CITY OF TEXARKANA

CITY COUNCIL

MINUTES ● MAY 26, 2015

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	
Brad Casteel	Ward 1	Present	
Willie Ray	Ward 2	Present	6:07 PM
Tina Veal-Gooch	Ward 3	Present	
Brian Matthews	Ward 4	Present	
Christy P. Paddock	Ward 5	Present	
Josh Davis	Ward 6	Present	

Staff Present: City Manager John Whitson, Jennifer Evans, Shirley Jaster, Charlie Bassett, Sherry Jackson, Bill King, Gary Smith, Eric Schlotter, Cody Harris, Jim Powell, Charles Kreidler, Kyle Dooley, Robby Robertson, Lisa Thompson, David Orr, and Jerry Sparks.

Legal Counsel: Jeff Lewis

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER CHRISTY P. PADDOCK

III. MAYOR'S OPENING REMARKS

Upcoming City Council Meetings:

Monday, June 8, 2015 at 6:00 p.m.
Monday, June 22, 2015 at 6:00 p.m.
Monday, July 13, 2015 at 6:00 p.m.
Monday, July 27, 2015 at 6:00 p.m.

Parks & Recreation Events:
Thursday, May 28th - Movies in the Park (*Paddington*) - Spring Lake Park (at dusk)
Saturday, May 30th - Softball Tournament at Karrh Park
Thursday, June 4th - Movies in the Park (*Alexander and the Terrible, Horrible, Very Bad Day*) - Spring Lake Park (at dusk)
Sunday, June 7th - Volleyball Tournament at Bringle Lake West Park

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

Other City Events:
Texarkana, Texas Farmers' Market - 305 Texas Blvd. (Tue. & Sat. 7:00 a.m. until sold out)

Swearing in Ceremony for Unopposed Council Member Candidates

Judge Sherry Jackson swore in the following council members:

Council Member Ward 2 - Ms. Willie Ray
Council Member Ward 3 - Ms. Tina M. Veal-Gooch
Council Member Ward 5 - Ms. Christy P. Paddock

City Council Members Swearing In Ceremony

Appointments to Boards & Commissions

There were no citizen appointments made by council.

City Council Member Appointments Annual Review

Council Members left current assignments in place. No changes were made.

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".

Taylor Barr addressed council concerning a sign violation notice.

Mike Lalonde addressed council concerning a sign ordinance.

V. ITEMS FOR CONSIDERATION

Consent Items

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

1. Consider approval of the minutes of the Regular Meeting of the City Council held on May 11, 2015 at 6:00 PM.

(6:24 p.m.)

Action Items

2. Resolution No. 2015-054 appointing a Mayor Pro Tem for the term beginning June 1, 2015 and ending on May 31, 2016 or until superseded by new council member appointments.

   Public Hearing:
   Second Briefing:
   Council Vote: May 26, 2015

   Council Member Paddock nominated Council Member Veal-Gooch to serve as Mayor Pro Tem for another year.
   (6:26 p.m.)

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

3. Ordinance No. 2015-038 amending the budget expenditures for the fiscal year ending September 30, 2015 in an amount not to exceed $300,000 for the demolition of the Kress building located at 116 West Broad Street.

   Public Hearing: April 27, 2015
   Second Briefing: May 11, 2015
   Council Vote: May 26, 2015

   Council Member Paddock asked for council to consider the amended Ordinance No. 2015-038 for vote. A motion was made by Council Member Matthews and seconded by Council Member Ray to vote on the amended ordinance. Mayor Bruggeman asked the City Secretary to read the caption to the amended ordinance before the vote.
   (6:32 p.m.)

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

VI. FIRST BRIEFINGS

1. Ordinance No. 2015-051 rezoning the East 1/2 of Lot 11 and all of Lot 12, Block 47, Grandview Addition, located at 3608 Jones Street. Single Family-3 to Planned Development-Neighborhood Service. Kimberly Westley, applicant.

Public Hearing: June 8, 2015
Second Briefing: June 22, 2015
Council Vote: July 13, 2015

David Orr briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 6/8/2015 6:00 PM**

2. Ordinance No. 2015-052 rezoning a 4.6 acre tract (Tract 57) located in the G. Brinlee HRS, A-18, located in the 4700 block of McKnight Road. Planned Development-Office to Planned Development-General Retail. Ralph and Tammy McDowell, applicants. Caleb Pittman, agent.

Public Hearing: June 8, 2015
Second Briefing: June 22, 2015
Council Vote: July 13, 2015

David Orr briefed this item. Caleb Pittman, agent, asked to withdraw this item from the agenda. Council accepted the withdrawal request.

RESULT:	**WITHDRAWN**

3. Ordinance No. 2015-053 amendment to PD-79-5(GR) for site plan approval on an approximate 9.74 acre tract of land located in the George Brinlee HRS, A-18, located at 4317 McKnight Road. John Rich, applicant. Kayla Wood, MTG Engineering, agent.

Public Hearing: June 8, 2015
Second Briefing: June 22, 2015
Council Vote: July 13, 2015

David Orr briefed this item. Kayla Wood, MTG Engineering agent, briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 6/8/2015 6:00 PM**

4. Resolution No. 2015-056 approving the FY16 Master Fee List and establishing certain new fees.

Public Hearing: June 8, 2015
Second Briefing: June 22, 2015
Council Vote: July 13, 2015

The City Council requested to have workshop review sessions, with public input, to discuss the master fee list in detail prior to this item advancing towards vote. City Manager Whitson suggested considering the approximate 335 fees on the master fee list in highest-to-lowest order. Council agreed and upcoming workshops will be scheduled.

RESULT:	**MOVED FORWARD**	**Next: 6/8/2015 6:00 PM**

5. Motion to move Ordinance No. 2015-057 up for council vote.

(7:39 p.m.)

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

6. Ordinance 2015-057 amending Ordinance 2015-029 and Ordinance 2015-050 authorizing the City Manager to enter into contracts with Caldera East I LLC or other parties for the funding of street construction and improvements to complete the extension of Gibson Lane from Pleasant Grove Road to Texas FM 989 (Kings Hwy); approving the reimbursement of the approved construction costs using funds generated from future development revenue from the Tax Increment Reinvestment Fund #1 in an amount not to exceed THREE MILLION DOLLARS ($3,000,000) in construction.

Public Hearing: May 26, 2015
Second Briefing:
Council Vote: June 8, 2015

Jerry Sparks briefed this item. City Manager Whitson made additional comments. Bobby Howell spoke at the public hearing portion. Richard Reynolds spoke at the public hearing portion. Mayor Bruggeman asked the City Secretary for a roll call vote.
(7:41 p.m.)

RESULT:	**ADOPTED [5 TO 1]**
MOVER:	Christy P. Paddock, Ward 5
SECONDER:	Brad Casteel, Ward 1
AYES:	Casteel, Veal-Gooch, Matthews, Paddock, Davis
NAYS:	Ray
EXCUSED:	Bruggeman

VII. PUBLIC HEARINGS

1. Ordinance No. 2015-049 authorizing the City Manager to accept the bid and enter into a contract with Kampco, Inc. Of Texarkana, Arkansas, in an amount not to exceed ONE MILLION FIFTY THOUSAND FIVE HUNDRED FIFTY-FOUR AND 46/100 DOLLARS ($1,050,554.46) for the South Stateline Sewer Phase III Sewer Trunk Main Relocation/Rehabilitation project.

Public Hearing: May 26, 2015
Second Briefing: June 8, 2015
Council Vote: June 22, 2015

There were no comments made at this public hearing.

RESULT:	**MOVED FORWARD**	**Next: 6/8/2015 6:00 PM**

VIII. SECOND BRIEFING WITH UPDATES

1. Ordinance No. 2015-047 rezoning a 7.882 acre tract of land in the Willis Oldham HRS, A-458, located at 5445 North Park Road. Planned Development-Commercial and Planned Development-General Retail to Commercial. James Blackburn, owner. Kirk Patton, agent.

   Public Hearing: May 11, 2015
   Second Briefing: May 26, 2015
   Council Vote: June 8, 2015

   David Orr made additional comments. Kirk Patton, attorney and agent, made comments at this second briefing.

   (Council Member Veal-Gooch left the council meeting at 7:44 p.m.)

RESULT:	**MOVED FORWARD**	**Next: 6/8/2015 6:00 PM**

IX. SECOND BRIEFING WITHOUT UPDATES

1. Resolution No. 2015-039 accepting a bid and authorizing the City Manager to issue a purchase order to Tyler Technologies for electronic ticket writing software and hardware provided through Brazos Technology, of College Station, Texas, for the purchase of electronic ticket writing software and hardware in an amount not to exceed EIGHTY-FIVE THOUSAND FIVE HUNDRED EIGHTY-SIX AND NO/100 DOLLARS ($85,586.00).

   Public Hearing: May 11, 2015
   Second Briefing: May 26, 2015
   Council Vote: June 8, 2015

RESULT:	**MOVED FORWARD**	**Next: 6/8/2015 6:00 PM**

2. Ordinance No. 2015-044 amending budget expenditures for the fiscal year ending September 30, 2015 to appropriate FOURTEEN THOUSAND AND NO/100 DOLLARS ($14,000.00) in the Municipal Court Technology fund for the partial purchase of electronic ticket writing software and hardware.

Public Hearing: May 11, 2015
Second Briefing: May 26, 2015
Council Vote: June 8, 2015

RESULT:	**MOVED FORWARD**	**Next: 6/8/2015 6:00 PM**

3. Ordinance No. 2015-043 approving the amendment of the FY15 budget expenditures to include the unspent balance of FY14 demolition funds for the Street Division budget.

Public Hearing: May 11, 2015
Second Briefing: May 26, 2015
Council Vote: June 8, 2015

RESULT:	**MOVED FORWARD**	**Next: 6/8/2015 6:00 PM**

X. ITEMS FOR DISCUSSION

Staff Updates

There were no staff updates.

XI. ADMINISTRATIVE COMMENTS

1. Council Members

   Council Members had no comments.

2. City Staff

   City Staff had no comments.

XII. CLOSED SESSION

At this portion of the meeting, Mayor Bruggeman made the following announcement: For everyone here and those watching on live stream, the Council does not anticipate taking any action after closed session other than reconvening in open session and adjourning the meeting. For that reason, we will end the live stream at this particular time.

The City Council convened in closed session pursuant to one or more of the following sections of the Texas Open Meetings Act (Chapter 551 of the Texas Government Code):

§ 551.071 Private consultation with the City Attorney

§ 551.072 Discussing or deliberating purchase, exchange, lease or value of real property.

§ 551.074 (Personnel matters) to discuss or deliberate city manager evaluation, duties, goals and performance review format.

XIII. RECONVENE INTO OPEN SESSION

XIV. ADJOURNMENT

Motion to Adjourn

A motion was made to adjourn the meeting.
(9:24 p.m.)

RESULT:	**ADOPTED [5 TO 0]**
MOVER:	Christy P. Paddock, Ward 5
SECONDER:	Josh Davis, Ward 6
AYES:	Casteel, Ray, Matthews, Paddock, Davis
EXCUSED:	Bruggeman
AWAY:	Veal-Gooch

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

Version: B

Briefing Sheet

Update Date: 5/15/2015 2:24 PM

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

Subject: *City Council Members Swearing In Ceremony*

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Swearing In Ceremony for:

Ms. Willie Ray – Ward 2
Ms. Tina M. Veal-Gooch – Ward 3
Ms. Christy P. Paddock – Ward 5

Potential Options:

- None
-

Fiscal Implications:

None

Staff Recommendation:

To proceed with Swearing In Ceremony

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. Goals & Perspectives (DOCX)
b. Willie Ray Swearing In 052615 (PDF)
c. Christy Paddock Swearing In 052615(PDF)
d. Ord. 2015-028 signed (PDF)
e. Tina M. Veal-Gooch Swearing In 052615 (PDF)

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
	X	Model a Positive City Image
	X	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:	Select One By Clicking Here

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
X	None Required	☐	

Other:

Attachment: Goals & Perspectives (1276 : *Council Swearing In Ceremony*)

In the name and by the authority of

The State of Texas

THIS IS TO CERTIFY that

Willie Ray

was duly elected

Council Member Ward 2

for the purposes of the May 9, 2015 general election pursuant to Ordinance No. 2015-028 issued on March 9, 2015 canceling the election that was scheduled to be held on May 9, 2015.

In testimony whereof, I have hereunto signed my name and caused the Seal of Texarkana to be affixed at the City of Texarkana, this the 26th day of May, 2015.

Signature of Presiding Officer of Canvassing Authority

Attachment: Willie Ray Swearing In 052615 [Revision 1] (1276 : *Council Swearing In Ceremony*)

Form #2201 Rev. 01/2015

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334
512-463-5569 - Fax
Filing Fee: None

This space reserved for office use

STATEMENT OF OFFICER

Statement

I, Willie Ray, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Council Member Ward 2

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: May 26, 2015

Signature of Officer

Revised 01/2015

Attachment: Willie Ray Swearing In 052615 [Revision 1] (1276 : *Council Swearing In Ceremony*)

Form #2204 Rev. 10/2011

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334

Filing Fee: None

This space reserved for office use

OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, Willie Ray, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Council Member Ward 2 of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Signature of Officer

State of Texas)
County of Bowie)

Sworn to and subscribed before me this 26 day of May, 2015.

(seal)

Signature of Notary Public or Other Officer Administering Oath

Judge Sherry Jackson
Printed or Typed Name

Attachment: Willie Ray Swearing In 052615 [Revision 1] (1276 : *Council Swearing In Ceremony*)

In the name and by the authority of

The State of Texas

THIS IS TO CERTIFY that

Christy P. Paddock

was duly elected

Council Member Ward 5

for the purposes of the May 9, 2015 general election pursuant to Ordinance No. 2015-028 issued on March 9, 2015 canceling the election that was scheduled to be held on May 9, 2015.

In testimony whereof, I have hereunto signed my name and caused the Seal of Texarkana to be affixed at the City of Texarkana, this the 26th day of May, 2015.

Signature of Presiding Officer of Canvassing Authority

Attachment: Christy Paddock Swearing In 052615 [Revision 1] (1276 : *Council Swearing In Ceremony*)

Form #2201 Rev. 01/2015

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334
512-463-5569 - Fax
Filing Fee: None

This space reserved for office use

STATEMENT OF OFFICER

Statement

I, Christy P. Paddock, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Council Member Ward 5

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: May 26, 2015

Christy P. Paddock
Signature of Officer

Revised 01/2015

Attachment: Christy Paddock Swearing In 052615 [Revision 1] (1276 : *Council Swearing In Ceremony*)

Form #2204 Rev. 10/2011

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334

Filing Fee: None

This space reserved for office use

OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, Christy P. Paddock, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Council Member Ward 5 of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Christy P. Paddock
Signature of Officer

State of Texas)
County of Bowie)

Sworn to and subscribed before me this 26 day of May, 2015.

(seal)

Sherry Jackson
Signature of Notary Public or Other Officer Administering Oath
Judge Sherry Jackson
Printed or Typed Name

Attachment: Christy Paddock Swearing In 052615 [Revision 1] (1276 : *Council Swearing In Ceremony*)

PUBLISH

ORDINANCE NO. 2015-028

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE CANCELLATION OF THE MAY 9, 2015 GENERAL ELECTION FOR THE PURPOSE OF ELECTING A COUNCILMEMBER FOR WARD TWO, A COUNCILMEMBER FOR WARD THREE, AND A COUNCILMEMBER FOR WARD FIVE FOR THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS IN ACCORDANCE WITH THE TEXAS ELECTION CODE, SECTION 2.052(a), BY CERTIFYING THAT EACH CANDIDATE IS UNOPPOSED; PROVIDING FOR PUBLICATION; PROVIDING FOR A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Texarkana, Texas by Ordinance No. 2015-002 dated January 26, 2015, called and ordered a general election to be held in the City of Texarkana, Texas, at the respective voting places in each ward, said election to be held May 9, 2015, for the purpose of electing a Councilmember for Ward Two (2), a Councilmember for Ward Three (3), and a Councilmember for Ward Five (5) of the City of Texarkana, Texas; and

WHEREAS, the current Councilmembers for Wards Two (2), Three (3), and Five (5), who made application for the May 9, 2015 ballot were unopposed as of February 27, 2015 at 5:00 p.m. and as provided by the Texas Election Code, Section 2.052(a) and Section 2.053(a) the Certification of Unopposed Candidates For Other Political Subdivisions and Sample Order of Cancellation, respectively, are attached as Exhibit "A" declaring the following candidates unopposed:

Councilmember Ward Two (2):	Mrs. Willie Ray
Councilmember Ward Three (3):	Tina M. Veal-Gooch
Councilmember Ward Five (5):	Christy P. Paddock; and

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

SECTION 1: That the cancellation of the May 9, 2015 general election for the purpose of electing a Councilmember for Ward Two (2), a Councilmember for Ward Three (3), and a Councilmember for Ward Five (5) for the City Council of the City of Texarkana, Texas, is certifying that each candidate is unopposed, in accordance with the Texas Election Code, Section 2.052(a) and Section 2.053(a), and is hereby approved, a copy of which is attached hereto and incorporated herein as Exhibit "A".

SECTION 2: That the City Secretary be and is hereby directed to publish the caption of this Ordinance for three (3) successive days in the Texarkana Gazette.

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

Attachment: Ord. 2015-028 signed [Revision 2] (1276 : *Council Swearing In Ceremony*)

PUBLISH

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are specifically repealed.

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 **9th day of March, 2015.**

BOB BRUGGEMAN, MAYOR

ATTEST:

JENNIFER EVANS
CITY SECRETARY

6:27 p.m.

Attachment: Ord. 2015-028 signed [Revision 2] (1276 : *Council Swearing In Ceremony*)

Exhibit "A"

AW12-1
Prescribed by Secretary of State
Section 2.051 – 2.053, Texas Election Code
2/14

CERTIFICATION OF UNOPPOSED CANDIDATES FOR OTHER POLITICAL SUBDIVISIONS (NOT COUNTY)
CERTIFICACIÓN DE CANDIDATOS ÚNICOS PARA OTRAS SUBDIVISIONES POLITICAS (NO EL CONDADO)

To: Presiding Officer of Governing Body
Al: Presidente de la entidad gobernante

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 9, 2015

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el 9 mayo de 2015

List offices and names of candidates:
Lista de cargos y nombres de los candidatos:

Office(s) *Cargo(s)*	**Candidate(s)** *Candidato(s)*
Councilmember Ward Two (2)	Mrs. Willie Ray
Councilmember Ward Three (3)	Tina M. Veal-Gooch
Councilmember Ward Five (5)	Christy P.Paddock

Signature ***(Firma)***

Jennifer Evans
Printed name ***(Nombre en letra de molde)***

City Secretary
Title ***(Puesto)***

March 9, 2015
Date of signing ***(Fecha de firma)***

(Seal) ***(sello)***

See reverse side for instructions
(Instrucciones en el reverso)

Attachment: Ord. 2015-028 signed [Revision 2] (1276 : *Council Swearing In Ceremony*)

Instructions for certification of unopposed candidates:

The authority responsible for preparing the ballot must certify the unopposed status to the authority responsible for ordering the election. This document is filed with the presiding officer of the political subdivision. The governing body must meet, accept this certification, and issue an order or ordinance declaring the election cancelled and the unopposed candidates elected. To complete the cancellation process, a copy of the order or ordinance canceling the election must be posted on Election Day at each polling place that would have been used in the election. See sample Order of Cancellation and outlines for additional instructions.

An election* may be cancelled if:

1) **The election is one in which a declaration of write-in candidacy is required; and**
2) **No opposed at-large race is on the ballot* within that election;*and**
3) **Each candidate whose name is to appear on the ballot* is unopposed, with some exceptions;**
   This means:
   - **In an all at-large election* (with no single-member districts), if there is one or more opposed at-large races, then all the races go on the ballot within that election.***
   - **In an election* in which any members of the governing body are elected from single-member districts, an election in a particular district may be cancelled if the candidate is unopposed and the election otherwise meets the above requirements (i.e., there is no at-large opposed race on the ballot).**

Note: A general election (for full terms) or a special election (to fill a vacancy in an unexpired term) is considered a *separate election* with a *separate ballot* for purposes of these tests, even if held on the same election date. See our online Cancellation guide for details.

Instrucciones para la certificación de una elección con candidatos únicos:

La autoridad a cargo de preparar la boleta de votación debe certificar los candidatos únicos sin oposición a la autoridad encargada de ordenar la elección. Este documento se debe presentar al presidente de la subdivisión política. La entidad gobernante debe reunirse, aceptar esta certificación y emitir una orden o una ordenanza en la que declara la cancelación de la elección y la elección de los candidatos únicos sin oposición. Para completar el proceso de cancelación, se debe exhibir el Día de la Elección una copia de la orden u ordenanza de cancelación de la elección en todos los sitios de votación que se hubieran utilizado en la elección. Vea el ejemplo Orden de Cancelación y el resumen para más instrucciones.

Una elección* puede ser cancelada si:

1) ***la elección es una en la que se requiere una declaración de candidatos por escrito en la boleta de votación; y,***
2) ***no hay oposición para la carrera por acumulación en la boleta* de votación dentro de esa elección* y***
3) ***Todos los candidatos cuyos nombres deben aparecer en la boleta* de votación no tienen oposición, con unas excepciones;***
   Esto significa:
   - ***En una elección* por acumulación (sin ningún distrito con miembro único), si se encuentra una o más de una carrera por acumulación con oposición, entonces todas las carreras estarán en la boleta dentro de esa elección*.***
   - ***En una elección* en la que cualquiera de los miembros de la entidad gobernante se eligen de distritos con un solo miembro, se puede cancelar una elección en un distrito específico si hay oposición para el candidato y la elección cumple con los requisitos que anteceden (ej. no hay oposición para la carrera por acumulación en la boleta).***

Nota: Una elección general (con términos completos) o una elección especial (para llenar una vacante de un término no vencido) es considerada como una elección distinta con una boleta distinta con los propósitos de estas pruebas, aunque se lleven a cabo en la misma fecha electoral. Vea nuestra guía de cancelación en línea para más detalles.

Attachment: Ord. 2015-028 signed [Revision 2] (1276 : *Council Swearing In Ceremony*)

AW12-2
Prescribed by Secretary of State
Section 2.051 – 2.053, Texas Election Code
2/14

Exhibit "A"

SAMPLE ORDER OF CANCELLATION
EJEMPLO DE ORDEN DE CANCELACIÓN

The City Council of Texarkana, Texas **hereby cancels the election scheduled to be held on**
(official name of governing body)
May 9, 2015 **in accordance with Section 2.053(a) of the Texas**
(date on which election was scheduled to be held)
Election Code. The following candidates have been certified as unopposed and are hereby elected as follows:

El ciudad conceyal de Texarkana ***por la presente cancela la elección que, de lo contrario,***
(nombre oficial de la entidad gobernante)
se hubiera celebrado el 9 mayo de 2015 ***de conformidad, con***
(fecha en que se hubiera celebrado la elección)
la Sección 2.053(a) del Código de Elecciones de Texas. Los siguientes candidatos han sido certificados como candidatos únicos y por la presente quedan elegidos como se haya indicado a continuación:

Candidate *(Candidato)*	**Office Sought** *(Cargo al que presenta candidatura)*
Mrs.Willie Ray	Councilmember Ward Two (2)
Tina M. Veal-Gooch	Councilmember Ward Three (3)
Christy P. Paddock	Councilmember Ward Five (5)

A copy of this order will be posted on Election Day at each polling place that would have been used in the election.

El Día de las Elecciones se exhibirá una copia de esta orden en todas las mesas electorales que se hubieran utilizado en la elección.

President *(Presidente)* Bob Bruggeman

Secretary *(Secretario)* Jennifer Evans

(seal) *(sello)*

March 9, 2015
Date of adoption *(Fecha de adopción)*

See reverse side for instructions
Instrucciones en el reverso

Attachment: Ord. 2015-028 signed [Revision 2] (1276 : *Council Swearing In Ceremony*)

Instructions for sample order of cancellation:

To cancel an election, the governing body must first receive and accept the Certification of Unopposed Candidates form (or the authority may create its own form) from the authority responsible for preparing the ballot. The cancellation order/ordinance must be adopted in an open meeting. The candidates are not required to be present. Certificates of election should be prepared for each unopposed candidate; however, the certificates of election should not be issued until after Election Day, as follows. Section 2.053 provides that the certificate of election shall be issued "in the same manner and at the same time" as for a candidate elected at an election. Therefore, the candidates, who have been declared "elected" at the meeting ordering the cancellation, must wait until after the official election day (even though no election is held) and no earlier than the prescribed canvassing period (even though no canvass is held) to be sworn in and assume their duties. Candidates may complete the Statement of Elected Officer prior to Election Day. The Statement should be kept locally; it does not need to be sent to the Secretary of State's Office. Copies of this order/ordinance must be posted on Election Day at each polling place that would have been used had the election not been cancelled.

An election* may be cancelled if:

1) **The election is one in which a declaration of write-in candidacy is required; and**
2) **No opposed at-large race is on the ballot* within that election;*and**
3) **Each candidate whose name is to appear on the ballot* is unopposed, with some exceptions;**
   This means:
   - **In an all at-large election* (with no single-member districts), if there is one or more opposed at-large races, then all the races go on the ballot within that election.***
   - **In an election* in which any members of the governing body are elected from single-member districts, an election in a particular district may be cancelled if the candidate is unopposed and the election otherwise meets the above requirements (i.e., there is no at-large opposed race on the ballot).**

Note: A general election (for full terms) or a special election (to fill a vacancy in an unexpired term) is considered a *separate election* with a *separate ballot* for purposes of these tests, even if held on the same election date. See our online Cancellation guide for details.

Instrucciones para el ejemplo de orden de cancelación:

Para cancelar una elección, la entidad gobernante primero debe recibir y aceptar, de la autoridad responsable para preparar la boleta, el formulario de Certificación para Candidatos Sin Oposición (o la autoridad puede crear su propio formulario) de la autoridad responsable para preparar la boleta. La orden/ordenanza de cancelación debe ser adoptada en una reunión abierta. No se requiere que los candidatos estén presentes. Se debe preparar un certificado de elección para cada candidato sin oposición; sin embargo, los certificados de elección no se deben emitir hasta el Día de las Elecciones, así como se detalla a continuación. La sección 2.053 indica que el certificado de elección será publicado "en la misma manera y al mismo tiempo" para un candidato elegido en una elección. Por lo tanto, los candidatos que hayan sido declarados "elegido" en la reunión de la cancelación, deben esperar hasta después del día oficial de elecciones (aunque no se hayan llevado una elección) y no antes del período prescrito de la campaña política (aunque no se lleve a cabo la campaña política) a ser jurados y asumir sus deberes. Los candidatos pueden llenar la Declaración de Funcionario Elegido antes del Día de las Elecciones. Este documento se debe mantener en los archivos locales. No es necesario enviarlo a la Oficina del Secretario de Estado. El Día de las Elecciones se debe exhibir una copia de esta orden/ordenanza en todos los sitios de votación que se hubieran utilizado en la elección si no hubiera sido cancelada.

Una elección* puede ser cancelada si:

1) ***la elección es una en la que se requiere una declaración de candidatos por escrito en la boleta de votación; y,***
2) ***no hay oposición para la carrera por acumulación en la boleta* de votación dentro de esa elección* y***
3) ***Todos los candidatos cuyos nombres deben aparecer en la boleta* de votación no tienen oposición, con unas excepciones;***
   Esto significa:
   - ***En una elección* por acumulación (sin ningún distrito con miembro único), si se encuentra una o más de una carrera por acumulación con oposición, entonces todas las carreras estarán en la boleta dentro de esa elección*.***
   - ***En una elección* en la que cualquiera de los miembros de la entidad gobernante se eligen de distritos con un solo miembro, se puede cancelar una elección en un distrito específico si hay oposición para el candidato y la elección cumple con los requisitos que anteceden (ej. no hay oposición para la carrera por acumulación en la boleta).***

Nota: Una elección general (con términos completos) o una elección especial (para llenar una vacante de un término no vencido) es considerada como una elección distinta con una boleta distinta con los propósitos de estas pruebas, aunque se lleven a cabo en la misma fecha electoral. Vea nuestra guía de cancelación en línea para más detalles.

Attachment: Ord. 2015-028 signed [Revision 2] (1276 : *Council Swearing In Ceremony*)

In the name and by the authority of

The State of Texas

THIS IS TO CERTIFY that

Tina M. Veal-Gooch

was duly elected

Council Member Ward 3

for the purposes of the May 9, 2015 general election pursuant to Ordinance No. 2015-028 issued on March 9, 2015 canceling the election that was scheduled to be held on May 9, 2015.

In testimony whereof, I have hereunto signed my name and caused the Seal of Texarkana to be affixed at the City of Texarkana, this the 26th day of May, 2015.

Signature of Presiding Officer of Canvassing Authority

Attachment: Tina M. Veal-Gooch Swearing In 052615 [Revision 3] (1276 : *Council Swearing In Ceremony*)

Form #2201 Rev. 01/2015

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334
512-463-5569 - Fax
Filing Fee: None

This space reserved for office use

STATEMENT OF OFFICER

Statement

I, Tina M. Veal-Gooch, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Council Member Ward 3

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: May 26, 2015

Signature of Officer

Revised 01/2015

Attachment: Tina M. Veal-Gooch Swearing In 052615 [Revision 3] (1276 : *Council Swearing In Ceremony*)

Form #2204 Rev. 10/2011

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334

Filing Fee: None

This space reserved for office use

OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, Tina M. Veal-Gooch, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Council Member Ward 3 of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Signature of Officer

State of Texas)
County of Bowie)

Sworn to and subscribed before me this 26 day of May, 2015.

(seal)

Signature of Notary Public or Other Officer Administering Oath

Judge Sherry Jackson
Printed or Typed Name

Attachment: Tina M. Veal-Gooch Swearing In 052615 [Revision 3] (1276 : *Council Swearing In Ceremony*)

Version: A

Briefing Sheet

Update Date: 5/7/2015 8:28 AM

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

Subject: City Council Member Appointments Annual Review

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Potential Options:

- None
-

Fiscal Implications:

None

Staff Recommendation:

Staff recommends annual council review of boards and commissions council member appointments.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. Goals & Perspectives (DOCX)
b. Brds & Comm Council Member Appts (2015) (PDF)

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:	Select One By Clicking Here

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: Goals & Perspectives (1294 : Council Member Appointments)

							27-Apr-15			
BOARD/COMMISSION	**Position or Seat**	**MEMBER**	**Date of Appointment**	**Length of Term (years)**	**Appointment Expiration**	**Appointing Authority**	**Expires within 90 Days**	**Expired**		
ARK-TEX COG										
ARK-TEX COG	1	Josh Davis	9-Jun-14	2.0	8-Jun-16	CC	0	0		
ARK-TEX COG	2	Willie Ray	9-Jun-14	2.0	8-Jun-16	CC	0	0		
ARK-TEX COG	3	Dr. Brian Matthews	9-Jun-14	2.0	8-Jun-16	CC	0	0		
BI-STATE IAC										
BI-STATE IAC	1	Bob Bruggeman	9-Feb-15	1.0	9-Feb-16	CC	0	0		
BI-STATE IAC	2	Tina Veal-Gooch	13-Apr-15	1.0	12-Apr-16	CC	0	0		
BOWIE CENTRAL APPRAISAL DIST										
BOWIE CENTRAL APPRAISAL DIST	TXK	Josh Davis	5-Nov-13	2.0	5-Nov-15	CC	0	0		
ELECTRICAL EXAMINING BOARD										
ELECTRICAL EXAMINING BOARD	CM	Brad Casteel	8-Jul-13	3.0	7-Jul-16	M-CC	0	0		
MPO POLICY BOARD										
MPO POLICY BOARD	1	Willie Ray	1-Jan-13	5.0	31-Dec-17	CC	0	0		
MAYOR PRO TEM										
MAYOR PRO TEM	1	Tina Veal-Gooch	9-Jun-14	1	25-May-15	CC	0	0		
Council members have the option to be appointed to a board, continue serving on a current board, request to serve on another board or discontinue service on a present board.										

Attachment: Brds & Comm Council Member Appts (2015) (1294 : Council Member Appointments)

CITY OF TEXARKANA

CITY COUNCIL

MINUTES ● MAY 11, 2015

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

220 TEXAS BLVD.
TEXARKANA, TX 75501

PRE-COUNCIL MEETING - 5:30 PM: COUNCIL SITE VISIT OF THE KRESS BUILDING AT 116 W. BROAD

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

Attendee Name	Title	Status	Arrived
Bob Bruggeman	Mayor	Present	
Brad Casteel	Ward 1	Present	
Willie Ray	Ward 2	Present	
Tina Veal-Gooch	Ward 3	Present	
Brian Matthews	Ward 4	Present	
Christy P. Paddock	Ward 5	Present	
Josh Davis	Ward 6	Present	

Staff Present: City Manager John Whitson, Jennifer Evans, Shirley Jaster, Charlie Bassett, Karey Parker, Charles Kreidler, David Orr, Eric Schlotter, Dan Shiner, Kyle Dooley, Lynn Henry, Gary Smith, Lisa Thompson, Jim Powell, Bill King, and Jerry Sparks.

Legal Counsel: None.

II. INVOCATION AND PLEDGE BY COUNCILMEMBER DR. BRIAN MATTHEWS

III. MAYOR'S OPENING REMARKS

Upcoming City Council Meetings:

Tuesday, May 26, 2015 at 6:00 p.m.
Special Note: Swearing-in Ceremony for Council Members of Wards 2, 3, & 5
Saturday, May 30, 2015, 8:00 a.m. - 3:00 p.m.
City Council & Staff Development Workshop
Texarkana Convention Center
2910 Cowhorn Creek Loop
Texarkana, Texas
Monday, June 8, 2015 at 6:00 p.m.
Monday, June 22, 2015 at 6:00 p.m.

Parks & Recreation Events:

Saturday, May 16th - Zumba in the Park - Spring Lake Park
Thursday, May 21st - Movies in the Park (*Big Hero 6*) -Spring Lake Park (at dusk)
Saturday, May 23rd - Rotary Splash Season Opening - Spring Lake Park
Thursday, May 28th - Movies in the Park (*Paddington*) - Spring Lake Park (at dusk)

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

Other City Events:

Thursday, May 14th - Open House Fire Station #3, 5706 Richmond Rd., Welcoming Quint 3 & Brush 3 to our Fleet - Lunch is on us! - 12:00 p.m.

Better Block Texarkana - Saturday, May 16, 2015:

- Texarkana, Texas Farmers' Market Opening Day from 7:00 a.m. until sold out
- Vendors on Broad Street beginning at 10:00 a.m.
- Car Show and Railfest in Front Street Plaza

Mayor Bruggeman thanked Police Chief Dan Shiner and Police Department staff for the excellent program honoring fallen peace officers at the Peace Officer Memorial Ceremony held last Wednesday, on May 6, 2015. Mayor Bruggeman thanked the Texarkana Independent School District for providing the Sullivan Performing Arts Center building as the venue. Mayor Bruggeman also thanked the Dallas Police Department who provided the choir as part of the ceremony.

Appointments to Boards & Commissions

There were no appointments made by council.

Proclamations

Kids to Parks Day Proclamation - May 16, 2015

Mayor Bruggeman read the Kids to Parks Day - May 16, 2015 proclamation.

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".

Jason Horton addressed council concerning the Kress building on Broad Street.

Nancy Stropeni addressed council concerning the Kress building on Broad Street.

Tracey Prather addressed council concerning "Save Downtown Texarkana" and preservation efforts of historic buildings like the Kress building on Broad Street.

V. ITEMS FOR CONSIDERATION

Consent Items

(6:33 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Josh Davis, Ward 6
SECONDER:	Brian Matthews, Ward 4
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on April 27, 2015 at 6:00 PM.

Action Items - None.

VI. FIRST BRIEFINGS

1. Ordinance No. 2015-049 authorizing the City Manager to accept the bid and enter into a contract with Kampco, Inc. Of Texarkana, Arkansas, in an amount not to exceed ONE MILLION FIFTY THOUSAND FIVE HUNDRED FIFTY-FOUR DOLLARS AND 46/100 ($1,050,554.46) for the South Stateline Sewer Phase III Sewer Trunk Main Relocation/Rehabilitation project.

   Public Hearing: May 26, 2015
   Second Briefing: June 8, 2015
   Council Vote: June 22, 2015

   Gary Smith, Design Engineer of Texarkana Water Utilities, briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 5/26/2015 6:00 PM**

2. Motion to move Ordinance No. 2015-050 up for council vote.

   (6:44 p.m.)

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

3. Ordinance No. 2015-050 amending Ordinance No. 2015-029 authorizing the City Manager to enter into contracts with Caldera East I LLC or other parties for the funding of street construction and improvements to complete the extension of Gibson Lane from Pleasant Grove Road to Texas FM 989 (Kings Hwy); approving the reimbursement of the approved construction costs using funds generated from future development revenue from the Tax Increment Reinvestment Fund #1 in an amount not to exceed TWO MILLION FIVE HUNDRED THOUSAND DOLLARS ($2,500,000).

   Public Hearing: May 11, 2015
   Second Briefing:
   Council Vote: May 26, 2015

   Jerry Sparks briefed this item. Richard Reynolds addressed council and asked for consideration in expediting the vote on this item.
   (6:45 p.m.)

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

VII. PUBLIC HEARINGS

1. Resolution No. 2015-039 accepting a bid and authorizing the City Manager to issue a purchase order to Tyler Technologies for electronic ticket writing software and hardware provided through Brazos Technology, of College Station, Texas, for the purchase of electronic ticket writing software and hardware in an amount not to exceed EIGHTY-FIVE THOUSAND FIVE HUNDRED EIGHTY-SIX DOLLARS AND NO/100 ($85,586.00).

   Public Hearing: May 11, 2015
   Second Briefing: May 26, 2015
   Council Vote: June 8, 2015

   No comments were made at this public hearing.

RESULT:	**MOVED FORWARD**	**Next: 5/26/2015 6:00 PM**

2. Ordinance No. 2015-044 amending budget expenditures for the fiscal year ending September 30, 2015 to appropriate $14,000 in the Municipal Court Technology fund for the partial purchase of electronic ticket writing software and hardware.

   Public Hearing: May 11, 2015
   Second Briefing: May 26, 2015
   Council Vote: June 8, 2015

   No comments were made at this public hearing.

RESULT:	**MOVED FORWARD**	**Next: 5/26/2015 6:00 PM**

3. Ordinance No. 2015-043 approving the amendment of the FY15 budget expenditures to include the unspent balance of FY14 demolition funds for the Street Division budget.

   Public Hearing: May 11, 2015
   Second Briefing: May 26, 2015
   Council Vote: June 8, 2015

   No comments were made at this public hearing.

RESULT:	**MOVED FORWARD**	**Next: 5/26/2015 6:00 PM**

4. Motion to move Ordinance No. 2015-045 up for council vote.

   (6:48 p.m.)

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

5. Ordinance No. 2015-045 granting a Specific Use Permit to allow a tattoo studio on Lots 9-12, Block 16, Rochelle Addition, located at 125 College Drive. Jeff Brown, owner. Joel Wright, agent.

   Public Hearing: May 11, 2015
   Second Briefing: May 26, 2015
   Council Vote: June 8, 2015

   No comments were made at this public hearing.
   (6:49 p.m.)

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

6. Motion to move Ordinance No. 2015-046 up for council vote.

(6:51 p.m.)

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

7. Ordinance No. 2015-046 rezoning a 0.47 acre tract of land (Tract 236) in the Thomas Price HRS, A-466, located at 3415 and 3417 New Boston Road. Office to General Retail. Damon Earnest, owner.

Public Hearing: May 11, 2015
Second Briefing: May 26, 2015
Council Vote: June 8, 2015

Damon Earnest asked council for consideration in expediting the vote on this item.
(6:52 p.m.)

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

8. Ordinance No. 2015-047 rezoning a 7.882 acre tract of land in the Willis Oldham HRS, A-458, located at 5445 North Park Road. Planned Development-Commercial and Planned Development-General Retail to Commercial. James Blackburn, owner. Kirk Patton, agent.

Public Hearing: May 11, 2015
Second Briefing: May 26, 2015
Council Vote: June 8, 2015

Kirk Patton, an attorney representing James Blackburn, spoke at this public hearing.

RESULT:	**MOVED FORWARD**	**Next: 5/26/2015 6:00 PM**

9. Motion to move up Ordinance No. 2015-048 for council vote.

(7:08 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian Matthews, Ward 4
SECONDER:	Josh Davis, Ward 6
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

10. Ordinance No. 2015-048 rezoning a 0.92 acre tract of land in the F.V, Evans HRS, A-472, located in the 6800-6900 block of Richmond Road. Single Family-1 to Planned Development-Multiple Family-2. John Bailey, owner. Alan Schimming, agent.

Public Hearing: May 11, 2015
Second Briefing: May 26, 2015
Council Vote: June 8, 2015

Alan Schimming spoke at this public hearing. David Orr answered questions for council at this public hearing.
(7:09 p.m.)

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

VIII. SECOND BRIEFING WITH UPDATES

1. Ordinance No. 2015-038 amending the budget expenditures for the fiscal year ending September 30, 2015 in an amount not to exceed $300,000 for the demolition of the Kress building located at 116 West Broad Street.

Public Hearing: April 27, 2015
Second Briefing: May 11, 2015
Council Vote: May 26, 2015

David Orr made additional comments regarding the Kress building to include a descriptive and detailed timeline. City Manager Whitson answered questions concerning the structural engineering process and the city's fund balance. Tracey Prather spoke at this second briefing and shared a video. Mayor Bruggeman thanked city staff for the pre-meeting council tour of the Kress building.

RESULT:	**MOVED FORWARD**	**Next: 5/26/2015 6:00 PM**

IX. SECOND BRIEFING WITHOUT UPDATES - NONE.

X. ITEMS FOR DISCUSSION

Staff Updates

(At 8:01 p.m., Council Member Casteel left the council meeting. At 8:05 p.m., Council Member Casteel returned to the council meeting.)

Kyle Dooley gave an update of what the total costs could be to repave College Drive.

XI. ADMINISTRATIVE COMMENTS

1. City Council

Council Member Veal-Gooch requested the postponement of staff departmental briefings in preparation for the May 30, 2015 Council and Staff Development Workshop due to the lateness of the evening with the scheduled closed session. Council agreed to convene into closed session and have staff present all departmental briefings at the May 26, 2015 council meeting.

Council Member Matthews thanked Parks and Wellness Director Robby Robertson and Parks and Recreation staff for their support in working with the Alzheimer Alliance staff in hosting the Wine Festival at Spring Lake Park on May 2, 2015. Council Member Matthews said it was an impressive and well organized event.

Mayor Bruggeman said he received several comments from citizens who said they really enjoyed attending the Wine Festival last weekend.

2. City Staff

City of Texarkana, Texas Investment Report for the Quarter Ended March 31, 2015 is now available for viewing on the City's website:
Finance Department/Financial Reports/Quarterly Investment Reports
http://tx-texarkana.civicplus.com/ArchiveCenter/ViewFile/Item/503

Charlie Bassett informed council that the link referencing the Investment Report has one minor change: the last item listed, number "503", should be listed as number "603".

XII. CLOSED SESSION

The City Council convened into closed session pursuant to Section 551.074 (personnel matters) to discuss or deliberate city manager evaluation, duties, goals and performance review format.

XIII. RECONVENE INTO OPEN SESSION

XIV. ADJOURNMENT

A motion was made to adjourn the meeting.
(10:27 p.m.)

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

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 5/13/2015 4:02 PM

Lead Department: City Manager **Action Officer:** Pam Burns, Municipal Clerk

Subject: Resolution No. 2015-054 appointing a Mayor Pro Tem for the term beginning June 1, 2015 and ending on May 31, 2016 or until superseded by new council member appointments.

Briefing: 5/26/2015	**Public Hearing:**	**Second Briefing:**	**Council Vote:** 5/26/2015

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Article II, Section 4 of the Texarkana City Charter provides for the office of Mayor Pro Tem, who shall act as Mayor during the absence or disability of the Mayor. The Texarkana City Charter provides for the election of the Mayor Pro Tem by the Council.

Potential Options:

- None
-

Fiscal Implications:

None

Staff Recommendation:

Staff recommends appointment of a Mayor Pro Tem in accordance with the provisions of the City Charter.

Advisory Board/Committee Review:

NOT APPLICABLE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2015-054 Goals & Perspectives (DOCX)

b. Res 2015-054 Appoint Mayor Pro Tem (DOC)
c. Reso. 2015-054 signed (PDF)

Staff Coordination

City Manager	John Whitson	Department Head Review	Completed	05/19/2015 1:19 PM
Assistant City Manager Review	Completed	Shirley Jaster	Assistant City Manager	05/20/2015 1:32 PM
Public Information Officer	05/20/2015 1:36 PM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	05/21/2015 10:07 AM
City Council	Jennifer Evans	Meeting	Completed	05/26/2015 6:00 PM

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2015-054 Goals & Perspectives (1311 : Res. No. 2015-054 Appointment of Mayor Pro Tem)

RESOLUTION NO. 2015 - 054

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPOINTING A MAYOR PRO TEM; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Article II, Section 4 of the Texarkana City Charter provides for the office of Mayor Pro Tem, who shall act as Mayor during the absence or disability of the Mayor; and

WHEREAS, Article II, Section 4 of the Texarkana City Charter also provides for the election of the Mayor Pro Tem by the City Council; and

WHEREAS, the City Council of the City of Texarkana, Texas finds it to be in the best interest of the City to appoint an individual to the office of Mayor Pro Tem in accordance with the provisions of the City Charter; and

WHEREAS, appointment of the Mayor Pro Tem will be effective on June 1, 2015 and will continue until May 31, 2016 or until superseded by new council appointments and therefore at that time electing a Mayor Pro Tem to serve until the first City Council meeting after Election Day in 2017.

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

SECTION 1: That in accordance with the terms and provisions of Article II, Section 4 of the Texarkana City Charter, the following individual is hereby elected Mayor Pro Tem:

_____.

SECTION 2: That this appointment will be for the term beginning June 1, 2015 and ending on May 31, 2016 or until superseded by new council member appointments.

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 **26th day of May 2015.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: Res 2015-054 Appoint Mayor Pro Tem (1311 : Res. No. 2015-054 Appointment of Mayor Pro Tem)

RESOLUTION NO. 2015 - 054

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPOINTING A MAYOR PRO TEM; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Article II, Section 4 of the Texarkana City Charter provides for the office of Mayor Pro Tem, who shall act as Mayor during the absence or disability of the Mayor; and

WHEREAS, Article II, Section 4 of the Texarkana City Charter also provides for the election of the Mayor Pro Tem by the City Council; and

WHEREAS, the City Council of the City of Texarkana, Texas finds it to be in the best interest of the City to appoint an individual to the office of Mayor Pro Tem in accordance with the provisions of the City Charter; and

WHEREAS, appointment of the Mayor Pro Tem will be effective on June 1, 2015 and will continue until May 31, 2016 or until superseded by new council appointments and therefore at that time electing a Mayor Pro Tem to serve until the first City Council meeting after Election Day in 2017.

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

SECTION 1: That in accordance with the terms and provisions of Article II, Section 4 of the Texarkana City Charter, the following individual is hereby elected Mayor Pro Tem:

TINA M. VEAL-GOOCH.

SECTION 2: That this appointment will be for the term beginning June 1, 2015 and ending on May 31, 2016 or until superseded by new council member appointments.

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 **26th day of May 2015.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:26 p.m.

Attachment: Reso. 2015-054 signed (1311 : Res. No. 2015-054 Appointment of Mayor Pro Tem)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 5/6/2015 4:09 PM

Lead Department:	Planning and Community Development	**Action Officer:**	David Orr, Planning & Community Development Director
Subject:	Ordinance No. 2015-038 amending the budget expenditures for the fiscal year ending September 30, 2015 in an amount not to exceed $300,000 for the demolition of the Kress building located at 116 West Broad Street.		

Briefing:	5/26/2015	**Public Hearing:**	4/27/2015	**Second Briefing:**	May 11, 2015	**Council Vote:**	5/26/2015

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

Updates/History of Briefing:

Updated with additional documents and responses to submitted questions during the April 27th, 2015 Council Meeting.

Executive Summary and Background Information:

In 2009, the City acquired property located at 116 West Broad Street from the Bi-State Women's Center, Inc as a donation through Ordinance No. 073-2009.

The property has deteriorated to the point that it has impacted adjacent property owners and the building's front sidewalk has been barricaded since November 2014 due to public safety concerns resulting from falling debris.

A structural engineering report conducted by Raley and Associates stated that the building structure appears to be unstable and needs to be demolished as soon as possible.

Staff has researched various demolition funding options and have exhausted all current grant sources. Furthermore, the Environmental Protection Agency determined that the city cannot use existing assessment or revolving loan fund dollars for the project.

Staff has acquired three estimates for budget purposes that show costs should not exceed $300,000 for demolition of the Kress Building located at 116 West Broad Street. If approved, staff will proceed with preparing an RFP and receiving bids for the demolition project.

Potential Options:

- None
-

Fiscal Implications:

An amount not to exceed $300,000.

City of Texarkana, Texas

Staff Recommendation:

Staff recommends for approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. Ord 2015 038 Goals & Perspectives (DOCX)
b. Ord. No. 2015-038 Amend (DOCX)
c. 116 West Broad (PDF)
d. Ordinance 073 09 Authorizing City Manager to execute Documents (PDF)
e. Redev & Grants Memo 2009 May 18 Council Kress Transfer1.0 (PDF)
f. Jason Horton Letter (PDF)
g. Kress Building Tom Morrissey Email (PDF)
h. Kress Building October 2012 Report (PDF)
i. Warranty Deed to Housing Finance Corporation RECORDED (PDF)
j. City Inspection Correspondence (PDF)
k. Order of Commission (PDF)
l. Executive Summary Phase 1 Environmental 116 West Broad Kress (PDF)
m. Texas Historical Commission Response (PDF)
n. Kress Presentation 4.13.2015 (PDF)
o. Kress Timeline (PDF)
p. EPA Funding Denial Email 2012 (PDF)
q. EPA Funding Denial Email 2015 (PDF)
r. Kress_12_2009_phase1 (PDF)
s. Submitted Kress Building Questions 4.27.15 (PDF)
t. Patterson Eng Draft Notes (PDF)
u. Ord. 2015-038 amended signed (PDF)

Staff Coordination

Planning and Community Development		David Orr	Department Head Review	
	Completed	04/02/2015 4:27 PM		
City Attorney	Jo Thomason	Review	Completed	04/02/2015 5:05 PM
Finance Department	Charlie Bassett	Finance Review	Completed	04/06/2015 8:19 AM
Assistant City Manager		Shirley Jaster	Assistant City Manager	
Review	Completed	04/06/2015 8:44 AM		

City of Texarkana, Texas

Public Information Officer	Lisa Thompson	PIO Review	Completed	04/06/2015 8:47 AM
City Manager	John Whitson	City Manager Review	Completed	04/06/2015 3:40 PM
City Council	Jennifer Evans	Meeting	Completed	04/13/2015 6:00 PM

Meeting History

04/13/15	City Council	MOVED FORWARD	Next: 04/27/15
04/27/15	City Council	MOVED FORWARD	Next: 05/11/15
05/11/15	City Council	MOVED FORWARD	Next: 05/26/15

David Orr made additional comments regarding the Kress building to include a descriptive and detailed timeline. City Manager Whitson answered questions concerning the structural engineering process and the city's fund balance. Tracey Prather spoke at this second briefing and shared a video. Mayor Bruggeman thanked city staff for the pre-meeting council tour of the Kress building.

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:	Select One By Clicking Here

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: Ord 2015 038 Goals & Perspectives [Revision 1] (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building

ORDINANCE NO. 2015-038

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGET EXPENDITURES IN AN AMOUNT NOT TO EXCEED $300,000 FOR COSTS ASSOCIATED WITH THE DEMOLITION OF THE KRESS BUILDING LOCATED AT 116 WEST BROAD STREET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2015; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in 2009, the City acquired the property from the Bi-State Women's Center, Inc as a donation through Ordinance No. 073-2009; and

WHEREAS, the property has deteriorated to the point that it has impacted adjacent property owners and the building's front sidewalk has been barricaded since November 2014 due to public safety concerns resulting from falling debris; and

WHEREAS, a structural engineering report conducted by Raley and Associates stated that the building structure appears to be unstable and needs to be demolished as soon as possible; and

WHEREAS, staff has researched various demolition funding options and have exhausted all current grant sources. Furthermore, the Environmental Protection Agency determined that the city cannot use existing assessment or revolving loan fund dollars for the project.

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

SECTION 1: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2014, and ending September 30, 2015, be amended to reflect additional expenditures appropriated in an amount not to exceed $300,000 for costs associated with demolition of the Kress Building located at 116 West Broad Street.

SECTION 2: That a copy of said amended final adopted budget shall be placed on the City's website.

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.

Attachment: Ord. No. 2015-038 Amend [Revision 5] (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

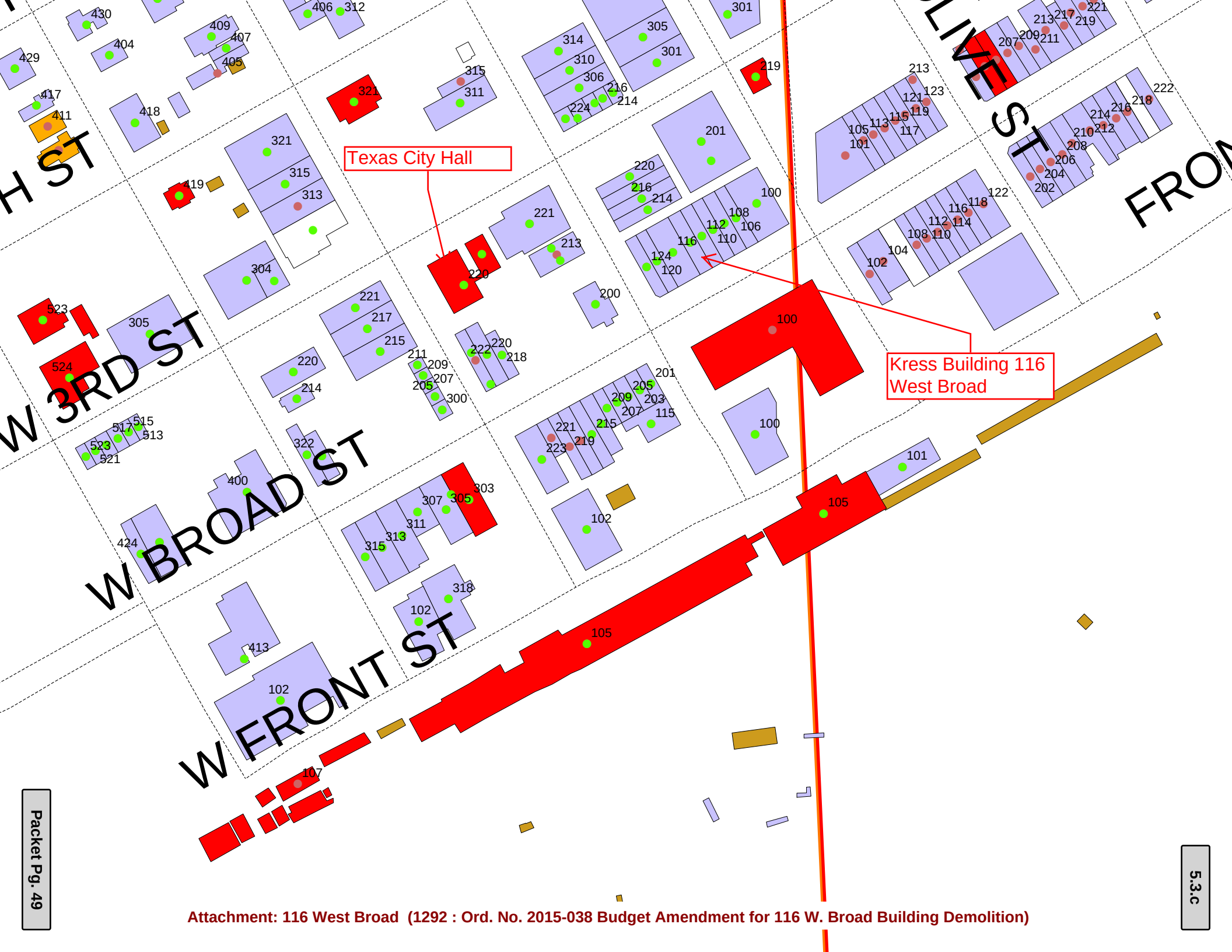
SECTION 5: This Ordinance shall be in full force and effect from and after its passage and approval, and after the adoption of this budget or budget amendment, budget officer shall provide for the filing of a true copy of the approved budget or amendment on the City's website.

PASSED AND APPROVED in Regular Council Session on this the **26th day of May, 2015**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: Ord. No. 2015-038 Amend [Revision 5] (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)


Texas City Hall
Kress Building 116 West Broad
W 3RD ST
W BROAD ST
W FRONT ST
OLIVE ST
FRON
H ST

ORDINANCE NO. 073-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CEO/CITY MANAGER TO EXECUTE ALL DOCUMENTS TO ACCEPT PROPERTY LOCATED ON LOTS 12 AND 13, BLOCK 21 OF CITY/TRIGGS ADDITION IN TEXARKANA, BOWIE COUNTY, TEXAS DONATED TO THE CITY OF TEXARKANA, TEXAS BY THE BI-STATE WOMEN'S CENTER, INC.; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Bi-State Women's Center, Inc. has offered to donate the property located on Lots 12 and 13, Block 21 of City/Triggs Addition in Texarkana, Bowie County, Texas, to the City of Texarkana, Texas; and

WHEREAS, the City Council desires to designate the CEO/City Manager to execute all documents on behalf of the City in the acceptance of the above-described property and finds it in the best interest of the citizens of the City of Texarkana, Texas to accept such property;

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

SECTION 1: That the CEO/City Manager be and is hereby authorized to execute all documents on behalf of the City to accept the donation of property from the Bi-State Women's Center, Inc. located on Lots 12 and 13, Block 21 of City/Trigg Addition in Texarkana, Bowie County, Texas.

SECTION 2: That this Ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED in Special Council Session on this the 18th day of May, 2009.

STEPHEN A. MAYO, MAYOR

ATTEST:

KERRY MEREDITH, CITY SECRETARY

APPROVED AS TO FORM:

DEBORAH JONES, STAFF LEGAL COUNSEL

City of Texarkana, Texas

Department of Community Redevelopment and Grants
P.O. 1967, Texarkana, Texas 75504-1967

Telephone: 903-798-3902 FAX: 903-793-3913

Memo

To: F. Larry Sullivan, Ed.D., CEO/City Manager

From: Craig Lindholm, Executive Director CR&G

Date: May 14, 2009

Re: Council Approval Granting Authority to City Manager to execute transfer or property (116 West Broad Street Kress Building) to the City of Texarkana, TX

Recommend City Council grant authority to the City Manager to execute all documents necessary to accept the transfer of the property located at 116 West Broad Street, Texarkana, Texas (Kress Building) from the Bi-State Women's Center, Inc. Property is being donated to the City of Texarkana, Texas by the Bi-State Women's Center, Inc. Acceptance of the donation will give the City the authority as owner to take all action necessary and approved by State and Federal law and guidelines to demolish the structure removing the building as an eyesore and potential public health and safety risk.

Attachment: Redev & Grants Memo 2009 May 18 Council Kress Transfer1.0 (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad

114 West Broad Street, Texarkana, Texas 75501
Mail To:
P.O. Box 1596, Texarkana, Texas 75504
Phone: [903] 792-2000 Fax: [903] 792-2100
jasonhortonlaw.com licensed in Texas & Arkansas

JASON HORTON
LAW FIRI

March 2, 2015
Via email to david.orr@txkusa.org

City of Texarkana, Texas
ATTN: David Orr
P.O. Box 1967
Texarkana, Texas 75504

RE: *Kress Building*

Dear David:

Going on four months ago, the City barricaded the front of the Kress building after I informed a City representative that large amounts of concrete fell from the top of the Kress and smashed through the metal awning. Debris was scattered up against my building, and large pieces of metal remain barely attached to the awning, waiting for a strong wind to cause more damage. The sidewalk in front of my building is impassible, and has been for months.

I have noticed a strong odor (akin to mold) in the back of my building after heavy rains. You can almost feel the moisture in the back of my building, and I hope it is not from water in the Kress basement seeping into my basement.

At the back of my building you will see a large smoke stack that travels from my building all the way to the top of the Kress. The stack is part of my building, but it is attached by metal brackets to the Kress. If you look closely, you can see major cracks in the Kress building where the metal brackets enter into the building. It looks like my brick smoke stack is providing support for the Kress. If and when the Kress finally gives way, this stack will come falling down and cause major damage to property and potential injury to anyone around.

I am afraid that my investment in downtown is deteriorating because of a lack of attention given to the Kress. It is becoming dangerous to walk in front of or behind the Kress. I would like to be contacted prior to any work being performed on the Kress because any work performed on that building is likely to cause significant damage to my building, constructively evicting my law firm in the process.

Thanks for your time and consideration.

Sincerely,

Jason Horton

/tmc
Enclosure

Attachment: Jason Horton Letter (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

TEX-Burns, Pam

From: TEX-Sparks, Jerry
Sent: Tuesday, March 10, 2015 7:36 AM
To: Tex-Orr, David
Subject: FW: Kress Building

Jerry Sparks
Economic Developer
City of Texarkana
P O Box 1967
Texarkana TX 75504-1967
Cell: 903.278.0102
Alternate email: jvsparks@cableone.net

Email communications through this office may be subject to Texas Public Records laws and may be shared with others.

-----Original Message-----
From: Tom [mailto:tomartist2004@yahoo.com]
Sent: Tuesday, March 10, 2015 6:36 AM
To: TEX-Sparks, Jerry
Subject: Kress Building

Hello Jerry,

I was asked to provide my opinion on the condition and future of the Kress Building located in the 100 block of W. broad St, Texarkana, TX. While it saddens me, I tend to agree that it has been allowed to fall into extreme disrepair and that moves to secure that property from further uncontrolled deterioration and, perhaps, adverse consequences to neighboring properties occurring as a result need to be considered.

I understand it has a basement which has a tendency to have standing water due to an underground stream. As well, I believe that the roof has caved in. Once, this building had beautiful interior features that made it a gem on Broad Street. This is no longer the case it seems.

I hope that the facades can be salvaged and perhaps a roof placed over the space to secure this piece of downtown history. But, one thing seems to be clear and that is; as it stands now, it seems to be a health and safety issue. Standing water in a basement space between two functional properties is not a situation that should remain. Not to mention the continual caving in of the interior that I understand is occurring.

While I hate the idea of yet another property on the main historic strip of Downtown Texarkana falling to waste, I guess it has already occurred. My aunt, while working her way through her education in that once thriving store met my uncle there. I myself, as an eight-year old child, recall buying most of my Christmas gifts for family there. Let's hope that this deterioration of this historic area can be brought under control.

I would support the city in whatever move is decided to be taken with respect to this property.

Tom Morrissey

Sent from my iPad

Attachment: Kress Building Tom Morrissey Email [Revision 2] (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building

RALEY AND ASSOCIATES, INC.
4715 Shed Road, Bossier City, LA 71111 · Phone 318-752-9025 · Fax 318-752-9025

October 16, 2012

Mr. Craig Lindholm
City of Texarkana, TX
West Third St. & Texas Blvd.
P.O. Box 1967
Texarkana, TX 75504

Re: Kress Department Store
Texarkana, TX

Dear Mr. Lindholm,

Per your request, this office made a visual observation of the subject building on Thursday, October 4, 2012. The purpose of this visit was to observe the building for any type of structural deficiencies and determine if the building could be salvaged or needed to be demolished. For the record, Jeff Raley, P.E., Craig Lindholm and Jason Cram, Architect, were present during this visit.

1. This building was a multi story department store.

2. We were not able to enter the interior of the building due to the dilapidated nature of the flooring system. We viewed the interior from the rear landing at the alley entrance door.

3. It appears the roof has had numerous leaks over the years leading to the collapse of the roof system and subsequent floor system.

4. From our vantage point we were able to see into the basement due to the collapse of the flooring (see photos).

5. From what we could observe, the steel framing was in poor condition due to rust.

6. We noted several masonry cracks on the exterior masonry which appeared to be indicative of structural problems.

As of this date, the building structure appears to be unstable and needs to be demolished as soon as possible.

This building by its location and size will be expensive to demolish. However, this firm does not believe it can be salvaged at a reasonable expense. The adjacent buildings will need to be

protected during demolition. The building to the east appeared to be occupied. The buildings to the west may be vacant.

This report is based upon our experience, readily accessible visible defects and certain assumptions that conventional methods of construction were used to build the building. We cannot normally see irregularities inside structures. Nature through excessive rain, droughts and differing soil characteristics cause extremes we cannot anticipate. Also, remodeling and changes in the building alter conditions that affect the building. Because of all these unknowns, this firm offers no warranty or guaranty with this report.

This report is intended to generally educate the client about the structural condition of the building and does not apply to the condition of any mechanical, electrical or plumbing items that may exist in the building. This report does not apply to the possible presence and/or danger from harmful substances such as toxic chemicals, lead paint, carbon monoxide, airborne hazards, mold, etc.

This report has been written for your sole use and only you have the authority to distribute this report to others. Raley and Associates, Inc. and its agents and employees do not have and do disclaim any contractual relationship with, or duty or obligation to, any party other than the addressee of this report. Only the engineer(s) who signed this document has the authority to change its contents and then only in writing to you. This report addresses the results of work completed to date. Should any additional information become available, we reserve the right to amend, as warranted, any of our conclusions or recommendations.

If you have any questions or need additional information, please call.

Sincerely,

Jeff Raley
Professional Engineer

STATE OF TEXAS
FRANK J. RALEY
70297
REGISTERED
PROFESSIONAL ENGINEER

10-16-12
TR-F594

KRESS BUILDING

GRACIES

COPY

Filed For Record In:
Bowie County, Texas
Denise Thornburg
County Clerk
On: Jan 10,2012 at 03:31P

DEED WITHOUT WARRANTY

STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS
COUNTY OF BOWIE §

That the **CITY OF TEXARKANA, TEXAS**, a Texas home-rule municipality ("Grantor"), for and in consideration of TEN AND NO/100 DOLLARS ($10.00), and other good and valuable consideration to Grantor, the receipt of which is hereby acknowledged, paid in hand by the **HOUSING FINANCE CORPORATION**, ("Grantee"), has **GRANTED, SOLD AND CONVEYED** and by these presents does **GRANT, SELL AND CONVEY** unto the **Grantee**, all that certain real property ("Property") located in Texarkana, Bowie County, Texas, being more particularly described as follows:

> **Lots Numbered TWELVE (12) and THIRTEEN (13) in Block Numbered TWENTY-ONE (21) in Trigs Addition to the Original City of Texarkana, Bowie County, Texas being that property more particularly described in Volume 5640, Page 43, Deed Records, Bowie County, Texas,**

together with all improvements located thereon and all rights and appurtenances thereto in anywise belonging to Grantor, except validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; and discrepancies, conflicts, or shortages in area or boundary lines; and any encroachments or overlapping of improvements.

TO HAVE AND TO HOLD the above-described Property together with any and all the rights and appurtenances thereto in anywise belonging to Grantor, is conveyed unto the said Grantee. Excluded and excepted from this deed are any and all warranties, express or implied, regarding the property, including, without limitation, any warranties arising at common law or implied as a result of V.T.C.A. Property Code Section 5.023 or its successor.

EXECUTED and **EFFECTIVE** as of the 10th day of Jan., 2012.

CITY OF TEXARKANA, TEXAS

BY: _____
F. LARRY SULLIVAN
CITY MANAGER

ACKNOWLEDGMENT

THE STATE OF TEXAS §
COUNTY OF BOWIE §

BEFORE ME, the undersigned authority, a Notary Public, on this day personally appeared F. LARRY SULLIVAN, City Manager for the City of Texarkana, Texas, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of The City of Texarkana, Texas, and that he executed the same as the act of said City for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 10th day of January, 2012.

Dana K. Jaggers
Notary Public, State of Texas

DANA K JAGGERS
My Commission Expires
February 5, 2012

City of Texarkana, Texas
Westard Street & Texas Blvd.
P.O. Box 1967

#	Vol	Page
330	6164	279

Attachment: Warranty Deed to Housing Finance Corporation RECORDED [Revision 1] (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

CITY OF TEXARKANA, TEXAS
P.O. BOX 1967, 75501 PHONE 214-794-3434

February 7, 1979

Re: Old Kress Building
116 West Broad St.
Possible Office Occupancy

On February 6, 1979 at 9:00 A. M. an inspection was made at the above referenced property by this department. In order to meet minimum code requirements, the below listed discrepancies should be corrected. and obtaining a Certificate of [illegible] the listed discrepancies must be corrected

Building

1. Roof drains stopped up. Roof leaking(repair).
2. Need duct enclosed on second floor with 5/8 fire resistive sheet rock or with lath and plaster.
3. Need counter weights checked and installed where necessary on all windows.
4. Windows leading to fire escape on second and third floor with iron gates outside needs to be checked thoroughly for easy opening and remain unlocked during working hours.
5. Complete check required on existing sprinkler system to assure 100% working capability.
6. Ceiling in basement equipment room needs repaired with 5/8 fire rated sheetrock.
7. Old batteries that were used at one time for auxiliary power needs removing.
8. Open shaft that runs from basement to third floor needs fire stopping at each floor.
9. Need two hour UL approved fire rated doors that go into stairwell.
10. Down stairs bathroom needs privacy partitions.
11. Need 5 lb. dry chemical or 2½ gal. pressurized water extinguishers every 75 ft. of travel in the building.

Attachment: City Inspection Correspondence (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

12. All storage needs to be stacked neat with 3 ft. isles(in process of cleaning at this time.)
13. Have all fire extinguishers checked (existing).

Electrical

1. Need exit lights installed over all stairwell doors, also over windows leading to fire escape.
2. Replace all non-grounding type receptacles with grounding type.
3. Recover all old open junction boxes(general clean up and repairs).

Plumbing

1. Remove existing gas meter to outside of building.
2. If existing hot water is used, bring it up to code or completely remove.
3. Check existing A/C system and repair or remove, which ever is feasible. Check sump pump, and all piping for repairs with pressure test.

A building permit is required. Permit fee is based on total cost of construction to meet City compliance. Plumbing and electrical to be performed by licensed and bonded contractors. Your cooperation in this matter is appreciated.

Sincerely,

Tom Franklin

Tom Franklin
Building Official

James A. Pappas

James A. Pappas
Captain, Fire Prevention Div.
Texarkana, Texas Fire Department

TF/ry

Attachment: City Inspection Correspondence (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

CITY OF TEXARKANA, TEXAS

P.O. BOX 1967, 75504

PHONE 903-794-3434
FAX 903-792-9390

OFFICE OF: INSPECTION

October 29, 1992

Mr. Walter Alexander
#5 Holiday Lane
Texarkana, Texas 75503

RE: 116 W. Broad St.
Crafts Store

Dear Mr. Alexander:

On October 27, 1992 at 9:00 a.m. an inspection was made at the above referenced address by this office. In order to meet code requirements and obtain a Certificate of Occupancy, the below listed discrepancies will need to be corrected.

Building

1. Scrape and paint building as needed. Also repair rotten wood on all floors (1, 2, 3 and basement).
2. Repair leaks in roof.
3. Install 5/8" sheetrock on east and west walls as needed.
4. Need to pump out water in basement.
5. Clean up building as needed.
6. Replace glass as needed.
7. Need an engineer to evaulate building.
8. Board up old elevator with type X 5/8" sheetrock.

Electrical

1. Check out old wiring on all floors and cap off wiring not in use.
2. All panels must be wired to meet code and be safe.
3. Repair lights as needed.
4. Disconnect and remove all wiring not in use.

Plumbing

1. Install rest-rooms on first floor to code.
2. Capp off old gas valves as needed.

Attachment: City Inspection Correspondence (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

H/A

1. Install heaters in building if needed to code.

To avoid a double permit fee, a building permit is required before any construction work is started. Permit fee is based on the total cost of construction to meet City compliance. Electrical, plumbing and h/a work must be performed by licensed and bonded contractors.

Should you have need for additional information or reason to discuss this matter further, please contact this office at 794-0001.

Very truly yours,

Bobby Smallwood

Bobby Smallwood
City Inspector

Attachment: City Inspection Correspondence (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

TEX-Jones, Denton

From: OEM-Hall, Dave
Sent: Friday, March 16, 2001 7:40 AM
To: TEX-Jones, Denton
Subject: Building Damage

Denton, some time yesterday afternoon or evening one of the big windows on a vacant building right across from Bi-State blew out and there is glass on the sidewalk. It is the building next to the old Hack's Jewelers on Broad Street. You can't miss it.
Dave

Owner- Bi-State Women's Center
124 W. Broad

Called Owner 3-16-01
Owner agreed to clean up glass on sidewalk
and board up opening

Attachment: City Inspection Correspondence (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

MEMORANDUM

TO: Debbie Burk

FROM: Nina Walker, Combination Inspector Nino

SUBJECT: 116 West Broad Street

DATE: October 03, 2002

The roof of the building located at 116 West Broad has several hole in it. This has caused a partial cave in of the roof and the three floors below the holes. The basement is filled with approximately 8 to 10 feet of water from a natural spring that flows underground. Most of the window panes of the building have been missing for some time. Local homeless persons continually remove the boards from the lower floor to gain entry to the building. The interior of the building has been exposed to the elements for some time and the damage is extensive.

The frame structure poses a major fire hazard to the surrounding buildings. Pigeons roosting in the building constitute a health hazard.

The structure is in violation of the city's building code, electrical code, plumbing code and fire code.

Attachment: City Inspection Correspondence (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

CITY OF TEXARKANA, TEXAS

P. O. BOX 1967 75504
PHONE 903-798-3900
FAX 903-798-3933

Inspection Office
April 17, 2003

Bi-State Women's Center
124 West Broad Street
Texarkana, Texas 75501

RE: 116 West Broad Street

To Whom It May Concern:

The structure located at 116 West Broad Street must be boarded up on the Broad Street side. It appears that an attempt to accomplish this was make. However, the west window is not secured. It must be completely boarded up. This will aid in containing the foul smell that emits from the building.

You are given seven days from the date of this notice to complete the task. Thank you for your cooperation.

Sincerely,

Nina Walker

Nina Walker
Combination Inspector

Attachment: City Inspection Correspondence (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

903-748-5222

PUBLIC HEARING FOR UNSAFE STRUCTURE	§	**BUILDING AND STANDARDS COMMISSION**
	§	
Property: 116 West Broad Street	§	
	§	
Owner of Record:	§	
Bi-State Women's Shelter	§	**CITY OF TEXARKANA, TEXAS**

ORDER OF THE COMMISSION

Pursuant to *Chapter 5, Article III. Unsafe Buildings and Structures of the Code of Ordinances of the City of Texarkana, Texas*, a Public Hearing was held before the Building and Standards Commission of the City of Texarkana, Texas on the 15th day of July, 2002, regarding the condition of the structure located on the above referenced property.

The Building Official of the City of Texarkana, Texas, having determined that an unsafe structure exists on the above referenced property, appeared by and through designee, Nina Walker, and presented evidence of unsafe building conditions. The Owner of Record, Bi-State Women's Shelter, did not appear.

The Building and Standards Commission of the City of Texarkana, Texas, after hearing the evidence and arguments regarding the condition of the structure located on property more specifically described as: Lots 12 &13, Block 21, City/Triggs Addition, located at 116 West Broad Street in the City of Texarkana, Bowie County, Texas, made a determination that the structure is unsafe. It was further determined that the structure should be demolished within thirty (30) days.

IT IS THEREFORE ORDERED that the Owner of Record shall demolish the structure on the above referenced property within thirty (30) days from the date this Order is signed. The Owner of Record shall obtain the appropriate permits from the Inspection Department of the City of Texarkana, Texas in order to demolish the structure.

SIGNED this the 6 day of August, 2002.

Eddie Hackleman, Chairman
Building and Standards Commission

Sworn to and subscribed before me, this the 6 day of August, 2002.

JANET E MCKINNEY
NOTARY PUBLIC
State of Texas
Comm. Exp. 04-07-2003

Notary Public, Bowie County, Texas

Attachment: Order of Commission (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

EXECUTIVE SUMMARY

This Phase I ESA was performed in accordance with our proposal dated October 24, 2006, and was conducted consistent with the procedures included in ASTM E 1527-05, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. The ESA was conducted under the supervision or responsible charge of Rachel A. Smith, Environmental Professional. Jodi Taylor and Rachel Smith performed the site reconnaissance on November 22, 2006.

This property was approved by EPA for assessment under the referenced Brownfields Grant. The Phase I ESA was conducted to address Brownfields Cooperative Agreement requirements for all appropriate inquiries under 40 Code of Federal Regulations, Part 312 *Standards and Practices for All Appropriate Inquiries* (November 2006). If warranted, the Phase I ESA will provide baseline information to develop an EPA-approved work plan for Phase II assessment of eligible recognized environmental conditions (RECs) regarding hazardous substances. The Phase I ESA will be used to complete or update the Property Profile Form specific to this property.

A cursory summary of findings is provided below. It should be recognized that details were not included or fully developed in this section, and the report must be read in its entirety for a comprehensive understanding of the items contained herein. Consistent with conducting current and future services under the EPA Brownfields Hazardous Substance Assessment grant, the following are identified when significant to Brownfields restoration.

- The site is located at 116 West Broad Street, Texarkana, Bowie County, Texas. The site is a 0.15-acre tract of land that has been improved with a 26,000 square feet (ft^2) four-story brick structure. The rectangular building has a masonry facade, a flat tar roof, and a single rear entrance. There is a large metal awning above the storefront entrance. The site is currently unoccupied.

- Site reconnaissance revealed a vacant building in downtown Texarkana, heretofore referenced as the Kress building, which once operated as a S.H. Kress & Co. department store. The Kress building is structurally connected on both sides to other downtown building structures in a manner typical of historical downtown architecture. It was noted that the Kress building has not been maintained since store operations ceased and is in severe disrepair. Masonry siding on the exterior of the building is damaged, and several pieces appear to have fallen from the building. Portions of the interior walls, ceilings and floors have collapsed due to water damage, and several windows are either broken or missing. Plywood is nailed to the storefront to prevent access or trespassing. The awning above the storefront is rotting and a large segment is missing. No other building features (e.g., elevators, office/storage space, restrooms, etc.) were visually apparent at the time of site reconnaissance due to severe structural damage and dilapidation. In addition, severe water damage due to frequent flooding prevented full access to the basement. However, considering the

Attachment: Executive Summary Phase 1 Environmental 116 West Broad Kress (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad

nature of department store operations, it is not expected that these limitations are significant.

- Based on a review of historical information and interviews conducted during this assessment, the Kress building was constructed in an "Art Deco" architectural style after a fire destroyed an earlier Kress store in 1933. Fire-destroyed on-site structures are considered historical RECs, potentially producing hazardous substances and other organic compounds in fire residue. However, the structure was reconstructed circa 1935, and fire debris and rubble were reportedly removed. The reconstructed building encompasses approximately 100% of the property. Therefore, fire residues from on-site activity at the time of the 1933 fire do not appear to be a current REC.

  The current structure is comprised of three full floors and a basement. S.H. Kress & Co. operated a department store in the Kress building from the time of its construction until the early 1970s. The exact date of store closure is uncertain. City directories and building records indicate that after a period of vacancy, the State First National Bank and Belk-Jones Department Store may have simultaneously used the Kress building for storage space from at least 1976 until mid-1980.

- Inspection records obtained from the City of Texarkana Building Permit/Inspection Department indicated that in 1979, site repairs were requested in order for the building to meet minimum code requirements. Actions requested included the removal of batteries used for auxiliary power. Based on the previous use of batteries of unknown disposition, this finding constitutes a REC at the site.

- Properties adjacent to the site include vacant and occupied commercial office space, government offices, and law offices. The south-adjoining properties consist of the Bi-State Justice Building, Bi-State Bail Bonds (201 W. Broad St.), and Main Street. The east-adjoining properties consist of Four States Magazine (114 W. Broad St.), AR & TX Bail Bonds (112 W. Broad St.), T-Town Camo (110 W. Broad St.), A-1 Bonding (108 W. Broad St.), Advanced Business Equipment (106-A W. Broad St.), and Capital One (100 W. Broad St.), followed by State Line Avenue. An alleyway adjoins the site to the north, followed by two finance companies, a parking lot, and then E. 3rd Street. The west-adjoining properties consist of a vacant commercial structure (120 W. Broad St.), the Mabel Bryan Morriss Center (124 W. Broad St.), and Main Street.

- The environmental regulatory database review identified the subject site as a TX Brownfields. In addition, the regulatory review identified one (1) National Priorities List (NPL) site, one (1) Texas Brownfields (TX Brownfields) site, one (1) Record of Decision (ROD) site, one (1) Arkansas leaking underground storage tank (LUST) site, one (1) Arkansas underground storage tank (UST) site, eight (8) Texas underground storage tank (TX UST) sites, eight (8) Texas leaking underground

Attachment: Executive Summary Phase 1 Environmental 116 West Broad Kress (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad

storage tank sites (TX LTANKS), one (1) Texas above-ground storage tank (TX AST) site, one (1) Texas drycleaner (TX DRYCLEANER) site, and one (1) Manufactured Gas Plant site within the ASTM-specified search radii of the site.

- According to the Texas Commission of Environmental Quality's (TCEQ's) environmental database, the former Twin City Cab Company at 317 Main Street is listed as a TX UST site. Records indicate that in approximately 1957, three gasoline USTs were removed from the location. An additional 2,000-gallon gasoline UST was removed on October 1, 1990. The 1990 tank removal was a result of a soil vapor survey that indicated a potential release had occurred. The Texarkana Fire Department determined that hydrocarbon vapors had accumulated in an elevator shaft being drilled in the Texarkana Regional Arts and Humanities Council (TRAHC) building located down-gradient. Therefore, the former UST at 317 Main Street is more appropriately identified as a former LTANK.

  The TCEQ performed many subsurface investigations at the former Twin City Cab Company. These investigations revealed that soil and groundwater were contaminated with dissolved-phase benzene, toluene, ethylbenzene, and xylene (BTEX), as well as methyl tertiary-butyl ether (MTBE) and Total Petroleum Hydrocarbons (TPH). According to TCEQ records, the dissolved-phase hydrocarbon plume commingled with a plume from one or more adjacent LTANKs. Information describing additional releases or identifying the exact location of any adjacent LTANKs is not provided in the records reviewed.

  Although the TCEQ has issued final concurrence regarding the former LTANK at 317 Main Street and closed the investigation, their records still indicate that a designated major or minor aquifer is impacted. Based on the tank's reported regulatory status and distance from the site, the former LTANK constitutes a REC to the site.

- A review of historical Texarkana city directories indicated that during the 1930s, two clothes-cleaning facilities were operated on properties in the vicinity of the site (on W. Broad Street and Main Street). During the 1940-1960 periods Sears Roebuck & Company operated a gasoline/service station on an adjoining property north of the site (on the corner of Main Street and W. 3rd Street). The addresses provided in the city directories for the clothes-cleaning facilities and the gasoline/service station indicate that they once operated within 500 feet of the site. Due to the type of operations performed at these former facilities and their proximity to the site, these findings constitute potential RECs.

Hazardous Substance and Co-mingled RECs

- Pigeon feces observed within the site structure indicate that pigeons have been roosting in the vacant structure for a significant period of time. Although not an ASTM-recognized environmental condition, this has been identified as a Brownfields

Attachment: Executive Summary Phase 1 Environmental 116 West Broad Kress (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad

EXECUTIVE SUMMARY (cont.)

issue related to the protection of public health and the environment as part of restoration projects. Pigeon and bat guano accumulation in quantity is a public and stakeholder concern regarding health, both biological and chemical. In addition to harboring fungi and viruses, guano can act as bio-accumulators for chemical compounds as heavy metals and organic compounds (e.g., polychlorinated biphenyls, pesticides). Assessment of conditions related to pigeon guano has been identified by EPA as a Brownfields-eligible issue. Pigeon carcasses are typically the result of normal lifecycle deaths through multiple on-site generations of breeding rather than mortality caused by chemicals. However, the public may perceive mortality to be due to chemical poisoning. The public stigma is typically abated with proper removal and cleaning, most often using a guano abatement plan for safety.

- A review of historical Sanborn maps revealed that a Sears Roebuck & Co. auto repair shop and filling station were operated on an adjoining property north of the site during the 1940s-1960s. These types of automotive-related facilities commonly used solvents and chemical compounds in repair operations in addition to petroleum. Based on these past land uses adjacent to the site and their potential for historical releases, in combination with the 1933 fire that destroyed the original Kress store, these findings appear to constitute potential multiple point source releases of hazardous substances co-mingled with residual levels of petroleum/petroleum lubricants as a REC from a contiguous property.

- Due to the age of the building, it is possible that building materials such as drywall, floor tiles, ceiling tiles, surfacing material, mastic, and thermal system insulation could contain asbestos. In addition, painted surfaces were observed to be in poor condition. Based on the date of construction, it is possible that the original layers of paint are considered lead-based paint. Although future renovation of the structure would likely include removal of potential asbestos- or lead-containing materials, it is important to consider potential current exposures by transients or adolescent trespassers.

- Evidence of water infiltration (e.g. water stains) was noted during the site reconnaissance that may have contributed to mold growth and proliferation.

Attachment: Executive Summary Phase 1 Environmental 116 West Broad Kress (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad

TEXAS HISTORICAL COMMISSION
real places telling real stories

RECEIVED
APR 24 2009
Per JS 807

April 13, 2009

Craig Lindholm
Community Redevelopment
City of Texarkana
P.O. Box 1967
Texarkana, Texas 75504

Re: Project review for the demolition of 116 West Street, Texarkana, Texarkana, Bowie Co., Texas, N20

Dear Mr. Lindholm:

Thank you for your correspondence describing the above referenced project. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

The review staff, led by Charles M. Peveto has completed a review based on the submittal of information provided of the following property by applying state and federal criteria for historical designation:

- 116 West Street

This property is **eligible** for listing on the National Register of Historic Places under Criterion C for Architecture and Criterion A for Commerce. Please contact Elizabeth Butman with the Architecture Division (512/463.7687) for a determination of effect. She may request architectural drawings, specifications, work write-ups, and a complete set of photographs (including historic) showing all the areas that the proposed work may affect. Photographs should be labeled and keyed to the existing report affected by this project.

It is possible, however, that buried cultural materials may be present in the project area. If such materials are encountered during construction or disturbance activities, work should cease in the immediate area; work can continue in the project area where no cultural materials are present. Please contact the SHPO's Archeology Division (512/463-6167) to consult on further actions that may be necessary to protect the cultural remains.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. If you have any questions concerning our review or if we can be of further assistance, please contact Charles M. Peveto at 512/463-6008.

Sincerely,

Charles M. Peveto, Historian
for F. Lawerence Oaks, SHPO

cc: Elizabeth Butman, Architecture Division
Joni Haldeman, Bowie County Historical Chair

Kress Building Photos – April 13th, 2015 City Council Meeting

Attachment: Kress Presentation 4.13.2015 [Revision 1] (1292 : Ord. No. 2015-038 Budget

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Attachment: Kress Presentation 4.13.2015 [Revision 1] (1292 : Ord. No. 2015-038 Budget

KRESS & CO
5-10-25
CENT STORE
BAIL
BONDS
793-2400
CAT

Attachment: Kress Presentation 4.13.2015 [Revision 1] (1292 : Ord. No. 2015-038 Budget

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Attachment: Kress Presentation 4.13.2015 [Revision 1] (1292 : Ord. No. 2015-038 Budget

Kress Property Timeline

February 1979- Building was initially cited by the City Building Official and Fire Captain for not meeting code requirements.

August 2002- Demolition ordered by the Texarkana, Texas Building and Standards Commission.

November 2006- Ark-Tex Council of Governments, completed a Phase I EPA Assessment.
Note: In order to use federal clean up funds, this EPA Assessment would have had to have been updated within six months prior to the the City accepting ownership.

April 2009- Texas Historical Commission reviewed the property and found it eligible for historic register listing. No further action was taken.

May 2009- City of Texarkana, Texas accepted ownership of the building from Bi-State Women's Center, Inc. for the purpose of demolition to "remove an eyesore and potential public health and safety risk." Ord. No. 073-2009

November 2009- Texas Commission on Environmental Quality(TCEQ), completed a Phase I EPA Assessment.
Note: In order to use federal clean up funds, this EPA Assessment would have had to have been updated within six months prior to the the City accepting ownership.

October 2012- City hired structural engineering firm, Raley and Associates, to determine options for next steps related to the building. After inspection, the firm reported "the structure appears to be unstable and needs to be demolished as soon as possible. The building by its location and size will be expensive to demolish. However, this firm does not believe it can be salvaged at a reasonable expense."

January 2012 – EPA denies City's request to use EPA Brownfields Program Funding
From EPA legal counsel: "Unless the City previously took ownership of the property through some sort of involuntary acquisition (CERCLA sec 101 (20)) eminent domain, or condemnation (CERCLA sec 101(35)) (and I don't believe from the facts that was the case), the City's original failure to perform All Appropriate Inquiries via a Phase I within 6 months prior to purchase creates CERCLA sec 107 liability as a past owner. Another transaction won't get rid of that designation."

November 2014- City was contacted regarding falling debris from the building facade and the public sidewalk was barricaded for safety. Patterson Engineering contacted to evaluate the building's structural integrity.

April 2015- City requests a re-review of the property to use EPA Brownfields Program Funding. *From EPA Program Officer: The Brownfields Law establishes that site characterizations or assessments conducted with the use of brownfields grants awarded under CERCLA Section104(k)(2)(B)(ii) must be conducted in accordance with the federal "all appropriate inquiries" standards… the Kress is not a candidate for our funding."Council will consider a resolution regarding next steps for the building, including demolition.*

May 2015- City Council will discuss a resolution allocating funds to issue a Request for Proposals to discover the best course of action regarding the Kress Property.

Attachment: Kress Timeline [Revision 1] (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

From: Amber Perry [mailto:Perry.Amber@epamail.epa.gov]
Sent: Wednesday, January 18, 2012 3:27 PM
To: TEX-Ryan, Daphnea
Cc: TEX-Hallford, Adra; TEX-Lindholm, Craig; Taylor, Jodi A.; TEX-Sartor, Joy; Janet Brooks
Subject: Re: Request for Approval - Phase I 116 West Broad Street

Hi everyone,
I have heard back from our EPA counsel, and unfortunately the site is not eligible for an assessment with your grant. Also, the site will not be eligible for the multi-purpose grant (with the City of Texarkana as the applicant).

From my counsel:
"Unless the City previously took ownership of the property through some sort of involuntary acquisition (CERCLA sec 101 (20)) eminent domain, or condemnation (CERCLA sec 101(35)) (and I don't believe from the facts that was the case), the City's original failure to perform All Appropriate Inquiries via a Phase I within 6 months prior to purchase creates CERCLA sec 107 liability as a past owner. Another transaction won't get rid of that designation."

If you'd still like to pursue this site, perhaps ATCOG could do the assessment for a different owner PRIOR to taking title of the property. I wish I had better news. Sorry folks.

Thanks,
Amber

From: "TEX-Ryan, Daphnea" <dryan@txkusa.org>
To: Amber Perry/R6/USEPA/US@EPA
Cc: "TEX-Lindholm, Craig" <clindholm@txkusa.org>, "TEX-Sartor, Joy" <joy.sartor@txkusa.org>, "TEX-Hallford, Adra" <adra.hallford@txkusa.org>, "Taylor, Jodi A." <jataylor@terracon.com>
Date: 01/11/2012 12:30 PM
Subject: Request for Approval - Phase I 116 West Broad Street

---

Good Morning,

Attached please find the Consent to Enter, Application For Brownfields Assessment Funding and Property Approval Form for 116 West Broad Street owned by the Housing Finance

Corporation. If you have any questions regarding this property, please let me know.

Thank you for your consideration.

Daphnea Ryan
Manager, Environmental Services Unit
P.O. Box 1967
Texarkana, Texas 75504
dryan@txkusa.org
903-798-3977
903-748-5031 Cell
903-798-5066 Fax
[attachment "116 Broad HFC Consent and Application.pdf" deleted by Amber Perry/R6/USEPA/US] [attachment "Property Approval Form 116 Broad Street Housing Finance Corporation.doc" deleted by Amber Perry/R6/USEPA/US]

From: Scott, Camisha [mailto:Scott.Camisha@epa.gov]
Sent: Friday, April 17, 2015 8:57 AM
To: TEX-Ryan, Daphnea
Cc: Tex-Orr, David
Subject: Re: Kress Building

Hey Daphne and David,

The Brownfields Law establishes that site characterizations or assessments conducted with the use of brownfields grants awarded under CERCLA Section104(k)(2)(B)(ii) must be conducted in accordance with the federal "all appropriate inquiries" standards established under CERCLA and addressed in EPA's final rule setting standards and practices for all appropriate inquiries (70 FR 66070).
All appropriate inquiries also refers to the requirements for assessing the environmental conditions of a property prior to its acquisition, for purposes of establishing certain landowner liability protection under subtitle B of Title II of the Brownfields Law. These landowner liability protections require that a person perform “all appropriate inquiries” into the previous ownership and uses of a property before acquiring title to the property.

So unfortunately, the Kress is not a candidate for our funding. Looking forward to new and exciting projects. Should you need anything else, please feel free to contact me.

Thanks

Camisha

PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

116 WEST BROAD STREET
TEXARKANA, BOWIE COUNTY, TEXAS 75501-5609
SITE: BSAG113

DECEMBER 2009

TCEQ

Prepared for

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
AUSTIN, TEXAS

Contract No: 582-6-49217
Work Order No: 179-0218
Project No: 25335374

URS

URS Corporation

1950 North Stemmons Freeway, Suite 6000
Dallas, Texas 75207
Tel: (214) 741-7777
Fax: (214) 741-9413

Attachment: Kress_12_2009_phase1 (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

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Attachment: Kress_12_2009_phase1 (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

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Attachment: Kress_12_2009_phase1 (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

5.3.r

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Attachment: Kress_12_2009_phase1 (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

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Appendix H	Open Records – Local
Appendix I	Public Information – State
Appendix J	Interview Documentation
Appendix K	User Questionnaire
Appendix L	Other Records
Appendix M	Special Contractual Conditions between User and Environmental Professional
Appendix N	Qualifications of the Environmental Professional(s)

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Executive Summary

This Phase I Environmental Site Assessment (ESA) has been conducted by URS Corporation on behalf of the Texas Commission on Environmental Quality (TCEQ), as part of a U.S. Environmental Protection Agency (U.S. EPA) grant under the Brownfields Program. The users of the Phase I ESA report will be the city of Texarkana, Texas; the TCEQ; the U.S. EPA; and the U.S. Department of Housing and Urban Development (HUD).

The Subject Property is located at 116 West Broad Street in Texarkana, Bowie County, Texas 75501-5609, which is also identified as Site BSAG113 under the TCEQ Brownfields Program. The Property, which is currently owned by the city of Texarkana, Texas (City), is comprised of a vacant brick commercial structure, three-stories in height (plus basement). The building footprint is approximately 6,500-square feet or 0.15 acre.

Per TCEQ specification, this Phase I ESA has been performed in accordance with the American Society for Testing and Materials (ASTM) Practice E 1527. The assessment included the following primary tasks: site reconnaissance, records review, interviews, and written report. No subsurface investigations or physical environmental sampling was performed as part of the assessment.

The general purpose of the Phase I ESA activities was to accumulate data on the present condition and historical use of the Subject Property, in order to ascertain the likelihood of ASTM-recognized environmental conditions (RECs) in connection therewith. The purpose of this Phase I ESA report, then, is to assist the report user(s) with purchasing, planning and use decisions as related to the Subject Property.

For a quick synopsis, the various records sources reviewed during the course of this assessment revealed that the location of the Subject Property was historically associated with two street numbers on West Broad Street, 116 (the eastern half of the Property) and 118 (the western half of the Property). Multiple sources have indicated that the Subject Property was, in fact, the location of the first frame structure in Texarkana – the Apex Hotel, constructed in the 1870s.

Currently vacant, the Property's historical uses have included: hotel, dry goods and clothing store, grocery, dentist, insurance office, saloons, fruit shop, real estate and architectural offices, sleeping rooms, barber, gun smith, shops, notions store, department store, and storage (primarily for retail fixtures and displays). The era of Property's longest use was that of a notions/department store. S H Kress and Company had its grand opening at the Property in 1912, rebuilt after a fire in 1933, and continued its operations for several decades, finally ceasing sometime between 1964 and 1971. With the exception of storage use, the property has been vacant since at least 1974. And, without active repair and maintenance, the interior structure of the building has significantly deteriorated since that time.

Site reconnaissance was undertaken on November 12, 2009 as part of this assessment. At that time, the roof was determined to have large holes in it, allowing the infiltration of rainwater into the building, to the extent and over such time as to have resulted in the partial collapse of the interior floors and ceilings on all levels. From a ground level

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interior view, one could observe sky light from above, a water-filled basement below, and varying degrees of fallen, falling and hanging building materials, retail furniture and building systems equipment throughout. The current situation presents a critical safety hazard.

Nonetheless, the records review, interviews and site reconnaissance activities conducted in conjunction with this Phase I ESA, revealed no ASTM-recognized environmental conditions in direct connection with the Subject Property.

Several other environmental considerations associated with the Subject Property and its vicinity, including three historical RECs, were also uncovered during the course of the assessment. However, none of these additional concerns qualified as a current REC, because they did not specifically involve CERCLA hazardous substances, or petroleum products and/or their derivatives, under greater than de minimus conditions, that would present a material risk of harm to public health or the environment and would be subject to enforcement action if brought to the attention of appropriate governmental agencies.

In closing, and in accordance with TCEQ contract specifications, the structure and content of this written Phase I ESA report has been designed to follow the table of contents and report format presented in ASTM Practice E 1527-00, Appendix X2.

The report introduces its purpose and scope of work, with associated assumptions, limitations and conditions, in **Section 1**. The site description and current use information is established in **Section 2**. And, **Sections 3 through 6** detail the assessment's records review, site visit, and interviews, with supporting information presented in report **Tables 1 through 6, Figures 1 through 6** and **Appendices A through M**.

The findings revealed during the course of this assessment are summarized in **Section 7**. The opinion of the environmental professional(s) concerning each finding is presented in **Section 8**. And, the assessment's formal conclusion is presented in **Section 9**.

Any deviations of the assessment process from ASTM Practice E 1527 are disclosed in **Section 10**. And, if any additional services were performed, and/or are recommended beyond the scope of the ASTM practice, they are presented in **Section 11**. Finally, the report references, assessment certification, and qualifications of the environmental professional(s) who conducted the assessment, are outlined in **Sections 12 through 14** and in **Appendix N**.

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1.0 Introduction

URS Corporation was retained by the Texas Commission on Environmental Quality (TCEQ) to perform a Phase I Environmental Site Assessment (ESA) for the property located at 116 West Broad Street in Texarkana, Bowie County, Texas 75501, otherwise identified as Site BSAG113 under the TCEQ Brownfields Program (referenced hereinafter as: Subject Property or Property).

1.1 Purpose

Per TCEQ specification, this Phase I ESA for the Subject Property was performed in accordance with the American Society for Testing and Materials (ASTM) Practice E 1527-00. ASTM issued an update to this practice in 2005 (ASTM Practice E 1527-05), and the clarifications and amendments provided within the update were also considered as part of the assessment. According to ASTM Practice E 1527, "The purpose of this practice is to define good commercial and customary practice in the United States of America for conducting an environmental site assessment of a parcel of commercial real estate with respect to the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 U.S.C. sec. 9601) and petroleum products. As such, this practice is intended to permit a user to satisfy one of the requirements to qualify for the innocent landowner contiguous property owner, or bona fide prospective landowner limitations on CERCLA liability (hereinafter, the 'landowner liability protections' or LLPs): that is, the practice that constitutes 'all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice' as defined at 42 U.S.C. sec. 9601(35)(B)."

The general purpose of Phase I ESA activities is to accumulate data on the present condition and historical use of the Subject Property in order to determine the probability of environmental contamination thereat. This Phase I ESA report documents the physical condition of the Subject Property relative to the potential storage, use, release, and disposal of CERCLA hazardous substances and/or petroleum products and their derivatives. This data is then evaluated for findings or evidence suggesting the presence of ASTM-recognized environmental conditions (RECs)[1] on the Subject Property. Once the data has been collected and documented, and the findings have been evaluated, the opinions, conclusions and recommendations of the environmental professional(s) conducting the assessment are then also presented within the Phase I ESA report.

The purpose of this Phase I ESA report, then, is to assist the report user(s) with purchasing, planning and use decisions as related to the Subject Property. Nonetheless, the assumptions and limitations of the assessment and the terms and conditions outlined

[1] ASTM Practice E 1527 defines an REC as: "the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include de minimus conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be de minimus are not recognized environmental conditions."

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in **Sections 1.2 through 1.6** of this report should be recognized as conclusions are formulated regarding the environmental risks associated with the Property and its vicinity.

1.2 Detailed Scope-of-Services

URS Corporation was retained by the TCEQ on October 16, 2009, under TCEQ Contract Number 582-6-49217, Work Order Number 179-0218, to perform a Phase I ESA for the Subject Property located at 116 West Broad Street in Texarkana, Bowie County, Texas 75501; also identified as Site BSAG113.

The Phase I ESA for the Subject Property has been conducted in accordance with the scope of work defined in the TCEQ contract with URS Corporation, in a manner consistent with customary practice, and in conformance with the scope and limitations of ASTM Practice E 1527-00, with consideration afforded to the updates and clarifications provided within ASTM Practice E 1527-05.

The assessment included the following tasks:

- **Site Visit:** A site visit was conducted to observe the Subject Property and its immediately surrounding areas, in their present condition, for any visual evidence of obvious environmental concerns that might indicate potential RECs in connection with the Subject Property.
- **Records Review:** Assorted public, environmental and historical records were reviewed to learn more about the past and present uses of the Subject Property and its vicinity, and to determine the existence of any already recorded environmental concerns associated therewith, either or both of which might reveal historical and/or current RECs in connection with the Subject Property.
- **Interviews:** Various parties with potential knowledge concerning the Subject Property were interviewed to identify any information that they might possess, which might indicate potential RECs in connection with the Subject Property.
- **Written Report:** In accordance with TCEQ contract specifications, the structure and content of this written Phase I ESA report has been designed to follow the table of contents and report format presented in ASTM Practice E 1527-00, Appendix X2.

1.3 Significant Assumptions

This Phase I ESA report has been prepared based upon certain key assumptions made by URS Corporation that may substantially affect the conclusions and recommendations of this report. These assumptions, although thought to be reasonable and appropriate, may not prove to be true in the future. The conclusions and recommendations of URS Corporation are conditioned, therefore, upon these assumptions.

This Phase I ESA relied primarily upon readily available information, verbal and written reports of others, and visual observations. The TCEQ, the city of Texarkana, Texas (City), Environmental Data Resources, Inc. and/or other third parties have each provided URS Corporation with assorted publicly available records and related environmental data,

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which were utilized in the preparation of this report. URS Corporation has relied upon this information as provided, and has not independently confirmed the accuracy thereof. The information obtained from these sources is assumed to be correct and complete.

URS Corporation will not assume any liability for findings or lack of findings based upon misrepresentation of information presented to the URS Corporation assessment team, and/or for items not visible, made available, accessible, or present at the site at the time of the site visit.

1.4 Limitations and Exceptions

As acknowledged by ASTM Practice E 1527, "No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized environmental conditions in connection with a property, and this practice recognizes reasonable limits of time and cost."

URS Corporation completed this Phase I ESA in a reasonable and prudent manner in accordance with the customary standards of care and diligence practiced by firms that conduct services of a similar nature. Professional judgment was exercised in gathering and analyzing the information obtained, and URS Corporation commits to the usual care, thoroughness, and competence of environmental professionals.

To achieve the study objectives stated in this report, URS Corporation personnel based their conclusions upon the best information available during the period of the investigation and within the limits prescribed in the scope of services. However, no investigative method can completely eliminate the possibility of obtaining partially imprecise or incomplete information. URS Corporation was not able to verify the accuracy or completeness of all data and information available during the assessment, and some conclusions could be different if the information upon which they are based is determined to be false, inaccurate or incomplete.

Further, it would have been extremely expensive, and perhaps not possible, to conduct an investigation which would ensure the detection of materials at the Subject Property, which now are, or in the future might be, considered hazardous. No subsurface investigations or physical environmental sampling was performed as part of this assessment. URS Corporation cannot guarantee, therefore, that the investigation completely defines the degree or extent of any contamination by hazardous or otherwise harmful substances described in this report or, if no such contamination was found, its absolute absence.

As with any assessment, this Phase I ESA report is a "snapshot' of the operations and conditions of the Subject Property during a limited period of time. Not all possible operating scenarios may have been observed during the limited period that the assessment team was at the site.

This report is based upon data, site conditions and other information that were generally applicable as of November 30, 2009. The opinions, conclusions and recommendations presented herein apply to the existing and reasonably foreseeable site conditions at the

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time of the assessment. They cannot apply to site changes regarding which URS Corporation is unaware and has not had the opportunity to review. Changes in the condition of the Property may occur with time due to natural processes or works of man at the Subject Property or on adjacent properties. Changes in applicable standards may also occur as a result of legislation or the broadening of knowledge. Accordingly, the findings of this report may be invalidated, wholly or in part, by changes beyond the control of URS Corporation.

1.5 Special Terms and Conditions

URS Corporation has performed this Phase I ESA in general compliance with the scope and limitations of ASTM Practice E 1527, in accordance with the scope of work specified in the TCEQ contract and work order. No expressed or implied representation or warranty is included or intended in the report, except that our services were performed, within the limits prescribed by the TCEQ, with the customary thoroughness and competence of our profession.

1.6 User Reliance

This report was prepared for the TCEQ for distribution to the city of Texarkana, Texas. The scope of services performed during this Phase I ESA may not be appropriate to satisfy the needs of other users, and any use or re-use of this document, or of the findings, conclusions, or recommendations presented herein is at the sole risk of said third party.

Only legal counsel retained by the report users is competent to determine the legal implications of any information or conclusions in this report. Except as expressly provided for via contractual agreement with the TCEQ, URS Corporation is not responsible for any effect upon the legal rights, obligations, or liabilities of any party, or for any effect upon the finance-ability, marketability, or value of the property investigated in the study, or for the occurrence or nonoccurrence of any transaction involving the property.

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2.0 Site Description

2.1 Location and Legal Description

The Subject Property is located in the far northeastern corner of Texas, approximately 319 feet west of the Texas/Arkansas state line. Situated in Bowie County, on the Texas side of the border, the Property is located approximately 0.5 mile (2,500 feet) south of the junction between US 67 and US 71 (North State Line Avenue). The Subject Property lies on the north side of West Broad Street, between Main Street and Pine Street, and immediately north of the Bi-State Justice Center, in the city of Texarkana, Texas. A property location map has been made available in **Figure 1**, for reference purposes.

The Subject Property itself is a vacant brick commercial structure, three-stories in height, plus basement. It has an approximate 6,500-square foot (0.15 acre) footprint, with approximate parcel dimensions 50 feet (east/west) by 130 feet (north/south).

The physical address of the Subject Property is: 116 West Broad Street, Texarkana, Texas 75501-5609. The approximate center of the Property is geographically positioned at latitude 33°25'16.7" N, and longitude 94°2'38.0" W.

According to the city of Texarkana, Texas, the Subject Property's legal description is: CITY/TRIGGS ADDN, LOTS 12, 13, BLK/TRACT 21, 0.15 ACRES. The property's parcel identification number is 3840010300.

The Property is locally and commonly referred to as the "former (S.H.) Kress Building".

The Subject Property is also identified as "Site BSAG113", under the TCEQ Brownfields Program, and is registered entity number 104857420 in the TCEQ Central Registry.

2.2 Site and Vicinity Characteristics

Texarkana is divided into two cities by the Texas/Arkansas state line, which is designated in part by the roadway "State Line Avenue" running north/south through the city and the center of the downtown area. North State Line Avenue is located approximately 319 feet east of the Subject Property. Properties located east of this roadway fall within the jurisdiction of Texarkana, Arkansas, while properties located west of the roadway fall within the jurisdiction of Texarkana, Texas.

The Subject Property appears as a vacant brick commercial structure with a stone façade on its south face. It is three-stories in height (plus basement). The building is set in the central downtown area of Texarkana, on the Texas side of the border. The surrounding downtown area appears to be thoroughly developed with a mix of business and municipal offices, bail bonds businesses, law offices, churches, commercial retail businesses, numerous vacant buildings and parking lots. Many of the buildings appear to be potentially historical in age and design. Several properties in and around the downtown area appear to be undergoing renovation, or demolition and excavation, possibly as part of a downtown revitalization effort. A large rail yard also lies on the south side of this downtown area.

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For reference purposes, an illustrative site diagram has been presented in **Figure 2**, a topographic map in **Figure 3**, and an aerial photograph in **Figure 4**. Photographs of the Subject Property and its adjoining properties have also been presented in **Appendix A**.

More information regarding the physical setting of the Subject Property is available in **Section 4.3** of this report.

2.3 Current Use of the Property

At the time of the site reconnaissance, which was conducted on November 12, 2009 as part of this Phase I ESA, the Subject Property was not being utilized. The Property, which has been boarded closed with plywood covering its front entrance, currently appears as a vacant brick commercial structure with stone façade, three-stories in height (plus basement). Set within a developed historic district, the Property's land use is classified as Central Business District (City of Texarkana, Texas, Comprehensive Plan, 04/20/2007).

2.4 Descriptions of Structures, Roads, Other Improvements on the Site

The entire footprint of the Subject Property is comprised of the three-story (plus basement) vacant brick commercial structure, bordered by a city sidewalk and street, a paved city alley, and two adjoining commercial buildings. Although inconclusive, the two commercial buildings that directly adjoin the Subject Property, on its east and west sides, may share structural engineering features (i.e., the load-bearing weight of adjoining walls). Various city utilities (electric, water, etc.) are also visually apparent in the sidewalk bordering the Subject Property's south entrance, in the grassy right-of-way between the sidewalk and West Broad Street, and in the east/west alley bordering the north side of the building, as well as directly upon the northern/back-side of the building itself.

2.5 Current Uses of the Adjoining Properties

The properties located immediately adjacent to the Subject Property, on all sides, also fall within the developed historic Central Business District of the city of Texarkana.

The Property is bound on its east side by an adjoining two-story brick commercial building, followed by several additional adjoining commercial buildings and Pine Street. The Property is bound on its south side by a city sidewalk and West Broad Street, followed by the Bi-State Justice Center. The Subject Property is bound on its west side by an adjoining two-story brick commercial building with stone façade, followed by another adjoining commercial building and Main Street. And, the Subject Property is bound on its north side by a paved city alley, followed by another two-story brick building.

The eastern, western and northern adjoining/adjacent properties each have large uncovered store front windows. The eastern property, with signage for Four States Living Magazine, appears to house the magazine's offices and/or showroom. The

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western property does not have current signage, and appears to be utilized for storage (printer/copier type machines, clothing racks, etc). The northern property does not have current signage and, although it faces a city street with large uncovered store-front style window, it appears to be carpeted and set up as a bedroom, with bed, child's playpen, etc.

The Subject Property's eastern, western, and northern adjoining/adjacent properties each fall within the State of Texas. The Bi-State Justice Center, located immediately south of the Subject Property across West Broad Street, runs the length of this city block and is split by the Texas/Arkansas state line. The Bi-State Justice Center is home to over 20 city, county and state judicial and law enforcement agencies serving both the States of Texas and Arkansas, Counties of Bowie and Miller, and the two/ divided cities that bear the Texarkana name.

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3.0 User Provided Information

In accordance with the ASTM practice, the user of a Phase I ESA is requested to provide certain information to the environmental professional(s) who will be conducting the assessment. Utilizing the survey questions suggested by ASTM Practice E 1527-05, Appendix X3, in order to facilitate this process, a User Questionnaire was prepared and provided to the client in order to assist them in providing any information pertinent to the Subject Property that may indicate a potential for RECs to exist at the site. This User Questionnaire was completed by Mr. Craig Lindholm, Executive Director of the city of Texarkana, Texas' Department of Community Redevelopment and Grants, and was provided to URS Corporation on November 11, 2009. General conversation related to the Property, as well as access to a City file containing additional documents regarding the Subject Property, were also graciously provided by both Mr. Lindholm and Administrative Coordinator, Ms. Joy Sartor, during a site visit conducted by URS Corporation on November 12, 2009. The information provided within the questionnaire, as well as that learned during the November 12 conversations, and as gathered from relevant portions of the additional written and digital materials provided by the City, are summarized below.

3.1 Title Records

Title records for the Subject Property were provided to URS Corporation by the city of Texarkana, Texas, as available. A summary of this title information is documented in **Section 4.4** of this report, under sub-section **Recorded Land Title Records**.

3.2 Environmental Liens or Activity and Use Limitations

According to ASTM Practice E 1527, activity and use limitations (AULs) "are an explicit recognition by a federal, tribal, state, or local regulatory agency that residual levels of hazardous substances or petroleum products may be present on a property" as a result of past or present release(s). Where AULs exist, "unrestricted use of the property may not be acceptable." The Phase I ESA "user must comply with AULs to maintain the LLP".

According to the responses provided within the User Questionnaire, the city of Texarkana, Texas is not aware of any AULs, such as engineering controls, land use restrictions or institutional controls that are in place at the Subject Property and/or that have been filed or recorded in a registry under federal, tribal, state or local law (40 CFR 312.26).

The City is also not aware of any environmental cleanup liens against the Subject Property that have been filed or recorded under federal, tribal, state or local law (40 CFR 312.25).

3.3 Specialized Knowledge

The city of Texarkana, Texas was able to provide some information with respect to specialized knowledge and experience related to the Subject Property or nearby

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properties (40 CFR 312.28). According to the City, the previous owner of the Subject Property was a non-profit agency that never utilized the site. The City condemned the Property in 2002, and it was vacant at the time of condemnation. The prior owner donated the Property to the city of Texarkana, Texas, in approximately June 2009.

3.4 Commonly Known or Reasonably Ascertainable Information

According to the city of Texarkana, Texas, the past uses of the Subject Property include its service as a retail establishment, followed in more recent years by its use for storage and/or vacancy.

The City is not aware of any specific chemicals that are present, or once were present, at the Subject Property. The City is not aware of any spills or other chemical releases that have taken place at the Subject Property. And, the City not aware of any environmental cleanups that have taken place at the Subject Property (40 CFR 312.30).

With regard to any other commonly known or reasonably ascertainable information about the Subject Property that would help the environmental professional(s) to identify conditions indicative of releases or threatened releases thereat, the City provided URS Corporation with access to review a City file containing multiple documents relating to the Subject Property and a compact disk with digital photographs thereof.

The City's file was reviewed by URS Corporation during the site visit conducted on November 12, 2009. Included within the City's file were, among other documents, multiple documents relating to code compliance concerns and subsequent Property condemnation, a research paper (with photographs) concerning the history of the Subject Property as written by a local college student, communications with state and local agencies regarding the Property's historic value, a compact disk containing assorted photographs that depicted the Property's interior and exterior in the years 2003 and early 2009, and a prior Phase I Environmental Site Assessment for the Subject Property. The prior Phase I ESA was conducted in 2006, while the Property was under prior ownership.

The relevant information gained from these assorted documents provided by the City has been incorporated, as appropriate, throughout **Section 4.4** of this current Phase I ESA report, and in the **Appendix A** photo log.

3.5 Valuation Reduction for Environmental Issues

According to the User Questionnaire, the Subject Property was donated to the City. It is valued below fair market value due its condition (40 CFR 312.29).

3.6 Owner, Property Manager, and Occupant Information

The current owner and manager of the Subject Property is the city of Texarkana, Texas.

The Subject Property is currently vacant; there are no occupants.

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3.7 Reason for Performing Phase I

According to the Phase I ESA User Questionnaire completed by the city of Texarkana, Texas, the current Phase I ESA is required in order to determine the Subject Property's suitability for Brownfield site redevelopment.

This Phase I ESA has been performed on behalf of the TCEQ, as a part of an U.S. Environmental Protection Agency (U.S. EPA) grant under the Brownfields Program. The users of the Phase I ESA will be the city of Texarkana, Texas; the TCEQ; the U.S. EPA; and U.S. Department of Housing and Urban Development (HUD).

3.8 Other

The city of Texarkana, Texas is not aware of any obvious indicators that point to the presence or likely presence of contamination at the Subject Property (40 CFR 312.31).

As mentioned in **Section 3.4**, the City offered and provided additional information, as available, with regard to other knowledge or experience with the Subject Property that may be pertinent to the environmental professional(s) in the conduct of this Phase I ESA. This information included general conversation, a prior Phase I ESA report, various other documents in the City's files, and photographs representing the building's interior and exterior in the years 2003 and early 2009. The relevant information gained from these assorted documents has been incorporated, as appropriate, throughout **Section 4.4** of this current Phase I ESA report, and in the **Appendix A** photo log.

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4.0 Records Review

In accordance with ASTM Practice E 1527, the Phase I ESA includes a records review, incorporating environmental information, historical use information, and, when available, prior assessments. The purpose of the records review is to obtain and review records that will help to identify RECs in connection with the Subject Property.

The following types of records were included in the review, and are further discussed throughout this section of the report: historical topographic maps (**Appendix B**), historical aerial photography (**Appendix C**), historical fire insurance maps (**Appendix D**), historical city directories (**Appendix E**), chain of title (**Appendix F**), environmental regulatory records (**Appendix G**), state and local records (**Appendices H** and **I**), interviews (**Appendices J** and **K**), and other assorted records (**Appendix L**).

4.1 Standard Environmental Records Sources

ASTM Practice E 1527-05 outlines a list of standard environmental records sources (regulatory databases) that should be searched (where available) for potential RECs that may exist at and/or surrounding the Subject Property. The ASTM practice further prescribes a suggested search distance (radius) from the Subject Property as relevant to each type of database.

The table below provides a list of the standard environmental records sources and their corresponding ASTM-prescribed radial search distances.

Standard Environmental Records Sources

Environmental Records Source		Search Radius (miles)
Federal Records	National Priorities List (NPL) sites	1.0
	Delisted NPL sites	0.5
	Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) list	0.5
	CERCLIS No Further Action Planned (CERC-NFRAP) sites list	0.5
	Resource Conservation and Recovery Act (RCRA) Corrective Action Report (CORRACTS) facilities list	1.0
	RCRA non-CORRACTS Transporters, Storage and Disposal (TSD) facilities list	0.5
	RCRA generators list	Subject Property and adjoining properties
	Institutional control/ engineering control registries	Subject Property only
	Emergency Response Notification System (ERNS) list	Subject Property only

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Environmental Records Source		Search Radius (miles)
State and tribal records	Equivalent NPL (list of hazardous waste sites identified for investigation or remediation)	1.0
	Equivalent CERLCIS (list of hazardous waste sites identified for investigation or remediation)	0.5
	Landfill and/or solid waste disposal site lists	0.5
	Leaking storage tank lists	0.5
	Registered storage tank lists	Subject Property and adjoining properties
	Institutional control/ engineering control registries	Subject Property only
	Voluntary cleanup sites	0.5
	Brownfield sites	0.5

URS Corporation enlisted the services of Environmental Data Resources, Inc. (EDR) to assist in the search of the standard environmental records sources outlined in the ASTM practice, and to compile a report of records (or findings) that fall within the prescribed search distance radii. The search was requested on October 27, 2009. The findings were then compiled into a report, which EDR provided to URS Corporation on October 29, 2009.

The Subject Property was listed in one of the standard environmental records sources reviewed during the course of this assessment.

A total of 23 additional findings were reported within the standard environmental records sources, for the broader search radii around the Subject Property.

Forty-three additional "orphan sites" were also identified during the records review. (An orphan site is a one that does not have adequate address information to be accurately located geographically. According to ASTM Practice E 1527, such site records are not considered practically reviewable, meaning that the information is not provided by the source in a manner and in a form that, upon examination, yields information relevant to the property without the need for extraordinary analysis of irrelevant data.) Without sufficient data for evidential discussion, the orphan sites are not discussed further within this Phase I ESA report.

A copy of the full report prepared by EDR has been presented in **Appendix G**, for reference purposes. The date upon which each regulatory database source updated its records, and the date upon which EDR pulled the information, is included within the full report.

Table 1, which is presented following **Section 14** of this Phase I ESA report, has also been created to provide a summary of each finding reported by EDR, which both met the search criteria and could be geographically located. Within the table, the findings have been grouped in accordance with the geographic location with which each is associated. Each entity or location has been assigned a site identification number, and each of these sites, or potential hazardous materials sources, has been geographically mapped for reference purposes (**Figure 6**).

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A brief discussion of each regulatory database included in the standard environmental records review, and the number of findings associated with each, is provided below.

Federal National Priorities List (NPL)

NPL is a subset of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Information System (CERCLIS), and identifies sites that represent a significant threat to public health or to the environment for priority cleanup under the U.S. EPA Superfund Program.

One NPL site (MAP ID# 35) was identified within 1.0 mile of the Subject Property.

No Proposed NPL sites were identified within 1.0 mile of the Subject Property.

Federal Delisted NPL

The National Oil and Hazardous Substances Pollution Contingency Plan establishes the criteria that the U.S. EPA uses to delete sites from the NPL. Sites may be deleted from the NPL when no further response is appropriate.

No Delisted NPL sites were identified within 0.5 mile of the Subject Property.

Federal NPL Liens

Under the authority granted to the U.S. EPA by the CERCLA of 1980, the U.S. EPA has the authority to file liens (NPL Liens, or federal Superfund Liens) against real property, in order to recover remedial action expenditures or, when the property owner receives notification of potential liability. The U.S. EPA compiles the listing of filed notices of Superfund Liens.

No NPL Liens sites were identified within 1.0 mile of the Subject Property.

Federal CERCLIS

The CERCLIS contains data on potential hazardous waste sites that have been reported to the U.S. EPA by states, municipalities, private companies and private persons, pursuant to CERCLA Section 103. CERCLIS contains sites that either are proposed to be, or are, on the NPL, and sites which are in the screening and assessment phase for possible inclusion on the NPL.

No CERCLIS sites were identified within 0.5 mile of the Subject Property.

Federal CERCLIS "No Further Remedial Action Planned" (CERC-NFRAP, or NFRAP)

CERC-NFRAP sites have been removed from CERCLIS. NFRAP sites may be sites where, following an initial investigation, no contamination was found, contamination was removed quickly without the need for the site to be placed on the NPL, or the contamination was not serious enough to require Federal Superfund action or NPL consideration.

No CERC-NFRAP sites were identified within 0.5 mile of the Subject Property.

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Federal Resource Conservation and Recovery Act (RCRA) Corrective Action Report (CORRACTS)

The RCRA CORRACTS database identifies hazardous waste handlers with RCRA corrective action activity.

No RCRA-CORRACTS sites were identified within 1.0 mile of the Subject Property.

Federal RCRA Non-CORRACTS

The RCRA Non-CORRACTS database is the U.S. EPA's list of Treatment, Storage and Disposal (TSD) facilities (or TSDFs) that are not currently subject to corrective action.

No RCRA Non-CORRACTS TSD facilities were identified within 0.5 mile of the Subject Property.

Federal RCRA Generators

RCRAinfo is the U.S. EPA's comprehensive information system, providing access to data supporting the RCRA of 1976 and the Hazardous and Solid Waste Amendments of 1984. The database includes selective information on sites that generate, transport, store, treat and/or dispose of RCRA hazardous waste. A RCRA LQG is a Large-Quantity Generator of RCRA hazardous wastes; a SQG is a Small-Quantity Generator; and, a CESQG is a Conditionally Exempt Small-Quantity Generator.

No RCRA hazardous waste generators were identified within the vicinity adjacent to the Subject Property.

Federal Engineering Controls Sites (US ENG CONTROLS)

The US ENG CONTROLS list is a registry of sites with engineering controls in place, which may include various forms of caps, building foundations, liners, and/or other treatment methods to minimize or eliminate pathways by which regulated substances might otherwise enter environmental media or affect human health.

The Subject Property was not registered in US ENG CONTROLS.

Federal Sites with Institutional Controls (US INST CONTROL)

The US INST CONTROL list is a registry of sites with institutional controls in place, which may include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls.

The Subject Property was not registered in US INST CONTROLS.

Federal Emergency Response Notification System (ERNS)

The ERNS records and stores information on reported releases of oil and hazardous substances. The list includes data collected from the U.S. Coast Guard/ U.S. EPA National Response Center.

The Subject Property was not listed in the ERNS.

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State- and Tribal-Equivalent NPL

The TCEQ maintains a list of Texas State Hazardous Waste Sites (TX SHWS), which is the State's Superfund Registry, while the Arkansas Department of Environmental Quality (ADEQ) maintains the Arkansas Hazardous Substance Remedial Action Trust Fund Priority List (AR SHWS). These are the state-equivalent to CERCLIS or NPL. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties.

No TX SHWS were identified within 0.5 mile of the Subject Property.

No AR SHWS were identified within 0.5 mile of the Subject Property.

State and Tribal Landfill and/or Solid Waste Disposal Sites

The Solid Waste Facilities/Landfill Sites (SWF/LF, Permitted Solid Waste Facilities) database typically contains an inventory of solid waste disposal facilities or landfills. These may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

No Texas SWF/LF sites were identified within 0.5 mile of the Subject Property.

No Arkansas SWF/LF sites were identified within 0.5 mile of the Subject Property.

The Texas Closed Landfill Inventory (CLI) database includes records of closed and abandoned landfills (permitted as well as unauthorized) across the State of Texas.

No Texas CLI sites were identified within 0.5 mile of the Subject Property.

The Texas Commercial Hazardous and Solid Waste Management Facilities (TX WASTEMGT) database contains a list of commercial recycling facilities and facilities permitted or authorized (interim status) by the TCEQ.

No TX WASTEMGT sites were identified within 0.5 mile of the Subject Property.

State and Tribal Leaking Storage Tanks

The Texas Leaking Petroleum Storage Tanks (TX LPST) database is maintained by the TCEQ and contains an inventory of reported leaking underground storage tank incidents. The Arkansas leaking underground storage tank (AR LTANKS) data comes from ADEQ. And, most U.S. EPA Regional Offices maintain lists of Leaking Underground Storage Tanks on Indian Lands (INDIAN LUST) sites.

Eight TX LPST sites (MAP ID #'s: D-11, E-15, G-21, H-30, H-31, 32, I-33 and I-34) were identified within 0.5 mile of the Subject Property.

One AR LTANKS site (MAP ID# 29) was identified within 0.5 mile of the Subject Property.

No INDIAN LUST sites were identified within 0.5 mile of the Subject Property.

State and Tribal Registered Storage Tanks

Underground Storage Tanks (USTs) are regulated under RCRA Subtitle I. The Texas UST (TX UST) and Texas above-ground storage tanks (TX AST) data comes from the Petroleum Storage Tank (PST) database maintained by the TCEQ, which contains an

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inventory of registered tanks. Arkansas UST and AST (AR UST and AR AST) data is maintained by ADEQ. And, most U.S. EPA Regional Offices maintain a list of Underground Storage Tanks on Indian Lands (INDIAN USTs).

One TX AST site (MAP ID#" G-20) was identified immediately adjacent to the Subject Property.

Eight TX UST sites (MAP ID #'s: D-12, E-14, E-16, 27, G-19, 24, 25, and 26) were identified within the vicinity adjacent to the Subject Property.

No AR AST sites were identified immediately adjacent to the Subject Property.

One AR UST sites (MAP ID#: F-22) was identified within the vicinity adjacent to the Subject Property.

No INDIAN UST sites were identified within the vicinity adjacent to the Subject Property.

State and Tribal Institutional Control/Engineering Control Registries

The TCEQ maintains a registry of Activities and Use Limitations (TX AULs), which are legal or physical restrictions on a property that include institutional and/or engineering controls intended to prevent adverse impacts to individuals or populations that may be exposed to hazardous substances and petroleum products in the soil or ground water on the property.

The Subject Property was not registered in the TX AUL list.

State and Tribal Voluntary Cleanup Sites

The Texas Voluntary Cleanup Program (TX VCP) was established to provide administrative, technical, and legal incentives to encourage the cleanup of contaminated sites in Texas. The Arkansas Voluntary Cleanup Program (AR VCP) is maintained by the ADEQ.

No TX VCP sites were identified within 0.5 mile of the Subject Property.

One AR VCP site (MAP ID# F-18) was identified within 0.5 mile of the Subject Property.

No INDIAN VCP sites (VCP Sites on Indian land) were identified within 0.5 mile of the Subject Property.

State and Tribal Brownfields Sites

BROWNFIELDS sites are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties protects the environment, reduces blight, and takes development pressures off greenspaces and working lands.

Two Texas BROWNFIELDS sites (MAP ID #'s: B-4 and B-6) were identified within 0.5 mile of the Subject Property. The Subject Property itself was also listed as a Texas BROWNFIELDS site (MAP ID# A-1).

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No Arkansas BROWNFIELDS sites were identified within 0.5 mile of the Subject Property.

No tribal BROWNFIELDS sites were identified within 0.5 mile of the Subject Property.

4.2 Additional Environmental Records Sources

Assorted additional environmental records sources were reviewed during the course of this assessment, to the extent that those sources might yield information relevant to the search for RECs in connection with the Subject Property.

Regulatory Records

As part of the environmental records review, a search of numerous additional regulatory database sources was included in the report provided by EDR, as detailed and documented in **Appendix G**.

The Subject Property was listed in two of the additional environmental records sources reviewed during the course of this assessment. The findings were discovered in the US BROWNFIELDS list and the FINDS list (MAP ID #'s: A-2 and A-3). The U.S. EPA's US BROWNFIELDS list includes Brownfields properties addressed by Cooperative Agreement Recipients and those addressed by Targeted Brownfields Assessments. FINDS is a Facility Index System/Facility Registry System that contains facility information and points to other databases that contain more detail. In this case, the FINDS pointers indicate that the Subject Property is listed in the U.S. EPA Assessment, Cleanup and Redevelopment Exchange System (ACRES) and in the TCEQ Agency Central Registry. ACRES is a system that permits Brownfields grantees to electronically submit data to the U.S. EPA. The TCEQ Central Registry is discussed further below, under the subsection **Publicly Available Records – State**.

The additional environmental records sources also yielded ten additional findings within the broader vicinity surrounding the Subject Property. Seven of these findings were discovered on the US BROWNFIELDS lists (MAP ID #'s: B-5, B-7, C-8, C-9, C-10, 13 and 17). One finding was on the TX DRYCLEANERS list (MAP ID #: 23), which is a State registry of drycleaners. One finding was on the "Manufactured Gas Plants" list (MAP ID # 28), which is an EDR proprietary records database of coal gas plants from the 1800s to 1950s. (These sites frequently disposed of their by product wastes on-site, including such wastes as coal tar, sludges, oils and other compounds potentially hazardous to human health and the environment.) And, one finding was a Record of Decision (ROD) which mandated a permanent remedy at the NPL site at MAP ID# 35.

Geographically locatable, the additional environmental records source findings have been included in **Table 1,** in the map presented as **Figure 6**, and are further discussed in **Section 7** of this report.

Open Records Sources

Publicly available records were also requested from local and state government agencies.

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Open Records Request – Local:

A written open records request was placed with the city of Texarkana, Texas on October 27, 2009. The request appealed to the City for any publicly available records that the City might have concerning fire department, stormwater or environmental department records regarding hazardous materials storage, underground storage tanks (USTs), above-ground storage tanks (ASTs), emergency response actions, spills, record of contamination, or any other environmental concerns that might be associated with the Subject Property.

The City's written response, prepared by Fire Marshal Michael Gilley, was forwarded to URS Corporation by Ms. Pam Burns on November 2, 2009. According to Ms. Burns, the fire department was the only department to respond with information concerning the site.

In summary, a 1964 fire department survey, which was the earliest record that the fire department had concerning the Subject Property, indicated that the facility housed paint in the basement and plastics on the third floor as hazardous materials. A 1979 inspection conducted jointly by a fire prevention officer and a building official noted major repairs to the building concerning structural resistance measures, hazardous materials removal (old batteries used for auxiliary power) and fire protection systems repair/replacement (fire sprinkler system and portable fire extinguishers). There were no records on file after 1979, and the building has been vacant since 1987.

According to the fire department, the city of Texarkana, Texas has no records of any hazardous materials incidents, underground storage tanks, above ground storage tanks, emergency response actions, spills, records of contamination or other environmental concerns pertaining to the Subject Property.

A copy of the City's written response has been provided in **Appendix H**, for reference purposes. Again, City personnel subsequently provided access to numerous additional documents in the City's file during the November 12, 2009 site reconnaissance. Copies of relevant documents have been provided in **Appendix L**, for reference.

Publicly Available Records – State:

The TCEQ's Central Registry Query was reviewed for potential records pertaining to the Subject Property. This internet database revealed that the Subject Property is registered with the TCEQ under Customer Number (CN): CN603536228, and Regulated Entity Number (RN): RN104857420. The database indicated that the site was recently registered (August 21, 2009) in the Brownfields Site Assessment (BSA) Program under BSAG113. Its current status is listed as Affected Property, under investigation. The city of Texarkana, Texas is listed as the responsible party for the BSA.

Public Information Request – State:

A written open records request was also placed with the TCEQ on October 27, 2009, utilizing their website format for public information requests (PIRs). The request appealed to the TCEQ for any publicly available records that the TCEQ might have with regard to the Subject Property.

Separately, on October 28, 2009, Ms. Christine Whitney, TCEQ Brownfields Program Manager, provided to URS Corporation, a reference copy of the Application to Receive a

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TCEQ BSA for the Subject Property, as prepared by the city of Texarkana, Texas in August 2009. According to the application, the City applied for TCEQ assistance with a Brownfields Site Assessment. The application indicated that the City took ownership of the Property, via donation, in July 2009. The application further stated that there was a prospective buyer for the site who was considering renovating the Property for mixed use, including office space, a restaurant and loft apartments.

According to the BSA application, no environmental site assessment/investigation reports had been completed for this site. The application did, however, indicate that the stone and brick exterior were a potentially contaminated area of the property, and that the City was applying for funding for a Phase I ESA because of possible contamination from 1933 to present, since they were unable to determine what materials were utilized during Property renovation. According to the BSA application, it was unknown if there were tanks or machinery or what type of piping was used at the building. The City was also not aware of the location of any adjacent properties that may have the potential for creating environmental concern.

In reply to the original PIR, Ms. Linda G. Bolding, Open Records Coordinator for the TCEQ Remediation Division, responded in writing on November 13, 2009, with reference to PIR# 09.10.27.11 for the Subject Property, referenced as the Kress Building, 116 West Broad Street, Texarkana, TX. The written response indicated that the TCEQ's Remediation Division had found three inches, or 750 pages, of documents within their files concerning the Subject Property. However, a follow-up call to that division did not yield any additional results, beyond the BSA application which had already been provided.

A copy of the TCEQ's written response to PIR# 09.10.27.11, and a copy of the BSA application record, have both been provided in **Appendix I,** for reference purposes.

4.3 Physical Setting Source(s)

In accordance with ASTM Practice E 1527, the Phase I ESA shall include a review of the site's physical setting to include, at minimum, the review of a current USGS 7.5 minute topographic map. Information concerning the site's physical setting, including its hydrogeologic, hydrologic and topographic features, can be useful toward understanding the environmental pathways by which potential contamination, if any, may migrate onto, under, or away from the Subject Property. In addition to the current topographic map, various additional sources were consulted to establish the physical setting for the Subject Property.

Topography

The Subject Property lies within the U.S. Geological Survey (USGS) Texarkana quadrangle. This USGS 7.5 minute series topographic map, as revised in 2001, was utilized for the topographic evaluation (**Figure 3** and **Appendix B**).

The topographic map revealed relatively flat topography across the Subject Property, with a general south to southwest gradient. The topographic elevation of the Subject Property is identified as approximately 312 feet above mean sea level (MSL).

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Based upon the coloration of the topographic map within its vicinity, the Subject Property is located within a developed/urban area. Specific building and related details are not shown within such developed zones. The map does show a large rail yard approximately 1.5 blocks south of the Subject Property, and the Texas/Arkansas state line is shown less than one block east of the Property. Nix Creek is also shown to the further east and the south, while Swampoodle Creek is shown, though less visible, to the west.

Soils and Geology

The geologic features of the Subject Property include a rock stratigraphic unit associated with the Eocene Wilcox Group undivided series of the Tertiary system within the Cenozoic era [EDR (**Appendix G**), and Geologic Atlas of Texas, Texarkana Sheet, 1979]. The area lies within the Blackland Prairie, which is geologically underlain by beds of chalk and marls that tilt south and east to create a low rolling terrain with elevations ranging between 450 and 1000 feet above MSL (Physiographic Map of Texas, 1996).

According to the U.S. Department of Agriculture's Web Soil Survey, the soil map unit(s) underlying the Subject Property include: Eylan-Urban land complex with zero to three percent slopes.

Within the Eylan-Urban land complex soil map unit, the urban land component is of variable composition to 40-inches depth. Eylan soils are more dominant within this unit and are moderately well drained. The Eylan soils are comprised of very fine sandy loam from zero (0) to 12 inches, and sandy clay loam from 12 to 80 inches. The water table is usually found 24 to 36 inches below the ground surface, and a fragipan restrictive layer is usually located with 28 to 60 inches of the surface. (Fragipan is not bedrock, but rather a very hard and brittle layer of soil, even when thoroughly wet, to the extent that roots cannot penetrate except along intermittent cracks.) The Eylan-Urban land complex soil map unit has a high corrosivity rating for concrete and a moderate corrosivity rating for steel.

Hydrology

The Subject Property lies just north of the Carrizo-Wilcox (subcrop) Aquifer (Major Aquifers of Texas, 2006). Although well depth or depth to groundwater has not been formally documented for the Subject Property, the soil type underlying the Subject Property is typically associated with a water table at two to three feet below surface. Groundwater then typically follows surficial topography and likely flows to the south.

The Property also lies in the South Central Plans Level II EcoRegion, within the Sulphur River Basin (Atlas of Texas Surface Waters, GI-316, 2004) and Days Creek sub-basin. While the Subject Property and its adjoining and adjacent neighbors rest upon predominantly impervious land, stormwater in the general vicinity drains to city drainage structures which feed either Nix Creek, located approximately 1,705 feet southeast of the Subject Property, and/or Swampoodle Creek, located approximately 1,975 feet south-southwest of the Subject Property. These creeks converge to join Days Creek approximately 3,580 feet southwest of the Subject Property. Days Creek flows south to join the east-flowing Sulphur River, which exits Texas before joining the Red River in Arkansas.

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According to the TCEQ's 2008 Texas 303(d) List, Days Creek is a threatened or impaired waterbody (Segment 0304), from the Arkansas State Line in Bowie County to the aforementioned confluence of Swampoodle Creek and Nix Creek in Bowie County. This segment is listed for the constituents: impaired fish community and impaired macrobenthic community.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, Panel number 4800600010C (revised 05/17/1993), the Subject Property does not lie within a FEMA-designated flood hazard area.

There are no surface waters, drainage areas or potentially jurisdictional wetlands located within the bounds of the Subject Property.

4.4 Historical Use Information on the Property

According to ASTM Practice E 1527, the objective of consulting historical sources is to develop a history of the previous uses of the Subject Property and surrounding area, in order to help identify the likelihood of past uses having led to RECs in connection with the Property. The intent is to identify the Property's use from the present, back to the Property's first developed use, or back to 1940, whichever is earlier.

The following records may have been utilized to meet the stated objective, although the ASTM practice does not require the use of all: aerial photography, fire insurance maps, property tax files, recorded land title records, USGS topographic maps, local street directories, building department records, zoning/land use records, assorted other historical sources, and/or prior assessments.

USGS Topographic Maps

Historical topographic maps, as prepared and provided to URS Corporation by EDR on October 30, 2009, were utilized during the records review, to assist in determining the historical development and use of the Subject Property and its vicinity. The review included available map years: 1909, 1954, 1970, 1975, 1985 and 2001. The table below provides a map-by-map analysis of the observations made. A copy of the historical topographic maps has also been presented in **Appendix B**, for reference purposes.

Review of Topographic Maps with Relation to Subject Property

Year	Series	Scale	USGS Quadrangle	Observations
1909	15	1:62500	Texarkana	The Subject Property lies within the south central portion of the developed urban grid of the city of Texarkana. The Texas/Arkansas state line is shown less than one block east of the Property Multiple railroads feed to and through the City.
1954	15	1:62500	Texarkana	The Subject Property's downtown area is shown through map coloration (pink) to be developed/ urban land. Specific building/details are not shown. A large rail yard is located approximately 1.5 blocks south of the Subject Property. Nix Creek is shown to the further east and the south, while Swampoodle Creek is shown, though less visible, to the west.

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Year	Series	Scale	USGS Quadrangle	Observations
1954	7.5	1:24000	Texarkana	The map content is more clearly visible due to change in scale. However, map coloration continues to designate the area as developed/ urban land, wherein specific building/details are not shown. No new significant information is revealed in relation to the previously identified 1954 map.
1970	7.5	1:24000	Texarkana	Map is photo-revised from 1954. No significant changes observed.
1975	7.5	1:24000	Texarkana	Map is photo-revised from 1954. No significant changes observed.
1985	15	1:50000	Texarkana	Map coloration for the developed urban area changed from pink to brown, although no other significant changes were observed.
2001	7.5	1:24000	Texarkana	Map coloration for the developed urban area returned to pink. Map content is again more clearly visible than 1985 due to change in scale. However, no significant changes were observed.

Source: EDR, 10/30/2009

In summary, the historical topographic map review revealed that the Subject Property already fell within developed areas of the city of Texarkana by 1909. Specific buildings and related details were not shown in the historical topographic maps available for review. Therefore, detail regarding the Subject Property's progressive use and/or development status was not available through historical topographic map review.

Aerial Photography

Historical aerial photographs, as prepared and provided to URS Corporation by EDR on 11/02/2009, were also utilized during the records review to assist in determining the historical development and use of the Subject Property and its vicinity. The review included available photograph years: 1948, 1954, 1960, 1975, 1989, 1995, 2004, 2005 and 2006. The table below provides a photo-by-photo analysis of the observations made. A copy of the historical aerial photographs has also been presented in **Appendix C**, for reference purposes.

Review of Aerial Photography with Relation to Subject Property

Year	Scale	Photo Source	Observations
1948	1" = 500'	USGS	The Subject Property's city block and all adjacent city blocks appear thoroughly developed with buildings. A large rail yard is present beyond the one block to the south. The north/south running State Line Avenue is clearly visible from aerial view.
1954	1" = 500'	ASCS	No significant changes observed.
1960	1" = 500'	ASCS	No significant changes observed.
1975	1" = 500'	TxDOT	No significant changes observed.

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Year	Scale	Photo Source	Observations
1989	1" = 500'	TxDOT	The Bi-State Justice Center located immediately south of the Subject Property, replaced numerous smaller buildings that previously comprised the city block, and effectively shortened the length of State Line Avenue by one city block's length.
1995	1" = 500'	USGS-CIR	No significant changes observed.
2004	1" = 500'	USDA-CIR	No significant changes observed.
2005	1" = 604'	EDR	No significant changes observed.
2006	1" = 604'	EDR	No significant changes observed.

AMS: Army Mapping Service
ASCS: Agricultural Stabilization and Conservation Service
CIR: Color Infra-Red photography
TxDOT: Texas Department of Transportation
USDA: U.S. Department of Agriculture

Source: EDR, 11/02/2009

In summary, the historical aerial photography review revealed that the Subject Property was already set within a majorly developed area of the City by 1948, and the Property itself was already developed with a building. Although the 1954, 1989, 1995, 2004 and 2006 photographs were of clearer visual quality than the other years, no significant changes were noted with regard to the development or use of the Subject Property or its immediately adjacent neighbors, with one exception. Sometime between 1975 and 1989, the Bi-State Justice Center replaced numerous smaller buildings that had previously existed on the city block located immediately south of the Subject Property across West Broad Street.

Fire Insurance Maps

Historical Sanborn Fire Insurance Maps, as prepared and provided to URS Corporation by EDR on November 2, 2009, were utilized during the records review to assist in ascertaining the historical development and use of the Subject Property and its vicinity. The review included available map years: 1885, 1888, 1896, 1900, 1905, 1909, 1915, 1924, 1950, 1953 and 1969. A copy of the maps has been presented in **Appendix D**, for reference purposes.

Review of Fire Insurance Maps with Relation to Subject Property

Year	Observations
1885	The two-story Subject Property is shown to include: dry goods, clothing, grocery, dentist, insurance office, with offices on the second level.
1888	The Subject Property is shown to include: a saloon and a vacant store, fruit shop, and second floor offices and bedrooms.
1896	The Subject Property is shown to include: a gun smith, barber, and saloon, with sleeping rooms on the second level.
1900	The Subject Property is shown to include two saloons, a barber, and sleeping rooms on the second level.
1905	The Subject Property is shown to include two saloons, a barber, and a pool room. No mention is made of the prior second floor activities/use.
1909	The Subject Property is shown to include a saloon, a barber, and shops.

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Year	Observations
1915	The Subject Property is now shown to be a notions store.
1924	The fire insurance maps became somewhat less specific as to property use in and after 1924. The Subject Property is shown to be a two-story store, with two open air elevators, one in each the northwest and northeast corners of the building.
1950	The Subject Property is now shown to be a three-story store with basement. There is one enclosed elevator in the northwest corner of the building, along with an adjacent staircase. The building is reported to be of steel frame construction with wood joist floors and roof. It also features a tile and brick face and curtain walls on the third level.
1953	The Subject Property remains unchanged.
1969	The Subject Property remains unchanged.

Source: EDR, 11/02/2009

In summary, the historical fire insurance maps review revealed that the Subject Property was already developed prior to the first available historical fire insurance map in 1885. In 1885, the Property's uses included dry goods and clothing store (west), grocery (east), and second floor dentist and insurance office. In 1888, the western dry goods and clothing store became vacant, while the eastern grocer expanded to become a saloon with a fruit shop. Sleeping rooms were added among the second floor offices. In 1896, the second floor sleeping rooms remained, while the vacant western ground level store front converted to a saloon, a barber was added, and the eastern saloon converted to a gun smith. By 1900, the eastern gun smith was converted back to a saloon. The Property's composition thus included two saloons, a barber, and upstairs sleeping rooms. A pool room was added in 1905, while there predominantly ceased to be reference to second floor activities/uses throughout the city in 1905 and thereafter. In 1909, the western saloon was converted to shops. In 1915, the entire building was converted to a notions store. 1924 found the site mapped as a two-story store with two open-air elevators, one located in each the northwest and approximate northeast corners of the building. Sometime after 1924, the building was renovated. In 1950, the former two-story building was shown to be a three-story store with basement. An enclosed elevator and a staircase were present in the northwest corner of the building. The building was comprised of steel frame construction with wood joist floors and roof, and tile and brick face, with curtain walls on the third level. The Property was mapped, without further changes, in both 1953 and 1969.

Local Street Directories

Historical city directory research, as prepared and provided to URS Corporation by EDR on November 3, 2009, was utilized during the records review to assist in determining the historical development and use of the Subject Property and its adjoining properties. The review included available directory years: 1922, 1937, 1940, 1947 and 1954, and also 1954 through 1994 in five-year intervals. A copy of the city directory research has been presented in **Appendix E**, for reference purposes.

In summary, all city directory listings in the years 1922 through 1969, confirmed the Subject Property's use by Kress S H & Co. for notions, department store and variety store. The Property was listed as vacant in 1974 and 1979, as used by Belk Jones as a warehouse in 1984, and again as vacant in 1989 and 1994.

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Property Tax Files

Property tax files were not directly utilized as part of the records review for this Phase I ESA. However, according to the City's August 2009 TCEQ BSA application (**Appendix I**), the Bowie County Tax Appraiser's Office values the Subject Property at $20,625 and the property taxes are paid up to date.

Building Department Records

The November 12, 2009 review of the City's files regarding the Subject Property revealed several documents, dated between 1975 and 2009, which detailed numerous issues concerning the building's permitting, maintenance and code compliance. The building's condition history presented within these documents is briefly outlined in the following table, and a copy of each document is provided in **Appendix L**, for reference.

Building Condition History According to City's file, 11/12/2009

Date	Documented Matter
March 1975	An electrical permit, and a subsequent inspection approval record, were issued for miscellaneous electrical repairs made to the building.
April 1975	A Certificate of Occupancy was issued, authorizing Belk-Jones to utilize the building's basement and first floor for the storage of fixtures and display items.
February 1979	A letter was issued by the City to an unnamed party, citing multiple repair requirements for the building. The letter included, among other items, instruction to remove old batteries formerly utilized for auxiliary power.
October 1992	A letter was issued by the City to Mr. Walter Alexander, regarding the Subject Property (identified then as a "Crafts Store"). This letter included, among many other items, a reference to water in the basement and a reference to an old elevator that should be boarded up with sheetrock.
March 2001	An email record indicated that the Subject Property's store front windows had blown out onto the city sidewalk.
December 2001 and June 2002	Multiple notices, requiring that the building be secured, were issued by the City's Building Inspection Division.
July 2002	A Building Inspection Report was issued. Among many other items, water in the basement was again referenced, as was the presence of birds causing damage to the building interior.
August 2002	A condemnation Order was issued with regard to the Subject Property.
October 2002	A memo from the Combination Inspector referenced multiple property damage concerns. Included in the memo, were references to partial cave-in of the roof and the three floors below it; a basement filled with 8 to 10 feet of water from a natural spring that flows underground; and pigeons roosting in the building. The structure was reportedly in violation of the City's building code, electrical code, plumbing code and fire code.
April 2003	The City issued a letter to Bi-State Women's Center, requiring that the building be secured.
March 2009	Communications were exchanged between the City and the Texas Historical Commission (THC). Based upon review of the letters, it appears that implementation of the City's 2002 condemnation order may have been forestalled by potential historical site preservation concerns.
April 2009	The THC confirmed that the Subject Property is eligible for listing on the National Register of Historic Places under Criterion C for Architecture and Criterion A for Commerce. According to the letter, all areas of the Property that proposed work may affect are to be coordinated with the THC.

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Zoning/Land Use Records

Historical zoning/land use records were not utilized as part of the records review for this Phase I ESA.

Recorded Land Title Records

While recorded land title records were not directly utilized as part of the records review for this Phase I ESA, the Phase I ESA User Questionnaire provided to URS Corporation by Mr. Craig Lindholm on November 11, 2009, did include a title insurance document with effective date April 1, 2009 (**Appendix F**). The then current Property owner was listed as the Bi-State Women's Center.

In summary, the title insurance document revealed two separate Party Wall Agreements, both dated September 27, 1937. The first Party Wall Agreement was entered into by and between Joseph Lipari and Fannie Bernstien, et al, and was recorded in Volume 168, Pages 3-4 of the Deed Records of Bowie County, Texas. The second Party Wall Agreement was entered into by and between Joseph Lipari and Clotilda Rain, et al, and was recorded in Volume 166, Page 636 of the Deed Records of Bowie County, Texas. A separate reference was also made to a certain [condemnation] Order dated August 6, 2002, recorded in Volume 3767, Page 88 of the Real Property Records of Bowie County, Texas. Finally, the title insurance document also referenced that "it may be necessary that any and all at law heirs of BERNARD GHIO, if any, who did not join in the conveyance of subject property to current owner by that certain Deed dated February 20, 1996 of record in Volume 2471, Page 297 of the Real Property Records of Bowie County, Texas [regarding the transfer of the Subject Property from Martha B. Ghio to Bi-State Women's Center], execute a Quit Claim Deed in favor of CITY OF TEXARKANA, TEXAS for the herein described [Subject Property]."

A copy of a subsequent Affidavit of Heirship and Marital History, dated May 31, 2009, was present within the City file reviewed by URS Corporation on November 12, 2009. The document confirmed that Martha B. Ghio was the only wife of Bernard Ghio, and that all listed surviving heirs (five), were those same whom jointly signed the transfer of the Property to Bi-State Women's Center in February 1996. A copy of each of the aforementioned title insurance document, affidavit, and Property deed are presented in **Appendix F**, for reference.

Other Historical Information Sources

Application to Receive a TCEQ Brownfields Site Assessment:

According to the City's August 2009 TCEQ BSA application, the Subject Property's site history includes the historical ownership and past uses, from the 1870s through 2009, as presented in the following table.

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Site History According to August 2009 TCEQ BSA Application, BSAG113

Date	Property Ownership and/or Use
1870s	Apex Hotel was constructed
1900-1910	Milazzo's Saloon, Ellis and Taylor Real Estate, Architectural offices
1910	Griffies Brothers Barbers (upstairs)
1910-1933	S H Kress downstairs
1933	*Burned and rebuilt*
1933-1952	S H Kress and Company (discount retail store)
1952-1996	*Unknown*
1996-2009	Bi-State Women's Center (storage)
2009-Current	City of Texarkana, Texas

A copy of the full BSA application has been presented in **Appendix I**, for reference purposes.

Texarkana College, Student Report:

Within the City file provided to URS Corporation for review, and with their permission to utilize and reference, was located a Texarkana College student report for a local history project concerning the Subject Property (Avery, 2004). According to the student report, the Subject Property's site history includes the historical ownership and past uses, from the 1870s through 2004, as presented in the following table.

Site History According to 2004 Texarkana College Student Report

Date	Property Ownership and/or Use
1870s	Apex Hotel, as the first frame structure built in Texarkana
1899	Samual Milazzo and Michael Cassidy as main proprietors (saloons), and other businessmen, including two notary/real estate agents (G.B. Ellis and O.P. Taylor), a lawyer (G.J. Armistad), and an architect (H.E. Wallace), occupying parts of the building
1910	Griffies Brothers Barbers, vacancy, and G. Less and Co. Real Estate
1912	Kress (department store)
1964	Genesco bought Kress company
1971	Kress closed, and Decorator Fabric Outlet took over the building
1975-1980s	Vacant
1980s	Warehouse for Belk Jones Company
1980s-Present (2004)	Vacant

A copy of the student report has been presented in **Appendix L**, for reference purposes.

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Prior Assessment

A prior Phase I ESA report was made available by the city of Texarkana, Texas for review and utilization as part of the records review for this current Phase I ESA.

The prior Phase I ESA was conducted in 2006, by Terracon, on behalf of the Ark-Tex Council of Governments, while the Subject Property was under the ownership of Bi-State Women's Center. The report was reviewed, and its findings and opinions considered, prior to the finalization of this current assessment. A copy of the executive summary from the 2006 Phase I ESA report has been provided in **Appendix L**, for reference, with the permission of the City.

Data Failures

According to the ASTM practice, a data failure is "a failure to achieve the historical research objectives in [the ASTM practice,] even after reviewing the standard historical sources [listed in the ASTM practice] that are reasonably ascertainable and likely to be useful."

In other words, a data failure may exist, under certain ASTM-defined conditions, when required interviews are not conducted and/or when the site reconnaissance faces certain ASTM-defined limitations and/or is not conducted. A data failure can also include the absence of combined historical data in at least five year intervals, to represent the time period between which the Subject Property is vacant, unused, undeveloped land and the date of the Property's first use and/or development, and/or the time period between which the use or development of the Subject Property changes.

The following data failure was encountered during the course of the records review for the Subject Property:

- The Property's first development should have been documented in at least five-year intervals. The Subject Property already fell within developed areas of the city of Texarkana, Texas by the time of the 1885 historical fire insurance map, and earlier formal historical records were not available for review. Multiple informal historical records and interview sources indicated that the Subject Property's address was the site of the first frame structure in the city of Texarkana, the Apex Hotel, which was constructed sometime in the 1870s. The Property's use prior to the 1870s, however, was not recorded, and the next available record, the 1885 fire insurance map, recorded its changed use as a dry goods and clothing store, grocery, dentist, insurance office and second level offices.

  Given the well-documented and predominantly commercial, retail and/or entertainment district composition of the Property's immediate vicinity for the past 124 years, this data failure is not deemed significant to the current assessment of the environmental condition of the Subject Property.

- A more significant data failure concerned the site reconnaissance conducted on November 12, 2009 in conjunction with this Phase I ESA.

  Further details regarding this statement are provided in **Section 5.4** and **Section 10** of this report.

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4.5 Historical Use Information on Adjoining Properties

Additional information concerning the properties adjoining the Subject Property, and/or as characterizing its broader vicinity, was observed during the review of the historical information sources referenced in **Section 4.4**. These observations are summarized below if/as they may assist in identifying past uses likely to have led to RECs in connection with the Subject Property. In addition, for reference purposes, **Tables 2 through 6**, which are located following **Section 14** of this report, provide a map-by-map analysis of the relevant observations for each of the adjacent properties and the broader vicinity.

Eastern Adjoining Property

The property that immediately adjoins the east side of the Subject Property has harbored a commercial, retail and/or entertainment structure since at least 1885, through the present date.

Historical fire insurance maps show the property's uses between the years 1885 and 1915 as: a dry goods and clothing store, office, dwelling, saloon, and stationary store.

Historical city directories provide further listings for the eastern adjoining property address, between the years 1922 and 1994, as: a confectionary, department store, variety store, music center, record shop and recreation, and jewelers.

Southern Adjacent Properties

The city block located immediately south of the Subject Property, across West Broad Street, has harbored a wide assortment of commercial, retail and entertainment structures from at least 1885 through 1987.

Historical fire insurance maps showed a variety of uses for the properties on the southern adjacent city block, between the years 1885 and 1915, including (in no particular order or distance from the Subject Property): an opera house, offices, grocers and liquor stores, saloons and billiards, general merchandise, hardware, furniture and upholstery, barber, jewelry, cigars, boot maker, tailor, confectionary, dry goods and clothing, millinery (typically referencing a hats and clothing store), stationary, photographer, tin shop, and motion picture theater.

According to historical city directories, the past uses of the properties on this city block, between the years 1922 and 1974, also included the Hippodrome Theatre in 1922, as well as: a drug store, dry goods stores, realty companies, shoe stores, beauty shops, department stores, women's clothing, hat shop, tailors, furniture companies, jewelers and jewelry stores, optometrists and optical companies, livestock association, various community service offices, business office, and loans and finance companies.

There were no city directory listings for any portion of this southern city block facing West Broad Street, after 1974. The current Bi-State Justice Center was later constructed across the length of this city block, opening sometime between 1985 and 1987.

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Western Adjoining Property

The property that immediately adjoins the west side of the Subject Property has harbored a commercial, retail and/or entertainment structure since at least 1885, through the present date.

Historical fire insurance maps show the property's uses between the years 1885 and 1915 as: a grocer and photographer, drug store and offices, saloon, restaurant and confectionary with kitchen, wholesale liquor store, and a restaurant and shine store.

Historical city directories provide further listings for the western adjoining property address, between the years 1922 and 1994, as: a confectionary, clothing companies, shoes, millinery, furniture, and as printing companies in 1989 and 1994.

Northern Adjacent Property

The property located immediately north of the Subject Property, across the city alley, has harbored a commercial retail structure since at least 1885, through the present date.

Historical fire insurance maps show the property's uses between the years 1885 and 1915 as: an Anheuser Beer Depot with beer vault and an I.O.O. E. Lodge, a wholesale produce store, offices, and as a fire arms and sporting goods establishment with a jail located in the rear along with a courtroom and second level dwelling.

Historical city directories provide further listings for the northern adjacent property address, between the years 1922 and 1979, as a men's clothing store. The fire insurance maps also showed the property as a store and warehouse in 1953 and 1969. There were no city directory listings for this address after 1979.

Broader Vicinity

According to historical fire insurance maps between 1885 and 1915, the properties located further from the Subject Property, but within its same city block (east, west and north), have included a wide variety of past uses. Among these uses are included: saloons, billiards and gambling, second floor bedrooms, dry goods and clothing stores, jewelry, drug stores, banks, an express office and telegraph, a telephone or telegraph company storage facility, a fruit stand, offices, storage buildings, wholesale grocers, and wholesale dry goods, restaurants, implements, a reading room, an express company, cotton sample rooms, a barber, a pawn shop, book stores, plumbers, a livery, cigar and tobacco shop, tin shop, warehouse, postal office, buggies and harness shops, buggy repository, seed store, shoe shine, grocery, a tailor, a motion picture theater, an undertaker, and an art store.

Further south, beyond the adjacent southern city block previously described, were located a hotel and a large rail yard. The rail yard has been present since prior to 1885, through the present date.

The historical fire insurance maps also showed: a grain, lime and cement facility to the north in 1888, a steam laundry to the north in 1900, black smiths at two locations to the further north between the years 1900 and 1915, a gas and electric light company with offices and workroom to the northeast in 1905, a telephone or telegraph company battery room to the northeast in 1909, a vulcanizing facility to the further north in 1924, followed

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by a battery tire and service facility at the same general location in 1950 and 1953, a paint store to the further northeast in 1950 and 1953, and a printing store to the north in 1953.

According to historical city directories between 1922 and 1994, additional past uses of these properties have included: cleaning and pressing (i.e. Royal Cleaners) to the east in between the years 1922 and 1937, a dressmaker, Brinn studio, department and variety stores, a furniture store, bonding company, and craft and antique store, a physician, dentist, photographers, realty company, engineering (art) supplies, and the Bi-State Women's Center.

The further northern properties were not included within the EDR historical city directory search.

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5.0 Site Reconnaissance

In accordance with ASTM Practice E 1527, visual inspection of the Subject Property located at 116 West Broad Street in Texarkana, Texas was undertaken by URS Corporation on November 12, 2009. Information was collected during the site visit in order to assess the baseline environmental conditions of the Property, and to identify any features or areas that may indicate the presence of environmental contamination thereat.

5.1 Methodology and Limiting Conditions

To ensure inspection of the correct property bounds, the Subject Property's address and parcel location were researched via historical fire insurance maps and confirmed via the Texarkana Chamber of Commerce, aerial photographs review, and a map provided within the City's August 2009 Application to Receive a TCEQ BSA.

During the November 12, 2009 site reconnaissance, the perimeter of the Subject Property was observed from its public access points along the adjacent city streets and alley. Then, accompanied by Mr. Craig Lindholm, as well as multiple personnel with the City's fire department and additional City service personnel, the plywood boards covering the Subject Property's entrance were removed and the Property's interior was walked, or rather viewed, to the extent possible given its current condition.

The Property's current interior condition was a limiting condition preventing thorough inspection of the facility interior. Further details concerning this statement are provided in **Section 5.4**.

The adjacent properties to the east, south, west and north of the Subject Property were also observed from public access points along city streets and alley. These adjacent properties were not directly accessed, and the structures thereupon were not entered.

No subsurface investigations or physical environmental sampling was performed as part of this assessment.

Observations collected during the site walk were recorded via hand-drawn notes for further study, research and evaluation. A basic illustration of the Subject Property and its adjoining/adjacent properties has been provided as **Figure 2**, for reference. Numerous photographs were also collected during the site reconnaissance, and have been provided in **Appendix A**, for reference.

5.2 General Site Setting

The Subject Property is set in downtown Texarkana, on the Texas side of the Texas/ Arkansas border. The Property is centrally located on West Broad Street, between Main Street and Pine Street, and south of Third Street, approximately 319 feet west of the Texas/Arkansas state line (North State Line Avenue).

The downtown area in general appears to be thoroughly developed with buildings, most of which at one to three stories in height, plus city streets and sidewalks. The localized area is of relatively flat terrain, and is comprised of predominantly impervious land with

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a slight slope to the south or southwest. The area's properties appear to be utilized as a mix of business and municipal offices, bonds businesses, law offices, commercial retail businesses, churches, numerous vacant buildings and parking lots. Many of the buildings appear to be potentially historical in age and design. Several properties in and around the downtown area appear to be undergoing renovation, or demolition and excavation. A large rail yard also lies on the south side of the downtown area.

The Subject Property itself appears as a vacant brick commercial structure with stone architectural façade on its southern face. It is three-stories in height (plus basement).

The Property is bound on its east side by an adjoining two-story brick commercial building, followed by additional commercial buildings and Pine Street. The Property is bound on its south side by a city sidewalk and West Broad Street, followed by the Bi-State Justice Center. The Subject Property is bound on its west side by an adjoining two-story brick commercial building with stone southern façade, followed by another commercial building and Main Street. And, the Subject Property is bound on its north side by a paved city alley, followed by another two-story brick commercial building.

For reference purposes, a site location map has been provided as **Figure 1**, and a site diagram has been provided as **Figure 2**. Photographs of the Subject Property and its neighboring properties have been presented in **Appendix A**. And, an aerial photograph presented in **Figure 4** provides a bird's eye view of the Subject Property and its vicinity.

5.3 Exterior Observations

Subject Property

The former Kress Building (Subject Property) was first viewed from its public access points, including West Broad Street on the building's south side, and a parallel east/west city alley on the building's north side.

It was observed that the Subject Property's southern stone exterior façade appeared somewhat historical in nature. It was also noted that many of the building's windows were broken out. The building's main entrance, located at ground level and facing south to the city sidewalk along West Broad Street, was boarded closed with plywood. Just above the plywood barrier, it was observed that the ground level store front windows were broken out, suggesting open-air access to the facility beyond the plywood. Pigeons were also observed in the building's southern exterior awning. Closer inspection from this exterior view revealed a glimpse of fallen/hanging interior ceiling structure adjacent to the southeast corner of the awning.

The building's rear entrances were located on the opposite side of the building, facing north to the city alley. A narrow metal door without exterior handle or visually apparent access mechanism was located at ground level toward the building's left (east) side. A separate open-air (locked) door consisting of vertical metal bars was located to the building's center-right (west). Painted in red and white on the brick above this door, were the words: "Kress Rear Entrance". And, although the rear entrance was an open-air structure, interior view of the building was inhibited by an immediate right-hand turn around a brick wall and darkness beyond. A metal fire escape was also located overhead

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on the north side of the building, beyond direct ground level reach without assisted elevation.

Various city utilities (electricity, water, etc.) were visually apparent in the city sidewalk bordering the Subject Property's south entrance, in the grassy right-of-way between the sidewalk and West Broad Street, and in the east/west city alley bordering the north side of the building, as well as directly upon the northern/back-side of the building itself. According to city personnel, the utilities that feed to the Property were not then currently turned on within the Property.

No notable observations or concerns were recorded as related to any evidence of CERCLA hazardous substances or petroleum products and/or their derivatives, unidentified substances, unidentified containers, or storage tanks as associated with the Subject Property from its exterior view. There were no visible signs of soil staining, illicit discharges, chemically stressed vegetation, or chemical or petroleum odors associated with the Property from the exterior view.

Photographs of the property exterior and its associated utilities are included in **Appendix A** for reference.

Adjoining Properties

Exterior observations were also made during the site reconnaissance, with regard to the properties adjoining or adjacent to the Subject Property.

The three-story Bi-State Justice Center, which runs the length of the city block on the south side of the Subject Property, appeared to have been of recent concrete construction. The two commercial properties adjoining the east and west sides of the Subject Property were both two-story brick structures, appearing of similar and potentially historical age as the Subject Property. The western building had a stone architectural façade on its front/south side. The building behind and across the city alley from the north side of the Subject Property was also a two-story brick building of potentially historical age. All three (east, west and north) adjoining/adjacent brick buildings had large ground level store front/ display windows.

Viewed from public access points, no notable observations or concerns were recorded as related to any evidence of CERCLA hazardous substances or petroleum products and/or their derivatives, unidentified substances, unidentified containers, or storage tanks as associated with the exterior view of any of the properties adjoining and adjacent to the Subject Property. There were no visible signs of soil staining, illicit discharges, chemically stressed vegetation, or chemical or petroleum odors associated with their exterior view.

5.4 Interior Observations

In walking, or rather viewing, the Subject Property's interior during the November 12, 2009 site reconnaissance, the following observations were made.

The interior of the former Kress building appeared to exist in a hazardous state of disrepair and structural deterioration. Entry into the structure's ground level (first floor

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above the basement), beyond the plywood barrier at the building's southwestern entrance, revealed a significantly dangerous situation with falling ceiling and caved-in flooring.

Although an electrical panel was visible on the west wall near the floor adjacent to the southwest entrance, the room was mostly dark, as utilities to the structure were not turned on. However, light did stream in from above to partially illuminate some areas of the room. Approximately 60 percent of the ground level ceiling appeared to have fallen, and patches of light from the sky above were visible, revealing that the second floor, third floor, and areas of the roof had also somewhat deteriorated and/or collapsed.

The ground level was comprised of a large open room with high ceiling and floor-to-ceiling columns. There were no interior walls, with the exception of the northwest and northeast corners of the room, which reportedly housed the building's staircase and possibly another small room. The ground level housed some retail store furniture and related display items (broken mannequin, etc.), and extensive debris, which had fallen from the ceiling above.

The ground level ceiling materials appeared to have been, at one time, mildly ornate and covered in plaster. Gaping holes were now present in large areas throughout the ceiling, with views of the building's metal cross beams, deteriorated and/or broken wood beams, and extensive areas of torn and hanging re-bar supports. Overhead lights hung from the ceiling in glass fixtures that appeared to be incandescent in nature. In addition to partially fallen plaster, the ceiling also bore a few large areas of dark staining. Peeling paint was also observed on areas of the ceiling, walls and columns. The debris from the deteriorating building materials was dispersed throughout the ground level flooring and upon the stored furniture.

Along the west wall of this ground level room, approximately 20 to 25 feet from the southwest building entrance, a basement partially filled with water was visible from a vantage point near the edge of an area of collapsed flooring. Other areas of the ground level flooring were so cluttered with stored furniture and the fallen building debris that the structural condition of the remaining ground level flooring could not be safely assessed to allow further northward venture into the room. The ground level flooring did appear as though it may be further caving into the basement, from the west side of the room to the east.

A staircase to the basement was located along the eastern wall of the ground level room, approximately 10 to 15 feet into the room from the building's southeast entrance. Not far from this staircase, and immediately adjacent to the open-air (broken-out glass) front window display area at the southeast entrance, an orange cone was found set next to a smaller area of flooring which had also caved in to the basement.

Turning northward and proceeding a few steps down into the basement, while stepping around debris and observing broken wood, it became evident that this staircase could not be presumed structurally sound. From mid-staircase, the basement appeared to be pitch-black and water-filled. Standard flashlights did not assist in illuminating the basement's interior, and thus the darkness, structural safety concern, and water level prevented appropriate inspection therein.

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The source of water intrusion within the basement was not directly observed. Verbal reports during the site reconnaissance indicated that the basement had been pumped out twice, only to refill. While it was visibly evident that rainwater could enter the building unfettered, there was also mention during the site reconnaissance, of the possible presence of a natural groundwater spring in the basement.

The condition of the water in the basement was not visually ascertainable during the site reconnaissance (too dark to see sheen, etc.) and physical samples were not collected. No unusual (i.e., chemical or petroleum) odors were observed.

The staircase to the building's upper floors was reportedly located at the far north side of the ground level room, beyond an area of caved-in flooring. This staircase could not be safely reached to directly observe the upper levels of the facility. Several photos of the upper levels, dated 2003, were thus provided by the City for review following the site inspection. Representative copies of these photos have been included within the **Appendix A** photo log, for reference.

Despite the presence of fire department personnel during the November 12, 2009 site reconnaissance, it was determined the remaining areas of this building were not safely accessible for further inspection. Additional observations were made as follows, and the building was exited:

- One upside-down rusted metal drum with a red and white label was visible on the building's ground level, beyond the caved-in flooring on the room's west side. The label was not legible from across the room.
- Immediately east of this area of caved-in flooring, two containers were present setting upon the floor, including a one-gallon can of latex primer, and a larger rusted-through metal can upon which the primer sat. No label was visible on the lower metal can, which had so rusted that the lower portion of the can had completely deteriorated.
- Nearer to the door, were located two five-gallon plastic containers. The first container held epoxy ester sealer, while the second container held cleaner/degreaser.
- Adjacent to the first level's southwest entrance, two more five-gallon metal cans were found stored setting within a wooden display case. The first metal container was labeled as Johnson Floor Wax, Under and Over Plus, product number 4152. The second metal container was labeled as Helmiprene, product number 4002. The Helmiprene label further indicated that the product was dangerous, extremely flammable, exhibited hazardous vapors, and was a poison.

Returning to the City's offices, the photographs of the building's third floor, as taken in 2003, were reviewed. These photographs indicated that upper levels of the facility were also in a significant state of disrepair and physical deterioration at that time. Within the photographs, a hole in the ceiling, through the roof, was visible, as was significant debris associated with stored retail displays, fallen ceiling and roofing/building materials, and in one photo, twisted metal pipes with what appeared to be a series of connected toilet facilities falling through the floor. Insulated overhead piping was also observed in one of the third floor photographs.

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With the exceptions and limitations noted throughout the above **Section 5.4**, no other evidence of CERCLA hazardous substances or petroleum products and/or their derivatives, unidentified substances, unidentified containers, or storage tanks was directly observed upon the Subject Property during the site reconnaissance. There were no other visible signs of soil staining, illicit discharges, chemically stressed vegetation, or chemical or petroleum odors upon the Subject Property.

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6.0 Interviews

In accordance with ASTM Practice E 1527, interviews are to be conducted with various parties in order to obtain information that might indicate recognized environmental conditions in connection with the Subject Property. The ASTM practice permits that the interviews may be conducted in person, by telephone and/or in writing. The questions to be asked should attempt to obtain information about the uses and conditions of the Property as potentially related to RECs.

6.1 Interview with Owner

The owner of the Subject Property is the city of Texarkana, Texas. Mr. Craig Lindholm, Executive Director of the Department of Community Redevelopment and Grants, was named as the site contact in the City's August 2009 Brownfields Site Assessment application to the TCEQ. Mr. Lindholm was thus interviewed, both in writing and via informal conversation, during the course of this assessment.

A written interview with Mr. Lindholm was first conducted via the Phase I ESA User Questionnaire. The User Questionnaire was developed in accordance with ASTM Practice E 1527-05, Appendix X3, and was provided to Mr. Lindholm, in order to obtain any information pertinent to the Subject Property that may indicate a potential for RECs to exist at the site. The User Questionnaire was completed and returned to URS Corporation on November 11, 2009. The information provided within the User Questionnaire is presented within **Section 3** of this report. A copy of the original completed User Questionnaire has also been presented in **Appendix K**, for reference purposes.

Informal conversations were held with Mr. Lindholm and Administrative Coordinator, Ms. Joy Sartor, during the November 12, 2009 Subject Property site reconnaissance. Mr. Lindholm and Ms. Sartor also provided access to multiple documents from the City's file concerning the Subject Property.

The relevant findings associated with these interviews have been incorporated as appropriate throughout this Phase I ESA report.

6.2 Interview with Site Manager

Again, the owner and manager of the Subject Property is the city of Texarkana, Texas. Mr. Craig Lindholm, Executive Director of the Department of Community Redevelopment and Grants, was named as the site contact in the City's TCEQ BSA application.

The interviews conducted with Mr. Lindholm are referenced in the above **Section 6.1**, and the results have been incorporated throughout this report as appropriate.

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6.3 Interviews with Occupants

ASTM Practice E 1527 requires that a reasonable attempt be made to interview a reasonable number of occupants of the Property. The ASTM practice also provides guidance to assist in determining which and how many occupants should be interviewed. The ASTM practice suggests that past occupants who are likely to have material information regarding the potential for contamination at the Property shall be interviewed, to the extent that they have been identified and that the information likely to be obtained is not duplicative of the information already obtained from other sources.

The Subject Property has been vacant for more than 22 years. There are no current or recent occupants to be interviewed.

No interviews were conducted with further past occupants of the Subject Property, as the information gathered through other records sources was deemed sufficient to portray the Property's historical use.

6.4 Interviews with Local Government Officials

The city of Texarkana, Texas serves in the capacity of key site manager, Phase I ESA user, and local government official with regard to the Subject Property.

Fulfilling the interview requirement with local government officials, the Phase I ESA User Questionnaire was completed by Mr. Craig Lindholm of the city of Texarkana, Texas and an informal conversational interview was conducted during the November 12, 2009 site reconnaissance, as referenced in **Sections 3, 6.1** and **6.2** of this report, and as documented in **Appendices J, K** and **L**.

In addition, an open records request was filed on October 27, 2009 with the city of Texarkana, Texas during the course of the Phase I ESA records review. The City's written response, prepared by Fire Marshal Michael Gilley, and forwarded to URS Corporation by Ms. Pam Burns on November 2, 2009, has been referenced in report **Section 4.2** and documented in **Appendix H**.

6.5 Interviews with Others

An open records request was also filed with the TCEQ on October 27, 2009 during the course of the Phase I ESA records review. The TCEQ's written PIR response prepared by Ms. Linda G. Bolding, Open Records Coordinator for the TCEQ Remediation Division, on November 13, 2009, and the records provided by Ms. Christine Whitney, TCEQ Brownfields Program Manager, on October 28, 2009, have been further discussed in report **Section 4.2** and documented in **Appendix I**.

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7.0 Findings

A synopsis follows, for each of the key findings unearthed during the course of this Phase I ESA, to facilitate their systematic analysis in the forthcoming report section.

Subject Property

The Subject Property, commonly referred to as the former Kress building, is located at 116 West Broad Street in Texarkana, Texas. It is a vacant brick commercial building with stone façade, three stories in height (plus basement), located within the developed historical Central Business District of downtown Texarkana, approximately 319 feet west of the Texas/ Arkansas state line.

In August 2009, the city of Texarkana, Texas applied for TCEQ assistance with a Brownfields Site Assessment. The City's BSA application indicated that the City took ownership of the Property, via donation, in July 2009. The application further stated that there was a prospective buyer for the site who was considering renovating the Property for mixed use, including office space, a restaurant and loft apartments.

According to the City's 2009 BSA application, no environmental site assessment/ investigation reports had been completed for this site. The application did, however, indicate that the stone and brick exterior were a potentially contaminated area of the property, and that the City was applying for funding for a Phase I ESA because of possible contamination from 1933 to present, since they were unable to determine what materials were utilized during property renovation. According to the BSA application, it was unknown if there were tanks or machinery or what type of piping was used at the building. The City was also not aware of the location of any adjacent properties that may have the potential for creating environmental concern.

The Subject Property is now registered with the TCEQ under Customer Number (CN): CN603536228, and Regulated Entity Number (RN): RN104857420. The Property's TCEQ BSA identification is BSAG113. Its current status is listed as Affected Property, under investigation. The city of Texarkana, Texas is listed as the responsible party for the BSA.

Various historical records sources were reviewed during the course of this environmental site assessment. It was determined that the location of the Subject Property is historically associated with two street numbers on West Broad Street, 116 (the eastern half of the Property) and 118 (the western half of the Property). Multiple sources have indicated that the Subject Property is the location of the first frame structure in Texarkana – the Apex Hotel, constructed in the 1870s. Records of the land's use prior to that time were not available for review during the course of this assessment.

According a historical fire insurance map dated 1885, the Subject Property and its surrounding downtown areas were already heavily developed by 1885. The Subject Property's uses in 1885 included a dry goods and clothing store (western half), a grocery (eastern half), and a dentist, insurance office, and second floor offices. By 1888, the western dry goods and clothing store had gone vacant, while the eastern grocery store appeared to have expanded to become a saloon and fruit shop. Upstairs spaces were

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utilized as sleeping rooms. By 1896, the sleeping rooms remained upstairs, while the vacant western ground level store front converted to a saloon. A barber was added, and the eastern saloon converted to a gun smith. By 1900, the eastern gun smith was converted back to a saloon. The Property's composition thus included two saloons, a barber, and upstairs sleeping rooms. A pool room was added by 1905.

According to the City's BSA application as well as a site history report prepared by a local Texarkana College student, the Property was occupied from 1900 to 1910 by: the Milazzo's Saloon (with Samual Milazzo and Michael Cassidy as main proprietors), Ellis and Taylor Real Estate (with agents G.B. Ellis and O.P. Taylor), a lawyer (G.J. Armistad), and an architect (H.E. Wallace).

According to fire insurance maps, the western saloon had been converted to shops by 1909. Conflicting reports indicated that in 1910, one half of the building's ground level was listed as vacant, while G. Less and Co. Real Estate occupied the other half and Griffies Brothers Barbers was located upstairs.

Local reports then indicate that the Kress department store took over the Property sometime between 1910 and 1912. According to fire insurance maps, the entire Property had been converted to a notions store by 1915. And, all city directory listings in the years 1922 through 1969 confirmed the Subject Property's use by Kress S H & Company. The site was mapped in 1924 fire insurance records as a two-story structure with two open-air elevators, one located in each the northwest and approximate northeast corners of the building.

After a fire in 1933, the store was rebuilt. As a result of the reconstruction, two Party Wall Agreements were drafted in 1937, the first of which was entered into by and between Joseph Lipari and Fannie Bernstien, et al (Volume 168, Pages 3-4 of the Deed Records of Bowie County, Texas). The second Agreement was entered into by and between Joseph Lipari and Clotilda Rain, et al (Volume 166, Page 636 of the Deed Records of Bowie County, Texas). The two Agreements appear to remain effective to the current date (Stewart Title Insurance, April 2009).

The 1950 fire insurance maps indicate that the former two-story building had been rebuilt as a three-story structure plus basement. An enclosed elevator and an adjacent staircase were present in the northwest corner of the building. And, the building itself was comprised of steel frame construction with wood joist floors and roof, tile and brick face, and curtain walls on the third level. Automatic sprinklers served the Property's basement level, while an outdoor metal fire escape served the upper floors.

The Property was mapped again, without further identified changes, in 1953 and 1969.

According to the student history report, Genesco bought Kress company in 1964. A 1964 fire department survey, which was the earliest record that the City fire department had concerning the Subject Property, indicated that the facility housed paint in the basement and plastics on the third floor as hazardous materials.

Kress then closed its doors in 1971, and Decorator Fabric Outlet took over the building. City records indicate that miscellaneous electrical repairs were made to the building in 1975, and a Certificate of Occupancy (CO) was issued to Belk-Jones (another department

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store chain) at that time. The CO, however, limited use of the building to the storage of fixtures and display items, in the basement and on the first floor.

The Property was listed in city directories as vacant, in both 1974 and 1979.

A 1979 inspection conducted jointly by a fire prevention officer and a building official recorded the need for major repairs to the building concerning structural resistance measures, hazardous materials removal (old batteries used for auxiliary power) and fire protection systems repair/replacement (fire sprinkler system and portable fire extinguishers). There were no other records on file with the fire department after 1979.

The Property was listed in a 1984 city directory as being used by Belk-Jones as a warehouse. The site was then listed as vacant in 1989 and 1994. And, according to City records, the building has been vacant since 1987.

The Bi-State Women's Center took ownership of the Property in 1996, though it is unclear whether they utilized the structure for storage or any purpose. Numerous letters, memos and citations were issued by the City's building department between 1992 and 2003, with respect to necessary Property repairs; security; and building, electrical, plumbing and fire code violations. (One such memo, in 1992, included instruction to cover the entrance to an elevator with sheetrock. Other memos, in 2002, included references to birds roosting inside the building.) A condemnation Order was issued by the City in August 2002, as a result of the Property's continued deterioration and dangerous state of disrepair (Volume 3767, Page 88 of the Real Property Records of Bowie County, Texas). The implementation of any demolition plans, however, appear to have been forestalled by historical site preservation concerns.

With the exception of retail fixtures and display storage, the property has been vacant since at least 1974. And, without active repair and maintenance, the three-story building (plus basement) has significantly deteriorated since that time.

Site reconnaissance was undertaken on November 12, 2009 as part of this assessment. At that time, the roof was determined to have large holes in it, allowing the infiltration of rainwater into the building, to the extent and over such time as to have resulted in the partial collapse of the interior floors and ceilings on all levels. The Subject Property's basement was also observed to be water-filled. From a ground level interior view, one could observe sky light from above, a water-filled basement below, and varying degrees of fallen, falling and hanging building materials, retail furniture and building systems equipment throughout.

Ceiling materials, including plaster, were found littered throughout the entire ground level areas during the site reconnaissance. In addition to fallen ceiling plaster, there was significant peeling paint on the ground level walls and columns. Black staining was evident on some areas of the ground level ceiling. Pigeons were also observed in the facility's southern exterior awning.

As a result of the building's significantly deteriorated structural condition, the north side of the building's ground level interior, its basement, and the building's upper levels could not be safely accessed for inspection during the site reconnaissance.

The City provided photographs of the building's third floor as taken in 2003, which indicated that upper levels of the facility were also in a significant state of disrepair and

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physical deterioration at that time. Within the photographs, a hole in the ceiling, through the roof, was visible, as was significant debris associated with stored retail displays, fallen ceiling and roofing/building materials, and in one photo, twisted metal pipes with what appeared to be a series of connected toilet facilities falling through the floor. Insulated overhead piping was also observed in one of the third floor photographs.

The following additional potential hazardous materials observations were made during the November 12, 2009 site reconnaissance:

- One upside-down rusted metal drum with a red and white label was visible on the building's ground level, beyond the caved-in flooring on the room's west side. The label was not legible from across the room.
- Immediately east of this area of caved-in flooring, two containers were present setting upon the floor, including a one-gallon can of latex primer, and a larger rusted-through metal can upon which the primer sat. No label was visible on the lower metal can, which had so rusted that the lower portion of the can had completely deteriorated.
- Nearer to the door, were located two five-gallon plastic containers. The first container held epoxy ester sealer, while the second container held cleaner/degreaser.
- Adjacent to the first level's southwest entrance, two more five-gallon metal cans were found stored setting within a wooden display case. The first metal container was labeled as Johnson Floor Wax, Under and Over Plus, product number 4152. The second metal container was labeled as Helmiprene, product number 4002. The Helmiprene label further indicated that the product was dangerous, extremely flammable, exhibited hazardous vapors, and was a poison.

Internet research on the Helmiprene product did not reveal an MSDS for product number 4002, although the product name was associated with other product numbers that are considered a hazardous waste for disposal.

The source of water intrusion within the basement was not directly observed. Verbal reports during the site reconnaissance indicated that the basement had been pumped out twice, only to refill. There was mention during the site reconnaissance, of the possible presence of a natural groundwater spring. The water table in the area is anticipated to exist at approximately two to three feet below ground level, and area soils are traditionally corrosive to both concrete and steel, which together could create a seepage issue depending upon the permeability of the basement walls and flooring. Unfettered rainfall entry into the building, through large holes in the rooftop, is another obvious source of the building's water intrusion.

The condition of the water in the basement was not visually ascertainable during the site reconnaissance (too dark to see sheen, etc.) and physical samples were not collected. No unusual (i.e., chemical or petroleum) odors were observed.

Various environmental records sources (regulatory databases) were reviewed during the course of this assessment. The Subject Property was listed in three of those sources. The site was listed in the TX BROWNFIELDS database, the US BROWNFIELDS database, and the FINDS registry. According to the TX BROWNFIELDS listing, the Ark-Tex Council of Governments applied for a Brownfields Site Assessment in 2005. It was

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rejected. According to the US BROWNFIELDS listing, a Phase I ESA was completed in 2007. No additional information was recorded in the listing. According to the FINDS registry, the Subject Property is listed in ACRES and the TCEQ Agency Central Registry. There were no hazardous materials incidents or regulatory compliance violations on record as associated with the Subject Property's listings.

With the exceptions and limitations noted above, there was no additional evidence of CERCLA hazardous substances or petroleum products and/or their derivatives, unidentified substances, unidentified containers, or storage tanks was observed upon the Subject Property during the site reconnaissance. There were no other visible signs of soil staining, illicit discharges, chemically stressed vegetation, or chemical or petroleum odors upon the Subject Property.

In spite of the Property's dangerous interior condition, the Texas Historical Commission (THC) determined in April 2009 that the Property is eligible for listing on the National Register of Historic Places under Criterion C for Architecture and Criterion A for Commerce. According to their April 2009 letter to the City, all proposed work that may affect the Property is to be coordinated in advance with the THC.

Adjoining and Adjacent Properties

The properties adjoining and/or located immediately adjacent to the Subject Property, on all sides, also fall within the developed historic Central Business District of the city of Texarkana. The eastern, western and northern adjoining/adjacent properties each fall within the State of Texas. The southern adjacent property is split by the Texas/Arkansas state line.

The Subject Property is bound on its east side by an adjoining two-story brick commercial building, followed by several additional adjoining commercial buildings and Pine Street. With signage as Four States Living Magazine, the directly adjoining eastern property currently appears to house the magazine's offices and/or showroom. Historically, this property has harbored a commercial, retail and/or entertainment structure, from at least 1885, through the present date. Historical fire insurance maps show the property's uses between the years 1885 and 1915 as: a dry goods and clothing store, office, dwelling, saloon, and stationary store. Historical city directories provide further listings for the eastern adjoining property address, between the years 1922 and 1994, as: a confectionary, department store, variety store, music center, record shop and recreation, and jewelers.

The Subject Property is bound on its south side by a city sidewalk and West Broad Street, followed by the Bi-State Justice Center. The Bi-State Justice Center runs the length of this city block and is split by the Texas/Arkansas state line. The Center is home to over 20 city, county and state judicial and law enforcement agencies serving both the States of Texas and Arkansas, Counties of Bowie and Miller, and the two/ divided cities that bear the Texarkana name. The southern city block upon with the Center now resides, historically harbored a wide assortment of commercial, retail and entertainment structures, from at least 1885 through 1987. Historical fire insurance maps showed a variety of uses for the properties on the southern adjacent city block, between the years 1885 and 1915, including (in no particular order or distance from the Subject Property): an opera house, offices, grocers and liquor stores, saloons and billiards, general

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merchandise, hardware, furniture and upholstery, barber, jewelry, cigars, boot maker, tailor, confectionary, dry goods and clothing, millinery, stationary, photographer, tin shop, and motion picture theater. According to historical city directories, the past uses of the properties on this city block, between the years 1922 and 1974, also included the Hippodrome Theatre in 1922, as well as: a drug store, dry goods stores, realty companies, shoe stores, beauty shops, department stores, women's clothing, hat shop, tailors, furniture companies, jewelers and jewelry stores, optometrists and optical companies, livestock association, various community service offices, business office, and loans and finance companies. There were no city directory listings for any portion of this southern city block facing West Broad Street, after 1974. The Bi-State Justice Center was constructed across the length of this city block, opening sometime between 1985 and 1987.

The Subject Property is bound on its west side by an adjoining two-story brick commercial building with stone façade, followed by another adjoining commercial building and Main Street. The western adjoining property does not have current signage, and appears to be utilized for storage (printer/ copier type machines, clothing racks, etc). Historically, this western property has harbored a commercial, retail and/or entertainment structure, from at least 1885, through the present date. Historical fire insurance maps show the property's uses between the years 1885 and 1915 as: a grocer and photographer, drug store and offices, saloon, restaurant and confectionary with kitchen, wholesale liquor store, and a restaurant and shine store. Historical city directories provide further listings for the western adjoining property address, between the years 1922 and 1994, as: a confectionary, clothing companies, shoes, millinery, furniture, and as printing companies in 1989 and 1994.

The Subject Property is bound on its north side by a paved city alley, followed by another two-story brick building. This northern adjacent property does not have current signage and, although it faces a city street with large uncovered store-front style window, it appears to be carpeted and set up as a bedroom, with bed, child's playpen, etc. This northern adjacent property has historically harbored a commercial retail structure, from at least 1885, through the present date. Historical fire insurance maps show the property's uses between the years 1885 and 1915 as: an Anheuser Beer Depot with beer vault and an I.O.O. E. Lodge, a wholesale produce store, offices, and as a fire arms and sporting goods establishment with a jail located in the rear along with a courtroom and second level dwelling. Historical city directories provide further listings for the northern adjacent property address, between the years 1922 and 1979, as a men's clothing store. The fire insurance maps also showed the property as a store and warehouse in 1953 and 1969. There were no city directory listings for this address after 1979.

Environmental Records Sources:

Various environmental records sources (regulatory databases) were reviewed during the course of this assessment. The western adjoining property, at 120 West Broad Street, was listed in the US BROWNFIELDS database. According to the listing, a Phase I ESA was completed in 2007. No additional information was recorded therein, and there were no hazardous materials incidents or regulatory compliance violations on record as associated with the western adjacent property's listing.

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The other adjoining and immediately adjacent properties were not listed in any of the environmental records sources reviewed during the course of this assessment.

As viewed from public access points, no notable observations or concerns were recorded as related to any evidence of CERCLA hazardous substances or petroleum products and/or their derivatives, unidentified substances, unidentified containers, or storage tanks as associated with the exterior view of any of the properties directly adjoining and immediately adjacent to the Subject Property. There were no visible signs of soil staining, illicit discharges, chemically stressed vegetation, or chemical or petroleum odors associated with their exterior view.

Broader Vicinity

According to historical fire insurance maps between 1885 and 1915, the properties located within the vicinity of the Subject Property, beyond its directly adjoining and immediately adjacent properties, but within its same city block (east, west and north), have included a wide variety of past uses. Among these uses are included: saloons, billiards and gambling, second floor bedrooms, dry goods and clothing stores, jewelry, drug stores, banks, an express office and telegraph, a telephone or telegraph company storage facility, a fruit stand, offices, storage buildings, wholesale grocers, and wholesale dry goods, restaurants, implements, a reading room, an express company, cotton sample rooms, a barber, a pawn shop, book stores, plumbers, a livery, cigar and tobacco shop, tin shop, warehouse, postal office, buggies and harness shops, buggy repository, seed store, shoe shine, grocery, a tailor, a motion picture theater, an undertaker, and an art store.

Further south, beyond the adjacent southern city block earlier described, were located a hotel and a large rail yard. The rail yard has been present since prior to 1885, through the present date.

The historical fire insurance maps also more specifically showed: a grain, lime and cement facility to the north in 1888, a steam laundry to the north in 1900, black smiths at two locations to the further north between the years 1900 and 1915, a gas and electric light company with offices and workroom to the northeast in 1905, a telephone or telegraph company battery room to the northeast in 1909, a vulcanizing facility to the further north in 1924, followed by a battery tire and service facility at the same general location in 1950 and 1953, a paint store to the further northeast in 1950 and 1953, and a printing store to the north in 1953.

According to historical city directories between 1922 and 1994, additional past uses of these properties have included: cleaning and pressing (i.e. Royal Cleaners) to the east in between the years 1922 and 1937, a dressmaker, Brinn studio, department and variety stores, a furniture store, bonding company, and craft and antique store, a physician, dentist, photographers, realty company, engineering (art) supplies, and the Bi-State Women's Center.

Environmental Records Sources:

Thirty-two listings within the broader vicinity of the Subject Property were also found in the environmental records sources reviewed during the course of this assessment. Of these, there were: one AR LTANKS site, eight TX LPST sites, one AR VCP site, one NPL site with a ROD, two TX BROWNFIELDS sites, six US BROWNFIELDS sites,

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one Manufactured Gas Plant site, one TX DRYCLEANERS site, one AR UST site, eight TX UST sites, and one TX AST site. Of these 32 listings, only thirteen were found to be associated with sites situated in a position that might geophysically permit any existing contamination to migrate toward the Subject Property. Relevant facts associated with each of the 32 listings, including their site's geophysical positioning in relation to the Subject Property, have been summarily described in **Table 1.** Each site has been mapped on **Figure 6**. And, further details have been made available in the regulatory records research report presented in **Appendix G**.

Seventeen of the 19 listings, at sites geophysically positioned at a lower elevation and/or down-gradient from the Subject Property, are not likely to pose a risk of contamination to the Subject Property and, as such, are not further discussed herein.

Two of the listings in the environmental records sources, however, were also determined to be associated with one site at a location that is unlikely geophysically proximal to the Subject Property (down-gradient and at a lower elevation). While the level of risk associated with the potential migration of contamination from this site to the Subject Property is low, its serious nature warrants mention and consideration herein.

- **Potential Hazardous Materials Source, MAP ID# 35:** The former Texarkana Wood Preserving Company, which is located approximately 0.94 mile south-southwest of the Subject Property, is situated down-gradient from, and at a lower elevation than, the Subject Property. The site appears on the federal NPL list, and its former creosote and PCP wood treatment operations are reported to have contaminated more than 16-million gallons of groundwater in the area. The potential contaminants associated with the NPL site include: creosote, PCPs, dibenzofuran, naphthalene, anthracene, and phenanthrene.

On the other hand, the following information is presented concerning the 13 listings associated with sites located geophysically up-gradient, cross-gradient, and/or elevated in relation to the Subject Property:

- **Potential Hazardous Materials Source(s), MAP ID #'s B-4 and B-5:** The property at 203 West Broad Street, located approximately 0.03 mile (148 feet) south-southwest of the Subject Property, is situated cross-gradient to, and at an approximate equal elevation with, the Subject Property. The site was listed in both the TX BROWNFIELDS and US BROWNFIELDS databases. A BSA and Phase I ESA were completed in 2008. No other information was recorded, and there were no hazardous materials incidents or regulatory compliance violations on record as associated with this site's listings.
- **Potential Hazardous Materials Source(s), MAP ID# B-6:** The neighboring property at 202 (or 205) West Broad Street, also located approximately 0.03 mile (148 feet) south-southwest of the Subject Property, is situated cross-gradient to, and at an approximate equal elevation with, the Subject Property. The site was listed in the TX BROWNFIELDS database. A BSA was completed in 2008. No other information was recorded, and there were no hazardous materials incidents or regulatory compliance violations on record as associated with this site's listing.

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- **Potential Hazardous Materials Source(s), MAP ID# B-7:** The neighboring property at 205 West Broad Street, also located approximately 0.03 mile (148 feet) south-southwest of the Subject Property, is situated cross-gradient to, and at an approximate equal elevation with, the Subject Property. The site was listed in the US BROWNFIELDS database. Phase I ESA was completed in 2008. No other information was recorded, and there were no hazardous materials incidents or regulatory compliance violations on record as associated with this site's listings.
- **Potential Hazardous Materials Source, MAP ID# C-8:** The Mabel Bryan Morriss Building, listed at 124 West Broadway, may be located either two buildings to the west of the Subject Property, as indicated by its street address, or may be located approximately 0.03 mile (153 feet) east of the Subject Property as suggested in the environmental records sources. In either case, the site is situated cross-gradient to, and at an approximate equal elevation with, the Subject Property. The site was listed in the US BROWNFIELDS database, and a Phase I ESA was completed in 2007. No other information was recorded, and there were no hazardous materials incidents or regulatory compliance violations on record as associated with this site's listing.
- **Potential Hazardous Materials Source, MAP ID# C-9:** The vacant Ruth Building, listed at 120 West Broadway, may be either the Subject Property's directly adjoining western neighbor as indicated by its street address, or may be located approximately 0.03 mile (169 feet) east of the Subject Property as suggested in the environmental records sources. In either case, the site is situated cross-gradient to, and at an approximate equal elevation with, the Subject Property. The site was listed in the US BROWNFIELDS database, and a Phase I ESA was completed in 2007. No other information was recorded, and there were no hazardous materials incidents or regulatory compliance violations on record as associated with this site's listing.
- **Potential Hazardous Materials Source, MAP ID# D-11:** The T R A H C Building, located approximately 0.07 mile (364 feet) northwest of the Subject Property, is situated cross-gradient to, and at an approximate equal elevation with, the Subject Property. An LPST was reported at the site in 1990. While a designated major or minor aquifer was impacted, the LPST case was closed following final concurrence.
- **Potential Hazardous Materials Source, MAP ID# D-12:** The former Twin City Cab Company, located 0.07 mile (364 feet) northwest of the Subject Property, is situated cross-gradient to, and at an approximate equal elevation with, the Subject Property. The property was listed as a TX UST site. One 2,000-gallon single-wall steel UST, with unreported prior content, was removed from the ground in 1990. No other information was recorded in the database report.
- **Potential Hazardous Materials Source, MAP ID# 13:** A vacant lot at 301 West Broad Street, located approximately 0.09 mile (475 feet) east of the Subject Property, is situated cross-gradient to, and at an approximate equal elevation with, the Subject Property. The site was listed in the US BROWNFIELDS database, and a Phase II ESA was completed in 2008. (Note: A Phase II ESA is generally associated with site sampling activities.) No other information was recorded, and there were no hazardous materials incidents or regulatory compliance violations on record as associated with this site's listing.

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- **Potential Hazardous Materials Source, MAP ID# 23:** Garner Cleaners, located approximately 0.15 mile (770 feet) northwest of the Subject Property, is situated cross-gradient to, and at a higher elevation than, the Subject Property. The property appears in the TX DRYCLEANERS registry. No other information was recorded, and there were no hazardous materials incidents or regulatory compliance violations on record as associated with this site's listing.
- **Potential Hazardous Materials Source, MAP ID# 27:** The Texarkana Central Office, located approximately 0.24 mile (1,267 feet) north of the Subject Property, is situated up-gradient to, and at a higher elevation than, the Subject Property. The property is listed as a TX UST site. One active 6,000-gallon single-wall jacketed steel UST, with unreported content, was installed in 1980. No other information was recorded, and there were no hazardous materials incidents or regulatory compliance violations on record as associated with this site's listing.
- **Potential Hazardous Materials Source, MAP ID# I-33:** Beal's Service, located approximately 0.40 mile (2,090 feet) north of the Subject Property, is situated up-gradient to, and at a higher elevation than, the Subject Property. An LPST was reported at the site in 1998. Groundwater was impacted; there were no apparent threats or impacts to receptors. The LPST case was closed following final concurrence.
- **Potential Hazardous Materials Source, MAP ID# I-34:** 999 Station, located approximately 0.41 mile (2,154 feet) north of the Subject Property, is situated up-gradient to, and at a higher elevation than, the Subject Property. An LPST was reported at the site in 1996. Groundwater was impacted; there were no apparent threats or impacts to receptors. The LPST case was closed following final concurrence.

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8.0 Opinion

Each finding outlined in **Section 7** of this report has been analyzed to ascertain its potential status as an ASTM-recognized environmental condition (REC) or historical REC.

ASTM Practice E 1527 defines an REC as "the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include de minimus conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be de minimus are not recognized environmental conditions."

As also required under the ASTM Practice E 1527, each site identified in **Section 7** has been evaluated in terms of its significance to the analysis of RECs in connection with the Subject Property. The classification of "High", Medium", or Low" risk within this report, is based upon each site's proximity to the Subject Property (both geographically and geophysically), the nature of the finding (active versus inactive, violation or no violation, etc.), and its potential to affect the Subject Property (case open and/or under investigation, versus case closed).

The results of these evaluations, based upon the opinions of the environmental professional(s) who conducted this assessment, are summarized below.

Subject Property

Plaster and other ceiling materials are traditionally suspect for asbestos-content, as are wall surfacing materials, roofing materials, insulation, tile and flooring mastics. Paint located within a building of this age is traditionally suspect for lead content, as can be ceramic tile glazing. The black staining evident on areas of the ground level ceiling may be indicative of the presence of mold, which may be potentially toxic depending upon its species (i.e., *stachybotrys chartarum*). These issues appear to exist throughout the Subject Property's building structure.

Although no pigeons, carcasses or related feathers or guano were directly observed within the Property's ground level interior, the presence of pigeons in the building's exterior awning supports their possible presence within the open-air upper levels of the building, which would be traditionally suspect for such situations. Multiple building department records in 2002 also document this concern. Pigeons and their associated by-products commonly harbor a number of diseases, one of which can be histoplasmosis.

While the above referenced environmental considerations may exist as associated with the Subject Property, these considerations do not qualify as RECs. These considerations are not related to CERCLA hazardous substances or petroleum products and/or their derivatives.

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It is unclear whether the hazardous materials storage issues (paints in the basement, batteries formerly utilized for auxiliary power, plastics on the third floor), which had been cited by the fire department in 1964 and 1979, were ever directly addressed. Additional hazardous materials containers, at least one of which may represent a hazardous waste, were noted within the Subject Property's ground level interior during the November 12, 2009 site reconnaissance.

In addition, at least three elevators have historically been documented at the Subject Property, two of which had been mapped in 1924 fire insurance maps and were likely destroyed by the 1933 fire. The other elevator was mapped at the northwest corner of the Property in 1950 fire insurance maps. This elevator may or may not have been covered by sheetrock per instruction from the building department in 1992. It is unknown by what type of mechanical system these elevators operated. It is common for older elevators to have functioned with a lower level oil sump, sometimes containing polychlorinated biphenyls (PCBs), as part of the mechanical system. It is unknown whether such an oil sump existed for any of the three elevators, and if one or more did exist, whether those sumps were properly removed prior to the basement flooding.

In summary, it is not known whether there remain any stored chemicals or materials in the basement (i.e., paints, batteries, etc.), whether chemicals previously stored on the caved-in upper floors may have fallen into or leaked into the basement, and/or whether oil sumps were associated with the Property's historical elevators. It is not known whether the water in the currently flooded basement may have subsequently mixed with any of these materials. It is not known whether the resulting contaminated water, if present, is capable of migrating through the building's basement structure to exit the Property, and/or whether there are floor drains through which the water in the basement may discharge to City utilities and/or storm sewers. It is known that one or more containers of CERCLA hazardous substances (i.e., Helmiprene) do currently exist in the building's ground level interior.

While the aforementioned hazardous materials and petroleum products do represent an environmental consideration for the Subject Property, this consideration does not qualify as an REC. No release of CERCLA hazardous substances or petroleum products and/or their derivatives has been confirmed at the Subject Property. And, the CERCLA hazardous substances that were directly observed at the Property during the November 12, 2009 site reconnaissance, were not present in greater than de minimus conditions.

There were no hazardous materials incidents or regulatory compliance violations on record as associated with the Subject Property's listings in the TX BROWNFIELDS database, the US BROWNFIELDS database, and the FINDS registry.

Due to safety concerns, the northern side of the building's interior ground level was not accessed. The upper levels of the Subject Property and its basement were also not accessed during the course of this assessment. It is unknown whether an elevator is present and/or hidden by sheetrock. It is unknown whether additional hazardous materials may be stored in the areas of the facility not directly accessed. With these limitations, and with the exceptions noted above, there was no additional evidence of CERCLA hazardous substances or petroleum products and/or their derivatives, unidentified substances, unidentified containers, or storage tanks observed upon the

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Subject Property during the site reconnaissance. There were no other visible signs of soil staining, illicit discharges, chemically stressed vegetation, or chemical or petroleum odors upon the Subject Property.

In summary, multiple environmental considerations have been noted with regard to the Subject Property. However, the considerations do not qualify as RECs. Conditions do not presently exist at the Subject Property, which indicate an existing release, a past release, or a material threat of release of CERCLA hazardous substances or petroleum products and/or their derivatives, in greater than de minimus conditions.

Therefore, no RECs or historical RECs, in direct connection with the Subject Property, were discovered during the course of records review, interviews or site reconnaissance activities conducted in conjunction with this Phase I ESA. Nonetheless, as a result of the multiple other environmental considerations, the risk of environmental contamination in direct connection with the Subject Property is moderate.

Adjoining Properties

The property that directly adjoins the Subject Property's west side was, for a time, a printing company of some type. It is unknown whether the operations included the use and/or related storage of inks and solvents. While it is not uncommon for printing operations to generate hazardous waste, this situation has not been documented for the western adjoining property.

There were no hazardous materials incidents or regulatory compliance violations on record as associated with the western adjacent property's listing in the US BROWNFIELDS database.

The other directly adjoining and immediately adjacent properties were not listed in any of the environmental records sources reviewed during the course of this assessment.

As viewed from public access points during the November 12, 2009 site reconnaissance, no notable observations or concerns were recorded as related to any evidence of CERCLA hazardous substances or petroleum products and/or their derivatives, unidentified substances, unidentified containers, or storage tanks as associated with the exterior view of any of the properties directly adjoining and immediately adjacent to the Subject Property. There were no visible signs of soil staining, illicit discharges, chemically stressed vegetation, or chemical or petroleum odors associated with their exterior view.

While the former western adjacent printing company presents an environmental consideration, its does not qualify as a REC. Conditions are not known to presently exist at any of the Subject Property's directly adjoining or immediately adjacent properties, which indicate an existing release, a past release, or a material threat of release of CERCLA hazardous substances or petroleum products and/or their derivatives, in greater than de minimus conditions.

Therefore, no RECs or historical RECs, in connection with the directly adjoining and immediately adjacent properties, have been discovered during the course of records review, interviews or site reconnaissance activities conducted in conjunction with this Phase I ESA. The risk of environmental contamination from these properties is low.

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Broader Vicinity

Miscellaneous Sites of Interest:

The following property uses of environmental interest have been historically located within the broader vicinity of (within the same city block as) the Subject Property. Each site's location is situated geophysically proximal (up-gradient and/or cross-gradient, and at a higher or equal elevation) to the Subject Property.

- A former grain, lime and cement facility, to the north.
- A former steam laundry, to the north,
- Two former black smiths facilities, to the north.
- A former vulcanizing facility, to the north.
- A former battery tire and service facility, to the north.
- A former printing store, to the north.
- A former gas and electric light company with offices and workroom, to the northeast.
- A former telephone or telegraph company battery room, to the northeast.
- A former paint store, to the northeast.
- A former cleaning and pressing facility (i.e. Royal Cleaners), to the east.

Any contamination, which may be associated with these properties, has the potential to migrate to the Subject Property. However, conditions do not presently exist to indicate an existing release, a past release, or a material threat of release, of CERCLA hazardous substances or petroleum products and/or their derivatives, in greater than de minimus conditions.

Therefore, while an environmental consideration exists as associated with the above-listed miscellaneous sites of interest, this consideration does not qualify as an REC. The risk of contamination from these sites is low.

Environmental Records Sources:

- **202, 203 and 205 West Broad Street (MAP ID #'s B-4, B-5, B-6 and B-7):** Situated south-southwest of, cross-gradient to, and at an approximate equivalent elevation with, the Subject Property, these neighboring properties were listed in the TX BROWNFIELDS and/or US BROWNFIELDS databases. However, conditions do not presently exist which indicate an existing release, or a material threat of release, of CERCLA hazardous substances or petroleum products and/or their derivatives, in greater than de minimus conditions.

  Therefore, an environmental consideration exists as associated with the sites located at 202, 203 and 205 West Broad Street, but this consideration does not qualify as an REC. The risk of contamination from these properties is low.

- **Mabel Bryan Morriss Building (MAP ID# C-8):** This site, listed at 124 West Broadway, may be located either two buildings to the west of the Subject Property, as

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indicated by its street address, or may be located approximately 0.03 mile (153 feet) east of the Subject Property as suggested in the environmental records sources. In either case, the site is situated cross-gradient to, and at an approximate equal elevation with, the Subject Property. The site is listed in the US BROWNFIELDS database. However, conditions do not presently exist which indicate an existing release, or a material threat of release, of CERCLA hazardous substances or petroleum products and/or their derivatives, in greater than de minimus conditions.

Therefore, an environmental consideration exists as associated with the Mabel Bryan Morriss Building, but this consideration does not qualify as an REC. The risk of contamination from this site is low.

- **Vacant Ruth Building (MAP ID# C-9):** This site, listed at 120 West Broadway, may be either the Subject Property's directly adjoining western neighbor as indicated by its street address, or may be located approximately 0.03 mile (169 feet) east of the Subject Property as suggested in the environmental records sources. In either case, the site is situated cross-gradient to, and at an approximate equal elevation with, the Subject Property. The site is listed in the US BROWNFIELDS database. However, conditions do not presently exist which indicate an existing release, or a material threat of release, of CERCLA hazardous substances or petroleum products and/or their derivatives, in greater than de minimus conditions.

  Therefore, an environmental consideration exists as associated with the vacant Ruth Building, but this consideration does not qualify as an REC. The risk of contamination from this site is low.

- **T R A H C Building (MAP ID# D-11):** Situated northwest of, cross-gradient to, and at an approximate equivalent elevation with, the Subject Property, this site was listed in the LPST database. It's case has been closed by the TCEQ, however, signifying that it's issues have been resolved. Therefore, although this former LPST site qualifies as a historical REC, conditions do not presently exist which indicate an existing release, or a material threat of release, of CERCLA hazardous substances or petroleum products and/or their derivatives, in greater than de minimus conditions.

  Therefore, a historical REC and current environmental consideration exists with respect to the T R A H C Building, but this consideration does not qualify as a current REC. The risk of contamination from this site is low.

- **Former Twin City Cab Company (MAP ID# D-12):** Situated northwest of, cross-gradient to, and at an approximate equivalent elevation with, the Subject Property, this site was listed in the TX UST database. However, conditions do not presently exist which indicate an existing release, or a material threat of release, of CERCLA hazardous substances or petroleum products and/or their derivatives, in greater than de minimus conditions.

  Therefore, an environmental consideration exists as associated with the former Twin City Cab Company, but this consideration does not qualify as an REC. The risk of contamination from this site is low.

- **Vacant lot at 301 West Broad Street (MAP ID# 13):** Situated cross-gradient to, and at an approximate equal elevation with, the Subject Property, this site was listed in the

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US BROWNFIELDS database. However, conditions do not presently exist which indicate an existing release, or a material threat of release, of CERCLA hazardous substances or petroleum products and/or their derivatives, in greater than de minimus conditions.

Therefore, an environmental consideration exists as associated with the vacant lot at 301 West Broad Street, but this consideration does not qualify as an REC. The risk of contamination from this site is low.

- **Garner Cleaners (MAP ID# 23):** Situated northwest of, cross-gradient to, and at a higher elevation than, the Subject Property, this site appears in the TX DRYCLEANERS registry. However, conditions do not presently exist which indicate an existing release, or a material threat of release, of CERCLA hazardous substances or petroleum products and/or their derivatives, in greater than de minimus conditions.

  Therefore, an environmental consideration exists as associated with Garner Cleaners, but this consideration does not qualify as an REC. The risk of contamination from this site is low.

- **Texarkana Central Office (MAP ID# 27):** Situated north of, up-gradient to, and at a higher elevation than, the Subject Property, this site is listed in the TX UST database. However, conditions do not presently exist which indicate an existing release, or a material threat of release, of CERCLA hazardous substances or petroleum products and/or their derivatives, in greater than de minimus conditions.

  Therefore, an environmental consideration exists as associated with the Texarkana Central Office, but this consideration does not qualify as an REC. The risk of contamination from this site is low.

- **Beal's Service (MAP ID# I-33):** Situated north of, up-gradient to, and at a higher elevation than, the Subject Property, this site was listed as a LPST site. It's case has been closed by the TCEQ, however, signifying that it's issues have been resolved. Therefore, although this former LPST site qualifies as a historical REC, conditions do not presently exist which indicate an existing release, or a material threat of release, of CERCLA hazardous substances or petroleum products and/or their derivatives, in greater than de minimus conditions.

  Therefore, a historical REC and current environmental consideration exists with respect to Beal's Service, but this consideration does not qualify as a current REC. The risk of contamination from this site is low.

- **999 Station (MAP ID# I-34):** Situated north of, up-gradient to, and at a higher elevation than, the Subject Property, this site was listed as a LPST site. It's case has been closed by the TCEQ, however, signifying that it's issues have been resolved. Therefore, although this former LPST site qualifies as a historical REC, conditions do not presently exist which indicate an existing release, or a material threat of release, of CERCLA hazardous substances or petroleum products and/or their derivatives, in greater than de minimus conditions.

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Therefore, a historical and current environmental consideration exists with respect to 999 Station, but this consideration does not qualify as a current REC. The risk of contamination from this site is low.

- **Former Texarkana Wood Preserving Company (MAP ID# 35):** This NPL site is not located geophysically proximal to the Subject Property, and it is unlikely that the site's contamination would have migrated up-gradient to the Subject Property. However, the site's former creosote and PCP wood treatment operations are reported to have contaminated more than 16-million gallons of groundwater within one mile of the Subject Property, and the basement of the Subject Property is currently water-filled with reports indicating that the source may be a natural groundwater spring. The depth and direction of flow for the groundwater directly associated with the Subject Property have not been formally documented. And, the potential contaminants from the NPL site are of such a nature that their potential presence, however slight it may be, should not be overlooked.

  The NPL site associated with the former Texarkana Wood Preserving Company presents an environmental consideration for the Subject Property, but it does not qualify as an REC under the ASTM definition.

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9.0 Conclusions

In closing, having completed the careful review and analysis of assorted environmental, public and historical records associated with the Subject Property and its vicinity, in conjunction with the site reconnaissance and the various interviews conducted during the course of this assessment, the following conclusion is presented:

> We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527 of 116 West Broad Street, Texarkana, Texas 75501-5609, the Property. Any exceptions to, or deletions from, this practice are described in **Section 10** of this report. This assessment has revealed no evidence of recognized environmental conditions in connection with the Property.

Additional environmental concerns may have been noted during the course of this assessment that did not qualify as recognized environmental conditions as defined by ASTM Practice E 1527. If, in the opinion of the environmental professional(s) who performed this assessment, the additional environmental concerns (if any) warrant further consideration, those opinions are presented in **Section 8** of this report.

In addition, any recommendations that may be associated with the RECs mentioned above and/or with other environmental considerations referenced **Section 8**, are beyond the scope of the Phase I ESA under ASTM E 1527. Therefore, such recommendations, if any, have been provided in **Section 11** of this report for reference.

In closing, and as acknowledged by ASTM Practice E 1527, "No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized environmental conditions in connection with a property, and this practice recognizes reasonable limits of time and cost."

No expressed or implied representation or warranty is included or intended in the report, except that the services of URS Corporation were performed, within the limits prescribed by the TCEQ, with the customary thoroughness and competence of our profession.

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10.0 Deviations

Deviations

All deletions and deviations from ASTM Practice E 1527, which were intended and/or encountered during the conduct of this Phase I ESA, are hereby disclosed:

- The full interior of the Subject Property's former Kress Building could not be safely accessed during the November 12, 2009 site reconnaissance. Floors and ceilings were caving in to a water-filled basement. As a result of the limited access, the building's first floor (ground level) and basement were not thoroughly inspected beyond the first twenty feet inside the south entrance. The structure's second and third floors and roof were not directly accessed or inspected for the same reason. The inspection of these levels was limited to views across the ground level room from near the south entrance, its additional views to/through the upper levels and the basement via holes in the ground level ceiling and floor. Additional inspection of the upper floor was conducted via the review of City-provided photographs taken in 2003, and the review of aerial photography with distant views of the facility's roof.
- There were no other deletions or deviations from ASTM Practice E 1527 during the conduct of this Phase I ESA.

Data Gaps

According to ASTM Practice E 1527, a data gap is a lack or inability to obtain information required by this practice, despite good faith efforts by the environmental professional to gather such information. Data gaps may result from incompleteness in any of the activities required by this practice, including, but not limited to site reconnaissance and interviews. A data gap is only significant; however, "if other information and/or professional experience raises reasonable concerns involving the data gap."

All significant data gaps encountered during the conduct of this Phase I ESA, which may influence the assessment findings, opinions or conclusion, are hereby disclosed:

- The full interior of the Subject Property's former Kress Building could not be safely accessed during the November 12, 2009 site reconnaissance. This limiting condition represents a significant data gap, which could influence the findings, opinions and/or conclusion of this assessment.
- No other significant data gaps, as defined in ASTM Practice E 1527, were encountered during the conduct of this Phase I ESA, which could influence the outcome of the assessment for the Subject Property.

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11.0 Additional Services

Any additional services, as defined in ASTM Practice E 1527, that were performed during the conduct of the Phase I ESA, are hereby disclosed:

- No additional services were conducted during the course of this assessment.

Any further recommendations for additional services, beyond the scope of this Phase I ESA under ASTM Practice E 1527, are also presented below.

- Additional information concerning the adjoining western property at 120 W. Broad Street may be revealed in that property's Phase I ESA, reported to have been completed in 2007. The report could reveal findings applicable to the Subject Property, which may not have been otherwise captured herein. If the assessment of the western adjoining property was conducted with the assistance of public funding, a copy of the report may be available through a freedom of information act request. If available, review of the report's findings and recommendations is recommended. Additional reports may be similarly available for the following properties located within the vicinity of the Subject Property, as detailed in **Table 1**, including MAP ID #'s: B-4, B-5, B-6, B-7, V-8, C-9, C-10, 13, and 17.
- It is recommended that the flooded basement be promptly pumped out and that the intruding water source be abated (i.e., seal basement walls, repair sump pump, etc.) to prevent accidental drowning should there be a breach of facility security.
- It is recommended that, prior to removing the water from the Subject Property's basement for discharge or alternate treatment and disposal, the water first be evaluated and tested as appropriate to determine its potential contamination with: paints and solvents (paints storage); acid/corrosivity and lead (batteries storage); oils and PCBs (former elevators); asbestos and lead (building materials debris); sulfur (batteries storage, and former vulcanizing facility in the northern broader vicinity); creosote, PCPs, dibenzofuran, naphthalene, anthracene and phenanthrene (southern NPL site); printing inks and solvents (printing companies at the directly adjoining western property and within the northern broader vicinity); and dry cleaning solvents (former cleaners in the eastern and northern broader vicinity). It is also recommended that appropriate discharge permit(s) be obtained, if required, and qualified vendors be utilized for the sampling and analysis, removal, transport, discharge, and/or alternate treatment/ disposal efforts.
- It is recommended that the accessible containers of hazardous materials observed within the Subject Property's ground level interior be properly characterized, containerized, and disposed, utilizing qualified vendors and providing them with appropriate forewarning concerning the building's interior condition.
- It is recommended that the facility be promptly demolished to prevent injury or accidental death should there be a breach of facility security.
- It is recommended that prior to building repairs, renovation or demolition, that a full-scale asbestos survey and lead-based paint survey be conducted. Due to the

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building's present condition, however, appropriate survey/sampling may not be safely possible. It is recommended that if surveys cannot be properly conducted prior to work, that appropriate disclosures be made to and variances and/or further instruction be obtained from ruling state, federal and local regulating entities.

- It is recommended that, prior to disposing of building materials from the Subject Property, that the materials be categorized and segregated for appropriate testing (if not already done) prior to disposal. It is recommended that only qualified vendors participate in the work.

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12.0 References

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13.0 Signatures of Environmental Professional(s)

In accordance with ASTM Practice E 1527, we declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental professional, as defined in Section 312.10 of 40 CFR 312.

We have the specific qualifications based on education, training, and experience to assess a property of the nature, history and setting of the Subject Property. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR 312.

Ronda Derk

Ronda D. Derk

(Records Review, Site Visit, Interviews and Report Preparation)

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14.0 Qualification(s) of Environmental Professional(s)

ASTM Practice E 1527 defers to 40 CFR 312, U.S. EPA's all appropriate inquiries (AAI) rule, to define an environmental professional qualified to conduct a Phase I ESA.

To ensure the quality of all appropriate inquiries, the U.S. EPA's AAI rule includes specific licensing and/or education and experience requirements for the environmental professional.

According to Section 312.10 of 40 CFR 312, an *environmental professional* is defined as "someone who possesses sufficient specific education, training, and experience necessary to exercise professional judgment to develop opinions and conclusions regarding conditions indicative of releases or threatened releases on, at, in, or to a property, sufficient to meet the objectives and performance factors in [the rule]." This person must: "[1] have a current Professional Engineer's or Professional Geologist's license or registration from a state, tribe or U.S. territory (or the Commonwealth of Puerto Rico) and has the equivalent of three years of full-time relevant work experience; [**or** (2)] be licensed or certified by the federal government, a state, tribe or U.S. territory (or the Commonwealth of Puerto Rico) to perform environmental inquiries as defined in the rule and has the equivalent of three years of full-time relevant work experience; [**or** (3)] have a Baccalaureate or higher degree from an accredited institution of higher education in a discipline of engineering or science and the equivalent of five years of full-time relevant work experience; [**or** (4)] have the equivalent of ten years of full-time relevant work experience."

The qualifications of the environmental professional(s) who participated in the conduct of the Phase I ESA for the Subject Property at 116 West Broad Street, Texarkana, Texas 75501-5609, have been presented in **Appendix N** for reference.

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Submitted Kress Building Questions

1. "Why would the former council accept this liability?" No assumptions can be made for the purpose of accepting this building, other than that it was a public nuisance and in writing we have confirmed that the original intent was to tear it down.

2. "Was it an attempt to salvage a historically significant structure?" No, when the council accepted the donation of the building, it was to "demolish the structure removing the building as an eyesore and potential public health and safety risk" per a memo from Craig Lindholm, Executive Director of Community Redevelopment and Grants for the City of Texarkana, Texas to the city manager, dated May 14, 2009.

3. "Why isn't any of information in your packet?"

   There is extensive information available (21 documents total) in the packet including the recommendation memo and the Council resolution regarding the acquisition of the building.

4. "The former city council didn't accept this building with a liability to tear it down so why would this council be so quick to take on this substantial fiscal liability?"

   The city owns this building, and is therefore liable for any harm or damage it may cause to people or other buildings. Ignoring the problem and taking no action will not relieve the city of this fiduciary responsibility. The property has been an issue for the Texarkana community since 1979, and publicly owned since 2009.

   No assumptions can be made for the purpose of accepting this building, other than that it was a public nuisance and in writing we have confirmed that the original intent was to tear it down.

5. "Staff says all funding options have been exhausted; however, does NOT include any denial letters or applications."

   The 2009 Texas Historical Commission response to eligibility is included in the packet that could have allowed an application for the building to be placed on the National Register for state and federal historic tax credit eligibility if a purchaser was identified. However, no potential purchasers have come forward in 6 years and THC has recently suggested a re-review of the case to determine if the structure is still eligible given the current condition.

Denial emails regarding use of EPA Brownfields program grant funds in 2012 and 2015 are now included in the packet material.

6. "Has the city conducted an engineering study to discuss the live spring under the building and the cost?"

   October 2012- City hired structural engineering firm, Raley and Associates, to determine options for next steps related to the building. After inspection, the firm reported "the structure appears to be unstable and needs to be demolished as soon as possible." The existence of a "live spring" was not listed in their report.

   November 2014 – Patterson Engineering did a preliminary inspection of the building's structural integrity. Again, the existence of a "live spring" was not listed in the report.

7. "Why is the Morrissey letter not in the packets, nor on the website?"

   The Morrissey letter was linked and accessible from the website. However, when printed the Morrissey letter was omitted from the IQM2 software for Council agenda packets. A new PDF version of the Morrissey letter has been included that will resolve the printing issue.

8. Most importantly, has the city asked the community about their feelings?"

   Public feedback and transparency is essential throughout any City process. For this reason, the Council agenda is set by default to discuss this agenda item and any other agenda items at 4 separate Council meetings which occur generally over a 2 month timeframe. This format allows multiple opportunities for the public to express comments or concerns over any public action including this item.

9. "How does the city explain the expenditure of $300k from the fund balance on one building when there are city residents who are forced to live next to partially burned and collapsed residential homes?"

   The city owns this building, and is therefore liable for any harm or damage it may cause to people or other buildings. The residential homes on the city's demolition list are almost solely privately owned properties (2 out of 300+ properties are city owned).

10. "When the council opens the fund balance up to demolition of this building, how does the city address all the other neglected structures in Texarkana?

This building is publicly owned and has a structural engineering report from 2012 that states "the structure appears to be unstable and needs to be demolished as soon as possible." Furthermore, the city has received complaints regarding pieces of the façade falling onto the public sidewalk below and a flooded basement that negatively impacts adjacent property owners. The City is liable for any harm or damage it may cause to people or other buildings and therefore it is considered a high priority.

What makes this building more unstable than others and who decides? Is there a process? Instead of spending 300k, the city could be forced to spend $3 million on several other buildings."

Structural engineers are qualified professionals that can comment and make recommendations regarding stability.

The City owns two other vacant buildings in downtown Texarkana (203/205 W Broad & 219 Elm Street) and both qualify for EPA Brownfield program funding. Staff is actively working with funded EPA Brownfield grants to assess and remediate these properties. With grant funding in place, staff does not anticipate general funds will be needed for the cleanup of these properties.

Although past mistakes cannot be undone, current staff will be required to provide proof of funding options prior to acquiring additional properties for cleanup.

5. "If you can't answer these questions how do you justify spending $300k out of the fund balance?"

   See answers 1-10.

Kress Bldg, 116 West Broad Str, Texarkana, Tx

Concerns and general approaches to problem –

A- Immediate
A.1)- Cover over Letters "Kress" on front of building
A.1.1)- Parts of façade has fallen off over the years
A.1.2)- Corrective action – need to remove remaining cover before any more breaks off and falls

A.2)- Canopy on front of building:
A.2.1)- The canopy skin has weathered and deteriorated, structural frame appears sound, material from above has fallen through the canopy
A.2.2)- Corrective action – remove the canopy skin etc before it falls

B- Long Term
B.1)- Front façade of building (not sure if original or later remodel):
B.1.1)- The main structural frame with secondary frame that support the façade are/have given way due to weathering/age. The façade panels are cracking along stress lines developed in the main/secondary frame system.
B.1.2)- Corrective action –
B.1.2.a)- Restore and weatherize the main/secondary frame system, i.e. new roof over building or enclose backside of facades secondary support system.
B.1.2.b)- Repair the façade attachment to the secondary frame system, remove and replace broken panels etc. Stressed brick veneer should also be removed and replaced.

B.2)- Interior main structural frame (probably cast steel/iron) with wood joist floor and roof
B.2.1)- Most all of wood joist and framing has deteriorated from exposure to elements. Most all of roof, and interior floors are gone. Rain is accumulating in basement.
B.2.2)- Corrective action –
B.2.2.a)- Remove debris; replace roof, interior floors and IRAN brick veneer and façade.

B.3)- Water in basement penetrating adjoining basement
B.3.1)- Lack of roof allowing rain to be captured in basement.
B.3.2)- Corrective action, stop all rain from entering basement - two options –
B.3.2.a)- Replace roof, wall and window leaks – without rebuilding interior floors, only a shell;
B.3.2.b)- Remove all debris, clean out basement, and fill basement with plastic soil, and then cover with impermeable cap. Remove north and south walls and sidewalls down to adjoining building sidewall height, or Stabilize north and south walls and sidewalls, or some other combination.

B.4)- Most economical approach would be to B.3.2.b above. This is going to be costly because of building location, basement, multi-story, and connection to the adjoining buildings. But it will be more costly to restore the building or restore the building shell.

DRAFT NOTES

Attachment: Patterson Eng Draft Notes (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

ORDINANCE NO. 2015-038

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGET EXPENDITURES IN AN AMOUNT NOT TO EXCEED $300,000 TO ISSUE A REQUEST FOR PROPOSALS TO OBTAIN OPTIONS RELATED TO THE KRESS BUILDING LOCATED AT 116 WEST BROAD STREET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2015; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in 2009, the City acquired the property from the Bi-State Women's Center, Inc as a donation through Ordinance No. 073-2009; and

WHEREAS, the property has deteriorated to the point that it has impacted adjacent property owners and the building's front sidewalk has been barricaded since November 2014 due to public safety concerns resulting from falling debris; and

WHEREAS, a structural engineering report conducted by Raley and Associates stated that the building structure appears to be unstable; and

WHEREAS, staff has researched various funding options and have exhausted all current grant sources. Furthermore, the Environmental Protection Agency determined that the city cannot use existing assessment or revolving loan fund dollars for the project.

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

SECTION 1: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2014, and ending September 30, 2015, be amended to reflect additional expenditures appropriated in an amount not to exceed $300,000 to issue a request for proposals to obtain options related to the Kress Building located at 116 West Broad Street.

SECTION 2: That a copy of said amended final adopted budget shall be placed on the City's website.

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.

Attachment: Ord. 2015-038 amended signed [Revision 1] (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

SECTION 5: This Ordinance shall be in full force and effect from and after its passage and approval, and after the adoption of this budget or budget amendment, budget officer shall provide for the filing of a true copy of the approved budget or amendment on the City's website.

PASSED AND APPROVED in Regular Council Session on this the **26th day of May, 2015**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:32 p.m.

Attachment: Ord. 2015-038 amended signed [Revision 1] (1292 : Ord. No. 2015-038 Budget Amendment for 116 W. Broad Building Demolition)

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 5/19/2015 1:23 PM

Lead Department: Planning and Community Development **Action Officer:** Shawna Watkins,

Subject: Ordinance No. 2015-051 rezoning the East 1/2 of Lot 11 and all of Lot 12, Block 47, Grandview Addition, located at 3608 Jones Street. Single Family-3 to Planned Development-Neighborhood Service. Kimberly Westley, applicant.

Briefing: 6/22/2015	**Public Hearing:**	6/8/2015	**Second Briefing:**	June 22, 2015	**Council Vote:** 7/13/2015

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

Updates/History of Briefing:

Executive Summary and Background Information:

Z-15-6: This is a request by Kimberley Westley, owner, to rezone the east ½ of Lot 11 and all of Lot 12, Block 47, Grandview Addition, located at 3608 Jones Street from Single Family-3 to Neighborhood Service. This property is currently vacant land. The proposed use is a hair salon.

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

The Comprehensive Plan has designated as a low density residential area.

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

At the Planning and Zoning Commission meeting, the applicant agreed to change the application to include the Planned Development designation.

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

This area is a single family residential neighborhood. There are no business zoned properties in the immediate area. There are several churches, a kindergarten school and a couple of non-conforming uses in the Grandview area. A hair salon could be considered as a “service to neighborhood” and not be a highly intrusive type business. However, other uses that may not be as desirable are allowed in the Neighborhood Service zoning district. The Comprehensive Plan has designated this property as a low density residential area. Therefore, staff recommends for denial of this request.

City of Texarkana, Texas

Advisory Board/Committee Review:
Planning and Zoning Commission

Board/Committee Recommendation:
The Planning and Zoning Commission unanimously recommended for approval to Planned Development-Neighborhood Service. The applicant agreed to amend the application to include the Planned Development designation.

Advisory Board/Committee Meeting Date and Minutes:
May 4, 2015

Attachments

a. Ord. # 2015-051 (DOCX)
b. Goals & Perspectives (DOCX)
c. Maps for Ordinance #2015-051 (PDF)

Staff Coordination

Planning and Community Development		David Orr	Department Head Review	
	Completed	05/14/2015 2:13 PM		
Assistant City Manager		Shirley Jaster	Assistant City Manager	
Review	Completed	05/18/2015 4:15 PM		
Public Information Officer		Lisa Thompson	PIO Review	Completed
	05/18/2015 4:16 PM			
City Manager	John Whitson	City Manager Review	Completed	05/19/2015
1:25 PM				
City Council	Jennifer Evans	Meeting	Completed	05/26/2015
6:00 PM				

Meeting History

ORDINANCE NO. 2015-051

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 EAST ONE-HALF OF LOT 11 AND ALL OF LOT 12, BLOCK 47, GRANDVIEW ADDITION, LOCATED AT 3608 JONES STREET IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM SINGLE FAMILY-3 TO PLANNED DEVELOPMENT-NEIGHBORHOOD SERVICE; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone the east one-half of Lot 11 and all of Lot 12, Block 47, Grandview Addition, located at 3608 Jones Street in the City of Texarkana, Bowie County, Texas, from **Single Family-3 to Neighborhood Service;** and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas **voted six (6) to zero (0) to recommend the application for rezoning** from **Single Family-3 to Planned Development-Neighborhood Service** 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-Neighborhood Service;** 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 S**ingle Family-3 to Planned Development-Neighborhood Service** 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 east one-half of Lot 11 and all of Lot 12, Block 47, Grandview Addition, located at 3608 Jones Street in the City of Texarkana, Bowie County, Texas, from **Single Family-3 to Planned Development-Neighborhood Service.**

Attachment: Ord. # 2015-051 [Revision 3] (1308 : Ord #2015-051 rezoning 3608 Jones St. SF-3 to PD-NS)

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 **13th day of July, 2015.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: Ord. # 2015-051 [Revision 3] (1308 : Ord #2015-051 rezoning 3608 Jones St. SF-3 to PD-NS)

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:

NA

Resource Impact:

NA	Select One By Clicking Here

Other Potential Impacts:

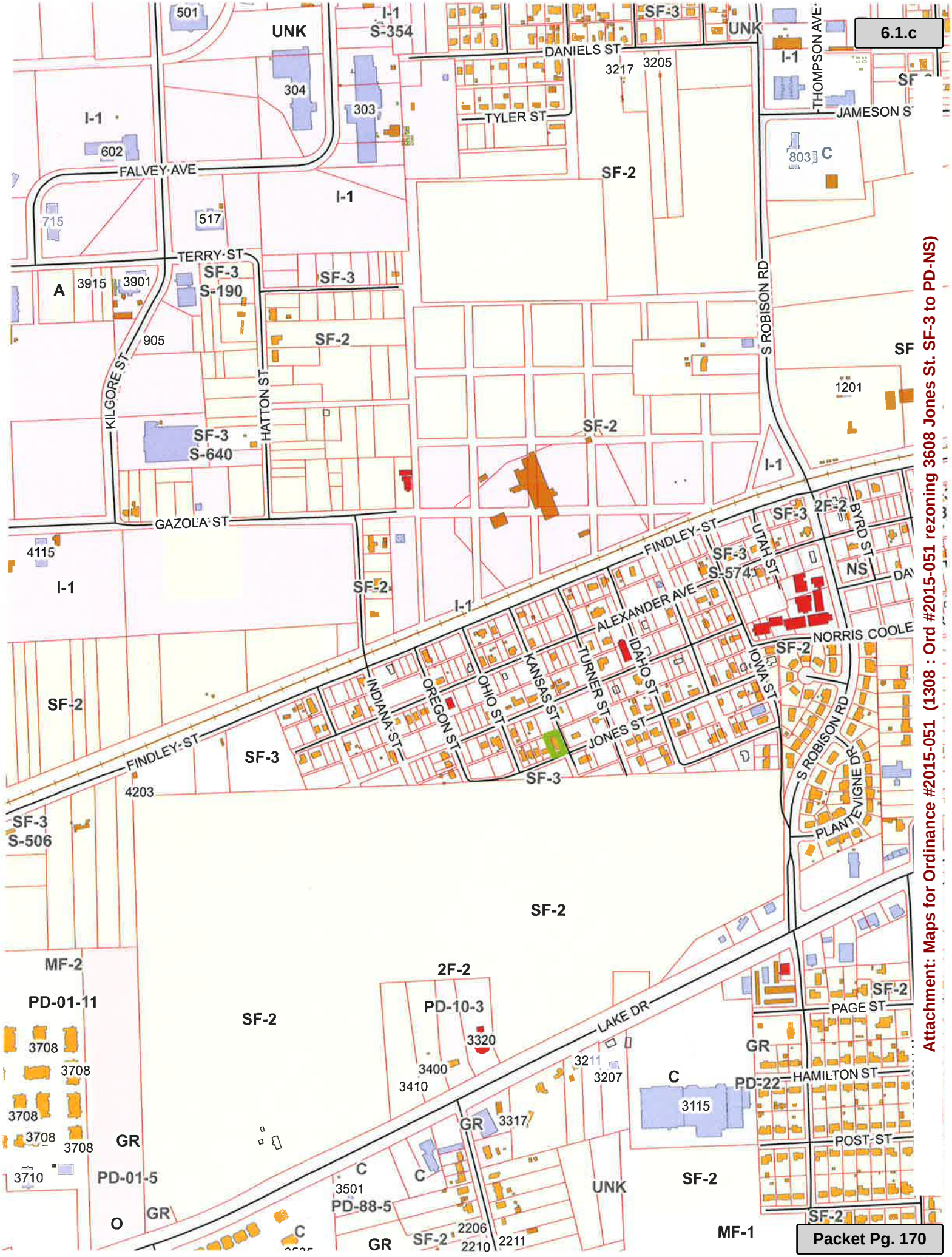
NA

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: Goals & Perspectives (1308 : Ord #2015-051 rezoning 3608 Jones St. SF-3 to PD-NS)



Attachment: Maps for Ordinance #2015-051 (1308 : Ord #2015-051 rezoning 3608 Jones St. SF-3 to PD-NS)

Attachment: Maps for Ordinance #2015-051 (1308 : Ord #2015-051 rezoning 3608 Jones St. SF-3 to PD-NS)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 5/19/2015 1:22 PM

Lead Department: Planning and Community Development **Action Officer:** Shawna Watkins,

Subject: Ordinance No. 2015-052 rezoning a 4.6 acre tract (Tract 57) located in the G. Brinlee HRS, A-18, located in the 4700 block of McKnight Road. Planned Development-Office to Planned Development-General Retail. Ralph and Tammy McDowell, applicants. Caleb Pittman, agent.

Briefing:	5/26/2015	**Public Hearing:**	6/8/2015	**Second Briefing:**	June 22, 2015	**Council Vote:**	7/13/2015

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

Updates/History of Briefing:

Executive Summary and Background Information:

Z-15-7: This is a request by Ralph and Tammy McDowell, owners, and Caleb Pitman, agent, to rezone a 4.6 acre tract of land (Tract 57) located in the G. Brinlee HRS, A-18, located in the 4700 block of McKnight Road from PD-Office to PD-General Retail. The proposed use of the property is an indoor family event center. This property is currently vacant land.

The adjacent zoning is SF-3 and PD-General Retail to the north, Agriculture to the west, Agriculture and PD-General Retail to the south and PD-General Retail to the east. The adjacent land usage is an office, residence and vacant land to the north, vacant land to the east and residences to the south and west.

The Comprehensive Plan has designated this as an Office/Institutional area.

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

McKnight Road has become a heavily traveled east-west corridor from Pleasant Grove Road to Richmond Road. Two schools and expanded business and apartment use adjacent to Richmond Road have contributed to this area being a transitional business corridor. There is Planned Development-General Retail zoning to the north, south and east of this tract of land, therefore staff recommends for approval of this rezoning request.

Advisory Board/Committee Review:

City of Texarkana, Texas

Planning and Zoning Commission

Board/Committee Recommendation:
Planning and Zoning Commission unanimously recommended for approval to Planned Development-General Retail.

Advisory Board/Committee Meeting Date and Minutes:
May 4, 2015

Attachments

a. Ord. # 2015-052 (DOCX)
b. Exhibit A (legal descrip) for Ord.# 2015-052(PDF)
c. Goals & Perspectives (DOCX)
d. Maps for Ordinance 2015-052 (PDF)

Staff Coordination

Planning and Community Development		David Orr	Department Head Review	
	Completed	05/14/2015 2:16 PM		
Assistant City Manager		Shirley Jaster	Assistant City Manager	
Review	Completed	05/19/2015 9:08 AM		
Public Information Officer		Lisa Thompson	PIO Review	Completed
	05/19/2015 9:26 AM			
City Manager	John Whitson	City Manager Review	Completed	05/19/2015
1:22 PM				
City Council	Jennifer Evans	Meeting	Completed	05/26/2015
6:00 PM				

Meeting History

ORDINANCE NO. 2015-052

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 4.6 ACRE TRACT OF LAND (TRACT 57) LOCATED IN THE GEORGE BRINLEE HRS, A-18, LOCATED IN THE 4700 BLOCK OF MCKNIGHT ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM PLANNED DEVELOPMENT-OFFICE TO PLANNED DEVELOPMENT-GENERAL RETAIL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone a 4.6 acre tract of land (Tract 57) located in the George Brinlee HRS, A-18 (Exhibit "A"), located in the 4700 block of McKnight Road in the City of Texarkana, Bowie County, Texas, from **Planned Development-Office to 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 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 **Planned Development-Office to Planned Development-General Retail** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Planned Development-Office to Planned Development-General Retail** is in the best interest of the public health, safety, morals and general welfare of the City;

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone a 4.6 acre tract of land (Tract 57) located in the George Brinlee HRS, A-18 (Exhibit "A"), located in the 4700 block of McKnight Road in the City of Texarkana, Bowie County, Texas, from **Planned Development-Office to Planned Development-General Retail.**

Attachment: Ord. # 2015-052 [Revision 1] (1309 : Ord #2015-052 rezoning 4700 blk McKnight Rd. PD-O to PD-GR)

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 **13th day of July, 2015.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: Ord. # 2015-052 [Revision 1] (1309 : Ord #2015-052 rezoning 4700 blk McKnight Rd. PD-O to PD-GR)

Exhibit "A"

All that certain tract or parcel of land being a part of the George Brinlee Headright Survey, A-18, Bowie County, Texas and being all of a 4.60 Acre tract conveyed from Valentine A. Lukas to the International Church of the Foursquare Gospel by deed dated November 26, 1986, recorded in Volume 992, Page 328 of the Real Property Records of Bowie County, Texas an being more particularly described as follows:

BEGINNING at a set 60D nail for corner in the centerline of Gin Road, same being the Northwest corner of the above described 4.60 acre tract of land;

THENCE: N 87° 40' 52" E, with the North boundary line of the above described 4.60 acre tract, 780.60 feet to a set 5/8" rebar for corner at an existing fence corner;

THENCE: S 01° 05' 20" E, with the East boundary line of the above described 4.60 acre tract, same being an existing fence line, 336.58 feet to a set 5/8" rebar for corner on the North right-of-way line of Farm Road No. 1297 (McKnight Rd);

THENCE: S 88° 15' 43" W, with the North right-of-way line of Farm Road No. 1297, 310.00 feet to a set 5/8" rebar for corner;

THENCE: S 89° 02' 43" W, with the North right-of-way line of Farm Road No. 1297, 230.00 feet to a set 5/8" rebar for corner;

THENCE: N 18° 54' 37" W, 316.05 feet to a set 5/8" rebar for corner;

THENCE: S 87° 40' 52" W, 143.18 feet to a set 60D nail for

corner in the centerline of Gin Road;

THENCE: N 02° 23' 15" W, with the centerline of Gin Road, 25.00 feet to the point of beginning, containing 4.603 acres of land, more or less.

Attachment: Exhibit A (legal descrip) for Ord.# 2015-052 (1309 : Ord #2015-052 rezoning 4700 blk McKnight Rd. PD-O to PD-GR)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NA

Resource Impact:

NA	Select One By Clicking Here

Other Potential Impacts:

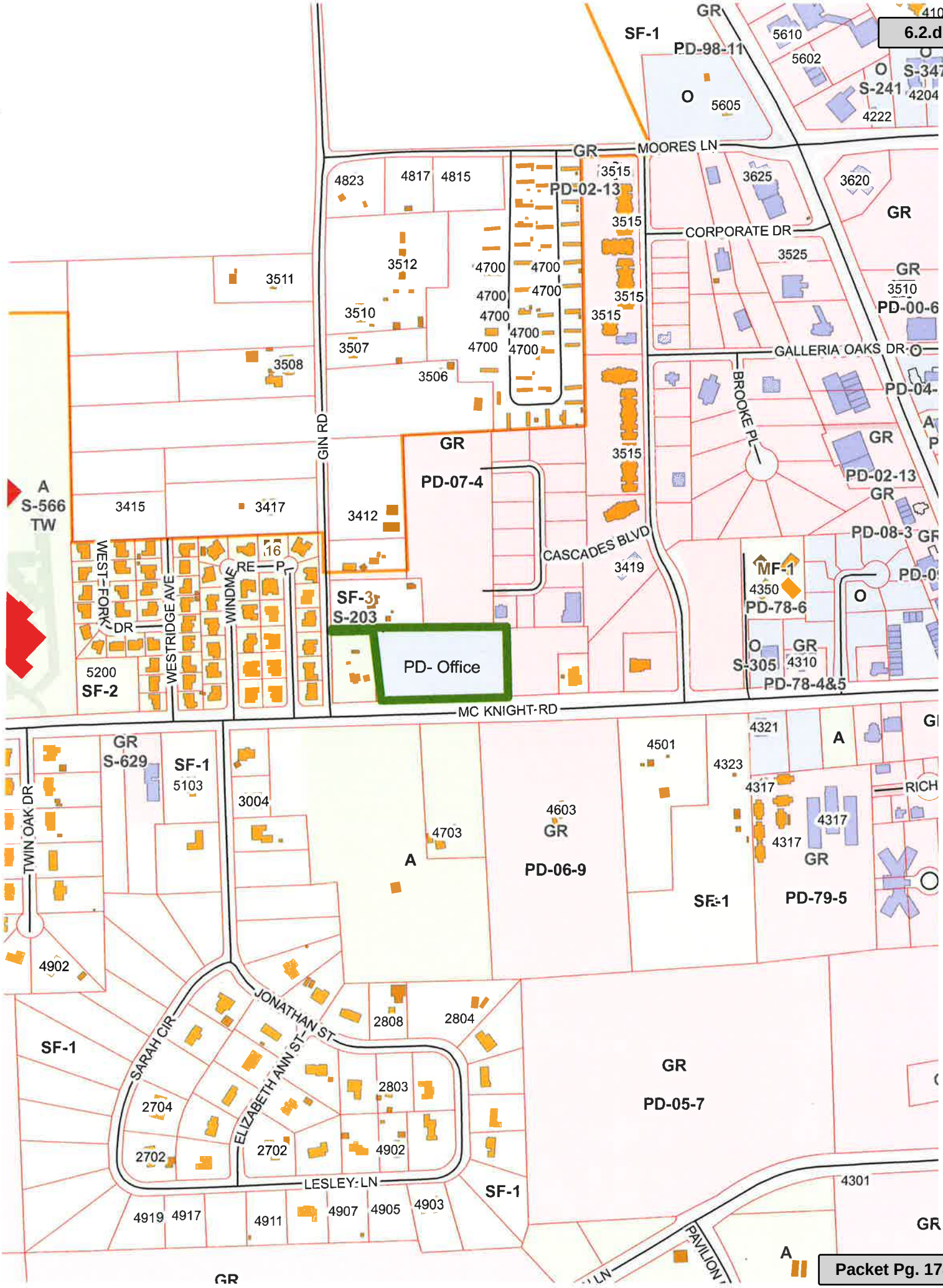
NA

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: Goals & Perspectives (1309 : Ord #2015-052 rezoning 4700 blk McKnight Rd. PD-O to PD-GR)



Attachment: Maps for Ordinance 2015-052 (1309 : Ord #2015-052 rezoning 4700 blk McKnight Rd. PD-O to PD-GR)

Attachment: Maps for Ordinance 2015-052 (1309 : Ord #2015-052 rezoning 4700 blk McKnight Rd. PD-O to PD-GR)

PRELIMINARY SITE PLAN

TEXARKANA, TEXAS

Date	Revision/Description

Drawn By | Checked By | Project No. | Dwg. Date | File No. | Sheet No.

MTG engineers & surveyors

5430 SUMMERHILL RD. | P.O. BOX 5186
TEXARKANA TEXAS 75501
P 903.838.8933 | F 903.832.4700
www.mtgengineers.com

© MTG 2015 TBPE NO. F-354

25,000 ☆
Parking 89 spaces

K:\Clients - Commercial or Residential\Caleb Pittman\McKnight Road.pro
Mon Apr 27, 2015 2:29:14

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 5/21/2015 10:12 AM

Lead Department:	Planning and Community Development	**Action Officer:**	Shawna Watkins,
Subject:	Ordinance No. 2015-053 amendment to PD-79-5(GR) for site plan approval on an approximate 9.74 acre tract of land located in the George Brinlee HRS, A-18, located at 4317 McKnight Road. John Rich, applicant. Kayla Wood, MTG Engineering, agent.		

Briefing:	6/8/2015	**Public Hearing:**	6/8/2015	**Second Briefing:**	June 22, 2015
Council Vote:	7/13/2015				

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

Updates/History of Briefing:

Executive Summary and Background Information:

Amendment to PD-79-5(GR): This is a request by John Rich, owner, and Kayla Wood, MTG Engineering, agent, for site plan approval to allow the expansion of the existing Oaks Assisted Living Facility, located at 4317 McKnight Road (a 9.74 acre tract of land located in the George Brinlee HRS, A-18).

The adjacent zoning is Office, Agriculture and GR to the north, SF-1 to the west, GR to the south and PD-GR to the east. The adjacent land usage is an office and vacant land to the north, vacant land to the south, offices and "The Magnolia" (an Alzheimer's facility) to the east and residences and vacant land to the west.

This site plan and elevations show the following:

1. The construction of a 7,521 square foot building expansion on the south side of the "Memory Care Building" Building exterior will match the current building. 13 parking spaces are shown for this expansion.
2. The construction of a 3,252 square foot future building expansion that is proposed to be located south of the newly proposed expansion listed above. Building exterior will match the current building.
3. The construction of a 2,000 square foot clubhouse. 7 parking spaces are shown.
4. The construction of 17 duplex buildings (34 units) to be located south of the existing facility and existing duplexes. These duplexes show the following:
    - 68 required parking spaces (2 per unit)
    - Brick and vinyl siding exterior
    - 1,970 square footage for each duplex (each unit will be 985 sq. ft in size)
    - Each unit will have a carport
    - Each unit will be 2 bedroom and one bath.
5. Pavement to the new additions will be expanded. See site plan.

6. A lift station is shown to be added for the duplex development. TWU will need to approve all plans.

Because a driveway exit to Richmond Place has not been constructed, only 1 ingress and egress to this whole development exists (off McKnight Road). Staff has concerns that a second ingress/egress should be a requirement before any new addition or new duplex construction begins.

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Staff recommends approval of this request with the following stipulations:

1. The second entry exit be provided at the end of Richmond Place prior to any construction.
2. The clubhouse match existing building exteriors.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

- Second entry/exit be provided at the end of Richmond Place after construction is completed.

Advisory Board/Committee Meeting Date and Minutes:

May 4, 2015

Attachments

a. Ord. # 2015-053 (DOCX)
b. Exhibit A (legal descrip) for Ord. # 2015-053 (PDF)
c. Exhibit B (site plan) for Ord. #2015-053 (PDF)
d. Goals & Perspectives (DOCX)
e. Aerial map of conceptual layout (PDF)
f. Maps for Ord. # 2015-053 (PDF)
g. Floor plan for Phases 1 and 2 (PDF)

h. Phase 1 exterior elevations (PDF)
i. Duplex elevations and floor plan (PDF)
j. Photo of duplex (PDF)

Staff Coordination

Planning and Community Development		David Orr	Department Head Review	
	Completed	05/20/2015 2:55 PM		
Assistant City Manager		Shirley Jaster	Assistant City Manager	
Review	Completed	05/20/2015 3:21 PM		
Public Information Officer		Lisa Thompson	PIO Review	Completed
	05/20/2015 3:22 PM			
City Manager	John Whitson	City Manager Review	Completed	05/21/2015
10:12 AM				
City Council	Jennifer Evans	Meeting	Completed	05/26/2015
6:00 PM				

Meeting History

ORDINANCE NO. 2015-053

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-79-5(GR) FOR SITE PLAN APPROVAL TO ALLOW FOR EXPANSION OF EXISTING BUILDING AND CONSTRUCTION OF A CLUBHOUSE AND DUPLEXES ON A CERTAIN 9.74 ACRE TRACT OF LAND IN THE GEORGE BRINLEE HRS, A-18, LOCATED AT 4317 MCKNIGHT ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the **approval of a site plan (Exhibit "B") to allow for expansion of existing building and construction of clubhouse and duplexes** on a certain 9.74 acre tract of land in the George Brinlee HRS, A-18 (Exhibit "A"), located at 4317 McKnight Road in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously by a vote of six (6) to zero (0) to recommend approval of the petition for the request for the site plan** (Exhibit "B") 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 the approval of the site plan for the above described property is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the site plan (Exhibit "B") submitted to allow for expansion of existing building and construction of a clubhouse and duplexes on a certain 9.74 acre tract of land in the George Brinlee HRS, A-18 (Exhibit "A"), located at 4317 McKnight Road, in the City of Texarkana, Texas, Bowie County, Texas, be and is hereby approved and hereby amends PD-79-5(GR).

SECTION 2: That the following items are shown as part of the expansion and are hereby imposed and made a part of this Ordinance:

1. A 7,521 square foot building expansion on the south side of the "Memory Care Building".
2. A 3,252 square foot future building expansion on the south side of the "Memory Care Building".
3. Construction of a 2,000 square foot clubhouse.
4. Construction of 17 duplex buildings (34 units).
5. Extension of pavement to new additions.
6. Lift station for duplex development.
7. Second entry/exit to be provided at the end of Richmond Place after construction is completed.

Attachment: Ord. # 2015-053 [Revision 3] (1310 : Ord #2015-053 site plan approval for 4317 McKnight Rd.)

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 **13th day of July, 2015.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: Ord. # 2015-053 [Revision 3] (1310 : Ord #2015-053 site plan approval for 4317 McKnight Rd.)

EXHIBIT "A"

PD-79-5(GR)

PROPERTY:

All that certain tract or parcel of land situated in the GEORGE BRINLEE HEADRIGHT SURVEY, Abstract No. 18, Bowie County, Texas, and being a part of that certain 32-1/2 acre tract of land conveyed by J. B. Adkison, et ux, to T. W. Powell, et ux, by Deed dated July 10, 1943, and recorded in Volume 193, Page 317 of the Deed Records of Bowie County, Texas, and also being a portion of a certain 2.00 acre tract and a portion of a certain 2-1/2 acre tract described in Deed from R. E. Williams and wife, Laura Ethel Williams to Ross Tiller, dated July 18, 1945, recorded in Volume 216, Pages 1-2 of the Deed Records of Bowie County, Texas, and the subject tract being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch reinforcing steel rod found for corner at an existing fence corner, being the Southwest corner of the above mentioned 32-1/2 acre tract;

THENCE: North 01 deg. 45 min. 01 sec. West, 800.84 feet along an existing fence line, the West line of said 32-1/2 acre tract, to a 5/8 inch reinforcing steel rod found for corner at an existing fence corner, being the Southwest corner of the above mentioned 2.00 acre tract, which was sold out of the said 32-1/2 acre tract;

THENCE: North 84 deg. 59 min. 42 sec. East, 313.90 feet along an existing fence line, being the South line of said 2.00 acre tract, to a 1 inch pipe found for corner;

THENCE: North 01 deg. 16 min. 15 sec. West, 267.54 feet to a 1 inch iron pipe found for corner in the South right-of-way line of McKnight Road (Texas F. M. Road No. 1297);

THENCE: North 87 deg. 39 min. 29 sec. East, 154.65 feet along the South right-of-way line of McKnight Road to a 1 inch iron pipe found for corner;

THENCE: South 01 deg. 09 min. 50 sec. East, 259.50 feet to a 1 inch iron pipe found for corner;

THENCE: North 85 deg. 09 min. 43 sec. East, 59.94 feet to a 1 inch pipe found for corner;

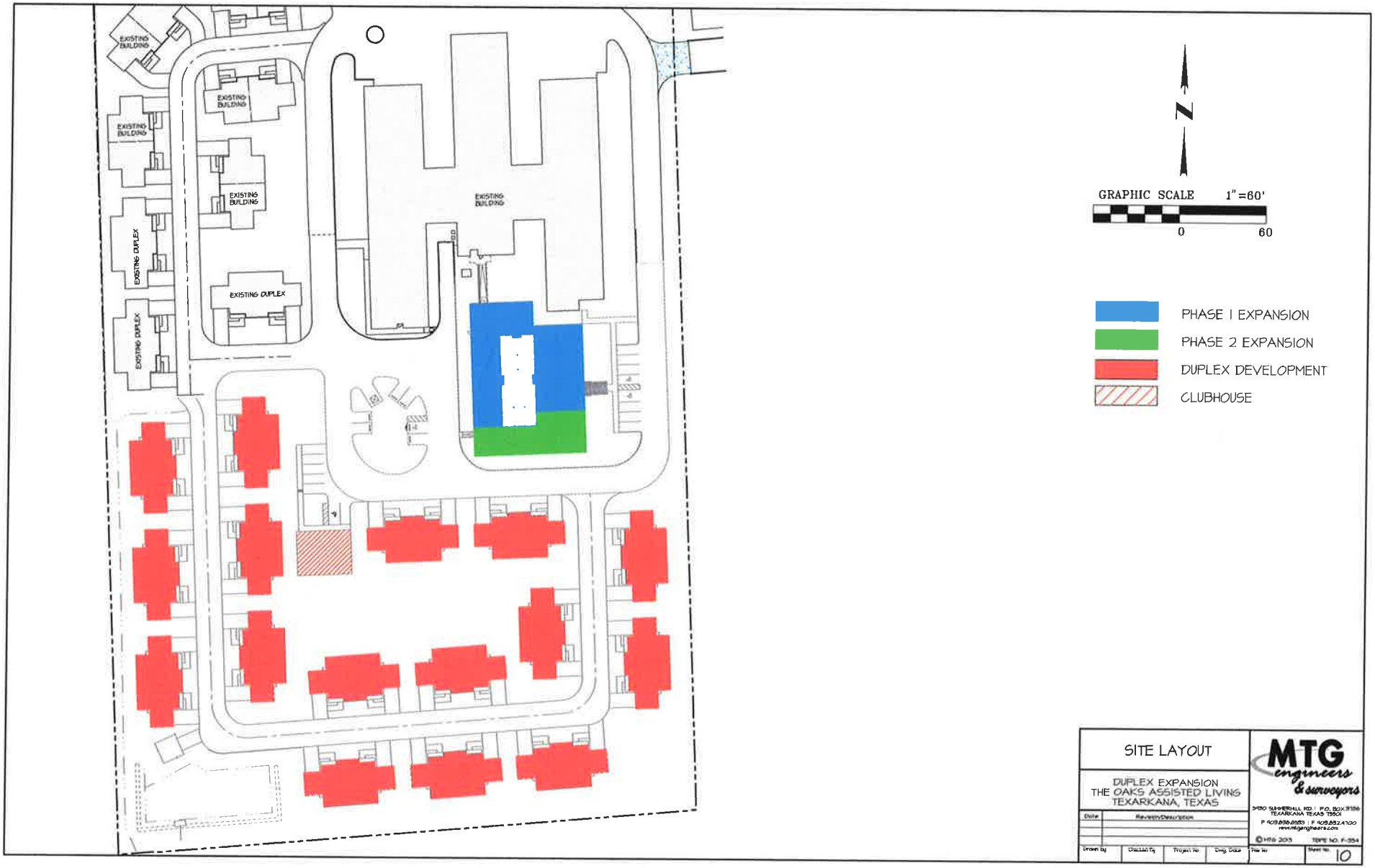
THENCE: South 01 deg. 45 min. 01 sec. East, 808.98 feet to a 1/2 inch reinforcing steel rod set for corner in the South line of said 32-1/2 acre tract;

THENCE: South 85 deg. 48 min. 01 sec. West, 527.95 feet with the South line of said 32-1/2 acre tract, being a line approximately 0.40 feet South of and parallel to the existing fence line, to the POINT OF BEGINNING and containing 10.68 acres of land, more or less.

Save and except the north 0.94 acre tract of land zoned Agriculture (A). Total acreage is 9.74 acres.

Attachment: Exhibit A (legal descrip) for Ord. # 2015-053 (1310 : Ord #2015-053 site plan approval for 4317 McKnight Rd.)

Exhibit "B"



Attachment: Exhibit B (site plan) for Ord. #2015-053 (1310 : Ord #2015-053 site plan approval for 4317

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:

NA

Resource Impact:

NA	Select One By Clicking Here

Other Potential Impacts:

NA

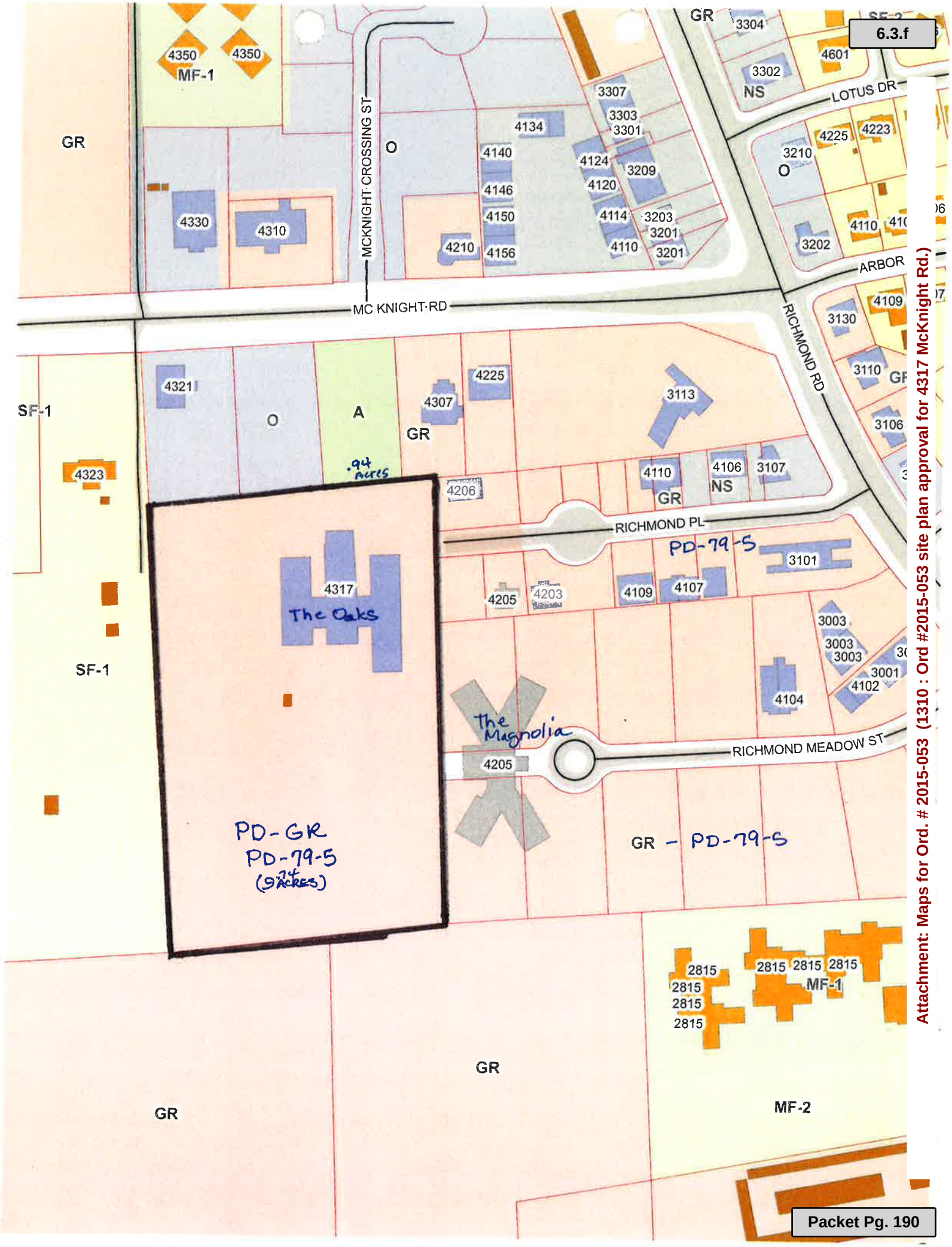
Public Information Plan:

☑	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: Goals & Perspectives (1310 : Ord #2015-053 site plan approval for 4317 McKnight Rd.)

Attachment: Aerial map of conceptual layout (1310 : Ord #2015-053 site plan approval for 4317 McKnight Rd.)



Attachment: Maps for Ord. # 2015-053 (1310 : Ord #2015-053 site plan approval for 4317 McKnight Rd.)

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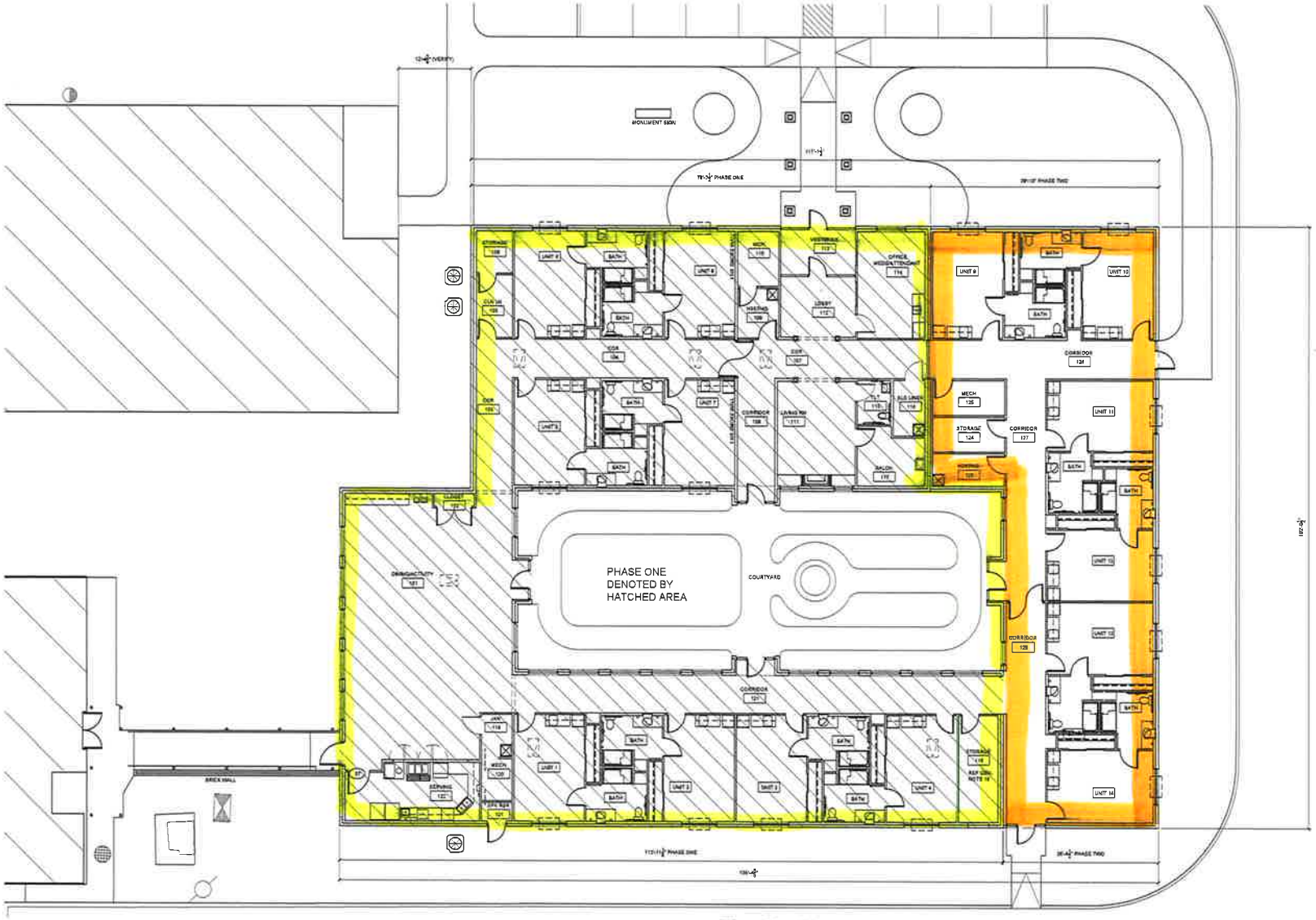

01 Floor Plan Ph 1 & 2
Scale: 1/8" = 1'-0"

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The Oaks Memory Care Addition
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Architects Seal

15 APRIL 2015

Project No. 2014-21 TX

Drawn By:

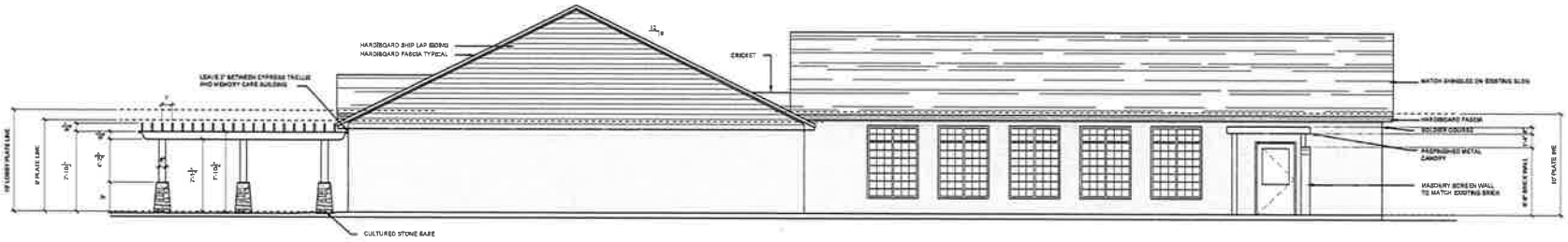
Date: 15 April 2015

Sheet Title:

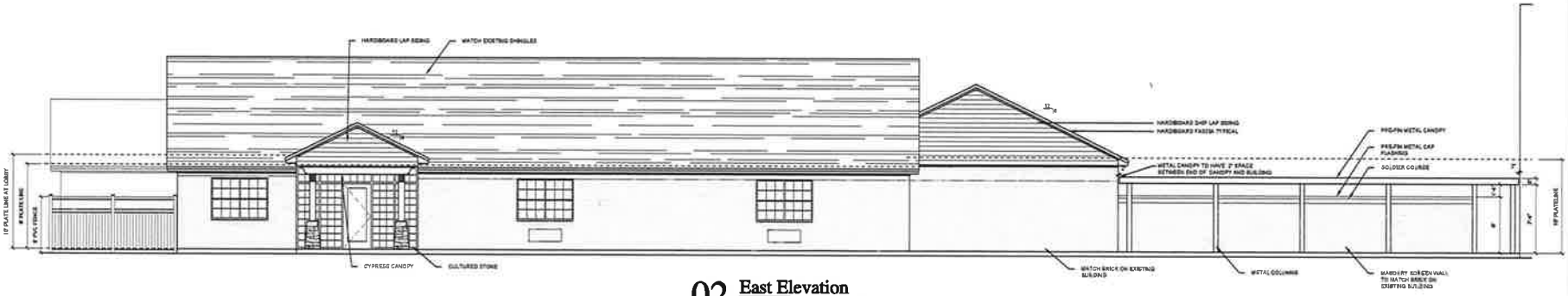
Phase 1 & 2
Floor Plans

Drawing No.

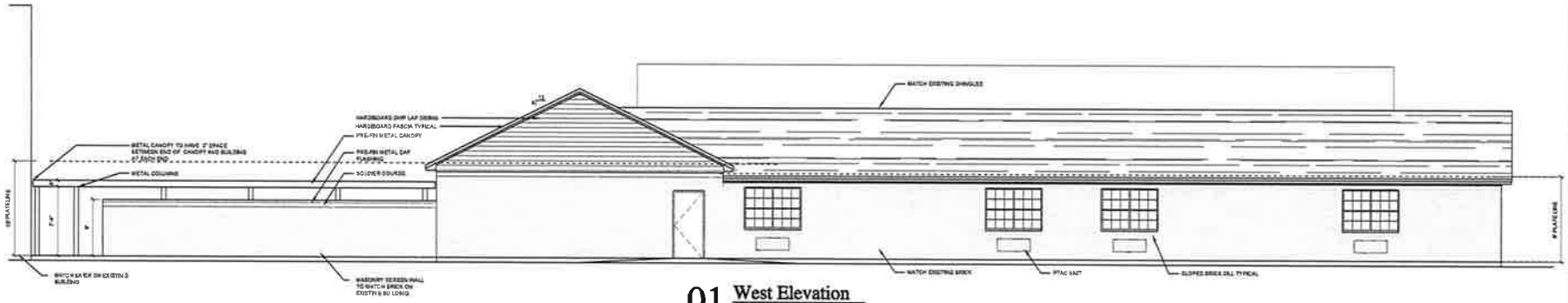
A2.02



03 **North Elevation**
Scale: 3/16" = 1'-0"



02 **East Elevation**
Scale: 3/16" = 1'-0"



01 **West Elevation**
Scale: 3/16" = 1'-0"

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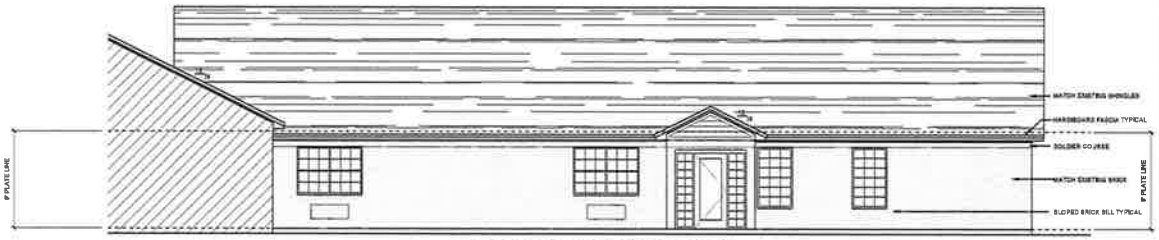
Architects Seal

09 APRIL 2015

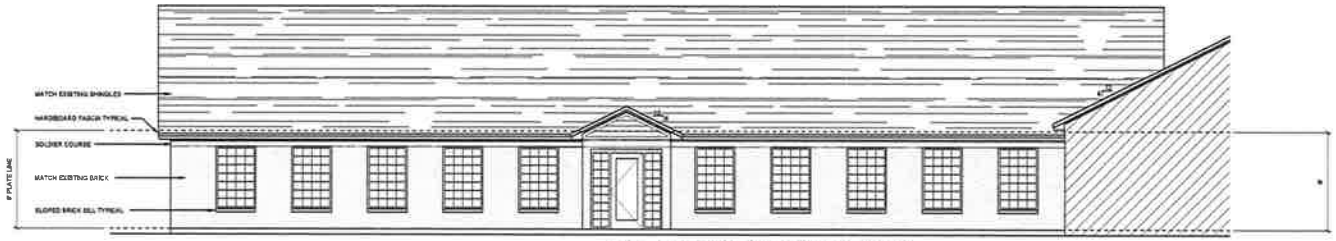
Project No. 2014-21 TX
Drawn By:
Date: 09 April 2015

Sheet Title
Phase One Exterior Elevations

Drawing No.
A6.01

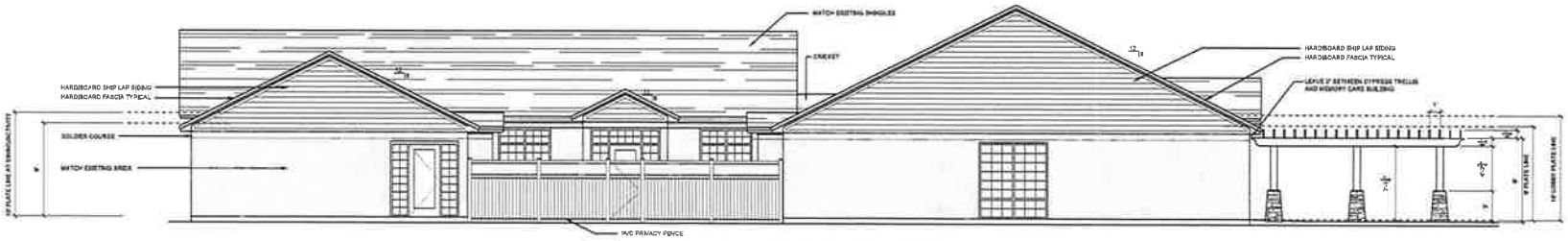


04 West Elevation @ Courtyard
Scale: 3/16" = 1'-0"



03 East Elevation @ Courtyard
Scale: 3/16" = 1'-0"

02 South Elevation W/O Fence
Scale: 3/16" = 1'-0"



01 South Elevation W/Fence
Scale: 3/16" = 1'-0"

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Architects Seal

06 APRIL 2015

Project No. 2014-21 TX
Drawn By:
Date: 09 April 2015

Sheet Title:
Phase One
Exterior
Elevations

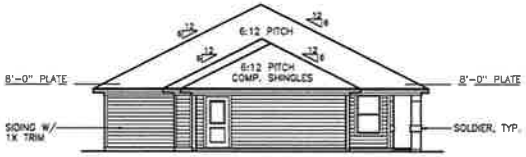
Drawing No.
A6.02

FRONT ELEVATION – A

SCALE: 1/8" = 1'-0"

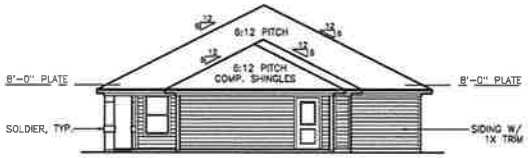
REAR ELEVATION

SCALE: 1/16" = 1'-0"



LEFT SIDE ELEVATION

SCALE: 1/16" = 1'-0"



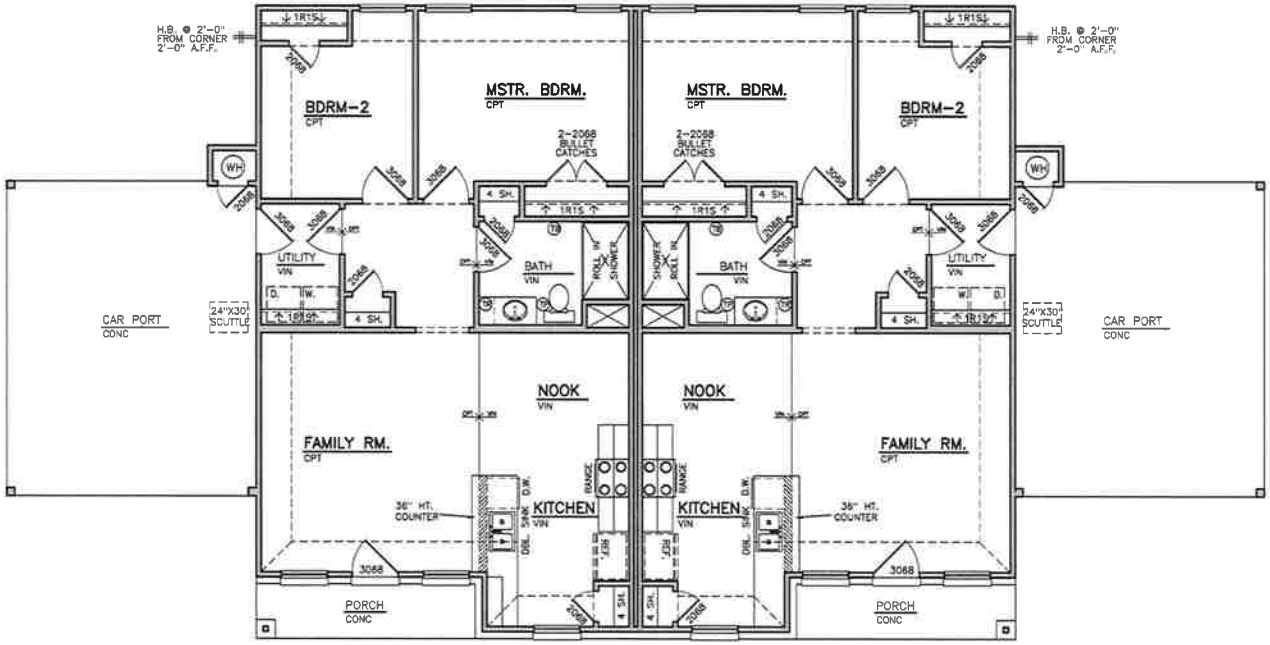
RIGHT SIDE ELEVATION

SCALE: 1/16" = 1'-0"

The designer assumes no liability for errors and omissions. Before construction, the purchaser, builder, or contractor must verify all dimensions, verify compliance with all building codes, and incorporate site conditions. Only a qualified engineer, architect, or structural engineer should be permitted to alter these plans with written release.

TAYLOR & TAYLOR DEVELOPMENT
ASSISTED LIVING

FRAMING/
CONCRETE
2.1



FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"

The designer assumes no liability for any structure built from these plans. Before construction, the purchaser, builder, or contractor must verify all dimensions, verify compliance with all building codes, and verify site and soil conditions. Only a qualified designer, architect, or structural engineer should be permitted to alter these plans, with written release.

TAYLOR & TAYLOR DEVELOPMENT
ASSISTED LIVING PLAN

DATE
TBD

TRIM/
FINISH-OUT
1.2

Attachment: Photo of duplex (1310 : Ord #2015-053 site plan approval for 4317 McKnight Rd.)

City of Texarkana, Texas

Version: D

Briefing Sheet

Update Date: 6/5/2015 8:07 AM

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

Subject: Resolution No. 2015-056 approving the FY16 Master Fee List and establishing certain new fees.

Briefing: 6/8/2015	**Public Hearing:** 6/8/2015	**Second Briefing:** June 22, 2015	**Council Vote:** 7/13/2015

Item Schedule

Updates/History of Briefing:

The First Briefing was conducted on May 26, 2015. Prior to the briefing and during the council meeting on 26 MAY the city council received significant input from builders, developers, and contractors expressing concern for the FY15 fee increases related to development projects. While staff had not recommended any increases in these development related fees for FY16 the concerned parties did not agree with the increases that were effective with the beginning of FY15. At the 26 MAY council meeting the city council called for a series of workshops for the city council to review the total Master Fee list.

Three workshops were scheduled and advertised for June 2nd, 3rd, and 4th at 5:30 p.m. to be convened at the city hall 2nd floor conference room. The first workshop was well attended and the meeting was conducted in an interactive manner. The Mayor and city council permitted comments by interested parties in a very informal setting. The city council, city staff, and representatives of the public openly exchanged ideas. Of the 335 fees the city council arrived at consensus on 300 of the fees. The city council directed additional research on the development related fees.

Staff reported that the FY15 fees had been recommended based on fully recovering the costs of the Inspections Department from development related fees, thus eliminating taxpayer subsidies of the department. Everyone somewhat agreed with the principles of the objective reserving that taxpayers also benefit from the Inspections Department's work.

During the 3 JUN workshop staff was prepared to address the remaining development fees. The staff recommended a very simplified and affordable set of sign related fees. The representatives of the sign companies was agreeable and city council consensus was in support of the recommended sign fees. The recommended fee schedule for signs includes permits for a basic or simple sign to $70 and the same sign with electrical power the fee is $100. Electronic messaging sign fees will be $125 or $150 depending on the size of the sign.

The residential building permit fee was debated with everyone participating. The homebuilder's association representatives suggested a very simplified formula for the determining the fee. They suggested that the fee be based on 50¢ per square foot of structure. Staff did not object and the city council members present agreed by consensus. The current recommendation of having all residential building permit fees being based on 50¢ per square foot replaces 14 different fees with this one simplified fee.

Discussions concerning non-residential or commercial building fees continue from the 2 JUN workshop. The city manager presented a sliding scale based fee schedule for consideration. Currently the city uses 11 thresholds of construction value to determine the appropriate fee. After the last threshold a flat rate of 0.18% is applied to all value above one million dollars. The recommendation was to use a decreasing percentage throughout the range of construction values from $500 to $25 million.

The basic plan included starting the rate at 1.9% of construction value at a $500 value. The rate will decrease by 0.001111% for each $500 construction value through $499,999 construction value. At $500,000 the decreasing rate will be 0.000111% for each $500 construction value through $1,999,999 of construction value. At $2 million the decreasing rate will be 0.000011% through $4,999,999 of construction value. At $5 million the decreasing rate will be 0.000001% without end in construction value.

The development representatives continued to request lower rates. After more discussion it was agree to implement the full plan over a seven year period. The FY16 rates will be set at 70% of the full rate as determined by the schedule of fees. The rates will be fully implemented as follows:

FY16 = 70%
FY17 = 75%
FY18 = 80%
FY19 = 85%
FY20 = 90%
FY21 = 95%
FY22 = 100%

After discussions of the development fees were finalized the city council quickly reviewed the remaining fees and by consensus agreed with staff's recommendations. The third scheduled workshop was cancelled and the Mayor announced that the Master Fee List would return to the city council agenda with the scheduled public hearing on 8 JUN, 2nd Briefing on 22 JUN and council vote scheduled for 13 JUL.

Executive Summary and Background Information:

The city staff herein presents a proposed Master Fee List for FY16. There are over 350 different fees included in the list. Continued use of an annual Master Fee List enables the city to adjust fees without amending the city code. In an associated action the city council is currently considering a revised City Code wherein, among other revisions, all fee amounts have been removed from the City Code. Where fees have been removed from the City Code there is reference to the City's Master Fee List.

<u>Fees Recommended for Elimination or Reduction</u>:
Street/Alley/Public ROW Abandonment Application Fee: FY15 = $2,000; FY16 = $500
Fire Alarm Residential Permit: FY15 = $50; FY16 = $0.00
First Re-Inspection by the Fire Service: FY15 = $50; FY16 = $0.00
Deposit for Variable Fees (related to plats): FY15 = $200; FY16 = $0.00
Library Canvas Bag: FY15 = $7.50; FY16 = $7.00

<u>Fees Recommended for Establishment or Increase</u>:

City of Texarkana, Texas

Daily Special Event Permit: FY15 = $0.00; FY16 = $30
Second and Subsequent Re-Inspection by the Fire Service: FY15 = $0.00; FY16 = $100
Fire Inspection Service Hotel/Motel – Base: FY16 = $25
Fire Inspection Service Hotel/Motel – Per Room: FY16 = $5.00
Subdivision Plat – Vacated (Base Fee): FY16 = $100
Water Service Connection: FY15 = $10; FY16 = $15
Water Meter Disconnect: FY15= $10; FY16 = $15
Water Service Transfer: FY15 = $20; FY16 = $30
After Hours Service Call to reinstate Water Service: FY15 = $20; FY16 = $50
Non Payment Service Charge (utilities): FY15 = $20; FY16 = $35
Water meter Tampering; FY15 = $35; FY16 = $50
Unauthorized Water Connection Inserted: FY15 = $35; FY16 = $100
Library: Case Replacement: FY15 = $1; FY16 = $1 - $9
Library: Art Sleeve for Case: FY16 = $1.00
Library: Fax Service Sending (International): FY16 = $5 per page
Airport Operations, Maintenance and Improvement Fee:

- Residential 1 (less than 6,000 gallons water usage) FY16 = $1.00
- Residential 2 (6,000 gallons and over water usage) FY16 = $4.00
- Commercial 1 (less than 4,000 gallons water usage) FY16 = $5.00
- Commercial 2 (4,000 gallons or more water usage) FY16 = $10.00

<u>Airport Operations, Maintenance and Improvement Fee</u>:

The Texarkana Regional Airport receives funding from multiple sources including FAA Grants, Airport Fees, and both Texarkana cities. As the Federal Government continues to change its spending posture the FAA funding is often threaten by reduction or elimination. There appears to be a general sentiment that the airport is valuable to the region's economic viability.

Both Texarkana, Arkansas and Texarkana, Texas struggle to provide sufficient funding to keep the airport operating as a regional commercial class airport. Many businesses have stated that the airport is important to their business operations. The airport board has plans for improvements at the airport and will likely receive some significant FAA funding for the improvements. However, the local communities will also have to provide local funds to achieve the improvements. The challenge is to find a new local revenue source and a method to collect or receive the revenue. An Airport Operations, Maintenance and Improvement fee could be established for Texarkana, Texas and the fee could be collected via the monthly utility bills. Tying the fee to water usage could serve to assign the funding to those who may likely be better able to afford the fee. As proposed there are two fees with two tiers each.

The first fee is based on residential water use and the two tiers are $1.00 per month for usage less than 6,000 gallons. The second tier is $4.00 per month for usage of 6,000 gallons and greater. The total annual residential fee would be from $12 to $48 annually.

The second fee is based on commercial water use and the two tiers are $5.00 per month for usage less than 4,000 gallons. The second tier is $10.00 per month for usage of 4,000 gallons and greater. The total annual fee per business would be from $60 to $120 annually.

If there is no prohibitive statute in Arkansas the City of Texarkana, Arkansas might could establish the same fees for Texarkana, Arkansas residents and businesses.

City of Texarkana, Texas

In the near future, if the FAA approves funding for a new terminal the local communities will likely have to provide $5 to $7 million as matching funds. The local match is significant and likely both cities will need new revenue sources to meet the funding need.

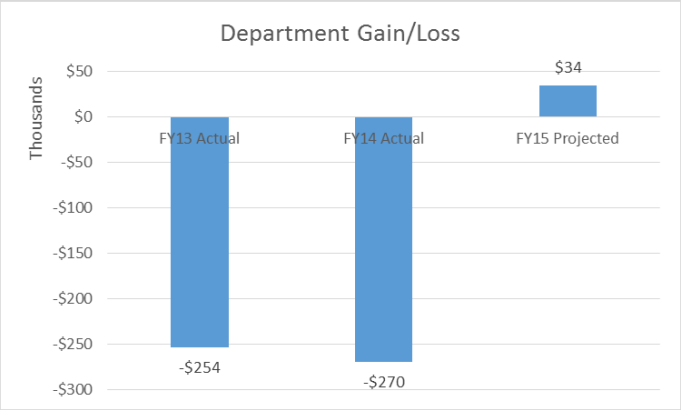
Building Permit Fees:

Some of the development community has stated that the city's current building permit fees are too high, especially compared to other communities where these builders, developers, and real estate professionals conduct business. Prior to adoption of the Master Fee List for FY15 the city had not adjusted development fees in over 20 years.

Last year the staff recommended switching the basis for commercial building permit fees from a square footage basis to a construction value basis. At the same time the staff also recommended rates that would produce revenue to recover the cost of operating the Inspections Department. The Inspections Department performs the bulk of the building plan review and most of the inspections services during construction.

Recently the city staff met with a group of representatives of developers, builders, real estate professionals, and commercial property owners. The representatives presented the staff with a list of comparable cities and their building permit charges related to the construction of a $1 million commercial building. The list placed Texarkana as charging the highest fee at $9,500 (staff concurs that the $9,500 is correct). Other cities listed ranged from $1,059 (Mount Pleasant) to $5,867 (Dallas) (see ATTH 02 for the complete list).

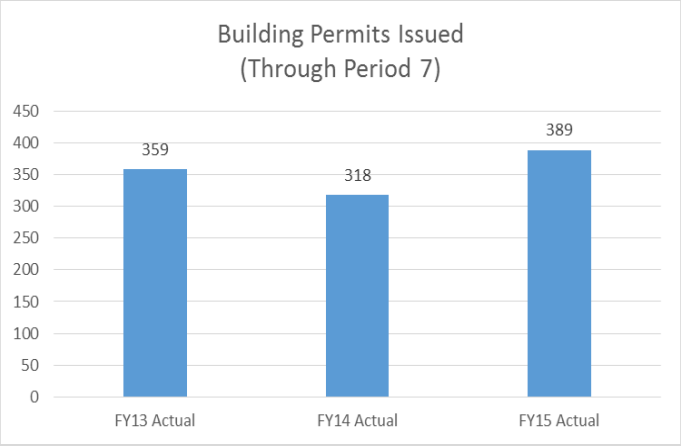
Subsequently the staff has collected and assembled an expanded list of cities to compare not only the building permit fees but also all fees related to constructing a $1 million commercial building (see ATTH 03). A total of 33 cities are listed and Texarkana ranks as fourth highest on the list at $9,500. However, when other permit fees that are required to be paid are included the ranking on the list changes (see ATTH 04). When all related fees are included Texarkana drops from fourth to 21 of 34 cities.



In FY13 the departmental costs exceeded related revenues by $254,156 and in FY14 the deficit was $270,070. These deficits represent taxpayer subsidies of the development community.

A nation-wide guiding principle for determining user fee rates is that the projected revenues from collection of the fees should cover the costs of the service being provided. The guiding principle therefore attempts to eliminate taxpayer subsidy of the service which is used by those who choose to use the service. These targeted services are unlike municipal services that serve the general public broadly which should likely be paid for by the general public collectively. For FY15 the staff is projecting permit revenues will exceed departmental expenses by $34,244. (Note: Departmental expenses do not include the cost of vehicles

or vehicle operations or the Fire Department costs associated with Fire Marshal participation in Plan Review and Inspection services.)



Considering all building related permits issued by the department, there is no evidence that the increased permit fees have stymied development. During the first seven months (periods) of FY15 the city has issued 389 building permits which is a 22 percent increase over the same period in FY14 and an eight percent increase over FY13.

Another worthy annual comparison is to look at average workday performance in not only the number of permits issued but also revenue collected, and expenses incurred. Through the first seven periods of the fiscal year the department has issued an average of 5.06 permits daily, a 16 percent increase over the prior year. While expenditures increased 22 percent the increase is attributed to the expanded mission of the department. The city's code enforcement function has been added to this department thus increasing the department's costs.

Through the first seven monthly periods of the fiscal year there has been 144 workdays. In the course of the full year there will be 248 workdays. In FY13 the city issued 634 building permits which dropped to 584 in FY14 but for FY15 the staff projects that 667 building permits will be issued. During FY13 and FY14 the daily average of expenditures exceeding revenue collections was over $1,000. For FY15, the current fiscal year, the staff expects that average daily revenues will exceed average daily expenditures by $138 (see ATTH 05 for more details) (Note: The department is also responsible for sign regulation. The sign regulation revenues are not included in this analysis.).

FY13 YTD Period 07 (Actual) - Daily Average at 144 Days

Permits	Number	Revenue	Expenditures	Difference
Building	2.49	$330.28		
Electrical	1.06	$51.20		
Plumbing	1.42	$32.96		
Total	4.97	$414.44	$1,535.69	-$1,121.25

FY14 YTD Period 07 (Actual) - Daily Average at 144 Days

Permits	Number	Revenue	Expenditures	Difference
Building	2.21	$340.03		
Electrical	1.14	$48.99		
Plumbing	1.00	$21.76		
Total	4.35	$410.78	$1,560.27	-$1,149.49

FY15 YTD Period 07 (Actual) - Daily Average at 144 Days

Permits	Number	Revenue	Expenditures	Difference

Building	2.70	$1,886.70		
Electrical	1.35	$106.53		
Plumbing	1.00	$57.90		
Total	5.06	$2,051.13	$1,912.40	$138.73

The staff recommends that the city council maintain the Inspections Department Fees at the rates currently being charged. As demonstrated in this analysis the city is not the highest in total fees compared to many other Texas cities. Also the permit activity does not indicate any slowdown of development since the higher fees went into effect.

Fire Department Fees:

The staff is recommending that the First Fire Re-Inspection Fee of $50 be eliminated. It has been found that many findings noted during the periodic fire inspection are caused by landlords versus the tenant business being inspected. Thus the tenant business is subject to paying the $50 First Re-Inspection fee versus the landlord who was really the party at fault. In order to help the tenant business to ensure the landlord's responsiveness to any findings on the property the staff recommends establishing the Second and Subsequent Re-Inspection fee of $100. It is expected that findings will be corrected by the appropriate party by the time the First Re-Inspection occurs. But, should all parties fail to comply a higher fee is appropriate and applied to the Second and Subsequent Re-Inspections.

Potential Options:

- Adopt the list as presented
- Deny the list as presented, leaving the FY14 list in force
- Amend the list and adopt the amended list
- Amend the recommended effective date and adopt the list as presented

Fiscal Implications:

Reduction and elimination of fees will likely reduce user fee revenues. The city's total revenues tend to be split somewhat or generally equally between, property taxes, sales taxes, and other taxes, fees, and collections.

Staff Recommendation:

Adopt the Master Fee list as amended in workshops and currently presented

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

City of Texarkana, Texas

Attachments

a. 2015-056 RES Adopting the FY16 Master Fee List (PDF)
b. 2015-056 Goals & Perspectives (PDF)
c. 2015-056 ATTH 01 FY16 Master Fee List (PDF)
d. 2015-056 ATTH 02 Developer Provided Comparison of Fees (PDF)
e. 2015-056 ATTH 03 BP Based PERMIT FEES IMPACT FOR 1M DOLLAR-COMMERCIAL 2015 (PDF)
f. 2015-056 ATTH 04 PERMIT FEES IMPACT FOR 1M DOLLAR-COMMERCIAL 2015 (PDF)
g. 2015-056 ATTH 05 Revenue and Expenses for Inspections Department (PDF)

Staff Coordination

City Manager John Whitson Department Head Review Completed 05/21/2015 10:00 AM
Police Dan Shiner Review Completed 05/21/2015 10:12 AM
Human Resources Jim Powell Review Completed 05/21/2015 10:15 AM
Building Code Administration Lynn Henry Review Completed 05/21/2015 10:18 AM
City Manager Pam Burns Review Completed 05/21/2015 10:32 AM
City Manager Jennifer Evans Review Completed 05/21/2015 10:38 AM
Parks, Recreation & Health Robby Robertson Review Completed 05/21/2015 10:40 AM
Fire Department Eric Schlotter Review Completed 05/21/2015 10:41 AM
Finance Department Charlie Bassett Finance Review Completed 05/21/2015 11:04 AM
Public Works Department Kyle Dooley Review Completed 05/21/2015 11:12 AM
Water Utilities Bill King Review Completed 05/21/2015 12:46 PM
Environmental Services John Whitson Review Skipped 05/21/2015 1:33 PM
Municipal Court John Whitson Review Skipped 05/21/2015 1:33 PM
Planning and Community Development David Orr Review Completed 05/21/2015 1:37 PM
Assistant City Manager Shirley Jaster Assistant City Manager Review Completed 05/21/2015 2:00 PM
Public Information Officer Lisa Thompson PIO Review Completed 05/21/2015 2:02 PM
City Manager John Whitson City Manager Review Completed 05/21/2015 2:04 PM

City of Texarkana, Texas

City Council 6:00 PM	Jennifer Evans	Meeting	Completed	05/26/2015

Meeting History

RESOLUTION NO. 2015 - 056

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ADOPTING THE FY16 MASTER FEE LIST INCLUDING ESTABLISHING CERTAIN NEW FEES; 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 serves 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 basis 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 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 List of Fees and has determined that the services listed are used by segments of the city and should appropriately be paid for by the charging and collection 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.

SECTON 3: That this Resolution shall be in full force and effect from and after October 1, 2015.

PASSED AND APPROVED in Regular Council Session on this the **13th day of July, 2015**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2015-056 RES Adopting the FY16 Master Fee List [Revision 2] (1314 : Res. No. 2015-056 Adoption of FY16 Master Fee List)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2015-056 Goals & Perspectives (1314 : Res. No. 2015-056 Adoption of FY16 Master Fee List)

FY16 Master Fee List - Version 2 (following 2nd Workshop)

Fees to be effective 1 OCT 15

Once the fee schedule is adopted FY15 fees remain in affect until replaced by the new schedule of fees. No refunds of FY15 Fees are authorized.

*** Indicates that Authorizing Ordinances have not been enacted - Therefore, these fees will not be assessed prior to adoption of the appropriate ordinance(s)**

Item Number	SERVICE/PERMIT	FY15 RATE	FY16 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
1	Extraordinary Event Cost Recovery Fee				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/Offices		
2	Returned Checks	$30.00	$30.00	Each check	NSF –Non-Sufficient Funds	All Departments/Offices		
3	Coin Operated Machine Permit	$15.00	$15.00	Per Coin Operated Machine	Maximum $250.00	City Secretary	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
4	Annual Special Event Permit	$100.00	$100.00	Each		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
5	Daily Special Event Permit	$0.00	$30.00	Each		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
6	Transient Dealer Precious Metal Permit	$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)	$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)	$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)	$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)	$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)	$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	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)	$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)	$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)	$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)	$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)	$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)	$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)	$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: Local Distributor (to sell to private clubs) (LP)	$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
21	Alcoholic Beverage Permit: Branch Distributor (BC)	$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
22	Alcoholic Beverage Permit: Wholesaler (W)	$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
23	Alcoholic Beverage Permit: General Distributors (BB)	$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
24	Alcoholic Beverage Permit: Food and Beverage Certificate (FB)	$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

Attachment: 2015-056 ATTH 01 FY16 Master Fee List [Revision 1] (1314 : Res. No. 2015-056 Adoption of

FY16 Master Fee List - Version 2 (following 2nd Workshop)

Fees to be effective 1 OCT 15

Once the fee schedule is adopted FY15 fees remain in affect until replaced by the new schedule of fees. No refunds of FY15 Fees are authorized.

*** Indicates that Authorizing Ordinances have not been enacted - Therefore, these fees will not be assessed prior to adoption of the appropriate ordinance(s)**

Item Number	SERVICE/PERMIT	FY15 RATE	FY16 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
25	Alcoholic Beverage Permit: Caterer's Permit (CB)	$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
26	Alcoholic Beverage Permit: Mixed Beverage Permit (MB or RM) - Original	$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
27	Alcoholic Beverage Permit: Mixed Beverage Permit (MB or RM) - 1st Renewal	$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
28	Alcoholic Beverage Permit: Mixed Beverage Permit (MB or RM) - 2nd Renewal	$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
29	Alcoholic Beverage Permit: Mixed Beverage Permit (MB or RM) - 3rd and all Subsequent Renewals	$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
30	Alcoholic Beverage Permit: Public Storage (K)	$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
31	Alcoholic Beverage Permit: Beverage Cartage (PE)	$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
32	Alcoholic Beverage Permit: Private Carrier (O)	$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
33	Alcoholic Beverage Permit: Package Store Tasting (PS)	$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
34	Alcoholic Beverage Permit: Mixed Beverage Restaurant (RM)	$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
35	Alcoholic Beverage Permit: Mixed Beverage Late Hours (LB)	$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
36	Motor Vehicle Junk Yard or Business Permit	$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
37	Open Records Information: Copies (letter & legal)	$0.10	$0.10	Per Page		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
38	Open Records Information: Copies over 50 pages	$0.10	$0.10	Per Page	Plus Labor charge prorated and overhead charge	Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
39	Open Records Information: Copies (Oversize 11” x 17”)	$0.50	$0.50	Each		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
40	Open Records Information: Computer	$0.10	$0.10	Per Page		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
41	Open Records Information: Diskette	$1.00	$1.00	Each		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
42	Open Records Information: VHS video	$2.50	$2.50	Each		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
43	Open Records Information: Audio Cassette	$1.00	$1.00	Each		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
44	Open Records Information: CD	$1.00	$1.00	Per clock hour		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
45	Open Records Information: Maps/D Size	$2.00	$2.00	Sheet paper		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
46	Open Records Information: Maps/D Size	$3.00	$3.00	Sheet film		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
47	Open Records Information: Maps/E Size	$3.00	$3.00	Sheet paper		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900
48	Open Records Information: Maps/E Size	$4.00	$4.00	Sheet film		Administration	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3900

Attachment: 2015-056 ATTH 01 FY16 Master Fee List [Revision 1] (1314 : Res. No. 2015-056 Adoption of

FY16 Master Fee List - Version 2 (following 2nd Workshop)

Fees to be effective 1 OCT 15

Once the fee schedule is adopted FY15 fees remain in affect until replaced by the new schedule of fees. No refunds of FY15 Fees are authorized.

*** Indicates that Authorizing Ordinances have not been enacted - Therefore, these fees will not be assessed prior to adoption of the appropriate ordinance(s)**

Item Number	SERVICE/PERMIT	FY15 RATE	FY16 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
49	Open Records Information: Other				Note: Any other charges for public information not listed will be as defined in Chapter III, Subchapter C 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
50	Airport Operations, Maintenance and Improvement Fee - Residential 1 *	$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
51	Airport Operations, Maintenance and Improvement Fee - Residential 2 *	$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
52	Airport Operations, Maintenance and Improvement Fee - Commercial 1 *	$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
53	Airport Operations, Maintenance and Improvement Fee - Commercial 2 *	$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
54	Dog & Cat Registration (Unaltered) *	$30.00	$30.00	Per Pet		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3971
55	Dog & Cat Registration (Altered) *	$10.00	$10.00	Per Pet		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3971
56	Dog & Cat Late Registration or Fail to Register *	$15.00	$15.00	Per Pet		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3971
57	Dog & Cat Registration - Replacement Tag *	$5.00	$5.00	Per Pet		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3971
58	Reclaim Impounded Animal	$90.00	$90.00	Per Pet		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3972
59	Birth Certificates	$23.00	$23.00	Each		Vital Statistics Office	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
60	Death Certificates	$21.00	$21.00	Each		Vital Statistics Office	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
61	Death Certificates (additional copies)	$4.00	$4.00	Each		Vital Statistics Office	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
62	Abstract Poly Envelope	$2.00	$2.00	Each		Vital Statistics Office	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
63	Long Poly Envelope	$3.00	$3.00	Each		Vital Statistics Office	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
64	Mail Request: Shipping & Handling Fee	$2.00	$2.00	Each		Vital Statistics Office	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
65	Credit/debit card payment	$2.50	$2.50	Each Transaction	In Addition to certificate fees	Vital Statistics Office	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
66	Garage Sale Permit	$5.00	$5.00	Each	3-day/max 2 per year	Vital Statistics Office	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
67	Estate Sale	$20.00	$20.00	Each	3-days/Max 2 per year	Vital Statistics Office	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3905
68	Itinerate Vendor Permit	$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
69	Incident Report Copies	$5.00	$5.00	Per Report	Fire Department calls only	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
70	Fire Inspection Service: Nursing Home	$150.00	$150.00	Annual Fee	Includes two inspections performed semi-annually	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
71	Fire Inspection Service: Day Care	$75.00	$75.00	Annual Fee	Includes two inspections performed semi-annually	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
72	Fire Inspection Service: Group Home	$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: Hospital	$350.00	$350.00	Annual Fee	Includes two inspections performed semi-annually	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994

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Item Number	SERVICE/PERMIT	FY15 RATE	FY16 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
74	Fire Inspection Service: Hotel/Motel - Base	$0.00	$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
75	Fire Inspection Service: Hotel/Motel - Per Room	$0.00	$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
76	Fire Inspection Service: First Re-Inspection	$50.00	$0.00	Each		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
77	Fire Inspection Service: 2nd and subsequent re-inpsections.	$100.00	$100.00	Each		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
78	Fire Inspection Service: After Hours Inspection (Minimum 2 hr.)	$75.00	$75.00	Per hour		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
79	Water Fill / Truck Only	$25.00	$25.00	Per Order		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
80	Fire Inspection Service: Home Safety Inspection	No Charge	No Charge			Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
81	Fire Inspection Service: Foster Home Inspection	No Charge	No Charge			Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
82	Permit: Fire Alarm Commercial	$100.00	$100.00	Annual Fee		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
83	False Alarm Fee - Commercial: 4-6 Alarms	$50.00	$50.00	Each Alarm	Per 12-month period	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
84	False Alarm Fee - Commercial: 7 and more	$75.00	$75.00	Each Alarm	Per 12-month period	Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
85	Permit: Fire Alarm Residential	$50.00	$0.00	Annual Fee		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
86	False Alarm Fee - Residential: 4-6 Alarms	$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	$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	$75.00	$75.00	Each		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
89	Permit: Sprinkler/Standpipe	$75.00	$75.00	Each		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
90	Permit: Installation/Removal of UST's	$100.00	$100.00	Each		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
91	Permit: Open Burning (not recreational)	$1,000.00	$1,000.00	Each		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
92	Permit: Recreational Burning	$50.00	$50.00	Each		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
93	Permit: Fireworks	$100.00	$100.00	Each		Fire Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3994
94	Response: Hazardous Materials	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	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	Annual Fee		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
97	Inspection Service: Pool Late Fee (each body of water)	$50.00	$50.00	Each		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
98	Inspection Service: Pool 1st Re-inspection (each body of water)	$100.00	$100.00	Each		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
99	Inspection Service: Pool Subsequent Re-inspections (each body of water/each additional inspection - incremental increase in fee)	$100.00	$100.00	Each	Increasing in $100.00 increments for each additional re-inspection	Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263

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Item Number	SERVICE/PERMIT	FY15 RATE	FY16 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
100	Inspection Service: Pool Complaint (each body of water)	$50.00	$50.00	Each		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
101	Inspection Service: Pool Reinstatement (each body of water)	$100.00	$100.00	Each		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
102	Heath Service Inspection: Food Service w/1-5 employees	$275.00	$275.00	Annual Fee		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
103	Health Service Inspection: Food Service w/6-10 employees	$300.00	$300.00	Annual Fee		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
104	Health Service Inspection: Food Service w/11 or more employees	$325.00	$325.00	Annual Fee		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
105	Health Service Inspection: Food Service each Public & Private School	$275.00	$275.00	Annual Fee		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
106	Health Service Inspection: Food Service for each Non-Profit	$75.00	$75.00	Annual Fee	Complaint Inspection, reinstatement & re-inspection fees apply	Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
107	Health Service Inspection: Day Care Food Service	$100.00	$100.00	Annual Fee	Per Day Care	Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
108	Health Service Inspection: Day Care Non-Food Service	$50.00	$50.00	Annual Fee	Per Day Care	Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
109	Health Service Inspection: Foster Home	$40.00	$40.00	Bi-annual		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
110	Health Service Inspection: Adoption	$40.00	$40.00	Each		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
111	Health Service Inspection: Temporary Event	$50.00	$50.00	Each		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
112	Health Service Inspection: Seasonal Permit	$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.	Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
113	Health Service Inspection: Mobile Food Unit	$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.	Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
114	Health Service Inspection: Late fee	$100.00	$100.00	Each		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
115	Health Service Inspection: Complaint Inspection	$50.00	$50.00	Each		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
116	Health Service Inspection: 1st Re-inspection	$100.00	$100.00	Each		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
117	Health Service Inspection: Subsequent Re-inspections			Each	Increasing in $100.00 increments for each additional re-inspection	Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
118	Health Service Inspection: Reinstatement	$150.00	$150.00	Each		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
119	Health Service Inspection: Duplicate Permit	$20.00	$20.00	Each		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
120	Copy: Texas Food Establishment Rules (picked up)	$25.00	$25.00	Each		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
121	Copy: Texas Food Establishment Rules (mailed)	$30.00	$30.00	Each		Environmental Services Unit	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3263
122	Immunization: Child Administrative Fee	$12.00	$12.00	Per Visit	No Family Maximum - No charge for Texas Medicaid Children	Health Clinic	Bowie County Health Clinic, 902 W. 12th Street	903-798-3250
123	Immunization: Adult Administrative Fee	$15.00	$15.00	Per Visit		Health Clinic	Bowie County Health Clinic, 902 W. 12th Street	903-798-3250
124	Copy: Shot Record	$2.00	$2.00	Each		Health Clinic	Bowie County Health Clinic, 902 W. 12th Street	903-798-3250
125	Immunization: Private Purchase Flu vaccine	$20.00	$20.00	Per Shot	Price subject to change	Health Clinic	Bowie County Health Clinic, 902 W. 12th Street	903-798-3250

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Item Number	SERVICE/PERMIT	FY15 RATE	FY16 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
126	Immunization: Private Purchase Pneumonia vaccine	$75.00	$75.00	Per Shot	Price subject to change	Health Clinic	Bowie County Health Clinic, 902 W. 12th Street	903-798-3250
127	Health Service: Pregnancy Testing	$10.00	$10.00	Limited basis	Further Assistance Available	Health Clinic	Bowie County Health Clinic, 902 W. 12th Street	903-798-3250
128	Health Service: Tuberculosis Skin Test for Employment	$15.00	$15.00	Per Test		Health Clinic	Bowie County Health Clinic, 902 W. 12th Street	903-798-3250
129	Health Service: Health Card Renewal	$10.00	$10.00	Per Card		Health Clinic	Bowie County Health Clinic, 902 W. 12th Street	903-798-3250
130	Health Service: Blood Sugar (Finger Stick)	$10.00	$10.00	Per Test		Health Clinic	Bowie County Health Clinic, 902 W. 12th Street	903-798-3250
131	Notary Fee	$5.00	$5.00	Per Service		Human Resources Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3917
132	Residential Building Permit (Base) - New Single Family, Duplex Dwelling, or Manufactured Home Up to and including 1,200 Square Feet	$500.00		Per Dwelling	Gross floor area served by either mechanical, plumbing or electrical systems and suitable for occupant's use within the inside perimeter of the exterior walls--to include garages, corridors, stairs, closets or other features, such as decks, porches, walk up attics, basements or bonus rooms	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
133	Residential Building Permit (Variable) - New Single Family, Duplex Dwelling, or Manufactured Home Over 1,200 Square Feet (Base + Variable)	$0.25		Per square foot over 1,200 SF	Gross floor area served by either mechanical, plumbing or electrical systems and suitable for occupant's use within the inside perimeter of the exterior walls--to include garages, corridors, stairs, closets or other features, such as decks, porches, walk up attics, basements or bonus rooms	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
134	Residential Building Permit - Additions (bedrooms, bathrooms, screened porch, sunrooms, and etc...) up to and including 400 square feet	$240.00		Per Addition		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
135	Residential Building Permit (Base) - Additions (bedrooms, bathrooms, screened porch, sunrooms, and etc...) exceeding 400 square feet up to an including 1,200 square feet	$500.00		Per Addition		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
136	Residential Building Permit (Variable) - Additions (bedrooms, bathrooms, screened porch, sunrooms, and etc...) exceeding 400 square feet up to an including 1,200 square feet (Base + Variable)	$0.25		Per square foot over 1,200 SF		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
137	Residential Building Permit (Base) - Attached Accessory Structure (decks, garage, open porch, and etc.) (Base + Variable)	$75.00		Each Trade		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
138	Residential Building Permit (Variable) - Attached Accessory Structure (decks, garage, open porch, and etc.) (Base + Variable)	$0.25		Per Square Foot per trade		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
139	Residential Building Permit (Base) - Detached Accessory Structure (shed, garage of 144 SF or more) (Base + Variable)	$75.00		Each Trade		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
140	Residential Building Permit (Variable) - Detached Accessory Structure (shed, garage of 144 SF or more) (Base + Variable)	$0.25		Per Square Foot per trade		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
141	Residential Building Permit - Alteration, Change Out or Individual Trade	$75.00		Each Trade		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912

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Item Number	SERVICE/PERMIT	FY15 RATE	FY16 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
142	Residential Building Permit - Electrical or Gas Utility (optional)	$75.00		Each Trade	Temporary Power or Mechanical	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
143	Residential Building Permit (Base) - Modular Unit & Dwelling Moved On (Base + Variable)	$75.00		Each Trade		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
144	Residential Building Permit (Variable) - Modular Unit & Dwelling Moved On (Base + Variable)	$0.25		Per Square Foot		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
145	Residential Building Permit - Multi-Family Dwelling (units available for individual ownerships)	$450.00		Per Living Unit		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
146	Residential Building Permit		$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
147	Residential Re-Inspection Fee	$25.00	$25.00	All Trades	Does not include "Missed Appointment"	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
148	Non-Residential Building Permit: Cost of Construction up to $2,500	$150.00		Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
149	Non-Residential Building Permit: Cost of Construction $2,501 - $7,500	$200.00		Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
150	Non-Residential Building Permit: Cost of Construction $7,501 - $15,000	$300.00		Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
151	Non-Residential Building Permit: Cost of Construction $15,001 - $25,000	$400.00		Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
152	Non-Residential Building Permit: Cost of Construction $25,001 - $50,000	$650.00		Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
153	Non-Residential Building Permit: Cost of Construction $50,001 - $100,000	$1,300.00		Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
154	Non-Residential Building Permit: Cost of Construction $100,001 - $200,000	$2,600.00		Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
155	Non-Residential Building Permit: Cost of Construction $200,001 - $350,000	$4,000.00		Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
156	Non-Residential Building Permit: Cost of Construction $350,001 - $500,000	$5,500.00		Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
157	Non-Residential Building Permit: Cost of Construction $500,001 - $750,000	$7,500.00		Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
158	Non-Residential Building Permit (Base): Cost of Construction $750,001 - $1,000,000	$9,500.00		Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
159	Non-Residential Building Permit (Variable): Cost of Construction over $1,000,000 (Base + Variable)	0.18%		All Cost over $1,000,000	$9,500 + 0.18% (.0018)	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
160	Non-Residential Building Permit		See Last Page	Each	See table and chart at the end of this list	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
161	Application Plan Review Fee: Residential	$75.00	$50.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
162	Application Plan Review Fee: Non-Residential	$300.00	$300.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912

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163	Residential: Re-Review Plan or Change	$50.00	$50.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
164	Non-Residential: Re-Review Plan or Change	$150.00	$150.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
165	Non-Residential: Re-Inspection Fee	$75.00	$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
166	Inspections Outside City Limits - Inside ETJ	$150.00	$150.00	Each	Per Request from owner/contractor	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
167	Residential Irrigation Fee (Permit Only)	$75.00	$75.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
168	Non-Residential: Irrigation Fee	$150.00	$150.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
169	Demolition Permit	$150.00	$150.00	Each	Performance Bond/cashiers check Required	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
170	Non-Residential: Temporary Electrical Power	$75.00	$75.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
171	Work Performed without Permit			Each	Double Fee	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
172	Record Retrieval	$60.00	$60.00	Each Request	Pulling closed files, plans and etc…	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
173	Replacement of Certificate of Occupancy Card	$25.00	$25.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
174	Re-stamp Previously Approved Plans	$25.00	$25.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
175	Permit Renewal of Expired Plans	0.25%	0.25%	Each	.25% of original permit fee	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
176	Failure to Pick-up Permit within 60 days of Approval				Forfeit Fees	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
177	Refund Fee for Non-expired Permits	$75.00	$75.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
178	Refund Fee for Expired Permits				Forfeit Fees	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
179	Weekend/After Office Hours Inspection Fee	$75.00	$75.00	Per Hour	Minimum of 3 hours	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
180	Miscellaneous Inspection	$75.00	$75.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
181	Construction or Work Site Trailer	$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
182	Minimum Inspection Miscellaneous Permit Fee	$25.00	$25.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
183	Builders & Mechanical Contractors (Plumbing, Electric, HVAC) Registration Fee	$30.00	$30.00	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
184	Driveway Permit	$20.00	$20.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
185	Swimming Pool Permit	$125.00	$125.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
186	Tent Permit	$50.00	$50.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
187	Sign Permit (Base) up to 30 Square Feet	$120.00		Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
188	Sign Permit (Variable) over 30 Square Feet	$4.00		Per Square Foot	Base + Variable (for each SF over 30 SF)	Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912

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Item Number	SERVICE/PERMIT	FY15 RATE	FY16 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
189	Sign Permit for basic/simple sign		$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
190	Sign Permit for sign with electric power		$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
191	Sign Permit for sign with electronic messaging (CVEMS) less than or equal to 50 Square Feet		$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
192	Sign Permit for sign with electronic messaging (CVEMS) greater than 50 Square Feet		$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
193	Sign Permit-Banner	$10.00	$10.00	Each	or $100 per year for one banner sign per month	Inspections Department	city Hall – Municipal Building – 220 Texas Boulevard	903-798-9312
194	Sign Permit Promotional/Grand Opening	$75.00	$75.00	Each	Maximum Promotional 90 days; Grand Opening two weeks	Inspections Department	city Hall – Municipal Building – 220 Texas Boulevard	903-798-9313
195	Billboard/Off Premise advertising sign *	$500.00	$500.00	Per Year		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
196	Cell Tower Permit	$650.00	$650.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
197	Co-location Antenna on Cell Tower Permit	$100.00	$100.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
198	Basic Electrical Rough-In or General Repairs Permit (up to 4 circuits)	$20.00	$20.00	Permit		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
199	Additional Electrical Rough-In or General Repairs Permit (5 – 16 circuits) (Basic + Additional)	$2.00	$2.00	Each Additional Circuit		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
200	Additional Electrical Rough-In or General Repairs Permit (More than 16 circuits) (Basic + Additional 1 + Additional 2)	$1.50	$1.50	Each Additional Circuit		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
201	Restore/Repair Electrical Service Permit (100 amp)	$17.00	$17.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
202	Restore/Repair Electrical Service Permit (200 amp)	$18.50	$18.50	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
203	Restore/Repair Electrical Service Permit (400 amp)	$22.50	$22.50	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
204	Restore/Repair Electrical Service Permit (600 amp)	$25.00	$25.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
205	Restore/Repair Electrical Service Permit (Greater than 600 amp)	$35.00	$35.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
206	Other General Electrical Repair Permit	$25.00	$25.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
207	Electric Power Permit for Sign	$25.00	$25.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
208	Placement of Temporary Pole for Electrical Power Permit	$15.00	$15.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
209	Appeal Concerning Electrical Code Filing Fee	$50.00	$50.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
210	Plumbing Permit Water (Installation or Replacement of Fixtures, Water Heater, Foot Spa, and etc.... Including general repair of water system)	$20.00	$10.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
211	Plumbing Permit: Sewer Line or Tap	$20.00	$20.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
212	Plumbing Permit Gas (Basic) (up to 4 openings)	$20.00	$10.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
213	Plumbing Permit Gas (Additional) (Greater than 4 openings) (Basic + Additional)	$1.00	$1.00	Each (over 4)		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912

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Item Number	SERVICE/PERMIT	FY15 RATE	FY16 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
214	Plumbing Permit Irrigation: PRZ installation	$10.00	$10.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
215	Plumbing Permit Irrigation (Basic) (1-5 heads)	$8.00	$8.00	Permit		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
216	Plumbing Permit Irrigation (Additional) (More than 5 heads) (Basic + Additional)	$0.60	$0.60	Each Additional Head		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
217	Plumbing Permit Miscellaneous (Backflow, Grease Trap, Sand/Oil Separator and etc...)	$20.00	$20.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
218	HVAC Permit: Residential Air Installation/Replacement	$25.00	$25.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
219	HVAC Permit: Commercial Air Installation/Replacement (Basic) (100 Tons or less) (Minimum $25)	$1.20	$1.20	Per Ton		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
220	HVAC Permit: Commercial Air Installation/Replacement (Additional) (over 100 Tons) (Basic + Additional)	$0.60	$0.60	Per Ton over 100 Tons		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
221	HVAC Permit: Commercial Heat (33,000 - 165,000 BTU)	$12.00	$12.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
222	HVAC Permit: Commercial Heat (165,001 - 330,000 BTU)	$24.00	$24.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
223	HVAC Permit: Commercial Heat (330,001 - 1,165,000 BTU)	$36.00	$36.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
224	HVAC Permit: Commercial Heat (1,165,001 - 3,300,000 BTU)	$60.00	$60.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
225	HVAC Permit: Commercial Heat (over 33,300,000 BTU)	$84.00	$84.00	Each		Inspections Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3912
226	Library Membership Texarkana AR/TX Residents	$0.00	$0.00	Each		Library	600 West 3rd Street	903-794-2149
227	Library Membership Non-Texarkana Resident	$20.00	$20.00	Annual Fee		Library	600 West 3rd Street	903-794-2149
228	Library Overdue Fines (Books and Compact Discs)	$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 3rd Street	903-794-2149
229	Library Overdue Fines (Videos, DVD or Playaway)	$2.00	$2.00	Per Calendar Day	Until the return, up to the cost of the videos, DVD or Playaway	Library	600 West 3rd Street	903-794-2149
230	Library card replacement	$1.00	$1.00	Per Replacement	Lost unexpired library card	Library	600 West 3rd Street	903-794-2149
231	Library: Ear buds	$1.00	$1.00	Per Set		Library	600 West 3rd Street	903-794-2149
232	Library: Memory Sticks (flash drive)	$5.00	$5.00	Per Drive		Library	600 West 3rd Street	903-794-2149
233	Library Bag (Plastic)	$0.50	$0.50	Per Bag		Library	600 West 3rd Street	903-794-2149
234	Library Bag (Canvas)	$7.50	$7.00	Per Bag		Library	600 West 3rd Street	903-794-2149
235	Library: Use of Typewriter	$0.50	$0.50	Per 1/2 Hour		Library	600 West 3rd Street	903-794-2149
236	Library: Case Replacement	$1.00	$1 - $9	Per Case		Library	600 West 3rd Street	903-794-2149
237	Library: Art Sleeve for case		$1.00	Each		Library	600 West 3rd Street	903-794-2149
238	Library: Due Date Card Replacement	$1.00	$1.00	Per Card		Library	600 West 3rd Street	903-794-2149
239	Library: Photo copies (B&W)	$0.15	$0.15	Per Page		Library	600 West 3rd Street	903-794-2149
240	Library: Photo copies (Color)	$1.00	$1.00	Per Page		Library	600 West 3rd Street	903-794-2149
241	Library: Texas Notary	$1.00	$1.00	Per Service		Library	600 West 3rd Street	903-794-2149
242	Library: Fax Service Receiving	$0.25	$0.25	Per Page		Library	600 West 3rd Street	903-794-2149
243	Library: Fax Service Sending (local)	$0.25	$0.25	Per Page		Library	600 West 3rd Street	903-794-2149
244	Library: Fax Service Sending (long distance)	$1.00	$1.00	Per Page		Library	600 West 3rd Street	903-794-2149
245	Library: Fax Service Sending (International)		$5.00	Per Page		Library	600 West 3rd Street	903-794-2149
246	Library: Lamination				Inquire at Circulation Desk	Library	600 West 3rd Street	903-794-2149

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Item Number	SERVICE/PERMIT	FY15 RATE	FY16 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
247	Library: David Nelson Meeting Room Rental	$75.00	$75.00	Per Rental	Non-Profit Organizations Exempt	Library	600 West 3rd Street	903-794-2149
248	Municipal Court Technology Fees	$4.00	$4.00	Per Case		Municipal Court	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3551
249	Municipal Court Building Security Fees	$3.00	$3.00	Per Case		Municipal Court	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3551
250	Municipal Court Warrant Fee	$50.00	$50.00	Per Warrant		Municipal Court	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3551
251	Park Pavilion Rental (Half Day)	$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	3222 W. 7th Street	903-798-3978
252	Park Pavilion Rental (All Day)	$25.00	$25.00	Per Rental		Parks, Recreation and Community Health	3222 W. 7th Street	903-798-3978
253	Ball Field Rental - Practice Game	$20.00	$20.00	Per Game		Parks, Recreation and Community Health	3222 W. 7th Street	903-798-3978
254	Ball Field Rental - Tournaments 1 Field	$100.00	$100.00	Per Tournament		Parks, Recreation and Community Health	3222 W. 7th Street	903-798-3978
255	Ball Field Rental - Tournaments 2 Fields	$175.00	$175.00	Per Tournament		Parks, Recreation and Community Health	3222 W. 7th Street	903-798-3978
256	Ball Field Rental - Tournaments 3 Fields	$250.00	$250.00	Per Tournament		Parks, Recreation and Community Health	3222 W. 7th Street	903-798-3978
257	Ball Field Rental - Tournaments 4-5 Fields	$300.00	$300.00	Per Tournament		Parks, Recreation and Community Health	3222 W. 7th Street	903-798-3978
258	Collins Senior Center Activity Room	$75.00	$75.00	Per Event		Parks, Recreation and Community Health	3222 W. 7th Street	903-798-3978
259	Collins Senior Center Meeting Room	$25.00	$25.00	Each Rental		Parks, Recreation and Community Health	3222 W. 7th Street	903-798-3978
260	Southwest Center Multipurpose Room (GYM) Rental	$0.00	$0.00	Each Rental	Group 1 Users	Southwest Center	3222 W. 7th Street	903-798-3978
261	Southwest Center Multipurpose Room (GYM) Rental	$150.00	$150.00	Each Rental	Group 2 Users	Southwest Center	3222 W. 7th Street	903-798-3978
262	Southwest Center Multipurpose Room (GYM) Rental	$275.00	$275.00	Each Rental	Group 3 Users	Southwest Center	3222 W. 7th Street	903-798-3978
263	Southwest Center ABC Room Rental	$0.00	$0.00	Each Rental	Group 1 Users	Southwest Center	3222 W. 7th Street	903-798-3978
264	Southwest Center ABC Room Rental	$0.00	$0.00	Each Rental	Group 2 Users	Southwest Center	3222 W. 7th Street	903-798-3978
265	Southwest Center ABC Room Rental	$75.00	$75.00	Each Rental	Group 3 Users	Southwest Center	3222 W. 7th Street	903-798-3978
266	Southwest Center Game/Activity Room Rental	$0.00	$0.00	Each Rental	Group 1 Users	Southwest Center	3222 W. 7th Street	903-798-3978
267	Southwest Center Game/Activity Room Rental	$0.00	$0.00	Each Rental	Group 2 Users	Southwest Center	3222 W. 7th Street	903-798-3978
268	Southwest Center Game/Activity Room Rental	$50.00	$50.00	Each Rental	Group 3 Users	Southwest Center	3222 W. 7th Street	903-798-3978
269	Southwest Center Room A Rental	$0.00	$0.00	Each Rental	Group 1 Users	Southwest Center	3222 W. 7th Street	903-798-3978
270	Southwest Center Room A Rental	$0.00	$0.00	Each Rental	Group 2 Users	Southwest Center	3222 W. 7th Street	903-798-3978
271	Southwest Center Room A Rental	$25.00	$25.00	Each Rental	Group 3 Users	Southwest Center	3222 W. 7th Street	903-798-3978
272	Southwest Center Room B Rental	$0.00	$0.00	Each Rental	Group 1 Users	Southwest Center	3222 W. 7th Street	903-798-3978
273	Southwest Center Room B Rental	$0.00	$0.00	Each Rental	Group 2 Users	Southwest Center	3222 W. 7th Street	903-798-3978
274	Southwest Center Room B Rental	$25.00	$25.00	Each Rental	Group 3 Users	Southwest Center	3222 W. 7th Street	903-798-3978
275	Southwest Center Room C Rental	$0.00	$0.00	Each Rental	Group 1 Users	Southwest Center	3222 W. 7th Street	903-798-3978
276	Southwest Center Room C Rental	$0.00	$0.00	Each Rental	Group 2 Users	Southwest Center	3222 W. 7th Street	903-798-3978
277	Southwest Center Room C Rental	$25.00	$25.00	Each Rental	Group 3 Users	Southwest Center	3222 W. 7th Street	903-798-3978
278	Southwest Center Room D Rental	$0.00	$0.00	Each Rental	Group 1 Users	Southwest Center	3222 W. 7th Street	903-798-3978
279	Southwest Center Room D Rental	$0.00	$0.00	Each Rental	Group 2 Users	Southwest Center	3222 W. 7th Street	903-798-3978
280	Southwest Center Room D Rental	$25.00	$25.00	Each Rental	Group 3 Users	Southwest Center	3222 W. 7th Street	903-798-3978

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Item Number	SERVICE/PERMIT	FY15 RATE	FY16 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
281	Application for Zoning Change (Base Fee) (Base + Variable)	$250.00	$250.00	Per Application		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
282	Application for Specific Use Permit (Base Fee) (Base + Variable)	$250.00	$250.00	Per Application		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
283	Application for Site Plan approval (Base Fee) (Base + Variable)	$250.00	$250.00	Per Application		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
284	Application for Site Plan Amendments (Base Fee) (Base + Variable)	$250.00	$250.00	Per Application		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
285	Specific Use Permit Renewal (Base Fee) (Base + Variable)	$100.00	$100.00	Per Permit		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
286	Application fee for Amendment to Zoning Ordinance	$250.00	$250.00	Per Amendment		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
287	Variances Requests (ZBA)(Base Fee) (Base + Variable)	$150.00	$150.00	Per Application		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
288	Historic District Certificate of Appropriateness	$75.00	$75.00	Per Applicant		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
289	Subdivision Plats – preliminary (Base Fee) (Base + Variable Deposit)	$100.00	$100.00	Per Plat		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
290	Subdivision Plats – final (Base Fee) (Base + Variable Deposit)	$200.00	$200.00	Per Plat		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
291	Subdivision Plats – re-approval (Base Fee) (Base + Variable Deposit)	$100.00	$100.00	Per Re-approval		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
292	Subdivision Replats (Base Fee) (Base + Variable Deposit)	$100.00	$100.00	Per Replat		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
293	Subdivision Plat - Vacated (Base Fee)	$0.00	$100.00		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945	
294	Subdivision Plat – amendments (Base Fee) (Base + Variable Deposit)	$100.00	$100.00	Per Amendment		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945

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295	Subdivision Minor Plats (Base Fee) (Base + Variable Deposit)	$50.00	$50.00	Per Minor Plat		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
296	Deposit for Variable Fees	$200.00	$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
297	Zoning Verification Document	$25.00	$25.00	Each		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
298	Voluntary Annexation Application Fee	$500.00	$500.00	Each Application		Planning and Community Development Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3945
299	Street Name Change Application Fee	$500.00	$500.00	Per request	Additional cost for new signage	Public Works Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3948
300	Street/Alley/Public ROW Abandonment Application Fee	$2,000.00	$500.00	Per request	All associated costs including Quit claim deeds and any legal work will be applicant's responsibility	Public Works Department	City Hall – Municipal Building – 220 Texas Boulevard	903-798-3948
301	Utility Easement Abandonment Application Fee	$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
302	Central Records and Communications	$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
303	Police: Accident Report	$5.00	$5.00	Copy of Report	Front and back pages	Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3181
304	Police: Offense Report	$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
305	Police: Criminal History	$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
306	Police: Certification of any Report	$5.00	$5.00	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
307	Burglar Alarm Permits – Residential	$35.00	$35.00	Annual Permit		Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3102
308	Burglar Alarm Permits – Commercial	$75.00	$75.00	Annual Permit		Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3102
309	Burglar Alarm Permits -- late renewal (30 days or less late)	$20.00	$20.00	Each System		Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3102

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310	Burglar Alarm Permits -- late renewal (more than30 days late)	$40.00	$40.00	Each System		Police Department	Bi-State Justice Building 100 North State Line Avenue at Broad Street	903-798-3102
311	False Alarm Fees	$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
312	Wrecker Permits	$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
313	Vehicle Storage Facility	$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
314	Taxi Permits	$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
315	Sexually Oriented Business	$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
316	Youth Club/Dance Hall Permit	$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
317	Water Service Connection	$10.00	$15.00	Each	Water Service Initiation	TWU	801 Wood Street	903-798-3800
318	Water Meter Disconnect	$10.00	$15.00	Each	Discontinue Service	TWU	801 Wood Street	903-798-3800
319	Water Service Transfer	$20.00	$20.00	Each		TWU	801 Wood Street	903-798-3800
320	Late Service Charge – Non-Payment	10%	10%	On billed amount	If not paid by Due Date	TWU	801 Wood Street	903-798-3800
321	After Hours Service Call to reinstate water service	$25.00	$50.00	Each		TWU	801 Wood Street	903-798-3800
322	Non Payment Service Charge	$20.00	$35.00	Each	if not paid by disconnect date	TWU	801 Wood Street	903-798-3800
323	Water meter reread initiated by Customer	$10.00	$10.00	Each	No charge if initiated by TWU	TWU	801 Wood Street	903-798-3800
324	Water meter testing initiated by Customer	$30.00	$30.00	Each	Meters two inches & smaller	TWU	801 Wood Street	903-798-3800
325	Water meter testing initiated by Customer (Cost plus %)	10%	10%	Each	Meters larger than two inches	TWU	801 Wood Street	903-798-3800
326	Water meter Tampering	$35.00	$50.00	Each		TWU	801 Wood Street	903-798-3800
327	Unauthorized Water Connection Inserted	$35.00	$100.00	Each		TWU	801 Wood Street	903-798-3800
328	Water meter Fees – 5/8" meter	Cost	Cost	Each		TWU	801 Wood Street	903-798-3800
329	Water meter Fees – 1" meter	Cost	Cost	Each		TWU	801 Wood Street	903-798-3800
330	Water: Single Register 2" (irrigation)	Cost	Cost	Each		TWU	801 Wood Street	903-798-3800
331	Inspection/Tapping Fee for Water Main	$25.00	$25.00	Each		TWU	801 Wood Street	903-798-3800
332	Bacteriological testing of water samples	$20.00	$20.00	Each		TWU	801 Wood Street	903-798-3800
333	Sanitary Sewer Availability Fee *	$25.00	$25.00	Monthly	Non-Connection when Sewer Connection is available to the property	TWU	801 Wood Street	903-798-3800
334	Sewer Surcharge -- Excessive Strength Wastes	$0.10	$0.10	TSS per pound		TWU	801 Wood Street	903-798-3800
335	Sewer Surcharge -- Excessive Strength Wastes	$0.25	$0.25	BOD per pound		TWU	801 Wood Street	903-798-3800
336	Industrial Wastewater Discharge Permit	$300.00	$300.00		Significant Discharger	TWU	801 Wood Street	903-798-3800
337	Industrial Wastewater Discharge Permit	$200.00	$200.00		Minor Discharger	TWU	801 Wood Street	903-798-3800
338	Industrial Wastewater Discharge Permit	$50.00	$50.00		Commercial Discharger	TWU	801 Wood Street	903-798-3800
339	Industrial Wastewater Discharge Permit	$50.00	$50.00		Intermittent Discharger	TWU	801 Wood Street	903-798-3800
340	Industrial Wastewater Discharge Permit	$100.00	$100.00		Transported Discharger	TWU	801 Wood Street	903-798-3800
341	Industrial Wastewater Discharge Permit	$50.00	$50.00		Non-Discharge	TWU	801 Wood Street	903-798-3800
342	Delivery of Non-Domestic Waste to POTW Treatment Plant	$0.10	$0.10	Per Gallon		TWU	801 Wood Street	903-798-3800
343	Temporary Wastewater Discharge Permit	$50.00	$50.00			TWU	801 Wood Street	903-798-3800
344	Metered Discharge Treatment	$0.05	$0.05	Per Gallon		TWU	801 Wood Street	903-798-3800

Attachment: 2015-056 ATTH 01 FY16 Master Fee List [Revision 1] (1314 : Res. No. 2015-056 Adoption of

FY16 Master Fee List - Version 2 (following 2nd Workshop)

Fees to be effective 1 OCT 15

Once the fee schedule is adopted FY15 fees remain in affect until replaced by the new schedule of fees. No refunds of FY15 Fees are authorized.

*** Indicates that Authorizing Ordinances have not been enacted - Therefore, these fees will not be assessed prior to adoption of the appropriate ordinance(s)**

Item Number	SERVICE/PERMIT	FY15 RATE	FY16 RATE	PER UNIT	OTHER INFORMATION	OFFICE	LOCATION	TELEPHONE
345	Liquid Waste Transport Permit	$50.00	$50.00			TWU	801 Wood Street	903-798-3800
346	Septic Waste Dumping	$50.00	$50.00	Per 1,000 Gallons	Per Volume of Tank	TWU	801 Wood Street	903-798-3800
347	Delivery of Non-Domestic Waste to POTW Treatment Plant	$0.10	$0.10	Per Gallon		TWU	801 Wood Street	903-798-3800
348	Septic Waste Manifest Books	$12.00	$12.00	Each		TWU	801 Wood Street	903-798-3800
349	Non-Residential Backflow Prevention Assembly Device	$50.00	$50.00	Per Year		TWU	801 Wood Street	903-798-3800
350	Backflow Assembly Text Booklet	$6.00	$6.00	Each		TWU	801 Wood Street	903-798-3800
351	Water Infrastructure Fee - Residential	$1.50	$1.50	Monthly		TWU	801 Wood Street	903-798-3800
352	Waste Water Infrastructure Fee - Residential	$1.50	$1.50	Monthly		TWU	801 Wood Street	903-798-3800
353	Water Infrastructure Fee - Commercial	$3.75	$3.75	Monthly		TWU	801 Wood Street	903-798-3800
354	Waste Water Infrastructure Fee - Commercial	$3.75	$3.75	Monthly		TWU	801 Wood Street	903-798-3800
355	Sales: Screened Compost	$10.00	$10.00	Per Cubic Yard		South Regional Wastewater Treatment Plant	4000 South State Line Ave	903-798-3860
356	Sales: Screened Compost	$2.00	$2.00	Per bag (1-Cubic Foot)		South Regional Wastewater Treatment Plant	4000 South State Line Ave	903-798-3860
357	Sales: Unscreened Compost	$5.00	$5.00	Per Cubic Yard		South Regional Wastewater Treatment Plant	4000 South State Line Ave	903-798-3860
358	Sales: Wood Chips	$8.00	$8.00	Per Cubic Yard		South Regional Wastewater Treatment Plant	4000 South State Line Ave	903-798-3860
359	Sales: Wood Chips	$1.00	$1.00	Per Bag (2-Cubic Foot)		South Regional Wastewater Treatment Plant	4000 South State Line Ave	903-798-3860
360	Sales: Leaf Mulch	$10.00	$10.00	Per Cubic Yard		South Regional Wastewater Treatment Plant	4000 South State Line Ave	903-798-3860

Attachment: 2015-056 ATTH 01 FY16 Master Fee List [Revision 1] (1314 : Res. No. 2015-056 Adoption of

Commercial Construction Building Permit Lookup Table -- Construction Value at $1,000 Increments from $1,000 to $560,000

Construction Cost	Permit Fee	Construction Cost	Permit Fee	Construction Cost	Permit Fee	Construction Cost	Permit Fee	Construction Cost	Permit Fee	Construction Cost	Permit Fee	Construction Cost	Permit Fee
1,000	13	81,000	976	161,000	1,739	241,000	2,304	321,000	2,669	401,000	2,835	481,000	2,802
2,000	27	82,000	987	162,000	1,748	242,000	2,310	322,000	2,672	402,000	2,836	482,000	2,801
3,000	40	83,000	997	163,000	1,756	243,000	2,315	323,000	2,676	403,000	2,837	483,000	2,799
4,000	53	84,000	1,008	164,000	1,764	244,000	2,321	324,000	2,679	404,000	2,838	484,000	2,797
5,000	66	85,000	1,019	165,000	1,772	245,000	2,327	325,000	2,682	405,000	2,838	485,000	2,796
6,000	79	86,000	1,029	166,000	1,780	246,000	2,332	326,000	2,685	406,000	2,839	486,000	2,794
7,000	92	87,000	1,040	167,000	1,789	247,000	2,338	327,000	2,688	407,000	2,840	487,000	2,792
8,000	105	88,000	1,051	168,000	1,797	248,000	2,344	328,000	2,692	408,000	2,840	488,000	2,790
9,000	119	89,000	1,061	169,000	1,805	249,000	2,349	329,000	2,695	409,000	2,841	489,000	2,788
10,000	132	90,000	1,072	170,000	1,813	250,000	2,355	330,000	2,698	410,000	2,842	490,000	2,786
11,000	145	91,000	1,082	171,000	1,821	251,000	2,360	331,000	2,701	411,000	2,842	491,000	2,784
12,000	157	92,000	1,093	172,000	1,829	252,000	2,366	332,000	2,704	412,000	2,843	492,000	2,782
13,000	170	93,000	1,103	173,000	1,837	253,000	2,371	333,000	2,707	413,000	2,843	493,000	2,780
14,000	183	94,000	1,113	174,000	1,845	254,000	2,377	334,000	2,710	414,000	2,844	494,000	2,778
15,000	196	95,000	1,124	175,000	1,853	255,000	2,382	335,000	2,713	415,000	2,844	495,000	2,776
16,000	209	96,000	1,134	176,000	1,860	256,000	2,387	336,000	2,715	416,000	2,844	496,000	2,774
17,000	222	97,000	1,145	177,000	1,868	257,000	2,393	337,000	2,718	417,000	2,845	497,000	2,772
18,000	235	98,000	1,155	178,000	1,876	258,000	2,398	338,000	2,721	418,000	2,845	498,000	2,770
19,000	247	99,000	1,165	179,000	1,884	259,000	2,403	339,000	2,724	419,000	2,845	499,000	2,768
20,000	260	100,000	1,175	180,000	1,891	260,000	2,409	340,000	2,727	420,000	2,846	500,000	2,769
21,000	273	101,000	1,185	181,000	1,899	261,000	2,414	341,000	2,729	421,000	2,846	501,000	2,774
22,000	285	102,000	1,196	182,000	1,907	262,000	2,419	342,000	2,732	422,000	2,846	502,000	2,778
23,000	298	103,000	1,206	183,000	1,914	263,000	2,424	343,000	2,735	423,000	2,846	503,000	2,783
24,000	310	104,000	1,216	184,000	1,922	264,000	2,429	344,000	2,737	424,000	2,846	504,000	2,788
25,000	323	105,000	1,226	185,000	1,930	265,000	2,434	345,000	2,740	425,000	2,846	505,000	2,793
26,000	335	106,000	1,236	186,000	1,937	266,000	2,439	346,000	2,742	426,000	2,846	506,000	2,797
27,000	348	107,000	1,246	187,000	1,945	267,000	2,444	347,000	2,745	427,000	2,846	507,000	2,802
28,000	360	108,000	1,256	188,000	1,952	268,000	2,449	348,000	2,747	428,000	2,846	508,000	2,807
29,000	373	109,000	1,266	189,000	1,960	269,000	2,454	349,000	2,750	429,000	2,846	509,000	2,812
30,000	385	110,000	1,276	190,000	1,967	270,000	2,459	350,000	2,752	430,000	2,846	510,000	2,816
31,000	398	111,000	1,286	191,000	1,974	271,000	2,464	351,000	2,755	431,000	2,846	511,000	2,821
32,000	410	112,000	1,295	192,000	1,982	272,000	2,469	352,000	2,757	432,000	2,846	512,000	2,826
33,000	422	113,000	1,305	193,000	1,989	273,000	2,474	353,000	2,759	433,000	2,846	513,000	2,831
34,000	434	114,000	1,315	194,000	1,996	274,000	2,479	354,000	2,762	434,000	2,846	514,000	2,835
35,000	447	115,000	1,325	195,000	2,004	275,000	2,483	355,000	2,764	435,000	2,846	515,000	2,840
36,000	459	116,000	1,334	196,000	2,011	276,000	2,488	356,000	2,766	436,000	2,845	516,000	2,845
37,000	471	117,000	1,344	197,000	2,018	277,000	2,493	357,000	2,769	437,000	2,845	517,000	2,849
38,000	483	118,000	1,354	198,000	2,025	278,000	2,497	358,000	2,771	438,000	2,845	518,000	2,854
39,000	495	119,000	1,363	199,000	2,032	279,000	2,502	359,000	2,773	439,000	2,845	519,000	2,859
40,000	507	120,000	1,373	200,000	2,039	280,000	2,507	360,000	2,775	440,000	2,844	520,000	2,863
41,000	519	121,000	1,383	201,000	2,046	281,000	2,511	361,000	2,777	441,000	2,844	521,000	2,868
42,000	531	122,000	1,392	202,000	2,054	282,000	2,516	362,000	2,779	442,000	2,843	522,000	2,873
43,000	543	123,000	1,402	203,000	2,061	283,000	2,520	363,000	2,781	443,000	2,843	523,000	2,878
44,000	555	124,000	1,411	204,000	2,067	284,000	2,525	364,000	2,783	444,000	2,842	524,000	2,882
45,000	567	125,000	1,420	205,000	2,074	285,000	2,529	365,000	2,785	445,000	2,842	525,000	2,887
46,000	579	126,000	1,430	206,000	2,081	286,000	2,534	366,000	2,787	446,000	2,841	526,000	2,892
47,000	591	127,000	1,439	207,000	2,088	287,000	2,538	367,000	2,789	447,000	2,841	527,000	2,896
48,000	603	128,000	1,449	208,000	2,095	288,000	2,543	368,000	2,791	448,000	2,840	528,000	2,901
49,000	615	129,000	1,458	209,000	2,102	289,000	2,547	369,000	2,793	449,000	2,839	529,000	2,906
50,000	627	130,000	1,467	210,000	2,109	290,000	2,551	370,000	2,795	450,000	2,839	530,000	2,910
51,000	638	131,000	1,476	211,000	2,115	291,000	2,555	371,000	2,796	451,000	2,838	531,000	2,915
52,000	650	132,000	1,486	212,000	2,122	292,000	2,560	372,000	2,798	452,000	2,837	532,000	2,920
53,000	662	133,000	1,495	213,000	2,129	293,000	2,564	373,000	2,800	453,000	2,837	533,000	2,924
54,000	673	134,000	1,504	214,000	2,136	294,000	2,568	374,000	2,801	454,000	2,836	534,000	2,929
55,000	685	135,000	1,513	215,000	2,142	295,000	2,572	375,000	2,803	455,000	2,835	535,000	2,934
56,000	696	136,000	1,522	216,000	2,149	296,000	2,576	376,000	2,805	456,000	2,834	536,000	2,938
57,000	708	137,000	1,531	217,000	2,155	297,000	2,580	377,000	2,806	457,000	2,833	537,000	2,943
58,000	720	138,000	1,540	218,000	2,162	298,000	2,584	378,000	2,808	458,000	2,832	538,000	2,948
59,000	731	139,000	1,549	219,000	2,168	299,000	2,588	379,000	2,809	459,000	2,831	539,000	2,952
60,000	742	140,000	1,558	220,000	2,175	300,000	2,592	380,000	2,811	460,000	2,830	540,000	2,957
61,000	754	141,000	1,567	221,000	2,181	301,000	2,596	381,000	2,812	461,000	2,829	541,000	2,961
62,000	765	142,000	1,576	222,000	2,188	302,000	2,600	382,000	2,814	462,000	2,828	542,000	2,966
63,000	777	143,000	1,585	223,000	2,194	303,000	2,604	383,000	2,815	463,000	2,827	543,000	2,971
64,000	788	144,000	1,594	224,000	2,201	304,000	2,608	384,000	2,817	464,000	2,826	544,000	2,975
65,000	799	145,000	1,603	225,000	2,207	305,000	2,612	385,000	2,818	465,000	2,825	545,000	2,980
66,000	811	146,000	1,611	226,000	2,213	306,000	2,616	386,000	2,819	466,000	2,824	546,000	2,985
67,000	822	147,000	1,620	227,000	2,219	307,000	2,620	387,000	2,821	467,000	2,823	547,000	2,989
68,000	833	148,000	1,629	228,000	2,226	308,000	2,623	388,000	2,822	468,000	2,821	548,000	2,994
69,000	844	149,000	1,638	229,000	2,232	309,000	2,627	389,000	2,823	469,000	2,820	549,000	2,998
70,000	855	150,000	1,646	230,000	2,238	310,000	2,631	390,000	2,824	470,000	2,819	550,000	3,003
71,000	866	151,000	1,655	231,000	2,244	311,000	2,634	391,000	2,825	471,000	2,817	551,000	3,008
72,000	878	152,000	1,663	232,000	2,250	312,000	2,638	392,000	2,827	472,000	2,816	552,000	3,012
73,000	889	153,000	1,672	233,000	2,256	313,000	2,642	393,000	2,828	473,000	2,815	553,000	3,017
74,000	900	154,000	1,681	234,000	2,262	314,000	2,645	394,000	2,829	474,000	2,813	554,000	3,021
75,000	911	155,000	1,689	235,000	2,268	315,000	2,649	395,000	2,830	475,000	2,812	555,000	3,026
76,000	922	156,000	1,697	236,000	2,274	316,000	2,652	396,000	2,831	476,000	2,810	556,000	3,031
77,000	932	157,000	1,706	237,000	2,280	317,000	2,656	397,000	2,832	477,000	2,809	557,000	3,035
78,000	943	158,000	1,714	238,000	2,286	318,000	2,659	398,000	2,833	478,000	2,807	558,000	3,040
79,000	954	159,000	1,723	239,000	2,292	319,000	2,662	399,000	2,834	479,000	2,806	559,000	3,044
80,000	965	160,000	1,731	240,000	2,298	320,000	2,666	400,000	2,834	480,000	2,804	560,000	3,049

Attachment: 2015-056 ATTH 01 FY16 Master Fee List [Revision 1] (1314 : Res. No. 2015-056 Adoption of FY16 Master Fee List)

Commercial Construction Building Permit Lookup Table -- Construction Value at $10,000 Increments from $10,000 to $5.6 Million

Construction Cost	Permit Fee	Construction Cost	Permit Fee	Construction Cost	Permit Fee	Construction Cost	Permit Fee	Construction Cost	Permit Fee	Construction Cost	Permit Fee	Construction Cost	Permit Fee
10,000	132	810,000	4,095	1,610,000	6,139	2,410,000	7,578	3,210,000	9,698	4,010,000	11,621	4,810,000	13,346
20,000	260	820,000	4,133	1,620,000	6,152	2,420,000	7,606	3,220,000	9,723	4,020,000	11,644	4,820,000	13,367
30,000	385	830,000	4,171	1,630,000	6,164	2,430,000	7,633	3,230,000	9,748	4,030,000	11,666	4,830,000	13,387
40,000	507	840,000	4,208	1,640,000	6,177	2,440,000	7,661	3,240,000	9,774	4,040,000	11,689	4,840,000	13,407
50,000	627	850,000	4,245	1,650,000	6,189	2,450,000	7,689	3,250,000	9,799	4,050,000	11,712	4,850,000	13,428
60,000	742	860,000	4,281	1,660,000	6,200	2,460,000	7,716	3,260,000	9,824	4,060,000	11,734	4,860,000	13,448
70,000	855	870,000	4,318	1,670,000	6,212	2,470,000	7,744	3,270,000	9,849	4,070,000	11,757	4,870,000	13,468
80,000	965	880,000	4,354	1,680,000	6,223	2,480,000	7,771	3,280,000	9,874	4,080,000	11,780	4,880,000	13,488
90,000	1,072	890,000	4,389	1,690,000	6,234	2,490,000	7,799	3,290,000	9,899	4,090,000	11,802	4,890,000	13,508
100,000	1,175	900,000	4,425	1,700,000	6,244	2,500,000	7,826	3,300,000	9,924	4,100,000	11,825	4,900,000	13,528
110,000	1,276	910,000	4,460	1,710,000	6,254	2,510,000	7,854	3,310,000	9,949	4,110,000	11,847	4,910,000	13,548
120,000	1,373	920,000	4,494	1,720,000	6,264	2,520,000	7,881	3,320,000	9,974	4,120,000	11,870	4,920,000	13,568
130,000	1,467	930,000	4,529	1,730,000	6,274	2,530,000	7,908	3,330,000	9,999	4,130,000	11,892	4,930,000	13,588
140,000	1,558	940,000	4,563	1,740,000	6,283	2,540,000	7,936	3,340,000	10,024	4,140,000	11,915	4,940,000	13,608
150,000	1,646	950,000	4,597	1,750,000	6,292	2,550,000	7,963	3,350,000	10,049	4,150,000	11,937	4,950,000	13,628
160,000	1,731	960,000	4,630	1,760,000	6,300	2,560,000	7,990	3,360,000	10,073	4,160,000	11,959	4,960,000	13,648
170,000	1,813	970,000	4,663	1,770,000	6,309	2,570,000	8,018	3,370,000	10,098	4,170,000	11,982	4,970,000	13,668
180,000	1,891	980,000	4,696	1,780,000	6,317	2,580,000	8,045	3,380,000	10,123	4,180,000	12,004	4,980,000	13,688
190,000	1,967	990,000	4,729	1,790,000	6,324	2,590,000	8,072	3,390,000	10,148	4,190,000	12,026	4,990,000	13,708
200,000	2,039	1,000,000	4,761	1,800,000	6,332	2,600,000	8,099	3,400,000	10,172	4,200,000	12,048	5,000,000	13,728
210,000	2,109	1,010,000	4,793	1,810,000	6,339	2,610,000	8,126	3,410,000	10,197	4,210,000	12,071	5,010,000	13,754
220,000	2,175	1,020,000	4,824	1,820,000	6,345	2,620,000	8,153	3,420,000	10,222	4,220,000	12,093	5,020,000	13,781
230,000	2,238	1,030,000	4,856	1,830,000	6,352	2,630,000	8,181	3,430,000	10,246	4,230,000	12,115	5,030,000	13,808
240,000	2,298	1,040,000	4,887	1,840,000	6,358	2,640,000	8,208	3,440,000	10,271	4,240,000	12,137	5,040,000	13,835
250,000	2,355	1,050,000	4,917	1,850,000	6,364	2,650,000	8,235	3,450,000	10,295	4,250,000	12,159	5,050,000	13,861
260,000	2,409	1,060,000	4,948	1,860,000	6,369	2,660,000	8,262	3,460,000	10,320	4,260,000	12,181	5,060,000	13,888
270,000	2,459	1,070,000	4,978	1,870,000	6,374	2,670,000	8,288	3,470,000	10,344	4,270,000	12,203	5,070,000	13,915
280,000	2,507	1,080,000	5,007	1,880,000	6,379	2,680,000	8,315	3,480,000	10,369	4,280,000	12,225	5,080,000	13,942
290,000	2,551	1,090,000	5,037	1,890,000	6,384	2,690,000	8,342	3,490,000	10,393	4,290,000	12,247	5,090,000	13,968
300,000	2,592	1,100,000	5,066	1,900,000	6,388	2,700,000	8,369	3,500,000	10,418	4,300,000	12,269	5,100,000	13,995
310,000	2,631	1,110,000	5,095	1,910,000	6,392	2,710,000	8,396	3,510,000	10,442	4,310,000	12,291	5,110,000	14,022
320,000	2,666	1,120,000	5,123	1,920,000	6,396	2,720,000	8,423	3,520,000	10,466	4,320,000	12,313	5,120,000	14,049
330,000	2,698	1,130,000	5,151	1,930,000	6,399	2,730,000	8,450	3,530,000	10,491	4,330,000	12,335	5,130,000	14,075
340,000	2,727	1,140,000	5,179	1,940,000	6,402	2,740,000	8,476	3,540,000	10,515	4,340,000	12,356	5,140,000	14,102
350,000	2,752	1,150,000	5,207	1,950,000	6,405	2,750,000	8,503	3,550,000	10,539	4,350,000	12,378	5,150,000	14,129
360,000	2,775	1,160,000	5,234	1,960,000	6,407	2,760,000	8,530	3,560,000	10,563	4,360,000	12,400	5,160,000	14,155
370,000	2,795	1,170,000	5,261	1,970,000	6,409	2,770,000	8,556	3,570,000	10,588	4,370,000	12,422	5,170,000	14,182
380,000	2,811	1,180,000	5,288	1,980,000	6,411	2,780,000	8,583	3,580,000	10,612	4,380,000	12,443	5,180,000	14,209
390,000	2,824	1,190,000	5,314	1,990,000	6,412	2,790,000	8,609	3,590,000	10,636	4,390,000	12,465	5,190,000	14,236
400,000	2,834	1,200,000	5,340	2,000,000	6,415	2,800,000	8,636	3,600,000	10,660	4,400,000	12,487	5,200,000	14,262
410,000	2,842	1,210,000	5,366	2,010,000	6,444	2,810,000	8,662	3,610,000	10,684	4,410,000	12,508	5,210,000	14,289
420,000	2,846	1,220,000	5,391	2,020,000	6,473	2,820,000	8,689	3,620,000	10,708	4,420,000	12,530	5,220,000	14,316
430,000	2,846	1,230,000	5,416	2,030,000	6,502	2,830,000	8,715	3,630,000	10,732	4,430,000	12,551	5,230,000	14,342
440,000	2,844	1,240,000	5,441	2,040,000	6,531	2,840,000	8,742	3,640,000	10,756	4,440,000	12,573	5,240,000	14,369
450,000	2,839	1,250,000	5,465	2,050,000	6,560	2,850,000	8,768	3,650,000	10,780	4,450,000	12,594	5,250,000	14,396
460,000	2,830	1,260,000	5,489	2,060,000	6,588	2,860,000	8,795	3,660,000	10,804	4,460,000	12,616	5,260,000	14,422
470,000	2,819	1,270,000	5,513	2,070,000	6,617	2,870,000	8,821	3,670,000	10,828	4,470,000	12,637	5,270,000	14,449
480,000	2,804	1,280,000	5,537	2,080,000	6,646	2,880,000	8,847	3,680,000	10,851	4,480,000	12,658	5,280,000	14,476
490,000	2,786	1,290,000	5,560	2,090,000	6,675	2,890,000	8,874	3,690,000	10,875	4,490,000	12,680	5,290,000	14,502
500,000	2,769	1,300,000	5,583	2,100,000	6,703	2,900,000	8,900	3,700,000	10,899	4,500,000	12,701	5,300,000	14,529
510,000	2,816	1,310,000	5,606	2,110,000	6,732	2,910,000	8,926	3,710,000	10,923	4,510,000	12,722	5,310,000	14,556
520,000	2,863	1,320,000	5,628	2,120,000	6,761	2,920,000	8,952	3,720,000	10,946	4,520,000	12,744	5,320,000	14,582
530,000	2,910	1,330,000	5,650	2,130,000	6,789	2,930,000	8,978	3,730,000	10,970	4,530,000	12,765	5,330,000	14,609
540,000	2,957	1,340,000	5,671	2,140,000	6,818	2,940,000	9,004	3,740,000	10,994	4,540,000	12,786	5,340,000	14,636
550,000	3,003	1,350,000	5,693	2,150,000	6,846	2,950,000	9,030	3,750,000	11,017	4,550,000	12,807	5,350,000	14,662
560,000	3,049	1,360,000	5,714	2,160,000	6,875	2,960,000	9,057	3,760,000	11,041	4,560,000	12,828	5,360,000	14,689
570,000	3,095	1,370,000	5,735	2,170,000	6,903	2,970,000	9,083	3,770,000	11,065	4,570,000	12,849	5,370,000	14,716
580,000	3,140	1,380,000	5,755	2,180,000	6,932	2,980,000	9,109	3,780,000	11,088	4,580,000	12,871	5,380,000	14,742
590,000	3,185	1,390,000	5,775	2,190,000	6,960	2,990,000	9,135	3,790,000	11,112	4,590,000	12,892	5,390,000	14,769
600,000	3,229	1,400,000	5,795	2,200,000	6,989	3,000,000	9,160	3,800,000	11,135	4,600,000	12,913	5,400,000	14,796
610,000	3,274	1,410,000	5,814	2,210,000	7,017	3,010,000	9,186	3,810,000	11,158	4,610,000	12,934	5,410,000	14,822
620,000	3,318	1,420,000	5,833	2,220,000	7,045	3,020,000	9,212	3,820,000	11,182	4,620,000	12,954	5,420,000	14,849
630,000	3,362	1,430,000	5,852	2,230,000	7,074	3,030,000	9,238	3,830,000	11,205	4,630,000	12,975	5,430,000	14,876
640,000	3,405	1,440,000	5,871	2,240,000	7,102	3,040,000	9,264	3,840,000	11,229	4,640,000	12,996	5,440,000	14,902
650,000	3,448	1,450,000	5,889	2,250,000	7,130	3,050,000	9,290	3,850,000	11,252	4,650,000	13,017	5,450,000	14,929
660,000	3,491	1,460,000	5,907	2,260,000	7,158	3,060,000	9,315	3,860,000	11,275	4,660,000	13,038	5,460,000	14,956
670,000	3,533	1,470,000	5,925	2,270,000	7,187	3,070,000	9,341	3,870,000	11,298	4,670,000	13,059	5,470,000	14,982
680,000	3,575	1,480,000	5,942	2,280,000	7,215	3,080,000	9,367	3,880,000	11,322	4,680,000	13,079	5,480,000	15,009
690,000	3,617	1,490,000	5,959	2,290,000	7,243	3,090,000	9,392	3,890,000	11,345	4,690,000	13,100	5,490,000	15,035
700,000	3,659	1,500,000	5,976	2,300,000	7,271	3,100,000	9,418	3,900,000	11,368	4,700,000	13,121	5,500,000	15,062
710,000	3,700	1,510,000	5,992	2,310,000	7,299	3,110,000	9,444	3,910,000	11,391	4,710,000	13,142	5,510,000	15,089
720,000	3,741	1,520,000	6,008	2,320,000	7,327	3,120,000	9,469	3,920,000	11,414	4,720,000	13,162	5,520,000	15,115
730,000	3,782	1,530,000	6,024	2,330,000	7,355	3,130,000	9,495	3,930,000	11,437	4,730,000	13,183	5,530,000	15,142
740,000	3,822	1,540,000	6,039	2,340,000	7,383	3,140,000	9,520	3,940,000	11,460	4,740,000	13,203	5,540,000	15,168
750,000	3,862	1,550,000	6,054	2,350,000	7,411	3,150,000	9,546	3,950,000	11,483	4,750,000	13,224	5,550,000	15,195
760,000	3,902	1,560,000	6,069	2,360,000	7,439	3,160,000	9,571	3,960,000	11,506	4,760,000	13,244	5,560,000	15,222
770,000	3,941	1,570,000	6,084	2,370,000	7,467	3,170,000	9,597	3,970,000	11,529	4,770,000	13,265	5,570,000	15,248
780,000	3,980	1,580,000	6,098	2,380,000	7,495	3,180,000	9,622	3,980,000	11,552	4,780,000	13,285	5,580,000	15,275
790,000	4,019	1,590,000	6,112	2,390,000	7,522	3,190,000	9,647	3,990,000	11,575	4,790,000	13,306	5,590,000	15,301
800,000	4,057	1,600,000	6,125	2,400,000	7,550	3,200,000	9,673	4,000,000	11,598	4,800,000	13,326	5,600,000	15,328

Attachment: 2015-056 ATTH 01 FY16 Master Fee List [Revision 1] (1314 : Res. No. 2015-056 Adoption of FY16 Master Fee List)

Commercial Construction Building Permit Lookup Table -- Construction Value at $50,000 Increments from $50,000 to $25 Million

Construction Cost	Permit Fee	Construction Cost	Permit Fee	Construction Cost	Permit Fee	Construction Cost	Permit Fee	Construction Cost	Permit Fee	Construction Cost	Permit Fee	Construction Cost	Permit Fee
50,000	627	4,050,000	11,712	8,050,000	21,758	12,050,000	31,895	16,050,000	41,583	20,050,000	50,824	24,050,000	59,616
100,000	1,175	4,100,000	11,825	8,100,000	21,887	12,100,000	32,018	16,100,000	41,701	20,100,000	50,936	24,100,000	59,723
150,000	1,646	4,150,000	11,937	8,150,000	22,017	12,150,000	32,142	16,150,000	41,820	20,150,000	51,049	24,150,000	59,830
200,000	2,039	4,200,000	12,048	8,200,000	22,146	12,200,000	32,266	16,200,000	41,938	20,200,000	51,161	24,200,000	59,937
250,000	2,355	4,250,000	12,159	8,250,000	22,275	12,250,000	32,390	16,250,000	42,056	20,250,000	51,274	24,250,000	60,044
300,000	2,592	4,300,000	12,269	8,300,000	22,405	12,300,000	32,513	16,300,000	42,174	20,300,000	51,386	24,300,000	60,151
350,000	2,752	4,350,000	12,378	8,350,000	22,534	12,350,000	32,637	16,350,000	42,292	20,350,000	51,499	24,350,000	60,258
400,000	2,834	4,400,000	12,487	8,400,000	22,663	12,400,000	32,760	16,400,000	42,410	20,400,000	51,611	24,400,000	60,364
450,000	2,839	4,450,000	12,594	8,450,000	22,792	12,450,000	32,884	16,450,000	42,527	20,450,000	51,723	24,450,000	60,471
500,000	2,769	4,500,000	12,701	8,500,000	22,921	12,500,000	33,007	16,500,000	42,645	20,500,000	51,835	24,500,000	60,577
550,000	3,003	4,550,000	12,807	8,550,000	23,049	12,550,000	33,130	16,550,000	42,763	20,550,000	51,947	24,550,000	60,684
600,000	3,229	4,600,000	12,913	8,600,000	23,178	12,600,000	33,253	16,600,000	42,880	20,600,000	52,059	24,600,000	60,790
650,000	3,448	4,650,000	13,017	8,650,000	23,307	12,650,000	33,376	16,650,000	42,998	20,650,000	52,171	24,650,000	60,897
700,000	3,659	4,700,000	13,121	8,700,000	23,436	12,700,000	33,499	16,700,000	43,115	20,700,000	52,283	24,700,000	61,003
750,000	3,862	4,750,000	13,224	8,750,000	23,564	12,750,000	33,622	16,750,000	43,233	20,750,000	52,395	24,750,000	61,109
800,000	4,057	4,800,000	13,326	8,800,000	23,693	12,800,000	33,745	16,800,000	43,350	20,800,000	52,506	24,800,000	61,215
850,000	4,245	4,850,000	13,428	8,850,000	23,821	12,850,000	33,868	16,850,000	43,467	20,850,000	52,618	24,850,000	61,321
900,000	4,425	4,900,000	13,528	8,900,000	23,949	12,900,000	33,991	16,900,000	43,584	20,900,000	52,730	24,900,000	61,427
950,000	4,597	4,950,000	13,628	8,950,000	24,078	12,950,000	34,113	16,950,000	43,701	20,950,000	52,841	24,950,000	61,533
1,000,000	4,761	5,000,000	13,728	9,000,000	24,206	13,000,000	34,236	17,000,000	43,818	21,000,000	52,952	25,000,000	61,639
1,050,000	4,917	5,050,000	13,861	9,050,000	24,334	13,050,000	34,359	17,050,000	43,935	21,050,000	53,064		
1,100,000	5,066	5,100,000	13,995	9,100,000	24,462	13,100,000	34,481	17,100,000	44,052	21,100,000	53,175		
1,150,000	5,207	5,150,000	14,129	9,150,000	24,590	13,150,000	34,604	17,150,000	44,169	21,150,000	53,286		
1,200,000	5,340	5,200,000	14,262	9,200,000	24,718	13,200,000	34,726	17,200,000	44,286	21,200,000	53,397		
1,250,000	5,465	5,250,000	14,396	9,250,000	24,846	13,250,000	34,848	17,250,000	44,402	21,250,000	53,508		
1,300,000	5,583	5,300,000	14,529	9,300,000	24,974	13,300,000	34,970	17,300,000	44,519	21,300,000	53,619		
1,350,000	5,693	5,350,000	14,662	9,350,000	25,101	13,350,000	35,092	17,350,000	44,635	21,350,000	53,730		
1,400,000	5,795	5,400,000	14,796	9,400,000	25,229	13,400,000	35,214	17,400,000	44,752	21,400,000	53,841		
1,450,000	5,889	5,450,000	14,929	9,450,000	25,357	13,450,000	35,336	17,450,000	44,868	21,450,000	53,952		
1,500,000	5,976	5,500,000	15,062	9,500,000	25,484	13,500,000	35,458	17,500,000	44,985	21,500,000	54,063		
1,550,000	6,054	5,550,000	15,195	9,550,000	25,612	13,550,000	35,580	17,550,000	45,101	21,550,000	54,173		
1,600,000	6,125	5,600,000	15,328	9,600,000	25,739	13,600,000	35,702	17,600,000	45,217	21,600,000	54,284		
1,650,000	6,189	5,650,000	15,461	9,650,000	25,866	13,650,000	35,824	17,650,000	45,333	21,650,000	54,394		
1,700,000	6,244	5,700,000	15,594	9,700,000	25,994	13,700,000	35,945	17,700,000	45,449	21,700,000	54,505		
1,750,000	6,292	5,750,000	15,727	9,750,000	26,121	13,750,000	36,067	17,750,000	45,565	21,750,000	54,615		
1,800,000	6,332	5,800,000	15,859	9,800,000	26,248	13,800,000	36,188	17,800,000	45,681	21,800,000	54,726		
1,850,000	6,364	5,850,000	15,992	9,850,000	26,375	13,850,000	36,310	17,850,000	45,797	21,850,000	54,836		
1,900,000	6,388	5,900,000	16,124	9,900,000	26,502	13,900,000	36,431	17,900,000	45,913	21,900,000	54,946		
1,950,000	6,405	5,950,000	16,257	9,950,000	26,629	13,950,000	36,552	17,950,000	46,028	21,950,000	55,056		
2,000,000	6,415	6,000,000	16,389	10,000,000	26,755	14,000,000	36,674	18,000,000	46,144	22,000,000	55,166		
2,050,000	6,560	6,050,000	16,522	10,050,000	26,882	14,050,000	36,795	18,050,000	46,259	22,050,000	55,276		
2,100,000	6,703	6,100,000	16,654	10,100,000	27,009	14,100,000	36,916	18,100,000	46,375	22,100,000	55,386		
2,150,000	6,846	6,150,000	16,786	10,150,000	27,135	14,150,000	37,037	18,150,000	46,490	22,150,000	55,496		
2,200,000	6,989	6,200,000	16,918	10,200,000	27,262	14,200,000	37,158	18,200,000	46,606	22,200,000	55,605		
2,250,000	7,130	6,250,000	17,050	10,250,000	27,388	14,250,000	37,279	18,250,000	46,721	22,250,000	55,715		
2,300,000	7,271	6,300,000	17,182	10,300,000	27,515	14,300,000	37,399	18,300,000	46,836	22,300,000	55,825		
2,350,000	7,411	6,350,000	17,314	10,350,000	27,641	14,350,000	37,520	18,350,000	46,951	22,350,000	55,934		
2,400,000	7,550	6,400,000	17,446	10,400,000	27,767	14,400,000	37,641	18,400,000	47,066	22,400,000	56,044		
2,450,000	7,689	6,450,000	17,578	10,450,000	27,894	14,450,000	37,761	18,450,000	47,181	22,450,000	56,153		
2,500,000	7,826	6,500,000	17,710	10,500,000	28,020	14,500,000	37,882	18,500,000	47,296	22,500,000	56,262		
2,550,000	7,963	6,550,000	17,841	10,550,000	28,146	14,550,000	38,002	18,550,000	47,411	22,550,000	56,372		
2,600,000	8,099	6,600,000	17,973	10,600,000	28,272	14,600,000	38,123	18,600,000	47,526	22,600,000	56,481		
2,650,000	8,235	6,650,000	18,104	10,650,000	28,398	14,650,000	38,243	18,650,000	47,640	22,650,000	56,590		
2,700,000	8,369	6,700,000	18,236	10,700,000	28,523	14,700,000	38,363	18,700,000	47,755	22,700,000	56,699		
2,750,000	8,503	6,750,000	18,367	10,750,000	28,649	14,750,000	38,483	18,750,000	47,870	22,750,000	56,808		
2,800,000	8,636	6,800,000	18,498	10,800,000	28,775	14,800,000	38,604	18,800,000	47,984	22,800,000	56,917		
2,850,000	8,768	6,850,000	18,630	10,850,000	28,901	14,850,000	38,724	18,850,000	48,099	22,850,000	57,026		
2,900,000	8,900	6,900,000	18,761	10,900,000	29,026	14,900,000	38,844	18,900,000	48,213	22,900,000	57,134		
2,950,000	9,030	6,950,000	18,892	10,950,000	29,152	14,950,000	38,963	18,950,000	48,327	22,950,000	57,243		
3,000,000	9,160	7,000,000	19,023	11,000,000	29,277	15,000,000	39,083	19,000,000	48,441	23,000,000	57,352		
3,050,000	9,290	7,050,000	19,154	11,050,000	29,402	15,050,000	39,203	19,050,000	48,556	23,050,000	57,460		
3,100,000	9,418	7,100,000	19,285	11,100,000	29,528	15,100,000	39,323	19,100,000	48,670	23,100,000	57,569		
3,150,000	9,546	7,150,000	19,415	11,150,000	29,653	15,150,000	39,442	19,150,000	48,784	23,150,000	57,677		
3,200,000	9,673	7,200,000	19,546	11,200,000	29,778	15,200,000	39,562	19,200,000	48,898	23,200,000	57,785		
3,250,000	9,799	7,250,000	19,677	11,250,000	29,903	15,250,000	39,681	19,250,000	49,011	23,250,000	57,894		
3,300,000	9,924	7,300,000	19,807	11,300,000	30,028	15,300,000	39,801	19,300,000	49,125	23,300,000	58,002		
3,350,000	10,049	7,350,000	19,938	11,350,000	30,153	15,350,000	39,920	19,350,000	49,239	23,350,000	58,110		
3,400,000	10,172	7,400,000	20,068	11,400,000	30,278	15,400,000	40,039	19,400,000	49,353	23,400,000	58,218		
3,450,000	10,295	7,450,000	20,199	11,450,000	30,403	15,450,000	40,158	19,450,000	49,466	23,450,000	58,326		
3,500,000	10,418	7,500,000	20,329	11,500,000	30,527	15,500,000	40,277	19,500,000	49,580	23,500,000	58,434		
3,550,000	10,539	7,550,000	20,459	11,550,000	30,652	15,550,000	40,397	19,550,000	49,693	23,550,000	58,542		
3,600,000	10,660	7,600,000	20,590	11,600,000	30,777	15,600,000	40,515	19,600,000	49,806	23,600,000	58,649		
3,650,000	10,780	7,650,000	20,720	11,650,000	30,901	15,650,000	40,634	19,650,000	49,920	23,650,000	58,757		
3,700,000	10,899	7,700,000	20,850	11,700,000	31,025	15,700,000	40,753	19,700,000	50,033	23,700,000	58,865		
3,750,000	11,017	7,750,000	20,980	11,750,000	31,150	15,750,000	40,872	19,750,000	50,146	23,750,000	58,972		
3,800,000	11,135	7,800,000	21,110	11,800,000	31,274	15,800,000	40,991	19,800,000	50,259	23,800,000	59,080		
3,850,000	11,252	7,850,000	21,239	11,850,000	31,398	15,850,000	41,109	19,850,000	50,372	23,850,000	59,187		
3,900,000	11,368	7,900,000	21,369	11,900,000	31,522	15,900,000	41,228	19,900,000	50,485	23,900,000	59,295		
3,950,000	11,483	7,950,000	21,499	11,950,000	31,647	15,950,000	41,346	19,950,000	50,598	23,950,000	59,402		
4,000,000	11,598	8,000,000	21,628	12,000,000	31,771	16,000,000	41,465	20,000,000	50,711	24,000,000	59,509		

Building Permit Fees

Based on $1,000,000.00 building evaluation

San Antonio, TX - $4,700.00 (no tree mitigation)

Dallas, TX - $5,867.10

Tyler, TX - $2,973.60

Longview, TX - $3,450.00

Mt. Pleasant, TX - $1,058.60

Texarkana AR - $2,375.80

Texarkana, TX - $9,500.00

Attachment: 2015-056 ATTH 02 Developer Provided Comparison of Fees (1314 : Res. No. 2015-056 Adoption of FY16 Master Fee List)

FEE BREAKDOWN FOR BUILDING PERMITS- SURROUNDING CITIES

$1,000,000.00 BASE NEW CONSTRUCTION- COMMERCIAL

	JURISDICTION	IMPACT	PERMIT	C/O	STORMWATER	PLAN REVIEW	HVAC	ELECTRICAL	PLUMBING	TOTAL
1	SOUTHLAKE	$ 51,329.91	$ 12,060.00	$ 250.00						$ 63,639.91
2	HIGHLAND PARK	$ 27,884.00	$ 10,000.00			$ 200.00	$ 10,000.00	$ 374.00	$ 410.00	$ 48,868.00
3	PLANO	$ 2,458.96	$ 10,000.00							$ 12,458.96
4	**TEXARKANA, TX**		**$ 9,500.00**			**$ 300.00**	**$ 64.00**	**$ 128.00**	**$ 260.00**	**$ 10,252.00**
5	ADDISON		$ 9,169.00							$ 9,169.00
6	BEDFORD		$ 7,290.00	$ 183.00			$ 293.00	$ 428.00	$ 433.00	$ 8,627.00
7	FARMERS BRANCH		$ 7,000.00				$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 16,000.00
8	N RICHLAND HILLS	$ 6,649.55	$ 6,649.55	$ 66.00		$ 4,322.21	$ 579.00	$ 340.00	$ 1,013.06	$ 19,619.37
9	DESOTO	$ 1,215.00	$ 6,446.55	$ 75.00						$ 7,736.55
10	CARROLTON	$ 2,495.00	$ 6,000.00	$ 100.00		$ 325.00	$ 600.00	$ 600.00	$ 600.00	$ 10,720.00
11	CEDAR HILL	$ 2,331.00	$ 5,728.00		$ 3,500.00	$ 2,577.60				$ 14,136.60
12	ROCKWALL	$ 28,813.76	$ 5,620.25	$ 300.00			$ 100.00	$ 100.00		$ 34,934.01
13	MCKINNEY	$ 10,190.65	$ 5,608.75				$ 94.00	$ 153.00	$ 88.00	$ 16,134.40
14	HALTOM CITY	$ 17,292.38	$ 5,180.00	$ 50.00			$ 27.50		$ 27.50	$ 22,577.38
15	DENTON	$ 7,700.00	$ 5,141.00	$ 255.00	$ 350.00	$ 1,300.00	$ 240.00	$ 240.00	$ 240.00	$ 15,466.00
16	ARLINGTON	$ 11,232.00	$ 5,012.25		$ 2,230.00	$ 1,754.29				$ 20,228.54
17	SAN ANTONIO	$ 300.00	$ 4,700.00	$ 200.00		$ 1,618.00				$ 6,818.00
18	GREENVILLE	$ 12,000.00	$ 4,000.00	$ 50.00	$ 500.00	$ 240.00				$ 16,790.00
19	ROWLETT	$ 16,676.00	$ 3,701.78	$ 110.00		$ 600.00	$ 50.00	$ 50.00	$ 50.00	$ 21,237.78
20	FORT WORTH	$ 10,275.50	$ 3,484.33	$ 60.00		$ 220.00	$ 125.00	$ 125.00	$ 125.00	$ 14,414.83
21	FRISCO	$ 23,250.00	$ 3,365.25	$ 75.00	$ 770.00					$ 27,460.25
22	GRAPEVINE	$ 12,166.00	$ 3,239.35	$ 50.00		$ 1,874.01				$ 17,329.36
23	BURLESON		$ 3,111.00			$ 933.30	$ 30.00	$ 30.00	$ 30.00	$ 4,134.30
24	TYLER		$ 2,973.60	$ 80.00	$ 30.00		$ 1,780.00	$ 115.00	$ 900.00	$ 5,878.60
25	SHERMAN		$ 2,916.00	$ 50.00	$ 350.00					$ 3,316.00
26	PARIS	$ 2,660.00	$ 2,665.00	$ 50.00		$ 666.25				$ 6,041.25
27	LONGVIEW		$ 2,593.99	$ 100.00		$ 856.02				$ 3,550.01
28	RICHARDSON		$ 2,240.00							$ 2,240.00
29	MT. PLEASANT		$ 1,495.80	$ 25.00		$ 200.00				$ 1,720.80
30	GARLAND	$ 22,422.50	$ 1,479.00	$ 238.00		$ 100.00	$ 113.00	$ 113.00	$ 113.00	$ 24,578.50
31	LEWISVILLE	8747.4	$ 1,479.00			$ 739.00				$ 10,965.40
32	GRAND PRAIRIE		$ 816.00	$ 100.00		$ 467.20	$ 50.00	$ 50.00	$ 60.00	$ 1,543.20
33	COPPELL		$ 660.92	$ 50.00		$ 429.60				$ 1,140.52
34	FLOWER MOUND	$ 37,130.00	$ 610.00	$ 100.00		$ 305.00				$ 38,145.00

FEE BREAKDOWN FOR BUILDING PERMITS- SURROUNDING CITIES

$1,000,000.00 BASE NEW CONSTRUCTION- COMMERCIAL

	JURISDICTION	IMPACT	PERMIT	C/O	STORMWATER	PLAN REVIEW	HVAC	ELECTRICAL	PLUMBING	TOTAL
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3	FLOWER MOUND	$ 37,130.00	$ 610.00	$ 100.00		$ 305.00				$ 38,145.00
4	ROCKWALL	$ 28,813.76	$ 5,620.25	$ 300.00			$ 100.00	$ 100.00		$ 34,934.01
5	FRISCO	$ 23,250.00	$ 3,365.25	$ 75.00	$ 770.00					$ 27,460.25
6	GARLAND	$ 22,422.50	$ 1,479.00	$ 238.00		$ 100.00	$ 113.00	$ 113.00	$ 113.00	$ 24,578.50
7	HALTOM CITY	$ 17,292.38	$ 5,180.00	$ 50.00			$ 27.50		$ 27.50	$ 22,577.38
8	ROWLETT	$ 16,676.00	$ 3,701.78	$ 110.00		$ 600.00	$ 50.00	$ 50.00	$ 50.00	$ 21,237.78
9	ARLINGTON	$ 11,232.00	$ 5,012.25		$ 2,230.00	$ 1,754.29				$ 20,228.54
10	N RICHLAND HILLS	$ 6,649.55	$ 6,649.55	$ 66.00		$ 4,322.21	$ 579.00	$ 340.00	$ 1,013.06	$ 19,619.37
11	GRAPEVINE	$ 12,166.00	$ 3,239.35	$ 50.00		$ 1,874.01				$ 17,329.36
12	GREENVILLE	$ 12,000.00	$ 4,000.00	$ 50.00	$ 500.00	$ 240.00				$ 16,790.00
13	MCKINNEY	$ 10,190.65	$ 5,608.75				$ 94.00	$ 153.00	$ 88.00	$ 16,134.40
14	FARMERS BRANCH		$ 7,000.00				$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 16,000.00
15	DENTON	$ 7,700.00	$ 5,141.00	$ 255.00	$ 350.00	$ 1,300.00	$ 240.00	$ 240.00	$ 240.00	$ 15,466.00
16	FORT WORTH	$ 10,275.50	$ 3,484.33	$ 60.00		$ 220.00	$ 125.00	$ 125.00	$ 125.00	$ 14,414.83
17	CEDAR HILL	$ 2,331.00	$ 5,728.00		$ 3,500.00	$ 2,577.60				$ 14,136.60
18	PLANO	$ 2,458.96	$ 10,000.00							$ 12,458.96
19	LEWISVILLE	8747.4	$ 1,479.00			$ 739.00				$ 10,965.40
20	CARROLTON	$ 2,495.00	$ 6,000.00	$ 100.00		$ 325.00	$ 600.00	$ 600.00	$ 600.00	$ 10,720.00
21	**TEXARKANA, TX**		**$ 9,500.00**			**$ 300.00**	**$ 64.00**	**$ 128.00**	**$ 260.00**	**$ 10,252.00**
22	ADDISON		$ 9,169.00							$ 9,169.00
23	BEDFORD		$ 7,290.00	$ 183.00			$ 293.00	$ 428.00	$ 433.00	$ 8,627.00
24	DESOTO	$ 1,215.00	$ 6,446.55	$ 75.00						$ 7,736.55
25	SAN ANTONIO	$ 300.00	$ 4,700.00	$ 200.00		$ 1,618.00				$ 6,818.00
26	PARIS	$ 2,660.00	$ 2,665.00	$ 50.00		$ 666.25				$ 6,041.25
27	TYLER		$ 2,973.60	$ 80.00	$ 30.00		$ 1,780.00	$ 115.00	$ 900.00	$ 5,878.60
28	BURLESON		$ 3,111.00			$ 933.30	$ 30.00	$ 30.00	$ 30.00	$ 4,134.30
29	LONGVIEW		$ 2,593.99	$ 100.00		$ 856.02				$ 3,550.01
30	SHERMAN		$ 2,916.00	$ 50.00	$ 350.00					$ 3,316.00
31	RICHARDSON		$ 2,240.00							$ 2,240.00
32	MT. PLEASANT		$ 1,495.80	$ 25.00		$ 200.00				$ 1,720.80
33	GRAND PRAIRIE		$ 816.00	$ 100.00		$ 467.20	$ 50.00	$ 50.00	$ 60.00	$ 1,543.20
34	COPPELL		$ 660.92	$ 50.00		$ 429.60				$ 1,140.52

Inspections Department Performance

FY13 (Actual)

Permits	Number	Revenue	Expenditures	Difference
Building	634	$103,027.10		
Electrical	393	$12,867.15		
Plumbing	606	$10,067.25		
Totals	1,633	$125,961.50	$380,117.27	-$254,155.77

FY13 YTD Period 07 (Actual)

Permits	Number	Revenue	Expenditures	Difference
Building	359	$47,560.10		
Electrical	152	$7,373.50		
Plumbing	205	$4,746.10		
Totals	716	$59,679.70	$221,139.02	-$161,459.32

FY14 (Actual)

Permits	Number	Revenue	Expenditures	Difference
Building	584	$96,541.40		
Electrical	318	$12,704.00		
Plumbing	256	$5,686.25		
Totals	1,158	$114,931.65	$385,001.33	-$270,069.68

FY14 YTD Period 07 (Actual)

Permits	Number	Revenue	Expenditures	Difference
Building	318	$48,964.60		
Electrical	164	$7,054.00		
Plumbing	144	$3,132.85		
Totals	626	$59,151.45	$224,678.16	-$165,526.71

FY15 (Projection)

Permits	Number	Revenue	Expenditures	Difference
Building	667	$465,744.00		
Electrical	334	$26,297.00		
Plumbing	247	$14,292.00		
Totals	1,248	$506,333.00	$472,089.00	$34,244.00
Budget			$550,425.44	

FY15 YTD Period 07 (Actual)

Permits	Number	Revenue	Expenditures	Difference
Building	389	$271,684.17		
Electrical	195	$15,339.75		
Plumbing	144	$8,336.90		
Totals	728	$295,360.82	$275,385.30	$19,975.52

FY13 (Actual) - Daily Average at 248 Days

Permits	Number	Revenue	Expenditures	Difference
Building	2.56	$415.43		
Electrical	1.58	$51.88		
Plumbing	2.44	$40.59		
Totals	6.58	$507.91	$1,532.73	-$1,024.82

FY13 YTD Period 07 (Actual) - Daily Average at 144 Days

Permits	Number	Revenue	Expenditures	Difference
Building	2.49	$330.28		
Electrical	1.06	$51.20		
Plumbing	1.42	$32.96		
Totals	4.97	$414.44	$1,535.69	-$1,121.25

FY14 (Actual) - Daily Average at 248 Days

Permits	Number	Revenue	Expenditures	Difference
Building	2.35	$389.28		
Electrical	1.28	$51.23		
Plumbing	1.03	$22.93		
Totals	4.67	$463.43	$1,552.42	-$1,088.99

FY14 YTD Period 07 (Actual) - Daily Average at 144 Days

Permits	Number	Revenue	Expenditures	Difference
Building	2.21	$340.03		
Electrical	1.14	$48.99		
Plumbing	1.00	$21.76		
Totals	4.35	$410.78	$1,560.27	-$1,149.49

FY15 (Projection) - Daily Average at 248 Days

Permits	Number	Revenue	Expenditures	Difference
Building	2.69	$1,878.00		
Electrical	1.35	$106.04		
Plumbing	1.00	$57.63		
Totals	5.03	$2,041.67	$1,903.58	$138.09

FY15 YTD Period 07 (Actual) - Daily Average at 144 Days

Permits	Number	Revenue	Expenditures	Difference
Building	2.70	$1,886.70		
Electrical	1.35	$106.53		
Plumbing	1.00	$57.90		
Totals	5.06	$2,051.13	$1,912.40	$138.73

City of Texarkana, Texas

Version: D

Briefing Sheet

Update Date: 5/27/2015 4:19 PM

Lead Department: Economic Development **Action Officer:** Jerry Sparks, Economic Developer

Subject: Ordinance 2015-057 amending Ordinance 2015-029 and Ordinance 2015-050 authorizing the City Manager to enter into contracts with Caldera East I LLC or other parties for the funding of street construction and improvements to complete the extension of Gibson Lane from Pleasant Grove Road to Texas FM 989 (Kings Hwy); approving the reimbursement of the approved construction costs using funds generated from future development revenue from the Tax Increment Reinvestment Fund #1 in an amount not to exceed THREE MILLION DOLLARS ($3,000,000) in construction.

Briefing: 5/26/2015	**Public Hearing:** 5/26/2015	**Second Briefing:**	**Council Vote:** 6/8/2015

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

Updates/History of Briefing:

The proposed ordinance would be the second amendment to an original ordinance providing for funding of a street construction project.

Executive Summary and Background Information:

This amendment will increase the maximum reimbursement of construction costs from $2,500,000 to an amount not to exceed $3,000,000. The change is a result of revisions to potential costs associated with the connection of Gibson Lane to FM 989 (Kings Hwy). This section will be less expensive to build than the final section between University and Pleasant Grove Road.

This amendment does not address issues of concern to the developer.

- The developer has requested annual payments of an undetermined amount for accrued interest on a loan (or loans) for the construction costs until the total construction cost has been reimbursed under this agreement. This will create an obligation on the part of the City that may exceed the revenue generated in the TIRZ #1.
- The developer has requested payments from revenue generated in TIRZ #1. This would include current revenue in TIRZ #1 and revenue from future development not related to the extension of Gibson Lane. The proposed ordinance, as submitted to Council, provides for future revenue from new development in TIRZ #1 as the sole source of funding for reimbursement.

This project will extend Gibson Lane westward from Pleasant Grove Road to FM 989 (Kings Hwy). The completion of this extension will leave a final portion of Gibson unfinished between University and Pleasant Grove Road. This "missing piece" will require a bridge. The construction of the bridge will result in costs higher than the portion of Gibson Lane construction covered under this ordinance.

City of Texarkana, Texas

The TIRZ #1 Project List has a total of $9,000,000 approved for the extension of Gibson Lane from University to FM 989 (Kings Hwy) which includes the entire length of the extension, possible feeder streets, and appropriate infrastructure.

City Manager Comments:

Traditionally, city provided funding for development projects within the TIRZ have been used to construct public infrastructure in direct support of the proposed development project. This project breaks the mold of the city providing funding for a tax generating project. The primary financial tool of the TIRZ is the city being in the role of providing funding with the expectation that the funding is returned by receipt of new taxes being collected inside the TIRZ.

This project has no known tax generating development and therefore no new tax revenue to pay for the new public infrastructure being built by the developer and dedicated to the public. The developer is motivated in part by the prospect of future development in the area of the new infrastructure. Staff originally supported and recommended approval of the original proposal of $2 million and the additional half million dollars amendment because it was anticipated that no payments would be made to the developer until such time as development occurred in close proximity of the new infrastructure. It was envisioned by staff that for every dollar of new tax revenue levied on the new qualifying development would also trigger additional payment from the general TIRZ revenue. These payments would be limited to $2.5 million in grand total over the life of the TIRZ.

This latest proposal from the developer has a new provision to which I cannot recommend approval in the form requested. Should the city agree to pay the developer's interest on his loan(s) without limitation the developer may not negotiate the loan in a manner that achieves the best interest rate for the benefit of the city. This would become a cost uncertain. If the city council entertains payment for loan interest the city council should likely cap the amount or rate to ensure the city pays no more than what the city might pay if the city went to the debt market on its own to secure city funding for a comparable city project.

Potential Options:

- Approve the ordinance to increase the amount to $3,000,000
- Deny the request and the maximum amount remains $2,500,000
- Amend this proposed ordinance to include the additional request of the developer

Fiscal Implications:

The fiscal implication will be an amount not to exceed $3,000,000 in construction costs from revenue generated in TIRZ #1. If the developer's request is granted, there will be an undetermined amount for reimbursement of the expense of interest on the construction loan.

Staff Recommendation:

Staff recommends approval of the ordinance to increase the potential reimbursement to a maximum of $3,000,000.

Advisory Board/Committee Review:

Project is on the Project List approved by the TIRZ #1 board

Board/Committee Recommendation:

City of Texarkana, Texas

TIRZ #1 annual report is included in attachments.

Advisory Board/Committee Meeting Date and Minutes:

Not Applicable

Attachments

a. Ord. 2015-057 Amending Ordinance 2015-029 for Gibson Lane Extension 2nd amendment (DOCX)
b. Amendment #2-Key Points for Agreement Extension of Gibson Lane May 2015 (DOCX)
c. Proposed Gibson Extension 050515 (PDF)
d. Ord. 2015-029 signed (PDF)
e. Ord. 2015-050 signed (PDF)
f. TIRZ 1 Project List-Bond Project April 2015 (PDF)
g. TIRZ 1 Annual Report 2013 (PDF)
h. Ord. 2015-057 signed (PDF)

Staff Coordination

Economic Development	Jerry Sparks	Department Head Review	Completed	05/18/2015 11:21 AM
Finance Department	Charlie Bassett	Finance Review	Completed	05/20/2015 3:53 PM
Assistant City Manager	Shirley Jaster	Assistant City Manager Review	Completed	05/21/2015 11:23 AM
Public Information Officer	Lisa Thompson	PIO Review	Completed	05/21/2015 11:45 AM
City Manager	John Whitson	City Manager Review	Completed	05/21/2015 1:07 PM
City Council	Jennifer Evans	Meeting	Completed	05/26/2015 6:00 PM

Meeting History

ORDINANCE NO. 2015 - 057

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING ORDINANCE NO. 2015-050 AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS WITH CALDERA EAST I LLC OR OTHER PARTIES FOR THE FUNDING OF STREET CONSTRUCTION AND IMPROVEMENTS TO COMPLETE THE EXTENSION OF GIBSON LANE FROM PLEASANT GROVE ROAD TO TEXAS FM 989 (KINGS HWY); APPROVING THE REIMBURSEMENT OF THE APPROVED CONSTRUCTION COSTS USING FUNDS GENERATED FROM FUTURE DEVELOPMENT REVENUE FROM THE TAX INCREMENT REINVESTMENT FUND #1 IN AN AMOUNT NOT TO EXCEED THREE MILLION DOLLARS ($3,000,000); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council established Tax Reinvestment Zone #1, as authorized under the Texas Tax Code Chapter 311, in 2009; and

WHEREAS, the Public Infrastructure Project list for Tax Increment Reinvestment Zone #1 includes an amount not to exceed $9,000,000 for the extension of Gibson Lane to Texas FM 989 (Kings Hwy); and

WHEREAS, the TIRZ Board has recommended this proposed street extension project and it is listed in their annual report; and

WHEREAS, the City Council recognizes the need for funding for this proposed street extension project through reimbursement of approved construction costs using funds generated from future development revenue dedicated to the TIRZ #1 fund; and

WHEREAS, the City Council believes this to be in the best interest of the citizens and the safety of the community; and

WHEREAS, the City Council approved Ordinance 2015-050 on the 11th day of May 2015;

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

SECTION 1: That the City Manager be and is hereby authorized to enter into a contract with Caldera East I LLC or other parties in an amended grand total amount not to exceed THREE MILLION DOLLARS ($3,000,000) for funding street construction and improvements to Gibson Lane between Pleasant Grove Road and Texas FM 989 as previously approved under Ordinance No. 2015-029 and amended under Ordinance No. 2015-050.

SECTION 2: That the future revenue from new development in Tax Increment Reinvestment Zone #1 will be the sole source of the funding for the reimbursement of construction costs.

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

PASSED AND APPROVED in Regular Council Session on this the **8th day of June, 2015.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: Ord. 2015-057 Amending Ordinance 2015-029 for Gibson Lane Extension 2nd amendment [Revision 7] (1315 : Ordinace 2015-057

SUBJECT: Reimbursement for Construction Cost to Extend Gibson Lane from PG Road to Kings Hwy

Amended/edited 15 May 2015

KEY POINTS FOR PROJECT REIMBURSEMENT

1. The City will approve the route for the extension of Gibson from PG Road to FM 989 (Kings Hwy). After a satisfactory final inspection, the street and all right-of-way will be transferred to the City.
2. The construction of the street will conform to City standards and design.
3. The developer will obtain authorization/approval to install and construct signalization in accordance with TxDOT standards.
4. The developer will co-ordinate with TWU for construction of water/sewer.
5. The developer will be reimbursed in an amount not to exceed $3,000,000 total approved construction cost plus accrued interest on construction costs.
6. The reimbursement of construction and construction-related costs will occur when new and existing developments within the boundaries of existing TIRZ #1 generate sufficient tax increment revenue to provide reimbursement funding. A minimum reimbursement to cover interest costs will be made annually.
7. The City will not reimburse for ANY costs associated with acquiring right-of-way.
8. The extension of Gibson Lane to FM 989 (Kings Hwy) & feeder streets to Gibson Lane are included for TIRZ Project List. The TIRZ Board and City Council have approved a total amount of $9,000,000 for the complete project.

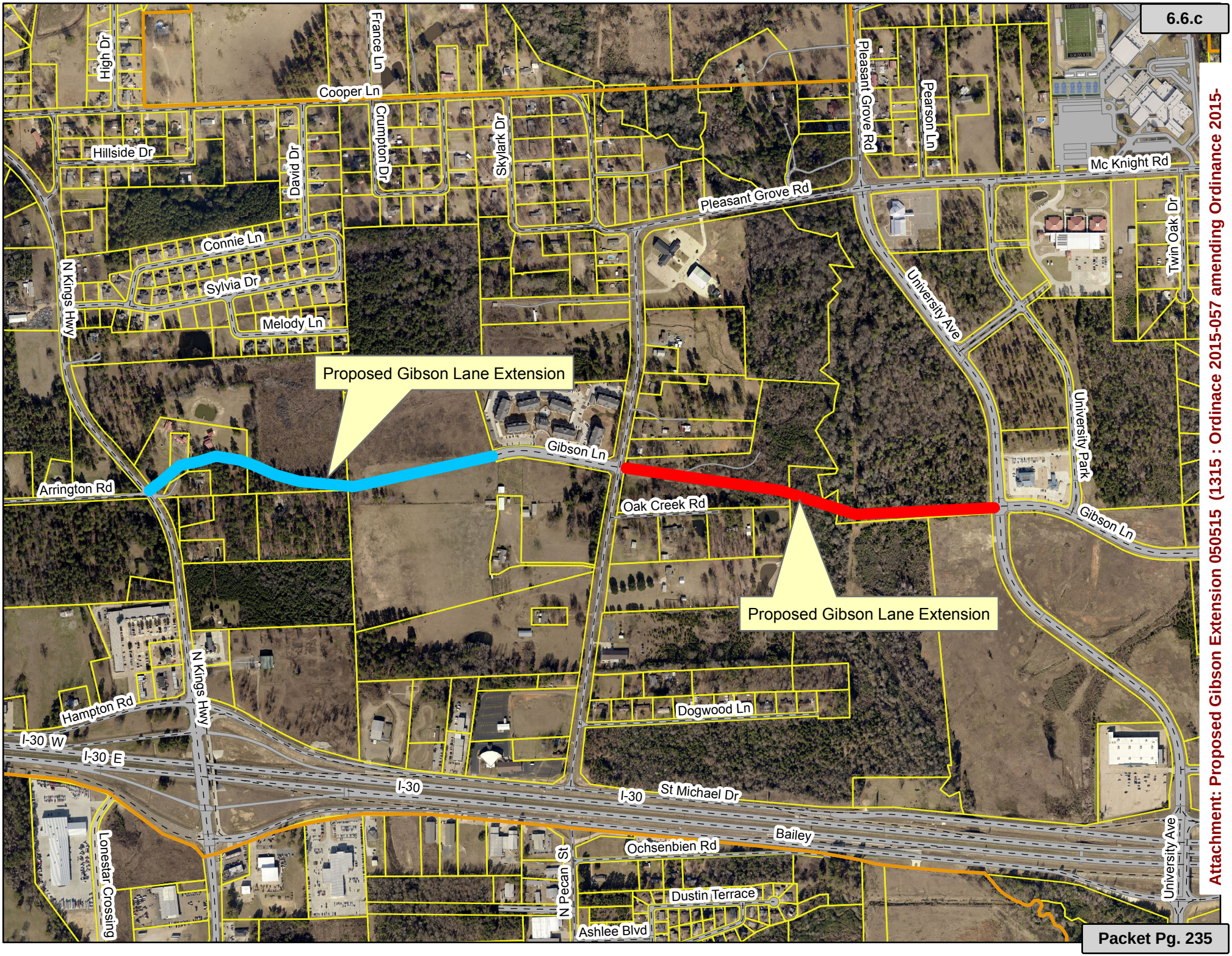
Current Estimates:

$1,950,000-current estimate from TEC for street construction

$ 605,000-current estimate for TxDOT requirments at FM 989

$ 180,000-current estimate for engineering costs

Additional requests: City allow for partial reimbursement on approved partial completion.



Attachment: Proposed Gibson Extension 050515 (1315 : Ordinace 2015-057 amending Ordinance 2015-

ORDINANCE NO. 2015-029

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS WITH CALDERA EAST I LLC OR OTHER PARTIES FOR THE FUNDING OF STREET CONSTRUCTION AND IMPROVEMENTS TO COMPLETE THE EXTENSION OF GIBSON LANE FROM PLEASANT GROVE ROAD TO TEXAS FM 989 (KINGS HWY); APPROVING THE REIMBURSEMENT OF THE APPROVED CONSTRUCTION COSTS USING FUNDS GENERATED FROM FUTURE DEVELOPMENT REVENUE FROM THE TAX INCREMENT REINVESTMENT FUND #1 IN AN AMOUNT NOT TO EXCEED TWO MILLION DOLLARS ($2,000,000); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council established Tax Reinvestment Zone #1, as authorized under the Texas Tax Code Chapter 311 in 2009; and

WHEREAS, the Public Infrastructure Project list for Tax Increment Reinvestment Zone #1 includes an amount not to exceed $9,000,000 for the extension of Gibson Lane to Texas FM 989 (Kings Hwy); and

WHEREAS, the TIRZ Board has recommended this proposed street extension project and it is listed in their annual report; and

WHEREAS, the City Council recognizes the need for funding for this proposed street extension project through reimbursement of approved construction costs using funds generated from future development revenue dedicated to the TIRZ #1 fund; and

WHEREAS, the City Council believes this to be in the best interest of the citizens and the safety of the community.

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

SECTION 1: That the City Manager be and is hereby authorized to enter into a contract with Caldera East I LLC or other parties in a grand total amount not to exceed TWO MILLION AND N0/100 DOLLARS ($2,000,000.00) for funding street construction and improvements to Gibson Lane between Pleasant Grove Road and Texas FM 989.

SECTION 2: That the future revenue from new development in Tax Increment Reinvestment Zone #1 will be the sole source of the funding for the reimbursement of construction costs.

SECTION 3: 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 **27th day of April, 2015**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:27 p.m.

Attachment: Ord. 2015-029 signed (1315 : Ordinace 2015-057 amending Ordinance 2015-050)

ORDINANCE NO. 2015 - 050

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING ORDINANCE NO. 2015-029 AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS WITH CALDERA EAST I LLC OR OTHER PARTIES FOR THE FUNDING OF STREET CONSTRUCTION AND IMPROVEMENTS TO COMPLETE THE EXTENSION OF GIBSON LANE FROM PLEASANT GROVE ROAD TO TEXAS FM 989 (KINGS HWY); APPROVING THE REIMBURSEMENT OF THE APPROVED CONSTRUCTION COSTS USING FUNDS GENERATED FROM FUTURE DEVELOPMENT REVENUE FROM THE TAX INCREMENT REINVESTMENT FUND #1 IN AN AMOUNT NOT TO EXCEED TWO MILLION FIVE HUNDRED THOUSAND DOLLARS ($2,500,000); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council established Tax Reinvestment Zone #1, as authorized under the Texas Tax Code Chapter 311 in 2009; and

WHEREAS, the Public Infrastructure Project list for Tax Increment Reinvestment Zone #1 includes an amount not to exceed $9,000,000 for the extension of Gibson Lane to Texas FM 989 (Kings Hwy); and

WHEREAS, the TIRZ Board has recommended this proposed street extension project and it is listed in their annual report; and

WHEREAS, the City Council recognizes the need for funding for this proposed street extension project through reimbursement of approved construction costs using funds generated from future development revenue dedicated to the TIRZ #1 fund; and

WHEREAS, the City Council believes this to be in the best interest of the citizens and the safety of the community; and

WHEREAS, the City Council approved Ordinance No. 2015-029 on the 27th day of April 2015.

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

SECTION 1: That the City Manager be and is hereby authorized to enter into a contract with Caldera East I LLC or other parties in an amended grand total amount not to exceed TWO MILLION FIVE HUNDRED THOUSAND DOLLARS ($2,500,000) for funding street construction and improvements to Gibson Lane between Pleasant Grove Road and Texas FM 989 as previously approved under Ordinance No. 2015-029.

Attachment: Ord. 2015-050 signed (1315 : Ordinance 2015-057 amending Ordinance 2015-050)

SECTION 2: That the future revenue from new development in Tax Increment Reinvestment Zone #1 will be the sole source of the funding for the reimbursement of construction costs.

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of May, 2015**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:45 p.m.

Attachment: Ord. 2015-050 signed (1315 : Ordinance 2015-057 amending Ordinance 2015-050)

TIRZ #1
Project List with Funding

	Approved for Project List	Completed & Funded	2012 Bond Funding Approved	2012 Bond Funds Expended	Status
Public Infrastructure Projects Walton Dr & Pavilion drainage improvements	$ 175,000	$175,000			
(Joint project w/TxDOT)					
W Walton Dr & Pavilion drainage	$ 100,000		$ 100,000		No project state date
Extension of South University	$ 500,000				No project start date
Cowhorn Creek Linear Park	$ 1,000,000		$ 1,000,000	$ 98,450	Project started
Gibson Extension to FM 989 & feeder streets to Gibson	$ 9,000,000				
Drainage Project @ Arista	$ 100,000	$99,170			*2005 Bond fund*
TAMU East Approach (Phase II)					*removed ($6,000,000)*
Morris Lane Extension					*removed ($7,000,000)*
Parking Garage @ University w/drainage	$ 2,000,000				No project start date
Backage Road: Summerhill to Mall Drive	$ 1,000,000		$ 1,000,000		Under construction
Proposed Site Improvements to Gibson & University	$ 2,000,000				No project start date
Park Development & Improvement-University Drive	$ 800,000	$800,000	$800,000	$800,000	Completed
Approved stormwater improvements Gibson Lane & possible water/sewer relocation	$ 212,000	$211,750	$211,750	$211,750	Completed
Proposed drainage improvements St. Michael Drive & Richill Drive	$ 406,000		$ 406,000		
TOTAL	$ 17,293,000	$1,285,920	$3,517,750		

Prepared by Jerry Sparks 4/2/2015

Attachment: TIRZ 1 Project List-Bond Project April 2015 (1315 : Ordinace 2015-057 amending Ordinance

City of Texarkana, Texas
Tax Increment Reinvestment Zone 1

Annual Report

Attachment: TIRZ 1 Annual Report 2013 (1315 : Ordinace 2015-057 amending Ordinance 2015-050)

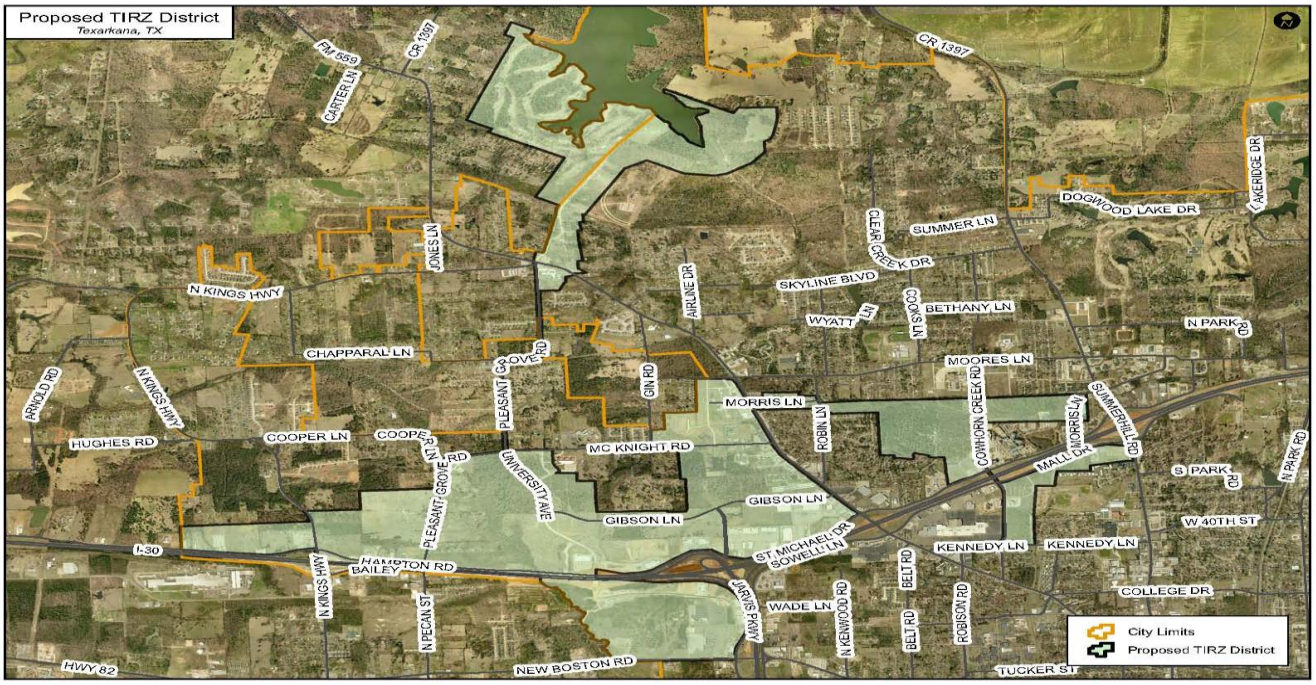
Summary of Activities

On November 23rd, 2009, the City of Texarkana, Texas established two Tax Increment Reinvestment Zones in accordance with Chapter 311 of the Texas Tax Code. On November 19th, 2009 a joint public presentation was given by Texarkana, Texas to all other tax entities and over one hundred interested citizens. On November 23rd, 2009 a public hearing was held along with the passage of Ordinance # 177-09 creating the Tax Increment Reinvestment Zones.

During the period from October 1, 2012 through September 30, 2013, the TIRZ board met twice. The first meeting was held on Monday, January 14, 2013 to approve the FY 2012 annual report. The board voted to amend the TIRZ 1 financing and project plans by adding an additional project. The second TIRZ board meeting occurred on Friday, April 5th, 2013. The board voted to amend the TIRZ 1 financing and project plans by adding two additional projects.

Public Infrastructure Projects	**Cost**	**Status**
Walton Dr & Pavilion drainage improvements (Joint project w/TxDOT)	**$ 175,000**	**Completed**
Walton Dr & Pavilion drainage (Box culverts W of intersection & W of Whiskey River)	**$ 300,000**	
Extension of South University	**$ 500,000**	
Cowhorn Creek Linear Park	**$ 1,000,000**	**Completed**
Gibson Extension to FM 989 & feeder streets to Gibson	**$ 9,000,000**	
Drainage Project @ Arista	**$ 100,000**	**Completed**
TAMU East Approach (Phase II)	**$ 6,000,000**	
Morris Lane Extension	**$ 7,000,000**	
Parking Garage @ University w/drainage	**$ 2,000,000**	
Backage Road: Summerhill to Mall Drive	**$ 1,000,000**	
Proposed Site Improvements to Gibson & University	**$ 2,000,000**	
Park Development & Improvement-University Drive	**$ 800,000**	
Proposed stormwater improvements Gibson Lane	**$ 300,000**	
Proposed Water/Sewer Relocation-Gibson Lane	**$ 50,000**	
Total Approved Potential Projects	**$ 30,225,000**	

Attachment: TIRZ 1 Annual Report 2013 (1315 : Ordinace 2015-057 amending Ordinance 2015-050)



Annual Reporting Information

Chapter 311.016 of V.C.T.A. requires the following information as part of the annual report on the status of the TIRZ District. The city must submit an annual report to the chief executive officer of each taxing unit that levies taxes on property within the zone.

1. Amount and source of revenue in the tax increment fund established for the zone:

$ 182,821.36 Total Revenue, Sources: City of Texarkana, Texas and Bowie County

2. Amount and purpose of expenditures from the fund:

$ 170,748.41 Total Expenditures, Purposes: Admin Fees, Board Meetings, Debt Service

3. Amount of Principal and Interest due on outstanding indebtedness is as follows:

I. Contributions /Advances from developers—none.
II. Bonds issued and payment schedule to retire bonds—$ 4,000,000.00 & schedule attached.

4. Tax Increment base and current captured appraised value retained by the zone:

Taxing Jurisdiction	Appraised Fiscal Year* 2012 - 2013	Base Year Value Jan 1, 2009	Captured App. Value 2012 - 2013
City of Texarkana, TX	$ 316,984,924	$ 250,762,772	$ 66,222,152
Bowie County	$ 317,153,652	$ 251,433,805	$ 65,719,847

Attachment: TIRZ 1 Annual Report 2013 (1315 : Ordinace 2015-057 amending Ordinance 2015-050)

5. Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality.

A. Captured appraised value shared by the municipality and other participating taxing jurisdictions received in Fiscal Year 2012-2013:

Taxing Jurisdiction	Participation Per $100/Value	Amount of 2012-2013 Increment*
City of Texarkana, Texas (100%)	$ 0.5831	$ 386,141.36
Bowie County (100%)	$ 0.3270	$ 214,903.89
Total	**$ 0.9101**	**$ 601,045.25**

B. Amount of tax increment received in 2013 from the municipality and the other taxing jurisdictions based on 2012 valuations: $ 182,821.36

C. Other information: None

*Financials based on Bowie County Appraisal District Update of Values Report 10/16/2013.

Attachment: TIRZ 1 Annual Report 2013 (1315 : Ordinace 2015-057 amending Ordinance 2015-050)

Bond Payment Schedule

$4,115,000

City of Texarkana

Combination Tax and Revenue Certificates of Obligation

Series 2012

Debt Service Schedule

Part 1 of 2

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
08/29/2012	-	-	-	-	-
02/01/2013	50,000.00	0.500%	54,693.75	104,693.75	-
08/01/2013	-	-	54,568.75	54,568.75	-
09/30/2013	-	-	-	-	159,262.50
02/01/2014	100,000.00	0.600%	54,568.75	154,568.75	-
08/01/2014	-	-	54,268.75	54,268.75	-
09/30/2014	-	-	-	-	208,837.50
02/01/2015	145,000.00	1.500%	54,268.75	199,268.75	-
08/01/2015	-	-	53,181.25	53,181.25	-
09/30/2015	-	-	-	-	252,450.00
02/01/2016	150,000.00	1.500%	53,181.25	203,181.25	-
08/01/2016	-	-	52,056.25	52,056.25	-
09/30/2016	-	-	-	-	255,237.50
02/01/2017	150,000.00	1.500%	52,056.25	202,056.25	-
08/01/2017	-	-	50,931.25	50,931.25	-
09/30/2017	-	-	-	-	252,987.50
02/01/2018	155,000.00	2.000%	50,931.25	205,931.25	-
08/01/2018	-	-	49,381.25	49,381.25	-
09/30/2018	-	-	-	-	255,312.50
02/01/2019	160,000.00	2.000%	49,381.25	209,381.25	-
08/01/2019	-	-	47,781.25	47,781.25	-
09/30/2019	-	-	-	-	257,162.50
02/01/2020	160,000.00	2.250%	47,781.25	207,781.25	-
08/01/2020	-	-	45,981.25	45,981.25	-
09/30/2020	-	-	-	-	253,762.50
02/01/2021	165,000.00	2.250%	45,981.25	210,981.25	-
08/01/2021	-	-	44,125.00	44,125.00	-
09/30/2021	-	-	-	-	255,106.25
02/01/2022	170,000.00	2.500%	44,125.00	214,125.00	-
08/01/2022	-	-	42,000.00	42,000.00	-
09/30/2022	-	-	-	-	256,125.00
02/01/2023	175,000.00	2.625%	42,000.00	217,000.00	-
08/01/2023	-	-	39,703.13	39,703.13	-
09/30/2023	-	-	-	-	256,703.13
02/01/2024	180,000.00	2.625%	39,703.13	219,703.13	-
08/01/2024	-	-	37,340.63	37,340.63	-
09/30/2024	-	-	-	-	257,043.76
02/01/2025	185,000.00	2.625%	37,340.63	222,340.63	-
08/01/2025	-	-	34,912.50	34,912.50	-
09/30/2025	-	-	-	-	257,253.13
02/01/2026	190,000.00	3.000%	34,912.50	224,912.50	-
08/01/2026	-	-	32,062.50	32,062.50	-
09/30/2026	-	-	-	-	256,975.00

File | Series 2012 Pricings.sf | Revised CO Pricing | 12/13/2012 | 11:08 AM

Attachment: TIRZ 1 Annual Report 2013 (1315 : Ordinace 2015-057 amending Ordinance 2015-050)

$4,115,000

City of Texarkana

Combination Tax and Revenue Certificates of Obligation

Series 2012

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
02/01/2027	195,000.00	3.000%	32,062.50	227,062.50	-
08/01/2027	-	-	29,137.50	29,137.50	-
09/30/2027	-	-	-	-	256,200.00
02/01/2028	200,000.00	3.000%	29,137.50	229,137.50	-
08/01/2028	-	-	26,137.50	26,137.50	-
09/30/2028	-	-	-	-	255,275.00
02/01/2029	205,000.00	3.000%	26,137.50	231,137.50	-
08/01/2029	-	-	23,062.50	23,062.50	-
09/30/2029	-	-	-	-	254,200.00
02/01/2030	210,000.00	3.125%	23,062.50	233,062.50	-
08/01/2030	-	-	19,781.25	19,781.25	-
09/30/2030	-	-	-	-	252,843.75
02/01/2031	220,000.00	3.125%	19,781.25	239,781.25	-
08/01/2031	-	-	16,343.75	16,343.75	-
09/30/2031	-	-	-	-	256,125.00
02/01/2032	225,000.00	3.250%	16,343.75	241,343.75	-
08/01/2032	-	-	12,687.50	12,687.50	-
09/30/2032	-	-	-	-	254,031.25
02/01/2033	235,000.00	3.500%	12,687.50	247,687.50	-
08/01/2033	-	-	8,575.00	8,575.00	-
09/30/2033	-	-	-	-	256,262.50
02/01/2034	240,000.00	3.500%	8,575.00	248,575.00	-
08/01/2034	-	-	4,375.00	4,375.00	-
09/30/2034	-	-	-	-	252,950.00
02/01/2035	250,000.00	3.500%	4,375.00	254,375.00	-
09/30/2035	-	-	-	-	254,375.00
Total	**$4,115,000.00**	**-**	**$1,611,481.27**	**$5,726,481.27**	**-**

Yield Statistics

Accrued Interest from 08/01/2012 to 08/29/2012	8,507.92
Bond Year Dollars	$53,357.44
Average Life	12.967 Years
Average Coupon	3.0201620%
Net Interest Cost (NIC)	3.1340803%
True Interest Cost (TIC)	3.1094659%
Bond Yield for Arbitrage Purposes	3.0315244%
All Inclusive Cost (AIC)	3.2327508%

IRS Form 8038

Net Interest Cost	3.0928071%
Weighted Average Maturity	12.888 Years

File | Series 2012 Pricings.sf | Revised CO Pricing | 12/13/2012 | 11:08 AM

Attachment: TIRZ 1 Annual Report 2013 (1315 : Ordinace 2015-057 amending Ordinance 2015-050)

ORDINANCE NO. 2015 - 057

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING ORDINANCE NO. 2015-050 AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS WITH CALDERA EAST I LLC OR OTHER PARTIES FOR THE FUNDING OF STREET CONSTRUCTION AND IMPROVEMENTS TO COMPLETE THE EXTENSION OF GIBSON LANE FROM PLEASANT GROVE ROAD TO TEXAS FM 989 (KINGS HWY); APPROVING THE REIMBURSEMENT OF THE APPROVED CONSTRUCTION COSTS USING FUNDS GENERATED FROM FUTURE DEVELOPMENT REVENUE FROM THE TAX INCREMENT REINVESTMENT FUND #1 IN AN AMOUNT NOT TO EXCEED THREE MILLION DOLLARS ($3,000,000); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council established Tax Reinvestment Zone #1, as authorized under the Texas Tax Code Chapter 311, in 2009; and

WHEREAS, the Public Infrastructure Project list for Tax Increment Reinvestment Zone #1 includes an amount not to exceed $9,000,000 for the extension of Gibson Lane to Texas FM 989 (Kings Hwy); and

WHEREAS, the TIRZ Board has recommended this proposed street extension project and it is listed in their annual report; and

WHEREAS, the City Council recognizes the need for funding for this proposed street extension project through reimbursement of approved construction costs using funds generated from future development revenue dedicated to the TIRZ #1 fund; and

WHEREAS, the City Council believes this to be in the best interest of the citizens and the safety of the community; and

WHEREAS, the City Council approved Ordinance 2015-050 on the 11th day of May 2015;

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

SECTION 1: That the City Manager be and is hereby authorized to enter into a contract with Caldera East I LLC or other parties in an amended grand total amount not to exceed THREE MILLION DOLLARS ($3,000,000) for funding street construction and improvements to Gibson Lane between Pleasant Grove Road and Texas FM 989 as previously approved under Ordinance No. 2015-029 and amended under Ordinance No. 2015-050.

SECTION 2: That the future revenue from new development in Tax Increment Reinvestment Zone #1 will be the sole source of the funding for the reimbursement of construction costs.

SECTION 3: 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 **26th day of May, 2015.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:41 p.m.

Attachment: Ord. 2015-057 signed (1315 : Ordinance 2015-057 amending Ordinance 2015-050)

City of Texarkana, Texas

Version: E

Briefing Sheet

Update Date: 6/4/2015 11:08 AM

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

Subject: Ordinance No. 2015-049 authorizing the City Manager to accept the bid and enter into a contract with Kampco, Inc. Of Texarkana, Arkansas, in an amount not to exceed ONE MILLION FIFTY THOUSAND FIVE HUNDRED FIFTY-FOUR AND 46/100 DOLLARS ($1,050,554.46) for the South Stateline Sewer Phase III Sewer Trunk Main Relocation/Rehabilitation project.

Briefing: 6/8/2015	**Public Hearing:**	5/26/2015	**Second Briefing:**	June 8, 2015	**Council Vote:**	6/22/2015

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

Updates/History of Briefing:

Executive Summary and Background Information:

Bids were received Tuesday, April 28, 2015 for the South Stateline Sewer Phase III - Sewer Trunk Main Relocation/Rehabilitation. Seven (7) contractors picked up bid packages for the project and four (4) contractors bid on the project. KAMPCO, INC. of Texarkana, Arkansas was the apparent low bidder with a low Additive Alternate Bid A of $1,050,554.46. This project consists of the relocation/rehabilitation of an existing thirty-six inch (36”), twenty-four inch (24”), and ten inch (10”) sewer trunk mains. This project will consist of installing approximately two thousand feet (2,000’) of thirty-six inch (36”) sewer trunk main, one thousand two hundred thirteen feet (1,213’) of ten inch (10”) sewer main, five hundred six feet (506’) of eight inch (8”) sewer main, three hundred sixty-five feet (365’) of forty eight inch (48”) steel cased bore, and ten (10) manholes. KAMPCO, INC. has successfully completed several jobs for the Utility including South Stateline Sewer Phase II, Wright Patman WTP 24” Water Meter, Highway 98 sixteen inch (16”) water main relocation, and the East Wallace Drive twelve inch (12”) water main extension.

Potential Options:

- None

Fiscal Implications:

This project will be the third in a series of projects to continue replacing one of three (3) thirty-six inch (36”) sewer mains between Texarkana, Texas and the main lift station at the South Regional Wastewater Treatment Plant. This project was budgeted in the Utility’s 2014-2015 Budget in the Texas Infrastructure Fund at $100,000. In the original project, the Utility had decided to skip the area that crossed seven railway tracks because of the very long lead times normally encountered with

railway permits, the high costs of boring under the tracks and the high costs of having railway flagmen throughout the project. The scope of this project was increased when an opportunity arose for a cooperative effort with the Union Pacific Railroad Company. The Utility discovered the Railroad was going to replace one of their bridges. The thirty-six inch (36") sewer trunk main is within thirty feet (30') of this bridge. The Railroad was asked if they would help with the permit and some of the associated permit/construction fees if the sewer main was relocated so they would not have to work around it for their new bridge. Union Pacific Railroad agreed with these terms. Approximately 33% of the total project cost is installing the casing and pipe under the three railroad crossings (seven tracks). The existing thirty-six inch (36") sewer main is clay tile pipe. Due to the type and age of this pipe the joint sealant material is gone which allows a tremendous amount of storm water infiltration into the joints. The new ductile iron pipe and neoprene joint sealant material will eliminate the infiltration in this area saving the Utility electrical and mechanical costs. Funds in excess of the $100,000 budgeted are available from the Texas Infrastructure Fund for completion of the project.

The cooperative effort with the Union Pacific Railway is an excellent opportunity to complete a project beneficial to the City and the Railroad. This cooperative effort will allow the railroad to construct their new bridge without the additional costs and possibility of environmental problems if the sewer main were damaged. The railroad will furnish flagmen for the construction of the sewer mains as the bores are made and expedite the permit process. TWU will get a longer section of main replaced and be able to take advantage of increased savings in electrical and mechanical costs by the end of the summer.

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

a. Exhibit "A" Bidders List (DOCX)
b. Goals & Perspectives (DOCX)
c. Ordinance 2015-049 (DOCX)
d. Rail Road Crossing (PDF)
e. bidtab.sewer.xls (PDF)

City of Texarkana, Texas

Staff Coordination

Water Utilities	Bill King	Department Head Review	Completed	04/30/2015 4:43 PM
Water Utilities	Joe Phillips	Review	Completed	05/01/2015 9:13 AM
Water Utilities	Gary Smith	Review	Completed	05/01/2015 9:18 AM
Water Utilities	Jim Cornelius	Review	Completed	05/01/2015 10:58 AM
Finance Department	Charlie Bassett	Finance Review	Completed	05/01/2015 11:36 AM
Assistant City Manager		Shirley Jaster	Assistant City Manager Review	Completed 05/01/2015 11:55 AM
Public Information Officer		Lisa Thompson	PIO Review	Completed 05/01/2015 12:46 PM
City Manager	John Whitson	City Manager Review	Completed	05/05/2015 2:13 PM
City Council	Jennifer Evans	Meeting	Completed	05/11/2015 6:00 PM

Meeting History

05/11/15 City Council MOVED FORWARD Next: 05/26/15

Gary Smith, Design Engineer of Texarkana Water Utilities, briefed this item.

Bid Tabulation

South Stateline Sewer Phase III
Sewer Trunk Main Relocation/Rehabilitation

2:00 P.M. Tuesday, April 28, 2015

		Additive Alt. Bid A
1.	Kampco, Inc. Texarkana, Arkansas	$1,050,554.46
2.	Belt Construction Texarkana, Texas	$1,068,654.20
3.	S & J Construction Jacksonville, Arkansas	$1,342,102.08
4.	Barnwell Industries Queen City, Texas	$1,493,565.00

Time First Bid Opened: 2:00 P.M

Number of Bidders: 4

Apparent Low Bidder: Kampco, Inc.

Attachment: Exhibit "A" Bidders List [Revision 1] (1306 : Ordinance No. 2015-049 S Stateline Sewer Phase III)

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

Public Information Plan:

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

Other:

Attachment: Goals & Perspectives (1306 : Ordinance No. 2015-049 S Stateline Sewer Phase III)

ORDINANCE NO. 2015-049

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND ENTER INTO A CONTRACT WITH KAMPCO, INC. OF TEXARKANA, ARKANSAS, IN AN AMOUNT NOT TO EXCEED ONE MILLION FIFTY THOUSAND FIVE HUNDRED FIFTY-FOUR DOLLARS AND 46/100 ($1,050,554.46) FOR THE SOUTH STATELINE SEWER PHASE III SEWER TRUNK MAIN RELOCATION/REHABILITATION PROJECT TO RELOCATE AND REPLACE EXISTING DETERIORATED SEWER TRUNK MAINS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, April 28, 2015, four (4) bids were received by Texarkana Water Utilities for the South Stateline Sewer Phase III – Sewer Trunk Main Relocation/Rehabilitation Project which will replace existing deteriorated sewer trunk mains and relocate sewer trunk mains due to Union Pacific Railroad's new bridge; and

WHEREAS, the project will consist of installing approximately two thousand feet (2,000') of thirty-six inch (36") sewer trunk main, one thousand two hundred thirteen feet (1,213') of ten inch (10") sewer main, five hundred six feet (506') of eight inch (8") sewer main, three hundred sixty- five feet (365') of forty-eight inch (48") steel cased bore, and ten (10) manholes and related appurtenances; and

WHEREAS, the lowest and best bid by a responsible vendor for this project was submitted by KAMPCO, INC. of Texarkana, Arkansas, a copy of which is attached hereto as Exhibit "A," in an amount not to exceed ONE MILLION FIFTY THOUSAND FIVE HUNDRED FIFTY-FOUR DOLLARS AND 46/100 ($1,050,554.46); and

WHEREAS, funds currently budgeted in the Texarkana Water Utilities 2014-2015 Budget in the Texas Infrastructure Fund are available in the amount of SIX HUNDRED FOUR THOUSAND TWO HUNDRED THIRTY-ONE DOLLARS AND NO/100 ($604,231.00) with the remaining funds coming from the Texas Infrastructure Fund balance, leaving a projected ending fund balance of approximately FOUR HUNDRED SEVENTY-NINE THOUSAND DOLLARS AND NO/100 ($479,000.00).

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

SECTION 1: That the lowest and best bid by a responsible vendor, submitted by KAMPCO, INC. of Texarkana, Arkansas, a copy of which is attached hereto as Exhibit "A," be and is hereby approved in an amount not to exceed ONE MILLION FIFTY THOUSAND FIVE HUNDRED FIFTY-FOUR DOLLARS AND 46/100 ($1,050,554.46) for the installation of approximately two thousand feet (2,000') of thirty-six inch (36") sewer trunk main, one thousand two hundred thirteen feet (1,213') of ten inch (10") sewer main, five hundred six feet (506') of eight inch (8") sewer main, three hundred sixty-five feet (365') of forty-eight inch (48") steel cased bore, and ten

Attachment: Ordinance 2015-049 [Revision 7] (1306 : Ordinance No. 2015-049 S Stateline Sewer Phase III)

(10) manholes, and related appurtenances for the South Stateline Sewer Phase III – Sewer Trunk Main Relocation/Rehabilitation Project.

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

SECTION 3: 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 **22nd day of June, 2015**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: Ordinance 2015-049 [Revision 7] (1306 : Ordinance No. 2015-049 S Stateline Sewer Phase III)

Proposed
8" Sewer Main
Rail Road
Crossing
Proposed
10" Sewer Main
Proposed
36" Sewer Main
W 4TH ST
W 3RD ST
W BROAD ST
ELM ST
OAK ST
VIADUCT
36 inch
6 inch
10 inch
24 inch
12 inch
18 inch

Bid Tabulation
SOUTH STATELINE SEWER PHASE III
SEWER TRUNK MAIN
RELOCATION/REHABILITATION
Project No. 62-000-135157-T151404
APRIL 28, 2015 @ 2:00

BASE BID:											
				BARNWELL IND.		***BELT CONSTRUCTION***		***KAMPCO CONSTRUCTION***		***S & J CONSTRUCTION***	
				Queen City, TX.		*Texarkana, TX*		*Texarkana, AR*		*Jacksonville, AR.*	
Item	**Quantity**	**Unit**	**Description**	**Amount**	**Total**	**Amount**	**Total**	**Amount**	**Total**	**Amount**	**Total**
1	1	LS	Mobilization, Bonds & Submittals	$45,000.00	$45,000.00	$9,450.00	$9,450.00	$13,500.00	$13,500.00	$30,000.00	$30,000.00
2	1635	LF	36" Ductile Iron, Class 150, Sewer Pipe by Open Cut	$315.00	$515,025.00	$232.00	$379,320.00	$205.14	$335,403.90	$328.36	$536,868.60
3	365	LF	36" Ductile Iron, Class 150, Sewer Pipe w/Locking Gaskets	$400.00	$146,000.00	$263.40	$96,141.00	$247.31	$90,268.15	$284.06	$103,681.90
4	901	LF	10" PVC SDR-26 Sewer Pipe by Open Cut	$18.00	$16,218.00	$30.50	$27,480.50	$22.88	$20,614.88	$73.91	$66,592.91
5	168	LF	10" Ductile Iron Sewer Pipe by Open Cut	$50.00	$8,400.00	$67.50	$11,340.00	$40.78	$6,851.04	$115.93	$19,476.24
6	144	LF	10" Ductile Iron Sewer Pipe on Piers w/Locking Gaskets	$155.00	$22,320.00	$265.00	$38,160.00	$201.54	$29,021.76	$210.54	$30,317.76
7	466	LF	8" PVC SDR-26 Sewer Pipe by Open Cut	$17.00	$7,922.00	$21.70	$10,112.20	$19.66	$9,161.56	$71.07	$33,118.62
8	40	LF	8" PVC SDR-26 Sewer Pipe by Bore	$65.00	$2,600.00	$75.40	$3,016.00	$57.04	$2,281.60	$94.84	$3,793.60
9	365	LF	48" x 0.668" Steel Casing by Bore	$850.00	$310,250.00	$813.90	$297,073.50	$722.00	$263,530.00	$821.38	$299,803.70
10	1	EA	Line A Concrete Manhole #1	$6,400.00	$6,400.00	$3,800.00	$3,800.00	$5,397.14	$5,397.14	$5,610.00	$5,610.00
11	1	EA	Line A Concrete Manhole #2	$6,200.00	$6,200.00	$4,030.00	$4,030.00	$5,573.49	$5,573.49	$5,235.00	$5,235.00
12	1	EA	Line A Concrete Manhole #3	$9,500.00	$9,500.00	$6,750.00	$6,750.00	$6,656.95	$6,656.95	$6,265.00	$6,265.00
13	1	EA	Line A Concrete Manhole #4	$7,500.00	$7,500.00	$4,780.00	$4,780.00	$7,643.55	$7,643.55	$5,925.00	$5,925.00
14	1	EA	Line A Concrete Manhole #5	$9,500.00	$9,500.00	$6,370.00	$6,370.00	$6,008.13	$6,008.13	$5,575.00	$5,575.00
15	1	EA	Line A Concrete Manhole #6	$6,200.00	$6,200.00	$3,860.00	$3,860.00	$4,585.85	$4,585.85	$5,285.00	$5,285.00
16	1	EA	Line B Concrete Manhole #2	$2,700.00	$2,700.00	$2,400.00	$2,400.00	$4,555.30	$4,555.30	$2,381.00	$2,381.00
17	1	EA	Line B Concrete Manhole #3	$2,600.00	$2,600.00	$2,640.00	$2,640.00	$3,592.31	$3,592.31	$2,774.00	$2,774.00
18	1	EA	Line B Concrete Manhole #4	$2,200.00	$2,200.00	$2,140.00	$2,140.00	$2,925.43	$2,925.43	$2,069.00	$2,069.00
19	1	EA	Line C Concrete Manhole #2	$2,380.00	$2,380.00	$2,175.00	$2,175.00	$2,675.14	$2,675.14	$2,194.00	$2,194.00
20	1	EA	Standard Cleanout	$400.00	$400.00	$544.00	$544.00	$851.59	$851.59	$554.00	$554.00
21	3	EA	Remove Existing Sewer Manhole	$2,000.00	$6,000.00	$600.00	$1,800.00	$781.09	$2,343.27	$1,260.00	$3,780.00
22	14	EA	Abandon Existing Manhole	$1,500.00	$21,000.00	$583.00	$8,162.00	$1,171.63	$16,402.82	$910.71	$12,749.94
23	3	EA	Abandon Existing UPRR Sewer Crossing	$18,000.00	$54,000.00	$9,000.00	$27,000.00	$6,897.73	$20,693.19	$8,018.67	$24,056.01
24	1	EA	4" Sewer Service Connection	$150.00	$150.00	$1,209.00	$1,209.00	$612.26	$612.26	$1,008.00	$1,008.00
25	540	LF	Abandon Existing 36" Sewer Main	$65.00	$35,100.00	$29.24	$15,789.60	$63.50	$34,290.00	$28.96	$15,638.40
26	3060	LF	Abandon Existing 24" Sewer Main	$40.00	$122,400.00	$14.19	$43,421.40	$23.70	$72,522.00	$18.69	$57,191.40
27	300	LF	Abandon Existing 12" Sewer Main	$9.00	$2,700.00	$8.60	$2,580.00	$15.31	$4,593.00	$4.25	$1,275.00
28	800	LF	Abandon Existing 10" Sewer Main	$7.00	$5,600.00	$4.35	$3,480.00	$5.58	$4,464.00	$4.09	$3,272.00
29	1	LS	Well Pointing	$20,000.00	$20,000.00	$537.00	$537.00	$23,432.63	$23,432.63	$5,000.00	$5,000.00
30	1	LS	Erosion Control Measures	$15,000.00	$15,000.00	$2,150.00	$2,150.00	$3,124.35	$3,124.35	$9,000.00	$9,000.00
31	1	LS	Clean & Test Manholes	$15,000.00	$15,000.00	$2,690.00	$2,690.00	$4,686.53	$4,686.53	$3,750.00	$3,750.00

Attachment: bidtab.sewer.xls (1306 : Ordinance No. 2015-049 S Stateline Sewer Phase III)

Bid Tabulation
SOUTH STATELINE SEWER PHASE III
SEWER TRUNK MAIN
RELOCATION/REHABILITATION
Project No. 62-000-135157-T151404
APRIL 28, 2015 @ 2:00

32	1	LS	Clean & Test Sewer Main	$15,000.00	$15,000.00	$8,600.00	$8,600.00	$4,686.53	$4,686.53	$12,250.00	$12,250.00
33	1	LS	Trench Protection	$15,000.00	$15,000.00	$4,840.00	$4,840.00	$3,124.35	$3,124.35	$1,500.00	$1,500.00
34	1	LS	Seeding	$5,000.00	$5,000.00	$3,760.00	$3,760.00	$2,343.26	$2,343.26	$3,000.00	$3,000.00
			Total Base Bid:		**$1,461,265.00**		**$1,037,601.20**		**$1,018,415.96**		**$1,320,991.08**
ADDITIVE ALTERNATE BID "A":											
				BARNWELL IND.		***BELT CONSTRUCTION***		***KAMPCO CONSTRUCTION***		***S & J CONSTRUCTION***	
				Queen City, TX.		*Texarkana, TX*		*Texarkana, AR.*		*Jacksonville, AR.*	
Item	**Quantity**	**Unit**	**Description**	**Amount**	**Total**	**Amount**	**Total**	**Amount**	**Total**	**Amount**	**Total**
35	1	EA	Line A Concrete Manhole #1	$3,100.00	$3,100.00	$2,610.00	$2,610.00	$3,208.50	$3,208.50	$1,937.50	$1,937.50
36	1	EA	Line A Concrete Manhole #2	$3,300.00	$3,300.00	$2,950.00	$2,950.00	$3,458.05	$3,458.05	$2,154.50	$2,154.50
37	1	EA	Line A Concrete Manhole #3	$4,500.00	$4,500.00	$3,948.00	$3,948.00	$4,384.95	$4,384.95	$2,945.00	$2,945.00
38	1	EA	Line A Concrete Manhole #4	$4,900.00	$4,900.00	$4,625.00	$4,625.00	$4,670.15	$4,670.15	$3,177.50	$3,177.50
39	1	EA	Line A Concrete Manhole #5	$4,000.00	$4,000.00	$4,620.00	$4,620.00	$4,046.28	$4,046.28	$2,619.50	$2,619.50
40	1	EA	Line A Concrete Manhole #6	$2,500.00	$2,500.00	$2,610.00	$2,610.00	$2,655.93	$2,655.93	$1,395.00	$1,395.00
41	1	EA	Line B Concrete Manhole #2	$3,100.00	$3,100.00	$2,753.00	$2,753.00	$2,958.95	$2,958.95	$2,185.50	$2,185.50
42	1	EA	Line B Concrete Manhole #3	$2,700.00	$2,700.00	$3,088.00	$3,088.00	$2,584.63	$2,584.63	$1,829.00	$1,829.00
43	1	EA	Line B Concrete Manhole #4	$2,000.00	$2,000.00	$1,755.00	$1,755.00	$1,942.93	$1,942.93	$1,302.00	$1,302.00
44	1	EA	Line C Concrete Manhole #2	$2,200.00	$2,200.00	$2,094.00	$2,094.00	$2,228.13	$2,228.13	$1,565.50	$1,565.50
			Sub-Total Additions:		$32,300.00		$31,053.00		$32,138.50		$21,111.00
			Total Amount of Base Bid		$1,461,265.00		$1,037,601.20		$1,018,415.96		$1,320,991.08
			Total of Bid Using Additive Alternate Bid A:		**$1,493,565.00**		**$1,068,654.20**		**$1,050,554.46**		**$1,342,102.08**

Attachment: bidtab.sewer.xls (1306 : Ordinance No. 2015-049 S Stateline Sewer Phase III)

Bid Tabulation
SOUTH STATELINE SEWER PHASE III
SEWER TRUNK MAIN
RELOCATION/REHABILITATION
Project No. 62-000-135157-T151404
APRIL 28, 2015 @ 2:00

ADDITIVE ALTERNATE BID "B":											
				BARNWELL IND.		***BELT CONSTRUCTION***		***KAMPCO CONSTRUCTION***		***S & J CONSTRUCTION***	
				Queen City, TX.		*Texarkana, TX*		*Texarkana, AR.*		*Jacksonville, AR.*	
Item	**Quantity**	**Unit**	**Description**	**Amount**	**Total**	**Amount**	**Total**	**Amount**	**Total**	**Amount**	**Total**
45	10	LF	Concrete Piers	$150.00	$1,500.00	$720.00	$7,200.00	$468.65	$4,686.50	$250.00	$2,500.00
46	150	CY	Oversized Rock	$100.00	$15,000.00	$42.00	$6,300.00	$101.19	$15,178.50	$32.60	$4,890.00

Attachment: bidtab.sewer.xls (1306 : Ordinance No. 2015-049 S Stateline Sewer Phase III)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 4/20/2015 3:33 PM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,

Subject: Ordinance No. 2015-047 rezoning a 7.882 acre tract of land in the Willis Oldham HRS, A-458, located at 5445 North Park Road. Planned Development-Commercial and Planned Development-General Retail to Commercial. James Blackburn, owner. Kirk Patton, agent.

Briefing:	6/8/2015	**Public Hearing:**	5/11/2015	**Second Briefing:**	May 26, 2015	**Council Vote:**	6/8/2015

Item Schedule

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

Updates/History of Briefing:

Not applicable

Executive Summary and Background Information:

Z-14-4: This is a request by James Blackburn, owner, and Kirk Patton, attorney, to rezone a 7.882 acre tract of land located in the Willis Oldham HRS, A-458, located at 5445 North Park Road from Planned Development-General Retail and Planned Development-Commercial to Commercial. The applicant is requesting that the Planned Development designation be removed from the property. The current use of the property is Blackburn's Used Auto Sales. The owner plans to market the property for commercial future use(s).

The adjacent zoning is I-30 to the north, Multiple Family Family-1 to the east, Office and Single Family-2 to the south and Agriculture to the west. The adjacent land use is I-30 to the north, residences and an office to the south, railroad tracks and nursing homes to the east and Spring Lake Park to the west.

The Comprehensive Plan has designated this as a retail area.

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

Fiscal Implications:

None

Staff Recommendation:

Staff is concerned about the possibility of an undesirable commercial use locating on the property. This tract of land is located directly north of residential and duplex uses and east of Spring Lake Park. As a result, Staff considered the issue that certain commercial uses could have an adverse impact on the adjacent residential properties and recommended the Planned Development designation should remain in place on the entire property. Specifically, certain uses could be prohibited such as a heavy equipment construction site, auto body and paint shop, welding and machine shop and heavy

machinery sales if the Planned Development remains in place. Also, if these buildings are demolished, then site plan approval of any future use would be required. Because this property is surrounded by street frontage on all sides, no fencing/screening device would be required by ordinance. With a Planned Development designation, the City could impose fencing requirements that would screen the residents to the south.
Therefore, staff recommends that the PD-General Retail tract be rezoned to PD-Commercial and that the PD-Commercial tract not be changed.

Advisory Board/Committee Review:

Planning and Zoning Commission.

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously voted to rezone the portion of this tract that is currently zoned Planned Development-General Retail to Planned Development-Commercial and leave the remaining portion of the property as Planned Development-Commercial.

As a result, the applicant's original request was denied and will require a ¾ vote of the City Council to approve. However, an amendment can be made by Council to change the ordinance to Planned Development-Commercial and would require a majority vote for approval.

Advisory Board/Committee Meeting Date and Minutes:

April 6, 2015

Attachments

a. Goals & Perspectives (DOCX)
b. Ord # 2015-047 (Alt Proposal) (DOCX)
c. Exhibit "A" - legal description (PDF)
d. Maps (PDF)
e. Kirk Patton Letter (PDF)
f. Declaration of Restrictive Covenants (prohibiting uses) (PDF)

Staff Coordination

Planning and Community Development	Completed	David Orr 04/16/2015 5:53 PM	Department Head Review	
Assistant City Manager Review	Completed	Shirley Jaster 04/20/2015 3:33 PM	Assistant City Manager	
Public Information Officer	04/20/2015 4:12 PM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	04/21/2015 8:05 AM
City Council	Jennifer Evans	Meeting	Completed	04/27/2015 6:00 PM

Meeting History

City of Texarkana, Texas

04/27/15	City Council	MOVED FORWARD	Next: 05/11/15
05/11/15	City Council	MOVED FORWARD	Next: 05/26/15

Kirk Patton, an attorney representing James Blackburn, spoke at this public hearing.

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:

NA

Resource Impact:

NA	Select One By Clicking Here

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: Goals & Perspectives (1303 : Ord. No. 2015-047: PD-GR & PD-C to C. 5445 N. Park Rd.)

ORDINANCE NO. 2015-047

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 CERTAIN 7.882 ACRE TRACT OF LAND LOCATED IN THE WILLIS OLDHAM HRS, A-458, LOCATED AT 5445 NORTH PARK ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM PLANNED DEVELOPMENT-GENERAL RETAIL AND PLANNED DEVELOPMENT-COMMERCIAL TO COMMERCIAL SUBJECT TO DECLARATIONS FILED IN THE COUNTY PROPERTY RECORDS GOVERNING USE OF THE LAND; CONTAINING A REPEALER 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 certain 7.882 acre tract of land located in the Willis Oldham HRS, A-458 (the Exhibit "A" tract), located at 5445 North Park Road in the City of Texarkana, Bowie County, Texas, from **Planned Development-General Retail and Planned Development-Commercial** to **Commercial;** and

WHEREAS, the Planning and Zoning Commission of the City of Texarkana, Texas and the City Council of the City of Texarkana, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have held 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 **denied the application as presented and voted five (5) to zero (0) to recommend rezoning the portion of the Exhibit "A" tract currently zoned Planned Development-General Retail to Planned Development-Commercial, and to leave the remaining portion zoned as Planned Development-Commercial**; and

WHEREAS, pursuant to the City's zoning ordinance and Loc. Gov't Code § 211.006(f), the City Council's approval of the applicant's request requires a three-fourths affirmative vote of the Council (or the affirmative votes of five councilmembers) given the denial by Planning and Zoning Commission; and

WHEREAS, the applicant's agent, on May 26, 2015, asked that the City Council consider the applicant's voluntary filing of a declaration of covenants (Exhibit "B") that would modify the otherwise allowable commercial uses of the Exhibit "A" tract; and

WHEREAS, the City Council recognizes the concerns of the Planning and Zoning Commission and City staff given the visibility of the Exhibit "A" tract from Interstate Highway 30 and the unique location and circumstances of the tract, with the northern boundary being the I-30 access road, the eastern boundary being a public road adjacent to railroad tracks, the southern boundary being a public road adjacent to residential dwellings, and the eastern boundary being a public park and public water infrastructure; and

Attachment: Ord # 2015-047 (Alt Proposal) [Revision 5] (1303 : Ord. No. 2015-047: PD-GR & PD-C to C. 5445 N. Park Rd.)

WHEREAS, after consideration of the application, the recommendation of the Planning and Zoning Commission and City staff, the unique location and circumstances of the Exhibit "A" tract, and the applicant's Exhibit "B" declaration, the City Council of the City of Texarkana, Texas, finds and determines that rezoning the tract from **Planned Development-General Retail and Planned Development-Commercial** to **Commercial** − conditioned upon all owners of the Exhibit "A" tract filing in the property records of Bowie County the Exhibit "B" declaration − 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: Subject to Sections 2, 3, and 5 of this Ordinance, 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 certain 7.882 acre tract of land located in the Willis Oldham HRS, A-458 (Exhibit "A"), located at 5445 North Park Road in the City of Texarkana, Bowie County, Texas, from **Planned Development-General Retail and Planned Development-Commercial** to **Commercial**.

SECTION 2: Any person or entity who desires a building permit or certificate of occupancy, or both, for any proposed use of the Exhibit "A" tract shall be required, as a condition for obtaining such permit or certificate, to request and receive from the Director of Planning & Community Development (or administrative successor) of the City a zoning use verification letter confirming that the proposed use of the Exhibit "A" tract is in conformity with the requirements of this Ordinance, and shall provide the Director of Planning & Community Development (or administrative successor) of the City with such materials as requested to review and evaluate the proposed use. The requirements of this Section shall be in addition to any other requirements imposed by law or City ordinance.

SECTION 3: No provision of this Ordinance shall be deemed severable. 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 or void, then such invalid or void provision shall invalidate the entirety of this Ordinance.

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

SECTION 5: This Ordinance shall be in full force and effect only after the applicant tenders to the City Manager a declaration of covenants that run with the land in substantially the same form as the Exhibit "B" declaration, signed by all owners of the Exhibit "A" tract, filed in the property records of Bowie County, and bearing a filemark from the County Clerk of Bowie County. The terms of the declaration shall be incorporated into this Ordinance by reference for all purposes.

PASSED AND APPROVED in Regular Council Session on this the **8th day of June, 2015.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: Ord # 2015-047 (Alt Proposal) [Revision 5] (1303 : Ord. No. 2015-047: PD-GR & PD-C to C. 5445 N. Park Rd.)

EXHIBIT 'A'

All that certain 7.882 acre tract or parcel of land situated in the WILLIS OLDHAM HEADRIGHT SURVEY, Abstract No. 458, Texarkana, Bowie County, Texas, and being a part of Lots Numbered One (1) and Two (2) of Parkview Addition, an annex to the City of Texarkana, Bowie County, Texas, according to the plat thereof recorded in Volume 40, Page 164 of the Plat Records of Bowie County, Texas, and also being a part of that certain tract of land conveyed from Louis Heilbron and Joseph Eldridge to L. R. Graves by Deed dated March 7, 1925, and recorded in Volume 124, Page 198 of the Deed Records of Bowie County, Texas, and the herein described tract of land being all that certain called 4.031 acre tract conveyed from Jimmie O. Clements and wife, Patricia Ann Clements, to James Blackburn, Jr., by Warranty Deed dated August 21, 1996, and recorded in Volume 2538, Page 105 of the Real Property Records of Bowie County, Texas, and also being all that certain called 3.677 acre tract conveyed from Whatley Sign Advertising, Inc., to James Blackburn, Jr., by Warranty Deed dated July 31, 1985, and recorded in Volume 778, Page 27 of the Real Property Records of Bowie County, Texas, and also including all that certain 0.590 acre tract conveyed from Whatley Sign Advertising, Inc., to James K. Leonard, et al, by Deed dated April 1, 1982, and recorded in Volume 685, Page 595 of the Deed Records of Bowie County, Texas, and the subject tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch reinforcing steel rod found for corner on the North right-of-way line of a street designated as Fair Oaks Drive and also being on the East right-of-way line of Fair Oaks Drive and being the Southwest corner of said Lot No. 2 of Parkview Addition and also being the Southwest corner of said 3.677 acre tract recorded in Volume 778, Page 27 of the Real Property Records of Bowie County, Texas;

THENCE: N 02° 24' 03" W, 459.06 feet with the East right-of-way line of Fair Oaks Drive and with the West line of said 3.677 acre tract to a 1/2 inch reinforcing steel rod set for corner on the South right-of-way line of Interstate Highway No. 30 at the Northwest corner of said 3.677 acre tract;

THENCE: N 77° 05' 07" E, 196.88 feet with the South right-of-way line of Interstate Highway No. 30 to a 1/2 inch reinforcing steel rod set at an angle point in said right-of-way line;

THENCE: N 81° 05' 46" E, 538.60 feet with the South right-of-way line of Interstate Highway No. 30 to a 1/2 inch reinforcing steel rod set for corner on the West right-of-way line of North Park Road at the Northeast corner of said 4.031 acre tract recorded in Volume 2538, Page 105 of the Real Property Records of Bowie County, Texas;

THENCE: S 11° 14' 47" W, 597.50 feet with the West right-of-way line of North Park Road and the East line of said 4.031 acre tract to a 1/2 inch reinforcing steel rod set for corner on the North right-of-way line of Fair Oaks Drive at the Southeast corner of said 4.031 acre tract;

THENCE: N 90° 00' 00" W, 588.25 feet with the North right-of-way line of Fair Oaks Drive to the Point of Beginning, and containing 7.882 acres of land, more or less.

Attachment: Exhibit "A" - legal description (1303 : Ord. No. 2015-047: PD-GR & PD-C to C. 5445 N. Park Rd.)

Attachment: Maps (1303 : Ord. No. 2015-047: PD-GR & PD-C to C. 5445 N. Park Rd.)

Attachment: Maps (1303 : Ord. No. 2015-047: PD-GR & PD-C to C. 5445 N. Park Rd.)

KIRK PATTON, P.C.
ATTORNEY AT LAW

3512 Texas Boulevard • Texarkana, Texas 75503
Post Office Box 6128 • Texarkana, Texas 75505-6128
Telephone (903) 334-7000 • Fax (903) 791-9301

April 28, 2015

Mr. David Orr
Director of Planning and
Community Development
City of Texarkana, Texas
P.O. Box 1967
Texarkana, Texas 75504

RE: Ordinance No. 2015-047
Rezoning 7.882 acre tract of land

Dear Mr. Orr:

I have reviewed the uses that are allowed in commercial districts under the Zoning Ordinance of the City of Texarkana, Texas. Enclosed find a list of prohibited uses to be set forth in Ordinance No. 2015-047 rezoning a 7.882 acre tract of land located at 5445 North Park Road that is owned by James Blackburn. Mr. Blackburn has approved said prohibited uses being set forth in said Ordinance No. 2015-047 rezoning his property to "commercial".

After you have had the opportunity to review the list of prohibited uses, then please give me a call. I appreciate your willingness to work toward reaching a compromise that will not only protect the adjoining property owners but will also allow Mr. Blackburn to market his property for its highest and best use.

Very truly yours,

Kirk Patton, P.C.

KP/k
Enclosure
cc: Mr. James Blackburn w/enc.
25032-001

Attachment: Kirk Patton Letter (1303 : Ord. No. 2015-047: PD-GR & PD-C to C. 5445 N. Park Rd.)

PROHIBITED USES APPLICABLE TO 7.882 ACRES OWNED BY JAMES BLACKBURN

mobile home park

sewage treatment plant

water treatment plant

commercial amusement facility

dance hall

nightclub

drag or racing strip

go cart track

pistol or rifle range

skating rink

swimming pool

cemetery or mausoleum

institution for alcoholic, narcotic or psychiatric patients

convent or monastery

bus station

motor freight terminal

wrecking or salvage yard

mini warehouses

tattoo parlor

animal hospital, pound or kennel

poultry hatchery

commercial plant nursery

laundry plant

contractor storage yard

petroleum products storage

storage warehouse

sand or gravel storage

meat packing plant

trash transfer station

Attachment: Kirk Patton Letter (1303 : Ord. No. 2015-047: PD-GR & PD-C to C. 5445 N. Park Rd.)

Attachment: Declaration of Restrictive Covenants (prohibiting uses) (1303 : Ord. No. 2015-047: PD-GR & PD-C to C. 5445 N. Park Rd.)

DECLARATION OF RESTRICTIVE COVENANTS

Basic Information

Date: June 5, 2015

Declarant and Declarant's Address: James Blackburn
5445 North Park Road
Texarkana, Texas 75503

Property: All that certain 7.882 acre tract or parcel of land situated in the WILLIS OLDHAM HEADRIGHT SURVEY, Abstract No. 458, Texarkana, Bowie County, Texas, and being a part of Lots Numbered One (1) and Two (2) of Parkview Addition, an annex to the City of Texarkana, Bowie County, Texas, according to the plat thereof recorded in Volume 40, Page 164 of the Plat Records of Bowie County, Texas, and also being a part of that certain tract of land conveyed from Louis Heilbron and Joseph Eldridge to L. R. Graves by Deed dated March 7, 1925, and recorded in Volume 124, Page 198 of the Deed Records of Bowie County, Texas, and the herein described tract of land being all that certain called 4.031 acre tract conveyed from Jimmie O. Clements and wife, Patricia Ann Clements, to James Blackburn, Jr., by Warranty Deed dated August 21, 1996, and recorded in Volume 2538, Page 105 of the Real Property Records of Bowie County, Texas, and also being all that certain called 3.677 acre tract conveyed from Whatley Sign Advertising, Inc., to James Blackburn, Jr., by Warranty Deed dated July 31, 1985, and recorded in Volume 778, Page 27 of the Real Property Records of Bowie County, Texas, and also including all that certain 0.590 acre tract conveyed from Whatley Sign Advertising, Inc., to James K. Leonard, et al, by Deed dated April 1, 1982, and recorded in Volume 685, Page 595 of the Deed Records of Bowie County, Texas, and the subject tract being more particularly described by metes and bounds as follows:
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THENCE: N 02° 24' 03" W, 459.06 feet with the East right-of-way line of Fair Oaks Drive and with the West line of said 3.677 acre tract to a 1/2 inch reinforcing steel rod set for corner on the South right-of-way line of Interstate Highway No. 30 at the Northwest corner of said 3.677 acre tract;
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THENCE: N 90° 00' 00" W, 588.25 feet with the North right-of-way line of Fair Oaks Drive to the Point of Beginning, and containing 7.882 acres of land, more or less.

Definitions

"Covenants" means the covenants, conditions and restrictions contained in this Declaration.

"Declarant" means James Blackburn.

"Owner" means every record Owner of a fee interest in all or any part of the Property.

Clauses and Covenants

A. Imposition of Covenants.

1. Declarant imposes the Covenants on the Property. All Owners and other occupants of the Property, by their acceptance of their deeds, leases or occupancy of any part of the Property, agree that the Property is subject to the Covenants.

2. The Covenants run with the Property and bind all Owners, occupants and any other person holding an interest in any part of the Property.

3. Each Owner and occupant of any part of the Property agrees to comply with this Declaration and agrees that failure to comply may subject him to damages or injunctive relief.

B. Uses and Activities.

1. *Permitted Uses.* The Property may be used for any purpose other than the Prohibited Uses (defined below).

2. *Prohibited Uses.* No part of the Property shall be used for a mobile home park; sewage treatment plant; water treatment plant; commercial amusement facility; dance hall; nightclub; drag or racing strip; go cart track; pistol or rifle range; skating rink; cemetery or mausoleum; institution for alcoholic, narcotic or psychiatric patients; convent or monastery; bus station; motor freight terminal; wrecking or salvage yard; mini warehouses; tattoo parlor; animal hospital, pound or kennel; poultry hatchery; commercial plant nursery; laundry plant; contractor storage yard; petroleum products storage; storage warehouse; sand or gravel storage; meat

Attachment: Declaration of Restrictive Covenants (prohibiting uses) (1303 : Ord. No. 2015-047: PD-GR & PD-C to C. 5445 N. Park Rd.)

packing plant; or trash transfer station.

C. General Provisions.

1. *Term.* This Declaration runs with the Property. The City of Texarkana, Texas, may sue to enjoin a violation of the Covenants.

2. *Amendment.* This Declaration may be amended at any time by the affirmative vote of sixty percent (60%) of the Owners of the Property and the affirmative vote of the City of Texarkana, Texas.

3. *Severability.* If a provision of this Declaration is unenforceable for any reason, to the extent the unenforceability does not destroy the basis of the bargain among the parties, the unenforceability does not affect any other provision of this Declaration, and this Declaration is to be construed as if the unenforceable provision is not a part of the Declaration.

WITNESS MY HAND as of the date set forth above.

_____
James Blackburn, Declarant

STATE OF TEXAS)(
)(**ACKNOWLEDGMENT**
COUNTY OF BOWIE)(

This instrument was acknowledged before me on this 5th day of June, 2015, by James Blackburn.

_____
Notary Public, State of Texas
Printed Name:_____
Commission Expires:_____

After recording, please return to:
Kirk Patton, P.C.
P.O. Box 6128
Texarkana, Texas 75505-6128

Attachment: Declaration of Restrictive Covenants (prohibiting uses) (1303 : Ord. No. 2015-047: PD-GR & PD-C to C. 5445 N. Park Rd.)

City of Texarkana, Texas

Version: J

Briefing Sheet

Update Date: 6/4/2015 10:12 AM

Lead Department: Police **Action Officer:** Charles Kreidler,

Subject: Resolution No. 2015-039 accepting a bid and authorizing the City Manager to issue a purchase order to Tyler Technologies for electronic ticket writing software and hardware provided through Brazos Technology, of College Station, Texas, for the purchase of electronic ticket writing software and hardware in an amount not to exceed EIGHTY-FIVE THOUSAND FIVE HUNDRED EIGHTY-SIX AND NO/100 DOLLARS ($85,586.00).

Briefing:	6/8/2015	**Public Hearing:**	5/11/2015	**Second Briefing:**	May 26, 2015	**Council Vote:**	6/8/2015

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

Updates/History of Briefing:

Updates to questions posed during April 27th Council Meeting

- Question by Mr. Casteel on using the Ticket Writer Devices to identify individuals by fingerprint when no other form of identification is available.
  - At the present time the technology is not available with the proposed device. However, it is in development and could be something that we can add at a later date.
- Question by audience member (Paul Stenzel) about using Ticket Writers to submit the state vehicle crash reports.
  - The Ticket Writer devices are capable of handling the state crash/accident reports. However, the initial set up cost would be $11,400 with annual maintenance fee of $3,400. The current state program is provided at no cost to municipal agencies and meets our immediate needs.
- Question by Mr. Davis about the interoperability of the Ticket Writer Devices with a possible new radio system and existing CAD software.
  - Staff contacted Brazos and determined our initial comments were on target with the use of the Ticket Writers. In summary, the ticket writers and radio system would be totally independent of each other, and any subsequent connection to CAD software would only provide a secondary repository for data already stored with Brazos.

Executive Summary and Background Information:

City of Texarkana, Texas

In 2011, the Texarkana Municipal Court upgraded their computer management software to a Tyler Technologies product, known as Incode. The new software was necessary for the court to more efficiently record data and to ensure communication with the new county software package, a Tyler product under the name Odyssey. Ultimately, Incode provided the vehicle for the court to communicate warrant information with the county system that, in turn, feeds the information to law enforcement on a daily basis.

To pay for the purchase of Incode the Court used the Municipal Court Technology Fund that was established several years ago to give the Court a revenue stream to upgrade systems and purchase technology items. The fund is maintained through a $4 court cost fee added to each charge handled by the Municipal Court.

Since the purchase in 2011, the Technology Fund has been earmarked for paying the balance of the cost of the Incode Software. As of 2015, the final funds transfer has been made which closes out the purchase of Incode, and makes the Technology Fund available for other projects.

As a group the Municipal Court, Police Department and Fire Department agree that the next project to be considered for the Technology Fund should be an expansion of the Incode System to include Electronic Ticket Writers. These devices are the next logical step in upgrading the technology used by the Court and both Police and Fire to increase effectiveness and efficiency in those Departments. For the Municipal Court the need for daily data entry of paper citations into the Incode System would no longer be necessary. Citations would be available almost immediately thus eliminating the need for citizens to wait for the paper copy to make its way to the court for action. For Police and Fire the three-part paper citation would no longer be needed and the storage of citation copies (retention as required by statute) would become electronic. The police department will also have the ability to complete field interviews, enter vehicle impounds, enter criminal trespass warnings, complete driver information exchange and have automatic collection of statutorily required racial profiling data (currently entered manually by the court). As an added measure of safety, anytime an officer or firefighter (peace officer) would scan or enter a name in the E-Ticket Writer he or she would immediately be notified of outstanding municipal warrants on the individual.

The expansion to include E-Ticket Writers is something that has been considered since the initial purchase of Incode. Most recently Sergeant Geoff Lewis, Police Department, has been researching options for purchasing the technology that would ensure seamless communication between the hardware required and the Court's Incode software. He discovered rather quickly that the leading company in Texas is Brazos Technologies, a strategic partner with Tyler Technologies, the maker of Incode. Sgt. Lewis determined that Brazos is a sole source vendor for the software that interfaces with Incode to provide active warrants, Incode offense codes, officer information and fine amounts to the E-Ticket Writer hardware. Simply, Brazos communicates with Incode more effectively and provides more information exchange than any other software currently available.

As a sole source provider Tyler Technologies submitted a bid to the city for Brazos Technologies software and hardware in the form of 17 E-Ticket Writers and printers along with additional modules (field interview, towing, driver exchange, and criminal trespass), associated accessories (Batteries, Chargers, etc.) and on-site training for a total amount of $85,586. The bid includes a full interface with Incode and support for ensuring communication

between the two software suites. There is an annual fee of $8,188 that covers software maintenance, interface maintenance (Brazos/Incode) and storage that will be covered each year by the Municipal Court Technology Fund following this initial purchase.

Even though Brazos is a strategic partner with Tyler and a sole source vendor, the Departments were concerned about ensuring that alternatives were researched before making a purchasing recommendation. Through the efforts of Sergeant Lewis two bids was secured from a vendors not associated with Brazos or Tyler.

The second bid was received from the CiteClearly company and included similar Motorola hardware and software including 16 handheld E-Ticket Writers, printers and associated hardware for a total of $73.722.18. The bid was obtained before the Fire Department added the 17th device, so it would be necessary to increase the total by approximately $3,000 for a final tally of $76,722.18. Additionallly, the company has indicated that an interface with Incode would likely incur fees from Tyler. The company does not offer the field interview, criminal trespass documentation, driver information exchange or towing capabilities in their software. CiteClearly uses a third party vendor to quote the necessary hardware, and that company (system_id) included an older version of the Motorola handheld device that does not have 4G cellular capability and utilizes a much lower resolution camera (See device comparison page).

As a result of CitClearly's lack of immediate interface with Incode along, with their device and software limitations, staff could not recommend a purchase from the company. However, the bid is included here to give the staff and council a comparison of competitors to Brazos.

The Third bid was received from APS (Advanced Public Safety), the closest rival to Brazos in the E-Ticket industry. The APS bid moved away from the handheld type device to a tablet environment for a total of $119,206.65 for 17 tablets and printers. Clearly the initial cost for APS is considerably higher than either of the first two bids and the company is not offering the handheld device that the Departments feel better suit their needs.

After reviewing the available options and with careful consideration of the bids submitted, staff is recommending to proceed with the purchase of E-Ticket Writers from Brazos Technologies.

Potential Options:

- No purchase

Fiscal Implications:

The initial purchase of software and equipment is being accomplished through the Municipal Court Technology Fund, Police Department Budget Funds, Fire Department Budget Funds and a Deferment of $14,000 that will be due in March of 2016. A detailed budget plan is attached that indicates the individual Department contribution to the initial purchase. The deferment will be paid through a cooperative effort between the Police Department and the Municipal Court that is contingent upon the balance of the Technology Fund in March of 2016. An amendment to the Budget for FY14-15 will also be required to appropriate the available technology funds.

Staff Recommendation:

Staff Recommends Purchase of Brazos software and associated hardware that will allow for the computerized capture and transfer of citation information for the Police, Fire and Municipal

Court.

Advisory Board/Committee Review:
None

Board/Committee Recommendation:
None

Advisory Board/Committee Meeting Date and Minutes:
Not Applicable

Attachments

a. 2015-039 Resolution (DOC)
b. Brazos 17HHs v3 3-27-2015 (PDF)
c. CiteClearly PDA Proposal - Texarkana (PDF)
d. APS Proposal - TX - Texarkana PD - 17VP2 - 17Tablet - 17Printers - 3 (DOC)
e. Device Comparison (DOCX)
f. Brazos Sole Source (PDF)
g. Budget Plan (DOCX)
h. Departments Using Brazos.xlsx (PDF)
i. Goals & Perspectives (DOCX)

Staff Coordination

Police	Kevin Schutte	Action	Completed	04/15/2015 10:16 AM
Police	Dan Shiner	Department Head Review	Completed	04/15/2015 10:28 AM
Assistant City Manager	Shirley Jaster	Assistant City Manager Review	Completed	04/15/2015 11:56 AM
Public Information Officer	Lisa Thompson	PIO Review	Completed	04/15/2015 1:02 PM
Purchasing and Contracting	Sharon Moore	Purchasing Review	Completed	04/15/2015 1:46 PM
Finance Department	Charlie Bassett	Finance Review	Completed	04/17/2015 4:16 PM
City Manager	John Whitson	City Manager Review	Completed	04/21/2015 8:03 AM
City Council	Jennifer Evans	Meeting	Completed	04/27/2015 6:00 PM

Meeting History

04/27/15	City Council	MOVED FORWARD	Next: 05/11/15
05/11/15	City Council	MOVED FORWARD	Next: 05/26/15

No comments were made at this public hearing.

RESOLUTION NO. 2015 - 039

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ACCEPTING A BID AND AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO TYLER TECHNOLOGIES, FOR THE PURCHASE OF BRAZOS ELECTRONIC TICKET WRITING SOFTWARE AND HARDWARE IN AN AMOUNT NOT TO EXCEED EIGHTY-FIVE THOUSAND FIVE HUNDRED EIGHTY-SIX DOLLARS AND NO/100 ($85,586.00); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Municipal Court, Police Department, and Fire Department have obtained a qualified sole source bid for the project; and

WHEREAS, to increase effectiveness and efficiency in those departments; and

WHEREAS, the sole source bid by a responsible bidder meeting specifications was submitted for software and hardware provided by Brazos Technology, of College Station, Texas, through their strategic partnership with Tyler Technologies for the purchase of 17 Motorola MC67 handhelds, 17 Zebra RW420 printers, software, and licensing in an amount not to exceed EIGHTY-FIVE THOUSAND FIVE HUNDRED EIGHTY-SIX DOLLARS AND NO/100 ($85,586.00); and

WHEREAS, Chapter 252 of the Texas Local Government Code allows a local government to make purchases using sole source; and

WHEREAS, the funding source for the approved purchase will be the Municipal Court Technology Fund and available funds in the current Police Department and Fire Department budgets with a deferment of $14,086 of the total cost to be paid in March of 2016 from the Municipal Court Technology Fund and Police Department budget; and

WHEREAS, the annual maintenance cost payable to Tyler Technologies for coverage on Brazos Technologies hardware and software associated with this purchase will be funded through the Municipal Court Technology Fund.

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

SECTION 1: That the sole source bid by Tyler Technologies for the purchase of Brazos Technology, of College Station, Texas, electronic ticket writing software and hardware in an amount not to exceed EIGHTY-FIVE THOUSAND FIVE HUNDRED EIGHTY-SIX DOLLARS AND NO/100 ($85,586.00).

SECTION 2: That the City Manager is hereby authorized to issue a purchase order to Tyler Technologies for the above equipment.

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 **8th day of June, 2015.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2015-039 Resolution [Revision 9] (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

Proposal

Local Government Division

Brazos eCitation - 17 Units

Presented to:

Sgt. Geoffrey Lewis
City of Texarkana, TX
Texarkana, TX
(903) 798-1752
lewisg@txkusa.org

Proposal date: March 27, 2015

Submitted by:

Ryan Burns
(800) 646-2633
ryan.burns@tylertech.com

Tyler Technologies
Local Government Division
5519 53rd Street
Lubbock, Texas 79414

Attachment: Brazos 17HHs v3 3-27-2015 (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

Investment Summary

Sgt. Geoffrey Lewis
City of Texarkana, TX
March 27, 2015

Investment Breakdown

Proposal Valid for 120 days

Software	Investment	Annual Fees
License Fees (Existing Customer)	2,750	1,238
	2,750	**1,238**

Hardware & Third Party Software	Investment	Annual Fees
Brazos Technology Software & Hardware	70,836	6,950
	70,836	**6,950**

Professional Services	Investment
Brazos Technology Software & Hardware	12,000
	12,000

Project Total	85,586	8,188

Tyler will invoice Client for the License Fees listed above upon delivery of the software.

Maintenance Fees listed above will be invoiced upon ninety (90) days of delivery and annually thereafter on the anniversary of that date
Brazos software includes 12 months of maintenance in the initial fee.

All payment terms are net thirty (30) days

Attachment: Brazos 17HHs v3 3-27-2015 (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

Software Licenses

Sgt. Geoffrey Lewis
City of Texarkana, TX
March 27, 2015

Application Software	QTY	Hours	Estimated Services	License Fee	Estimated Services	Annual Maintenance
Incode Court Case Management Suite				2,750		1,238
Brazos Citation Issuing Device Interface *(Citation Import, Auto Citation Import, Warrant Export)*	2,750	Included	Included			
Incode Application Subtotal				2,750		1,238
Application and System Software Total				**2,750**		**1,238**

Attachment: Brazos 17HHs v3 3-27-2015 (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

Brazos Technology e-Citations

Sgt. Geoffrey Lewis
City of Texarkana, TX
March 27, 2015

Description	QTY	Purchase Price	Estimated Services	Annual Maintenance	Warranty Provider
Brazos eCitation Mobile Application Software					
Brazos RDC Software - Citations - Warnings - Parking Tickets - Stand-alone racial profiling (when not captured via other methods) - 1 Year Maintenance and Support	17	14,450		5,950	Brazos
Brazos Interface to Court ***Brazos Technology Interface Only*	1	N/C		1,000	
Field Interview	1	2,500			
Criminal Trespass Module	1	2,500			
Tow Module	1	2,500			
Driver's Exchange (Basic)	1	2,500			
One-time credit		-2,500			
Implementation Services - One fee independent of number of devices - Customized Screen and Print Layouts (from an existing layout) - Creation of Web report that is exactly like defendant citations - Customization of Offenses (includes additional information) - Import of Officer Information - Import of Location Information (if applicable) - Implemenation of Bluetooth communication between mobile device and printer - Installation of all software at customer site - Customization of additional reports			9,000		
Training - Two (2) days of officer/employee training - One (1) day of administrator training - Includes classroom and OJT training - Maximum Group Size = 12 - All documentation *Travel and Expenses are billed as incurred*			3,000		
Brazos Mobile Hardware					
Motorola MC67 (2D Imager) - Includes Verizon Cellular Capability (must specify) - 8 Mega-Pixel autofocus camera - Built-in GPS - Extremely Bright 640x400 Full VGA Screen - Microsoft Mobile operating system - 1 Year Warranty (Parts & Labor Only)	17	24,650			Motorola
Brazos Mobile Hardware Accessories					
Extended Warranty for MC67/MC70 - 3 Years Bronze Support - 3 to 5 day turnaround - Comprehensive Coverage (no fault) - Can only be purchased with new device	17	4,250			
4-bay Docking Cradle for MC67/MC70 (Highly Recommended) - Includes all cables (power supply and 6' network cable)	4	1,700			
Portsmith Single Bay Docking Cradle MC67	1	225			
Additional MC67 Extended Life Battery - 1.5x Battery	17	1,003			
4-Bay Battery Charger for Extended Life Batteries	4	720			
Brazos Mobile Printers and Accessories					
Zebra RW420 Bluetooth Printer w/ built-in magstripe reader - One (1) Year Manufacturer's Warranty - Bluetooth Communications	17	13,260			Zebra
Additional Batteries for RW420	16	1,248			
Wall Charger for Printer - 110 VAC plug to recharge printer from a standard wall socket	1	70			
Zebra Charger Quad Li-Ion 4-Bay Battery Charger	4	1,380			
One Case (36 rolls) of standard thermal paper	4	380			

Attachment: Brazos 17HHs v3 3-27-2015 (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

Brazos Technology e-Citations

Sgt. Geoffrey Lewis
City of Texarkana, TX
March 27, 2015

Description	QTY	Purchase Price	Estimated Services	Annual Maintenance	Warranty Provider
Brazos Software and Services		21,950	12,000 0	6,950	
Brazos Hardware Devices and Printers		48,886			
Brazos Technology Total		**70,836**	**12,000**	**6,950**	

Attachment: Brazos 17HHs v3 3-27-2015 (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

Utility Data Systems of Texas, LLC
9191 Kyser Way, Ste 105
Frisco, TX 75033
(800) 259-0979
http://www.udsoftexas.com

CiteClearly
ELECTRONIC TICKET WRITER SYSTEM

Proposal For:

Texarkana, TX Police Department

Date: 3/16/2015

Submitted By:

Utility Data Systems of Texas, LLC

Introduction:

Thank you for allowing Utility Data Systems of Texas, LLC (UDS of Texas) to submit this proposal for CiteClearly™ Electronic Ticket Writer System to you and your department. UDS of Texas is committed to providing you the best electronic ticketing software for city ordinance violations, state statute violations, and traffic citations.

UDS of Texas and sister company Utility Data Systems, Inc. of Louisiana have been providing solutions to over six hundred local government entities for thirty-five years. Both companies are family owned which means we are more responsive and have the capability to move quickly on decisions affecting our customers.

Overview of CiteClearly™ Electronic Ticket Writer System:

CiteClearly™ Ticket Writer Software System consists of three main software programs:

1. **CiteClearly™ Cruiser Software** – Ticket Writer Application for In-Vehicle Mounted Computers
2. **CiteClearly™ Handheld Mobile Computer Software** – Ticket Writer Application for Handhelds
3. **CiteClearly™ Manager Software** – Ticket Information Import/Export/Reporting Application

1. **CiteClearly™ Cruiser Software** is ticket creation software. CiteClearly™ Cruiser Software operates on ruggedized laptop, notebook, or mounted computers that have the Microsoft® Windows XP, Windows Vista, or Windows 7 operating system. A portable thermal receipt printer capable of printing on four-inch width paper and a separate magnetic card reader complete the hardware requirements for CiteClearly™ Cruiser.

   CiteClearly™ Cruiser Software maximizes data accuracy while maintaining or exceeding the speed of traditional hand-written tickets through the following features:

   - A data interface that is customized to look like the hand-written tickets the officers are familiar with
   - Automatic entry of data retrieved from the violator's driver's license via the magnetic card reader
   - Type-ahead function that intelligently completes words as you type in certain fields
   - Provides a quick list of the fifteen most popular violation codes for tickets written by the agency (requires two way data synchronization with agency databases to provide this feature initially)
   - Street names, zip codes, and other location information can be imported into drop down lists to speed manual entry portions of the ticket creation process
   - Local warrant information can be imported to provide the officer immediate access to possible warrants outstanding for a violator
   - An existing database of Vehicle makes and models is provided; when a make is selected only models for that make are listed for faster selection

Attachment: CiteClearly PDA Proposal - Texarkana (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

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- Different application display settings for day and night shifts; the officer can quickly toggle between the two
- Officers can choose their preferred colors for both day and night settings or use the default color schemes
- Racial profiling report data can be entered for stops involving a ticket or stops not involving a ticket
- Single character shortcuts for racial profiling reporting makes data entry for the report much faster

2. **CiteClearly™ Handheld Mobile Computer Software** is ticket creation software in the same fashion as the CiteClearly™ Cruiser Software. CiteClearly™ Handheld Mobile Computer Software operates on PDA style handheld devices running Microsoft® Windows Mobile 5.0 through 6.1. CiteClearly™ Handheld Mobile Computer Software takes advantage of integrated 2D barcode scanners and magnetic card swipes that come as standard equipment on some handheld devices. A portable thermal receipt printer with integrated magnetic card reader technology capable of printing on four-inch width paper rounds out the hardware requirements.

   CiteClearly™ Handheld Mobile Computer Software maximizes data accuracy while maintaining or exceeding the speed of traditional hand-written tickets through the following features:

   - A data interface that guides the officer through the ticket writing process by displaying items as they become available during the traffic stop or incident
   - Automatic entry of data retrieved from the violator's driver's license via the magnetic card reader
   - Type-ahead function that intelligently completes words as you type in certain fields
   - Provides a quick list of the seven most popular violation codes for tickets written by the agency (requires two way data synchronization with agency databases to provide this feature initially)
   - Street names, zip codes, and other location information can be imported into drop down lists to speed manual entry portions of the ticket creation process
   - Local warrant information can be imported to provide the officer immediate access to possible warrants outstanding for a violator
   - An existing database of Vehicle makes and models is provided; when a make is selected only models for that make are listed for faster selection
   - Different application display settings for day and night shifts; the officer can quickly toggle between the two
   - Officers can choose their preferred colors for both day and night settings or use the default color schemes
   - Racial profiling report data can be entered for stops involving a ticket or stops not involving a ticket
   - Single character shortcuts for racial profiling reporting makes data entry for the report much faster

Attachment: CiteClearly PDA Proposal - Texarkana (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

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3. **CiteClearly™ Manager Software** completes the electronic ticket writing solution by importing ticket information from the Cruiser and/or the Mobile Computer systems and exporting the data electronically to one or multiple agency databases. CiteClearly™ Manager Software maintains a database of all tickets imported as a repository for reporting and as a backup to agency databases. CiteClearly™ Manager Software operates on computers that have the Microsoft® Windows XP, Windows Vista, Windows 7, Windows Server 2003, or Windows Server 2008 operating system.

   CiteClearly™ Manager Software provides the following key features:

   - Provides two-way import and export functionality to pass tickets written through the Cruiser or Mobile Computers to the appropriate agency databases while sending pertinent data back to the Cruisers or Mobile Computers for use in ticket creation
   - Violation codes, vehicle makes and models, officer information, local warrants and other information can be added or edited through the centralized data management functionality
   - A permanent copy of ticket information and other reportable information is stored in the local management system database.
   - Imported ticket information is immediately available for reporting purposes and can be exported for electronic import into agency databases
   - Existing Reports are:
     - Accident Report
     - Monthly Violation Activity
     - Officer Citation History
     - Racial Profiling Reports
     - Selective Traffic Enforcement Programs (STEP) Reporting

       Custom Report Creation available upon request

Attachment: CiteClearly PDA Proposal - Texarkana (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

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CiteClearly™ Road Map to Successful Installation, Training, and Support:

UDS of Texas will coordinate with department administration and IT department to ensure a smooth and successful deployment of CiteClearly™. Prior to installation, UDS of Texas will perform a site survey via phone to identify and prepare the following:

- Personnel
  - Individual in charge of IT and/or assigned to the deployment of this project
  - Individual assigned as primary department contact
  - Shift Sergeants responsible for coordinating shift training and support
  - Officers assigned to Traffic Duty and use of CiteClearly™ Ticket Writers
  - In the case of fixed hardware, current hardware installation individual/company used to install/mount hardware in cruisers
- CiteClearly™ Manager Software
  - Sever/Desktop to be used for installation and operation of CiteClearly™ Manager Software
  - Applicable RMS/Court software to interface to
  - Available network access for interface to Handheld and/or cruiser based computers
- CiteClearly™ Cruiser Ticket Writer Software
  - Cruiser units marked for ticket writer installation and use
  - Identification of current hardware and operating system(s)
  - Determination of available network access and/or department preferred delivery method for electronic ticket file (e.g. USB Key)
- CiteClearly™ Handheld Mobile Computer Software
  - Intended use of CiteClearly™ Handheld Mobile Computer Software and Devices
    - (motorcycle officer, cruiser with mounted printer, school-assigned officer, or other)
  - Determination of available wireless network access and/or department preferred delivery method for electronic ticket file (e.g. Handheld Docking Station)
- Miscellaneous
  - RMS/Court software identification for export purposes
  - Ticket book numbering preference for active and reserve electronic ticket books
  - Discovery and identification of other incidentals

Please note, during the initial sales process we will collect many of the items listed above, we list them here for better understanding of the entire process.

Installation:

UDS of Texas installation technicians and your IT representative will schedule the installation of each CiteClearly™ software application. We offer onsite and online installation services based on your need and preference. Our goal is to make the installation of CiteClearly™ as smooth and simple as possible.

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Attachment: CiteClearly PDA Proposal - Texarkana (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

Training:

UDS of Texas training technicians will coordinate with agency contacts to schedule training of officers and IT staff on the functions of ticket creation and hardware operation in relation to CiteClearly™. As with installation, we offer onsite and online training services based on your need and preference.

Support:

UDS of Texas offers annual support plans for standard business hours software support. Here are some of the features and benefits you can expect from your annual support plan:

- Expert Support Technicians available to you via email, online, and 800 number 8:00am to 5:00pm central time Monday through Friday for the term of your standard support plan contract
- Updates to your versions of CiteClearly™ applications which may include client-requested enhancements, defect corrections, and modifications required by legislative changes
- A thirty-five year proven commitment to same-day human contact to initiate issue resolution to any request or problem you may encounter and bring about that resolution quickly

Assumptions:

The success of the proposed installation and training depends on the following assumptions:

- UDS of Texas does not provide hardware-mounting services.
- Network access is available to CiteClearly™ Manager Software for file transfer and synchronization purposes.
- Current RMS and Court Software allow importing of electronic citations and the associated interfaces necessary are in place at the time of installation of CiteClearly.
- An internet connection is available for support services.

Conclusion:

Thank you for giving us the opportunity to provide you and your agency with this proposal. Please contact us @ 800-259-0979 with any question you may have regarding the information or pricing in this proposal.

Attachment: CiteClearly PDA Proposal - Texarkana (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

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Utility Data Systems of Texas, LLC
P.O. Box 6147
Frisco, TX 75035

http://www.udsoftexas.com
Phone (800) 259-0979
Fax (318) 388-4690

Confidential Sales Order

Date	Order #
3/16/2015	11811

Bill To	Ship To
Texarkana Police Department 1420 S. Park Rd. Texarkana, TX 75503	Texarkana Police Department 1420 S. Park Rd. Texarkana, TX 75503

Qty	Item Code	Description	Price	Unit	Balance
1	CiteClearly Manager	Site License for Server/Desktop Application Responsible for Transfer of Ticket File, Generating Reports, and Maintaining Ticket Record Information	543.00	each	543.00
16	CiteClearly Handheld ...	Seat License For Electronic Ticket Writing Software Application for Handheld Ticket Writer Device	1,087.00	each	17,392.0
	Discount	Volume Discount for Above Line Items	-628.00	total	-628.00
16	CiteClearly Support - ...	Annual CiteClearly Handheld Software Support - Standard Support Plan	304.00	year	4,864.0(

Please Note:
The above prices are for software only. The CiteClearly hardware will be directly quoted by our hardware vendor partner, SystemID Warehouse.

We have discounted the software and hardware by 3.5%. For Volume Purchase Only.

Purchase Order numbers are required for all orders over $1,000. Please list your PO number in the blank provided below and include a copy of the purchase order with the signed order.

Signature below indicates you have read and accepted the terms and conditions of the License Agreement and Software Support Contract.

Confidentiality Notice: The information contained in this quotation is privileged and confidential. You are hereby notified that any dissemination, distribution or copying of any part of this quotation is strictly prohibited.

Subtotal	$22,171.0(
Sales Tax (8.25%)	$0.0(
Balance Due	$22,171.0(

Approved By:_____

Your PO# (required if over $1,000):_____

Dated:_____

The pricing on this quotation is valid for 30 days.

Please Email to ap@udsinc.com or Fax To: (318) 388-4690

For More Information Call (800) 259-0979

Attachment: CiteClearly PDA Proposal - Texarkana (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

UTILITY DATA SYSTEMS OF TEXAS, LLC LIMITED USE LICENSE AGREEMENT

YOU SHOULD CAREFULLY READ THE FOLLOWING TERMS AND CONDITIONS BEFORE INSTALLING THIS SOFTWARE. INSTALLATION OF THIS SOFTWARE INDICATES YOUR ACCEPTANCE OF THESE TERMS AND CONDITIONS. IF YOU DO NOT AGREE WITH THEM, YOU SHOULD PROMPTLY RETURN THE SOFTWARE TO UTILITY DATA SYSTEMS OF TEXAS, LLC.

The Licensee (hereinafter called licensee) and UTILITY DATA SYSTEMS OF TEXAS, LLC (hereinafter referred to as the licensor), agree on the following terms and conditions as a nontransferable and nonexclusive license to use this product.

TERMS: This agreement is effective from the date on which it is accepted by the licensee and shall remain in force until terminated by the licensee, or by the licensor as provided below.

This agreement may be terminated by licensee at which time licensee's responsibilities under this agreement, other than payment, shall be released provided licensee returns all materials received under this agreement to the licensor and warrants in writing that no materials received under this agreement have been retained. Licensor may terminate this agreement if licensee fails to comply with any of the terms and conditions of this agreement.

COPYRIGHT: The program and its related documentation are copyrighted. You may not copy the program or documentation except for backup purposes and to load the program into the computer as part of executing the program. All other copies of the program and its documentation are in violation of this agreement.

LICENSE: This agreement authorizes the licensee to use the product on one (1) Central Processing Unit (CPU) and its associated units only at licensee's address. No right to print, copy, or distribute, in whole or in part, the product is granted, except to have one machine readable copy for backup copy. Full title and ownership of the product herein remains with licensor. Third-party hosting or cloud environments are not included under this right of license without written approval of Licensor.

RESPONSIBILITIES OF PARTIES: Licensee agrees not to copy, reproduce, sell, give away, assign, sublicense, or otherwise transfer the product or any part thereof without prior written consent of licensor. Licensee agrees that during the term of this agreement, licensee shall use the product only on one (1) licensee CPU at licensee's address.

WARRANTY: There is no warranty.

LIMITATIONS OF LIABILITY: Licensor will, without additional charge, respond to a reported defect in the current unaltered release of the licensed program by issuing known defect correction information to the customer reporting the problem and/or issuing corrected code or notice of availability of corrected code. However, UDS does not guarantee service results or represent or warrant that all defects will be corrected.

The foregoing warranty is in lieu of all warranties expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Licensee agrees that licensor will not be liable for any loss of profits, or for any claim or damage against licensee by any other party. In no event will licensor be liable for consequential damages even if licensor is notified of the possibility of such damages.

THIS PRODUCT IS DISTRIBUTED ON AN "AS IS" BASIS, WITHOUT WARRANTY EITHER EXPRESSED OR IMPLIED. SUCCESSFUL IMPLEMENTATION DEPENDS SOLELY ON THE CUSTOMER'S ABILITY TO INTEGRATE EACH PROGRAM INTO THE TOTAL INVENTORY OF "IN-HOUSE" PRODUCED PROGRAMS, INCLUDING THE ACCEPTANCE OF FULL MAINTENANCE RESPONSIBILITY. WHILE EACH OFFERING HAS BEEN REVIEWED BY UDS FOR ITS TRANSFERABILITY AND MAINTAINABILITY, NO ASSURANCE OF SUCCESSFUL INSTALLATION CAN BE GIVEN.

OTHER TERMS AND CONDITIONS: Licensee acknowledges that he has read this agreement, understands it, and agrees to be bound by its terms, and further agrees that it is the complete and exclusive statement between the parties which supersedes all communication between the parties relating to the subject matter of this agreement.

This agreement shall be governed by the laws of the State of Texas.

This agreement shall be binding upon the parties and their respective heirs, administrators, successors and assigns, without limitation, any corporate successors by merger, consolidation or other corporate organization.

No failure or delay of licensor in exercising any right under this agreement shall operate as a waiver thereof. No waiver of any breach of any provision of this agreement shall constitute a waiver of any prior, concurrent or subsequent breach. No waiver shall be effective unless made in writing.

Licensor hereby grants and licensee accepts a nontransferable, nonexclusive right to use the product at licensee's address in accordance with the terms of this agreement.

Should you have any questions about this agreement, please contact UTILITY DATA SYSTEMS OF TEXAS, LLC by writing to PO Box 6147, Frisco, TX 75035 or by calling 318/388-0920. UDS 10/09/2012

Attachment: CiteClearly PDA Proposal - Texarkana (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

UTILITY DATA SYSTEMS
SOFTWARE SUPPORT AND MAINTENANCE CONTRACT

Phone: (318) 388-0920 ~ Fax: (318) 388-4690

Utility Data Systems, Inc. or Utility Data Systems of Texas, LLC (herein called UDS) and the undersigned (herein called Customer), hereby agree that the following shall govern in all cases where UDS provides software support and maintenance on the product(s) listed on the attached invoice installed at Customer's address in accordance with the UDS Limited Use License Agreement. Support defined herein shall be performed by employees or contractors of UDS via telephone and/or internet through desktop sharing software.

SCOPE

For the term of this contract, UDS agrees to provide response within sixteen business hours to inquiries via telephone, the internet using desktop sharing software, and/or written contact between a UDS Technical Support Specialist (TSS) and one specified customer representative per user license held by customer between the hours of 8:00 a.m. and 5:00 p.m. Central (Daylight and Standard) Time, Monday through Friday, exclusive of UDS observed holidays. As part of this Contract, UDS will provide updates within the product version(s) as identified on the attached invoice to correct known errors existing in the product version(s).

Customer agrees to immediately notify UDS of any change in status of the user(s) of the software specified in the attached invoice or of user(s) of related computer hardware that occurs during the term of this agreement. In the event Customer replaces a user, Customer agrees to purchase UDS Online Training via the internet. In the event Customer replaces computer hardware, Customer agrees to purchase Extended Customer Support for any support required of UDS during the hardware transition. Customer agrees to keep up-to-date all operating system security patches and all virus protection software to insure the best protection is available for the computer hardware that contains and/or accesses the software specified in the attached invoice.

TERM OF CONTRACT

This Contract is effective between the dates expressed in the attached invoice.

CHARGES

Charges for Software Support and Maintenance are as indicated in the attached invoice. Payment in accordance with the invoice shall be considered acceptance by the Customer of the Software Support and Maintenance Contract with UDS. If full payment is not received by UDS within thirty calendar days of the invoice date, the Software Support Contract will automatically terminate. Any support provided thereafter will be subject to UDS Regular Hourly Rates. UDS reserves the right to determine at the time support is requested the Hourly Rates for Customers who choose to pay for services on an hourly basis instead of through a Software Support Contract. Failure by Customer to pay UDS Regular Hourly Rates for support provided outside the Software Support and Maintenance Contract can result in Customer being flagged as DO NOT ASSIST until all charges are paid in full.

Fees and costs for Extended Customer Support will be charged for any item listed below under the EXCLUSIONS heading. Rates for Extended Customer Support are specified on the attached invoice. Fees for Extended Customer Support, Telephone Toll charges, and any other expenses incurred during the provision of Extended Customer Service, shall be billed monthly, and are due upon receipt. Fees for Extended Customer Support are stated in the comment section of the attached invoice and shall remain in effect throughout the term of the Software Support and Maintenance Contract. UDS will notify Customer that Extended Customer Support fees will apply prior to support being provided. Customer must agree to pay for Extended Customer Support before service will proceed. Failure by Customer to pay Extended Customer Support Fees and / or Telephone Toll Charges may, at the option of UDS, result in the cessation of all maintenance and support until all fees and costs are paid in full.

EXCLUSIONS

The following are excluded from support and maintenance under this agreement and shall incur charges as Extended Customer Support:

A. Training or retraining of Customer personnel in the use of the software specified in the attached invoice.
B. Support required due to the malfunction of customer's computer hardware, contraction of a computer virus or external computer attack, abuse, accident, or other cause other than normal usage, including but not limited to operator error, failure of other equipment, failure of operating system, failure to maintain a backup, software anomalies, and equipment operation in excess of design or environmental specifications on customer's equipment.
C. Data recovery due to any of the items listed in section "B" above. Customer is responsible to provide readable backup unless currently using UDS Offsite Backup Service.
D. Out of pocket expenses, including telephone toll charges, if any, incurred by UDS in the provision of Extended Customer Support. Any telephone toll charges incurred by Customer are Customer's own expense.
E. After hours support.
F. Emergency or priority issues requiring same day support.
G. Support issues in any way related to customer software loaded onto a third-party hosting or cloud environment.

CONTRACT EXTENSION

The term of this contract may only be extended by written agreement and acceptance of both parties hereto.

LIMITATION OF REMEDY

UDS shall not be liable for any damages caused by delay in furnishing support or other performance under this contract. The sole and exclusive remedy for any breach of warranty, expressed or implied, including without limitation any warranty of merchantability or fitness of purpose, and the sole remedy for UDS's liability of any kind including liability for negligence with respect to support furnished under this contract and all other performance by UDS under or pursuant to this contract shall be limited to the total amount of fees paid by customer to UDS for services related to the claimed damages and shall in no event include any incidental or consequential damages. Any controversy or claim arising out of or relating to this agreement, or the breach thereof, shall be settled by arbitration administered by neutral, third-party arbitrator(s) agreed upon by the parties in accordance with the Texas Civil Code.

ASSIGNMENT

This Contract shall not be assigned by Customer.

NOTICE

All notices and other communications hereunder, other than notice of request for support, shall be in writing, addressed to the parties at the locations noted on the attached invoice.

ENTIRE AGREEMENT

This agreement represents and expresses the entire agreement and understanding between the parties. There is no other understanding, agreement, representation, or warranty, expressed or implied, statutory or otherwise, in any way limiting, extending, defining, or relating to the provisions hereof. This contract may not be modified except by a duly executed writing on behalf of both parties hereto. This contract shall be governed by the laws of the State of Texas, and venue for any disputes or legal action shall lie in Denton County, Texas. In the event any term, covenant or condition herein contained is held to be invalid or void, said invalidity shall not negate or invalidate any of the remaining terms, covenants or conditions herein contained.

Attachment: CiteClearly PDA Proposal - Texarkana (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

If you are having trouble viewing this quote, you can also view it here:
https://www.systemid.com/Docs/quote.asp?id=omiRCEzv9mE%3D

system_id
Barcode Solutions

Quote# 9632920

Customer# **876239**

TO:

Sgt. Geoffrey Lewis
Texarkana, TX Police Dpt.
1420 S. Park Rd.
Texarkana, TX, 75503

Easily add this quote to your shopping cart by clicking Add Quote to Cart and following the simple directions. Remember, this will convert this quote to an on-line order, but does not place the order until you click the submit button on the confirmation page. You can easily place this order on-line 24 hours a day, 7 days a week.

Qty	Item Number	Description	Unit Price	Ext. Price
16	117085	MC75A, 1D, CAMERA, QWERTY, 1.5X BATTERY	$1,512.78	$24,204.48
16	102361	RW420, DT/203DPI/4"/3IPS/4MB/BLUETOOTH/RS232+USB	$639.52	$10,232.32
16	6AAMHM	MC75- SSFS 3 YEAR BRONZE COVERAGE	$330.50	$5,288.00
4	6AASRT	MOTOROLA, MC70/MC75 4 SLOT CHARGE ONLY CRADLE KIT	$315.00	$1,260.00
4	6AAMUZ	MC7X/MC30XX 4-SLOT BATTERY CHARGER W/PS & LINE CRD	$188.00	$752.00
16	117682	MC70 MSR	$180.00	$2,880.00
4	6AALCBMP	CASE: ZEBRA 4.0" X 74' 8000D 3.2 MIL HIGH-TEMP RECEIPT PAPER (36 R)	$100.00	$400.00
16	6AANY9	RW420, 2YR ADDITIONAL ADVANTAGE COMPREHENSIVE	$189.60	$3,033.60
16	102363	RW420 SPARE LITHIUM-ION BATTERY	$78.50	$1,256.00
16	103912	ZEBRA QL/RW/P4T SERIES LITHIUM-ION FAST CHARGER	$72.50	$1,160.00
16	117697	MC70/75 1.5X LI-ION BATTERY 3600 MAH	$57.83	$925.28
16	103796	ZEBRA, ACCESSORIES, QL SERIES, RW SERIES AND P4T, SHOULDER STRAP	$8.50	$136.00
1	107976	SYMBOL USB CABLE TO HOST FOR USE W/1-SLOT CRADLE	$13.50	$13.50
1		**IN STOCK. SHIPS IMMEDIATELY**	$0.00	$0.00

Subtotal:	$51,541.18
Shipping & Handling:	$0.00
Sales Tax:	$4,252.15
Total:	$55,793.33

Please Contact Your Account Manager with any Questions

Jared Parrish
800-397-9783 ext. 1388 or JParrish@systemid.com

Prices and specifications subject to change without notice. Prices are FOB shipping point. Prices are exclusive of all sales, use and other state, local, or federal taxes. Sales tax will be collected within Texas.

Quote is valid for 30 days unless otherwise noted.

System ID
1400 10th Street
Plano, TX75074
Phone: 800-397-9783, 972-516-1100
Fax: 800-397-0056, 972-516-1110

RMA Policy - Credit Application

Attachment: CiteClearly PDA Proposal - Texarkana (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

ADVANCED PUBLIC SAFETY
A Trimble Company

400 Fairway Drive, Suite 101
Deerfield Beach, Florida 33441
954-354-3000 (Main)
954-354-3001 (Fax)
www.aps.us

Proposal

Date: 3/31/2015

Agency	
Contact:	Geoff Lewis
Agency Name:	Texarkana Police Department
Address:	100 N State Line Ave. #16
City, State & Zip:	Texarkana, TX 75501

Details	
Order No:	0067000000fsvmM
Contact Name:	Jim Van Cleave
	(281) 610-1930
	jvancleave@aps.us

QTY	PRODUCT NAME	PRODUCT DESCRIPTION	MISCELLANEOUS	UNIT PRICE	TOTAL PRICE
17	Panasonic G1, Win7 i5 2.00GHz, 128GB SSD, 8GB, BT, 2D Bar, 4G LTE & Camera Toughbook Preferred	Win7 (Win8.1 COA), Intel Core i5-4310U 2.00GHz, vPro, 10.1in WUXGA 10-pt Multi Touch+Digitizer, 128GB SSD, 8GB, Intel WiFi , TPM, BT, Dual Pass, 4G LTE Multi Carrier (MC7355), Webcam, 3MP Cam, Webcam, 2D EA21 Scanner, Long Life Battery, Rotating Hand Strap, & Tall Corner Guards, Toughbook Preferred	_____	$3,659.00	$62,203.00
17	Panasonic Toughbook 5-year Protection Plus Warranty	5 year Toughbook Protection Plus. Comprehensive coverage of all system components, excluding consumables	_____	$750.00	$12,750.00
50	Professional Services (APS Flat Rate)	Professional Services (Provided by APS for Other than Software Development)	_____	$175.00	$8,750.00
17	Zebra RW420 Bluetooth Printer with Magstripe Bundle with Cradle - Atlanta PC	R4D-0UBA010N-10 BT Printer (Custom), 12 Volt Open-Ended Battery Eliminator, USB-RJ45 Cable, 6Ft & Locking Vehicle Cradle	_____	$1,030.25	$17,514.25
1	Zebra RW420 Cable (Serial, 6-Ft.)	Zebra RW220/420 Cable (Serial, 6-Ft.)	_____	$32.65	$32.65
17	Zebra RW420 Extended Warranty - 5 Year Care Advantage w/ Comprehensive	No Hassle Warranty covering all the labor and parts required to keep printer operating at high performance levels. All Zebra equipment returned for service under this agreement will receive a complete preventative maintenance procedure and will be returned at no additional cost.	_____	$462.00	$7,854.00
1	_Annual VP 2.0 Support Fee	Annual VP 2.0 Customer Support fee	_____	$5,000.00	$5,000.00
17	_Annual VP 2.0 per Device Subscription	Annual per device subscription fee, which includes:	_____	$200.00	$3,400.00

Attachment: APS Proposal - TX - Texarkana PD - 17VP2 - 17Tablet - 17Printers - 3 (1293 : Res. No. 2015-039 Purchase of Electronic Ticket

		1 - Court Export 1 - RMS Export			
1	_Project Management	Dedicated Project Manager assigned from PO through Software Delivery. Provides single point of contact.	_____	$437.50	$437.50
1	_Remote Training	Provided prior to user testing.	_____	$350.00	$350.00
1	_Shipping & Handling	Shipping & Handling	_____	$915.25	$915.25

NET TOTAL (USD) $119,206.65

_____

Pricing is guaranteed 90 days from date of proposal

Notes

Terms and Conditions

All Customer purchase orders for APS products and services are subject to APS' End User License Agreement and Terms and Conditions of Sale, which can be viewed at http://www.aps.us/downloads/agreement.pdf. Such terms, along with any additional terms and conditions agreed to and accepted by APS in Customer's purchase order or otherwise stipulated in writing, shall prevail over any differing or conflicting terms in this Proposal. Payment Terms:

50% due upon receipt of Customer's purchase order
40% due upon initial software delivery (excluding SmartExport)
10% or remainder due upon completion and final hardware delivery

Attachment: APS Proposal - TX - Texarkana PD - 17VP2 - 17Tablet - 17Printers - 3 (1293 : Res. No. 2015-039 Purchase of Electronic Ticket

MC67NA SUPPORT

Give your field workforce all the tools they need to work faster and smarter with the rugged 4G HSPA+ and CDMA / EVDO MC67. With the MC67, your workers can do whatever it takes to get the job done. Access information in your backend system. Scan practically any bar code in almost any condition. Capture documents to simplify recordkeeping. Take and send video and photos for real-time repair support. Call a customer with an arrival window. All at 4G HSPA+ or CDMA / EVDO speed. So whether your workers are involved in sales, service, deliveries, inspections or issuing citations, they have the tools they need to improve efficiency, accuracy and customer service — all in one rugged device that loves life in the field.

Brazos Quoted Device

4G wireless capability
8 megapixel camera
Newest Motorola product
3 Year “no fault” replacement coverage

MC75 SUPPORT

No matter what your workers need to get the job done, Motorola's MC75 Worldwide Enterprise Digital Assistant delivers by combining an unparalleled number of business capabilities into an easy-to-carry rugged device. 3.5G GSM HSDPA and CDMA-EVDC Rev A support provides high performance voice and data services around the globe.

Your workers will enjoy having all the features they need right at their fingertips in one device designed to endure all day everyday use outside the enterprise -- including push-to-talk, integrated GPS with superior sensitivity and tracking capabilities, 1D or 2 bar code scanning, a high resolution 2 megapixel autofocus digital color camera, 802.11a/b/g wireless LAN (WLAN), Bluetooth and IrDA connectivity.

CiteClearly Quoted Device

Not 4g Capable
2 megapixel camera
Older version of device nearing model end
2 year “comprehensive” coverage

Attachment: Device Comparison (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

tyler technologies

5519 53rd Street
Lubbock, TX 79414

P: 800.646.2633
F: 806.797.4849

www.tylertech.com

March 24, 2015

City of Texarkana, TX
Attn: Sharon Moore

RE: Brazos Mobile Citations/Tyler Technologies Interface Purchase

Dear Ms. Moore,

The intent of this letter is to provide verification to the City of Texarkana, TX of the following facts:

1. Our partnership with Brazos Technology has led us to develop an interface with functionality that is offered exclusively with Brazos RDC Software.
2. Brazos Technology is the only mobile citation vendor that uses Incode as the soure for offense codes, officer information, and fine amounts. With other vendors, the user would have to maintain this information within both systems.
3. Brazos Technology is the only mobile citation vendor in which we push active warrants and a parking hot list from Incode Court software directly into the hand-held ticket writers and automatically import citations into the Incode Court software.

We have put a tremendous amount of effort into our product. We sincerely hope that you will find that it simplifies many aspects of your staff's responsibilities. All of our development efforts are currently directed toward this product, so in the coming years, you will continue to see additional features and functionality added to the product.

Tyler Technologies appreciates the trust that the City of Texarkana, TX has placed in our company with this purchasing decision and will continue to work to earn your business. If there is anything else we can do, please do not hesitate to call.

Sincerely,

S. Brett Cate
President, Local Government Division

Attachment: Brazos Sole Source (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

Budget Plan

(Project Total) $85,586

Contributing Departments

Fire:

101-1802-53301	$ 2,500

Municipal Court Technology Fund

114-1500-52207	$14,000

Police

101-1701-52207	$47,500
605-0000-52207	$ 7.500
Total	$71,500

Deferment to March 2016 **$14,086**

Deferment cost will be shared between Police and Municipal Court with the individual Department amounts dependent upon the Municipal Court Technology Fund balance.

Attachment: Budget Plan [Revision 1] (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

Alamo Heights, TX Police Department
Albany, TX Police Department
Amarillo, TX Police Department
Anna, TX Police Department
Azle, TX Police Department
Balcones Heights, TX Police Department
Bay City, TX Police Department
Bedford, TX Police Department
Beeville, TX Police Department
Bexar County, TX Police Department
Big Spring, TX Police Department
Boerne, TX Police Department
Brazoria, TX Police Department
Brazos County, TX Police Department
Brenham, TX Police Department
Bryan, TX Police Department
Buda, TX Police Department
Buffalo, TX Police Department
Carrollton, TX Police Department
Castle Hills, TX Police Department
Cedar Park, TX Police Department
Cibolo, TX Police Department
Cisco, TX Police Department
Cleburne, TX Police Department
Cleveland, TX Police Department
Clute, TX Police Department
Clyde, TX Police Department
Cockrell Hill, TX Police Department
College Station, TX Police Department
Colleyville, TX Police Department
Copperas Cove, TX Police Department
Crandall, TX Police Department
Denton, TX Police Department
DeSoto, TX Police Department
Diboll, TX Police Department
Edinburg, TX Police Department
Elgin, TX Police Department
Ennis, TX Police Department
Estelline, TX Police Department
Friendswood, TX Police Department
Frisco, TX Police Department
Garden Ridge, TX Police Department
Georgetown, TX Police Department
Godley, TX Police Department
Grapevine, TX Police Department
Greenville, TX Police Department
Groves, TX Police Department
Haltom City, TX Police Department
Hays County, TX Police Department
Hearne, TX Police Department
Heber City, UT Police Department
Highland Village, TX Police Department
Horizon City, TX Police Department
Hurst, TX Police Departmente
Hutto, TX Police Department
Italy, TX Police Department
Jasper, TX Police Department
Joshua, TX Police Department
Kemah, TX Police Department
Kenedy County, TX Police Department
Kennedale, TX Police Department
Kerrville, TX Police Department
Kingsville, TX Police Department
Kountze, TX Police Department
La Marque, TX Police Department
La Porte, TX Police Department
Lake Dallas, TX Police Department
Lakeway, TX Police Department
League City, TX Police Department
Leon Valley, TX Police Department
Liberty Hill, TX Police Department
Little Elm, TX Police Department
Live Oak, TX Police Department
Lubbock, TX Police Department
Mansfield, TX Police Department
McAllen, TX Police Department
Meadows Place, TX Police Department
Midland County, TX Police Department
Nederland, TX Police
New Braunfels, TX Police
North Richland Hills, TX Police
Olmos Park, TX Police
Palestine, TX Police
Palmer, TX Police Department
Paris, TX Police Department
Parker, TX Police Department
Pasadena, TX Police
Pittsburg, TX Police
Plano, TX Police Department
Port Arthur, TX Police
Port Neches, TX Police
Portland, TX Police
Red Oak, TX Police
Rice, TX Police Department
Rio Grande City, TX Police
Rio Vista, TX Police
Rosenberg, TX Police
Round Rock, TX Police
San Angelo, TX Police
San Benito, TX Police
San Marcos, TX Police
Seabrook, TX Police
Schertz, TX Police
Selma, TX Police
Shavano Park, TX Police
South Padre Island, TX Police
South Texas College, TX Police
Southlake, TX Police
Splendora, TX Police
Springtown, TX Police
Stafford, TX Police
Sugar Land, TX Police
Travis County, TX Police
Troy, TX Police Department
Universal City, TX Police Department
University of North Texas Police
Uvalde, TX Police Department

Attachment: Departments Using Brazos.xlsx (1293 : Res. No. 2015-039 Purchase of Electronic Ticket

Fair Oaks Ranch, TX Police Department
Falfurrias, TX Police Department
Farmers Branch, TX Police Department
Fate, TX Police Department
Ferris, TX Police Department
Forest Hill, TX Police Department
Fort Bend County, TX Police Department
Freeport, TX Police Department
Midland, TX Police Department
Midlothian, TX Police Department
Midwest City, TX Police Department
Mission, TX Police Department
Moulton, TX Police Department
Mount Pleasant, TX Police Department
Murphy, TX Police Department
Mustang Ridge, TX Police Department
Venus, TX Police Department
Waco, TX Police Department
Waller, TX Police Department
West University Place, TX Police
Wharton, TX Police Department
Whitney, TX Police Department
Willis, TX Police Department
Wylie, TX Police Department

TOTAL 141

Attachment: Departments Using Brazos.xlsx (1293 : Res. No. 2015-039 Purchase of Electronic Ticket

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:

A cooperative effort to reduce or eliminate redundant work by city employees

Resource Impact:

Staff time required if item is approved:	Low

Other Potential Impacts:

None Applicable

Public Information Plan:

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

Other:

Attachment: Goals & Perspectives (1293 : Res. No. 2015-039 Purchase of Electronic Ticket Writers)

City of Texarkana, Texas

Version: G

Briefing Sheet

Update Date: 6/4/2015 11:35 AM

Lead Department: Assistant City Manager **Action Officer:** Shirley Jaster, Assistant City Manager

Subject: Ordinance No. 2015-044 amending budget expenditures for the fiscal year ending September 30, 2015 to appropriate FOURTEEN THOUSAND AND NO/100 DOLLARS ($14,000.00) in the Municipal Court Technology fund for the partial purchase of electronic ticket writing software and hardware.

Briefing: 6/8/2015 **Public Hearing:** 5/11/2015 **Second Briefing:** May 26, 2015 **Council Vote:** 6/8/2015

Item Schedule

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

The municipal court technology fund has money available for the use of purchasing electronic ticket writers for the City use. However, no money was appropriated in the FY 14-15 budget for this item. Staff is requesting these funds be appropriated by amending the current budget for this use.

Potential Options:

- Approve or deny the amendment
-

Fiscal Implications:

This fund is available to use for this purchase. The technology fund account number is 114-1500-52207 and currently has S17,137.14 dollars available.

Staff Recommendation:

Staff recommends for the approval of the amendment to the budget to appropriate the spending of $14,000 dollars for e-ticket writer equipment.

Advisory Board/Committee Review:

"NONE"

Board/Committee Recommendation:

"NOT APPLICABLE"

Advisory Board/Committee Meeting Date and Minutes:

"NOT APPLICABLE"

City of Texarkana, Texas

Attachments

a. ORD 2015-044 Budget Amendment for Court Technology Funds (DOC)
b. Goals & Perspectives (DOCX)

Staff Coordination

Assistant City Manager	Shirley Jaster	Department Head Review	Completed	04/16/2015 5:33 PM
Police	Dan Shiner	Review	Completed	04/17/2015 8:18 AM
Finance Department	Charlie Bassett	Review	Completed	04/17/2015 4:36 PM
Assistant City Manager	Shirley Jaster	Assistant City Manager Review	Completed	04/20/2015 3:29 PM
Public Information Officer	Lisa Thompson	PIO Review	Completed	04/20/2015 4:13 PM
City Manager	John Whitson	City Manager Review	Completed	04/21/2015 8:05 AM
City Council	Jennifer Evans	Meeting	Completed	04/27/2015 6:00 PM

Meeting History

04/27/15	City Council	MOVED FORWARD	Next: 05/11/15
05/11/15	City Council	MOVED FORWARD	Next: 05/26/15

No comments were made at this public hearing.

ORDINANCE NO. 2015 - 044

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGET EXPENDITURES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2015 TO APPROPRIATE $14,000 IN THE MUNCIPAL COURT TECHNOLOGY FUND; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT: CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Municipal Court has a technology fund available for purchases and yearly maintenance associated with technology uses for the court such as electronic ticket writer software and hardware; and

WHEREAS, a qualified purchase from this technology fund must be appropriated each budget year;

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

SECTION 1: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2014, and ending September 30, 2015, be amended to reflect additional expenditures appropriated with the addition of $14,000 dollars from the Municipal Court Technology Fund.

SECTION 2: That a copy of said amended final adopted budget shall be placed on the City's website.

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 **8th day of June, 2015**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: ORD 2015-044 Budget Amendment for Court Technology Funds [Revision 7] (1300 : Ord. No. 2015-044 Budget Amendment

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:	Medium

Other Potential Impacts:

"NONE APPLICABLE"

Public Information Plan:

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

Other:

Attachment: Goals & Perspectives (1300 : Ord. No. 2015-044 Budget Amendment Expenditures/Municipal Court Technology Fund)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 5/14/2015 10:31 AM

Lead Department: Public Works Department **Action Officer:** Kyle Dooley,

Subject: Ordinance No. 2015-043 approving the amendment of the FY15 budget expenditures to include the unspent balance of FY14 demolition funds for the Street Division budget.

Briefing: 6/8/2015	**Public Hearing:** 5/11/2015	**Second Briefing:** May 26, 2015	**Council Vote:** 6/8/2015

Item Schedule

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

Updates/History of Briefing:

The public hearing for this item was held at the city council meeting on 5/11/15. No one spoke on this item. Staff has not had any calls or feedback from anyone concerning this item.

Executive Summary and Background Information:

This budget amendment, if approved, would add $71,806 to the FY15 Street Division budget line item for demolition.

The budget for FY15 residential demolition currently is $200,000. Last year, the city council passed Ordinance 2014-096, which was a multi-faceted budget amendment. Part of this amendment appropriated $84,077 to residential demolition for FY14. This amendment was approved late in the fiscal year and staff started demolishing houses in August. A total of $12,271 was spent in FY14, leaving the unspent balance of $71,806. Staff is requesting to move this unspent balance into the Street Division's FY15 budget to allow for up to 58 more residential structures to be asbestos tested this fiscal year.

Potential Options:

- Approve and appropriate funds.
- Do not approve and do not appropriate funds.

Fiscal Implications:

$71,806 from unassigned fund balance to Street Division budget. This would increase the total FY15 budget line item for demolition to $271,806.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

Not Applicable

Attachments

a. 2015-043 ORD FY15 Budget Amendment for Demo (DOC)
b. Goals & Perspectives (DOCX)
c. Ord No 2014-096 signed (PDF)
d. FY 14 Budget Comparison Worksheet for Ord 2014-096 (PDF)

Staff Coordination

Public Works Department	Kyle Dooley	Department Head Review	Completed	04/16/2015 11:11 AM
Finance Department	Charlie Bassett	Finance Review	Completed	04/17/2015 4:33 PM
Assistant City Manager	Shirley Jaster	Assistant City Manager Review	Completed	04/20/2015 3:25 PM
Public Information Officer	Lisa Thompson	PIO Review	Completed	04/20/2015 4:13 PM
City Manager	John Whitson	City Manager Review	Completed	04/21/2015 8:04 AM
City Council	Jennifer Evans	Meeting	Completed	04/27/2015 6:00 PM

Meeting History

04/27/15	City Council	MOVED FORWARD	Next: 05/11/15
05/11/15	City Council	MOVED FORWARD	Next: 05/26/15

No comments were made at this public hearing.

ORDINANCE NO. 2015 - 043

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE AMENDMENT OF THE FY15 BUDGET EXPENDITURES TO INCLUDE THE UNSPENT BALANCE OF FY14 DEMOLITION FUNDS FOR THE STREET DIVISION BUDGET; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, City Council approved Ordinance 2014-096, which appropriated $84,077 to the demolition of condemned residential structures for FY14; and

WHEREAS, $12,271 of the appropriated FY14 funds were expended on residential demolition, leaving an unspent balance of $71,806; and

WHEREAS, the City Council approved $200,000 in the FY15 budget for residential demolition;

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

SECTION 1: That appropriations from the unassigned fund balance, a total amount of $71,806 for residential demolition in FY15, bringing the overall line item total for residential demolition to $271,806 for FY15, is hereby amended and approved.

SECTION 2: That a copy of said amended final adopted budget shall be placed on the City's website.

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

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

SECTION 5: This Ordinance shall be in full force and effect from and after its passage and approval, and after the adoption of this budget or budget amendment, budget officer shall provide for the filing of a true copy of the approved budget or amendment on the City's website.

PASSED AND APPROVED in Regular Council Session on this the **8th day of June, 2015**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

None

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: Goals & Perspectives (1299 : Ord No. 2015-043 FY15 Budget Amendment for Demolition Funds)

ORDINANCE NO. 2014-096

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE BUDGET ESTIMATE OF THE REVENUES AND EXPENDITURES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

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

SECTION 1: That the budget estimate of the revenues and expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2013, and ending September 30, 2014, be amended to reflect additional revenue received and expenditures appropriated as a result of the following items:

1. Increase appropriations in three (3) Bond Funds to fund the awarded construction contract amount and additional non-contract expenditures previously approved by the City Council for the University Avenue Phase IV project.
2. Increase appropriations in the General Fund to restore unspent demolition funds from the City Council's original appropriation in the City's fiscal year 2013 budget which was inadvertently omitted from the original fiscal year 2014 budget.
3. Increase appropriations in the Court Technology Fund for additional computer hardware and software needs that were not anticipated in the original budget.
4. Increase appropriations in the City's Technology Fund for additional computer hardware and software needs that were not anticipated in the original budget.
5. Increase appropriations in the CDBG Revolving Loan Fund to provide funding for a program qualified loan that was not anticipated in the original budget. The increase in appropriations is offset by the addition of revenues not previously budgeted.
6. Increase appropriations and revenues in the EPA Job Training Grant Fund, as a result of an extension in the grant period and the award of additional funding.
7. Increase appropriations in the Hotel Occupancy Tax Fund to fund larger than anticipated required payments under the City's management agreement for the Convention Center. Anticipated revenue increases are expected to partially offset the increase in expenditures.
8. Increase appropriations in the Law Enforcement Grant Program Fund, due to a new grant award received after the original budget was adopted.
9. Increase appropriations in the Economic Development Fund, due to a larger than anticipated required payment under the City's incentive agreement with Harte-Hanks, Inc.
10. Increase appropriations in the Employee Benefits Fund to fund larger claims costs and increases in other operational expenditures that will be larger than anticipated in the original budget. Anticipated revenue increases are expected to partially offset the increase in expenditures.
11. Increase appropriations in the Firemen's Pension Fund to fund operational expenditures that will be larger than allowed for in the original budget. Additional revenues are expected to fully offset the increase in expenditures.

Attachment: Ord No 2014-096 signed [Revision 1] (1299 : Ord No. 2015-043 FY15 Budget Amendment for Demolition Funds)

SECTION 2: That a copy of said amended final adopted budget shall be filed with the City Secretary, the Texarkana Public Library, and placed on the City's website.

SECTION 3: 2003 BOND FUND

AUTHORIZED EXPENDITURES	$628,675

SECTION 4: 2005 BOND FUND

AUTHORIZED EXPENDITURES	$742,815

SECTION 5: 2009 BOND FUND

AUTHORIZED EXPENDITURES	$8,235,343

SECTION 6: GENERAL FUND

ANTICIPATED REVENUES/TRANSFERS IN

General Property Taxes	$10,351,334
Taxes – Other	14,615,500
Franchise Taxes	1,646,650
Fees and Permits	181,580
Charges for Services	5,656,230
Fines and Forfeitures	1,636,687
Grants and Entitlements	1,119,905
Intergovernmental Revenue	220,650
Other Revenue	274,700
Interest Income	43,382
Rental Income	17,185
Transfers In	337,712
Fund Balance Appropriated	0
Total General Fund Revenues	**$36,101,515**

AUTHORIZED EXPENDITURES/TRANSFERS OUT

General Government	
City Council	$76,586
City Manager	202,480
Public Information Officer	166,484
City Secretary	153,416
Human Resources	314,318
Vital Statistics	90,763
City Attorney	128,607
Municipal Court	616,630
Finance	717,207
Total General Government	**$2,466,491**
Veterans Office	**$11,060**
Non-Operating	**$5,606,644**
Refuse Service	**$4,864,000**

Attachment: Ord No 2014-096 signed [Revision 1] (1299 : Ord No. 2015-043 FY15 Budget Amendment for Demolition Funds)

Public Safety	
Police Administration	$1,979,265
Patrol Division	4,779,248
Services Division	2,470,133
Total Public Safety	**$9,228,646**
Fire Department	
Fire Administration	$239,912
Fire Operations	5,118,802
Fire Prevention	491,286
Total Fire Department	**$5,850,000**
Planning and Community Development	
Community Development	$438,186
Farmers Market	950
Total Planning and Community Development	**$439,136**
Public Works	
Engineering & Infrastructure	$163,800
Engineering Design	302,716
Street Maintenance	2,656,106
Sign & Signal	416,453
Stormwater Management	242,751
Downtown Transportation Enhancement	778,774
Community & Public Works	170,062
Total Public Works	**$4,730,662**
Inspections and Code Enforcement	
Inspection	$383,184
Environmental Services	138,642
Code Enforcement	257,370
Animal Control	311,355
Environmental Health Svc	69,154
Total Inspections and Code Enforcement	**$1,159,705**
Parks and Recreation and Comm Health	
Building Maintenance	$253,815
Parks & Recreation Administration	161,418
Parks Maintenance	1,066,713
Recreational Programs/Activities	152,515
Senior Citizens Program	83,345
Special Events	20,975
Beverly Community Center	46,818
Sports Promotion	80,250
Total Parks & Recreation	**$1,865,849**
Total Expenditures	**$36,222,193**

Attachment: Ord No 2014-096 signed [Revision 1] (1299 : Ord No. 2015-043 FY15 Budget Amendment for Demolition Funds)

SECTION 7: COURT TECHNOLOGY FUND

AUTHORIZED EXPENDITURES	$20,540

SECTION 8: CITY TECHNOLOGY FUND

AUTHORIZED EXPENDITURES	$151,314

SECTION 9: CDBG REVOLVING LOAN FUND

ANTICIPATED REVENUES	$100,000
AUTHORIZED EXPENDITURES	$100,000

SECTION 10: EPA JOB TRAINING GRANT FUND

ANTICIPATED REVENUES	$90,559
AUTHORIZED EXPENDITURES	$25,200

SECTION 11: HOTEL OCCUPANCY TAX FUND

ANTICIPATED REVENUES	$1,219,600
AUTHORIZED EXPENDITURES	$1,377,251

SECTION 12: LAW ENFORCEMENT PROGRAM FUND

ANTICIPATED REVENUES	$7,640
AUTHORIZED EXPENDITURES	$4,300

SECTION 13: ECONOMIC DEVELOPMENT FUND

ANTICIPATED REVENUES	$386,475
AUTHORIZED EXPENDITURES	$508,954

SECTION 14: EMPLOYEE BENEFITS FUND

ANTICIPATED REVENUES	$5,259,880
AUTHORIZED EXPENDITURES	$5,318,500

SECTION 15: FIREMEN'S FUND

ANTICIPATED REVENUES	$4,413,275
AUTHORIZED EXPENDITURES	$2,401,508

Attachment: Ord No 2014-096 signed [Revision 1] (1299 : Ord No. 2015-043 FY15 Budget Amendment for Demolition Funds)

SECTION 16: 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 17: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 18: This Ordinance shall be in full force and effect from and after its passage and approval, and after the adoption of this budget or budget amendment, budget officer shall provide for the filing of a true copy of the approved budget or amendment in the Office of the City Secretary.

PASSED AND APPROVED and ordered published by the City Council of the City of Texarkana, Texas, in Special Council Session on this the 11th day of August, 2014.

BOB BRUGGEMAN, MAYOR

ATTEST:

JENNIFER EVANS, CITY SECRETARY

6:32 pm

Attachment: Ord No 2014-096 signed [Revision 1] (1299 : Ord No. 2015-043 FY15 Budget Amendment for Demolition Funds)

City of Texarkana, Texas
Budget Comparison Worksheet

Acct #	Acct Name	Original Adopted 13-14	Amended Revised 13-14	Amount of Amendment	Amendment #
2003 Bond Fund (415):					
57059	University Avenue Phase IV	$ 15,000	$ 177,594	$ 162,594	1
2005 Bond Fund (417):					
57059	University Avenue Phase IV	$ 228,448	$ 551,862	$ 323,414	1
2009 Bond Fund (420):					
57059	University Avenue Phase IV	$ 1,000,000	$ 1,659,606	$ 659,606	1
57071	Bringle North Park	$ 2,400,000	$ 2,280,268	$ (119,732)	1
General Fund (101):					
Planning and Community Development (2001):					
54522	Demolition	$ -	$ 84,077	$ 84,077	2
Court Technology Fund (114):					
53400	Computer Hard & Software	$ 1,100	$ 1,132	$ 32	
55707	Computer Hard & Software	$ 15,000	$ 15,510	$ 510	
Fund Total		$ 16,100	$ 16,642	$ 542	3
City Technology Fund (115):					
50200	Lease Purchase Interest Expense	$ 1,897	$ 2,738	$ 841	
52213	Computer Supplies	$ 2,337	$ 2,000	$ (337)	
52226	Operating Lease	$ -	$ 43,006	$ 43,006	
55707	Computer Hard & Software	$ 49,163	$ 63,800	$ 14,637	
55820	Capital Lease	$ 79,354	$ 37,770	$ (41,584)	
Fund Total		$ 132,751	$ 149,314	$ 16,563	4
CDBG Revolving Loan Fund (203):					
Revenue:					
40016	Contribution From US Govt	$ -	$ 100,000	$ 100,000	
Expenditures:					
54504	Special Services	$ -	$ 100,000	$ 100,000	
Fund Total		$ -	$ -	$ -	5
EPA Job Training Grant Fund (206):					
Beginning Fund Balance		$ -	$ (65,359)	$ (65,359)	
Revenue:					
40016	Contribution From US Govt	$ -	$ 90,559	$ 90,559	
Expenditures:					
51103	Maintenance Operations	$ -	$ 1,200	$ 1,200	
54504	Special Services	$ -	$ 24,000	$ 24,000	
Fund Total		$ -	$ 65,359	$ -	6
Hotel Occupancy Tax Fund (212):					
Beginning Fund Balance		$ 170,623	$ 213,627	$ 43,004	

Attachment: FY 14 Budget Comparison Worksheet for Ord 2014-096 (1299 : Ord No. 2015-043 FY15 Budget Amendment for Demolition Funds)

Revenue:					
41000 Interest Revenue	$ 2,400	$ 1,600	$ (800)		
46237 Convention Center Revenue	$ 424,000	$ 348,000	$ (76,000)		
46238 Hotel/Motel Taxes	$ 727,000	$ 870,000	$ 143,000		
Change in Revenue	$ 1,153,400	$ 1,219,600	$ 66,200		
Expenditures:					
50009 Transfer to General Fund	$ 136,620	$ 80,250	$ (56,370)		
50054 Transfer to Conv Center	$ -	$ (28)	$ (28)		
54518 Conv Center Management	$ 125,000	$ 235,000	$ 110,000		
54525 Advertising	$ 137,204	$ 137,205	$ 1		
54541 Administrative Fee	$ -	$ (375)	$ (375)		
Change in Expenditures	$ 398,824	$ 452,052	$ 53,228		
Net Change in Fund Balance	$ 754,576	$ 767,548	$ 12,972	7	
Law Enforcement Program Fund (219):					
Revenue:					
40001 Contributions From State	$ -	$ 7,605	$ 7,605		
41000 Interest Revenue	$ 45	$ 35	$ (10)		
Change in Revenue	$ 45	$ 7,640	$ 7,595		
Expenditures:					
54506 Travel	$ -	$ 4,300	$ 4,300		
Change In Expenditures	$ -	$ 4,300	$ 4,300		
Net Change in Fund Balance	$ 45	$ 3,340	$ 3,295	8	
Economic Development Fund (223):					
Revenue:					
40031 Contributions From Others	$ 1,000	$ -	$ (1,000)		
41000 Interest Revenue	$ 8,500	$ 5,475	$ (3,025)		
46011 Electric-Swepco	$ 261,000	$ 281,000	$ 20,000		
46012 Gas Franchise	$ 91,000	$ 100,000	$ 9,000		
Change in Revenue	$ 361,500	$ 386,475	$ 24,975		
Expenditures:					
50009 Transfer To General Fund	$ 166,692	$ -	$ (166,692)		
54679 Econ Incentive Payments	$ 100,000	$ 229,754	$ 129,754		
Change In Expenditures	$ 266,692	$ 229,754	$ (36,938)		
Net Change in Fund Balance	$ 94,808	$ 156,721	$ 61,913	9	
Employee Benefits Fund (701/702):					
Revenue:					
40006 Employer Contributions	$ 2,400,000	$ 2,594,000	$ 194,000		
40018 Water Company Contributions	$ 990,000	$ 1,441,000	$ 451,000		
40020 Perot Theatre Contributions	$ 87,000	$ 87,500	$ 500		
40023 Airport Auth Contributions	$ 58,000	$ 69,000	$ 11,000		
40025 Employee Cont/Flex	$ 400	$ -	$ (400)		
40027 Emp Cont Flex/Water Co	$ 325,000	$ -	$ (325,000)		
40029 Refund of Contributions	$ 40,000	$ 75,000	$ 35,000		
40030 Cobra Premiums	$ 20,000	$ 29,500	$ 9,500		
40035 MSFCU Contributions	$ 9,500	$ 11,700	$ 2,200		
40040 Stop Loss Reimbursements	$ -	$ 28,080	$ 28,080		

40080 TXK Symphony Contributions	$ 12,000	$ 11,000	$ (1,000)		
41000 Interest Revenue	$ 4,500	$ 8,100	$ 3,600		
Change in Revenue	$ 3,946,400	$ 4,354,880	$ 408,480		
Expenditures:					
50001 Expend/Employee Claims	$ 2,650,000	$ 3,830,000	$ 1,180,000		
50014 Expenditures/Group Life	$ 490,068	$ 189,000	$ (301,068)		
50031 Stop Loss/Admin Costs	$ 578,932	$ 594,500	$ 15,568		
50058 Vision Premiums	$ 66,000	$ 62,000	$ (4,000)		
51151 Extended Sick leave	$ 50,000	$ -	$ (50,000)		
54525 Bank Service Charges	$ 100	$ -	$ (100)		
Change in Expenditures	$ 3,835,100	$ 4,675,500	$ 840,400		
Change in Fund Balance	$ 111,300	$ (320,620)	$ (431,920)	10	
Firemen's Fund (801):					
Revenue:					
40006 Employer Contributions	$ 755,000	$ 778,000	$ 23,000		
40007 Employee Contributions	$ 521,000	$ 539,000	$ 18,000		
41000 Interest Revenue	$ 500	$ 775	$ 275		
41002 Dividend Revenue	$ 305,000	$ 408,000	$ 103,000		
41006 Int Earned/ Govt Security	$ 320,000	$ 350,000	$ 30,000		
41008 Gain/Loss Market Value	$ 2,000,000	$ 2,337,500	$ 337,500		
Change in Revenue	$ 3,901,500	$ 4,413,275	$ 511,775		
Expenditures:					
50010 Retirement Pensions	$ 1,925,000	$ 1,882,600	$ (42,400)		
50012 Bond Interest Expense	$ -	$ 4,548	$ 4,548		
50019 Agent Fees	$ 170,000	$ 230,000	$ 60,000		
50021 Widows Benefits	$ 216,000	$ 245,500	$ 29,500		
50051 QDRO Pensions	$ 8,100	$ 8,072	$ (28)		
54503 Insurance & Bond	$ 6,200	$ 5,328	$ (872)		
54504 Special Services	$ 14,000	$ 15,000	$ 1,000		
54506 Travel	$ 5,000	$ 10,000	$ 5,000		
Change in Expenditures	$ 2,344,300	$ 2,401,048	$ 56,748		
Change in Fund Balance	$ 1,557,200	$ 2,012,227	$ 455,027	11	

Attachment: FY 14 Budget Comparison Worksheet for Ord 2014-096 (1299 : Ord No. 2015-043 FY15 Budget Amendment for Demolition Funds)