



CITY OF TEXARKANA

CITY COUNCIL

MINUTES • MAY 22, 2017

Council Chambers

Regular Meeting

6:00 PM

220 TEXAS BLVD.
TEXARKANA, TX 75501

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

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

Staff Present: City Manager John Whitson, Jennifer Evans, Shirley Jaster, Kyle Dooley, Kristin Peeples, Eric Schlotter, J.D. Phillips, Dusty Hensley, Karey Parker, David Orr, Jim Powell, and Jerry Sparks.

Legal Counsel: Jeff Lewis

II. INVOCATION AND PLEDGE BY MAYOR BOB BRUGGEMAN

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

May 24, 2017 is EMS Appreciation Day. This day will honor all first responders, including EMS, law enforcement, and firefighters. First responders can obtain a free meal at participating McDonald's locations in Texarkana & Atlanta, Texas, Ashdown, Arkansas and Leary, Texas.

Retired Police Chief William H. McGee died at the age of 90 on May 19, 2017. He was born in Texarkana, Texas on September 12, 1926. He began his public service career in 1949 with the city's police department and served as Chief from 1968 until his retirement in 1985. He will be greatly missed.

Proclamation Presentations

Daughters of the Republic of Texas - May 25-27, 2017

Mayor Bruggeman read the proclamation and took a group photo with members of the James Bowie Chapter representing the Daughters of the Republic.

Hidden Heroes Community - May 22, 2017

Mayor Bruggeman read the proclamation. Corrine Hinton, a local veteran caregiver, shared background information concerning the Hidden Heroes Cities Program. The Mayor expressed appreciation for the service of veterans and their contributions to the local community.

Appointments to Boards & Commissions

Mayor Bruggeman reappointed Linda Larey to the Library Commission and reappointed Wes Jordan to the Airport Authority. The Mayor appointed Rosa Golette as a resident commissioner to the Housing Authority effective June 1, 2017.

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

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

Tylesha Ross, Lee Chaffin, and Dorothy Battle invited council to a special clean-up and activities day scheduled for June 17th in the Beverly community.

David Carter, board member of HandsOn Texarkana, expressed appreciation to staff for the tremendous support provided during the Dragon Boat Races recently held on April 29th.

V. ITEMS FOR CONSIDERATION

Consent Items

(6:38 p.m.)

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

1. Consider approval of the minutes of the Regular Meeting of the City Council held on May 8, 2017 at 6:00 PM.

Action Items - None

VI. FIRST BRIEFINGS

1. Resolution No. 2017-053 authorizing the City Manager to enter into a contract for the North Texarkana Sewer Project in an amount not to exceed \$582,625.00.

Public Hearing: June 12, 2017
Second Briefing: June 26, 2017
Council Vote: July 10, 2017

J.D. Phillips briefed this item.

RESULT:	MOVED FORWARD	Next: 6/12/2017 6:00 PM
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2. Ordinance No. 2017-054 rezoning a 31 acre tract of land (Tract 61) in the R.E. Sevey HRS, A-523, located at 2808 Buchanan Road. Single Family-2 to Single Family-3. Walter Davis, applicant. Regina Davis, agent.

Public Hearing: June 12, 2017
Second Briefing: June 26, 2017
Council Vote: July 10, 2017

David Orr briefed this item.

RESULT:	MOVED FORWARD	Next: 6/12/2017 6:00 PM
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3. Ordinance No. 2017-055 granting a Specific Use Permit to allow a double wide HUD code manufactured home on a 31 acre tract of land (Tract 61) in the R.E. Sevey HRS, A-523, located at 2808 Buchanan Road. Walter Davis, owner. Regina Davis, agent.

Public Hearing: June 12, 2017
Second Briefing: June 26, 2017
Council Vote: July 10, 2017

David Orr briefed this item.

RESULT:	MOVED FORWARD	Next: 6/12/2017 6:00 PM
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4. Ordinance No. 2017-056 amending PD-15-5(GR) for site plan approval on Lot 6, Block 3, J.T. Spears Addition, located at 3603 Texas Boulevard. Texas Boulevard Properties, LLC, applicant. Bryan Callaway, agent.

Public Hearing: June 12, 2017
Second Briefing: June 26, 2017
Council Vote: July 10, 2017

David Orr briefed this item. Bryan Callaway made additional comments and answered questions for council.

RESULT: MOVED FORWARD**Next: 6/12/2017 6:00 PM**

5. Ordinance No. 2017-057 granting a Specific Use Permit to allow a CEVMS on one side of an existing billboard on Lot 2, Lavender Lots Addition, located at 4002 St. Michael Drive. Texas Roadhouse Holdings LLC, owner. Ryan Zaloudik, Fairway Outdoor Advertising, agent.

Public Hearing: June 12, 2017

Second Briefing: June 26, 2017

Council Vote: July 10, 2017

David Orr briefed this item.

RESULT: MOVED FORWARD**Next: 6/12/2017 6:00 PM**

6. Ordinance No. 2017-058 rezoning a 16.26 acre tract being a part of Lot Z of the Jacob Carsner HRS, A-116, located at 1600 South State Line Avenue. Single Family to PD-Agriculture. Danny Flanagan, applicant. Mike Thacker, agent.

Public Hearing: June 12, 2017

Second Briefing: June 26, 2017

Council Vote: July 10, 2017

David Orr briefed this item.

RESULT: MOVED FORWARD**Next: 6/12/2017 6:00 PM**

7. Ordinance No. 2017-059 granting a Specific Use permit to allow outdoor commercial amusement (private park) on a 16.26 acre tract being a part of Lot Z of the Jacob Carsner HRS, A-116, located at 1600 South State Line Avenue. Danny Flanagan, applicant. Mike Thacker, agent.

Public Hearing: June 12, 2017

Second Briefing: June 26, 2017

Council Vote: July 10, 2017

David Orr briefed this item.

RESULT: MOVED FORWARD**Next: 6/12/2017 6:00 PM**

8. Ordinance No. 2017-062 amending PD-17-2(A) for site plan approval on a 16.26 acre tract being a part of Lot Z of the Jacob Carsner HRS, A-116, located at 1600 South State Line Avenue. Danny Flanagan, applicant. Mike Thacker, agent.

Public Hearing: June 12, 2017
Second Briefing: June 26, 2017
Council Vote: July 10, 2017

David Orr briefed this item.

RESULT:	MOVED FORWARD	Next: 6/12/2017 6:00 PM
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9. Ordinance No. 2017-060 rezoning the west 3.420 acres of Lot 1, Orr CJD Addition, located at 1102 Walton Drive. General Retail to Commercial. William Gregg Orr, applicant. Kayla Wood, MTG Engineers and Surveyors, agent.

Public Hearing: June 12, 2017
Second Briefing: June 26, 2017
Council Vote: July 10, 2017

David Orr briefed this item.

RESULT:	MOVED FORWARD	Next: 6/12/2017 6:00 PM
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10. Resolution No. 2017-061 authorizing the City Manager to enter into a contract for the Wagner Creek North Sewer Trunk Main Replacement in an amount not to exceed \$827,280.00.

Public Hearing: June 12, 2017
Second Briefing: June 26, 2017
Council Vote: July 10, 2017

J.D. Phillips briefed this item.

RESULT:	MOVED FORWARD	Next: 6/12/2017 6:00 PM
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11. Resolution No. 2017-063 revising the swap time policy in the fire department.

Public Hearing: June 12, 2017
Second Briefing: June 26, 2017
Council Vote: July 10, 2017

Eric Schlotter briefed this item.

RESULT:	MOVED FORWARD	Next: 6/12/2017 6:00 PM
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12. Resolution No. 2017-064 adopting the FY18 Master Fee List.

Public Hearing: June 12, 2017
Second Briefing: June 26, 2017
Council Vote: July 10, 2017

City Manager Whitson briefed this item.

RESULT:	MOVED FORWARD
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Next: 6/12/2017 6:00 PM

VII. PUBLIC HEARINGS - NONE

VIII. SECOND BRIEFING WITH UPDATES - NONE

IX. SECOND BRIEFING WITHOUT UPDATES

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

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

RESULT:	MOVED FORWARD
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Next: 6/12/2017 6:00 PM

X. ITEMS FOR DISCUSSION

Staff Updates

City Manager Whitson said staff continues to work on next fiscal year's budget and capital improvement plan (CIP). Future workshops will be scheduled for CIP review, revisions, and proposed new projects.

XI. ADMINISTRATIVE COMMENTS

1. City Council
Council had no administrative comments for staff.
2. City Staff
Staff had no administrative comments for council.

XII. ADJOURNMENT

A motion was made to adjourn the meeting.
(7:15 p.m.)

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



Jennifer Evans
City Secretary



Bob Bruggeman
Mayor

Briefing Sheet

Update Date: 5/19/2017 12:28 PM

Lead Department: City Manager

Action Officer: Jennifer Evans, City Secretary

Subject: Daughters of the Republic of Texas - May 25-27, 2017

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Potential Options:

- None
-

Fiscal Implications:

None

Staff Recommendation:

Mayor to proclaim Daughters of the Republic of Texas Days as May 25-27, 2017

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. Daughters of the Republic Proclamation 052217 (PDF)

Proclamation

“Daughters of The Republic of Texas Days”

May 25-27, 2017

WHEREAS, the missions of The Daughters of the The Republic of Texas are:

- To perpetuate the memory and spirit of those who achieved and maintained the independence of Texas;
- To provide educational programs of the highest caliber;
- To encourage research into early Texas records, preserve historic documents and encourage the publication of historic records; and
- To secure and memorialize historic sites; and

WHEREAS, in 1891, Miss Betty Ballinger and Miss Hally Bryan conceived the idea of perpetuating forever the memory of the Texas pioneer families and soldiers of the Republic of Texas by forming an association of their descendants, now called The Daughters of the Republic of Texas; and

WHEREAS, for over 125 years, the Daughters, with respect and admiration for the sacrifices of their ancestors and with love of Texas, have continued the preservation of the rich Texas heritage and have remained dedicated to the noble principles for which the organization was founded; and

WHEREAS, The Daughters of The Republic of Texas is the oldest patriotic women’s organization in Texas, and is one of the largest women’s lineage societies, being now comprised of over 100 chapters across the nation, with over 7,000 current members; and

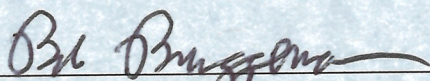
WHEREAS, the 126th annual convention of the Daughters is hosted in Dallas, Texas, by the 11 District III chapters; and

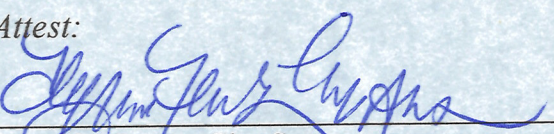
WHEREAS, The James Bowie Chapter of Texarkana, Texas, in Bowie County of District III Daughters of The Republic of Texas was formed in 1937 by Eugenia Read Collom, Real Daughter and organizing chair and is named in honor of James Bowie, “Brave Defender of the Alamo” and said Chapter is celebrating the 80th anniversary in 2017.

NOW, THEREFORE, I, Bob Bruggeman, Honorable Mayor of the City of Texarkana, Texas, do hereby proclaim May 25-27, 2017 as

“Daughters of The Republic of Texas Days”

and urge all citizens to become more knowledgeable of the history of the Great State of TEXAS.


Bob Bruggeman, Mayor

Attest:

Jennifer Evans, City Secretary



Briefing Sheet

Version:
Update Date: 5/19/2017 12:33 PM

Lead Department: City Manager

Action Officer: Jennifer Evans, City Secretary

Subject: Hidden Heroes Community - May 22, 2017

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Potential Options:

- None
-

Fiscal Implications:

None

Staff Recommendation:

For Mayor to proclaim May 22, 2017 as Hidden Heroes Community for Military Caregivers Day

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- Hidden Heroes Community Proclamation 052217 (PDF)

A Texarkana, Texas Proclamation

Hidden Heroes Community for Military Caregivers

May 22, 2017

WHEREAS, the series of wars and conflicts in which our nation has been engaged over time, since World War II, has resulted in 5.5 million military and veteran caregivers who are parents, spouses siblings and friends, caring for those wounded, ill or injured who have served our nation, as documented by the 2014 RAND study commissioned by the Elizabeth Dole Foundation; and

WHEREAS, the daily tasks of these military and veteran caregivers can include bathing, feeding, dressing, and caring for the grievous injuries of wounded warriors, administering medications, providing emotional support, caring for the family and the home, and working outside the home to earn essential income; and

WHEREAS, the nation provides multi-faceted support to our wounded, ill and injured veterans and service members through public, private and philanthropic resources, but their caregivers receive little support or acknowledgement; and

WHEREAS, most military and veteran caregivers consider the challenging work they do as simply carrying out their civic and patriotic duty, without realizing they are, in fact, caregivers, and do not identify themselves as such; and

WHEREAS, an alarming number of military and veteran caregivers, according to research, are suffering numerous debilitating mental, physical and emotional effects as a result of their caregiving duties; and

WHEREAS, the City of Texarkana, Texas, desires to recognize and support those who are serving in these vital roles in our own community.

NOW, THEREFORE I, Bob Bruggeman, Mayor of Texarkana, Texas, do hereby proclaim May 22, 2017 as

“Hidden Heroes Community for Military Caregivers Day”

Signed this 22nd day of May, 2017.

Bob Bruggeman, Mayor

Attest:

Jennifer Evans, City Secretary



CITY OF TEXARKANA

CITY COUNCIL

MINUTES • MAY 8, 2017

Council Chambers

Regular Meeting

6:00 PM

220 TEXAS BLVD.
TEXARKANA, TX 75501

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

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

Staff Present: City Manager John Whitson, Jennifer Evans, Shirley Jaster, Kyle Dooley, Eric Schlotter, Robby Robertson, Mashell Daniel, Karey Parker, Rea Donna Jones, Jim Powell, and Jerry Sparks.

Legal Counsel: Jeff Lewis

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER DR. BRIAN MATTHEWS

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

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

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

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

Parks & Recreation Events:

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

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

Minutes Acceptance: Minutes of May 8, 2017 6:00 PM (Consent Items)

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

Annual Peace Officer Memorial Ceremony:

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

Presentations

Put On Purple Day Proclamation - May 19, 2017

Mayor Bruggeman read the proclamation.

Kids to Parks Day Proclamation - May 20, 2017

Mayor Bruggeman read the proclamation. The Mayor also thanked Parks & Wellness Director Robby Robertson and staff for the fine upgrade of recently installed park and playground equipment throughout city parks.

Appointments to Boards & Commissions

There were no appointments made to any board or commission.

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

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

Dan Allen addressed council concerning the fertilizer plant located at 1314 Phenie.

Peggy Greene addressed council concerning the fertilizer plant located at 1314 Phenie.

V. ITEMS FOR CONSIDERATION

Consent Items

(6:35 p.m.)

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

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

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

Action Items - None

VI. FIRST BRIEFINGS

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

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

(6:37 p.m.)

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

VII. PUBLIC HEARINGS

1. Motion to move Ordinance No. 2017-045 up for council vote.

(6:39 p.m.)

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

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

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

There were no public comments made at this hearing.
 (6:40 p.m.)

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

3. Motion to move Ordinance No. 2017-048 up for council vote.

(6:41 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Josh Davis, Ward 6
SECONDER:	Willie Ray, Ward 2
AYES:	Matlock, Ray, Williams, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

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

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

Gary Treadway spoke at this public hearing.
 (6:42 p.m.)

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

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

Public Hearing: May 8, 2017

Second Briefing: May 22, 2017

Council Vote: June 12, 2017

There were no public comments made at this hearing.

RESULT:	MOVED FORWARD	Next: 5/22/2017 6:00 PM
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VIII. SECOND BRIEFING WITH UPDATES - NONE

IX. SECOND BRIEFING WITHOUT UPDATES - NONE

X. ITEMS FOR DISCUSSION

Staff Updates - Staff had no updates for council.

XI. ADMINISTRATIVE COMMENTS

1. City Council

Mayor Bruggeman said he received favorable comments from participants at this year's wine festival held at Spring Lake Park.

2. City Staff

City Manager Whitson said demolition has begun on streets in the Forest Lake Addition. Staff will make a special effort to keep citizens fully informed of construction progress and its impact on residents. Door hangers with contact information will be distributed to citizens living in that area. The city welcomes any citizen questions or comments.

Citizens can also visit the Forest Lake Reconstruction Project page on the city's website and sign up for updates concerning the project. The website page address is <http://www.ci.texarkana.tx.us/550/Forest-Lake-Reconstruction-Project>.

City Manager Whitson said this year's wine festival went extremely well. Staff received comments expressing appreciation for the park's appearance, the much needed installation of additional lights, and the great effort of parks and recreation staff who cleaned the park throughout the day.

XII. ADJOURNMENT

A motion was made to adjourn the meeting.
(6:48 p.m.)

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



Jennifer Evans
City Secretary



Bob Bruggeman
Mayor

Minutes Acceptance: Minutes of May 8, 2017 6:00 PM (Consent Items)

City of Texarkana, Texas

Version: D

Update Date: 5/15/2017 11:11 AM

Briefing Sheet

Lead Department: Water Utilities **Action Officer:** Pam White,
Subject: Resolution No. 2017-053 authorizing the City Manager to enter into a contract
for the North Texarkana Sewer Project in an amount not to exceed \$582,625.00.
Public **Second** **Council**
Briefing: 6/12/2017 **Hearing:** 6/12/2017 **Briefing:** June 26, 2017 **Vote:** 7/10/2017

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

NOT APPLICABLE

Executive Summary and Background Information:

Bids were received Tuesday, May 2, 2017 for the North Texarkana Sewer Extensions – Phase I of a project to extend sanitary sewer service to annexation areas. Three (3) contractors picked up bid packages for the project and one (1) contractor bid on the project. RBIS, LLC of Texarkana, Arkansas was the apparent low bidder with a low Bid of \$582,625.00. This project consists of installing sewer mains in the north Texarkana area. This project will install approximately 4,300 feet of sewer mains, 1,840 feet of two-inch (2”) force mains, one lift station, 26 manholes, 18 sewer services, and related appurtenances. RBIS, LLC has successfully completed several jobs for the Utility including the South Wake Village Road Sewer Extensions and the McKnight Road Water & Sewer Relocations.

Potential Options:

- None

Fiscal Implications:

Funds were budgeted in the Texarkana Water Utilities 2016-2017 Budget in the Texas Capital Improvement Fund.

Staff Recommendation:

Utility staff recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

City of Texarkana, Texas

- a. 2017-053 RES North Texarkana Sewer Project (DOCX)
- b. 2017-053 ATTH 01 Bid Summary (DOCX)
- c. 2017-053 ATTH 02 Bid Tabulation (XLS)
- d. 2017 053 ATTH 03 Map (PDF)
- e. 2017-053 Goals Perspectives(DOCX)

Staff Coordination

Water Utilities	Gary Smith 05/05/2017 4:29 PM	Department Head Review	Completed	
Water Utilities 7:42 AM	Jim Cornelius	Review	Completed	05/08/2017
Water Utilities 8:45 AM	JD Phillips	Review	Completed	05/08/2017
Public Information Officer	Lisa Thompson 05/08/2017 8:56 AM	PIO Review	Completed	
City Manager 8:23 AM	John Whitson	City Manager Review	Completed	05/19/2017
City Council 6:00 PM	Vicky Coopwood	Meeting	Pending	07/24/2017

Meeting History

RESOLUTION NO. 2017-053

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND ENTER INTO A CONTRACT WITH RBIS, LLC OF TEXARKANA, ARKANSAS, IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED EIGHTY-TWO THOUSAND SIX HUNDRED TWENTY-FIVE DOLLARS (\$582,625) FOR THE NORTH TEXARKANA SEWER PROJECT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on May 2, 2017, one (1) bid was received and a copy of the bid summary is attached hereto as **ATTH01**, by Texarkana Water Utilities for the North Texarkana Sewer Project; and

WHEREAS, the project will consist of installing approximately 4,300 feet of sewer mains, 1,840 feet of force mains, one lift station, 26 manholes, 18 sewer services and related appurtenances; and

WHEREAS, the lowest and best bid by a responsible vendor for this project was submitted by RBIS, LLC of Texarkana, Arkansas, a copy of which is attached hereto as **ATTH02** in an amount not to exceed \$582,625; and

WHEREAS, funds currently budgeted in the Texarkana Water Utilities 2016-2017 Texas Capital Improvement Fund are available in the amount of \$582,625 for the North Texarkana Sewer Project.

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

SECTION 1: That the lowest and best bid by a responsible vendor, submitted by RBIS, LLC of Texarkana, Arkansas, a copy of which is attached hereto as **ATTH02** be and is hereby approved in an amount not to exceed \$582,625 for the installation of approximately 4,300 feet of sewer mains, 1,840 feet of force mains, one lift station, 26 manholes, 18 sewer services and related appurtenances.

SECTION 2: That the City Manager be and is authorized to contract with RBIS, LLC of Texarkana, Arkansas for the above-described services.

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

PASSED AND APPROVED in Regular Council Session on this the **10th** day of **July, 2017**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-053 RES North Texarkana Sewer Project [Revision 1] (1647 : 2017-053 RES North Texarkana Sewer Project)

RES 2017-053 ATTH 01

Bid Tabulation**North Texarkana Sewer Project****Tuesday, May 2, 2017, 2:00 P.M.**

		Base Bid
1	RBIS, LLC Texarkana, Arkansas	\$582,625.00
2	Bobo & Bain Construction Hope, Arkansas	No Bid
3	Belt Construction, Inc. Texarkana, Arkansas	No Bid

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

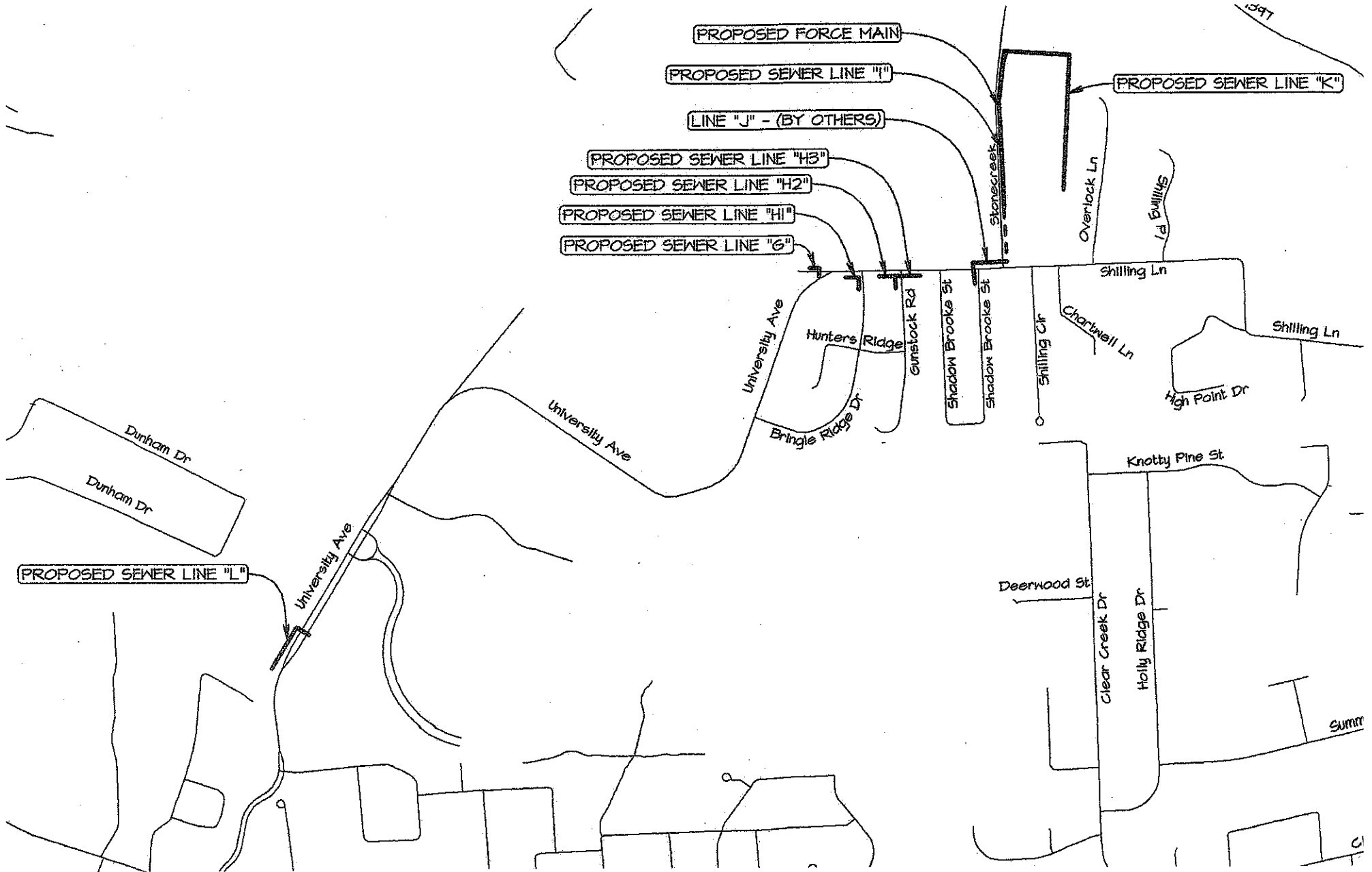
Number of Bidders: 1

Apparent Low Bidder: RBIS, LLC

Attachment: 2017-053 ATTH 01 Bid Summary (1647 : 2017-053 RES North Texarkana Sewer Project)

Attachment: 2017-053 ATTH 02 Bid Tabulation [Revision 1] (1647 : 2017-053 RES North Texarkana Sewer

Packet Pg. 22



City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

City of Texarkana, Texas

Briefing Sheet

Version: A

Update Date: 5/15/2017 11:29 AM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk
Subject: Ordinance No. 2017-054 rezoning a 31 acre tract of land (Tract 61) in the R.E. Sevey HRS, A-523, located at 2808 Buchanan Road. Single Family-2 to Single Family-3. Walter Davis, applicant. Regina Davis, agent.
Briefing: 6/12/2017 **Public Hearing:** 6/12/2017 **Second Briefing:** June 26, 2017 **Council Vote:** 7/10/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Z-16-4: This is a request by Walter Davis, owner, and Regina Davis, agent, to rezone a 31 acre tract of land (Tract 61) in the R.E. Sevey HRS, A-523, located at 2808 Buchanan Road from Single Family-2 to Single Family-3. The proposed use is one double wide HUD code manufactured home. The current use is heavily wooded vacant land.

The adjacent zoning is Single Family-2 to the north and west, Industrial-2 to the east, and Single Family-2, Single Family-3 and Commercial to the south. The adjacent land use is residences to the north, residences and vacant land to the south and east, and vacant land to the west.

The City's Zoning Ordinance was amended to comply with the state law in 2002, requiring that all manufactured housing be HUD code building standard. This amendment also stipulated that all HUD code manufactured homes inside the city limits be placed in the Single Family-3 zoning district along with the approval of a Specific Use Permit.

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

The Comprehensive Plan has designated this as a low density residential area. There are several manufactured homes located in the neighborhood directly to the south of this tract of land. Double wide manufactured housing looks similar to some of the existing frame pier and beam houses in this area. Therefore, staff recommends for approval of this request.

City of Texarkana, Texas

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

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

May 1, 2017

Attachments

- a. 2017-054 ORD rezoning 2808 Buchanan Road from SF-2 to SF-3 (PDF)
- b. 2017-054 ATTH 01 Maps (PDF)
- c. 2017-054 ATTH 02 Zoning district definitions (PDF)
- d. 2017-054 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	05/12/2017 4:17 PM	
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager
Review	Completed	05/15/2017 8:29 AM
Public Information Officer	Lisa Thompson	PIO Review
05/15/2017 8:33 AM		Completed
City Manager	John Whitson	City Manager Review
8:42 AM		Completed
City Council	Jennifer Evans	Meeting
6:00 PM		Completed
		05/22/2017

Meeting History

Z-17-4

ORDINANCE NO. 2017-054

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING A 31 ACRE TRACT OF LAND (TRACT 61) IN THE R.E. SEVEY HRS, A-523, LOCATED AT 2808 BUCHANAN ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-2 TO SINGLE FAMILY-3; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone a 31 acre tract of land (Tract 61) in the R.E. Sevey HRS, A-523, located at 2808 Buchanan Road in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas **voted six (6) to zero (0) to recommend the application for rezoning from Single Family-2 to Single Family-3** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-2 to Single Family-3** in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone a 31 acre tract of land (Tract 61) in the R.E. Sevey HRS, A-523 located at 2808 Buchanan Road in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3**.

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **10th day of July, 2017.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



2808 Buchanan Road

Department of Planning and Community Development



1:8,000

Attachment: 2017-054 ATTH 01 Maps (1650 : 2017-054 ORD rezoning 2808 Buchanan Road from SF-2 to SF-3)





CITY OF TEXARKANA TEXAS

ZONING DISTRICT DEFINITIONS

Po Box 1007
220 Te
Texarkana TX 75504
(903) 798-3945
www.txkusa.org

6.2.c

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

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

Attachment: 2017-054 ATTH 02 Zoning district definitions (1650 : 2017-054 ORD rezoning 2808 Buchanan Road from SF-2 to SF-3)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 5/12/2017 2:50 PM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk
Ordinance No. 2017-055 granting a Specific Use Permit to allow a double wide HUD code manufactured home on a 31 acre tract of land (Tract 61) in the R.E. Sevey HRS, A-523, located at 2808 Buchanan Road. Walter Davis, owner.

Subject: Regina Davis, agent.

Briefing: 6/12/2017 **Public Hearing:** 6/12/2017 **Second Briefing:** June 26, 2017 **Council Vote:** 7/10/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

S-676: This is a request by Walter Davis, owner, and Regina Davis, agent, for a Specific Use Permit to allow the one additional use of a 2002 double wide HUD code manufactured home as a residence on a 31 acre tract of land (Tract 61) in the R.E. Sevey HRS, A-523, located at 2808 Buchanan Road. The current use is heavily a wooded tract of vacant land.

The adjacent zoning is Single Family-2 to the north and west, Industrial-2 to the east, and Single Family-2, Single Family-3 and Commercial to the south. The adjacent land use is residences to the north, residences and vacant land to the south and east and vacant land to the west.

The City's Zoning Ordinance was amended to comply with the state law in 2002, requiring that all manufactured housing be HUD code building standard. This amendment also stipulated that all HUD code manufactured homes inside the city limits be placed in the Single Family-3 zoning district along with the approval of a Specific Use Permit.

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

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

City of Texarkana, Texas

1. That one 2002 double wide HUD code manufactured home be allowed on this property.
2. That the double wide HUD code manufactured home be tied down/skirted/underpinned.
3. That the double wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
4. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this Ordinance. It is the owner's responsibility to renew this permit.
5. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.
6. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas codes.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of the Specific Use Permit with staff stipulations.

Advisory Board/Committee Meeting Date and Minutes:

May 1, 2017

Attachments

- a. 2017-055 ORD granting SUP for manf. home at 2808 Buchanan Rd (PDF)
- b. 2017-055 EXH 'A' Photo of manf. home (PDF)
- c. 2017-055 ATTH 01 Maps (PDF)
- d. 2017-055 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	05/12/2017 4:16 PM	
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager
Review	Completed	05/15/2017 8:32 AM
Public Information Officer	Lisa Thompson	PIO Review
	05/15/2017 8:33 AM	Completed
City Manager	John Whitson	City Manager Review
8:43 AM		Completed
City Council	Jennifer Evans	Meeting
6:00 PM		Completed
		05/22/2017

Meeting History

ORDINANCE NO. 2017-055

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-676 TO ALLOW THE LOCATION OF A HUD CODE DOUBLE WIDE MANUFACTURED HOME ON A 31 ACRE TRACT OF LAND (TRACT 61) IN THE R.E. SEVEY HRS, A-523, LOCATED AT 2808 BUCHANAN ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an Amendment to the Zoning Ordinance so as to grant a **Specific Use Permit** to allow the location of a HUD code double wide manufactured home (**Exhibit “A”**) on a 31 acre tract of land (Tract 61) in the R.E. Sevey HRS, A-523, located at 2808 Buchanan Road in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously six (6) to zero (0) to recommend** to the City Council of the City of Texarkana, Texas **that a Specific Use Permit be granted to allow the location of HUD code double wide manufactured home** on said property; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended so as to grant a **Specific Use Permit numbered S-676 for the purpose of allowing the location of a HUD code double wide manufactured home (Exhibit ‘A’)** on the following described property, to-wit: a 31 acre tract of land (Tract 61) in the R.E. Sevey HRS-A-523, located at 2808 Buchanan Road in the City of Texarkana, Bowie County, Texas.

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

1. That one 2002 double wide HUD code manufactured home be allowed on this property.
2. That the double wide HUD code manufactured home be tied down/skirted/underpinned.
3. That the double wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
4. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this Ordinance. It is the owner's responsibility to renew this permit.
5. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.
6. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas, codes.

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

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

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

PASSED AND APPROVED in regular Council Session on this the **10th day of July, 2017.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN

Exhibit 'A'



Attachment: 2017-055 ORD granting SUP for manf. home at 2808 Buchanan Rd (1651 : 2017-055 ORD granting specific use permit at 2808

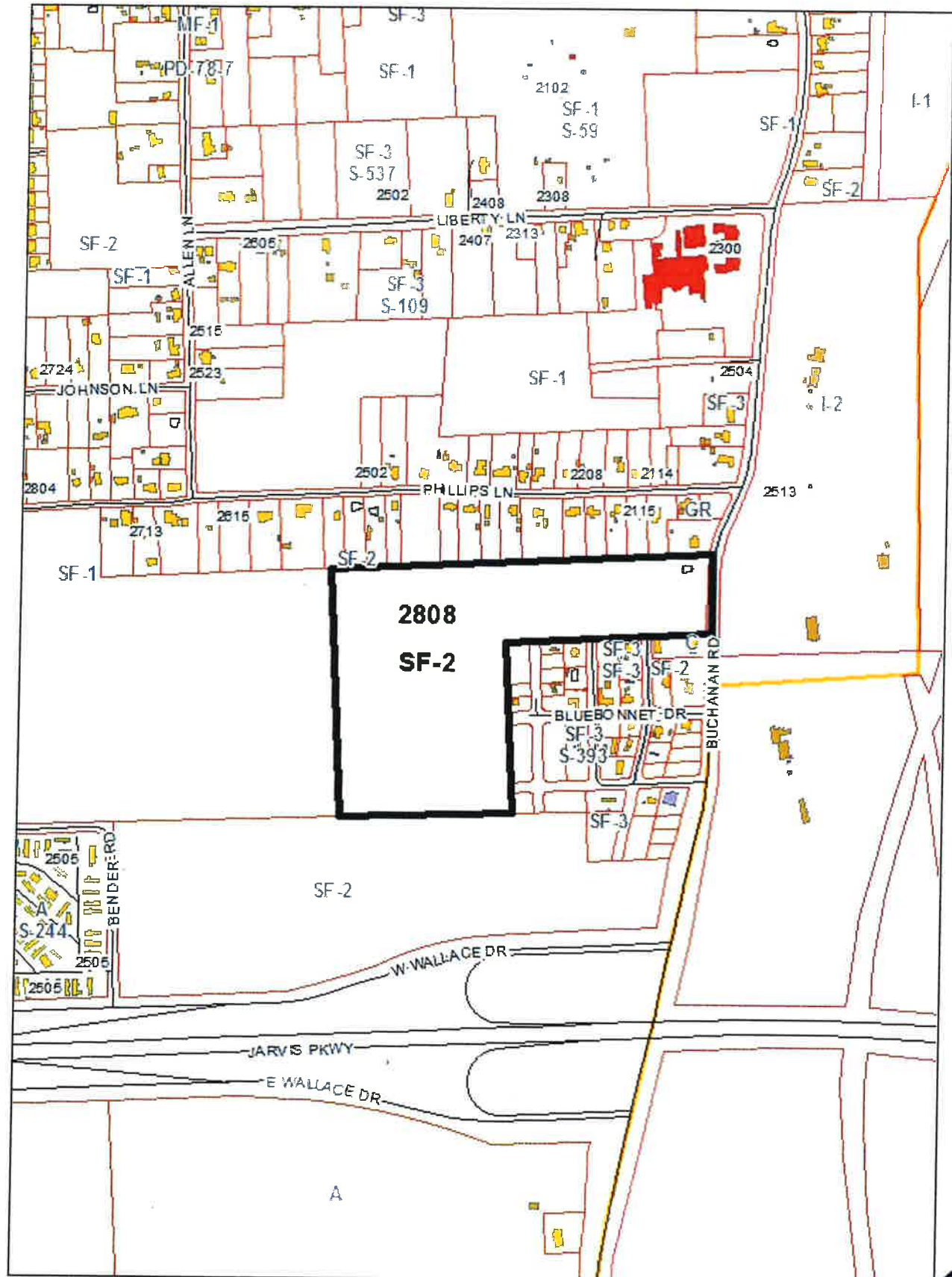
Exhibit 'A'



Attachment: 2017-055 EXH 'A' Photo of manf. home (1651 : 2017-055 ORD granting specific use permit at 2808 Buchanan Road)

2808 Buchanan Road

Department of Planning and Community Development



1:8,000

Attachment: 2017-055 ATTH 01 Maps (1651 : 2017-055 ORD granting specific use permit at 2808 Buchanan Road)





City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

City of Texarkana, Texas

Version:

Update Date: 5/12/2017 2:50 PM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk
Subject: Ordinance No. 2017-056 amending PD-15-5(GR) for site plan approval on Lot 6, Block 3, J.T. Spears Addition, located at 3603 Texas Boulevard. Texas Boulevard Properties, LLC, applicant. Bryan Callaway, agent.
Briefing: 6/12/2017 **Public Hearing:** 6/12/2017 **Second Briefing:** June 26, 2017 **Council Vote:** 7/10/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request for site plan approval by Texas Boulevard Properties, LLC, owner, and Bryan Callaway, Studio 230, LLC, agent, on Lot 6, Block 3, J.T. Spears Addition, located at 3603 Texas Boulevard. The proposed use is a general retail landscape business that includes a retail/office building, storage building and outside plant sales. Currently, the property is vacant.

The property is zoned Planned Development-General Retail [PD-15-5(GR)]. Approval of the site plan would constitute an amendment to that zoning, even though the overall classification of Planned Development-General Retail would be unchanged. The proposed use is consistent with the listed uses in the Land Development Code for Planned Development-General Retail. The adjacent zoning is Planned Development-Office to the north, east and south and Single Family-2 to the west. The adjacent land use is an insurance office to the south and residences to the north, east and west.

The site plan consists of the following:

- A 2078 square foot office/retail building with painted hardy panel siding to be located on the front portion of the property.
- A 940 square foot metal warehouse building with overhead door to be located along the north property line directly behind the office/retail building.
- Wall signage located on building front.
- 12 parking spaces including a handicapped space.
- A gravel area west of the parking lot to be used as a turn-around spot for longer vehicles and trailers.
- Asphalt or concrete parking lot and drive.
- An 8' wooden privacy fence along the south and west property lines and a cyclone fence along the north property line.
- An 8' wooden privacy fence extending south from the enclosed storage area to the south property line with a gate and Knox padlock.
- An irrigation well to be located at the rear of lot for watering of plants only (use of a well for irrigation purposes is not regulated by City ordinance).
- Wooden trellises for shade and plant storage to be located at the rear portion of the property.
- Screened dumpster located along south property line adjacent to parking lot inside fenced area.
- 48 square foot monument style sign allowed if additional signage is requested in the future (no CEVMS is allowed).

City of Texarkana, Texas

The applicant has been made aware that if this site plan is approved as submitted, there may be additional applicable city code/ordinance requirements in addition to those listed including but not limited to building, subdivision, fire, drainage, water and sewer prior to the issuance of building permits.

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

Potential Options:

None

Fiscal Implications:

None

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission voted unanimously to recommend to the City Council the approval of the requested site plan with the following stipulations: (i) any outdoor lighting is to be shielded away from adjacent residential properties; (ii) the only items for outdoor display and storage will be plants and trees; and (iii) an irrigation well for watering of plants only shall be located at the rear of the lot.

Consistent with the unanimous recommendation of the Planning and Zoning Commission, staff recommends approval of the site plan as submitted with the following stipulations:

- Any lighting is to be shielded from adjacent residential properties;
- The only items for outdoor display and storage will be plants and trees; and
- The irrigation well location as specified in the site plan and its use as specified above.

Written Protest:

Section 140-317(d) of the Land Development Code and Section 211.006 of the Texas Local Government Code provide in pertinent parts that an affirmative vote of three-fourths of the City Council (that is, the affirmative vote of five councilmembers) is required for adoption of an ordinance approving any amendment or change to a zoning regulation upon timely receipt of a written protest signed by the owners of at least twenty percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area. A written protest against the amendment to PD-15-5(GR) and against the proposed uses for the subject property was timely filed prior to consideration by the Planning and Zoning Commission of the application. Initial review by City staff of the petition signatures and what staff believes to be the corresponding land or lots suggests that the threshold percentage of area of lots or land as required by law has been met to trigger the need for an affirmative vote of five councilmembers to approve the site plan and amendment to PD-15-5(GR).

Staff Recommendation:

Consistent with the unanimous recommendation of the Planning and Zoning Commission, staff recommends approval of the site plan as submitted with the following stipulations:

- Any lighting is to be shielded from adjacent residential properties;
- The only items for outdoor display and storage will be plants and trees; and
- The irrigation well location as specified in the site plan and its use as specified above.

Additional Procedural History

City of Texarkana, Texas

In 2015, at the request of the owner, this property was rezoned from Planned Development-Office to Planned Development-General Retail for a contemplated use of a proposed restaurant for Flour Child Fine Foods Market. Earlier this year, a previous application for this property was conservatively construed by City staff as necessitating a specific use permit together with approval of a site plan. The Planning and Zoning Commission considered this application on April 3, 2017. A written protest to the proposed amendment was timely presented. Although the Commission unanimously approved the request, a site plan submitted thereafter differed from the plan approved by the Commission. Also, one of the protestors contacted the City Attorney with related questions. After City staff and the City Attorney met to review the Commission action and the changed site plan, a determination was made that the applicant's concessions and clarifications at the April 3rd Commission hearing dispensed with the need of a specific use permit (or, in other words, the proposed uses for the property as clarified are consistent with the listed uses in the Land Development Code for Planned Development-General Retail without requiring a specific use permit). The applicant agreed to withdraw this previous application, and the process was restarted with the current application and new notifications as required by the city code.

Attachments:

2017-056 Ordinance
 EXH 'A' – Site Plan
 ATTH 01 – Aerial Site Plan
 ATTH 02 – Maps
 ATTH 03 – Elevations
 ATTH 04 – Petition in opposition from owners within 200'
 ATTH 05 – Petition in opposition from owners outside 200'
 ATTH 06 - Request from property owner to remove name from petition

Attachments

- a. 2017-056 ORD amending PD-15-5(GR) - Copy (PDF)
- b. 2017-056 EXH 'A' Site plan (PDF)
- c. 2017-056 ATTH 01 Aerial site plan (PDF)
- d. 2017-056 ATTH 02 Maps (PDF)
- e. 2017-056 ATTH 03 Elevations (PDF)
- f. 2017-056 ATTH 04 Petition within 200' (PDF)
- g. 2017-056 ATTH 05 Petition outside 200' (PDF)
- h. 2017-056 ATTH 06 Request to remove name from petition (PDF)
- i. 2017-056 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	05/12/2017 4:16 PM	
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager
Review	Completed	05/15/2017 8:46 AM
Public Information Officer	Lisa Thompson	PIO Review
Completed	05/15/2017 8:56 AM	
City Attorney	Jeffery C. Lewis	Review
Completed	11:48 AM	05/15/2017
City Manager	John Whitson	City Manager Review
Completed	8:26 AM	05/19/2017

City of Texarkana, Texas

City Council
6:00 PM

Jennifer Evans

Meeting

Completed

05/22/2017

Meeting History

Amendment to
PD-15-5(GR)

ORDINANCE NO. 2017-056

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-15-5(GR) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF A GENERAL RETAIL LANDSCAPE BUSINESS THAT INCLUDES AN OFFICE/RETAIL BUILDING, STORAGE BUILDING AND OUTSIDE PLANT SALES ON LOT 6, BLOCK 3, J.T. SPEARS ADDITION, LOCATED 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’**) to allow the location of a general retail business on Lot 6, Block 3, J.T. Spears Addition, located at 3603 Texas Boulevard in the City of Texarkana, Bowie County, Texas, (“the subject property”); 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 uses for a general retail landscaping business (an office/retail building, storage building and outside plant sales) are 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 held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, a written protest against the amendment to PD-15-5(GR) and against the proposed uses for the subject property was timely filed prior to consideration by the Planning and Zoning Commission of the application for approval of the site plan (**Exhibit ‘A’**); and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously by a vote of six (6) to zero (0) to recommend to the City Council of Texarkana, Texas, the approval of the petition for a site plan (Exhibit ‘A’)** to allow the location of a general retail landscape business that includes an office/retail building, storage building and outside plant sales, with the following stipulations: (i) any outdoor lighting is to be shielded away from adjacent residential properties; (ii) the only items for outdoor display and storage will be plants and trees; and (iii) an irrigation well for watering of plants only shall be located at the rear of the lot; and

WHEREAS, per Section 140-317(d) of the Land Development Code and Section 211.006 of the Texas Local Government Code, an affirmative vote of three-fourths of the City Council (that is, the affirmative vote of five councilmembers) is required for adoption of an ordinance approving any amendment or change to a zoning regulation upon timely receipt of a written protest signed by the owners of at least twenty percent of the area of the lots or land immediately adjoining the area covered by the proposed

Attachment: 2017-056 ORD amending PD-15-5(GR) - Copy (1652 : 2017-056 ORD site plan approval at 3603 Texas Blvd.)

change and extending 200 feet from that area; and

WHEREAS, City staff recommends approval of the recommendation of the Planning and Zoning Commission, approval of the site plan (**Exhibit 'A'**), and adoption of this ordinance amending PD-15-5(GR).

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

SECTION 1: Subject to Section 2, below, the site plan (**Exhibit 'A'**) for a general retail landscape business that includes an office/retail building, storage building and outside plant sales on Lot 6, Block 3, J.T. Spears Addition, located at 3603 Texas Boulevard in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved, with the City Council finding and determining that said approval is in the best interest of the public health, safety, morals and general welfare of the City.

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 with the following stipulations:

- 1) any outdoor lighting is to be shielded away from adjacent residential properties;
- 2) the only items for outdoor display and storage will be plants and trees; and
- 3) an irrigation well for watering of plants only shall be located at the rear of the lot.

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **10th day of July, 2017.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

HW: 1601 Four Child Five Food Site Layout.dwg
7/10/2019

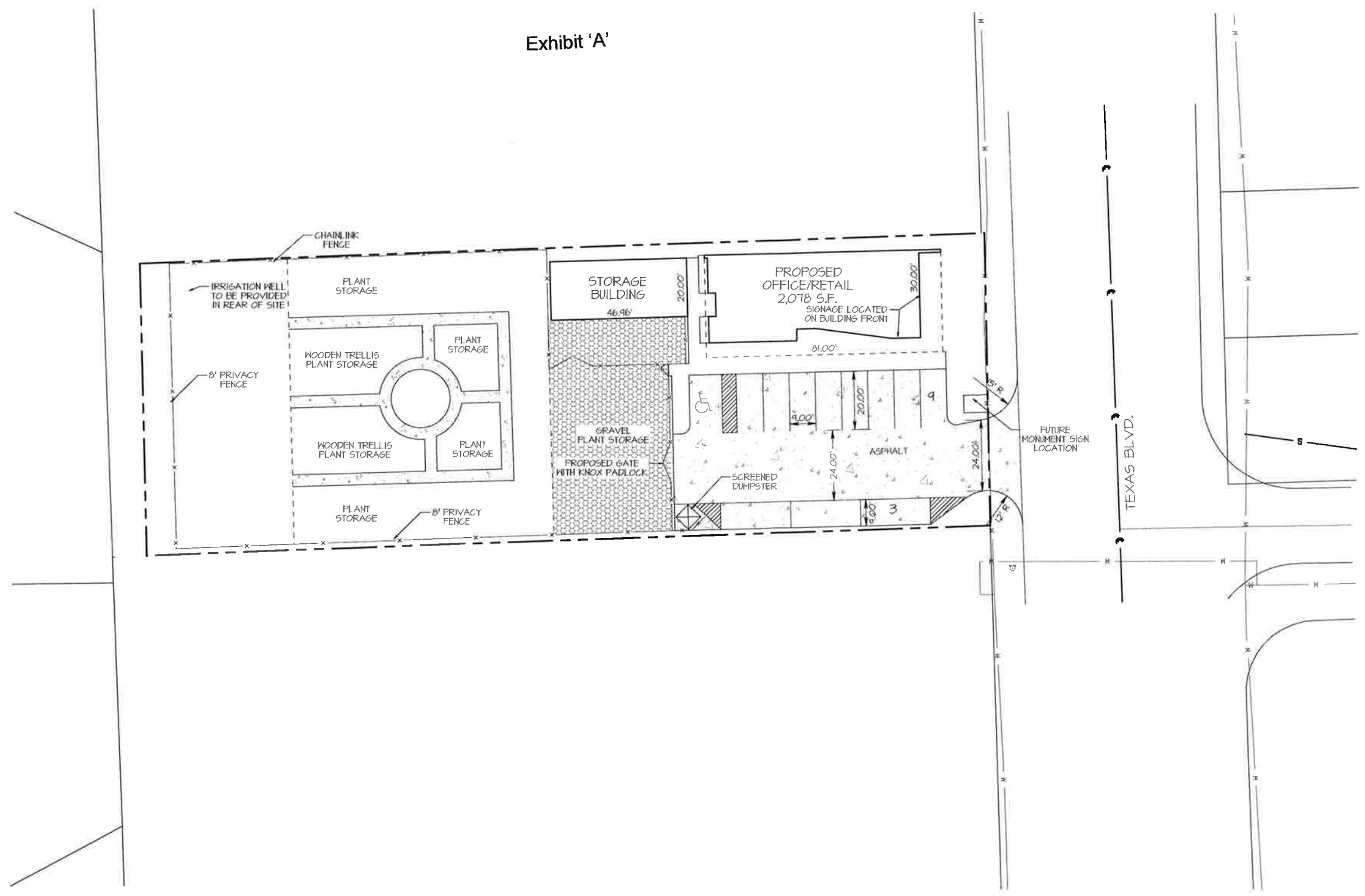
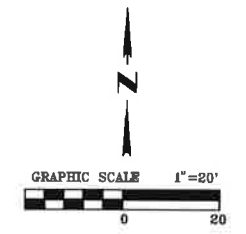


Exhibit 'A'



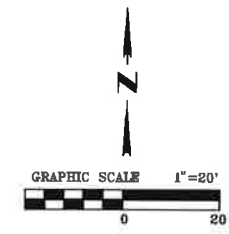
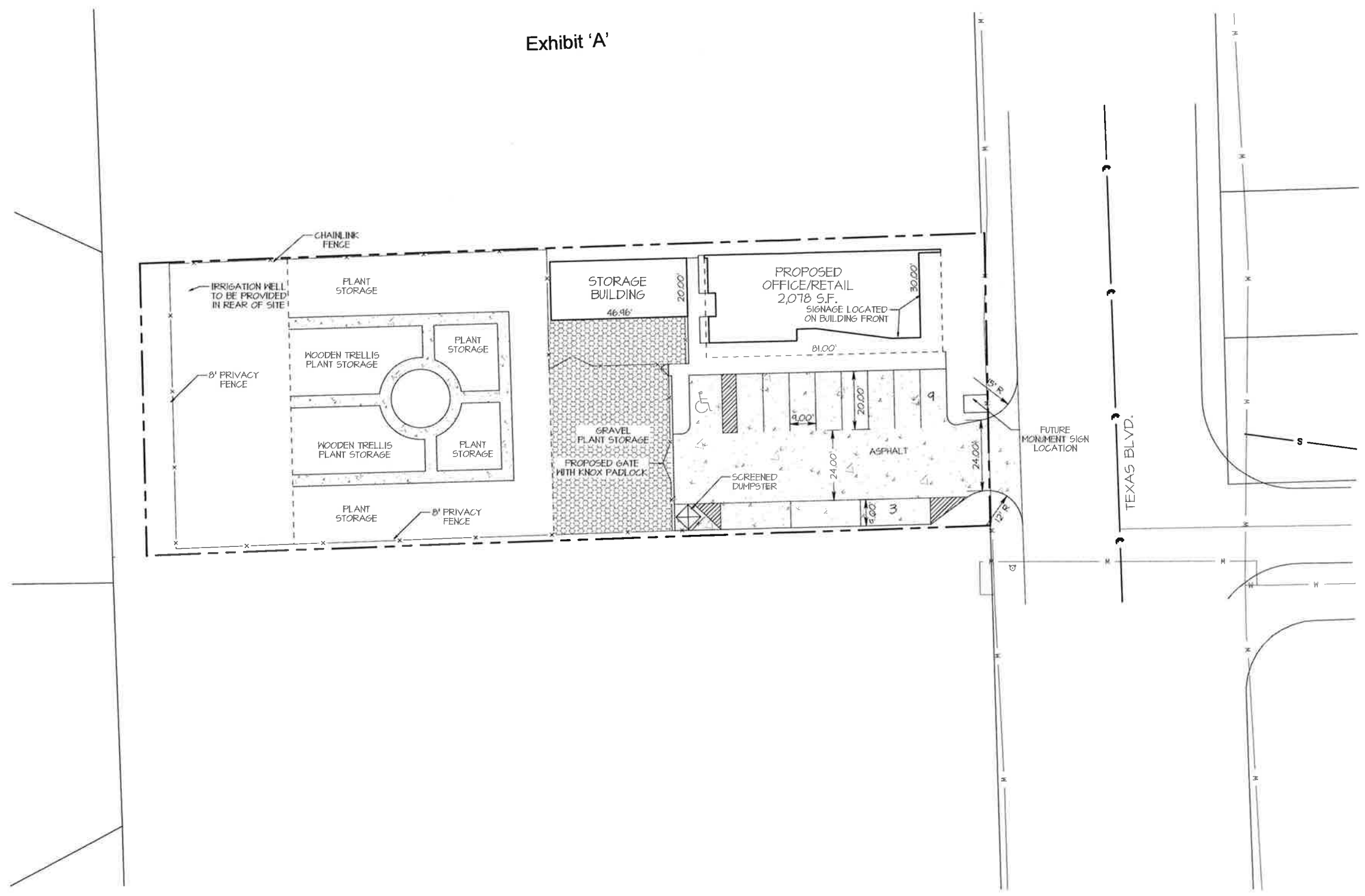
LEGEND	
	PROPERTY LINE
	CURB AND GUTTER
	BUILDING EDGE
	EDGE OF PAVEMENT
	EASEMENT
	BUILDING LINE OFFSET
	TOE OF DITCH/SLOPE
	TOP OF BANK
	OVERHEAD POWER LINE
	WATER MAIN
	SANITARY SEWER MAIN
	TELEPHONE LINE
	PROPOSED CONTOUR INT.
	EXISTING CONTOUR INT.
	SILT FENCE
	STORM DRAIN
	FIRE LANE
	SPOT ELEVATION
	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 LAYOUT

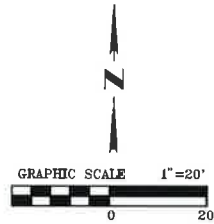
BRYAN CALLOWAY
TEXAS BLVD SITE

Packet Pg. 48

Exhibit 'A'



LEGEND	
	PROPERTY LINE
	CURB AND GUTTER
	BUILDING EDGE
	EDGE OF PAVEMENT
	EASEMENT
	BUILDING LINE OFFSET
	TOE OF DITCH/SLOPE
	TOP OF BANK
	OVERHEAD POWER LINE
	WATER MAIN
	SANITARY SEWER MAIN
	TELEPHONE LINE
	PROPOSED CONTOUR INT.
	EXISTING CONTOUR INT.
	SILT FENCE
	STORM DRAIN
	FIRE LANE
	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



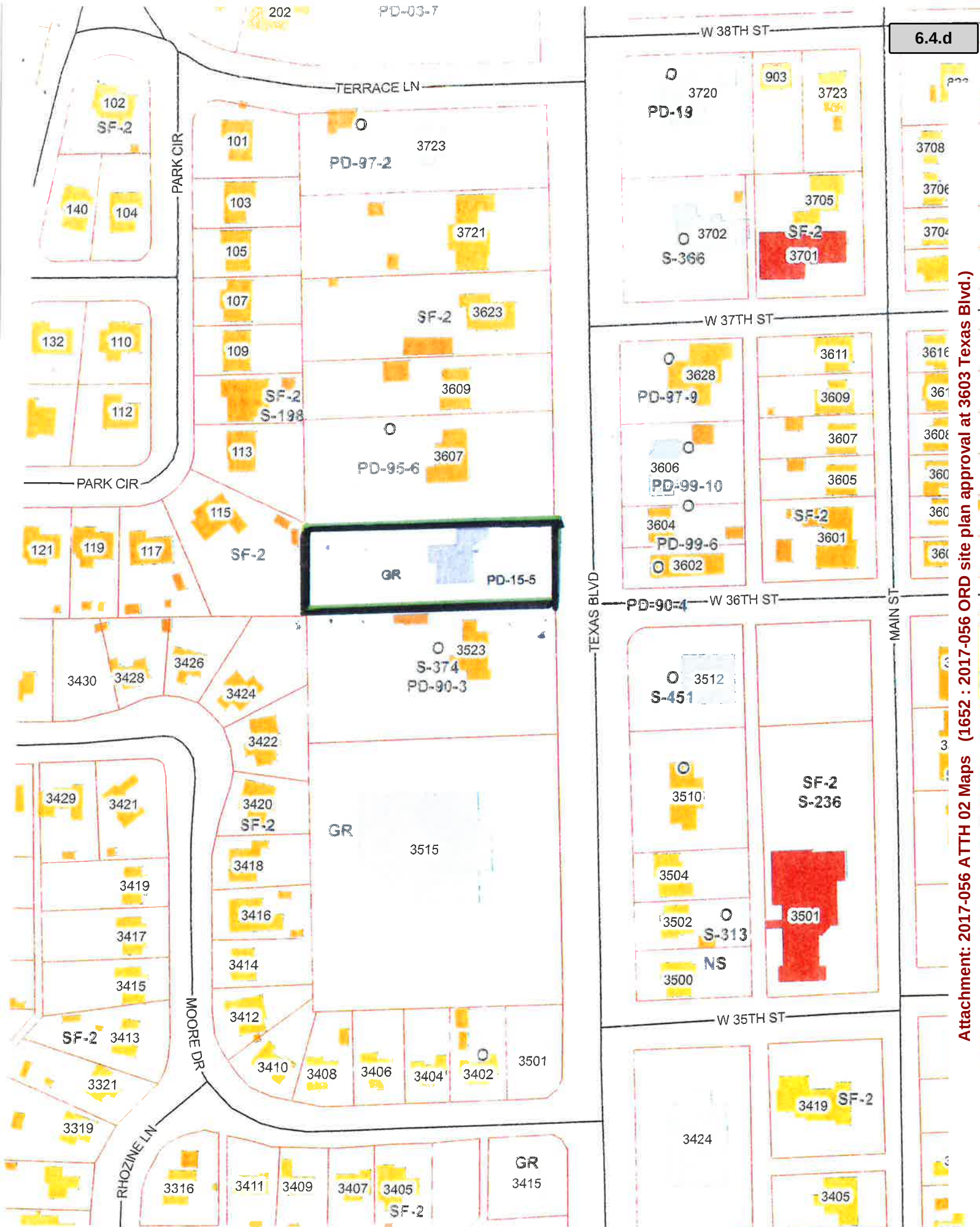
LEGEND	
	PROPERTY LINE
	CURB AND GUTTER
	BUILDING EDGE
	EDGE OF PAVEMENT
	EASEMENT
	BUILDING LINE OFFSET
	TOE OF DITCH/SLOPE
	TOP OF BANK
	OVERHEAD POWER LINE
	WATER MAIN
	SANITARY SEWER MAIN
	TELEPHONE LINE
	PROPOSED CONTOUR INT.
	EXISTING CONTOUR INT.
	SILT FENCE
	STORM DRAIN
	FIRE LANE
	SPOT ELEVATION
	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 LAYOUT

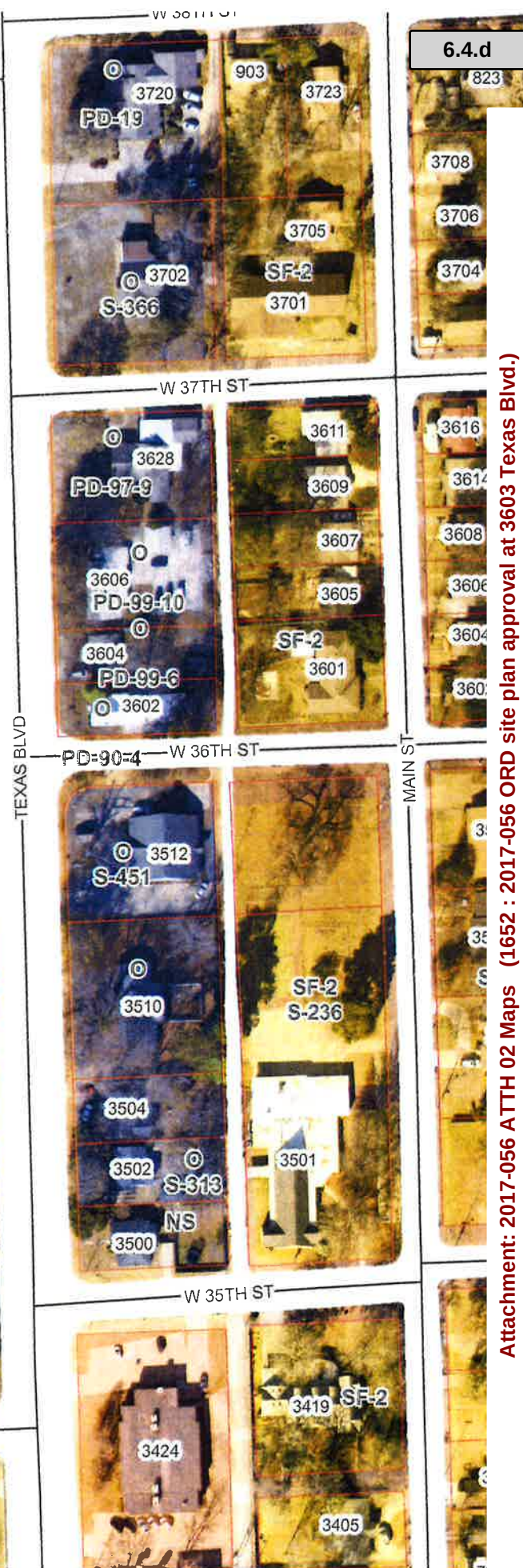
BRYAN CALLOWAY
TEXAS BLVD SITE



Packet Pg. 50

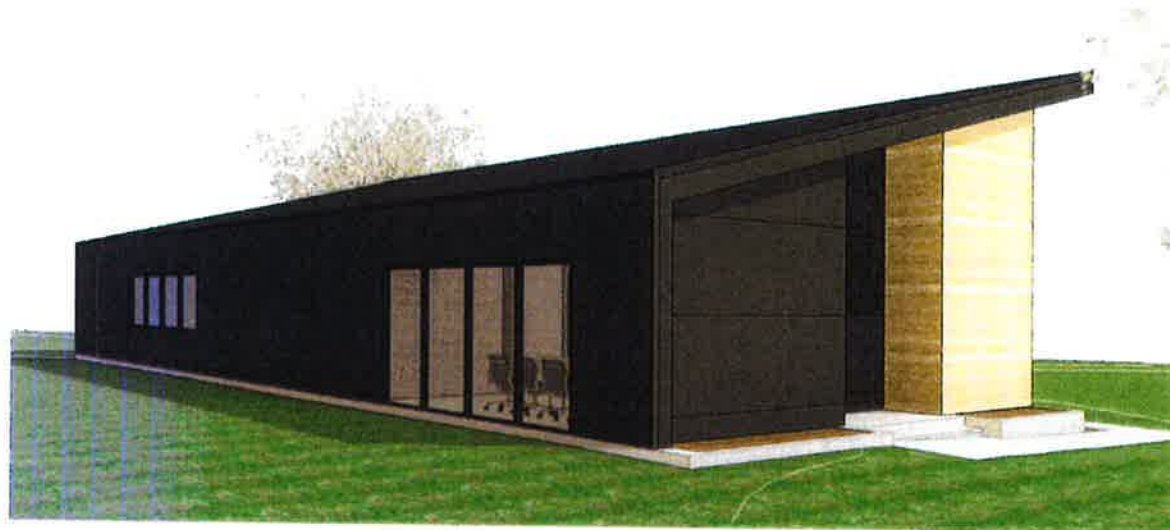


Attachment: 2017-056 ATTH 02 Maps (1652 : 2017-056 ORD site plan approval at 3603 Texas Blvd.)





SOUTHWEST CORNER



NORTHWEST CORNER

deMx architecture 479.966.4871
104 N. East Ave | Fayetteville, Arkansas 72701

NEW OFFICE + RETAIL SPACE FOR:

STUDIO 230

3603 TEXAS BLVD. | TEXARKANA, TX 75503

3.2

SCHEMATIC DESIGN
03/23/2017
PROJECT NO. 43517

Attachment: 2017-056 ATTH 03 Elevations (1652 : 2017-056 ORD site plan approval at 3603 Texas Blvd.)



SOUTHEAST CORNER

NEW OFFICE + RETAIL SPACE FOR:

STUDIO 230

3603 TEXAS BLVD., TEXARKANA, TX 75503

deMx architecture 479.966.4871
104 N. East Ave | Fayetteville, Arkansas 72701

3.1

SCHEMATIC DESIGN

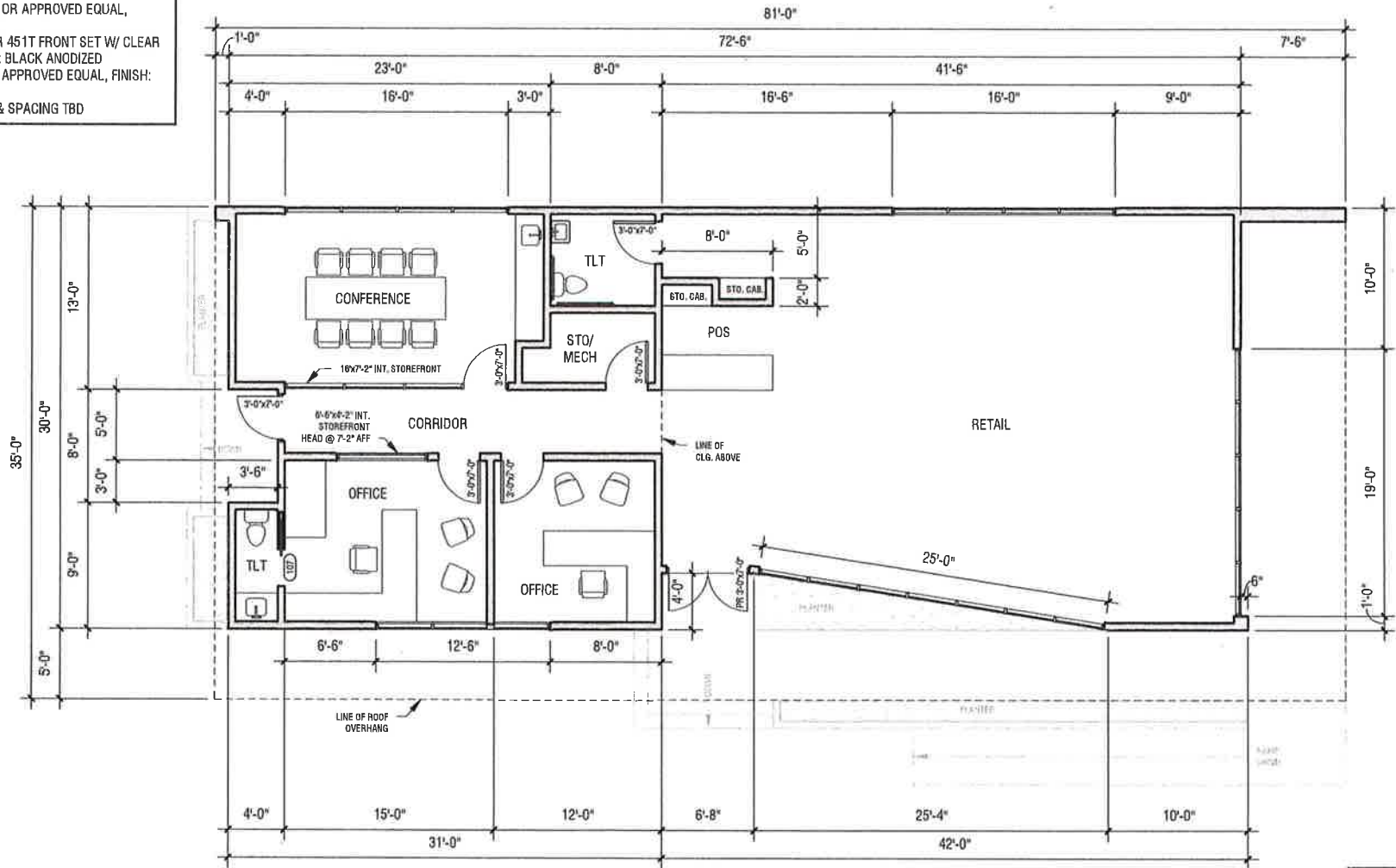
03/23/2017

PROJECT NO. 43517

Attachment: 2017-056 ATTH 03 Elevations (1652 : 2017-056 ORD site plan approval at 3603 Texas Blvd.)

FLOOR PLAN NOTES

WALL TO BE 2x6 WOOD STUDS @ 16" O.C. W/ MIN R-16 INSUL.
 PLUMBING WALLS TO BE 2x6 WOOD STUDS @ 16" O.C.
 EXTERIOR WALLS TO BE 2x4 WOOD STUDS @ 16" O.C.
 FLOOR SURFACES TO BE SEALED CONCRETE
 WALL & CEILING FINISHES TO BE SMOOTH PAINTED GYP. BOARD
 DOORS TO BE EPOXY PAINTED
 STOREFRONTS TO BE KAWNEER 400 CENTER SET W/ CLEAR
 GLASS, FINISH: BLACK ANODIZED
 DOORS TO BE PAINT GRADE SOLID CORE WOOD DOORS W/
 GLASS, FINISH: BLACK ANODIZED
 EXCEPT FOR CONFERENCE ROOM DOOR.
 ROOM DOOR TO BE KAWNEER 190 OR APPROVED EQUAL,
 FINISH: BLACK ANODIZED
 EXTERIOR STOREFRONTS TO BE KAWNEER 451T FRONT SET W/ CLEAR
 GLASS OR APPROVED EQUAL, FINISH: BLACK ANODIZED
 EXCEPT FOR CONFERENCE ROOM DOOR, FINISH:
 BLACK ANODIZED
 FLOOR FINISH TO BE WOOD "I" JOIST, SIZE & SPACING TBD



FLOOR PLAN

1/8" = 1'-0"

2071 SF



NEW OFFICE + RETAIL SPACE FOR:

STUDIO 230

3603 TEXAS BLVD. | TEXARKANA, TX 75503

11

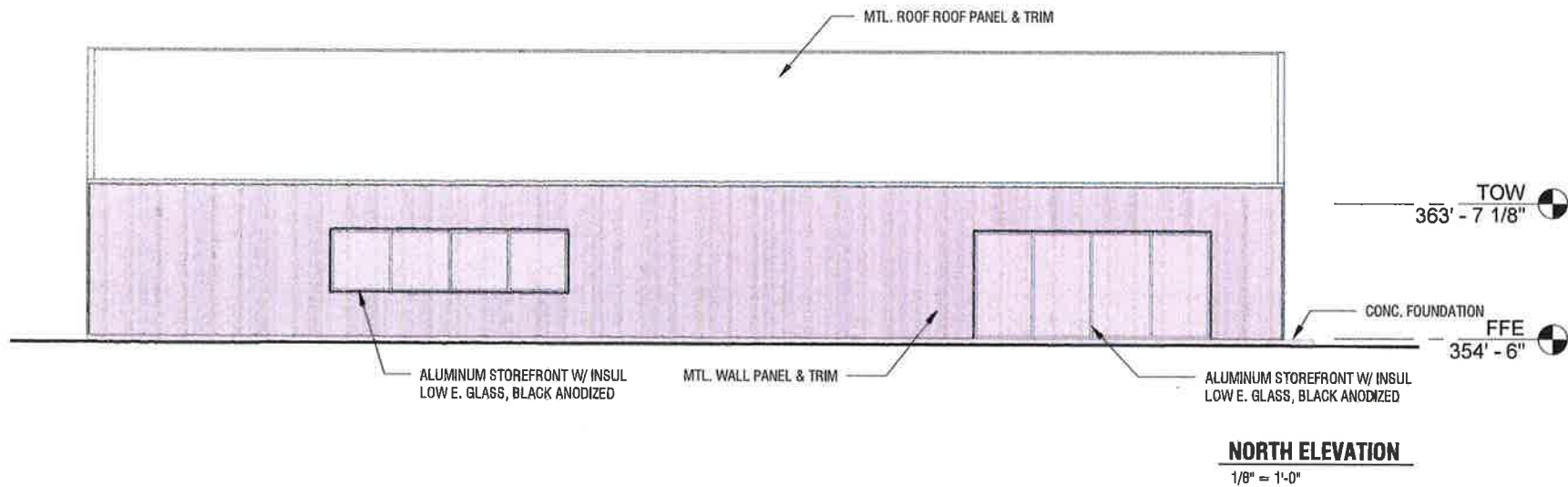
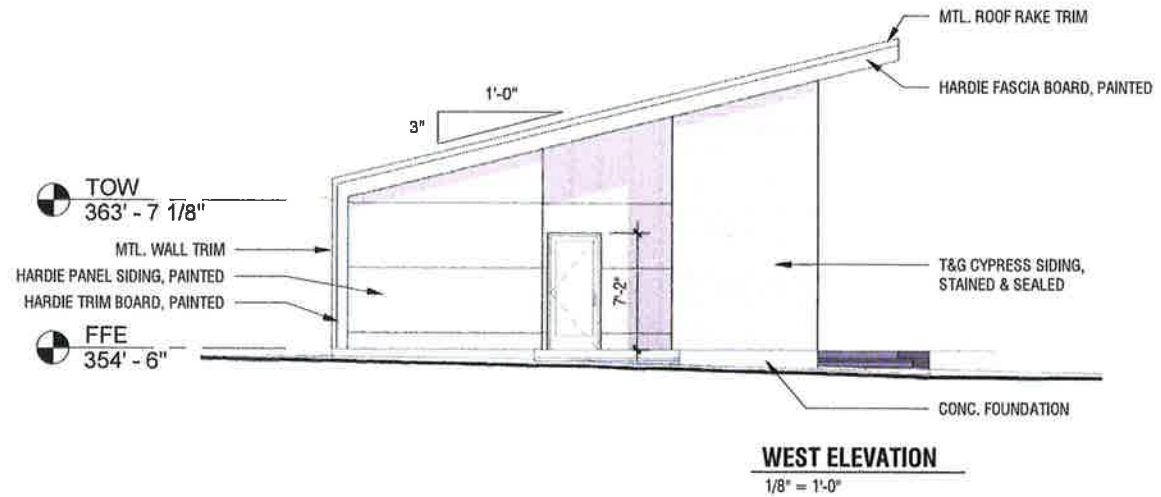
SCHEMATIC DESIGN

03/23/2017

PROJECT NO. 43517

deMx architecture 479.966.4871
 104 N. East Ave | Fayetteville, Arkansas 72701

Attachment: 2017-056 ATTH 03 Elevations (1652 : 2017-056 ORD site plan approval at 3603 Texas Blvd.)



deMx architecture 479.966.4871
104 N. East Ave | Fayetteville, Arkansas 72701

NEW OFFICE + RETAIL SPACE FOR:
STUDIO 230
3803 TEXAS BLVD. | TEXARKANA, TX 75603

22

SCHEMATIC DESIGN
03/23/2017
PROJECT NO. 43517

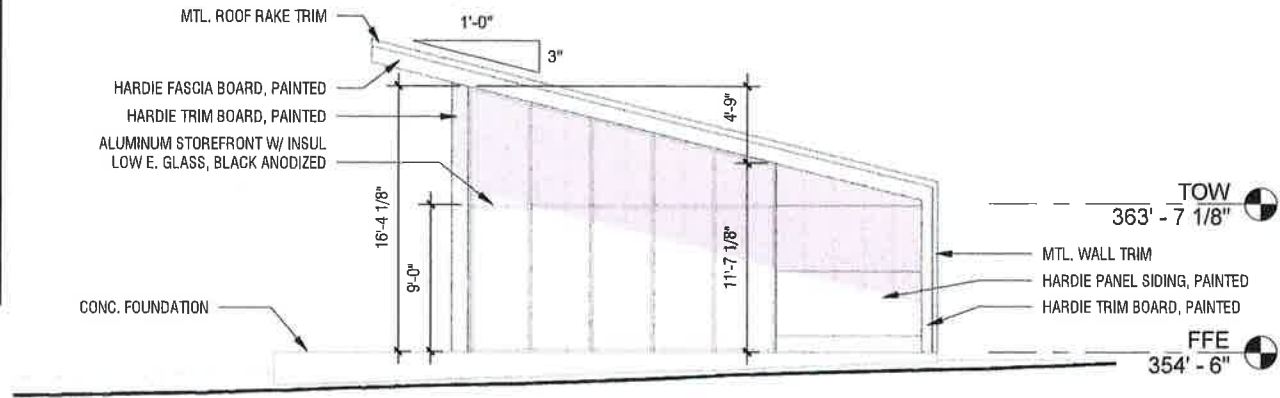
EXTERIOR MATERIAL NOTES

1. ROOF PANEL & MTL. WALL PANEL TO BE MBCI, P8C PANEL W/ EXPOSED JOINTS & CHARCOAL GRAY FINISH OR APPROVED EQUAL (DETAILS & FLASHINGS TO BE INSTALLED ACCORDING TO MANUFACTURER'S RECOMMENDATIONS)

2. SIDING BOARD TO BE 4x10 SMOOTH PANELS, FACTORY PRIMED W/ PAINT TO MATCH MTL. ROOF PANEL & MTL. WALL PANEL. (DETAILS, FLASHINGS & JOINTS TO BE INSTALLED ACCORDING TO MANUFACTURER'S RECOMMENDATIONS)

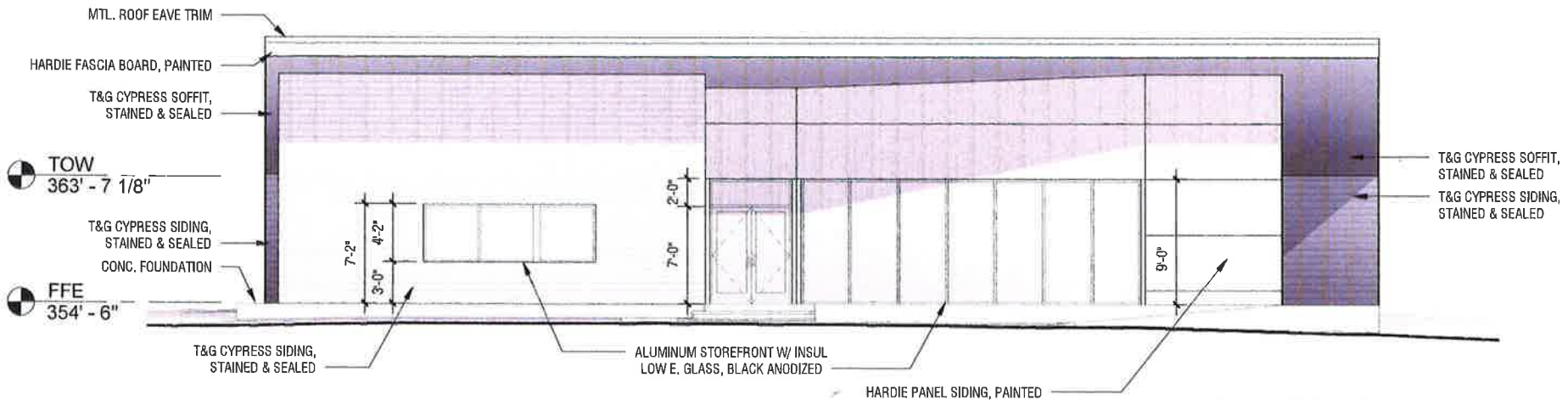
3. CEILING SIDING & SOFFIT MATERIAL TO BE TONGUE & GROOVE 1x6 SOLID WOOD OR APPROVED EQUAL, STAINED & SEALED FINISH (PROVIDE DRIP EDGES & FLASHING WHERE REQUIRED)

4. EXTERIOR STOREFRONTS TO BE KAWNEER 451T FRONT SET W/ CLEAR INSUL. GLASS OR APPROVED EQUAL, FINISH: BLACK ANODIZED



EAST ELEVATION

1/8" = 1'-0"



SOUTH ELEVATION

1/8" = 1'-0"

deMx architecture 479.966.4871
104 N. East Ave | Fayetteville, Arkansas 72701

NEW OFFICE + RETAIL SPACE FOR:

STUDIO 230

3603 TEXAS BLVD. | TEXARKANA, TX 75503

2.1

SCHEMATIC DESIGN

03/23/2017

PROJECT NO. 43517

Dec 1.28.17 HLB

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BOWIE

We, the undersigned, hereby state and represent to the Planning and Zoning Commission and the City Counsel of the City of Texarkana, Texas, that we own property that is within 200 feet of the property located at 3603 Texas Boulevard, Texarkana, Texas, that Bryan Calloway is attempting to secure an Amendment to PD-15-5 (GR) for site plan approval to allow the location of an office/retail building, storage building and outside plant sales.

This address, 3603 Texas Boulevard was re-zoned general retail for a restaurant/catering business in 2015. This was never done, and now the former owners wish to sell this location, and their buyer wishes to use it for a landscape business.

We signed the first petition opposing the site plan and a specific use permit to allow outside display and storage. Then it was withdrawn, and after a closed meeting with the City Attorney a new site plan has been proposed.

We further state and represent that we are opposed to the granting of said Amendment and request that said application be denied. It is our understanding that to have the landscape business, the buyer of 3603 Texas Boulevard intends to purchase the lot to the north which is not zoned general retail. We intend to oppose any proposed re-zoning of that lot as well.

NAME

ADDRESS

TELEPHONE NUMBER

Helen Asmus3510 Texas Blvd903-794-3236Helen Asmus3502 Texas Blvd903-794-3236Judge L. Alfred3606 Texas Blvd903-278-7343

Attachment: 2017-056 ATTH 04 Petition within 200' (1652 : 2017-056 ORD site plan approval at 3603 Texas Blvd.)

LEONEL MENDOZA 3422 Moore Drive 903 277 1044

Kimberly Smith McHenry 115 Park Circle 430-200-8612

James A. Barnett 3523 TX BLVD 903-794-9407

Jay Barnett 3523 Texas Blvd. 903-826-5026

Janod Barnett 3523 Texas Blvd 903-826-2112

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BOWIE

We, the undersigned, hereby state and represent to the Planning and Zoning Commission and the City Counsel of the City of Texarkana, Texas, that we own property that is not within 200 feet of the property located at 3603 Texas Boulevard, Texarkana, Texas that Bryan Calloway is attempting to secure an Amendment to PD-15-5 (GR) for site plan approval to allow the location of an office/retail building, storage building and outside plant sales *but that we own property in close proximity to this lot.*

This address, 3603 Texas Boulevard was re-zoned general retail for a restaurant/catering business in 2015. This was never done, and now the former owners wish to sell this location, and their buyer wishes to use it for a landscape business.

We signed the first petition opposing the site plan and a specific use permit to allow outside display and storage. Then it was withdrawn, and after a closed meeting with the City Attorney a new site plan has been proposed.

We further state and represent that we are opposed to the granting of said Amendment and request that said application be denied. It is our understanding that to have the landscape business, the buyer of 3603 Texas Boulevard intends to purchase the lot to the north which is not zoned general retail. We intend to oppose any proposed re-zoning of that lot as well.

NAME	ADDRESS	TELEPHONE NUMBER
<u>Howard Mowery</u>	<u>3723 Texas Blvd</u> <u>Texarkana, TX 75503</u>	<u>903-823-0101</u>
<u>[Signature]</u>	<u>3918 Texas Blvd</u> <u>TEXARKANA, TX 75503</u>	<u>903-823-3000</u>

Attachment: 2017-056 ATTH 05 Petition outside 200' (1652 : 2017-056 ORD site plan approval at 3603 Texas Blvd.)

Sylvia Adams3623 Texas Blvd903-792-1525Deala Jo Ward3901 Texas Blvd903-277-8972

Attachment: 2017-056 ATTH 05 Petition outside 200' (1652 : 2017-056 ORD site plan approval at 3603 Texas Blvd.)

TEX-Burk, Debbie

From: Reala Jo Kent <realajokent@yahoo.com>
Sent: Monday, May 08, 2017 4:28 PM
To: TEX-Burk, Debbie
Subject: Removal of name on petition

I, Reala Jo Ward owner of Fringe Salon & Beauty Bar would like my signature removed from the opposition petition against Bryan Calloway's business of Studio 230.

Sent from my iPhone

Attachment: 2017-056 ATTH 06 Request to remove name from petition (1652 : 2017-056 ORD site plan approval at 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:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

Attachment: 2017-056 Goals & Perspectives (1652 : 2017-056 ORD site plan approval at 3603 Texas Blvd.)

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 5/12/2017 2:50 PM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk
Subject: Ordinance No. 2017-057 granting a Specific Use Permit to allow a CEVMS on one side of an existing billboard on Lot 2, Lavender Lots Addition, located at 4002 St. Michael Drive. Texas Roadhouse Holdings LLC, owner. Ryan Zaloudik, Fairway Outdoor Advertising, agent.

Briefing: 6/12/2017 **Public Hearing:** 6/12/2017 **Second Briefing:** June 26, 2017 **Council Vote:** 7/10/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

S-678: This is a request by Texas Roadhouse Holdings, LLC, owner, and Ryan Zaloudik with Fairway Outdoor Advertising, agent, for a Specific Use Permit to allow the location of a Changeable Electronic Variable Message Sign (CEVMS) on Lot 2, Lavender Lots Addition, located at 4002 St. Michael Drive. The existing billboard at this location is on Texas Roadhouse Restaurant's property.

The adjacent zoning is Commercial to the north and east, I-30 to the south, and General Retail to the west. The adjacent land use is vacant land and parking lot to the north, Longhorn Steakhouse Restaurant to the east, Discount Tire to the west and I-30 to the south.

As previously stated, an existing billboard is currently located at this site. The current billboard has four faces; two facing each direction. The proposal is to combine the two east faces into one face for a total area of 672 square feet. This new face will be converted to a CEVMS. The other side of the billboard will remain the same.

A Specific Use Permit is required for the CEVMS.

All notification requirements have been met to consider this request,

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Since this billboard is located along the I-30 corridor, staff recommends for approval of the Specific Use Permit with the following stipulations:

City of Texarkana, Texas

- The east side of the existing billboard will be converted from two sign faces into one sign face.
- This new sign face will be converted to CEVMS.
- The CEVMS side will be 672 square feet in size which is the maximum size allowed per Ordinance.
- All State of Texas requirements for this location will be followed except when local requirements are more restrictive.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

May 1, 2017

Attachments

- a. 2017-057 ORD granting SUP for CEVMS billboard (PDF)
- b. 2017-057 ATTH 01 Billboard and location (PDF)
- c. 2017-057 ATTH 02 Maps (PDF)
- d. 2017-057 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	05/12/2017 4:15 PM	
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager
Review Completed	05/15/2017 8:50 AM	
Public Information Officer	Lisa Thompson	PIO Review Completed
05/15/2017 8:57 AM		
City Manager	Kyle Dooley	City Manager Review Completed 05/15/2017
10:57 AM		
City Council	Jennifer Evans	Meeting Completed 05/22/2017
6:00 PM		

Meeting History

ORDINANCE NO. 2017-057

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-678 TO ALLOW A CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGN (CEVMS) ON THE EAST SIDE OF AN EXISTING BILLBOARD ON LOT 2, LAVENDER LOTS ADDITION, LOCATED AT 4002 ST. MICHAEL DRIVE 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 a Changeable Electronic Variable Message Sign (CEVMS) on the east side of an existing billboard** on Lot 2, Lavender Lots Addition, located at 4002 St. Michael Drive in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas **voted six (6) to zero (0) to recommend approval of the application for a Specific Use Permit to allow a Changeable Electronic Variable Message Sign (CEVMS) on the east side of an existing billboard** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that granting the **Specific Use Permit to allow a Changeable Electronic Variable Message Sign (CEVMS) on the east side of an existing billboard** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant a **Specific Use Permit numbered S-678 for the purpose of allowing a Changeable Electronic Variable Message Sign (CEVMS) on the east side of an existing billboard** on Lot 2, Lavender Lots Addition, located at 4002 St. Michael Drive in the City of Texarkana, Bowie County, Texas.

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

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

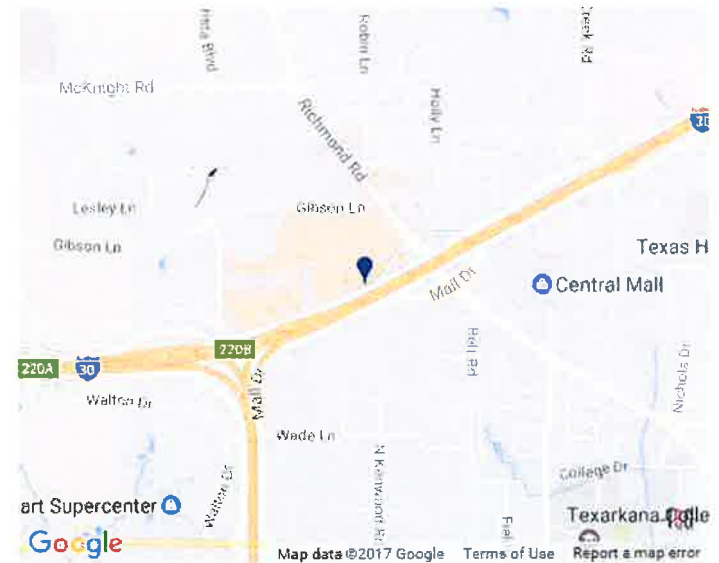
SECTION 4: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in regular Council Session on this the **10th day of July, 2017.**

ATTEST:

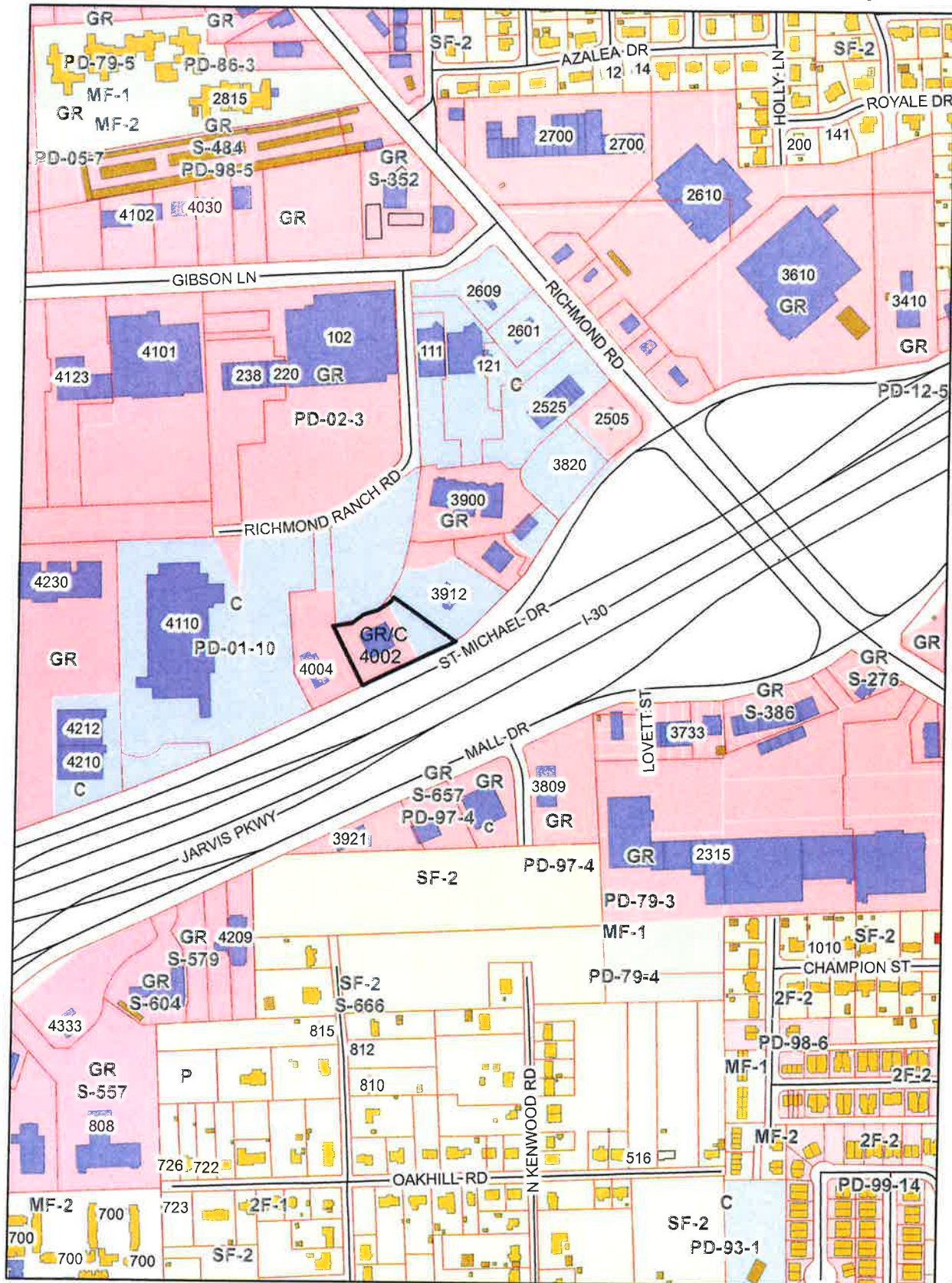
JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

FAIRWAY**PHOTO SHEET****1741 >> I-30 0.2 mi W/O RICHMOND RD NS F/E****MEDIA TYPE: Bulletin****CITY: TEXARKANA****COUNTY: BOWIE****STATE: TEXAS****Geopath Number: 7409702****Total Weekly Impressions: 292,427*****Direction Facing: E****Illumination Hours: 18 Hours****Size: 10x32****Zip Code: 75503****Latitude: 33.45535****Longitude: -94.0905**

* The Geopath Audience Location Measurement™ system data is provided by the Traffic Audit Bureau for Media Measurement, Inc. New York, New York © Copyright 2017, All Rights Reserved

4002 St.Michael Dr.
Department of Planning and Community Development



Attachment: 2017-057 ATTH 02 Maps (1653 : 2017-057 ORD Specific Use Permit at 4002 St. Michael Dr.)



1:6,000



4002 St. Michael Dr. Department of Planning and Community Development



1:3,000

Attachment: 2017-057 ATTH 02 Maps (1653 : 2017-057 ORD Specific Use Permit at 4002 St. Michael 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:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

City of Texarkana, Texas

Version: A

Update Date: 5/15/2017 11:31 AM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,
Ordinance No. 2017-058 rezoning a 16.26 acre tract being a part of Lot Z of the
Subject: Jacob Carsner HRS, A-116, located at 1600 South State Line Avenue. Single
Family to PD-Agriculture. Danny Flanagan, applicant. Mike Thacker, agent.
Briefing: 6/12/2017 **Public Hearing:** 6/12/2017 **Second Briefing:** June 26, 2017 **Council Vote:** 7/10/2017

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

NOT APPLICABLE

Executive Summary and Background Information:

Z-16-6: This is a request by Danny Flanagan, owner, and Mike Thacker with Texarkana Fallen Bikers Memorial Wall, agent, to rezone a 16.26 acre tract of land being a part of Lot Z, Jacob Carsner HRS, A-166, located at 1600 South State Line Avenue from Single Family-3 to PD-Agriculture. The current use is a vacant wooded tract of land. The proposed use is a private park.

The adjacent zoning is Single Family-3 to the north, Agriculture to the south, Single Family-2 and Industrial-1 to the west and Texarkana, Arkansas to the east. The adjacent land use is residences and vacant land to the north, residences to the south, a manufactured home and vacant land to the west, and Texarkana, Arkansas to the east.

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

The Zoning Ordinance does not have a private park listed as a designated use in the "Use Regulation Districts". Staff determined that this proposed use would best fit in the category of "outdoor commercial amusement" which is allowed in the Agriculture zoning district with approval of a Specific Use Permit.

The applicant is representing the committee of Texarkana Fallen Bikers Memorial Wall. In the attached letter, the Committee states the proposed use of this property is to provide a place where family and friends of people who have been killed in motorcycle accidents can come to grieve, honor, remember and celebrate their loved one's life in a peaceful setting. The proposed plans are to construct a memorial wall for the "fallen bikers" as well as to construct a private park with plans for the following:

- Parking lot
- Entranceway with gate
- Lighting
- Flag pole
- Fencing
- Information center

City of Texarkana, Texas

- Restrooms
- Signage
- Walkways with pathway bridges
- Cook shack (concession stand)
- Picnic areas
- Amphitheater/stage area
- Pavilion
- Park benches
- Landscaping/hardscaping (flower beds, gardens, etc.)

The proposed park will be constructed in stages and the applicant is aware that it is the organization's responsibility to maintain the park. Part of this property is in a flood plain so only a portion of the property will be able to be developed. The applicant has stated that there will be an effort made to retain as many trees as possible.

All city codes must be met including but not limited to building, subdivision, fire, drainage, flood plain, water and sewer.

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Since a portion of this property is in a flood plain, a park may be a viable alternative use for part of this vacant tract of land. The applicant has submitted the attached site plan that shows the proposed layout of the park. Staff recommends that the property be rezoned to PD-Agriculture.

The applicant agreed at the Planning and Zoning Commission meeting to amend his application to include the Planned Development designation.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval to PD-Agriculture.

Advisory Board/Committee Meeting Date and Minutes:

May 1, 2017

Attachments

- a. 2017-058 ORD rezoning 1600 S. Stateline from SF-3 to PD-A (PDF)
- b. 2017-058 ATTH 01 Maps (PDF)
- c. 2017-058 ATTH 02 Letter from applicant (PDF)
- d. 2017-058 ATTH 03 Zoning district definitions (PDF)

City of Texarkana, Texas

e. 2017-058 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	05/12/2017 4:15 PM	
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager
Review	Completed	05/15/2017 10:59 AM
Public Information Officer	Lisa Thompson	PIO Review Completed
	05/15/2017 11:11 AM	
City Manager	John Whitson	City Manager Review Completed 05/19/2017
8:27 AM		
City Council	Jennifer Evans	Meeting Completed 05/22/2017
6:00 PM		

Meeting History

Z-17-6

ORDINANCE NO. 2017-058

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING A 16.26 ACRE TRACT BEING A PART OF LOT Z OF THE JACOB CARNSER HRS, A-116, LOCATED AT 1600 SOUTH STATE LINE AVENUE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-3 TO PLANNED DEVELOPMENT-AGRICULTURE; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone a 16.26 acre tract being a part of Lot 1 of the Jacob Carsner HRS, A-116 (**Exhibit 'A'**), located at 1600 South State Line Avenue in the City of Texarkana, Bowie County, Texas, from **Single Family-3 to Agriculture**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas **voted six (6) to zero (0) to recommend the application for rezoning from Single Family-3 to Planned Development-Agriculture** 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 change the application from Single Family-3 to Planned Development-Agriculture; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-3 to Planned Development-Agriculture** 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:

Attachment: 2017-058 ORD rezoning 1600 S. Stateline from SF-3 to PD-A (1655 : 2017-058 ORD rezoning at 1600 S. State Line)

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone a 16.26 acre tract being a part of Lot Z of the Jacob Carsner HRS, A-116 (**Exhibit 'A'**), located at 1600 South State Line Avenue in the City of Texarkana, Bowie County, Texas, from **Single Family-3 to Planned Development-Agriculture**.

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **10th day of July, 2017**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

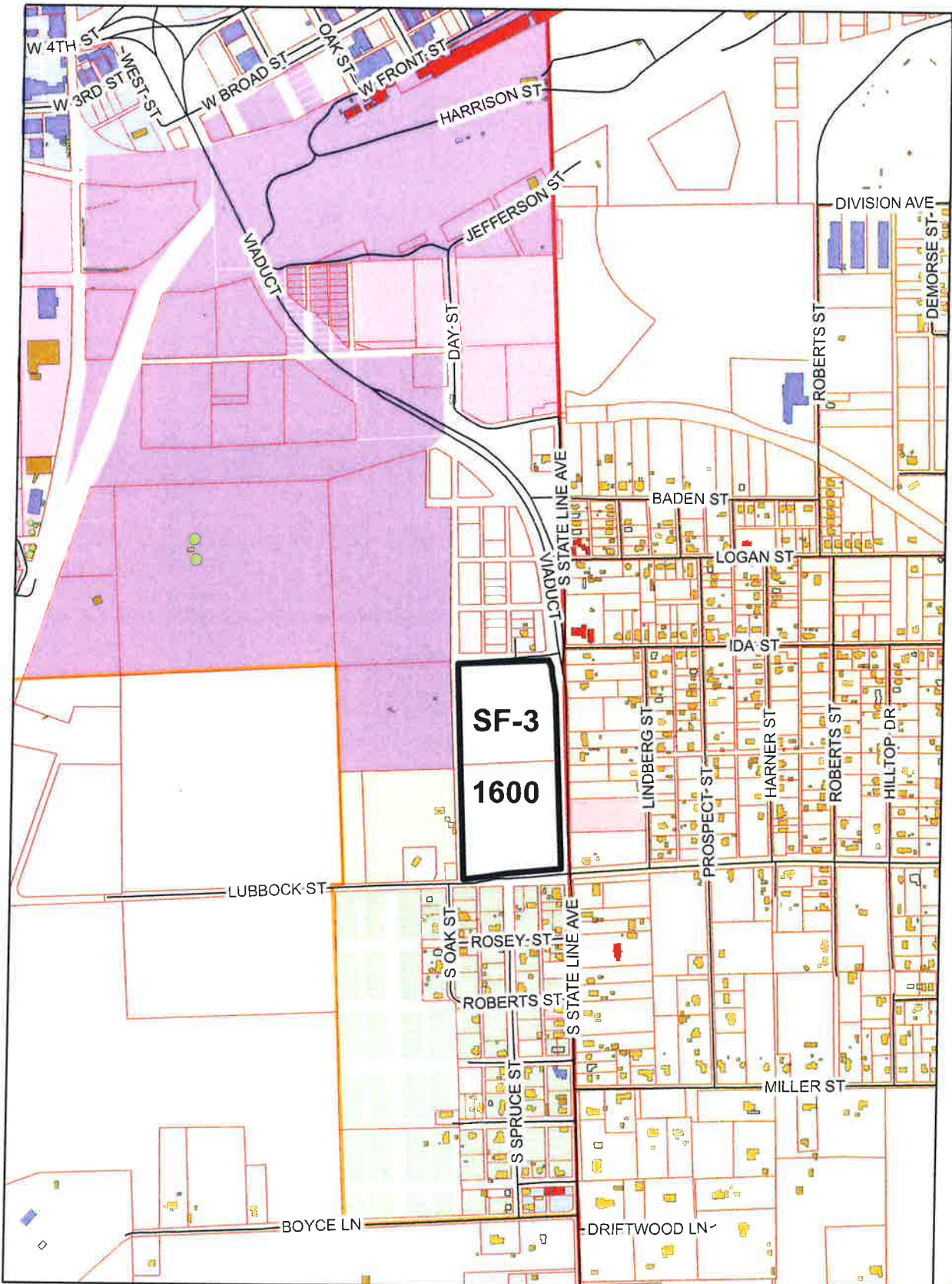
BOB BRUGGEMAN, MAYOR

Exhibit 'A'

Being a part of Lot Z of the Jacob Carsner Headright Survey, Abstract No. 116, Bowie County, Texas, comprised of two deeds to Humco Laboratory, Inc., from Beatrice Braswell Causey, Sid Clark Braswell, James Rainey, Robert B. Rainey, and Tommie Sue Fleming dated July 15, 1981, and Benjamin L. Fleming and wife, Tommie Sue Fleming, dated July 15, 1981, being more particularly described as follows:

COMMENCE at the Northeast corner of Block Z of the Jacob Carsner Headright Survey, said point being on the state boundary line between the State of Arkansas and the State of Texas;
 THENCE South 01° 51' 44" E, 25.0 feet along said state boundary line;
 THENCE South 87° 31' 16" West, 106.11 feet to the POINT OF BEGINNING of the herein described tract, a point on the West right-of-way line of South State Line Avenue and the South right-of-way line of Deloach Street;
 THENCE South 87° 01' 20" West, 513.96 feet along the South right-of-way of Deloach Street to the East right-of-way of Oak Street extended;
 THENCE South 03° 10' 02" East, 628.91 feet along the East right-of-way line of Oak Street extended;
 THENCE South 87° 11' 52" West, 50.0 feet to a point;
 THENCE South 02° 24' 53" East, 520.96 feet to a point;
 THENCE North 88° 16' 30" East, 51.56 feet to a point;
 THENCE South 02° 29' 07" East, 98.54 feet to the North right-of-way of Lubbock Street;
 THENCE North 88° 08' 16" East, 52.73 feet along the North right-of-way of Lubbock Street;
 THENCE North 86° 33' 59" East, 334.39 feet along the North right-of-way of Lubbock Street;
 THENCE North 80° 03' 44" East, 162.53 feet along the North right-of-way of Lubbock Street and the West right-of-way of South State Line Avenue;
 THENCE North 01° 51' 44" West, 778.78 feet along the West right-of-way of South State Line Avenue;
 THENCE North 08° 59' 14" West, 452.33 feet along said West right-of-way of South State Line Avenue to the POINT OF BEGINNING, CONTAINING 16.26 acres, more or less.

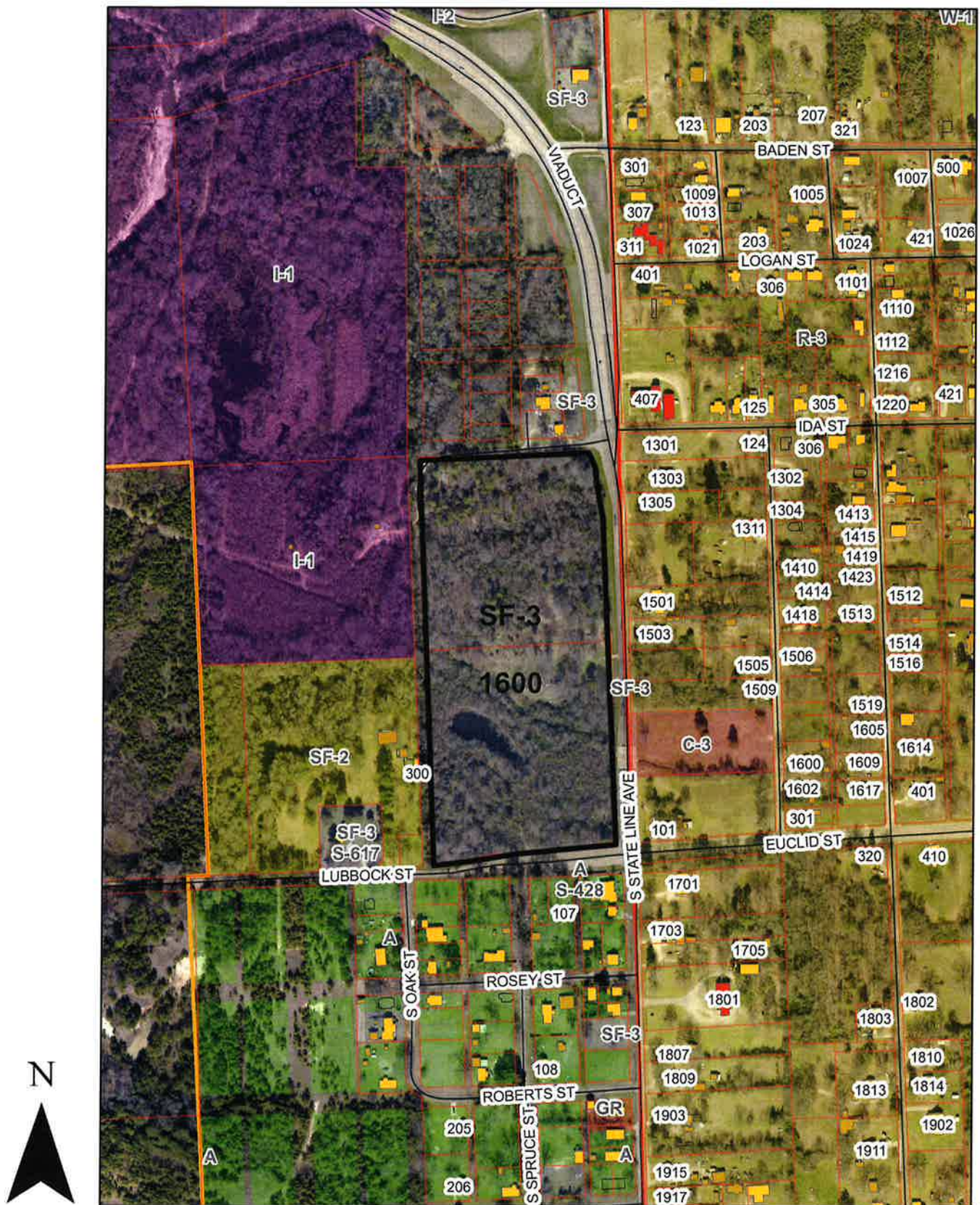
1600 South Staleline Ave. Department of Planning and Community Development



1:10,000



1600 South Staleline Ave.
Department of Planning and Community Development



1:5,000



Texarkana Fallen Bikers Memorial Wa
5307 Boykin L
Texarkana, AR 7185
(903)278-524

City of Texarkana, Texas
P O Box 1967
Texarkana, TX 75504

Dear Sir/Madam;

This is in regards to the purchase of property located at South Stateline Ave. Texarkana, TX 75501, with the intent of developing the “Texarkana Fallen Bikers Memorial Wall”. We the committee of, Texarkana Fallen Bikers Memorial Wall, are proposing the use of this property to be a place where Mothers, Fathers, Daughters, Sons, Sisters, Brothers, Family, Friends, and other loved ones of people from all walks of life who have been killed in motorcycle accidents can go to grieve, honor, remember and celebrate their loved ones life, in a peaceful serene setting.

We feel that the Memorial Wall will bring much needed revenue for our city, by attracting tourist into our city which will in turn have people staying in local hotels, eating at local restaurants, and shopping at local businesses, as well as beautifying an area of our city.

Some of our plans for this property are as follows:

- **Memorial Wall**
- **Parking Lot**
- **Entrance Way/Gate**
- **Lighting**
- **Flag Pole**
- **Fencing**
- **Information Center Building**
- **Bathrooms (Men’s & Women’s)**
- **Signage**
- **Walkways with pathway bridges (as needed for walkway)**
- **Cook Shack**
- **Picnic Areas**
- **Amphitheater / Stage Area**
- **Pavilion**
- **Park Style Benches**
- **Landscaping / Hardscaping (Flower Beds/Gardens etc)**

We are excited to have our vision of the Texarkana Fallen Bikers Memorial Wall become a reality and look forward to working with the cooperation of the City of Texarkana, TX to making this beautiful memorial area come to life.

Attachment: 2017-058 ATTH 02 Letter from applicant (1655 : 2017-058 ORD rezoning at 1600 S. State Line)



CITY OF TEXARKANA TEXAS

ZONING DISTRICT DEFINITIONS

Po Box 1007
220 Te
Texarkana TX 75504
(903) 798-3945
www.txkusa.org

6.6.d

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

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

Attachment: 2017-058 ATTH 03 Zoning district definitions (1655 : 2017-058 ORD rezoning at 1600 S. State Line)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 5/12/2017 2:49 PM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,
Ordinance No. 2017-059 granting a Specific Use permit to allow outdoor commercial amusement (private park) on a 16.26 acre tract being a part of Lot Z of the Jacob Carsner HRS, A-116, located at 1600 South State Line Avenue.

Subject: Danny Flanagan, applicant. Mike Thacker, agent.

Briefing: 6/12/2017 **Public Hearing:** 6/12/2017 **Second Briefing:** June 26, 2017 **Council Vote:** 7/10/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

S-679: This is a request by Danny Flanagan, owner, and Mike Thacker with Texarkana Fallen Bikers Memorial Wall, agent, to rezone a 16.26 acre tract of land being a part of Lot Z, Jacob Carsner HRS, A-166, located at 1600 South State Line Avenue for a Specific Use Permit to allow the one additional use of a private park (outdoor commercial amusement). Currently, the property is a vacant wooded tract of land.

The adjacent zoning is Single Family-3 to the north, Agriculture to the south, Single Family-2 and Industrial-1 to the west and Texarkana, Arkansas to the east. The adjacent land use is residences and vacant land to the north, residences to the south, a manufactured home and vacant land to the west, and Texarkana, Arkansas to the east.

The Zoning Ordinance does not have a private park listed as a designated use in the "Use Regulation Districts". Staff determined that this proposed use would best fit in the category of "outdoor commercial amusement" which is allowed in the Agriculture zoning district with approval of a Specific Use Permit.

The applicant is representing the committee of Texarkana Fallen Bikers Memorial Wall. In the attached letter, the Committee states the proposed use of this property is to provide a place where family and friends of people who have been killed in motorcycle accidents can come to grieve, honor, remember and celebrate their loved one's life in a peaceful setting. The proposed plans are to construct a memorial wall for the "fallen bikers" as well as to construct a private park with plans for the following:

- Parking lot
- Entranceway with gate
- Lighting
- Flag pole
- Fencing
- Information center

City of Texarkana, Texas

- Restrooms
- Signage
- Walkways with pathway bridges
- Cook shack (concession stand)
- Picnic areas
- Amphitheater/stage area
- Pavilion
- Park benches
- Landscaping/hardscaping (flower beds, gardens, etc.)

The proposed park will be constructed in stages and the applicant is aware that it is the organization's responsibility to maintain the park. Part of this property is in a flood plain so only a portion of the property will be able to be developed. The applicant has stated that there will be an effort made to retain as many trees as possible.

All notification requirements have been met to consider this request

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Since a portion of this property is in a flood plain, it will most likely never be developed with any type of residential uses. A park may be a viable alternative use for this vacant tract of land. Staff recommends for approval of this request with the following stipulations:

- The park is private property and will be maintained by the property owner. The City will provide no maintenance.
- The park will be allowed to be constructed in stages.
- Any outdoor lighting is to be shielded from adjacent residential properties.
- The park will close at 10 p.m.
- The park will adhere to the City's Noise Ordinance.
- If construction on the park has not begun in three (3) years from the date of this Ordinance, this Specific Use Permit will be automatically revoked.
- If any of the above stipulations are violated, the City has the right to revoke the Specific Use Permit.

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of the Specific Use Permit with staff stipulations.

Advisory Board/Committee Meeting Date and Minutes:

May 1, 2017

Attachments

- a. 2017-059 ORD granting SUP for private park at 1600 S. State Line(PDF)
- b. 2017-059 ATTH 01 Maps (PDF)

City of Texarkana, Texas

- c. 2017-059 ATTH 02 Letter from applicant (PDF)
- d. 2017-059 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	
Completed	05/12/2017 4:14 PM		
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager	
Review	Completed	05/15/2017 10:59 AM	
Public Information Officer	Lisa Thompson	PIO Review	Completed
	05/15/2017 11:12 AM		
City Manager	John Whitson	City Manager Review	Completed 05/19/2017
8:27 AM			
City Council	Jennifer Evans	Meeting	Completed 05/22/2017
6:00 PM			

Meeting History

S-679

ORDINANCE NO. 2017-059

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-679 TO ALLOW OUTDOOR COMMERCIAL AMUSEMENT (PRIVATE PARK) ON A 16.26 ACRE TRACT BEING A PART OF LOT Z OF THE JACOB CARSNER HRS, A-116, LOCATED AT 1600 SOUTH STATE LINE AVENUE, 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 **outdoor commercial amusement (private park)** on a 16.26 acre tract being a part of Lot Z of the Jacob Carsner HRS, A-116 (**Exhibit 'A'**), located at 1600 South State Line Avenue, in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously six (6) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow outdoor commercial amusement (private park)** 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 Number S-679 for the purpose of allowing outdoor commercial amusement (private park)** on the following described property, to-wit: **a 16.26 acre tract being a part of Lot Z of the Jacob Carsner HRS, A-116, located at 1600 South State Line Avenue, in the City of Texarkana, Bowie County, Texas.**

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

1. The park is private property and will be maintained by the property owner. The City will provide no maintenance.
2. The park will be allowed to be constructed in stages.
3. Any outdoor lighting is to be shielded from adjacent residential properties.
4. The park will close at 10 p.m.
5. The park will adhere to the City's Noise Ordinance.
6. If construction on the park has not begun in three (3) years from the date of this Ordinance, this Specific Use Permit will be automatically revoked.
7. If any of the above stipulations are violated, the City has the right to revoke the Specific Use Permit.

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

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

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

PASSED AND APPROVED in regular Council Session on this the **10th day of July, 2017.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

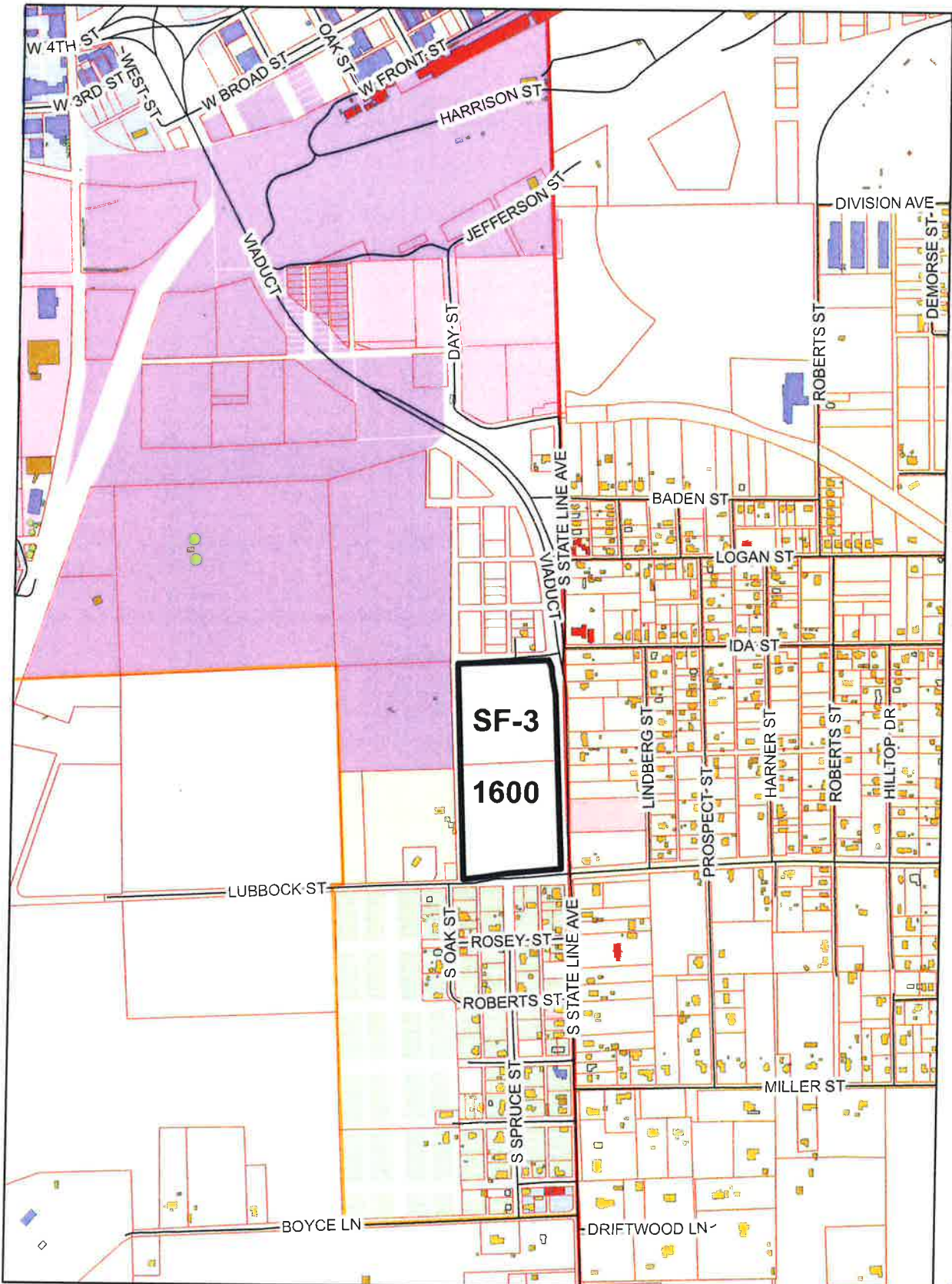
BOB BRUGGEMAN, MAYOR

Exhibit 'A'

Being a part of Lot Z of the Jacob Carsner Headright Survey, Abstract No. 116, Bowie County, Texas, comprised of two deeds to Humco Laboratory, Inc., from Beatrice Braswell Causey, Sid Clark Braswell, James Rainey, Robert B. Rainey, and Tommie Sue Fleming dated July 15, 1981, and Benjamin L. Fleming and wife, Tommie Sue Fleming, dated July 15, 1981, being more particularly described as follows:

COMMENCE at the Northeast corner of Block Z of the Jacob Carsner Headright Survey, said point being on the state boundary line between the State of Arkansas and the State of Texas;
 THENCE South $01^{\circ} 51' 44''$ E, 25.0 feet along said state boundary line;
 THENCE South $87^{\circ} 31' 16''$ West, 106.11 feet to the POINT OF BEGINNING of the herein described tract, a point on the West right-of-way line of South State Line Avenue and the South right-of-way line of Deloach Street;
 THENCE South $87^{\circ} 01' 20''$ West, 513.96 feet along the South right-of-way of Deloach Street to the East right-of-way of Oak Street extended;
 THENCE South $03^{\circ} 10' 02''$ East, 628.91 feet along the East right-of-way line of Oak Street extended;
 THENCE South $87^{\circ} 11' 52''$ West, 50.0 feet to a point;
 THENCE South $02^{\circ} 24' 53''$ East, 520.96 feet to a point;
 THENCE North $88^{\circ} 16' 30''$ East, 51.56 feet to a point;
 THENCE South $02^{\circ} 29' 07''$ East, 98.54 feet to the North right-of-way of Lubbock Street;
 THENCE North $88^{\circ} 08' 16''$ East, 52.73 feet along the North right-of-way of Lubbock Street;
 THENCE North $86^{\circ} 33' 59''$ East, 334.39 feet along the North right-of-way of Lubbock Street;
 THENCE North $80^{\circ} 03' 44''$ East, 162.53 feet along the North right-of-way of Lubbock Street and the West right-of-way of South State Line Avenue;
 THENCE North $01^{\circ} 51' 44''$ West, 778.78 feet along the West right-of-way of South State Line Avenue;
 THENCE North $08^{\circ} 59' 14''$ West, 452.33 feet along said West right-of-way of South State Line Avenue to the POINT OF BEGINNING, CONTAINING 16.26 acres, more or less.

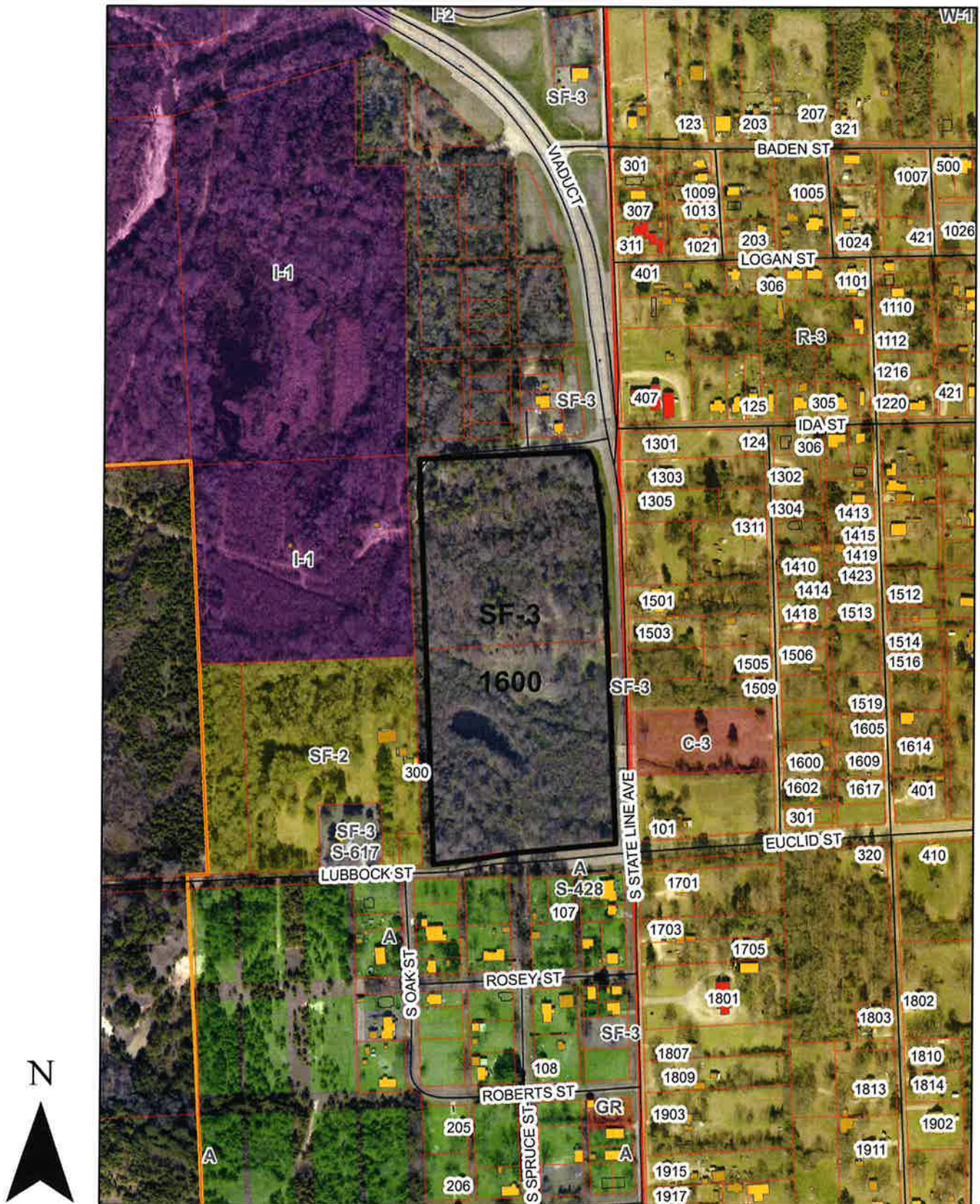
1600 South Staleline Ave. Department of Planning and Community Development



1:10,000



1600 South Staleline Ave.
Department of Planning and Community Development



1:5,000





Texarkana Fallen Bikers Memorial Wa
5307 Boykin L
Texarkana, AR 7185
(903)278-524

City of Texarkana, Texas
P O Box 1967
Texarkana, TX 75504

Dear Sir/Madam;

This is in regards to the purchase of property located at South Stateline Ave. Texarkana, TX 75501, with the intent of developing the “Texarkana Fallen Bikers Memorial Wall”. We the committee of, Texarkana Fallen Bikers Memorial Wall, are proposing the use of this property to be a place where Mothers, Fathers, Daughters, Sons, Sisters, Brothers, Family, Friends, and other loved ones of people from all walks of life who have been killed in motorcycle accidents can go to grieve, honor, remember and celebrate their loved ones life, in a peaceful serene setting.

We feel that the Memorial Wall will bring much needed revenue for our city, by attracting tourist into our city which will in turn have people staying in local hotels, eating at local restaurants, and shopping at local businesses, as well as beautifying an area of our city.

Some of our plans for this property are as follows:

- **Memorial Wall**
- **Parking Lot**
- **Entrance Way/Gate**
- **Lighting**
- **Flag Pole**
- **Fencing**
- **Information Center Building**
- **Bathrooms (Men’s & Women’s)**
- **Signage**
- **Walkways with pathway bridges (as needed for walkway)**
- **Cook Shack**
- **Picnic Areas**
- **Amphitheater / Stage Area**
- **Pavilion**
- **Park Style Benches**
- **Landscaping / Hardscaping (Flower Beds/Gardens etc)**

We are excited to have our vision of the Texarkana Fallen Bikers Memorial Wall become a reality and look forward to working with the cooperation of the City of Texarkana, TX to making this beautiful memorial area come to life.

Attachment: 2017-059 ATTH 02 Letter from applicant (1656 : 2017-059 ORD Specific Use permit for private park at 1600 S. State Line)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 5/17/2017 2:55 PM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,
Ordinance No. 2017-062 amending PD-17-2(A) for site plan approval on a
16.26 acre tract being a part of Lot Z of the Jacob Carsner HRS, A-116, located
at 1600 South State Line Avenue. Danny Flanagan, applicant. Mike Thacker,
Subject: agent.

Briefing: 6/12/2017 **Public Hearing:** 6/12/2017 **Second Briefing:** June 26, 2017 **Council Vote:** 7/10/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Z-16-6: This is a request by Danny Flanagan, owner, and Mike Thacker with Texarkana Fallen Bikers Memorial Wall, agent, for site plan approval to allow outdoor commercial amusement (private park) on a 16.26 acre tract of land being a part of Lot Z, Jacob Carsner HRS, A-166, located at 1600 South Stateline Avenue from Single Family-3 to Agriculture. The current use is a vacant wooded tract of land. The proposed use is a private park. Please see attached site plan.

The adjacent zoning is Single Family-3 to the north, Agriculture to the south, Single Family-2 and Industrial-1 to the west and Texarkana, Arkansas to the east. The adjacent land use is residences and vacant land to the north, residences to the south, a manufactured home and vacant land to the west, and Texarkana, Arkansas to the east.

The Comprehensive Plan has designated this as a retail area.

The applicant is representing the committee of Texarkana Fallen Bikers Memorial Wall. In the attached letter, the Committee states the proposed use of this property is to provide a place where family and friends of people who have been killed in motorcycle accidents can come to grieve, honor, remember and celebrate their loved one's life in a peaceful setting. The proposed plans are to construct a memorial wall for the "fallen bikers" as well as to construct a private park with plans for the following:

- Parking lot
- Entranceway with gate
- Lighting
- Flag pole
- Fencing
- Information center
- Restrooms

City of Texarkana, Texas

- Signage
- Walkways with pathway bridges
- Cook shack (concession stand)
- Picnic areas
- Amphitheater/stage area
- Pavilion
- Park benches
- Landscaping/hardscaping (flower beds, gardens, etc.)

The proposed park will be constructed in stages and the applicant is aware that it is the organization's responsibility to maintain the park. Part of this property is in a flood plain so only a portion of the property will be able to be developed. The applicant has stated that there will be an effort made to retain as many trees as possible.

All city codes must be met including but not limited to building, subdivision, fire, drainage, flood plain, water and sewer.

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Since a portion of this property is in a flood plain, a park may be a viable alternative use for part of this vacant tract of land. The applicant has submitted the attached site plan that shows the proposed layout of the park. Staff recommends for approval of the site plan as submitted with the following stipulations:

- The park is private property and will be maintained by the property owner. The City will provide no maintenance.
- The park will be allowed to be constructed in stages.
- Any outdoor lighting is to be shielded from adjacent residential properties.
- The park will close at 10 p.m.
- The park will adhere to the City's Noise Ordinance.
- If any of the above stipulations are violated, the City has the right to revoke the Specific Use Permit.
- Parking provided will need to meet code. For Phase 2, a minimum of one parking space will need to be provided for every 3 seats in the amphitheater.
- Gravel parking will be allowed for the Phase 1 parking lot.
- When Phase II is built, required parking will need to be asphalt or concrete.
- Driveway must be asphalt or concrete in both phases.
- If any work is done in the flood plain, a Floodplain Development application will be required.
- If construction on the park has not begun in three (3) years from the date of this Ordinance, this Specific Use Permit will be automatically revoked.
- All city codes must be met including but not limited to building, subdivision, fire, drainage, flood plain, water and sewer.

Advisory Board/Committee Review:

City of Texarkana, Texas

Planning and Zoning Commission.

Board/Committee Recommendation:

The Planning and Zoning Commission recommended for approval of the site plan with staff stipulations.

Advisory Board/Committee Meeting Date and Minutes:

May 1, 2017

Attachments

- a. 2017-062 ORD Amending PD-17-2(A) for site plan approval (PDF)
- b. 2017-062 EXH 'A' site plan (PDF)
- c. 2017-062 ATTH 01 Maps (PDF)
- d. 2017-062 ATTH 02 Sign rendering (PDF)
- e. 2017-062 ATTH 03 Letter from applicant (PDF)
- f. 2017-062 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	05/12/2017 4:13 PM	
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager
Review Completed	05/15/2017 11:04 AM	
Public Information Officer	Lisa Thompson	PIO Review Completed
05/15/2017 11:12 AM		
City Manager	John Whitson	City Manager Review Completed 05/19/2017
8:27 AM		
City Council	Jennifer Evans	Meeting Completed 05/22/2017
6:00 PM		

Meeting History

Amendment to
PD-17-1(A)

ORDINANCE NO. 2017-062

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-17-1(A) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF OUTDOOR COMMERCIAL AMUSEMENT (PRIVATE PARK) ON A 16.26 ACRE TRACT BEING A PART OF LOT Z OF THE JACOB CARSNER HRS, A-116, LOCATED AT 1600 SOUTH STATE LINE AVENUE 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’)** to allow the location of **outdoor commercial amusement (private park)** on a 16.26 acre tract being a part of Lot Z of the Jacob Carsner HRS, A-116 (**Exhibit ‘B’**), located at 1600 South State Line Avenue in the City of Texarkana, Bowie County, Texas, (“the subject property”); and

WHEREAS, the subject property is zoned Planned Development-Agriculture [PD-17-1(A)], and approval of the site plan (**Exhibit ‘A’**) would constitute an amendment to PD-17-1(A); and

WHEREAS, the proposed use of outdoor commercial amusement (private park) is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-Agriculture; 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 held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously by a vote of six (6) to zero (0) to recommend to the City Council of Texarkana, Texas, the approval of the petition for a site plan (Exhibit ‘A’)** to allow the location of outdoor commercial amusement (private park).

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

SECTION 1: Subject to Section 2, below, the site plan (**Exhibit ‘A’**) for outdoor commercial amusement (private park) on a 16.26 acre tract being a part of Lot Z of the Jacob Carsner HRS, A-116 (**Exhibit ‘B’**), located at 1600 South State Line Avenue in the City of Texarkana, Bowie County, Texas, is hereby approved, with the City Council finding and determining that said approval is in the best interest of the public health, safety, morals and general welfare of the City.

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 with the following stipulations:

1. The park is private property and will be maintained by the property owner. The City will provide no maintenance.
2. The park will be allowed to be constructed in stages.
3. Any outdoor lighting is to be shielded from adjacent residential properties.
4. The park will close at 10 p.m.
5. The park will adhere to the City's Noise Ordinance.
6. If any of the above stipulations are violated, the City has the right to revoke the Specific Use Permit.
7. Parking provided will need to meet code. For Phase 2, a minimum of one parking space will need to be provided for every 3 seats in the amphitheater.
8. Gravel parking will be allowed for the Phase 1 parking lot.
9. When Phase II is built, required parking will need to be asphalt or concrete.
10. Driveway must be asphalt or concrete in both phases.
11. If any work is done in the flood plain, a Floodplain Development application will be required.
12. If construction on the park has not begun in three (3) years from the date of this Ordinance, this Specific Use Permit will be automatically revoked.
13. All city codes must be met including but not limited to building, subdivision, fire, drainage, flood plain, water and sewer.

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

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

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

PASSED AND APPROVED in Regular Council Session on this the 10th day of July, 2017.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

EXHIBIT 'A'

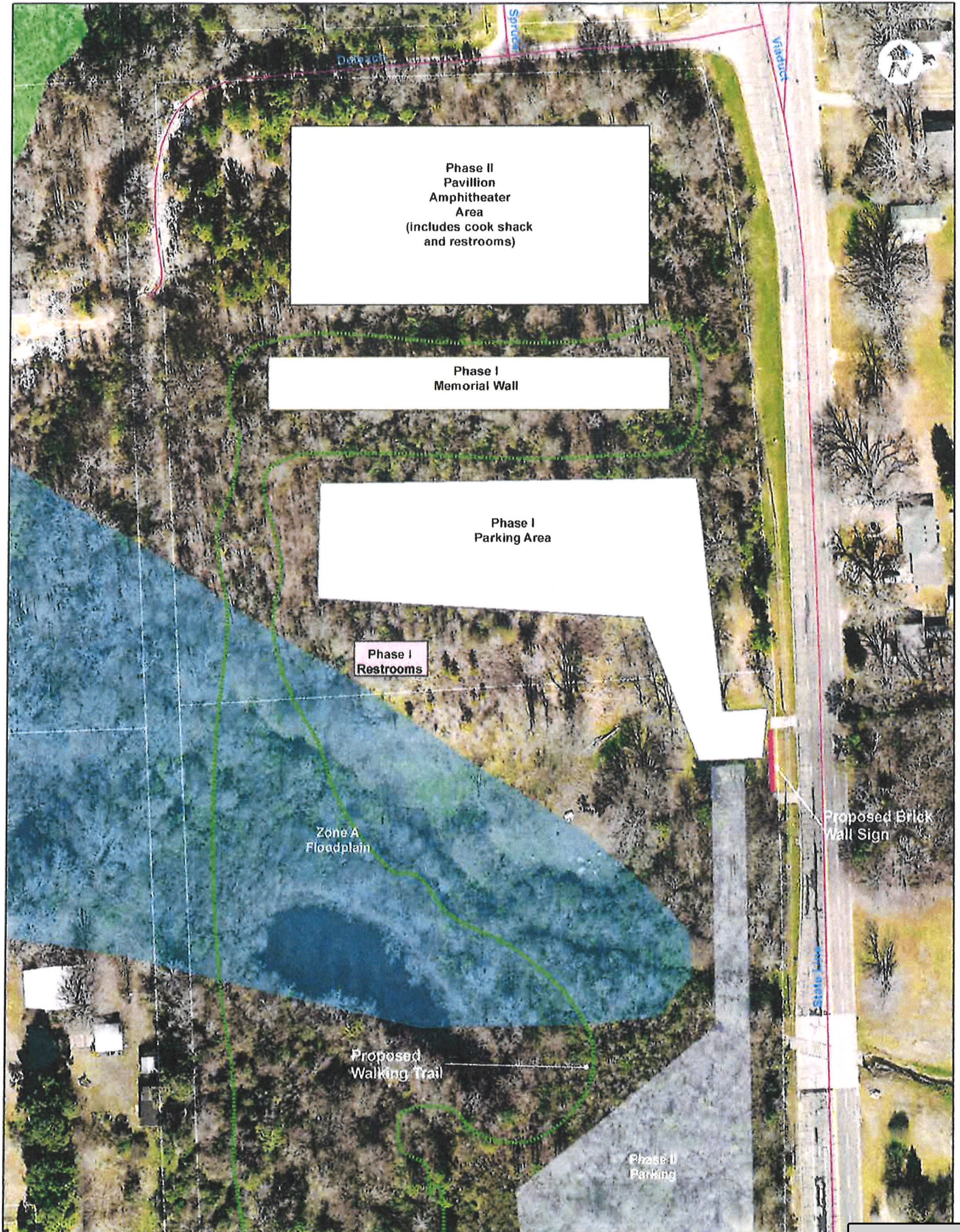


EXHIBIT 'B'

Being a part of Lot Z of the Jacob Carsner Headright Survey, Abstract No. 116, Bowie County, Texas, comprised of two deeds to Humco Laboratory, Inc., from Beatrice Braswell Causey, Sid Clark Braswell, James Rainey, Robert B. Rainey, and Tommie Sue Fleming dated July 15, 1981, and Benjamin L. Fleming and wife, Tommie Sue Fleming, dated July 15, 1981, being more particularly described as follows:

COMMENCE at the Northeast corner of Block Z of the Jacob Carsner Headright Survey, said point being on the state boundary line between the State of Arkansas and the State of Texas;

THENCE South $01^{\circ} 51' 44''$ E, 25.0 feet along said state boundary line;

THENCE South $87^{\circ} 31' 16''$ West, 106.11 feet to the POINT OF BEGINNING of the herein described tract, a point on the West right-of-way line of South State Line Avenue and the South right-of-way line of Deloach Street;

THENCE South $87^{\circ} 01' 20''$ West, 513.96 feet along the South right-of-way of Deloach Street to the East right-of-way of Oak Street extended;

THENCE South $03^{\circ} 10' 02''$ East, 628.91 feet along the East right-of-way line of Oak Street extended;

THENCE South $87^{\circ} 11' 52''$ West, 50.0 feet to a point;

THENCE South $02^{\circ} 24' 53''$ East, 520.96 feet to a point;

THENCE North $88^{\circ} 16' 30''$ East, 51.56 feet to a point;

THENCE South $02^{\circ} 29' 07''$ East, 98.54 feet to the North right-of-way of Lubbock Street;

THENCE North $88^{\circ} 08' 16''$ East, 52.73 feet along the North right-of-way of Lubbock Street;

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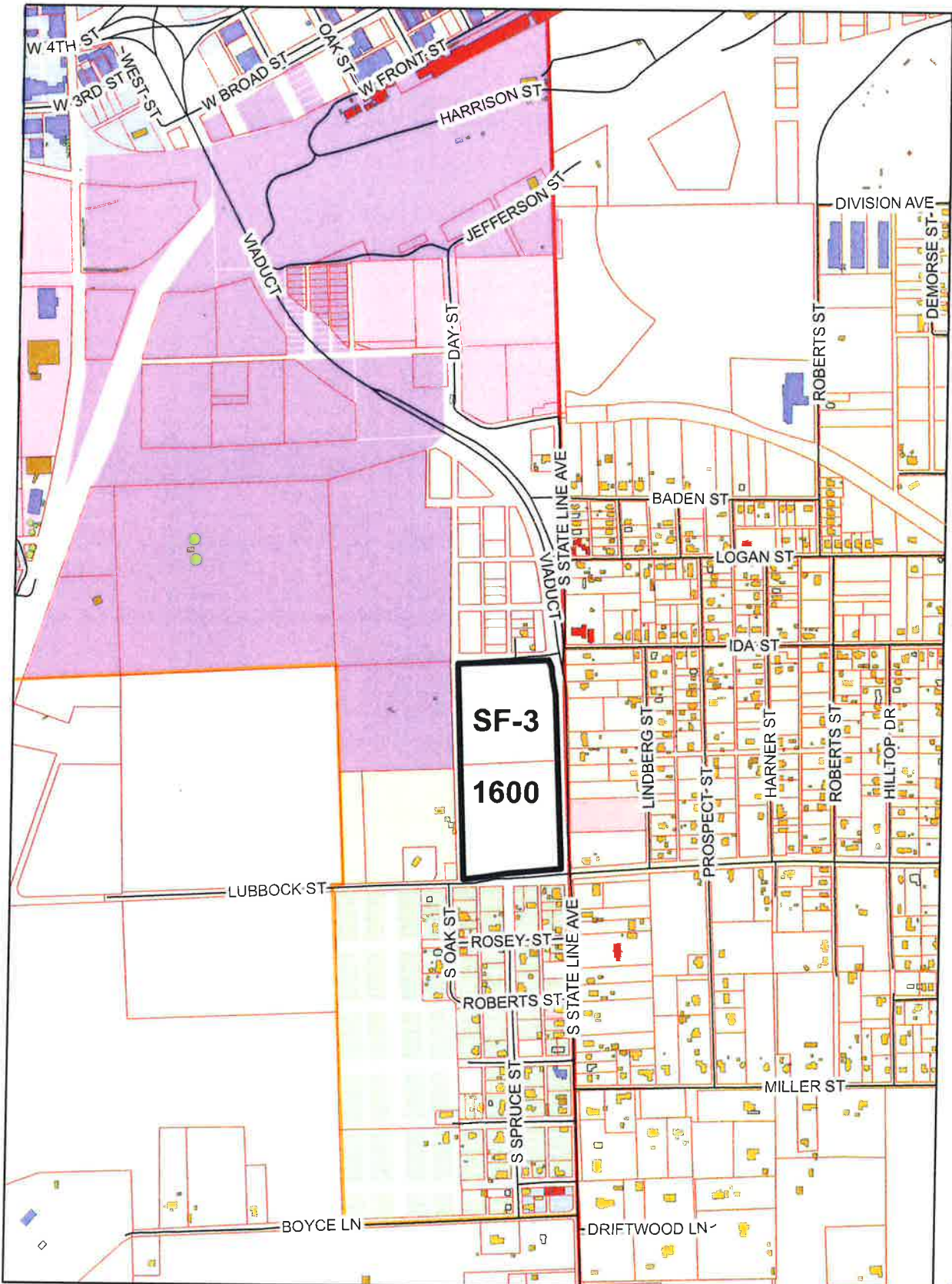
THENCE North $01^{\circ} 51' 44''$ West, 778.78 feet along the West right-of-way of South State Line Avenue;

THENCE North $08^{\circ} 59' 14''$ West, 452.33 feet along said West right-of-way of South State Line Avenue to the POINT OF BEGINNING, CONTAINING 16.26 acres, more or less.

EXHIBIT 'A'



1600 South Staleline Ave. Department of Planning and Community Development

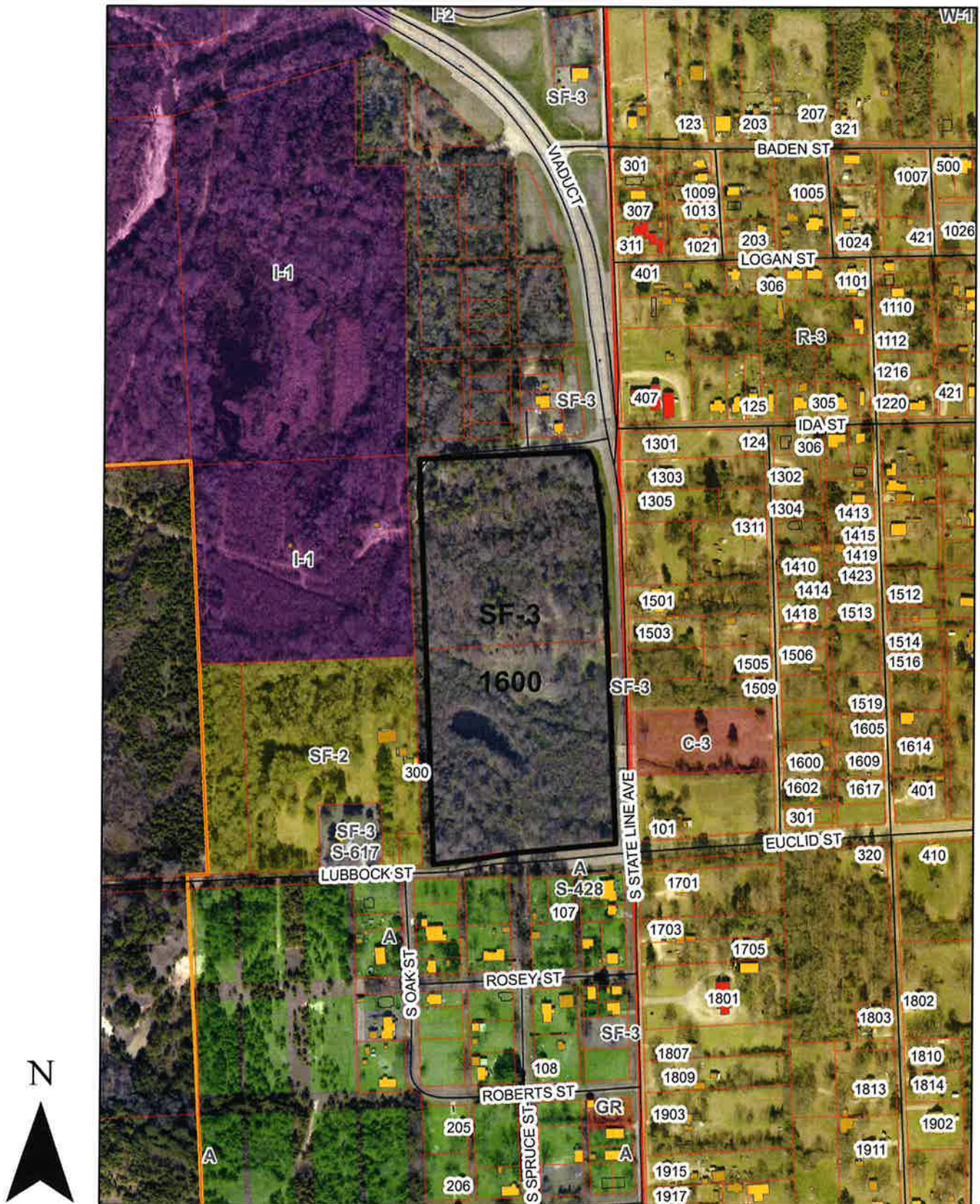


1:10,000

Attachment: 2017-062 ATTH 01 Maps (1658 : 2017-062 ORD amending PD-17-2(A) for site plan approval 1600 South State Line)



1600 South Staleline Ave.
Department of Planning and Community Development



1:5,000



**PROPOSED SIGN
APPROXIMATE DIMENSIONS
5' TALL X 50' LONG**





Texarkana Fallen Bikers Memorial Wa
5307 Boykin L
Texarkana, AR 7185
(903)278-524

City of Texarkana, Texas
P O Box 1967
Texarkana, TX 75504

Dear Sir/Madam;

This is in regards to the purchase of property located at South Stateline Ave. Texarkana, TX 75501, with the intent of developing the “Texarkana Fallen Bikers Memorial Wall”. We the committee of, Texarkana Fallen Bikers Memorial Wall, are proposing the use of this property to be a place where Mothers, Fathers, Daughters, Sons, Sisters, Brothers, Family, Friends, and other loved ones of people from all walks of life who have been killed in motorcycle accidents can go to grieve, honor, remember and celebrate their loved ones life, in a peaceful serene setting.

We feel that the Memorial Wall will bring much needed revenue for our city, by attracting tourist into our city which will in turn have people staying in local hotels, eating at local restaurants, and shopping at local businesses, as well as beautifying an area of our city.

Some of our plans for this property are as follows:

- **Memorial Wall**
- **Parking Lot**
- **Entrance Way/Gate**
- **Lighting**
- **Flag Pole**
- **Fencing**
- **Information Center Building**
- **Bathrooms (Men’s & Women’s)**
- **Signage**
- **Walkways with pathway bridges (as needed for walkway)**
- **Cook Shack**
- **Picnic Areas**
- **Amphitheater / Stage Area**
- **Pavilion**
- **Park Style Benches**
- **Landscaping / Hardscaping (Flower Beds/Gardens etc)**

We are excited to have our vision of the Texarkana Fallen Bikers Memorial Wall become a reality and look forward to working with the cooperation of the City of Texarkana, TX to making this beautiful memorial area come to life.

Attachment: 2017-062 ATTH 03 Letter from applicant (1658 : 2017-062 ORD amending PD-17-2(A) for site plan approval 1600 South State Line)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

City of Texarkana, Texas

Briefing Sheet

Version: A

Update Date: 5/15/2017 11:34 AM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,
Ordinance No. 2017-060 rezoning the west 3.420 acres of Lot 1, Orr CJD
Addition, located at 1102 Walton Drive. General Retail to Commercial.
William Gregg Orr, applicant. Kayla Wood, MTG Engineers and Surveyors,
Subject: agent.

Briefing: 6/12/2017 **Public Hearing:** 6/12/2017 **Second Briefing:** June 26, 2017 **Council Vote:** 7/10/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Z-16-7: This is a request by William Gregg Orr, owner, and MTG Engineering, agent, to rezone the west 3.420 acres of Lot 1, Orr CJD Addition, located at 1102 Walton Drive to allow the location of an automobile dealership.

The adjacent zoning is Commercial to the east and General Retail to the south and west. The adjacent land use is I-30 to the north, Academy Sports and vacant land to the south, a car dealership to the east and vacant land to the west.

The Comprehensive Plan has designated this as a retail area.

All city codes must be met including but not limited to building, subdivision, fire, drainage, flood plain, water and sewer.

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Since there are several car dealerships located in this area, staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

City of Texarkana, Texas

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval.

Advisory Board/Committee Meeting Date and Minutes:

May 1, 2017

Attachments

- a. 2017-060 ORD rezoning 1102 Walton Dr. from GR to Copy (PDF)
- b. 2017-060 ATTH 01 Maps (PDF)
- c. 2017-060 ATTH 02 Zoning district definitions (PDF)
- d. 2017-060 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	
Completed	05/12/2017 4:13 PM		
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager	
Review	Completed	05/15/2017 11:02 AM	
Public Information Officer	Lisa Thompson	PIO Review	Completed
	05/15/2017 11:12 AM		
City Manager	John Whitson	City Manager Review	Completed 05/19/2017
8:28 AM			
City Council	Jennifer Evans	Meeting	Completed 05/22/2017
6:00 PM			

Meeting History

Z-17-7

ORDINANCE NO. 2017-060

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING THE WEST 3.420 ACRES OF LOT 1, ORR CJD ADDITION, LOCATED AT 1102 WALTON 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 the west 3.420 acres of Lot 1, Orr CJD Addition, located at 1102 Walton 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 after holding hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted six (0) to zero (0) to recommend the application for rezoning from General Retail to Commercial** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **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 the west 3.420 acres of Lot 1, Orr CJD Addition, located at 1102 Walton Drive in the City of Texarkana, Bowie County, Texas, from **General Retail to Commercial**.

Attachment: 2017-060 ORD rezoning 1102 Walton Dr. from GR to Copy (1657 : 2017-060 ORD rezoning 1102 Walton Drive from GR to C)

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **10th day of July, 2017.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



Attachment: 2017-060 ATTH 01 Maps (1657 : 2017-060 ORD rezoning 1102 Walton Drive from GR to C)



Attachment: 2017-060 ATTH 01 Maps (1657 : 2017-060 ORD rezoning 1102 Walton Drive from GR to C)



CITY OF TEXARKANA TEXAS

ZONING DISTRICT DEFINITIONS

Po Box 1007
220 Te
Texarkana TX 75504
(903) 798-3945
www.txkusa.org

6.9.c

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

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

Attachment: 2017-060 ATTH 02 Zoning district definitions (1657 : 2017-060 ORD rezoning 1102 Walton Drive from GR to C)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

City of Texarkana, Texas

Version: A

Update Date: 5/12/2017 8:58 AM

Briefing Sheet

Lead Department: Water Utilities **Action Officer:** Pam White,
Resolution No. 2017-061 authorizing the City Manager to enter into a contract
Subject: for the Wagner Creek North Sewer Trunk Main Replacement in an amount not
to exceed \$827,280.00.

Briefing: 6/12/2017 **Public Hearing:** 6/12/2017 **Second Briefing:** June 26, 2017 **Council Vote:** 7/10/2017

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

NOT APPLICABLE

Executive Summary and Background Information:

Bids were received Tuesday, May 9, 2017 for the Wagner Creek North - Sewer Trunk Main Replacement. Seven (7) contractors picked up bid packages for the project and four (4) contractors bid on the project. Excel Utility Construction of Kilgore, Texas was the apparent low bidder with a low Base Bid of \$827,280.00. This project consists of the replacement of approximately 3,950 linear feet of eighteen-inch (18") sewer trunk mains with twenty-four inch (24") ductile iron sewer mains and installing ten (10) new manholes. This will be the first project Excel Utility Construction has performed for the Utility. Good references have been received from the City of Longview and Hayes Engineering.

Potential Options:

- None

Fiscal Implications:

This project will be the second in a series of projects to continue replacing the sewer trunk main along Wagner Creek from Pleasant Grove Road to the Wagner Creek Wastewater Treatment Plant. This project was budgeted in the Utility's 2014-2015 Budget in the Texas Infrastructure Fund at \$400,000. The scope of this project was increased when it was discovered that the existing main from Interstate 30 to Pleasant Grove Road, consisting of ductile Iron pipe, was deteriorating rapidly due to the high H2S concentrations. The new ductile iron pipe will be lined with a coating that is resistant to the H2S concentrations. Funds in excess of the \$400,000 budgeted are available from the Texas Infrastructure Fund for completion of the project.

Staff Recommendation:

Utility staff recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

City of Texarkana, Texas

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. 2017-061 RES Wagner Creek North Sewer Trunk Main Replacement (DOCX)
- b. 2017-061 ATTH 01 Bid Summary (DOCX)
- c. 2017 061 ATTH 02 Bid Tabulation (PDF)
- d. 2017-061 ATTH 03 Map (PDF)
- e. 2017-061 Goals & Perspectives (DOCX)

Staff Coordination

Water Utilities	Gary Smith	Department Head Review	Completed	
	05/15/2017 1:22 PM			
Water Utilities	Jim Cornelius	Review	Completed	05/15/2017
1:47 PM				
Water Utilities	JD Phillips	Review	Completed	05/15/2017
1:49 PM				
Public Information Officer		Lisa Thompson	PIO Review	Completed
	05/15/2017 2:00 PM			
City Manager	John Whitson	City Manager Review	Completed	05/19/2017
8:24 AM				
City Council	Jennifer Evans	Meeting	Completed	05/22/2017
6:00 PM				

Meeting History

RESOLUTION NO. 2017-061

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND ENTER INTO A CONTRACT WITH EXCEL UTILITY CONSTRUCTION OF KILGORE, TEXAS, IN AN AMOUNT NOT TO EXCEED \$827,280.00 FOR THE WAGNER CREEK NORTH SEWER TRUNK MAIN REPLACEMENT PROJECT TO RELOCATE AND REPLACE EXISTING DETERIORATED SEWER TRUNK MAINS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on May 9, 2017, four (4) bids were received, a copy of the bid summary of which is attached hereto as **ATTH01**, by Texarkana Water Utilities for the Wagner Creek North – Sewer Trunk Main Replacement Project; and

WHEREAS, the project will consist of installing approximately three thousand nine hundred fifty feet (3,950') of twenty-four inch (24") sewer trunk main and ten (10) manholes and related appurtenances; and

WHEREAS, the lowest and best bid by a responsible vendor for this project was submitted by Excel Utility Construction of Kilgore, Texas, a copy of which is attached hereto as **ATTH02** in an amount not to exceed \$827,280.00; and

WHEREAS, funds currently budgeted in the Texarkana Water Utilities 2016-2017 Budget in the Texas Infrastructure Fund are available in the amount of \$827,280.00 for the Wagner Creek North Sewer Trunk Main Replacement Project.

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

SECTION 1: That the lowest and best bid by a responsible vendor, submitted by Excel Utility Construction of Kilgore, Texas, a copy of which is attached hereto as **ATTH02** be and is hereby approved in an amount not to exceed \$827,280.00 for the installation of approximately three thousand nine hundred fifty feet (3,950') of twenty-four inch (24") sewer trunk main and ten (10) manholes, and related appurtenances for the Wagner Creek North – Sewer Trunk Main Replacement Project.

SECTION 2: That the City Manager be and is authorized to contract with Excel Utility Construction of Kilgore, Texas for the above-described services.

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

PASSED AND APPROVED in Regular Council Session on this the **10th day of July, 2017**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Bid Tabulation

Wagner Creek North
Sewer Trunk Main Replacement

2:00 P.M. Tuesday, May 9, 2017

	<u>Base Bid</u>
1. Excel Utility Construction Kilgore, Texas	\$ 827,280.00
2. Belt Construction Texarkana, Texas	\$1,166,853.50
3. RBIS, LLC Texarkana, Arkansas	\$2,033,077.00
4. ASB Utility Construction, LLC Shreveport, LA	\$1,347,290.00
Time First Bid Opened:	2:00 P.M
Number of Bidders:	4
Apparent Low Bidder:	Excel Utility Construction

Attachment: 2017 061 ATTH 02 Bid Tabulation (1649 : 2017-061 RES Wagner Creek North Sewer Trunk

Packet Pg. 118

Bid Tabulation
WAGNER CREEK NORTH
SEWER TRUNK MAIN REPLACEMENT

Project No. 62-000-135157-T151702

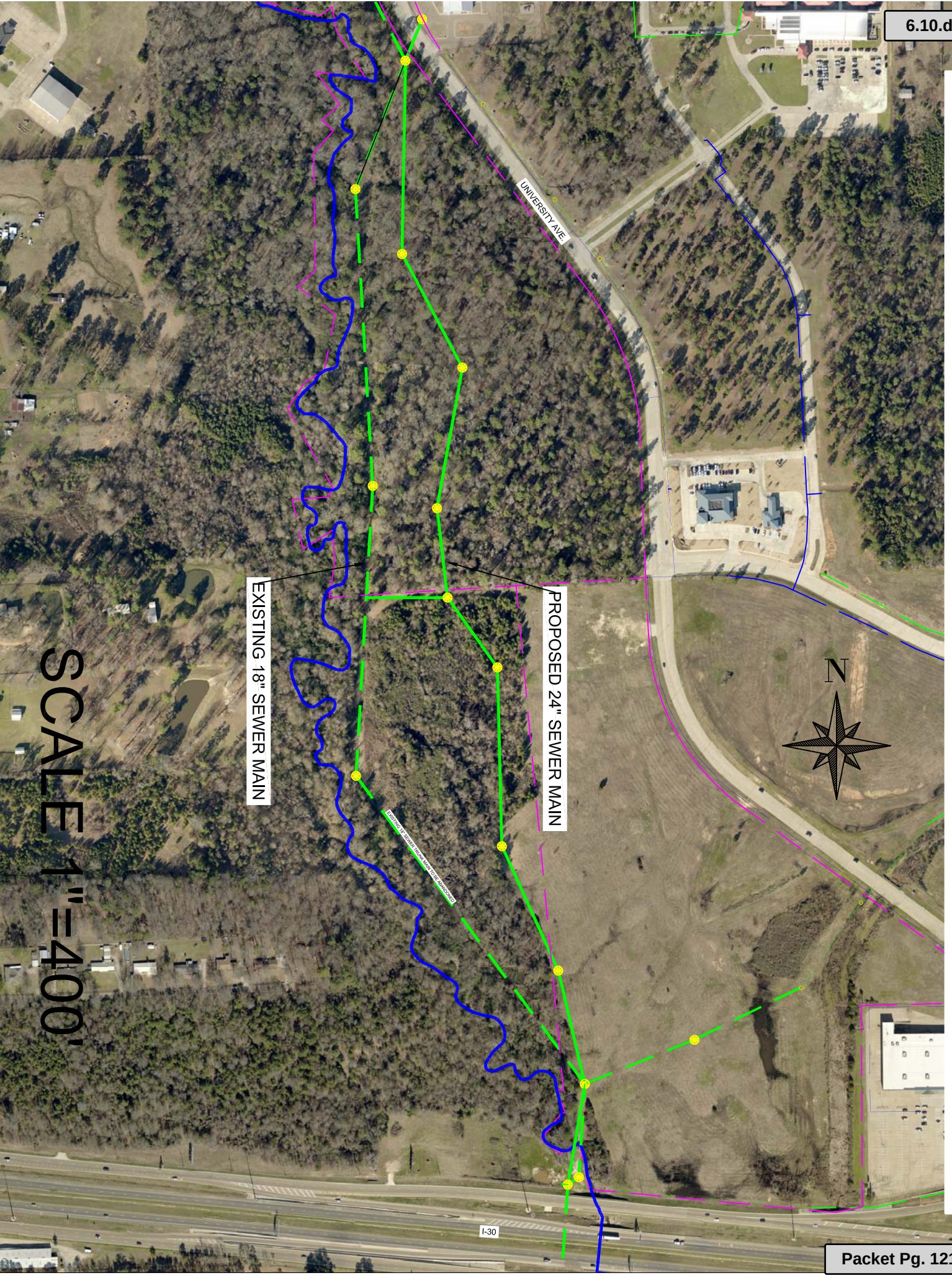
DEDUCTIVE ALTERNATE BID "A":				MAY 9, 2017 @ 2:00							
				BELT CONSTRUCTION, INC.		RBIS, LLC		ASB UTILITY CONSTR., LLC		EXCEL UTILITY CONST.	
				Texarkana, AR.		Texarkana, AR.		Shreveport, La.		Texarkana, AR.	
Item	Quantity	Unit	Description	Amount	Total	Amount	Total	Amount	Total	Amount	Total
Delete:											
2	1073	LF	24" DIP, Class 250, w/Protecto 401 Epoxy Coating by Open Cut (< 10')	\$158.15	\$169,694.95	\$315.00	\$337,995.00	\$210.00	\$225,330.00	\$131.00	\$140,563.00
3	2183	LF	24" DIP, Class 250, w/Protecto 401 Epoxy Coating by Open Cut (10'-12')	\$175.25	\$382,570.75	\$363.00	\$792,429.00	\$220.00	\$480,260.00	\$134.00	\$292,522.00
4	628	LF	24" DIP, Class 250, w/Protecto 401 Epoxy Coating by Open Cut (> 12')	\$208.35	\$130,843.80	\$401.00	\$251,828.00	\$250.00	\$157,000.00	\$145.00	\$91,060.00
12	1	EA	Concrete Manhole #7	\$10,690.00	\$10,690.00	\$13,100.00	\$13,100.00	\$11,000.00	\$11,000.00	\$9,200.00	\$9,200.00
13	1	EA	Concrete Manhole #8	\$10,553.00	\$10,553.00	\$12,900.00	\$12,900.00	\$11,000.00	\$11,000.00	\$9,060.00	\$9,060.00
14	1	EA	Concrete Manhole #9	\$10,368.00	\$10,368.00	\$10,600.00	\$10,600.00	\$11,000.00	\$11,000.00	\$8,935.00	\$8,935.00
15	1	EA	Concrete Manhole #10	\$11,516.00	\$11,516.00	\$12,600.00	\$12,600.00	\$12,000.00	\$12,000.00	\$8,765.00	\$8,765.00
16	3	EA	Remove Existing Manhole	\$4,165.00	\$12,495.00	\$4,400.00	\$13,200.00	\$5,000.00	\$15,000.00	\$3,000.00	\$9,000.00
17	4	EA	Abandon Existing Sewer Manhole	\$4,416.00	\$17,664.00	\$2,900.00	\$11,600.00	\$4,000.00	\$16,000.00	\$1,500.00	\$6,000.00
18	4100	LF	Abandon Existing Sewer Mains	\$16.00	\$65,600.00	\$20.00	\$82,000.00	\$22.00	\$90,200.00	\$17.10	\$70,110.00
20	1	LS	Well Pointing	\$101,595.00	\$101,595.00	\$278,000.00	\$278,000.00	\$35,000.00	\$35,000.00	\$18,000.00	\$18,000.00
21	1	LS	Clean & Test Manholes	\$2,853.00	\$2,853.00	\$6,400.00	\$6,400.00	\$7,000.00	\$7,000.00	\$9,000.00	\$9,000.00
22	1	LS	Clean & Test Sewer Mains	\$2,853.00	\$2,853.00	\$9,500.00	\$9,500.00	\$7,000.00	\$7,000.00	\$16,800.00	\$16,800.00
23	1	LS	Trench Protection	\$34,230.00	\$34,230.00	\$20,000.00	\$20,000.00	\$12,000.00	\$12,000.00	\$15,000.00	\$15,000.00
24	1	LS	Seeding	\$9,128.00	\$9,128.00	\$6,400.00	\$6,400.00	\$5,000.00	\$5,000.00	\$6,800.00	\$6,800.00
25	1	LS	Erosion Control Measures	\$17,115.00	\$17,115.00	\$6,400.00	\$6,400.00	\$5,000.00	\$5,000.00	\$4,800.00	\$4,800.00
Sub-Total Deletions:					\$989,769.50		\$1,864,952.00		\$1,099,790.00		\$715,615.00
Add:											
2	625	LF	24" DIP, Class 250, w/Protecto 401 Epoxy Coating by Open Cut (< 10')	\$158.15	\$98,843.75	\$315.00	\$196,875.00	\$210.00	\$131,250.00	\$131.00	\$81,875.00
3	1178	LF	24" DIP, Class 250, w/Protecto 401 Epoxy Coating by Open Cut (10'-12')	\$175.25	\$206,444.50	\$363.00	\$427,614.00	\$220.00	\$259,160.00	\$134.00	\$157,852.00
4	487	LF	24" DIP, Class 250, w/Protecto 401 Epoxy Coating by Open Cut (> 12')	\$208.35	\$101,466.45	\$401.00	\$195,287.00	\$250.00	\$121,750.00	\$145.00	\$70,615.00
12	1	EA	Concrete Manhole #7	\$10,690.00	\$10,690.00	\$13,100.00	\$13,100.00	\$11,000.00	\$11,000.00	\$9,200.00	\$9,200.00
16	2	EA	Remove Existing Manhole	\$4,165.00	\$8,330.00	\$4,400.00	\$8,800.00	\$5,000.00	\$10,000.00	\$3,000.00	\$6,000.00
17	2	EA	Abandon Existing Sewer Manhole	\$4,416.00	\$8,832.00	\$2,900.00	\$5,800.00	\$4,000.00	\$8,000.00	\$1,500.00	\$3,000.00
18	2260	LF	Abandon Existing Sewer Mains	\$16.00	\$36,160.00	\$20.00	\$45,200.00	\$24.00	\$54,240.00	\$17.10	\$38,646.00
20	1	LS	Well Pointing	\$101,595.00	\$101,595.00	\$192,000.00	\$192,000.00	\$20,000.00	\$20,000.00	\$18,000.00	\$18,000.00
21	1	LS	Clean & Test Manholes	\$2,853.00	\$2,853.00	\$5,800.00	\$5,800.00	\$5,000.00	\$5,000.00	\$6,000.00	\$6,000.00
22	1	LS	Clean & Test Sewer Mains	\$2,853.00	\$2,853.00	\$8,800.00	\$8,800.00	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00

Attachment: 2017 061 ATTH 02 Bid Tabulation (1649 : 2017-061 RES Wagner Creek North Sewer Trunk

Bid Tabulation
WAGNER CREEK NORTH
SEWER TRUNK MAIN REPLACEMENT

Project No. 62-000-135157-T151702
MAY 9, 2017 @ 2:00

				BELT CONSTRUCTION, INC.		RBIS, LLC		ASB UTILITY CONSTR., LLC		EXCEL UTILITY CONST.	
				Texarkana, AR.		Texarkana, AR		Shreveport, La.		Texarkana, AR.	
				Amount	Total	Amount	Total	Amount	Total	Amount	Total
23	1	LS	Trench Protection	\$34,230.00	\$34,230.00	\$20,000.00	\$20,000.00	\$5,000.00	\$5,000.00	\$15,000.00	\$15,000.00
24	1	LS	Seeding	\$9,128.00	\$9,128.00	\$5,200.00	\$5,200.00	\$4,000.00	\$4,000.00	\$5,800.00	\$5,800.00
25	1	LS	Erosion Control Measures	\$17,115.00	\$17,115.00	\$5,800.00	\$5,800.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
			Sub-Total Additions:		\$638,540.70		\$1,130,276.00		\$638,400.00		\$425,988.00
			Sub-Total Difference:		(\$351,228.80)		(\$734,676.00)		(\$461,390.00)		(\$289,627.00)
			Total of Bid Using Deductive Alternate Bid A:		\$815,624.70		\$1,298,401.00		\$885,900.00		\$537,653.00



SCALE 1"=400'

EXISTING 18" SEWER MAIN

PROPOSED 24" SEWER MAIN

EXISTING 24" SEWER MAIN TO BE REPLACED



City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 5/19/2017 9:04 AM

Lead Department: Fire Department**Action Officer:** Eric Schlotter, Fire Chief**Subject:** Resolution No. 2017-063 revising the swap time policy in the fire department.

Public	Second	Council
Briefing: <u>6/12/2017</u>	Hearing: <u>6/12/2017</u>	Briefing: <u>June 26, 2017</u>
		Vote: <u>7/10/2017</u>

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

"NOT APPLICABLE"

Executive Summary and Background Information:

The Fire Department currently has a practice of allowing firefighters to "swap time" with one another. Swapping time is when one firefighter works for another. When swapping occurs the firefighter who was supposed to be on duty is paid as though he is at work while another firefighter is actually in his position. The person who is working for another firefighter is on duty for all practical purposes other than for pay. Currently, there is a policy that governs swap time; however, this policy is in need of revision as some of the current practices are not in-line with the law and do not have proper control of the practice which allows for abuse.

The practice of swapping or trading time is authorized under the Fair Labor Standards Act in section 7(p)(3). While the practice is legal there are certain current practices that may not be in accordance with the law. Currently, firefighters use two options to payback another firefighter who has swapped with them, they either work for the person who worked for them or they provide them with remuneration, the second of which is not in accordance with the law. While conducting research for the policy revision, I have not been able to find another department that allows remuneration. In fact, many strictly prohibit the practice.

In addition to addressing the issue of remuneration, the revised policy sets limits on the number of swap occurrences a firefighter can have in a given time period. The current policy does not set a limit, other than to prohibit swapping multiple consecutive shifts, and this has led to abuse of the privilege. In the past three years there have been employees who have swapped as many as 35 shifts in a year. Thirty five shifts is the equivalent of three and a half months of working time.

The proposed policy would prohibit remuneration, and create a maximum number of swaps per year.

CITY MANAGER: Briefing item 2016-116 was before the city council for four meetings on the following dates:

http://texarkanacitytx.igm2.com/Citizens/Detail_LegiFile.aspx?Frame=&MeetingID=1079&MediaPosition=1944.848&ID=1545&CssClass=

26 SEP 16: 1st Briefing

City of Texarkana, Texas

10 OCT 16: Public Hearing (No public comments)

24 OCT 16: 2nd Briefing

14 NOV 16: Council Vote: Matlock (Motion); Matthews (Second); Veal-Gooch (Yes); Davis (No); Ray (Absent); and Paddock (Absent) -- Motion failed 3-1 (charter requirement that all ordinances and resolutions pass with at least four "yes" votes). Note: It is typical that governing boards pass ordinances and resolutions with a simple majority vote provided a quorum is present at the meeting.

This briefing item is hereby presented for reconsideration. The city charter does not address any required time period before a failed agenda item can be reconsidered. The city council has not adopted any operating policy or procedure addressing items for reconsideration. It is typical that governing boards may reconsider items once six months have lapsed since the previous vote on the matter. This briefing item (2017-063) is scheduled for a vote on 10 JUL 17 which will be approximately six months since the vote on briefing item 2016-116 was taken on 14 NOV 17. Also taken into consideration is that no public comments were made during the public hearing that was conducted on 10 OCT 16 and that is very unusual for two councilmembers to be absent from city council meetings.

Potential Options:

- Make only the changes necessary to comply with applicable laws.
- Propose alternate provisions for the policy.

Fiscal Implications:

Potential liability for time owed to employees who are owed time.

Staff Recommendation:

Staff recommends approval of the resolution as presented.

Advisory Board/Committee Review:

"NONE"

Board/Committee Recommendation:

"NOT APPLICABLE"

Advisory Board/Committee Meeting Date and Minutes:

"NOT APPLICABLE"

Attachments

- a. 2017-063 RES Revising the Fire Department Policy and Procedure Manual (DOC)
- b. 2017-063 ATTH 01 City of Texarkana FD Policy 20161114 (PDF)
- c. 2017-063 ATTH 02 City of Texarkana FD Policy 20091102 (DOC)
- d. 2017-063 ATTH 03 Trade Time Log (PDF)
- e. 2017-063 ATTH 04 29 CFR 553 Substitution (PDF)
- f. 2017-063 ATTH 05 email from Labor Counsel Cranford (PDF)
- g. 2017-063 ATTH 06 Council Minutes 28 DEC 54 - FF Double (PDF)
- h. 2017-063 ATTH 07 City of McKinney FD Policy (PDF)
- i. 2017-063 ATTH 08 City of Nacogdoches FD Policy (DOC)
- j. 2017-063 ATTH 09 City of Longview FD Policy (PDF)

City of Texarkana, Texas

- k. 2017-063 ATTH 10 City of Burleson FD Policy (PDF)
- l. 2017-063 ATTH 11 City of Lufkin FD Policy (PDF)
- m. 2017-063 ATTH 12 City of Paris FD Policy (DOC)
- n. 2017-063 ATTH 13 City of Sherman FD Policy (PDF)
- o. 2017-063 ATTH 14 City of Tyler FD Policy (PDF)
- p. 2017-063 ATTH 15 City of Duncanville FD Policy (PDF)
- q. 2017-063 ATTH 16 City of Irving FD Policy (PDF)
- r. 2017-063 Goals & Perspectives (DOCX)

Staff Coordination

Fire Department	Eric Schlotter	Department Head Review	Completed
	05/15/2017 12:12 PM		
Deputy City Manager - Shirley Jaster	Jennifer Evans	Deputy City Manager	
Review	Skipped	05/15/2017 11:45 AM	
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager	
Review	Completed	05/16/2017 11:16 AM	
Public Information Officer	Lisa Thompson	PIO Review	Completed
	05/17/2017 1:23 PM		
City Manager	John Whitson	City Manager Review Completed	05/19/2017
9:05 AM			
City Council	Jennifer Evans	Meeting	Completed 05/22/2017
6:00 PM			

Meeting History

RESOLUTION NO. 2017-063

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, REVISING THE TEXARKANA, TEXAS FIRE DEPARTMENT POLICY AND PROCEDURE MANUAL, GENERAL PERSONNEL POLICIES, SECTION 8 - SUBSTITUTES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Fire Department allows for the use of substitutes; and

WHEREAS, the Fire Department strives to maintain compliance with applicable laws; and

WHEREAS, the proper operation of the Fire Department requires well-developed policies and procedures.

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

SECTION 1: That Section 8 - Substitutes of the General Personnel Policies, contained in the Texarkana, Texas Fire Department Policy and Procedure Manual is revised as written in **Attachment #1**.

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

PASSED AND APPROVED in Regular Council Session on this the **10th day of July, 2017**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

	Texarkana Fire Department		
	Policy and Procedures Manual		
	Title: General Personnel Policies		
	Applies to: All Personnel		
	Approved by:	Effective Date: 11-14-2016	
 Eric Schlotter, Fire Chief	Revision Date: 11-14-2016		
	Pages: 1 of 13	Tab: 19	

This Policy/Procedure is for the Texarkana Texas Fire Department's internal use only and does not enhance an employee's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Policy/Procedure, if proven, may only form the basis for a complaint by the Texarkana Texas Fire Department in a non-judicial, administrative setting.

Section 1 Administration

- 1-1 **Purpose:** The purpose of this section is to provide information on various personnel related issues within the department. This policy should be used in conjunction with Chapter 143, Texas Local Government Code; City of Texarkana, Texas Personnel Policies; and various Federal and State of Texas laws related to personnel issues.
- 1-2 **Scope:** This policy applies to all personnel. When conflicts arise between various laws and policies governing personnel issues, they are to be resolved by the following priority order:
- a) Federal Statutes and Rules
 - b) Chapter 143, Texas Local Government Code (Civil Service)
 - c) Other State of Texas statutes and rules
 - d) City of Texarkana, Texas Local Civil Service Rules
 - e) City of Texarkana, Texas Personnel Policies
 - i) Exception: In circumstances where department policies are more stringent than city policies, the more stringent policy will apply.
 - f) Texarkana Fire Department Policies and Procedures

Section 2 Definitions

- 2-1 **Civil Service Law** – Chapter 143 of the Texas Local Government Code.
- 2-2 **Local Civil Service Rules** – Rules governing local Civil Service as approved by the Civil Service Commission and published by the Civil Service Director
- 2-3 **Personnel Policies** – Policies of the City of Texarkana, Texas as approved by the City manager and City Council and made available to employees by the Human Resources Director.
- 2-4 **USSERA** – *Uniformed Services Employment and Reemployment Rights Act*. This Federal law specifies rights regarding employment and re-employment for veterans returning from active duty.

Section 3 Pay and Benefits

- 3-1 **Base Pay** – All members shall receive base pay as approved by the City Council in the current budget. All members holding the same rank and having the same tenure in their rank shall receive the same base pay.

- 3-2 Longevity Pay – All members shall receive longevity pay at the rate of \$4.00 per month per year of service. The maximum longevity pay is \$100.00 per month.
- 3-3 Certification Incentive Pay – Members who hold advanced levels of certification from the Texas Commission on Fire Protection are eligible for certification incentive pay. Members with Intermediate certification shall receive \$50.00 per month. Members with advanced certification shall receive \$100.00 per month. Members with master certification shall receive \$150.00 per month. Members may receive both certification incentive pay and education incentive pay.
- 3-4 Education incentive pay – Eligible members may receive education incentive pay. Qualifications and pay amounts are listed in the City Personnel Policy Handbook. Members may receive both certification incentive pay and education incentive pay.
- 3-5 Overtime pay – Overtime pay shall be calculated and paid in accordance with the Fair Labor Standards Act and City Personnel Guidelines. In Operations Division, overtime pay shall be calculated based on a 15 day FLSA cycle. Overtime shall be paid on the payday following the pay period in which the FLSA cycle ends. In calculating overtime, leave time shall be credited in accordance with City personnel guidelines.
- 3-6 Step-up Pay – Members temporarily working in a higher classification shall be paid step-up pay. Step-up pay shall be the difference between the member's base pay and the lowest base pay of the next higher classification.
- 3-7 Assignment Pay – Members assigned to Fire Prevention or Training Divisions will receive assignment pay in the amount specified in the City budget. Other members may receive assignment pay if assigned to special functions and assignment pay is approved in the City budget.
- 3-8 Vacation – Members shall accumulate 15 days of vacation per year. Rate of accumulation shall be as indicated in the city personnel guidelines.
- 3-9 Holidays – Members shall receive holiday leave as indicated in the city personnel guidelines.
- 3-10 For members in Operations Division, two (2) days of leave time shall be equivalent to one (1) 24 hour shift.
- 3-11 Members in Operations Division shall take holidays with their vacation. Vacations and holidays shall be scheduled as directed by the Fire Chief.
- 3-12 Members in all divisions except Operations shall take holidays on the scheduled day as listed in the city personnel guidelines. These members shall request vacation time by submitting a written request to their immediate supervisor for approval.

- 3-13 Sick Leave – Members shall accumulate 15 days of sick leave per year as indicated in the city personnel guidelines. Members may take sick leave as allowed by the City personnel guidelines and by the section in this chapter entitled "Sick Leave".

Section 4 Working in a higher classification

- 4-1 Members working temporarily in a higher classification shall receive step-up pay in accordance with paragraph 3-6 above.
- 4-2 The Battalion Chief of Operations is authorized to approve step-up in accordance with these guidelines. Any exceptions to these guidelines shall be approved by the Fire Chief.
- 4-3 Each individual selected to step-up shall be qualified and capable of filling the position in the next higher rank that is open. Not every individual of a particular rank meets these requirements. Determination of the fitness to step-up is based solely on the judgment of the Operations Chief and/or Fire Chief.
- 4-4 Members shall not step-up more than one rank.
- 4-5 Newly promoted members shall not step-up until after successful completion of a six-month training period in their new rank. This six-month training period also applies to personnel transferred from other divisions who do not have prior experience at their current rank in Operations Division.
- 4-6 Newly hired members shall not step-up until after completion of their probationary period
- 4-7 Members shall not step-up to fill positions if there are members of the appropriate rank available to fill the position.

Section 5 Sick Leave

- 5-1 All members are eligible for sick leave benefits. Members shall accumulate sick leave in accordance with Texas Civil Service Law and City personnel guidelines.
- 5-2 Members retiring or resigning from the Fire Department shall receive pay for unused sick leave in accordance with Texas Civil Service Law and City personnel guidelines.
- 5-3 All Members are eligible for incentive days for non-use of sick leave as described in City personnel guidelines.
- 5-4 Sick leave shall be granted for the following reasons only:
- a) When a member is unable to perform his duties due to illness or an off-duty injury.
 - b) When a medical, dental, or optical examination or treatment is necessary. Members shall attempt to schedule such appointments on off-duty time when possible. All such appointments shall be approved in advance by the Fire Chief or the member's Battalion Chief.

- c) When a member has been exposed to a contagious disease (as would normally be subject to quarantine as prescribed by Health Department Standards) and presence on the job would jeopardize the health of others.
 - d) When a medical situation arises involving illness of a member's immediate family. The relationship must meet the requirements defined in the City Personnel Guidelines.
 - e) When leave is needed for the purpose of attending a funeral, making arrangements, or otherwise attending to the affairs of a deceased family member.
 - f) When leave is authorized by the Family and Medical Leave Act.
- 5-5 Members shall provide a physician's release in certain circumstances. The release shall state that the member has been under the physician's care and that the member is released to perform full or regular duties. The member shall provide the release prior to or at the time of returning to work. Supervisors shall not allow a member to return to work without this release. A release is required in all the following circumstances:
- a) Any sick leave taken for personal illness or injury which exceeds 48 hours (2 shifts).
 - b) Any sick leave taken due to exposure to contagious disease.
 - c) Following any surgery, whether sick leave was taken or not.
 - d) Any off-duty injury requiring a physician's examination or treatment.
 - e) When requested by the Fire Chief.
- 5-6 Frequent claiming of sick leave may constitute grounds for the assumption by the Fire Chief that the physical condition of a member is below the standard required for the proper performance of duties and this may lead to a request for a physical examination to determine fitness for the job. Any such examination shall be conducted in accordance with requirements of Texas Civil Service law.
- 5-7 Members who abuse sick leave are subject to disciplinary action, up to and including indefinite suspension.
- 5-8 In Operations Division, members claiming sick leave shall notify the Operations Chief on duty of their inability to report to work and the reason they cannot report. Members shall make this notification at least 30 minutes prior to their scheduled duty shift. The Operations Chief receiving this notification shall notify the station captain where the member was scheduled to work and both the Battalion Chief and the captain shall notify their relief at shift change. In other divisions, members shall notify someone in the office of their absence. This notification shall be made within 30 minutes of the start of their scheduled shift.
- 5-9 While on sick leave, members shall not work at another job. The Fire Chief may make exceptions to this rule with appropriate medical clearance.

- 5-10 Members who use sick leave shall sign a personnel action form and shall indicate on the form the reason for their absence.
- 5-11 Members who are members of the “Doubling List” and whose sick leave is exhausted are allowed to have other members work for them in accordance with the guidelines on substitutes and rules of the “Doubling List” as established by the members.

Section 6 Military Leave

- 6-1 Fifteen (15) days of military leave per Federal fiscal year are available to members of the reserves or National Guard. This military leave may be taken for weekend drills, annual duty, specialized training, or any other active military duty.
- 6-2 Members must notify their chain of command as far in advance as possible of the need to take military leave.

Section 7 Return from Active Military Duty

- 7-1 Return from active military duty will be handled in accordance with USERRA and applicable sections of Civil Service law.
- 7-2 In order to be eligible to be returned to duty after a period of military service, a member must meet each of the following requirements:
 - a) Member must have received an honorable discharge or other honorable separation from service
 - b) Member must remain physically and mentally fit to discharge the duties of their position
 - c) Member must make application for reinstatement within the time limits established in USERRA
 - d) Member must maintain current required certifications, including TCFP structure firefighter and DSHS Emergency Medical Technician
- 7-3 To determine physical fitness for duty, members may be required to complete an entry physical and the incumbent physical ability test
 - a) Members whose absence for military duty is greater than or equal to one year shall be required to take the physical and PAT
 - b) Members whose absence for military service is less than one year may be required to take the physical and PAT at the discretion of the Fire Chief
- 7-4 Mental fitness for duty will be assumed unless evidence indicates otherwise. If a question as to mental fitness arises, the Fire Chief will institute proceedings under Section 143.081 of Civil Service law.
- 7-5 At the discretion of the Fire Chief, an orientation and retraining period may be required prior to a returning member being assigned to fire suppression duties.

Section 8 Substitutes

- 8-1 Members in operations division may employ substitutes (commonly called swap time) to work in their place.
- 8-2 Members may have no more than 12 substitutions during the fiscal year (Oct. 1st – Sept. 30th), exceptions may be requested in writing to the Fire Chief.
- 8-3 When a member employs a substitute, the member is on duty for payroll purposes only. The substitute is on duty for all other purposes.
- 8-4 Members shall request approval for substitutes at least one shift in advance on the form provided for this purpose. The Company Officer shall recommend approval or disapproval of the substitution and forward the form to the Operations Chief. The Operations Chief shall make the final decision of approval or disapproval of the substitution. Operations Chief substitutes shall be approved or disapproved by the Fire Chief. Requests for substitutes received less than one shift in advanced may be considered at the discretion of the officers involved.
- 8-5 Members shall make a reasonable effort to employ a substitute of equal rank. In every case, substitutes shall be qualified to perform the duties of the position filled. Members shall not employ substitutes more than one rank below their own.
- 8-6 Substitutions are time for time only, no other form of remuneration is allowed regardless of the circumstance.
- 8-7 Members working overtime are not permitted to employ a substitute.
- 8-8 Station officers shall record substitutes in the company log book. Operations Chiefs shall record substitutes in the Operations Chief's log book and on the status report.
- 8-9 Members shall not work another job while off with a substitute with the exception of required military reserve drills.
- 8-10 Any substitute arrangements that will result in a member being off multiple shifts shall not be approved.
- 8-11 Receiving time off by employing a substitute is a privilege, not a right. Members who abuse this privilege are subject to disciplinary action and/or having this privilege revoked on an individual basis at the discretion of the Fire Chief.

Section 9 Disciplinary Action

- 9-1 All disciplinary action taken shall be taken in accordance with State and local Civil Service rules and regulations and in accordance with any applicable federal, state, and local statutes.
- 9-2 The degree of disciplinary action that may be taken by the Fire Department is as follows:

- a) Oral reprimand (including documented oral reprimand)
 - b) Written reprimand
 - c) Demotion
 - d) Temporary suspension without pay.
 - e) Indefinite suspension without pay.
- 9-3 Action taken will depend on the degree of the offense, the record of the offender, and the seriousness of the consequences of the violation.
- 9-4 Company officers and Battalion Chiefs may give oral reprimands. If desired, these officers may document these oral reprimands to the Fire Chief on the form provided.
- 9-5 All levels of disciplinary action other than oral reprimand shall be given by the Fire Chief. Officers who believe disciplinary action is needed shall initiate such action by letter through channels to the Fire Chief. Officers shall include in this letter a description of the problem, any supporting evidence or documentation, and a recommendation for action.
- 9-6 Any member subject to disciplinary action shall be given an opportunity to present any information he/she has or any mitigating circumstances prior to disciplinary action being taken.
- 9-7 The Fire Chief shall have the final decision in all disciplinary matters, subject to appeal procedures in civil service statutes.

Section 10 Promotional Procedures

- 10-1 The Fire Chief shall make all promotions in accordance with Texas civil service law and City of Texarkana, Texas Civil Service Rules and Regulations.
- 10-2 At least two copies of all books on promotional reading lists will be available at the Texarkana Public Library. One copy of each book will be kept in the library and will be available to study there. One or more copies of each book will be available to members to check out. Books shall be checked out for seven (7) days only. Books shall not be checked out consecutively by the same person
- 10-3 Books on promotional reading lists may be available from the Fire Department library. When a promotional exam is not posted, members may check out these books in accordance with normal procedures. From the time an exam notice is posted until an exam is given, members may check out these books for no longer than seven (7) consecutive days. Books shall not be checked out consecutively by the same person.
- 10-4 From the time an exam notice is posted until an exam is given, only those members eligible to take that promotional exam may check out study material for that exam. This applies both at the public library and at the department library.

- 10-5 Members shall return any books that are on the reading list for a currently posted promotional exam in a prompt manner and no later than the due date. Failure to return books on time will result in disciplinary action.
- 10-6 Members shall not take promotional exams while on duty; however, members may employ a substitute while taking a promotional exam.
- 10-7 Members must make arrangements to be present when an exam is given regardless of vacation or other leave time.
- 10-8 The Civil Service Director shall schedule the date, time, and location of exams. Member's dates of eligibility for the exam will not be consulted when scheduling the exam.

Section 11 Overtime Hiring and Emergency Recall

11-1 Routine Overtime Hiring

- a) Routine overtime hiring must be done in a consistent manner to insure fairness to all members. Circumstances in hiring vary. Generally, someone must be hired immediately. Sometimes time is not a concern within reasonable limits. Be sure that all members are afforded the same opportunity to work if they so desire, within the guidelines imposed by these rules.
- b) Overtime hiring worksheets will be provided for each crew. Each crew's worksheet will have the names of members on the other two crews listed in order of seniority. Care must be exercised to be certain that the appropriate worksheet for the crew on duty is used.
- c) The last member hired will be listed in the Operations Chief log book and on the list kept in the Operations Chief's office for that purpose. Each shift will have a separate column on the "last hired" sheet.
- d) When hiring, the member calling (normally the Operations Chief) will start with the first name on the overtime hiring worksheet under the person last hired.
- e) Members will be called in the order that their name appears on the worksheet. No member will be skipped except for reasons listed in this procedure. If a member is hired, write the time hired for and the station on the left side of their name. If a member is not hired, indicate the reason on the right side of their name.
- f) Overtime hiring will be for ½ shift at a time under normal circumstances. All daytime slots will be filled prior to hiring evening slots.
- g) Members will be utilized at their rank whenever possible. If not possible, they will be utilized at the highest available position below their rank.

- h) Members must be capable of filling the position needed. Members who cannot drive fire department vehicles, including those on probation, may be hired if sufficient personnel are available to fill required driver and officer positions. (Except see policy on probationary firefighters for exception during first few months of employment.) Otherwise, no member should be excluded from working overtime if arrangements can reasonably be made to fill all required positions.
- i) Members on sick leave will not be hired overtime. For purposes of overtime, sick leave begins when a member calls in sick and does not end until the member reports back to work. For example, a member is off on sick leave 24 hours on Monday. His next scheduled shift is Thursday. He is not eligible for overtime on Tuesday or Wednesday.
- j) Members on vacation are not eligible for overtime. For purposes of overtime, vacation leave begins at the time a member is actually off work and ends when he reports back. For example, a member's vacation starts at 7:00 AM on April 15 and he reports back to work at 7:00 AM on April 30. He is eligible for overtime on April 13 and 14, but he is not on April 28 or 29. This rule is written for purposes of consistency. This is being approached in different ways by different people.
- k) Members off on holiday, vacation, or incentive leave of one shift or less are ineligible for overtime only on their shift while they are actually on leave. For example, a member takes a holiday on Monday night. He is eligible for overtime on Tuesday.
- l) Operations Chiefs may consider response time in the hiring process. For example, it is 06:45 and the next person on the list for hiring lives approximately 90 minutes away. The position needs to be filled at 07:00 or someone will be forced to stay overtime. It is appropriate to skip the out of town person and go down the list to someone who lives closer. It would not be appropriate to skip someone if the hiring is being done for the PM shift and there is sufficient time for travel. The Operations Chief needs to use judgment in this process. He must balance giving equal rights to overtime work to all members against the immediate need to fill an open position. If a member is skipped when hiring for daytime because of travel time, the skipped member(s) shall be considered for the PM shift if needed.
- m) When calling for overtime, always identify yourself and the purpose of your call to the person answering the phone even if the member is not home. If you reach an answering machine, leave this information on the machine. This is the proper and courteous thing to do and helps prevent complaints that the member was not called.

- n) Phone rings are only 5 seconds apart. Always let the phone ring at least 6 times before hanging up and writing “no answer” on the call sheet.
 - o) Both primary and secondary contact numbers are shown on the overtime sheet. Primary numbers will always be called. Secondary numbers are shown for convenience sake and are not required to be called. Be consistent. If you call the secondary number for one person, call them for all.
 - p) Show equal consideration to all members when hiring overtime. Each member deserves an equal chance to work. If you have time to let one member’s spouse call him to call you back, treat all the same. Favoritism has no place in the hiring process.
 - q) Only members assigned to Operations Division are eligible for regular overtime in Operations Division. New members who have not completed training and members assigned to other divisions are not eligible. Members are not eligible for regular overtime on their own shift.
- 11-2 Emergency Recall
- a) Emergency recall hiring will be handled differently. If an entire shift is needed to be recalled, or all off duty personnel, the Incident Commander should request the dispatcher to initiate a recall of a particular shift or shifts through the “Code Red” system. When the Incident Commander needs a certain number of personnel (less than a full shift), he should contact the investigator on call and request that the investigator initiate a recall of personnel until he has contacted the required number. Members living in the immediate Texarkana area will be called before those who travel any significant distance. No particular order of calling is required in an emergency recall. Any members who can be reached will be hired.

Section 12 Miscellaneous Provisions

12-1 Moonlighting

- a) City personnel guidelines require that all full-time city employees who hold other positions of paid employment or accept pay for services obtain written approval of their department head prior to accepting such employment. The Department Head may cancel such approval at any time it is determined that such outside employment conflicts or interferes with a member's duties and responsibilities as an employee of the City of Texarkana, Texas.
- b) Members wishing to request such approval shall do so on a form available from the Fire Chief's office. Members must fill out forms completely, providing all requested information.

- c) Members shall give priority to their duties and responsibilities as Fire Department employees over any responsibility to other employers. Such responsibility to another employer shall not be a valid reason for not responding to an emergency recall, mandatory overtime, required meeting, required training, or any other obligation to this department.
- d) Members shall not engage in business activities related to other employment while on duty and shall not use city property or facilities for such activities.
- e) Members shall use care in selecting outside employment to ensure that the employment does not create a conflict of interest with regard to their Fire Department employment.
- f) Members shall not use their status as Fire Department members in any way to generate additional business or solicit favors in regard to outside employment.
- g) Members shall inform the Fire Chief on the appropriate form when the member leaves employment at a part-time job previously approved.

12-2 Flower Fund

- a) A flower fund has been established in the Fire Department. This fund shall be maintained to provide flowers in accordance with these guidelines.
- b) When the balance in the fund is depleted, the Battalion Chiefs in charge of each crew and division will collect a contribution from each participating member. The particular amount of the contribution will be determined by the Fire Chief. Participation by members is voluntary.
- c) The flower fund will be administered by the Fire Department Administrative Coordinator. The Administrative Coordinator will receive and deposit all contributions, make payments, and place orders. In the absence of the Administrative Coordinator, the Fire Chief or a member designated by the Fire Chief will administer the fund.
- d) Flowers will be sent to the funeral of a current member, the immediate family of a current member, or a retired member. For purposes of this section, immediate family is defined as husband, wife, son, daughter, father, mother, brother, sister, father-in-law, or mother-in-law.
- e) If requested by the family of the deceased, a contribution may be made to a chosen charity in lieu of sending flowers.
- f) Members who become aware of a death in one of these categories shall notify the Battalion Chief on duty. The Battalion Chief shall notify the Fire Chief so that necessary arrangements can be made.

12-3 Nepotism

- a) City personnel guidelines regulate nepotism within the City government. Refer to the personnel guidelines for exact wording.

- b) Within the Fire Department, the nepotism rules will be applied as follows:
 - i) Two related members will not be allowed to work at the same station.
 - ii) Two related Captains will not be allowed to work on the same crew.
 - iii) No member shall supervise, directly or indirectly, a related member.
- c) As long as the requirements in 3-9.02 above are not violated, related members may work on the same shift. Operations Chiefs should make a reasonable effort to accommodate related members when a related member is eligible for overtime on his relative's shift.
- d) Related members will not normally be permanently assigned to the same crew. While legal, it would present scheduling problems if the restrictions had to be dealt with on a regular basis.

12-4 Education and Training Procedures

- a) In order to maintain consistency between City personnel guidelines and Fire Department policies while maintaining an awareness of differences in Fire Department schedules, the following policy will be followed in regard to attending training or college & university classes on duty days.
 - i) Members may employ a substitute (swap time) to attend classes, but not from 7:00 AM to 5:00 PM weekdays.
 - ii) Regular college classes may not be attended on duty regardless of job relationship except for classes that are required by the department.
 - iii) Shorter seminars (one or two day) that are job related will be considered on an individual basis by the Fire Chief.
- b) Exceptions to the above policy may be made if the Fire Chief considers a particular class beneficial to the department as a whole and the exception is reasonable.

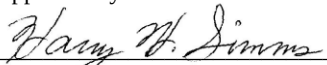
12-5 Public Service Leave

- a) A member called to jury duty or subpoenaed to testify as a witness will receive public service leave during the time of the court appearance.
- b) If a member is not selected for a jury, the member will return to work immediately after being dismissed by the judge.
- c) If a member is selected to serve on a jury, the member will return to work after the completion of the trial and dismissal by the judge.
- d) A member called as a witness will return to work as soon as released by the judge.

- e) The above guidelines are general. Obviously, if a member is selected for a jury but does not have to report for an extended period of time, he should work when scheduled in the interim. Common sense must be used in applying these guidelines.
- f) All members shall document court appearance requirements by providing a copy of the juror summons or the subpoena.

12-6 Member Telephone Numbers

- a) All members are required to provide their home telephone number for contact during off duty hours.
- b) Normally, member phone numbers will be posted at all fire stations and in the Operations Chief's office.
- c) If a member requests in writing, his phone number will be omitted from the lists posted at the fire stations. It will still be included on the list posted at the Operations Chief's office.
- d) Member's phone numbers are not to be released to callers. If a request is received for a member phone number, advise the caller that the number cannot be released. Offer to take the caller's name and phone number and relay the information to the member as soon as possible. Always maintain a professional and courteous attitude when dealing with this situation.

	Texarkana Fire Department	
	Policy and Procedures Manual	
	Title: General Personnel Policies	
	Applies to: All Personnel	
	Approved by:  Harry H. Simms, Fire Chief	Effective Date: 11-02-2009
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- 3-3 Certification Incentive Pay – Members who hold advanced levels of certification from the Texas Commission on Fire Protection are eligible for certification incentive pay. Members with Intermediate certification shall receive \$50.00 per month. Members with advanced certification shall receive \$100.00 per month. Members with master certification shall receive \$150.00 per month. Members may receive both certification incentive pay and education incentive pay.
- 3-4 Education incentive pay – Eligible members may receive education incentive pay. Qualifications and pay amounts are listed in the City Personnel Policy Handbook. Members may receive both certification incentive pay and education incentive pay.
- 3-5 Overtime pay – Overtime pay shall be calculated and paid in accordance with the Fair Labor Standards Act and City Personnel Guidelines. In Operations Division, overtime pay shall be calculated based on a 15 day FLSA cycle. Overtime shall be paid on the payday following the pay period in which the FLSA cycle ends. In calculating overtime, leave time shall be credited in accordance with City personnel guidelines.
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- 3-7 Assignment Pay – Members assigned to Fire Prevention or Training Divisions will receive assignment pay in the amount specified in the City budget. Other members may receive assignment pay if assigned to special functions and assignment pay is approved in the City budget.
- 3-8 Vacation – Members shall accumulate 15 days of vacation per year. Rate of accumulation shall be as indicated in the city personnel guidelines.
- 3-9 Holidays – Members shall receive holiday leave as indicated in the city personnel guidelines.
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- 3-11 Members in Operations Division shall take holidays with their vacation. Vacations and holidays shall be scheduled as directed by the Fire Chief.
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Section 4 Working in a higher classification

- 4-1 Members working temporarily in a higher classification shall receive step-up pay in accordance with paragraph 3-6 above.
- 4-2 The Battalion Chief of Operations is authorized to approve step-up in accordance with these guidelines. Any exceptions to these guidelines shall be approved by the Fire Chief.
- 4-3 Each individual selected to step-up shall be qualified and capable of filling the position in the next higher rank that is open. Not every individual of a particular rank meets these requirements. Determination of the fitness to step-up is based solely on the judgment of the Operations Chief and/or Fire Chief.
- 4-4 Members shall not step-up more than one rank.
- 4-5 Newly promoted members shall not step-up until after successful completion of a six-month training period in their new rank. This six-month training period also applies to personnel transferred from other divisions who do not have prior experience at their current rank in Operations Division.
- 4-6 Newly hired members shall not step-up until after completion of their probationary period
- 4-7 Members shall not step-up to fill positions if there are members of the appropriate rank available to fill the position.

Section 5 Sick Leave

- 5-1 All members are eligible for sick leave benefits. Members shall accumulate sick leave in accordance with Texas Civil Service Law and City personnel guidelines.
- 5-2 Members retiring or resigning from the Fire Department shall receive pay for unused sick leave in accordance with Texas Civil Service Law and City personnel guidelines.
- 5-3 All Members are eligible for incentive days for non-use of sick leave as described in City personnel guidelines.
- 5-4 Sick leave shall be granted for the following reasons only:
 - a) When a member is unable to perform his duties due to illness or an off-duty injury.
 - b) When a medical, dental, or optical examination or treatment is necessary. Members shall attempt to schedule such appointments on off-duty time when possible. All such appointments shall be approved in advance by the Fire Chief or the member's Battalion Chief.

- c) When a member has been exposed to a contagious disease (as would normally be subject to quarantine as prescribed by Health Department Standards) and presence on the job would jeopardize the health of others.
 - d) When a medical situation arises involving illness of a member's immediate family. The relationship must meet the requirements defined in the City Personnel Guidelines.
 - e) When leave is needed for the purpose of attending a funeral, making arrangements, or otherwise attending to the affairs of a deceased family member.
 - f) When leave is authorized by the Family and Medical Leave Act.
- 5-5 Members shall provide a physician's release in certain circumstances. The release shall state that the member has been under the physician's care and that the member is released to perform full or regular duties. The member shall provide the release prior to or at the time of returning to work. Supervisors shall not allow a member to return to work without this release. A release is required in all the following circumstances:
- a) Any sick leave taken for personal illness or injury which exceeds 48 hours (2 shifts).
 - b) Any sick leave taken due to exposure to contagious disease.
 - c) Following any surgery, whether sick leave was taken or not.
 - d) Any off-duty injury requiring a physician's examination or treatment.
 - e) When requested by the Fire Chief.
- 5-6 Frequent claiming of sick leave may constitute grounds for the assumption by the Fire Chief that the physical condition of a member is below the standard required for the proper performance of duties and this may lead to a request for a physical examination to determine fitness for the job. Any such examination shall be conducted in accordance with requirements of Texas Civil Service law.
- 5-7 Members who abuse sick leave are subject to disciplinary action, up to and including indefinite suspension.
- 5-8 In Operations Division, members claiming sick leave shall notify the Operations Chief on duty of their inability to report to work and the reason they cannot report. Members shall make this notification at least 30 minutes prior to their scheduled duty shift. The Operations Chief receiving this notification shall notify the station captain where the member was scheduled to work and both the Battalion Chief and the captain shall notify their relief at shift change. In other divisions, members shall notify someone in the office of their absence. This notification shall be made within 30 minutes of the start of their scheduled shift.
- 5-9 While on sick leave, members shall not work at another job. The Fire Chief may make exceptions to this rule with appropriate medical clearance.

- 5-10 Members who use sick leave shall sign a personnel action form and shall indicate on the form the reason for their absence.
- 5-11 Members who are members of the "Doubling List" and whose sick leave is exhausted are allowed to have other members work for them in accordance with the guidelines on substitutes and rules of the "Doubling List" as established by the members.

Section 6 Military Leave

- 6-1 Fifteen (15) days of military leave per Federal fiscal year are available to members of the reserves or National Guard. This military leave may be taken for weekend drills, annual duty, specialized training, or any other active military duty.
- 6-2 Members must notify their chain of command as far in advance as possible of the need to take military leave.

Section 7 Return from Active Military Duty

- 7-1 Return from active military duty will be handled in accordance with USERRA and applicable sections of Civil Service law.
- 7-2 In order to be eligible to be returned to duty after a period of military service, a member must meet each of the following requirements:
 - a) Member must have received an honorable discharge or other honorable separation from service
 - b) Member must remain physically and mentally fit to discharge the duties of their position
 - c) Member must make application for reinstatement within the time limits established in USERRA
 - d) Member must maintain current required certifications, including TCFP structure firefighter and DSHS Emergency Medical Technician
- 7-3 To determine physical fitness for duty, members may be required to complete an entry physical and the incumbent physical ability test
 - a) Members whose absence for military duty is greater than or equal to one year shall be required to take the physical and PAT
 - b) Members whose absence for military service is less than one year may be required to take the physical and PAT at the discretion of the Fire Chief
- 7-4 Mental fitness for duty will be assumed unless evidence indicates otherwise. If a question as to mental fitness arises, the Fire Chief will institute proceedings under Section 143.081 of Civil Service law.
- 7-5 At the discretion of the Fire Chief, an orientation and retraining period may be required prior to a returning member being assigned to fire suppression duties.

Section 8 Substitutes

- 8-1 Members in operations division may employ substitutes (commonly called swap time) to work in their place.
- 8-18-2 ~~Members may have no more than 12 substitutions during the fiscal year (Oct.1st-Sept. 30th), exceptions may be requested in writing to the Fire Chief.~~
- 8-28-3 When a member employs a substitute, the member is on duty for payroll purposes only. The substitute is on duty for all other purposes.
- 8-38-4 Members shall request approval for substitutes at least one shift in advance on the form provided for this purpose. The Company Officer shall recommend approval or disapproval of the substitution and forward the form to the Operations Chief. The Operations Chief shall make the final decision of approval or disapproval of the substitution. Operations Chief substitutes shall be approved or disapproved by the Fire Chief. Requests for substitutes received less than one shift in advanced may be considered at the discretion of the officers involved.
- 8-5 Members shall make a reasonable effort to employ a substitute of equal rank. In every case, substitutes shall be qualified to perform the duties of the position filled. Members shall not employ substitutes more than one rank below their own. ~~Operations Chiefs may make exceptions to this rule if sufficient qualified members are available to fill all positions, any moving by members is voluntary, no step up pay is created, and no major disruption of the crew is created.~~
- 8-6 ~~Substitutions are time for time only, no other form of remuneration is allowed regardless of the circumstance.~~
- 8-48-7 ~~Members working overtime are not permitted to employ a substitute.~~
- 8-58-8 Station officers shall record substitutes in the company log book. Operations Chiefs shall record substitutes in the Operations Chief's log book and on the status report.
- 8-68-9 Members shall not work another job while off with a substitute with the exception of required military reserve drills.
- 8-78-10 Any substitute arrangements that will result in a member being off multiple shifts ~~over an extended period of time will shall~~ not be approved.
- 8-88-11 ~~Substitutes may be employed to attend college or university classes but not between the hours of 7:00 a.m. and 5:00 p.m. weekdays.~~
- 8-98-12 Receiving time off by employing a substitute is a privilege, not a right. Members who abuse this privilege are subject to disciplinary action and/or having this privilege revoked on an individual basis at the discretion of the Fire Chief.

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Section 9 Disciplinary Action

- 9-1 All disciplinary action taken shall be taken in accordance with State and local Civil Service rules and regulations and in accordance with any applicable federal, state, and local statutes.
- 9-2 The degree of disciplinary action that may be taken by the Fire Department is as follows:
 - a) Oral reprimand (including documented oral reprimand)
 - b) Written reprimand
 - c) Demotion
 - d) Temporary suspension without pay.
 - e) Indefinite suspension without pay.
- 9-3 Action taken will depend on the degree of the offense, the record of the offender, and the seriousness of the consequences of the violation.
- 9-4 Company officers and Battalion Chiefs may give oral reprimands. If desired, these officers may document these oral reprimands to the Fire Chief on the form provided.
- 9-5 All levels of disciplinary action other than oral reprimand shall be given by the Fire Chief. Officers who believe disciplinary action is needed shall initiate such action by letter through channels to the Fire Chief. Officers shall include in this letter a description of the problem, any supporting evidence or documentation, and a recommendation for action.
- 9-6 Any member subject to disciplinary action shall be given an opportunity to present any information he/she has or any mitigating circumstances prior to disciplinary action being taken.
- 9-7 The Fire Chief shall have the final decision in all disciplinary matters, subject to appeal procedures in civil service statutes.

Section 10 Promotional Procedures

- 10-1 The Fire Chief shall make all promotions in accordance with Texas civil service law and City of Texarkana, Texas Civil Service Rules and Regulations.
- 10-2 At least two copies of all books on promotional reading lists will be available at the Texarkana Public Library. One copy of each book will be kept in the library and will be available to study there. One or more copies of each book will be available to members to check out. Books shall be checked out for seven (7) days only. Books shall not be checked out consecutively by the same person

- 10-3 Books on promotional reading lists may be available from the Fire Department library. When a promotional exam is not posted, members may check out these books in accordance with normal procedures. From the time an exam notice is posted until an exam is given, members may check out these books for no longer than seven (7) consecutive days. Books shall not be checked out consecutively by the same person.
- 10-4 From the time an exam notice is posted until an exam is given, only those members eligible to take that promotional exam may check out study material for that exam. This applies both at the public library and at the department library.
- 10-5 Members shall return any books that are on the reading list for a currently posted promotional exam in a prompt manner and no later than the due date. Failure to return books on time will result in disciplinary action.
- 10-6 Members shall not take promotional exams while on duty; however, members may employ a substitute while taking a promotional exam.
- 10-7 Members must make arrangements to be present when an exam is given regardless of vacation or other leave time.
- 10-8 The Civil Service Director shall schedule the date, time, and location of exams. Member's dates of eligibility for the exam will not be consulted when scheduling the exam.

Section 11 Overtime Hiring and Emergency Recall

11-1 Routine Overtime Hiring

- a) Routine overtime hiring must be done in a consistent manner to insure fairness to all members. Circumstances in hiring vary. Generally, someone must be hired immediately. Sometimes time is not a concern within reasonable limits. Be sure that all members are afforded the same opportunity to work if they so desire, within the guidelines imposed by these rules.
- b) Overtime hiring worksheets will be provided for each crew. Each crew's worksheet will have the names of members on the other two crews listed in order of seniority. Care must be exercised to be certain that the appropriate worksheet for the crew on duty is used.
- c) The last member hired will be listed in the Operations Chief log book and on the list kept in the Operations Chief's office for that purpose. Each shift will have a separate column on the "last hired" sheet.
- d) When hiring, the member calling (normally the Operations Chief) will start with the first name on the overtime hiring worksheet under the person last hired.

- e) Members will be called in the order that their name appears on the worksheet. No member will be skipped except for reasons listed in this procedure. If a member is hired, write the time hired for and the station on the left side of their name. If a member is not hired, indicate the reason on the right side of their name.
- f) Overtime hiring will be for ½ shift at a time under normal circumstances. All daytime slots will be filled prior to hiring evening slots.
- g) Members will be utilized at their rank whenever possible. If not possible, they will be utilized at the highest available position below their rank.
- h) Members must be capable of filling the position needed. Members who cannot drive fire department vehicles, including those on probation, may be hired if sufficient personnel are available to fill required driver and officer positions. (Except see policy on probationary firefighters for exception during first few months of employment.) Otherwise, no member should be excluded from working overtime if arrangements can reasonably be made to fill all required positions.
- i) Members on sick leave will not be hired overtime. For purposes of overtime, sick leave begins when a member calls in sick and does not end until the member reports back to work. For example, a member is off on sick leave 24 hours on Monday. His next scheduled shift is Thursday. He is not eligible for overtime on Tuesday or Wednesday.
- j) Members on vacation are not eligible for overtime. For purposes of overtime, vacation leave begins at the time a member is actually off work and ends when he reports back. For example, a member's vacation starts at 7:00 AM on April 15 and he reports back to work at 7:00 AM on April 30. He is eligible for overtime on April 13 and 14, but he is not on April 28 or 29. This rule is written for purposes of consistency. This is being approached in different ways by different people.
- k) Members off on holiday, vacation, or incentive leave of one shift or less are ineligible for overtime only on their shift while they are actually on leave. For example, a member takes a holiday on Monday night. He is eligible for overtime on Tuesday.

- l) Operations Chiefs may consider response time in the hiring process. For example, it is 06:45 and the next person on the list for hiring lives approximately 90 minutes away. The position needs to be filled at 07:00 or someone will be forced to stay overtime. It is appropriate to skip the out of town person and go down the list to someone who lives closer. It would not be appropriate to skip someone if the hiring is being done for the PM shift and there is sufficient time for travel. The Operations Chief needs to use judgment in this process. He must balance giving equal rights to overtime work to all members against the immediate need to fill an open position. If a member is skipped when hiring for daytime because of travel time, the skipped member(s) shall be considered for the PM shift if needed.
- m) When calling for overtime, always identify yourself and the purpose of your call to the person answering the phone even if the member is not home. If you reach an answering machine, leave this information on the machine. This is the proper and courteous thing to do and helps prevent complaints that the member was not called.
- n) Phone rings are only 5 seconds apart. Always let the phone ring at least 6 times before hanging up and writing "no answer" on the call sheet.
- o) Both primary and secondary contact numbers are shown on the overtime sheet. Primary numbers will always be called. Secondary numbers are shown for convenience sake and are not required to be called. Be consistent. If you call the secondary number for one person, call them for all.
- p) Show equal consideration to all members when hiring overtime. Each member deserves an equal chance to work. If you have time to let one member's spouse call him to call you back, treat all the same. Favoritism has no place in the hiring process.
- q) Only members assigned to Operations Division are eligible for regular overtime in Operations Division. New members who have not completed training and members assigned to other divisions are not eligible. Members are not eligible for regular overtime on their own shift.

11-2 Emergency Recall

- a) Emergency recall hiring will be handled differently. If an entire shift is needed to be recalled, or all off duty personnel, the Incident Commander should request the dispatcher to initiate a recall of a particular shift or shifts through the "Code Red" system. When the Incident Commander needs a certain number of personnel (less than a full shift), he should contact the investigator on call and request that the investigator initiate a recall of personnel until he has contacted the required number. Members living in the immediate Texarkana area will be called before those who travel any significant distance. No particular order of calling is required in an emergency recall. Any members who can be reached will be hired.

Section 12 Miscellaneous Provisions

12-1 Moonlighting

- a) City personnel guidelines require that all full-time city employees who hold other positions of paid employment or accept pay for services obtain written approval of their department head prior to accepting such employment. The Department Head may cancel such approval at any time it is determined that such outside employment conflicts or interferes with a member's duties and responsibilities as an employee of the City of Texarkana, Texas.
- b) Members wishing to request such approval shall do so on a form available from the Fire Chief's office. Members must fill out forms completely, providing all requested information.
- c) Members shall give priority to their duties and responsibilities as Fire Department employees over any responsibility to other employers. Such responsibility to another employer shall not be a valid reason for not responding to an emergency recall, mandatory overtime, required meeting, required training, or any other obligation to this department.
- d) Members shall not engage in business activities related to other employment while on duty and shall not use city property or facilities for such activities.
- e) Members shall use care in selecting outside employment to ensure that the employment does not create a conflict of interest with regard to their Fire Department employment.
- f) Members shall not use their status as Fire Department members in any way to generate additional business or solicit favors in regard to outside employment.
- g) Members shall inform the Fire Chief on the appropriate form when the member leaves employment at a part-time job previously approved.

12-2 Flower Fund

- a) A flower fund has been established in the Fire Department. This fund shall be maintained to provide flowers in accordance with these guidelines.
- b) When the balance in the fund is depleted, the Battalion Chiefs in charge of each crew and division will collect a contribution from each participating member. The particular amount of the contribution will be determined by the Fire Chief. Participation by members is voluntary.
- c) The flower fund will be administered by the Fire Department Administrative Coordinator. The Administrative Coordinator will receive and deposit all contributions, make payments, and place orders. In the absence of the Administrative Coordinator, the Fire Chief or a member designated by the Fire Chief will administer the fund.
- d) Flowers will be sent to the funeral of a current member, the immediate family of a current member, or a retired member. For purposes of this section, immediate family is defined as husband, wife, son, daughter, father, mother, brother, sister, father-in-law, or mother-in-law.
- e) If requested by the family of the deceased, a contribution may be made to a chosen charity in lieu of sending flowers.
- f) Members who become aware of a death in one of these categories shall notify the Battalion Chief on duty. The Battalion Chief shall notify the Fire Chief so that necessary arrangements can be made.

12-3 Nepotism

- a) City personnel guidelines regulate nepotism within the City government. Refer to the personnel guidelines for exact wording.
- b) Within the Fire Department, the nepotism rules will be applied as follows:
 - i) Two related members will not be allowed to work at the same station.
 - ii) Two related Captains will not be allowed to work on the same crew.
 - iii) No member shall supervise, directly or indirectly, a related member.
- c) As long as the requirements in 3-9.02 above are not violated, related members may work on the same shift. Operations Chiefs should make a reasonable effort to accommodate related members when a related member is eligible for overtime on his relative's shift.
- d) Related members will not normally be permanently assigned to the same crew. While legal, it would present scheduling problems if the restrictions had to be dealt with on a regular basis.

12-4 Education and Training Procedures

- a) In order to maintain consistency between City personnel guidelines and Fire Department policies while maintaining an awareness of differences in Fire Department schedules, the following policy will be followed in regard to attending training or college & university classes on duty days.
 - i) Members may employ a substitute (swap time) to attend classes, but not from 7:00 AM to 5:00 PM weekdays.
 - ii) Regular college classes may not be attended on duty regardless of job relationship except for classes that are required by the department.
 - iii) Shorter seminars (one or two day) that are job related will be considered on an individual basis by the Fire Chief.
- b) Exceptions to the above policy may be made if the Fire Chief considers a particular class beneficial to the department as a whole and the exception is reasonable.

12-5 Public Service Leave

- a) A member called to jury duty or subpoenaed to testify as a witness will receive public service leave during the time of the court appearance.
- b) If a member is not selected for a jury, the member will return to work immediately after being dismissed by the judge.
- c) If a member is selected to serve on a jury, the member will return to work after the completion of the trial and dismissal by the judge.
- d) A member called as a witness will return to work as soon as released by the judge.
- e) The above guidelines are general. Obviously, if a member is selected for a jury but does not have to report for an extended period of time, he should work when scheduled in the interim. Common sense must be used in applying these guidelines.
- f) All members shall document court appearance requirements by providing a copy of the juror summons or the subpoena.

12-6 Member Telephone Numbers

- a) All members are required to provide their home telephone number for contact during off duty hours.
- b) Normally, member phone numbers will be posted at all fire stations and in the Operations Chief's office.
- c) If a member requests in writing, his phone number will be omitted from the lists posted at the fire stations. It will still be included on the list posted at the Operations Chief's office.

- d) Member's phone numbers are not to be released to callers. If a request is received for a member phone number, advise the caller that the number cannot be released. Offer to take the caller's name and phone number and relay the information to the member as soon as possible. Always maintain a professional and courteous attitude when dealing with this situation.

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§ 553.31**29 CFR Ch. V (7–1–11 Edition)**

in the case of public safety employees as discussed below in section (3)), as well as all the facts and circumstances in a particular case, in determining whether employment in a second capacity is substantially different from the regular employment.

(3) For example, if a public park employee primarily engaged in playground maintenance also from time to time cleans an evening recreation center operated by the same agency, the additional work would be considered hours worked for the same employer and subject to the Act's overtime requirements because it is not in a *different capacity*. This would be the case even though the work was *occasional or sporadic*, and, was not regularly scheduled. Public safety employees taking on any kind of security or safety function within the same local government are never considered to be employed in a *different capacity*.

(4) However, if a bookkeeper for a municipal park agency or a city mail clerk occasionally referees for an adult evening basketball league sponsored by the city, the hours worked as a referee would be considered to be in a different general occupational category than the primary employment and would not be counted as hours worked for overtime purposes on the regular job. A person regularly employed as a bus driver may assist in crowd control, for example, at an event such as a winter festival, and in doing so, would be deemed to be serving in a different capacity.

(5) In addition, any activity traditionally associated with teaching (e.g., coaching, career counseling, etc.) will not be considered as employment in a *different capacity*. However, where personnel other than teachers engage in such teaching-related activities, the work will be viewed as employment in a *different capacity*, provided that these activities are performed on an occasional or sporadic basis and all other requirements for this provision are met. For example, a school secretary could substitute as a coach for a basketball team or a maintenance engineer could provide instruction on auto repair on an occasional or sporadic basis.

§ 553.31 Substitution—section 7(p)(3).

(a) Section 7(p)(3) of the FLSA provides that two individuals employed in any occupation by the same public agency may agree, solely at their option and with the approval of the public agency, to substitute for one another during scheduled work hours in performance of work in the same capacity. The hours worked shall be excluded by the employer in the calculation of the hours for which the substituting employee would otherwise be entitled to overtime compensation under the Act. Where one employee substitutes for another, each employee will be credited as if he or she had worked his or her normal work schedule for that shift.

(b) The provisions of section 7(p)(3) apply only if employees' decisions to substitute for one another are made freely and without coercion, direct or implied. An employer may suggest that an employee substitute or "trade time" with another employee working in the same capacity during regularly scheduled hours, but each employee must be free to refuse to perform such work without sanction and without being required to explain or justify the decision. An employee's decision to substitute will be considered to have been made at his/her sole option when it has been made (i) without fear of reprisal or promise of reward by the employer, and (ii) exclusively for the employee's own convenience.

(c) A public agency which employs individuals who substitute or "trade time" under this subsection is not required to keep a record of the hours of the substitute work.

(d) In order to qualify under section 7(p)(3), an agreement between individuals employed by a public agency to substitute for one another at their own option must be approved by the agency. This requires that the agency be aware of the arrangement prior to the work being done, i.e., the employer must know what work is being done, by whom it is being done, and where and when it is being done. Approval is manifest when the employer is aware of the substitution and indicates approval in whatever manner is customary.



U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division
Washington, D.C. 20210

November 23, 2004

FLSA2004-23

Dear **Name***,

This is in response to your letter requesting an opinion letter concerning the issue of "donating" and "exchanging" time under section 7(p)(3) of the Fair Labor Standards Act (FLSA) for firefighters employed by the **Name***. We regret the long delay in responding.

A firefighter suffered an injury and was unable to work for an extended period. Her fellow firefighters decided to work her regular shift to ensure that her pay and benefits would continue uninterrupted. The employer, after becoming aware of this practice, disallowed it, and stated that the injured firefighter would be required to repay all the donated time. A discussion between you and a member of my staff on March 9, 2004, revealed that this employee has not worked for about four months, and during that time up to nine of her co-workers voluntarily substituted in her place during her scheduled shifts. On average, each of the firefighters substituted one 24 hour shift on her behalf.

You ask whether a group of firefighters may "donate" time to another firefighter by working in her place during her regular shift schedule in order for her to receive regular pay. The FLSA does not use the terms "donate" or "exchange," but rather uses the term "substitute." Generally, the FLSA and the implementing regulations provide that public agency employees may agree to substitute for each other and that the pay of both the substituting and substituted employee is unaffected. These provisions would permit the scenario described in your letter as long as the "substitution" comports with the statutory and regulatory substitution requirements set out below.

Section 7(p)(3) of the FLSA provides that two individuals employed in the same capacity by the same public agency may agree, solely at their option and with the approval of the public agency, to substitute for one another during scheduled work hours. 29 U.S.C. §207(p)(3). It further states that the hours worked by the substituting employee shall be excluded by the public agency in the calculation of the hours for which the substituting employee is entitled to overtime compensation under the Act. The implementing regulations provide that when "one employee substitutes for another, each employee will be credited as if he or she had worked his or her normal work schedule for that shift." 29 CFR §553.31(a).

The regulations limit the application of section 7(p)(3) to situations where the "employees' decisions to substitute for one another are made freely and without coercion, direct or implied. An employer may suggest that an employee substitute or 'trade time' with another employee working in the same capacity during regularly scheduled hours, but each employee must be free to refuse to perform such work without sanction and without being required to explain or justify the decision. An employee's decision to substitute will be considered to have been made at his/her sole option when it has been made (i) without fear of reprisal or promise of reward by the employer, and (ii) exclusively for the employee's own convenience." 29 CFR §553.31(b).

The implementing regulations also provide guidance on satisfying the statutory requirement for a public agency to approve an agreement between employees to substitute for one another. This approval requirement is satisfied "when the employer is aware of the substitution and indicates approval in whatever manner is customary." 29 CFR §553.31(d).

Finally, there is no provision in section 7(p)(3) or its implementing regulations that could be construed to require one individual to "repay" the other individual who agrees to a work substitution arrangement. Previous opinion letters issued by the Wage and Hour Division, dated January 2, 1987 and December 13, 1993, have stated consistently that there is no FLSA requirement that an employee substitute in turn in order to pay back the other employee. This is a matter left for the parties to resolve.

You also ask whether a firefighter may substitute shifts with more than one firefighter at any one time.



U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division
Washington, D.C. 20210

Neither section 7(p)(3) nor its implementing regulations limit the number of substitutions between employees. See January 2, 1987 opinion letter. However, as mentioned above, an agreement between individuals employed by a public agency to substitute for one another at their own option must be approved by the agency. Additionally, section 7.7 of the collective bargaining agreement between the **Name*** and the **Name*** Professional Fire Fighters Union Local 3174 is consistent with this requirement by noting that employees "may exchange shifts if advance approval is obtained from the Fire Chief, and there shall be no liability for overtime pay as a result of the shift exchange." Thus, while both section 7(p)(3) and the collective bargaining agreement require employer approval to substitute work performed by one employee for another employee, neither prohibits a public agency from limiting the number of times work substitutions can be exchanged.

This opinion is based exclusively on the facts and circumstances described in your request and is given on the basis of your representation, explicit or implied, that you have provided a full and fair description of all the facts and circumstances which would be pertinent to our consideration of the question presented. Existence of any other factual or historical background not contained in your request might require a different conclusion than the one expressed herein. You have represented that this opinion is not sought by a party to pending private litigation concerning the issue addressed herein. You have also represented that this opinion is not sought in connection with an investigation or litigation between a client or firm and the Wage and Hour Division or the Department of Labor.

We trust that the above is responsive to your inquiry.

Sincerely,

Alfred B. Robinson, Jr.
Acting Administrator

*Note: * The actual name(s) was removed to preserve privacy.*

TTFD-Schlotter, Eric

From: Melissa Cranford <cranford@laborcounsel.net>
Sent: Wednesday, July 22, 2015 10:35 AM
To: TEX-Powell, Jim
Subject: SWAP time issue

CONFIDENTIAL COMMUNICATION: PROTECTED BY ATTORNEY-CLIENT PRIVILEGE

Dear Jim:

Per our conversation of yesterday, please be advised that the City has a large area of discretion in regulating the practice of shift swapping in the fire department. Please find some of the options we discussed below, from most restrictive to least:

1. Prohibit employees from engaging in shift swapping. (The only caution I would add, is that it needs to be applied uniformly and in both the police and fire departments.)
2. Prohibit employees from paying workers directly. (This is probably a good limitation for a number of reasons, as the City does have some exposure in allowing an individual to work if it results in either a minimum wage violation or an overtime deficit because of additional time worked for which the employee would not receive a time and a half equivalent. Allowing the extra shifts also drives up the potential cost of overtime if paid in accordance with the FLSA and the City's payroll practices. Further, by allowing an employee to pay a co-worker out of pocket to work instead of a time-for-time swap results likely results in a non-payment of payroll taxes and proportional retirement benefits.)
3. Require a minimum number of hours to be worked by each employee per pay period or per month. (This restriction is also backed up by the guidelines for the Affordable Care Act. Under the ACA, to be considered a full-time employee and eligible for employee sponsored coverage, employees must work 30 hours per week. Employees who are not working 30 hours per week, but are accepting benefits may be engaging in fraudulent conduct under the insurance plan. Employers who knowingly allow the employee's conduct may also encounter liability through the plan documents.)
4. Require a minimum number of shifts to be worked per pay period or per month.
5. Require that shift swap be paid back within a pay period.
6. Require approval from supervisor to engage in shift swapping
7. Prohibit shift swapping between ranks. (i.e., only drivers may work for drivers.)

These are some of the most obvious and common limitations, but a combination of any of these rules may also be instituted. Please let me know what questions you might have in forming a policy.

Kindest regards,

Melissa H. Cranford

Approved; C. P. Birmingham
C. P. Birmingham, Fire Chief

Texarkana, Texas
December 15th, 1954

To: C. P. Birmingham
Chief Fire Department
Texarkana, Texas

We; the undersigned members of the Texarkana, Texas Fire Department, desire to make the following agreement. It is agreed and understood by and between each of the undersigned that in the event any of us should become sick or disabled to the extent that we are unable to carry out our duties in the Fire Department., and after all sick leave has been exhausted by the man affected that we agree to "double" for him. Providing however, that the following provisions are complied with.

(1) No member is to be actively engaged in gainfull employment while receiving the benefits of this agreement. If the members of this agreement feel that this provision is being violated or abused they can by a majority vote "expell" the member in question.

(2) No member is required to work (double) during his vacation or specified (regular) day off.. However this provision is optional and should a man elect to work during these periods he can do so. Should a member desire ~~not~~ to work during these periods he is required to make up the time at a later date. Each mans cooperation will contribute to the success of this agreement.

agreement

(3) The members of this ~~max~~ request the Chief and Department Officers to allow the men that are doubling to work at the station where the vacancy exists, as a result of man being off sick or disable. However this request is made with the thought in mind of maintaining the efficiency of the Department at all times.

EACH UNDERSIGNED MEMBER IS ENTITLED TO RECEIVE DOUBLING BENEFITS OF 180 WORKING DAYS (not to exceed 180 work days)

Resigned 1	<u>Charles W. Ryan</u>	<u>E. D. Dixon</u>	Retired
Deceased 2	<u>Calvin Hall</u>	<u>B. H. Jamell</u>	Retired
3	<u>Wm. Hutchison</u>	<u>H. D. Schlink</u>	Retired
4	<u>Jack Haines</u>	<u>H. F. Slaton</u>	
5	<u>Raymond Jackson</u>	<u>Joe A. Burnett</u>	Resigned
6	<u>R. T. Ames</u>	<u>G. I. Bennett</u>	
7	<u>Joe Smith</u>	<u>J. H. Hughes</u>	Resigned
Deceased 8	<u>W. M. Wargis</u>	<u>Joe H. Gill</u>	
9	<u>A. H. Cranston</u>	<u>Joe E. Benjamin</u>	Retired
Retired 10	<u>B. B. Ball</u>	<u>B. W. Galt</u>	
Retired 11	<u>J. B. O'Donn</u>	<u>H. E. McFee</u>	
12	<u>Wm. A. Houston</u>	<u>B. J. Chisum</u>	Retired
Resigned 13	<u>Paul M. Piffard</u>	<u>J. H. L. Brown</u>	Resigned
Retired 14	<u>John</u>	<u>B. J. Fox</u>	
15	<u>H. E. Lendley</u>	<u>Joe E. Pope</u>	Deceased
16	<u>Joe E. Pope</u>	<u>Edward Benzig</u>	
Resigned 17	<u>W. H. Dyer</u>	<u>Clayton R. Fin</u>	Deceased

Additional signatures to be made on the reverse side.

REGULAR MEETING
DECEMBER 28, 1954
7:00 P.M.

The City Council of the City of Texarkana, Texas, met in Regular Session in the Council Chambers of the Municipal Building, December 28, 1954 at 7:00 P.M. Mayor A. P. Miller, Jr. present and presiding.

CALL TO ORDER

Chief of Police Leon Arnold called the meeting to order.

ROLL CALL

On roll call the following Aldermen were present:

Hon. J. R. Bryant, Alderman Ward 1	Hon. N. S. Petty, Alderman Ward 5
Hon. A. P. LeGrand, Alderman Ward 2	Hon. C. E. Hervey, Alderman Ward 6
Hon. Paul Blankenship, Alderman Ward 3	Hon. Geo. McCoppin, Alderman at large
Hon. J. W. Poore, Jr., Alderman Ward 4	

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LIGHT, WATER AND FIRE

Alderman Petty discussed the matter of off duty firemen which was placed in his Committee at the last meeting.

ACTION TAKEN

Motion was made by Alderman Petty, seconded by Alderman Bryant, that firemen in the Fire Department of the City of Texarkana, Texas, shall be permitted to engage in agreements to double for sick or disabled fellow firemen, not sick, injured or disabled in line of duty, said doubling to be on a volunteer basis, without any compulsion from anyone. The sick, injured or disabled firemen shall be carried on the payroll of the City of Texarkana, Texas, after his sick leave has been exhausted so long as there is some qualified fireman of the Fire Department of the City of Texarkana, Texas, working for him during his tour of duty, and the period of time for such doubling shall not exceed 180 working days. For the purposes of clarity, if a fellow fireman agrees to double for the sick, injured or disabled employee, fails to present himself for work, the sick, injured or disabled firemen shall be considered absent without leave. If a fellow fireman presents himself for work and begins work, the fellow fireman will be considered in line of duty for all purposes, except pay purposes. If the fellow fireman violates any civil service rule while doubling for a sick, injured or disabled fireman, the fellow fireman shall be subject to such disciplinary action as though he were on his regular tour of duty.

On roll call the following Aldermen voted:

Yeas: Bryant, LeGrand, Blankenship, Poore, Petty, Hervey, McCoppin
Yeas: 7
Nays: None

McKINNEY FIRE DEPARTMENT
ADMINISTRATIVE DIRECTIVE

Issued 08/09/2013	Archived:
Effective: 08/09/2013	
Revised: 05/21/15	
Authorized by: D T Kistner	Date: 05/21/15

Trade-Out 1.028

Related Directives/SOG/Memo's	Related Forms

1.028.01 **PURPOSE:**

It is the purpose of this policy to outline and define the Trade-out Policy for the McKinney Fire Department.

1.028.02 **SCOPE:**

It is the policy of the McKinney Fire Department to allow shift personnel to trade with each other on a limited basis while meeting the needs of the Department. It shall be the responsibility of all members and Fire Department employees to be familiar, understand, and implement this directive.

1.028.03 **DEFINITIONS:**

Trade-out – By mutual agreement, one individual of equal classification is voluntarily working for another with the concurrence of their supervisors.

Company Officer – the officer (s) for whom a person works and officially reports.

1.028.04 **POLICY:**

- A. Company officers are responsible for their personnel; they have the authority to approve or deny trade-out requests.
- B. All trade-outs shall be on a time-for-time basis only.
- C. Trade-out shall be allowed on an “as needed” basis, regulated by the company officer. The members involved in the trade-out will be within the same classification and have the necessary knowledge and expertise to perform all the duties of the position. (e.g., Captain for

Captain, Driver for Driver, Firefighter for Firefighter). Duties, functions, and activities of a particular assignment shall not be compromised.

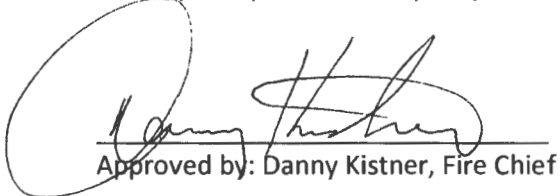
- D. Members are responsible for their particular shift. Members cannot delegate responsibility for their work shift to another. When a substitute does not or cannot report as agreed, the responsibility for securing another substitute remains with the member originally scheduled to work. If a substitute cannot be secured, the regularly scheduled member shall report for work as scheduled. If a substitute calls in sick or must leave due to illness or family emergency, the sick time will be charged to the regularly scheduled member.
- E. Trade-out records will be the responsibility of the members trading time. The company officer will be responsible for recording the trade on the Central Calendar as well as keeping all records in the stations trade-out log. Disputes should be settled at the company officer's level, then up the chain of command as required.
- F. Member will not be eligible for trade-outs while on probation for fire recruit or disciplinary probation.

1.028.04 SUSPENSION:

- A. Trade-out leave shall be considered a privilege, and as such, may be suspended. Any individual placed on trade-out suspension shall not give or receive new trade-outs for the duration of the suspension. Any outstanding time to be received or given by the suspended individual shall only be allowed upon approval of the Battalion Chief.

1.028.05 EXCEPTIONS:

- A. Any exceptions to this policy shall be at the discretion of the Fire Chief or designee.



Approved by: Danny Kistner, Fire Chief

Nacogdoches Fire & Rescue	104.3
Standard Operating Procedure	Leave Time – Exchange of Time
Originally Issued: 00-00-00	Approved By:
Last Revision: 07-13-11	

OBJECTIVE:	The objective of this section is to establish guidelines regarding exchange of time that are in addition to those leave guidelines established in the City of Nacogdoches Personnel Policies guidebook. The following information is specific for Nacogdoches Fire & Rescue operations.
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PHILOSOPHY

Exchange of time between members increases flexibility among firefighters, improves employee morale and has a direct relationship to decreased use of sick and emergency leave.

STANDARD

- I. Exchange of Time
 - A. Members may have another member work for them for a total of 96 hours each month. Exchange of time must meet other conditions of this section.
 - B. Exchanges of time are just that, exchanges of time. Members may work for others who can reasonably be expected to repay them with time (see subsection I(2) below for special circumstances). Members are not authorized to exchange time for remuneration other than like time itself.
 - C. All exchanges must be documented on the Department's Exchange of Time Agreement form and must be approved prior to the occurrence of the exchange.
 - D. A station officer has the authority and responsibility for approving or not approving Exchange of time request for Driver/Engineers and Firefighters.
 - E. With due cause, a BC may disapprove an Exchange of Time that was approved by a Captain.
 - F. A Battalion Fire Chief (BC) has the authority and responsibility for approving or not approving Exchange of time request for Captains.
 - G. With due cause, a BC may disapprove an Exchange of Time that was approved by a Captain.
 - H. Exchanges permitted:
 1. Battalion Fire Chief for Battalion Fire Chief
 2. Captain for Captain or Driver/Engineer
 3. Driver/Engineer for Captain, Driver/Engineer, or Firefighter
 4. Firefighter for Firefighter or Driver/Engineer
 - I. Exchange of Time form: The Exchange of Time form is to be filled out before the exchange of time takes place. This document is to cover any possible questions about why an employee was working other than their normal shift. Both parties must sign the form before the exchange takes place.
 - J. Special Circumstances:
 1. If an employee exhausts all leave time due to a major illness or accident, other members may at their own choice exchange time for that employee without the affected employee having to replace the time. Such situations must be approved by the Fire Chief

2. From time to time other situations occur that make non-traditional exchange of time appropriate (working outside of permitted ranks, extended family illness, etc.). Variances of this policy to accommodate those occasions require approval of the fire chief.
- K. Qualifying Situations:
1. An employee may not work for another employee on Exchange of Time after being absent due to sickness until they have completed their next shift assignment.
 2. If an Exchange of Time request was previously signed before an employee is off sick, it is the responsibility of the member who was to work to get someone else to take their place or notify the member for whom they were to work for that they cannot work. Any disciplinary action, docked pay, or charged leave time will be against the employee who was to work for another employee.
 3. Anyone on Firefighter Probation status is not eligible to work for another employee but they may have someone else work in their place.
 4. An employee on the same shift cannot take Vacation or Comp-time to Exchange Time with someone on their particular shift.
 5. An employee working overtime cannot get someone to work for him/her.
- L. Exceptions: Exceptions to this policy may be made in extenuating circumstances. Members who feel they have a need for an exception shall present their request in writing to their BC. The final decision will come from the Fire Chief.

Legal Basis

Texas Local Government Code

Section 142.001. GENERAL PROVISIONS RELATING TO HOURS OF LABOR AND VACATION OF MEMBERS OF FIRE AND POLICE DEPARTMENTS IN MUNICIPALITIES.

(d) Sections 142.0013, 142.0015, and 142.0017 do not prevent a fire fighter or police officer from working extra hours when exchanging hours of work with another fire fighter or police officer with the consent of the department head.

29 CFR §553.31(a).

Title 29: Labor

Subtitle B: Regulations Relating to Labor (Continued)

CHAPTER V: WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR

SUBCHAPTER A: REGULATIONS

PART 553: APPLICATION OF THE FAIR LABOR STANDARDS ACT TO EMPLOYEES OF STATE AND LOCAL GOVERNMENTS

Subpart A: General

553.31 – Substitution - section 7(p)(3).

(a) Section 7(p)(3) of the FLSA provides that two individuals employed in any occupation by the same public agency may agree, solely at their option and with the approval of the public agency, to substitute for one another during scheduled work hours in performance of work in the same capacity. The hours worked shall be excluded by the employer in the calculation of the hours for which the substituting employee would otherwise be entitled to overtime compensation under the Act. Where one employee substitutes for another, each employee will be credited as if he or she had worked his or her normal work schedule for that shift.

(b) The provisions of section 7(p)(3) apply only if employees' decisions to substitute for one another are made freely and without coercion, direct or implied. An employer may suggest that an employee

substitute or trade time with another employee working in the same capacity during regularly scheduled hours, but each employee must be free to refuse to perform such work without sanction and without being required to explain or justify the decision. An employee's decision to substitute will be considered to have been made at his/her sole option when it has been made (i) without fear of reprisal or promise of reward by the employer, and (ii) exclusively for the employee's own convenience.

(c) A public agency which employs individuals who substitute or trade time under this subsection is not required to keep a record of the hours of the substitute work.

(d) In order to qualify under section 7(p)(3), an agreement between individuals employed by a public agency to substitute for one another at their own option must be approved by the agency. This requires that the agency be aware of the arrangement prior to the work being done, i.e., the employer must know what work is being done, by whom it is being done, and where and when it is being done. Approval is manifest when the employer is aware of the substitution and indicates approval in whatever manner is customary.

		
Exchange of Time Agreement		
In accordance with Chapter 142 of the Texas Local Government Code, firefighters are eligible to exchange time for time with other firefighters with approval of the department head. Exchanges must be hour for hour unless otherwise approved by the Fire Chief (ex: extended illness, etc.). Exchanges for any remuneration other than time are not authorized.		
Member Giving Exchange		Person Receiving Exchange
Date of Exchange	Begin Time	End Time
This agreement is for a total exchange of _____ hours.		
CERTIFICATION		
- The member <u>giving the exchange</u> is responsible for reporting to the assigned station on the date and time shown to work. - The member <u>giving the exchange</u> will be charged leave time or docked pay to cover any and all overtime cost as a result of failing to fulfill the terms of this Agreement and may be subject to disciplinary action. - The member <u>giving the exchange</u> certifies that they are capable of performing the duties of the person they are working for. - The member <u>giving the exchange</u> shall not be absent due to emergency or illness on their last shift prior to the exchange. - The member <u>giving the exchange</u> is not on firefighter probationary status. - Members may only receive 96 hours per month in exchanges unless approved by the Fire Chief. - Exchanges must be approved in advance and may be denied for the good of the Department or other valid reason by the shift commander.		
Member Receiving Exchange		Date
Member Giving Exchange		Date
Officer Authorizing Exchange		Date



Standard Operating Procedures/Guidelines

Revision Number

2

Shift Adjustment Policy

Date Issued: 10/19/2012 • Date Revised: 09/09/2016

Purpose: This policy will serve as the guideline for personnel wishing to perform mutually agreed-upon shift adjustment(s). This policy will only address mutual shift adjustment(s) or "time-for-time" agreements. Effective with this policy, shift adjustments based on "time-for-cash" or "time-for-services" agreements **will no longer be an option.**

Scope: The *Shift Adjustment Policy (aka: Traded Hours/Shift Trade/Time Trade)* SOP/SOG applies to all members within the Operational field of the Longview Fire Department.

Definitions: TRO (Traded Hours Off) is the payroll code for the time off an employee is using.

TRW (Traded Hours Worked) is the payroll code for the time worked for another employee.

I. Policy

- A.** An employee will be allowed no more than 10 shifts or 240 hours of TRO (Traded Hours Off) per calendar year. In addition, no employee will be allowed more than 10 shifts or 240 hours of TWO (Traded Hours Worked) per calendar year.
- B.** Employees participating in a mutually agreed-upon shift adjustment must be completely capable of fulfilling the expected job-duties of the individual with whom they are replacing.
- C.** Firehouse will be properly documented to reflect a shift adjustment taking place with the proper payroll codes TRW or TRO as the employee's Activity Code for that particular time/shift as well as the other mutually agreeing party.
- D.** When an employee wishes to arrange a shift adjustment they will notify their immediate supervisor not less than 24-hours prior to the scheduled date that the adjustment is to occur.
- E.** The Station Officer and/or Battalion Chief retain the authority to approve/deny any shift adjustment being requested at their discretion with reasonable justification.
- F.** Once a shift adjustment has been mutually agreed-upon at the individual-level and further approved at the supervisory-level, the responsibility of ensuring that the work expectation is met becomes that of the individual who agreed to cover the position. In the event that circumstances arise (sick, emergency, etc.) that prevent the adjustment from taking place as arranged, the responsibility to have the position covered remains with the individual who was expected to

work and any subsequent replacements must also meet all applicable work expectations.

- G.** The Training Section Chief must authorize (prior to Operational approval) all shift adjustments involving Apprentices and non-checked off Firefighter/Medics.
- H.** Violations of the Shift Adjustment Policy by exceeding the guidelines within the calendar year shall result in disciplinary action (Class II offense) and restriction from participating in future shift adjustments for a period of twelve months.

APPROVED:



J.P. Steelman, Fire Chief

BURLESON FIRE DEPARTMENT



104.06

Exchange of Time

Purpose

The purpose of this policy is to establish the procedures to be followed when exchanging time with another employee.

Policy

The Burleson Fire Department will allow exchanges of time when all stated procedures are followed.

Procedures

The following conditions and guidelines will designate when a trade out will be allowed:

1. A Burleson Cobweb form must be completed online prior to trade date, to be placed on the calendar, and immediate supervisor notified by employee.
2. A new employee will not be eligible for exchange of time until they complete their probation.
3. An employee will be responsible for making up any mandatory training missed, if the trade alters any scheduled training or any planned special events.
4. At all times, persons in each assigned apparatus positions must have completed the appropriate qualifications in the Task Books (SOP 102.02, 102.03, 102.04).



LUFKIN FIRE DEPARTMENT

TRADE OUT POLICY

ADMINISTRATIVE
DIRECTIVE
125

6.11.I

Issued/Revised: 02/15/2012, 02/10/2014 Effective: 02/15/2012, 03/12/2014 Reviewed: 01/14/2014	<u>Related Directives/Memos/SOP</u>	<u>Related Forms</u>
	AD 150 Sick Leave Policy AD 190 General Orders	Trade Out Form at BC Office

125.01 PURPOSE

To provide a standardized policy for managing trade outs within the department. This Directive details the guidelines for the following scenarios:

- A. Battalion Chief's Discretion
- B. Planned Trade Out
- C. Unplanned Trade Out
- D. Sick leave use by scheduled working employee
- E. Unexcused absence

125.02 BATTALION CHIEF'S DISCRETION

It shall be at the Battalion Chief's discretion whether to accept or deny the trading of a shift or any portion of a shift with another member or employee whether it is planned or unplanned. A trade out request form must be filled out and signed by both parties and the Battalion Chief prior to allowing a planned trade out. Failure to adhere to the following procedures may result in loss of trade out privileges and/or possible disciplinary action depending on circumstances, frequency, and/or severity.

It is the responsibility of the replacement to disclose to the affected Battalion Chief any lack of qualifications and/or capabilities with regard to their ability to perform all of the duties of the requesting employee. Disclosure is to take place prior to approval or disapproval of the trade-out.

125.03 PLANNED TRADE OUT:

A planned trade out is defined as one in which all paperwork has been completed and signed by the shift before the trade-out is to take place.

The required paperwork is the form on the clipboard at the office of the Battalion Chief. It must be completed and all required signatures obtained, as well as approved by the Battalion Chief. The trade-out should be placed on the department electronic calendar by the Battalion Chief or their designee, so that it will be noted when morning assignments are being completed.

Persons trading out must be of the **SAME** EMS certification level for the Lt. and FF positions. All persons trading out must be within one rank of each other. It should also be understood that if the person working is not trained to fill in a specialized position of the requesting employee, then the trade out will be refused on that basis.

This is the **PREFERRED** method of trading shifts.

125.04 UNPLANNED TRADE OUT:

The department recognizes that occasionally unforeseen personal events arise and employees need to be off within reasonable parameters and frequencies. When the concerned parties are unable to complete the required paperwork prior to the date the trade out is to occur the

Attachment: 2017-063 ATTH 11 City of Lufkin FD Policy (1659 : 2017-063 RES Revising the swap time policy in the fire department)

following procedure **MUST** be followed **WITHOUT** deviation.

- A. The person requesting the trade will contact their Battalion Chief (or designee) prior to the designated shift and request the trade. If the trade is approved, then the working employee will contact the affected Battalion Chief and verify that they will report for duty in place of the requesting employee.
- B. If the requestor is unable to contact their Battalion Chief they are to contact the on duty Battalion Chief and submit their request under the same procedure and in accordance with all other policies and procedures of the department.
- C. As soon as possible, on the shift in question, the working employee will complete all required paperwork.
- D. Failure to follow these procedures may result in the loss of trade out privileges which may be invoked by a Battalion Chief or the Fire Chief.

125.05 SICK LEAVE USE BY REPLACEMENT EMPLOYEE:

If an employee has been approved to work for another employee and then finds that they are sick and unable to work the shift then they are directed to call and attempt to find a replacement. If they are unable to find a replacement then they are directed to conform to the normal **sick leave procedure (AD 150)**. The person who was scheduled to work will be debited vacation, not the person who agreed to work the shift. The trade-out will need to be resolved between the affected employees.

125.06 UNEXCUSED ABSENCE: If the preceding policy is not followed, the employee will be considered to be AWOL, and appropriate departmental disciplinary policies will be adhered to. (See General Orders 190.29)



Ted Lovett, Fire Chief

STANDARD OPERATIONAL GUIDELINES	SECTION 6	SUBSECTION B
EMPLOYEE SUBSTITUTIONS		AUGUST 2013

Par. 01 **Purpose**

A. To establish appropriate policy, to be used by Paris Fire Department personnel, for regulating shift trades.

Par. 02 **Substitution Matrix**

A. The following applies:

1. A Deputy Chief may substitute for another Deputy Chief or for a “qualified” Captain.
 - a. *Qualified* – refers to the capabilities/experience of an employee who has previous experience stepping-up to the higher rank and can competently complete those duties at the higher ranking level (e.g., a Captain which has previously stepped up to the Deputy Chief position and has had Incident Command experience would be “qualified” to repay a Deputy Chief for a time trade).
2. A Captain may substitute for another Captain, a Driver Engineer, or for a Deputy Chief (if qualified).
3. A Driver Engineer may substitute for another Driver Engineer, a Firefighter, or a Captain (if qualified and then only at the discretion of that shift’s Deputy Chief), but **NOT** for a Deputy Chief.
4. A Firefighter may substitute for another Firefighter, or a Driver Engineer,
5. A Probationary Firefighter (PF) may substitute for another PF or a Firefighter, but only as allowed by the shift’s Deputy Chief of whom the substitution will be on.

Par. 03 **Prerequisites**

A. Substitutions are a privilege and are not to be abused and of equal rank wherever possible.

1. Substitutions are an equal time-for-time trade.
2. Substitutions do not qualify for step-up or any salary compensation.
 - a. An employee substituting for another employee at a higher ranking level does so without remuneration.
3. An employee may NOT pay cash or offer other considerations for future substitutions.
 - a. Monetary reimbursement for time already owed, however, may be permitted, but only with special permission of the Fire Chief.
 4. Each and every substitution must be verified by both shift’s Deputy Chief’s prior to a trade.
 - a. Deputy Chief’s must ensure that apparatus staffing and/or special skill needs are not jeopardized.
 - b. Once a trade has been verified with the DC’s involved, the substitute employee then becomes responsible for the duty.
 - aa. If the substitute employee fails to report for the substitute shift, that person (the substitute employee) will be considered AWOL and subject to loss in pay
 - bb. If, however, the proposed trade has not been verified with the Deputy Chief’s, then the person originally scheduled to work the shift will be responsible for the duty and, if the duty is not met, will be considered AWOL and subject to loss in pay.
5. A person substituting for an employee whose duties include driving/operating apparatus must have the Driver/Operator Certification.

STANDARD OPERATIONAL GUIDELINES	SECTION 6	SUBSECTION B
EMPLOYEE SUBSTITUTIONS		AUGUST 2013

6. An employee of rank, who is working as a substitute, will be used in a position of rank instead of utilizing “step-up” for another employee to fill the position.
 - a. An exception may be for training purposes as authorized by the Fire Chief.

CITY OF SHERMAN FIRE DEPARTMENT
STANDARD OPERATING PROCEDURES
 103 Exchange Time

Issued: 10/2001
 Revised 01/2013
 Page 1 of 4

OBJECTIVE: To establish guidelines for the substitution of time for members of the Sherman Fire Department

103.01 EXCHANGE TIME

- 103.01.01 Exchange time is voluntary and is a agreement between two members of the department. Members are responsible for tracking exchange time and "pay back" of time.
- 103.01.02 Exchange time shall not result in overtime, out of classification pay, mileage pay or other costs to the City of Sherman
- 103.01.03 The Station Officer being affected by the trade may approve substitution for all exchanges within the same rank and classification. Exchanges out of rank or classification must be approved by the Shift Commander. Once the Station Officer approves an exchange time he must notify the Shift Commander as soon as possible of the trade.
- 103.01.04 The request for substitution must be submitted no later than one (1) hour prior to the trade beginning. Request for exchange time must be completed on the Department Exchange time form. **Request via e-mail and verbal request** will not be accepted. In case of an emergency situation the affected Station Officer shall complete an exchange time form by proxy and note on the form that the form was approved without signature. (01/2013).
- 103.01.05 Members may exchange time with members who do not hold the same qualifications only if the Company efficiency will not be unduly affected by the trade time. Minimum Company efficiency will be defined as three EMT-P personnel at sub stations and a minimum of one EMT-P at Central Station.
- 103.01.06 Members may stay over or relieve early another member up to a maximum of 1.0 hours without having to complete an exchange time form. Approval must be granted from the Station Officer, who must then inform the Shift Commander. (01/2013)

Approved and in effect. J J Jones, Fire Chief

CITY OF SHERMAN FIRE DEPARTMENT
STANDARD OPERATING PROCEDURES
 103 Exchange Time

Issued: 10/2001
 Revised 01/2013
 Page 2 of 4

- 103.01.06.01 If, during the one (1) hour early relief or late relief, the member is required to respond to an incident, the member shall complete a request for overtime. (01/2013).
- 103.01.07 Sick leave by either member involved in the exchange time, prior or immediately after a trade time will result of forfeiture of trade time privileges for a period of three (3) months on the first occurrence. A second occurrence will result in forfeiture of trade time privileges for a period of six (6) months. This may be appealed to the Fire Chief.
- 103.01.08 It is understood that members trading time are expected to maintain any continuing education requirements missed at their own expense.
- 103.01.09 Battalion Chiefs desiring to exchanging time must obtain approval from the Fire Chief.
- 103.01.10 Exchange time must be completed (paid back) within the same calendar year (01/2013). Each member shall work the required number of shifts each calendar year, including approved leaves.(01/2013).
- 103.01.11 Under no circumstance shall a "Cash Sub" be allowed. Trade time is for time only and no other form of compensation shall be permitted. (01/2013).

103.02 RESPONSIBILITY

- 103.02.01 When the exchange time has been approved by both members and approved by the supervisor, the employee who has agreed to work shall be responsible for the duty shift. When the employee who has agreed to work is unable to report as agreed, the responsibility for securing another substitute and getting the approval of the Shift Commander, remains his/her responsibility. (09/08).

Approved and in effect. J J Jones, Fire Chief

CITY OF SHERMAN FIRE DEPARTMENT
STANDARD OPERATING PROCEDURES
 103 Exchange Time

Issued: 10/2001
 Revised 01/2013
 Page 3 of 4

- 103.02.02 If the member who has agreed to work utilizes sick leave to cover the exchange time he will be required to verify the illness according to departmental policy. The member will be charged Sick Leave for the agreed hours and will be placed on trade time restriction for a period of three (3) months on the first occurrence. This may be appealed to the Fire Chief. (09/08).
- 103.02.03 A second occurrence will result in a forfeiture of exchange time privileges for a period of six (6) months. This may be appealed to the Fire Chief.
- 103.02.04 If the member who has agreed to work does not report for duty, that member will be considered to be in violation of Departmental Standard Operating Procedures and may be subject to disciplinary action. (09/08)
- 103.02.05 If the exchange time was not approved or submitted on the Department Trade Time Form, the responsibility for the duty hours remains with the person normally assigned to that shift. (09/08)
- 103.02.05 Members who are working exchange time, for any period of time, are considered "On Duty" and are subject to all department rules and regulations as well as City of Sherman Personnel Policies and Procedures. (10/08)
- 103.02.06 Members who are working exchange time are considered "On Duty" for purposes of protection under Worker Compensation and other like benefits. (10/08).

Approved and in effect. J J Jones, Fire Chief

CITY OF SHERMAN FIRE DEPARTMENT
STANDARD OPERATING PROCEDURES
 103 Exchange Time

Issued: 10/2001
 Revised 01/2013
 Page 4 of 4

Sherman Fire Department
 Exchange Time Form

Name of member regularly scheduled for duty: _____

Name of member who will be working: _____

Date exchange will occur: _____

Hours exchange will occur: _____

Name of affected supervisor: _____

The undersigned members have agreed to trade time. Both members understand that a trade of time should be paid back. Both members participating in the exchange of time understand this is voluntary and in accordance with department policy.

 Supervisor Signature

 Member Signature
 (Regularly scheduled for duty)

 Member Signature
 (Member who will be working)

 (Date form submitted to supervisor)

Approved and in effect. J J Jones, Fire Chief

Tyler

RULES & REGULATIONS

SECTION 33: TRADING OF TIME

Personnel are allowed to trade time rank for rank with their supervisor's permission. District Chiefs may approve other than rank for rank trading of time in cases of emergencies or unusual circumstances. Members are not allowed to pay someone to work for them.

TTFD-Schlotter, Eric

From: Jennifer Otey <jotey@ci.duncanville.tx.us>
Sent: Thursday, July 30, 2015 8:48 AM
To: TEX-Powell, Jim
Subject: RE: Civil Service Fire Department - Swap Time

Trading Work Time

7.9 A trade or trading time is defined as any exchange of time within one shift between two members of the department. Employees involved in the trade scenario are making an agreement between themselves and not the city or department.

7.9.1 Trades can be taken for the enhancement of education, community service, and personal matters. The number of trades per individual or per shift will be at the discretion of the Station Officers. However, no shift trades shall be allowed if it will cause the employee to work more than (48) forty-eight consecutive hours without time off.

7.9.2 The Fire Department is not responsible for any controversy or discrepancies over trade time, owed, to be paid back, or when trade time is to be paid back.

7.9.3 All trades will be documented on a Trade Form and approved by the Station Officer of the on-duty shift prior to the trade become a bona-fide trade. Trade forms are located at each fire station.

7.9.4 Trades shall be between individuals of equal rank and capabilities.

7.9.5 Any employee who assumes a tour of duty for another also undertakes all responsibilities for that tour of duty.

7.9.6 Failure to report for a trade shall be considered absence without leave and will result in disciplinary action.

7.9.7 Trade time does not impact the FLSA twenty-eight day cycle.

7.9.8 Trade time can only be used when the person requesting the trade is scheduled to be on duty for his/her assigned shift. Trade time cannot be used for days when 114 the individual is not scheduled to be on duty, i.e. you cannot use a trade day if you are scheduled to be on vacation, ESL, holiday, and you cannot use a trade day if you are off on sick leave or workers compensation leave.

Jennifer Otey
HR Manager

From: TEX-Powell, Jim [mailto:Jim.Powell@txkusa.org]

Sent: Wednesday, July 29, 2015 4:46 PM

To: scollard@paristexas.gov; rivy@cityoflufkin.com; Denise Myers; pearls@ci.nacogdoches.tx.us; lstdham@nbtexas.org; rray@tylertexas.com; jrogers@tylertexas.com; jpittman@tylertexas.com; cjohnston@marshalltexas.net; wgraves@marshalltexas.net; craigl@ci.sherman.tx.us; jvaughn@coppelltx.gov; lnorris@gptx.org; kshields@ci.desoto.tx.us; Janet.goad@midlothian.tx.us; dlee@lancaster-tx.com; Jennifer Otey

Subject: Civil Service Fire Department - Swap Time

Our Fire Department is Civil Service and participates in "swap time," the trading of work shifts among firefighters. I am wanting to know if any of you have a policy regarding swap time. If so, please share. Thanks. jim

Jim Powell, CPM

19.7 – SUB CALLS

- A. Trading or exchanging of on-duty work time between members shall be known as a “sub call”. Sub calls shall be by mutual agreement between the members concerned. Each member will be individually responsible for sub time they owe and sub time owed to them. A sub call is the exchange of on-duty time; cash transactions related to sub calls are prohibited. A member who is away from duty on a properly approved sub call where the sub actually works the member’s scheduled duty period shall be considered as present for duty for pay purposes. Members scheduled for duty are the members paid for such duty.
1. A member may be off with a sub only during the member’s regularly scheduled duty period.
 2. A member who subs for another cannot qualify for overtime pay during the period of the sub call.
- B. Sub calls shall be applicable only to members assigned to 24-hour shift duty, Fire Prevention Specialist assigned to the Fire Prevention Division, and members below the classification of Battalion Chief assigned to the Communications Section.
- C. Sub calls are a privilege and are **not** an earned right; abuse of sub calls is cause for this privilege to be revoked. A prime factor to be considered prior to approving a sub call request is operational effectiveness.
- D. Members are allowed to trade time, rank for rank, with their supervisor’s permission. Battalion Chiefs must approve out of rank subs between Firefighters and Drivers and between Lieutenants and Captains. Sub calls for Fire Prevention Specialists must be approved by the Fire Marshal. Assistant Chiefs must approve subs between Captains and Battalion Chiefs.
- E. Sub calls are ineligible for sick leave. If a member becomes ill and unable to work prior to or while serving as a sub, it shall be his/her responsibility to obtain another sub or notify the individual for who he/she was subbing. If another sub cannot be arranged or if the individual who arranged the sub cannot come in and finish the shift, the member who arranged the sub will be charged vacation leave for the remainder of the shift. When vacation time is utilized in these situations, a memo initiated by the member’s immediate supervisor shall be forwarded through the chain-of-command to the Chief of Department for notification purposes.

- F. Members who are injured in the line of duty are eligible for injury leave and Worker's Compensation benefits. This also applies to members injured in the line of duty while subbing. However, if the injured member is unable to work the remainder of the shift due to an injury while serving as a sub, it shall be his/her responsibility to obtain another sub or notify the individual for whom he/she was subbing. If another sub cannot be arranged or if the individual who arranged the sub cannot come in and finish the shift, the member who arranged the sub will be charged vacation leave for the remainder of the shift. When vacation time is utilized in these situations, a memo initiated by the member's immediate supervisor shall be forwarded through the chain-of-command to the Chief of Department for notification purposes.
- G. Sub calls requiring a member to work more than forty-eight (48) continuous hours on an MICU are not allowed. Sub calls for more than two (2) of the member's consecutive shifts must be approved by the Battalion Chief. Such requests must be justified and submitted to the Battalion Chief. The Battalion Chief will determine any impact the request would have on operational effectiveness and forward the request to the Assistant Chief, Operations for notification purposes only.

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 6/5/2017 1:56 PM

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

Subject: Resolution No. 2017-064 adopting the FY18 Master Fee List.

Briefing: 6/12/2017 **Public Hearing:** 6/12/2017 **Second Briefing:** June 26, 2017 **Council Vote:** 7/10/2017

Item Schedule

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

Updates/History of Briefing:

Since the first briefing on 22 MAY 17 the staff has updated the remainder of the list with the proposed Waste Management fees displayed in Rows 277-346. Staff has also added a new annual fee for the placement and maintenance of "Network Nodes" installed in public Rights-of-Way at Row 273A. This new fee is set at the maximum permitted by statute (provided the Governor does not veto SB1004).

As requested by the city council during the 22 MAY 17 briefing, the staff has notified the building/construction community of the proposed increases for some permits issued by the Inspections Department.

Executive Summary and Background Information:

Annually, the city staff reviews the Master Fee List and makes recommendations for changes to existing fees and/or recommends the establishment of new fees.

The proposed FY18 Master Fee list includes a number of new fees:

Items 5A and 5B: Daily Special Event Permit (Expedited Processing) \$150 and Daily Special Event Permit (Express Processing) \$300: Staff continues to work with entities desiring to use public facilities to conduct privately sponsored events. Some events are open to the public while some are more private but may impact public facilities. The application is staffed across all departments of the city and some departments are further tasked by the event to provide resources, which must be coordinated. The normal processing is expected to require up to 20 days to finally issue the permit. Over the past few years some event planners have delayed submitting the application to a point that the staff must process the application at the disruption of other critical or time sensitive workload. Some events that require a permit are just short notice (such as out of city organizers who have planned activities with little lead time). Staff accommodates these requests but must greatly disrupt all other planned work to complete the review and coordinate resources to the event. Staff is recommending that these two fees be added to help offset the cost of processing when staff resources must be redirected to accommodate the review and the request for public resources. Additionally, the \$150 Expedited Processing should serve as an incentive for the local organizers to submit their requests more timely to avoid having to pay for the expedited review.

City of Texarkana, Texas

Item 57A: Dog & Cat Registration 3-Year (Altered) \$20: This is a new category of pet registration permitting a three-year registration, provided however, the pet is altered. This option is intended to provide an additional benefit for pet owners who choose to neuter their pets. Staff is also recommending increasing the existing (item 55) Dog & Cat Registration (Unaltered) from \$30 to \$40 annually.

Item 58A: Dangerous Dog Registration \$50: In accordance with City Code 8-18 (c) (1) b a registration fee is to be established by the city council.

Item 59A: Rabies Quarantine \$150: In accordance with City Code 8-11 anticipates extraordinary city costs when administering animal control jurisdiction over an animal suspected of being infected with or potentially infected with rabies thus requiring a quarantine period.

Item 59B: Owner Surrenders \$150: The Animal Adoption Center and Shelter has started charging for this service which needs to be recovered from the pet owner who is surrendering their pet.

Items 130 Portable Building Permit \$50; 130B Residential Repair Permit \$30; 130C Residential Remodel 25¢/SF; and 132B Non Residential Re-Roofing or Repair Permit \$150: Are currently required permits issued without payment of a fee. These are specialized services not generally required by the general public on a routine basis thus appropriately should be fee based services.

Item 134A: Application Plan Review Fee – Non-Residential (project cost of \$1 million or more) \$500: This permit has typically been issued upon payment of a \$300 fee regardless of the size of the project. This new fee is being established at the \$500 fee level and will only apply to larger projects, the \$300 fee will continue for the smaller projects valued at less than \$1 million.

Item 145 A: Initial Certificate of Occupancy \$50: A previously occupied space being occupied by a new tenant or owner requires an inspection to determine if the space continues to meet the minimum requirements of the intended use.

Item 155A: Courtesy/Follow Up Inspection \$25: The building permit includes two paid-in-full inspections. Additional inspections beyond the initial two inspection will charged a fee of \$25 per inspection.

Items 394A: Liquid Waste Transport Permit Late Fee \$25; and 397A: Liquid Waste Transporter Manifest Late Fee \$25: These are customer services that are provided by TWU but without a fee up to this date.

A number of fees are being adjusted as noted in the FY18 Column with “yellow” highlights.

Solid waste collection fees are a work-in-progress and should be available prior to the adoption of the Master Fee List.

Note also that new fees being charged at the Animal Adoption Center and Shelter have been administratively adjusted for the remainder of FY17 pending the city council adoption of the FY18 Master Fee List.

Potential Options:

- Adopt the Master Fee List as Recommended

City of Texarkana, Texas

- Revise and Adopt the Master Fee List

Fiscal Implications:

Work-in-Progress

Staff Recommendation:

Adopt the Master Fee List as Recommended

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. 2017-064 RES Adopting FY18 Master Fee List (DOCX)
- b. 2017-064 ATTH 01 FY18 Master Fee List 20170517 (PDF)
- c. 2017-064 Goals & Perspectives (DOCX)

Staff Coordination

City Manager	John Whitson	Department Head Review	Completed
	05/18/2017 5:49 PM		
Planning and Community Development	David Orr	Review	Completed
	05/18/2017 5:52 PM		
Fire Department	Eric Schlotter	Review	Completed
	5:56 PM		05/18/2017
Parks, Recreation & Health	Robby Robertson	Review	Completed
	05/18/2017 7:06 PM		
Water Utilities	JD Phillips	Review	Completed
	7:28 AM		05/19/2017
Police	Dan Shiner	Review	Completed
	7:32 AM		05/19/2017
Human Resources	Jim Powell	Review	Completed
	7:39 AM		05/19/2017
Public Works Department	Dusty Henslee	Review	Completed
	05/19/2017 7:53 AM		
Parks, Recreation & Health	Jennifer Evans	Review	Skipped
	05/19/2017 8:17 AM		
Building Code Administration	Mashell Daniel	Review	Completed
	05/19/2017 9:17 AM		
Deputy City Manager - Shirley Jaster	Jennifer Evans	Deputy City Manager	
Review	Skipped	05/19/2017 8:17 AM	
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager	
Review	Completed	05/19/2017 10:54 AM	

City of Texarkana, Texas

Public Information Officer	Lisa Thompson	PIO Review	Completed
	05/19/2017 12:06 PM		
City Manager	Jennifer Evans	City Manager Review	Completed
12:10 PM			05/19/2017
City Council	Jennifer Evans	Meeting	Completed
6:00 PM			05/22/2017

Meeting History

RESOLUTION NO. 2017 - 064**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ADOPTING THE FY18 MASTER FEE LIST; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, municipal services generally serve the total city population; and

WHEREAS, these general municipal services are expected to be delivered on a scheduled or demand basis but paid for from general funds collected broadly via property taxes or sales taxes; and

WHEREAS, there are a number of municipal services that are provided on a demand basis or provided to a very restricted segment of the general population; and

WHEREAS, the guiding principle for funding these demand basic services or services targeting a very restricted segment of the population should be paid for by those who receive or request the specific service; and

WHEREAS, user fees are often established by local governments throughout Texas and the nation using the uniform basis of collected revenues offsetting the expenses incurred delivering the service, thus not requiring taxpayer subsidy; and

WHEREAS, Texarkana does provide a number of municipal services that are used by segments of the city and thus lend themselves to being provided subject to the beneficiary paying related user fees; and

WHEREAS, city staff has prepared a list of services that are generally not used by the whole collective of the city and therefore should be paid for by those who directly benefit from the service provided.

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

SECTION 1: That the City Council has reviewed the Master Fee List and has determined that the services listed are used by segments of the city and should appropriately be paid for by the charging and collecting of related user fees.

SECTION 2: That the Master Fee List will be reviewed annually and adjustments made to further align the user fee revenues with the costs of providing the designated services or city council directed percentages of the total costs of providing the designated service.

SECTION 3: That this Resolution shall be in full force and effect from and after adoption of this resolution.

PASSED AND APPROVED in Regular Council Session on this the **10th** day of **July, 2017**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-064 RES Adopting FY18 Master Fee List (1660 : 2017-064 RES FY18 Master Fee List)

**FY18 Master Fee List
(adopted 10 JUL 17)**

*** Indicates that Authorizing Ordinances have not been enacted - Therefore, these fees will not be assessed prior to adoption of the appropriate ordinance(s)
Building Permit Fees to be Based on the FY Schedule of Fees in which the construction work is scheduled to begin.**

Item Number	SERVICE/PERMIT	Y14 RATE	FY15 RATE	FY16 RATE	FY17 RATE	FY18 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
1	Extraordinary Event Cost Recovery Fee	\$0.00						An invoice may be sent by the City to any individual, organization or entity to recapture the cost of staff time, materials and supplies, and other costs related to an event, item or activity which is not considered a service provided to the general population in the normal and ordinary course of the City's operation.	All Departments and Offices		
2	Returned Checks	\$25.00	\$30.00	\$30.00	\$30.00	\$30.00	Each check	NSF –Non-Sufficient Funds	All Departments and Offices		
3	Coin Operated Machine Permit	\$15.00	\$15.00	\$15.00	\$15.00	\$15.00	Per Coin Operated Machine	Maximum \$250.00	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
4	Annual Special Event Permit	\$0.00	\$100.00	\$110.00	\$100.00	\$100.00	Each		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
5	Daily Special Event Permit (20 days processing)	\$0.00	\$0.00	\$30.00	\$30.00	\$40.00	Each	No processing will occur without payment	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
5A	Daily Special Event Permit (Expedited Processing)					\$150.00	Each	Five days processing after acceptance of a <u>completed</u> application: no processing will occur without payment	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
5B	Daily Special Event Permit (Express Processing)					\$300.00	Each	Next day permit based on receipt of a <u>completed</u> application with proper insurance certificate included, received no later than 4:00 p.m. on a regular work day: no processing will occur without payment	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
6	Transient Dealer Precious Metal Permit	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	Each	For 30 Days	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
7	Alcoholic Beverage Permit: Beer Off-Premise (BF)	\$0.00	\$60.00	\$60.00	\$60.00	\$60.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
8	Alcoholic Beverage Permit: Wine & Beer Off-Premise (BQ)	\$0.00	\$60.00	\$60.00	\$60.00	\$60.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
9	Alcoholic Beverage Permit: Beer On-Premise (BE)	\$0.00	\$75.00	\$75.00	\$75.00	\$75.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
10	Alcoholic Beverage Permit: Wine & Beer Retailer (BG)	\$0.00	\$175.00	\$175.00	\$175.00	\$175.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
11	Alcoholic Beverage Permit: Wine & Beer Retailer On-Premise Late Hours (BL)	\$0.00	\$250.00	\$250.00	\$250.00	\$250.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
12	Alcoholic Beverage Permit: Brewpub License (BP)		\$500.00	\$500.00	\$500.00	\$500.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
13	Alcoholic Beverage Permit: Package Store (P)	\$0.00	\$500.00	\$500.00	\$500.00	\$500.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
14	Alcoholic Beverage Permit: Wine Only Package Store (Q)	\$0.00	\$75.00	\$75.00	\$75.00	\$75.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
15	Alcoholic Beverage Permit: General Class B Wholesaler (X)	\$0.00	\$300.00	\$300.00	\$300.00	\$300.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
16	Alcoholic Beverage Permit: Importer's License (BI)	\$0.00	\$20.00	\$20.00	\$20.00	\$20.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
17	Alcoholic Beverage Permit: Importer's Carrier's License (BJ)	\$0.00	\$20.00	\$20.00	\$20.00	\$20.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
18	Alcoholic Beverage Permit: Beer Manufacturer's License (BA)	\$0.00	\$750.00	\$750.00	\$750.00	\$750.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
19	Alcoholic Beverage Permit: Brewer (B)	\$0.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
20	Alcoholic Beverage Permit: Winery (G)			\$75.00	\$75.00	\$75.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
21	Alcoholic Beverage Permit: Local Distributor (to sell to private clubs) (LP)	\$0.00	\$100.00	\$100.00	\$100.00	\$100.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
22	Alcoholic Beverage Permit: Branch Distributor (BC)	\$0.00	\$75.00	\$75.00	\$75.00	\$75.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900

**FY18 Master Fee List
(adopted 10 JUL 17)**

*** Indicates that Authorizing Ordinances have not been enacted - Therefore, these fees will not be assessed prior to adoption of the appropriate ordinance(s)
Building Permit Fees to be Based on the FY Schedule of Fees in which the construction work is scheduled to begin.**

Item Number	SERVICE/PERMIT	Y14 RATE	FY15 RATE	FY16 RATE	FY17 RATE	FY18 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
23	Alcoholic Beverage Permit: Wholesaler (W)	\$0.00	\$1,875.00	\$1,875.00	\$1,875.00	\$1,875.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
24	Alcoholic Beverage Permit: General Distributors (BB)	\$0.00	\$300.00	\$300.00	\$300.00	\$300.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
25	Alcoholic Beverage Permit: Food and Beverage Certificate (FB)	\$0.00	\$100.00	\$100.00	\$100.00	\$100.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
26	Alcoholic Beverage Permit: Caterer's Permit (CB)		\$500.00	\$500.00	\$500.00	\$500.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
27	Alcoholic Beverage Permit: Mixed Beverage Permit (MB or RM) - Original	\$0.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
28	Alcoholic Beverage Permit: Mixed Beverage Permit (MB or RM) - 1st Renewal	\$0.00	\$2,250.00	\$2,250.00	\$2,250.00	\$2,250.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
29	Alcoholic Beverage Permit: Mixed Beverage Permit (MB or RM) - 2nd Renewal	\$0.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
30	Alcoholic Beverage Permit: Mixed Beverage Permit (MB or RM) - 3rd and all Subsequent Renewals	\$0.00	\$750.00	\$750.00	\$750.00	\$750.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
31	Alcoholic Beverage Permit: Public Storage (K)	\$0.00	\$100.00	\$100.00	\$100.00	\$100.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
32	Alcoholic Beverage Permit: Beverage Cartage (PE)	\$0.00	\$20.00	\$20.00	\$20.00	\$20.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
33	Alcoholic Beverage Permit: Private Carrier (O)	\$0.00	\$30.00	\$30.00	\$30.00	\$30.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
34	Alcoholic Beverage Permit: Package Store Tasting (PS)	\$0.00	\$25.00	\$25.00	\$25.00	\$25.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
35	Alcoholic Beverage Permit: Mixed Beverage Restaurant (RM)	\$0.00	\$750.00	\$750.00	\$750.00	\$750.00	Each	Bi-Annual Permit at same time as state permit application/renewal (collect 3rd year and after issuance of license)	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
36	Alcoholic Beverage Permit: Mixed Beverage Late Hours (LB)	\$0.00	\$150.00	\$150.00	\$150.00	\$150.00	Each	Bi-Annual Permit at same time as state permit application/renewal	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
37	Motor Vehicle Junk Yard or Business Permit		\$50.00	\$50.00	\$50.00	\$50.00	Each	Annual Note: \$1.00 Fee to Replace Lost Permit	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
38	Open Records Information: Copies (letter & legal)	\$0.10	\$0.10	\$0.10	\$0.10	\$0.10	Per Page		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
39	Open Records Information: Copies over 50 pages	\$0.10	\$0.10	\$0.10	\$0.10	\$0.10	Per Page	Plus Labor charge prorated and overhead charge	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
40	Open Records Information: Copies (Oversize 11" x 17")	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	Each		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
41	Open Records Information: Computer	\$0.10	\$0.10	\$0.10	\$0.10	\$0.10	Per Page		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
42	Open Records Information: Diskette	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	Each		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
43	Open Records Information: VHS video	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50	Each		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
44	Open Records Information: Audio Cassette	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	Each		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
45	Open Records Information: CD	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	Per clock hour		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
46	Open Records Information: Maps/D Size	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	Sheet paper		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
47	Open Records Information: Maps/D Size	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00	Sheet film		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
48	Open Records Information: Maps/E Size	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00	Sheet paper		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
49	Open Records Information: Maps/E Size	\$4.00	\$4.00	\$4.00	\$4.00	\$4.00	Sheet film		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
50	Open Records Information: Other							Note: Any other charges for public information not listed will be as defined in Title 1, Part 3, Chapter 70 of the Texas Administrative Code. When applicable, labor cost will be added to open records requests and will be billed at \$15/hour plus a 20% overhead charge.	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900

**FY18 Master Fee List
(adopted 10 JUL 17)**

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Building Permit Fees to be Based on the FY Schedule of Fees in which the construction work is scheduled to begin.**

Item Number	SERVICE/PERMIT	Y14 RATE	FY15 RATE	FY16 RATE	FY17 RATE	FY18 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
51	Airport Operations, Maintenance and Improvement Fee - Residential 1 *		\$0.00	\$0.00	\$0.00	\$0.00	Monthly	Collected via Utility Statement when water use less than 6,000 gallons (Residential)	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
52	Airport Operations, Maintenance and Improvement Fee - Residential 2 *		\$0.00	\$0.00	\$0.00	\$0.00	Monthly	Collected via Utility Statement when water use exceeds 6,000 gallons (Residential)	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
53	Airport Operations, Maintenance and Improvement Fee - Commercial 1 *		\$0.00	\$0.00	\$0.00	\$0.00	Monthly	Collected via Utility Statement when water use is less than 4,000 gallons (Commercial)	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
54	Airport Operations, Maintenance and Improvement Fee - Commercial 2 *		\$0.00	\$0.00	\$0.00	\$0.00	Monthly	Collected via Utility Statement when water use exceeds 4,000 gallons (Commercial)	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
55	Dog & Cat Registration (Unaltered) *	\$0.00	\$30.00	\$30.00	\$30.00	\$40.00	Per Pet	Per Year	Animal Services	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3971
56	Dog & Cat Registration (Altered) *	\$0.00	\$10.00	\$10.00	\$10.00	\$10.00	Per Pet	Per Year	Animal Services	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3971
57	Dog & Cat Late Registration or Fail to Register *	\$0.00	\$15.00	\$15.00	\$15.00	\$15.00	Per Pet	Per Year	Animal Services	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3971
57A	Dog & Cat Registration 3-Year (Altered)	\$0.00	\$0.00	\$0.00	\$0.00	\$20.00	Per Pet	Every 3 years	Animal Services	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
58	Dog & Cat Registration - Replacement Tag *	\$0.00	\$5.00	\$5.00	\$5.00	\$5.00	Per Pet		Animal Services	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
58A	Dangerous Dog Registration					\$50.00	Per Pet Per Year		Animal Services	City Hall – Municipal Building - 220 Texas Boulevard	903-798-3912
59	Reclaim Impounded Animal	\$0.00	\$90.00	\$90.00	\$90.00	\$150.00	Per Pet	Does not Include Arkansas Animal Shelter Fees	Animal Services	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
59A	Rabies Quarantine	\$0.00	\$0.00	\$0.00	\$0.00	\$150.00	Per Pet	To Be Done at Vet's Office Or Approved Place	Animal Services	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
59B	Owner Surrenders	\$0.00	\$0.00	\$0.00	\$0.00	\$150.00	Per Pet		Animal Services	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
60	Birth Certificates	\$23.00	\$23.00	\$23.00	\$23.00	\$23.00	Each		Vital Statistics Office	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
61	Death Certificates	\$21.00	\$21.00	\$21.00	\$21.00	\$21.00	Each		Vital Statistics Office	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
62	Death Certificates (additional copies)	\$4.00	\$4.00	\$4.00	\$4.00	\$4.00	Each		Vital Statistics Office	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
63	Abstract Poly Envelope	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	Each		Vital Statistics Office	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
64	Long Poly Envelope	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00	Each		Vital Statistics Office	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
65	Mail Request: Shipping & Handling Fee	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	Each		Vital Statistics Office	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
66	Credit/debit card payment	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50	Each Transaction	In Addition to certificate fees	Vital Statistics Office	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
67	Garage Sale Permit	\$5.00	\$5.00	\$5.00	\$5.00	\$5.00	Each	3-day/max 2 per year	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
68	Estate Sale Permit	\$20.00	\$20.00	\$20.00	\$20.00	\$20.00	Each	3-days/Max 2 per year	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
69	Itinerate Vendor Permit	\$20.00/\$5.00	\$100.00	\$100.00	\$100.00	\$100.00	Each	\$10.00 each additional permit for same sales group. 1-year permit	Vital Statistics Office	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
70	Incident Report Copies	\$2.00	\$5.00	\$5.00	\$5.00	\$5.00	Per Report	Fire Department calls only	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
71	Fire Inspection Service: Nursing Home	\$0.00	\$150.00	\$150.00	\$150.00	\$150.00	Annual Fee	Includes two inspections performed semi-annually	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
72	Fire Inspection Service: Day Care	\$0.00	\$75.00	\$75.00	\$75.00	\$75.00	Annual Fee	Includes two inspections performed semi-annually	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
73	Fire Inspection Service: Group Home	\$0.00	\$75.00	\$75.00	\$75.00	\$75.00	Annual Fee	Includes two inspections performed semi-annually	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
74	Fire Inspection Service: Hospital	\$0.00	\$350.00	\$350.00	\$350.00	\$350.00	Annual Fee	Includes two inspections performed semi-annually	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
75	Fire Inspection Service: Hotel/Motel - Base		\$0.00	\$25.00	\$25.00	\$25.00	Annual Fee	Includes two inspections, performed semi-annually, \$25 base fee plus \$5 per room inspected	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
76	Fire Inspection Service: Hotel/Motel - Per Room		\$0.00	\$5.00	\$5.00	\$5.00	Annual Fee	Includes two inspections, performed semi-annually, \$25 base fee plus \$5 per room inspected	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
77	Fire Inspection Service: First Re-Inspection	\$0.00	\$50.00	\$0.00	\$0.00	\$0.00	Each		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994

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Building Permit Fees to be Based on the FY Schedule of Fees in which the construction work is scheduled to begin.**

Item Number	SERVICE/PERMIT	Y14 RATE	FY15 RATE	FY16 RATE	FY17 RATE	FY18 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
78	Fire Inspection Service: 2nd and subsequent re-inspections.	\$0.00	\$100.00	\$100.00	\$100.00	\$100.00	Each		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
79	Fire Inspection Service: After Hours Inspection (Minimum 2 hr.)	\$0.00	\$75.00	\$75.00	\$75.00	\$75.00	Per hour		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
80	Water Fill / Truck Only	\$0.00	\$25.00	\$25.00	\$25.00	\$25.00	Per Order		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
81	Fire Inspection Service: Home Safety Inspection	\$0.00	No Charge	No Charge	No Charge	No Charge			Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
82	Fire Inspection Service: Foster Home Inspection	\$0.00	No Charge	No Charge	No Charge	No Charge			Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
83	Permit: Fire Alarm Commercial	\$0.00	\$100.00	\$100.00	\$100.00	\$100.00	Annual Fee		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
84	False Alarm Fee - Commercial: 4-6 Alarms	\$0.00	\$50.00	\$50.00	\$50.00	\$50.00	Each Alarm	Per 12-month period	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
85	False Alarm Fee - Commercial: 7 and more	\$0.00	\$75.00	\$75.00	\$75.00	\$75.00	Each Alarm	Per 12-month period	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
86	False Alarm Fee - Residential: 4-6 Alarms	\$0.00	\$35.00	\$35.00	\$35.00	\$35.00	Each Alarm	Per 12-month period	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
87	False Alarm Fee - Residential: 7 and more	\$0.00	\$45.00	\$45.00	\$45.00	\$45.00	Each Alarm	Per 12-month period	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
88	Permit: Fixed Fire Extinguishing System	\$0.00	\$75.00	\$75.00	\$75.00	\$75.00	Each		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
89	Permit: Sprinkler/Standpipe	\$0.00	\$75.00	\$75.00	\$75.00	\$75.00	Each		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
90	Permit: Installation/Removal of UST's	\$0.00	\$100.00	\$100.00	\$100.00	\$100.00	Each		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
91	Permit: Open Burning (not recreational)	\$0.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	Each		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
92	Permit: Recreational Burning	\$0.00	\$50.00	\$50.00	\$50.00	\$50.00	Each		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
93	Permit: Fireworks	\$0.00	\$100.00	\$100.00	\$100.00	\$100.00	Each		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
94	Response: Hazardous Materials	100%	110%	110%	110%	110%	Replacement	Current Replacement cost of materials used	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
95	Response: Technical Rescue	100%	110%	110%	110%	110%	Replacement	Current Replacement cost of materials used	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
96	Inspection Service: Pool (each body of water)	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	Annual Fee		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
97	Inspection Service: Pool Late Fee (each body of water)	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	Each		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
98	Inspection Service: Pool 1st Re-inspection (each body of water)	\$0.00	\$100.00	\$100.00	\$100.00	\$100.00	Each		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
99	Inspection Service: Pool Subsequent Re-inspections (each body of water/each additional inspection - incremental increase in fee)	\$0.00	\$100.00	\$100.00	\$100.00	\$100.00	Each	Increasing in \$100.00 increments for each additional re-inspection	Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
100	Inspection Service: Pool Complaint (each body of water)	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	Each		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
101	Inspection Service: Pool Reinstatement (each body of water)	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	Each		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
102	Health Service Inspection: Food Service w/1-5 employees	\$275.00	\$275.00	\$275.00	\$275.00	\$275.00	Annual Fee		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
103	Health Service Inspection: Food Service w/6-10 employees	\$300.00	\$300.00	\$300.00	\$300.00	\$300.00	Annual Fee		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
104	Health Service Inspection: Food Service w/11 or more employees	\$325.00	\$325.00	\$325.00	\$325.00	\$325.00	Annual Fee		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
105	Health Service Inspection: Food Service each Public & Private School	\$275.00	\$275.00	\$275.00	\$275.00	\$275.00	Annual Fee		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
106	Health Service Inspection: Food Service for each Non-Profit	\$275, \$300, \$325	\$75.00	\$75.00	\$75.00	\$75.00	Annual Fee	Complaint Inspection, reinstatement & re-inspection fees apply	Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
107	Health Service Inspection: Day Care Food Service	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	Annual Fee	Per Day Care	Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912

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Building Permit Fees to be Based on the FY Schedule of Fees in which the construction work is scheduled to begin.

Item Number	SERVICE/PERMIT	Y14 RATE	FY15 RATE	FY16 RATE	FY17 RATE	FY18 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
108	Health Service Inspection: Day Care Non-Food Service	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	Annual Fee	Per Day Care	Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
109	Health Service Inspection: Foster Home	\$100.00	\$40.00	\$40.00	\$40.00	\$40.00	Bi-annual		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
110	Health Service Inspection: Adoption	\$100.00	\$40.00	\$40.00	\$40.00	\$40.00	Each		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
111	Health Service Inspection: Temporary Event	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	Each		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
112	Health Service Inspection: Seasonal Permit	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	Each	There was an error in the current fee schedule that had swapped Mobile Fee with Seasonal Fee, this is to correct that error.	Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
113	Health Service Inspection: Mobile Food Unit	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	Annual Fee	There was an error in the current fee schedule that had swapped Mobile Fee with Seasonal Fee, this is to correct that error.	Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
114	Health Service Inspection: Late fee	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	Each		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
115	Health Service Inspection: Complaint Inspection	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	Each		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
116	Health Service Inspection: 1st Re-inspection	\$75.00	\$100.00	\$100.00	\$100.00	\$100.00	Each		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
117	Health Service Inspection: Subsequent Re-inspections	\$0.00					Each	Increasing in \$100.00 increments for each additional re-inspection	Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
118	Health Service Inspection: Reinstatement	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	Each		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
119	Health Service Inspection: Duplicate Permit	\$20.00	\$20.00	\$20.00	\$20.00	\$20.00	Each		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
120	Copy: Texas Food Establishment Rules (picked up)	\$8.00	\$25.00	\$25.00	\$25.00	\$25.00	Each		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
121	Copy: Texas Food Establishment Rules (mailed)	\$10.00	\$30.00	\$30.00	\$30.00	\$30.00	Each		Health Inspections	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
121A	Health Service Inspection: Courtesy Follow Up Inspection					\$25.00	Each	Charged after the 2nd Courtesy Inspection	Health Inspections	City Hall - Municipal Building - 220 Texas Boulevard	903-798-3912
121B	Health Service Inspection: Commercial Account Inspection					Pending					
122	Immunization: Child Administrative Fee	\$12.00	\$12.00	\$12.00	\$14.00	\$14.00	Per Visit	No Vaccine Maximum - No charge for Texas Medicaid Children	Health Clinic	Bowie County Health Clinic, 902 W. 12 th Street	903-798-3250
123	Immunization: Adult Administrative Fee	\$15.00	\$15.00	\$15.00	\$20.00	\$20.00	Per Visit		Health Clinic	Bowie County Health Clinic, 902 W. 12 th Street	903-798-3250
124	Copy: Shot Record	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	Each		Health Clinic	Bowie County Health Clinic, 902 W. 12 th Street	903-798-3250
125	Immunization: Private Purchase Flu vaccine	\$20.00	\$20.00	\$20.00	\$25.00	\$25.00	Per Shot	Price subject to change	Health Clinic	Bowie County Health Clinic, 902 W. 12 th Street	903-798-3250
126	Health Service: Tuberculosis Skin Test for Employment or Schooling	\$15.00	\$15.00	\$15.00	\$20.00	\$20.00	Per Test		Health Clinic	Bowie County Health Clinic, 902 W. 12 th Street	903-798-3250
127	Health Service: Health Card Renewal	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	Per Card		Health Clinic	Bowie County Health Clinic, 902 W. 12 th Street	903-798-3250
128	Health Service: Blood Sugar (Finger Stick)	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	Per Test		Health Clinic	Bowie County Health Clinic, 902 W. 12 th Street	903-798-3250
129	Notary Fee	\$5.00	\$5.00	\$5.00	\$5.00	\$5.00	Per Service		Human Resources Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3917
130	Portable Building Permit					\$50.00	Each	For buildings that are already constructed, moved on site	Inspections Department	City Hall - Municipal Building - 220 Texas Boulevard	903-798-3912

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Item Number	SERVICE/PERMIT	Y14 RATE	FY15 RATE	FY16 RATE	FY17 RATE	FY18 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
130A	New Residential Building Permit			\$0.50	\$0.50	\$0.50	Per Square Foot	1. New SF, DD, MH and MF including units available for individual ownership; 2. Additions including but not limited to: bedrooms, bathrooms, screened porch, sunrooms and etc.; 3. Attached Accessory Structure including but not limited to: deck, garage, open porch and etc... 4. All space measured including heated and unheated space.	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
130B	Residential Repair Permit					\$30.00	Per House	For Greater Area Than 10% of House	Inspections Department	City Hall - Municipal Building - 220 Texas Boulevard	903-798-3912
130C	Residential Remodel					\$0.25	Per Square Foot	Of Room Remodeled	Inspections Department	City Hall - Municipal Building - 220 Texas Boulevard	903-798-3912
131	Residential Re-Inspection Fee	\$5.00	\$25.00	\$25.00	\$25.00	\$25.00	All Trades	Does not include "Missed Appointment"	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
132	Non-Residential Building Permit			See Separate Schedule	See Separate Schedule	See Separate Schedule	Each	Use the on-line file to determine permit fee and the fee will be based on the fiscal year in which the construction work is scheduled to begin.	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
132A	Residential Re-Roofing or Repair Permit				\$75.00	\$75.00	Each		Inspections Department	City Hall - Municipal Building - 220 Texas Boulevard	903-798-3912
132B	Non Residential Re-Roofing or Repair Permit					\$150.00	Each		Inspections Department	City Hall - Municipal Building - 220 Texas Boulevard	903-798-3912
133	Application Plan Review Fee: Residential	\$0.00	\$75.00	\$50.00	\$50.00	\$50.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
134	Application Plan Review Fee: Non-Residential	\$0.00	\$300.00	\$300.00	\$300.00	\$300.00	Each	Project costs < \$1,000,000	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
134A	Application Plan Review Fee: Non-Residential	\$0.00	\$300.00	\$300.00	\$300.00	\$500.00	Each	Project costs => \$1,000,000	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3913
136	Residential: Re-Review Plan or Change	\$0.00	\$50.00	\$50.00	\$50.00	\$50.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
137	Non-Residential: Re-Review Plan or Change	\$0.00	\$150.00	\$150.00	\$150.00	\$250.00	Each	Project costs < \$1,000,000	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
137A	Non-Residential: Re-Review Plan or Change	\$0.00	\$150.00	\$150.00	\$150.00	\$500.00	Each	Project costs => \$1,000,000	Inspections Department	City Hall - Municipal Building - 220 Texas Boulevard	903-798-3913
138	Non-Residential: Re-Inspection Fee	\$5.00	\$75.00	\$50.00	\$50.00	\$50.00	Each Trade	Increases at \$25 rate per failed inspection, thus increasing to \$75, \$100, \$125 and etc... Does not include "Missed Appointment"	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
139	Inspections Outside City Limits - Inside ETJ	\$45.00	\$150.00	\$150.00	\$150.00	\$150.00	Each	Per Request from owner/contractor	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
142	Demolition Permit	\$10.00	\$150.00	\$150.00	\$150.00	\$150.00	Each	Performance Bond/cashiers check Required	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
143	Non-Residential: Temporary Electrical Power	\$30.00	\$75.00	\$75.00	\$75.00	\$75.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
144	Work Performed without Permit	Double Fee					Each	Double Fee	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
145	Record Retrieval	\$0.00	\$60.00	\$60.00	\$60.00	\$60.00	Each Request	Pulling closed files, plans and etc...	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
145A	Initial Certificate of Occupancy	\$0.00	\$0.00	\$0.00	\$0.00	\$50.00	Each	Does not include new construction; 2 inspections included; \$25 each additional inspection	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
146	Replacement of Certificate of Occupancy Card	\$0.00	\$25.00	\$25.00	\$25.00	\$10.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
147	Re-stamp Previously Approved Plans	\$0.00	\$25.00	\$25.00	\$25.00	\$25.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
148	Non Residential Permit Renewal of Expired Permit	\$0.00	0.25%	0.25%	0.25%	25%	Each	25% of original permit fee	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912

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Item Number	SERVICE/PERMIT	Y14 RATE	FY15 RATE	FY16 RATE	FY17 RATE	FY18 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
148 A	Residential renewal of Expired Permit						Each	Price of the Original Permit	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
149	Failure to Pick-up Permit within 60 days of Approval	\$0.00						Forfeit Fees	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
150	Refund Fee for Non-expired Permits	\$0.00	\$75.00	\$75.00	\$75.00	\$0.00	Each	Forfeit Fees; Permit fees will be reimbursed.	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
151	Refund Fee for Expired Permits	\$0.00						Forfeit Fees	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
152	Weekend/After Office Hours Inspection Fee	\$0.00	\$75.00	\$75.00	\$75.00	\$100.00	Per Hour	Minimum of 3 hours	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
153	Miscellaneous Inspection	\$0.00	\$75.00	\$75.00	\$75.00	\$75.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
154	Construction or Work Site Trailer	\$10.00	\$250.00	\$250.00	\$250.00	\$250.00	Per Trailer	Includes piers, tie-downs, steps, decks, electrical, plumbing, and mechanical	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
155	Minimum Inspection Miscellaneous Permit Fee	\$0.00	\$25.00	\$25.00	\$25.00	\$25.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
155A	Courtesy/ Follow Up Inspection	\$0.00	\$0.00	\$0.00	\$0.00	\$25.00	Each	2 inspections included with building permit, 3rd + is charged for each inspection	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
156	Builders & Mechanical Contractors (Plumbing, Electric, HVAC) Registration Fee	\$0.00	\$30.00	\$30.00	\$30.00	\$50.00	One time	Expiration or cancellation of license or insurance re-registration is \$30	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
157	Driveway Permit	\$10.00	\$20.00	\$20.00	\$20.00	\$30.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
158	Swimming Pool Permit	\$10+\$4 per add thousand	\$125.00	\$125.00	\$125.00	\$125.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
159	Tent Permit	\$10.00	\$50.00	\$50.00	\$50.00	\$50.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
160	Sign Permit for basic/simple sign			\$70.00	\$70.00	\$70.00	Each	Simple Sign including but not limited to: Wall Mounted, Free Standing, Monument, or Pole - No electric power	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
161	Sign Permit for sign with electric power			\$100.00	\$100.00	\$100.00	Each	Simple Sign including but not limited to: Wall Mounted, Free Standing, Monument, or Pole with electric power	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
162	Sign Permit for sign with electronic messaging (CVEMS) less than or equal to 50 Square Feet			\$125.00	\$125.00	\$125.00	Each	CVEMS including but not limited to: Wall Mounted, Free Standing, Monument, or Pole	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
163	Sign Permit for sign with electronic messaging (CVEMS) greater than 50 Square Feet			\$150.00	\$150.00	\$150.00	Each	CVEMS including but not limited to: Wall Mounted, Free Standing, Monument, or Pole	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
164	Sign Permit-Banner	\$10.00	\$10.00	\$10.00	\$10.00	\$25.00	Each	Per month	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-9312
165	Sign Permit Promotional/Grand Opening	\$30.00	\$75.00	\$75.00	\$75.00	\$100.00	Each	Maximum Promotional 90 days; Grand Opening two weeks	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-9313
166	Billboard/Off Premise advertising sign *	\$0.00	\$500.00	\$500.00	\$500.00	\$500.00	Per Year		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
167	Cell Tower Permit	\$0.00	\$650.00	\$650.00	\$650.00	\$650.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
168	Co-location Antenna on Cell Tower Permit	\$0.00	\$100.00	\$100.00	\$100.00	\$100.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
169	Basic Electrical Rough-In or General Repairs Permit (up to 4 circuits)	\$8.50	\$20.00	\$20.00	\$20.00	\$20.00	Permit		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
170	Additional Electrical Rough-In or General Repairs Permit (5 – 16 circuits) (Basic + Additional)	\$1.00	\$2.00	\$2.00	\$2.00	\$2.00	Each Additional Circuit		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
171	Additional Electrical Rough-In or General Repairs Permit (More than 16 circuits) (Basic + Additional 1 + Additional 2)	\$0.75	\$1.50	\$1.50	\$1.50	\$1.50	Each Additional Circuit		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
172	Restore/Repair Electrical Service Permit (100 amp)	\$7.00	\$17.00	\$17.00	\$17.00	\$25.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
173	Restore/Repair Electrical Service Permit (200 amp)	\$8.50	\$18.50	\$18.50	\$18.50	\$25.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
174	Restore/Repair Electrical Service Permit (400 amp)	\$12.50	\$22.50	\$22.50	\$22.50	\$30.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912

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Item Number	SERVICE/PERMIT	Y14 RATE	FY15 RATE	FY16 RATE	FY17 RATE	FY18 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
175	Restore/Repair Electrical Service Permit (600 amp)	\$15.00	\$25.00	\$25.00	\$25.00	\$35.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
176	Restore/Repair Electrical Service Permit (Greater than 600 amp)	\$25.00	\$35.00	\$35.00	\$35.00	\$40.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
177	Other General Electrical Repair Permit	\$7.00	\$25.00	\$25.00	\$25.00	\$25.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
178	Electric Power Permit for Sign	\$8.50	\$25.00	\$25.00	\$25.00	\$25.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
179	Placement of Temporary Pole for Electrical Power Permit	\$5.00	\$15.00	\$15.00	\$15.00	\$20.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
180	Appeal Concerning Electrical Code Filing Fee	\$0.00	\$50.00	\$50.00	\$50.00	\$50.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
181	Plumbing Permit Water (Installation or Replacement of Fixtures, Water Heater, Foot Spa, and etc.... Including general repair of water system)	\$4.00	\$20.00	\$10.00	\$10.00	\$15.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
182	Plumbing Permit: Sewer Line or Tap	\$10.00	\$20.00	\$20.00	\$20.00	\$20.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
183	Plumbing Permit Gas (Basic) (up to 4 openings)	\$4.00	\$20.00	\$10.00	\$10.00	\$15.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
184	Plumbing Permit Gas (Additional) (Greater than 4 openings) (Basic + Additional)	\$0.50	\$1.00	\$1.00	\$1.00	\$1.00	Each (over 4)		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
185	Plumbing Permit Irrigation: RPZ instillation	\$4.00	\$10.00	\$10.00	\$10.00	\$10.00	Each		Inspections Department	City Hall - Municipal Building - 220 Texas Boulevard	903-798-3912
186	Plumbing Permit Irrigation: (Basic) (1-5 Heads)	\$4.00	\$8.00	\$8.00	\$8.00	\$8.00	Each		Inspections Department	City Hall - Municipal Building - 220 Texas Boulevard	903-798-3912
187	Plumbing Permit Irrigation (Additional) (More than heads)(Basic + Additional)	\$0.30	\$0.60	\$0.60	\$0.60	\$0.60	Each Additional Head		Inspections Department	City Hall - Municipal Building - 220 Texas Boulevard	903-798-3912
188	Plumbing Permit Miscellaneous (Backflow, Grease Trap, Sand/Oil Separator and etc....)	\$4.00	\$20.00	\$20.00	\$20.00	\$25.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
189	HVAC Permit: Residential Air Installation/Replacement	\$12.50	\$25.00	\$25.00	\$25.00	\$25.00	Per Unit		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
190	HVAC Permit: Non Residential Commercial Air Installation/Replacement	\$0.60	\$1.20	\$1.20	\$1.20	\$50.00	Per Unit		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
197	Library Membership Texarkana AR/TX Residents	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Each		Library	600 West 3 rd Street	903-794-2149
198	Library Membership Non-Texarkana Resident	\$20.00	\$20.00	\$20.00	\$20.00	\$20.00	Annual Fee		Library	600 West 3 rd Street	903-794-2149
199	Library Overdue Fines (Books and Compact Discs)	\$0.25	\$0.25	\$0.25	\$0.25	\$0.25	Per Calendar Day	Up to the cost of the book or compact discs. Return stops the fine accumulation.	Library	600 West 3 rd Street	903-794-2149
200	Library Overdue Fines (Videos, DVD or Playaway)	\$2.00	\$2.00	\$2.00	\$2.00	\$1.00	Per Calendar Day	Until the return, up to the cost of the videos, DVD or Playaway	Library	600 West 3 rd Street	903-794-2149
201	Library card replacement	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	Per Replacement	Lost unexpired library card	Library	600 West 3 rd Street	903-794-2149
202	Library: Ear buds	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	Per Set		Library	600 West 3 rd Street	903-794-2149
203	Library: Memory Sticks (flash drive)	\$5.00	\$5.00	\$5.00	\$5.00	\$5.00	Per Drive		Library	600 West 3 rd Street	903-794-2149
204	Library Bag (Plastic)	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	Per Bag		Library	600 West 3 rd Street	903-794-2149
205	Library Bag (Canvas)	\$7.50	\$7.50	\$7.00	\$7.00	\$7.00	Per Bag		Library	600 West 3 rd Street	903-794-2149
206	Library: Use of Typewriter	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	Per 1/2 Hour		Library	600 West 3 rd Street	903-794-2149
207	Library: Case Replacement	\$1.00	\$1.00	\$1 - \$9	\$1 - \$9	\$1 - \$9	Per Case		Library	600 West 3 rd Street	903-794-2149
208	Library: Art Sleeve for case			\$1.00	\$1.00	\$1.00	Each		Library	600 West 3 rd Street	903-794-2149
209	Library: Due Date Card Replacement	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	Per Card		Library	600 West 3 rd Street	903-794-2149
210	Library: Photo copies (B&W)	\$0.15	\$0.15	\$0.15	\$0.15	\$0.15	Per Page		Library	600 West 3 rd Street	903-794-2149
211	Library: Photo copies (Color)	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	Per Page		Library	600 West 3 rd Street	903-794-2149
212	Library: Texas Notary	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	Per Service		Library	600 West 3 rd Street	903-794-2149
213	Library: Fax Service Receiving	\$0.25	\$0.25	\$0.25	\$0.25	\$0.25	Per Page		Library	600 West 3 rd Street	903-794-2149
214	Library: Fax Service Sending (local)	\$0.25	\$0.25	\$0.25	\$0.25	\$0.25	Per Page		Library	600 West 3 rd Street	903-794-2149
215	Library: Fax Service Sending (long distance)	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	Per Page		Library	600 West 3 rd Street	903-794-2149
216	Library: Fax Service Sending (International)			\$5.00	\$5.00	\$5.00	Per Page		Library	600 West 3 rd Street	903-794-2149

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217	Library: Lamination							Inquire at Circulation Desk	Library	600 West 3 rd Street	903-794-2149
218	Library: David Nelson Meeting Room Rental	\$75.00	\$75.00	\$75.00	\$75.00	\$75.00	Per Rental	Non-Profit Organizations Exempt	Library	600 West 3 rd Street	903-794-2149
219	Municipal Court Technology Fees	\$4.00	\$4.00	\$4.00	\$4.00	\$4.00	Per Case		Municipal Court	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3551
220	Municipal Court Building Security Fees	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00	Per Case		Municipal Court	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3551
221	Municipal Court Warrant Fee	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	Per Warrant		Municipal Court	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3551
222	Park Pavilion Rental (Half Day)	\$10.00	\$15.00	\$15.00	\$15.00	\$15.00	Per Rental	8:00 AM - 2:45 PM or 3:00 PM to 10:00 PM	Parks, Recreation and Community Health Parks,	3222 W. 7th Street	903-798-3978
223	Park Pavilion Rental (All Day)	\$20.00	\$25.00	\$25.00	\$25.00	\$25.00	Per Rental		Parks, Recreation and Community Health Parks,	3222 W. 7th Street	903-798-3978
224	Ball Field Rental - Practice Game	\$15.00	\$20.00	\$20.00	\$20.00	\$20.00	Per Game		Parks, Recreation and Community Health Parks,	3222 W. 7th Street	903-798-3978
225	Ball Field Rental - Tournaments 1 Field	\$75.00	\$100.00	\$100.00	\$100.00	\$100.00	Per Tournament		Parks, Recreation and Community Health Parks,	3222 W. 7th Street	903-798-3978
226	Ball Field Rental - Tournaments 2 Fields	\$150.00	\$175.00	\$175.00	\$175.00	\$175.00	Per Tournament		Parks, Recreation and Community Health Parks,	3222 W. 7th Street	903-798-3978
227	Ball Field Rental - Tournaments 3 Fields	\$200.00	\$250.00	\$250.00	\$250.00	\$250.00	Per Tournament		Parks, Recreation and Community Health Parks,	3222 W. 7th Street	903-798-3978
228	Ball Field Rental - Tournaments 4-5 Fields	\$250.00	\$300.00	\$300.00	\$300.00	\$300.00	Per Tournament		Parks, Recreation and Community Health Parks,	3222 W. 7th Street	903-798-3978
229	Collins Senior Center Activity Room	\$0.00	\$75.00	\$75.00	\$75.00	\$75.00	Per Event		Parks, Recreation and Community Health Parks,	3222 W. 7th Street	903-798-3978
230	Collins Senior Center Meeting Room	\$0.00	\$25.00	\$25.00	\$25.00	\$25.00	Each Rental		Parks, Recreation and Community Health Parks,	3222 W. 7th Street	903-798-3978
231	Southwest Center Multipurpose Room (GYM) Rental	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Each Rental	Group 1 Users	Southwest Center	3222 W. 7th Street	903-798-3978
232	Southwest Center Multipurpose Room (GYM) Rental	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	Each Rental	Group 2 Users	Southwest Center	3222 W. 7th Street	903-798-3978
233	Southwest Center Multipurpose Room (GYM) Rental	\$250.00	\$275.00	\$275.00	\$275.00	\$275.00	Each Rental	Group 3 Users	Southwest Center	3222 W. 7th Street	903-798-3978

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234	Southwest Center ABC Room Rental	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Each Rental	Group 1 Users	Southwest Center	3222 W. 7th Street	903-798-3978
235	Southwest Center ABC Room Rental	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Each Rental	Group 2 Users	Southwest Center	3222 W. 7th Street	903-798-3978
236	Southwest Center ABC Room Rental	\$75.00	\$75.00	\$75.00	\$75.00	\$75.00	Each Rental	Group 3 Users	Southwest Center	3222 W. 7th Street	903-798-3978
237	Southwest Center Game/Activity Room Rental	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Each Rental	Group 1 Users	Southwest Center	3222 W. 7th Street	903-798-3978
238	Southwest Center Game/Activity Room Rental	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Each Rental	Group 2 Users	Southwest Center	3222 W. 7th Street	903-798-3978
239	Southwest Center Game/Activity Room Rental	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	Each Rental	Group 3 Users	Southwest Center	3222 W. 7th Street	903-798-3978
240	Southwest Center Room A Rental	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Each Rental	Group 1 Users	Southwest Center	3222 W. 7th Street	903-798-3978
241	Southwest Center Room A Rental	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Each Rental	Group 2 Users	Southwest Center	3222 W. 7th Street	903-798-3978
242	Southwest Center Room A Rental	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00	Each Rental	Group 3 Users	Southwest Center	3222 W. 7th Street	903-798-3978
243	Southwest Center Room B Rental	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Each Rental	Group 1 Users	Southwest Center	3222 W. 7th Street	903-798-3978
244	Southwest Center Room B Rental	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Each Rental	Group 2 Users	Southwest Center	3222 W. 7th Street	903-798-3978
245	Southwest Center Room B Rental	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00	Each Rental	Group 3 Users	Southwest Center	3222 W. 7th Street	903-798-3978
246	Southwest Center Room C Rental	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Each Rental	Group 1 Users	Southwest Center	3222 W. 7th Street	903-798-3978
247	Southwest Center Room C Rental	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Each Rental	Group 2 Users	Southwest Center	3222 W. 7th Street	903-798-3978
248	Southwest Center Room C Rental	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00	Each Rental	Group 3 Users	Southwest Center	3222 W. 7th Street	903-798-3978
249	Southwest Center Room D Rental	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Each Rental	Group 1 Users	Southwest Center	3222 W. 7th Street	903-798-3978
250	Southwest Center Room D Rental	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Each Rental	Group 2 Users	Southwest Center	3222 W. 7th Street	903-798-3978
251	Southwest Center Room D Rental	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00	Each Rental	Group 3 Users	Southwest Center	3222 W. 7th Street	903-798-3978
252	Application for Zoning Change (Base Fee) (Base + Variable)	\$90.00	\$250.00	\$250.00	\$250.00	\$250.00	Per Application		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
253	Application for Specific Use Permit (Base Fee) (Base + Variable)	\$90.00	\$250.00	\$250.00	\$250.00	\$250.00	Per Application		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
254	Application for Site Plan approval (Base Fee) (Base + Variable)	\$90.00	\$250.00	\$250.00	\$250.00	\$250.00	Per Application		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
255	Application for Site Plan Amendments (Base Fee) (Base + Variable)	\$90.00	\$250.00	\$250.00	\$250.00	\$250.00	Per Application		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
256	Specific Use Permit Renewal (Base Fee) (Base + Variable)	\$90.00	\$100.00	\$100.00	\$100.00	\$100.00	Per Permit		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
257	Application fee for Amendment to Zoning Ordinance	\$0.00	\$250.00	\$250.00	\$250.00	\$250.00	Per Amendment		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945

**FY18 Master Fee List
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Building Permit Fees to be Based on the FY Schedule of Fees in which the construction work is scheduled to begin.

Item Number	SERVICE/PERMIT	Y14 RATE	FY15 RATE	FY16 RATE	FY17 RATE	FY18 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
258	Variances Requests (ZBA)(Base Fee) (Base + Variable)	\$60.00	\$150.00	\$150.00	\$150.00	\$150.00	Per Application		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
259	Historic District Certificate of Appropriateness	\$0.00	\$75.00	\$75.00	\$75.00	\$75.00	Per Applicant		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
260	Subdivision Plats – preliminary (Base Fee) (Base + Variable Deposit)	\$0.00	\$100.00	\$100.00	\$100.00	\$100.00	Per Plat		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
261	Subdivision Plats – final (Base Fee) (Base + Variable Deposit)	\$0.00	\$200.00	\$200.00	\$200.00	\$200.00	Per Plat		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
262	Subdivision Plats – re-approval (Base Fee) (Base + Variable Deposit)	\$0.00	\$100.00	\$100.00	\$100.00	\$100.00	Per Re-approval		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
263	Subdivision Replats (Base Fee) (Base + Variable Deposit)	\$0.00	\$100.00	\$100.00	\$100.00	\$100.00	Per Replat		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
264	Subdivision Plat - Vacated (Base Fee)	\$0.00	\$0.00	\$100.00	\$100.00	\$100.00	Per Plat		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
265	Subdivision Plat – amendments (Base Fee) (Base + Variable Deposit)	\$0.00	\$100.00	\$100.00	\$100.00	\$100.00	Per Amendment		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
266	Subdivision Minor Plats (Base Fee) (Base + Variable Deposit)	\$0.00	\$50.00	\$50.00	\$50.00	\$50.00	Per Minor Plat		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
267	Deposit for Variable Fees	\$0.00	\$200.00	\$0.00	\$0.00	\$0.00	Per Application	(Variable costs include the costs such as advertising, mailing notices, sign manufacturing and posting and etc...) Unused deposit will be returned to petitioner once the final decision is rendered. If variable costs exceed the deposit amount the difference is required to be paid in full prior to issuance of the permit or other required document.	Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
268	Zoning Verification Document	\$0.00	\$25.00	\$25.00	\$25.00	\$25.00	Each		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
269	Voluntary Annexation Application Fee	\$0.00	\$500.00	\$500.00	\$500.00	\$500.00	Each Application		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
270	Street Name Change Application Fee	\$0.00	\$500.00	\$500.00	\$500.00	\$500.00	Per request	Additional cost for new signage	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
271	Street/Alley/Public ROW Abandonment Application Fee	\$0.00	\$2,000.00	\$500.00	\$500.00	\$500.00	Per request	All associated costs including Quit claim deeds and any legal work will be applicant's responsibility	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
272	Ground Level License to Encumber Right-Of-Way	100% Fair Market Value	100% Fair Market Value	100% Fair Market Value	100% Fair Market Value	100% Fair Market Value	Per Square Foot	\$100 Nonrefundable deposit required at submittal for request review. The fair market value per square foot cost is an annual fee.	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
273	Ground Level License to Encumber Right-Of-Way: Sign Only				\$10.00	\$10.00	Each Encumbrance		Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948

**FY18 Master Fee List
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Item Number	SERVICE/PERMIT	Y14 RATE	FY15 RATE	FY16 RATE	FY17 RATE	FY18 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
273A	Wireless Cell communication pole/tower with network nodes to Encumber Right-of-Way					\$250.00	Each individual network node	Maximum fee set by Texas State Legislators 2017, annual fee does not include fees for building permits issued by the Inspections Department	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
273B	Air Space License to Encumber Right-Of-Way	10% Fair Market Value	10% Fair Market Value	10% Fair Market Value	10% Fair Market Value	10% Fair Market Value	Per Square Foot	\$100 Nonrefundable deposit required at submittal for request review. The fair market value per square foot cost is an annual fee.	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
274	Subsurface License to Encumber Right-Of-Way	10% Fair Market Value	10% Fair Market Value	10% Fair Market Value	10% Fair Market Value	10% Fair Market Value	Per Square Foot	\$100 Nonrefundable deposit required at submittal for request review. The fair market value per square foot cost is an annual fee.	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
275	Ornamental Device License to Encumber Right-Of-Way	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	Per Request	\$100 Nonrefundable deposit required at submittal for request review. This is a one time fee.	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
276	Downtown CBD License to Encumber Right-Of-Way*				\$100.00	\$100.00	Per Request	\$100 Nonrefundable deposit required at submittal for request review. This is a one time fee.	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
277	Solid Waste Pickup - Residential Rate	\$17.21	\$17.54	\$17.35	\$17.85	\$18.39	Per Month	Includes 96 gal. Trash cart, 65 Gal. recycle cart, Yard waste pickup. 2018 - \$10.48/month for additional cart.	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
278	Solid Waste Pickup - Commercial Hand PU (1 Toter)	\$22.57	\$23.00	\$22.75	\$25.00	\$25.75	Per Month	One pick up per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
279	Solid Waste Pickup - Commercial Hand PU (2 Toter)	\$33.83	\$34.47	\$34.09	\$42.00	\$36.51	Per Month	One pick up per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
280	Solid Waste Pickup - Commercial Hand PU (3 Toter)	\$42.34	\$43.14	\$42.67	\$59.00	\$45.71	Per Month	One pick up per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
281	Solid Waste Pickup - Commercial 2-Yard FEL Container	\$90.54	\$92.26	\$91.25	\$94.90	\$97.75	Per Month	One pick up per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
282	Solid Waste Pickup - Commercial 2-Yard FEL Container	\$135.76	\$138.34	\$136.82	\$142.29	\$146.56	Per Month	Two pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
283	Solid Waste Pickup - Commercial 2-Yard FEL Container	\$158.40	\$161.41	\$159.63	\$166.02	\$171.00	Per Month	Three pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
284	Solid Waste Pickup - Commercial 2-Yard FEL Container	\$181.13	\$184.57	\$182.54	\$189.84	\$195.54	Per Month	Four pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
285	Solid Waste Pickup - Commercial 2-Yard FEL Container	\$203.68	\$207.55	\$205.27	\$213.48	\$219.88	Per Month	Five pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
286	Solid Waste Pickup - Commercial 2-Yard FEL Container	\$249.12	\$253.85	\$251.06	\$261.10	\$268.93	Per Month	Six pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
287	Solid Waste Pickup - Commercial 2-Yard FEL Container	\$58.81	\$59.93	\$59.27	\$61.64	\$63.49	Each	Extra Pick Up	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
288	Solid Waste Pickup - Commercial 3-Yard FEL Container	\$108.63	\$110.69	\$109.47	\$113.85	\$117.27	Per Month	One pick up per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
289	Solid Waste Pickup - Commercial 3-Yard FEL Container	\$163.05	\$166.15	\$164.32	\$170.89	\$176.02	Per Month	Two pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
290	Solid Waste Pickup - Commercial 3-Yard FEL Container	\$190.14	\$193.75	\$191.62	\$199.28	\$205.26	Per Month	Three pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
291	Solid Waste Pickup - Commercial 3-Yard FEL Container	\$217.40	\$221.53	\$219.09	\$227.85	\$234.69	Per Month	Four pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
292	Solid Waste Pickup - Commercial 3-Yard FEL Container	\$244.48	\$249.13	\$246.39	\$256.25	\$263.94	Per Month	Five pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
293	Solid Waste Pickup - Commercial 3-Yard FEL Container	\$298.84	\$304.52	\$301.17	\$313.22	\$322.62	Per Month	Six pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
294	Solid Waste Pickup - Commercial 3-Yard FEL Container	\$70.58	\$71.92	\$71.13	\$73.98	\$76.20	Each	Extra Pick Up	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
295	Solid Waste Pickup - Commercial 4-Yard FEL Container	\$126.80	\$129.21	\$127.79	\$132.90	\$136.89	Per Month	One pick up per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
296	Solid Waste Pickup - Commercial 4-Yard FEL Container	\$190.14	\$193.75	\$191.62	\$199.28	\$205.26	Per Month	Two pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
297	Solid Waste Pickup - Commercial 4-Yard FEL Container	\$221.89	\$226.11	\$223.62	\$232.56	\$239.54	Per Month	Three pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
298	Solid Waste Pickup - Commercial 4-Yard FEL Container	\$253.59	\$258.41	\$255.57	\$265.79	\$273.76	Per Month	Four pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
299	Solid Waste Pickup - Commercial 4-Yard FEL Container	\$285.31	\$290.73	\$287.53	\$299.03	\$308.00	Per Month	Five pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948

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Item Number	SERVICE/PERMIT	Y14 RATE	FY15 RATE	FY16 RATE	FY17 RATE	FY18 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
300	Solid Waste Pickup - Commercial 4-Yard FEL Container	\$348.69	\$355.32	\$351.41	\$365.47	\$376.43	Per Month	Six pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
301	Solid Waste Pickup - Commercial 4-Yard FEL Container	\$82.36	\$83.92	\$83.00	\$86.32	\$88.91	Each	Extra Pick Up	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
302	Solid Waste Pickup - Commercial 6-Yard FEL Container	\$164.10	\$167.83	\$165.98	\$172.62	\$177.80	Per Month	One pick up per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
303	Solid Waste Pickup - Commercial 6-Yard FEL Container	\$248.51	\$253.23	\$250.44	\$260.46	\$268.27	Per Month	Two pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
304	Solid Waste Pickup - Commercial 6-Yard FEL Container	\$287.48	\$292.94	\$289.72	\$301.31	\$310.35	Per Month	Three pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
305	Solid Waste Pickup - Commercial 6-Yard FEL Container	\$329.35	\$335.61	\$331.92	\$345.20	\$355.56	Per Month	Four pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
306	Solid Waste Pickup - Commercial 6-Yard FEL Container	\$371.32	\$378.38	\$374.22	\$389.19	\$400.87	Per Month	Five pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
307	Solid Waste Pickup - Commercial 6-Yard FEL Container	\$452.17	\$460.76	\$455.69	\$473.92	\$488.14	Per Month	Six pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
308	Solid Waste Pickup - Commercial 6-Yard FEL Container	\$106.99	\$109.02	\$107.82	\$112.13	\$115.49	Each	Extra Pick Up	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
309	Solid Waste Pickup - Commercial 8-Yard FEL Container	\$190.08	\$193.69	\$191.56	\$199.22	\$205.20	Per Month	One pick up per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
310	Solid Waste Pickup - Commercial 8-Yard FEL Container	\$253.59	\$258.41	\$255.57	\$265.79	\$273.76	Per Month	Two pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
311	Solid Waste Pickup - Commercial 8-Yard FEL Container	\$329.40	\$335.66	\$331.97	\$345.25	\$355.61	Per Month	Three pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
312	Solid Waste Pickup - Commercial 8-Yard FEL Container	\$476.31	\$485.36	\$480.02	\$499.22	\$514.20	Per Month	Four pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
313	Solid Waste Pickup - Commercial 8-Yard FEL Container	\$519.51	\$529.38	\$523.56	\$544.50	\$560.84	Per Month	Five pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
314	Solid Waste Pickup - Commercial 8-Yard FEL Container	\$600.57	\$611.98	\$605.25	\$629.46	\$648.34	Per Month	Six pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
315	Solid Waste Pickup - Commercial 8-Yard FEL Container	\$123.51	\$125.86	\$124.48	\$129.46	\$133.34	Each	Extra Pick Up	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
316	Solid Waste Pickup - Commercial 96-Gallon Toter (RECYCLE)	\$3.20	\$3.26	\$3.22	\$3.35	\$3.45	Per Month	One pick up per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
317	Solid Waste Pickup - Commercial 6-Yard FEL Container/Cardboard	\$51.19	\$52.16	\$51.59	\$53.65	\$55.26	Per Month	One pick up per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
318	Solid Waste Pickup - Commercial 8-Yard FEL Container/Cardboard	\$61.42	\$62.59	\$61.90	\$64.38	\$66.31	Per Month	One pick up per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
319	Solid Waste Pickup - Commercial 4-Yard FEL Compactor	\$222.00	\$226.22	\$223.73	\$232.68	\$239.66	Per Month	One pick up per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
320	Solid Waste Pickup - Commercial 4-Yard FEL Compactor	\$444.00	\$452.44	\$447.46	\$465.36	\$479.32	Per Month	Two pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
321	Solid Waste Pickup - Commercial 4-Yard FEL Compactor	\$666.00	\$678.65	\$671.18	\$698.03	\$718.97	Per Month	Three pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
322	Solid Waste Pickup - Commercial 4-Yard FEL Compactor	\$888.00	\$904.87	\$894.92	\$930.72	\$958.64	Per Month	Four pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
323	Solid Waste Pickup - Commercial 4-Yard FEL Compactor	\$1,110.00	\$1,131.09	\$1,118.65	\$1,163.40	\$1,198.30	Per Month	Five pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
324	Solid Waste Pickup - Commercial 4-Yard FEL Compactor	\$1,332.00	\$1,357.31	\$1,342.38	\$1,396.08	\$1,448.67	Per Month	Six pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
325	Solid Waste Pickup - Commercial 6-Yard FEL Compactor	\$261.79	\$266.76	\$263.83	\$274.38	\$282.61	Per Month	One pick up per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
326	Solid Waste Pickup - Commercial 6-Yard FEL Compactor	\$523.59	\$533.54	\$527.67	\$548.78	\$565.24	Per Month	Two pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
327	Solid Waste Pickup - Commercial 6-Yard FEL Compactor	\$785.38	\$800.30	\$791.50	\$823.16	\$847.85	Per Month	Three pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
328	Solid Waste Pickup - Commercial 6-Yard FEL Compactor	\$1,047.18	\$1,067.08	\$1,055.34	\$1,097.55	\$1,130.48	Per Month	Four pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
329	Solid Waste Pickup - Commercial 6-Yard FEL Compactor	\$1,308.96	\$1,333.83	\$1,319.16	\$1,371.93	\$1,413.09	Per Month	Five pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
330	Solid Waste Pickup - Commercial 6-Yard FEL Compactor	\$1,570.76	\$1,600.60	\$1,582.99	\$1,646.31	\$1,695.70	Per Month	Six pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948

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Item Number	SERVICE/PERMIT	Y14 RATE	FY15 RATE	FY16 RATE	FY17 RATE	FY18 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
331	Solid Waste Pickup - Commercial 8-Yard FEL Compactor	\$301.06	\$306.78	\$303.41	\$315.55	\$325.02	Per Month	One pick up per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
332	Solid Waste Pickup - Commercial 8-Yard FEL Compactor	\$602.12	\$613.56	\$606.81	\$631.08	\$650.01	Per Month	Two pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
333	Solid Waste Pickup - Commercial 8-Yard FEL Compactor	\$903.18	\$920.34	\$910.22	\$946.63	\$975.03	Per Month	Three pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
334	Solid Waste Pickup - Commercial 8-Yard FEL Compactor	\$1,204.24	\$1,227.12	\$1,213.62	\$1,262.16	\$1,300.02	Per Month	Four pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
335	Solid Waste Pickup - Commercial 8-Yard FEL Compactor	\$1,505.30	\$1,533.90	\$1,517.03	\$1,577.71	\$1,625.04	Per Month	Five pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
336	Solid Waste Pickup - Commercial 8-Yard FEL Compactor	\$1,806.36	\$1,840.68	\$1,820.43	\$1,893.25	\$1,950.05	Per Month	Six pick ups per week	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
337	Solid Waste Pickup 20-Yard Roll-Off (Open Top)	\$288.14	\$293.61	\$290.38	\$290.38	\$299.09	Per Haul	2018 Rates Delivery Rate - \$112.06 Rental Daily Rate - \$5.26 Disposal Rate - \$37.39 per ton	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
338	Solid Waste Pickup 25-Yard Roll-Off (Open Top)	\$288.14	\$293.61	\$290.38	\$290.38	\$299.09	Per Haul	2018 Rates Delivery Rate - \$112.06 Rental Daily Rate - \$5.26 Disposal Rate - \$37.39 per ton	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
339	Solid Waste Pickup 30-Yard Roll-Off (Open Top)	\$312.16	\$318.09	\$314.59	\$314.59	\$324.03	Per Haul	2018 Rates Delivery Rate - \$112.06 Rental Daily Rate - \$5.26 Disposal Rate - \$37.39 per ton	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
340	Solid Waste Pickup 40-Yard Roll-Off (Open Top)	\$336.17	\$342.56	\$338.79	\$338.79	\$349.07	Per Haul	2018 Rates Delivery Rate - \$112.06 Rental Daily Rate - \$5.26 Disposal Rate - \$37.39 per ton	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
341	Solid Waste Pickup 30-Yard Roll-Off (Compactor)	\$312.16	\$318.09	\$314.59	\$314.59	\$324.03	Per Haul	2018 Rates Delivery Rate - \$112.06 Rental Daily Rate - Negotiated Disposal Rate - \$37.39/ton	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
342	Solid Waste Pickup 33-Yard Roll-Off (Compactor)	\$336.17	\$342.56	\$338.79	\$338.79	\$348.95	Per Haul	2018 Rates Delivery Rate - \$112.06 Rental Daily Rate - Negotiated Disposal Rate - \$37.39/ton	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
343	Solid Waste Pickup 34-Yard Roll-Off (Compactor)	\$336.17	\$342.56	\$338.79	\$338.79	\$348.95	Per Haul	2018 Rates Delivery Rate - \$112.06 Rental Daily Rate - Negotiated Disposal Rate - \$37.39/ton	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
344	Solid Waste Pickup 35-Yard Roll-Off (Compactor)	\$336.17	\$342.56	\$338.79	\$338.79	\$348.95	Per Haul	2018 Rates Delivery Rate - \$112.06 Rental Daily Rate - Negotiated Disposal Rate - \$37.39/ton	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
345	Solid Waste Pickup 40-Yard Roll-Off (Compactor)	\$336.17	\$342.56	\$338.79	\$338.79	\$348.95	Per Haul	2018 Rates Delivery Rate - \$112.06 Rental Daily Rate - Negotiated Disposal Rate - \$37.39/ton	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
346	Solid Waste Pickup 42-Yard Roll-Off (Compactor)	\$336.17	\$342.56	\$338.79	\$338.79	\$348.95	Per Haul	2018 Rates Delivery Rate - \$112.06 Rental Daily Rate - Negotiated Disposal Rate - \$37.39/ton	Public Works Department	Public Works Admin Building - 919 Elm Street	903-798-3948
347	Utility Easement Abandonment Application Fee	\$0.00	\$500.00	\$500.00	\$500.00	\$500.00	Per request	All associated costs including Quit claim deeds and any legal work will be applicant's responsibility	Planning and Community Development Department	City Hall - Municipal Building - 220 Texas Boulevard	903-798-3945
348	Central Records and Communications	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	Per Copy or 911 Recording		Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3181
349	Police: Accident or Crash Report	\$5.00	\$5.00	\$5.00	\$6.00	\$6.00	Copy of Report	Front and back pages	Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3181
350	Police: Offense Report	\$5.00	\$5.00	\$5.00	\$5.00	\$5.00	Copy of Report	Front page only	Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3181

**FY18 Master Fee List
(adopted 10 JUL 17)**

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Building Permit Fees to be Based on the FY Schedule of Fees in which the construction work is scheduled to begin.

Item Number	SERVICE/PERMIT	Y14 RATE	FY15 RATE	FY16 RATE	FY17 RATE	FY18 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
351	Police: Criminal History	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	Each	Must show two forms of ID	Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3181
352	Police: Certification of any Report	\$5.00	\$5.00	\$5.00	\$2.00	\$2.00	Each	Added to the cost of the report	Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3181
353	Burglar Alarm Permits – Residential	\$20.00	\$35.00	\$35.00	\$35.00	\$35.00	Annual Permit		Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3102
354	Burglar Alarm Permits – Commercial	\$20.00	\$75.00	\$75.00	\$75.00	\$75.00	Annual Permit		Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3102
355	Burglar Alarm Permits -- late renewal (30 days or less late)	\$20.00	\$20.00	\$20.00	\$20.00	\$20.00	Each System		Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3102
356	Burglar Alarm Permits -- late renewal (more than 30 days late)	\$20.00	\$40.00	\$40.00	\$40.00	\$40.00	Each System		Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3102
357	False Alarm Fees	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	Each alarm	Per alarm after 6 alarms in any 12 month period	Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3102
358	Wrecker Permits	\$20.00	\$20.00	\$20.00	\$20.00	\$20.00	Per wrecker	Annual fee	Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3116
359	Vehicle Storage Facility	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	Per facility	Annual fee	Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3116
360	Taxi Permits	\$40.00	\$40.00	\$40.00	\$40.00	\$40.00	Per taxicab	Annual fee	Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3116
361	Sexually Oriented Business	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00	Per business	Annual fee	Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3116
362	Youth Club/Dance Hall Permit	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	Per business	Annual fee	Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3116
363	Police: Extraordinary Response to Problem Location				\$22.88	\$28.78	Per additional Officer	Only after Owner/Manager has been placed on legal notice.	Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3116
364	Water Service Connection	\$10.00	\$10.00	\$15.00	\$15.00	\$15.00	Each	Water Service Initiation	TWU	801 Wood Street	903-798-3800
365	Water Meter Disconnect	\$10.00	\$10.00	\$15.00	\$15.00	\$15.00	Each	Discontinue Service	TWU	801 Wood Street	903-798-3800
366	Water Service Transfer	\$20.00	\$20.00	\$20.00	\$20.00	\$20.00	Each		TWU	801 Wood Street	903-798-3800
367	Late Service Charge – Non-Payment	10%	10%	10%	10%	10%	On billed amount	If not paid by Due Date	TWU	801 Wood Street	903-798-3800
368	After Hours Service Call to reinstate water service	\$25.00	\$25.00	\$50.00	\$50.00	\$50.00	Each		TWU	801 Wood Street	903-798-3800
369	Non Payment Service Charge	\$20.00	\$20.00	\$35.00	\$35.00	\$35.00	Each	if not paid by disconnect date	TWU	801 Wood Street	903-798-3800
370	Water meter reread initiated by Customer	\$10.00	\$10.00	\$10.00	\$10.00	\$15.00	Each	No charge if initiated by TWU	TWU	801 Wood Street	903-798-3800
371	Water meter testing initiated by Customer	\$30.00	\$30.00	\$30.00	\$50.00	\$50.00	Each	Meters two inches & smaller	TWU	801 Wood Street	903-798-3800
372	Water meter testing, for 2" line or greater, initiated by Customer (Cost plus %)	10%	10%	10%	10%	10%	Each	Meters larger than two inches	TWU	801 Wood Street	903-798-3800
373	Water meter Tampering	\$35.00	\$35.00	\$50.00	\$50.00	\$50.00	Each		TWU	801 Wood Street	903-798-3800
374	Unauthorized Water Connection Inserted	\$35.00	\$35.00	\$100.00	\$100.00	\$100.00	Each		TWU	801 Wood Street	903-798-3800
375	Water meter Fees – 5/8" meter	Cost	Cost	Cost	Cost	Cost	Each		TWU	801 Wood Street	903-798-3800
376	Water meter Fees – 1" meter	Cost	Cost	Cost	Cost	Cost	Each		TWU	801 Wood Street	903-798-3800
377	Water: Single Register 2" (irrigation)	Cost	Cost	Cost	Cost	Cost	Each		TWU	801 Wood Street	903-798-3800

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Item Number	SERVICE/PERMIT	Y14 RATE	FY15 RATE	FY16 RATE	FY17 RATE	FY18 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
378	Inspection/Tapping Fee for Water Main	\$25.00	\$25.00	\$25.00	\$75.00	\$75.00	Each		TWU	801 Wood Street	903-798-3800
379	Bacteriological testing of water samples	\$20.00	\$20.00	\$20.00	\$20.00	\$20.00	Each		TWU	801 Wood Street	903-798-3800
380	Inspection/Tapping Fee for Sewer Main	\$0.00	\$0.00	\$0.00	\$25.00	\$50.00	Each		TWU	801 Wood Street	903-798-3800
381	Sanitary Sewer Availability Fee *	\$0.00	\$25.00	\$25.00	\$25.00	\$25.00	Monthly	Non-Connection when Sewer Connection is available to the property	TWU	801 Wood Street	903-798-3800
382	Sewer Surcharge -- Excessive Strength Wastes	\$0.10	\$0.10	\$0.10	\$0.10	\$0.10	TSS per pound		TWU	801 Wood Street	903-798-3800
383	Sewer Surcharge -- Excessive Strength Wastes	\$0.25	\$0.25	\$0.25	\$0.25	\$0.25	BOD per pound		TWU	801 Wood Street	903-798-3800
384	Industrial Wastewater Discharge Permit	\$300.00	\$300.00	\$300.00	\$300.00	\$300.00		Significant Discharger	TWU	801 Wood Street	903-798-3800
385	Industrial Wastewater Discharge Permit	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00		Minor Discharger	TWU	801 Wood Street	903-798-3800
386	Industrial Wastewater Discharge Permit	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00		Commercial Discharger	TWU	801 Wood Street	903-798-3800
387	Industrial Wastewater Discharge Permit	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00		Intermittent Discharger	TWU	801 Wood Street	903-798-3800
388	Industrial Wastewater Discharge Permit	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00		Transported Discharger	TWU	801 Wood Street	903-798-3800
389	Industrial Wastewater Discharge Permit	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00		Non-Discharge	TWU	801 Wood Street	903-798-3800
390	Temporary Wastewater Discharge Permit	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00			TWU	801 Wood Street	903-798-3800
392	Metered Discharge Treatment	\$0.05	\$0.05	\$0.05	\$0.05	\$0.05	Per Gallon		TWU	801 Wood Street	903-798-3800
393	Liquid Waste Transport Permit	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00			TWU	801 Wood Street	903-798-3800
394	Liquid Waste Transport Permit Late Fee					\$25.00	Each Permit		TWU	3616 South State Line Ave	903-798-3870
394A	Septic Waste Dumping	\$35.00	\$50.00	\$50.00	\$50.00	\$50.00	Per 1,000 Gallons	Per Volume of Tank	TWU	801 Wood Street	903-798-3800
395	Delivery of Non-Domestic Waste to POTW Treatment Plant	\$0.10	\$0.10	\$0.10	\$0.10	\$0.10	Per Gallon		TWU	801 Wood Street	903-798-3800
396	Septic Waste Manifest Books	\$12.00	\$12.00	\$12.00	\$12.00	\$13.00	Each		TWU	801 Wood Street	903-798-3800
397	Liquid Waste Transporter Manifest Late Fee					\$25.00	Each Occurrence		TWU	3616 South State Line Ave	903-798-3870
397A	Non-Residential Backflow Prevention Assembly Device	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	Per Year		TWU	801 Wood Street	903-798-3800
398	Backflow Testing Fee	\$125.00	\$125.00	\$125.00	\$125.00	\$125.00	Each		TWU	3616 South State Line Ave	903-798-3870
399	Backflow Tester Registration Fee				\$25.00	\$25.00	Per Tester	Annual Fee	TWU	3616 South State Line Ave	903-798-3870
400	Commercial Customer Service Inspection				\$15.00	\$15.00	Each		TWU	3616 South State Line Ave	903-798-3870
401	Environmental Services Enforcement Fee				Cost plus 10%	Cost plus 10%	Per Action		TWU	3616 South State Line Ave	903-798-3870
402	Backflow Assembly Text Booklet	\$6.00	\$6.00	\$6.00	\$6.00	\$7.00	Each		TWU	801 Wood Street	903-798-3800
403	Water Infrastructure Fee - Residential	\$1.00	\$1.50	\$1.50	\$1.50	\$1.50	Monthly		TWU	801 Wood Street	903-798-3800
404	Waste Water Infrastructure Fee - Residential	\$1.00	\$1.50	\$1.50	\$1.50	\$1.50	Monthly		TWU	801 Wood Street	903-798-3800
405	Water Infrastructure Fee - Commercial	\$2.50	\$3.75	\$3.75	\$3.75	\$3.75	Monthly		TWU	801 Wood Street	903-798-3800
406	Waste Water Infrastructure Fee - Commercial	\$2.50	\$3.75	\$3.75	\$3.75	\$3.75	Monthly		TWU	801 Wood Street	903-798-3800
407	Sales: Screened Compost	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	Per Cubic Yard		TWU	4000 South State Line Ave	903-798-3860
408	Sales: Screened Compost	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	Per bag (1-Cubic Foot)		TWU	4000 South State Line Ave	903-798-3860
409	Sales: Unscreened Compost	\$5.00	\$5.00	\$5.00	\$5.00	\$5.00	Per Cubic Yard		TWU	4000 South State Line Ave	903-798-3860
410	Sales: Wood Chips	\$8.00	\$8.00	\$8.00	\$8.00	\$8.00	Per Cubic Yard		TWU	4000 South State Line Ave	903-798-3860
411	Sales: Wood Chips	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	Per Bag (2-Cubic Foot)		TWU	4000 South State Line Ave	903-798-3860

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Item Number	SERVICE/PERMIT	Y14 RATE	FY15 RATE	FY16 RATE	FY17 RATE	FY18 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
412	Sales: Leaf Mulch	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	Per Cubic Yard		TWU	4000 South State Line Ave	903-798-3860
413	Residential Water Service Charge (Monthly)			\$8.15	\$8.15	\$8.15	Per Meter		TWU	801 Wood Street	903-798-3800
414	Residential Water Volume Rate Tier 1			\$1.75	\$1.75	\$1.75	Per 1,000 Gallons	Over zero to 2,000 gallons	TWU	801 Wood Street	903-798-3800
415	Residential Water Volume Rate Tier 2			\$2.00	\$2.00	\$2.00	Per 1,000 Gallons	Over 2,000 to 5,000 gallons	TWU	801 Wood Street	903-798-3800
416	Residential Water Volume Rate Tier 3			\$3.25	\$3.25	\$3.25	Per 1,000 Gallons	Over 5,000 to 7,000 gallons	TWU	801 Wood Street	903-798-3800
417	Residential Water Volume Rate Tier 4			\$3.75	\$3.75	\$3.75	Per 1,000 Gallons	Over 7,000 to 10,000 gallons	TWU	801 Wood Street	903-798-3800
418	Residential Water Volume Rate Tier 5			\$4.00	\$4.00	\$4.00	Per 1,000 Gallons	Over 10,000 gallons	TWU	801 Wood Street	903-798-3800
419	Commercial Water Service Charge 1 (Monthly)			\$9.28	\$9.28	\$9.28	Per Meter	5/8" Meter	TWU	801 Wood Street	903-798-3800
420	Commercial Water Service Charge 2 (Monthly)			\$9.28	\$9.28	\$9.28	Per Meter	3/4" Meter	TWU	801 Wood Street	903-798-3800
421	Commercial Water Service Charge 3 (Monthly)			\$10.61	\$10.61	\$10.61	Per Meter	1" Meter	TWU	801 Wood Street	903-798-3800
422	Commercial Water Service Charge 4 (Monthly)			\$11.93	\$11.93	\$11.93	Per Meter	1.5" Meter	TWU	801 Wood Street	903-798-3800
423	Commercial Water Service Charge 5 (Monthly)			\$13.24	\$13.24	\$13.24	Per Meter	2" Meter	TWU	801 Wood Street	903-798-3800
424	Commercial Water Service Charge 6 (Monthly)			\$26.50	\$26.50	\$26.50	Per Meter	3" Meter	TWU	801 Wood Street	903-798-3800
425	Commercial Water Service Charge 7 (Monthly)			\$39.75	\$39.75	\$39.75	Per Meter	4" Meter	TWU	801 Wood Street	903-798-3800
426	Commercial Water Service Charge 8 (Monthly)			\$66.25	\$66.25	\$66.25	Per Meter	6" Meter	TWU	801 Wood Street	903-798-3800
427	Commercial Water Service Charge 9 (Monthly)			\$66.25	\$66.25	\$66.25	Per Meter	8" Meter	TWU	801 Wood Street	903-798-3800
428	Commercial Water Volume Rate Tier 1			\$3.25	\$3.25	\$3.25	Per 1,000 Gallons	Over zero to 2,000 gallons	TWU	801 Wood Street	903-798-3800
429	Commercial Water Volume Rate Tier 2			\$3.25	\$3.25	\$3.25	Per 1,000 Gallons	Over 2,000 to 5,000 gallons	TWU	801 Wood Street	903-798-3800
430	Commercial Water Volume Rate Tier 3			\$3.25	\$3.25	\$3.25	Per 1,000 Gallons	Over 5,000 to 7,000 gallons	TWU	801 Wood Street	903-798-3800
431	Commercial Water Volume Rate Tier 4			\$3.25	\$3.25	\$3.25	Per 1,000 Gallons	Over 7,000 to 10,000 gallons	TWU	801 Wood Street	903-798-3800
432	Commercial Water Volume Rate Tier 5			\$3.25	\$3.25	\$3.25	Per 1,000 Gallons	Over 10,000 gallons	TWU	801 Wood Street	903-798-3800
433	Industrial Water Rates and Service Charges			\$0.00	\$0.00	\$0.00	Annual	Negotiated Water Budgets	TWU	801 Wood Street	903-798-3800
434	Residential Water Service Charge (Monthly) [outside city limits]			\$12.23	\$12.23	\$12.23	Per Meter		TWU	801 Wood Street	903-798-3800
435	Residential Water Volume Rate Tier 1 [outside city limits]			\$2.63	\$2.63	\$2.63	Per 1,000 Gallons	Over zero to 2,000 gallons	TWU	801 Wood Street	903-798-3800
436	Residential Water Volume Rate Tier 2 [outside city limits]			\$3.00	\$3.00	\$3.00	Per 1,000 Gallons	Over 2,000 to 5,000 gallons	TWU	801 Wood Street	903-798-3800
437	Residential Water Volume Rate Tier 3 [outside city limits]			\$4.88	\$4.88	\$4.88	Per 1,000 Gallons	Over 5,000 to 7,000 gallons	TWU	801 Wood Street	903-798-3800
438	Residential Water Volume Rate Tier 4 [outside city limits]			\$5.63	\$5.63	\$5.63	Per 1,000 Gallons	Over 7,000 to 10,000 gallons	TWU	801 Wood Street	903-798-3800
439	Residential Water Volume Rate Tier 5 [outside city limits]			\$6.00	\$6.00	\$6.00	Per 1,000 Gallons	Over 10,000 gallons	TWU	801 Wood Street	903-798-3800
440	Commercial Water Service Charge 1 (Monthly) [outside city limits]			\$13.92	\$13.92	\$13.92	Per Meter	5/8" Meter	TWU	801 Wood Street	903-798-3800
441	Commercial Water Service Charge 2 (Monthly) [outside city limits]			\$13.92	\$13.92	\$13.92	Per Meter	3/4" Meter	TWU	801 Wood Street	903-798-3800
442	Commercial Water Service Charge 3 (Monthly) [outside city limits]			\$15.92	\$15.92	\$15.92	Per Meter	1" Meter	TWU	801 Wood Street	903-798-3800
443	Commercial Water Service Charge 4 (Monthly) [outside city limits]			\$17.90	\$17.90	\$17.90	Per Meter	1.5" Meter	TWU	801 Wood Street	903-798-3800
444	Commercial Water Service Charge 5 (Monthly) [outside city limits]			\$19.86	\$19.86	\$19.86	Per Meter	2" Meter	TWU	801 Wood Street	903-798-3800

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Item Number	SERVICE/PERMIT	Y14 RATE	FY15 RATE	FY16 RATE	FY17 RATE	FY18 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
445	Commercial Water Service Charge 6 (Monthly) [outside city limits]			\$39.75	\$39.75	\$39.75	Per Meter	3" Meter	TWU	801 Wood Street	903-798-3800
446	Commercial Water Service Charge 7 (Monthly) [outside city limits]			\$59.63	\$59.63	\$59.63	Per Meter	4" Meter	TWU	801 Wood Street	903-798-3800
447	Commercial Water Service Charge 8 (Monthly) [outside city limits]			\$99.38	\$99.38	\$99.38	Per Meter	6" Meter	TWU	801 Wood Street	903-798-3800
448	Commercial Water Service Charge 9 (Monthly) [outside city limits]			\$99.38	\$99.38	\$99.38	Per Meter	8" Meter	TWU	801 Wood Street	903-798-3800
449	Commercial Water Volume Rate Tier 1 [outside city limits]			\$4.88	\$4.88	\$4.88	Per 1,000 Gallons	Over zero to 2,000 gallons	TWU	801 Wood Street	903-798-3800
450	Commercial Water Volume Rate Tier 2 [outside city limits]			\$4.88	\$4.88	\$4.88	Per 1,000 Gallons	Over 2,000 to 5,000 gallons	TWU	801 Wood Street	903-798-3800
451	Commercial Water Volume Rate Tier 3 [outside city limits]			\$4.88	\$4.88	\$4.88	Per 1,000 Gallons	Over 5,000 to 7,000 gallons	TWU	801 Wood Street	903-798-3800
452	Commercial Water Volume Rate Tier 4 [outside city limits]			\$4.88	\$4.88	\$4.88	Per 1,000 Gallons	Over 7,000 to 10,000 gallons	TWU	801 Wood Street	903-798-3800
453	Commercial Water Volume Rate Tier 5 [outside city limits]			\$4.88	\$4.88	\$4.88	Per 1,000 Gallons	Over 10,000 gallons	TWU	801 Wood Street	903-798-3800
454	Residential Sewer Minimum Charge (Monthly)			\$10.52	\$10.52	\$10.52	Per Meter	Zero to 2,000 gallons	TWU	801 Wood Street	903-798-3800
455	Residential Sewer Volume Rate			\$3.77	\$3.77	\$3.77	Per 1,000 Gallons	Over 2,000 to 15,000 gallons	TWU	801 Wood Street	903-798-3800
456	Residential Unmetered Sewer (Monthly) (from water supplied by sources other than TWU)			\$26.72	\$26.72	\$26.72	Per Sewer Connection	Flat Fee	TWU	801 Wood Street	903-798-3800
457	Commercial Sewer Minimum Charge (Monthly)			\$10.52	\$10.52	\$10.52	Per Meter	Zero to 2,000 gallons	TWU	801 Wood Street	903-798-3800
458	Commercial Sewer Volume Rate			\$4.41	\$4.41	\$4.41	Per 1,000 Gallons	Over 2,000 gallons	TWU	801 Wood Street	903-798-3800
459	Residential Sewer Minimum Charge (Monthly) [outside city limits]			\$15.78	\$15.78	\$15.78	Per Meter	Zero to 2,000 gallons	TWU	801 Wood Street	903-798-3800
460	Residential Sewer Volume Rate [outside city limits]			\$5.66	\$5.66	\$5.66	Per 1,000 Gallons	Over 2,000 to 15,000 gallons	TWU	801 Wood Street	903-798-3800
461	Residential Unmetered Sewer Charge (Monthly) (from water supplied by sources other than TWU) [outside city limits]			\$40.08	\$40.08	\$40.08	Per Sewer Connection	Flat Fee	TWU	801 Wood Street	903-798-3800
462	Commercial Sewer Minimum Charge (Monthly) [outside city limits]			\$15.78	\$15.78	\$15.78	Per Meter	Zero to 2,000 gallons	TWU	801 Wood Street	903-798-3800
463	Commercial Sewer Volume Rate [outside city limits]			\$6.62	\$6.62	\$6.62	Per 1,000 Gallons	Over 2,000 gallons	TWU	801 Wood Street	903-798-3800

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

City of Texarkana, Texas

Version: C

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

Briefing Sheet

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

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

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

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

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

Potential Options:

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

Fiscal Implications:

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

Staff Recommendation:

Staff recommends approval of resolution 2017-050.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

City of Texarkana, Texas

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

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

Staff Coordination

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

Meeting History

04/24/17	City Council	MOVED FORWARD	Next: 05/08/17
	Jim Powell briefed this item.		
05/08/17	City Council	MOVED FORWARD	Next: 05/22/17
	There were no public comments made at this hearing.		

RESOLUTION NO. 2017 - 050

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

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

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

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

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

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

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

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

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

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2017-050 RES Authorizing City Manager to enter into contract (1643 : 2017-050 RES authorizing the City Manager to enter into an



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

April 13, 2017

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

RE: Initial Representation Agreement –
Collective Bargaining

Dear Mr. Whitson:

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

I. SCOPE OF ENGAGEMENT

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

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

II. STAFFING

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



III. BASIS FOR FEES AND COSTS

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

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

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

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

IV. CONCLUSION

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

Very Truly Yours,



Bettye Lynn
 lynn@laborcounsel.net
 Direct Dial: 817.332.8504

BL/jc



City of Texarkana
February 8, 2017
Page 3

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

John A. Whitson, City Manager

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



City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other: