Box 1
Texarkana, Texas 75501

CITY OF TEXARKANA, TEXAS

By: _____

David W. Orr, Ph.D.
City Manager
220 Texas Blvd.
Texarkana, Texas 75501

ATTEST:

By: _____

Jennifer Evans, City Secretary

Attachment: 2024-050 ORD Reappoint Municipal Judge Jackson signed (4228 : 2024-050 ORD Reappointment of Judge Sherry Jackson)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 5/9/2024 2:48 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Zoning Administrator
Subject:	Ordinance No. 2024-053 amending PD-02-13 for site plan approval on Lot 4, Block 6, Richmond Development Fifth Subdivision, located at 3408 Arista Boulevard. Katy Atwood, owner, and Kayla Wood, MTG Engineers and Surveyors, agent.		

Briefing: 6/10/2024 **Public Hearing:** 6/10/2024 **Council Vote:** 6/10/2024

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Katy Atwood, owner, and Kayla Wood, MTG Engineers and Surveyors, agent, for site plan approval on Lot 4, Block 6, Richmond Development Fifth Subdivision, located at 3408 Arista Boulevard. The current zoning is Planned Development-General Retail. This site is currently vacant.

The Future Land Use Map designates this property as “Neighborhood Residential”.

The adjacent zoning is Planned Development-General Retail to the north, south, east, and west. The adjacent land use is an apartment complex to the west and east, offices to the north and south.

The site plan consists of the following:

1. The construction of a 2,525 sq ft building.
2. The access driveway will be off Arista Boulevard.
3. There will be 6 parking spaces including 1 handicapped space. All parking spaces shall be a minimum of 180 sq. ft. in size.
4. A 6’ by 8’ monument style sign. No electronic message.
5. Development must meet Drainage Ordinance and Stormwater Manual Design Standards.
6. The Utility has no objections to the site plan.
7. There is an 8 in sewer main running along the East side of Arista Blvd in front of the property.
8. There is an 8in water main running along the West side of Arista Blvd in front of the property.
9. Screened dumpster site.

Staff recommends for approval of the site plan with stipulations.

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends approval with stipulations.

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:

May 6, 2024

Attachments

a. 2024-053 ORD site plan approval 3408 Arista Blvd (DOCX)
b. 2024-053 EXH 'A' (Site Plan)(PDF)
c. 2024-053 ATTH 01 (Maps) (PDF)
d. 2024-053 ATTH 02 (Elevations) (PDF)
e. 2024-053 ATTH 03 (Floor Plans) (PDF)
f. 2024-053 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration		Mashell Daniel	Reviewer	Completed
	05/08/2024 2:04 PM			
Public Works Department		Dusty Henslee	Reviewer	Completed
	05/09/2024 7:49 AM			
City Manager	David Orr	Reviewer	Completed	05/09/2024 5:07 PM
City Council	Jennifer Evans	Meeting	Completed	05/13/2024 6:00 PM

Meeting History

ORDINANCE NO. 2024-053

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-02-13(GR) FOR SITE PLAN APPROVAL ON LOT 4, BLOCK 6, RICHMOND DEVELOPMENT FIFTH SUBDIVISION, LOCATED AT 3408 ARISTA BOULEVARD, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') on Lot 4, Block 6 Richmond Development Fifth Subdivision, located at 3408 Arista Boulevard** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-General Retail [PD-02-13(GR)], and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-02-13(GR); and

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-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 this amendment, have given the requisite notices by publication and otherwise, and have afforded and held full and fair hearings to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously by a vote of five (5) to zero (0) to recommend for approval of the petition for a site plan (Exhibit 'A')** to the City Council of the City of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that the approval of the site plan for the above-described property is in the best interest of the public health, safety, morals, and general welfare of the City.

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

SECTION 1: That the site plan **(Exhibit 'A') on Lot 4, Block 6 Richmond Development Fifth Subdivision, located at 3408 Arista Boulevard** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-02-13(GR).

Attachment: 2024-053 ORD site plan approval 3408 Arista Blvd (4240 : 2024-053 ORD Amendment to PD-02-13 site plan 3408 Arista)

SECTION 2: PD-02-13(GR) is hereby amended by approval of the site plan (**Exhibit 'A'**), incorporated herein by reference for all purposes and includes the following:

1. The construction of a 2,525 sq ft building.
2. The access driveway will be off Arista Boulevard.
3. There will be six (6) parking spaces including one (1) handicapped space. All parking spaces shall be a minimum of 180 sq. ft. in size.
4. A 6' by 8' monument style sign. No electronic message.
5. Development must meet Drainage Ordinance and Stormwater Manual Design Standards.
6. The Utility has no objections to the site plan.
7. There is an 8in sewer main running along the east side of Arista Blvd in front of the property.
8. There is an 8in water main running along the west side of Arista Blvd in front of the property.
9. Screened dumpster site.

SECTION 3: It is further provided that in case a section, clause, sentence, or part of this ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this ordinance.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 5: This ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **10th day of June, 2024.**

ATTEST:

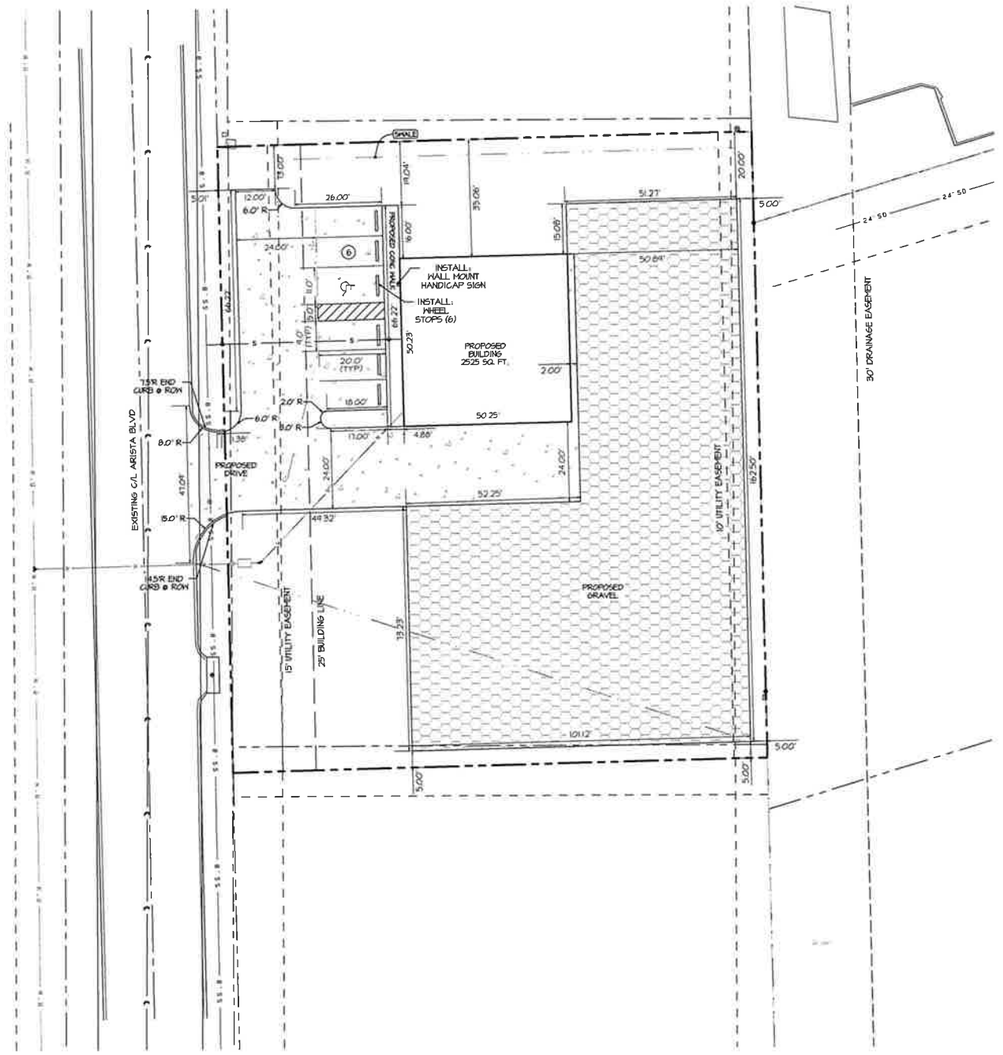
_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2024-053 ORD site plan approval 3408 Arista Blvd (4240 : 2024-053 ORD Amendment to PD-02-13 site plan 3408 Arista)

2024-053 EXH 'A'

Amendment to PD-02-13



LEGEND

- PROPERTY LINE
- CURB AND GUTTER
- BUILDING EDGE
- EDGE OF PAVEMENT
- EASEMENT
- BUILDING LINE OFFSET
- TOE OF DITCH/SLOPE
- TOP OF BANK
- E — OVERHEAD POWER LINE
- W — WATER MAIN
- S — SANITARY SEWER MAIN
- T — TELEPHONE LINE
- PROPOSED CONTOUR INT.
- EXISTING CONTOUR INT.
- SF — SILT FENCE
- SD — STORM DRAIN
- FL — FIRE LANE
- 356.0 — SPOT ELEVATION
- POWER POLE
- WATER METER
- WATER VALVE
- CLEAN OUT
- SANITARY SEWER MANHOLE
- STORM DRAIN MANHOLE
- SIGN (TYPICAL)
- HANDICAP PARKING SYMBOL (PAINTED)
- FIRE HYDRANT
- LIGHT POLE
- GAS REGULATOR
- IRRIGATION CONTROL VALVE
- SPRINKLER HEAD
- ROOF DRAIN
- TELEPHONE JUNCTION BOX
- ELECTRIC JUNCTION BOX
- GUY WIRE
- TREE

GENERAL SITE NOTES

1. CONTRACTOR SHALL FIELD VERIFY HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING AND PLANNED UTILITIES BEFORE CONSTRUCTION. CONTRACTOR IS RESPONSIBLE FOR PROTECTING EXISTING UTILITIES (SHOWN OR NOT SHOWN) WITHIN SCOPE OF CONSTRUCTION. IF ANY EXISTING UTILITIES ARE DAMAGED, THE CONTRACTOR SHALL REPLACE THEM AT HIS OWN EXPENSE.
2. CONTRACTOR SHALL NOTIFY THE APPROPRIATE AGENCY A MINIMUM OF 2 WORKING DAYS PRIOR TO BEGINNING CONSTRUCTION WITHIN RIGHT-OF-WAY. ALL WORK WITHIN THE RIGHT OF WAY SHALL BE IN COMPLIANCE WITH APPROVED PERMIT.
3. BUILDING DIMENSIONS SHOWN ON THESE PLANS ARE OUTSIDE FOUNDATION/SLAB LINES. CONTRACTOR SHALL COORDINATE AND VERIFY DIMENSIONS WITH ARCHITECTURAL PLANS. IN THE EVENT OF ANY DISCREPANCIES BETWEEN THE SITE PLANS AND ARCHITECTURAL PLANS, THE ENGINEER AND ARCHITECT SHALL BE NOTIFIED.
4. DIMENSIONS SHOWN ARE FROM BACK OF CURB AS APPLICABLE, UNLESS OTHERWISE NOTED.
5. THE CONTRACTOR IS RESPONSIBLE FOR REMOVING ANY OBSTRUCTIONS SUCH AS EXISTING STRUCTURES, FENCES, DEBRIS, OR TREES ON SITE, AND SHALL COORDINATE ALL REMOVAL WITH THE GENERAL CONTRACTOR. NO TREES OR OTHER ITEMS SHALL BE REMOVED WITHOUT THE APPROVAL OF THE ARCHITECT, ENGINEER, AND OWNER.
6. THE CONTRACTOR SHALL PROTECT ALL EXISTING POWER POLES, SIGNS, MANHOLES, TELEPHONE RISERS, WATER VALVES, ETC., DURING ALL CONSTRUCTION PHASES.

No	Revision/Description	Date
1	REVISION 1 PER MTG	11/9/2023

MTG ENGINEERS & SURVEYORS
5030 SUMMERHILL ROAD
TEXARKANA, TEXAS
P: 903.838.8533
www.mtgengineers.com
TBPE FIRM NO. F-354
AR COA NO. 125
© MTG 2023

STATE OF TEXAS — KYLE W. MOLD — 134208 — REGISTERED PROFESSIONAL ENGINEER

11/9/2023

Scale	Drawn By	Checked By	File No
AS SHOWN	AMG	KWM	

SITE PLAN

AMERICAN POOLS
TEXARKANA, TEXAS
ROGERS CONSTRUCTION

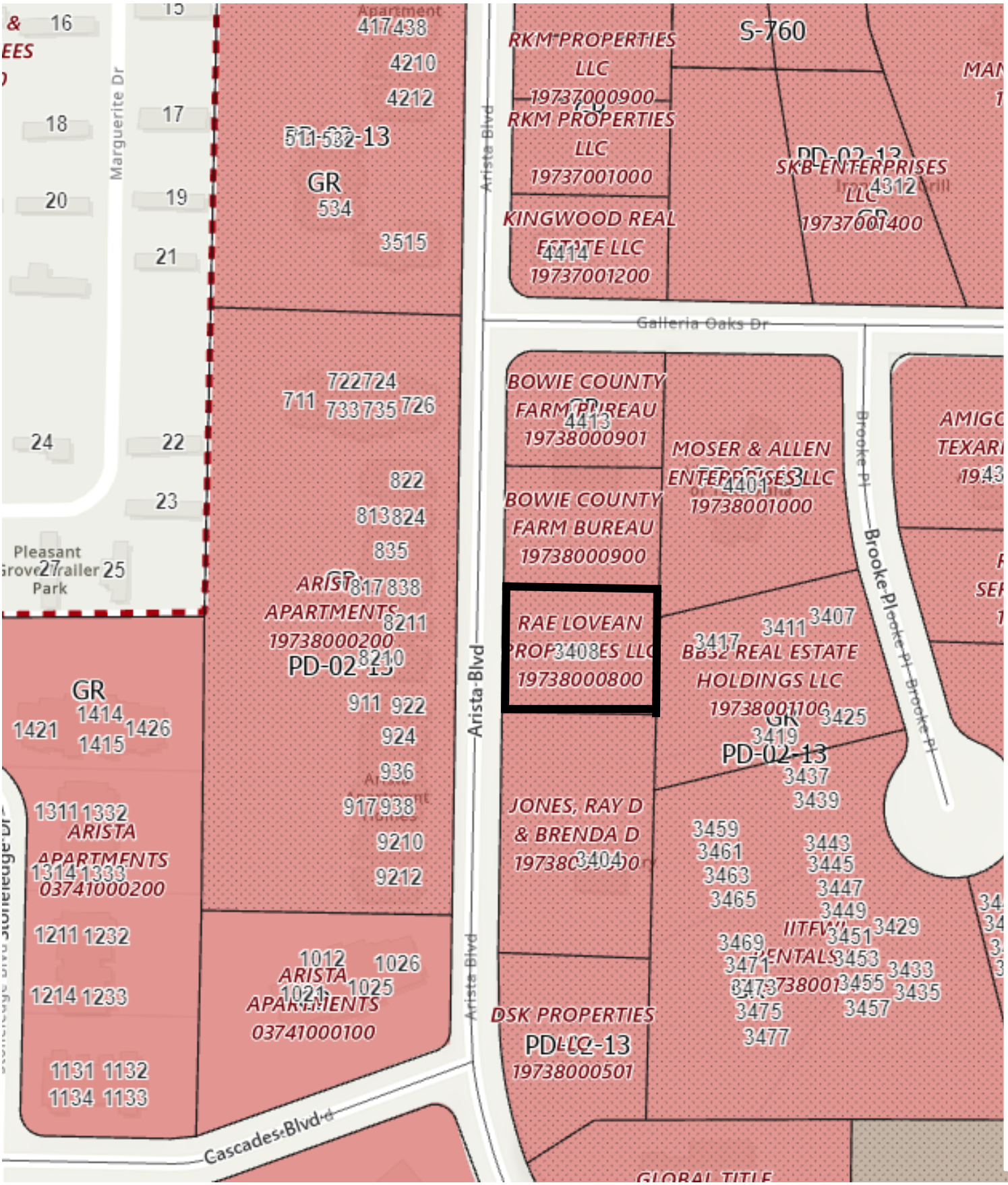
Drawing Date: 11/9/2023
Project Number: 236086
Sheet Number: C2

X:\2023 Projects\236086 American Pools\05 Engineering Design\Design\Design_04.pro
Thu Nov 9, 2023 4:43PM

Attachment: 2024-053 EXH 'A' (Site Plan) (4240 : 2024-053 ORD Amendment to PD-02-13 site plan 3408 Arista)

2024-053 ATTH 01
Amendment to PD-02-13 (GR)

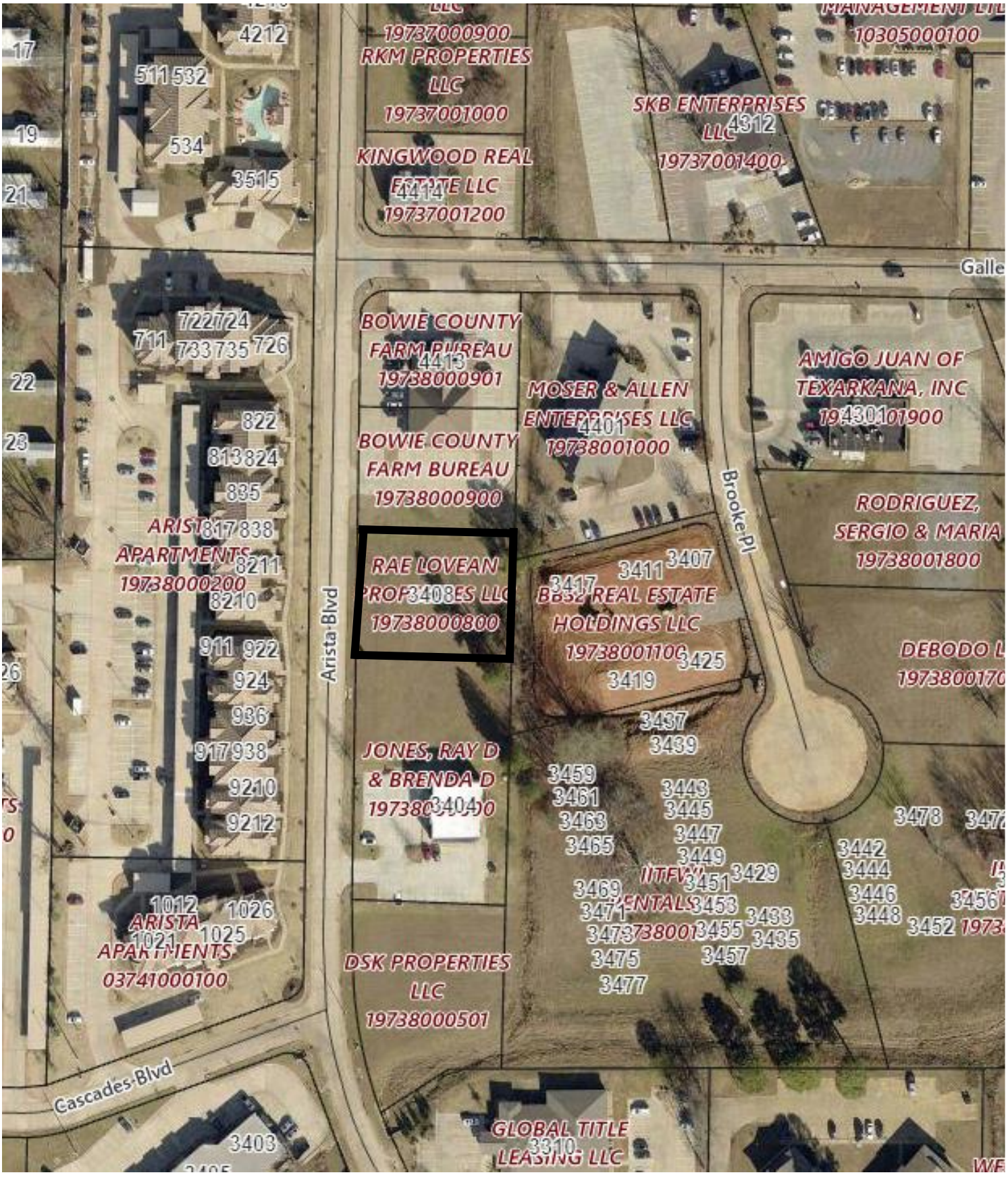
3408 Arista Blvd.



Attachment: 2024-053 ATTH 01 (Maps) (4240 : 2024-053 ORD Amendment to PD-02-13 site plan 3408 Arista)

2024-053 ATTH 01
Amendment to PD-02-13 (GR)

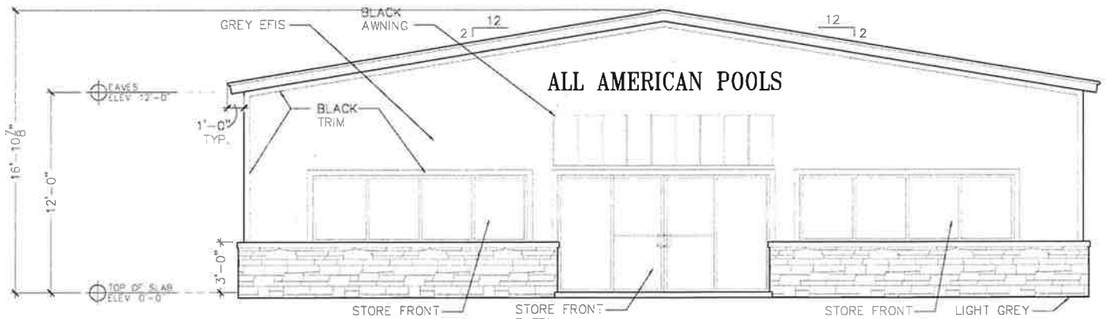
3408 Arista Blvd.



Attachment: 2024-053 ATTH 01 (Maps) (4240 : 2024-053 ORD Amendment to PD-02-13 site plan 3408 Arista)

2024-053 ATTH 02

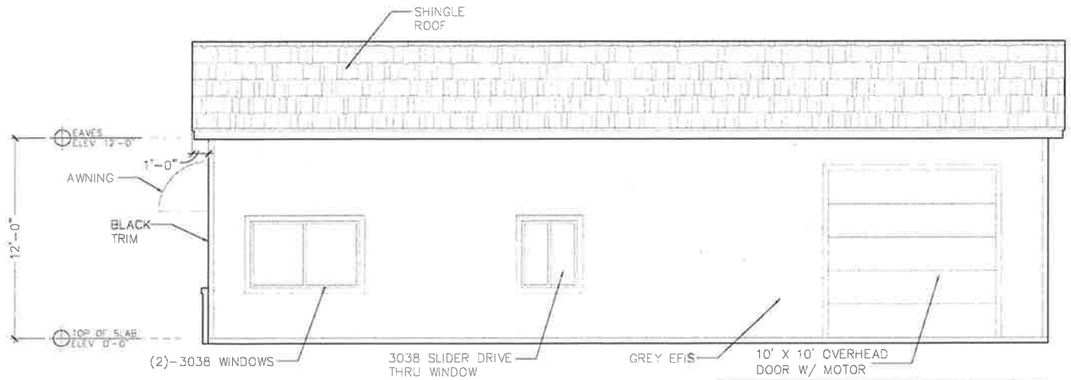
Amendment to PD-02-13



FRONT ELEVATION

SCALE 1/4" = 1'-0"

PRELIMINARY USE ONLY
NOT FOR CONSTRUCTION



RIGHT ELEVATION

SCALE 1/4" = 1'-0"

PRELIMINARY USE ONLY
NOT FOR CONSTRUCTION

General Notes

No.	Revision/Issue	Date

Firm Name and Address

REC ROGERS Equipment & Construction

RESIDENTIAL AND COMMERCIAL CONTRACTOR

Mike Rogers Phone: 903-278-4244

Project Name and Address

All American Pools
Nash, TX

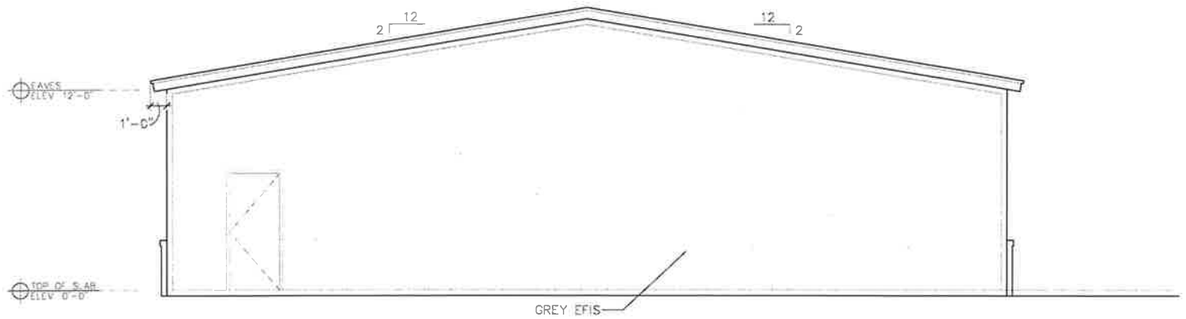
Design by Greg Pardue

Project	Sheet
Prelim. Elevation	A2
Date: 8/14/2023	
Scale: 1/4" = 1'-0"	

Attachment: 2024-053 ATTH 02 (Elevations) (4240 : 2024-053 ORD Amendment to PD-02-13 site plan 3408 Arista)

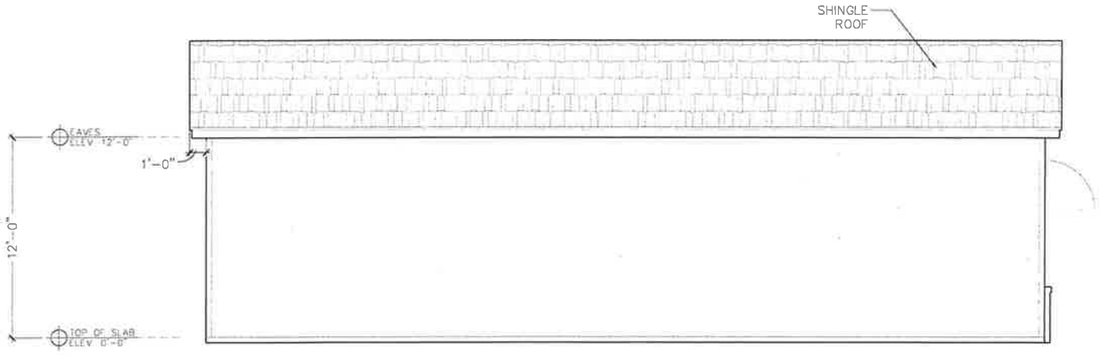
2024-053 ATTH 02

Amendment to PD-02-13



REAR ELEVATION
SCALE 1/4" = 1'-0"

PRELIMINARY USE ONLY
NOT FOR CONSTRUCTION



LEFT ELEVATION
SCALE 1/4" = 1'-0"

PRELIMINARY USE ONLY
NOT FOR CONSTRUCTION

General Notes

No.	Revision/Issue	Date

Firm Name and Address

ROGERS Equipment & Construction

RESIDENTIAL AND COMMERCIAL CONTRACTOR

Mike Rogers Phone: 903-278-4244

Project Name and Address

All American Pools
New Construction

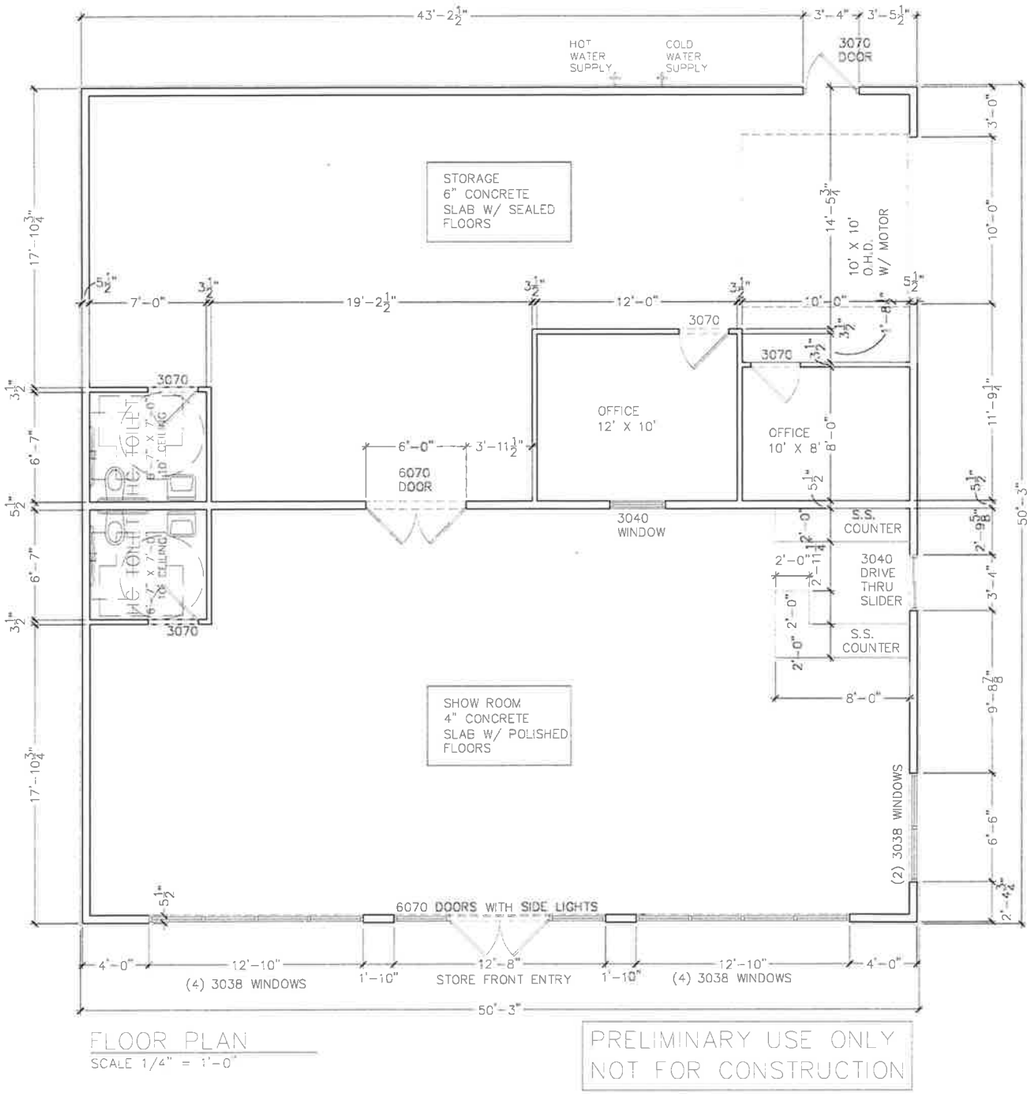
Design by Greg Perdue

Project: Prelim. Elevation
Date: 8/14/2023
Scale: 1/4" = 1'-0"
Sheet: A3

Attachment: 2024-053 ATTH 02 (Elevations) (4240 : 2024-053 ORD Amendment to PD-02-13 site plan 3408 Arista)

2024-053 ATTH 03

Amendment to PD-02-13



FLOOR PLAN

SCALE 1/4" = 1'-0"

PRELIMINARY USE ONLY
NOT FOR CONSTRUCTION

General Notes

No.	Revision/Issue	Date

Firm Name and Address

REC ROGERS Equipment & Construction

RESIDENTIAL AND COMMERCIAL CONTRACTOR

Mike Rogers Phone: 903-278-4244

Project Name and Address

All American Pools
Nash, TX

Design by Greg Perdue

Project	Sheet
Prelim. Floor Plan	A1
Date: 8-14-2023	
Scale: 1/4" = 1'-0"	

Attachment: 2024-053 ATTH 03 (Floor Plans) (4240 : 2024-053 ORD Amendment to PD-02-13 site plan 3408 Arista)

City of Texarkana, Texas

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

Resource Impact:	
Staff time required if item is approved:	No Additional
Other Potential Impacts:	

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

Attachment: 2024-053 Goals & Perspectives (4240 : 2024-053 ORD Amendment to PD-02-13 site plan 3408 Arista)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 5/8/2024 2:49 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Zoning Administrator
Subject:	Ordinance No. 2024-054 rezoning on Lots 34-42 and 45-51, Midland Addition, located at 300 Savannah Hill Drive, from General Retail to Commercial. Patrick Hill, owner.		

Briefing: 6/10/2024 **Public Hearing:** 6/10/2024 **Council Vote:** 6/10/2024

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Patrick Hill, owner, to rezone Lots 34-42 and 45-51, Midland Addition, located at 300 Savannah Hill Drive from General Retail to Commercial. The intended use is an outdoor car lot and mixed uses in building.

The Future Land Use Map has designated this property as “Neighborhood Retail”.

The adjacent zoning is General Retail to the north, south, east, and west. The adjacent land use is a residence to the north, office to the west and south, and vacant land to the east.

Staff recommends approval this request.

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

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff 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:

May 6, 2024

Attachments

a. 2024-054 ORD Rezoning 300 Savannah Hill Dr (DOCX)
b. 2024-054 ATTH 01 (Maps) (PDF)
c. 2024-054 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	05/08/2024 2:04 PM
Public Works Department	Dusty Henslee	Reviewer	Completed	05/09/2024 7:49 AM
City Manager	David Orr	Reviewer	Completed	05/09/2024 5:07 PM
City Council	Jennifer Evans	Meeting	Completed	05/13/2024 6:00 PM

Meeting History

Z-24-5

ORDINANCE NO. 2024-054

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING ON LOTS 34-42 AND 45-51, MIDLAND ADDITION, LOCATED AT 300 SAVANNAH HILL DRIVE, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM GENERAL RETAIL TO COMMERCIAL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone on **Lots 34-42 and 45-51, Midland Addition, located at 300 Savannah Hill Drive,** in the City of Texarkana, Bowie County, Texas, from **General Retail to Commercial**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted five (5) to zero (0) to recommend for approval of the application for rezoning from General Retail to Commercial Lots 34-42 and 45-51, Midland Addition, located at 300 Savannah Hill Drive** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **General Retail to Commercial**; 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 **General Retail to Commercial** is in the best interest of the public health, safety, morals, and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone on **Lots 34-42 and 45-51, Midland Addition, located at 300 Savannah Hill Drive** in the City of Texarkana, Bowie County, Texas, from **General Retail to Commercial.**

Attachment: 2024-054 ORD Rezoning 300 Savannah Hill Dr (4241 : 2024-054 ORD rezoning from GR to C 300 Savannah Hill Dr)

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **10th of June, 2024.**

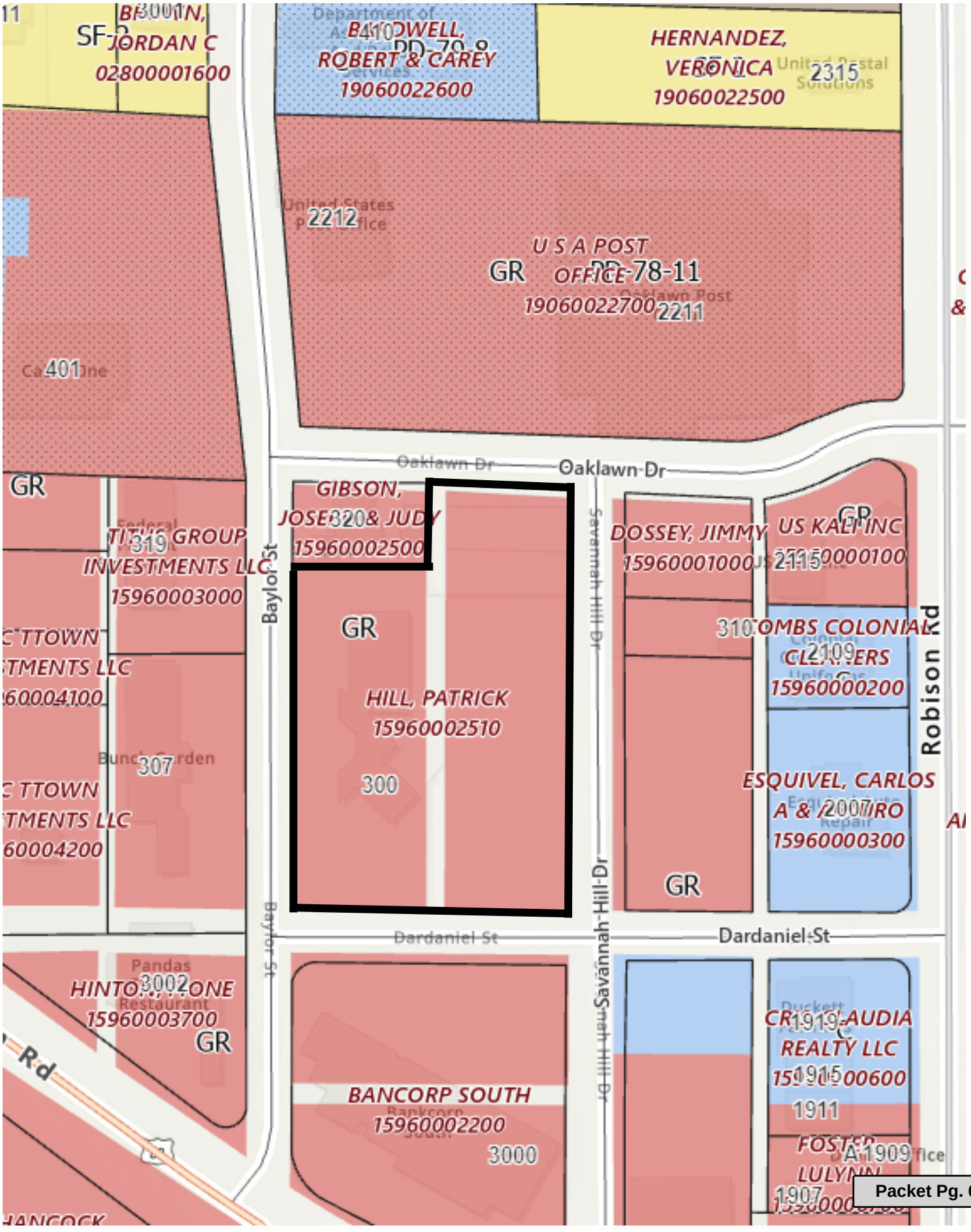
ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2024-054 ORD Rezoning 300 Savannah Hill Dr (4241 : 2024-054 ORD rezoning from GR to C 300 Savannah Hill Dr)

2024-054 ATTH 01
Z-24-5

Savannah Hill Drive



Attachment: 2024-054 ATTH 01 (Maps) (4241 : 2024-054 ORD rezoning from GR to C 300 Savannah Hill Dr)

2024-054 ATTH 01
Z-24-5

Savannah Hill Drive



Attachment: 2024-054 ATTH 01 (Maps) (4241 : 2024-054 ORD rezoning from GR to C 300 Savannah Hill Dr)

City of Texarkana, Texas

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

Resource Impact:	
Staff time required if item is approved:	No Additional
Other Potential Impacts:	

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

Attachment: 2024-054 Goals & Perspectives (4241 : 2024-054 ORD rezoning from GR to C 300 Savannah Hill Dr)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 5/8/2024 9:58 AM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Zoning Administrator
Subject:	Ordinance No. 2024-055 rezoning on Lot 1 and 37 1/2 ft of Lot 2, Witt Addition, located at 3309 New Boston Road, from General Retail to Planned Development-Commercial. Richard Seals, owner.		

Briefing: 6/10/2024 **Public Hearing:** 6/10/2024 **Council Vote:** 6/10/2024

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Richard Seals, owner, to rezone Lot 1 and 37 ½ ft of Lot 2, Witt Addition, located at 3309 New Boston Road from General Retail to Planned Development-Commercial. The intended use is a cabinet manufacturing company.

The Future Land Use Map has designated this property as “Mixed-Use Development”.

The adjacent zoning is General Retail to the west Planned Development-General Retail to the north, Single Family-2 to the east and south. The adjacent land use is a car wash to the west gym to the north, and residences to the east and south.

Staff recommend approval of this request.

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

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommend approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

May 6, 2024

Attachments

a. 2024-055 ORD Rezoning 3309 New Boston Rd (DOCX)
b. 2024-055 ATTH 01 (Maps) (PDF)
c. 2024-055 ATTH 02 (Site drawing) (PDF)
d. 2024-055 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration		Mashell Daniel	Reviewer	Completed
	05/08/2024 2:05 PM			
Public Works Department		Dusty Henslee	Reviewer	Completed
	05/09/2024 7:50 AM			
City Manager	David Orr	Reviewer	Completed	05/09/2024 5:07 PM
City Council	Jennifer Evans	Meeting	Completed	05/13/2024 6:00 PM

Meeting History

Z-24-6

ORDINANCE NO. 2024-055

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING ON LOT 1 AND 37 ½ FEET OF LOT 2, WITT ADDITION, LOCATED AT 3309 NEW BOSTON ROAD, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM GENERAL RETAIL TO PLANNED DEVELOPMENT-COMMERCIAL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone on **Lot 1 and 37 ½ feet of Lot 2, Witt Addition, located at 3309 New Boston Road,** in the City of Texarkana, Bowie County, Texas, from **General Retail to Planned Development-Commercial**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted five (5) to zero (0) to recommend for approval of the application for rezoning from General Retail to Planned Development-Commercial Lot 1 and 37 ½ feet of Lot 2, Witt Addition, located at 3309 New Boston Road** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **General Retail to Planned Development-Commercial**; 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 **General Retail to Planned Development-Commercial** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone on

Attachment: 2024-055 ORD Rezoning 3309 New Boston Rd (4242 : 2024-055 ORD rezoning from General Retail to Commercial)

Lot 1 and 37 ½ feet of Lot 2, Witt Addition, located at 3309 New Boston Road in the City of Texarkana, Bowie County, Texas, from **General Retail to Planned Development-Commercial.**

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **10th of June, 2024.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2024-055 ORD Rezoning 3309 New Boston Rd (4242 : 2024-055 ORD rezoning from General Retail to Commercial)

2024-055 ATTH 01
Z-24-6

3309 New Boston Road



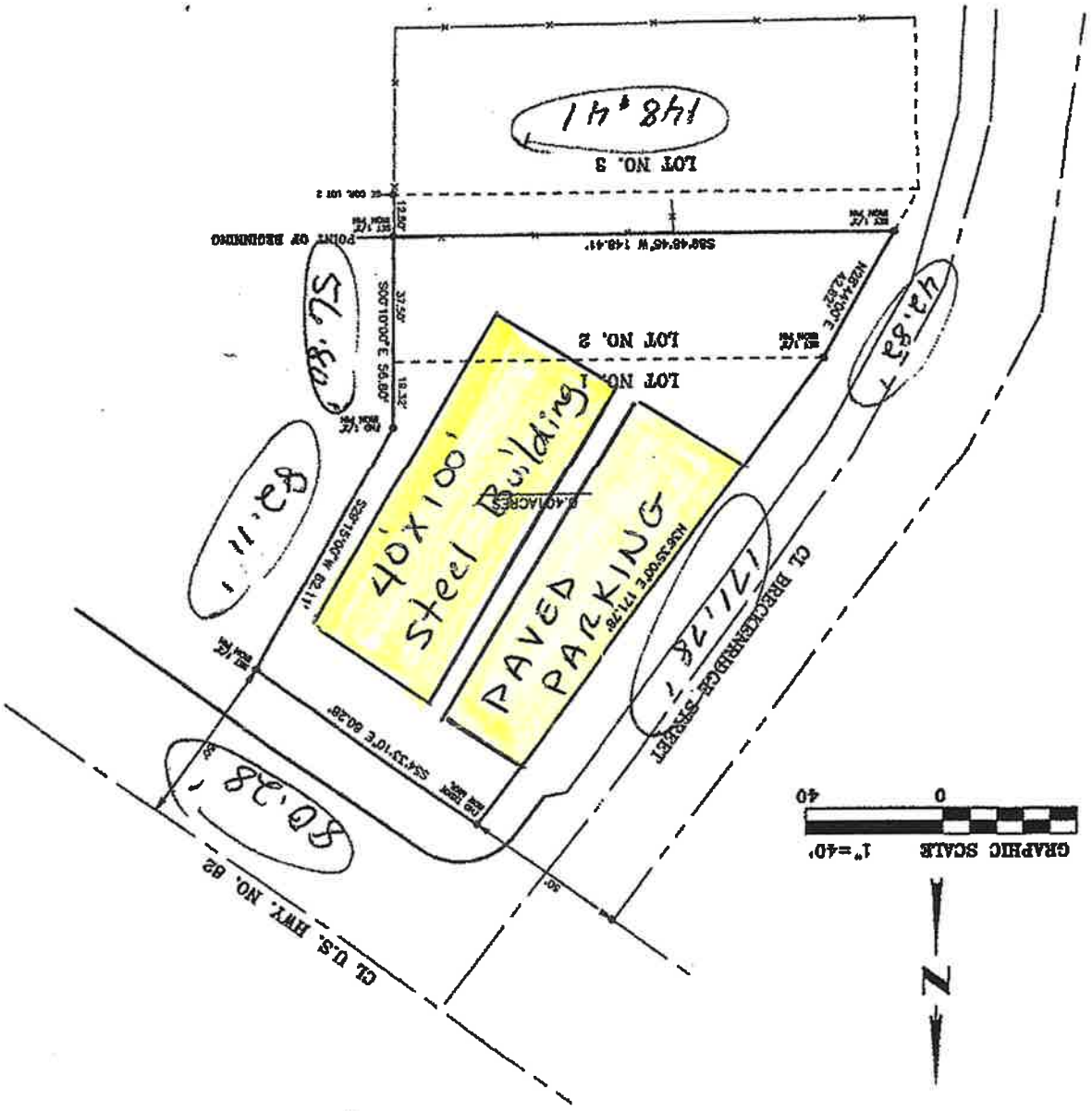
Attachment: 2024-055 ATTH 01 (Maps) (4242 : 2024-055 ORD rezoning from General Retail to Commercial)

2024-055 ATTH 01
Z-24-6

3309 New Boston Road



Attachment: 2024-055 ATTH 01 (Maps) (4242 : 2024-055 ORD rezoning from General Retail to Commercial)



40 x 100'

4000 sf

Building

Attachment: 2024-055 ATTH 02 (Site drawing) (4242 : 2024-055 ORD rezoning from General Retail to Commercial)

City of Texarkana, Texas

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

Resource Impact:	
Staff time required if item is approved:	No Additional
Other Potential Impacts:	

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

Attachment: 2024-055 Goals & Perspectives (4242 : 2024-055 ORD rezoning from General Retail to Commercial)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 5/8/2024 4:17 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Zoning Administrator
Subject:	Ordinance No. 2024-056 granting a Specific Use Permit for one additional use of permanent cosmetics on Lots 7 & 8, Block 29, Ghio-Fish Boulevard Addition, located at 3218 Texas Boulevard. Bryan Callaway, owner, and Marianne Hawkins, agent.		

Briefing: 6/10/2024 **Public Hearing:** 6/10/2024 **Council Vote:** 6/10/2024

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Bryan Callaway, owner, and Marianne Hawkins, agent, for a Specific Use Permit to allow an additional use for permanent cosmetics on Lots 7 & 8, Block 29, Ghio-Fish Boulevard Addition, located at 3218 Texas Boulevard. The property is zoned General Retail.

The Future Land Use Map has designated this property as “Neighborhood Retail”.

The adjacent zoning is General Retail to the north, south, east, and west. The adjacent land usage is a tire shop north, retail to the south and west, alley vacant area east.

A Specific Use Permit is required to allow permanent cosmetics in the General Retail zoning district.

Staff recommends for approval of this request with the following stipulations:

1. That the owner/or any employee performing the application of tattooing procedures be currently licensed by the State and meet all Federal, State and City licensing laws and health regulations. (A copy of the current license must be provided to the city prior to the opening of the business).
2. If this use ever ceases at this location, the City may revoke the Specific Use Permit that allows permanent cosmetics.
3. That the sale of tobacco products or drug paraphernalia is prohibited.
4. That any remodeling of the current building must meet all city codes and requires licensed contractors.

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

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommend approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

May 6, 2024

Attachments

a. 2024-056 ORD granting SUP for permanent cosmetics 3218 Texas Blvd (DOCX)
b. 2024-056 ATTH 01 (Maps) (PDF)
c. 2024-056 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration		Mashell Daniel	Reviewer	Completed
	05/09/2024 9:39 AM			
Public Works Department		Dusty Henslee	Reviewer	Completed
	05/09/2024 9:41 AM			
City Manager	David Orr	Reviewer	Completed	05/09/2024 5:03 PM
Building Code Administration		Jennifer Evans	Department Head Review	
	Skipped	05/09/2024 11:30 AM		
City Council	Jennifer Evans	Meeting	Completed	05/13/2024 6:00 PM

Meeting History

ORDINANCE NO. 2024-056 S-788

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY, AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-788 TO ALLOW ONE ADDITIONAL USE OF PERMANENT COSMETICS IN A TENANT SPACE ON LOTS 7 & 8, BLOCK 29, GHIO-FISH BOULEVARD ADDITION, LOCATED AT 3218 TEXAS BOULEVARD, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow one additional use of permanent cosmetics on **Lots 7 & 8, Block 29, Ghio-Fish Boulevard Addition, located in a tenant space at 3218 Texas Boulevard,** in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously five (5) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow one additional use of permanent cosmetics** on said property; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit Numbered S-788 to allow one additional use of permanent cosmetics on Lots 7 & 8, Block 29, Ghio-Fish Boulevard Addition, located in a tenant space at 3218 Texas Boulevard**, in the City of Texarkana, Bowie County, Texas.

Attachment: 2024-056 ORD granting SUP for permanent cosmetics 3218 Texas Blvd (4243 : 2024-056 ORD granting SUP permanent cosmetics

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

1. That the owner/or any employee performing the application of tattooing procedures be currently licensed by the State and meet all Federal, State and City licensing laws and health regulations. (A copy of the current license must be provided to the city prior to the opening of the business).
2. If this use ever ceases at this location, the City may revoke the Specific Use Permit that allows permanent cosmetics.
3. That the sale of tobacco products or drug paraphernalia is prohibited.
4. That any remodeling of the current building must meet all city codes and requires licensed contractors.

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

SECTION 4: It is further provided that in case a section, clause, sentence or part of this ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this ordinance.

SECTION 5: That this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **10th day of June, 2024.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2024-056 ORD granting SUP for permanent cosmetics 3218 Texas Blvd (4243 : 2024-056 ORD granting SUP permanent cosmetics

2024-056 ATTH 01
S-788

3218 Texas Blvd.



Attachment: 2024-056 ATTH 01 (Maps) (4243 : 2024-056 ORD granting SUP permanent cosmetics 3218 Texas Blvd.)

2024-056 ATTH 01
S-788

3218 Texas Blvd.



Attachment: 2024-056 ATTH 01 (Maps) (4243 : 2024-056 ORD granting SUP permanent cosmetics 3218 Texas Blvd.)

City of Texarkana, Texas

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

Resource Impact:	
Staff time required if item is approved:	No Additional
Other Potential Impacts:	

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

Attachment: 2024-056 Goals & Perspectives (4243 : 2024-056 ORD granting SUP permanent cosmetics 3218 Texas Blvd.)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 3/26/2024 4:26 PM

Lead Department: City Attorney **Action Officer:** Jeffery Lewis,

Subject: Ordinance No. 2024-042 amending Section 12-3 of the Code of Ordinances to designate single polling locations for each city election precinct/ward to align with polling places utilized by Bowie County.

Briefing: 5/13/2024 **Public Hearing:** 5/13/2024 **Council Vote:** 5/13/2024

Item Schedule

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

Updates/History of Briefing:

Not applicable.

Executive Summary and Background Information:

In 2015, the City Council established each of the six city wards as an election precinct and designated a single polling place within each election precinct for use when the City conducts a City-only election ordered by the City Council [Ord. No. 2015-001, adopted Jan. 6. 2015].

Beginning in 2022, Bowie County has been authorized to utilize, and has utilized successfully, the "Countywide Polling Place Program" for primary and general elections, providing county voters with a choice of over twenty "vote centers" strategically located across the county [see ATTH 01, 02, 03]. The county's site selection process for vote centers involved community input and included such factors as number of registered voters, voter familiarity with the polling place, ease of access (such as parking and ADA compliance), and space requirements (for staffing, equipment, and voter privacy). As an example, even though City Hall had been a polling place, it was determined that other locations would be better equipped for space and security of equipment together with increasing voter privacy. During the City Council's regular meeting held on July 11, 2022, the Elections Administrator for Bowie County, Pat McCoy, briefed the City Council on the program.

City staff recommends that the City Council amend Code Section 12-3 to designate a single polling place within each of the six City election precincts that align with specific polling places or "vote centers" utilized by Bowie County, as follows (* denotes City-owned building):

Ward	Current	County/Proposed Amendment
1	GOREE Academic Learning Ctr 3201 Lincoln Ave	Oak St. Baptist Church 401 Waterall St
2	Theron Jones Early Literacy Ctr 2600 West 15th St	*Southwest Center 3222 W. 7th St.
3	*City Hall	*Collins Senior Center

	220 Texas Blvd	3000 Texas Blvd
4	Sullivan Performing Arts Ctr 3941 Summerhill Rd	<< no change >>
5	Pleasant Grove High School 5406 McKnight Rd	Richmond Rd. Baptist Church 5805 Richmond Rd.
6	Pleasant Grove Middle School 5605 Cooks Ln	First Baptist Church 3015 Moores Ln

Potential Options:

Council discretion on designating polling places.

Fiscal Implications:

No immediate fiscal implications; anticipated reduction of election-related costs by aligning polling places.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

Not applicable.

Board/Committee Recommendation:

Not applicable.

Advisory Board/Committee Meeting Date and Minutes:

Not applicable.

Attachments

a. 2024-042 ORD Code 12-3 polling places align with county (DOCX)
b. 2024-042 ATTH 01 Countywide notice (PDF)
c. 2024-042 ATTH 02 County polling locations (PDF)
d. 2024-042 ATTH 03 voting centers map (PDF)
e. 2024-042 Goals & Perspectives (DOCX)
f. 2024-042 ORD align polling places signed (PDF)

Staff Coordination

City Attorney	Jeffery C. Lewis	Department Head Review	Completed	03/26/2024 4:26 PM
City Secretary	Jennifer Evans	Review	Completed	03/27/2024 10:25 AM
City Manager	David Orr	City Manager Review	Completed	04/17/2024 10:46 AM

City of Texarkana, Texas

City Council 6:00 PM	Jennifer Evans	Meeting	Completed	04/22/2024

Meeting History

04/22/24 City Council MOVED FORWARD Next: 05/13/24

Jeff Lewis briefed this agenda item.

PUBLISH

Attachment: 2024-042 ORD Code 12-3 polling places align with county (4220 : 2024-042 ORD amend Code 12-3 align polling places countywide)

ORDINANCE NO. 2024-042

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING SECTION 12-3 OF THE CODE OF ORDINANCES TO DESIGNATE SINGLE POLLING LOCATIONS FOR EACH CITY ELECTION PRECINCT TO ALIGN WITH POLLING PLACES UTILIZED BY BOWIE COUNTY; PROVIDING SEVERABILITY AND REPEALER CLAUSES; CONTAINING LEGISLATIVE FINDINGS; PROVIDING FOR PUBLICATION OF PUBLIC NOTICE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 43.001 of the Texas Election Code states that each election precinct established for an election shall be served by a single polling place located within the boundary of the precinct; and

WHEREAS, Ordinance No. 2015-001 enacted revisions to Chapter 7 of the Code of Ordinances of the City of Texarkana, Texas, to establish each of the six city wards as an election precinct, and to designate a single polling place within each election precinct that will be used when the City conducts a City-only election ordered by the City Council (and Ordinance No. 2015-035 recodified the Code of Ordinances which included reorganizing and renumbering election provisions into Chapter 12 of the Code); and

WHEREAS, the County of Bowie, Texas, is authorized to utilize, and has utilized successfully, the “Countywide Polling Place Program” for primary and general elections, providing county voters with a choice of over twenty "vote centers" strategically located across the county; and

WHEREAS, by this ordinance, the City Council intends to amend Section 12-3 of the Code of Ordinances to designate a single polling place within each of the six City election precincts that align with specific polling places or “vote centers” utilized by Bowie County, for use when the City conducts a City-only election ordered by the City Council; and

WHEREAS, the City Council finds and determines that aligning polling places within the respective wards to specific “vote centers” utilized by Bowie County in the "Countywide Polling Place Program” will promote consistency and efficiency in the election process, will enable reduction of election-related costs, and will be in the best interests of the citizens of Texarkana, Texas.

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

SECTION 1: Chapter 12, Section 12-3, of the Code of Ordinances of the City of Texarkana, Texas, is amended in its entirety to read as follows:

PUBLISH

Sec. 12-3. - City polling places designated.

Each of the City election precincts, as established in section 12-2 of the Code of Ordinances of the City of Texarkana, shall be designated to one (1) polling place as follows:

(1) The polling place for Election Precinct 1 (Ward 1) shall be the Oak St. Baptist Church located at 401 Waterall St.

(2) The polling place for Election Precinct 2 (Ward 2) shall be the Southwest Center located at 3222 W. 7th St.

(3) The polling place for Election Precinct 3 (Ward 3) shall be the Collins Senior Center located at 3000 Texas Blvd.

(4) The polling place for Election Precinct 4 (Ward 4) shall be the Sullivan Performing Arts Center located at 3941 Summerhill Road.

(5) The polling place for Election Precinct 5 (Ward 5) shall be the Richmond Rd. Baptist Church located at 5805 Richmond Rd.

(6) The polling place for Election Precinct 6 (Ward 6) shall be the First Baptist Church located at 3015 Moores Lane.

SECTION 2: 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: The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

SECTION 5: The City Secretary shall give notice of the passage of this Ordinance as provided in Article XI, Section 3, of the Charter of the City of Texarkana, Texas.

SECTION 6: This Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **13th day of May, 2024**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2024-042 ORD Code 12-3 polling places align with county (4220 : 2024-042 ORD amend Code 12-3 align polling places countywide)

COUNTYWIDE VOTING NOTICE

Voters in Bowie County will now be able to vote at any polling location on Election Day.

Bowie County's Application to Participate in Countywide Voting has been approved by the Texas Secretary of State. The County submitted an Application on July 13, 2022, and received word of approval on Friday, August 12, 2022.

Voters have a choice of 22 Vote Centers strategically located across the county. On election day a registered voter can vote at any location from 7am to 7pm. A list of the locations are posted under the "Where to Vote" banner.

Countywide voting makes voting more convenient, more secure, potentially increases voter turnout, and prevents eligible voters from being turned away or given a provisional ballot because the voter is in the wrong voting precinct on election day.

Voters had their first opportunity to use the new program beginning with the November 8, 2022, General/Joint Elections. In the future, all elections, including general, special, joint, primaries, and runoffs will be eligible to use the countywide polling centers.

For more information on the program or Bowie County Elections please call 903.628.6810 or visit www.co.bowie.tx.us/page/bowie.Elections.

Attachment: 2024-042 ATTH 01 Countywide notice (4220 : 2024-042 ORD amend Code 12-3 align polling places countywide)

Bowie County Elections

710 James Bowie Drive
New Boston, TX 75550

903.628.6810
Fax 903.628.6811

ELECTION DAY LOCATIONS
March 5, 2024 – 7AM to 7PM

Vote Center #	Location	Room/Building	Address
1	Oak St. Baptist Church	Family Life Center	401 Waterall St, Texarkana, TX
2	St. Paul's Missionary Baptist Church	Family Life Center	2921 Norris Cooley Dr., Texarkana TX
3	Liberty Eylau Baptist Church	Family Life Center	5605 S. Lake Dr., Texarkana TX
4	Liberty Eylau School of Success	Cafeteria	766 Macedonia Rd, Texarkana, TX
5	Wake Village 1st Baptist Church	Fellowship Hall	820 Wake Ave, Wake Village, TX
6	Collins Senior Center	Meeting Room	3000 Texas Blvd, Texarkana, TX
7	Texarkana College	Levi Hall	2500 N Robison Rd, Texarkana, TX
8	New Zion Missionary Baptist	Family Room	1901 Charlestine St., Texarkana, TX
9	Sullivan Performing Arts Center	Foyer	3941 Summerhill Rd, Texarkana, TX
10	Nash 1st Baptist Church	Rm 117A	500 East New Boston Rd., Nash, TX
11	Texarkana 1st Baptist Church	Scout Center	3015 Moore's Ln., Texarkana, TX
12	Richmond Rd Baptist Church	Worship Center	5805 Richmond Rd, Texarkana, TX
13	Hardy Memorial Methodist Church	Youth Center	6203 N. Kings Hwy., Texarkana, TX
14	Hooks High School	Gym	401 E. Ave A, Hooks, TX
15	Simms Baptist Church	Fellowship Hall	105 CR 4216, Simms, TX
16	Old Salem Baptist Church	Fellowship Hall	6199 FM 1840, New Boston, TX
17	DeKalb High School	Gym	101 SW Maple St., DeKalb, TX
18	New Boston City Hall	Community Center	301 NE Front St, New Boston, TX
19	Leary City Hall	Council Chambers	9504 W. New Boston Rd, Texarkana, TX
20	1st Baptist Church Red Springs	Family Life Center	1101 FM 991 Texarkana, TX
21	Redwater 1st Baptist Church	Family Life Center	105 Redwater Blvd E, Redwater, TX
22	Maud Church of Christ	Family Life Center	414 Houston Dr., Maud, TX
23	Malta Baptist Church	Family Life Center	23 PR 27891, DeKalb, TX
24	Southwest Center	ABC Room	3222 W. 7th St., Texarkana, TX
25	Cross Pointe Texarkana	Gym	3130 University Ave, Texarkana, TX

Attachment: 2024-042 ATTH 02 County polling locations (4220 : 2024-042 ORD amend Code 12-3 align polling places countywide)

2024-042 ATTH 03

Bowie County Voting Centers

Election Day Voting Centers and Early Voting Centers

1. **Oak Street Baptist Church**
   Family Life Center
   401 Waterall St
   Texarkana, TX
2. **St. Paul's Missionary Baptist Church**
   Family Life Center
   2921 Norris Cooley
   Texarkana, TX
3. **Liberty Eylau Baptist Church**
   Family Life Center
   5605 S Lake Dr
   Texarkana, TX
4. **Liberty Eylau School of Success**
   Cafeteria
   766 Macedonia Rd
   Texarkana, TX
5. **Wake Village 1st Baptist Church**
   Fellowship Hall
   820 Wake Ave
   Wake Village, TX
6. **Collins Senior Center**
   Meeting Room
   3000 Texas Blvd
   Texarkana, TX
7. **Texarkana College**
   Levi Hall
   2500 N Robison Rd
   Texarkana, TX
8. **New Zion Missionary Baptist**
   Fellowship Hall
   1901 Charlestine St
   Texarkana, TX
9. **Sullivan Performing Arts Center**
   Foyer
   3941 Summerhill Rd
   Texarkana, TX
10. **Nash 1st Baptist Church**
    Rm A117
    500 E New Boston Rd
    Nash, TX
11. **First Baptist Church of Texarkana**
    Rm 102
    3015 Moores Ln
    Texarkana, TX
12. **Richmond Road Baptist Church**
    Worship Center
    5805 Richmond Rd
    Texarkana, TX
13. **Hardy Memorial Methodist Church**
    Youth Center
    6203 N Kings Hwy
    Texarkana, TX
14. **Hooks High School**
    Gym
    401 E Ave A
    Hooks, TX
15. **Simms Baptist Church**
    Fellowship Hall
    105 CR 4216
    Simms, TX
16. **Old Salem Baptist Church**
    Fellowship Hall
    6199 FM 1840
    New Boston, TX
17. **De Kalb High School**
    Gym
    101 SW Maple St
    De Kalb, TX
18. **New Boston City Hall**
    Community Center
    301 NE Front St
    New Boston, TX
19. **Leary City Hall**
    Council Chambers
    9504 W New Boston Rd
    Leary, TX
20. **First Baptist Church Red Springs**
    Family Life Center
    1101 FM 991
    Texarkana, TX
21. **First Baptist Church of Redwater**
    Family Life Center
    105 Redwater Blvd E
    Redwater, TX
22. **Maud Church of Christ**
    Family Life Center
    414 Houston St
    Maud, TX
23. **Malta Baptist Church**
    Family Life Center
    23 PR 27891
    De Kalb, TX
24. **Southwest Center**
    ABC Room
    3222 W 7th St
    Texarkana, TX
25. **Cross Pointe Texarkana**
    Gym
    3130 University Ave
    Texarkana, TX

EV1 **Bowie County Court House**
Elections Work Room
710 James Bowie Dr
New Boston, TX

EV2 **Southwest Center**
ABC Rm
3222 W 7th St
Texarkana, TX

EV3 **Walnut Church of Christ**
West Side Entrance
2720 Moores Ln
Texarkana, TX

Texarkana Water Utilities (TWU) maps are for display purposes only. TWU makes no guarantees, or warranties as to the accuracy, completeness, currency, or suitability of the information provided. TWU specifically disclaims any and all liability for any claims or damages that may result from providing GIS data.

Attachment: 2024-042 ATTH 03 voting centers map (4220 : 2024-042 ORD amend Code 12-3 align polling places countywide)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

Public Information Plan:

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

Other:

Attachment: 2024-042 Goals & Perspectives (4220 : 2024-042 ORD amend Code 12-3 align polling places countywide)

PUBLISH

ORDINANCE NO. 2024-042

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING SECTION 12-3 OF THE CODE OF ORDINANCES TO DESIGNATE SINGLE POLLING LOCATIONS FOR EACH CITY ELECTION PRECINCT TO ALIGN WITH POLLING PLACES UTILIZED BY BOWIE COUNTY; PROVIDING SEVERABILITY AND REPEALER CLAUSES; CONTAINING LEGISLATIVE FINDINGS; PROVIDING FOR PUBLICATION OF PUBLIC NOTICE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 43.001 of the Texas Election Code states that each election precinct established for an election shall be served by a single polling place located within the boundary of the precinct; and

WHEREAS, Ordinance No. 2015-001 enacted revisions to Chapter 7 of the Code of Ordinances of the City of Texarkana, Texas, to establish each of the six city wards as an election precinct, and to designate a single polling place within each election precinct that will be used when the City conducts a City-only election ordered by the City Council (and Ordinance No. 2015-035 recodified the Code of Ordinances which included reorganizing and renumbering election provisions into Chapter 12 of the Code); and

WHEREAS, the County of Bowie, Texas, is authorized to utilize, and has utilized successfully, the "Countywide Polling Place Program" for primary and general elections, providing county voters with a choice of over twenty "vote centers" strategically located across the county; and

WHEREAS, by this ordinance, the City Council intends to amend Section 12-3 of the Code of Ordinances to designate a single polling place within each of the six City election precincts that align with specific polling places or "vote centers" utilized by Bowie County, for use when the City conducts a City-only election ordered by the City Council; and

WHEREAS, the City Council finds and determines that aligning polling places within the respective wards to specific "vote centers" utilized by Bowie County in the "Countywide Polling Place Program" will promote consistency and efficiency in the election process, will enable reduction of election-related costs, and will be in the best interests of the citizens of Texarkana, Texas.

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

SECTION 1: Chapter 12, Section 12-3, of the Code of Ordinances of the City of Texarkana, Texas, is amended in its entirety to read as follows:

Attachment: 2024-042 ORD align polling places signed (4220 : 2024-042 ORD amend Code 12-3 align polling places countywide)

PUBLISH

Sec. 12-3. - City polling places designated.

Each of the City election precincts, as established in section 12-2 of the Code of Ordinances of the City of Texarkana, shall be designated to one (1) polling place as follows:

(1) The polling place for Election Precinct 1 (Ward 1) shall be the Oak St. Baptist Church located at 401 Waterall St.

(2) The polling place for Election Precinct 2 (Ward 2) shall be the Southwest Center located at 3222 W. 7th St.

(3) The polling place for Election Precinct 3 (Ward 3) shall be the Collins Senior Center located at 3000 Texas Blvd.

(4) The polling place for Election Precinct 4 (Ward 4) shall be the Sullivan Performing Arts Center located at 3941 Summerhill Road.

(5) The polling place for Election Precinct 5 (Ward 5) shall be the Richmond Rd. Baptist Church located at 5805 Richmond Rd.

(6) The polling place for Election Precinct 6 (Ward 6) shall be the First Baptist Church located at 3015 Moores Lane.

SECTION 2: 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: The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

SECTION 5: The City Secretary shall give notice of the passage of this Ordinance as provided in Article XI, Section 3, of the Charter of the City of Texarkana, Texas.

SECTION 6: This Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **13th day of May, 2024**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:06p.m.

Attachment: 2024-042 ORD align polling places signed (4220 : 2024-042 ORD amend Code 12-3 align polling places countywide)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 4/15/2024 8:43 AM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Zoning Administrator
Subject:	Ordinance No. 2024-043 rezoning the N 250' of Lots 7, 8, 9, and 10, Block 2, Carrie D. Harts 1st, located at 4001 New Boston Road from Commercial-Agriculture to Commercial. F.M. Slack, owner, and Clint Head, agent.		

Briefing: 5/13/2024 **Public Hearing:** 5/13/2024 **Council Vote:** 5/13/2024

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by F. M. Slack, owner, and Clint Head, agent to rezone on the N 250' of Lots 7-10, Block 2, Carrie D. Harts 1st, located at 4001 New Boston Road from Commercial/Agriculture to Commercial. The intended use is a service station.

The Future Land Use Map has designated this property as "Regional Commercial".

The adjacent zoning is Commercial to the north, and east, Agriculture to the west and south. The adjacent land use is grocery store north, veterinary clinic east, vacant lot west and residence south.

Staff recommends for approval of this request.

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

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff 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:

Tabled on March 4, 2024
April 2, 2024

Attachments

a. 2024-043 ORD Rezoning 4001 New Boston Rd (DOCX)
b. 2024-043 ATTH 01 (Maps) (PDF)
c. 2024-043 Goals & Perspectives (DOCX)
d. 2024-043 ORD rez 4001 New Boston Rd signed (PDF)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	04/17/2024 9:29 AM
Public Works Department	Dusty Henslee	Reviewer	Completed	04/17/2024 9:44 AM
City Manager	David Orr	Reviewer	Completed	04/17/2024 10:46 AM
City Council	Jennifer Evans	Meeting	Completed	04/22/2024 6:00 PM

Meeting History

04/22/24 City Council MOVED FORWARD Next: 05/13/24
Mashell Daniel briefed this agenda item.

Z-24-3

ORDINANCE NO. 2024-043

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING ON THE NORTH 250' OF LOTS 7-10, BLOCK 2, CARRIE D. HARTS 1ST, LOCATED AT 4001 NEW BOSTON ROAD, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM COMMERCIAL/AGRICULTURE TO COMMERCIAL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone on the **N 250' of Lots 7-10, Block 2, Carrie D. Harts 1st, located at 4001 New Boston Road,** in the City of Texarkana, Bowie County, Texas, from **Commercial/Agriculture to Commercial**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted five (5) to zero (0) to recommend for approval of the application for rezoning from Commercial/Agriculture to Commercial on the N 250' of Lots 7-10, Block 2, Carrie D. Harts 1st, located at 4001 New Boston Road** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **Commercial/Agriculture to Commercial**; 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 **Commercial/Agriculture to Commercial** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone on

Attachment: 2024-043 ORD Rezoning 4001 New Boston Rd (4221 : 2024-043 ORD rezoning C/A to C at 4001 New Boston Road)

the **N 250' of Lots 7-10, Block 2, Carrie D. Harts 1st, located at 4001 New Boston Road** in the City of Texarkana, Bowie County, Texas, from **Commercial/Agriculture to Commercial.**

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

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

SECTION 4: 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 **13th of May, 2024.**

ATTEST:

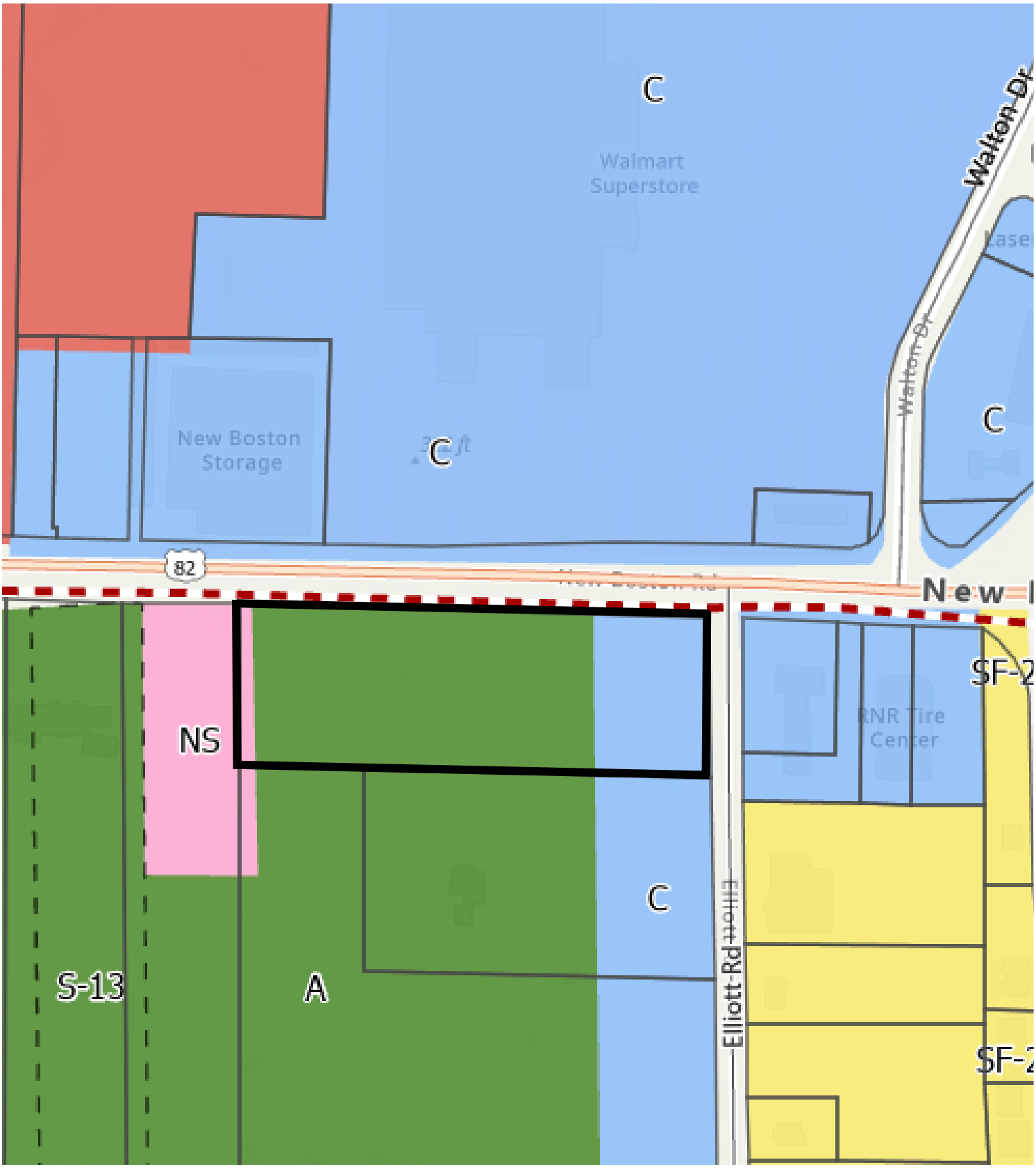
_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2024-043 ORD Rezoning 4001 New Boston Rd (4221 : 2024-043 ORD rezoning C/A to C at 4001 New Boston Road)

2024-043 ATTH 01
Z-24-3

4001 New Boston Road



Attachment: 2024-043 ATTH 01 (Maps) (4221 : 2024-043 ORD rezoning C/A to C at 4001 New Boston Road)

2024-043 ATTH 01
Z-24-3

4001 New Boston Road



Attachment: 2024-043 ATTH 01 (Maps) (4221 : 2024-043 ORD rezoning C/A to C at 4001 New Boston Road)

City of Texarkana, Texas

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

Resource Impact:	
Staff time required if item is approved:	No Additional
Other Potential Impacts:	

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

Attachment: 2024-043 Goals & Perspectives (4221 : 2024-043 ORD rezoning C/A to C at 4001 New Boston Road)

Z-24-3

ORDINANCE NO. 2024-043

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING ON THE NORTH 250' OF LOTS 7-10, BLOCK 2, CARRIE D. HARTS 1ST, LOCATED AT 4001 NEW BOSTON ROAD, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM COMMERCIAL/AGRICULTURE TO COMMERCIAL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone on the **N 250' of Lots 7-10, Block 2, Carrie D. Harts 1st, located at 4001 New Boston Road,** in the City of Texarkana, Bowie County, Texas, from **Commercial/Agriculture to Commercial**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted five (5) to zero (0) to recommend for approval of the application for rezoning from Commercial/Agriculture to Commercial on the N 250' of Lots 7-10, Block 2, Carrie D. Harts 1st, located at 4001 New Boston Road** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **Commercial/Agriculture to Commercial**; 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 **Commercial/Agriculture to Commercial** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone on

Attachment: 2024-043 ORD rez 4001 New Boston Rd signed (4221 : 2024-043 ORD rezoning C/A to C at 4001 New Boston Road)

the **N 250' of Lots 7-10, Block 2, Carrie D. Harts 1st, located at 4001 New Boston Road** in the City of Texarkana, Bowie County, Texas, from **Commercial/Agriculture to Commercial.**

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

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

SECTION 4: 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 **13th of May, 2024.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:04 p.m.

Attachment: 2024-043 ORD rez 4001 New Boston Rd signed (4221 : 2024-043 ORD rezoning C/A to C at 4001 New Boston Road)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 4/15/2024 8:33 AM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Zoning Administrator
Subject:	Ordinance No. 2024-044 amending PD-15-5 for site plan approval on Lot 6, Block 3, John T Spears First Addition, located at 3603 Texas Boulevard. Bradley and Sarah Berry, owners.		

Briefing: 5/13/2024 **Public Hearing:** 5/13/2024 **Council Vote:** 5/13/2024

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Bradley and Sarah Berry, owners, for site plan approval on Lot 6, Block 3, John T. Spears First Addition, located at 3603 Texas Boulevard. The current zoning is Planned Development-General Retail. The property is currently vacant property. The proposed use is a Certified Public Accounting office.

The Future Land Use Map designates this property as “Neighborhood Retail”.

The adjacent zoning is Planned Development-Office to the north, south, and east, and Single Family-2 to the west. The adjacent land use is residential to the north and west, an office to the south and east.

The site plan consists of the following:

1. The construction of a 6,891 sq ft building.
2. The access driveway will be off Texas Boulevard. Any changes to the driveway on Texas Boulevard will require TXDOT approval.
3. There will be 27 parking spaces and includes 2 handicapped spaces. All parking spaces shall be a minimum of 180 sq. ft. in size.
4. A 5’X6’ monument style sign. No Electronic messaging will be allowed.
5. Development must meet Drainage Ordinance and Stormwater Manual Design Standards.
6. Must meet Ordinance regarding sidewalk along Texas Boulevard. Need TXDOT approval for Texas Boulevard right-of-way. Contact Tommy Bruce.
7. Screened dumpster site.
8. See attached Texarkana Water Utilities comments.

Staff recommends for approval of the site plan with stipulations.

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends for approval of the site plan with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

April 1, 2024

Attachments

a. 2024-044 ORD site plan approval 3603 Texas Blv (DOCX)
b. 2024-044 EXH 'A' (Site Plan)(PDF)
c. 2024-044 ATTH 01 (Maps) (PDF)
d. 2024-044 ATTH 02 (Elevations) (PDF)
e. 2024-044 ATTH 03 (Floorplans) (PDF)
f. 2024-044 Goals & Perspectives (DOCX)
g. 2024-044 ORD SPA 3603 Texas Blvd signed (PDF)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	04/17/2024 9:30 AM
Public Works Department	Dusty Henslee	Reviewer	Completed	04/17/2024 9:43 AM
City Manager	David Orr	Reviewer	Completed	04/17/2024 10:46 AM
City Council	Jennifer Evans	Meeting	Completed	04/22/2024 6:00 PM

Meeting History

04/22/24 City Council MOVED FORWARD Next: 05/13/24

Mashell Daniel briefed this agenda item.

ORDINANCE NO. 2024-044

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-15-5(GR) FOR SITE PLAN APPROVAL ON LOT 6, BLOCK 3, JOHN T. SPEARS FIRST ADDITION, LOCTED AT 3603 TEXAS BOULEVARD, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') on Lot 6, Block 3, John T. Spears First Addition, located at 3603 Texas Boulevard** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-General Retail [PD-15-5(GR)], and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-15-5(GR); and

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-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 this amendment, have given the requisite notices by publication and otherwise, and have afforded and held full and fair hearings to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously by a vote of five (5) to zero (0) to recommend for approval of the petition for a site plan (Exhibit 'A')** to the City Council of the City of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that the approval of the site plan for the above-described property is in the best interest of the public health, safety, morals, and general welfare of the City.

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

SECTION 1: That the site plan **(Exhibit 'A') on Lot 6, Block 3, John T. Spears First Addition, located at 3603 Texas Boulevard** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-15-5(GR).

Attachment: 2024-044 ORD site plan approval 3603 Texas Blv (4222 : 2024-044 ORD Amendment to PD-15-5 Site Plan approval 3603 Texas Blvd)

SECTION 2: PD-15-5(GR) is hereby amended by approval of the site plan (**Exhibit 'A'**), incorporated herein by reference for all purposes and includes the following:

1. The construction of a 6,891 sq. ft. building.
2. The access driveway will be off Texas Boulevard. Any changes to the driveway on Texas Boulevard will require TxDOT approval.
3. There will be 27 parking spaces and includes two (2) handicapped spaces. All parking spaces shall be a minimum of 180 sq. ft. in size.
4. A 5'X6' monument style sign. No Electronic messaging will be allowed.
5. Development must meet Drainage Ordinance and Stormwater Manual Design Standards.
6. Must meet Ordinance regarding sidewalk along Texas Boulevard. Need TxDOT approval for Texas Boulevard right-of-way. Contact Tommy Bruce.
7. Screened dumpster site.
8. There is a 16 in. water main along the west side of Texas Blvd. along the property and a 6 in. water main along the east side of Texas Blvd.
9. There is a 6 in. sewer main on the east side of Texas Blvd.
10. The Utility reserves the right to request additional utility easements upon review of the plans.
11. The Utility has no objections to the site plan location.

SECTION 3: It is further provided that in case a section, clause, sentence, or part of this ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this ordinance.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 5: 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 **13th day of May, 2024.**

ATTEST:

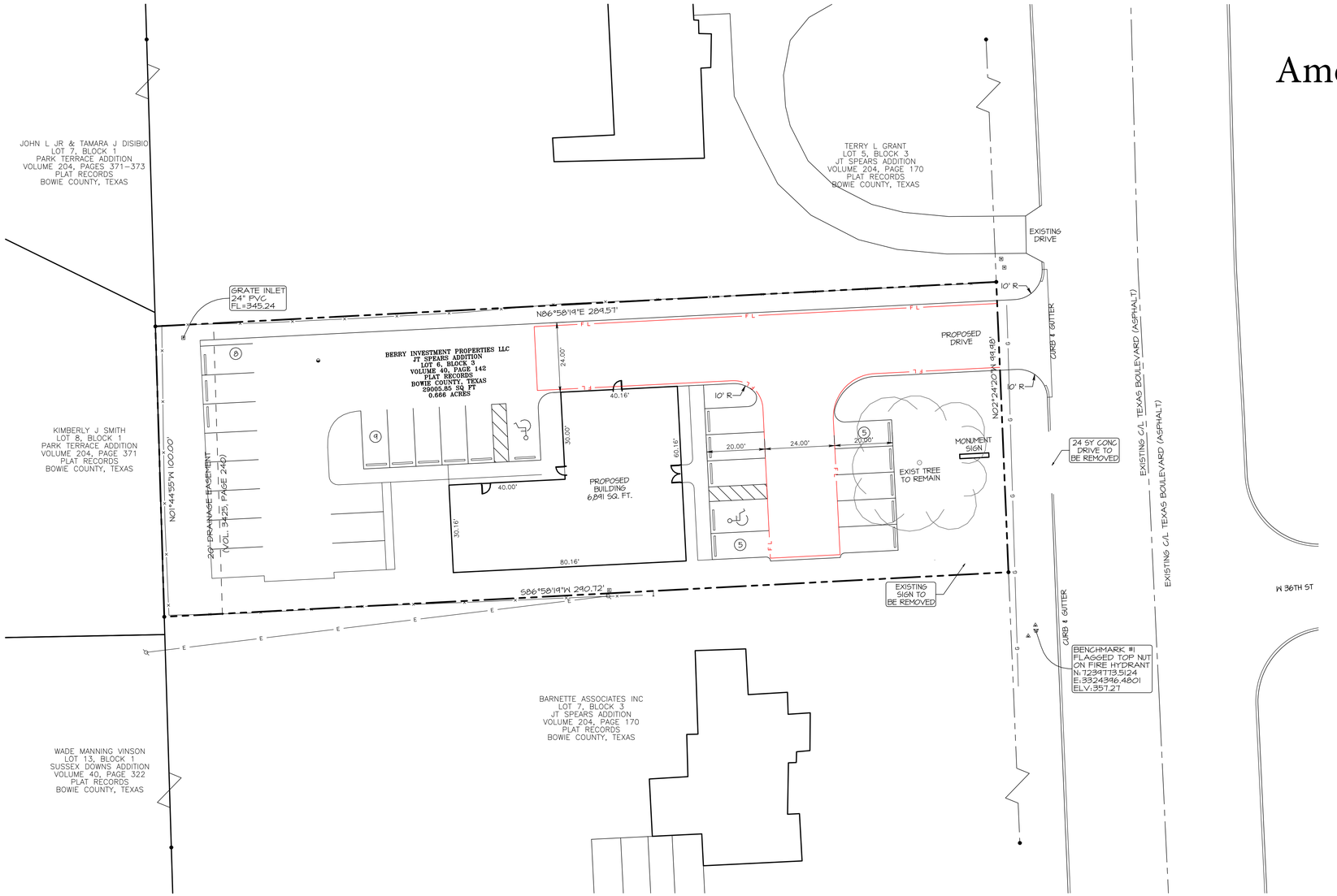
_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2024-044 ORD site plan approval 3603 Texas Blv (4222 : 2024-044 ORD Amendment to PD-15-5 Site Plan approval 3603 Texas Blvd)

2024-044 EXH 'A'

Amendment to PD-15-5



GRAPHIC SCALE 1"=20'
0 20

LEGEND

- PROPERTY LINE
- CURB AND GUTTER
- BUILDING EDGE
- EDGE OF PAVEMENT
- EASEMENT
- BUILDING LINE OFFSET
- TOE OF DITCH/SLOPE
- TOP OF BANK
- E — OVERHEAD POWER LINE
- W — WATER MAIN
- S — SANITARY SEWER MAIN
- T — TELEPHONE LINE
- 345 — PROPOSED CONTOUR INT.
- 342 — EXISTING CONTOUR INT.
- SF — SILT FENCE
- SD — STORM DRAIN
- FL — FIRE LANE
- 356.0 — SPOT ELEVATION
- POWER POLE
- WATER METER
- WATER VALVE
- CLEAN OUT
- SANITARY SEWER MANHOLE
- STORM DRAIN MANHOLE
- SIGN (TYPICAL)
- HANDICAP PARKING SYMBOL (PAINTED)
- FIRE HYDRANT
- LIGHT POLE
- GAS REGULATOR
- IRRIGATION CONTROL VALVE
- SPRINKLER HEAD
- ROOF DRAIN
- TELEPHONE JUNCTION BOX
- ELECTRIC JUNCTION BOX
- GUY WIRE
- TREE

SITE PLAN DATA:

LOT SIZE: 0.67 ACRES
BLDG SIZE: 6,841 SF
PARKING: 1 SPACE/ 300 SF
REQ'D: 23 SPACES
PROVIDED: 21 SPACES
(2 ADA SPACES)

NO PROP DUMPSTER

GENERAL SITE NOTES

1. CONTRACTOR SHALL FIELD VERIFY HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING AND PLANNED UTILITIES BEFORE CONSTRUCTION. CONTRACTOR IS RESPONSIBLE FOR PROTECTING EXISTING UTILITIES (SHOWN OR NOT SHOWN) WITHIN SCOPE OF CONSTRUCTION. IF ANY EXISTING UTILITIES ARE DAMAGED, THE CONTRACTOR SHALL REPLACE THEM AT HIS OWN EXPENSE.
2. CONTRACTOR SHALL NOTIFY THE APPROPRIATE AGENCY A MINIMUM OF 2 WORKING DAYS PRIOR TO BEGINNING CONSTRUCTION WITHIN RIGHT-OF-WAY. ALL WORK WITHIN THE RIGHT OF WAY SHALL BE IN COMPLIANCE WITH APPROVED PERMIT.
3. BUILDING DIMENSIONS SHOWN ON THESE PLANS ARE OUTSIDE FOUNDATION/SLAB LINES. CONTRACTOR SHALL COORDINATE AND VERIFY DIMENSIONS WITH ARCHITECTURAL PLANS. IN THE EVENT OF ANY DISCREPANCIES BETWEEN THE SITE PLANS AND ARCHITECTURAL PLANS, THE ENGINEER AND ARCHITECT SHALL BE NOTIFIED.
4. DIMENSIONS SHOWN ARE FROM BACK OF CURB AS APPLICABLE, UNLESS OTHERWISE NOTED.
5. THE CONTRACTOR IS RESPONSIBLE FOR REMOVING ANY OBSTRUCTIONS SUCH AS EXISTING STRUCTURES, FENCES, DEBRIS, OR TREES ON SITE, AND SHALL COORDINATE ALL REMOVAL WITH THE GENERAL CONTRACTOR. NO TREES OR OTHER ITEMS SHALL BE REMOVED WITHOUT THE APPROVAL OF THE ARCHITECT, ENGINEER, AND OWNER.
6. THE CONTRACTOR SHALL PROTECT ALL EXISTING POWER POLES, SIGNS, MANHOLES, TELEPHONE RISERS, WATER VALVES, ETC. DURING ALL CONSTRUCTION PHASES.

No.	Revision/Description	Date

5930 SUMMERHILL ROAD
TEXARKANA, TEXAS
P 903.838.8533
www.mtgengineers.com
TBPE FIRM NO. F-354
AR COA NO. 125
© MTG 2024

MTG ENGINEERS & SURVEYORS

PRELIMINARY ~ FOR REVIEW ONLY, NOT INTENDED FOR BIDDING, CONSTRUCTION OR PERMIT PURPOSED
3/14/2024
VANCE F. LILES
P.E. #131529

Scale	Drawn By	Checked By	File No.
AS SHOWN	A.M.G.	V.F.L.	

SITE PLAN

SARAH BERRY
CPA OFFICE
3603 TEXAS BLVD
TEXARKANA, TEXAS
SARAH BERRY

Drawing Date
3/14/2024

Project Number
246009

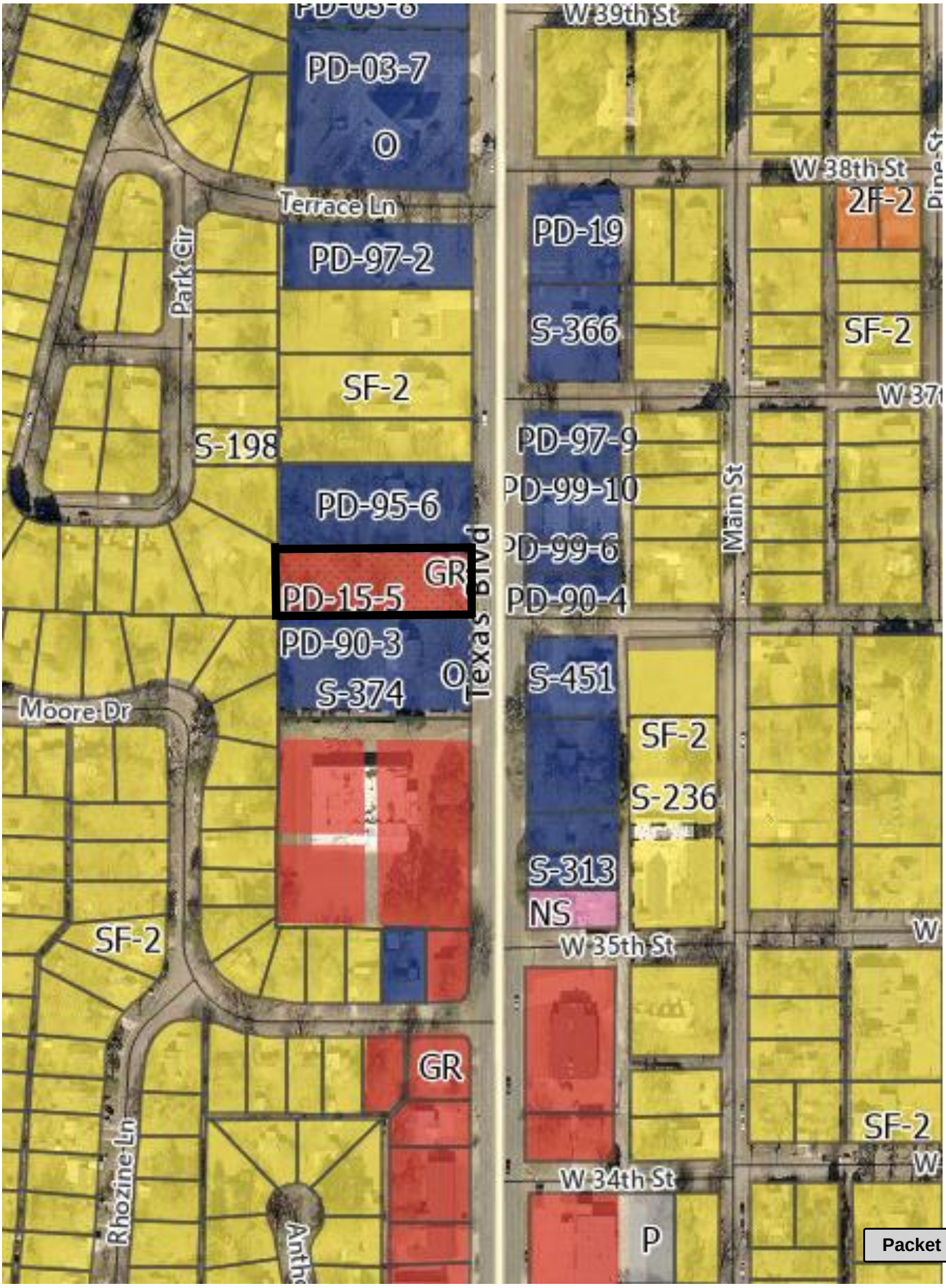
Sheet Number
C2

Attachment: 2024-044 EXH 'A' (Site Plan) (4222 : 2024-044 ORD Amendment to PD-15-5 Site Plan approval 3603 Texas Blvd)

X:\2024 Projects\246009 Sarah Berry CPA Office\05 Engineering Design\Design_02.pro
Thu Mar 14, 2024 2:49PM

2024-044 ATTH 01
Amendment to PD-15-5

3603 Texas Boulevard



Attachment: 2024-044 ATTH 01 (Maps) (4222 : 2024-044 ORD Amendment to PD-15-5 Site Plan approval 3603 Texas Blvd)

2024-044 ATTH 01
Amendment to PD-15-5

3603 Texas Boulevard



Attachment: 2024-044 ATTH 01 (Maps) (4222 : 2024-044 ORD Amendment to PD-15-5 Site Plan approval 3603 Texas Blvd)

ELEVATIONS

SCALE 1/4"=1'

2024-044 ATTH 02

Amendment to PD-15-5



front elevation

scale 1/4 in = 1 ft



rear elevation

scale 1/4 in = 1 ft

Lynlee Harvey At Home, LLC is not held responsible for any structural, mechanical, plumbing or electrical misdesign. This set of drawings is provided to guide contractors and subcontractors with conceptual design intent only.

lynlee builds at home + work

PROJECT DESCRIPTION:
SARAH BERRY, CPA

DATE:
3/11/24

SCALE:
SCALE 1/4"=1'

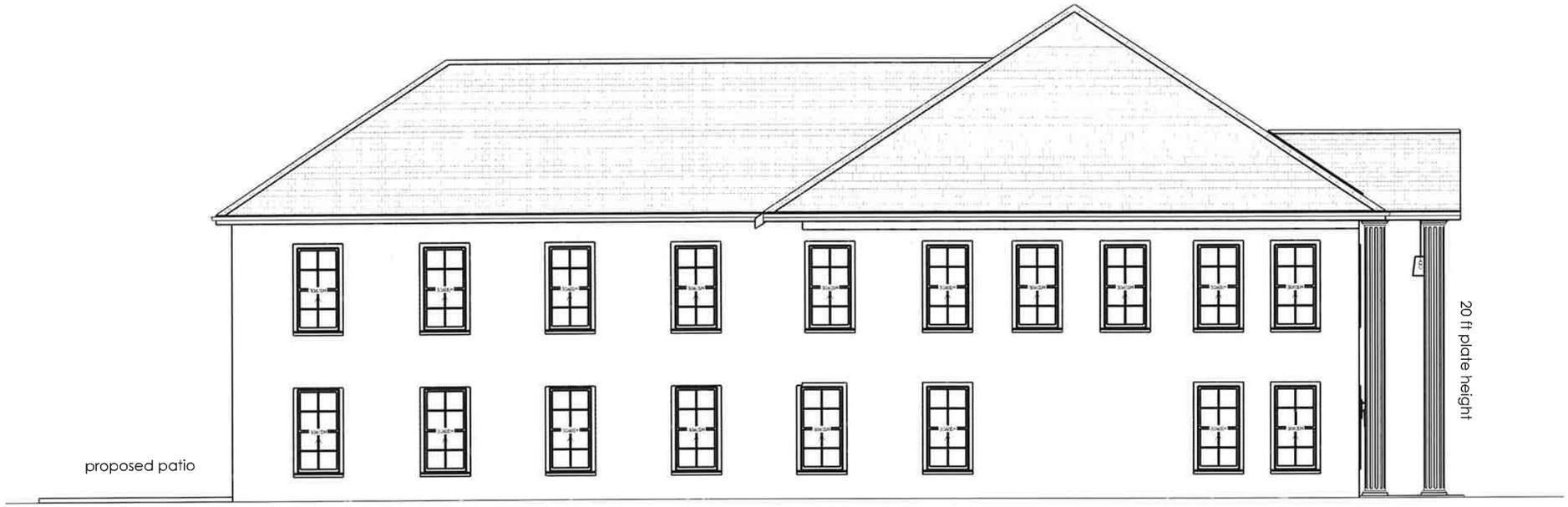
SHEET:
A-06

Attachment: 2024-044 ATTH 02 (Elevations) (4222 : 2024-044 ORD Amendment to PD-15-5 Site Plan approval 3603 Texas Blvd)

ELEVATIONS

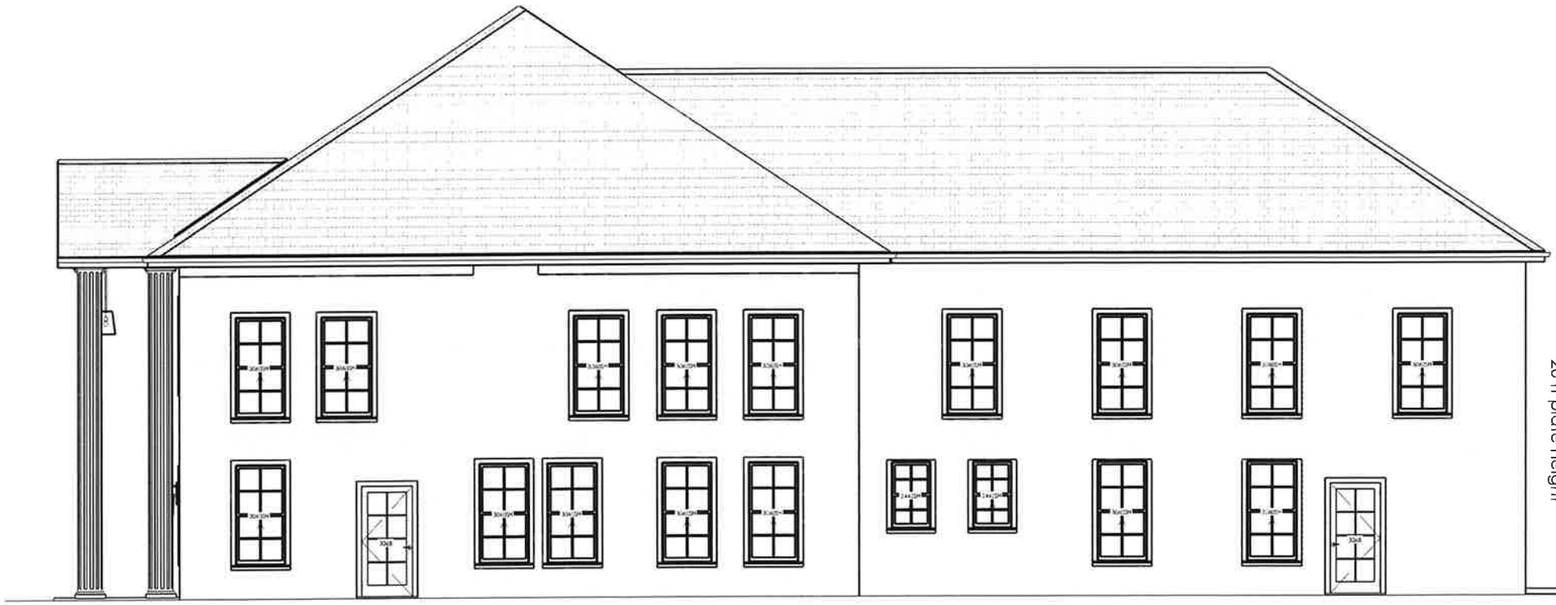
SCALE 3/16"=1'

2024-044 ATTH 02



left elevation

scale 1/4 in = 1 ft



right elevation

scale 1/4 in = 1 ft

Lynlee Harvey At Home, LLC is not held responsible for any structural, mechanical, plumbing or electrical misdesign. This set of drawings is provided to guide contractors and subcontractors with conceptual design intent only.

lynlee builds at home + work

PROJECT DESCRIPTION:
SARAH BERRY, CPA

DATE:
3/11/24

SCALE:
SCALE 1/4"=1'

SHEET:
A-07

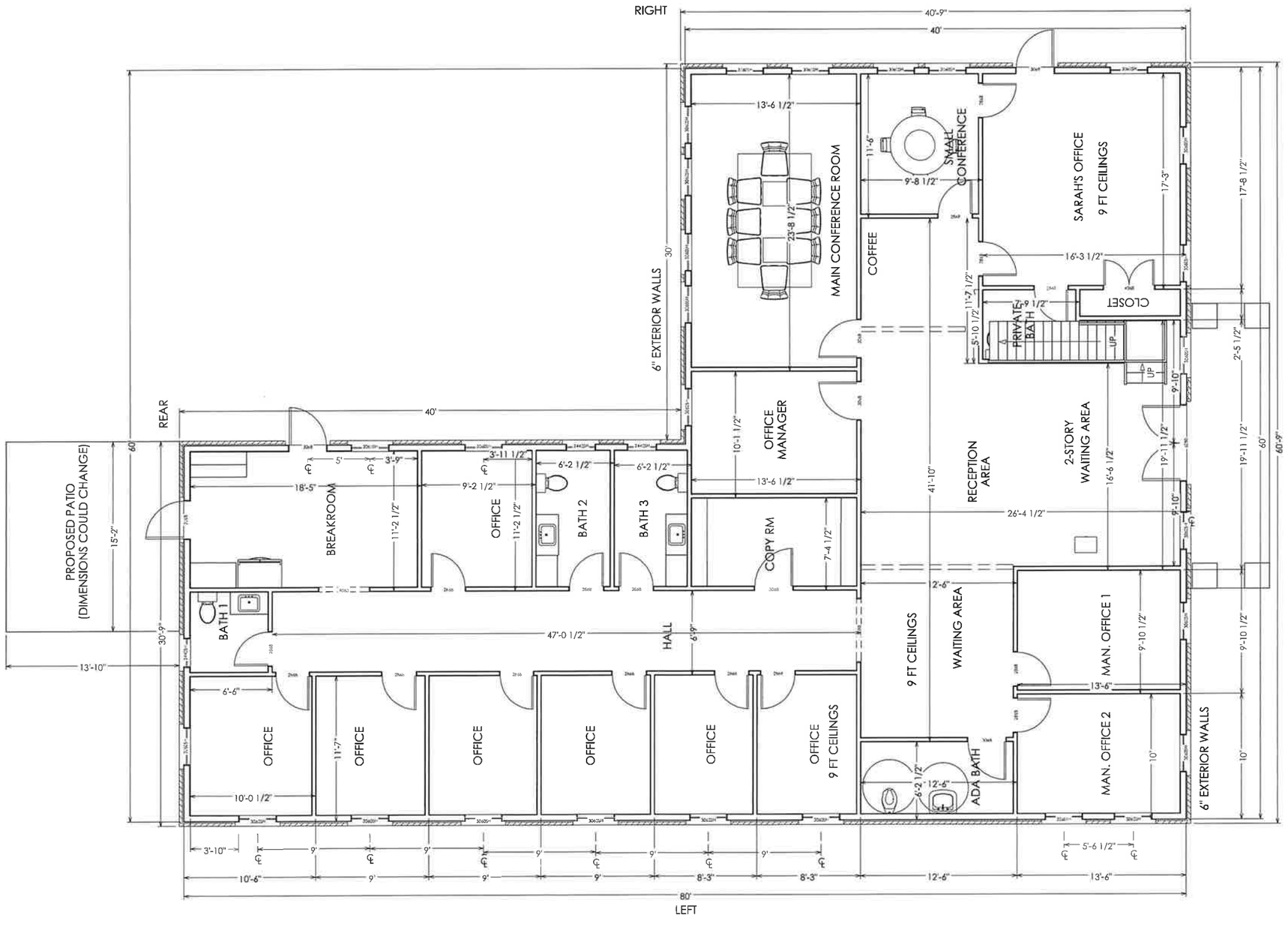
Attachment: 2024-044 ATTH 02 (Elevations) (4222 : 2024-044 ORD Amendment to PD-15-5 Site Plan approval 3603 Texas Blvd)

FLOOR PLAN

SCALE 1/4"=1'

2024-044 ATTH 03

Amendment to PD-15-5



Lynlee Harvey At Home, LLC is not held responsible for any structural, mechanical, plumbing or electrical misdesign. This set of drawings is provided to guide contractors and subcontractors with conceptual design intent only.

lynleebuilds
at home + work

PROJECT DESCRIPTION:
SARAH BERRY, CPA

DATE:
3/11/24

SCALE:
SCALE 1/4"=1'

SHEET:
A-04

Attachment: 2024-044 ATTH 03 (Floorplans) (4222 : 2024-044 ORD Amendment to PD-15-5 Site Plan approval 3603 Texas Blvd)

SECOND FLOOR

SCALE 1/4"=1'

2024-044 ATTH 03

Amendment to PD-15-5

Lynlee Harvey At Home, LLC is not held responsible for any structural, mechanical, plumbing or electrical misdesign. This set of drawings is provided to guide contractors and subcontractors with conceptual design intent only.

lynleebuilds at home + work

PROJECT DESCRIPTION:
SARAH BERRY, CPA

DATE:
3/11/24

SCALE:
SCALE 1/4"=1'

SHEET:
A-04

Attachment: 2024-044 ATTH 03 (Floorplans) (4222 : 2024-044 ORD Amendment to PD-15-5 Site Plan approval 3603 Texas Blvd)

City of Texarkana, Texas

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

Resource Impact:	
Staff time required if item is approved:	No Additional
Other Potential Impacts:	

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

Attachment: 2024-044 Goals & Perspectives (4222 : 2024-044 ORD Amendment to PD-15-5 Site Plan approval 3603 Texas Blvd)

ORDINANCE NO. 2024-044

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-15-5(GR) FOR SITE PLAN APPROVAL ON LOT 6, BLOCK 3, JOHN T. SPEARS FIRST ADDITION, LOCTED AT 3603 TEXAS BOULEVARD, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') on Lot 6, Block 3, John T. Spears First Addition, located at 3603 Texas Boulevard** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-General Retail [PD-15-5(GR)], and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-15-5(GR); and

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-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 this amendment, have given the requisite notices by publication and otherwise, and have afforded and held full and fair hearings to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously by a vote of five (5) to zero (0) to recommend for approval of the petition for a site plan (Exhibit 'A')** to the City Council of the City of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that the approval of the site plan for the above-described property is in the best interest of the public health, safety, morals, and general welfare of the City.

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

SECTION 1: That the site plan **(Exhibit 'A') on Lot 6, Block 3, John T. Spears First Addition, located at 3603 Texas Boulevard** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-15-5(GR).

Attachment: 2024-044 ORD SPA 3603 Texas Blvd signed (4222 : 2024-044 ORD Amendment to PD-15-5 Site Plan approval 3603 Texas Blvd)

SECTION 2: PD-15-5(GR) is hereby amended by approval of the site plan (**Exhibit 'A'**), incorporated herein by reference for all purposes and includes the following:

1. The construction of a 6,891 sq. ft. building.
2. The access driveway will be off Texas Boulevard. Any changes to the driveway on Texas Boulevard will require TxDOT approval.
3. There will be 27 parking spaces and includes two (2) handicapped spaces. All parking spaces shall be a minimum of 180 sq. ft. in size.
4. A 5'X6' monument style sign. No Electronic messaging will be allowed.
5. Development must meet Drainage Ordinance and Stormwater Manual Design Standards.
6. Must meet Ordinance regarding sidewalk along Texas Boulevard. Need TxDOT approval for Texas Boulevard right-of-way. Contact Tommy Bruce.
7. Screened dumpster site.
8. There is a 16 in. water main along the west side of Texas Blvd. along the property and a 6 in. water main along the east side of Texas Blvd.
9. There is a 6 in. sewer main on the east side of Texas Blvd.
10. The Utility reserves the right to request additional utility easements upon review of the plans.
11. The Utility has no objections to the site plan location.

SECTION 3: It is further provided that in case a section, clause, sentence, or part of this ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this ordinance.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 5: 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 **13th day of May, 2024.**

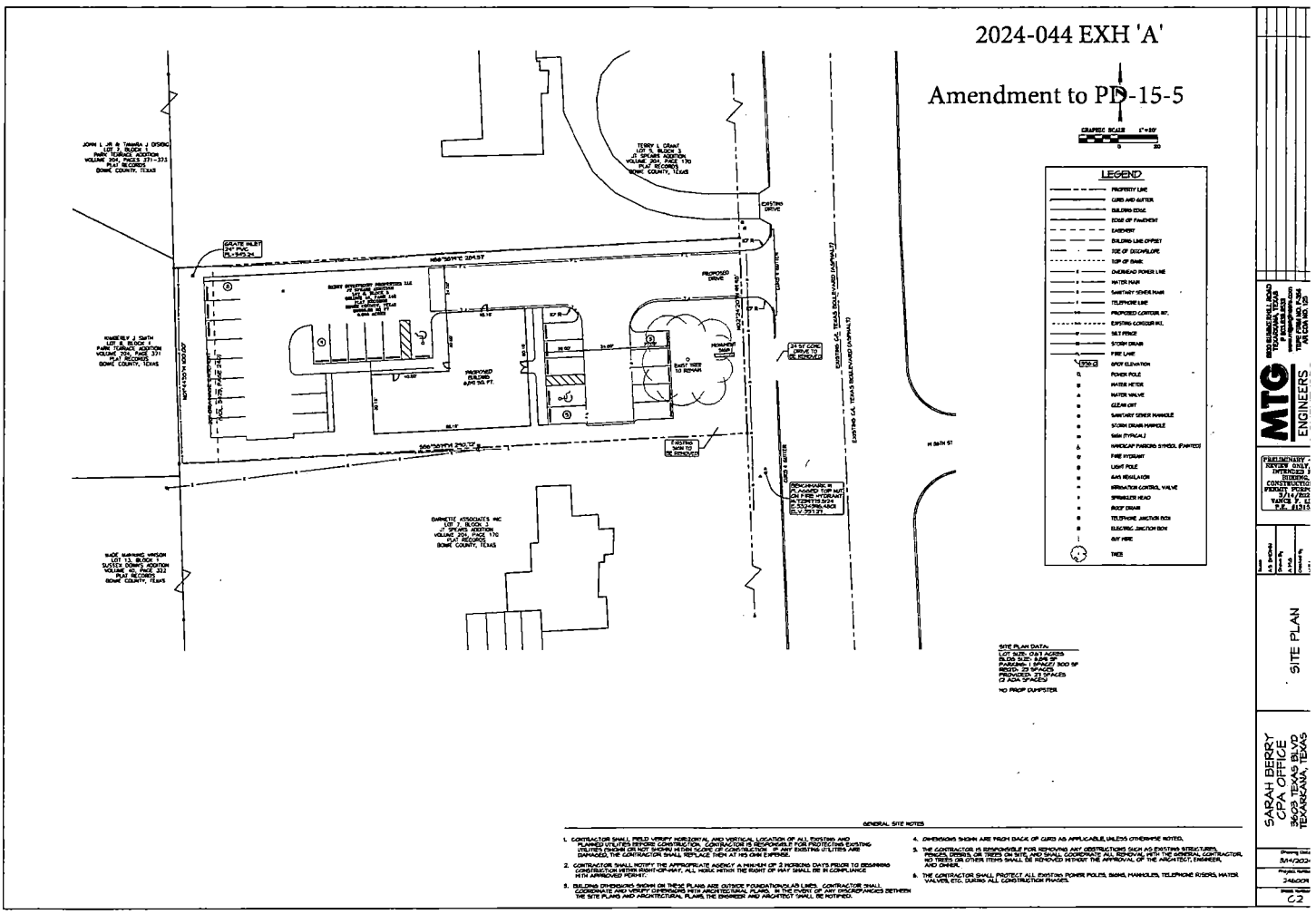
ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:09 p.m.

Attachment: 2024-044 ORD SPA 3603 Texas Blvd signed (4222 : 2024-044 ORD Amendment to PD-15-5 Site Plan approval 3603 Texas Blvd)



Attachment: 2024-044 ORD SPA 3603 Texas Blvd signed (4222 : 2024-044 ORD Amendment to PD-15-5 Site Plan approval 3603 Texas Blvd)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 4/15/2024 8:34 AM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Zoning Administrator
Subject:	Ordinance No. 2024-046 amending PD-23-4 for site plan approval on a 15.15-acre tract of land (being Tract 81) H.S. Janes HRS, A-306, located at 500 S Bishop Road. Russ Huckaby, owner, and Jess Griffin, agent.		

Briefing: 5/13/2024 **Public Hearing:** 5/13/2024 **Council Vote:** 5/13/2024

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Russ Huckaby, owner and Jess Griffin, agent, for site plan approval on an approximate 15.15-acre tract of land (being Tract 81) H.S. Janes HRS, A-306, located south of 1000 South Bishop Road and north of Findley Street. The current zoning is Planned Development-Industrial-1. The property is currently vacant property. The proposed use is a warehouse and manufacturing plant.

The Future Land Use Map designates this property as “Industrial”.

The adjacent zoning is Planned Development-Industrial-1 to the north, west and east, and outside the city limits to the south. The adjacent land use is vacant land to the north, west, east, and south.

The site plan consists of the following:

1. The construction of an 86,272 sq ft building.
2. The access driveway will be off South Bishop Road. Any changes to driveway on South Bishop Road will require TXDOT approval.
3. There will be 102 parking spaces and includes 6 handicapped spaces. All parking spaces shall be a minimum of 180 sq. ft. in size.
4. A 5’X8’ monument style sign. No Electronic messaging will be allowed.
5. Must be platted prior to issuance of CO.
6. Fire lane required.
7. Screened dumpster site.
8. There is no water or sewer service to this area. It will be the owner’s responsibility to extend services to the area.
9. The water and sewer mains and lift station shown on the site plan are not approved. More information is required for review.

10. The Utility reserves the right to request additional utility easements upon review of the plans.
11. The Utility has no objections to the site plan location.

Staff recommends for approval of the site plan with stipulations.

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends for approval of the site plan with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

April 1, 2024

Attachments

a. 2024-046 ORD site plan approval 500 S Bishop (DOCX)
b. 2024-046 EXH 'A' (Site Plan)(PDF)
c. 2024-046 EXH 'B' (Legal Description) (PDF)
d. 2024-046 ATTH 01 (Maps) (PDF)
e. 2024-046 ATTH 02 (Elevations) (PDF)
f. 2024-046 Goals & Perspectives (DOCX)
g. 2024-046 ORD SPA 500 S Bishop signed (PDF)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed
04/17/2024 9:30 AM			
Public Works Department	Dusty Henslee	Reviewer	Completed
04/17/2024 9:41 AM			

City Manager 10:46 AM	David Orr	Reviewer	Completed	04/17/2024
City Council 6:00 PM	Jennifer Evans	Meeting	Completed	04/22/2024

Meeting History

04/22/24 City Council MOVED FORWARD Next: 05/13/24

Mashell Daniel briefed this agenda item.

ORDINANCE NO. 2024-046

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-23-4(I1) FOR SITE PLAN APPROVAL ON AN APPROXIMATE 15.15-ACRE TRACT OF LAND (BEING TRACT 81) H.S. JANES HRS, A-306, LOCATED AT 500 SOUTH BISHOP ROAD, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') on an approximate 15.15-acre tract of land (being Tract 81), H.S. Janes HRS, A-306, located at 500 South Bishop Road (Exhibit 'B')** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-General Retail [PD-23-4(I1)], and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-23-4(I1); and

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-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 this amendment, have given the requisite notices by publication and otherwise, and have afforded and held full and fair hearings to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously by a vote of five (5) to zero (0) to recommend for approval of the petition for a site plan (Exhibit 'A')** to the City Council of the City of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that the approval of the site plan for the above-described property is in the best interest of the public health, safety, morals, and general welfare of the City.

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

SECTION 1: The site plan **(Exhibit 'A') on an approximate 15.15-acre tract of land (being Tract 81), H.S. Janes HRS, A-306, located at 500 South Bishop Road (Exhibit 'B')** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-23-4(I1).

Attachment: 2024-046 ORD site plan approval 500 S Bishop (4224 : 2024-046 ORD Amendment to PD-23-4 site plan approval 500 S Bishop

SECTION 2: PD-23-4(I1) is hereby amended by approval of the site plan (**Exhibit 'A'**), incorporated herein by reference for all purposes and includes the following:

1. The construction of an 86,272 sq ft building.
2. The access driveway will be off South Bishop Road. Any changes to driveway on South Bishop Road will require TxDOT approval.
3. There will be 102 parking spaces and that includes six (6) handicapped spaces. All parking spaces shall be a minimum of 180 sq. ft. in size.
4. A 5'X8' monument style sign. No Electronic messaging will be allowed.
5. Must be platted prior to issuance of CO.
6. Fire lane required.
7. Screened dumpster site.
8. There is no water or sewer service to this area. It will be the owner's responsibility to extend services to the area.
9. The water and sewer mains and lift station shown on the site plan are not approved. More information is required for review.
10. The Utility reserves the right to request additional utility easements upon review of the plans.
11. The Utility has no objections to the site plan location.

SECTION 3: It is further provided that in case a section, clause, sentence, or part of this ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this ordinance.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 5: 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 **13th day of May, 2024.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2024-046 ORD site plan approval 500 S Bishop (4224 : 2024-046 ORD Amendment to PD-23-4 site plan approval 500 S Bishop

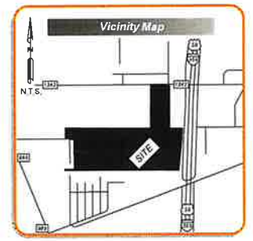
LEGEND

- CONSTRUCT SF LANDSCAPE AREA
- CONSTRUCT PAVEMENT
- CONSTRUCT SIDEWALK
- CONSTRUCT BUILDING FOOTPRINT

SITE DATA
TOTAL SITE AREA = 128.07 ACRES
CURRENT ZONING I-1
PARKING PROVIDED = 102
BUILDING HEIGHT = 60'
BUILDING MATERIALS = METAL, GLASS, CONCRETE

2024-046 EXH 'A'

Amendment to PD-23-4



Resortments by Russell Gray
4514 COLE AVENUE
DALLAS, TX 75205
TEL (501) 690-3456
JESS@RESORTMENTS.COM

BY	DESCRIPTION	DATE	REV.

TEXARKANA INDUSTRIAL PLANT
RESORTMENTS, LLC
TEXARKANA, BOWIE COUNTY, TEXAS

SITE PLAN REVIEW

S BISHOP RD

WATER TO TIE INTO MULTIFAMILY DEVELOPMENT TO NORTH OFF TERRY ST

Tract 4
Total Area:
659995.08 Sq. Feet ±
15.15 Acres ±

Tract 5
Total Area:
479458.76 Sq. Feet ±
11.01 Acres ±

ZONING: I-1
ZONING: C

100 YR FLOODPLAIN

24" CMP FL: 290.41
24" CMP FL: 290.68

Drainage Channel

DMH
Rim: 298.65
18" RCP N: 293.37
36" RCP S: 293.37

DMH
Rim: 300.62
36" RCP N: 290.60
(Pipe Terminales in Box Culvert)

SEWER TO TIE INTO MULTIFAMILY DEVELOPMENT TO NORTH OFF TERRY ST

DETENTION AREA

Tract 6
Total Area:
1097222.55 Sq. Feet ±
25.19 Acres ±

WAREHOUSE / MANUFACTURING BUILDING
86,272 S.F.

SEWER PUMP STATION

SIGN

PROPOSED RAILROAD SPUR (EXACT LOCATION TBD)

ZONING: I-1

ZONING: NOT IN CITY LIMITS

1/2" Rebar w/ Cap

P.O.B. Tract 4 & Tract 6
1/2" Rebar w/ Cap

T-Post

PARCEL 11690008606
L.F. MANUFACTURING LLC, INC
C/O DANNY COOK
7150 LINEFERRY RD
TEXARKANA, AR 71854
DEED VOL. 6597, PG. 320

PARCEL 11690008607
L.F. MANUFACTURING LLC, INC
C/O DANNY COOK
7150 LINEFERRY RD
TEXARKANA, AR 71854
DEED VOL. 6597, PG. 320

PARCEL 11690008608
L.F. MANUFACTURING LLC, INC
C/O DANNY COOK
7150 LINEFERRY RD
TEXARKANA, AR 71854
DEED VOL. 6597, PG. 320

PARCEL 11690008602
JORDAN, EUREKA
3302 SMITH ST
TEXARKANA, TX 755016000
DEED VOL. 3785, PG. 165

PARCEL 11680010390
MILLER BOWIE FARMERS ASSN
PO BOX 1110
TEXARKANA, TX 755041110
DEED UNAVAILABLE

59
369

N
S

60 30 0 60

DATE: 3/13/24
DRAWN BY: JGG
SHEET NUMBER:
C1

Attachment: 2024-046 EXH 'A' (Site Plan) (4224 : 2024-046 ORD Amendment to PD-23-4 site plan approval 500 S Bishop Road)

LEGAL DESCRIPTIONS

TRACT TWO:
ALL THAT CERTAIN 76.70 ACRE TRACT OF LAND IN THE H.S. JANES HEADRIGHT SURVEY, A-306, BOWIE COUNTY, TEXAS, BEING THE REMAINDER OF A CALLED 106.519 ACRE TRACT DESCRIBED AS TRACT TWENTY-FOUR IN VOLUME 635, PAGE 113, BOWIE COUNTY DEED RECORDS; SAID 76.70 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
BEGINNING AT A 3/8" REBAR FOUND FOR THE SOUTHEAST CORNER OF THE DORSEY BLACKWELL CALLED 5.40 ACRE TRACT, THE SOUTHWEST CORNER OF A CALLED 15.60 ACRE TRACT DESCRIBED IN VOLUME 2105, PAGE 211 AND THE NORTHWEST CORNER OF THIS TRACT; A 1" ANGLE IRON FOUND FOR THE SOUTHWEST CORNER OF THE SAID CALLED 5.40 ACRE TRACT AND THE SOUTHEAST CORNER OF A CALLED 10.00 ACRE TRACT DESCRIBED IN VOLUME 514, PAGE 7, LIES N 89° 47' 52" W, 175.65 FEET;
THENCE: S 89° 47' 52" E (BEARINGS BASED ON TRUE NORTH MERIDIAN DERIVED VIA SOLAR OBSERVATIONS), 3492.36 FEET, TO A 1/2" REBAR WITH CAP SET FOR THE NORTHWEST CORNER OF THE H.J. TRAMMELL CALLED 25.30 ACRE TRACT AND THE NORTHEAST CORNER OF THIS TRACT; A 1/2" REBAR FOUND ON THE WEST SIDE OF A SERVICE ROAD FOR THE NORTHEAST CORNER OF THE SAID CALLED 25.30 ACRE TRACT LINES S 89° 47' 52" E, 574.84 FEET;
THENCE: S 00° 14' 11" W, ALONG THE WEST LINE OF THE SAID CALLED 25.30 ACRE TRACT, 405.26 FEET, TO A 1/2" REBAR WITH CAP SET FOR THE NORTHEAST CORNER OF A CALLED 10.00 ACRE TRACT DESCRIBED IN VOLUME 461, PAGE 288 AND THE MOST EASTERN SOUTHEAST CORNER OF THIS TRACT;
THENCE: S 89° 54' 24" W, ALONG THE NORTH LINE OF THE SAID CALLED 10.00 ACRE TRACT, 777.48 FEET, TO A 1/2" REBAR WITH CAP SET ON THE EAST LINE OF A CALLED 15.00 ACRE TRACT DESCRIBED IN VOLUME 396, PAGE 320, FOR THE NORTHWEST CORNER OF THE SAID CALLED 10.00 ACRE TRACT AND A CORNER OF THIS TRACT;
THENCE: N 00° 13' 38" W, ALONG THE EAST LINE OF THE SAID CALLED 15.00 ACRE TRACT, 45.19 FEET TO A 1/2" REBAR WITH CAP SET FOR THE NORTHEAST CORNER OF THE SAID CALLED 15.00 ACRE TRACT AND AN ELL CORNER OF THIS TRACT;
THENCE: S 89° 54' 24" W, ALONG THE NORTH LINE OF THE SAID CALLED 15.00 ACRE TRACT, 600.00 FEET (DEED CALL) TO A 1/2" REBAR WITH CAP SET FOR THE NORTHWEST CORNER OF THE SAID CALLED 15.00 ACRE TRACT AND AN ELL CORNER OF THIS TRACT;
THENCE: S 00° 13' 36" E, ALONG THE WEST LINE OF THE SAID CALLED 15.00 ACRE TRACT, 1100.00 FEET (DEED CALL) TO A 1/2" REBAR WITH CAP SET FOR THE SOUTHWEST CORNER OF THE SAID CALLED 15.00 ACRE TRACT, THE NORTHEAST CORNER OF THE JAMES E. ANDERSON CALLED 2.00 ACRE TRACT, THE NORTHWEST CORNER OF THE MELVIN HARRIS CALLED 7.80 ACRE TRACT AND THE MOST SOUTHERN SOUTHEAST CORNER OF THIS TRACT;
THENCE: S 89° 54' 24" W, 2140.86 FEET, TO A 1/2" IRON PIPE FOUND FOR THE SOUTHEAST CORNER OF THE GERALDINE PAYNE CALLED 7.83 ACRE TRACT, THE NORTHWEST CORNER OF THE CONNOR HEIGHTS SUBDIVISION AND THE SOUTHWEST CORNER OF THIS TRACT;
THENCE: N 00° 54' 38" E, ALONG THE EAST LINE OF THE SAID CALLED 7.83 ACRE TRACT, 46.74 FEET TO A 1/2" REBAR WITH CAP SET FOR THE SOUTHWEST CORNER OF A CALLED 0.483 ACRE TRACT DESCRIBED IN VOLUME 580, PAGE 72 AND A CORNER OF THIS TRACT;
THENCE: N 89° 58' 55" E, 323.95 FEET TO A 1/2" REBAR WITH CAP SET FOR THE SOUTHEAST CORNER OF A CALLED 1.045 ACRE TRACT DESCRIBED IN VOLUME 573, PAGE 290 AND AN ELL CORNER OF THIS TRACT;
THENCE: N 00° 34' 55" W, 1024.24 FEET TO A 1/2" IRON PIPE FOUND FOR THE NORTHEAST CORNER OF A CALLED 1.25 ACRE TRACT DESCRIBED AS TRACT 1 THRU 6 IN VOLUME 1443, PAGE 179, AND AN ELL CORNER OF THIS TRACT;
THENCE: N 89° 47' 52" W, 130.00 FEET (DEED CALL) TO A 1/2" REBAR WITH CAP SET ON THE EAST SIDE OF A PUBLIC ROAD FOR THE NORTHWEST CORNER OF THE SAID CALLED 1.25 ACRE TRACT AND A CORNER OF THIS TRACT;
THENCE: N 00° 54' 38" E, 50.00 FEET TO A 1/2" REBAR WITH CAP SET ON THE NORTH SIDE OF BOWIE COUNTY ROAD NO. 1344 (GIBBS AVENUE) FOR AN ELL CORNER OF THIS TRACT;
THENCE: N 89° 50' 24" W, ALONG THE NORTH SIDE OF THE SAID COUNTY ROAD, 167.25 FEET TO A 1/2" REBAR WITH CAP SET ON THE EAST LINE OF THE GIBBS SUBDIVISION FOR A CORNER OF THIS TRACT; A 5/8" IRON ROD FOUND ON THE EAST SIDE OF KINGS HIGHWAY AND THE NORTH LINE OF THE SAID COUNTY ROAD, LIES N 89° 50' 24" W, 1867.36 FEET;
THENCE: N 00° 54' 38" E, ALONG THE EAST LINE OF THE SAID GIBBS SUBDIVISION, 356.23 FEET TO THE PLACE OF BEGINNING, CONTAINING 76.70 ACRES OF LAND, MORE OR LESS.

TRACT FOUR:
ALL THAT CERTAIN 15.15 ACRE TRACT OF LAND IN THE CITY OF TEXARKANA, H.S. JANES HEADRIGHT SURVEY, A-306, BOWIE COUNTY, TEXAS, BEING ALL OF A CALLED 15.00 ACRE TRACT DESCRIBED IN VOLUME 396, PAGE 320, BOWIE COUNTY DEED RECORDS; SAID 15.15 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
BEGINNING AT A 1/2" REBAR WITH CAP SET FOR THE NORTHWEST CORNER OF THE MELVIN HARRIS CALLED 7.80 ACRE TRACT, THE NORTHEAST CORNER OF THE JAMES E. ANDERSON CALLED 2.00 ACRE TRACT, THE MOST SOUTHERN SOUTHEAST CORNER OF A CALLED 76.70 ACRE TRACT SURVEYED BY EAST TEXAS SURVEYING CO. ON JANUARY 8, 1997 AND THE SOUTHWEST CORNER OF THIS TRACT;
THENCE: N 00° 13' 36" W, (BEARINGS BASED ON TRUE NORTH MERIDIAN DERIVED VIA SOLAR OBSERVATION) ALONG THE SOUTHERN EAST LINE OF THE SAID CALLED 76.70 ACRE TRACT, 1100.00 FEET TO A 1/2" REBAR WITH CAP SET FOR AN ELL CORNER OF THE SAID CALLED 76.70 ACRE TRACT AND THE NORTHWEST CORNER OF THIS TRACT;
THENCE: N 89° 54' 24" E, ALONG THE SOUTH LINE OF THE SAID CALLED 76.70 ACRE TRACT, 600.00 FEET TO A 1/2" REBAR WITH CAP SET FOR AN ELL CORNER OF THE SAID CALLED 76.70 ACRE TRACT AND THE NORTHEAST CORNER OF THIS TRACT;
THENCE: S 00° 13' 36" E, PASSING A 1/2" REBAR WITH CAP SET FOR A CORNER OF THE SAID CALLED 76.70 ACRE TRACT AND THE NORTH WEST CORNER OF A CALLED 10.00 ACRE TRACT DESCRIBED IN VOLUME 461, PAGE 288, AT 45.19 FEET AND CONTINUING

Attachment: 2024-046 EXH 'B' (Legal Description) (4224 : 2024-046 ORD Amendment to PD-23-4 site plan approval 500 S Bishop Road)

ALONG THE WEST LINE OF THE SAID CALLED 10.00 ACRE TRACT, IN ALL, 1100.00 FEET TO A 1/2" REBAR WITH CAP SET ON THE NORTH LINE OF THE SAID CALLED 7.80 ACRE TRACT FOR THE SOUTHWEST CORNER OF THE SAID CALLED 10.00 ACRE TRACT AND THE SOUTHEAST CORNER OF THIS TRACT;
THENCE: S 89° 54' 24" W, ALONG THE NORTH LINE OF THE SAID CALLED 7.80 ACRE TRACT, 600.00 FEET TO THE PLACE OF BEGINNING, CONTAINING 15.15 ACRES OF LAND, MORE OR LESS.

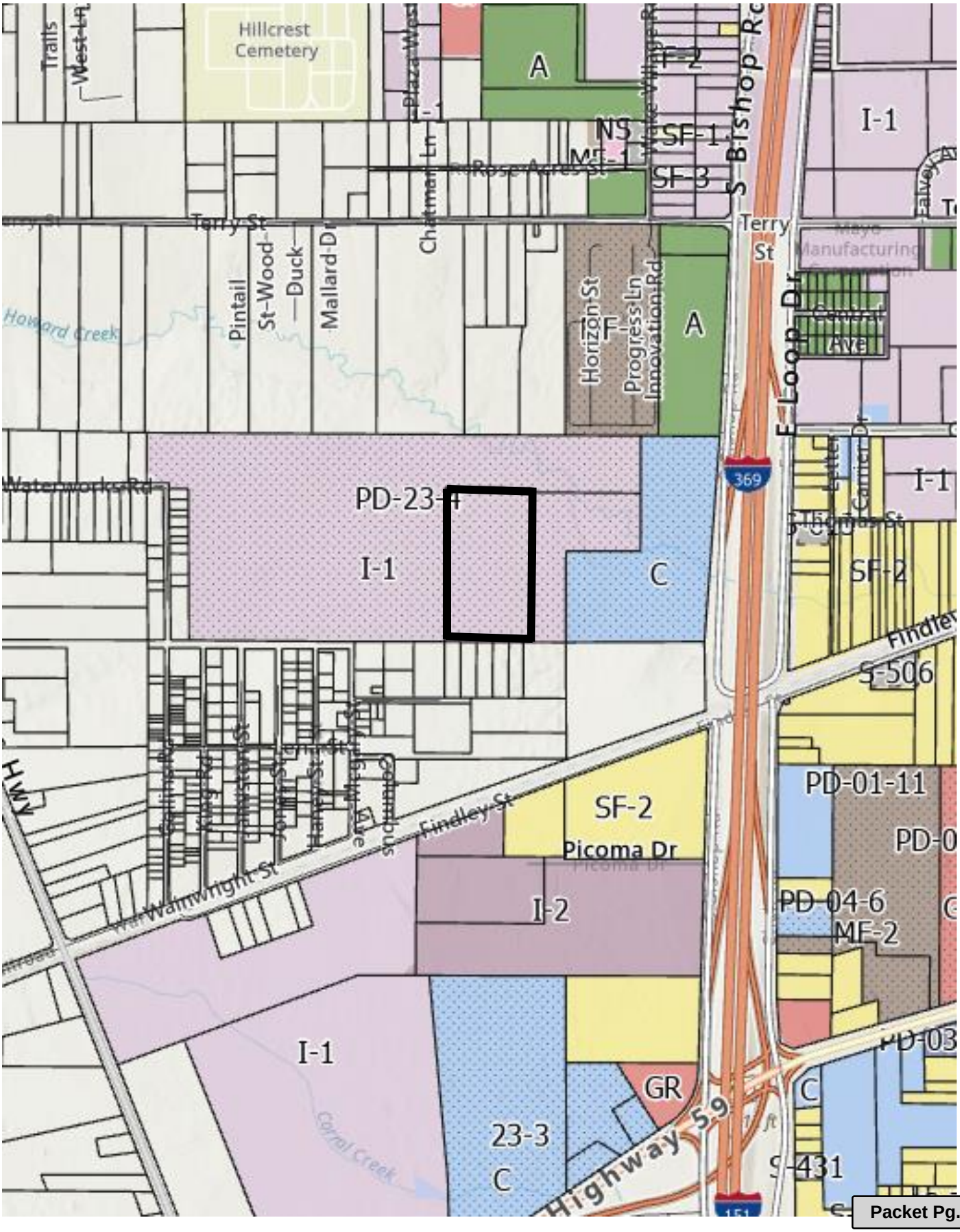
TRACT FIVE:
ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE COUNTY OF BOWIE, STATE OF TEXAS AND BEING A PART OF BLOCKS NUMBERED SEVEN (7) AND EIGHT (8) OF THE SUBDIVISION OF THE H. S. JANES HEADRIGHT SURVEY, A-306, BOWIE COUNTY, TEXAS AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:
BEGINNING AT A STAKE, THE COMMON CORNERS OF BLOCKS NUMBERED SEVEN (7), EIGHT (8), THIRTEEN (13) AND FOURTEEN (14) OF THE SUBDIVISION OF THE SAID H.S. JANES SURVEY;
THENCE: NORTHERLY WITH THE EAST BOUNDARY LINE OF SAID BLOCK NUMBERED EIGHT (8), THE WEST BOUNDARY LINE OF BLOCK NUMBERED SEVEN (7), A DISTANCE OF APPROXIMATELY 660 FEET TO A STAKE;
THENCE: EAST, A DISTANCE OF 457.5 FEET TO A STAKE;
THENCE: NORTH 400 FEET TO A STAKE;
THENCE: WEST, 457.5 FEET, CROSSING THE WEST BOUNDARY LINE OF BLOCK NUMBERED SEVEN (7) THE EAST BOUNDARY LINE OF BLOCK NUMBERED EIGHT (8) AND CONTINUING WEST INTO BLOCK NUMBERED EIGHT (8) FOR 250 FEET TO THE EAST BOUNDARY LINE OF A 15 ACRE TRACT HERETOFORE CONVEYED BY US IN A DEED TO LADONIA GREEN PAYTON;
THENCE: SOUTH, WITH HER EAST LINE, TO THE SOUTH LINE OF BLOCK NUMBERED EIGHT (8);
THENCE: EAST, 250 FEET ALONG THE SOUTH LINE OF BLOCK NUMBERED EIGHT (8) TO THE PLACE OF BEGINNING AND CONTAINING TEN (10) ACRES OF LAND.

TRACT SIX:
ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN BLOCK 7 OF THE SUBDIVISION OF THE H.S. JANES HEADRIGHT SURVEY, A-306, BOWIE COUNTY, TEXAS AND BEING ALL THAT CERTAIN CALLED 10 ACRE TRACT CONVEYED TO H.J. TRAMMELL BY DEED RECORDED IN VOLUME 325, PAGES 145-149, DEED RECORDS, BOWIE COUNTY, TEXAS AND THE RESIDUAL OF THAT CERTAIN CALLED 30 ACRE TRACT CONVEYED TO H.J. TRAMMELL BY DEED RECORDED IN VOLUME 332, PAGES 445-446; SAID DEED RECORDS, SUBJECT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
BEGINNING AT A 1/2" REBAR SET FOR THE SOUTHWEST CORNER; SAID POINT BEING THE SOUTHWEST CORNER OF SAID 10 ACRE TRACT AND ALSO BEING THE SOUTHWEST CORNER OF SAID BLOCK 7, A CROSS-TIE FENCE CORNER BEARS S 02° 01' 13" E, A DISTANCE OF 22.10 FEET;
THENCE: N 00° 26' 06" W, ALONG THE WEST LINE OF SAID BLOCK 7, 660.00 FEET TO A 1/2" REBAR SET FOR THE WESTERLY NORTHWEST CORNER; SAID POINT BEING THE NORTHWEST CORNER OF SAID 10 ACRE TRACT;
THENCE: N 88° 37' 00" E, ALONG THE NORTH LINE OF SAID 10 ACRE TRACT, AT 45.69 FEET, PASSING A CROSS-TIE FENCE CORNER, 2.37 FEET, RIGHT AND CONTINUING FOR A TOTAL DISTANCE OF 507.57 FEET, TO A POINT FOR INTERIOR CORNER; SAID POINT BEING THE WESTERLY SOUTHWEST CORNER OF SAID 30 ACRE TRACT, 1/2" REBAR REFERENCE S 88° 37' 40" W;
THENCE: N 01° 53' 47" W, ALONG THE WEST LINE OF SAID 30 ACRE TRACT, 803.13 FEET TO A 1/2" REBAR SET FOR THE NORTHWEST CORNER; SAID POINT BEING THE NORTHWEST CORNER OF SAID 30 ACRE TRACT AND ALSO BEING IN THE OCCUPIED NORTH LINE OF SAID BLOCK 7;
THENCE: N 88° 02' 08" E, ALONG SAID NORTH LINE; SAME BEING THE NORTH LINE OF SAID 30 ACRE TRACT, AT 353.68 FEET, PASSING A 1/2" REBAR AND CONTINUING FOR A TOTAL DISTANCE OF 575.84 FEET, TO A POINT FOR THE NORTHEAST CORNER IN THE WEST RIGHT-OF-WAY LINE OF US HIGHWAY 59 (LOOP 151), A 1/2" REBAR FOUND BEARS N 88° 02' 08" E, A DISTANCE OF 0.32 FEET;
THENCE: S 01° 48' 43" W, ALONG SAID ROW LINE, 401.63 FEET TO A 1/2" REBAR SET AT AN ANGLE POINT;
THENCE: S 03° 41' 00" W, ALONG SAID ROW LINE, AT 15.54 FEET, PASSING A ROW MONUMENT 1.39 FEET LEFT AND CONTINUING FOR A TOTAL DISTANCE OF 1001.80 FEET TO A 1/2" REBAR SET AT AN ANGLE POINT;
THENCE: S 04° 04' E, ALONG SAID ROW LINE, 70.04 FEET TO A T-POST SET FOR THE SOUTHEAST CORNER; SAID POINT BEING IN THE SOUTH LINE OF SAID 30 ACRE TRACT; SAME BEING THE OCCUPIED SOUTH LINE OF SAID BLOCK 7;
THENCE: S 88° 37' W, ALONG SAID SOUTH LINE, AT 319.50 FEET, PASSING THE SOUTHEAST CORNER OF AFOREMENTIONED 10 ACRE TRACT AND CONTINUING FOR A TOTAL DISTANCE OF 979.50 FEET TO THE POINT OF BEGINNING AND CONTAINING 25.169 ACRES OF LAND, MORE OR LESS.

Attachment: 2024-046 EXH 'B' (Legal Description) (4224 : 2024-046 ORD Amendment to PD-23-4 site plan approval 500 S Bishop Road)

2024-046 ATTH 01
Amendment to Pd-23-4

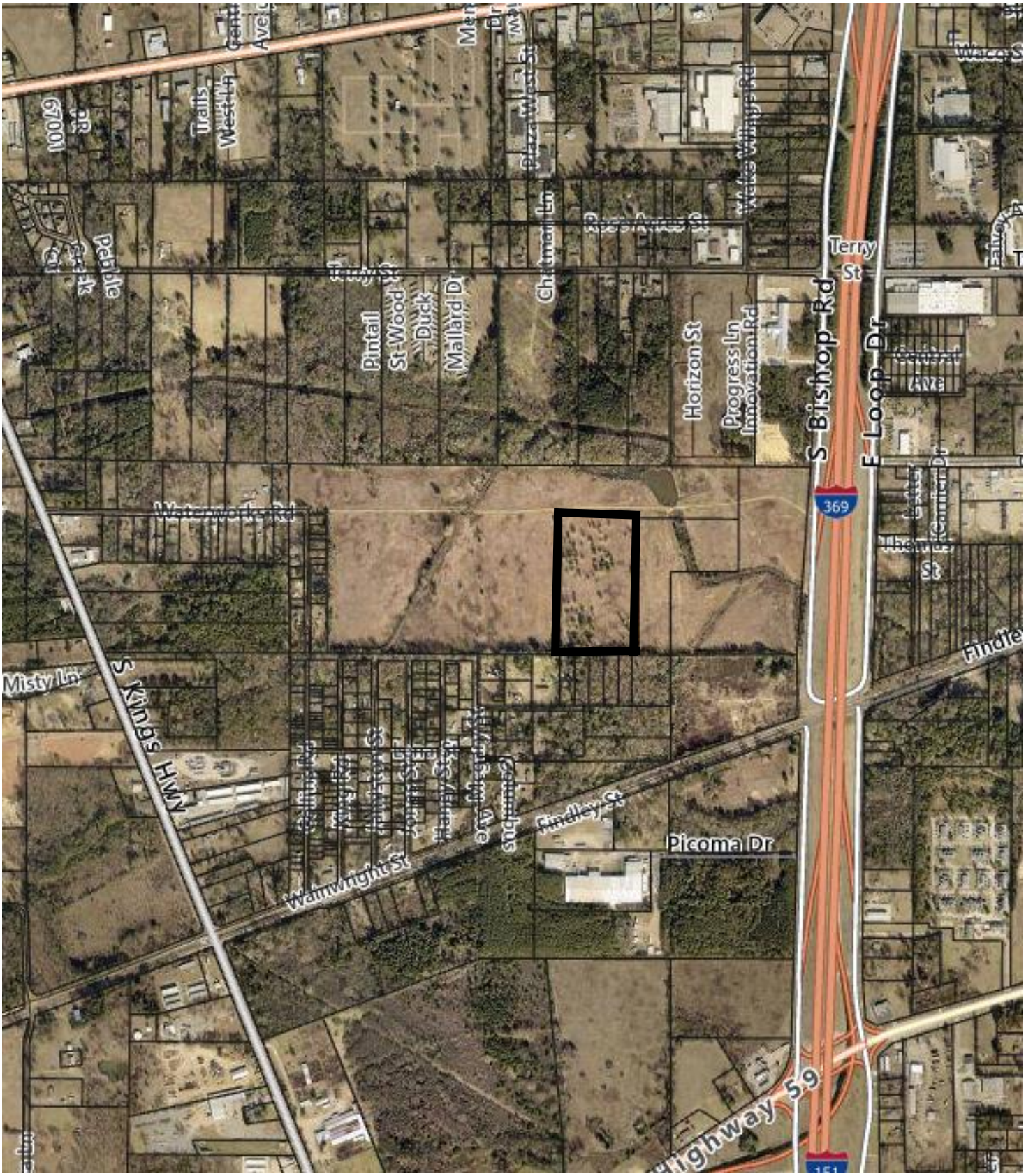
South of 1000 S Bishop & north of Findley St.



Attachment: 2024-046 ATTH 01 (Maps) (4224 : 2024-046 ORD Amendment to PD-23-4 site plan approval 500 S Bishop Road)

2024-046 ATTH 01
Amendment to Pd-23-4

South of 1000 S Bishop & north of Findley St.



Attachment: 2024-046 ATTH 01 (Maps) (4224 : 2024-046 ORD Amendment to PD-23-4 site plan approval 500 S Bishop Road)



Attachment: 2024-046 ATTH 02 (Elevations) (4224 : 2024-046 ORD Amendment to PD-23-4 site plan approval 500 S Bishop Road)



Attachment: 2024-046 ATTH 02 (Elevations) (4224 : 2024-046 ORD Amendment to PD-23-4 site plan approval 500 S Bishop Road)

2024-046 ATTH 02



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2024-046 ATTH 02



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2024-046 ATTH 02



Attachment: 2024-046 ATTH 02 (Elevations) (4224 : 2024-046 ORD Amendment to PD-23-4 site plan approval 500 S Bishop Road)

2024-046 ATTH 02



Attachment: 2024-046 ATTH 02 (Elevations) (4224 : 2024-046 ORD Amendment to PD-23-4 site plan approval 500 S Bishop Road)

City of Texarkana, Texas

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

Resource Impact:	
Staff time required if item is approved:	No Additional
Other Potential Impacts:	

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

Attachment: 2024-046 Goals & Perspectives (4224 : 2024-046 ORD Amendment to PD-23-4 site plan approval 500 S Bishop Road)

ORDINANCE NO. 2024-046

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-23-4(I1) FOR SITE PLAN APPROVAL ON AN APPROXIMATE 15.15-ACRE TRACT OF LAND (BEING TRACT 81) H.S. JANES HRS, A-306, LOCATED AT 500 SOUTH BISHOP ROAD, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') on an approximate 15.15-acre tract of land (being Tract 81), H.S. Janes HRS, A-306, located at 500 South Bishop Road (Exhibit 'B')** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-General Retail [PD-23-4(I1)], and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-23-4(I1); and

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-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 this amendment, have given the requisite notices by publication and otherwise, and have afforded and held full and fair hearings to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously by a vote of five (5) to zero (0) to recommend for approval of the petition for a site plan (Exhibit 'A')** to the City Council of the City of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that the approval of the site plan for the above-described property is in the best interest of the public health, safety, morals, and general welfare of the City.

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

SECTION 1: The site plan **(Exhibit 'A') on an approximate 15.15-acre tract of land (being Tract 81), H.S. Janes HRS, A-306, located at 500 South Bishop Road (Exhibit 'B')** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-23-4(I1).

Attachment: 2024-046 ORD SPA 500 S Bishop signed (4224 : 2024-046 ORD Amendment to PD-23-4 site plan approval 500 S Bishop Road)

SECTION 2: PD-23-4(I1) is hereby amended by approval of the site plan (**Exhibit 'A'**), incorporated herein by reference for all purposes and includes the following:

1. The construction of an 86,272 sq ft building.
2. The access driveway will be off South Bishop Road. Any changes to driveway on South Bishop Road will require TxDOT approval.
3. There will be 102 parking spaces and that includes six (6) handicapped spaces. All parking spaces shall be a minimum of 180 sq. ft. in size.
4. A 5'X8' monument style sign. No Electronic messaging will be allowed.
5. Must be platted prior to issuance of CO.
6. Fire lane required.
7. Screened dumpster site.
8. There is no water or sewer service to this area. It will be the owner's responsibility to extend services to the area.
9. The water and sewer mains and lift station shown on the site plan are not approved. More information is required for review.
10. The Utility reserves the right to request additional utility easements upon review of the plans.
11. The Utility has no objections to the site plan location.

SECTION 3: It is further provided that in case a section, clause, sentence, or part of this ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this ordinance.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 5: 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 **13th day of May, 2024.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:10 p.m.

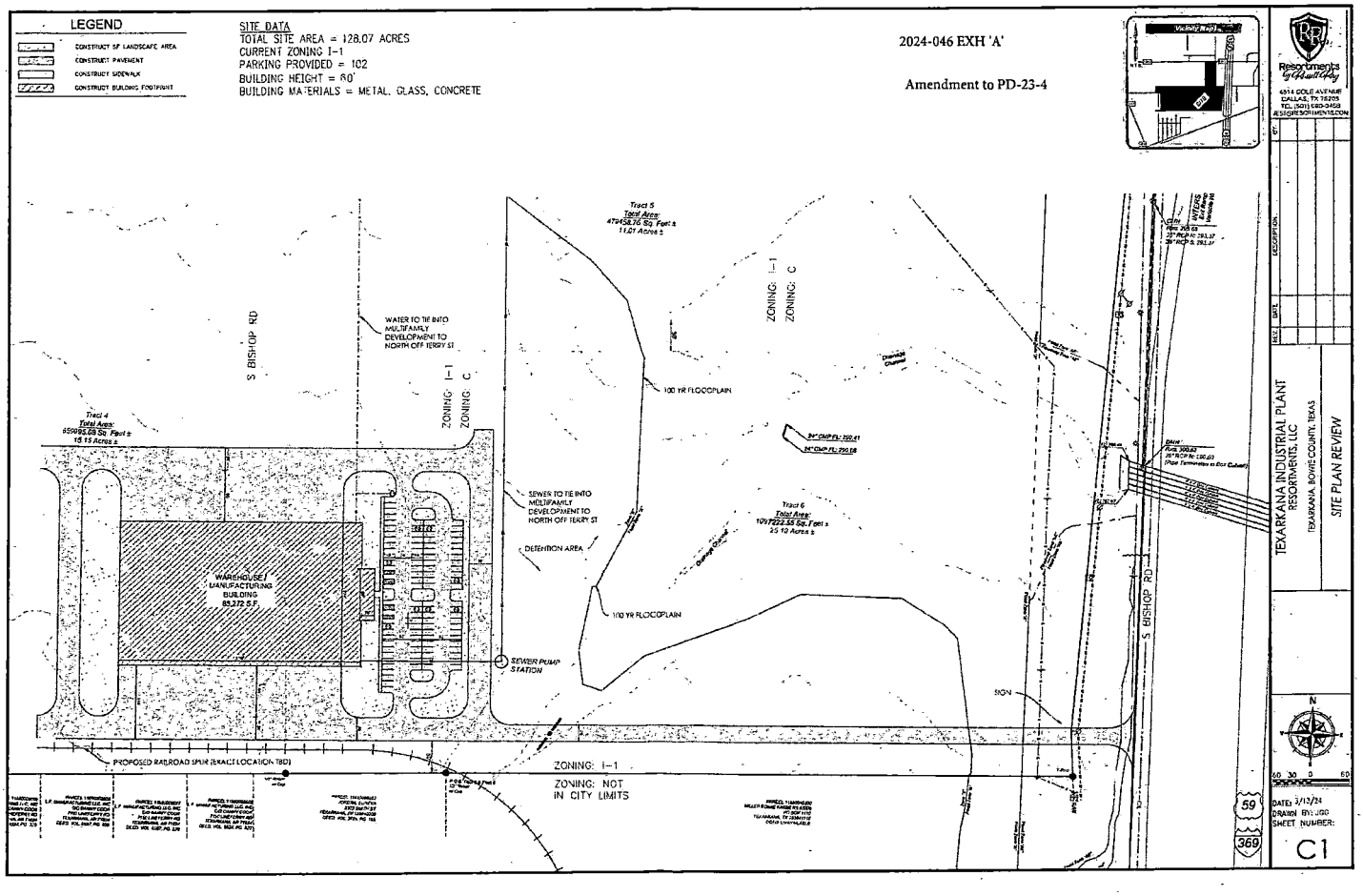
Attachment: 2024-046 ORD SPA 500 S Bishop signed (4224 : 2024-046 ORD Amendment to PD-23-4 site plan approval 500 S Bishop Road)

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THENCE: S 89° 54' 24" W, ALONG THE NORTH LINE OF THE SAID CALLED 7.80 ACRE TRACT, 600.00 FEET TO THE PLACE OF BEGINNING, CONTAINING 15.15 ACRES OF LAND, MORE OR LESS.

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BEGINNING AT A STAKE, THE COMMON CORNERS OF BLOCKS NUMBERED SEVEN (7), EIGHT (8), THIRTEEN (13) AND FOURTEEN (14) OF THE SUBDIVISION OF THE SAID H.S. JANES SURVEY;
THENCE: NORTHERLY WITH THE EAST BOUNDARY LINE OF SAID BLOCK NUMBERED EIGHT (8), THE WEST BOUNDARY LINE OF BLOCK NUMBERED SEVEN (7), A DISTANCE OF APPROXIMATELY 660 FEET TO A STAKE;
THENCE: EAST, A DISTANCE OF 457.5 FEET TO A STAKE;
THENCE: NORTH 400 FEET TO A STAKE;
THENCE: WEST, 457.5 FEET, CROSSING THE WEST BOUNDARY LINE OF BLOCK NUMBERED SEVEN (7) THE EAST BOUNDARY LINE OF BLOCK NUMBERED EIGHT (8) AND CONTINUING WEST INTO BLOCK NUMBERED EIGHT (8) FOR 250 FEET TO THE EAST BOUNDARY LINE OF A 15 ACRE TRACT HERETOFORE CONVEYED BY US IN A DEED TO LADONIA GREEN PAYTON;
THENCE: SOUTH, WITH HER EAST LINE, TO THE SOUTH LINE OF BLOCK NUMBERED EIGHT (8);
THENCE: EAST, 250 FEET ALONG THE SOUTH LINE OF BLOCK NUMBERED EIGHT (8) TO THE PLACE OF BEGINNING AND CONTAINING TEN (10) ACRES OF LAND.

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THENCE: N 00° 26' 06" W, ALONG THE WEST LINE OF SAID BLOCK 7, 660.00 FEET TO A 1/2" REBAR SET FOR THE WESTERLY NORTHWEST CORNER; SAID POINT BEING THE NORTHWEST CORNER OF SAID 10 ACRE TRACT;
THENCE: N 88° 37' 00" E, ALONG THE NORTH LINE OF SAID 10 ACRE TRACT, AT 45.69 FEET, PASSING A CROSS-TIE FENCE CORNER, 2.37 FEET, RIGHT AND CONTINUING FOR A TOTAL DISTANCE OF 507.57 FEET, TO A POINT FOR INTERIOR CORNER; SAID POINT BEING THE WESTERLY SOUTHWEST CORNER OF SAID 30 ACRE TRACT, 1/2" REBAR REFERENCE S 88° 37' 40" W;
THENCE: N 01° 53' 47" W, ALONG THE WEST LINE OF SAID 30 ACRE TRACT, 803.13 FEET TO A 1/2" REBAR SET FOR THE NORTHWEST CORNER; SAID POINT BEING THE NORTHWEST CORNER OF SAID 30 ACRE TRACT AND ALSO BEING IN THE OCCUPIED NORTH LINE OF SAID BLOCK 7;
THENCE: N 88° 02' 08" E, ALONG SAID NORTH LINE; SAME BEING THE NORTH LINE OF SAID 30 ACRE TRACT, AT 353.68 FEET, PASSING A 1/2" REBAR AND CONTINUING FOR A TOTAL DISTANCE OF 575.84 FEET, TO A POINT FOR THE NORTHEAST CORNER IN THE WEST RIGHT-OF-WAY LINE OF US HIGHWAY 59 (LOOP 151), A 1/2" REBAR FOUND BEARS N 88° 02' 08" E, A DISTANCE OF 0.32 FEET;
THENCE: S 01° 48' 43" W, ALONG SAID ROW LINE, 401.63 FEET TO A 1/2" REBAR SET AT AN ANGLE POINT;
THENCE: S 03° 41' 00" W, ALONG SAID ROW LINE, AT 15.54 FEET, PASSING A ROW MONUMENT 1.39 FEET LEFT AND CONTINUING FOR A TOTAL DISTANCE OF 1001.80 FEET TO A 1/2" REBAR SET AT AN ANGLE POINT;
THENCE: S 04° 04' E, ALONG SAID ROW LINE, 70.04 FEET TO A T-POST SET FOR THE SOUTHEAST CORNER; SAID POINT BEING IN THE SOUTH LINE OF SAID 30 ACRE TRACT; SAME BEING THE OCCUPIED SOUTH LINE OF SAID BLOCK 7;
THENCE: S 88° 37' W, ALONG SAID SOUTH LINE, AT 319.50 FEET, PASSING THE SOUTHEAST CORNER OF AFOREMENTIONED 10 ACRE TRACT AND CONTINUING FOR A TOTAL DISTANCE OF 979.50 FEET TO THE POINT OF BEGINNING AND CONTAINING 25.169 ACRES OF LAND, MORE OR LESS.

Attachment: 2024-046 ORD SPA 500 S Bishop signed (4224 : 2024-046 ORD Amendment to PD-23-4 site plan approval 500 S Bishop Road)



Attachment: 2024-046 ORD SPA 500 S Bishop signed (4224 : 2024-046 ORD Amendment to PD-23-4 site plan approval 500 S Bishop Road)

2024-046 EXH 'B'
Amendment to PD-23-4

LEGAL DESCRIPTIONS

TRACT TWO:
ALL THAT CERTAIN 76.70 ACRE TRACT OF LAND IN THE H.S. JANES HEADRIGHT SURVEY, A-306, BOWIE COUNTY, TEXAS, BEING THE REMAINDER OF A CALLED 106.519 ACRE TRACT DESCRIBED AS TRACT TWENTY-FOUR IN VOLUME 635, PAGE 113, BOWIE COUNTY DEED RECORDS; SAID 76.70 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
BEGINNING AT A 3/8" REBAR FOUND FOR THE SOUTHEAST CORNER OF THE DORSEY BLACKWELL CALLED 5.40 ACRE TRACT, THE SOUTHWEST CORNER OF A CALLED 15.60 ACRE TRACT DESCRIBED IN VOLUME 2105, PAGE 211 AND THE NORTHWEST CORNER OF THIS TRACT; A 1" ANGLE IRON FOUND FOR THE SOUTHWEST CORNER OF THE SAID CALLED 5.40 ACRE TRACT AND THE SOUTHEAST CORNER OF A CALLED 10.00 ACRE TRACT DESCRIBED IN VOLUME 514, PAGE 7, LIES N 89° 47' 52" W, 175.65 FEET;
THENCE: S 89° 47' 52" E (BEARINGS BASED ON TRUE NORTH MERIDIAN DERIVED VIA SOLAR OBSERVATIONS), 3492.36 FEET, TO A 1/2" REBAR WITH CAP SET FOR THE NORTHWEST CORNER OF THE H.J. TRAMMELL CALLED 25.30 ACRE TRACT AND THE NORTHEAST CORNER OF THIS TRACT; A 1/2" REBAR FOUND ON THE WEST SIDE OF A SERVICE ROAD FOR THE NORTHEAST CORNER OF THE SAID CALLED 25.30 ACRE TRACT LINES S 89° 47' 52" E, 574.84 FEET;
THENCE: S 00° 14' 11" W, ALONG THE WEST LINE OF THE SAID CALLED 25.30 ACRE TRACT, 405.26 FEET, TO A 1/2" REBAR WITH CAP SET FOR THE NORTHEAST CORNER OF A CALLED 10.00 ACRE TRACT DESCRIBED IN VOLUME 461, PAGE 288 AND THE MOST EASTERN SOUTHEAST CORNER OF THIS TRACT;
THENCE: S 89° 54' 24" W, ALONG THE NORTH LINE OF THE SAID CALLED 10.00 ACRE TRACT, 777.48 FEET, TO A 1/2" REBAR WITH CAP SET ON THE EAST LINE OF A CALLED 15.00 ACRE TRACT DESCRIBED IN VOLUME 396, PAGE 320, FOR THE NORTHWEST CORNER OF THE SAID CALLED 10.00 ACRE TRACT AND A CORNER OF THIS TRACT;
THENCE: N 00° 13' 38" W, ALONG THE EAST LINE OF THE SAID CALLED 15.00 ACRE TRACT, 45.19 FEET TO A 1/2" REBAR WITH CAP SET FOR THE NORTHEAST CORNER OF THE SAID CALLED 15.00 ACRE TRACT AND AN ELL CORNER OF THIS TRACT;
THENCE: S 89° 54' 24" W, ALONG THE NORTH LINE OF THE SAID CALLED 15.00 ACRE TRACT, 600.00 FEET (DEED CALL) TO A 1/2" REBAR WITH CAP SET FOR THE NORTHWEST CORNER OF THE SAID CALLED 15.00 ACRE TRACT AND AN ELL CORNER OF THIS TRACT;
THENCE: S 00° 13' 36" E, ALONG THE WEST LINE OF THE SAID CALLED 15.00 ACRE TRACT, 1100.00 FEET (DEED CALL) TO A 1/2" REBAR WITH CAP SET FOR THE SOUTHWEST CORNER OF THE SAID CALLED 15.00 ACRE TRACT, THE NORTHEAST CORNER OF THE JAMES E. ANDERSON CALLED 2.00 ACRE TRACT, THE NORTHWEST CORNER OF THE MELVIN HARRIS CALLED 7.80 ACRE TRACT AND THE MOST SOUTHERN SOUTHEAST CORNER OF THIS TRACT;
THENCE: S 89° 54' 24" W, 2140.86 FEET, TO A 1/2" IRON PIPE FOUND FOR THE SOUTHEAST CORNER OF THE GERALDINE PAYNE CALLED 7.83 ACRE TRACT, THE NORTHWEST CORNER OF THE CONNOR HEIGHTS SUBDIVISION AND THE SOUTHWEST CORNER OF THIS TRACT;
THENCE: N 00° 54' 38" E, ALONG THE EAST LINE OF THE SAID CALLED 7.83 ACRE TRACT, 46.74 FEET TO A 1/2" REBAR WITH CAP SET FOR THE SOUTHWEST CORNER OF A CALLED 0.483 ACRE TRACT DESCRIBED IN VOLUME 580, PAGE 72 AND A CORNER OF THIS TRACT;
THENCE: N 89° 58' 55" E, 323.95 FEET TO A 1/2" REBAR WITH CAP SET FOR THE SOUTHEAST CORNER OF A CALLED 1.045 ACRE TRACT DESCRIBED IN VOLUME 573, PAGE 290 AND AN ELL CORNER OF THIS TRACT;
THENCE: N 00° 34' 55" W, 1024.24 FEET TO A 1/2" IRON PIPE FOUND FOR THE NORTHEAST CORNER OF A CALLED 1.25 ACRE TRACT DESCRIBED AS TRACT 1 THRU 6 IN VOLUME 1443, PAGE 179, AND AN ELL CORNER OF THIS TRACT;
THENCE: N 89° 47' 52" W, 130.00 FEET (DEED CALL) TO A 1/2" REBAR WITH CAP SET ON THE EAST SIDE OF A PUBLIC ROAD FOR THE NORTHWEST CORNER OF THE SAID CALLED 1.25 ACRE TRACT AND A CORNER OF THIS TRACT;
THENCE: N 00° 54' 38" E, 50.00 FEET TO A 1/2" REBAR WITH CAP SET ON THE NORTH SIDE OF BOWIE COUNTY ROAD NO. 1344 (GIBBS AVENUE) FOR AN ELL CORNER OF THIS TRACT;
THENCE: N 89° 50' 24" W, ALONG THE NORTH SIDE OF THE SAID COUNTY ROAD, 167.25 FEET TO A 1/2" REBAR WITH CAP SET ON THE EAST LINE OF THE GIBBS SUBDIVISION FOR A CORNER OF THIS TRACT; A 5/8" IRON ROD FOUND ON THE EAST SIDE OF KINGS HIGHWAY AND THE NORTH LINE OF THE SAID COUNTY ROAD, LIES N 89° 50' 24" W, 1867.36 FEET;
THENCE: N 00° 54' 38" E, ALONG THE EAST LINE OF THE SAID GIBBS SUBDIVISION, 356.23 FEET TO THE PLACE OF BEGINNING, CONTAINING 76.70 ACRES OF LAND, MORE OR LESS.

TRACT FOUR:
ALL THAT CERTAIN 15.15 ACRE TRACT OF LAND IN THE CITY OF TEXARKANA, H.S. JANES HEADRIGHT SURVEY, A-306, BOWIE COUNTY, TEXAS, BEING ALL OF A CALLED 15.00 ACRE TRACT DESCRIBED IN VOLUME 396, PAGE 320, BOWIE COUNTY DEED RECORDS; SAID 15.15 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
BEGINNING AT A 1/2" REBAR WITH CAP SET FOR THE NORTHWEST CORNER OF THE MELVIN HARRIS CALLED 7.80 ACRE TRACT, THE NORTHEAST CORNER OF THE JAMES E. ANDERSON CALLED 2.00 ACRE TRACT, THE MOST SOUTHERN SOUTHEAST CORNER OF A CALLED 76.70 ACRE TRACT SURVEYED BY EAST TEXAS SURVEYING CO. ON JANUARY 8, 1997 AND THE SOUTHWEST CORNER OF THIS TRACT;
THENCE: N 00° 13' 36" W, (BEARINGS BASED ON TRUE NORTH MERIDIAN DERIVED VIA SOLAR OBSERVATION) ALONG THE SOUTHERN EAST LINE OF THE SAID CALLED 76.70 ACRE TRACT, 1100.00 FEET TO A 1/2" REBAR WITH CAP SET FOR AN ELL CORNER OF THE SAID CALLED 76.70 ACRE TRACT AND THE NORTHWEST CORNER OF THIS TRACT;
THENCE: N 89° 54' 24" E, ALONG THE SOUTH LINE OF THE SAID CALLED 76.70 ACRE TRACT, 600.00 FEET TO A 1/2" REBAR WITH CAP SET FOR AN ELL CORNER OF THE SAID CALLED 76.70 ACRE TRACT AND THE NORTHEAST CORNER OF THIS TRACT;
THENCE: S 00° 13' 36" E, PASSING A 1/2" REBAR WITH CAP SET FOR A CORNER OF THE SAID CALLED 76.70 ACRE TRACT AND THE NORTH WEST CORNER OF A CALLED 10.00 ACRE TRACT DESCRIBED IN VOLUME 461, PAGE 288, AT 45.19 FEET AND CONTINUING

Attachment: 2024-046 ORD SPA 500 S Bishop signed (4224 : 2024-046 ORD Amendment to PD-23-4 site plan approval 500 S Bishop Road)

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 5/6/2024 12:31 PM

Lead Department: City Attorney **Action Officer:** Jeffery Lewis,

Subject: Ordinance No. 2024-047 amending the Code of Ordinances by adding Article IX, "Door-to-Door Selling", to Chapter 28, of the Code of Ordinances.

Briefing: 5/13/2024 **Public Hearing:** 5/13/2024 **Council Vote:** 5/13/2024

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

Updates/History of Briefing:

Referencing the inquiry on alarm companies from the last City Council meeting, case law holds that a city cannot require a license or a license fee for a vendor who is already licensed by the state; and Chapter 1702 of the Texas Occupations Code specifically exempts a state-licensed alarm company from local requirements to obtain a permit or license or pay a fee to engage in business or perform a service regulated under the chapter. However, the proposed ordinance does not require a permit, license, or a fee; rather, the proposed ordinance only requires registration ... **at no cost**. Given the public safety interest in keeping individuals from posing as alarm salespersons and going door-to-door to evaluate the security capabilities of homes within the city limits, it is reasoned that the legislative intent behind the Occupations Code exemption neither limits nor restricts the City's application of this no-fee registration ordinance.

Additional special rights to consumers for certain door-to-door sales are summarized by the Texas Attorney General, accessed at https://www.texasattorneygeneral.gov/consumer-protection/home-real-estate-and-travel/door-door-sales-3-day-right-rescission.

If a person becomes aware of a potential violation of Chapter 1702 of the Texas Occupations Code, the Texas Department of Public Safety has an online complaint submission: https://www.dps.texas.gov/section/private-security/consumer-complaints.

Executive Summary and Background Information:

This proposed ordinance adds a new Article IX – "Door-to-Door Selling" – to Code Chapter 28, "Offenses and Miscellaneous Provisions".

Current City Code provisions governing itinerant merchants or vendors at Chapter 34, Article IV, Sections 34-88 through 34-101, date back to the late 1980s. City staff has developed a new vendor ordinance for door-to-door selling, together with regulations pertaining to required registration, exceptions to registration, and a residential prerogative for "no solicitation".

The proposed ordinance (section 28-270) details the following exceptions:

- the ordinance only applies to residential door-to-door selling for commercial purposes;

- the ordinance does not apply to persons going door-to-door for non-commercial purposes, such as expressing religious, political, civic, or philosophical messages or requesting donations for such non-profit organizations;

- the ordinance does not apply to door-to-door selling for a school sponsored event or program, or a non-profit sporting or cultural organization created specifically to benefit the youth of the community; and

- the ordinance does not apply to salespersons calling upon or dealing with manufacturers, wholesalers, distributors, brokers, or retailers at their place of business and in the usual course of their business.

Note that by operation of Section 2 of the ordinance, adoption of this ordinance would also repeal Code Sections 34-88 through 34-101.

Potential Options:

Approve (or decline to approve) the proposed ordinance.

Fiscal Implications:

None.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

None.

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2024-047 ORD Door-to-Door Ch 28 art IX (DOCX)
b. 2024-047 Goals & Perspectives (DOCX)
c. 2024-047 ORD door-to-door sales Ch 28 signed (PDF)

Staff Coordination

City Attorney	Jeffery C. Lewis 04/15/2024 1:41 PM	Department Head Review	Completed
Municipal Prosecutor	Deborah Jones 04/16/2024 8:25 AM	Asst. City Attorney Review	Completed
Building Code Administration	Mashell Daniel 04/17/2024 9:30 AM	Review	Completed

City of Texarkana, Texas

City Secretary	Jennifer Evans	Review	Completed	04/17/2024 9:51 AM
City Attorney	Jeffery C. Lewis	City Attorney Review	Skipped	04/12/2024 2:33 PM
City Manager	David Orr	City Manager Review	Completed	04/17/2024 10:47 AM
City Council	Jennifer Evans	Meeting	Completed	04/22/2024 6:00 PM

Meeting History

04/22/24 City Council MOVED FORWARD Next: 05/13/24

Jeff Lewis briefed this agenda item.

PUBLISH

ORDINANCE NO. 2024-047

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS BY ADDING ARTICLE IX – "DOOR-TO-DOOR SELLING" – TO CHAPTER 28, "OFFENSES AND MISCELLANEOUS PROVISIONS"; CONTAINING REPEALER, SEVERABILITY, AND SUPERSEDING CLAUSES; CONTAINING LEGISLATIVE FINDINGS; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, current City Code provisions governing itinerant merchants or vendors at Chapter 34, Article IV, Sections 34-88 through 34-101, date back to the late 1980s; and

WHEREAS, City staff has developed a new vendor ordinance for door-to-door selling, together with regulations pertaining to required registration, exceptions to registration, and a residential prerogative for "no solicitation"; and

WHEREAS, the new ordinance is proposed to be located at Chapter 28, "Offenses and Miscellaneous Provisions", adding new Article IX – "Door-to-Door Selling"; and

WHEREAS, the City Council finds and determines that this ordinance is necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants; and is in the best interests of the citizens of **the City of Texarkana, Texas.**

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

SECTION 1: The Code of Ordinances of the City of Texarkana, Texas, is hereby amended to add Article IX – "Door-to-Door Selling" – to Chapter 28, "Offenses and Miscellaneous Provisions", as follows:

ARTICLE IX. DOOR-TO-DOOR SELLING

Sec. 28-260. – Definitions.

"Door-to-Door Selling" shall mean going to one or more residences within the City in person for the purpose of soliciting, selling, or taking orders for merchandise or services.

"Merchandise" is used in its broadest sense and shall include property of every kind.

"Services" is used in its broadest sense and shall include any work done for the benefit of another person.

Attachment: 2024-047 ORD Door-to-Door Ch 28 art IX (4227 : 2024-047 ORD Door-to-door selling Ch 28 art IX)

PUBLISH

Sec. 28-261- Registration Required.

It is an offense for any person to engage in door-to-door selling in the City without registering as provided in this article.

Sec. 28-262. – Registration Form.

Any person desiring to engage in door-to-door selling shall complete a registration form provided by the City, verified by affidavit as to the truthfulness of its contents, and containing the following information:

(1) Name of applicant and the company represented, if not the applicant.

(2) The represented company's address, telephone numbers, internet web address, and the name of the contact person of such business, such person's email address, and valid Texas sales tax permit number.

(3) The applicant's date of birth, race, height, weight, hair color, eye color, state issued driver's license number or state identification card number, home address and telephone number.

(4) A full and complete description of the merchandise or services which the applicant desires to sell.

(5) A statement that the applicant has not been convicted of a felony in the past 10 years, has not been convicted of an aggravated felony offense, is not currently on felony probation or parole, is not currently a registered sex offender or subject to such registration; and does not have an affiliation, membership, or associate with a known street gang or criminal enterprise.

Sec. 28-263. – Term.

A registration issued under this article shall be valid for 30 days from the date of issuance.

Sec. 28-264. – Fee.

There will be no fee for registration under this article.

Sec. 28-265. – Registration to be Carried.

It shall be offense for any person to engage in door-to-door selling unless the person is carrying such registration on their person.

Sec. 28-266. - No Solicitation Without Invitation During Certain Time Periods.

It is an offense under this article for any person while engaged in door-to-door selling to go to a private residence in the City for such purpose before 10:00 a.m. or after 7:00 p.m. or anytime on a federally designated holiday, without a prior invitation from the occupants of said private residence.

Sec. 28-267. - No Solicitation Sign.

It is an offense under this article for any person to ring the doorbell, knock upon the door, or create any sound for purpose of attracting the attention of the occupants of the residence if there is a sign bearing the words "No Solicitation" or "No Soliciting" located on such premises in a conspicuous place. The letters

Attachment: 2024-047 ORD Door-to-Door Ch 28 art IX (4227 : 2024-047 ORD Door-to-door selling Ch 28 art IX)

on such a sign shall be at least two inches in height.

Sec. 28-268. - Refusing to Leave Upon Request.

It is an offense under this article for any person while engaged in door-to-door selling to remain in a private residence or on the premises thereof after the owner or occupant has requested such person to leave.

Sec. 28-269. – Disqualification.

It is an offense for a person to engage in door-to-door selling if the person provided false information on the registration form; had a felony conviction within the past 10 years; has been convicted of an aggravated felony offense, is currently on felony probation or parole, is currently a registered sex offender or is subject to such registration; or has an affiliation, membership, or associates with a known street gang or criminal enterprise.

Sec. 28-270. – Exceptions.

(a) The provisions of this article only apply to residential door-to-door selling for commercial purposes.

(b) The requirements of this article do not apply to persons going door-to-door for non-commercial purposes, such as expressing religious, political, civic, or philosophical messages or requesting donations for such non-profit organizations.

(c) The provisions of this article do not apply to door-to-door selling for a school sponsored event or program, or a non-profit sporting or cultural organization created specifically to benefit the youth of the community.

(d) The provisions of this article shall not be applicable to salespersons calling upon or dealing with manufacturers, wholesalers, distributors, brokers, or retailers at their place of business and in the usual course of their business.

Sec.28-271. - Police Power.

This article is and shall be deemed to be an exercise of the police power of the State of Texas and of the City for the public safety, comfort, convenience and protection of the City and the health, life and property of its citizens and each provision contained herein shall be construed for the accomplishment of that purpose.

Sec. 28-272. – Disclaimer.

Registration in accordance with this article does not constitute any guarantee, warranty, endorsement, or assurance of the honesty or legitimacy of any individual or group, or the value, quantity, or other character of the goods or services offered for sale.

Sec.28-273. – Penalty.

An offense under any provision of this article is a Class C misdemeanor punishable by a fine not to exceed five hundred dollars ($500).

Attachment: 2024-047 ORD Door-to-Door Ch 28 art IX (4227 : 2024-047 ORD Door-to-door selling Ch 28 art IX)

PUBLISH

SECTION 2: All ordinances or parts of ordinances (including Sections 34-88 through 34-101, inclusive, of the Code of Ordinances) and resolutions or parts of resolutions in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 3: In the event a section, clause, sentence, or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION 4: In the event of any conflict between this Ordinance and any other ordinances or parts of ordinances, this Ordinance shall supersede and control.

SECTION 5: The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

SECTION 6: 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 7: This Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **13th day of May, 2024**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2024-047 ORD Door-to-Door Ch 28 art IX (4227 : 2024-047 ORD Door-to-door selling Ch 28 art IX)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

Public Information Plan:

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

Other:

Attachment: 2024-047 Goals & Perspectives (4227 : 2024-047 ORD Door-to-door selling Ch 28 art IX)

PUBLISH

ORDINANCE NO. 2024-047

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS BY ADDING ARTICLE IX – "DOOR-TO-DOOR SELLING" – TO CHAPTER 28, "OFFENSES AND MISCELLANEOUS PROVISIONS"; CONTAINING REPEALER, SEVERABILITY, AND SUPERSEDING CLAUSES; CONTAINING LEGISLATIVE FINDINGS; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, current City Code provisions governing itinerant merchants or vendors at Chapter 34, Article IV, Sections 34-88 through 34-101, date back to the late 1980s; and

WHEREAS, City staff has developed a new vendor ordinance for door-to-door selling, together with regulations pertaining to required registration, exceptions to registration, and a residential prerogative for "no solicitation"; and

WHEREAS, the new ordinance is proposed to be located at Chapter 28, "Offenses and Miscellaneous Provisions", adding new Article IX – "Door-to-Door Selling"; and

WHEREAS, the City Council finds and determines that this ordinance is necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants; and is in the best interests of the citizens of **the City of Texarkana, Texas.**

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

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ARTICLE IX. DOOR-TO-DOOR SELLING

Sec. 28-260. – Definitions.

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"Merchandise" is used in its broadest sense and shall include property of every kind.

"Services" is used in its broadest sense and shall include any work done for the benefit of another person.

Attachment: 2024-047 ORD door-to-door sales Ch 28 signed (4227 : 2024-047 ORD Door-to-door selling Ch 28 art IX)

PUBLISH

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It is an offense for any person to engage in door-to-door selling in the City without registering as provided in this article.

Sec. 28-262. – Registration Form.

Any person desiring to engage in door-to-door selling shall complete a registration form provided by the City, verified by affidavit as to the truthfulness of its contents, and containing the following information:

(1) Name of applicant and the company represented, if not the applicant.

(2) The represented company's address, telephone numbers, internet web address, and the name of the contact person of such business, such person's email address, and valid Texas sales tax permit number.

(3) The applicant's date of birth, race, height, weight, hair color, eye color, state issued driver's license number or state identification card number, home address and telephone number.

(4) A full and complete description of the merchandise or services which the applicant desires to sell.

(5) A statement that the applicant has not been convicted of a felony in the past 10 years, has not been convicted of an aggravated felony offense, is not currently on felony probation or parole, is not currently a registered sex offender or subject to such registration; and does not have an affiliation, membership, or associate with a known street gang or criminal enterprise.

Sec. 28-263. – Term.

A registration issued under this article shall be valid for 30 days from the date of issuance.

Sec. 28-264. – Fee.

There will be no fee for registration under this article.

Sec. 28-265. – Registration to be Carried.

It shall be offense for any person to engage in door-to-door selling unless the person is carrying such registration on their person.

Sec. 28-266. - No Solicitation Without Invitation During Certain Time Periods.

It is an offense under this article for any person while engaged in door-to-door selling to go to a private residence in the City for such purpose before 10:00 a.m. or after 7:00 p.m. or anytime on a federally designated holiday, without a prior invitation from the occupants of said private residence.

Sec. 28-267. - No Solicitation Sign.

It is an offense under this article for any person to ring the doorbell, knock upon the door, or create any sound for purpose of attracting the attention of the occupants of the residence if there is a sign bearing the words "No Solicitation" or "No Soliciting" located on such premises in a conspicuous place. The letters

Attachment: 2024-047 ORD door-to-door sales Ch 28 signed (4227 : 2024-047 ORD Door-to-door selling Ch 28 art IX)

on such a sign shall be at least two inches in height.

Sec. 28-268. - Refusing to Leave Upon Request.

It is an offense under this article for any person while engaged in door-to-door selling to remain in a private residence or on the premises thereof after the owner or occupant has requested such person to leave.

Sec. 28-269. – Disqualification.

It is an offense for a person to engage in door-to-door selling if the person provided false information on the registration form; had a felony conviction within the past 10 years; has been convicted of an aggravated felony offense, is currently on felony probation or parole, is currently a registered sex offender or is subject to such registration; or has an affiliation, membership, or associates with a known street gang or criminal enterprise.

Sec. 28-270. – Exceptions.

(a) The provisions of this article only apply to residential door-to-door selling for commercial purposes.

(b) The requirements of this article do not apply to persons going door-to-door for non-commercial purposes, such as expressing religious, political, civic, or philosophical messages or requesting donations for such non-profit organizations.

(c) The provisions of this article do not apply to door-to-door selling for a school sponsored event or program, or a non-profit sporting or cultural organization created specifically to benefit the youth of the community.

(d) The provisions of this article shall not be applicable to salespersons calling upon or dealing with manufacturers, wholesalers, distributors, brokers, or retailers at their place of business and in the usual course of their business.

Sec.28-271. - Police Power.

This article is and shall be deemed to be an exercise of the police power of the State of Texas and of the City for the public safety, comfort, convenience and protection of the City and the health, life and property of its citizens and each provision contained herein shall be construed for the accomplishment of that purpose.

Sec. 28-272. – Disclaimer.

Registration in accordance with this article does not constitute any guarantee, warranty, endorsement, or assurance of the honesty or legitimacy of any individual or group, or the value, quantity, or other character of the goods or services offered for sale.

Sec.28-273. – Penalty.

An offense under any provision of this article is a Class C misdemeanor punishable by a fine not to exceed five hundred dollars ($500).

Attachment: 2024-047 ORD door-to-door sales Ch 28 signed (4227 : 2024-047 ORD Door-to-door selling Ch 28 art IX)

PUBLISH

SECTION 2: All ordinances or parts of ordinances (including Sections 34-88 through 34-101, inclusive, of the Code of Ordinances) and resolutions or parts of resolutions in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 3: In the event a section, clause, sentence, or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION 4: In the event of any conflict between this Ordinance and any other ordinances or parts of ordinances, this Ordinance shall supersede and control.

SECTION 5: The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

SECTION 6: 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 7: This Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **13th day of May, 2024**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

9:13p.m.

Attachment: 2024-047 ORD door-to-door sales Ch 28 signed (4227 : 2024-047 ORD Door-to-door selling Ch 28 art IX)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 5/10/2024 9:13 AM

Lead Department: Planning and Community Development **Action Officer:** Daphnea Ryan,

Subject: Resolution No. 2024-051 authorizing the City Manager to execute Subordination Non-Disturbance and Attornment (SNDA) agreements for two existing EPA Revolving Loan Fund cleanup loans and two Economic Development Facade Revolving Loan Fund loans with Texarkana Renewal Properties, LLC, and agreements to restructure ownership of property held as liens in an effort to support downtown redevelopment.

Briefing: 5/13/2024 **Public Hearing:** 5/13/2024 **Council Vote:** 5/13/2024

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

Utilizing EPA Revolving Loan Fund Grant dollars and Economic Development Façade Program funds, the City executed a total of four (4) loans in 2020 and 2021 with Texarkana Renewal Properties, LLC for environmental cleanup and façade restoration of the former Texarkana National Bank building located at 100 West Broad Street and former retail space and parking garage located at 217-223 Pine Street. Ordinance 2020-051 authorized an EPA RLF loan in the amount of $400,000, and two Façade Loans each for $50,000; and Ordinance 2020-138 authorized an EPA RLF loan in the amount of $430,000.

Utilizing the Façade loans, Texarkana Renewal Properties, LLC was able to remove the failing marble façade from the Texarkana National Bank Building exposing the original historic structure, which provided an immediate avenue to obtain Historic designation on the Federal Register. This first step was needed in order to apply for Historic Tax Credits. Façade funds were also used to make repairs/improvements to the parking garage.

Utilizing EPA Revolving Loan Funds, Texarkana Renewal Properties, LLC remediated asbestos from the Texarkana National Bank building and Parking Garage.

In December 2022, Resolution 2022-149 was signed authorizing the City Manager to execute the first addendums to the four loans by Texarkana Renewal Properties, LLC. Amending the loan terms.

Executive Summary and Background Information:

Texarkana Renewal Properties has obtained approval of Part 1 and Part 2 historic preservation certification from the National Park Service and has secured the following loans contingent upon the City agreeing to execute Subordination Non-Disturbance Attornment (SDNA) agreements and agreeing to the capital lease structure required for monetizing historic tax credits:

• Lincoln Savings Bank Bridge Loan	$5,054,971.00
• State Historic Tax Credit Equity-	$3,717,243.00
• Federal Investor, LLC	$2,532,521.00
• Midland Savings Bank Construction Loan	$6,000,000.00
Total	**$17,304,735.00**

Lenders and Investors are asking the following:

- Midland Savings Bank is asking the City to enter into Subordination Non-Disturbance Attornment Agreements on the four loans.
    - The City to subordinate its lien against the property to Midland Savings Bank, making the Midland Lien the first lien against the property.
    - The City to subordinate its assignments of rents to the Midland assignment of rents, making Midland assignment of rents the first assignment of property rents.

- The tax credit entities, Monarch Tax Credits, LLC and Lincoln Savings Bank, have asked for the City's consent to:
    - Transfer the property from Texarkana Renewal Properties to Texarkana Landlord, LLC, and the liens remain a lien against the property with the City loan remaining the obligation of Texarkana Renewal Properties. Texarkana Renewal Properties will restructure ownership to be owned 99% by investors and 1% by David Peavy.
    - Texarkana Landlord will lease the property back to Texarkana Renewal for a term of ninety-nine (99) years. Texarkana Landlord will be solely owned by David Peavy.
    - The names of these LLCs could change as the closing moves forward, but the structure will be as described.
    - As part of the SNDA agreements, the City and Midland Savings Bank agree that for the five-year recapture period beginning with completion of the project neither the City, Midland nor a transferee taking title to the property will terminate the lease; transfer the property to a disqualified transferee; or take any other action that would result in a Recapture event with respect to the Federal Historic Tax Credits.

Texarkana Renewal Properties, LLC is securing financing through Historic Tax Credits, Market Rate Tax Credits, Bank Loans and private funding. Final funding plans are to refinance through US Department of Housing and Urban Development's Multifamily Rental Housing, Section 223(f) Program after redevelopment is complete and the units are leased. Average time frame for this refinancing is three (3) years after completion of redevelopment. The current target date for completion is September 2025.

Potential Options:

- Approve
- Deny

Fiscal Implications:

The subordination agreements place the city in 2nd lien position, which we anticipated. There are no long-term fiscal implications because our liens transfer with the property as part of the ownership restructuring, and terms remain the same.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

RLF Loan Committee

Advisory Board/Committee Meeting Date and Minutes:

May 2, 2024

Attachments

a. 2024-051 RES Addendum Texarkana Renewal Properties Loans (DOC)
b. 2024-051 ATTH 01 May 2 2024 RLF Committee Minutes (PDF)
c. 2024-051 ATTH 02 Summary of City Loans (PDF)
d. 2024-051 Summary & Financial documents
e. 2024-051 Goals & Perspectives (DOCX)
f. 2024-051 RES SNDA TXR Renewal Prop. signed (PDF)

Staff Coordination

Planning and Community Development	Completed	Vashil Fernandez	Department Head Review	05/09/2024 11:49 AM
City Manager	David Orr	City Manager Review	Completed	05/09/2024 5:06 PM
City Council	Jennifer Evans	Meeting	Completed	05/13/2024 6:00 PM

Meeting History

RESOLUTION NO. 2024-051

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR SUBORDINATION AGREEMENTS TO EPA RLF LOANS, AND FAÇADE RLF LOANS EXECUTED WITH TEXARKANA RENEWAL PROPERTIES LLC, AND AGREE TO A TAX CREDIT CAPITAL LEASE STRUCTURE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council approved loans with Texarkana Renewal Properties, LLC. with the adoption of Resolution Nos. 2020-051 and 2020-138 for environmental abatement and façade restoration/improvements of properties located at 100 West Broad Street and 217-223 Pine Street; and

WHEREAS, the City Manager executed a total of four loans as approved by those stated resolutions; and

WHEREAS, the City Manager executed addendums to those four loans authorized by Resolution No. 2022-149; and

WHEREAS, Texarkana Renewal Properties, LLC's lenders require first lien position for pending redevelopment loans by execution of Subordination Non-Disturbance Attornment (SNDA) agreements for the City's four loans; and

WHEREAS, tax credit investors require a capital lease structure to monetize historic tax credits; and

WHEREAS, staff recognizes the importance of assisting with downtown redevelopment and understands the special needs of historic properties; and

WHEREAS, the agreements do not have an overall fiscal impact on the City; the Revolving Loan Fund Committee recommends approval of these four SNDA agreements and the capital lease structure.

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

SECTION 1: The City Council approves execution of any and all documents necessary by the City to effectuate SNDA agreements for the four loans with Texarkana Renewal Properties, LLC and all consents and documents necessary by the City to allow Texarkana Renewal Properties, LLC to accomplish a capital lease structure required for tax credit investors.

SECTION 2: This resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **13th day of May, 2024**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2024-051 RES Addendum Texarkana Renewal Properties Loans (4234 : 2024-051 RES SNDA Agreements for 4 Txk Renewal

City of Texarkana, Texas Revolving Loan Program

RLF Committee Meeting
May 2, 2024, 10:30 a.m.
Zoom Meeting
https://us06web.zoom.us/j/85214598191?pwd=CzaImKSqc0mH9TptYBndmheI4uCccu.1
Meeting ID: 852 1459 8191
Passcode: 283303

Members Present:
Mike Malone
Dianne Martin
Jerry Sparks
Kayla Wood

Attendees:
David Cohen, Brian Wishneff & Assoc.
Carl Desenberg, Spencer Fane
David Peavy, Texarkana Renewal Properties

City Representatives:
Vashil Fernandez
David Orr
Kristen Peeples
Daphnea Ryan
Lisa Thompson
Jo Thomason

The City of Texarkana, Texas Revolving Loan Fund Committee met to discuss four (4) current loans between the City of Texarkana, Texas and Texarkana Renewal Properties, LLC. The Committee discussed the following:

Texarkana Renewal Properties, LLC has obtained Part I and Part II Historic Preservation Certification from the National Park Service and has secured the following funding in addition to the City loans and private funding:

- Lincoln Savings Bank Bridge Loan - $5,054,971.00
- State Historic Tax Credit Equity - $3,717,243.00
- Federal Investor, LLC - $2,532,521.00
- Midland Savings Bank Construction Loan - $6,000,000.00

Total $17,304,735.00

Lenders and Investors are asking the following:

- Midland Savings Bank is asking the City to enter into Subordination Non-Disturbance Attornment Agreements (SDNA) on the four loans.
    - The City to subordinate its lien against the property to Midland Savings Bank, making the Midland Lien the first lien against the property.
    - The City to subordinate its assignments of rents to the Midland assignment of rents, making Midland assignment of rents the first assignment of property rents.

Attachment: 2024-051 ATTH 01 May 2 2024 RLF Committee Minutes (4234 : 2024-051 RES SNDA Agreements for 4 Txk Renewal Properties)

- The tax credit entities, Monarch Tax Credits, LLC and Lincoln Savings Bank, have asked for the City's consent to:
    - Transfer the property from Texarkana Renewal Properties to Texarkana Landlord, LLC, and the liens remain a lien against the property with the City loan remaining the obligation of Texarkana Renewal Properties. Texarkana Renewal Properties will restructure ownership to be owned 99% by investors and 1% by David Peavy.
    - Texarkana Landlord will lease the property back to Texarkana Renewal for a term of ninety-nine (99) years. Texarkana Landlord will be solely owned by David Peavy.
    - The names of these LLCs could change as the closing moves forward, but the structure will be as described.
    - As part of the SNDA agreements, the City and Midland Savings Bank agree that for the five-year recapture period beginning with completion of the project neither the City, Midland nor a transferee taking title to the property will terminate the lease; transfer the property to a disqualified transferee; or take any other action that would result in a Recapture event with respect to the Federal Historic Tax Credits.

The Committee discussed the plans and financing with David Cohen, Brian Wishneff & Assoc., Carl Desenberg, Spencer Fane, and David Peavy current property owner and borrower of City Loans. After full discussion, the Committee voted to approve. Recommendation for approval will be presented to City Council.

Result: Approved [Unanimous]
Mover: Jerry Sparks
Seconder: Dianne Martin
Ayes: Jerry Sparks, Dianne Martin, Mike Malone, Kayla Wood
Absent: Phillip Mobley, Millagros Serrano

Meeting adjourned at 11:23 a.m.

Attachment: 2024-051 ATTH 01 May 2 2024 RLF Committee Minutes (4234 : 2024-051 RES SNDA Agreements for 4 Txk Renewal Properties)

Texarkana Renewal Properties, LLC

Summary of City Loans

Texarkana Renewal Properties secured four (4) loans from the City of Texarkana, Texas

- EPA Brownfields Revolving Loan 1 - $400,000
- EPA Brownfields Revolving Loan 2 - $430,000
- Façade Loan for 100 W. Broad - $ 50,000
- Façade Loan for 217-223 Pine - $ 50,000

Total Loans **$930,000**

Addendum 1 Executed December 2022 for all four (4) loans

- EPA RLF Loans –
  - Changed from 12 years to 18 years.
  - Repayment Terms – Changed to state: No payments will be due until the project is complete and borrower secures refinancing through the US Department of housing and Urban Development Sections 223 (f); or six (6) years after the effective date of this Addendum, which effective date shall be January 1, 2023, whichever occurs first. Upon borrower refinancing through HUD, payment will be in one lump sum to include all principal and accrued interest immediately following closing of HUD refinance. If HUD refinancing does not occur by December 31, 2028, all accrued interest shall be immediately due and payable January 1, 2029, and principal and interest payments shall commence and be due and payable in equal annual installments with the first installment being due July 1, 2029, and a like payment due annually on the first day of July, save and except the final payment due on July 1, 2038 shall be for the remaining principal and interest outstanding on the loan.
- Façade Loans –
  - Changed from 10 years to 15 years.
  - Changed Terms to state: No payments shall be due until the project is complete and borrower secures refinancing through the US Department of housing and Urban Development Sections 223 (f); or six (6) years after the effective date of this Addendum, which effective date shall be January 1, 2023, whichever occurs first. Upon borrower refinancing through HUD, payment will be in one lump sum to include all principal and accrued interest immediately following closing of HUD refinance. If HUD refinancing does not occur by December 31, 2028, all accrued interest shall be immediately due and payable January 1, 2029, and principal and interest

Attachment: 2024-051 ATTH 02 Summary of City Loans (4234 : 2024-051 RES SNDA Agreements for 4 Txk Renewal Properties)

payments shall commence and be due and payable in equal annual installments with the first installment being due July 1, 2029, and a like payment due annually on the first day of July, save and except the final payment due on July 1, 2035 shall be for the remaining principal and interest outstanding on the loan.

These terms will remain the same. The City loans are secured by a first lien against the property and an assignment of property rents. They are currently asking the following:

- Renewal transfers the property to Texarkana Landlord, LLC (Landlord).
- The City consents to the transfer and its lien remains a lien against the property. The City loan remains the obligation of Renewal.
- Landlord leases the property to Renewal for a term of 99 years (Lease).
- Midland States Bank (Midland) enters into a Construction Loan Agreement with Renewal for a $6,000,000 construction loan (Midland Loan). The Midland Loan will be secured by:
  * a lien against the property;
  * a lien against Renewal's leasehold interest in the property; and
  * an assignment of property rents by Renewal.
- The City will subordinate:
  * its lien against the property to the Midland lien, making the Midland lien the first lien against the property; and
  * its assignment of rents to the Midland assignment of rents, making the Midland assignment of rents the first assignment of property rents.
- The City and Midland will each enter into SNDAs which provide that for the five-year recapture period beginning with completion of the project neither the City, Midland nor a transferee taking title to the property will:
  * terminate the Lease;
  * transfer the property to a disqualified transferee; or
  * take any other action that would result a Recapture event with respect to the Federal historic tax credits.

Summary of Entities

Texarkana Renewal Properties, LLC

- Formed January 15, 2020
- Registered Agent: Michael Peavy
- Management: David Peavy, Sole Owner
- No other associated entities listed

Attachment: 2024-051 ATTH 02 Summary of City Loans (4234 : 2024-051 RES SNDA Agreements for 4 Txk Renewal Properties)

Texarkana Manager, LLC

- Formed October 5, 2022
- David Peavy Registered Agent and Sole Owner
- No other associated entities listed

Texarkana Landlord, LLC

- Formed October 7, 2022
- David Peavy Registered Agent and Sole Owner
- No other associated entities listed

HEI Texas, Inc.

- Formed March 18, 2019
- Registered Agent: Incorp Services, Inc. (Austin, TX)
- Management (Director and President) Philip Estep (Saint Louis, MO)
- No other associated entities listed
- Incorp Services
    - Formed January 4, 2002
    - Registered Agent: LSIS Holdings, Inc (Austin, TX)
    - Management: Regina Parra, Jeffrey Steffen, Kurt Teshma (Las Vegas, NV)
- LSIS Holdings, Inc
    - Formed July 22, 2002
    - Registered Agent: V Linn Strock
    - Management: Jason Casey, Vibert Strock, KayLinn Strock, Julia Strock (Austin, TX)

Attachment: 2024-051 ATTH 02 Summary of City Loans (4234 : 2024-051 RES SNDA Agreements for 4 Txk Renewal Properties)

From: David Cohen
To: TEX-Ryan, Daphnea; david peavy; Ted Nasworthy
Cc: TEX-Orr, David; Desenberg, Carl; Jo Thomason; TEX-Fernandez, Vashil; Erik Wishneff; Fred Norton, Jr.; Akinyemi, Tomi; Samantha Mitchell
Subject: Re: Daphne can you help with this
Date: Monday, April 29, 2024 11:48:27 AM
Attachments: image002.png

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Daphnea and Jo,

Thanks again for your time on Friday. See below for our write-up of the steps we envision for this transaction, which has been blessed this morning by each of Midland and Monarch's counsel.

Please let us know if you have any questions or if you'd like to discuss further.

The property is currently owned by Texarkana Renewal Properties LLC (Renewal). The City of Texarkana, Texas has advanced most of the proceeds of four loans with a combined principal of $930,000 (City Loan) to Renewal. The City Loan is secured by (i) a first lien against the property, and (ii) an assignment of property rents.

Proposed Transactions:

1. Renewal transfers the property to Texarkana Landlord, LLC (Landlord).
2. The City consents to the transfer and its lien remains a lien against the property. The City loan remains the obligation of Renewal.
3. Landlord leases the property to Renewal for a term of 99 years (Lease).
4. Midland States Bank (Midland) enters into a Construction Loan Agreement with Renewal for a $6,000,000 construction loan (Midland Loan). The Midland Loan will be secured by:
   * a lien against the property;
   * a lien against Renewal's leasehold interest in the property; and
   * an assignment of property rents by Renewal.
5. The City will subordinate:
   * its lien against the property to the Midland lien, making the Midland lien the first lien against the property; and
   * its assignment of rents to the Midland assignment of rents, making the Midland assignment of rents the first assignment of property rents.
6. The City and Midland will each enter into SNDAs which provide that for the five-year recapture period beginning with completion of the project neither the City, Midland nor a transferee taking title to the property will:
   * terminate the Lease;
   * transfer the property to a disqualified transferee; or
   * take any other action that would result a Recapture event with respect to the Federal historic tax credits.

Thanks!
David

David A. Cohen
Brian Wishneff & Associates
3179 Wilson Boulevard | Arlington, VA 22201
Direct: 571-370-9323
Main: 571-312-0702
Email: david@wishneff.com
Website: www.wishneff.com

From: David Cohen
Sent: Friday, April 26, 2024 10:44:59 AM
To: TEX-Ryan, Daphnea; david peavy; Ted Nasworthy
Cc: TEX-Orr, David; Desenberg, Carl; Jo Thomason; TEX-Fernandez, Vashil; Erik Wishneff; Fred Norton, Jr.
Subject: Re: Daphne can you help with this

I am free at 3 Central today, thanks so much for the quick tunraround here. I would want to make sure this works for Carl Desenberg as well though. And I noticed I neglected to copy Freddy Norton to my previous email, who is now copied.

If that time works for one or both of them, it works for me.

Thanks!
David

David A. Cohen
Brian Wishneff & Associates
3179 Wilson Boulevard | Arlington, VA 22201
Direct: 571-370-9323
Main: 571-312-0702
Email: david@wishneff.com
Website: www.wishneff.com

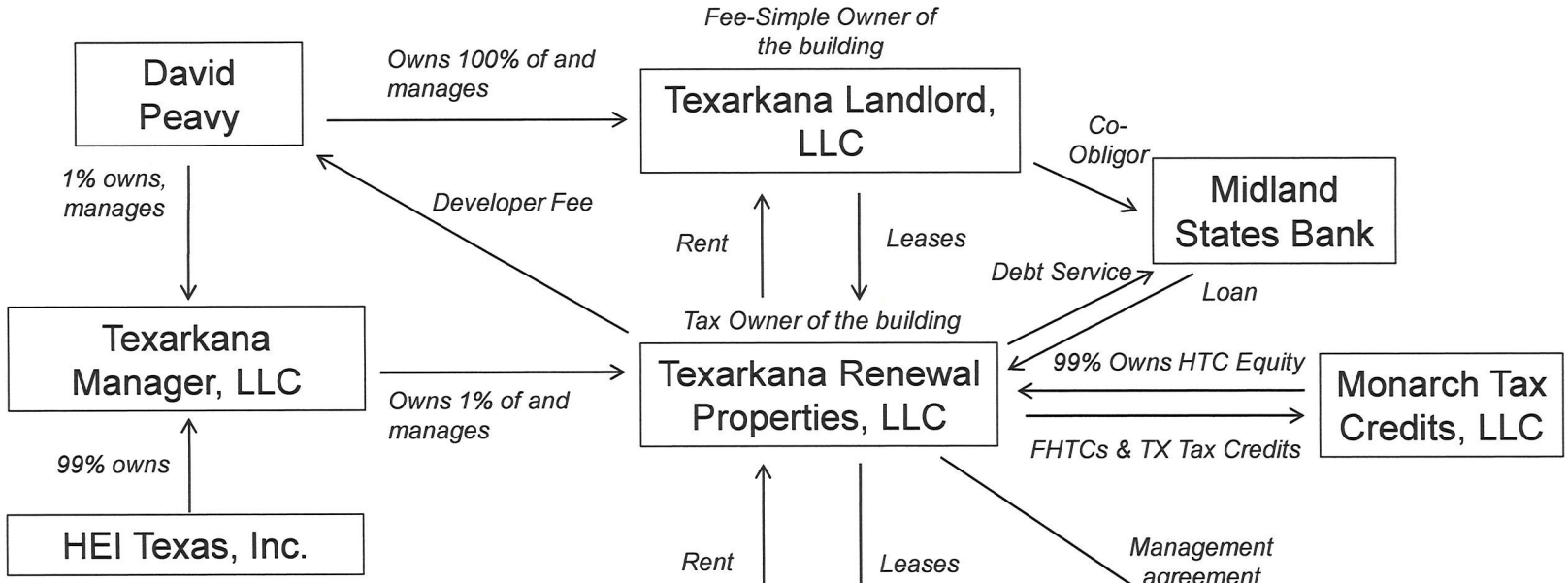
From: TEX-Ryan, Daphnea <dryan@texarkanatexas.gov>
Sent: Friday, April 26, 2024 9:45:37 AM
To: David Cohen; david peavy; Ted Nasworthy
Cc: TEX-Orr, David; Desenberg, Carl; Jo Thomason; TEX-Fernandez, Vashil; Desenberg, Carl; Erik Wishneff
Subject: RE: Daphne can you help with this

Good Morning,

For the requested conference call today, please advise as to your availability at 3:00 today. I will set up a Zoom meeting if that time works for everyone.

Thank you,

MONETIZING HISTORIC TAX CREDITS: CAPITAL LEASE STRUCTURE



Notes

- *David Peavy will own and "manage" Manager, which manages the tax credit Partnership ("Properties").*
- *Owner, Manager, and Partnership are For-Profit entities*
- *The property will be transferred to "Owner" which will long-term lease the property to "Properties", and Properties will own for tax purposes*
- *Properties and Owner will serve as co-obligors on the loan*
- *LLC names are just placeholders for now.*

Packet Pg. 166
2024-051 ATTH 02
12.6.c
Attachment: 2024-051 ATTH 02 Summary of City Loans (4234 : 2024-051 RES SNDA Agreements for 4 Txk Renewal Properties)

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	803518475	**Entity Type:**	Domestic Limited Liability Company (LLC)
Original Date of Filing:	January 15, 2020	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	32073104435	**FEIN:**	
Duration:	Perpetual		

Name: Texarkana Renewal Properties LLC
Address: 601 FOREST LAKE DR
TEXARKANA, TX 75503-1943 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Last Update	Name	Title	Address
November 12, 2021	DAVID PEAVY	MANAGER	105 OLIVE ST TEXARKANA, AR 71854 USA

Order | Return to Search

Instructions:
- To place an order for additional information about a filing press the 'Order' button.

Attachment: 2024-051 ATTH 02 Summary of City Loans (4234 : 2024-051 RES SNDA Agreements for 4 Txk Renewal Properties)

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	804760360	**Entity Type:**	Domestic Limited Liability Company (LLC)
Original Date of Filing:	October 7, 2022	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	32086652230	**FEIN:**	
Duration:	Perpetual		

Name: Texarkana Landlord, LLC
Address: 105 OLIVE ST APT G
TEXARKANA, AR 71854-5929 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Last Update	Name	Title	Address
January 3, 2024	David L. Peavy	manager	100 West Broad Texarkana, Texa 75501 USA
January 3, 2024	David L. Peavy	DIRECTOR	100 West Broad Texarkana, Texa 75501 USA

Order | Return to Search

Instructions:
- To place an order for additional information about a filing press the 'Order' button.

Attachment: 2024-051 ATTH 02 Summary of City Loans (4234 : 2024-051 RES SNDA Agreements for 4 Txk Renewal Properties)

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	804758004	**Entity Type:**	Domestic Limited Liability Company (LLC)
Original Date of Filing:	October 5, 2022	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	32086634220	**FEIN:**	
Duration:	Perpetual		

Name: Texarkana Manager, LLC
Address: 105 OLIVE ST APT G
TEXARKANA, AR 71854-5929 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Last Update	Name	Title	Address
January 3, 2024	David L. Peavy	manager	105 Olive Street, Apt G Texarkana, AR 71854 USA
January 3, 2024	David L. Peavy	DIRECTOR	105 Olive Street, Apt G Texarkana, AR 71854 USA

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Instructions:
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Attachment: 2024-051 ATTH 02 Summary of City Loans (4234 : 2024-051 RES SNDA Agreements for 4 Txk Renewal Properties)

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	803266463	**Entity Type:**	Foreign For-Profit Corporation
Original Date of Filing:	March 18, 2019	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	32070085900	**FEIN:**	

Name: HEI Texas, Inc.

Address: 1034 S. Brentwoord Blvd. Suite 1201
Saint Louis, MO 63117 USA

Fictitious Name: N/A

Jurisdiction: MO, USA

Foreign Formation Date: March 12, 2019

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Last Update	Name	Title	Address
January 31, 2022	Philip Estep	PRESIDENT	1034 S. Brentwood Blvd St. Louis, MO 63117 USA
January 31, 2022	Philip Estep	DIRECTOR	1034 S. Brentwood Blvd St. Louis, MO 63117 USA
January 31, 2022	PHIL ESTEP	DIRECTOR	1034 S. BRENTWOOD BLVDSUITE 1560 SAINT LOUIS, MO 63117 USA

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Instructions:

- To place an order for additional information about a filing press the 'Order' button.

Attachment: 2024-051 ATTH 02 Summary of City Loans (4234 : 2024-051 RES SNDA Agreements for 4 Txk Renewal Properties)

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	800042733	**Entity Type:**	Domestic For-Profit Corporation
Original Date of Filing:	January 4, 2002	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	32004121052	**FEIN:**	
Duration:	Perpetual		

Name: Incorp Services, Inc.
Address: 3773 HOWARD HUGHES PKWY STE 500S
LAS VEGAS, NV 89169 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Last Update	Name	Title	Address
February 4, 2021	REGINA PARRA	Treasurer	3773 HOWARD HUGHES PKWY LAS VEGAS, NV 89169 USA
February 4, 2021	REGINA PARRA	DIRECTOR	3773 HOWARD HUGHES PKWY LAS VEGAS, NV 89169 USA
February 4, 2021	JEFFREY STEFFEN	Secretary	3773 HOWARD HUGHES PKWY LAS VEGAS, NV 89169 USA
February 4, 2021	JEFFREY STEFFEN	DIRECTOR	3773 HOWARD HUGHES PKWY LAS VEGAS, NV 89169 USA
February 4, 2021	KURT K TESHIMA	President	3773 HOWARD HUGHES PKWY LAS VEGAS, NV 89169 USA
February 4, 2021	KURT K TESHIMA	DIRECTOR	3773 HOWARD HUGHES PKWY LAS VEGAS, NV 89169 USA

Order | Return to Search

Instructions:
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Attachment: 2024-051 ATTH 02 Summary of City Loans (4234 : 2024-051 RES SNDA Agreements for 4 Txk Renewal Properties)

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	800104648	**Entity Type:**	Domestic For-Profit Corporation
Original Date of Filing:	July 22, 2002	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	10107382615	**FEIN:**	
Duration:	Perpetual		

Name: LSIS HOLDINGS, INC.
Address: PO BOX 2072
AUSTIN, TX 78701 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Last Update	Name	Title	Address
December 5, 2023	JASON P CASEY	DIRECTOR	8108 TOCKINGTON WAY AUSTIN, TX 78748 USA
December 5, 2023	VIBERT L STROCK	PRESIDENT	128 WELLINGTON DR AUSTIN, TX 78748 USA
December 5, 2023	KAYLINN STROCK	DIRECTOR	128 WELLINGTON DR AUSTIN, TX 78748 USA
December 5, 2023	VIBERT L STROCK	Governing Person	128 WELLINGTON DR AUSTIN, TX 78748 USA
December 5, 2023	JULIA K STROCK	Governing Person	128 WELLINGTON DRIVE AUSTIN, TX 78748 USA

Order | Return to Search

Instructions:
- To place an order for additional information about a filing press the 'Order' button.

Attachment: 2024-051 ATTH 02 Summary of City Loans (4234 : 2024-051 RES SNDA Agreements for 4 Txk Renewal Properties)

TEXARKANA RENEWAL PROPERTIES LLC
SUMMARY OF CONSTRUCTION BUDGET THROUGH PART 3
SOURCES AND USES OF FUNDS

	Pre-Closing	HTC Closing	Post HTC Closing Activity	Total	Paydowns	Final As Built
SOURCES:						
Managing Member Equity - Acquisition	$ 300,000	$ 100,000	$ -	$ 400,000	$ (400,000)	$ -
Managing Member Equity - Project Development	382,162	-	-	382,162	(382,162)	-
Managing Member Equity - Future Capital Contributions	-	-	989,995	989,995	(989,995)	-
Managing Member Equity - Closing	-	3,000	-	3,000	(3,000)	-
Managing Member Equity - SHTC Equity Proceeds	-	10,000	3,707,243	3,717,243	(3,717,243)	-
Managing Member Equity - Total Investment	-	-	-	-	5,492,400	5,492,400
Federal Investor Equity - Federal Investor LLC	-	633,131	1,899,390	2,532,521	-	2,532,521
Property Seller Finance	100,000	-	-	100,000	(100,000)	-
Construction/Permanent Loan - Midland Bank	-	-	6,000,000	6,000,000	-	6,000,000
Bridge Loan - Lincoln Savings Bank	-	-	5,054,971	5,054,971	(5,054,971)	-
Brownfield Revolving Loan Fund - Loan 1	400,000	-	-	400,000	-	400,000
Brownfield Revolving Loan Fund - Loan 2	430,000	-	-	430,000	-	430,000
Façade Loans - City of Texarkana	100,000	-	-	100,000	-	100,000
Façade Grants - City of Texarkana	10,000	-	-	10,000	-	10,000
Deferred Developer Fee	-	-	2,085,410	2,085,410	-	2,085,410
Cash Flow (Excess) Use	-	(216,131)	216,131	-	-	-
TOTAL SOURCES	$ 1,722,162	$ 530,000	$ 19,953,140	$ 22,205,302	$ (5,154,971)	$ 17,050,331
USES:						
Acquisition	$ 400,000	$ -	$ -	$ 400,000	$ -	$ 400,000
Hard Construction Costs	1,322,162	-	11,466,039	12,788,201	-	12,788,201
General Development Costs						
Architect, Engineers, Consultants	-	-	256,000	256,000	-	256,000
Loan Closing, Legal, Accounting	-	430,000	42,000	472,000	-	472,000
Insurance & Other	-	-	207,000	207,000	-	207,000
Other Carrying Costs (including Interest Expense)	-	-	634,397	634,397	-	634,397
Leasing, Reserve and Escrows	-	-	192,323	192,323	-	192,323
Soft Costs Contingency	-	-	15,000	15,000	-	15,000
Developer Fee	-	-	2,085,410	2,085,410	-	2,085,410
TOTAL CONSTRUCTION USES	1,722,162	430,000	14,898,169	17,050,331	-	17,050,331
Repayment - Property Seller Finance	-	100,000	-	100,000	(100,000)	-
Repayment - Bridge Loan - Lincoln Savings Bank	-	-	5,054,971	5,054,971	(5,054,971)	-
Other	-	-	-	-	-	-
TOTAL USES	$ 1,722,162	$ 530,000	$ 19,953,140	$ 22,205,302	$ (5,154,971)	$ 17,050,331
	-	-	-	-	-	-

See Summary of Significant Assumptions and Accountants' Report.

City of Texarkana, Texas

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

Resource Impact:	
Staff time required if item is approved:	No Additional
Other Potential Impacts:	

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

Attachment: 2024-051 Goals & Perspectives (4234 : 2024-051 RES SNDA Agreements for 4 Txk Renewal Properties)

RESOLUTION NO. 2024-051

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR SUBORDINATION AGREEMENTS TO EPA RLF LOANS, AND FAÇADE RLF LOANS EXECUTED WITH TEXARKANA RENEWAL PROPERTIES LLC, AND AGREE TO A TAX CREDIT CAPITAL LEASE STRUCTURE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council approved loans with Texarkana Renewal Properties, LLC. with the adoption of Resolution Nos. 2020-051 and 2020-138 for environmental abatement and façade restoration/improvements of properties located at 100 West Broad Street and 217-223 Pine Street; and

WHEREAS, the City Manager executed a total of four loans as approved by those stated resolutions; and

WHEREAS, the City Manager executed addendums to those four loans authorized by Resolution No. 2022-149; and

WHEREAS, Texarkana Renewal Properties, LLC's lenders require first lien position for pending redevelopment loans by execution of Subordination Non-Disturbance Attornment (SNDA) agreements for the City's four loans; and

WHEREAS, tax credit investors require a capital lease structure to monetize historic tax credits; and

WHEREAS, staff recognizes the importance of assisting with downtown redevelopment and understands the special needs of historic properties; and

WHEREAS, the agreements do not have an overall fiscal impact on the City; the Revolving Loan Fund Committee recommends approval of these four SNDA agreements and the capital lease structure.

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

SECTION 1: The City Council approves execution of any and all documents necessary by the City to effectuate SNDA agreements for the four loans with Texarkana Renewal Properties, LLC and all consents and documents necessary by the City to allow Texarkana Renewal Properties, LLC to accomplish a capital lease structure required for tax credit investors.

SECTION 2: This resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **13th day of May, 2024**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

4:17 p.m.

Attachment: 2024-051 RES SNDA TXR Renewal Prop. signed (4234 : 2024-051 RES SNDA Agreements for 4 Txk Renewal Properties)

Briefing Sheet

Version:
Update Date: 5/10/2024 8:43 AM

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

Subject: Comprehensive Plan Tracking Report

Attachments

a. Comprehensive Plan Tracking Charts (9MAY UPDATE) 051324 CM (PDF)

Comprehensive Plan

TEXARKANA IMPLEMENTATION TABLE RECOMMENDATIONS

2024 Status Update Presentation Concept

Attachment: Comprehensive Plan Tracking Charts (9MAY UPDATE) 051324 CM (4245 :

LAND USE

REF#	RECOMMENDATION	INVOLVED AGENCY	PRIORITY	% COMPLETE	Comments
4.1.4	Prioritize economic development along commercial corridors.	**POC:** Planning and Community Development, Economic Development	Short-Term		City completed COVID Rebound Cor study for small businesses along the Boston Rd corridor. The results to used city-wide. Now working on ov district for stateline corridor.
4.1.5	Coordinate zoning changes and future land use plan updates with Texarkana, AR along the state line.	**POC:** Planning and Community Development, Texarkana, AR	Short-Term		State Line Corridor Study Was comp in 2021 with DOTs, MPO and Texarl AR. A draft overlay district is in its phase, Multijurisdictional Corrid Overlay District MCOD.
4.1.6	Develop a State Line Avenue Overlay District to assist in this process.	**POC:** Planning and Community Development, Texarkana, AR	Mid-Term		State Line Corridor Study complete 2021 with DOTs, MPO and Texarka AR. Submitted RAISE grant applicat for State Line Ave.
4.1.9	True landmark buildings should be encouraged and preserved to protect the identity and culture of Texarkana. Incentives and grants should be actively pursued to preserve such landmarks such as the work being done to renovate the Grim Hotel.	**POC:** Planning and Community Development	Short-Term		Actively pursuing available funding resources for historic landmark preservation and communicates th resources to developers. The Hotel Project began in November 2019 a on target for completion by 2024. Fo Texarkana National Bank (Texarkar also began renovation work in 20 Historic integrity is a focus of th developer and City staff.Jn. Noven 2022, City Council passed. In amendment to Chapter 140 providi relief to renovations of historic commerci

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Attachment: Comprehensive Plan Tracking Charts (9MAY UPDATE) 051324 CM (4245 :

LAND USE

REF#	RECOMMENDATION	INVOLVED AGENCY	PRIORITY	% COMPLETE	Comments
4.1.13	Encourage school development, open space, neighborhood services, retail, dining and entertainment choices within walking distance of most neighborhood residents. Utilize safe routes to school planning and add sidewalks where possible.	**POC:** Planning and Community Development, All School Districts	Mid-Term		Planning and Community Developr t along with Public Works utilized Cl and TXDOT funding to install sidew ; along New Boston Road, Summer Road, Norris Cooley, and Allen Stre s part of the safe routes to schoc initiative. New PG Elementary sch location built utilizing this princip Planning and Community Development has iden d CDBG funds each year to make improvement to and/or increase sidewalk inventory. College Dr, Nc Robison road and Kennedy lane prc s are set to Let between 2024 and 2 .
4.1.14	Preserve open space within neighborhoods (as a common green, recreation areas, preservation of floodplains or other use) to create unique, healthy places.	**POC:** Planning and Community Development, Building and Inspections Office	Mid-Term		Planning and Community Developr t utilized CDBG funds to build a ne community garden in New Town year as well as update an existir community garden in Rosehill t continue our efforts to create heal communities. The Health Departm r added a community garden to thei e in 2022.

Attachment: Comprehensive Plan Tracking Charts (9MAY UPDATE) 051324 CM (4245 :

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Transportation

REF#	RECOMMENDATION	INVOLVED AGENCY	PRIORITY	% COMPLETE	Comments
4.2.2	Continue to pro-actively pursue mutually beneficial transportation projects with neighboring municipalities and area partners.	**POC:** Public Works, Planning and Community Development, TxDOT, ArDOT, Texarkana MPO	Ongoing		MPO has joined TX DOT in a US 8 Corridor Study which will begin at New Mexico border and go to th Arkansas Border. The study will ide multimodal needs and prioritize pro that remote the movement of peo and goods along the corridor
4.2.3	Update the Texarkana Bicycle and Pedestrian Master Plan and Master Thoroughfare plan.	**POC:** Public Works, Planning and Community Development, Consultant, Texarkana Metropolitan Planning Organization	Mid-Term		Thoroughfare Plan was complete presented to PB. Adoption for PE scheduled
4.2.4	Design and implement roadway treatments to support place making and economic development, particularly on State Line Avenue.	**POC:** Public Works, Planning and Community Development, Consultant, Texarkana Metropolitan Planning Organization, Texas Department of Transportation, and Arkansas Highway and Transportation Department	Short-Term		Stateline Corridor- Study was comp in 2022. ARDOT is the lead 01ganiz on the project. The project has b divided into 2 sections. Improvem will take place beginning of the so section. The North section is still discussion with ARDOT on approva design Collaboration is still under with the DOTs and the Cities.

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Transportation

REF#	RECOMMENDATION	INVOLVED AGENCY	PRIORITY	% COMPLETE	Comments
4.2.11	Coordinate with appropriate agencies in order to gain necessary funding to construct the necessary mobility and capacity improvements that meet the needs for Texarkana and the region. Create a master thoroughfare plan to understand those needs and seek federal and state grant funding when available.	**POC:** Public Works, Planning and Community Development, TxDOT and Texarkana MPO	Long-Term		Planning and Community Developr t along with Public Works utilized Cl and TXDOT funding to install sidew ; along New Boston Road, Summer Road, Norris Cooley, and Allen Stre s part of the safe routes to schoc initiative. New PG Elementary sch location built utilizing this principle y was approved for additional fund from TxDOT for sidewalk and bike l s to be constructed along College Dr sidewalks to be constructed alor Robison Road, sidewalks along Ken y Lane and shared used path alor Cowhorn Creek, and sidewalks/sha use path along Leopard Drive. Des should be completed this year f College, Kennedy, and Robison. Sta ; also applying for additional fundin sidewalk projects along State Lir Avenue. Development of a thoroughfare pl ; proposed for FY23 by the MPO Thoroughfare Plan was complete presented to PB. Adoption for PE scheduled m May.

Attachment: Comprehensive Plan Tracking Charts (9MAY UPDATE) 051324 CM (4245 :

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Transportation

REF#	RECOMMENDATION	INVOLVED AGENCY	PRIORITY	% COMPLETE	Comments
4.2.12	Monitor and communicate the condition of city roadways, infrastructure, and facilities. Incorporate needed improvements in the Capital Improvement Plan.	**POC:** Public Works	Ongoing		We are currently in the sixth-year c Major Street Maintenance Program first-year funding totaled $3 millior second-year funding was $500k, the year the funding is $750k, fifth ye funding was $750k, and this year fu is $900k. A bond was also passed in that will include approximately $ million in street repair projects. Our is to continue funding this in the fu We also have CIP program that incl major road and drainage projects, I is currently unfunded.

Attachment: Comprehensive Plan Tracking Charts (9MAY UPDATE) 051324 CM (4245 :

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Parks and Trails

REF#	RECOMMENDATION	INVOLVED AGENCY	PRIORITY	% COMPLETE	Comments
4.3.3	Update the Comprehensive Parks, Recreation, and Open Space Master Plan.	**POC:** Parks and Recreation, Consultant	Short-Term		We have hired and have a contract h Norris Design and have begun wor on a Parks Master Plan that shoul completed by Spring 2025.
4.3.4	Conduct a recreational programming assessment as part of the Parks, Recreation, and Open Space Master Plan.	**POC:** Parks and Recreation, Consultant	Short-Term		We have hired and have a contract h Norris Design and have begun wor on a Parks Master Plan that shoul completed by Spring 2025.

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Neighborhood Districts

REF#	RECOMMENDATION	INVOLVED AGENCY	PRIORITY	% COMPLETE	Comments
5.1.1	Continue to promote citizen-led neighborhood revitalization programs in key neighborhoods including Rose Hill, Beverly, Downtown, and other neighborhoods throughout the city.	**POC:** Planning and Community Development	Ongoing	UNK	City staff assisted in the creation a supports active neighborhood associations in Rose Hill, Beverly a downtown. Staff assisted with a supported the formation of a ne Neighborhood Association in New T that was approved by Council. C kicked off a 2021 COVID Rebour Corridor study for small businesses the New Boston Rd corridor. The re however will be used city-wide
5.1.2	Continue to identify and formulate neighborhood partnerships that serve to identify funding opportunities, serve as a sounding board for improvements, and advocate for neighborhood improvements.	**POC:** Planning and Community Development	Short-Term	UNK	City staff assisted in the creation a supports active neighborhood associations in Rose Hill, Beverl downtown and New Town.
5.1.4	Conduct small-area plans for specific neighborhoods to address challenges and identify a phased action plan.	**POC:** Planning and Community Development, Consultant	Mid-Term	50%	City staff assisted in the creation a supports active neighborhood associations in Rose Hill, Beverly a downtown. Staff assisted with a supported the formation of a ne Neighborhood Association in New T that was approved by Council. C kicked off a 2021 COVID Rebour Corridor study for small businesses the New Boston Rd corridor. The re however will be used city-wide.

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Downtown Texarkana

REF#	RECOMMENDATION	INVOLVED AGENCY	PRIORITY	% COMPLETE	Comments
5.2.1	Coordinate a downtown master plan with Texarkana, AR. A separate downtown plan would further develop concepts introduced in the Renew Texarkana plan and would include individual site assessment, a phased development plan, and detailed costs for implementation.	**POC:** Planning and Community Development, Texarkana, AR	Short-Term		Both cities recently formed the Texarkana Brownfields Regiona Environmental Coalition (TBREC) master plan and address contamin properties downtown. The City h received a total of $3,225,000.0 awarded from the EPA Brownfie Revolving loan Fund with $1,000,0(of that awarded in 2022 for contir cleanup of contaminated properti Texarkana, Texas. Implementation completed of two-way streets ar downtown CIP improvements pro totaling $407,000 in collaboration Public Works as part of the ReNe Texarkana downtown master plan. part of the street conversion, 162 downtown parking places were ad Staff partnered with Texarkana, Ark staff to apply for EPA Brownfiel Assessment funds to be used in b cities.

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Downtown Texarkana

REF#	RECOMMENDATION	INVOLVED AGENCY	PRIORITY	% COMPLETE	Comments
5.2.6	Enhance the role of Downtown as the cultural and social center of the City, by supporting local efforts (like the Arts & Historic District) to create business awareness, promote social events, and create community ties and investment.	**POC:** Planning and Community Development, Economic Development, Texarkana Arts & Historic District Partners	Ongoing	UNK	Legislature approved $5 million f Cultural District funding. City rece TCA grant on behalf of Texarkana A Historic District for downtown improvements in 2020 and 2021. kicked off Courthouse Square Proje the US Federal Courthouse and P Office downtown with over $1 milli pedestrian and park infrastructu improvements downtown. Constru was completed in Spring 2021
5.2.7	Encourage a diversity of housing types including mixed-use in downtown to enliven the district, support destination retail and provide opportunities for pedestrian-oriented young professional and “empty nester” living.	**POC:** Planning and Community Development	Ongoing	UNK	After over 30 years of vacancy a discussions regarding its future, w began on the revitalization of the i Hotel Grim in 2019 and continues 2023. The $26 million downtow development will add 93 residen units in downtown Texarkana and include over 3,600 square feet of office and meeting room space. In 2 several new mixed-use retail and ho developments are underway down including the former Texarkana Nat bank Building.

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Downtown Texarkana

REF#	RECOMMENDATION	INVOLVED AGENCY	PRIORITY	% COMPLETE	Comments
5.2.11	Continue to provide incentives for the adaptive re-use of historic and valuable structures to preserve the City's architectural heritage and ensure that new development contributes to the evolution of a strong, historic, pedestrian-oriented downtown.	**POC:** Planning and Community Development, Building & Inspections, Economic Development, Texarkana Arts & Historic District Partners	Ongoing	UNK	Existing incentive programs such facade grants and loans have been to encourage historic preservation Relief for redevelopment of histc commercial properties was passe 2022.

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