CITY OF TEXARKANA

CITY COUNCIL

MINUTES ● JUNE 10, 2024

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

220 TEXAS BLVD., TEXARKANA, TX 75501

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

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

Staff Present: City Manager David Orr, Jennifer Evans, Kristin Peeples, Scott Eudy, Reed Russell, Brandon Uselton, Gary Smith, Mashell Daniel, Brooke Stone, Vashil Fernandez, Kevin Schutte, Chris Black, Daphnea Ryan, Chiquita Burks, Cole Bredenberg, Aaron Lewis, K-9 "Thor", K-9 "Absurd", and J.W. Bramlett.

Municipal Court: Judge Sherry Jackson Hawkins.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER COLE MEADOR

III. LIBERTY EYLAU LEOPARDS BASEBALL TEAM - 2024 4A STATE CHAMPIONS

Head Coach Zach Fowler proudly shared comments about the team's accomplishments. Also sharing in the team's success were assistant coaches Rick Fowler (Zach's dad), Ricky Rushing, and Craig Jones.

Coach Jones' son, W. T. Jones, was the MVP. Liberty Eylau also held the title of state champs in 2006. **Congratulations Champion Leopards!**



IV. TEXARKANA TEXAS POLICE CANINE FIELD AWARD

The TTPD canine team finished in first place at the National Detector Dog Field Trials held in Wichita Falls, Texas. (Pictured: Officer Cole Bredenberg with K-9 Officer **Thor**, and Officer Aaron Lewis with K-9 Officer **Absurd**).





V. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings
Monday, July 8, 2024, at 6:00 p.m.
Monday, August 12, 2024, at 6:00 p.m.
Monday, August 26, 2024, at 6:00 p.m.

Parks & Recreation Activities

June 13th - 15th	Legion Baseball Tournament	Spring Lake Park
June 14th - 16th	Tennessee Softball Tournament	Grady T. Wallace Park
June 20th & every Thursday after	Popsicles in the Park - 12p to 1p	Spring Lake Park Rotary Splash Pad
June 20th	Movies in the Park (at dusk) - featuring **"Barbie"**	Spring Lake Park
June 21st - 23rd	Dist. 44 State Softball Tournament	Grady T. Wallace Park
June 22nd	McTelvin Agim Day - 12p to 5p	Spring Lake Park

Texarkana Rhino's Home Games - George Dobson Field

June 11th	Joplin Outlaws	Spring Lake Park
June 12th	Double Header - Joplin Outlaws	Spring Lake Park
June 20th - 22nd	Joplin Outlaws **June 21st game will show Fireworks**	Spring Lake Park
June 27th	Piney Woods Timber Hogs	Spring Lake Park
June 30th	Piney Woods Timber Hogs	Spring Lake Park

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

Summer Farmers Market

Every Saturday in June & July	Farmers Market Days - 8a to 12p	500 N. State Line Ave Texarkana, Texas

City-Wide Juneteenth Celebration

June 15th - enjoy the Juneteenth Parade, Festival, and Southern Soul & Blues/R&B Concert, featuring TK Soul, Donnie Ray, Michael Rhodes, and more! DJ Hollygrove will be spinning the hottest tracks on Front Street in downtown Texarkana.

June 22nd - experience the "Keeping History Alive" production at Texarkana College Stilwell Theatre.

June 29th - come see the Terry Rogers 3 on 3 Basketball Tournament at Washington Community Center. Don't miss out on this family-oriented, unforgettable celebration of freedom and community!

Downtown Evening Event

TEXAR presents local Bands, Brews, and Bites on June 21st featuring **The Moss Brothers** from 7:00 pm. to 9:00 p.m. outside in front of the Perot Theatre on Main Street.

VI. OPEN FORUM: COMMENTS FROM THE PUBLIC

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

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

VII. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

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

VIII. ITEMS FOR CONSIDERATION

Consent Items

(6:35 p.m.)

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

1. Consider approval of the minutes of the Regular Meeting of the City Council held on May 13, 2024 at 6:00 PM.

2. Ordinance No. 2024-057 ordering a special election for Tuesday, July 30, 2024, to fill the vacancy for the position of Councilmember of Ward 3.

   Public Hearing:
   Council Vote: June 10, 2024

3. Resolution No. 2024-062 authorizing the City Manager to execute a contract with Holistic Utility Solutions for the Revenue and Water System Loss Audit Project, in an amount not to exceed $200,000, with the Texas portion not to exceed $118,660, with funds available in the Utility's 2023-2024 budget in the Texas Capital Improvement Fund.

   Public Hearing:
   Council Vote: June 10, 2024

4. Resolution No. 2024-063 authorizing the City Manager to execute a contract for the Spring Lake Park 6" Water and Sewer Relocation Project in an amount not to exceed $233,351.40. Funds are available in the Utility's 2023-2024 budget in the Texas Capital Improvement Fund at $233,351.40.

   Public Hearing:
   Council Vote: June 10, 2024

5. Resolution No. 2024-064 approving an interlocal fiber optic network agreement with Pleasant Grove Independent School District.

   Public Hearing:
   Council Vote: June 10, 2024

6. Resolution No. 2024-065 amending the Highly Qualified Professional Services Providers for future architectural projects.

   Public Hearing:
   Council Vote: June 10, 2024

Action Items

7. Resolution No. 2024-071 approving the Texarkana Airport Authority to sell 8.179 acres of land to Harvest International Ministries for $139,349.

   Public Hearing:
   Council Vote: June 10, 2024

   Paul Mehrlich briefed this agenda item.
   (6:40 p.m.)

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

8. Resolution No. 2024-072 approving the Texarkana Airport Authority's 20-year Master Plan.

Public Hearing:
Council Vote: June 10, 2024

Paul Mehrlich briefed this agenda item.
(6:46 p.m.)

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

IX. FIRST BRIEFINGS

1. Resolution No. 2024-060 supporting the City's application to the Texas Historical Commission to become a Certified Local Government.

   Public Hearing:
   Council Vote: July 16, 2024

   Daphnea Ryan briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 7/16/2024 6:00 PM**

2. Resolution No. 2024-066 adopting the Community Development Block Grant 2024 Fiscal Year Annual Action Plan and authorizing the City Manager to submit said action plan to the U.S. Department of Housing and Urban Development.

   Public Hearing: July 16, 2024
   Council Vote: July 16, 2024

   Vashil Fernandez briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 7/16/2024 6:00 PM**

3. Ordinance No. 2024-067 revoking Specific Use Permit S-586 for an off premises outdoor advertising billboard on Lot 1, Arklatex Realty Subdivision located in the 4600 block of Guss Orr Drive formerly 4610 St. Michael Drive.

   Public Hearing: July 16, 2024
   Council Vote: July 16, 2024

   Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 7/16/2024 6:00 PM**

4. Ordinance No. 2024-068 granting a Specific Use Permit to allow an off premises outdoor billboard on Lot 1B, Replat Lots 1 & 2, Arklatex Realty Subdivision, located in the 4600 block of Guss Orr Drive. Keith Orr, owner, and Kayla Wood, MTG Engineers and Surveyors, agent.

   Public Hearing: July 16, 2024
   Council Vote: July 16, 2024

   Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 7/16/2024 6:00 PM**

5. Ordinance No. 2024-069 rezoning from Single Family-2 to Single Family-3 on the east 1/2 of Lot 1, Block 40, Flower Acres Addition, located at 2802 Flower Acre Road. Greg Fomby, owner.

   Public Hearing: July 16, 2024
   Council Vote: July 16, 2024

   Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 7/16/2024 6:00 PM**

6. Ordinance No. 2024-070 granting a Specific Use Permit to allow a single wide HUD code manufactured home on the east 1/2 of Lot 1, Block 40, Flower Acres Addition, located at 2802 Flower Acre Road. Greg Fomby, owner.

   Public Hearing: July 16, 2024
   Council Vote: July 16, 2024

   Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 7/16/2024 6:00 PM**

X. PUBLIC HEARINGS

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

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

There were no public comments made at this hearing.
(6:59 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jay Davis, Ward 6
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Bruggeman, Matlock, Hart, Meador, Davis
ABSENT:	Page

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

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

There were no public comments made at this hearing.
(7:00 p.m.)

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

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

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

There were no public comments made at this hearing.
(7:01 p.m.)

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

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

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

There were no public comments made at this hearing.
(7:03 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jay Davis, Ward 6
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Bruggeman, Matlock, Hart, Meador, Davis
ABSENT:	Page

5. Resolution No. 2024-059 authorizing the City Manager to execute addendums and subordination agreements to four loans with Texarkana Grim Housing Partnes, LP for the Hotel Grim project.

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

There were no public comments made at this hearing.
(7:04 p.m.)

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

XI. CITY MANAGER'S REPORT

May Sales Tax Report
Sales tax receipts for the month of May (March sales) totaled $2,073,306.77, an increase of 1.98% compared to the same month in the prior year. Fiscal year to date collections totaled $10,689,454.75, a decrease of $283,949.70 (-2.59%) compared to last year.

Excluding the February adjustments from a local energy company, fiscal year to date collections would have totaled $11,107,199.75, an increase of $133,795.30 (1.22%) compared to last year.

Joint Budget Advisory Committee (BAC) Meeting Recap
The city's Joint BAC/City Council budget meeting was held Tuesday, May 28th in preparation for the FY 2025 budget. Thank you to everyone that was able to participate; through this process, the city has built a better budget for next year. Staff will send out budget updates throughout the summer as staff receives the BCAD certified values in July and the decision regarding the Riverbend fee increase.

Neighborhoods USA (NUSA) Conference Recap
NUSA 2024 took place in Lubbock, Texas, May 22nd through May 25th. During the Neighborhood Awards Luncheon, Rhonda Dolberry and Chiquita Burks were presented with an award for runner-up in the Neighborhood of The Year Competition, which is the third

year in a row that Rose Hill Neighborhood Improvement Association/The Scholars have taken home awards for their work in the Rose Hill neighborhood. Congratulations to everyone involved!

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

XII. ADMINISTRATIVE COMMENTS

1. City Council

   Council had no administrative comments for staff.

2. City Staff

   Staff had no administrative comments for council.

XIII. ADJOURNMENT

A motion was made to adjourn the meeting.
(7:07 p.m.)

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

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

CITY OF TEXARKANA

CITY COUNCIL

MINUTES • MAY 13, 2024

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

220 TEXAS BLVD., TEXARKANA, TX 75501

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

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

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

Municipal Court: Judge Sherry Jackson Hawkins.

Legal Counsel: Jeff Lewis.

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

III. PROCLAMATION PRESENTATION

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

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

Mental Health Awareness Month

Minutes Acceptance: Minutes of May 13, 2024 6:00 PM (Consent Items)

RESULT:	CLOSE ACTION

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



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

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

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

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

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

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

Minutes Acceptance: Minutes of May 13, 2024 6:00 PM (Consent Items)

V. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

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

Parks & Recreation Activities

May Events:

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

June Events:

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

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

Other Spring Events

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

Minutes Acceptance: Minutes of May 13, 2024 6:00 PM (Consent Items)

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

VI. OPEN FORUM: COMMENTS FROM THE PUBLIC

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

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

VII. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

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

VIII. ITEMS FOR CONSIDERATION

Consent Items

(6:42 p.m.)

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

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

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

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

   Public Hearing:
   Council Vote: May 13, 2024

Minutes Acceptance: Minutes of May 13, 2024 6:00 PM (Consent Items)

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

   Public Hearing:
   Council Vote: May 13, 2024

Action Items

[There were no Action Items.]

IX. CLOSED SESSION

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

X. RECONVENED INTO OPEN SESSION

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

   Public Hearing:
   Council Vote: May 13, 2024

(6:59 p.m.)

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

XI. FIRST BRIEFINGS

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

Minutes Acceptance: Minutes of May 13, 2024 6:00 PM (Consent Items)

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

Mashell Daniel briefed this agenda item.

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

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

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

Mashell Daniel briefed this agenda item.

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

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

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

Mashell Daniel briefed this agenda item.

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

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

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

Mashell Daniel briefed this agenda item.

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

XII. PUBLIC HEARINGS

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

Minutes Acceptance: Minutes of May 13, 2024 6:00 PM (Consent Items)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Vashil Fernandez briefed this agenda item.

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

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

XIII. CITY MANAGER'S REPORT

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

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

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

XIV. ADMINISTRATIVE COMMENTS

1. City Council

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

2. City Staff

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

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

Minutes Acceptance: Minutes of May 13, 2024 6:00 PM (Consent Items)

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

These gardens are utilized to encourage and create healthier communities.

Comprehensive Plan Tracking Report

RESULT:	**CLOSE ACTION**

XV. CLOSED SESSION

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

A. Section 551.071 (Consultation with Attorney)

B. Section 551.072 (Real Property)

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

XVI. RECONVENED INTO OPEN SESSION

XVII. ADJOURNMENT

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

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

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

Minutes Acceptance: Minutes of May 13, 2024 6:00 PM (Consent Items)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 6/6/2024 10:17 AM

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

Subject: Ordinance No. 2024-057 ordering a special election for Tuesday, July 30, 2024, to fill the vacancy for the position of Councilmember of Ward 3.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

Not applicable.

Executive Summary and Background Information:

The Texas Constitution requires a special election to fill the vacancy for the position of Councilmember of Ward 3 since there remains an unexpired term greater than twelve months.

Tuesday, July 30, 2024, is the proposed date for conducting a special election to fill the unexpired term for Councilmember of Ward 3, which expires in November of 2026. The filing period for candidacy would begin immediately upon approval and passage of this ordinance; the filing deadline is proposed for 5:00 p.m., Friday, June 21, 2024; and the proposed ordinance schedules early voting by personal appearance for July 15 through July 19, and July 22 through July 26, 2024.

The polling location for both the special election date and early voting would be the City-owned Collins Senior Center located at 3000 Texas Blvd. This polling location is also utilized by Bowie County in state and county elections. Although an interlocal agreement for Bowie County to conduct this special election has not been negotiated at this time, it is expected that such an agreement will be requested and negotiated.

Potential Options:

Approval of the special election order.

Fiscal Implications:

Election expenses are budgeted.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

None.

Board/Committee Recommendation:

Not applicable.

Advisory Board/Committee Meeting Date and Minutes:

Not applicable.

Attachments

a. 2024-057 ORD Call Spec. Elect. to fill Vacancy in W3 (DOCX)
b. 2024-057 ATTH 01 App. for Special Election (W3) 2-50f (PDF)
c. 2024-057 Goals & Perspectives (DOCX)
d. 2024-057 ORD Spec. Election Ward 3 signed (PDF)

Staff Coordination

City Attorney	Jeffery C. Lewis 05/17/2024 11:34 AM	Department Head Review	Completed	
Parks, Recreation & Health	05/17/2024 1:56 PM	Robby Robertson	Review	Completed
City Secretary 9:06 AM	Jennifer Evans	Review	Completed	06/07/2024
City Manager 10:02 AM	David Orr	City Manager Review	Completed	06/07/2024
City Council 6:00 PM	Jennifer Evans	Meeting	Completed	06/10/2024

Meeting History

PUBLISH

ORDINANCE NO. 2024 - 057

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ORDERING A SPECIAL ELECTION FOR THE PURPOSE OF ELECTING A COUNCILMEMBER FOR WARD 3 FOR THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, TO FILL A VACANCY OF AN UNEXPIRED TERM; PRESCRIBING THE TIME, PLACE, MANNER, AND FORM FOR THE HOLDING OF SAID ELECTION; PROVIDING INSTRUCTIONS FOR THE HOLDING OF SAID ELECTION IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS, THE CITY CHARTER, AND ORDINANCES OF THE CITY OF TEXARKANA, TEXAS; DIRECTING THE CITY SECRETARY TO PROVIDE FOR TIMELY PRINTING OF BALLOTS; PROVIDING FOR EARLY VOTING; DIRECTING THAT THE POLLING LOCATION BE OPENED FROM 7:00 A.M. TO 7:00 P.M. ON ELECTION DAY; PROVIDING FOR PUBLICATION OF PUBLIC NOTICE OF THIS ELECTION; PROVIDING FOR CANVASS OF THE ELECTION RESULTS BY THE CITY COUNCIL; PROVIDING FOR INTERLOCAL CONTRACTING WITH BOWIE COUNTY FOR ELECTIONS SERVICES; PROVIDING SEVERABILITY AND REPEALER CLAUSES; CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on May 12, 2024, Councilmember Betty Williams passed away, thereby creating a vacancy of an unexpired term of greater than twelve months for the position of Councilmember of Ward 3; and

WHEREAS, the Texas Constitution, Article XI, Section 11, requires a special election to fill a vacancy on the council when the unexpired term is greater than twelve months; and

WHEREAS, Section 12-3(3) of the City's Code of Ordinances establishes the Collins Senior Center located at 3000 Texas Blvd., as the polling location for the entirety of Ward 3 when the City conducts an election; and

WHEREAS, in compliance with the Texas Constitution and applicable provisions of the Texas Election Code, and taking into consideration the primary runoff election conducted on May 28, 2024, and the requirements of Tex. Elec. Code 41.001(c) [no election within 30 days before or after general election, primary election, or runoff primary election], the date of Tuesday, July 30, 2024, is proposed for the holding of a special election to fill the unexpired term for Councilmember of Ward 3, which expires in November of 2026; and

WHEREAS, this Ordinance establishes procedures consistent with the Texas Constitution, applicable provisions of the Texas Election Code, and the City's Code of Ordinances for ordering a special election on Tuesday, July 30, 2024, to fill the unexpired term for Councilmember of Ward 3.

Attachment: 2024-057 ORD Call Spec. Elect. to fill Vacancy in W3 (4247 : 2024-057 ORD Special Election Ward 3)

PUBLISH

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

SECTION 1: A special election is hereby ordered to be held within the jurisdiction of the City of Texarkana, Texas, on Tuesday, the 30th day of July, 2024, pursuant to the Texas Constitution, applicable laws of the State of Texas, the Charter of the City of Texarkana, Texas, and the Code of Ordinances of the City of Texarkana, Texas, with said election to be held for the purpose of electing a Councilmember for Ward 3 to serve an unexpired term ending in November of 2026. Candidates for Councilmember in this election must be a resident of Ward 3 and must meet the qualifications for candidacy as set forth in the Texas Election Code, the City Charter, and Ordinances of the City of Texarkana, Texas. Candidates shall file their application with the City Secretary or designee at City Hall, 220 Texas Blvd, Texarkana, Texas. All applications for candidacy shall be on a form as prescribed by Texas Election Code, Chapter 141, Subchapter B, Section 141.031 as set forth in **"ATTH 01"** which is attached hereto and made a part hereof as if fully set forth herein. Each candidate must also complete the Loyalty Affidavit as is set forth on the lower portion of **"ATTH 01"** and the City Secretary is hereby directed to refuse any application for which the said affidavit has not been completed and sworn to by the candidate. The City Secretary shall provide a blank copy of **"ATTH 01"** to those persons requesting same.

SECTION 2: Any eligible and qualified person may have his or her name printed upon the official ballot as a candidate for the office of Councilmember of **Ward 3** by filing the appropriate sworn application with the City Secretary or designee during the time period which begins immediately upon approval and passage of this ordinance and ends at 5:00 p.m. on **Friday, June 21, 2024,** and by complying with the provisions of the Texas Election Code and applicable statutes and ordinances.

SECTION 3: The ballots for said election shall be prepared by the City Secretary in sufficient number and in conformity with Chapter 52 of the Texas Election Code so that a voter may choose which candidate the voter wants to elect.

SECTION 4: Early voting by personal appearance will be conducted each weekday at the **Collins Senior Center, 3000 Texas Blvd., Texarkana, Texas**, between the hours of 8:00 a.m. and 5:00 p.m. beginning on July 15, 2024 through July 19, 2024, and July 22, 2024, through July 26, 2024; provided that, in accordance with Texas Election Code Section 85.005(d) and procedures established by the Texas Secretary of State, a voter who has not voted before the scheduled time for closing the polling place is entitled to vote after that time if the voter is in line at the polling place by closing time.

SECTION 5: The Special Election Day polling location for the entirety of Ward 3 will be at the **Collins Senior Center, 3000 Texas Blvd., Texarkana, Texas**, as established by City Code Section 12-3(3). All registered voters of Ward 3 will cast votes at this polling location; and the polling location shall be opened at 7:00 a.m. for voting and shall be closed at 7:00 p.m.; provided that, in accordance with Texas Election Code Section 41.032, (a) a voter who has not voted before the time for closing the polls is entitled to vote after that time if the voter is inside or waiting to enter the polling place at 7 p.m., and (b) if voters are waiting to enter the polling place at closing time, the presiding judge shall direct them to enter the polling place and shall close it to others [however, if that procedure is impracticable, at closing time the presiding judge shall distribute

Attachment: 2024-057 ORD Call Spec. Elect. to fill Vacancy in W3 (4247 : 2024-057 ORD Special Election Ward 3)

PUBLISH

numbered identification cards to the waiting voters and permit entry into the polling place for voting after closing time only by those possessing a card].

SECTION 6: The City Secretary shall give notice of this special election by causing said notice to be published one time in the Texarkana Gazette, the official newspaper of the City. The said publication shall be not more than 30 days or less than 10 days prior to the special election day, **July 30, 2024.** Such publication meets the requirements set forth in Section 1 of Article V of the Charter of the City of Texarkana, Texas, and the requirement set forth in Texas Election Code, Section 4.003. The City Secretary shall attach the returned certificate of publication from the newspaper editor to the original of this Ordinance on file.

SECTION 7: The official tabulation of the election results shall be made known as soon as possible after the closing of the polls; and the final election returns shall be canvassed by the City Council not earlier than the date prescribed by Texas Election Code, Section 67.003, or later than August 10, 2024.

SECTION 8: The City Manager has authority, such authority being ratified by the Ordinance, to negotiate and execute an interlocal agreement with Bowie County, Texas, for the County Elections Administrator to conduct this special election and to discharge any or all election functions as required by law or otherwise specified in this Ordinance.

SECTION 9: 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 10: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 11: The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

SECTION 12: This ordinance shall be in full force and effect from and after its passage and approval.

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

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2024-057 ORD Call Spec. Elect. to fill Vacancy in W3 (4247 : 2024-057 ORD Special Election Ward 3)

2-50
Prescribed by Secretary of State
Section 141.031, Chapters 143 and 144, Texas Election Code
09/2023

2024-057 ATTH 01

APPLICATION FOR A PLACE ON THE BALLOT FOR A SPECIAL ELECTION FOR A CITY, SCHOOL DISTRICT OR OTHER POLITICAL SUBDIVISION

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL[1] Failure to provide required information may result in rejection of applicatic

APPLICATION FOR A PLACE ON THE _____ SPECIAL ELECTION BALLOT

TO: City Secretary/Secretary of Board **(name of election)**

I request that my name be placed on the above-named official ballot as a candidate for the office indicated below.

OFFICE SOUGHT (Include any place number or other distinguishing number, if any.)	**INDICATE TERM** ☐ FULL ☐ UNEXPIRED

FULL NAME (First, Middle, Last)	**PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT***
PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.)	**PUBLIC MAILING ADDRESS** (Address for which you receive campaign related correspondence, if available.)

CITY	**STATE**	**ZIP**	**CITY**	**STATE**	**ZIP**

PUBLIC EMAIL ADDRESS (Address for which you receive campaign related emails, if available.)	**OCCUPATION (Do not leave blank)**	**DATE OF BIRTH** / /	**VOTER REGISTRATION VUID NUMBER[2] (Optional)**

TELEPHONE CONTACT INFORMATION (Optional)

Home: Office: Cell:

FELONY CONVICTION STATUS (You MUST check one)	**LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN**	
	IN THE STATE OF TEXAS	**IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED**
☐ I have not been finally convicted of a felony.		
☐ I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application.[3]	_____ year(s) _____ month(s)	_____ year(s) _____ month(s)

*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot.

Before me, the undersigned authority, on this day personally appeared (name of candidate)_____, who being by me here and now duly sworn, upon oath says:

"I, (name of candidate) _____, of _____ County, Texas,

being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct."

X _____

SIGNATURE OF CANDIDATE

Sworn to and subscribed before me this the _____ day of _____, _____, by _____.
(day) (month) (year) (name of candidate)

_____ _____
Signature of Officer Authorized to Administer Oath[4] Printed Name of Officer Authorized to Administer Oath

_____ Notarial or Official Seal
Title of Officer Authorized to Administer Oath

TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY:

☐ CASH ☐ CHECK ☐ MONEY ORDER ☐ CASHIERS CHECK OR ☐ PETITION IN LIEU OF A FILING FEE.

This document and $_____ filing fee or a nominating petition of _____ pages received. ☐ **Voter Registration Status Verified**

_____/_____/_____ _____/_____/_____ **(See Section 1.007)** _____
Date Received Date Accepted Signature of Filing Officer or Designee

Print Reset

Attachment: 2024-057 ATTH 01 App. for Special Election (W3) 2-50f (4247 : 2024-057 ORD Special Election Ward 3)

INSTRUCTIONS

A special election can be used to fill a vacancy only if authorized by law.

An application for a special election may not be filed until after the election is ordered. The filing deadline is governed by Section 201.054 of the Texas Election Code, and by the date the special election was ordered. The filing deadline should be stated in the election order. Please review the Secretary of State's current election law calendars for Section 201.054 deadlines.

If you have questions about the application, please contact the Secretary of State's Elections Division at 800-252-8683.

NEPOTISM LAW

The candidate must sign this statement indicating his awareness of the nepotism law. When a candidate signs the application, it is an acknowledgment that the candidate is aware of the nepotism law. The nepotism prohibitions of chapter 573, Government Code, are summarized below:

No officer may appoint, or vote for or confirm the appointment or employment of any person related within the second degree by affinity (marriage) or the third degree by consanguinity (blood) to himself, or to any other member of the governing body or court on which he serves when the compensation of that person is to be paid out of public funds or fees of office. However, nothing in the law prevents the appointment, voting for, or confirmation of anyone who has been continuously employed in the office or employment for the following period prior to the election or appointment of the officer or member related to the employee in the prohibited degree six months, if the officer or member is elected at an election other than the general election for state and county officers.

No candidate may take action to influence an employee of the office to which the candidate is seeking election or an employee or officer of the governmental body to which the candidate is seeking election regarding the appointment or employment of a person related to the candidate in a prohibited degree as noted above. This prohibition does not apply to a candidate's actions with respect to a bona fide class or category of employees or prospective employees.

FOOTNOTES

[1]An application for a place on the ballot, including any accompanying petition, is public information immediately on its filing. (Section 141.035, Texas Election Code)

[2]Inclusion of a candidate's VUID is optional. However, many candidates are required to be registered voters in the territory from which the office is elected at the time of the filing deadline. Please visit the Elections Division of the Secretary of State's website for additional information.

[3]Proof of release from the resulting disabilities of a felony conviction would include proof of judicial clemency under Texas Code of Criminal Procedure 42A.701, proof of executive pardon under Texas Code of Criminal Procedure 48.01, or proof of a restoration of rights under Texas Code of Criminal Procedure 48.05. (Texas Attorney General Opinion KP-0251)

One of the following documents must be submitted with this application:

Judicial Clemency under Texas Code of Criminal Procedure 42A.701
Executive Pardon under Texas Code of Criminal Procedure 48.01
Restoration of Rights under Texas Code of Criminal Procedure 48.05

[4]All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace, city secretary (for a city office), and the Secretary of State of Texas. See Chapter 602 of the Texas Government Code for the complete list of persons authorized to administer oaths.

Attachment: 2024-057 ATTH 01 App. for Special Election (W3) 2-50f (4247 : 2024-057 ORD Special Election Ward 3)

2-50
Prescrito por el Secretario de Estado
Secciones 141.031, Chapters 143 and 144, Código Electoral de Texas
09/2023

2024-057 ATTH 01

SOLICITUD DE INSCRIPCIÓN EN LA BOLETA DE UNA ELECCIÓN ESPECIAL PARA UNA CIUDAD, DISTRITO ESCOLAR U OTRA SUBDIVISIÓN POLÍ

TODA LA INFORMACIÓN ES REQUERIDA A MENOS QUE SE INDIQUE COMO OPCIONAL[1]

El hecho de no proporcionar la información requerida puede resultar en el rechazo de la solicitud.

SOLICITUD DE INSCRIPCIÓN EN LA BOLETA DE UNA ELECCIÓN ESPECIAL PARA _____

Para: Secretario(a) de la Ciudad/ Secretario(a) del Consejo **(nombre de la elección)**

Solicito que mi nombre se incluya en la boleta oficial mencionada anteriormente como candidato(a) para el cargo indicado a continuación.

CARGO SOLICITADO (Incluya cualquier número de cargo u otro número distintivo, si lo hay.)	**INDIQUE TÉRMINO** ☐ TÉRMINO COMPLETO ☐ TÉRMINO INCOMPLETO
NOMBRE COMPLETO (Primer Nombre, Segundo Nombre, Apellido)	**ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA***
DIRECCIÓN DE RESIDENCIA PERMANENTE (No incluya un apartado postal o una ruta rural. Si usted no tiene una dirección de residencia, describa la ubicación de la residencia.)	**DIRECCIÓN DE CORREO PÚBLICO** (Dirección en la que recibe la correspondencia relacionada con la campaña, si está disponible.)

CIUDAD	**ESTADO**	**CÓDIGO POSTAL**	**CIUDAD**	**ESTADO**	**CÓDIGO POSTAL**

DIRECCIÓN DE CORREO ELECTRÓNICO PÚBLICO (Dirección donde recibe correo electrónico relacionado con la campaña, si está disponible.)	**OCUPACIÓN (No deje este espacio en blanco)**	**FECHA DE NACIMIENTO** / /	**VUID – NÚMERO ÚNICO DE IDENTIFICACIÓN DE VOTANTE[2] (Opcional)**

INFORMACIÓN DE CONTACTO TELEFÓNICO (Opcional)

Hogar: Trabajo: Celular:

ESTADO DE CONDENA POR DELITO GRAVE (DEBE marcar uno)	**DURACIÓN DE RESIDENCIA CONTINUA A PARTIR DE LA FECHA EN QUE ESTA SOLICITUD FUE JURADA**	
	EN EL ESTADO DE TEXAS	**EN EL PRECINTO DEL QUE SE ELIGE EL CARGO BUSCADO**
☐ No he sido finalmente condenado por un delito grave.		
☐ He sido finalmente condenado por un delito grave, pero he sido indultado o liberado de otro modo de las discapacidades resultantes de esa condena por delito grave y he proporcionado prueba de este hecho con la presentación de esta solicitud.[3]	_____ año(s) _____ mes(es)	_____ año(s) _____ mes(es)

***Si usa un apodo como parte de su nombre para aparecer en la boleta, también está firmando y jurando las siguientes declaraciones: Juro además que mi apodo no constituye un lema ni contiene un título, ni indica un punto de vista o afiliación política, económica, social o religiosa. He sido comúnmente conocido por este apodo durante al menos tres años antes de esta elección. Por favor, revise las secciones 52.031, 52.032 y 52.033 del Código Electoral de Texas con respecto a las reglas sobre cómo se pueden incluir los nombres en la boleta oficial.

Ante mí, la autoridad abajo firmante, en este día apareció personalmente (nombre del candidato)_____, quien estando a mi lado aquí y ahora debidamente juramentado, bajo juramento dice:

"Yo, (nombre del candidato) _____, del condado de _____,

Texas, siendo candidato para el cargo de _____, juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy un ciudadano de los Estados Unidos elegible para ocupar dicho cargo según la Constitución y las leyes de este estado. No se me ha determinado por un fallo final de un tribunal que ejerce la jurisdicción testamentaria que esté totalmente incapacitado mentalmente o parcialmente incapacitado sin derecho a voto. Soy consciente de la ley de nepotismo según el Capítulo 573 del Código de Gobierno. Soy consciente de que debo divulgar cualquier condena previa de un delito grave y, si he sido condenado, debo proporcionar prueba de que he sido indultado o liberado de otro modo de las discapacidades resultantes de dicha condena final por delito grave. Soy consciente de que proporcionar a sabiendas información falsa en la solicitud con respecto a mi posible estado de condena por delito grave constituye un delito menor de Clase B. Juro además que las declaraciones anteriores incluidas en mi solicitud son, en todos los aspectos, verdaderas y correctas."

X _____

FIRMA DEL CANDIDATO

Jurado y suscrito ante mí este día _____ de_____ del _____por _____.
(día) (mes) (año) (nombre de candidato)

_____
Firma del oficial autorizado para administrar el juramento[4]

_____
Nombre de oficial autorizado para administrar juramentos en letra de molde

Notarial o sello oficial

_____
Título del oficial autorizado para administrar el juramento

TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY:

☐ CASH ☐ CHECK ☐ MONEY ORDER ☐ CASHIERS CHECK OR ☐ PETITION IN LIEU OF A FILING FEE.

This document and $_____ filing fee or a nominating petition of _____ pages received. ☐ **Voter Registration Status Verified**

_____/_____/_____ _____/_____/_____ **(See Section 1.007)** _____
Date Received Date Accepted Signature of Filing Officer or Designee

Attachment: 2024-057 ATTH 01 App. for Special Election (W3) 2-50f (4247 : 2024-057 ORD Special Election Ward 3)

Imprimir Limpiar

INSTRUCCIONES

Una elección especial se puede utilizar para cubrir una vacante solo si lo autoriza por la ley.

Una solicitud para una elección especial no puede ser presentada hasta después de que se ordene la elección. La fecha límite de presentación se rige por la Sección 201.054 del Código Electoral de Texas y por la fecha en que se ordenó la elección especial. La fecha límite de presentación debe indicarse en la orden de elección. Por favor, revise los calendarios actuales de la ley electoral del Secretario de Estado para la fechas límite de la Sección 201.054.

Si tiene preguntas sobre la solicitud, por favor póngase en contacto con la División de Elecciones del Secretario de Estado llamando al 800-252-8683.

LEY DE NEPOTISMO

El candidato debe firmar esta declaración indicando su conocimiento de la ley del nepotismo. Cuando un candidato firma la solicitud, es un reconocimiento de que el candidato conoce la ley del nepotismo. Las prohibiciones de nepotismo del capítulo 573, Código de Gobierno, se resumen a continuación:

Ningún funcionario puede nombrar, votar o confirmar el nombramiento o empleo de cualquier persona emparentada dentro del segundo grado por afinidad (matrimonio) o del tercer grado por consanguinidad (sangre) con sí mismo, o con cualquier otro miembro del órgano de gobierno o tribunal en el que se desempeña cuando la compensación de esa persona debe pagarse con fondos públicos o honorarios del cargo. Sin embargo, nada en la ley impide el nombramiento, la votación o la confirmación de cualquier persona que haya estado empleada continuamente en la oficina o el empleo durante el período siguiente antes de la elección o el nombramiento del funcionario o miembro emparentado con el empleado en el grado prohibido: (a) seis meses, si el funcionario o miembro es elegido en una elección que no sea la elección general para funcionarios estatales y del condado.

Ningún candidato puede tomar medidas para influir en un empleado del cargo al que aspira a ser elegido o en un empleado o funcionario del organismo gubernamental al que aspira a ser elegido en relación con el nombramiento o el empleo de una persona emparentada con el candidato en un grado prohibido, tal como se ha indicado anteriormente. Esta prohibición no se aplica a las acciones de un candidato con respecto a una clase o categoría de buena fe de empleados o empleados prospectos.

NOTAS

[1]Una solicitud para un lugar en la boleta electoral, incluida cualquier petición que la acompañe, es información pública inmediatamente después de su presentación. (Sección 141.035, Código Electoral de Texas)

[2]La inclusión del número único de identificación de votante (VUID, por sus siglas en Ingles) es opcional. Sin embargo, a muchos candidatos se les exige que estén registrados como votantes en el territorio desde el cual se elige el cargo en el momento de la fecha límite de presentación. Por favor, visite el sitio web de la Division de Elecciones de la Secretaría de Estado para obtener información adicional.

[3]La prueba de liberación de las discapacidades resultantes de una condena por un delito grave incluiría prueba de clemencia judicial según el Código de Procedimiento Penal de Texas 42A.701, prueba de indulto ejecutivo según el Código de Procedimiento Penal de Texas 48.01, o prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05. (Opinión de Fiscal General de Texas KP-0251)

Se debe enviar uno de los siguientes documentos con esta solicitud:

Clemencia judicial según el Código de Procedimiento Penal de Texas 42A.701
Prueba de indulto ejecutivo según el Código de Procedimiento Penal de Texas 48.01
Prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05

[4]Todos lo los juramentos, declaraciones juradas o afirmaciones hechas dentro de este estado pueden ser administrados y un certificado del hecho dado por un juez, secretario(a) o comisionado de cualquier tribunal de registro, un notario público, un juez de paz, secretario municipal (para una oficina de la ciudad) y el Secretario de Estado de Texas. Consulte el Capítulo 602 del Código Gobierno de Texas para obtener la lista completa de personas autorizadas a administrar juramentos.

Attachment: 2024-057 ATTH 01 App. for Special Election (W3) 2-50f (4247 : 2024-057 ORD Special Election Ward 3)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

None.

Resource Impact:

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: 2024-057 Goals & Perspectives (4247 : 2024-057 ORD Special Election Ward 3)

PUBLISH

ORDINANCE NO. 2024 - 057

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ORDERING A SPECIAL ELECTION FOR THE PURPOSE OF ELECTING A COUNCILMEMBER FOR WARD 3 FOR THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, TO FILL A VACANCY OF AN UNEXPIRED TERM; PRESCRIBING THE TIME, PLACE, MANNER, AND FORM FOR THE HOLDING OF SAID ELECTION; PROVIDING INSTRUCTIONS FOR THE HOLDING OF SAID ELECTION IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS, THE CITY CHARTER, AND ORDINANCES OF THE CITY OF TEXARKANA, TEXAS; DIRECTING THE CITY SECRETARY TO PROVIDE FOR TIMELY PRINTING OF BALLOTS; PROVIDING FOR EARLY VOTING; DIRECTING THAT THE POLLING LOCATION BE OPENED FROM 7:00 A.M. TO 7:00 P.M. ON ELECTION DAY; PROVIDING FOR PUBLICATION OF PUBLIC NOTICE OF THIS ELECTION; PROVIDING FOR CANVASS OF THE ELECTION RESULTS BY THE CITY COUNCIL; PROVIDING FOR INTERLOCAL CONTRACTING WITH BOWIE COUNTY FOR ELECTIONS SERVICES; PROVIDING SEVERABILITY AND REPEALER CLAUSES; CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on May 12, 2024, Councilmember Betty Williams passed away, thereby creating a vacancy of an unexpired term of greater than twelve months for the position of Councilmember of Ward 3; and

WHEREAS, the Texas Constitution, Article XI, Section 11, requires a special election to fill a vacancy on the council when the unexpired term is greater than twelve months; and

WHEREAS, Section 12-3(3) of the City's Code of Ordinances establishes the Collins Senior Center located at 3000 Texas Blvd., as the polling location for the entirety of Ward 3 when the City conducts an election; and

WHEREAS, in compliance with the Texas Constitution and applicable provisions of the Texas Election Code, and taking into consideration the primary runoff election conducted on May 28, 2024, and the requirements of Tex. Elec. Code 41.001(c) [no election within 30 days before or after general election, primary election, or runoff primary election], the date of Tuesday, July 30, 2024, is proposed for the holding of a special election to fill the unexpired term for Councilmember of Ward 3, which expires in November of 2026; and

WHEREAS, this Ordinance establishes procedures consistent with the Texas Constitution, applicable provisions of the Texas Election Code, and the City's Code of Ordinances for ordering a special election on Tuesday, July 30, 2024, to fill the unexpired term for Councilmember of Ward 3.

Attachment: 2024-057 ORD Spec. Election Ward 3 signed (4247 : 2024-057 ORD Special Election Ward 3)

PUBLISH

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

SECTION 1: A special election is hereby ordered to be held within the jurisdiction of the City of Texarkana, Texas, on Tuesday, the 30th day of July, 2024, pursuant to the Texas Constitution, applicable laws of the State of Texas, the Charter of the City of Texarkana, Texas, and the Code of Ordinances of the City of Texarkana, Texas, with said election to be held for the purpose of electing a Councilmember for Ward 3 to serve an unexpired term ending in November of 2026. Candidates for Councilmember in this election must be a resident of Ward 3 and must meet the qualifications for candidacy as set forth in the Texas Election Code, the City Charter, and Ordinances of the City of Texarkana, Texas. Candidates shall file their application with the City Secretary or designee at City Hall, 220 Texas Blvd, Texarkana, Texas. All applications for candidacy shall be on a form as prescribed by Texas Election Code, Chapter 141, Subchapter B, Section 141.031 as set forth in **"ATTH 01"** which is attached hereto and made a part hereof as if fully set forth herein. Each candidate must also complete the Loyalty Affidavit as is set forth on the lower portion of **"ATTH 01"** and the City Secretary is hereby directed to refuse any application for which the said affidavit has not been completed and sworn to by the candidate. The City Secretary shall provide a blank copy of **"ATTH 01"** to those persons requesting same.

SECTION 2: Any eligible and qualified person may have his or her name printed upon the official ballot as a candidate for the office of Councilmember of **Ward 3** by filing the appropriate sworn application with the City Secretary or designee during the time period which begins immediately upon approval and passage of this ordinance and ends at 5:00 p.m. on **Friday, June 21, 2024,** and by complying with the provisions of the Texas Election Code and applicable statutes and ordinances.

SECTION 3: The ballots for said election shall be prepared by the City Secretary in sufficient number and in conformity with Chapter 52 of the Texas Election Code so that a voter may choose which candidate the voter wants to elect.

SECTION 4: Early voting by personal appearance will be conducted each weekday at the **Collins Senior Center, 3000 Texas Blvd., Texarkana, Texas**, between the hours of 8:00 a.m. and 5:00 p.m. beginning on July 15, 2024 through July 19, 2024, and July 22, 2024, through July 26, 2024; provided that, in accordance with Texas Election Code Section 85.005(d) and procedures established by the Texas Secretary of State, a voter who has not voted before the scheduled time for closing the polling place is entitled to vote after that time if the voter is in line at the polling place by closing time.

SECTION 5: The Special Election Day polling location for the entirety of Ward 3 will be at the **Collins Senior Center, 3000 Texas Blvd., Texarkana, Texas**, as established by City Code Section 12-3(3). All registered voters of Ward 3 will cast votes at this polling location; and the polling location shall be opened at 7:00 a.m. for voting and shall be closed at 7:00 p.m.; provided that, in accordance with Texas Election Code Section 41.032, (a) a voter who has not voted before the time for closing the polls is entitled to vote after that time if the voter is inside or waiting to enter the polling place at 7 p.m., and (b) if voters are waiting to enter the polling place at closing time, the presiding judge shall direct them to enter the polling place and shall close it to others [however, if that procedure is impracticable, at closing time the presiding judge shall distribute

Attachment: 2024-057 ORD Spec. Election Ward 3 signed (4247 : 2024-057 ORD Special Election Ward 3)

PUBLISH

numbered identification cards to the waiting voters and permit entry into the polling place for voting after closing time only by those possessing a card].

SECTION 6: The City Secretary shall give notice of this special election by causing said notice to be published one time in the Texarkana Gazette, the official newspaper of the City. The said publication shall be not more than 30 days or less than 10 days prior to the special election day, **July 30, 2024.** Such publication meets the requirements set forth in Section 1 of Article V of the Charter of the City of Texarkana, Texas, and the requirement set forth in Texas Election Code, Section 4.003. The City Secretary shall attach the returned certificate of publication from the newspaper editor to the original of this Ordinance on file.

SECTION 7: The official tabulation of the election results shall be made known as soon as possible after the closing of the polls; and the final election returns shall be canvassed by the City Council not earlier than the date prescribed by Texas Election Code, Section 67.003, or later than August 10, 2024.

SECTION 8: The City Manager has authority, such authority being ratified by the Ordinance, to negotiate and execute an interlocal agreement with Bowie County, Texas, for the County Elections Administrator to conduct this special election and to discharge any or all election functions as required by law or otherwise specified in this Ordinance.

SECTION 9: 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 10: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 11: The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

SECTION 12: This ordinance shall be in full force and effect from and after its passage and approval.

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

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:35p.m.

Attachment: 2024-057 ORD Spec. Election Ward 3 signed (4247 : 2024-057 ORD Special Election Ward 3)

2-50
Prescribed by Secretary of State
Section 141.031, Chapters 143 and 144, Texas Election Code
09/2023

2024-057 ATTH 01

APPLICATION FOR A PLACE ON THE BALLOT FOR A SPECIAL ELECTION FOR A CITY, SCHOOL DISTRICT OR OTHER POLITICAL SUBDIVISION

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL[1] Failure to provide required information may result in rejection of application.

APPLICATION FOR A PLACE ON THE _____ **SPECIAL ELECTION BALLOT**
(name of election)

TO: City Secretary/Secretary of Board

I request that my name be placed on the above-named official ballot as a candidate for the office indicated below.

OFFICE SOUGHT (Include any place number or other distinguishing number, if any.)	**INDICATE TERM** ☐ FULL ☐ UNEXPIRED

FULL NAME (First, Middle, Last)	**PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT***

PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.)			**PUBLIC MAILING ADDRESS** (Address for which you receive campaign related correspondence, if available.)		
CITY	**STATE**	**ZIP**	**CITY**	**STATE**	**ZIP**

PUBLIC EMAIL ADDRESS (Address for which you receive campaign related emails, if available.)	**OCCUPATION (Do not leave blank)**	**DATE OF BIRTH**	**VOTER REGISTRATION VUID NUMBER[2] (Optional)**
		/ /	

TELEPHONE CONTACT INFORMATION (Optional)

Home: Office: Cell:

FELONY CONVICTION STATUS (You MUST check one)	**LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN**	
	IN THE STATE OF TEXAS	**IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED**
☐ I have not been finally convicted of a felony.		
☐ I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application.[3]	_____ year(s) _____ month(s)	_____ year(s) _____ month(s)

*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot.

Before me, the undersigned authority, on this day personally appeared (name of candidate)_____, who being by me here and now duly sworn, upon oath says:

"I, (name of candidate) _____, of _____ County, Texas,

being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct."

X _____
SIGNATURE OF CANDIDATE

Sworn to and subscribed before me this the _____ day of _____, _____, by _____.
(day) (month) (year) (name of candidate)

_____ _____
Signature of Officer Authorized to Administer Oath[4] Printed Name of Officer Authorized to Administer Oath

_____ Notarial or Official Seal
Title of Officer Authorized to Administer Oath

TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY:
☐ CASH ☐ CHECK ☐ MONEY ORDER ☐ CASHIERS CHECK OR ☐ PETITION IN LIEU OF A FILING FEE.

This document and $_____ filing fee or a nominating petition of _____ pages received. ☐ **Voter Registration Status Verified**

_____/_____/_____ _____/_____/_____ **(See Section 1.007)** _____
Date Received Date Accepted Signature of Filing Officer or Designee

Attachment: 2024-057 ORD Spec. Election Ward 3 signed (4247 : 2024-057 ORD Special Election Ward 3)

2-50
Prescribed by Secretary of State
Section 141.031, Chapters 143 and 144, Texas Election Code
09/2023

INSTRUCTIONS

A special election can be used to fill a vacancy only if authorized by law.

An application for a special election may not be filed until after the election is ordered. The filing deadline is governed by Section 201.054 of the Texas Election Code, and by the date the special election was ordered. The filing deadline should be stated in the election order. Please review the Secretary of State's current election law calendars for Section 201.054 deadlines.

If you have questions about the application, please contact the Secretary of State's Elections Division at 800-252-8683.

NEPOTISM LAW

The candidate must sign this statement indicating his awareness of the nepotism law. When a candidate signs the application, it is an acknowledgment that the candidate is aware of the nepotism law. The nepotism prohibitions of chapter 573, Government Code, are summarized below:

No officer may appoint, or vote for or confirm the appointment or employment of any person related within the second degree by affinity (marriage) or the third degree by consanguinity (blood) to himself, or to any other member of the governing body or court on which he serves when the compensation of that person is to be paid out of public funds or fees of office. However, nothing in the law prevents the appointment, voting for, or confirmation of anyone who has been continuously employed in the office or employment for the following period prior to the election or appointment of the officer or member related to the employee in the prohibited degree: six months, if the officer or member is elected at an election other than the general election for state and county officers.

No candidate may take action to influence an employee of the office to which the candidate is seeking election or an employee or officer of the governmental body to which the candidate is seeking election regarding the appointment or employment of a person related to the candidate in a prohibited degree as noted above. This prohibition does not apply to a candidate's actions with respect to a bona fide class or category of employees or prospective employees.

FOOTNOTES

[1]An application for a place on the ballot, including any accompanying petition, is public information immediately on its filing. (Section 141.035, Texas Election Code)

[2]Inclusion of a candidate's VUID is optional. However, many candidates are required to be registered voters in the territory from which the office is elected at the time of the filing deadline. Please visit the Elections Division of the Secretary of State's website for additional information.

[3]Proof of release from the resulting disabilities of a felony conviction would include proof of judicial clemency under Texas Code of Criminal Procedure 42A.701, proof of executive pardon under Texas Code of Criminal Procedure 48.01, or proof of a restoration of rights under Texas Code of Criminal Procedure 48.05. (Texas Attorney General Opinion KP-0251)

One of the following documents must be submitted with this application:

Judicial Clemency under Texas Code of Criminal Procedure 42A.701
Executive Pardon under Texas Code of Criminal Procedure 48.01
Restoration of Rights under Texas Code of Criminal Procedure 48.05

[4]All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace, city secretary (for a city office), and the Secretary of State of Texas. See Chapter 602 of the Texas Government Code for the complete list of persons authorized to administer oaths.

Attachment: 2024-057 ORD Spec. Election Ward 3 signed (4247 : 2024-057 ORD Special Election Ward 3)

2-50
Prescrito por el Secretario de Estado
Secciones 141.031, Chapters 143 and 144, Código Electoral de Texas
09/2023

2024-057 ATTH 01

SOLICITUD DE INSCRIPCIÓN EN LA BOLETA DE UNA ELECCIÓN ESPECIAL PARA UNA CIUDAD, DISTRITO ESCOLAR U OTRA SUBDIVISIÓN POLÍTICA

TODA LA INFORMACIÓN ES REQUERIDA A MENOS QUE SE INDIQUE COMO OPCIONAL[1]

El hecho de no proporcionar la información requerida puede resultar en el rechazo de la solicitud.

SOLICITUD DE INSCRIPCIÓN EN LA BOLETA DE UNA ELECCIÓN ESPECIAL PARA _____
(nombre de la elección)

Para: Secretario(a) de la Ciudad/ Secretario(a) del Consejo

Solicito que mi nombre se incluya en la boleta oficial mencionada anteriormente como candidato(a) para el cargo indicado a continuación.

CARGO SOLICITADO (Incluya cualquier número de cargo u otro número distintivo, si lo hay.)	**INDIQUE TÉRMINO** ☐ TÉRMINO COMPLETO ☐ TÉRMINO INCOMPLETO
NOMBRE COMPLETO (Primer Nombre, Segundo Nombre, Apellido)	**ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA***
DIRECCIÓN DE RESIDENCIA PERMANENTE (No incluya un apartado postal o una ruta rural. Si usted no tiene una dirección de residencia, describa la ubicación de la residencia.)	**DIRECCIÓN DE CORREO PÚBLICO** (Dirección en la que recibe la correspondencia relacionada con la campaña, si está disponible.)

CIUDAD	**ESTADO**	**CÓDIGO POSTAL**	**CIUDAD**	**ESTADO**	**CÓDIGO POSTAL**

DIRECCIÓN DE CORREO ELECTRÓNICO PÚBLICO (Dirección donde recibe correo electrónico relacionado con la campaña, si está disponible.)	**OCUPACIÓN (No deje este espacio en blanco)**	**FECHA DE NACIMIENTO** / /	**VUID – NÚMERO ÚNICO DE IDENTIFICACIÓN DE VOTANTE[2] (Opcional)**

INFORMACIÓN DE CONTACTO TELEFÓNICO (Opcional)

Hogar: Trabajo: Celular:

ESTADO DE CONDENA POR DELITO GRAVE (DEBE marcar uno)	**DURACIÓN DE RESIDENCIA CONTINUA A PARTIR DE LA FECHA EN QUE ESTA SOLICITUD FUE JURADA**	
	EN EL ESTADO DE TEXAS	**EN EL PRECINTO DEL QUE SE ELIGE EL CARGO BUSCADO**
☐ No he sido finalmente condenado por un delito grave.		
☐ He sido finalmente condenado por un delito grave, pero he sido indultado o liberado de otro modo de las discapacidades resultantes de esa condena por delito grave y he proporcionado prueba de este hecho con la presentación de esta solicitud.[3]	_____ año(s) _____ mes(es)	_____ año(s) _____ mes(es)

*Si usa un apodo como parte de su nombre para aparecer en la boleta, también está firmando y jurando las siguientes declaraciones: Juro además que mi apodo no constituye un lema ni contiene un título, ni indica un punto de vista o afiliación política, económica, social o religiosa. He sido comúnmente conocido por este apodo durante al menos tres años antes de esta elección. Por favor, revise las secciones 52.031, 52.032 y 52.033 del Código Electoral de Texas con respecto a las reglas sobre cómo se pueden incluir los nombres en la boleta oficial.

Ante mí, la autoridad abajo firmante, en este día apareció personalmente (nombre del candidato)_____, quien estando a mi lado aquí y ahora debidamente juramentado, bajo juramento dice:

"Yo, (nombre del candidato) _____, del condado de _____,

Texas, siendo candidato para el cargo de _____, juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy un ciudadano de los Estados Unidos elegible para ocupar dicho cargo según la Constitución y las leyes de este estado. No se me ha determinado por un fallo final de un tribunal que ejerce la jurisdicción testamentaria que esté totalmente incapacitado mentalmente o parcialmente incapacitado sin derecho a voto. Soy consciente de la ley de nepotismo según el Capítulo 573 del Código de Gobierno. Soy consciente de que debo divulgar cualquier condena previa de un delito grave y, si he sido condenado, debo proporcionar prueba de que he sido indultado o liberado de otro modo de las discapacidades resultantes de dicha condena final por delito grave. Soy consciente de que proporcionar a sabiendas información falsa en la solicitud con respecto a mi posible estado de condena por delito grave constituye un delito menor de Clase B. Juro además que las declaraciones anteriores incluidas en mi solicitud son, en todos los aspectos, verdaderas y correctas."

X _____
FIRMA DEL CANDIDATO

Jurado y suscrito ante mí este día _____ de _____ del _____ por _____.
(día) (mes) (año) (nombre de candidato)

_____
Firma del oficial autorizado para administrar el juramento[4]

_____
Nombre de oficial autorizado para administrar juramentos en letra de molde

Notarial o sello oficial

_____
Título del oficial autorizado para administrar el juramento

TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY:
☐ CASH ☐ CHECK ☐ MONEY ORDER ☐ CASHIERS CHECK OR ☐ PETITION IN LIEU OF A FILING FEE.

This document and $_____ filing fee or a nominating petition of _____ pages received. ☐ **Voter Registration Status Verified**

_____/_____/_____ _____/_____/_____ **(See Section 1.007)** _____
Date Received Date Accepted Signature of Filing Officer or Designee

Attachment: 2024-057 ORD Spec. Election Ward 3 signed (4247 : 2024-057 ORD Special Election Ward 3)

2-50
Prescrito por el Secretario de Estado
Secciones 141.031, Chapters 143 and 144, Código Electoral de Texas
09/2023

INSTRUCCIONES

Una elección especial se puede utilizar para cubrir una vacante solo si lo autoriza por la ley.

Una solicitud para una elección especial no puede ser presentada hasta después de que se ordene la elección. La fecha límite de presentación se rige por la Sección 201.054 del Código Electoral de Texas y por la fecha en que se ordenó la elección especial. La fecha límite de presentación debe indicarse en la orden de elección. Por favor, revise los calendarios actuales de la ley electoral del Secretario de Estado para la fechas límite de la Sección 201.054.

Si tiene preguntas sobre la solicitud, por favor póngase en contacto con la División de Elecciones del Secretario de Estado llamando al 800-252-8683.

LEY DE NEPOTISMO

El candidato debe firmar esta declaración indicando su conocimiento de la ley del nepotismo. Cuando un candidato firma la solicitud, es un reconocimiento de que el candidato conoce la ley del nepotismo. Las prohibiciones de nepotismo del capítulo 573, Código de Gobierno, se resumen a continuación:

Ningún funcionario puede nombrar, votar o confirmar el nombramiento o empleo de cualquier persona emparentada dentro del segundo grado por afinidad (matrimonio) o del tercer grado por consanguinidad (sangre) con sí mismo, o con cualquier otro miembro del órgano de gobierno o tribunal en el que se desempeña cuando la compensación de esa persona debe pagarse con fondos públicos o honorarios del cargo. Sin embargo, nada en la ley impide el nombramiento, la votación o la confirmación de cualquier persona que haya estado empleada continuamente en la oficina o el empleo durante el período siguiente antes de la elección o el nombramiento del funcionario o miembro emparentado con el empleado en el grado prohibido: (a) seis meses, si el funcionario o miembro es elegido en una elección que no sea la elección general para funcionarios estatales y del condado.

Ningún candidato puede tomar medidas para influir en un empleado del cargo al que aspira a ser elegido o en un empleado o funcionario del organismo gubernamental al que aspira a ser elegido en relación con el nombramiento o el empleo de una persona emparentada con el candidato en un grado prohibido, tal como se ha indicado anteriormente. Esta prohibición no se aplica a las acciones de un candidato con respecto a una clase o categoría de buena fe de empleados o empleados prospectos.

NOTAS

[1]Una solicitud para un lugar en la boleta electoral, incluida cualquier petición que la acompañe, es información pública inmediatamente después de su presentación. (Sección 141.035, Código Electoral de Texas)

[2]La inclusión del número único de identificación de votante (VUID, por sus siglas en Ingles) es opcional. Sin embargo, a muchos candidatos se les exige que estén registrados como votantes en el territorio desde el cual se elige el cargo en el momento de la fecha límite de presentación. Por favor, visite el sitio web de la Division de Elecciones de la Secretaría de Estado para obtener información adicional.

[3]La prueba de liberación de las discapacidades resultantes de una condena por un delito grave incluiría prueba de clemencia judicial según el Código de Procedimiento Penal de Texas 42A.701, prueba de indulto ejecutivo según el Código de Procedimiento Penal de Texas 48.01, o prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05. (Opinión de Fiscal General de Texas KP-0251)

Se debe enviar uno de los siguientes documentos con esta solicitud:

Clemencia judicial según el Código de Procedimiento Penal de Texas 42A.701
Prueba de indulto ejecutivo según el Código de Procedimiento Penal de Texas 48.01
Prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05

[4]Todos lo los juramentos, declaraciones juradas o afirmaciones hechas dentro de este estado pueden ser administrados y un certificado del hecho dado por un juez, secretario(a) o comisionado de cualquier tribunal de registro, un notario público, un juez de paz, secretario municipal (para una oficina de la ciudad) y el Secretario de Estado de Texas. Consulte el Capítulo 602 del Código Gobierno de Texas para obtener la lista completa de personas autorizadas a administrar juramentos.

Attachment: 2024-057 ORD Spec. Election Ward 3 signed (4247 : 2024-057 ORD Special Election Ward 3)

City of Texarkana, Texas

Version: C

Briefing Sheet

Update Date: 6/6/2024 10:24 AM

Lead Department: Water Utilities **Action Officer:** Michelle Warren,

Subject: Resolution No. 2024-062 authorizing the City Manager to execute a contract with Holistic Utility Solutions for the Revenue and Water System Loss Audit Project, in an amount not to exceed $200,000, with the Texas portion not to exceed $118,660, with funds available in the Utility's 2023-2024 budget in the Texas Capital Improvement Fund.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Consider resolution authorizing the City Manager to enter into a contract with Holistic Utility solutions for the Review of Revenue and Water System Loss Audit Project in an amount not to exceed $200,000 with the Texas portion of the project not to exceed $118,660. Texarkana Water Utilities advertised a Request for Proposals for a Revenue and Water System Loss Audit to be performed on the Utility. Five (5) firms responded to the request with two submitting their qualifications. Holistic Utility Solutions, of Grapevine, Texas, was selected from the group. The Utility is needing to perform an analysis and correction of Utility system under billings, miss-billings, and water system loss with the intent of improving accountability and rate payer equity, thereby increasing revenue for TWU. Engineering staff has reviewed the engineering fees and has determined that they are within the acceptable engineering fee range for this type of project.

Potential Options:

NONE

Fiscal Implications:

Funds are available in the Utility's 2023-2024 Budget in the Texas Capital Improvement Fund.

Staff Recommendation:

The 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. 2024-062 RES Revenue and Water Loss Audit (DOCX)
b. 2024-062 Goals & Perspectives (DOCX)
c. 2024-062 ATTH 01 Holistic Utility Solutions_TWU_Water Loss Consulting v2 (1) (PDF)
d. 2024-062 RES Revenue Water Loss Audit signed (PDF)

Staff Coordination

Water Utilities	Gary Smith	Department Head Review	Completed	05/28/2024 10:43 AM
TWU Administration	Kenny Icenhower	Review	Completed	05/28/2024 4:12 PM
Water Utilities	Michelle Warren	Water Utilities Review	Skipped	05/28/2024 10:41 AM
TWU Finance	Tricia Briggs	TWU Finance Review	Completed	05/28/2024 4:27 PM
Public Works Department	Michelle Warren	Reviewer	Skipped	05/28/2024 10:41 AM
City Manager	David Orr	City Manager Review	Completed	06/06/2024 4:34 PM
City Council	Jennifer Evans	Meeting	Completed	06/10/2024 6:00 PM

Meeting History

RESOLUTION NO. 2024-062

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH HOLISTIC UTILITY SOLUTIONS OF GRAPEVINE, TEXAS, FOR THE REVENUE AND WATER SYSTEM LOSS AUDIT PROJECT IN AN AMOUNT NOT TO EXCEED $200,000, OF WHICH THE TEXARKANA, TEXAS, PORTION WILL BE IN AN AMOUNT NOT TO EXCEED $118,660; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Texarkana Water Utilities (TWU) needs to perform an analysis and correction of the utility system under billings, miss-billings, and water system loss with the intent of improving accountability and rate payer equity, thereby increasing revenue for the Utility; and

WHEREAS, the procurement of services needed for the review of unbilled or misbilled utility services and water system loss audit is governed by the provisions of Texas Government Code Chapter 252 "Requests for Proposals;" and

WHEREAS, in keeping with the selection requirements, TWU published a request for proposals for the Review of Unbilled or Misbilled Utility Services and Water System Loss Audit, in response to which two (2) firms responded; and

WHEREAS, TWU staff considered the qualifications of those responding in terms of exhibited skills, training, and experience in dealing with projects of similar complexity and the demonstrated competence shown in having satisfactorily completed similar projects in terms of scope and difficulty, and based on those considerations, found that Holistic Utility solutions of Grapevine, Texas, is most highly qualified to provide the necessary services for this project; and

WHEREAS, Holistic Utility Solutions has proposed a fee of $200,000 with the Texas portion of the project not to exceed $118,660 for services necessary for the Revenue and Water System Loss Audit; and

WHEREAS, funds are currently available in the Texarkana Water Utilities 2023-2024 budget in the Texas Capital Improvement Fund in the amount of $118,660.

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

SECTION 1: That Holistic Utility Solutions of Grapevine, Texas, being a professional firm capable of performing a Revenue and Water System Loss Audit, be contracted to provide professional services in an amount not to exceed $200,000 with the Texarkana, Texas portion not to exceed $118,660.

SECTION 2: The City Manager be and is authorized to contract with Holistic Utility Solutions of Grapevine, Texas, for the above-described services.

Attachment: 2024-062 RES Revenue and Water Loss Audit (4250 : 2024-062 RES Contract for review of Utility services)

SECTION 3: This resolution shall be in full force and effect from and after its passage and approval.

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

ATTEST:

_____	_____
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2024-062 RES Revenue and Water Loss Audit (4250 : 2024-062 RES Contract for review of Utility services)

City of Texarkana, Texas

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

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

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

Attachment: 2024-062 Goals & Perspectives (4250 : 2024-062 RES Contract for review of Utility services)

Proposal #04262024-02

From: **Holistic Utility Solutions**
129 S. Main St. Suite 260
Grapevine, TX 76051

Contact: Ira Nicodemus
Phone/Email: 214-384-3819/ ira@holisus.com

To: **Gary Smith, P.E.**
801 Wood St.
Texarkana, TX 75501

Date: April 29, 2024
Project: REVIEW OF UNBILLED OR MISBILLED UTILITY SERVICES AND WATER SYSTEM LOSS AUDIT

Cost.....$200,000
This proposal is to provide consulting services on water system loss and unbilled/misbilled utility services. Cost is inclusive of mileage and travel.

Scope of Services

- Billing Review
  - Obtain historic billing and consumption data by month from TWU staff for up to 5 years
  - Recreate billing data based on effective rates at time of consumption and compare against actual cost collected to confirm accuracy of consumption and cost data
  - Complete a review of 1,000 randomly selected properties within TWU service area to confirm they are being properly billed for services
  - Complete a review of all TWU service accounts (approximately 29,000) to confirm they are on the proper rate tariff for their location, property classification, etc. Use statistical analysis to identify potential outliers on usage/cost that may indicate the need for additional investigation.
- Meter Testing & Field Verification
  - Test up to 10 production and/or wholesale meters either through test ports or with transit meters
  - Visit up to 100 locked or inactive accounts to confirm they are locked and do not appear to be tampered with
  - Review usage of sites with unmetered fire lines. Visit up to 25 properties with usage below the norm and install a temporary transit meter to confirm no flow through the fire service line
- Water Loss Analysis
  - Review up to 5 years of previous water loss reports submitted to TWDB and validate inputs and outputs (pending availability of relevant data)
  - Integrate meter test data from recent JCI study to revise meter under-registering portion of Apparent Water Loss study as needed
  - Calculate AWWA Performance Indicators based on available data for up to 5 years of water loss reports
  - Assign a “validity” score to each water loss balance per TWDB methodology
- Solutions Review
  - Provide high level overview of potential water loss monitoring and mitigation solutions such as pressure monitoring and control and district metering
- Savings Analysis & Report
  - Confirm Variable Production Cost (VPC) of water based on relevant inputs on electricity, chemicals, etc. Calculate cost of water loss and savings associated with potential mitigation
  - Provide written report summarizing findings with supporting data in hard copy and digital form

Attachment: 2024-062 ATTH 01 Holistic Utility Solutions_TWU_Water Loss Consulting v2 (1) (4250 : 2024-062 RES Contract for review of Utility

Client Responsibility & Deliverables

TWU is responsible for understanding the proposed entire agreement including all incorporated and referenced documents as well as the applicable industry standards to which the work is performed. TWU also agrees to provide necessary data as requested within a reasonable amount of time. By signing this agreement, the TWU confirms that they have read and accepted the Terms and Conditions.

Project Timeline

TWU will allow 30-days following contract execution for Holistic to mobilize and prepare SOV, RFI, etc. Following this period, the study is expected to take approximately 6-9 months. Up to 3 additional months may be required to complete validation of all water accounts (~30,000 accounts).

Payment Terms

Payment will be made based on an agreed upon Schedule of Values (SOV) to be provided by Holistic Utility Solutions within 30 days of contract award. SOV will outline key milestones and deliverables. Payment terms of within 30-days of receipt of invoice.

This proposal DOES NOT include:

- Engineered drawings or stamped engineering documents
- Guarantee of savings or cost of potential solutions
- Providing work outside what is listed
- Taxes/Titles/Bonds

Proposal Acceptance

_____ _____
Signature Date

_____ _____
Printed Name Title

Attachment: 2024-062 ATTH 01 Holistic Utility Solutions_TWU_Water Loss Consulting v2 (1) (4250 : 2024-062 RES Contract for review of Utility

Terms & Conditions

A. ENTIRE AGREEMENT. These Terms and Conditions, in combination with those documents incorporating them by reference, constitute the entire agreement (the "Agreement") between Holisus, LLC. d.b.a. "Holistic Utility Solutions" ("Consultant") and Texarkana Water Utilities ("Client") to perform the described services (the "Services"), and all subsequent, mutually agreed change orders. This Agreement supersedes all prior proposals or negotiations between the parties with respect to the subject Services. These terms and conditions will also apply to any contract or purchase order document issued by the Client for future services, whether or not it is expressly incorporated. In the event of any conflict between these terms and conditions and the provisions of any purchase order or other document, these terms and conditions shall control unless the conflicting document expressly supersedes specific provisions hereof. This Agreement may not be modified except in a writing executed by both parties.

B. SERVICES. The Services will be performed in material compliance with the provisions of the Agreement. Client has reviewed the Agreement in detail and agrees that the Services are appropriate to meet Client's needs and requirements. Unless specified elsewhere in the Agreement, Consultant shall furnish all technical and professional services, including labor, material, supplies, equipment, transportation, accommodation, subsistence and supervision of Consultant personnel, to perform the Services. Client acknowledges that Consultant may utilize third-party service providers in the performance of its obligations hereunder. Consultant shall at all times be an independent contractor and no persons involved in connection herewith shall be considered employees of the Client for any purpose.

C. FEES, INVOICING AND PAYMENT. Charges for all services shall be invoiced and paid in accordance with the Schedule of Values to be provided within 30 days of contract execution. Payment is due upon receipt of the invoice and Client agrees that payments shall be made within thirty (30) days of presentation of the invoice. Amounts not paid within thirty (30) days shall be subject to a late payment charge equal to the lesser of one and one-half percent (1 1/2%) per month or the maximum amount allowed by applicable law. Should any invoice be in dispute, only that portion of the invoice in dispute may be held in abeyance until the dispute is resolved. Consultant may suspend or terminate further performance under this or other agreements with Client upon reasonable notice for the non-payment of invoices. Consultant shall have no responsibility or liability in connection with the Services, and Client shall have no right to rely on any report or other materials delivered, until all invoices have been paid in full. Consultant shall be entitled to all legal fees, including but not limited to attorney's fees associated with any attempt to collect on unpaid invoices associated with the Services.

D. CONFIDENTIALITY. Information which the Client identifies as confidential upon provision to Consultant and which is not publicly available will be treated as confidential in accordance with industry customs or standards. However, Consultant shall have no liability to Client or any third party for disclosure of confidential information in notifications or reports which reveal potential issues related to the health, safety or welfare of the general public; subject to court order or other mandate; and/or further subject to public policy considerations. Consultant shall have no liability to Client or any third party for notifications or reports made in accordance with such laws or orders and Client shall defend, indemnify and hold harmless Consultant from and against any and all claims, demands, liabilities, costs and expenses, including reasonable attorney's fees, incurred by Consultant in connection with such notifications or reports.

E. LIMITATION OF LIABILITY. NEITHER PARTY WILL BE LIABLE UNDER THIS AGREEMENT FOR ANY INDIRECT, INCIDENTAL, EXEMPLARY, PUNITIVE, SPECIAL OR CONSEQUENTIAL DAMAGES INCLUDING, WITHOUT LIMITATION, ANY LOSS OF INCOME, PROFITS OR DATA OR DIMINUTION OF VALUE, EVEN IF THE OTHER PARTY HAS BEEN ADVISED OF, OR HAD REASON TO KNOW OF, THE POSSIBILITY OF SUCH DAMAGES. CLIENT AND CONSULTANT AGREE THAT CONSULTANT'S AGGREGATE LIABILITY TO THE CLIENT AND ALL THIRD PARTIES IN CONNECTION WITH THE SERVICES SHALL BE LIMITED TO GENERAL MONEY DAMAGES NOT TO EXCEED TWENTY THOUSAND DOLLARS ($20,000.00). THIS LIMITATION SHALL APPLY REGARDLESS OF THE CAUSE OF ACTION OR LEGAL THEORY PLED OR ASSERTED. THE PARTIES ACKNOWLEDGE THAT THEY HAVE CONSIDERED THE ALLOCATION OF RISK PRESENTED BY THE PROVISIONS OF THIS PARAGRAPH AND THAT THE ALLOCATION IS REASONABLE UNDER ALL FACTS AND CIRCUMSTANCES SURROUNDING THE AGREEMENT.

F. WARRANTY. Consultant warrants that the Services will be performed in a good and workmanlike manner in accordance with prevailing standards and practices applicable to the Services. CONSULTANT EXPRESSLY DISCLAIMS ANY AND ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

G. TESTING. Client recognizes and agrees that Consultant is acting as a bailee and at no time assumes title to samples collected in completion of the work and acknowledges that the act of testing may affect, alter or damage the property, terrain, vegetation, and/or building, structures and improvements at, in or upon the site. Consultant will exercise reasonable efforts to limit such alteration or damage. Unless otherwise specifically agreed, Consultant will be responsible for the cost of any required repair or restoration. Consultant may discard any and all samples immediately following analysis. Client may request, in writing, that any such samples be retained beyond such date, and in such case, Consultant will ship such samples to the location designated by Client, at Client's expense. Consultant may, upon written request, arrange for storage of samples at mutually agreed storage charges. This is the only notice of intention to discard samples that will be given.

H. RELIANCE. No party shall be allowed to use or rely on any report(s) or information generated in the completion of this project until payment in full is made to Consultant for any outstanding invoices related to the Services rendered. Client understands that Services governed by this Agreement are strictly for their sole use and benefit. The parties expressly agree that no third party, including, but not limited to, any heirs, devisees, representatives, successors, assigns, affiliates, and subsidiaries of the parties or any partnership, corporation or other entity controlled by the parties or which control the parties, may rely on or raise any claim relating to the Services or this Agreement.

I. INDEMNIFICATION. In the event that Client permits a third-party to rely upon this Agreement, the Services, and/or reports provided by Consultant in breach of Paragraph H of this Agreement and said third-party files a claim or lawsuit against Consultant relating to this Agreement, the Services, and/or reports provided by Consultant, Client agrees to indemnify and hold Consultant harmless from any damages, losses, liabilities, and costs, including, but not limited to, reasonable attorney fees, costs, and expert witness fees, arising from any such third-party claim or lawsuit.

J. NON-SOLICITATION. Client shall not hire nor solicit for employment any of Consultant's employees for a period of one (1) year subsequent to any services rendered by Consultant for Client. In the event of Client's breach of this covenant, Consultant may seek any and all remedies including but not limited to an injunction; attorney fees and costs to enforce this provision; and monetary damages based upon the employee's previous annual salary and all costs related to training.

K. TERMINATION. This Agreement may only be terminated prior to substantial completion of the services by Consultant, by mutual consent, or by notice by either party in writing. In the event of termination prior to completion of the Services (i) by Client for any reason, or (ii) by Consultant due to the breach of this Agreement by Client, Consultant reserves the right to complete such analyses and records as are necessary to place its files in order and, where considered by Consultant as necessary to protect its professional reputation, to complete a report on Services performed to date. Consultant shall have the right to receive a reasonable termination charge to cover such costs and to be compensated for all Services performed prior to and in connection with such termination. In the event of termination, client shall have no rights of use or reliance upon the work. Paragraphs A, C, D, E, F, I, J, K, L, M, N, O, P, Q and R shall survive termination.

L. RESOLUTION OF DISPUTES. This Agreement shall be governed by, subject to, and construed in accordance with the laws of the state of Texas, without regard to its conflict of law provisions or the conflict of law provisions of any other jurisdiction. With the exception of disputes arising from failure to pay any invoices or fees for services rendered, any claim, controversy, or action arising out of, or related to, this Agreement or the alleged breach thereof, shall be submitted to mandatory non-binding mediation through a third-party mediator to be agreed upon by the Consultant and the moving party. A "Notice of Mediation" shall be served by any party to commence the mediation process. The service of the Notice of Mediation shall stay the running of the limitations period set forth in Paragraph M herein for a period of 60 days unless a longer or shorter period of time is agreed to by the parties. In the event that the parties cannot reach a resolution through mediation, the parties may proceed to litigate their claims in Court. Any litigation so instituted shall be filed and litigated

Attachment: 2024-062 ATTH 01 Holistic Utility Solutions_TWU_Water Loss Consulting v2 (1) (4250 : 2024-062 RES Contract for review of Utility

in accordance with the laws of the State of Texas, and subject to Paragraph L herein. With the exception of disputes arising from failure to pay invoices or fees for services rendered, each party shall pay the fees of its own attorneys, and the expenses of its witnesses and all other expenses connected with the presentation of its case.

M. LIMITATIONS PERIOD. Neither party shall initiate any claim or action against the other more than eighteen (18) months after the date from which all final reports for services performed by Consultant are submitted by Consultant to Client. The parties further expressly agree that this Limitations Period is reasonable, unambiguous and shall not be subject to modification or the delayed discovery rule unless expressly agreed to by the parties in writing.

N. CORPORATE PROTECTION. It is intended by the parties to this Agreement that Consultant's services in connection with the project shall not subject Consultant's employees, officers, or directors to any personal legal exposure for risks associated with this project. Therefore, the Client agrees that as Client's sole and exclusive remedy, any claim, demand or action shall be directed and/or asserted only against Consultant, a Texas LLC, and not against any of Consultant's employees, officers, or directors.

O. NO WAIVER. The failure of either party to exercise any right or remedy hereunder or to take any action permitted on a breach by the other party shall not be deemed a waiver of such right or remedy or of any other rights or subsequent breach of a like or different nature.

P. SEVERABILITY. The provisions of this Agreement are severable. The invalidity of any part of this Agreement shall not invalidate the remainder of the Agreement or the remainder of any portion hereof.

Q. RETENTION OF CONSULTANT'S DOCUMENTS. With the exception of Consultant submittals to Client, all documents, including, without limitation, historical research, field data, field notes, laboratory test data, calculations and analyses prepared as instruments of service shall remain the property of Consultant. Consultant will retain all pertinent records relating to the services performed for a period of eighteen months following the completion of Consultant's services. After this period, they may be discarded.

R. NO ASSIGNMENT. Neither party shall assign their rights under this Agreement to any third party, including, but not limited to, any heirs, devisees, representatives, successors, assigns, affiliates, and subsidiaries of the parties or any partnership, corporation or other entity controlled by the parties or which control the parties without the prior written consent of the other, which consent shall not be unreasonably withheld or delayed. Each party, and the person executing on behalf of such party, represent and warrant that such person has the full power and authority to bind the party represented.

S. SUBCONTRACTORS. Consultant may subcontract any part of its performance under this Contract. Any subcontractor shall be treated under the Contract as if they were employees of Consultant, except in regard to fees

Attachment: 2024-062 ATTH 01 Holistic Utility Solutions_TWU_Water Loss Consulting v2 (1) (4250 : 2024-062 RES Contract for review of Utility

2024-062 ATTH 01

Packet Pg. 46

RESOLUTION NO. 2024-062

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH HOLISTIC UTILITY SOLUTIONS OF GRAPEVINE, TEXAS, FOR THE REVENUE AND WATER SYSTEM LOSS AUDIT PROJECT IN AN AMOUNT NOT TO EXCEED $200,000, OF WHICH THE TEXARKANA, TEXAS, PORTION WILL BE IN AN AMOUNT NOT TO EXCEED $118,660; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Texarkana Water Utilities (TWU) needs to perform an analysis and correction of the utility system under billings, miss-billings, and water system loss with the intent of improving accountability and rate payer equity, thereby increasing revenue for the Utility; and

WHEREAS, the procurement of services needed for the review of unbilled or misbilled utility services and water system loss audit is governed by the provisions of Texas Government Code Chapter 252 "Requests for Proposals;" and

WHEREAS, in keeping with the selection requirements, TWU published a request for proposals for the Review of Unbilled or Misbilled Utility Services and Water System Loss Audit, in response to which two (2) firms responded; and

WHEREAS, TWU staff considered the qualifications of those responding in terms of exhibited skills, training, and experience in dealing with projects of similar complexity and the demonstrated competence shown in having satisfactorily completed similar projects in terms of scope and difficulty, and based on those considerations, found that Holistic Utility solutions of Grapevine, Texas, is most highly qualified to provide the necessary services for this project; and

WHEREAS, Holistic Utility Solutions has proposed a fee of $200,000 with the Texas portion of the project not to exceed $118,660 for services necessary for the Revenue and Water System Loss Audit; and

WHEREAS, funds are currently available in the Texarkana Water Utilities 2023-2024 budget in the Texas Capital Improvement Fund in the amount of $118,660.

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

SECTION 1: That Holistic Utility Solutions of Grapevine, Texas, being a professional firm capable of performing a Revenue and Water System Loss Audit, be contracted to provide professional services in an amount not to exceed $200,000 with the Texarkana, Texas portion not to exceed $118,660.

SECTION 2: The City Manager be and is authorized to contract with Holistic Utility Solutions of Grapevine, Texas, for the above-described services.

Attachment: 2024-062 RES Revenue Water Loss Audit signed (4250 : 2024-062 RES Contract for review of Utility services)

SECTION 3: This resolution shall be in full force and effect from and after its passage and approval.

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

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:35 p.m.

Attachment: 2024-062 RES Revenue Water Loss Audit signed (4250 : 2024-062 RES Contract for review of Utility services)

City of Texarkana, Texas

Version: C

Briefing Sheet

Update Date: 6/7/2024 10:24 AM

Lead Department: Water Utilities **Action Officer:** Michelle Warren,

Subject: Resolution No. 2024-063 authorizing the City Manager to execute a contract for the Spring Lake Park 6" Water and Sewer Relocation Project in an amount not to exceed $233,351.40. Funds are available in the Utility's 2023-2024 budget in the Texas Capital Improvement Fund at $233,351.40.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Bids were received Tuesday, May 28, 2024, for the Spring Lake Park 6" Water and Sewer Relocation Project. Two (2) contractors bid on the project. RBIS, LLC. of Texarkana, Arkansas was the apparent low bidder with a low Base Bid of $233,351.40. This project consists of installing approximately 1,115 feet of 6" water mains, two tapping valves, 233 feet of 6" sewer main, two manholes, and appurtenant utility improvements. RBIS, LLC has successfully completed several jobs for the Utility including the Kings Highway water and sewer relocation Project and the IH30 10" Sewer Crossing Replacement Project.

Potential Options:

- None

Fiscal Implications:

Funds are available in the Utility's 2023-2024 Budget in the Texas Capital Improvement Fund at $233,351.40.

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. 2024-063 Goals & Perspectives (DOCX)
b. 2024-063 RES Spring Lake Pk Water & Sewer Relocations (DOCX)
c. 2024-063 ATTH 02 BID TAB Spring Lake Park (PDF)
d. 2024-063 ATTH 01 Bid Summary (DOCX)
e. 2024-063 RES SLP Water Sewer Relocation signed (PDF)

Staff Coordination

Water Utilities	Gary Smith	Department Head Review	Completed	05/29/2024 8:27 AM
TWU Administration	Kenny Icenhower	Review	Completed	05/29/2024 8:47 AM
TWU Finance	Tricia Briggs	TWU Finance Review	Completed	05/29/2024 9:06 AM
City Manager	David Orr	City Manager Review	Completed	06/06/2024 4:34 PM
City Council	Jennifer Evans	Meeting	Completed	06/10/2024 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: 2024-063 Goals & Perspectives (4251 : 2024-063 RES Contract For Spring Lake Park Water/Sewer Relocation Project)

RESOLUTION NO. 2024-063

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND EXECUTE A CONTRACT WITH RBIS, LLC OF TEXARKANA, ARKANSAS, IN AN AMOUNT NOT TO EXCEED $233,351.40 FOR THE SPRING LAKE PARK 6" WATER AND SEWER RELOCATION PROJECT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on May 28, 2024, two (2) bids were received, a copy of which is attached hereto as **ATTH 01**, by Texarkana Water Utilities for the Spring Lake Park 6" Water and Sewer Relocation Project; and

WHEREAS, the project will consist of installing 1,115 feet of 6" water main, 233 feet of 6" sewer main, two tapping valves, two manholes, and related appurtenances; and

WHEREAS, the lowest and best bid by a responsible vendor for this project was submitted by RBIS, LLC. of Texarkana, Arkansas, a copy of which is attached hereto as **ATTH 02** in an amount not to exceed $233,351.40; and

WHEREAS, funds are available in the Texarkana Water Utilities 2023-2024 budget in the Texas Capital Improvement Fund in the amount of $233,351.40.

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

SECTION 1: The lowest and best bid by a responsible vendor, submitted by RBIS, LLC of Texarkana, Arkansas, a copy of which is attached hereto as **ATTH 02** be and is hereby approved in an amount not to exceed $233,351.40 for the installation of 1,115 feet of 6" water mains, 233 feet of 6" sewer main, two tapping valves, two manholes, and related appurtenances for the Spring Lake Park 6" Water and Sewer Relocations Project.

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

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

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

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2024-063 RES Spring Lake Pk Water & Sewer Relocations (4251 : 2024-063 RES Contract For Spring Lake Park Water/Sewer

Bid Tabulation
SPRING LAKE PARK 6" WATER/SEWER RELOCATION
Project No. 62-000-135111-T122429
MAY 28, 2024
2:00 PM

BASE BID:							
				Rorie Stone Construction		RBIS, LLC	
				New Boston, TX		Texarkana, TX	
Item	Quantity	Unit	Description	Unit Price	Total Bid	Unit Price	Total Price
1	1	LS	Mobilization, Bonds, & Submittals	$32,025.00	$32,025.00	$28,250.00	$28,250.00
2	13.48	STA	Right of Way Preparation	$550.00	$7,414.00	$1,200.00	$16,176.00
3	1	EA	30" X 6" Tapping Sleeve and Valve	$8,200.00	$8,200.00	$7,365.00	$7,365.00
4	1	EA	6" X 6" (AC) Tapping Sleeve and Valve	$7,200.00	$7,200.00	$5,935.00	$5,935.00
5	105	LF	Furnish & Install 6" C-900 PVC by Bore	$69.00	$7,245.00	$75.00	$7,875.00
6	75	LF	Furnish & Install 6" Certa-Lok PVC by Bore	$99.00	$7,425.00	$85.00	$6,375.00
7	935	LF	Furnish & Install 6" C-900 PVC by Open Cut	$36.00	$33,660.00	$29.00	$27,115.00
8	2	EA	1" Short Water Service	$3,850.00	$7,700.00	$3,540.00	$7,080.00
9	3	EA	2" Short Water Service	$7,500.00	$22,500.00	$9,991.00	$29,973.00
10	5	EA	Kill-Out Old Water Meters at Corp Stop	$1,000.00	$5,000.00	$1,220.00	$6,100.00
11	1	EA	Relocate Existing Fire Hydrant Assembly	$9,500.00	$9,500.00	$9,780.00	$9,780.00
12	1	EA	Furnish & Install Fire Hydrant Assembly	$9,800.00	$9,800.00	$6,496.00	$6,496.00
13	2	EA	Cut, Plug and Abandon Exist 6" Water Main	$2,575.00	$5,150.00	$2,085.00	$4,170.00
14	6	EA	Cut, Plug and Abandon Exist 6" Sewer Main	$2,575.00	$15,450.00	$2,407.00	$14,442.00
15	3	EA	Remove Manhole	$1,550.00	$4,650.00	$5,400.00	$16,200.00
16	2	EA	Furnish & Install Standard 0-6' Manhole	$4,450.00	$8,900.00	$5,890.00	$11,780.00
17	2	VF	Extra Vertical Depth	$1,200.00	$2,400.00	$745.00	$1,490.00
18	190.5	LF	Furnish & Install 6" SDR-26 PVC by Open Cut	$60.00	$11,430.00	$44.00	$8,382.00
19	43	LF	Furnish & Install 6" SDR-26 PVC by Bore	$145.00	$6,235.00	$105.00	$4,515.00
20	1	LS	Furnish & Install Trench Protection	$15,000.00	$15,000.00	$6,000.00	$6,000.00
21	48	LF	Furnish & Install Silt Fence	$20.00	$960.00	$25.00	$1,200.00
22	2502	SY	Cellulose Fiber Mulch Seeding	$9.15	$22,893.30	$1.20	$3,002.40
23	1	LS	Maintain Erosion Control Measures	$10,000.00	$10,000.00	$1,250.00	$1,250.00
24	1	LS	Furnish & Install Traffic Control	$10,000.00	$10,000.00	$2,400.00	$2,400.00
			TOTAL BASE BID		$270,737.30		$233,351.40

Prepared by Len McBride, E.I.T.
Certified Correct

_____
Len McBride, Design Engineer, TWU

Attachment: 2024-063 ATTH 02 BID TAB Spring Lake Park (4251 : 2024-063 RES Contract For Spring Lake Park Water/Sewer Relocation Project)

Attachment: 2024-063 ATTH 01 Bid Summary (4251 : 2024-063 RES Contract For Spring Lake Park Water/Sewer Relocation Project)

Bid Summary

Spring Lake Park
6" Water & Sewer Relocations

Tuesday, May 28, 2024, 2:00 P.M.

		Base Bid
1.	Rorie Stone Construction New Boston, Texas	$270,737.30
2.	RBIS, LLC Texarkana, Arkansas	$233,351.40

Time First Bid Opened:	2:00 P.M
Number of Bidders:	2
Apparent Low Bidder:	RBIS, LLC

RESOLUTION NO. 2024-063

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND EXECUTE A CONTRACT WITH RBIS, LLC OF TEXARKANA, ARKANSAS, IN AN AMOUNT NOT TO EXCEED $233,351.40 FOR THE SPRING LAKE PARK 6" WATER AND SEWER RELOCATION PROJECT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on May 28, 2024, two (2) bids were received, a copy of which is attached hereto as **ATTH 01**, by Texarkana Water Utilities for the Spring Lake Park 6" Water and Sewer Relocation Project; and

WHEREAS, the project will consist of installing 1,115 feet of 6" water main, 233 feet of 6" sewer main, two tapping valves, two manholes, and related appurtenances; and

WHEREAS, the lowest and best bid by a responsible vendor for this project was submitted by RBIS, LLC. of Texarkana, Arkansas, a copy of which is attached hereto as **ATTH 02** in an amount not to exceed $233,351.40; and

WHEREAS, funds are available in the Texarkana Water Utilities 2023-2024 budget in the Texas Capital Improvement Fund in the amount of $233,351.40.

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

SECTION 1: The lowest and best bid by a responsible vendor, submitted by RBIS, LLC of Texarkana, Arkansas, a copy of which is attached hereto as **ATTH 02** be and is hereby approved in an amount not to exceed $233,351.40 for the installation of 1,115 feet of 6" water mains, 233 feet of 6" sewer main, two tapping valves, two manholes, and related appurtenances for the Spring Lake Park 6" Water and Sewer Relocations Project.

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

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

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

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:35 p.m.

Attachment: 2024-063 RES SLP Water Sewer Relocation signed (4251 : 2024-063 RES Contract For Spring Lake Park Water/Sewer Relocation

Bid Tabulation
SPRING LAKE PARK 6" WATER/SEWER RELOCATION
Project No. 62-000-135111-T122429
MAY 28, 2024
2:00 PM

BASE BID:							
				Rorie Stone Construction		RBIS, LLC	
				New Boston, TX		Texarkana, TX	
Item	Quantity	Unit	Description	Unit Price	Total Bid	Unit Price	Total Price
1	1	LS	Mobilization, Bonds, & Submittals	$32,025.00	$32,025.00	$28,250.00	$28,250.00
2	13.48	STA	Right of Way Preparation	$550.00	$7,414.00	$1,200.00	$16,176.00
3	1	EA	30" X 6" Tapping Sleeve and Valve	$8,200.00	$8,200.00	$7,365.00	$7,365.00
4	1	EA	6" X 6" (AC) Tapping Sleeve and Valve	$7,200.00	$7,200.00	$5,935.00	$5,935.00
5	105	LF	Furnish & Install 6" C-900 PVC by Bore	$69.00	$7,245.00	$75.00	$7,875.00
6	75	LF	Furnish & Install 6" Certa-Lok PVC by Bore	$99.00	$7,425.00	$85.00	$6,375.00
7	935	LF	Furnish & Install 6" C-900 PVC by Open Cut	$36.00	$33,660.00	$29.00	$27,115.00
8	2	EA	1" Short Water Service	$3,850.00	$7,700.00	$3,540.00	$7,080.00
9	3	EA	2" Short Water Service	$7,500.00	$22,500.00	$9,991.00	$29,973.00
10	5	EA	Kill-Out Old Water Meters at Corp Stop	$1,000.00	$5,000.00	$1,220.00	$6,100.00
11	1	EA	Relocate Existing Fire Hydrant Assembly	$9,500.00	$9,500.00	$9,780.00	$9,780.00
12	1	EA	Furnish & Install Fire Hydrant Assembly	$9,800.00	$9,800.00	$6,496.00	$6,496.00
13	2	EA	Cut, Plug and Abandon Exist 6" Water Main	$2,575.00	$5,150.00	$2,085.00	$4,170.00
14	6	EA	Cut, Plug and Abandon Exist 6" Sewer Main	$2,575.00	$15,450.00	$2,407.00	$14,442.00
15	3	EA	Remove Manhole	$1,550.00	$4,650.00	$5,400.00	$16,200.00
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17	2	VF	Extra Vertical Depth	$1,200.00	$2,400.00	$745.00	$1,490.00
18	190.5	LF	Furnish & Install 6" SDR-26 PVC by Open Cut	$60.00	$11,430.00	$44.00	$8,382.00
19	43	LF	Furnish & Install 6" SDR-26 PVC by Bore	$145.00	$6,235.00	$105.00	$4,515.00
20	1	LS	Furnish & Install Trench Protection	$15,000.00	$15,000.00	$6,000.00	$6,000.00
21	48	LF	Furnish & Install Silt Fence	$20.00	$960.00	$25.00	$1,200.00
22	2502	SY	Cellulose Fiber Mulch Seeding	$9.15	$22,893.30	$1.20	$3,002.40
23	1	LS	Maintain Erosion Control Measures	$10,000.00	$10,000.00	$1,250.00	$1,250.00
24	1	LS	Furnish & Install Traffic Control	$10,000.00	$10,000.00	$2,400.00	$2,400.00
			TOTAL BASE BID		$270,737.30		$233,351.40

Prepared by Len McBride, E.I.T.
Certified Correct

Len McBride, Design Engineer, TWU

Attachment: 2024-063 RES SLP Water Sewer Relocation signed (4251 : 2024-063 RES Contract For Spring Lake Park Water/Sewer Relocation

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 6/4/2024 10:26 AM

Lead Department: Information Technology **Action Officer:** Brandon Uselton, IT Director

Subject: Resolution No. 2024-064 approving an interlocal fiber optic network agreement with Pleasant Grove Independent School District.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

An agreement between the City of Texarkana Texas and Pleasant Grove Independent School District where the City of Texarkana provides Fiber optic connectivity and support, with Pleasant Grove Independent School District paying for supplies and labor.

Potential Options:

None

Fiscal Implications:

None, all costs reimbursed by Pleasant Grove Independent School District

Staff Recommendation:

Staff recommends Approval

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2024-064 RES City PGISD Fiber Interlocal (DOCX)
b. 2024-064 EXH 'A' Fiber Optic Network Agreement PGISD (DOCX)
c. 2024-064 Goals & Perspectives (DOCX)

d. 2024-064 RES IA w PGISD Fiber Network signed (PDF)

Staff Coordination

Information Technology	Completed	Brandon Uselton 05/29/2024 2:54 PM	Department Head Review	
Water Utilities 4:02 PM	Gary Smith	Review	Completed	05/29/2024
City Manager 4:34 PM	David Orr	City Manager Review	Completed	06/06/2024
City Council 6:00 PM	Jennifer Evans	Meeting	Completed	06/10/2024

Meeting History

RESOLUTION NO. 2024-064

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AN INTERLOCAL AGREEMENT WITH PLEASANT GROVE INDEPENDENT SCHOOL DISTRICT FOR UTILIZATION OF THE CITY'S FIBER OPTIC NETWORK; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 791 of the Texas Government Code authorizes interlocal cooperative agreements between governmental entities; and

WHEREAS, performance of the respective governmental functions of the City of Texarkana, Texas, (the City) and Pleasant Grove Independent School District (PGISD) utilizes and relies upon high-speed data transmission capability via fiber optic cable; and

WHEREAS, the City and PGISD intend to enter into a "Fiber Optic Network Usage Agreement", attached hereto as **Exhibit "A"** and incorporated herein by reference for all purposes, to conserve the public's resources, avoid duplication of services, and maximize operational efficiency by formalizing a framework for the purchase, installation, and maintenance of a fiber optic network owned by the City and utilized by PGISD that will separately link the various facilities of both the City and PGISD.

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

SECTION 1: The City Council approves the "Fiber Optic Network Usage Agreement" attached hereto as **Exhibit "A"** and approves the exercise of the City Manager's authority to execute said agreement on behalf of the City.

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

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

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2024-064 RES City PGISD Fiber Interlocal (4252 : 2024-064 RES Interlocal Fiber Agreement with PGISD)

FIBER OPTIC NETWORK USAGE AGREEMENT

The FIBER OPTIC NETWORK USAGE Agreement states the City of Texarkana's fiber optic network usage policy in which each joining entity must accept and adhere to.

I. CONTRACTING PARTIES:

Receiving Agency: Pleasant Grove Independent School

District (PGISD) Providing Agency: City of Texarkana, TX

dba TWU

II. STATEMENT OF OWNERSHIP, ACCESS AND USAGE:

The City of Texarkana (dba TWU) fiber optic network access and usage is strictly limited to governmental agencies, public school districts and higher educational institutes; no for-profit entity will be allowed to operate/conduct business on the network.
TWU owns and maintains all *outside plantfiber optics*.*
PGISD maintains usage rights to their assigned fiber optic strands.

III. STATEMENT OF OBJECTIVE AND SERVICES:

PGISD and TWU are entering into a working coalition to provide fiber optic connectivity to PGISD identified facilities. TWU will add fiber optic connectivity to City facilities that are in close proximity of the proposed fiber optic routes. PGISD will be assigned the agreed upon number of fiber optic strands per route.

IV. CONTRACT AMOUNT:

PGISD will be responsible to pay TWU for all associated cost involving the installation, maintenance and repair of the outside plant fiber optics. PGISD will be billed for labor in 15-minute increments, at the rate of $85 per hour per team. A team consists of two individual technicians.

V. TERMINATION:

This Agreement may be terminated at any time by PGISD or TWU, with or without cause, upon one hundred and eighty (180) days written notice to the other party. Upon termination, access to the outside plant fiber optic network will be removed from all PGISD locations.

***** = *"Outside plantfiber optics"* refers to all fiber optic related materials, which include but not Limited to fiber optic cabling, termination supplies, pole hardware and permits.

The undersigned parties bind themselves to the faithful performance of this contract.

PROVIDING AGENCY	**RECEIVING AGENCY**
City of Texarkana, TX dba TWU	Pleasant Grove Independent School District (PGISD)
_____	_____
City Manager, City of Texarkana	Superintendent, Pleasant Grove Independent School District
_____	_____
Date	Date

Attachment: 2024-064 EXH 'A' Fiber Optic Network Agreement PGISD (4252 : 2024-064 RES Interlocal Fiber Agreement with PGISD)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2024-064 Goals & Perspectives (4252 : 2024-064 RES Interlocal Fiber Agreement with PGISD)

RESOLUTION NO. 2024-064

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AN INTERLOCAL AGREEMENT WITH PLEASANT GROVE INDEPENDENT SCHOOL DISTRICT FOR UTILIZATION OF THE CITY'S FIBER OPTIC NETWORK; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 791 of the Texas Government Code authorizes interlocal cooperative agreements between governmental entities; and

WHEREAS, performance of the respective governmental functions of the City of Texarkana, Texas, (the City) and Pleasant Grove Independent School District (PGISD) utilizes and relies upon high-speed data transmission capability via fiber optic cable; and

WHEREAS, the City and PGISD intend to enter into a "Fiber Optic Network Usage Agreement", attached hereto as **Exhibit "A"** and incorporated herein by reference for all purposes, to conserve the public's resources, avoid duplication of services, and maximize operational efficiency by formalizing a framework for the purchase, installation, and maintenance of a fiber optic network owned by the City and utilized by PGISD that will separately link the various facilities of both the City and PGISD.

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

SECTION 1: The City Council approves the "Fiber Optic Network Usage Agreement" attached hereto as **Exhibit "A"** and approves the exercise of the City Manager's authority to execute said agreement on behalf of the City.

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

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

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:35p.m.

Attachment: 2024-064 RES IA w PGISD Fiber Network signed (4252 : 2024-064 RES Interlocal Fiber Agreement with PGISD)

FIBER OPTIC NETWORK USAGE AGREEMENT

The FIBER OPTIC NETWORK USAGE Agreement states the City of Texarkana's fiber optic network usage policy in which each joining entity must accept and adhere to.

I. CONTRACTING PARTIES:

Receiving Agency: Pleasant Grove Independent School

District (PGISD) Providing Agency: City ofTexarkana, TX

dba TWU

II. STATEMENT OF OWNERSHIP, ACCESS AND USAGE:

The City ofTexarkana (dba TWU) fiber optic network access and usage is strictly limited to governmental agencies, public school districts and higher educational institutes; no for-profit entity will be allowed to operate/conduct business on the network.
TWU owns and maintains all *outside plantfiber optics**.
PGISD maintains usage rights to their assigned fiber optic strands.

III. STATEMENT OF OBJECTIVE AND SERVICES:

PGISD and TWU are entering into a working coalition to provide fiber optic connectivity to PGISD identified facilities. TWU will add fiber optic connectivity to City facilities that are in close proximity ofthe proposed fiber optic routes. PGISD will be assigned the agreed upon number of fiber optic strands per route.

IV. CONTRACT AMOUNT:

PGISD will be responsible to pay TWU for all associated cost involving the installation, maintenance and repair ofthe outside plant fiber optics. PGISD will be billed for labor in 15-minute increments, at the rate of $85 per hour per team. A team consists of two individual technicians.

V. TERMINATION:

This Agreement may be terminated at any time by PGISD or TWU, with or without cause, upon one hundred and eighty (180) days written notice to the other party. Upon termination, access to the outside plant fiber optic network will be removed from all PGISD locations.

* = *"Outside plantfiber optics"* refers to all fiber optic related materials, which include but not Limited to fiber optic cabling, termination supplies, pole hardware and permits.

The undersigned parties bind themselves to the faithful performance of this contract.

PROVIDING AGENCY

City of Texarkana, TX dba TWU

City Manager, City of Texarkana

6/11/24
Date

RECEIVING AGENCY

Pleasant Grove Independent School District (PGISD)

Superintendent, Pleasant Grove Independent School District

6/19/2024
Date

Attachment: 2024-064 RES IA w PGISD Fiber Network signed (4252 : 2024-064 RES Interlocal Fiber Agreement with PGISD)

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 5/31/2024 11:32 AM

Lead Department: Public Works Department **Action Officer:** Dusty Henslee,

Subject: Resolution No. 2024-065 amending the Highly Qualified Professional Services Providers for future architectural projects.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

City Council approved Resolution 2023-148 (ATTH 01) which consisted of an approved list for providers for future engineering, surveying, and architectural services. In this resolution, it also gave the approval to amend this list if a provider decided to submit a response that meets all requirements of the original RFQ and was determined to be highly competent.

Bill Patton, Architect of Texarkana, AR submitted his qualifications to the City for consideration. His proposal was reviewed, and he was determined to be highly competent for Architectural Services. Therefore, staff is proposing to amend the architectural list to include Bill Patton.

Potential Options:

- Approve amending list
- Not approve amending list

Fiscal Implications:

None

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2024-065 RES list arch services (jcl rev) (DOCX)
b. 2024-065 ATTH 01 2023-148 RES Prof. Svc. Arch. Eng. Survey. signed (PDF)
c. 2024-065 ATTH 02 Scoring Tabulation (PDF)
d. 2024-065 Goals & Perspectives (DOCX)
e. 2024-065 RES amd Prof. Svcs. Architectural signed (PDF)

Staff Coordination

Public Works Department	Completed	Dusty Henslee	Department Head Review	05/31/2024 10:43 AM
City Attorney	Jeffery C. Lewis	Review	Completed	05/31/2024 11:33 AM
Finance Department	Kristin Peeples	Review	Completed	06/06/2024 5:09 PM
City Manager	David Orr	City Manager Review	Completed	06/07/2024 10:02 AM
City Council	Jennifer Evans	Meeting	Completed	06/10/2024 6:00 PM

Meeting History

Attachment: 2024-065 RES list arch services (jcl rev) (4260 : 2024-065 RES Amending Professional Service Providers for Architectural Projects)

RESOLUTION NO. 2024-065

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE HIGHLY QUALIFIED PROFESSIONAL SERVICES PROVIDERS FOR USE BY CITY ADMINISTRATION ON FUTURE ARCHITECTURAL PROJECTS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 2254, Subchapter A, of the Texas Government Code provides for procuring architectural, engineering, or land surveying services, directing a governmental entity to first select the most highly qualified provider of those services on the basis of demonstrated competence and qualifications, and thereafter negotiate with that provider a contract at a fair and reasonable price; and

WHEREAS, the City Council approved Resolution No. 2023-148 that included a list of highly competent providers for architectural services; and

WHEREAS, the City Council has the right to modify that list if a provider submits qualifications and the provider is determined to be highly competent; and

WHEREAS, Bill Patton, Architect of Texarkana, Arkansas, submitted his qualifications, and he was determined to be highly competent to perform architectural services; and

WHEREAS, the Public Works Department submits and recommends to the City Council that the professional services for architectural providers listed in Section 1 of this Resolution be amended to include Bill Patton, Architect, as he received the highest ranking in this respective category on the basis of demonstrated competence and qualifications, thus warranting said addition to the listing of the most "highly qualified" providers for use by City administration on future architectural projects, as applicable, subject to the contract negotiation process as required by law and City purchasing policies.

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

SECTION 1: The City Council adopts and approves the following professional services providers as the most highly qualified providers of architectural projects and services on the basis of demonstrated competence and qualifications, each provider receiving the highest ranking in their respective category of professional services following an evaluation of responses to a request for qualifications; and subject to Section 2 of this Resolution, these providers may be utilized by City administration on future architectural projects:

Architectural:	KSA
	McCarty/Westwood
	Bill Patton, Architect

SECTION 2: City administration shall follow the requirements of negotiating contracts for professional services from a particular provider pursuant to Chapter 2254, Subchapter A, of the

Texas Government Code, and proposed contracts shall be submitted for approval to the City Council or, if applicable pursuant to City purchasing policies, to the City Manager.

SECTION 3: The City Council may consider amending the list of providers set out in Section 1 of this Resolution in the event a professional services provider for one or more of the project categories identified in the RFQ desires to submit a response to the RFQ, and that provider is evaluated by the Public Works Department as highly competent, meeting all submittal requirements, and is recommended for inclusion.

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

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

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2024-065 RES list arch services (jcl rev) (4260 : 2024-065 RES Amending Professional Service Providers for Architectural Projects)

RESOLUTION NO. 2023-148

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ADOPTING AND APPROVING HIGHLY QUALIFIED PROFESSIONAL SERVICES PROVIDERS FOR USE BY CITY ADMINISTRATION ON FUTURE ARCHITECTURAL, ENGINEERING, OR SURVEYING PROJECTS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 2254, Subchapter A, of the Texas Government Code provides for procuring architectural, engineering, or land surveying services, directing a governmental entity to first select the most highly qualified provider of those services on the basis of demonstrated competence and qualifications, and thereafter negotiate with that provider a contract at a fair and reasonable price; and

WHEREAS, the Public Works Department issued a request for qualifications, RFQ 23-1901-12 ("the RFQ"), inviting responders to submit information on competence and qualifications to perform professional architectural, engineering, and surveying services as needed by the City; and

WHEREAS, the RFQ identified the following project categories and invited responders to submit responses to one or more categories of projects listed:

Architectural Projects
- New or remodels of existing facilities related to architectural design

Engineering Projects
- Street Construction Design Projects - new and reconstruction type projects
- Hydrology Projects - drainage studies, FEMA and floodplain related projects, and new and rehabilitation drainage infrastructure improvement projects
- Utility Infrastructure Projects – new and rehabilitation of water and sanitary sewer systems
- Geotechnical – soil testing and classifications and pavement, foundation, and subgrade designs

Land Surveying Projects
- Boundary surveying
- Topographic surveying
- ROW and Easement Document preparation and acquisition
- Legal descriptions preparation

WHEREAS, the RFQ established the following ranking divisions and evaluative criteria:

Ranking divisions:
- Highly competent
- Competent
- Not ranked

Attachment: 2024-065 ATTH 01 2023-148 RES Prof. Svc. Arch. Eng. Survey. signed (4260 : 2024-065 RES Amending Professional Service

Evaluative criteria for each of the project categories:

- Organization & qualifications
- Category-specific project experience
- Capacity to deliver services timely
- Professional licensure, credentials, and references
- Demonstrated competence on specific City projects
- Capacity to secure insurance per City requirements

WHEREAS, the RFQ gave notice to responders that all qualifications determined to be highly competent and meeting submittal requirements will be recommended and ranked, as may be applicable, to the City Council for consideration of adopting and approving a list of professional architects, engineers, and surveyors generally familiar with the needs of the City of Texarkana, Texas, for use by City administration on future architectural, engineering, or surveying projects, as applicable; and

WHEREAS, the Public Works Department evaluated the submissions received to the RFQ and ranked the following professionals as highly competent – the highest ranking – in the respective category or categories (professionals listed in alphabetical order per project categories):

Architectural:	KSA McCarty/Westwood
Engineering – Geotechnical Projects:	Braun Terracon McCarty/Westwood MTG
Engineering – Hydrology Projects:	EST HALFF McCarty/Westwood MTG
Engineering – Street Projects:	EST HALFF McCarty/Westwood MTG
Engineering – Utility Projects:	EST HALFF McCarty/Westwood MTG
Surveying:	Arrendondo, Zepeda, and Brunz EST HALFF JQ McCarty/Westwood MTG

Attachment: 2024-065 ATTH 01 2023-148 RES Prof. Svc. Arch. Eng. Survey. signed (4260 : 2024-065 RES Amending Professional Service

WHEREAS, the Public Works Department submits and recommends to the City Council that the professional services providers listed in Section 1 of this Resolution, each receiving the highest ranking in their respective category or categories on the basis of demonstrated competence and qualifications, are the most "highly qualified" providers for use by City administration on future architectural, engineering, or surveying projects, as applicable, subject to the contract negotiation process as required by law and City purchasing policies.

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

SECTION 1: The City Council adopts and approves the following professional services providers as the most highly qualified providers of the respective projects and services categorized below on the basis of demonstrated competence and qualifications, each provider receiving the highest ranking in their respective category or categories of professional services following an evaluation of responses to a request for qualifications; and subject to Section 2 of this Resolution, these providers may be utilized by City administration on future architectural, engineering, or surveying projects, as applicable:

Architectural:	KSA McCarty/Westwood
Engineering – Geotechnical Projects:	Braun Terracon McCarty/Westwood MTG
Engineering – Hydrology Projects:	EST HALFF McCarty/Westwood MTG
Engineering – Street Projects:	EST HALFF McCarty/Westwood MTG
Engineering – Utility Projects:	EST HALFF McCarty/Westwood MTG
Surveying:	Arrendondo, Zepeda, and Brunz EST HALFF JQ McCarty/Westwood MTG

Attachment: 2024-065 ATTH 01 2023-148 RES Prof. Svc. Arch. Eng. Survey. signed (4260 : 2024-065 RES Amending Professional Service

SECTION 2: City administration shall follow the requirements of negotiating contracts for professional services from a particular provider pursuant to Chapter 2254, Subchapter A, of the Texas Government Code, and proposed contracts shall be submitted for approval to the City Council or, if applicable pursuant to City purchasing policies, to the City Manager.

SECTION 3: The City Council may consider amending the list of providers set out in Section 1 of this Resolution in the event a professional services provider for one or more of the project categories identified in the RFQ desires to submit a response to the RFQ, and that provider is evaluated by the Public Works Department as highly competent, meeting all submittal requirements, and is recommended for inclusion.

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of December, 2023**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:27 p.m.

Attachment: 2024-065 ATTH 01 2023-148 RES Prof. Svc. Arch. Eng. Survey. signed (4260 : 2024-065 RES Amending Professional Service

Scoring Criteria RFQ -23-1901-12 - Architectural Services

	Bill Patton, Architect		
	Highly Competent	***Competent***	***Not Ranked***
Scorer 1	X		
Scorer 2	X		
Scorer 3	X		

Attachment: 2024-065 ATTH 02 Scoring Tabulation (4260 : 2024-065 RES Amending Professional Service Providers for Architectural Projects)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Low

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2024-065 Goals & Perspectives (4260 : 2024-065 RES Amending Professional Service Providers for Architectural Projects)

RESOLUTION NO. 2024-065

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE HIGHLY QUALIFIED PROFESSIONAL SERVICES PROVIDERS FOR USE BY CITY ADMINISTRATION ON FUTURE ARCHITECTURAL PROJECTS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 2254, Subchapter A, of the Texas Government Code provides for procuring architectural, engineering, or land surveying services, directing a governmental entity to first select the most highly qualified provider of those services on the basis of demonstrated competence and qualifications, and thereafter negotiate with that provider a contract at a fair and reasonable price; and

WHEREAS, the City Council approved Resolution No. 2023-148 that included a list of highly competent providers for architectural services; and

WHEREAS, the City Council has the right to modify that list if a provider submits qualifications and the provider is determined to be highly competent; and

WHEREAS, Bill Patton, Architect of Texarkana, Arkansas, submitted his qualifications, and he was determined to be highly competent to perform architectural services; and

WHEREAS, the Public Works Department submits and recommends to the City Council that the professional services for architectural providers listed in Section 1 of this Resolution be amended to include Bill Patton, Architect, as he received the highest ranking in this respective category on the basis of demonstrated competence and qualifications, thus warranting said addition to the listing of the most "highly qualified" providers for use by City administration on future architectural projects, as applicable, subject to the contract negotiation process as required by law and City purchasing policies.

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

SECTION 1: The City Council adopts and approves the following professional services providers as the most highly qualified providers of architectural projects and services on the basis of demonstrated competence and qualifications, each provider receiving the highest ranking in their respective category of professional services following an evaluation of responses to a request for qualifications; and subject to Section 2 of this Resolution, these providers may be utilized by City administration on future architectural projects:

Architectural:	KSA
	McCarty/Westwood
	Bill Patton, Architect

SECTION 2: City administration shall follow the requirements of negotiating contracts for professional services from a particular provider pursuant to Chapter 2254, Subchapter A, of the

Attachment: 2024-065 RES amd Prof. Svcs. Architectural signed (4260 : 2024-065 RES Amending Professional Service Providers for

Texas Government Code, and proposed contracts shall be submitted for approval to the City Council or, if applicable pursuant to City purchasing policies, to the City Manager.

SECTION 3: The City Council may consider amending the list of providers set out in Section 1 of this Resolution in the event a professional services provider for one or more of the project categories identified in the RFQ desires to submit a response to the RFQ, and that provider is evaluated by the Public Works Department as highly competent, meeting all submittal requirements, and is recommended for inclusion.

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

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

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:35p.m.

Attachment: 2024-065 RES amd Prof. Svcs. Architectural signed (4260 : 2024-065 RES Amending Professional Service Providers for

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 6/7/2024 9:00 AM

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

Subject: Resolution No. 2024-071 approving the Texarkana Airport Authority to sell 8.179 acres of land to Harvest International Ministries for $139,349.

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

Item Schedule

Updates/History of Briefing:

(June 10, 2024):
(Texarkana Regional Airport – Harvest Ministries Land Sale)

Executive Summary and Background Information:

The Airport is selling 8.197 acres of land located adjacent to Arkansas Blvd to Harvest International Ministries. When the airport took up buying 8 acres of land along E19th St it was intended that this land sale would offset the cost of purchasing the land. The Airport has conducted an environmental review and received clearance from the FAA to sell the property.

Potential Options:

- Approve
- Deny

Fiscal Implications:

The airport will receive $139,349.00 for the sale of 8.197 acres of land.

Staff Recommendation:

Staff recommends adoption

Advisory Board/Committee Review:

Texarkana Regional Airport Authority Board

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2024-071 RES Airport Land Sale (DOCX)
b. 2024-071 ATTH 01 Airport Resolution (PDF)
c. 2024-071 ATTH 02 TXK_HIM Exhibit A (PDF)
d. 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (PDF)
e. 2024-071 ATTH 04 TXK_HIM RE Sales Contract FINAL (PDF)
f. 2024-071 ATTH 05 ARK Reso. 2024-46 (PDF)
g. 2027-071 Land Release-Acquisition 08082023
h. 2024-071 RES Airport land sale to Harvest Ministries (8ac) signed (PDF)

Staff Coordination

City Manager	Jennifer Evans 06/07/2024 9:00 AM	Department Head Review	Completed	
City Manager	David Orr	City Manager Review	Completed	06/07/2024 10:02 AM
City Council	Jennifer Evans	Meeting	Completed	06/10/2024 6:00 PM

Meeting History

RESOLUTION NO. 2024 - 071

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE TEXARKANA AIRPORT AUTHORITY TO SELL 8.179 ACRES OF LAND TO HARVEST INTERNATIONAL MINISTRIES FOR $139,349; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Cities of Texarkana, Arkansas, and Texarkana, Texas, created the Texarkana Airport Authority by means of reciprocal ordinances codified in Chapter 6 – Aviation, Article II – Texarkana Airport Authority, of the Code of Ordinances of the City of Texarkana, Arkansas, and Chapter 4 – Airports, Article II – Airport Authority, of the Code of Ordinances of the City of Texarkana, Texas; and

WHEREAS, the Cities of Texarkana, Arkansas, and Texarkana, Texas require permission to sell, transfer, or in any manner encumber without written consent of joint approval from the cities' governing bodies under the Code of Ordinances of the City of Texarkana, Arkansas, and Chapter 4 – Airports, Article II – Airport Authority, of the Code of Ordinances of the City of Texarkana, Texas; and

WHEREAS, the Texarkana Regional Airport Authority approved the land sale with Resolution No. 052622D on May 24, 2022; and

WHEREAS, the Federal Aviation Administration determined that under section 163, they did not have authority to approve or deny the sale of land on May 10, 2024; and

WHEREAS, the land is being sold for fair market value based upon an appraisal conducted April 24, 2022; and,

WHEREAS, the National Environmental Protection Act was satisfied under a Categorical Exclusion environmental review on August 8, 2023.

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

SECTION 1: The Texarkana Regional Airport Real Estate Land Sale of 8.197 acres to Harvest International Ministries in the amount of $139,349 is hereby approved.

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

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

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2024-071 RES Airport Land Sale (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

TEXARKANA AIRPORT AUTHORITY RESOLUTION No. 052622D

A RESOLUTION BY THE TEXARKANA AIRPORT AUTHORITY APPROVING THE SALE OF PROPERTY TO HARVEST INTERNATIONAL MINISTRIES

WHEREAS, the Airport Authority is charged with the safe operations of Texarkana Regional Airport, including obtaining and protecting the Runway Protection Zone; and

WHEREAS, Harvest International Ministries has approximately 0.7 acres of land located in the Runway Protection Zone, not currently owned by the airport; and

WHEREAS, the Airport Authority is owned by the Cities of Texarkana Arkansas and Texas, and having considered selling approximately 8 acres of property, its location which is attached hereto and marked Exhibit A; and

WHEREAS, Section 4-31 of the municipal codes of the City of Texarkana, Texas and Section 6-36 (b) of the City of Texarkana, Arkansas requires written consent of the City Council of Texarkana, Texas and the Board of Directors of Texarkana, Arkansas before the Authority can sell property; and

WHEREAS, a federally funded airport must seek approval from the Federal Aviation Administration for any release, modification, reformation, or amendment of an airport agreement between the owner and the United States must be based on a request made in writing and signed by a duly authorized official of the public agency that owns the airport;

NOW, THEREFORE, BE IT RESOLVED BY THE TEXARKANA AIRPORT AUTHORITY THAT:

SECTION 1. A Land Sale Contract offering be accepted for the reasons stated herein and to seek the concurrence of the governing bodies of the Cities of Texarkana, Texas and Texarkana, Arkansas.

SECTION 2. Seek approval from the Federal Aviation Administration to release airport property.

SECTION 3. Mr. Paul Mehrlich, Airport Director is authorized to sign the sale contract on behalf of the Airport Authority and Mrs. Shannon Elliott is authorized to witness said signing.

Adopted this 24th day of May, 2022

SIGNED

Paul Mehrlich, Director

ATTEST

David Baumgardner

David Baumgardner, Chairman

Attachment: 2024-071 ATTH 01 Airport Resolution (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

SECTION 9, TOWNSHIP 15 SOUTH, RANGE 28 WEST

Property Description
Tract 1 – 8.197 Acres
Miller County, Arkansas

All that certain lot, tract or parcel of land lying and situated in Section Twenty–eight (28), Township Fifteen South (T15S), Range 28 West, Miller County, Arkansas, same being a part of that certain tract of land described as 37.05 acres in the deed from AMT Land, Inc. to Texarkana Airport Authority, date January 9, 1998, recorded in Book 384, Page 687 of the Deed Records of Miller County, Arkansas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch steel rod, capped ARK MG 1537, found for a corner, lying I the North right–of–way line of an asphalt road designated as Arkansas Boulevard, the Southwest corner the said 37.05 acre tract, and the Southeast corner of that certain tract of land described as 40.67 acres in the deed from Samuel A. Buchanan, Jr., et al to Harvest International Ministries, Inc., dated December 3, 2002, recorded in Book 2003, Page 379 of the Deed Records of Miller County, Arkansas;

THENCE North 02 degrees 39 minutes 07 seconds East a distance of 734.84 feet along the West line of the said 37.05 acre tract and the East line of the said 40.67 acre tract to a 2 inch steel pipe, found for a corner, the Northwest corner of the said 37.05 acre tract, lying in the East line of the said 40.67 acre tract, and the Southwest corner of that certain tract of land described as 28.44 acres in the deed from Texarkana Par Three Partners, LLC to Harvest International Ministries, dated September 27, 2016, recorded in Document No. 2016R008077 of the Deed Records of Miller County, Arkansas;

THENCE South 52 degrees 23 minutes 39 seconds East a distance of 465.80 feet along the North line of the said 30.05 acre tract and the South line of the said 28.44 acre tract to a 1/2 inch steel rod, found for a corner, an inside ell corner in the north line of the said 37.05 acre tract and an outside ell corner in the South line of the said 28.44 acre tract;

THENCE North 46 degrees 12 minutes 58 seconds East a distance of 249.53 feet along the North line of the said 37.05 acre tract and the South line of the said 28.44 acre tract to a 1/2 inch steel rod, capped MTG AR–125, set for a corner, lying in the North line of the said 37.05 acre tract at the intersection of the South line of the Runway Protection Zone, said corner bears North 46 degrees 12 minutes 58 seconds East a distance of 75.47 feet to a 1/2 inch steel rod, found for a corner;

THENCE South 52 degrees 16 minutes 22 seconds East a distance of 63.55 feet along the South line of the said Runway Protection Zone to a 1/2 inch steel rod, capped MTG AR–125, set for a corner;

THENCE South 02 degrees 39 minutes 07 seconds West a distance of 607.71 feet across and through the said 37.05 acre tract to a 1/2 inch steel rod, capped MTG AR–125, set for a corner, lying in the North right–of–way line of Arkansas Boulevard and the South line of the said 37.05 acre tract;

THENCE North 87 degrees 46 minutes 44 seconds West a distance of 605.77 feet along the North right–of–way line of Arkansas Boulevard and the South line of the said 37.05 acre tract to the Point of Beginning and containing 8.197 acres of land, at the time of this survey.

Property Description
Tract 2 – 28.586 Acres
Miller County, Arkansas

All that certain lot, tract or parcel of land lying and situated in Section Twenty–eight (28), Township Fifteen South (T15S), Range 28 West, Miller County, Arkansas, same being a part of that certain tract of land described as 37.05 acres in the deed from AMT Land, Inc. to Texarkana Airport Authority, date January 9, 1998, recorded in Book 384, Page 687 of the Deed Records of Miller County, Arkansas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch steel rod, capped MTG AR–125, set for a corner, lying in the North right–of–way line of an asphalt road designated as Arkansas Boulevard and the South line of the said 37.05 acre tract, said corner bears North 87 degrees 46 minutes 44 seconds West a distance of 605.77 feet to a 1/2 inch steel rod, capped ARK MG 1537, found for the Southwest corner of the said 37.05 acre tract;

THENCE North 02 degrees 39 minutes 07 seconds East a distance of 607.71 feet across the said 37.05 acre tract to a 1/2 inch steel rod, capped MTG AR–125, set for a corner, lying in the South line of the Runway Protection Zone;

THENCE North 52 degrees 16 minutes 22 seconds West a distance of 63.55 feet along the South line of the said Runway Protection Zone to a 1/2 inch steel rod, capped MTG AR–125, set for a corner, lying in the North line of the said 37.05 acre tract and the South line of that certain tract of land described as 28.44 acres in the deed from Texarkana Par Three Partners, LLC to Harvest International Ministries, dated September 27, 2016, recorded in Document No. 2016R008077 of the Deed Records of Miller County, Arkansas;

THENCE North 46 degrees 12 minutes 58 seconds East a distance of 75.47 feet along the North line of the said 37.05 acre tract and the South line of the said 28.44 acre tract to a 1/2 inch steel rod, found for a corner, an inside ell corner in the North line of the said 37.05 acre tract and an outside ell corner in the South line of the said 28.44 acre tract;

THENCE North 43 degrees 46 minutes 59 seconds West a distance of 200.00 feet along the North line of the said 37.05 acre tract and the South line of the said 28.44 acre tract to a 1/2 inch steel rod, found for a corner, an outside ell corner in the North line of the said 37.05 acre tract and an inside ell corner in the South line of the said 28.44 acre tract;

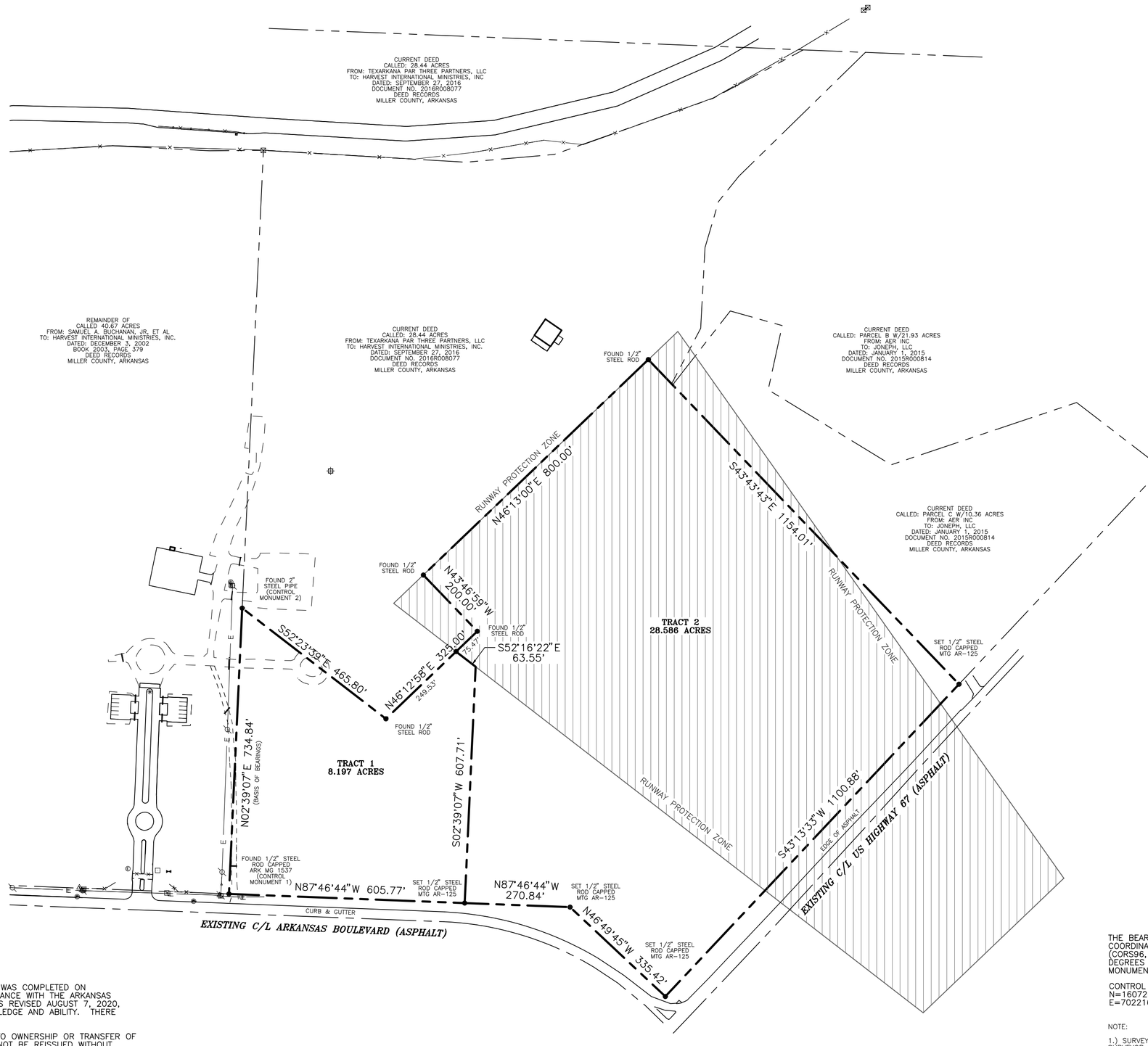
THENCE North 46 degrees 13 minutes 00 seconds East a distance of 800.00 feet along the North line of the said 37.05 acre tract and the South line of the said 28.44 acre tract to a 1/2 inch steel rod, found for a corner, the Northeast corner of the said 37.05 acre tract and an inside ell corner in the South line of the said 28.44 acre tract;

THENCE South 43 degrees 43 minutes 43 seconds East a distance of 1154.01 feet along the East line of the said 37.05 acre tract, the south line of the said 28.44 acre tract, and the West line of that certain tract of land described as Parcel C with 10.36 acres in the deed from AER, Inc. to Joneph, LLC, dated January 1, 2015, recorded in Document No. 2015R000814 of the Deed Records of Miller County, Arkansas to a 1/2 inch steel rod, capped MTG AR–125, set for a corner, lying in the West right–of–way line of an asphalt road designated as US Highway No. 67 (US67), the Southeast corner of the said 37.05 acre tract, and the Southwest corner of the said 10.36 acre tract;

THENCE South 43 degrees 13 minutes 33 seconds West a distance of 1100.88 feet along the West right–of–way line of US67 and the South line of the said 37.05 acre tract to a 1/2 inch steel rod, capped MTG AR–125, set for a corner, at the intersection of the West right–of–way line of us67 and the North right–of–way line of Arkansas Boulevard;

THENCE North 46 degrees 49 minutes 45 seconds West a distance of 335.42 feet along the North right–of–way line of Arkansas Boulevard and the South line of the said 37.05 acre tract to a 1/2 inch steel rod, capped MTG AR–125, set for a corner, at an angle point;

THENCE North 87 degrees 46 minutes 44 seconds West a distance of 270.84 feet along the North right–of–way line of Arkansas Boulevard and the South line of the said 37.05 acre tract to the Point of Beginning and containing 28.586 acres of land, at the time of this survey.



SURVEYOR CERTIFICATION:

I HEREBY CERTIFY THAT THE HEREON PLATTED AND DESCRIBED SURVEY WAS COMPLETED ON THE GROUND ON MARCH 18, 2021, UNDER MY SUPERVISION IN ACCORDANCE WITH THE ARKANSAS MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND PLATS, AS REVISED AUGUST 7, 2020, AND THAT CORNERS WERE SET, AS SHOWN, TO THE BEST OF MY KNOWLEDGE AND ABILITY. THERE ARE NO VISIBLE IMPROVEMENTS EXCEPT AS SHOWN ON THIS PLAT.

THIS PLAT IS FOR THE INTENDED USE OF DAVID PHILLIPS AS RELATES TO OWNERSHIP OR TRANSFER OF OWNERSHIP. THIS SURVEY IS NOT ASSIGNABLE OR TRANSFERABLE, MAY NOT BE REISSUED WITHOUT RE–SURVEY AND MAY BE VOID/INVALID SUBJECT TO CHANGES IN GOVERNANCE OR INTERPRETATIONS ISSUED BY THE ARKANSAS STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS.

_____

JEFFREY A. WOOD
PROFESSIONAL LAND SURVEYOR
NO. 1763, STATE OF ARKANSAS
FIRM CERTIFICATE NO. 125
DATE: MARCH 22, 2021

REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF ARKANSAS
NO. 1763
SIGNATURE
JEFFREY A. WOOD

CERTIFICATE OF AUTHORIZATION
MTG ENGINEERS, INC
NO. 125
ARKANSAS

NOTE:
In providing this boundary survey, no attempt has been made to obtain or show data concerning existence, size, depth, condition, capacity or location of any utility existing on the site, whether private, municipal or public owned. Subsurface and environmental conditions were not surveyed or examined or statement is made concerning the existence of underground or overhead conditions, containers or facilities that may affect the use or development of this property.

THE BEARINGS ARE BASED ON GRID NORTH WITHIN THE "ARKANSAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE", NAD83 (CORS96, EPOCH 2002.0), GRID, WITH A BEARING OF NORTH 02 DEGREES 39 MINUTES 07 SECONDS EAST.THE FOLLOWING CONTROL MONUMENTS WERE USED TO ESTABLISH THE BASIS OF BEARINGS:

CONTROL MONUMENT #1	CONTROL MONUMENT #2
N=1607249.2933	N=1607983.3437
E=702216.7452	E=702250.7459

NOTE:

1.) SURVEY PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. SURVEYOR DID NOT RESEARCH FOR EASEMENTS OF RECORD OR NOT OF RECORD.

5 0 0 – 1 5 S – 2 8 W – 0 – 0 9 – 2 0 0 – 4 6 – 1 7 6 3

BOUNDARY SURVEY

TWO TRACTS IN SECTION 9
TOWNSHIP 15 SOUTH, RANGE 28 WEST
MILLER COUNTY, ARKANSAS

Date	Revision/Description

Drawn By	Checked By	Project No.	Dwg. Date
BLB	JH	236071	12/20/2023

File No.	Sheet No.

MTG
ENGINEERS &SURVEYORS
5930 SUMMERHILL ROAD TEXARKANA, TX
P 903.838.8533 www.mtgengineers.com
TBPE FIRM NO. F–354 AR COA NO. 125
MTG 2023

X:\2023 Projects\236071 Harvest International\02 Surveying\236071AIRPORT.pro
Thu Dec 21, 2023 3:16PM

Attachment: 2024-071 ATTH 02 TXK_HIM Exhibit A (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

APPRAISAL OF REAL PROPERTY



LOCATED AT

4002 Arkansas Blvd
Texarkana, AR 71854
7.92 Acres, PT NE, SE, in S-09, T15S, R28W, Miller County, AR.

FOR

Texarkana Airport Authority
201 Airport Drive
Texarkana, AR 71854

OPINION OF VALUE

$17,000.00 / Acre or $0.39 / Sq. Ft. or $135,000.00 (R)

AS OF

04/24/2022

BY

Michael Lynn Hendrix, MRA., MHV.
P.M. Brown Appraisers
122 E. Broad Street, Suite 204
Texarkana, AR 71854
(903) 490-5300
appraiserbyday@cableone.net

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

Borrower/Client	**Texarkana Airport Authority (Client Only)**					File No.	**Texarkana Airport Authority #2**
Property Address	**4002 Arkansas Blvd**						
City	**Texarkana**	County	**Miller**	State	**AR**	Zip Code	**71854**
Lender	**Texarkana Airport Authority**						

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Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

P.M. Brown Appraisers
122 E. Broad Street, Suite 204
Texarkana, AR 71854
(903) 490-5300

05/06/2022

Ferdinand Paul Mehrlich III, C.M., ACE
Texarkana Airport Authority
201 Airport Drive
Texarkana, AR 71854

Re: Property: 4002 Arkansas Blvd
Texarkana, AR 71854
Borrower: Texarkana Airport Authority (Client Only)
File No.: Texarkana Airport Authority #2

Opinion of Value: $ $17,000.00 / Acre or $0.39 / Sq. Ft. or $135,000.00 (R)
Effective Date: 04/24/2022

In accordance with your request, we have performed a Non-Evasive "Visual" Observation of the "Vacant Site" only of the above referenced property. The report is attached.

The purpose of the appraisal is to develop an opinion of Market Value for the property described in this appraisal report, as "Vacant and Un-Improved" in Unencumbered Fee Simple Title of Ownership.

This report is based on a physical analysis of the site and improvements, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

The opinion of value reported above is as of the stated effective date and is contingent upon the certification and limiting conditions attached.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Sincerely,

Michael Hendrix

Michael Lynn Hendrix, MRA., MHV.
MRA, MHV.
License or Certification #: CG1730
State: AR Expires: 06/30/2022
appraiserbyday@cableone.net

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

2024-071 ATTH 03

Borrower/Client	Texarkana Airport Authority (Client Only)					File No.	Texarkana Airport Authority #2
Property Address	4002 Arkansas Blvd						
City	Texarkana	County	Miller	State	AR	Zip Code	71854
Lender	Texarkana Airport Authority						

APPRAISAL AND REPORT IDENTIFICATION

This Report is one of the following types:

- (●) Appraisal Report (A written report prepared under Standards Rule 2-2(a), pursuant to the Scope of Work, as disclosed elsewhere in this report.)
- ( ) Restricted Appraisal Report (A written report prepared under Standards Rule 2-2(b), pursuant to the Scope of Work, as disclosed elsewhere in this report, restricted to the stated intended use only by the specified client and any other named intended user(s).)

Comments on Standards Rule 2-3

I certify that, to the best of my knowledge and belief:
- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- Unless otherwise indicated, I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification (if there are exceptions, the name of each individual providing significant real property appraisal assistance is stated elsewhere in this report).

NOTE: This is a "Appraisal Report" in a Summary Format for the Client's "Sole" Use only and may not be used, relied upon, or transferred to anyone other than the listed Client(s) in this report. This report is not to be misconstrued with a full self-contained report.

Comments on Appraisal and Report Identification

Note any USPAP related issues requiring disclosure and any State mandated requirements:

Purpose of the Appraisal: The Purpose of this Appraisal Report is to establish an opinion of "Market Value" for the subject herein this report, "Vacant Land" only.

4002 Arkansas Boulevard
Texarkana, AR 71854

Intended Use of the Report: The "Sole" Intended Use is by the Client of this report only, Texarkana Airport Authority, to assist in their decision making duties in deriving at a Listing Price to place the Subject on the Open Market only, "'not" for Mortgage Loan Financing Purposes...!

APPRAISER:

Signature: Michael Hendrix
Name: **Michael Lynn Hendrix, MRA., MHV.**
MRA, MHV.
State Certification #: **CG1730**
or State License #:
State: **AR** Expiration Date of Certification or License: **06/30/2022**
Date of Signature and Report: **05/06/2022**
Effective Date of Appraisal: **04/24/2022**
Inspection of Subject: ( ) None ( ) Interior and Exterior (●) Exterior-Only
Date of Inspection (if applicable): **04/24/2022**

SUPERVISORY or CO-APPRAISER (if applicable):

Signature:
Name:
State Certification #:
or State License #:
State: Expiration Date of Certification or License:
Date of Signature:
Inspection of Subject: ( ) None ( ) Interior and Exterior ( ) Exterior-Only
Date of Inspection (if applicable):

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

SUMMARY OF SALIENT FEATURES

SUBJECT INFORMATION

Subject Address	**4002 Arkansas Blvd**
Legal Description	**7.92 Acres, PT NE, SE, in S-09, T15S, R28W, Miller County, AR.**
City	**Texarkana**
County	**Miller**
State	**AR**
Zip Code	**71854**
Census Tract	**0208.01**
Map Reference	**45500**

PRICE & DATE

Contract Price	$ **N/A**
Date of Contract	**04/24/2022**

PARTIES

Borrower/Client	**Texarkana Airport Authority (Client Only)**
Lender	**Texarkana Airport Authority**

DESCRIPTION OF IMPROVEMENTS

Size (Square Feet)	**344,995.20**
Price per Square Foot	$ **0.39 / Sq. Ft.**
Location	**Urban;Busy Rd;**
Age	**N/A**
Condition	**Average to Good; Slightly Rolling; Wooded;**
Total Rooms	**N/A**
Bedrooms	**N/A**
Baths	**N/A**

APPRAISER

Appraiser	**Michael Lynn Hendrix, MRA., MHV.**
Effective Date of Appraisal	**04/24/2022**

VALUE

Opinion of Value	$ **17,000.00 / Acre or $0.39 / Sq. Ft. or $135,000.00 (R)**

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

2024-071 ATTH 03

LAND APPRAISAL REPORT

4002 Arkansas Blvd.
File No.: Texarkana Airport Authority #2

SUBJECT

Property Address: **4002 Arkansas Blvd** City: **Texarkana** State: **AR** Zip Code: **71854**
County: **Miller** Legal Description: **7.92 Acres, PT NE, SE, in S-09, T15S, R28W, Miller County, AR.**

Assessor's Parcel #: **00225200** Tax Year: **2021** R.E. Taxes: $ **505.08** Special Assessments: $ **0**
Market Area Name: **East Texarkana** Map Reference: **45500** Census Tract: **0208.01**
Current Owner of Record: **Texarkana Airport Authority** Borrower (if applicable): **Texarkana Airport Authority (Client Only)**
Project Type (if applicable): ○ PUD ○ De Minimis PUD ○ Other (describe) **N/A** HOA: $ **0** ○ per year ○ per month
Are there any existing improvements to the property? ● No ○ Yes If Yes, indicate current occupancy: ○ Owner ○ Tenant ● Vacant ● Not habitable
If Yes, give a brief description: **The Site does not "appear' to incorporate any Improvements from the Non-Evasive "Walk-Around" Visual Observation of the entire perimeter of the Site and/or from Aerial Views. If there is, in fact, actual Marketable Timber Value, it would most likely offset the the price to clear and repair the Site with minimum additional "Contributory Value" to the Site Value itself nor included for the Purpose and Intended Use of this Report. See Summary of Adjustments on page 10 thru 17 for further details.**

ASSIGNMENT

The purpose of this appraisal is to develop an opinion of: ● Market Value (as defined), or ○ other type of value (describe)
This report reflects the following value (if not Current, see comments): ● Current (the Inspection Date is the Effective Date) ○ Retrospective ○ Prospective
Property Rights Appraised: ● Fee Simple ○ Leasehold ○ Leased Fee ○ Other (describe)
Intended Use: **The "Sole" Purpose of this Appraisal Report is to establish an Opinion of "Market Value" for the Subject herein this report as, "Vacant Un-Improved Land" only with "No" Mineral Rights considered due to "not" being part of the Engagement Letter and above the Scope of the Assignment. Any Conveyance of Mineral Rights and/or Easements should be considered by Seller and the potential Purchaser via a Title Search and Policy.**
Intended User(s) (by name or type): **The "Sole" Intended Use is by the Client of this report only, Texarkana Airport Authority, to assist in their decision making duties for possibly Listing the Subject on the Open Market, not for Mortgage Loan Financing Purposes...!**

Client: **Texarkana Airport Authority** Address: **201 Airport Drive, Texarkana, AR 71854**
Appraiser: **Michael Lynn Hendrix, MRA., MHV.** Address: **122 E. Broad Street, Suite 204, Texarkana, AR 71854**

MARKET AREA DESCRIPTION

Characteristics				Predominant Occupancy		One-Unit Housing			Present Land Use		Change in Land Use
Location:	● Urban	○ Suburban	○ Rural			PRICE $(000)		AGE (yrs)	One-Unit	20 %	○ Not Likely
Built up:	○ Over 75%	● 25-75%	○ Under 25%	● Owner	85				2-4 Unit	0 %	○ Likely * ● In Process *
Growth rate:	○ Rapid	● Stable	○ Slow	● Tenant	15	1	Low	New	Multi-Unit	0 %	* To: It is noted nearby Land
Property values:	● Increasing	○ Stable	○ Declining	● Vacant (0-5%)		250	High	100	Comm'l	30 %	is being developed for
Demand/supply:	● Shortage	○ In Balance	○ Over Supply	○ Vacant (>5%)		125	Pred	60	Vacant	40 %	Commercial and Limited
Marketing time:	○ Under 3 Mos.	● 3-6 Mos.	○ Over 6 Mos.			Immediate Area Only..!			Misc.	10 %	Manufacturing Use.

Factors Affecting Marketability

Item	Good	Average	Fair	Poor	N/A	Item	Good	Average	Fair	Poor	N/A
Employment Stability	○	●	○	○	○	Adequacy of Utilities	●	○	○	○	○
Convenience to Employment	○	●	○	○	○	Property Compatibility	●	○	○	○	○
Convenience to Shopping	○	●	○	○	○	Protection from Detrimental Conditions	●	○	○	○	○
Convenience to Schools	○	●	○	○	○	Police and Fire Protection	●	○	○	○	○
Adequacy of Public Transportation	○	●	○	○	○	General Appearance of Properties	●	○	○	○	○
Recreational Facilities	○	●	○	○	○	Appeal to Market	●	○	○	○	○

Market Area Comments: **Sales are extremely limited within the Subject's immediate marketing area because of area low turn-over due to location and area satisfaction. Supply is "extremely" limited compared to the "increased" Demand within the last 1-2 years with evidence in increased Selling Price above and beyond Listing Price as well as Actual Market Value.**

Employment centers, shopping centers, schools, hotels, golf courses, colleges, recreational area, and major thoroughfares are within an close enough proximity for convenience and daily commuting.

Major Employers, such as Texarkana Airport approximately 1/4 mile south of the Subject with Cooper Tire, Texarkana CBD, and various other major employers such as hospitals, paper mills, schools are within close proximity for daily commuting typically increases demand, in turn, increases price per acre.

The subject is within range of the predominant value and appears not to be over-built for the area due to the wide array of acreage, home styles, size, and price range. Market conditions within the subject's area are considered slightly above average. According to our past records of sales data, only slight increases in property values have increased over the last 1 to 5 years. Marketing time for similar properties is typically less than 120 days with no special concessions necessary to facilitate the sale.

Typically, ample money is available at competitive rates from local and national lending agencies. Conventional, FHA, & VA Financing are available.

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

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2024-071 ATTH 03

LAND APPRAISAL REPORT

4002 Arkansas Blvd.
File No.: Texarkana Airport Authority #2

SITE DESCRIPTION

Dimensions: Subject to current Survey. Site Area: 7.92 Acres

Zoning Classification: M-1; Limited Manufacturing. See Definitions Addenda. Description: The Site appears to be mostly overgrown with brush with miscellaneous trees throughout the Site. However, No "additional" Contributory Value considered for the Purpose and Intended Use of this Report. Recommend contacting a Forester if Timber Value is required. Do present improvements comply with existing zoning requirements? ○ Yes ○ No ● No Improvements

Uses allowed under current zoning: Vacant Un-Improved Land within the area can be used for many different reasons, i. e., Limited Manufacturing with possible Commercial, Warehouse, and Residential. Other than Limited Manufacturing, any other uses "should" be addressed through Texarkana Planning and Zoning Department for Re-Purposing / Re-Permitting, i. e., "Specific Use" and / or "Re-Zoning" approval.

Are CC&Rs applicable? ○ Yes ● No ○ Unknown Have the documents been reviewed? ○ Yes ○ No Ground Rent (if applicable) $ N/A / N/A

Comments: Land is not part of a Home Owner Association.

Highest & Best Use as improved: ○ Present use, or ● Other use (explain) Development to Limited Manufacturing and/or Commercial Use similar to properties within the immediate area and zoning.

Actual Use as of Effective Date: Vacant / Un-Improved. Use as appraised in this report: M-1; Limited Manufacturing

Summary of Highest & Best Use: For the Purpose and Intended Use of this Report, H & B Use is considered M-1 for Limited Manufacturing Use. With the present use, it does not pose any issues to build upon a with minimum affects on value and/or marketability. A Summary of Highest and Best Use may be defined as the reasonably, probable, and legal use of vacant land or improved property which is which is physically possible, appropriately supported, financially feasible, and results in the highest value to the land. See Highest & Best Use and Supply and Demand on page 18 thru 20 for further details.

Utilities	Public	Other	Provider/Description
Electricity	●	○	Swepco
Gas	●	○	Center Point Energy
Water	●	○	Texarkana Water Utilities
Sanitary Sewer	●	○	Texarkana Water Utilities
Storm Sewer	●	○	Open Drainage
Telephone	●	○	Optional
Multimedia	●	○	Optional

Off-site Improvements	Type	Public	Private
Street	4 Lane Road	●	○
Width	See Survey / Plat Map Addenda		
Surface	Asphalt;		
Curb/Gutter	Concrete	●	○
Sidewalk	None	○	○
Street Lights	None	○	○
Alley	None	○	○

Frontage	654 'ff +/-; Subject to Survey...!
Topography	Slightly rolling from street grade.
Size	7.92 Acres
Shape	Slight Irregular; Interior Site;
Drainage	Adequate
View	AR Blvd.; Commercial; Similar Sites
Other:	Wooded; None'

Other site elements: ● Inside Lot ○ Corner Lot ○ Cul de Sac ○ Underground Utilities ● Other (describe) Wooded with Extensive Over-Growth and Brush.

FEMA Spec'l Flood Hazard Area ○ Yes ● No FEMA Flood Zone X FEMA Map # 05091C0110D FEMA Map Date 12/18/2009

Site Comments: No "apparent" adverse site conditions, easements, encroachments, or external factors noted at the time of the viewing that might affect the value and/or marketability of the subject of this report. Ingress and egress is considered good to the Front / South Side of the Site from Arkansas Boulevard.

Also, at the Effective Date of Report, an additional Tract of Land owned by Texarkana Airport Authority joins the east side of the Subject's Tract .

The Site includes mostly a young, small trees to miscellaneous mature tress with a lot of over-growth and brush exhibiting minimum "additional" Contributory Value considered.

It is noted that the subject is "vacant" and "un-improved" land with Utilities available to the south side of the Site only at the effective date of report.

SALES COMPARISON APPROACH

FEATURE	SUBJECT PROPERTY	COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3	
Address	4002 Arkansas Blvd Texarkana, AR 71854	4100 E 19th St Texarkana, AR 71854		3602 Arkansas Blvd Texarkana, AR 71854		3922 Airport Plaza Dr Texarkana, AR 71854	
Proximity to Subject		1.17 miles S		0.21 miles W		0.19 miles S	
Sale Price	$ N/A		$ 332,175		$ 85,000		$ 20,000
Price/ Acre	$	$ 24,752.24		$ 17,453.80		$ 16,722.41	
Data Source(s)	Visual observation	ActData Scout 3780010;Unk DOM;		ActData Scout #00226400;Unk DOM;		ActData Scout #1060050; 1045 DOM;	
Verification Source(s)	MCAD;Realtor;	MCAD;Bk 2022,Pg R005542;Appraiser		MCAD;Bk 2022,Pg R002230;Appraiser		MCAD;Bk 2020,Pg R008736;Appraiser	
VALUE ADJUSTMENT	DESCRIPTION	DESCRIPTION	+(-) $ Adjust	DESCRIPTION	+(-) $ Adjust	DESCRIPTION	+(-) $ Adjust
Sales or Financing Concessions	None Noted; None Noted;	Cash to Seller; None Noted;		Cash to Seller; None Noted;		Cash to Seller; None Noted;	
Date of Sale/Time	04/24/2022	06/30/2020	+1,732.66	12/12/2018	+2,094.46	10/30/2020	+833.33
Rights Appraised	Fee Simple;	Fee Simple;		Fee Simple;		Fee Simple;	
Location	Urban;Busy Rd;	Urban;Industrial Park		Urban;Busy Rd; I-49;	0	Urban;Busy Rd;	
Site Area (in Acres)	7.92	13.42	0	4.87	0	1.196	0
Overall Location:	Average to Good;	Similar;Superior:<20%>	-4,950.45	Similar;Superior:<10%>	-1,745.38	Similar;	
Other Improvements	None;	None;		None;		None;	
Utility / Use; Topography	Avg;Slightly Rolling;	Avg;Slightly Rolling;		Avg;Slightly Rolling;		Avg;Slightly Rolling;	
Zoning;	M-1;	M-2	0	C-3;	0	C-3;	0
None;	None:	None:		None:		None:	
Net Adjustment (Total, in $)		○ + ● −	$ -43,183	● + ○ −	$ 1,700	● + ○ −	$ 997
Net Adjustment (Total, in $ / Acre)		Net 13.0 %	($ -3217.79 /Acre)	Net 2.0 %	($ 349.08 /Acre)	Net 5.0 %	($ 833.33 /Acre)
Adjusted Sale Price (in $ / Acre)		Gross 27.0 %	$ 21,534.45	Gross 22.0 %	$ 17,802.88	Gross 5.0 %	$ 17,555.74

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Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

2024-071 ATTH 03

ADDITIONAL COMPARABLE SALES

4002 Arkansas Blvd.
File No.: Texarkana Airport Authority #2

SALES COMPARISON APPROACH

FEATURE	SUBJECT PROPERTY	COMPARABLE NO. 4		COMPARABLE NO. 5		COMPARABLE NO. 6	
Address	4002 Arkansas Blvd Texarkana, AR 71854	3920 Airport Plaza Dr Texarkana, AR 71854					
Proximity to Subject		0.17 miles SE					
Sale Price	$ N/A		$ 14,000		$		$
Price/ Acre	$	$ 10,416.67		$		$	
Data Source(s)	Visual observation	TBOR MLS #99634;1581 DOM;					
Verification Source(s)	MCAD;Realtor;	MCAD;Bk 2022, Pg R002230;					
VALUE ADJUSTMENT	DESCRIPTION	DESCRIPTION	+(-) $ Adjust	DESCRIPTION	+(-) $ Adjust	DESCRIPTION	+(-) $ Adjust
Sales or Financing Concessions	None Noted; None Noted;	Cash to Seller; REO;Lp/Sp; +12%	+1,250				
Date of Sale/Time	04/24/2022	03/22/2022					
Rights Appraised	Fee Simple;	Fee Simple;					
Location	Urban;Busy Rd;	Urban;Busy Rd;					
Site Area (in Acres)	7.92	1.344	0				
Overall Location:	Average to Good;	Similar;					
Other Improvements	None;	None;					
Utility / Use; Topography	Avg;Slightly Rolling;	Avg;Slightly Rolling;					
Zoning;	M-1;	C-3;	0				
None;	None:	None:					
Net Adjustment (Total, in $)		● + ○ −	$ 1,680	○ + ○ −	$	○ + ○ −	$
Net Adjustment (Total, in $ / Acre)		Net 12.0 %	($ 1250 /Acre)	Net %		Net %	
Adjusted Sale Price (in $ / Acre)		Gross 12.0 %	$ 11,666.67	Gross %	$	Gross %	$

Summary of Sales Comparison Approach: Due to the lack of recent sales similar to the subject, a slightly larger area and time frame of sales were researched.

See the Summary of Adjustments, Correlation of Data, and Reconciliation on pages 10-17 for further details.

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

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2024-071 ATTH 03

LAND APPRAISAL REPORT

4002 Arkansas Blvd.

File No.: Texarkana Airport Authority #2

SALES COMPARISON APPROACH

Summary of Sales Comparison Approach: Due to the lack of recent sales similar to the subject, a slightly larger area and time frame of sales were researched. 12 Comparable Sales within the last 5 years were analyzed with the 4 most recent similar sales used in deriving at an opinion of market value. Sales are the most recent and most comparable found. All sales are from the subject's marketing area and within an acceptable distance for the purpose of this appraisal report. The range of values bracket the value of the subject and considered good indicators of value for the subject of this report. The least net and gross adjustments slightly higher than preferred, however, they are within an acceptable range for the secondary market guidelines due to the lack of recent sales.

Typical guidelines recommend sales under 1 year and prefer under 6 months. However, very limited sales were located due to the lack of recent similar comparable sales within the Limited Manufacturing / Commercial Marketing area...!

See the Summary of Adjustments, Correlation of Data, and Reconciliation on pages 10-17 for further details.

TRANSFER HISTORY

My research ○ did ● did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.

Data Source(s): Miller County Records; Texarkana Multiple List Service; Internet;

1st Prior Subject Sale/Transfer	
Date:	01/09/1998
Price:	76,000.00
Source(s):	MCAD;Bk. 384, Pg. 687;
2nd Prior Subject Sale/Transfer	
Date:	N/A
Price:	
Source(s):	

Analysis of sale/transfer history and/or any current agreement of sale/listing: Miller County Records were researched for sales history for the subject. There appears to be no sales or abnormalities found in the research within the last three years for the other than the cited sales data itself. Further research in the sales history is beyond the scope and expertise of the appraiser, further details is subject to a clear abstract of title by a qualified person specializing in title abstract work. No other information was located during the appraiser's research.

PUD

PROJECT INFORMATION FOR PUDs (if applicable) ○ The Subject is part of a Planned Unit Development.

Legal Name of Project:

Describe common elements and recreational facilities: N/A

RECONCILIATION

Indicated Value by: Sales Comparison Approach $ 17,000 / Ac or $0.39 /sf $135,000.00 (R)

Final Reconciliation: This is an Appraisal Report in a Summary Format intended to establish an opinion of "Market Value" to assist the Client of this report only, not for mortgage loan purposes. Market approach most applicable since it reflects the action & reaction of the buyer & seller in the marketplace. Cost Approach and Income Approach were not developed for the purpose and intended use of this report. See the Addenda on p 10-18 for further details.

This appraisal is made ● "as is", or ○ subject to the following conditions: Market Value derived by the Direct Sales Comparison Approach with the most weight placed on the "Weighted Average (R)" with the Correlation of Data and Statistical Analysis offering support of value. See Addenda on p. 10-18 for further details.

● This report is also subject to other Hypothetical Conditions and/or Extraordinary Assumptions as specified in the attached addenda.

Based upon an inspection of the subject property, defined Scope of Work, Statement of Assumptions and Limiting Conditions, and Appraiser's Certifications, my (our) Opinion of the Market Value (or other specified value type), as defined herein, of the real property that is the subject of this report is: $ 17,000.00 / Ac or $0.39 / Sf or $135,000.00(R) , as of: 04/24/2022 , which is the effective date of this appraisal. If indicated above, this Opinion of Value is subject to Hypothetical Conditions and/or Extraordinary Assumptions included in this report. See attached addenda.

ATTACH.

A true and complete copy of this report contains 43 pages, including exhibits which are considered an integral part of the report. This appraisal report may not be properly understood without reference to the information contained in the complete report, which contains the following attached exhibits:

● Scope of Work ● Limiting cond./Certifications ● Narrative Addendum ● Location Map(s) ● Flood Addendum ● Additional Sales ● Photo Addenda ● Parcel Map ○ Hypothetical Conditions ○ Extraordinary Assumptions ○ Hypothetical Conditions

SIGNATURES

Client Contact: Ferdinand Paul Mehrlich III, C.M., ACE Client Name: Texarkana Airport Authority

E-Mail: Director@TXKAirport.com Address: 201 Airport Drive, Texarkana, AR 71854

APPRAISER	SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)
Michael Hendrix	
Appraiser Name: Michael Lynn Hendrix, MRA., MHV.	Supervisory or Co-Appraiser Name:
Company: P.M. Brown Appraisers	Company:
Phone: (903) 490-5300 Fax: (903) 793-8479	Phone: Fax:
E-Mail: appraiserbyday@cableone.net	E-Mail:
Date of Report (Signature): 05/06/2022	Date of Report (Signature):
License or Certification #: CG1730 State: AR	License or Certification #: State:
Designation: MRA, MHV.	Designation:
Expiration Date of License or Certification: 06/30/2022	Expiration Date of License or Certification:
Inspection of Subject: ○ Did Inspect ○ Did Not Inspect (Desktop)	Inspection of Subject: ○ Did Inspect ○ Did Not Inspect
Date of Inspection: 04/24/2022	Date of Inspection:

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

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Summary of Adjustments

File No. Texarkana Airport Authority #2

Borrower/Client	Texarkana Airport Authority (Client Only)						
Property Address	4002 Arkansas Blvd						
City	Texarkana	County	Miller	State	AR	Zip Code	71854
Lender	Texarkana Airport Authority						

PURPOSE OF THE APPRAISAL: The "Sole" Purpose of this Appraisal Report is to establish an opinion of "Market Value" for the subject herein this report, "Vacant Un-Improved Land" only.

INTENDED USE OF THE REPORT: The "Sole" Intended Use is by the Client of this report only, Texarkana Airport Authority, to assist in their decision making duties in deriving at a Listing Price to place the Subject on the Open Market only, "'not" for Mortgage Loan Financing Purposes...!

Purpose of the Summary Of Adjustments Addenda is to further elaborate on the pertinent information in the Form as well as provide Commentary on the Adjustments, etc. to further assist the End User(s) of this report.

NOTE: This is a "Appraisal Report" in a Summary Format for the Client's "Sole" Use only and may not be used, relied upon, or transferred to anyone other than the listed Client(s) in this report. This report is not to be misconstrued with a full self-contained report.

CLIENT ONLY: Texarkana Airport Authority

ATTENTION: Mr. Paul Mehrlich III, C.M. ACE Executive Director of Aviation;

OWNER OF PUBLIC RECORD: Texarkana Airport Authority

EFFECTIVE DATE OF REPORT: 04/24/2022

The Subject was first observed from the street the day of Engagement on 04/07/2022.

ORIGINAL SIGNATURE DATE OF REPORT: 05/02/2022

Due to the complexity of the assignment with extremely limited comparable sales "readily" obtainable and hindrance in data verification of "total" acreage for the Subject's Site from Miller County Assessors Office, there was a slight delay in delivering the report. The delays did "not" affect the appraisal, value, nor marketability of the subject property.

REVISED SIGNATURE DATE OF REPORT: 05/06/2022

Due to obtaining additional information from the City of Texarkana and retrieving additional MapS, the Original Signature was revised. The Revisions did not affect the appraisal, value, nor marketability of the subject property.

ACCESS: Access to the Subject Site was provided by permission of Mr. Paul Mehrlich with Texarkana Airport Authority providing the Miller County Property Card with Map where the Appraise performed a "non-evasive" visual observation of the "vacant land only" via a Front Site View only.

A second, more thorough non-evasive "visual" observation was performed 04/24/2022 consisting of, but not limited to, a complete "walk-around" of the entire perimeter of the Subject Property.

The Interior of the Site was not "readily" accessible due to being extremely over-grown with under-brush. Several Aerial Maps were viewed to conclude there did "not" appear to be any Improvements and/or other adverse issues that would affect the appraisal, value, north marketability of the subject of this report.

The Site includes, but not limited to, a mixture of young to mature trees with over-growth and brush with no improvements "readily" observable to the naked eye from the exterior perimeter to be considered with "Contributory Value" for the Purpose and Intended Use of this Report.

The Miller County Property Card and Aerial Views were reviewed to confirm "no" additional Improvements present to be considered for Contributory Value.

Although there is a small amount of Marketable Timber located on the Site, no "additional" Contributory Value considered for the Purpose and Intended Use of this Report.

NOTE: If a Timber Value is warranted by the Client, it is recommended a Forester provide a Timber Market Value Estimate.

Continued on the following page.

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COMMENT: Although a slight discrepancy in Total Acreage of the Subject's Site between MCAD Property Card on page 1 (5.750 Acres), MCAD Calculation (7.9442 Acres), and Texarkana GIS Maps (7.92), the Texarkana GIS Map of 7.92 Acres will be used for comparison since there was "no" Survey and/or Legal Description provided and / or "readily" obtainable over the course of this assignment.

Miller County Assessor's Office was contacted about the discrepancy, but no confirmation at this time...!

The Appraiser does not claim to be a Surveyor, Certified Engineer, Forester, Land and/or Soil Specialist, FEMA Specialist, Septic Specialist, Zoning and / or Code Enforcement, Home Inspector, Licensed Electrician, Licensed Plumber, Professional Tradesman, hence, any Inspections are per the discretion of the Client and/or Underwriter.

Any Inspections are per the discrepancy of the Client only...!

The Appraiser assumes the Data obtained from outside sources is believed to be "True & Correct" and Deemed "Reliable" for the Purpose and Intended Use of this Report "ONLY", but "NOT" Guaranteed...!

See Photos and Sketch Addenda for further details.

PROPERTY ADDRESS: 4002 Arkansas Boulevard, Texarkana, AR 71854

It is noted that the Subject Property does "not" have a Physical "911" Address at the present time, however, it is located on the east side adjacent to Harvest International Ministries located at 4000 Arkansas Boulevard. Also, 4002 pulls up at the Site on the Appraiser's Mapping Program.

For the Purpose and Intended Use of this Report, 4002 Arkansas Boulevard. will be used to reference the Subject's Location and Mapping Purposes "only" until an actual true physical "911" address has been assigned to the subject property.

It is noted the Addresses for Sale #1 thru #3 Addresses are also similar to the Subject for referencing and mapping location only...!

LEGAL DESCRIPTION: 7.92 +/- Acres, PT NE, SE, in S-09, T15S, R28W, Miller County, AR.

PARCEL NUMBER: 00225200 PIDN: 3622

SALE HISTORY: No conveyances for the subject located within the last 3 years.

TAXES: $505.08; Subject to change upon Conveyance and Reassessment by Miller County Assessor's Office.

DATE:	Book, Page:	DEED INFORMATION:	GRANTEE:	TYPE:
01/09/1998	384, 687;	Special Warranty;	Texarkana Airport Authority:	Land Only;

SITE AREA: 7.92 Acres +/- (Ac): 344,995.20 Square Feet +/- (Sf) More or less. Interior Site of Exterior Curve.

A Survey and/or Legal Description were provided by the Client. Subject to Current Survey and Legal Description.

Per Miller County Appraisal District Property Card provided by the client. Subject to current survey and clear abstract of title. No other data located due to the lack of verifiable data recorded by the county as well as above the Scope of the Assignment and expertise of the appraiser.

The Appraiser assumes the Data obtained from outside sources is believed to be "True & Correct" and Deemed "Reliable" for the Purpose and Intended Use of this Report "ONLY", but "NOT" Guaranteed...!

TOPOGRAPHY: From Street Grade to slightly rolling north to the rear of the Site. See Photos and Aerial Site Map for further details.

IMPROVEMENTS: There does "not" appear to be any Improvements considered for "Contributory Value".

Continued on the following page.

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NEIGHBORHOOD: The Subject is located in a stabilized area of East Texarkana just north of the Texarkana Airport with similar "Vacant Sites" with similar Zoning, Limited & General Manufacturing and Commercial Use properties within close proximity with "good" ingress & egress to major thoroughfares and businesses.

A fair amount of similar multi-use properties ranging from Limited Manufacturing / Light Industrial Use to Commercial-Use & Open Display properties are located within close proximity. Due to the present Zoning, M-1 / Limited Manufacturing, there is a vast array of properties, styles, size, and price range, there appears to be a very minimum negative market influence for similar large tract properties within the immediate area.

There are "extremely" limited recent similar comparable sales located within close proximity to the subject for comparison, hence, a slightly wider area and time frame of sales were researched as well as "competing" neighborhoods and markets were warranted.

There appears to be significant increases in land value / purchasing prices as well as comparables sales prices are evident over last 1-5 years with significant increase within the last 1-6 months due to "under supply vs increased demand"...!

Since the subject is located on a fairly busy 4 lane road in a "urban-like" neighborhood with a wide away of land-use, styles, size, and price range, the research criteria must have been expanded to a larger area for research of comparable sales as well as competing neighborhoods were warranted.

Typically, the appraiser does not cross geographical areas for comparable sales unless limited comparable sales are located within the immediate neighborhood. However, due to limited recent comparable sales similar to the Subject, the research area was expanded to the neighboring competitive markets and similar subdivisions. Typically, the main difference is Land Value contributed from mainly Location...!

Distance is not only evident, but as well as the neighborhoods. However, the neighborhoods are considered similar to the subject for comparison. See Location Maps for clarification the research area and neighborhood boundaries.

COMMENTS ON COMPARABLE SALES: 12 "total" Sales, which may or may not be "truly" comparable) were originally reviewed within the last 5 years with the most recent 4 Comparable Sales used in the analysis. Due to the lack of recent sales similar to the subject, exact comparables sales and/or listings were "extremely" difficult to locate within the immediate neighborhood, therefore, a larger area, time frame of sales, and adjustments are warranted.

An exhaustive search for similar comparable sales within the entire area, which includes, but not limited to, "all" of Texarkana Area and expanded to the entire Miller County with similar "competing" neighborhoods over a one year period with "no" better sales and/or listings located than the ones used in the analysis.

It is noted that the research area was drastically reduced due to the subject including large acreage just inside of the city limits of a "urban-like" area on a main 4-lane thoroughfare .

It is also noted that Sales Data is "extremely" difficult to obtain and/or verify due to extremely limits sales as well as lack of verifiable data recorded by the county.

The comparable sales in the analysis are considered the best comparables that come close to "bracketing" the subject by Site / Acreage and amenities. Although very few sales were located in the immediate area within the recommended 1 year guideline, the subject does "not" appear to "under and/or over-built" for the area. The area was expanded to competing similar neighborhoods.

Comparables Sales are placed in order based on their order of best Indicated Sales Price after adjustments.

Adjustments appear as (-) for Superior (Sup) and/or (=) for Inferior (Inf).

It is noted that out of the 12 "total" Sales within the expanded 5 years, there were "no" better "recent" similar comparable sales incorporating similar sites, situs, utility/use, utilities, and / or amenities for truly "bracketing" the Subject with minimum significance to value. Actual age is "not" considered due to "effective age" is more consistent with the many recent updates, etc.

An exhaustive search for similar comparable sales within the entire area for a 5 year period with no better sales located than the ones used in the analysis. See Summary of Adjustments Addenda for further details.

Continued on the following page.

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

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"Bracketing" is Client Specific and does "not" always "truly" work, in fact, when used inappropriately, the numbers (mean, etc.) can be mis-construed by altering the Value and mis-leading to the end-user. The area was also expanded to competing neighborhoods.

FINANCING: No adjustments warranted.

CONCESSIONS: No adjustments warranted.

TIME OF SALE: Although Sale #1 (06/03/2020), Sale #2 (12/18/2018), and Sale #3 (10/30/2020) are slightly over the typical 1 to 3 year recommended guideline for these type of properties, they are included due to the lack of sales with similar characteristics for "bracketing" the Subject compared to the other sales as well as within in close proximity to the Subject.

Due to the market fluctuation within the area, Time Adjustment was derived at approximately 6 percent / year with a "conservative" adjust of 3.0 percent / year or 0.003 / month x number of months = an adjustment of + 0.07 (7%) to Sale #1, + 0.12 (12%) to Sale #2, and + 0.05 (5%) to Sale #3.

Although the Subject's Market is considered Stable, there are rising cost of building materials, etc., significant increases in selling / purchasing prices as well as decrease marketing time within the last 1-6 months is evident due to "under supply vs increased demand"...!

However, with Market Fluctuation with the short time period, there is "no" way to "definitively" derive at a Time Adjustment, hence, additional older and most recent sales were included to offset such differences.

LOCATION: Urban: Arkansas Boulevard; 4 lane major thoroughfare with medium traffic flow per day.

INTERESTS CONVEYED: Fee Simple;

No mineral rights considered for the purpose and intended use of this appraisal nor was it part of the engagement letter. No adjustments warranted.

SITE: All comparable sales were viewed and/or adjusted for "Contributory" value based on the market's reaction and/or actual purchasing prices.

Site size (Ac/Sf) "does not" necessarily dictate price. Locational/Situs, Amenities, and Utility/Use factors are evident.

Adjustments primarily are for differences in price / site and/or "contributory" value / site where actual size does not reflect actual market value.

In some cases, Site adjustments appear to be opposite (- vs +) when just comparing the size of the site.

Although the Sales are within close proximity, they are located within slightly different (older or newer) neighborhoods which prices and sites (square foot /acre) can vary drastically either up and/or down (inferior / superior). Price compared to Size is not "relative", but what the typical Site's actual worth in dollars which may or may not be market value and/or purchase price, i.e., it's "contributory" value.

Since, the assignment is for "vacant land" only, there are very little adjustments considered, hence, for the purpose of this appraisal, further analysis will be used in the Statistical Analysis below to derive at a price per acre.

VIEW: 4 Lane Street with Limited Manufacturing, Commercial, and Warehouse properties within close proximity.

OTHER IMPROVEMENTS: None: No adjustments warranted.

UTILITIES: None on Site. Located at Front / South Side at Street.

FUNCTIONAL UTILITY / USE / CONDITION: Good;

ZONING: Present Use: M-1 = Limited Manufacturing:

No separate adjustments warranted.

Continued on the following page.

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

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Although there does "not" appear to be major difference between M-1 and C-3, the Texarkana City Planner was contacted to verify the particular Tract of Land may or may not be eligible to be Re-Zoned to C-3 in the future if applicable. It will depend on the nature of "Use" and the going before the Planning and Zoning Board for consideration and approval. Typically, this particular Tract would not have an issue of re-zoning, but "not" guaranteed...!

HIGHEST & BEST USE: Limited Manufacturing;

Possible Other Legal Uses: C-3; Commercial Development; (With property Zoning changes)

ACCESSIBILITY: Good: Ingress and egress is to the south side of the Site from Arkansas Boulevard.

ENCROACHMENTS AND/OR RESTRICTIONS: None Noted; No adjustments warranted.

There appears to be no apparent adverse encroachments or conditions noted at the time of the viewings which might affect the value or marketability of the subject property.

ESTIMATED MARKETING TIME: Based on sales data within the area, typical marketing time is estimated approximately 90 to 120 days upward of 1 year plus for this type of property when properly Listed at a Fair Market Price Compared to "competing" properties within the area.

However, due the shortage of available land for sale, the trend is increased selling prices above Listing Price as well as under the typical marketing time

COMMENTS: Although Vacant "Un-Improved" Land is fairly limited within the subject's immediate area, there appears to be only a limited amount of "vacant" land available for purchase remaining on and/or close to Arkansas Boulevard, especially within close proximity to the subject and/or east side of Texarkana not to mention large tracts within and/or close to the city limits of Texarkana.

Typically, this affects the 'Supply and Demand" and or "Principle of Substitution" which tends to reflect in increased selling/purchasing prices. See below for further details.

Although trends are not exact, the market within the immediate area appears to be stable with significant increasing.

Typically, comparable sales warrant consideration for adjustments for their differences based on "contributory" value extracted from the market as well as with conversations with local peers considered, not actual cost per items.

The Location, Size, Use/Topography, Zoning and overall condition of the site are strongly considered.

Adjustment consideration is derived by, but not limited to, the appraiser's visual observation from the street, conversations with local realtors, appraiser's files, MLS photos, and market acceptance.

Typically, slight adjustments are applicable, however, with the large number of comparable sales used in the analysis, there were "no" exact sales warranting a more scientific approach in deriving at a "fair' market value" for the purpose and intended use of this appraisal. See Correlation of Data below for further details.

There appears to be no "oblivious" signs of adverse environmental conditions noted during the appraiser's "non-evasive" visual observation. No tests were performed due to being beyond the scope of this report and expertise of the appraisers. Although termite inspections are not always mandatory per the client and/or intended use of the appraisal report, the appraiser always suggest a termite inspection to be performed by a licensed termite specialist due to being located in a wood-boring state. The inspection is per the discretion of the client.

COMMENTS ON LISTINGS: "I have considered relevant competitive listings and/or contract offerings in the performance of this appraisal. Any trend indicated by that data is supported by the listing/offering information included in this report."

Due to the Subject being in a Stable Market with slight increases in value over the last several years, additional Listing are not warranted for the purpose and intended use of this report.

TRENDS: There have not been any significant changes in the environment, economic, governments, and/or social trends in the market that would affect the stability of the market and/or exposure time. In fact, the area appears to be moving in a slightly positive direction due to new construction of thoroughfares and housing.

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Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

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Adjustments derived by, but not limited to, the appraiser's visual observation from the street, conversations with local realtors, appraiser's files, MLS photos, and market acceptance. These adjustments are considered conservative based on, but not limited to, "cost to cure" estimate and/or replacement cost with consideration of market acceptance.

Typically, adjustments are not always based on "fact" but, as well as "opinion" per the appraiser's experience, reasonableness, appropriateness. The adjustments were derived by, but not limited to, qualitative and/or quantitative method, regression analysis, market acceptance, trends, pair-sales analysis, cost less depreciation depicting contributory value, as well as conversation with peers in and out of the classroom.

COMMENTS: The appraiser is "not" considered to be a home inspector, therefore, the condition of the appliances and mechanical are assumed to be in good working order. It is also "assumed" that the structural integrity of the subject is in at least average condition to the naked eye. If further details are required, a full inspection is "suggested" to be performed by a qualified home inspector, engineer, and/or field specialist per the discretion of the client.

There appears to be no "obvious" adverse environmental conditions noted during the appraiser's "non-evasive" visual observation. No tests were performed due to no "apparent" abnormalities as well as beyond the scope of this report and expertise of the appraisers.

Although termite inspections are not always mandatory per the client and/or intended use of the appraisal report, the appraiser always "suggest" a termite inspection to be performed by a licensed termite specialist due to being located in a wood-boring state. The inspection is per the discretion of the client.

The appraiser's "suggestions" are merely "suggestions" to better assist the client of this report. They are in no way mandatory and/or required inspections per any Minimum Property Requirements (MPRs) and/or Minimum Property Standards (MPSs).

"It is the Client / Lender, and / or the Underwriter's discretion to order/obtain any inspections from an expert, otherwise, the "extraordinary assumption" is made that there is no safety and/or structural issues as stated in the limited conditions of the report."

See Extraordinary Assumption and Hypothetical Condition Definitions below on page 21 and 24 for further details.

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CORRELATION OF DATA: Comparable sales are placed in order based on their least net & gross adjustments which contributes to deriving at and opining the final opinion of value for the purpose and intended use of the appraisal report.

An exhaustive search for similar comparable sales was performed with "NO" exact comparables sales located better than the comparable sales included in this report. Hence, for a more credible appraisal report, additional Comparable Sales with an Unadjusted Price Range of $10,416.67 to $24,752.24 / Acre were included in the analysis to assist the client and better derive at a final opinion of value as well as support the final opined value.

(R) Rounded: FOV = Final Opinion of Value:

Price Per Acre;(R) Rounded; _ Ac. = Acre.

ADJUSTED RANGE: $

Sale #1 ($21,534.45 or $22,000.00 R) sets the High-End Value "strongly" supporting the FOV below...!

MEAN: $17,139,94 or $17,000.00 (R)

MEDIAN: $17,679.31 or $18,000.00 (R)

MODE: $18,000.00 (R)

WEIGHTED AVERAGE: $17,000.00

STANDARD DEVIATION: $4,077.61

Low Value: $11,667.67 + $4,077.61= $15,744.28

High Value: $21,534.45 - $4,077.61 = $17,456.84

Mean of the Low and High Value: $16,600.56 or $17,000.00 (R)

Further Support: Subject:

Purchase Deed Date: 01/09/1998

Purchase Price: $76,000.00

Effective Date: 04/24/2022

"Conservative" Annual Market Increase in Value: 0.06 or 6% / Year or 0.006 / Month with a "Conservative" Multiplier of 0.003 / Month.

292 Months x 0.003 = 0.88 or 88%

$76,000,00 x 0.88 = $66,880.00 = $76,000.00 = $142,888.00 or $143,000.00 (R)

or $18,055.56 / Acre

or $0.41 / Sq. Ft.

Market Adjusted Value "strongly" supports the Final Opine Value below...!

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FINAL RECONCILIATION: Market Value derived by the Direct Comparable Sales Approach is viewed most applicable with the most weight placed on the "conservative" side of the "Weighted Average" ($17,000.00) with the Median & Mode ($18,000.00 R) per Acre with the Correlation of Data, and Statistical Analysis offering support of value.

To further assist the client, the Mean of Sale #1 thru #3 = $19,400.00 (R) / Acres which also "strongly" supports the FOV below...!

Based on the analysis and reconciliation of the data within the report, it is the Appraiser's "Final Opinion of Market Value" for the subject of this report is $17,000.00 / Acre x 7.92 Acres equals $134,640.00 or $135,000.00 (R).

SAY: $135,000.00 (R)

One Hundred Thirty-Five Thousand Dollars (R)

or

$17,000.00 / Acre

or

$0.39 / Square Foot

("Vacant" and "Un-Improved" Land Only)

COMMENT: A Variance of 5% to 15% (+/-) is recommended based on the requirements of the Client.

Since the appraisal is based on an "extraordinary assumption", the appraiser reserves the right to revise the appraisal if any unknown facts become known after the effective date of this report and/or any findings from any inspections and/or surveys prior to or after the effective date of this report that could possibly affect the outcome of the report and/or value.

Due to the dynamic nature of the real estate market, past trends are not always a reliable indicator of future trends in selling prices.

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HIGHEST & BEST USE and SUPPLY & DEMAND continued on the following pages.

HIGHEST AND BEST USE:

The American Institute of Real Estate Appraisers defines Highest and Best Use as follows:

" The most profitable, likely use to which a property can be put. The opinion of such use may be based on the highest and most profitable continuous use to which the property is adapted and needed, or likely to be in demand in the reasonable near future. However, elements affecting occurrences, which while within the realm of possibility, are not fairly shown to be reasonably probable, should be excluded from consideration. Also, if the intended use is dependent upon an uncertain act of another person, the intention cannot be considered."

"The use of land which may reasonably be expected to produce the greatest net return to land over a given period of time. That legal use which will yield to land to the highest present value, sometimes called "optimum use". Appraisal Terminology and Handbook, Fifth Edition, p.99.

In estimating Highest and Best Use, there are essentially four stages of analysis:

1. Legally Permissible - What possible uses are permitted by zoning and deed restrictions on the site in question?

2. Physically Possible - To what use is it physically possible to put the site in question?

3. Financially Feasible - Which possible and permissible uses will produce the highest net return or highest present return?

4. Maximally Productive - Among the feasible uses, which use will produce the highest net return or highest present worth?

The Highest and Best Use of the land (or site) as “if vacant” and available for use, may be different from the Highest and Best Use of the “as improved” property. This will be true when the improvement is not an appropriate use and yet makes a contribution to total property value in excess of the value of the site.

Since the appraisal of the subject property is based on a particular use, the Highest and Best Use analysis determines if the current use is the Highest and Best Use.

A Highest and Best Use analysis consists of considering the Highest and Best Use of the property under two assumptions:

1) with vacant and available site and **2)** with the property “as improved.” These two assumptions of Highest and Best Use are correlated into one final estimate of Highest and Best Use.

The following tests must be met in estimating highest and best use:

1) the use must be legal and probable, not speculative or conjectural,

2) a demand for the use must exist and,

3) it must yield the highest net return to the land for the longest period.

These tests are applied to the vacant and improved property. To arrive at an estimate of highest and best use, the subject site is analyzed as though “vacant and available” for development and as presently “improved.”

PRESENT USE: M-1; LImited Manufacturing;

HIGHEST & BEST USE: With "M-1" Zoning" in the "urban-like" area, any and all consideration is possible, i.e., Limited Manufacturing, Warehouse, MultiPurpose, and/or possible Commercial Expansion;

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Since the subject is large tract of "vacant land" can be possibly split, developed, and/or sold off, the "highest and best use" could be considered as an "interim use" and/or possible new development. This is strictly included to assist the client of this report.

A summary of Highest and Best Use may be defined as the reasonably probable and legal use of vacant land or improved property which is which is physically possible, appropriately supported, financially feasible, and results in the highest value to the land.

There are four other questions that must be addressed pertaining to Highest and Best Use:

1. is the property of proper economic development?

2. is the property an over-improvement?

3. is the property an under-improvement?

4. is the property misplaced?

Similar sites within close proximity incorporate, but not limited to, small farm/ranch, single family dwellings, residential, light-industrial, commercial, and 2 newly constructed truck stops with convenience store and fast food restaurants.

Strictly, just, "Zoning" is not considered separately for "Urban" Vacant Land, however, UTILITY and /or USE are considered strongly when vacant land can be used for Multi-Purposes. Similar tracts typically range as low as $10,000.00 per acres to over $100,000.00 plus per acre depending on the location, size, and amenities. Similar tracts with more Utility and/or Use range $15,000.00 to $25,000.00 + / per acre.

During the currant market and lack of available "vacant" land for sale, it will be a "Seller's Market" meaning one could just about name the price to a Specific Buyer with Specific Requirements within the current time frame.

Many times vacant, unused, and surplus land sell to, but not limited, to the neighbors and/or for conservative wholesale prices for "holding and/or re-purposing for future use.

There has been very limited sales to connote good verifiable data for vacant land sales within the area due to satisfaction and located in a rural marketing area.

It is noted the above data is offered to assist the client in their decision making process for the subject property as its "highest and best use" and "demand".

SUPPLY AND DEMAND:

Summary of Supply and Demand, "in economic theory, the principle of supply and demand states that the price of a commodity, good, or service carries directly, but not necessarily proportionately with supply."

"In real estate, Supply is the amount of a type of real estate available for sale or lease at various prices in a given market at a given period of time. Typically, more of an item will be supplied at a higher price and less at a lower price." A basic factor of value is scarcity.

"In real estate, Demand is the amount of a type of real estate desired for purchase or rent at various prices in a given market for a given period of time. Typically, less of an item will be demanded at a higher price, and more will be demanded at a lowered price. Property values tend to vary directly with shifts in demand; prices tend to increase if demand increases and other factors remain constant. Usually, the relationship between demand and price is not fixed. The changing relationship is described as the elasticity of demand."

"The Appraisal of Real Estate, Tenth Edition, The Appraisal Institute. Pages 34-36."

Continued on the following page.

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

Summary of Adjustments

File No. Texarkana Airport Authority #2

Borrower/Client	Texarkana Airport Authority (Client Only)						
Property Address	4002 Arkansas Blvd						
City	Texarkana	County	Miller	State	AR	Zip Code	71854
Lender	Texarkana Airport Authority						

CONCLUSION:

Based on the appraiser's experience within the subject's immediate area, the "supply" of similar properties of vacant land is quite "low" while actual "demand" exhibits an "increase" from the construction of several newer businesses, etc. within in the area.

Simply, due to the immediate surroundings of a vast array of mixed-use properties, there is no way to guarantee the best way to market the property or provide a true estimate for a marketing time. This is where unique defines itself, in that, the property will go to a specific buyer for a specific use, not necessarily to an average buyer.

The information provided is to assist the client in their decision making processes only.

The appraiser reserves the right to revise the appraisal report upon any unknown factors becoming aware of after delivery of the completed report to the client.

Continued on the following page.

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

Definitions

File No. Texarkana Airport Authority #2

Borrower/Client	Texarkana Airport Authority (Client Only)						
Property Address	4002 Arkansas Blvd						
City	Texarkana	County	Miller	State	AR	Zip Code	71854
Lender	Texarkana Airport Authority						

SEE ADDENDA FOR DETAILS OF ADJUSTMENTS:

The subject is located just within the city limits of the East Texarkana (Population 30,383) with a wide array of home styles, size, and situs. A fair amount of commercial and multi-use properties are located within close proximity. However, due to local zoning, the vast array of homes, styles, size, and price range, there appears to be a very minimum negative market influence for commercial and/or large properties within the immediate area.

If further details are required, it is recommended that a full home inspection to be performed by a licensed home inspector / specialist and/or local code enforcement for Texarkana, Miller County, Texas. Any inspections are per the client's requirements.

URBAN: The characteristics of cities and towns, such as concentration of population, density of structures, intensive utilization of land for residential, commercial, and industrial purposes, paved streets, lighted streets, and public utilities; the characteristics of being like a city; the opposite of Rural.

SUBURBAN: The unincorporated and incorporated residential area, and the associated commercial and industrial areas, surrounding a Central City having strong economic and social ties to the city.

RURAL: Those areas having characteristics of the country or the farm, as distinguished from Urban areas; areas outside the urban areas that are not thickly populated or intensively utilized for non-agriculture purposes; the farming areas or those having to do with agriculture.

Definitions extracted from, "APPRAISAL AND ASSESSMENT DICTIONARY" By Richard A. Cherney, C.A.E, S.R.A

RURBAN: A Concept of human settlements, where the city and countryside are considered one space. Per Wikipedia. ...of relating to, or constituting an area which is chiefly residential, but where some farming is carried on. Per Merriam-Webster.

Since the neighborhood is just inside of the city limits of the of Texarkana, it is considered a "SUBURBAN" market based on the population density of the area with distances of the comparable sales with from 0.77 miles up to 3.40 miles which are the only comparables that come close to "bracketing" the Site, Age, Room Count (Baths), GLA, and Amenities. The area was also expanded to competing neighborhoods. There were "no" more similar comparables sales to fully "bracket" the total floor count with "minimum" affect on the appraisal.

Although very few sales were located in the immediate area within the recommended guidelines, the subject does not appear to "under and/or over-built" for the area.

An exhaustive search for similar comparable sales within the entire area for a 3.0 year period with no better sales located than the ones used in the analysis. See Supplemental Addenda for further details.

EXTRAORDINARY ASSUMPTION: An assumption, directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinion or conclusion. Comment: Extraordinary assumption presume as fact otherwise uncertain information about physical, legal, or economic characteristic of the subject property; or about the conditions external to the property, such as market conditions or trends; or about integrity of data used in an analysis. (USPAP, 2015-2016 ed. p. U3).

HYPOTHETICAL CONDITION: A condition directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis. (Per USPAP).

SUPERADEQUACY: An excess in the capacity or quality of a structure or structural component; determined by the market. (The Dictionary of Real Estate Appraisal, 5th Edition, Appraisal Institute).

SPECULATIVE USE: Future Use / Change of Zoning Requirements:

TEXARKANA GIS MAPS: Texarkana Water Utilities GIS Maps (TWU ArcGIS Web)

See Zoning on the following page.

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

Definitions

File No. Texarkana Airport Authority #2

Borrower/Client	Texarkana Airport Authority (Client Only)						
Property Address	4002 Arkansas Blvd						
City	Texarkana	County	Miller	State	AR	Zip Code	71854
Lender	Texarkana Airport Authority						

ZONING PER TEXARKANA PLANNING AND ZONING DEPARTMENT / CHIEF BUILDING OFFICIAL:

Sec. 28-23. - Industrial districts.

(a) General description. The industrial zoning districts are intended to provide for the development of light to heavy industrial uses and their related facilities. Appropriate standards for the various districts are designed to assure compatibility with other similar uses and to ameliorate any conflicts with non-industrial uses located in close proximity to the industrial use. The zoning chapter hereby establishes three (3) industrial zoning districts to be known as the W-1 warehousing and wholesaling district, the M-1 limited manufacturing district and the M-2 general manufacturing district.

(1) W-1 warehousing and wholesaling district. This district is for rail, bus, and truck terminals along with warehousing, wholesaling, packaging, storage, fabrication, display and such limited manufacturing as does not create a nuisance for residential and commercial neighbors. This zone requires access to railroads and highways and it should be near the industrial and commercial areas that it serves.

(2) M-1 limited manufacturing district. This district is for clean, quiet industries on ample landscaped sites with plenty of room for parking and plat expansion. These sites share access to highways and railroads, they are protected from the noise, dirt, and hazards of more objectionable industries and in turn they are good neighbors to nearby commercial, residential and agricultural areas.

(3) M-2 general manufacturing district. This zone is for the more intensive industries and those making products from raw materials. Regulations are the minimum for mutual protection between industries.

(b) Permitted uses. The permitted uses in the industrial districts are set forth below. Where the letter "X" appears opposite a permitted use and underneath an industrial zoning district, the use is permitted in that district subject to (1) the providing of off-street parking in the amount required, (2) conformance to the development criteria applying to uses as set forth in this section, and (3) the providing of off-street loading in accordance with article VII. Where letters "CU" appear instead of "X", this use is permitted subject to acquiring a conditional use permit as set forth in article I

(4) C-3 open display commercial district. This district is established in order to provide adequate locations for retail uses which serve the needs of the motoring public and are characterized by a high level of vehicular ingress and egress. Among these uses are automobile and other vehicular service establishments, transient sleeping accommodations, and eating and drinking establishments. The district is also intended to provide a location for the limited amount of merchandise, equipment and material being offered for retail sale that, because of the type of material or transportation requirements, are suitable for display and storage outside the confines of an enclosed building. Such uses are not generally compatible with pedestrian oriented commercial districts and shopping centers since they tend to obstruct and interfere with pedestrian movements. Appropriate locations for this district are along heavily traveled major traffic arterials.

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

Assumptions & Limiting Conditions

Property Address: **4002 Arkansas Blvd** City: **Texarkana** State: **AR** Zip Code: **71854**
Client: **Texarkana Airport Authority** Address: **201 Airport Drive, Texarkana, AR 71854**
Appraiser: **Michael Lynn Hendrix, MRA., MHV.** Address: **122 E. Broad Street, Suite 204, Texarkana, AR 71854**

STATEMENT OF ASSUMPTIONS & LIMITING CONDITIONS

- The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
- The appraiser may have provided a sketch in the appraisal report to show approximate dimensions of the improvements, and any such sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size. Unless otherwise indicated, a Land Survey was not performed.
- If so indicated, the appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
- The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
- If the cost approach is included in this appraisal, the appraiser has estimated the value of the land in the cost approach at its highest and best use, and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used. Unless otherwise specifically indicated, the cost approach value is not an insurance value, and should not be used as such.
- The appraiser has noted in the appraisal report any adverse conditions (including, but not limited to, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property, or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property, or adverse environmental conditions (including, but not limited to, the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
- The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
- The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.
- If this appraisal is indicated as subject to satisfactory completion, repairs, or alterations, the appraiser has based his or her appraisal report and valuation conclusion on the assumption that completion of the improvements will be performed in a workmanlike manner.
- An appraiser's client is the party (or parties) who engage an appraiser in a specific assignment. Any other party acquiring this report from the client does not become a party to the appraiser-client relationship. Any persons receiving this appraisal report because of disclosure requirements applicable to the appraiser's client do not become intended users of this report unless specifically identified by the client at the time of the assignment.
- The appraiser's written consent and approval must be obtained before this appraisal report can be conveyed by anyone to the public, through advertising, public relations, news, sales, or by means of any other media, or by its inclusion in a private or public database.
- An appraisal of real property is not a 'home inspection' and should not be construed as such. As part of the valuation process, the appraiser performs a non-invasive visual inventory that is not intended to reveal defects or detrimental conditions that are not readily apparent. The presence of such conditions or defects could adversely affect the appraiser's opinion of value. Clients with concerns about such potential negative factors are encouraged to engage the appropriate type of expert to investigate.

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

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2024-071 ATTH 03

Definitions & Scope of Work

Property Address: 4002 Arkansas Blvd City: Texarkana State: AR Zip Code: 71854
Client: Texarkana Airport Authority Address: 201 Airport Drive, Texarkana, AR 71854
Appraiser: Michael Lynn Hendrix, MRA., MHV. Address: 122 E. Broad Street, Suite 204, Texarkana, AR 71854

DEFINITION OF MARKET VALUE *:
Market value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:
1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.
* This definition is from regulations published by federal regulatory agencies pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989 between July 5, 1990, and August 24, 1990, by the Federal Reserve System (FRS), National Credit Union Administration (NCUA), Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the Office of Comptroller of the Currency (OCC). This definition is also referenced in regulations jointly published by the OCC, OTS, FRS, and FDIC on June 7, 1994, and in the Interagency Appraisal and Evaluation Guidelines, dated October 27, 1994.

The Scope of Work is the type and extent of research and analyses performed in an appraisal assignment that is required to produce credible assignment results, given the nature of the appraisal problem, the specific requirements of the intended user(s) and the intended use of the appraisal report. Reliance upon this report, regardless of how acquired, by any party or for any use, other than those specified in this report by the Appraiser, is prohibited. The Opinion of Value that is the conclusion of this report is credible only within the context of the Scope of Work, Effective Date, the Date of Report, the Intended User(s), the Intended Use, the stated Assumptions and Limiting Conditions, any Hypothetical Conditions and/or Extraordinary Assumptions, and the Type of Value, as defined herein. The appraiser, appraisal firm, and related parties assume no obligation, liability, or accountability, and will not be responsible for any unauthorized use of this report or its conclusions.

Additional Comments (Scope of Work, Extraordinary Assumptions, Hypothetical Conditions, etc.):

EXTRAORDINARY ASSUMPTION: An assumption, directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinion or conclusion. Comment: Extraordinary assumption presume as fact otherwise uncertain information about physical, legal, or economic characteristic of the subject property; or about the conditions external to the property, such as market conditions or trends; or about integrity of data used in an analysis. (USPAP, 2015–2016 ed. p. U3).

HYPOTHETICAL CONDITION: A condition directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis. (Per USPAP).

NOTE: "The Appraiser's Opinion of Value is just that, An Opinion of Value on the Effective Date only...! It is completely Independent of any List Price, Purchase Price, Previous Sale Price, and / or Conversation. Also, it is "not" required nor mandatory the Appraiser's Opinion of Value be "Equal To" any List Price and / or Agreed Purchase Price."

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

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2024-071 ATTH 03

Certifications

Property Address: 4002 Arkansas Blvd City: Texarkana State: AR Zip Code: 71854
Client: Texarkana Airport Authority Address: 201 Airport Drive, Texarkana, AR 71854
Appraiser: Michael Lynn Hendrix, MRA., MHV. Address: 122 E. Broad Street, Suite 204, Texarkana, AR 71854

APPRAISER'S CERTIFICATION

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The credibility of this report, for the stated use by the stated user(s), of the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- I did not base, either partially or completely, my analysis and/or the opinion of value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property, or of the present owners or occupants of the properties in the vicinity of the subject property.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification.

Additional Certifications:

EXTRAORDINARY ASSUMPTION: An assumption, directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinion or conclusion. Comment: Extraordinary assumption presume as fact otherwise uncertain information about physical, legal, or economic characteristic of the subject property; or about the conditions external to the property, such as market conditions or trends; or about integrity of data used in an analysis. (USPAP, 2015–2016 ed. p. U3).

SIGNATURES

Client Contact: Ferdinand Paul Mehrlich III, C.M., ACE Client Name: Texarkana Airport Authority
E-Mail: Director@TXKAirport.com Address: 201 Airport Drive, Texarkana, AR 71854

APPRAISER

Michael Hendrix

Appraiser Name: Michael Lynn Hendrix, MRA., MHV.
Company: P.M. Brown Appraisers
Phone: (903) 490-5300 Fax: (903) 793-8479
E-Mail: appraiserbyday@cableone.net
Date Report Signed: 05/06/2022
License or Certification #: CG1730 State: AR
Designation: MRA, MHV.
Expiration Date of License or Certification: 06/30/2022
Inspection of Subject: ○ Interior & Exterior ● Exterior Only ○ None
Date of Inspection: 04/24/2022

SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)

Supervisory or Co-Appraiser Name:
Company:
Phone: Fax:
E-Mail:
Date Report Signed:
License or Certification #: State:
Designation:
Expiration Date of License or Certification:
Inspection of Subject: ○ Interior & Exterior ○ Exterior Only ○ None
Date of Inspection:

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

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Front Site View



Rear Site View

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l



Street View
Looking East on Arkansas Blvd. with Subject on Left in Photo.



Street View
Looking West on Arkansas Blvd. Asphalt Cc "Curb & Gutter" Street.



SW Corner from Street View
Appears Drive is partially located on the Subject Site, but "not" Guaranteed.



NE Rear Side View



Approximate NW Corner Boundary Line.



Approximate NE Side Boundary Line.

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l



Rear Site View
North Side View



Front Side View



Rear View from NW Side



Rear View from NE Side



Front View



Rear View from NE Corner

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

Comparable Land Photo Page

Borrower/Client	Texarkana Airport Authority (Client Only)						
Property Address	4002 Arkansas Blvd						
City	Texarkana	County	Miller	State	AR	Zip Code	71854
Lender	Texarkana Airport Authority						



Comparable 1

4100 E 19th St

Prox. to Sub.	1.17 miles S
Sales Price	332,175
Date of Sale	06/30/2020
Site Area	13.42
Location	Urban;Industrial Park
Overall Location:	Similar;Superior:<20%>
Other Improvements	None;
Utility / Use; Topography	Avg;Slightly Rolling;
Zoning;	M-2
None;	None:

No Photo

Photos may or may not appear exactly the way the land was sold....



Comparable 2

3602 Arkansas Blvd

Prox. to Sub.	0.21 miles W
Sales Price	85,000
Date of Sale	12/12/2018
Site Area	4.87
Location	Urban;Busy Rd; I-49;
Overall Location:	Similar;Superior:<10%>
Other Improvements	None;
Utility / Use; Topography	Avg;Slightly Rolling;
Zoning;	C-3;
None;	None:

Photos may or may not appear exactly the way the land was sold....



Comparable 3

3922 Airport Plaza Dr

Prox. to Sub.	0.19 miles S
Sales Price	20,000
Date of Sale	10/30/2020
Site Area	1.196
Location	Urban;Busy Rd;
Overall Location:	Similar;
Other Improvements	None;
Utility / Use; Topography	Avg;Slightly Rolling;
Zoning;	C-3;
None;	None:

Photos may or may not appear exactly the way the land was sold....

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

Comparable Land Photo Page

Borrower/Client	**Texarkana Airport Authority (Client Only)**						
Property Address	**4002 Arkansas Blvd**						
City	**Texarkana**	County	**Miller**	State	**AR**	Zip Code	**71854**
Lender	**Texarkana Airport Authority**						



Comparable 4

3920 Airport Plaza Dr

Prox. to Sub.	**0.17 miles SE**
Sales Price	**14,000**
Date of Sale	**03/22/2022**
Site Area	**1.344**
Location	**Urban;Busy Rd;**
Overall Location:	**Similar;**
Other Improvements	**None;**
Utility / Use; Topography	**Avg;Slightly Rolling;**
Zoning;	**C-3;**
None;	**None:**

Photos may or may not appear exactly the way the land was sold....

No Photo

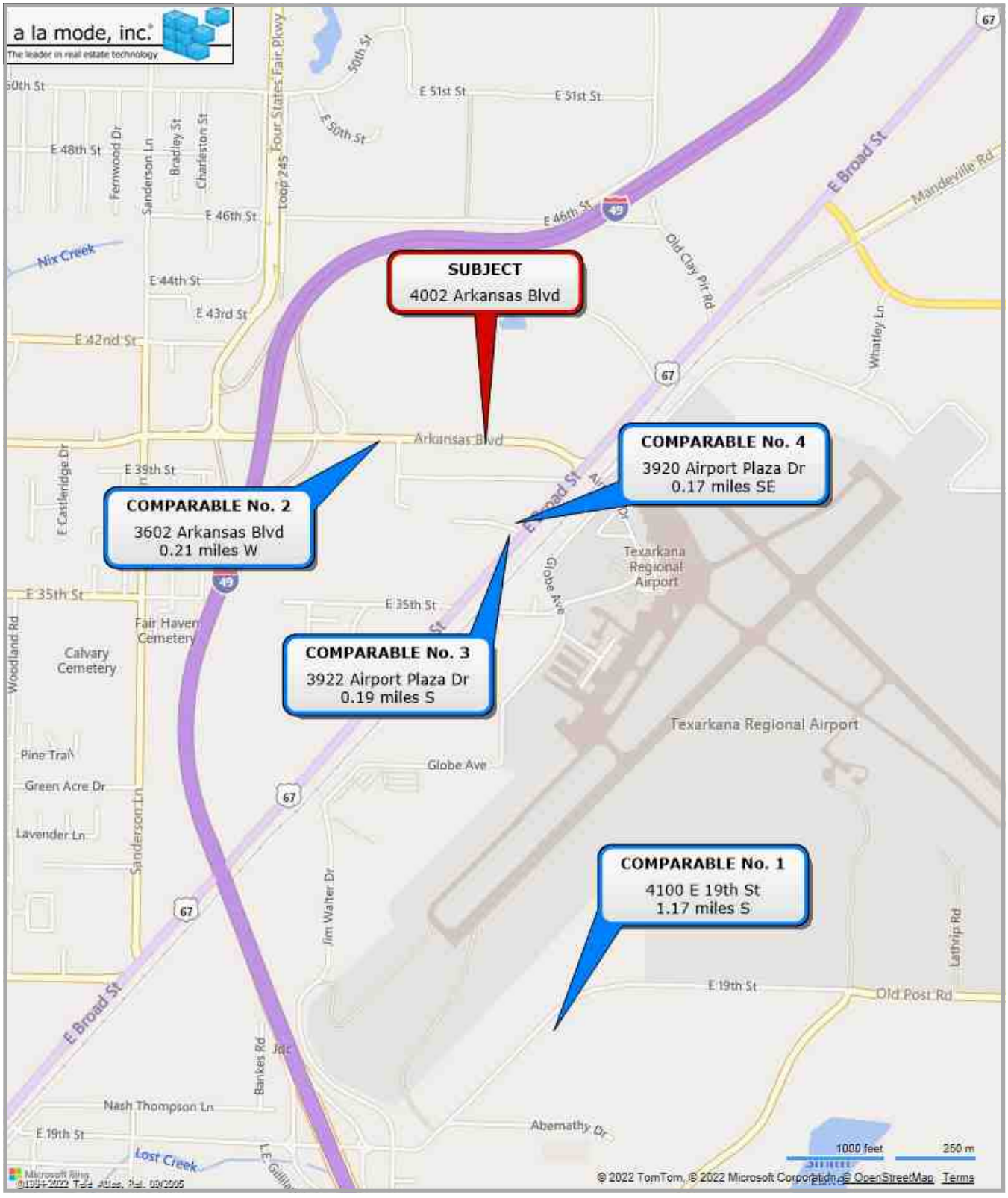
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Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

2024-071 ATTH 03

Subject and Comparable Sales Location Map

Borrower/Client	**Texarkana Airport Authority (Client Only)**						
Property Address	**4002 Arkansas Blvd**						
City	**Texarkana**	County	**Miller**	State	**AR**	Zip Code	**71854**
Lender	**Texarkana Airport Authority**						

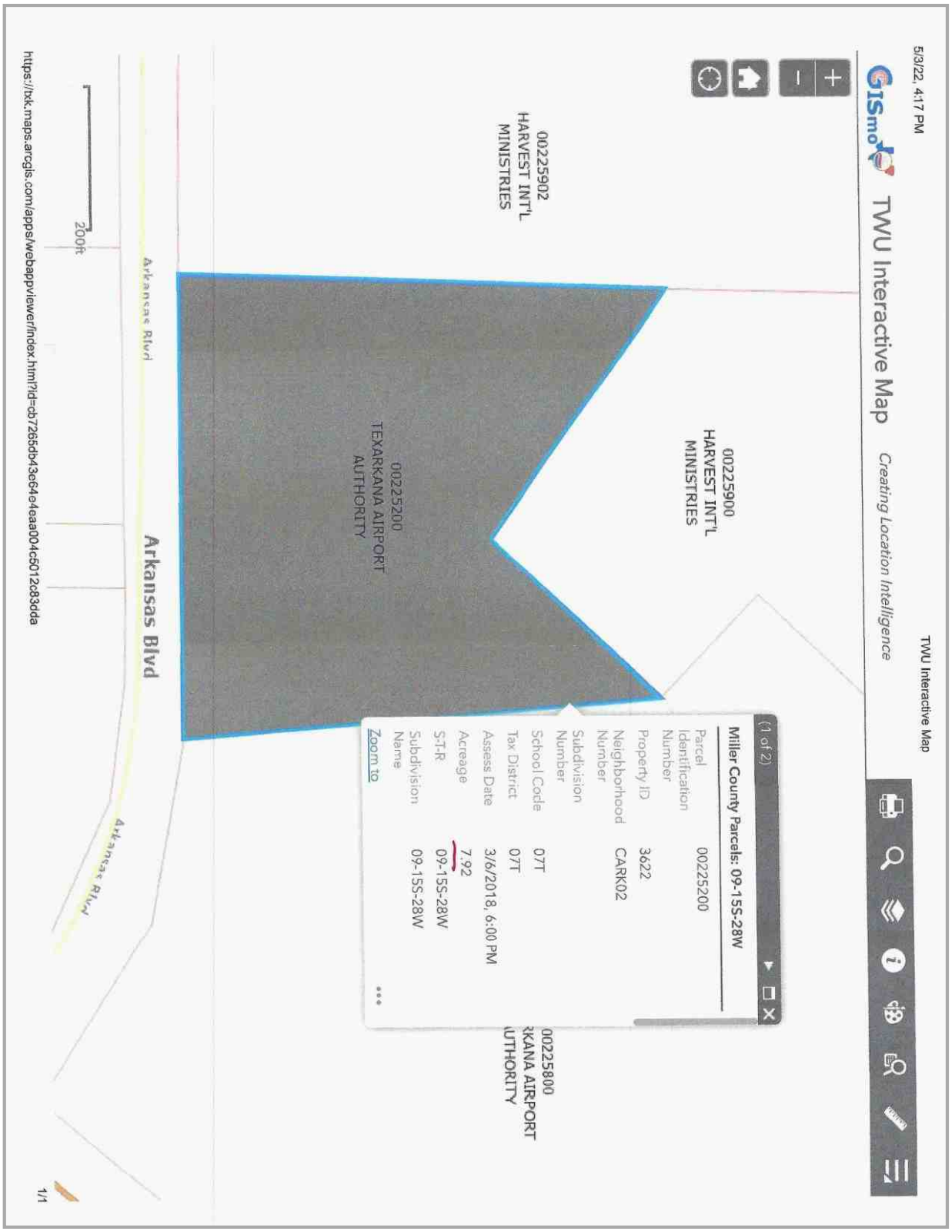


Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

2024-071 ATTH 03

Subject's Plat Map Per Texarkana Water Utilities-GIS

8.7.d



Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

2024-071 ATTH 03

Subject Aerial Site Location Map

Borrower/Client	**Texarkana Airport Authority (Client Only)**						
Property Address	**4002 Arkansas Blvd**						
City	**Texarkana**	County	**Miller**	State	**AR**	Zip Code	**71854**
Lender	**Texarkana Airport Authority**						



Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

2024-071 ATTH 03

Subject Aerial Approximate Boundary Line Location Map

Borrower/Client	**Texarkana Airport Authority (Client Only)**						
Property Address	**4002 Arkansas Blvd**						
City	**Texarkana**	County	**Miller**	State	**AR**	Zip Code	**71854**
Lender	**Texarkana Airport Authority**						



Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

2024-071 ATTH 03

Subject's MCAD Site Front Foot

8.7.d

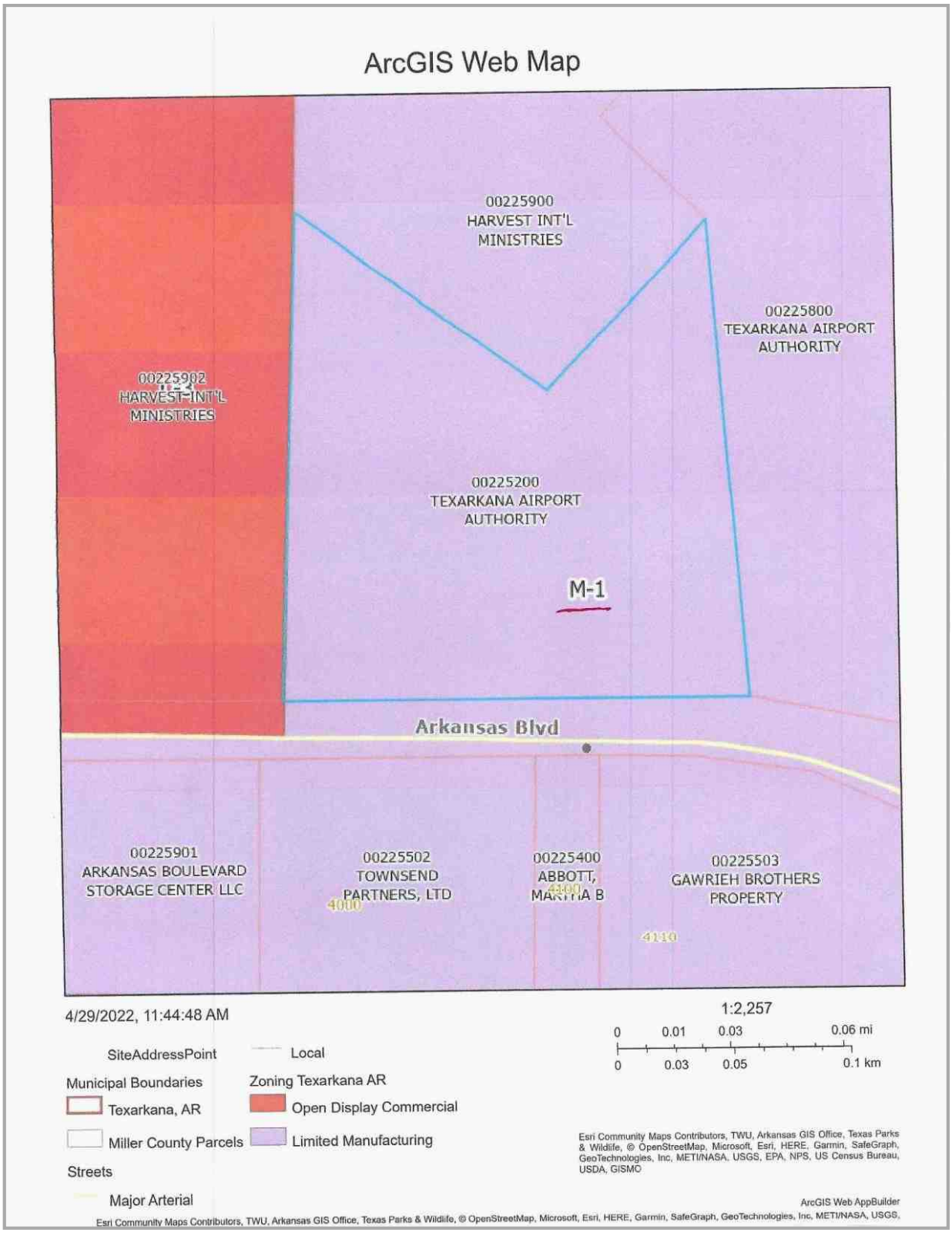


Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

Subject's Zoning / Plat Map Per Texarkana Water Utilities-GIS

2024-071 ATTH 03

8.7.d



Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

2024-071 ATTH 03

Subject's Aerial View Per Texarkana Water Utilities-GIS

8.7.d



Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

2024-071 ATTH 03

Subject's Miller County Property Card - Page 1

8.7.d

Parcel: 00225200
As of: 3/4/2022

Miller County Report

ID: 3622

RE: 4002 AR Blvd.

Property Owner

Name: TEXARKANA AIRPORT AUTHORITY

Mailing Address: 201 AIRPORT DR
TEXARKANA, AR 71854

Type: (CV) Comm. Vacant
Tax Dist: (07T) TEXARKANA
Millage Rate: 54.90
Extended Legal: PT NE SE

Property Information

Physical Address: ARKANSAS BLVD

Subdivision: 09-15S-28W
Block / Lot: N/A / N/A
S-T-R: 09-15S-28W
Size (Acres): 5.750

= 7.92 per TWR Interactive Map

Market and Assessed Values

	Estimated Market Value	Full Assessed (20% Mkt Value)	Taxable Value
Land:	$46,000	$9,200	$9,200
Building:	0	0	0
Total:	$46,000	$9,200	$9,200

Taxes

Estimated Taxes:	$505
Homestead Credit:	$0

Note: Tax amounts are estimates only. Contact the county/parish tax collector for exact amounts.

Land

Land Use	Size	Units
	5.750	Acres
Total	**5.750**	

Deed Transfers

Deed Date	Book	Page	Deed Type	Stamps	Est. Sale	Grantee	Code	Type
1/9/1998	384	687	SpecWarr	250.80	$76,000	TEXARKANA AIRPORT AUTHORITY	Additional Properties	Land Only
12/1/1994	363	397	N/A			AMT LAND INC	N/A	N/A
4/1/1976	260	42	N/A			DUNHILL, JOHN S. & ENGSTROM ND	N/A	N/A

Reappraisal Value History

Tax Year	Total Value	Total Assessed
2015	$1,150.00	$198.00
2016	$1,150.00	$216.00
2017	$1,150.00	$230.00
2018	$46,000.00	$9,200.00
2019	$46,000.00	$9,200.00
2020	$46,000.00	$9,200.00
2021	$46,000.00	$9,200.00

Not a Legal Document.
Subject to terms and conditions.
www.actDataScout.com

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

Form SCNLGL - "TOTAL" appraisal software by a la mode, inc. - 1-800-ALAMODE

2024-071 ATTH 03

Subject's Miller County Property Card - Page 2

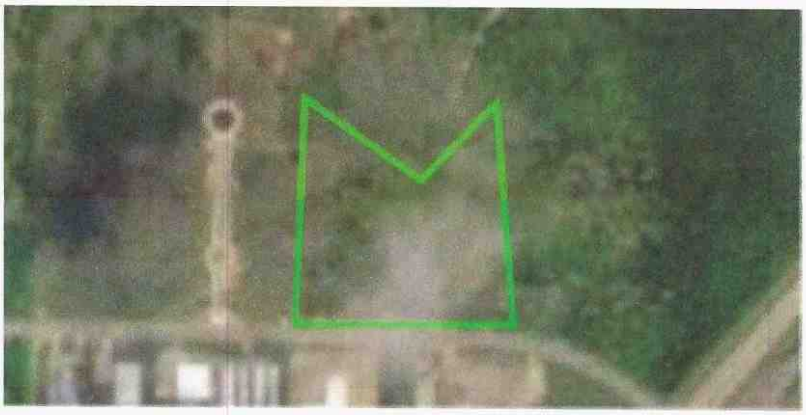
8.7.d

Parcel: 00225200
As of: 3/4/2022

Miller County Report

ID: 3622

Map



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www.actDataScout.com

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Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

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2024-071 ATTH 03

Subject's Miller County Property Card - Page 3

8.7.d



Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

P.M. Brown, Real Estate Appraisers

Main File No. Texarkana Airport Authority #2 | Page # 41 of 43

ENGAGEMENT LETTER

Date 04/07/2022
Client Texarkana Airport Authority
Address 201 Airport Drive, Texarkana, AR 71854

RE: Appraisal of AR Blvd. & E. 19th, Texarkana, AR 71854

Dear Mr. Paul Mehrlich III, C. M. ACE ,

Pursuant to your request, we are happy to submit a proposal for the appraisal of the property located at Arkansas Boulevard and E. 19th St, Texarkana, AR 71854.

The appraisal shall be prepared for Texarkana Airport Authority
and is for the sole and exclusive use of Texarkana Airport Authority.
We request that you seek our written authorization before releasing the report to any other party.

The assignment will be to formulate an opinion of market value for the property. The legal property appraised would be the Fee Simple interest. The property will be valued as of TBD.

The appraisal will be prepared in accordance with the Uniform Standards of Professional Appraisal Practice. Attached to this letter you will find a copy of our Statement of Limiting Conditions and Appraiser's Certification which are attached to all appraisals prepared by this office. Please review and initial each attached page and return the executed copy to us indicating your acceptance and approval of our Limiting Conditions and Appraiser's Certification.

The estimated completion date of the appraisal is Typically 2 - 3 weeks +/- after inspection unless unforeseen issues occur.
We can only complete the appraisal by this date if we receive from you in a timely manner any relevant information needed for the preparation of the report. In order to complete this appraisal, the following information will be needed:
Request of the following, but not limited to, Legal Description, Surveys, Plats, Warranted Deeds, and any pertinent information to assist the appraiser. Also, Contact Name and Number for E. 19th St. to gain access for the Visual Observation.
Full Fee Compensation upon Cancellation with No Refund upon Cancellation.
ETA is "not" guaranteed due to unforeseen circumstances...!

We will furnish you with 1 copies of the appraisal report. Our fee for this appraisal will be $ 3,700.00.
This fee ○ does ● does not include the cost of certain expenses that may be incurred in the preparation of the report.
If expenses are not included, a bill for these expenses will be provided to you upon completion of the report.

○ A retainer in the amount of $ _____ must be paid to this office before we can commence the preparation of this report.
● A bill for the $ 3,700.00 appraisal fee will be presented and immediate payment will be requested at the time the report is completed.
○ A bill for the appraisal fee of $ _____ along with any other expenses incurred will be presented to you along with the completed report.

We will proceed with the preparation of this appraisal upon receipt of a signed copy of this letter and an initialed copy of the Statement of Limiting Conditions and Appraiser's Certification. If you have any questions about anything contained in this letter or in any of the attachments, please give us a call.

Sincerely,

Michael Handley

Engagement Letter Accepted:

(client signature) 4/7/2022 (date)

Form ENG2_LT - "TOTAL" appraisal software by a la mode, inc. - 1-800-ALAMODE

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

QUALIFICATIONS

MICHAEL L. HENDRIX, MRA, MHV.

EDUCATION:

B.B.A---BUSINESS OF ADMINISTRATION/PSYCHOLOGY...ST. JOHN'S UNIVERSITY
A.S.---BUSINESS COMPUTERS...CHENIER BUSINESS SCHOOL
A.S.---DRAFTING TECHNOLOGY/WELDING TECHNOLOGY...TEXARKANA, COLLEGE

CERTIFICATIONS:

ARKANSAS CERTIFIED GENERAL APPRAISER—CG1730
TEXAS CERTIFIED GENERAL APPRAISER—TX-1336152-G
LOUISIANA CERTIFIED GENERAL APPRAISER—G1681
OKLAHOMA CERTIFIED GENERAL APPRAISER---12596CGA
FHA-UNITED STATES DEPARTMENT OF HOUSING & URBAN DEVELOPMENT
BOARD CERTIFIED MANUFACTURED HOUSING VALUATION--5116
ARKANSAS CERTIFIED HOUSING CONSULTANT
BUILDING MAINTENANCE/TRADESMAN—UNITED STATES LABOR DEPARTMENT

PROFESSIONAL MEMBERSHIPS:

NATIONAL ASSOCIATION OF MASTER APPRAISERS—MRA DESIGNATION 10628
SOUTH CENTRAL TEXAS NAMA CHAPTER
NATIONAL SOCIETY OF APPRAISER SPECIALISTS—MHV DESIGNATION 5116
HOME BUILDERS ASSOCIATION OF TEXARKANA
ASSOCIATION OF TEXAS APPRAISERS
MAIN STREET TEXARKANA, USA TEXARKANA CHAMBER OF COMMERCE

APPRAISAL RELATED COURSES:

ARKANSAS STATE UNIVERSITY
- SPECIAL STUDIES OF INCOME APPROACH
- FARM AND RANCH APPRAISAL

APPRAISAL INSTITUTE:
- APPRAISING MANUFACTURED HOME
- INCOME CAPITALIZATION

LINCOLN GRADUATE CENTER:
- UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICES
- COMMERCIAL INVESTMENT APPRAISAL
- FINANCIAL ANALYSIS OF INCOME PROPERTY
- YIELD CAPITALIZATION OF INCOME PROPERTY
- PRINCIPLES OF REAL ESTATE APPRAISAL
- PRACTICE OF REAL ESTATE APPRAISAL
- APPRAISAL OF RESIDENTIAL PROPERTY
- WRITING THE NARRATIVE APPRAISAL REPORT
- APPRAISAL ISSUES
- LEGISLATIVE & ASB UPDATES
- FHA/FANNIE MAE UPDATES
- APPRAISAL LIABILITIES
- FARM & LAND APPRAISAL
- MANUFACTURED HOUSING APPRAISAL

NATIONAL ASSOCIATION OF INDEPENDENT FEE APPRAISERS
- INCOME CAPITALIZATION
- MANUFACTURED HOME REVIEW
- FHA APPRAISING
- REVIEWING RESIDENTIAL APPRAISALS
- FANNIE MAE GUIDELINES
- APPRAISAL OF FORECLOSURE PROPERTIES

TEXARKANA COLLEGE:
- PRINCIPLES OF REAL ESTATE
- REAL ESTATE LAW AND CONTRACTS

THE COLUMBIA INSTITUTE
- PRINCIPLES OF APPRAISAL REVIEW
- NEW FANNIE MAE APPRAISAL GUIDE

TYLER REAL ESTATE COLLEGE: USPAP

APPRAISAL FOUNDATION: USPAP

FRA COLLINS SCHOOL OF REAL ESTATE:
- BASIC PRINCIPLES OF REAL ESTATE

NATIONAL BUSINESS INSTITUTE:
- FROM APPRAISAL TO COURT ROOM

EMPLOYMENT:

P.M. BROWN APPRAISERS—8/1998—PRESENT

PARTIAL LIST OF MAJOR CLIENTS:

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

Form SCNLGL - "TOTAL" appraisal software by a la mode, inc. - 1-800-ALAMODE

2024-071 ATTH 03

Appraiser's Arkansas License

8.7.d



STATE OF ARKANSAS

APPRAISER LICENSING & CERTIFICATION BOARD

Attest That

MICHAEL L. HENDRIX

On this date was certified as a

STATE CERTIFIED GENERAL APPRAISER

The Arkansas Appraiser Licensing and Certification Board hereby affirms that this Certificate is issued in accordance with all the requirements of Arkansas Code Annotated, Section § 17-51-101 et seq., and subsequently adopted "Rules and Regulations" and shall remain in force when properly supported by a current pocket identification card.

CG1730
Certificate Number

Richard A. Hagler
Chairman, AAL & CB

ARKANSAS
APPRAISER LICENSING &
CERTIFICATION BOARD
This is to certify that
Michael Hendrix

License #: CG 1730

has complied with the requirements of Arkansas Code Section §17-14-201 et seq.; and is the holder of a valid certificate.
This card is for identification purposes only.

6/30/2022
Expiration Date

Randy Wilson
Chairman

Attachment: 2024-071 ATTH 03 Appraisal as of 4-24-2022 (Land Disposal_Sale) (4266 : 2024-071 RES Airport land sale to Harvest Int'l

REAL ESTATE SALES CONTRACT

BETWEEN

Name/Org.: **Harvest International Ministries** Street Address: **4000 Arkansas Blvd.** City/State/Zip Code: **Texarkana, AR 71854** ("BUYER")	**&**	**TEXARKANA REGIONAL AIRPORT AUTHORITY** 201 Airport Dr Texarkana, Arkansas 71854 ("SELLER")

DATED: _____

TEXARKANA
REGIONAL AIRPORT

Attachment: 2024-071 ATTH 04 TXK_HIM RE Sales Contract FINAL (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

Attachment: 2024-071 ATTH 04 TXK_HIM RE Sales Contract FINAL (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

REAL ESTATE SALES CONTRACT

BETWEEN

TEXARKANA REGIONAL AIRPORT AUTHORITY

AND

HARVEST INTERNATIONAL MINISTRIES

REAL ESTATE SALES CONTRACT
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EXHIBIT A	LAND SURVEY	

Buyer's Initials

Attachment: 2024-071 ATTH 04 TXK_HIM RE Sales Contract FINAL (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

REAL ESTATE SALES CONTRACT

THIS REAL ESTATE SALES CONTRACT, made by and between the **Texarkana Regional Airport Authority** ("Seller") and **Harvest International Ministries**, a private, non-profit corporation organized under the laws of the State of **Arkansas**, having offices at **4000 Arkansas Blvd Texarkana, AR 71854**, and authorized to do business in the State of **Arkansas**, as Buyer ("Buyer").

RECITALS:

WHEREAS, Seller owns, operates, and maintains the Texarkana Regional Airport, ("Airport"); and its facilities, appurtenances, and property; and,

WHEREAS, Buyer is a **private, non-profit corporation**; and,

WHEREAS, Buyer and Seller now desire to set forth the terms, covenants, and conditions for Seller to sell a portion of airport property to Buyer, in exchange for monetary interest and certain land located within the Texarkana Regional Airport Runway 31 Departure Runway Protection Zone ("RPZ"), which is presently owned by Buyer.

NOW, THEREFORE, in consideration of the property and the mutual covenants contained herein, the Parties agree as follows:

SECTION 1. SALE AND PURCHASE

1.01 Seller hereby sells and shall convey, and Buyer hereby purchases and shall pay for, the tract of land located along Arkansas Blvd, Texarkana, Miller County, Arkansas 71854 (PT, NE, SE in S-09, T-15S, R28W, containing approximately 8.197 acres, more or less) ("Property") and described with greater particularity in the legal descriptions to be attached to this real estate sales contract as indicated below in this **Section 1.01**.

This sale and purchase includes all right and appurtenances pertaining to the Property, including any right, title, and interest of Seller in and to adjacent streets, rights-of-way, all and singular the rights, interests, benefits, privileges, tenements, hereditaments, and appurtenances thereon or in any way appertaining thereto, including all sewer and waste water discharge capacity allocated or reserved thereto, all potable water capacity allocated or reserved thereto, all other utility rights associated or reserved thereto, all development rights with respect thereto, all air rights, all gas, oil, and mineral rights in and under the soil, and all rights to maintain, conserve, selectively cut, manage, sell, retain the proceeds from and regenerate the trees located on the Property. As part of the consideration for this real estate sales contract, Buyer agrees to comply with the deed restrictions as described in **Section 6.01** and **Section 6.02** regarding airspace encroachments and noise/low-flying aircraft.

SECTION 2. PURCHASE PRICE

2.01 The total purchase price for the Property is One Hundred and Thirty-Nine Thousand, Three-Hundred and Forty-Nine US Dollars and Zero Cents ($139,349.00), payable by Buyer to Seller as follows:

a. Pursuant to **Section 2.01(b)** below, Buyer shall pay Two Thousand US Dollars ($2,000.00) in cash or check within three (3) business days of the execution of this real estate sales contract to Southwest Title Company, 4211 Jefferson Avenue, Texarkana, Arkansas ("Escrow Agent") as a deposit to be held in escrow by Escrow Agent in accordance with this real estate sales contract and applied to the purchase price at the close of escrow; and

Buyer's Initials

Attachment: 2024-071 ATTH 04 TXK_HIM RE Sales Contract FINAL (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

b. Buyer is not obligated to pay a deposit to the Escrow Agent until all approvals from the City of Texarkana, Arkansas, City of Texarkana, Texas, and Federal Aviation Administration ("FAA") are received regarding the purchase and sale of the Property; and

c. Buyer shall pay the balance of the total purchase price in cash or check to Seller at the close of escrow.

d. Buyer acknowledges there is a fee of Thirteen Thousand, Seven-Hundred and Twenty US Dollars and Zero Cents ($13,720.00) to complete documentation and studies in accordance with the National Environmental Policy Act ("NEPA") as a requirement for the FAA's approval and release of the land in this real estate sales contract, pursuant to **Section 6.03.** Buyer and Seller have agreed to split this fee 50/50 and each shall assume a cost of Six Thousand, Eight-Hundred and Sixty US Dollars and Zero Cents ($6,860.00). Buyer also acknowledges a subsequent fee of Fifteen Thousand, Two-Hundred and Sixty-Nine US Dollars and Fifty Cents ($15,269.00) **may** be warranted for further documentation and studies. Buyer and Seller have agreed to pay this subsequent fee through the same 50/50 split arrangement, should it be necessary. Buyer must provide their portion of the fee(s) no later than the close of escrow.

2.02 **Consequences of Default.** If Buyer defaults in the performance of this real estate sales contract, Buyer will forfeit the deposit amounts described in **Section 2.01(a)** to Seller. If this real estate sales contract is terminated, Seller will refund the deposit amounts described in **Section 2.01(a)** to Buyer as set forth in **Section 4.04.**

SECTION 3. ESCROW

3.01 **Opening of Escrow.** Buyer and Seller shall open an escrow account to consummate the sale of the Property, pursuant to the terms of this real estate sales contract, with the Escrow Agent within three (3) business days after the execution of this real estate sales contract. Buyer and Seller shall also deposit with the Escrow Agent all instruments, documents, and other items required by the Escrow Agent to close the sale of the Property on the closing date.

3.02 **Closing Date.** The escrow will close thirty (30) days after the expiration of the period for due diligence inspections, or any extension thereof, as set forth in **Sections 5.01 and 5.02**, respectively.

3.03 **Prorations.** General real estate taxes for the current year relating to the Property, interest on any existing indebtedness, insurance premiums, and utility charges, if any, will be prorated between the parties as of the closing date and will be adjusted in cash at the closing. If the closing occurs before the tax rate is fixed for the current year, the apportionment of taxes will be on the bases of the tax rate for the preceding year applied to the latest assessed valuation. Each party shall pay their pro rata share of the expenses set forth in this **Section 3.03**, except Buyer shall pay all special taxes or assessments through the closing date.

3.04 **Closing Costs.** Normal closing costs, including any transfer taxes, the cost of preparing, executing, acknowledging, and recording the grant deed and all other instruments necessary to convey title to the Buyer, escrow fees, and any similar closing costs will be divided equally between Buyer and Seller. Buyer and Seller shall pay their equal shares of these normal closing costs as those costs become payable.

3.05 **Vesting of Title.** Buyer shall advise the Escrow Agent before the close of the manner in which title will vest.

Buyer's Initials

Attachment: 2024-071 ATTH 04 TXK_HIM RE Sales Contract FINAL (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

SECTION 4. SELLER'S ELECTION TO REMEDY DEFECTS; BUYER'S REMEDIES

4.01 **Preliminary Title Report.** Within ten (10) days after the execution of this real estate sales contract, Seller shall obtain and provide to Buyer, at Buyer's expense, a preliminary title report from a title insurance company acceptable to Buyer, accompanied by copies of all recorded documents relating to any easements, rights-of-way, liens, or any other matters affecting the Property certified to a date after the execution of this real estate sales contract. Within ten (10) days after the Buyer's receipt of the preliminary title report and related documents, Buyer shall notify Seller in writing of any objection to any exception in the report. If the Buyer makes a timely objection to any exception or encumbrance and the exception or encumbrance is not eliminated by Seller within ten (10) days after the Seller's receipt of the objection, at Buyer's election this real estate sales contract will be terminated. The Buyer's failure to object pursuant to this Section will be deemed an approval by Buyer of that exception or encumbrance. The exceptions appearing in the preliminary title report which are not objected to by Buyer are hereinafter referred to as the "Permitted Exceptions."

4.02 **Survey.** Seller has obtained and provide to Buyer, at Seller's expense, two (2) separate boundary surveys, which shall cover, at a minimum, the following:

a. The Property Seller is selling to Buyer (approximately 8.197 acres), as depicted as Tract 1 on **Exhibit A**, "Survey"

b. The Property Seller is splitting Tract 1 off from Tract 2 (approximately 28.586 acres) as depicted on **Exhibit A**, "Survey", and will continue ownership of the land in the RPZ.

Within ten (10) days after the Seller's receipt of the boundary survey, Seller shall notify Buyer in writing of any objection to any matter addressed in that survey. If the Seller makes a timely objection to any matters addressed in or omitted from that survey and those matters are not corrected by Buyer to the Seller's reasonable satisfaction within ten (10) days after the Buyer's receipt of the objection, at Seller's election this real estate sales contract will terminate. The Seller's failure to object pursuant to this **Section 4.02** will be deemed an approval by Seller of the survey(s).

4.03 **Miscellaneous Conditions.** The close of escrow, the Seller's obligation to convey the Property, and the Buyer's obligation to purchase the Property pursuant to this real estate sales contract are subject to the satisfaction of the following conditions:

a. The conveyance to Buyer of good and marketable title to the Property, as evidenced by a current Owner's Title Policy updated through the date of Closing obtained by the Seller and provided to the Buyer at Closing, at the Buyer's expense, in the full amount of the purchase price, insuring that title to the Property is vested in Buyer free and clear of all title defects, liens, encumbrances, conditions, restrictions, covenants, and other adverse interests of record or known to the Seller other than the Permitted Exceptions.

b. Seller obtaining prior to expiration of the Inspection Period set forth in **Section 5.01 and Section 5.02** the approval of the transaction contemplated by this real estate sales contract from the City of Texarkana, Texas

c. Seller obtaining prior to expiration of the Inspection Period set forth in **Section 5.01 and Section 5.02** the approval of the transaction contemplated by this real estate sales contract from the City of Texarkana, Arkansas

Buyer's Initials

Attachment: 2024-071 ATTH 04 TXK_HIM RE Sales Contract FINAL (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

d. Seller obtaining prior to expiration of the Inspection Period set forth in **Section 5.01 and Section 5.02** the approval of the transaction contemplated by this real estate sales contract from the Texarkana Regional Airport Authority Board of Directors

e. Seller obtaining prior to expiration of the Inspection Period set forth in **Section 5.01 and Section 5.02** the approval and/or non-objection of the transaction contemplated by this real estate sales contract from the Federal Aviation Administration

f. The Property must appraise for an amount of money equal to or greater than the total purchase price set forth in **Section 2.01** of this real estate sales contract; and

g. Seller's delivery of the Property to Buyer immediately upon closing in substantially the same condition of the Property was at the time of the execution of this real estate sales contract and without any material alterations between the execution of this real estate sales contract and Closing.

4.04 **Failure of Condition and Seller's Breach of Warranty.** If any of the conditions set forth in this real estate sales contract do not occur, or if Buyer notifies Seller in writing before the close of the appropriate contingency period of Seller's breach of any of Seller's warranties set forth in this real estate sales contract, then Buyer may cancel the escrow, terminate this real estate sales contract, and recover any amount paid by Buyer to the Escrow Agent toward the purchase price of the Property. Buyer shall exercise this power to terminate by complying with any applicable notice requirements specified in the relevant condition and, in all other cases, by providing written notice to the Seller and the Escrow Agent within five (5) business days of the failure or breach. The exercise of this power will not constitute a waiver of any other rights that Buyer may have against Seller for breach of this real estate sales contract. Seller shall instruct the Escrow Agent, in the escrow instructions delivered pursuant to **Section 3.01**, to refund to Buyer all money and instruments deposited in escrow by Buyer pursuant to this real estate sales contract on the failure of any condition or conditions or breach of a warranty or warranties and receipt of a termination notice. This instruction must be irrevocable.

4.05 **Seller's Election to Remedy Defects; Buyer's Remedies.** Notwithstanding any provision of this real estate sales contract to the contrary, Seller has the right to remedy any violations of this real estate sales contract before the close of escrow. The right to remedy is subject to the following requirements and restrictions:

a. Buyer shall immediately notify Seller in writing of Buyer's discovery, before the close of escrow, of a violation of any provisions of this real estate sales contract (for purposes of this **Section 4.05** any such violation is described as a "defect");

b. If Buyer fails to give notice, Buyer waives the defect, and the defect will not be a violation of this real estate sales contract. If Buyer gives notice, Seller may elect to remedy the defect by giving Buyer written notice of this election within five (5) business days of receiving Buyer's notice. Seller's notice of election to remedy must specify the number of days, if any, up to a maximum of thirty (30) days, that the close of escrow will be postponed so that Seller may remedy the defect. If Seller fails to provide a timely notice of election or fails to remedy the defect before the close of escrow, including any extensions of escrow pursuant to this Section, then Buyer may elect to do either of the following: (i) terminate this real estate sales contract without any liability on the part of either party; (ii) purchase the Property without a reduction in the purchase price and without any liability for the unremedied defect or defects on the part

_____ Buyer's Initials

Attachment: 2024-071 ATTH 04 TXK_HIM RE Sales Contract FINAL (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

of the Buyer; or (iii) postpone the closing while seeking to enforce this real estate sales contract by specific performance.

c. Seller shall instruct the Escrow Agent, in the escrow instructions delivered pursuant to **Section 3.01** to immediately refund to Buyer all money and to return any instruments deposited in escrow by Buyer pursuant to this real estate sales contract on termination of this contract under this subsection, and on receipt of notice of that termination from Buyer.

SECTION 5. RIGHTS AND ADDITIONAL WARRANTIES

5.01 **Right of Buyer to Inspect Property.** Buyer will have sixty (60) days ("Inspection Period") from the execution of this real estate sales contract to complete all due diligence inspections, including inspection or review of utility locations, the Property's title, property tax statements, P&L statements, hazardous waste studies, and any similar inspections or reviews. Prior to the conclusion of this sixty-day period, Buyer shall notify Seller in writing of any objection to any matters addressed in those due diligence inspections. If the Buyer makes a timely objection to any matters presented by those due diligence inspections and those matters are not corrected to the Buyer's reasonable satisfaction as soon as reasonably practicable after the Seller's receipt of the objection, Buyer may terminate this real estate sales contract pursuant to **Section 4.04**. The Buyer's failure to object pursuant to this Section will be deemed an acceptance of all matters presented by any due diligence inspections conducted.

5.02 **Extension of Inspection Period.** Buyer may extend the Inspection Period by an additional sixty (60) days (for a total inspection period of one hundred twenty (120) days). To extend the Inspection Period, Buyer must provide written notice to Seller and Escrow Agent of Buyer's election to extend the Inspection Period before the end of the initial sixty (60) days of the Inspection Period.

5.03 **Right of Buyer to Enter Property.** Seller grants to Buyer, or Buyer's agents, the right, at any time and from time to time after the opening of the escrow for this transaction, to enter onto the Property to conduct tests or investigations, provided that:

a. The test or investigations conducted are at the sole cost and expense of the Buyer (unless otherwise specified in this real estate sales contract);

b. The acts do not unreasonably interfere with the Seller's possession;

c. The Buyer shall indemnify and hold Seller harmless from any costs and liabilities resulting from the tests or investigations and, if the escrow is canceled for a reason that is not the fault of the Seller, for any damage to the Property resulting from the tests or investigations; and

d. Buyer shall give Seller written notice of the intention to enter one (1) business day before the date of the planned entry.

5.04 **Additional Warranties of Seller.** Seller warrants that:

a. Seller owns the Property, free and clear of all liens, licenses, claims, encumbrances, easements, encroachments on the Property from adjacent properties, encroachments by improvements on the Property onto adjacent properties, and rights-of-way of any nature, not disclosed by the public record and subject only to the Permitted Exceptions;



Buyer's Initials

Attachment: 2024-071 ATTH 04 TXK_HIM RE Sales Contract FINAL (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

b. There is no pending litigation or administrative proceeding involving the Seller or the Property and to the best of Seller's knowledge, none is threatened;

c. Seller is not in default under any contract, note, or encumbrance relating to the Property;

d. Seller has not received any notice of default and is not in default under any law or ordinance, or under any order of any court or federal, state, municipal, or other governmental department, commission, board, bureau, agency, or instrumentality, wherever located; its operations are in compliance with all applicable laws, permits, and ordinances, and there are no claims, actions, suits or proceedings pending or threatened against or affecting the Seller, at law or equity or before or by any federal, state, municipal, or other governmental department, commission, board, bureau, agency, or instrumentality, wherever located, that might result in any material adverse change in the financial condition or business of the Seller or that would bring into question the validity or propriety of this real estate sales contract or of any action taken or to be taken in accordance with or in connection with this contract;

e. Seller, from the inception of operation at the site, has been and is in compliance with the terms, conditions, and requirements of all licenses, permits, and authorizations it holds and the laws, ordinances, and regulations pursuant to which such licenses, permits, and authorizations are granted; and

f. The Property does not contain or require investigation or remediation of hazardous substances under any federal, state, or local statute, regulation, or order. Seller has no knowledge of any hazardous substances now or heretofore being located on the Property.

5.05 **First Rights of Refusal.**

a. The Seller does hereby grant unto Buyer the exclusive and irrevocable right, of the of first refusal and first option may only be exercised by Buyer within 30 days from notification by the Seller that Seller desires to sell or lease the properties currently inside of the Sellers Runway Protection Zone for Runway 13, and adjacent to Buyer's property. Seller is obligated to provide such notice to Buyer prior to offering the subject property to a third party.

b. In the event Seller elects to sell or lease and Buyer desires to exercise their First Refusal Rights granted under the terms of this agreement, the terms of purchase or lease shall be as follows:
   (a) All survey and environmental study costs, as a requirement for the FAA's approval and release of the land in this real estate sales contract, shall be covered by the Buyer.
   (b) Property will be sold or leased at an agreed upon price after an appraisal of the property, done at the expense of the Seller.
   (c) Sale will be pending the approval of the Airport Authority Board, and Cities of Texarkana AR, and Texarkana TX.
   (d) If Seller elects to lease property, lease length terms will be determined by the amount of capital development, not to exceed 50 years per Federal Aviation Administration regulations.
   (e) Buyer would only be obligated to purchase portion of the property that Seller has made available.

c. If Buyer fails to exercise its Rights of First Refusal within the time stated above, this Right of First Refusal shall have no more force of effect.

Buyer's Initials

Attachment: 2024-071 ATTH 04 TXK_HIM RE Sales Contract FINAL (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

SECTION 6. AVIATION CONDITIONS

6.01 **14 CFR Part 77.** Buyer acknowledges and agrees that the Property shall be conveyed subject to a deed restriction that provides the owner of the Property must restrict the height of structures, objects of natural growth and other obstructions on the Property to a height in order to comply with all applicable Federal Aviation Regulations, 14 CFR Part 77 ("use restriction"). For purposes of the use restriction, structures, objects of natural growth, and other obstructions may include, but not be limited to, buildings, structures, towers, appurtenances, trees, temporary construction equipment and cranes. As part of the consideration for this real estate sales contract, Buyer acknowledges and agrees to extend this use restriction to all other property owned by Buyer that lies within the vicinity of the Airport, by way of a corrective deed.

6.02 **NEPA.** Buyer acknowledges that the sale of land included in this real estate sales contract will be subject to the FAA's NEPA requirements as part of their approval and release of the land. Accordingly, this may involve performance of tasks and studies and preparation of certain documentation, exhibits, and other items to successfully complete the FAA's NEPA requirements for the sale of the Property between Seller and Buyer.

SECTION 7. MISCELLANEOUS PROVISIONS

7.01 **Risk of Loss.** The parties agree that the following provisions govern the risk of loss:

a. If, before Seller transfers legal title or possession of the Property to Buyer, all or a material part of the Property is destroyed without fault of the Buyer, or is taken by eminent domain by any government entity, Buyer will be entitled to recover any portion of the purchase price Buyer has paid, and Seller will not have the right to enforce this real estate sales contract;

b. If, after Seller transfers legal title or possession of the Property to the Buyer, all or any part of the Property is destroyed without fault of the Seller, or is taken by eminent domain by any governmental entity, Buyer will not be relieved of Buyer's obligation under this real estate sales contract to pay the full price for the Property, nor is Buyer entitled to recover any portion of the purchase price that Buyer has paid; and

c. If, at any time prior to the close of escrow, damage, destruction, or condemnation occurs and the loss is not covered by subsections a or b of this **Section 7.01**, Buyer will not be relieved of Buyer's obligation under this real estate sales contract but will be entitled to offset the cost of repair or replacement against the purchase price of the Property.

7.02 **Insurance.** Subject to Seller's obligations set forth in **Section 4.03(a)**, Seller may cancel all policies of insurance Seller has purchased for the Property as of the close of escrow. Buyer is responsible for obtaining insurance on the Property as of the close of escrow.

7.03 **Acceptance.** In the event this real estate sales contract is not executed by Seller within five (5) business days from the date this real estate sales contract is provided to the Seller for execution (as indicated by the date upon which all parties in **Section 4.03(b-e)** have provided their approval), this real estate sales contract will become null and void and of no further force or effect.

7.04 **Assignment.** Buyer may not otherwise assign this real estate sales contract without Seller's prior written consent. A valid assignment of this real estate sales contract will not relieve the Buyer of any of its obligations set forth in this real estate sales contract.

_____ Buyer's Initials

Attachment: 2024-071 ATTH 04 TXK_HIM RE Sales Contract FINAL (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

7.05 **Time of Essence.** Time is of the essence of this real estate sales contract

7.06 **Entire Agreement.** This real estate sales contract constitutes the entire agreement between the parties relating to the sale of the Property. Any prior agreements, promises, negotiations, or representations not expressly set forth in this real estate sales contract will have no force and effect unless it is in writing and signed by the Buyer and Seller.

7.07 **Attorney's Fees.** If any action, proceeding, or arbitration arising out of or relating to this real estate sales contract is commenced by either party to this contract or by the Escrow Agent, then as between the Buyer and the Seller, the prevailing party will be entitled to receive from the other party, in addition to any other relief that may be granted, the reasonable attorney's fees, costs, and expenses incurred in the action, proceeding, or arbitration by the prevailing party.

7.08 **Notices.** Except as herein otherwise expressly provided, all notices required to be given to Buyer and/or Seller hereunder shall be in writing and shall be sent by overnight courier, express mail or certified mail, return receipt requested, addressed to:

FOR BUYER
Harvest International Ministries
Attn: William Tracy Harris
4000 Arkansas Boulevard
Texarkana, AR 71854

FOR SELLER
Texarkana Regional Airport Authority
Attn: Executive Director of Aviation
201 Airport Drive
Texarkana, AR 71854

WITH A COPY TO:
Attn: Airport Administration
201 Airport Drive
Texarkana, AR 71854

Notices as provided in this **Section 7.08** shall be deemed received five (5) business days after placed in the mail. The parties, or either of them, may designate in writing from time to time any changes in address or addresses of substitute or supplementary persons in connection with said notices.

7.09 **Binding Effect.** This real estate sales contract is binding upon and will inure to the benefit of the parties to this contract and their heirs, personal representatives, successors, and assigns, except as otherwise provided in this contract.

7.10 **Governing Law.** The parties agree that the laws of the State of Arkansas govern any construction or interpretation of the provisions of this real estate sales contract.

7.11 **Choice of Venue.** The parties agree that any dispute arising under or in connection with this real estate sales contract is subject to the exclusive jurisdiction of the United States District Court, Western District of Arkansas or State Courts of Miller County, Arkansas.



Buyer's Initials

Attachment: 2024-071 ATTH 04 TXK_HIM RE Sales Contract FINAL (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

7.12 **Waiver.** The waiver by any party to this real estate sales contract of a breach of any provision of this contract is not a continuing waiver of any subsequent breach of that or any other duty provision of this contract.

7.13 **Severability.** In the event any provision is this real estate sales contract is held invalid or otherwise unenforceable, the remaining provisions of this agreement will remain in effect, as if the invalid or unenforceable provision had never been included.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

Buyer's Initials

Attachment: 2024-071 ATTH 04 TXK_HIM RE Sales Contract FINAL (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

IN WITNESS WHEREOF, the parties have made and executed this Real Estate Sales Contract on the respective dates under each signature: TEXARKANA REGIONAL AIRPORT AUTHORITY, signing by and through the **Executive Director of Aviation**, authorized to execute same by Seller action on the _____day of _____, 20____, and **Harvest International Ministries**, a **private, non-profit corporation**, signing by and through its _____, duly authorized to execute same.

REAL ESTATE SALES CONTRACT BETWEEN

HARVEST INTERNATIONAL MINISTRIES
(BUYER)
&
TEXARKANA REGIONAL AIRPORT AUTHORITY
(SELLER)

BUYER REPRESENTATIVE

Signature: Tracy Harris

Printed Name: Tracy Harris

Title: President/Founder HIM, Inc.

Date: May 29, 2024

ATTEST

Signature: Angie Clinton

Printed Name: Angie Clinton

TEXARKANA REGIONAL AIRPORT AUTHORITY

Executive Director of Aviation
Texarkana Regional Airport Authority

Signature: _____

Printed Name: _____

Date: _____

ATTEST

Signature: _____

Printed Name: _____

_____ Buyer's Initials

Attachment: 2024-071 ATTH 04 TXK_HIM RE Sales Contract FINAL (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

RESOLUTION NO. 2024-46

A RESOLUTION OF THE CITY OF TEXARKANA, ARKANSAS, BOARD OF DIRECTORS APPROVING THE TEXARKANA AIRPORT AUTHORITY SELLING 8.179 ACRES OF LAND TO HARVEST INTERNATIONAL MINISTRIES FOR $139,349.00; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Cities of Texarkana, Arkansas, and Texarkana, Texas, created the Texarkana Airport Authority by means of reciprocal ordinances codified in Chapter 6 – Aviation, Article II – Texarkana Airport Authority, of the *City of Texarkana, Arkansas, Code of Ordinances*, and Chapter 4 – Airports, Article II – Airport Authority, of the Code of Ordinances of the City of Texarkana, Texas; and

WHEREAS, the Cities of Texarkana, Arkansas, and Texarkana, Texas, require permission to sell, transfer, or in any manner encumber without written consent of joint approval from the cities' governing bodies under the *City of Texarkana, Arkansas, Code of Ordinances*, and Chapter 4 – Airports, Article II – Airport Authority, of the Code of Ordinances of the City of Texarkana, Texas; and

WHEREAS, the Texarkana Regional Airport Authority approved the land sale with Resolution 052622D on May 24, 2022; and

WHEREAS, the Federal Aviation Administration determined that under section 163, that they did not have authority to approval or deny the sale of land on May 10, 2024; and

WHEREAS, the land is being sold for fair market value based upon an appraisal conducted April 24, 2022; and

Attachment: 2024-071 ATTH 05 ARK Reso. 2024-46 (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

WHEREAS, The National Environmental Protection Act was satisfied under a Categorical Exclusion environmental review on August 8, 2023;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the City of Texarkana, Arkansas:

SECTION 1: That Texarkana Regional Airport Real Estate Land Sale of 8.197 acres to Harvest International Ministries in the amount of $139,349.00 is hereby approved.

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

PASSED AND APPROVED this 4th day of June2024.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

Joshua L. Potter, City Attorney

Attachment: 2024-071 ATTH 05 ARK Reso. 2024-46 (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

SECTION 9, TOWNSHIP 15 SOUTH, RANGE 28 WEST

Property Description
Tract 1 – 8.197 Acres
Miller County, Arkansas

All that certain lot, tract or parcel of land lying and situated in Section Twenty–eight (28), Township Fifteen South (T15S), Range 28 West, Miller County, Arkansas, same being a part of that certain tract of land described as 37.05 acres in the deed from AMT Land, Inc. to Texarkana Airport Authority, date January 9, 1998, recorded in Book 384, Page 687 of the Deed Records of Miller County, Arkansas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch steel rod, capped ARK MG 1537, found for a corner, lying I the North right–of–way line of an asphalt road designated as Arkansas Boulevard, the Southwest corner the said 37.05 acre tract, and the Southeast corner of that certain tract of land described as 40.67 acres in the deed from Samuel A. Buchanan, Jr., et al to Harvest International Ministries, Inc., dated December 3, 2002, recorded in Book 2003, Page 379 of the Deed Records of Miller County, Arkansas;

THENCE North 02 degrees 39 minutes 07 seconds East a distance of 734.84 feet along the West line of the said 37.05 acre tract and the East line of the said 40.67 acre tract to a 2 inch steel pipe, found for a corner, the Northwest corner of the said 37.05 acre tract, lying in the East line of the said 40.67 acre tract, and the Southwest corner of that certain tract of land described as 28.44 acres in the deed from Texarkana Par Three Partners, LLC to Harvest International Ministries, dated September 27, 2016, recorded in Document No. 2016R008077 of the Deed Records of Miller County, Arkansas;

THENCE South 52 degrees 23 minutes 39 seconds East a distance of 465.80 feet along the North line of the said 30.05 acre tract and the South line of the said 28.44 acre tract to a 1/2 inch steel rod, found for a corner, an inside ell corner in the north line of the said 37.05 acre tract and an outside ell corner in the South line of the said 28.44 acre tract;

THENCE North 46 degrees 12 minutes 58 seconds East a distance of 249.53 feet along the North line of the said 37.05 acre tract and the South line of the said 28.44 acre tract to a 1/2 inch steel rod, capped MTG AR–125, set for a corner, lying in the North line of the said 37.05 acre tract at the intersection of the South line of the Runway Protection Zone, said corner bears North 46 degrees 12 minutes 58 seconds East a distance of 75.47 feet to a 1/2 inch steel rod, found for a corner;

THENCE South 52 degrees 16 minutes 22 seconds East a distance of 63.55 feet along the South line of the said Runway Protection Zone to a 1/2 inch steel rod, capped MTG AR–125, set for a corner;

THENCE South 02 degrees 39 minutes 07 seconds West a distance of 607.71 feet across and through the said 37.05 acre tract to a 1/2 inch steel rod, capped MTG AR–125, set for a corner, lying in the North right–of–way line of Arkansas Boulevard and the South line of the said 37.05 acre tract;

THENCE North 87 degrees 46 minutes 44 seconds West a distance of 605.77 feet along the North right–of–way line of Arkansas Boulevard and the South line of the said 37.05 acre tract to the Point of Beginning and containing 8.197 acres of land, at the time of this survey.

Property Description
Tract 2 – 28.586 Acres
Miller County, Arkansas

All that certain lot, tract or parcel of land lying and situated in Section Twenty–eight (28), Township Fifteen South (T15S), Range 28 West, Miller County, Arkansas, same being a part of that certain tract of land described as 37.05 acres in the deed from AMT Land, Inc. to Texarkana Airport Authority, date January 9, 1998, recorded in Book 384, Page 687 of the Deed Records of Miller County, Arkansas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch steel rod, capped MTG AR–125, set for a corner, lying in the North right–of–way line of an asphalt road designated as Arkansas Boulevard and the South line of the said 37.05 acre tract, said corner bears North 87 degrees 46 minutes 44 seconds West a distance of 605.77 feet to a 1/2 inch steel rod, capped ARK MG 1537, found for the Southwest corner of the said 37.05 acre tract;

THENCE North 02 degrees 39 minutes 07 seconds East a distance of 607.71 feet across the said 37.05 acre tract to a 1/2 inch steel rod, capped MTG AR–125, set for a corner, lying in the South line of the Runway Protection Zone;

THENCE North 52 degrees 16 minutes 22 seconds West a distance of 63.55 feet along the South line of the said Runway Protection Zone to a 1/2 inch steel rod, capped MTG AR–125, set for a corner, lying in the North line of the said 37.05 acre tract and the South line of that certain tract of land described as 28.44 acres in the deed from Texarkana Par Three Partners, LLC to Harvest International Ministries, dated September 27, 2016, recorded in Document No. 2016R008077 of the Deed Records of Miller County, Arkansas;

THENCE North 46 degrees 12 minutes 58 seconds East a distance of 75.47 feet along the North line of the said 37.05 acre tract and the South line of the said 28.44 acre tract to a 1/2 inch steel rod, found for a corner, an inside ell corner in the North line of the said 37.05 acre tract and an outside ell corner in the South line of the said 28.44 acre tract;

THENCE North 43 degrees 46 minutes 59 seconds West a distance of 200.00 feet along the North line of the said 37.05 acre tract and the South line of the said 28.44 acre tract to a 1/2 inch steel rod, found for a corner, an outside ell corner in the North line of the said 37.05 acre tract and an inside ell corner in the South line of the said 28.44 acre tract;

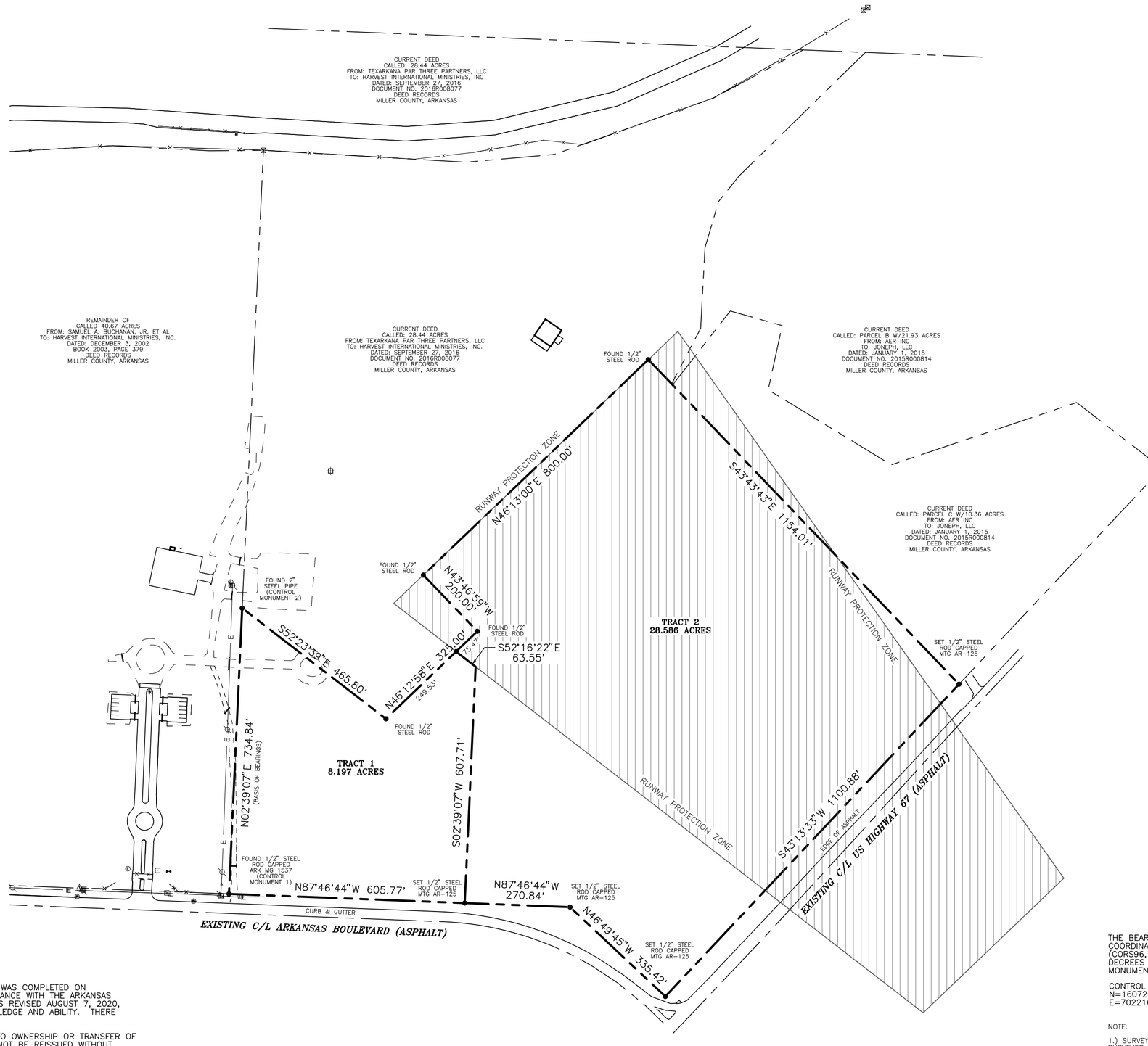
THENCE North 46 degrees 13 minutes 00 seconds East a distance of 800.00 feet along the North line of the said 37.05 acre tract and the South line of the said 28.44 acre tract to a 1/2 inch steel rod, found for a corner, the Northeast corner of the said 37.05 acre tract and an inside ell corner in the South line of the said 28.44 acre tract;

THENCE South 43 degrees 43 minutes 43 seconds East a distance of 1154.01 feet along the East line of the said 37.05 acre tract, the south line of the said 28.44 acre tract, and the West line of that certain tract of land described as Parcel C with 10.36 acres in the deed from AER, Inc. to Joneph, LLC, dated January 1, 2015, recorded in Document No. 2015R000814 of the Deed Records of Miller County, Arkansas to a 1/2 inch steel rod, capped MTG AR–125, set for a corner, lying in the West right–of–way line of an asphalt road designated as US Highway No. 67 (US67), the Southeast corner of the said 37.05 acre tract, and the Southwest corner of the said 10.36 acre tract;

THENCE South 43 degrees 13 minutes 33 seconds West a distance of 1100.88 feet along the West right–of–way line of US67 and the South line of the said 37.05 acre tract to a 1/2 inch steel rod, capped MTG AR–125, set for a corner, at the intersection of the West right–of–way line of us67 and the North right–of–way line of Arkansas Boulevard;

THENCE North 46 degrees 49 minutes 45 seconds West a distance of 335.42 feet along the North right–of–way line of Arkansas Boulevard and the South line of the said 37.05 acre tract to a 1/2 inch steel rod, capped MTG AR–125, set for a corner, at an angle point;

THENCE North 87 degrees 46 minutes 44 seconds West a distance of 270.84 feet along the North right–of–way line of Arkansas Boulevard and the South line of the said 37.05 acre tract to the Point of Beginning and containing 28.586 acres of land, at the time of this survey.



SURVEYOR CERTIFICATION:

I HEREBY CERTIFY THAT THE HEREON PLATTED AND DESCRIBED SURVEY WAS COMPLETED ON THE GROUND ON MARCH 18, 2021, UNDER MY SUPERVISION IN ACCORDANCE WITH THE ARKANSAS MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND PLATS, AS REVISED AUGUST 7, 2020, AND THAT CORNERS WERE SET, AS SHOWN, TO THE BEST OF MY KNOWLEDGE AND ABILITY. THERE ARE NO VISIBLE IMPROVEMENTS EXCEPT AS SHOWN ON THIS PLAT.

THIS PLAT IS FOR THE INTENDED USE OF DAVID PHILLIPS AS RELATES TO OWNERSHIP OR TRANSFER OF OWNERSHIP. THIS SURVEY IS NOT ASSIGNABLE OR TRANSFERABLE, MAY NOT BE REISSUED WITHOUT RE–SURVEY AND MAY BE VOID/INVALID SUBJECT TO CHANGES IN GOVERNANCE OR INTERPRETATIONS ISSUED BY THE ARKANSAS STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS.

_____

JEFFREY A. WOOD
PROFESSIONAL LAND SURVEYOR
NO. 1763, STATE OF ARKANSAS
FIRM CERTIFICATE NO. 125
DATE: MARCH 22, 2021

REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF ARKANSAS
NO. 1763
SIGNATURE
JEFFREY A. WOOD

CERTIFICATE OF AUTHORIZATION
MTG ENGINEERS, INC
NO. 125
ARKANSAS

NOTE:
In providing this boundary survey, no attempt has been made to obtain or show data concerning existence, size, depth, condition, capacity or location of any utility existing on the site, whether private, municipal or public owned. Subsurface and environmental conditions were not surveyed or examined or statement is made concerning the existence of underground or overhead conditions, containers or facilities that may affect the use or development of this property.

THE BEARINGS ARE BASED ON GRID NORTH WITHIN THE "ARKANSAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE", NAD83 (CORS96, EPOCH 2002.0), GRID, WITH A BEARING OF NORTH 02 DEGREES 39 MINUTES 07 SECONDS EAST.THE FOLLOWING CONTROL MONUMENTS WERE USED TO ESTABLISH THE BASIS OF BEARINGS:

CONTROL MONUMENT #1	CONTROL MONUMENT #2
N=1607249.2933	N=1607983.3437
E=702216.7452	E=702250.7459

NOTE:

1.) SURVEY PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. SURVEYOR DID NOT RESEARCH FOR EASEMENTS OF RECORD OR NOT OF RECORD.

5 0 0 – 1 5 S – 2 8 W – 0 – 0 9 – 2 0 0 – 4 6 – 1 7 6 3

BOUNDARY SURVEY

TWO TRACTS IN SECTION 9
TOWNSHIP 15 SOUTH, RANGE 28 WEST
MILLER COUNTY, ARKANSAS

Date	Revision/Description

Drawn By	Checked By	Project No.	Dwg. Date
BLB	JH	236071	12/20/2023

File No.	Sheet No.

MTG
ENGINEERS &SURVEYORS
5930 SUMMERHILL ROAD TEXARKANA, TX
P 903.838.8533 www.mtgengineers.com
TBPE FIRM NO. F–354 AR COA NO. 125
MTG 2023

X:\2023 Projects\236071 Harvest International\02 Surveying\236071AIRPORT.pro
Thu Dec 21, 2023 3:16PM

Attachment: 2024-071 ATTH 05 ARK Reso. 2024-46 (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

REAL ESTATE SALES CONTRACT

BETWEEN

Name/Org.: **Harvest International Ministries** Street Address: **4000 Arkansas Blvd.** City/State/Zip Code: **Texarkana, AR 71854** ("BUYER")	**&**	**TEXARKANA REGIONAL AIRPORT AUTHORITY** 201 Airport Dr Texarkana, Arkansas 71854 ("SELLER")

DATED: _____

TEXARKANA
REGIONAL AIRPORT

Attachment: 2024-071 ATTH 05 ARK Reso. 2024-46 (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

REAL ESTATE SALES CONTRACT

BETWEEN

TEXARKANA REGIONAL AIRPORT AUTHORITY

AND

HARVEST INTERNATIONAL MINISTRIES

Attachment: 2024-071 ATTH 05 ARK Reso. 2024-46 (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

REAL ESTATE SALES CONTRACT
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Attachment: 2024-071 ATTH 05 ARK Reso. 2024-46 (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

Buyer's Initials

REAL ESTATE SALES CONTRACT

THIS REAL ESTATE SALES CONTRACT, made by and between the **Texarkana Regional Airport Authority** ("Seller") and **Harvest International Ministries**, a private, non-profit corporation organized under the laws of the State of **Arkansas**, having offices at **4000 Arkansas Blvd Texarkana, AR 71854**, and authorized to do business in the State of **Arkansas**, as Buyer ("Buyer").

RECITALS:

WHEREAS, Seller owns, operates, and maintains the Texarkana Regional Airport, ("Airport"); and its facilities, appurtenances, and property; and,

WHEREAS, Buyer is a **private, non-profit corporation**; and,

WHEREAS, Buyer and Seller now desire to set forth the terms, covenants, and conditions for Seller to sell a portion of airport property to Buyer, in exchange for monetary interest and certain land located within the Texarkana Regional Airport Runway 31 Departure Runway Protection Zone ("RPZ"), which is presently owned by Buyer.

NOW, THEREFORE, in consideration of the property and the mutual covenants contained herein, the Parties agree as follows:

SECTION 1. SALE AND PURCHASE

1.01 Seller hereby sells and shall convey, and Buyer hereby purchases and shall pay for, the tract of land located along Arkansas Blvd, Texarkana, Miller County, Arkansas 71854 (PT, NE, SE in S-09, T-15S, R28W, containing approximately 8.197 acres, more or less) ("Property") and described with greater particularity in the legal descriptions to be attached to this real estate sales contract as indicated below in this **Section 1.01**.

This sale and purchase includes all right and appurtenances pertaining to the Property, including any right, title, and interest of Seller in and to adjacent streets, rights-of-way, all and singular the rights, interests, benefits, privileges, tenements, hereditaments, and appurtenances thereon or in any way appertaining thereto, including all sewer and waste water discharge capacity allocated or reserved thereto, all potable water capacity allocated or reserved thereto, all other utility rights associated or reserved thereto, all development rights with respect thereto, all air rights, all gas, oil, and mineral rights in and under the soil, and all rights to maintain, conserve, selectively cut, manage, sell, retain the proceeds from and regenerate the trees located on the Property. As part of the consideration for this real estate sales contract, Buyer agrees to comply with the deed restrictions as described in **Section 6.01** and **Section 6.02** regarding airspace encroachments and noise/low-flying aircraft.

SECTION 2. PURCHASE PRICE

2.01 The total purchase price for the Property is One Hundred and Thirty-Nine Thousand, Three-Hundred and Forty-Nine US Dollars and Zero Cents ($139,349.00), payable by Buyer to Seller as follows:

a. Pursuant to **Section 2.01(b)** below, Buyer shall pay Two Thousand US Dollars ($2,000.00) in cash or check within three (3) business days of the execution of this real estate sales contract to Southwest Title Company, 4211 Jefferson Avenue, Texarkana, Arkansas ("Escrow Agent") as a deposit to be held in escrow by Escrow Agent in accordance with this real estate sales contract and applied to the purchase price at the close of escrow; and

Buyer's Initials

Attachment: 2024-071 ATTH 05 ARK Reso. 2024-46 (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

b. Buyer is not obligated to pay a deposit to the Escrow Agent until all approvals from the City of Texarkana, Arkansas, City of Texarkana, Texas, and Federal Aviation Administration ("FAA") are received regarding the purchase and sale of the Property; and

c. Buyer shall pay the balance of the total purchase price in cash or check to Seller at the close of escrow.

d. Buyer acknowledges there is a fee of Thirteen Thousand, Seven-Hundred and Twenty US Dollars and Zero Cents ($13,720.00) to complete documentation and studies in accordance with the National Environmental Policy Act ("NEPA") as a requirement for the FAA's approval and release of the land in this real estate sales contract, pursuant to **Section 6.03.** Buyer and Seller have agreed to split this fee 50/50 and each shall assume a cost of Six Thousand, Eight-Hundred and Sixty US Dollars and Zero Cents ($6,860.00). Buyer also acknowledges a subsequent fee of Fifteen Thousand, Two-Hundred and Sixty-Nine US Dollars and Fifty Cents ($15,269.00) **may** be warranted for further documentation and studies. Buyer and Seller have agreed to pay this subsequent fee through the same 50/50 split arrangement, should it be necessary. Buyer must provide their portion of the fee(s) no later than the close of escrow.

2.02 **Consequences of Default.** If Buyer defaults in the performance of this real estate sales contract, Buyer will forfeit the deposit amounts described in **Section 2.01(a)** to Seller. If this real estate sales contract is terminated, Seller will refund the deposit amounts described in **Section 2.01(a)** to Buyer as set forth in **Section 4.04.**

SECTION 3. ESCROW

3.01 **Opening of Escrow.** Buyer and Seller shall open an escrow account to consummate the sale of the Property, pursuant to the terms of this real estate sales contract, with the Escrow Agent within three (3) business days after the execution of this real estate sales contract. Buyer and Seller shall also deposit with the Escrow Agent all instruments, documents, and other items required by the Escrow Agent to close the sale of the Property on the closing date.

3.02 **Closing Date.** The escrow will close thirty (30) days after the expiration of the period for due diligence inspections, or any extension thereof, as set forth in **Sections 5.01 and 5.02**, respectively.

3.03 **Prorations.** General real estate taxes for the current year relating to the Property, interest on any existing indebtedness, insurance premiums, and utility charges, if any, will be prorated between the parties as of the closing date and will be adjusted in cash at the closing. If the closing occurs before the tax rate is fixed for the current year, the apportionment of taxes will be on the bases of the tax rate for the preceding year applied to the latest assessed valuation. Each party shall pay their pro rata share of the expenses set forth in this **Section 3.03**, except Buyer shall pay all special taxes or assessments through the closing date.

3.04 **Closing Costs.** Normal closing costs, including any transfer taxes, the cost of preparing, executing, acknowledging, and recording the grant deed and all other instruments necessary to convey title to the Buyer, escrow fees, and any similar closing costs will be divided equally between Buyer and Seller. Buyer and Seller shall pay their equal shares of these normal closing costs as those costs become payable.

3.05 **Vesting of Title.** Buyer shall advise the Escrow Agent before the close of the manner in which title will vest.

Buyer's Initials

Attachment: 2024-071 ATTH 05 ARK Reso. 2024-46 (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

SECTION 4. SELLER'S ELECTION TO REMEDY DEFECTS; BUYER'S REMEDIES

4.01 **Preliminary Title Report.** Within ten (10) days after the execution of this real estate sales contract, Seller shall obtain and provide to Buyer, at Buyer's expense, a preliminary title report from a title insurance company acceptable to Buyer, accompanied by copies of all recorded documents relating to any easements, rights-of-way, liens, or any other matters affecting the Property certified to a date after the execution of this real estate sales contract. Within ten (10) days after the Buyer's receipt of the preliminary title report and related documents, Buyer shall notify Seller in writing of any objection to any exception in the report. If the Buyer makes a timely objection to any exception or encumbrance and the exception or encumbrance is not eliminated by Seller within ten (10) days after the Seller's receipt of the objection, at Buyer's election this real estate sales contract will be terminated. The Buyer's failure to object pursuant to this Section will be deemed an approval by Buyer of that exception or encumbrance. The exceptions appearing in the preliminary title report which are not objected to by Buyer are hereinafter referred to as the "Permitted Exceptions."

4.02 **Survey.** Seller has obtained and provide to Buyer, at Seller's expense, two (2) separate boundary surveys, which shall cover, at a minimum, the following:

a. The Property Seller is selling to Buyer (approximately 8.197 acres), as depicted as Tract 1 on **Exhibit A**, "Survey"

b. The Property Seller is splitting Tract 1 off from Tract 2 (approximately 28.586 acres) as depicted on **Exhibit A**, "Survey", and will continue ownership of the land in the RPZ.

Within ten (10) days after the Seller's receipt of the boundary survey, Seller shall notify Buyer in writing of any objection to any matter addressed in that survey. If the Seller makes a timely objection to any matters addressed in or omitted from that survey and those matters are not corrected by Buyer to the Seller's reasonable satisfaction within ten (10) days after the Buyer's receipt of the objection, at Seller's election this real estate sales contract will terminate. The Seller's failure to object pursuant to this **Section 4.02** will be deemed an approval by Seller of the survey(s).

4.03 **Miscellaneous Conditions.** The close of escrow, the Seller's obligation to convey the Property, and the Buyer's obligation to purchase the Property pursuant to this real estate sales contract are subject to the satisfaction of the following conditions:

a. The conveyance to Buyer of good and marketable title to the Property, as evidenced by a current Owner's Title Policy updated through the date of Closing obtained by the Seller and provided to the Buyer at Closing, at the Buyer's expense, in the full amount of the purchase price, insuring that title to the Property is vested in Buyer free and clear of all title defects, liens, encumbrances, conditions, restrictions, covenants, and other adverse interests of record or known to the Seller other than the Permitted Exceptions.

b. Seller obtaining prior to expiration of the Inspection Period set forth in **Section 5.01 and Section 5.02** the approval of the transaction contemplated by this real estate sales contract from the City of Texarkana, Texas

c. Seller obtaining prior to expiration of the Inspection Period set forth in **Section 5.01 and Section 5.02** the approval of the transaction contemplated by this real estate sales contract from the City of Texarkana, Arkansas

Buyer's Initials

Attachment: 2024-071 ATTH 05 ARK Reso. 2024-46 (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

d. Seller obtaining prior to expiration of the Inspection Period set forth in **Section 5.01 and Section 5.02** the approval of the transaction contemplated by this real estate sales contract from the Texarkana Regional Airport Authority Board of Directors

e. Seller obtaining prior to expiration of the Inspection Period set forth in **Section 5.01 and Section 5.02** the approval and/or non-objection of the transaction contemplated by this real estate sales contract from the Federal Aviation Administration

f. The Property must appraise for an amount of money equal to or greater than the total purchase price set forth in **Section 2.01** of this real estate sales contract; and

g. Seller's delivery of the Property to Buyer immediately upon closing in substantially the same condition of the Property was at the time of the execution of this real estate sales contract and without any material alterations between the execution of this real estate sales contract and Closing.

4.04 **Failure of Condition and Seller's Breach of Warranty.** If any of the conditions set forth in this real estate sales contract do not occur, or if Buyer notifies Seller in writing before the close of the appropriate contingency period of Seller's breach of any of Seller's warranties set forth in this real estate sales contract, then Buyer may cancel the escrow, terminate this real estate sales contract, and recover any amount paid by Buyer to the Escrow Agent toward the purchase price of the Property. Buyer shall exercise this power to terminate by complying with any applicable notice requirements specified in the relevant condition and, in all other cases, by providing written notice to the Seller and the Escrow Agent within five (5) business days of the failure or breach. The exercise of this power will not constitute a waiver of any other rights that Buyer may have against Seller for breach of this real estate sales contract. Seller shall instruct the Escrow Agent, in the escrow instructions delivered pursuant to **Section 3.01**, to refund to Buyer all money and instruments deposited in escrow by Buyer pursuant to this real estate sales contract on the failure of any condition or conditions or breach of a warranty or warranties and receipt of a termination notice. This instruction must be irrevocable.

4.05 **Seller's Election to Remedy Defects; Buyer's Remedies.** Notwithstanding any provision of this real estate sales contract to the contrary, Seller has the right to remedy any violations of this real estate sales contract before the close of escrow. The right to remedy is subject to the following requirements and restrictions:

a. Buyer shall immediately notify Seller in writing of Buyer's discovery, before the close of escrow, of a violation of any provisions of this real estate sales contract (for purposes of this **Section 4.05** any such violation is described as a "defect");

b. If Buyer fails to give notice, Buyer waives the defect, and the defect will not be a violation of this real estate sales contract. If Buyer gives notice, Seller may elect to remedy the defect by giving Buyer written notice of this election within five (5) business days of receiving Buyer's notice. Seller's notice of election to remedy must specify the number of days, if any, up to a maximum of thirty (30) days, that the close of escrow will be postponed so that Seller may remedy the defect. If Seller fails to provide a timely notice of election or fails to remedy the defect before the close of escrow, including any extensions of escrow pursuant to this Section, then Buyer may elect to do either of the following: (i) terminate this real estate sales contract without any liability on the part of either party; (ii) purchase the Property without a reduction in the purchase price and without any liability for the unremedied defect or defects on the part

Buyer's Initials

Attachment: 2024-071 ATTH 05 ARK Reso. 2024-46 (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

of the Buyer; or (iii) postpone the closing while seeking to enforce this real estate sales contract by specific performance.

c. Seller shall instruct the Escrow Agent, in the escrow instructions delivered pursuant to **Section 3.01** to immediately refund to Buyer all money and to return any instruments deposited in escrow by Buyer pursuant to this real estate sales contract on termination of this contract under this subsection, and on receipt of notice of that termination from Buyer.

SECTION 5. RIGHTS AND ADDITIONAL WARRANTIES

5.01 **Right of Buyer to Inspect Property.** Buyer will have sixty (60) days ("Inspection Period") from the execution of this real estate sales contract to complete all due diligence inspections, including inspection or review of utility locations, the Property's title, property tax statements, P&L statements, hazardous waste studies, and any similar inspections or reviews. Prior to the conclusion of this sixty-day period, Buyer shall notify Seller in writing of any objection to any matters addressed in those due diligence inspections. If the Buyer makes a timely objection to any matters presented by those due diligence inspections and those matters are not corrected to the Buyer's reasonable satisfaction as soon as reasonably practicable after the Seller's receipt of the objection, Buyer may terminate this real estate sales contract pursuant to **Section 4.04**. The Buyer's failure to object pursuant to this Section will be deemed an acceptance of all matters presented by any due diligence inspections conducted.

5.02 **Extension of Inspection Period.** Buyer may extend the Inspection Period by an additional sixty (60) days (for a total inspection period of one hundred twenty (120) days). To extend the Inspection Period, Buyer must provide written notice to Seller and Escrow Agent of Buyer's election to extend the Inspection Period before the end of the initial sixty (60) days of the Inspection Period.

5.03 **Right of Buyer to Enter Property.** Seller grants to Buyer, or Buyer's agents, the right, at any time and from time to time after the opening of the escrow for this transaction, to enter onto the Property to conduct tests or investigations, provided that:

a. The test or investigations conducted are at the sole cost and expense of the Buyer (unless otherwise specified in this real estate sales contract);

b. The acts do not unreasonably interfere with the Seller's possession;

c. The Buyer shall indemnify and hold Seller harmless from any costs and liabilities resulting from the tests or investigations and, if the escrow is canceled for a reason that is not the fault of the Seller, for any damage to the Property resulting from the tests or investigations; and

d. Buyer shall give Seller written notice of the intention to enter one (1) business day before the date of the planned entry.

5.04 **Additional Warranties of Seller.** Seller warrants that:

a. Seller owns the Property, free and clear of all liens, licenses, claims, encumbrances, easements, encroachments on the Property from adjacent properties, encroachments by improvements on the Property onto adjacent properties, and rights-of-way of any nature, not disclosed by the public record and subject only to the Permitted Exceptions;



Buyer's Initials

Attachment: 2024-071 ATTH 05 ARK Reso. 2024-46 (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

b. There is no pending litigation or administrative proceeding involving the Seller or the Property and to the best of Seller's knowledge, none is threatened;

c. Seller is not in default under any contract, note, or encumbrance relating to the Property;

d. Seller has not received any notice of default and is not in default under any law or ordinance, or under any order of any court or federal, state, municipal, or other governmental department, commission, board, bureau, agency, or instrumentality, wherever located; its operations are in compliance with all applicable laws, permits, and ordinances, and there are no claims, actions, suits or proceedings pending or threatened against or affecting the Seller, at law or equity or before or by any federal, state, municipal, or other governmental department, commission, board, bureau, agency, or instrumentality, wherever located, that might result in any material adverse change in the financial condition or business of the Seller or that would bring into question the validity or propriety of this real estate sales contract or of any action taken or to be taken in accordance with or in connection with this contract;

e. Seller, from the inception of operation at the site, has been and is in compliance with the terms, conditions, and requirements of all licenses, permits, and authorizations it holds and the laws, ordinances, and regulations pursuant to which such licenses, permits, and authorizations are granted; and

f. The Property does not contain or require investigation or remediation of hazardous substances under any federal, state, or local statute, regulation, or order. Seller has no knowledge of any hazardous substances now or heretofore being located on the Property.

5.05 **First Rights of Refusal.**

a. The Seller does hereby grant unto Buyer the exclusive and irrevocable right, of the of first refusal and first option may only be exercised by Buyer within 30 days from notification by the Seller that Seller desires to sell or lease the properties currently inside of the Sellers Runway Protection Zone for Runway 13, and adjacent to Buyer's property. Seller is obligated to provide such notice to Buyer prior to offering the subject property to a third party.

b. In the event Seller elects to sell or lease and Buyer desires to exercise their First Refusal Rights granted under the terms of this agreement, the terms of purchase or lease shall be as follows:
   (a) All survey and environmental study costs, as a requirement for the FAA's approval and release of the land in this real estate sales contract, shall be covered by the Buyer.
   (b) Property will be sold or leased at an agreed upon price after an appraisal of the property, done at the expense of the Seller.
   (c) Sale will be pending the approval of the Airport Authority Board, and Cities of Texarkana AR, and Texarkana TX.
   (d) If Seller elects to lease property, lease length terms will be determined by the amount of capital development, not to exceed 50 years per Federal Aviation Administration regulations.
   (e) Buyer would only be obligated to purchase portion of the property that Seller has made available.

c. If Buyer fails to exercise its Rights of First Refusal within the time stated above, this Right of First Refusal shall have no more force of effect.

Buyer's Initials

Attachment: 2024-071 ATTH 05 ARK Reso. 2024-46 (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

SECTION 6. AVIATION CONDITIONS

6.01 **14 CFR Part 77.** Buyer acknowledges and agrees that the Property shall be conveyed subject to a deed restriction that provides the owner of the Property must restrict the height of structures, objects of natural growth and other obstructions on the Property to a height in order to comply with all applicable Federal Aviation Regulations, 14 CFR Part 77 ("use restriction"). For purposes of the use restriction, structures, objects of natural growth, and other obstructions may include, but not be limited to, buildings, structures, towers, appurtenances, trees, temporary construction equipment and cranes. As part of the consideration for this real estate sales contract, Buyer acknowledges and agrees to extend this use restriction to all other property owned by Buyer that lies within the vicinity of the Airport, by way of a corrective deed.

6.02 **NEPA.** Buyer acknowledges that the sale of land included in this real estate sales contract will be subject to the FAA's NEPA requirements as part of their approval and release of the land. Accordingly, this may involve performance of tasks and studies and preparation of certain documentation, exhibits, and other items to successfully complete the FAA's NEPA requirements for the sale of the Property between Seller and Buyer.

SECTION 7. MISCELLANEOUS PROVISIONS

7.01 **Risk of Loss.** The parties agree that the following provisions govern the risk of loss:

a. If, before Seller transfers legal title or possession of the Property to Buyer, all or a material part of the Property is destroyed without fault of the Buyer, or is taken by eminent domain by any government entity, Buyer will be entitled to recover any portion of the purchase price Buyer has paid, and Seller will not have the right to enforce this real estate sales contract;

b. If, after Seller transfers legal title or possession of the Property to the Buyer, all or any part of the Property is destroyed without fault of the Seller, or is taken by eminent domain by any governmental entity, Buyer will not be relieved of Buyer's obligation under this real estate sales contract to pay the full price for the Property, nor is Buyer entitled to recover any portion of the purchase price that Buyer has paid; and

c. If, at any time prior to the close of escrow, damage, destruction, or condemnation occurs and the loss is not covered by subsections a or b of this **Section 7.01**, Buyer will not be relieved of Buyer's obligation under this real estate sales contract but will be entitled to offset the cost of repair or replacement against the purchase price of the Property.

7.02 **Insurance.** Subject to Seller's obligations set forth in **Section 4.03(a)**, Seller may cancel all policies of insurance Seller has purchased for the Property as of the close of escrow. Buyer is responsible for obtaining insurance on the Property as of the close of escrow.

7.03 **Acceptance.** In the event this real estate sales contract is not executed by Seller within five (5) business days from the date this real estate sales contract is provided to the Seller for execution (as indicated by the date upon which all parties in **Section 4.03(b-e)** have provided their approval), this real estate sales contract will become null and void and of no further force or effect.

7.04 **Assignment.** Buyer may not otherwise assign this real estate sales contract without Seller's prior written consent. A valid assignment of this real estate sales contract will not relieve the Buyer of any of its obligations set forth in this real estate sales contract.

_____ Buyer's Initials

Attachment: 2024-071 ATTH 05 ARK Reso. 2024-46 (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

7.05 **Time of Essence.** Time is of the essence of this real estate sales contract

7.06 **Entire Agreement.** This real estate sales contract constitutes the entire agreement between the parties relating to the sale of the Property. Any prior agreements, promises, negotiations, or representations not expressly set forth in this real estate sales contract will have no force and effect unless it is in writing and signed by the Buyer and Seller.

7.07 **Attorney's Fees.** If any action, proceeding, or arbitration arising out of or relating to this real estate sales contract is commenced by either party to this contract or by the Escrow Agent, then as between the Buyer and the Seller, the prevailing party will be entitled to receive from the other party, in addition to any other relief that may be granted, the reasonable attorney's fees, costs, and expenses incurred in the action, proceeding, or arbitration by the prevailing party.

7.08 **Notices.** Except as herein otherwise expressly provided, all notices required to be given to Buyer and/or Seller hereunder shall be in writing and shall be sent by overnight courier, express mail or certified mail, return receipt requested, addressed to:

FOR BUYER
Harvest International Ministries
Attn: William Tracy Harris
4000 Arkansas Boulevard
Texarkana, AR 71854

FOR SELLER
Texarkana Regional Airport Authority
Attn: Executive Director of Aviation
201 Airport Drive
Texarkana, AR 71854

WITH A COPY TO:
Attn: Airport Administration
201 Airport Drive
Texarkana, AR 71854

Notices as provided in this **Section 7.08** shall be deemed received five (5) business days after placed in the mail. The parties, or either of them, may designate in writing from time to time any changes in address or addresses of substitute or supplementary persons in connection with said notices.

7.09 **Binding Effect.** This real estate sales contract is binding upon and will inure to the benefit of the parties to this contract and their heirs, personal representatives, successors, and assigns, except as otherwise provided in this contract.

7.10 **Governing Law.** The parties agree that the laws of the State of Arkansas govern any construction or interpretation of the provisions of this real estate sales contract.

7.11 **Choice of Venue.** The parties agree that any dispute arising under or in connection with this real estate sales contract is subject to the exclusive jurisdiction of the United States District Court, Western District of Arkansas or State Courts of Miller County, Arkansas.

Buyer's Initials

Attachment: 2024-071 ATTH 05 ARK Reso. 2024-46 (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

7.12 **Waiver.** The waiver by any party to this real estate sales contract of a breach of any provision of this contract is not a continuing waiver of any subsequent breach of that or any other duty provision of this contract.

7.13 **Severability.** In the event any provision is this real estate sales contract is held invalid or otherwise unenforceable, the remaining provisions of this agreement will remain in effect, as if the invalid or unenforceable provision had never been included.

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Attachment: 2024-071 ATTH 05 ARK Reso. 2024-46 (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

Buyer's Initials

IN WITNESS WHEREOF, the parties have made and executed this Real Estate Sales Contract on the respective dates under each signature: TEXARKANA REGIONAL AIRPORT AUTHORITY, signing by and through the **Executive Director of Aviation**, authorized to execute same by Seller action on the _____day of _____, 20____, and **Harvest International Ministries**, a **private, non-profit corporation**, signing by and through its _____, duly authorized to execute same.

REAL ESTATE SALES CONTRACT BETWEEN

HARVEST INTERNATIONAL MINISTRIES
(BUYER)
&
TEXARKANA REGIONAL AIRPORT AUTHORITY
(SELLER)

BUYER REPRESENTATIVE

Signature: Tracy Harris

Printed Name: Tracy Harris

Title: President/Founder HIM, Inc.

Date: May 29, 2024

ATTEST

Signature: Angie Clinton

Printed Name: Angie Clinton

TEXARKANA REGIONAL AIRPORT AUTHORITY

Executive Director of Aviation
Texarkana Regional Airport Authority

Signature: _____

Printed Name: _____

Date: _____

ATTEST

Signature: _____

Printed Name: _____

_____ Buyer's Initials

Attachment: 2024-071 ATTH 05 ARK Reso. 2024-46 (4266 : 2024-071 RES Airport land sale to Harvest Int'l Ministries)

RESOLUTION NO. 2024 - 071

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE TEXARKANA AIRPORT AUTHORITY TO SELL 8.179 ACRES OF LAND TO HARVEST INTERNATIONAL MINISTRIES FOR $139,349; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Cities of Texarkana, Arkansas, and Texarkana, Texas, created the Texarkana Airport Authority by means of reciprocal ordinances codified in Chapter 6 – Aviation, Article II – Texarkana Airport Authority, of the Code of Ordinances of the City of Texarkana, Arkansas, and Chapter 4 – Airports, Article II – Airport Authority, of the Code of Ordinances of the City of Texarkana, Texas; and

WHEREAS, the Cities of Texarkana, Arkansas, and Texarkana, Texas require permission to sell, transfer, or in any manner encumber without written consent of joint approval from the cities' governing bodies under the Code of Ordinances of the City of Texarkana, Arkansas, and Chapter 4 – Airports, Article II – Airport Authority, of the Code of Ordinances of the City of Texarkana, Texas; and

WHEREAS, the Texarkana Regional Airport Authority approved the land sale with Resolution No. 052622D on May 24, 2022; and

WHEREAS, the Federal Aviation Administration determined that under section 163, they did not have authority to approve or deny the sale of land on May 10, 2024; and

WHEREAS, the land is being sold for fair market value based upon an appraisal conducted April 24, 2022; and,

WHEREAS, the National Environmental Protection Act was satisfied under a Categorical Exclusion environmental review on August 8, 2023.

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

SECTION 1: The Texarkana Regional Airport Real Estate Land Sale of 8.197 acres to Harvest International Ministries in the amount of $139,349 is hereby approved.

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

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

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:40 p.m.

Attachment: 2024-071 RES Airport land sale to Harvest Ministries (8ac) signed (4266 : 2024-071 RES Airport land sale to Harvest Int'l

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 6/7/2024 9:03 AM

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

Subject: Resolution No. 2024-072 approving the Texarkana Airport Authority's 20-year Master Plan.

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

Item Schedule

Updates/History of Briefing:

(June 10, 2024):
(Texarkana Regional Airport – Master Plan)

Executive Summary and Background Information:

In order for the airport to receive federal grants, they are required to have a 20-year master plan. This document serves as a blueprint for what projects will be done. Individual projects identified on the plan will require approval by the cities in the annual Capital Improvement Plan budgeting process. The plan was created utilizing a federal grant by Coffman and Associates. The preferred development plan was created by the Project Advisory Committee consisting of the FAA, Arkansas Division of Aeronautics, Aircraft Owner and Pilot Association, Mayor Brown, Mayor Bruggeman, City Manager Jay Ellington, City Manager David Orr, Texarkana Chamber of Commerce, AR and TX City Planners, American Airlines, Air Traffic Control, Texarkana Flying Club, TexAmericas Center, and Signature Flight Service. The Airport Authority Board voted to approve the Master Plan as recommended by the Project Advisory Committee.

Potential Options:

- Approve
- Deny

Fiscal Implications:

None

Staff Recommendation:

Staff recommends adoption

Advisory Board/Committee Review:

Master Plan Project Advisory Committee
Texarkana Regional Airport Authority Board

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2024-072 RES Airport 20-yr Master Plan (DOCX)
b. 2024-072 EXH 'A' Airport Resolution (PDF)
c. 2024-072 ATTH 01 ARK Resolution 2024-45 (PDF)
d. 2024-072 Airport 20-yr Master Plan
e. 2024-072 RES airport 20yr master plan signed (PDF)

Staff Coordination

City Manager	Jennifer Evans	Department Head Review	Completed	06/07/2024 9:04 AM
City Manager	David Orr	City Manager Review	Completed	06/07/2024 10:02 AM
City Council	Jennifer Evans	Meeting	Completed	06/10/2024 6:00 PM

Meeting History

RESOLUTION NO. 2024 - 072

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE TEXARKANA AIRPORT AUTHORITY'S 20-YEAR MASTER PLAN; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Cities of Texarkana, Arkansas, and Texarkana, Texas, created the Texarkana Airport Authority by means of reciprocal ordinances codified in Chapter 6 – Aviation, Article II – Texarkana Airport Authority, of the Code of Ordinances of the City of Texarkana, Arkansas, and Chapter 4 – Airports, Article II – Airport Authority, of the Code of Ordinances of the City of Texarkana, Texas; and

WHEREAS, the Joint Board of the Texarkana Airport Authority, adopted a 20-Year Master Plan on April 19, 2024, and is attached to this resolution as **Exhibit "A"**; and

WHEREAS, the Airport Master Plan must be approved by the City Council of Texarkana, Texas, and the Board of Directors of Texarkana, Arkansas, per Section 4-26 of the municipal codes of the City of Texarkana, Texas, and Section 6-32 of the City of Texarkana, Arkansas; and

WHEREAS, an airport master plan is necessary to receive grant funds from the Federal Aviation Administration; and

WHEREAS, subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, the airport will always keep up to date an airport layout plan of the airport.

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

SECTION 1: The 20-Year Airport Master Plan of the Texarkana Regional Airport Authority, as prepared by Coffman and Associates is hereby adopted and approved.

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

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

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2024-072 RES Airport 20-yr Master Plan (4267 : 2024-072 Airport 20-yr Master Plan)

TEXARKANA AIRPORT AUTHORITY RESOLUTION No. 041924
A RESOLUTION ADOPTING THE 20-YEAR MASTER PLAN

WHEREAS, the Texarkana Regional Airport Authority was formed under Arkansas Code § 14-361-101 to be jointly owned by the cities of Texarkana AR and Texarkana TX; and

WHEREAS, the Airport Authority is entrusted with the power to plan, develop, construct and improve the airport; and

WHEREAS, subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, the airport will keep up to date at all times an airport layout plan of the airport; and,

WHEREAS, Coffman and Associates was awarded a grant from the Federal Aviation Administration to draft a 20-year Master Plan for the Texarkana Regional Airport Authority; and,

WHEREAS, an airport master plan is necessary to receive grant funds from the Federal Aviation Administration; and,

WHEREAS, an airport master plan provides a blueprint to development at the airport; and,

WHEREAS, the recommended development concept was approved by the Planning Advisory Committee, consisting of local and regional stake holders; and,

WHEREAS, the airport master plan is available for review at txk.airportstudy.net;

NOW, THEREFORE, BE IT RESOLVED BY THE TEXARKANA AIRPORT AUTHORITY THAT:

SECTION 1. The Texarkana Regional Airport Authority adopts the 20-Year Master Plan as created by Coffman and Associates.

SECTION 2. This Resolution shall take effect immediately upon adoption by both the City of Texarkana Arkansas, the City of Texarkana Texas and acceptance by the Federal Aviation Administration.

Adopted this 24th day of April, 2024

ATTEST

Ferdinand P Mehrlich III, Director

SIGNED

Airport Authority Chair

Attachment: 2024-072 EXH 'A' Airport Resolution (4267 : 2024-072 Airport 20-yr Master Plan)

RESOLUTION NO. 2024-45

WHEREAS, the Federal Aviation Administration (FAA) requires a 20-year Master Plan in order for Texarkana Regional Airport to receive grant funds; and

WHEREAS, a Master Plan provides a blueprint to future development at the airport; and

WHEREAS, the attached 20-year Master Plan was created utilizing a federal grant by Coffman and Associates and was approved by the Airport Authority Board;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the City of Texarkana, Arkansas, the Texarkana Regional Airport 20-year Master Plan is hereby approved.

PASSED AND APPROVED this 4th day of June 2024.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

Joshua L. Potter, City Attorney

Attachment: 2024-072 ATTH 01 ARK Resolution 2024-45 (4267 : 2024-072 Airport 20-yr Master Plan)

RESOLUTION NO. 2024 - 072

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE TEXARKANA AIRPORT AUTHORITY'S 20-YEAR MASTER PLAN; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Cities of Texarkana, Arkansas, and Texarkana, Texas, created the Texarkana Airport Authority by means of reciprocal ordinances codified in Chapter 6 – Aviation, Article II – Texarkana Airport Authority, of the Code of Ordinances of the City of Texarkana, Arkansas, and Chapter 4 – Airports, Article II – Airport Authority, of the Code of Ordinances of the City of Texarkana, Texas; and

WHEREAS, the Joint Board of the Texarkana Airport Authority, adopted a 20-Year Master Plan on April 19, 2024, and is attached to this resolution as **Exhibit "A"**; and

WHEREAS, the Airport Master Plan must be approved by the City Council of Texarkana, Texas, and the Board of Directors of Texarkana, Arkansas, per Section 4-26 of the municipal codes of the City of Texarkana, Texas, and Section 6-32 of the City of Texarkana, Arkansas; and

WHEREAS, an airport master plan is necessary to receive grant funds from the Federal Aviation Administration; and

WHEREAS, subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, the airport will always keep up to date an airport layout plan of the airport.

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

SECTION 1: The 20-Year Airport Master Plan of the Texarkana Regional Airport Authority, as prepared by Coffman and Associates is hereby adopted and approved.

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

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

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:46 p.m.

Attachment: 2024-072 RES airport 20yr master plan signed (4267 : 2024-072 Airport 20-yr Master Plan)

TEXARKANA AIRPORT AUTHORITY RESOLUTION No. 041924
A RESOLUTION ADOPTING THE 20-YEAR MASTER PLAN

WHEREAS, the Texarkana Regional Airport Authority was formed under Arkansas Code § 14-361-101 to be jointly owned by the cities of Texarkana AR and Texarkana TX; and

WHEREAS, the Airport Authority is entrusted with the power to plan, develop, construct and improve the airport; and

WHEREAS, subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, the airport will keep up to date at all times an airport layout plan of the airport; and,

WHEREAS, Coffman and Associates was awarded a grant from the Federal Aviation Administration to draft a 20-year Master Plan for the Texarkana Regional Airport Authority; and,

WHEREAS, an airport master plan is necessary to receive grant funds from the Federal Aviation Administration; and,

WHEREAS, an airport master plan provides a blueprint to development at the airport; and,

WHEREAS, the recommended development concept was approved by the Planning Advisory Committee, consisting of local and regional stake holders; and,

WHEREAS, the airport master plan is available for review at txk.airportstudy.net;

NOW, THEREFORE, BE IT RESOLVED BY THE TEXARKANA AIRPORT AUTHORITY THAT:

SECTION 1. The Texarkana Regional Airport Authority adopts the 20-Year Master Plan as created by Coffman and Associates.

SECTION 2. This Resolution shall take effect immediately upon adoption by both the City of Texarkana Arkansas, the City of Texarkana Texas and acceptance by the Federal Aviation Administration.

Adopted this 24th day of April, 2024

ATTEST

Ferdinand P Mehrlich III, Director

SIGNED

Airport Authority Chair

Attachment: 2024-072 RES airport 20yr master plan signed (4267 : 2024-072 Airport 20-yr Master Plan)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 7/8/2024 6:03 PM

Lead Department: Planning and Community Development **Action Officer:** Daphnea Ryan,

Subject: Resolution No. 2024-060 supporting the City's application to the Texas Historical Commission to become a Certified Local Government.

Briefing: 7/16/2024 **Public Hearing:** **Council Vote:** 7/16/2024

Item Schedule

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

Updates/History of Briefing:

The City of Texarkana, Texas applied for Certified Local Government status in 2016 and the application was denied. Texas Historical Commission provided action items needed including adopting a stand-alone historic preservation ordinance. THC provided feedback on sections needed in the ordinance and provided a sample to review. The Historic Preservation ordinance was completed and adopted earlier this year.

Executive Summary and Background Information:

The purpose of the Texas Historical Commission's CLG Program is to empower local communities to better protect historic resources by identifying local priorities, meeting recognized historic preservation standards and providing access to financial and technical services to further the identification, evaluation, designation, and protection of buildings, sites, districts, structures, and objects. In 1966, Congress passed the National Historic Preservation Act, establishing preservation as a national priority and creating programs to encourage preservation including State Historic Preservation Offices (SHPOs). The Texas Historical Commission (THC) serves as the SHPO and is charged with administering federal preservation laws and policies in Texas.

The CLG Program formed by Congressional amendment in 1980 formally recognizes a partnership between the local, state, and federal governments to enhance preservation.

The purpose of statewide CLG Programs:

1. Ensure the broadest possible participation of local governments in the national historic preservation program while maintaining standards consistent with the National Historic Preservation Act and the Secretary of the Interior's "Standards and Guidelines for Archeology and Historic Preservation;"
2. Enrich, develop, and help maintain local historic preservation programs in cooperation and coordination with the SHPO; and
3. Provide financial and technical assistance to further these purposes.

City of Texarkana, Texas

Local governments that participate in the CLG Program act independently to develop and maintain a successful preservation program. The Texas Historical Commission administers the program at the state level and the National Park Service is the responsible federal agency.

The benefits of becoming a CLG include access to technical assistance from the CLG Program staff, a network of local preservation commissioners and historic preservation officers from around the state, workshops, and other trainings specific to local preservation challenges, and the annual CLG Grant Program. CLG grants provide funding to participating city and county governments to develop and sustain an effective local preservation program critical to preserving historic resources. Priority for funding is given to projects that directly relate to the following work categories:

- Architectural, historical, and archeological surveys/inventories
- Preparation of nominations to the National Register of Historic Places
- Preparation of local preservation plans
- Writing or amending a preservation ordinance
- Development of local design guidelines
- Research and development of a local preservation incentive program
- Travel/training expenses for hosting a regional preservation-related workshop

CLG grants require a local match of 1 to 1, and the only federal funds that can be used as Match are Community Development Block Grant (CDBG) funds.

Requirements of the Texas Historical Commission Certified Local Government Program **(Most are already in place, with the remaining not being applicable until CLG status has been obtained)**

- Adopt and maintain a local historic preservation ordinance that meets the CLG program standards. (Completed)
- Maintain a designated city official, staff person, or other appropriate representative of the municipal entity to serve as a local Historic Preservation Officer (HPO) for the purpose of administering the local preservation ordinance. The HPO must meet the Secretary of the Interior's Professional Qualification Standards. (In Place)
- Maintain, by the local preservation ordinance, a qualified review commission, board, or committee for historic preservation having specific powers such as review responsibility pertaining to proposed national Register nominations as well as actions that will affect local historic properties. (In Place)
- Enforce the local historic preservation ordinance for the designation and protection of local historic properties. (In Place)
- Adopt the Secretary of the Interior's Standards for Rehabilitation as the standard by which the preservation commission will review all work applications brought before it under the terms of the local historic preservation ordinance. (In Place)
- Ensure, to the maximum extent possible, public participation in the local historic preservation program, including the process of nominating properties to the National Register of Historic Places. (In Place)
- Maintain a system for the survey and inventory of local historic properties that is coordinated with the statewide cultural-resource-survey-process, with technical assistance provided by the National Register Program of the Texas Historical Commission's History Programs Division. (Will be implemented upon designation as a CLG)
- Review and comment upon nominations to the National Register of Historic Places for properties within the city's jurisdiction, and within 60 days of being notified that a nomination has been posted on the THC website, submit the Preservation Commission's report and the

recommendations of the chief elected official of the city to the National Register Program Office as to whether or not the nominated properties meet the criteria of the National Register. (In Place)

- Monitor and report to the Texas Historical Commission any actions affecting any county courthouse, Recorded Texas Historic Landmark, State Antiquities Landmark, National Register property, and any locally designated landmark. (In Place)
- Provide appropriate training for the Historic Preservation Officer, city staff, and members of the Preservation Commission. (On Going)
- Submit an Annual Report to CLG Program staff each year that describes the actions of the local preservation commission and other preservation-related activities of the previous fiscal year. (HPO will report yearly upon designation as a CLG)

The Historic Landmark Preservation Commission and city staff recognize the benefits of obtaining Certified Local Government status through the Texas Historical Commission and request City Council's support of this application.

Potential Options:

- Approve
- Deny

Fiscal Implications:

There are no negative fiscal implications to obtaining Certified Local Government Status. It will provide an opportunity to seek grant funds related to historic preservartion.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

Historic Landmark Preservation Commission

Board/Committee Recommendation:

Historic Landmark Preservation Commission recommends approval.

Advisory Board/Committee Meeting Date and Minutes:

May 28, 2024

Attachments

a. 2024-060 Goals & Perspectives (DOCX)
b. 2024-060 RES Supporting Certified Local Government Application (DOCX)
c. 2024-060 ATTH 01 HLPC May24 Mtg Minutes (DOCX)

Staff Coordination

Planning and Community Development	Vashil Fernandez	Department Head Review	Completed 06/06/2024 12:31 PM
City Manager	David Orr	City Manager Review	Completed 06/06/2024 4:33 PM

City of Texarkana, Texas

City Council 6:00 PM	Jennifer Evans	Meeting	Completed	06/10/2024

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:

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

Public Information Plan:

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

Other:

Attachment: 2024-060 Goals & Perspectives (4248 : 2024-060 RES Supporting Certified Local Government Application)

Attachment: 2024-060 RES Supporting Certified Local Government Application (4248 : 2024-060 RES Supporting Certified Local Government

RESOLUTION NO. 2024-060

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, SUPPORTING THE CITY'S APPLICATION TO THE TEXAS HISTORICAL COMMISSION TO BECOME A CERTIFIED LOCAL GOVERNMENT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Texas Historical Commission established a Certified Local Government (CLG) Program that is open to all Texas cities; and

WHEREAS, obtaining Certified Local Government status provides opportunities for trainings, technical assistance, and grant opportunities to develop and maintain a successful preservation program; and

WHEREAS, the Historic Landmark Preservation Commission and staff recommend for approval; and

WHEREAS, this program demonstrates a valuable contribution to preserving historic resources as well as assisting with efforts towards redevelopment of the city's downtown.

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

SECTION 1: The City Council supports the application to the Texas Historical Commission to become a Certified Local Government and is willing to commit to the requirements of the CLG Program.

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

PASSED AND APPROVED in Regular Council Session this the **16th day of July, 2024**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Minutes
Historic Landmark Preservation Commission Meeting
Tuesday May 28, 2024
Texarkana Texas City Hall, 2nd Floor Conference Room
220 Texas Blvd., Texarkana, Texas 75501
12:00 P.M.

Members Present	City of Texarkana, Texas
Steve Thompson	Matt Solomon
Dr. Robert Michael Guillory	Vashil Fernandez
Alice Coleman	
Dr. Craig Nakashian	**Texarkana Museum System**
Dawn Martin	None
Lauren Callaway	
	Other Attendees
Members Absent	Judith White
Willis Johnston	Larry White
	Jo Thomason

1. **Call to Order**

   The Meeting was moved to the Fourth Floor Public Works Conference Room due to a conflict with the scheduling of the Second Floor Conference Room. The City Receptionist was notified to direct all visitors to the correct room. The meeting was called to order at 12:05 p.m.

   The DRAFT Meeting Ground Rules were presented and discussed. Jo Thomason highlighted one important rule addressing potential Conflicts of Interest. In short if a board member has financial interest in an item brough before the commission for approval that member must recuse themselves from the vote.

2. **Establishment of Quorum**

   A quorum was established with six members present.

3. **Approval of Previous Minutes**

   The Committee reviewed and approved the April 23, 2024, minutes.

Attachment: 2024-060 ATTH 01 HLPC May24 Mtg Minutes (4248 : 2024-060 RES Supporting Certified Local Government Application)

Result: Approved [Unanimous]
Mover: Dr. Robert Michael Guillory
Seconder: Steve Thompson
Ayes: Dr. Robert Michael Guillory, Steve Thompson, Alice Coleman, Dr. Craig Nakashian, Dawn Martin, Lauren Callaway
Absent: Willis Johnston

4. Certified Local Government.

Matt Solomon provided a brief overview of the Certified Local Government effort and requested a vote of support. See Slide.

The purpose of the agenda item is to have an official vote by the Commission recommending the city apply for Certified Local Government status. That recommendation will be presented to the City Council June 10th for Resolution 2024-060 providing Council's support of the City's application to Texas Historical Commission to become a Certified Local Government. Members were each provided a handout summarizing the program.

Result: Approved [Unanimous]
Mover: Dr. Craig Nakashian
Seconder: Dawn Martin
Ayes: Dr. Robert Michael Guillory, Steve Thompson, Alice Coleman, Dr. Craig Nakashian, Dawn Martin, Lauren Callaway
Absent: Willis Johnston

5. Legal Brief on COA Applications and Actions.

Jo Thomason, a City Attorney, provided an overview of actions for Certificates of Appropriateness, Demolition, and Demolition due to Neglect. This was a presentation requested by several of the members to clarify the process and the punitive options outlined in the new city ordinance.

Demolition due to Neglect sparked the most discussion, with Larry White asking if the city could move to purchase buildings of Historic Nature to prevent further decay, example being the Runnels House at 1402 W Ninth. Jo Thomason stated that was unlikely due to the high cost and previous negative experiences, like the Kress Building.

Attachment: 2024-060 ATTH 01 HLPC May24 Mtg Minutes (4248 : 2024-060 RES Supporting Certified Local Government Application)

Attachment: 2024-060 ATTH 01 HLPC May24 Mtg Minutes (4248 : 2024-060 RES Supporting Certified Local Government Application)

6. Staff Updates

Matt Solomon presented the Staff Update Slide. Reviewed the currently approved COAs, and Staff actions taken of the last month. One in-Kind COA was submitted this month.

He also briefly discussed the TAMUT partnership to conduct Marker Research to support applications for new Historic Markers in Texarkana.

Matt Closed out the staff updates by outlining the City Hall 100th Anniversary Strategic Doing Effort to Celebrate the History of the building. There is a Marker Application in development and the date of the event is still to be determined.

7. Historic Committee Project Updates

No updates provided.

8. Main Street Updates

Steve Thompson updated the commission on the numerous events going on downtown over the summer and encouraged everyone to participate and support Downtown.

9. Museum System Updates

No Updates provided.

10. Adjournment

The meeting was adjourned at 1:00 p.m.

Result: Approved [Unanimous]
Mover: Dr. Robert Michael Guillory
Seconder: Lauren Callaway
Ayes: Dr. Robert Michael Guillory, Steve Thompson, Dawn Martin, Lauren Callaway, Alice Coleman, Dr. Craig Nakashian
Absent: Willis Johnston

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 7/8/2024 6:05 PM

Lead Department: Planning and Community Development **Action Officer:** Vashil Fernandez, PCD Director

Subject: Resolution No. 2024-066 adopting the Community Development Block Grant 2024 Fiscal Year Annual Action Plan and authorizing the City Manager to submit said action plan to the U.S. Department of Housing and Urban Development.

Briefing: 7/16/2024 **Public Hearing:** 7/16/2024 **Council Vote:** 7/16/2024

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The U. S. Department of Housing and Urban Development has provided the City of Texarkana, Texas, with Community Development Block Grant (CDBG) funds.

The Community Development Block Grant (CDBG) is a federal program established in 1974 that allows entitlement Jurisdictions to receive a formula allocation each year. Projects/Activities must meet a HUD National Objectives including benefiting Low- to Moderate-Income residents, Reducing or eliminating Slum and Blight or Meeting an Urgent Need (Disaster Relief).

The 2023-2027 Consolidated Plan identifies housing and community development needs, priorities, goals, and strategies for Texarkana, and contains a 5-Year Strategic Plan and Annual Action Plan that are required by HUD to receive CDBG funding. The plan also provides a mechanism for public input and discussion for determining how CDBG funds will be allocated to housing and community development activities.

Public review of the draft 2024 Annual Action Plan will become available June 10th, 2024 and will continue through July 10th, 2024; legal notice was published in the Texarkana Gazette, Amigo News and city website; and public hearings will be conducted June 10, 2024 and July 8, 2024 to solicit public comments regarding the Annual Action Plan.

The City Council must adopt the yearly Community Development Block Grant (CDBG) 2024 Annual Action Plan and funding priorities for the use of Community Development Block Grant Funds.

Potential Options:

- Approve
- Deny

Fiscal Implications:

$439,500 in federal funding

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

COMMENT PERIODS:

June 10 – July 10, 2024 2024 Annual Action Plan

Attachments

a. 2024-066 Goals & Perspectives (DOCX)
b. 2024-066 ATTH 01 PY2024 AAP Draft (DOCX)
c. 2024-066 ATTH 02 Council Pres. CDBG PY2024 AAP (PDF)
d. 2024-066 RES Adopting CDBG FY 25 Annual Action Plan(DOCX)

Staff Coordination

Planning and Community Development		Vashil Fernandez	Department Head Review	Completed 06/03/2024 4:40 PM
Finance Department	Kristin Peeples	Finance Review	Completed	06/03/2024 4:43 PM
City Manager	David Orr	City Manager Review	Completed	06/06/2024 4:33 PM
City Council	Jennifer Evans	Meeting	Completed	06/10/2024 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: 2024-066 Goals & Perspectives (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year Annual Action)



City of Texarkana, Texas
2024 Annual Action Plan

The Annual Action Plan for the City of Texarkana, Texas
Community Development Block Grant Program
Prepared in Accordance with the
United States Department of Housing & Urban Development's Planning Requirements
For the Period of
October 1, 2024 through September 30, 2025
Program Year 2024

DRAFT

Attachment: 2024-066 ATTH 01 PY2024 AAP Draft (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year Annual Action)

ES-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The City of Texarkana, Texas receives direct assistance under the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program as an entitlement community authorized under Title I of the Housing and Community Development Act of 1974. All CDBG funds must be expended within the City for participants who meet applicable eligibility criteria and for eligible activities as identified in program regulations and guidelines.

The Consolidated Plan is designed to help states and local jurisdictions assess market conditions, community development needs, and affordable housing needs to make a-driven, place-based investment decisions. The consolidated planning process serves as the framework for a community-wide dialogue to identify housing and community development priorities that align and focus funding from the CDBG program. The Consolidated Plan is carried out through the Annual Action Plan which provides a summary of actions, activities, and resources that will be used to address priority needs and goals identified in the Consolidated Plan.

This Consolidated Plan period starts on October 1, 2023, and ends on September 30, 2028. This plan includes a summary of consultation methods, citizen participation, an assessment of needs, market analysis, a strategic plan, and the second-year Annual Action Plan (2024).

2. Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview

During the development of the Consolidated Plan, several priority needs were identified. Guidelines for addressing these priority needs over the 2023-2027 timeframe are summarized below:

- **Housing Affordability**
  - Housing Affordability – Owner-Occupied Housing Rehabilitation
  - Housing Affordability – Homebuyer Assistance
  - Housing Affordability – Code Enforcement
- **Increase the Capacity of Public Services**
  - Youth Services
  - Homelessness Services
  - General Services Programs
- **Public Facility & Infrastructure Improvements**
  - Neighborhood Revitalization
  - Neighborhood Resilience

3. Evaluation of past performance

Attachment: 2024-066 ATTH 01 PY2024 AAP Draft (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year Annual Action)

DRAFT

Each year, the City of Texarkana reports its progress in meeting the five-year and annual goals in the Consolidated Annual Performance Evaluation Report (CAPER). Listed below are some of the goals and accomplishments in the City's PY 2022 CAPER.

CDBG Major Initiatives and Highlights FY 2022:

The City partnered with non-profit service agencies and housing providers to provide affordable housing opportunities, improve community assets, and provide basic needs for the citizens of Texarkana, TX. In 2022, the City carried out the following activities during this reporting period:

- **Public Services**
  - **Mission Texarkana Litter Program** – The City awarded funds to Mission Texarkana to operate its litter program for the downtown area. Program participants learned valuable job skills and were paid to clean the downtown area. The City expended $10,198.50 to provide job training.
  - **CV-Public Services** – The City expended $380,174.54 to provide food, supplies, personal protection equipment, care packages, testing, homeless shelter assistance & quarantine assistance for LMI or homeless persons affected by Covid-19. Mission Texarkana, Randy Sams Outreach Shelter, Texarkana Homeless Coalition, Salvation Army, and the Health Department Emergency Operations Center were each awarded CDBG-CV funds.
- **General Services**
  - **Bell Park Walking Trail** – The City installed a walking trail at Bell Park in the New Town neighborhood. The walking trail provides residents and community members with a means of physical activity and promotes physical health. The City expended $53,600.40 to install the walking trail.
  - **Kidtopia Park Playground Improvements –** The City improved and updated current equipment at Kidtopia Park. The park provides LMI families with access to playground equipment and an outdoor community space. The City expended $27,255 to update and improve Kidtopia Park.
  - **Community Gardens** – The City installed and improved community gardens in the New Town and Rosehill neighborhoods. The gardens provide LMI families with access to fresh fruits and vegetables. The City expended $7,420.74 to install community gardens.
- **Affordable Housing**
  - One LMI homebuyer was assisted with $6,940 in Down Payment Assistance.
  - The City repaid its Section 108 Loan in the amount of $228,625. The Grim Lofts will create 93 low/mod housing units in Downtown Texarkana, TX.
- **Administration**
  - The City expended $85,809.71 for the Administration of the CDBG program in providing services to LMI &/or homeless individuals/families.
  - The City also expended $92,714.59 for the Administration of the CDBG-CV program in providing services to LMI &/or homeless individuals/families affected by COVID-19.

DRAFT

Attachment: 2024-066 ATTH 01 PY2024 AAP Draft (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year Annual Action)

4. Summary of citizen participation process and consultation process

The City of Texarkana conducted significant consultations with the public, nonprofit leaders, elected officials, City Staff, homeless service providers, fair housing advocates, and leaders representing minority groups in preparing this plan. The Planning & Community Development Department staff hosted five needs assessment meetings before the development of the plan and two public hearings to review the draft priorities and proposed projects. The meetings are summarized in the Citizen Participation Section of this plan.

During the plan's development, the City of Texarkana met minimal citizen participation requirements by describing the City's methodology for involving citizens in the local program planning, project/activity implementation process, and providing a platform for citizens to provide input.

To solicit citizen input in the development of Consolidated Plan 2023-2027, the Planning & Community Development Department compiled a citizen/stakeholder mailing and email list, which was used to notify the public of proposed meetings and to inform the public of changes that may take place throughout the Consolidated Plan preparation. The City of Texarkana held five needs assessment meetings from Monday, May 1, 2023, through Thursday, May 4, 2023, to solicit public input on the proposed 2023-2027 Consolidated Plan and the 2023 Annual Action Plan. Additionally, the City solicited citizen input through surveys from Saturday, April 22, 2023, through Monday, May 22, 2023. 41 surveys were received, and the results are included in the Appendix.

For this Annual Action Plan, the public comment period for citizen participation will be held on the following dates: June 10, 2024, through July 10, 2024. City Council meetings will be held on June 10, 2024 at 6PM and July, 8, 2024, at 6PM.

5. Summary of public comments

All public comments will be included in the Appendix once the public comment period ends.

6. Summary of comments or views not accepted and the reasons for not accepting them

All comments and views were accepted and are included in the Appendix.

7. Summary

The Proposed Consolidated Plan 2023-2027 established strategic priorities as a product of extensive consultation with community stakeholders, combined with data from the U.S. Census and other sources, which indicate specific housing and community development needs in the City of Texarkana, TX. Combined with a needs assessment survey, under the Citizen Participation Plan, the City identified the following strategic priorities to address utilizing CDBG funds in conjunction with leveraging other public and private investments:

1. Affordable Housing

Attachment: 2024-066 ATTH 01 PY2024 AAP Draft (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year Annual Action)

DRAFT

2. Increase Capacity of Public Services
3. Public Facility and Infrastructure Improvements
4. Administration

Over the next five years, the City will continue to focus on developing affordable housing opportunities for low-income families and supporting local efforts to address critical basic needs for families and individuals in need.

DRAFT

Attachment: 2024-066 ATTH 01 PY2024 AAP Draft (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year Annual Action)

The Process

PR-05 Lead & Responsible Agencies 24 CFR 91.200(b)

1. Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for the administration of each grant program and funding source

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for the administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	Texarkana, Texas	Planning & Community Development
CDBG Administrator	Megan Price, Grant Administrator	Planning & Community Development

Table 1 – Responsible Agencies

Narrative

The City of Texarkana, Texas is the lead agency for developing, administering, and reviewing the 5-Year Consolidated Plan and Annual Action Plan. The City researched and prepared the Plan which provides a comprehensive strategy to address the City's housing and community development needs with CDBG Program funds. The Planning and Community Development Department ensures that the City of Texarkana, TX maximizes the use of its HUD funding to provide a suitable living environment, affordable housing, and expanded economic opportunities for its citizens. The City Council awards funding to qualified subrecipient agencies and City departments annually to carry out eligible activities.

Consolidated Plan Public Contact Information

Public concerns, issues, or comments regarding the 2023-2027 Consolidated Plan are to be directed to:

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220 Texas Blvd., 4th Floor
Texarkana, Texas 75501
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Fax: (903) 798-3913
Email: vashil.fernandez@texarkanatexas.gov

Megan Price, Grant Administrator
Planning & Community Development
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PR-10 Consultation – 91.100, 91.110, 91.200(b), 91.300(b), 91.215(l) and 91.315(l)

1. Introduction

The City of Texarkana, Texas conducted significant consultation through interviews and focus groups with citizens, municipal officials, non-profit agencies, public housing agencies, private developers, governmental agencies, and the Continuum of Care in preparing this plan. The City also held public meetings prior to the development of the plan and two public meetings to review the draft priorities. These meetings are summarized in the Citizen Participation Section of this plan.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

Village Communities of Texarkana is the local public housing agency serving the Texarkana area and was consulted in the preparation of this plan. Village Communities provided data on tenant and housing choice voucher holder characteristics, waiting lists, and future plans for development. In addition to the public housing agency, the City consulted with other private and governmental agencies, mental health, and service agencies was instrumental in developing priorities and the preparation of this plan. These agencies also provided input during the process.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

Texarkana participates in the Texas Balance of State Continuum of Care that is managed by the Texas Homeless Network. The Texarkana Homeless Coalition holds monthly meetings to conduct case conferencing and strategize ways to meet the needs of those experiencing homelessness. This method of coordination could be enhanced by other mechanisms that do not require an extensive meeting process to discuss individual client cases. The development of the Coordinated Entry system has streamlined the process for people experiencing homelessness to access resources.

Additionally, the Texas Homeless Network provides data from the Homeless Management Information System (HMIS), Point-In-Time Count (PIT), the Housing Inventory Count and the Annual Homeless Assessment Report (AHAR). This information is utilized to assist in determining the nature and extent of homelessness in Texarkana and identifying potential projects that will eliminate gaps in housing and services.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for the administration of HMIS.

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The City of Texarkana does not receive ESG funds but coordinates with the Texas Homeless Network and Texarkana Homeless Coalition to provide supportive housing and programs that equip working families to regain and sustain permanent housing.

2. Describe Agencies, groups, organizations, and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Representatives from the broad community, community councils, social service agencies, businesses, housing agencies, community development corporations and other government agencies took the online survey in April and May 2023. The Planning and Community Development Department also hosted stakeholder meetings that included representatives from the following organizations:

1	**Agency/Group/Organization**	**Village Communities of Texarkana, TX**
	Agency/Group/Organization Type	Public Housing Agencies
	What section of the Plan was addressed by Consultation?	Housing Needs Public Housing Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Village Communities of Texarkana was consulted during the housing and public housing needs assessment process. The City will continue to work with the Housing Authority to ensure that mutual clients can access needed services. The City and the Housing Authority will also continue to collaborate on future affordable housing opportunities.
2	**Agency/Group/Organization**	**Rose Hill Neighborhood Association**
	Agency/Group/Organization Type	Non-Profit Agency
	What section of the Plan was addressed by Consultation?	Non-Housing Community Development Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted during the public meeting for the non-housing community development needs assessment.
3	**Agency/Group/Organization**	**Mission Texarkana**
	Agency/Group/Organization Type	Non-Profit Agency
	What section of the Plan was addressed by Consultation?	Homeless Needs

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	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted during the public meeting for the non-housing community development needs assessment.
4	**Agency/Group/Organization**	**Amigo News**
	Agency/Group/Organization Type	Private Agency
	What section of the Plan was addressed by Consultation?	Non-Housing Community Development Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted during the public meeting for the non-housing community development needs assessment.
5	**Agency/Group/Organization**	**TRAX Rural Transit District -- ArkTex COG**
	Agency/Group/Organization Type	Private Agency
	What section of the Plan was addressed by Consultation?	Non-Housing Community Development Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted by interview for the non-housing community development needs assessment.
6	**Agency/Group/Organization**	**T-Line Paratransit -- ArkTexCOG**
	Agency/Group/Organization Type	Private Agency
	What section of the Plan was addressed by Consultation?	Non-Housing Community Development Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted by interview for the non-housing community development needs assessment.
7	**Agency/Group/Organization**	**Randy Sams Outreach Shelter**
	Agency/Group/Organization Type	Non-Profit Agency
	What section of the Plan was addressed by Consultation?	Homeless Needs

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	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted by interview for the non-housing community development needs assessment.
8	**Agency/Group/Organization**	**Veros Latino Store**
	Agency/Group/Organization Type	Private Agency
	What section of the Plan was addressed by Consultation?	Non-Housing Community Development Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted during the public meeting for the non-housing community development needs assessment.

Table 2 – Agencies, groups, and organizations that participated

Identify any Agency Types not consulted and provide rationale for not consulting.

The City did not exclude any agency type or agency during this process.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Renew Texarkana	Planning and Community Development	A central theme of the Renew Texarkana Plan is to renew connections and capitalize on opportunities to improve the quality of life in the city.

Table 3 – Other local/regional / federal planning efforts

Describe cooperation and coordination with other public entities, including the State and any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(l))

The City of Texarkana, Texas is uniquely positioned in that it is a twin city to the City of Texarkana, Arkansas. The two cities share many things including infrastructure (roads, bridges, potable water systems, stormwater systems, and sewage systems), planning organizations (MPO, Ark-Tex Council of Governments), health care agencies (Wadley Regional Medical System, Christus St. Michael Health System), economic development (Chamber of Commerce) and other non-profit agencies (Randy Sams Outreach Shelter, Salvation Army, Harvest Texarkana, Volunteer Center, Literacy Council, unique bi-state

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Workforce Development efforts). Consequently, collaborative planning is a necessity for the City and common practice. These agencies collaborate continually with the City in all aspects of community planning, including this Consolidated Plan. Additionally, the City works closely with the Village Communities of Texarkana and has collaborated and provided funding to renovate existing public housing units.

As such and in accordance with 24 CFR 91.100(4), the City will notify adjacent local government of non-housing community development needs included in its Con Plan. The City will continue to interact with public entities at all levels to ensure coordination and cooperation in implementing the Con Plan and thereby maximize the benefits of the City's housing and community development activities for the residents being served.

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PR-15 Citizen Participation – 91.105, 91.115, 91.200(c) and 91.300(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize the citizen participation process and how it impacted goal setting

A Community Needs Survey was conducted to solicit input from residents and workers in the City. Respondents were informed that the City was updating the Consolidated Plan for federal funds that primarily serve low- to moderate-income residents and areas. The questionnaire polled respondents about the level of need in their neighborhood for various types of improvements that can potentially be addressed by the use of Consolidated Plan funds. In order to give as many people as possible the chance to voice their opinion, emphasis was placed on making the survey widely available and gathering a large number of responses rather than administering the survey to a controlled, statistically representative pool. Therefore, the survey results should be viewed as an indicator of the opinions of the respondents, but not as representing the opinions of the City population as a group. The survey was distributed through a number of channels in order to gather responses from a broad sample. It was made available in hard copy format, as well as electronic format via Survey Monkey. Electronic responses were possible via smartphone, tablet, and web browsers. The survey was available online and offline in English and Spanish.

Public meetings were also held in order to provide forums for residents of the study area and other interested parties to contribute to this Consolidated Plan and Annual Action Plan. Morning and evening meetings were held in various locations across the City, providing a variety of options for residents and stakeholders to attend. Public notices of the meetings were displayed in local newspapers and through email notifications to stakeholder contacts. Meetings were held at the times and locations shown in the following table throughout the City. A summary of comments received at the meetings is included in the Appendix to this document and a list of meeting times and locations is shown on the next page.

Public Hearings, Public Input Meetings, and Nonprofit Stakeholder Meetings	
Nonprofit Stakeholder Meetings Tuesday, May 2, 2023 @ 10:00 am & Thursday, May 4, 2023 @ 2:00 pm Texarkana, TX City Hall	**Public Input Meeting #1** Monday, May 1, 2023 @ 6:00 PM Collins Center, 3000 Texas Boulevard
Public Input Meeting #2 Tuesday, May 2 @ 6:00 PM Vero's Latino Store, 2106 New Boston Rd	**Public Input Meeting #3** Thursday, May 4, 2023 @ 6:00 PM Village Communities of Texarkana
Public Hearing #1 Tuesday, June 20, 2023 @ 6:00 PM City Hall	**Public Hearing #2** Monday, July 10, 2023 @ 6:00 PM City Hall
Public Input Meeting for Amendment **Monday, April 22, 2024 @ 6:00 PM** **City Hall Council Chambers**	

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Citizen Participation Outreach

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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Meeting/Needs Assessment	Non-English Speaking - Specify other language: Spanish Non-targeted/broad community	Five public meeting were held to receive citizen input from residents on community development, housing, and homeless needs.	The summary of comments is included in the narrative following this chart.	All comments were accepted.	N/A
2	Public Hearing	Non-English Speaking - Specify other language: Spanish Non-targeted/broad community	Two public hearings will be held to receive citizen input on draft priorities from residents in community development, housing, and homeless needs.	All public comments will be included in the final plan at the close of the public comment period.	All public comments not accepted will be listed here in the final plan.	N/A
3	Newspaper Ad	Non-English Speaking - Specify other language: Spanish Non-targeted/broad community	The public was notified of the public meetings via a newspaper ad in the Texarkana Gazette and Amigo News. The ad ran in both English and Spanish.	All public comments will be included in the final plan at the close of the public comment period.	All public comments not accepted will be listed here in the final plan.	N/A
4	Survey	Non-English Speaking - Specify other language: Spanish Non-targeted/broad community	The survey received 21 responses.	The survey was used to capture comments. The survey analysis is attached.	All comments were accepted.	N/A

Table 4 – Citizen Participation Outreach

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Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The City of Texarkana, Texas receives $362,000 in PY 2024 CDBG entitlement funding to carry out activities outlined in its second-year Action Plan. Anticipated program income and prior year resources brings total funding to $439,500. The Planning and Community Development Department administers the funding for the City. Based on the FY2024 CDBG allocation, the City estimates that it will receive approximately $1,658,204 over the duration of this Consolidated Plan.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of Con Plan	Narrative Description
			Annual Allocation:	Program Income:	Prior Year Resources:	Total:		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	$362,000	$ 2,500	$ 75,000	$439,500	$1,658,204	The primary objective of the CDBG program is to provide decent housing, a suitable living environment, and expanded economic opportunities principally for low- and moderate-income persons and neighborhoods. All prior year funds are currently committed to active projects and the expected amount available for the Con Plan period is based on yearly allocation plus program income over 5-years

Table 53 - Expected Resources – Priority Table

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Explain how federal funds will leverage those additional resources (private, state, and local funds), including a description of how matching requirements will be satisfied

The City of Texarkana, Texas will use a combination of public and private funding to carry out activities identified in this Action Plan. During FY2024, the City will research opportunities to apply for additional funding streams consistent with the Consolidated Plan's goals. Currently, the City uses other grant resources to offset funding reductions through its HUD CPD program funding. The City also works with various non-profit organizations to encourage leveraging of available funding sources and strengthen organizational capacity.

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If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City will not use any publicly owned land or property to address the needs identified in the plan.

Discussion

CDBG funds will be used in conjunction with other funding resources to address needs identified in the Consolidated Plan.

- General Fund
- Texarkana Homeless Coalition

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Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Housing Affordability – Homeowner Housing Rehabilitation	2024	2025	Affordable Housing	Citywide	Housing Affordability	CDBG	Homeowner Units Rehabilitat 2 Household Units
2	Housing Affordability – Homebuyer Assistance	2024	2025	Affordable Housing	Citywide	Housing Affordability	CDBG	1 Households Assisted
3	Increase Capacity of Public Service – Youth Services	2024	2025	Non-Housing Community Development	Citywide	Increase Capacity of Public Services	CDBG	Public service activities othe than Low/Moderate Income Housing Benefit: 50 Persons Assisted
4	Increase Capacity of Public Service – Homelessness Services	2024	2025	Homelessness	Citywide	Increase Capacity of Public Services	CDBG	Public service activities othe than Low/Moderate Income Housing Benefit: 2 Persons Assisted
5	Increase Capacity of Public Service – General Service Programs	2024	2025	Non-Housing Community Development	Citywide	Increase Capacity of Public Services	CDBG	Public service activities othe than Low/Moderate Income Housing Benefit: 20 Persons Assisted
6	Public Facility Improvements – Neighborhood Revitalization and Resilience	2024	2025	Non-Housing Community Development	Citywide	Public Facility & Infrastructure Improvements	CDBG	Public Facility or Infrastructu Activities other than Low/Moderate Income Housi Benefit: 50 Persons Assisted
7	Public Infrastructure Improvements – Neighborhood Revitalization and Resilience	2024	2025	Non-Housing Community Development	Citywide	Public Facility & Infrastructure Improvements	CDBG	Public Facility or Infrastructu Activities other than Low/Moderate Income Housi Benefit: 75 Persons Assisted
8	Planning & Administration	2024	2025	Planning and Admin	Citywide	Planning and Admin	CDBG	Other: 1 Other

Table 54 – Goals Summary

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Goal Descriptions

1	Goal Name	Housing Affordability – Homeowner Housing Rehabilitation
	Goal Description	To provide housing rehabilitation funding for income-eligible homeowners that occupy their home as a primary residence. Eligible costs include the cost of labor, supplies, and materials.
2	Goal Name	Housing Affordability – Homebuyer Assistance
	Goal Description	To provide first-time income-eligible homebuyers with down payment and closing costs.
3	Goal Name	Public Service – Youth Services
	Goal Description	Provides after-school and summer activities for low-income children and youth (ages 6-18. Youth participate in structured recreational, cultural, social, and life skill activities in an adult-supervised, safe, clean environment. Funds will be used to provide salary support, supplies & equipment needed to provide services.
4	Goal Name	Public Service – Homelessness Services
	Goal Description	Provides services for homeless individuals and families to support emergency shelter and permanent housing solutions.
5	Goal Name	Public Service – General Services Programs
	Goal Description	Fund projects that provide recreational activities, food support, educational opportunities, and job skills to youth; supportive services to low- and moderate-income households and persons with special needs; assistance to businesses to create and/or retain jobs for low- and moderate-income persons; and support for job training, continuing education, and employment services designed to assist low-and moderate-income persons obtain jobs.
6	Goal Name	Public Facility Improvements – Neighborhood Revitalization and Resilience
	Goal Description	The City will fund projects that improve neighborhood facilities to enable resilient design and withstand future community growth and investment.
7	Goal Name	Public Infrastructure & Public Improvements – Neighborhood Revitalization and Resilience
	Goal Description	The City will fund projects that improve drainage and infrastructure to enable resilient design and withstand future community growth and investment.
8	Goal Name	Provide Administrative Structure
	Goal Description	Provide the administrative structure for the planning, implementation, and management of the CDBG grant program as well as other housing and community development.

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Projects

AP-35 Projects – 91.220(d)

Introduction

Projects planned for the 2024 program year are identified in the table below, with additional detail provided in AP-38. Over the next year, the City of Texarkana anticipates assisting low- and moderate-income homeowners with home rehabilitation and emergency repair. The City will also use CDBG funds for the provision of public services such as HMIS coordinated entry, job training, youth services, providing services for substance abuse, and services for the homeless.

Projects

#	Project Name
1	Down Payment Assistance
2	Mission Texarkana – Litter Program
3	Haven Homes
4	The Scholars @ Rosehill Community Center
5	Randy Sams – Day Shelter Program
6	Amachi – Youth Services
7	Administration
8	Sidewalks ADA Accessible
9	Community Gardens – Tree Planting
10	Randy Sams – Day Shelter Pilot Program Building Updates
11	Parks - Kidtopia
12	Inspections – DEMO (S&B)
13	Housing Repairs - Habitat

Table 55 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The projects were selected to meet identified needs in the community with the resources provided. Limited financial resources are the greatest obstacle to meeting the City's underserved needs. Texarkana will continue to estimate allocations for this Consolidated Plan period based on the final allocation amount and the priorities identified in the PY2023-2027 Consolidated Plan, community input, qualified requests for funding, and Department of Planning and Community Development, and City Council. The City recognizes there are multiple needs for low and moderate-income persons in the City that are met through the use of CDBG funds. These needs include access to affordable housing for low and moderate-income persons, services for homeless and at-risk populations, increased capacity for public services and addressing community development needs. The City prioritizes grant allocations by ensuring that all

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proposed projects will:

- Directly benefit low and moderate-income persons or households as defined by HUD's Income Limit Guidelines based on the Texarkana Metropolitan Statistical Area (MSA); or
- Take place in an area where more than 51% of the population is lower income according to HUD Income Limits.

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AP-38 Project Summary

Project Summary Information

1	**Project Name**	**Homeownership Assistance - Down Payment Assistance**
	Target Area	Citywide
	Goals Supported	Housing Affordability – Homebuyer Assistance
	Needs Addressed	Housing Affordability
	Funding	CDBG: $10,000.00
	Description	Down payment and closing costs assistance to low-moderate first-time homebuyers.
	Target Date	9/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 1 homebuyer.
	Location Description	The program will be offered city-wide to income-eligible first-time homebuyers.
	Planned Activities	City will fund up to 50% of the required down payment & all closing costs for LMI homebuyers.
2	**Project Name**	**Mission Texarkana – Job Training (Litter Program)**
	Target Area	Downtown Area
	Goals Supported	Public Service – Homelessness Services
	Needs Addressed	Increase Capacity of Public Services
	Funding	CDBG: $16,000.00
	Description	The Litter Program is a job training program offered to clients seeking services at Mission Texarkana. The program provides basic job training skills and experience and improves the appearance of the surrounding downtown area.
	Target Date	9/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	The litter job training program will serve 1 person.
	Location Description	620 W 4th St, Texarkana, TX 75501
	Planned Activities	Funds for agencies that provide services &/or housing to LMI residents.
3	**Project Name**	**Haven Homes**
	Target Area	Citywide
	Goals Supported	Increase Capacity of Public Services – General Public Services

	Needs Addressed	Increase Capacity of Public Services
	Funding	CDBG: $10,000.00
	Description	Funds for agencies that provide services to LMI residents. Services may include but are not limited to housing, life skills, meals, job classes.
	Target Date	9/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	The Haven Homes Program will serve 20 persons.
	Location Description	Citywide
	Planned Activities	Funds for agencies that provide services to LMI residents. Services may include but not limited to housing, life skills, job classes.
4	**Project Name**	**The Scholars at Rosehill Community Center**
	Target Area	Citywide
	Goals Supported	Public Service – Youth Services
	Needs Addressed	Public Service – General Services Programs
	Funding	CDBG: $10,000.00
	Description	Funds for agencies that provide services to LMI residents. Services may include but not limited to tutoring, life skills, meals, job classes, music classes, presentation classes.
	Target Date	9/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	The Scholars Program will serve 25 persons.
	Location Description	Citywide
	Planned Activities	Funds for agencies that provide services to LMI residents. Services may include but not limited to tutoring, life skills, meals, job classes, music classes, presentation classes.
5	**Project Name**	**Randy Sams**
	Target Area	Downtown Area
	Goals Supported	Public Service – Homelessness Services
	Needs Addressed	Increase Capacity of Public Services
	Funding	CDBG: $10,000.00
	Description	Increased food costs due to new day shelter pilot program that provides daytime meals to LMI/shelter residents.
	Target Date	9/30/2025

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	Estimate the number and type of families that will benefit from the proposed activities	Randy Sams will serve approximately 500 persons.
	Location Description	402 Oak St, Texarkana, Texas 75501
	Planned Activities	Funds for increased food costs of new day shelter pilot program that provides daytime meals to LMI/shelter residents.
6	**Project Name**	**Amachi – Youth Services**
	Target Area	Citywide
	Goals Supported	Public Service – Youth Services
	Needs Addressed	Increase Capacity of Public Services
	Funding	CDBG: $8,300.00
	Description	Funds for agencies that provide services to LMI youths. Services may include but not limited to tutoring, robotics classes, and after school meals.
	Target Date	9/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	The Amachi program will serve 25 persons.
	Location Description	P.O. Box 6901, Fort Worth, Texas 76115
	Planned Activities	Funds for agencies that provide services to LMI youths. Services may include but not limited to tutoring, robotics classes, and after school meals.
7	**Project Name**	**Planning & Administration**
	Target Area	Citywide
	Goals Supported	Planning and Administration
	Needs Addressed	Planning and Administration
	Funding	$72,000
	Description	Program Administration & Fair Housing Activities.
	Target Date	9/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	1
	Location Description	Citywide
	Planned Activities	Program Administration & Fair Housing Activities
8	**Project Name**	**Sidewalks – ADA Accessible**

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	Target Area	Citywide
	Goals Supported	Public Infrastructure Improvements – Neighborhood Revitalization and Resilience
	Needs Addressed	Public Facility & Infrastructure Improvements
	Funding	$30,000
	Description	Public Improvements could include but not limited to roads, sidewalks, accessibility improvements & beautification projects.
	Target Date	9/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	The City estimates that approximately 50 residents who reside in the targeted neighborhoods will benefit from these activities.
	Location Description	Citywide
	Planned Activities	Public Improvements could include but not limited to roads, sidewalks, accessibility improvements & beautification projects.
9	**Project Name**	**Community Gardens / Tree Planting**
	Target Area	Citywide
	Goals Supported	Public Facility Improvements – Neighborhood Revitalization and Resilience
	Needs Addressed	Public Facility & Infrastructure Improvements
	Funding	$8,000
	Description	Improvements to public facilities, parks, trails & public spaces in LMI areas.
	Target Date	9/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	The City estimates that 50 residents will benefit from this activity.
	Location Description	Citywide
	Planned Activities	Improvements to public facilities, parks, trails & public spaces in LMI areas.
10	**Project Name**	**Randy Sams – Day Shelter Pilot Program**
	Target Area	Downtown Area
	Goals Supported	Public Facility Improvements
	Needs Addressed	Public Facility & Infrastructure Improvements
	Funding	$27,500
	Description	Improvements to public facilities serving LMI population for new day shelter pilot program.
	Target Date	9/30/2025

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	Estimate the number and type of families that will benefit from the proposed activities	The City estimates that 500 LMI people will benefit from this activity.
	Location Description	402 Oak St, Texarkana, Texas 75501
	Planned Activities	Improvements to public facilities serving LMI population for new day shelter pilot program.
11	**Project Name**	**Parks – Kidtopia**
	Target Area	Downtown Area
	Goals Supported	Public Facility Improvements
	Needs Addressed	Public Facility & Infrastructure Improvements
	Funding	$109,440
	Description	Improvements to public facilities in LMI areas. Replace old wooden playground structure with new, more sustainable equipment allowing the park to increase accessibility and create a more inclusive park.
	Target Date	9/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	The City estimates that 200 residents will benefit from this activity.
	Location Description	201 Oak St, Texarkana, Texas 75501
	Planned Activities	Improvements to public facilities in LMI areas. Replace old wooden playground structure with new, more sustainable equipment allowing the park to increase accessibility and create a more inclusive park.
12	**Project Name**	**Inspections – DEMO (S&B)**
	Target Area	Citywide
	Goals Supported	Public Facility Improvements
	Needs Addressed	Public Facility & Infrastructure Improvements
	Funding	$25,000
	Description	Removal of unsafe structures, slum, and blight to public facilities in LMI areas.
	Target Date	9/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	The City estimates that 200 residents will benefit from this activity.
	Location Description	Citywide
	Planned Activities	Removal of unsafe structures, slum, and blight to public facilities in LMI areas.
13	**Project Name**	**Housing Repairs – Habitat**
	Target Area	Citywide

Attachment: 2024-066 ATTH 01 PY2024 AAP Draft (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year

	Goals Supported	Housing Affordability – Owner Occupied Rehabilitation
	Needs Addressed	Housing Affordability
	Funding	$100,000
	Description	Funds for housing repairs of single-family homes for LMI homeowners in cooperation with Habitat of Texarkana.
	Target Date	9/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	Two households will be assisted during the program year.
	Location Description	Citywide
	Planned Activities	Funds for housing repairs of single-family homes for LMI homeowners in cooperation with Habitat of Texarkana.

Attachment: 2024-066 ATTH 01 PY2024 AAP Draft (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Texarkana receives entitlement program funds directly from HUD. Program resources are allocated citywide based on low-mod areas which can coincide with areas of minority concentration. The City relies on widely accepted data such as American Community Survey (ACS), HUD low and moderate-income summary data, and Federal Financial Institutions Examinations Council (FFIEC) data to determine areas throughout the community with concentrations of low- and moderate-income communities. Over the next five years, the City intends to use its resources in the geographical boundaries of the City. The City has elected the geographic priority areas as described in detail in SP-10 Geographic Priorities:

- Beverly Neighborhood
- Downtown Area
- Citywide

Geographic Distribution

Target Area	Percentage of Funds
Beverly Community Revitalization	37%
Downtown Area	4%
Citywide	39%

Table 56 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

To generate the greatest impacts, the City will focus efforts on approved target areas in Beverly and the Downtown areas as well as Citywide for certain types of activities. The general priorities and needs are, public services, affordable housing and public facilities & infrastructure that meet the needs of the City's very low-, low- and moderate-income residents.

Federal CDBG funds are intended to provide low and moderate income (LMI) households with viable communities, including decent housing, a suitable living environment and expanded economic opportunities. Eligible activities include community facilities and improvements, housing rehabilitation and preservation, affordable housing development activities, public services, economic development, planning, and administration. The system for establishing the priority for the selection of these projects is

Attachment: 2024-066 ATTH 01 PY2024 AAP Draft (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year Annual Action)

predicated upon the following criteria:

- Meeting the statutory requirements of the CDBG program
- Meeting the needs of LMI residents
- Focusing on LMI areas or neighborhoods
- Coordination and leveraging of resources
- Response to expressed needs
- Sustainability and/or long-term impact
- The ability to demonstrate measurable progress and success

Public facility and infrastructure activities will be provided for areas where the percentage of LMI persons is 51% or higher. CDBG will also be used for beneficiaries that meet criteria under limited clientele beneficiary, such as the elderly, persons with disabilities, the homeless, etc. It is also expected that funding will be provided to assist low- and moderate- income homeowners. Public facilities and infrastructure activities will be based in the qualified census tracts according to the quartile method.

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Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

During the next Consolidated Plan period, the City will address the needs of homeless, non-homeless and special-needs households. The City does not intend to acquire any affordable housing units. The city will continue to leverage grant funds for the homeowner rehabilitation program and the first-time homebuyer's program. The City will continue to partner with local organizations to provide emergency rental assistance to income eligible applicants who are at risk of becoming homeless.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	3
Special-Needs	0
Total	3

Table 57 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	2
Acquisition of Existing Units	1
Total	3

Table 58 - One Year Goals for Affordable Housing by Support Type

Attachment: 2024-066 ATTH 01 PY2024 AAP Draft (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year Annual Action)

AP-60 Public Housing – 91.220(h)

Introduction

Village Communities of Texarkana, Texas, formerly known as the Housing Authority of Texarkana, Texas (HATT) is located in Bowie County, Texas, in the Ark-La-Tex region. Texarkana, Texas is a twin city with neighboring Texarkana, Arkansas. The housing portfolio consists of more than 1,500 market rates, tax credits, and other affordable apartments.

These housing resources include VCTT-owned market-rate residential communities, VCTT-sponsored mixed-income, mixed-finance residential communities, Housing Choice vouchers, rental single-family homes, and homeownership opportunities. Most of the VCTT's programs are funded and regulated by the U.S. Department of Housing and Urban Development (HUD).

In 2019, Village Communities converted its entire low-income public housing to Section 8 project-based vouchers through the Rental Assistance Demonstration Program (RAD) way to stabilize, rehabilitate, or replace properties. The agency also provides affordable workforce housing by converting old public housing units to new affordable apartments and homes in the Rosehill Neighborhood. Additionally, Village Communities manage Housing Choice Vouchers.

The City will continue to support the efforts of the Housing Authority of the Village Communities of Texarkana, Texas in addressing the needs of public housing residents by offering collaborating with the agency to ensure that low-income residents, seniors, and disabled families can access services.

Actions planned during the next year to address the needs to public housing

The City does not have any plans to address the needs of public housing.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

The City does not have any actions to encourage public housing residents during the next consolidated plan period. The City will offer a down payment assistance program that is available to low-income families in Texarkana including public housing residents.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

According to HUD's Public Housing Agency Score (PHAS), the housing authority scored an 83 and is designated a high performer and is not considered by HUD to be troubled or poorly performing.

Attachment: 2024-066 ATTH 01 PY2024 AAP Draft (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year Annual Action)

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

This section describes the one-year goals and activities for the City of Texarkana, Texas in assessing and serving the needs for homeless persons and special needs populations. The City's homeless strategy collaboratively addresses the essential needs for homeless and other special needs populations. The goal is to invest in activities that lead people experiencing homelessness to permanent housing as quickly as possible while offering a variety of intervention options that provide options to address the different needs. Such interventions include rapid rehousing, permanent supportive housing, immediate access to low-barrier emergency shelter; intensive service-focused recovery housing programs; transitional housing options for special needs populations (especially households fleeing domestic violence, youth and youth adults, and people with substance use issues); diversion programs. The City of Texarkana, Texas collaborates with the Texarkana Homeless Coalition, its providers, and the Texas Homeless Network to strengthen the homeless governance structure and ensure services are provided to these populations.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including. Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City's police department serves as the de facto homeless outreach team in Texarkana since they often engage the homeless where they are sleeping, resting, and panhandling. The police department has had to learn basic assessment skills to connect people with necessary resources. During the next year, the City will continue to collaborate with other City departments (including Police, Fire, Parks & Recreation, Property Management, Public Works, and Sanitation) to ensure persons experiencing homelessness or may need assistance are provided essential resources.

Coordinated Entry is a consistent, streamlined process for people experiencing homelessness to access resources including housing. Through coordinated entry, the highest need, most vulnerable households in the community are prioritized for housing and services. The core elements of Coordinated Entry provide for one location for people in a housing crisis to apply for assistance and an assessment to determine vulnerability, needs, and check program eligibility. Through prioritization the people with the greatest need and vulnerability receive assistance.

While most homeless providers have some outreach services, there is not an agency that exclusively provides outreach services. Mission Texarkana provides limited outreach to unsheltered homeless through Church under the Bridge. This year, the City will support HMIS to ensure accurate data is collected on sheltered and unsheltered homeless.

The city has supported the development of the Doorways Home program which is the located at the Doorways Home campus (902 W. 12th Street). The campus is a fixed place where people wanting help can access professional, courteous support to leave the street behind. Program staff will complete an

Attachment: 2024-066 ATTH 01 PY2024 AAP Draft (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year Annual Action)

assessment to determine vulnerability, needs and check program eligibility, prioritize people with the greatest housing needs, and make referrals to housing and services based on need and prioritization.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City will continue to support organizations that address the emergency shelter and transitional housing needs of the homeless to establish a more robust social service system. The Texarkana Homeless Coalition is a local homeless coalition under the Texas Homeless Network (Texas Balance of State CoC), that is responsible for the oversight, planning and operations of the entire CoC. Randy Sams Outreach Shelter is a low-barrier homeless shelter providing emergency shelter in Texarkana. The shelter currently has 112 beds and also provides basic needs like food, showers, case management, and transportation access. The City needs a day shelter to provide resources for persons seeking to return to permanent housing.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The City will continue to support the Texas Homeless Coalition in reducing the amount of time that individuals and families (chronically homeless, families with children, veterans and their families, and unaccompanied youth) experience homelessness. The Texas Homeless Coalition implements a housing first model that works to connect people as quickly as possible to permanent housing and the care and support they need to stabilize and improve their quality of life. The primary goals are to help people obtain permanent housing as quickly as possible, increase their self-sufficiency, and remain stably housed.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The main need is to link people with available housing opportunities as quickly as possible and support them in accessing subsidies and increasing their income to help them sustain their housing long-term. The City's nonprofits coordinate with hospitals, courts, and other institutions to coordinate and plan the discharge of persons experiencing homelessness. Additionally, the Texarkana Homeless Coalition also collaborates closely with a number of organizations which offer primary care, behavioral health, career and other services for persons experiencing homelessness.

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During the next year, the City will continue to:

- Improve coordination between mental health, physical health, and criminal justice systems to identify people at risk of homelessness and link them with support to prevent them from becoming literally homeless after discharge.
- Work with the local and state Department of Children Services and support them in their effort to expand services for youth existing foster care.
- Assist in the identification of available prevention programs and development of a gaps analysis that allows us to create a homeless prevention plan in the coming years.

Attachment: 2024-066 ATTH 01 PY2024 AAP Draft (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year Annual Action)

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

This section of the plan explains whether the cost of housing or the incentives to develop, maintain, or improve affordable housing is affected by policies that may affect land and other property, zoning ordinances, building codes, growth limits, and policies that affect the return on residential investment. These issues are presented based on programmatic experience, previous analyses, and were explored as part of the City of Texarkana's Analysis of Impediments to Fair Housing Choice.

The City 's most recent Analysis of Impediments did not identify any institutional barriers to affordable housing in Texarkana, TX. The City is growing in population and the demand for more affordable units is increasing. The City is committed to maintaining and enhancing policies that increase equal opportunity for housing for low-income families and minorities.

During the needs assessment, stakeholders revealed that a barrier to affordable housing exists with property owners violating tenant's rights or the lack of knowledge of tenants' rights. Property owners have increased rent without notice, refuse to make repairs, or refuse to rent to potential tenants due to minor credit issues. This practice is predatory and further exacerbates the affordability and availability crisis. Stakeholders also revealed that many immigrants do not receive information in a culturally competent way leaving these residents to forgo services that they are indeed eligible for.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

To maintain the City's commitment to prevent barriers to affordable housing the City will continue to:

- Conduct public outreach regarding availability of housing & housing assistance including ensuring that programs are culturally competent and translation of housing application materials into Spanish & maintains bi-lingual staff to assist applicants & clients who are not English-proficient.
- Maintain flexibility in zoning & building requirements when appropriate to allow for infill housing development.
- Maintain an Affirmative Marketing Plan to directly market newly developed City-assisted housing units to minority groups least likely to apply to homeownership programs.
- Meet with local lenders & home builders to encourage the use of non-traditional client loan qualifying & loan products to better serve the needs of homebuyer households with challenges that preclude conventional qualification.
- Support local Continuum of Care efforts for homeless populations & provides ongoing support & technical assistance to the Texarkana Homeless Coalition.
- Work with local agencies that provide financial case management & credit counseling.

Attachment: 2024-066 ATTH 01 PY2024 AAP Draft (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year Annual Action)

- Review and, when applicable, revise the Fair Housing ordinance which ensures that fair housing options are available to its citizens.
- Monitor city-sponsored projects for equal access & compliance with the Fair Housing Act.
- Monitor code compliance to HQS and Fair Housing standards.
- Hold periodic Public Hearings providing information & requesting public comment on affordable and fair housing issues.
- Work with local housing service providers to conduct homebuyer & homeowner education.

Attachment: 2024-066 ATTH 01 PY2024 AAP Draft (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year Annual Action)

AP-85 Other Actions – 91.220(k)

Introduction:

This section details the City's actions planned to ensure safe and affordable housing for its residents, along with plans to meet underserved needs, reduce poverty, develop institutional structure, and enhance coordination between public and private sector housing and community development agencies.

Actions planned to address obstacles to meeting underserved needs

The City will work with its community partners to assist low- and moderate-income residents in meeting underserved needs consisting of employment services, childcare, health services, substance abuse counseling and treatment, education programs, services for senior citizens, services for people experiencing homelessness, and fair housing training.

Actions planned to foster and maintain affordable housing

The City will continue to foster and maintain the current affordable housing stock by utilizing CDBG for owner-occupied rehabilitation and first-time homebuyer programs. The City will also expand its efforts to actively pursue other funding mechanism and partnerships for the development of affordable housing to leverage limited public dollars.

Actions planned to reduce lead-based paint hazards

The City will continue to implement countermeasures to minimize exposure of lead-based paint hazards found in existing housing built prior to 1978 through its City administered housing program. The City will provide all rehab clients and potential clients with the "Lead-Based Paint" pamphlet that describes hazards of lead-based paint. Pursuant to 24 CFR Part 35, all rental and homeowner dwelling units that wish to receive federal assistance and were built prior to 1978 are tested for lead-based paint. (These tests consist of visual inspections, lead screens, and full assessments. Additionally, when properties test positive for LPB hazards, interim controls are performed, and LBP clearances are provided.)

Actions planned to reduce the number of poverty-level families

There are a variety of actions the City undertakes throughout the year in an effort to reduce the number of poverty-level families and increase self-sufficiency. The programs funded through CDBG to address this goal include youth programs, senior assistance programs, and emergency services (i.e., rent, mortgage, and utility assistance programs). The City's anti-poverty strategy focuses on helping all low-income households improve their economic status and remain above poverty levels.

Actions planned to develop institutional structure

City staff works throughout the year to increase institutional structure, both within the City and throughout our partner agencies. This is accomplished through providing technical assistance on federal grant management requirements, such as growing their knowledge of Davis-Bacon requirements, financial management and other grant management procedures. Staff maintain contact with partner

Attachment: 2024-066 ATTH 01 PY2024 AAP Draft (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year Annual Action)

agencies throughout the year, offering referrals for funding and training opportunities where appropriate.

During the next Consolidated Plan period, the City's Planning and Community Development Department will continue to assist nonprofit/social service providers, Village Communities of Texarkana, Texas, and various other community-based organizations to provide training and technical assistance to subrecipients.

Actions planned to enhance coordination between public and private housing and social service agencies

The City is heavily invested in collaborations throughout the community and has successfully paired with multiple service providers to achieve its goals of providing affordable, safe, and decent housing. This collaboration has allowed the City, public agencies, and service providers of the Texarkana Homeless Coalition to better serve the needs of underserved residents. The City will also continue to further its initiative to leverage funding to increase opportunities for low- and moderate- income residents to receive necessary services and have access to affordable housing options.

Attachment: 2024-066 ATTH 01 PY2024 AAP Draft (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year Annual Action)

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

It is the City of Texarkana's policy that 70% of the CDBG funds will be used to benefit low-moderate income people residing within the city limits over a consecutive period of three years, including the year covered by this Annual Action Plan. The City sets aside 15% of the allocation to fund public services and 20% to be used for administration of the program.

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	$0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan	$0
3. The amount of surplus funds from urban renewal settlements	$0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.	$0
5. The amount of income from float-funded activities	$0
Total Program Income	$0

Other CDBG Requirements

1. The amount of urgent need activities	$0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit – A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	70%

The City anticipates using 70% of CDBG funds for projects involving low- and moderate-income people or low and moderate areas over a consecutive period of three years, years 2023-2025, including the year covered by this Annual Action Plan.

Attachment: 2024-066 ATTH 01 PY2024 AAP Draft (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year Annual Action)

CITY OF TEXARKANA TEXAS

CDBG 2024 Annual Action Plan
Community Development Block Grant

Planning & Community Development
June 10, 2024

Attachment: 2024-066 ATTH 02 Council Pres. CDBG PY2024 AAP (4261 : 2024-066 RES

Citizen Participation

2 Public Meetings

- June 10th City Council Meeting 1st Briefing
- July 8th City Council Public Meeting

30-day public comment period for 2024 Annual Action Plan (June 10th – July 10th, 2024)

Surveys can be filled out online at:
https://www.surveymonkey.com/r/CDBGAAPS

Advertisement of Public Comment Period:

- Texarkana Gazette Legal Notice
- Amigo News - Spanish
- City Website/Social Media Pages

Draft copies available electronically on Planning & Community Development Homepage

Paper copies available upon request at City Hall

Attachment: 2024-066 ATTH 02 Council Pres. CDBG PY2024 AAP (4261 : 2024-066 RES

Public Comment

PY2024 Annual Action Plan

The City has begun the process of creating next year's Annual Action Plan (AAP) for its CDBG program. Public input & comments are vital to this process.

The City has posted information about the AAP in the following manner:

*Information posted to city's website
*Draft of AAP available at City Hall

Public Comment Period: June 10th – July 10th, 2024
Comments may be submitted through surveys filled out online at:
https://www.surveymonkey.com/r/CDBGAAPS

or by sending to:
City of Texarkana, Texas
Planning & Community Development Dept
Attn: Megan Price
220 Texas Blvd
Texarkana, TX 75501

Attachment: 2024-066 ATTH 02 Council Pres. CDBG PY2024 AAP (4261 : 2024-066 RES

Texarkana 2024 HUD CDBG Proposed Budget

CDBG PY2024 Proposed Budget	
Projects PY2024	PY2024/FY2025 Original Budget 6/10/24
Down Payment Assistance	10,000.00
Public Services:	
Mission Txk- Litter Program	16,000.00
Haven Homes	10,000.00
The Scholars @ Rosehill Community Center	10,000.00
Randy Sams Day Shelter Pilot Program	10,000.00
Amachi Youth Services	8,300.00
Administration	72,000.00
Sidewalks ADA	30,000.00
Community Gardens & Tree Planting	8,000.00
Randy Sams Day Shelter Pilot Program Updates	27,500.00
Parks - Kidtopia	109,440.00
Inspections - Demo (S&B)	25,000.00
Housing Repairs - Habitat	100,000.00
	436,240.00
Revenues PY2024	
Estimated Rollover Funds	75,000.00
PY2024 Funding Allocation	362,000.00
Estimated Program Income	2,500.00
	439,500.00

Attachment: 2024-066 ATTH 02 Council Pres. CDBG PY2024 AAP (4261 : 2024-066 RES

PY2024 Proposed Activities

CDBG Allocation:

*Home Buyer Assistance - down payment & closing cost assistance to up to 4 LMI households
*Public Services – Life skills, job training, youth programs, tutoring
*Program Administration
*Housing Rehab – repairs for up to four (4) qualified LMI households
*Sidewalks–ADA sidewalks installed in LMI areas
*Tree Planting – plant trees in LMI areas
*Community Gardens –community garden improvements
*Parks-improvements to Kidtopia Park
*Randy Sams – Day shelter pilot program building modifications
*Inspections – Demo of building (slum & blight)

Attachment: 2024-066 ATTH 02 Council Pres. CDBG PY2024 AAP (4261 : 2024-066 RES

Attachment: 2024-066 RES Adopting CDBG FY 25 Annual Action Plan (4261 : 2024-066 RES Adopting CDBG 2025 Fiscal Year Annual Action)

RESOLUTION NO. 2024-066

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ANNUAL ACTION PLAN SETTING PRIORITIES FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND AUTHORIZING THE CITY MANAGER TO SUBMIT SAID ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the U. S. Department of Housing and Urban Development has provided the City of Texarkana, Texas, with Community Development Block Grant (CDBG) funds; and

WHEREAS, public review of the draft 2024 Action Plan became available June 10, 2024, and was continued through July 8, 2024. Legal notice was published in the Texarkana Gazette and on the city's website. Public meetings will be conducted on June 10, 2024, and July 8, 2024, to solicit public comments regarding the Consolidated Plan and Action Plan. A public hearing is scheduled for July 8, 2024; and

WHEREAS, the City Council has determined it to be appropriate to adopt the Community Development Block Grant (CDBG) 2024 Annual Action Plan for the use of Community Development Block Grant Funds; and

WHEREAS, the City Council has determined it to be appropriate to adopt the Community Development Block Grant (CDBG) 2024 Annual Action Plan for the use of Community Development Block Grant Funds.

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

SECTION 1: The Community Development Block Grant (CDBG) 2024 Annual Action Plan is hereby accepted.

SECTION 2: The City Manager is hereby authorized to submit said Community Development Block Grant (CDBG) 2024 Annual Action Plan to the U. S. Department of Housing and Urban Development and is authorized to act in connection with the submission of the Consolidated Plan and the Action Plan to provide such additional information as may be required.

SECTION 3: 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 **16th day of July, 2024.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 7/8/2024 6:05 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Zoning Administrator
Subject:	Ordinance No. 2024-067 revoking Specific Use Permit S-586 for an off premises outdoor advertising billboard on Lot 1, Arklatex Realty Subdivision located in the 4600 block of Guss Orr Drive formerly 4610 St. Michael Drive.		

Briefing: 7/16/2024 **Public Hearing:** 7/16/2024 **Council Vote:** 7/16/2024

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

City Staff are requesting that the Specific Use Permit S-586 be revoked. The off-premises outdoor advertising billboard is in the southwest corner of the property. The property owner will be requesting to move the off premises outdoor advertising billboard to the southeast corner of the property to allow the city to expand Guss Orr Drive soon. This location is a vacant lot zoned General Retail.

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends for approval to revoke the Specific Use Permit, S-586.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval.

Advisory Board/Committee Meeting Date and Minutes:

June 3, 2024

Attachments

a. 2024-067 ORD REVOKE S-586 Billboard 4610 St. Michael Drive (DOCX)

b. 2024-067 ATTH 01 (Maps) (PDF)
c. 2024-067 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration	Completed	Mashell Daniel 06/05/2024 4:41 PM	Department Head Review	
Building Code Administration	06/05/2024 4:41 PM	Mashell Daniel	Reviewer	Completed
Public Works Department	06/06/2024 7:14 AM	Dusty Henslee	Reviewer	Completed
City Manager	David Orr	Reviewer	Completed	06/06/2024 4:33 PM
City Council	Jennifer Evans	Meeting	Completed	06/10/2024 6:00 PM

Meeting History

REVOKE S-586

ORDINANCE NO. 2024-067

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, REVOKING SPECIFIC USE PERMIT NO. S-586 THAT PERMITTED THE LOCATION OF AN OFF PREMISES OUTDOOR ADVERTISING BILLBOARD ON LOT 1, ARKLATEX REALTY SUBDIVISION, LOCATED AT 4610 ST. MICHAEL DRIVE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, by Ordinance No. 324-06, dated December 11, 2006, the City Council approved the issuance of Specific Use Permit No. S-586 that **permitted the location of an off premises outdoor advertising billboard** on Lot 1, Arklatex Realty Subdivision, located at 4610 St. Michael Drive in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the City has determined that the **off premises outdoor advertising billboard** for which Specific Use Permit No. S- 586 was issued is moving to another location and will no longer be in business at 4610 St. Michael Drive; 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 five (5) to zero (0) to recommend** to the City Council of Texarkana, Texas, that **Specific Use Permit No. S-586 be revoked** on said property; and

WHEREAS, after consideration of said application and the recommendation by the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby determine that the **off premises outdoor advertising billboard for which the Council granted Specific Use Permit No. S-586 should be revoked** in accordance with the special terms and conditions therein.

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

SECTION 1: That Specific Use Permit No. S-586 permitting the location of a tattoo stud off premises outdoor advertising billboard Lot 1, Arklatex Realty Subdivision, located at 4610 St. Michael Drive, the City of Texarkana, Bowie County, Texas, **be and is hereby revoked after the 8th day of July 2024.**

PASSED AND APPROVED in Regular Council Session on this the **16th day of July, 2024.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2024-067 ORD REVOKE S-586 Billboard 4610 St. Michael Drive (4262 : 2024-067 ORD Revoke S-586 SUP for Billboard at 4610 St.

2024-067 ATTH 01
Revoke S-586

4600 Block of Guss Orr Drive



Attachment: 2024-067 ATTH 01 (Maps) (4262 : 2024-067 ORD Revoke S-586 SUP for Billboard at 4610 St. Michael Drive (Guss Orr))

2024-067 ATTH 01
Revoke S-586

4600 Block of Guss Orr Drive



Attachment: 2024-067 ATTH 01 (Maps) (4262 : 2024-067 ORD Revoke S-586 SUP for Billboard at 4610 St. Michael Drive (Guss Orr))

City of Texarkana, Texas

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

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

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

Attachment: 2024-067 Goals & Perspectives (4262 : 2024-067 ORD Revoke S-586 SUP for Billboard at 4610 St. Michael Drive (Guss Orr))

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 7/8/2024 6:05 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Zoning Administrator
Subject:	Ordinance No. 2024-068 granting a Specific Use Permit to allow an off premises outdoor billboard on Lot 1B, Replat Lots 1 & 2, Arklatex Realty Subdivision, located in the 4600 block of Guss Orr Drive. Keith Orr, owner, and Kayla Wood, MTG Engineers and Surveyors, agent.		

Briefing: 7/16/2024 **Public Hearing:** 7/16/2024 **Council Vote:** 7/16/2024

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Keith Orr, owner, and Kayla Wood, MTG Engineers and Surveyors, agent, for a Specific Use Permit to allow an additional use for an off-premises outdoor advertising billboard on Lot 1B, Replat of Lots 1 & 2 of Arklatex Realty Subdivision, located in the 4600 block of Guss Orr Drive. The property is zoned General Retail. This property is vacant and currently the billboard is on the southwest corner of the property. The applicant would like to move the billboard to the southeast corner of the property to allow the city to expand the roadway.

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

The adjacent zoning is Agriculture to the north, Interstate 30 to the south, General Retail to the east, and Commercial to the west. The adjacent land usage is a vacant property north, I-30 south, retail east, and new hospital west.

A Specific Use Permit is required to allow the off-premises billboard in the General Retail zoning district.

Staff recommends approval of this request with the following stipulations:

1. That all City codes be met as to permits, setbacks, height and square footage of the signage.

2. That the sign cannot be placed inside of a public right of way or public utility easement.

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

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval.

Advisory Board/Committee Meeting Date and Minutes:

June 3, 2024

Attachments

a. 2024-068 ORD granting SUP for Off-Premise Billboard in 4600 block Guss Orr Dr (DOCX)
b. 2024-068 ATTH 01 (Maps) (PDF)
c. 2024-068 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration		Mashell Daniel	Department Head Review	Completed 06/05/2024 4:41 PM
Building Code Administration		Mashell Daniel	Reviewer	Completed 06/05/2024 4:42 PM
Public Works Department		Dusty Henslee	Reviewer	Completed 06/06/2024 7:14 AM
City Manager	David Orr	Reviewer	Completed	06/06/2024 4:33 PM
City Council	Jennifer Evans	Meeting	Completed	06/10/2024 6:00 PM

Meeting History

S-789

ORDINANCE NO. 2024-068

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING LOCATION, BOUNDARY, AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-789 FOR THE LOCATION OF AN OFF PREMISES OUTDOOR ADVERTISING BILLBOARD ON LOT 1B, REPLAT OF LOTS 1 & 2 OF ARKLATEX REALTY SUBDIVISION, LOCATED IN THE 4600 BLOCK OF GUSS ORR DRIVE, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the location of an Off Premises Outdoor Advertising Billboard on **Lot 1B, Replat of Lots 1 & 2 of Arklatex Realty Subdivision, located in the 4600 block of Guss Orr Drive,** in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously five (5) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the location of an Off Premises Outdoor Advertising Billboard** on said property; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit Numbered S-789 to allow the location of an Off Premises Outdoor Advertising Billboard on Lot 1B, Replat of Lots 1 & 2 of Arklatex Realty Subdivision, located in the 4600 block of Guss Orr Drive**, in the City of Texarkana, Bowie County, Texas.

Attachment: 2024-068 ORD granting SUP for Off-Premise Billboard in 4600 block Guss Orr Dr (4263 : 2024-068 ORD SUP for off premise

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

1. That all City codes be met as to permits, setbacks, height, and square footage of the signage.

2. Signs cannot be placed inside of a public right of way or public utility easement.

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **16th day of July, 2024.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2024-068 ORD granting SUP for Off-Premise Billboard in 4600 block Guss Orr Dr (4263 : 2024-068 ORD SUP for off premise

2024-068 ATTH 01
S-789

4600 Block of Guss Orr Drive



Attachment: 2024-068 ATTH 01 (Maps) (4263 : 2024-068 ORD SUP for off premise billboard 4600 block Guss Orr Drive)

2024-068 ATTH 01
S-789

4600 Block of Guss Orr Drive



Attachment: 2024-068 ATTH 01 (Maps) (4263 : 2024-068 ORD SUP for off premise billboard 4600 block Guss Orr Drive)

City of Texarkana, Texas

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

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

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

Attachment: 2024-068 Goals & Perspectives (4263 : 2024-068 ORD SUP for off premise billboard 4600 block Guss Orr Drive)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 7/8/2024 6:06 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Zoning Administrator
Subject:	Ordinance No. 2024-069 rezoning from Single Family-2 to Single Family-3 on the east 1/2 of Lot 1, Block 40, Flower Acres Addition, located at 2802 Flower Acre Road. Greg Fomby, owner.		

Briefing: 7/16/2024 **Public Hearing:** 7/16/2024 **Council Vote:** 7/16/2024

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Greg Fomby, owner, to rezone the East ½ of Lot 1, Block 40, Flower Acres Addition, located at 2802 Flower Acre Road from Single Family-2 to Single Family-3. The intention is to place a single wide HUD code manufactured home on this property. The property is currently vacant land.

The Future Land Use Map has designated this property as “Suburban Residential”.

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

Staff recommend approval of this request.

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

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommend approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval.

Advisory Board/Committee Meeting Date and Minutes:

June 3, 2024

Attachments

a. 2024-069 ORD Rezoning 2802 Flower Acre Rd (DOCX)
b. 2024-069 ATTH 01 (Maps) (PDF)
c. 2024-069 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	06/06/2024 10:15 AM
Public Works Department	Dusty Henslee	Reviewer	Completed	06/06/2024 10:22 AM
City Manager	David Orr	Reviewer	Completed	06/06/2024 4:33 PM
City Council	Jennifer Evans	Meeting	Completed	06/10/2024 6:00 PM

Meeting History

Z-24-7

ORDINANCE NO. 2024-069

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 ½ OF LOT 1, BLOCK 40, FLOWER ACRES ADDITION, LOCATED AT 2802 FLOWER ACRE ROAD, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-2 TO SINGLE FAMILY-3; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone **the East ½ of Lot 1, Block 40, Flower Acres Addition, located at 2802 Flower Acre Road,** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted five (5) to zero (0) to recommend for approval of the application for rezoning from Single Family-2 to Single Family-3 on the East ½ of Lot 1, Block 40, Flower Acres Addition, located at 2802 Flower Acre Road** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **Single Family-2 to Single Family-3**; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-2 to Single Family-3** 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 ½ of Lot 1, Block 40, Flower Acres Addition, located at 2802 Flower Acre Road** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3.**

Attachment: 2024-069 ORD Rezoning 2802 Flower Acre Rd (4264 : 2024-069 ORD rezoning from SF-2 to SF-3 2802 Flower Acre Rd)

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

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

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

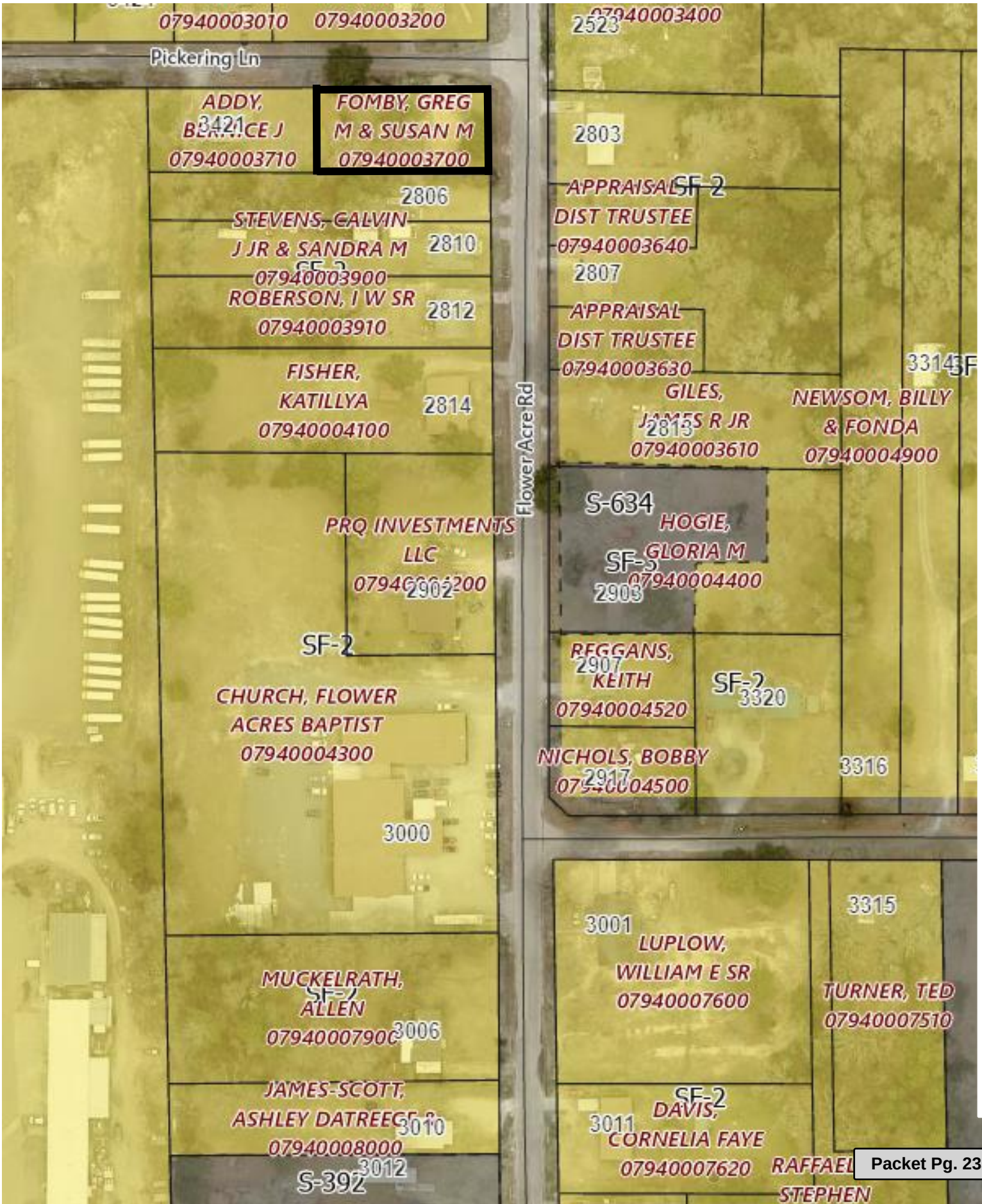
PASSED AND APPROVED in Regular Council Session on this the **16th of July, 2024.**

ATTEST:

_____	_____
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2024-069 ORD Rezoning 2802 Flower Acre Rd (4264 : 2024-069 ORD rezoning from SF-2 to SF-3 2802 Flower Acre Rd)

2802 Flower Acre Road



Attachment: 2024-069 ATTH 01 (Maps) (4264 : 2024-069 ORD rezoning from SF-2 to SF-3 2802 Flower Acre Rd)

2024-069 ATTH 01
Z-24-7

2802 Flower Acre Road



Attachment: 2024-069 ATTH 01 (Maps) (4264 : 2024-069 ORD rezoning from SF-2 to SF-3 2802 Flower Acre Rd)

City of Texarkana, Texas

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

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

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

Attachment: 2024-069 Goals & Perspectives (4264 : 2024-069 ORD rezoning from SF-2 to SF-3 2802 Flower Acre Rd)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 7/8/2024 6:06 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Zoning Administrator
Subject:	Ordinance No. 2024-070 granting a Specific Use Permit to allow a single wide HUD code manufactured home on the east 1/2 of Lot 1, Block 40, Flower Acres Addition, located at 2802 Flower Acre Road. Greg Fomby, owner.		

Briefing: 7/16/2024 **Public Hearing:** 7/16/2024 **Council Vote:** 7/16/2024

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Greg Fomby, owner, for a Specific Use Permit to allow the location of a single wide HUD code manufactured home on the East ½ of Lot 1, Block 40, Flower Acres Addition, located at 2802 Flower Acre Road. This property is currently a vacant lot.

The Future Land Use Map has designated this property as “Suburban Residential”.

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

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

Staff recommends approval of this request with the following stipulations:

1. That one 2015 or newer single wide HUD code manufactured home be allowed on this property.
2. That the single wide HUD code manufactured home be tied down/skirted/underpinned.
3. That the single wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
4. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this Ordinance. It is the owner’s responsibility to renew this permit.

5. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.
6. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas codes.

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommend approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval.

Advisory Board/Committee Meeting Date and Minutes:

June 3, 2024

Attachments

a. 2024-070 ORD SUP HUD code mnfctrd home 2802 Flower Acre Rd (DOCX)
b. 2024-070 ATTH 01 (Maps) (PDF)
c. 2024-070 ATTH 02 (Photo outside of home) (PDF)
d. 2024-070 ATTH 03 (Photos of inside home) (PDF)
e. 2024-070 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration		Mashell Daniel	Reviewer	Completed
	06/06/2024 10:16 AM			
Public Works Department		Dusty Henslee	Reviewer	Completed
	06/06/2024 10:22 AM			
City Manager	David Orr	Reviewer	Completed	06/06/2024 4:33 PM
City Council	Jennifer Evans	Meeting	Completed	06/10/2024 6:00 PM

Meeting History

S-790

ORDINANCE NO. 2024-070

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-790 TO ALLOW THE LOCATION OF A SINGLE WIDE HUD CODE MANUFACTURED HOME ON THE EAST ½ OF LOT 1, BLOCK 40, FLOWER ACRES ADDITION, LOCATED AT 2802 FLOWER ACRE ROAD, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the location of a single wide HUD code manufactured home on **the East ½ of Lot 1, Block 40, Flower Acres Addition, located at 2802 Flower Acre 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 have afforded and held full and fair hearings to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously five (5) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the location of a single wide HUD code manufactured home** on said property; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit Numbered S-790 for the location of a single wide HUD code manufactured home on the East ½ of Lot 1, Block 40, Flower Acres Addition, located at 2802 Flower Acre Road,** in the City of Texarkana, Bowie County, Texas.

Attachment: 2024-070 ORD SUP HUD code mnfctrd home 2802 Flower Acre Rd (4265 : 2024-070 ORD granting SUP for HUD code mnfctrd home

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

1. That one 2015 or newer single wide HUD code manufactured home be allowed on this property.
2. That the single wide HUD code manufactured home be tied down/skirted/underpinned.
3. That the single wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
4. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this ordinance. It is the owner's responsibility to renew this permit.
5. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.
6. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas codes.

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

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

SECTION 5: 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 **16th day of July, 2024.**

ATTEST:

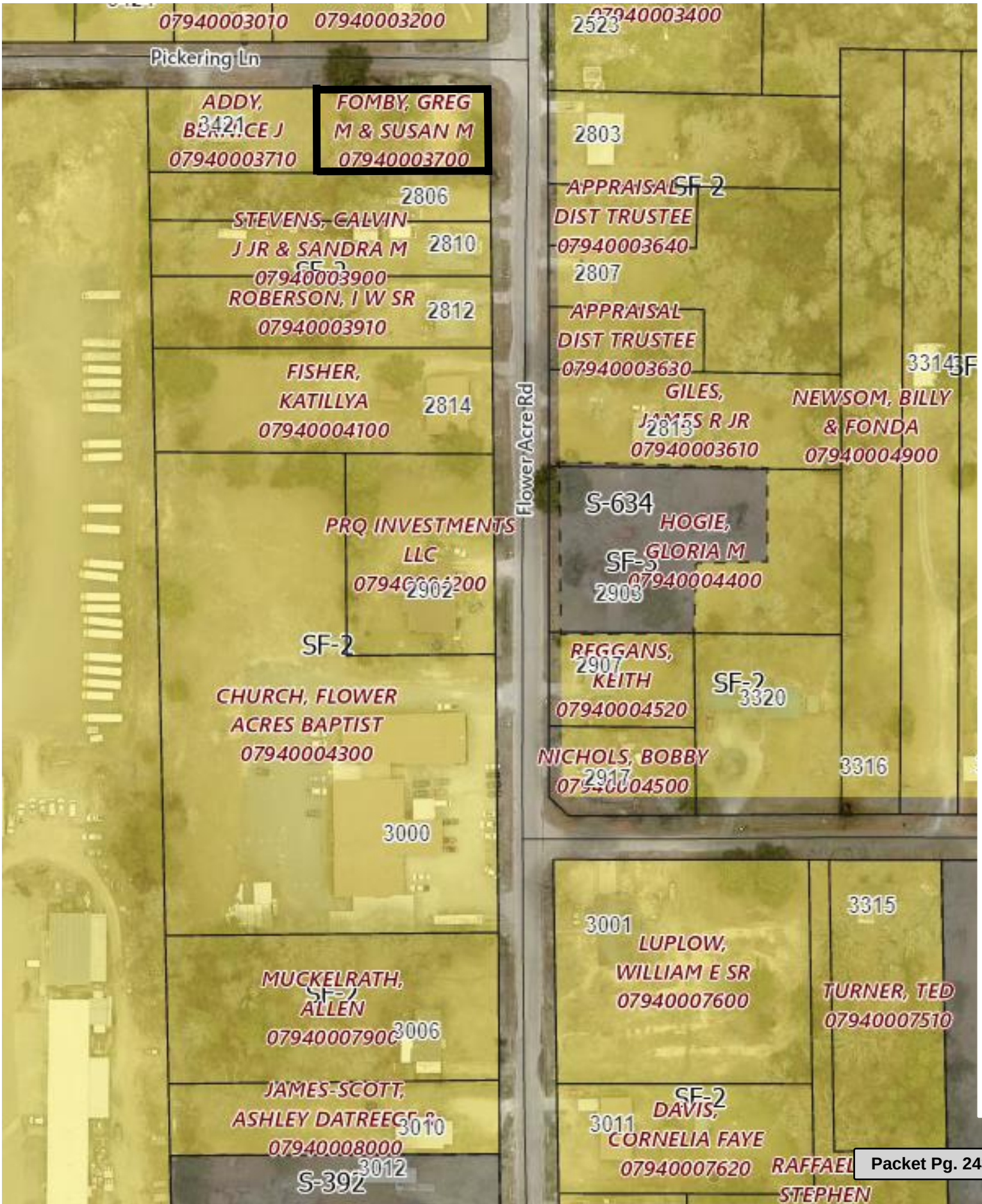
_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2024-070 ORD SUP HUD code mnfctrd home 2802 Flower Acre Rd (4265 : 2024-070 ORD granting SUP for HUD code mnfctrd home

2024-070 ATTH 01
S-790

2802 Flower Acre Road



Attachment: 2024-070 ATTH 01 (Maps) (4265 : 2024-070 ORD granting SUP for HUD code mnfctrd home 2802 Flower Acre Rd)

2024-070 ATTH 01
S-790

2802 Flower Acre Road



Attachment: 2024-070 ATTH 01 (Maps) (4265 : 2024-070 ORD granting SUP for HUD code mnfctrd home 2802 Flower Acre Rd)





Attachment: 2024-070 ATTH 02 (Photo outside of home) (4265 : 2024-070 ORD granting SUP for HUD code

2024-070 ATTH 03

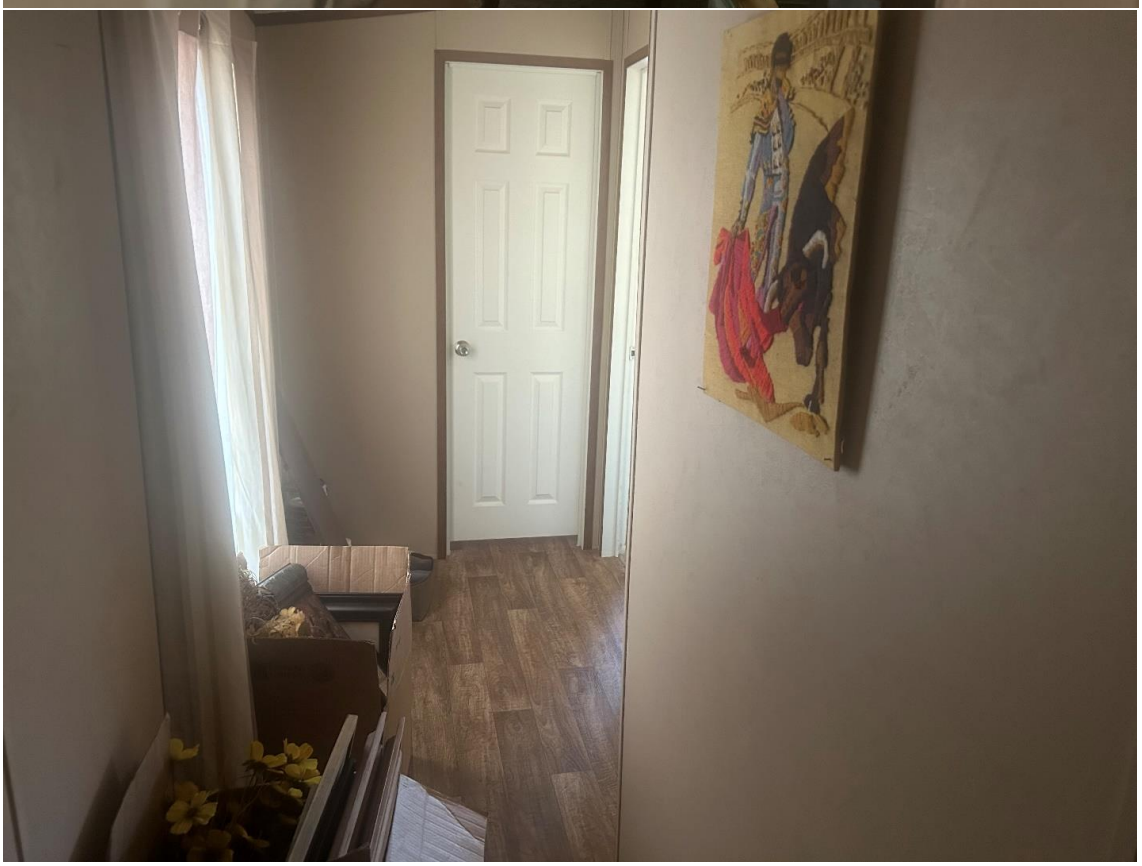




Attachment: 2024-070 ATTH 03 (Photos of inside home) (4265 : 2024-070 ORD granting SUP for HUD code mnfctrd home 2802 Flower Acre Rd)

2024-070 ATTH 03





Attachment: 2024-070 ATTH 03 (Photos of inside home) (4265 : 2024-070 ORD granting SUP for HUD code mnfctrd home 2802 Flower Acre Rd)

City of Texarkana, Texas

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

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

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

Attachment: 2024-070 Goals & Perspectives (4265 : 2024-070 ORD granting SUP for HUD code mnfctrd home 2802 Flower Acre Rd)

City of Texarkana, Texas

Version:

Briefing Sheet

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

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

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

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

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

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

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

The site plan consists of the following:

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

Staff recommends for approval of the site plan with stipulations.

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends approval with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

May 6, 2024

Attachments

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

Staff Coordination

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

Meeting History

05/13/24	City Council	MOVED FORWARD	Next: 06/10/24

ORDINANCE NO. 2024-053

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

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

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

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-General Retail; and

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

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

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

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

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

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

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

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

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

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

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

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

ATTEST:

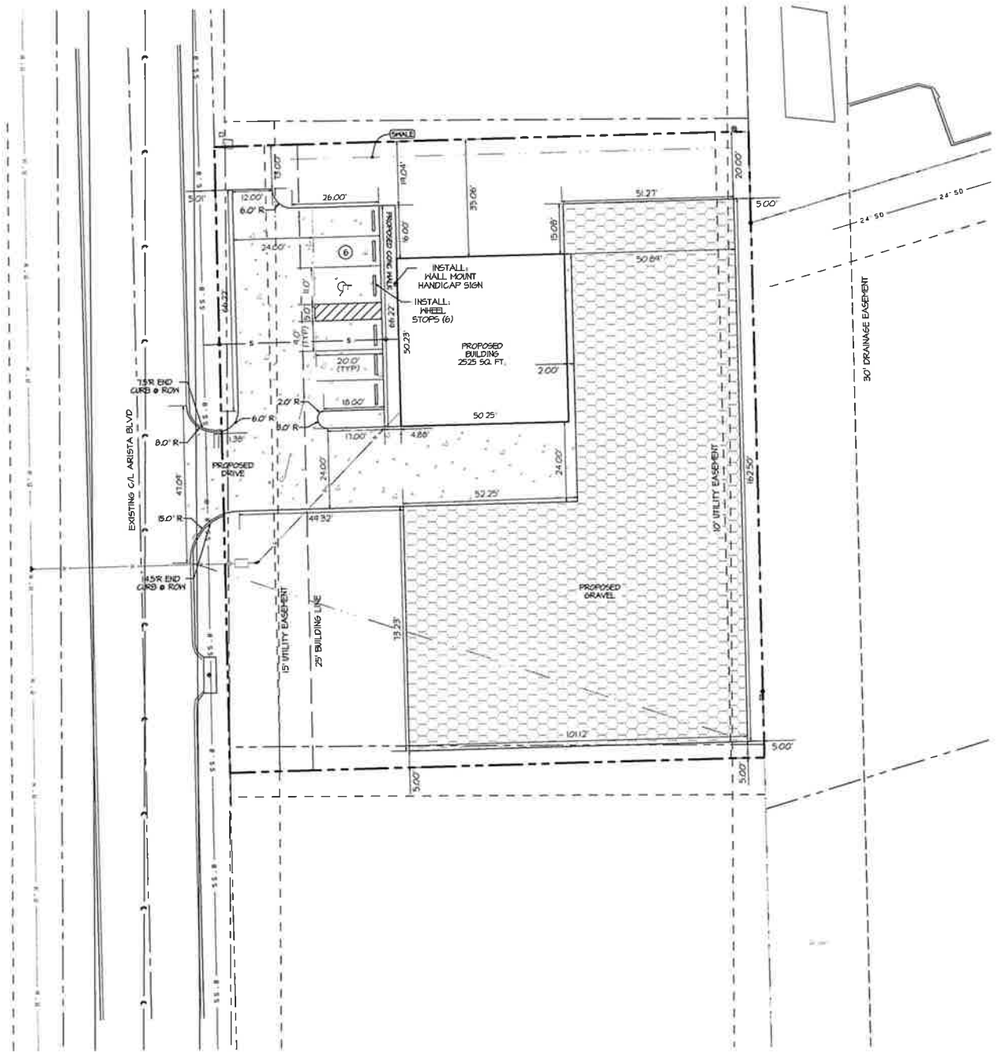
_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

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

2024-053 EXH 'A'

Amendment to PD-02-13



N

GRAPHIC SCALE 1"=20'

0 20

LEGEND

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

GENERAL SITE NOTES

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

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

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

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

11/9/2023

Scale	Drawn By	Checked By	File No
AS SHOWN	AMG	KWM	

SITE PLAN

AMERICAN POOLS
TEXARKANA, TEXAS
ROGERS CONSTRUCTION

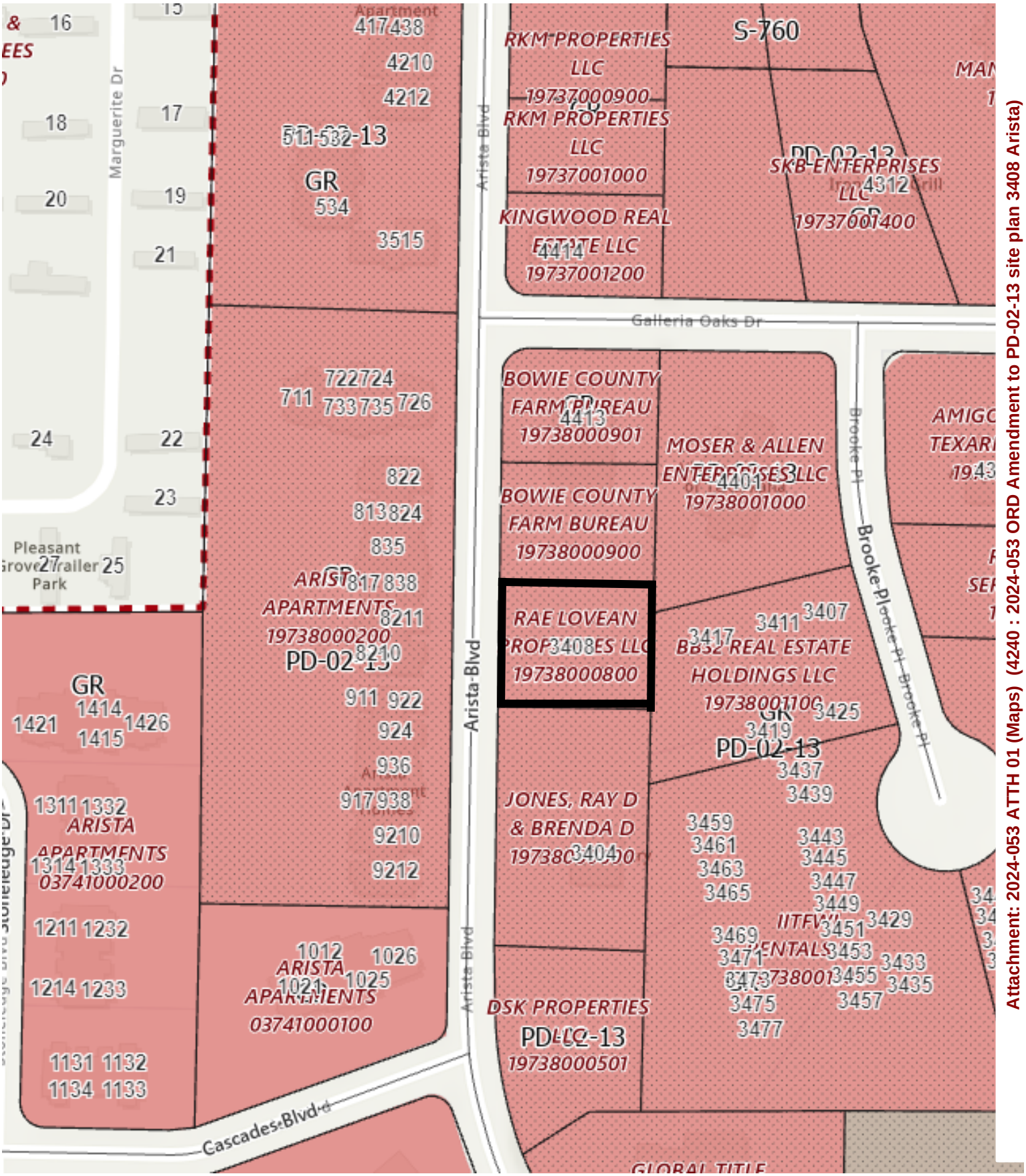
Drawing Date 11/9/2023
Project Number 236086
Sheet Number C2

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

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

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

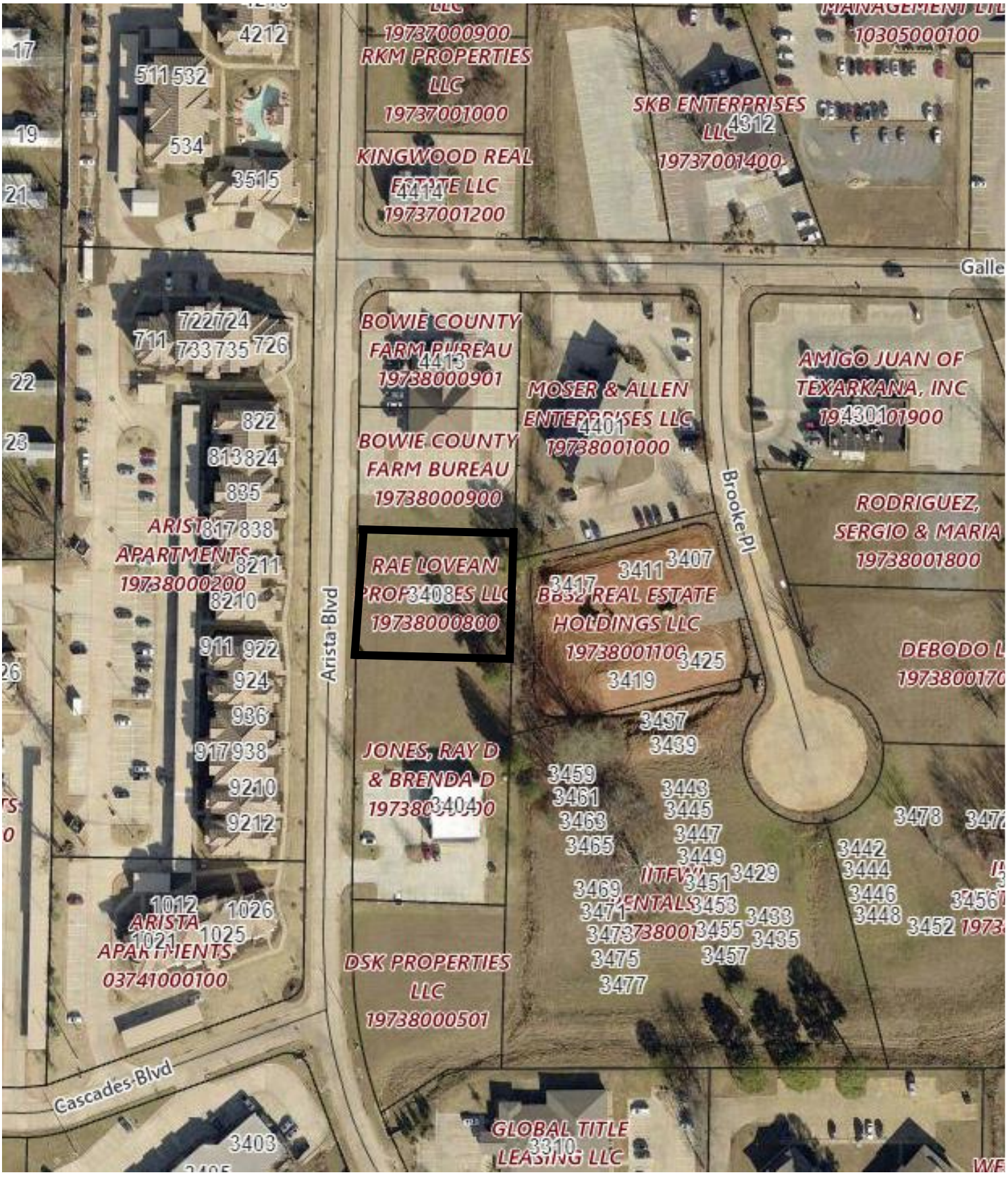
3408 Arista Blvd.



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

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

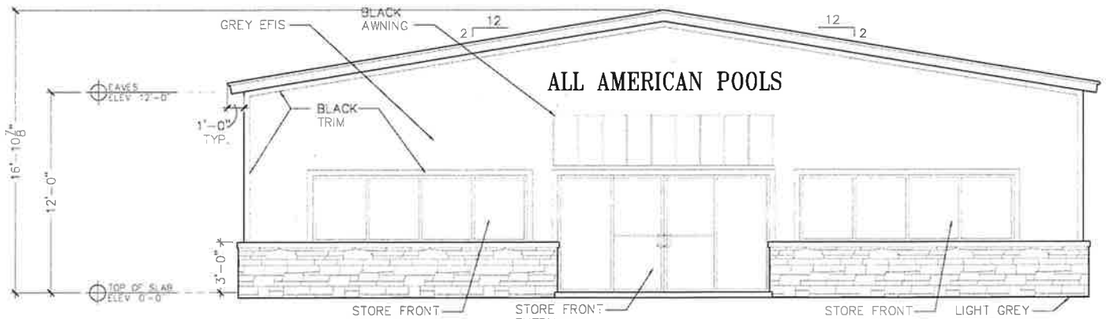
3408 Arista Blvd.



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

2024-053 ATTH 02

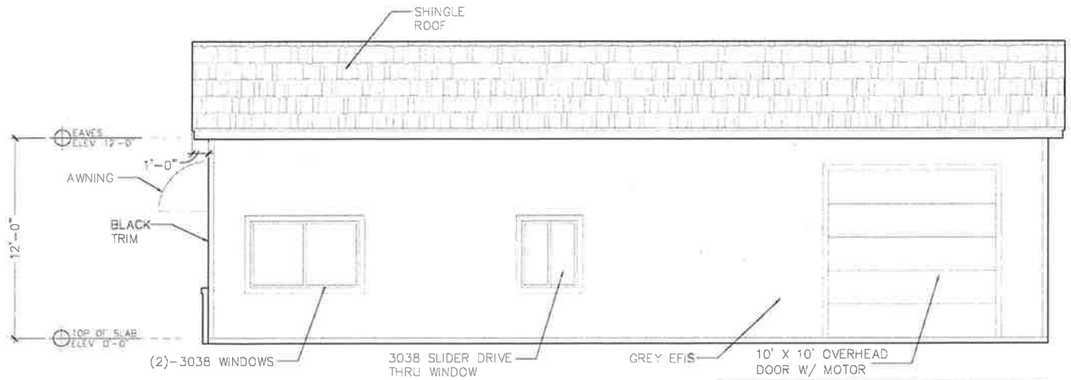
Amendment to PD-02-13



FRONT ELEVATION

SCALE 1/4" = 1'-0"

PRELIMINARY USE ONLY
NOT FOR CONSTRUCTION



RIGHT ELEVATION

SCALE 1/4" = 1'-0"

PRELIMINARY USE ONLY
NOT FOR CONSTRUCTION

General Notes

No.	Revision/Issue	Date

Firm Name and Address

ROGERS Equipment & Construction

RESIDENTIAL AND COMMERCIAL CONTRACTOR

Mike Rogers Phone: 903-278-4244

Project Name and Address

All American Pools
Nash, TX

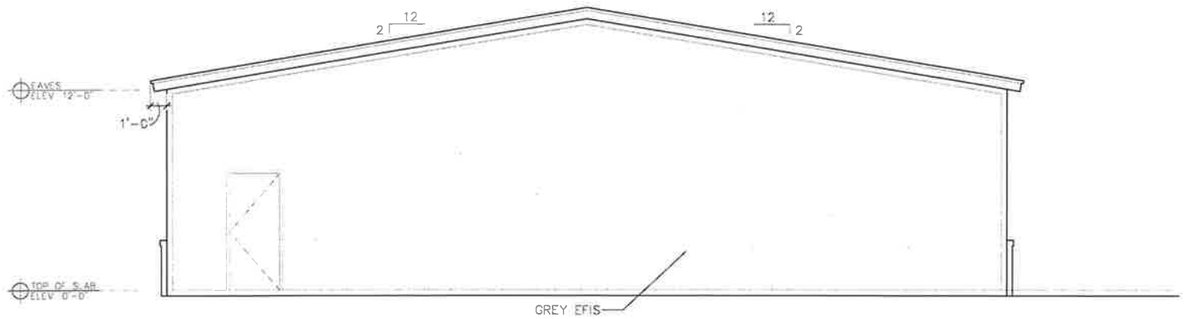
Design by Greg Pardue

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

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

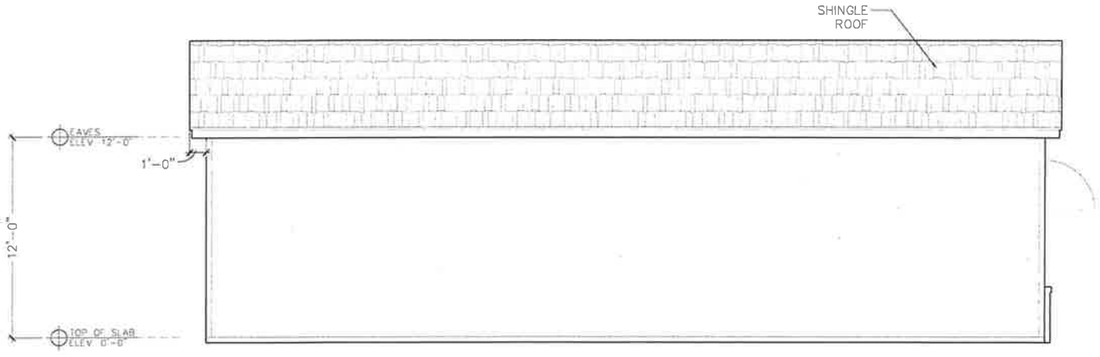
2024-053 ATTH 02

Amendment to PD-02-13



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

PRELIMINARY USE ONLY
NOT FOR CONSTRUCTION



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

PRELIMINARY USE ONLY
NOT FOR CONSTRUCTION

General Notes

No.	Revision/Issue	Date

Firm Name and Address

ROGERS Equipment & Construction

RESIDENTIAL AND COMMERCIAL CONTRACTOR

Mike Rogers Phone: 903-278-4244

Project Name and Address

All American Pools
New Construction

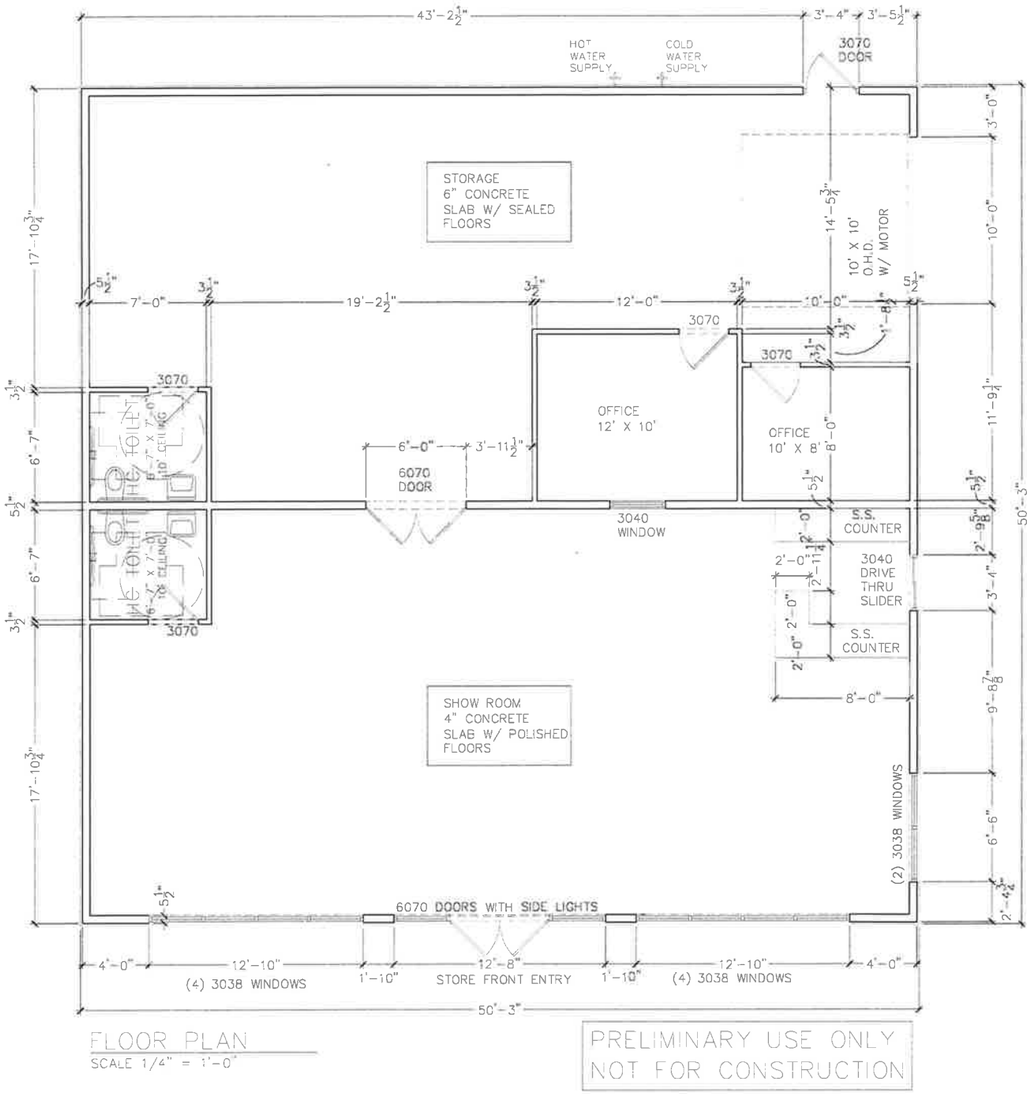
Design by Greg Perdue

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

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

2024-053 ATTH 03

Amendment to PD-02-13



FLOOR PLAN
SCALE 1/4" = 1'-0"

PRELIMINARY USE ONLY
NOT FOR CONSTRUCTION

General Notes

No.	Revision/Issue	Date

Firm Name and Address

ROGERS Equipment & Construction
RESIDENTIAL AND COMMERCIAL CONTRACTOR
Mike Rogers Phone: 903-278-4244

Project Name and Address

All American Pools
Nash, TX

Design by Greg Perdue

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

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

City of Texarkana, Texas

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

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

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

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

ORDINANCE NO. 2024-053

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

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

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

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-General Retail; and

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

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

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

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

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

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

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

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

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

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

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

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

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:59 p.m.

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

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

City of Texarkana, Texas

Version:

Briefing Sheet

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

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

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

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

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

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

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

Staff recommends approval this request.

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

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

May 6, 2024

Attachments

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

Staff Coordination

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

Meeting History

05/13/24	City Council	MOVED FORWARD	Next: 06/10/24

Z-24-5

ORDINANCE NO. 2024-054

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

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

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

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

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **General Retail to Commercial**; and

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

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

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

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

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

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

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

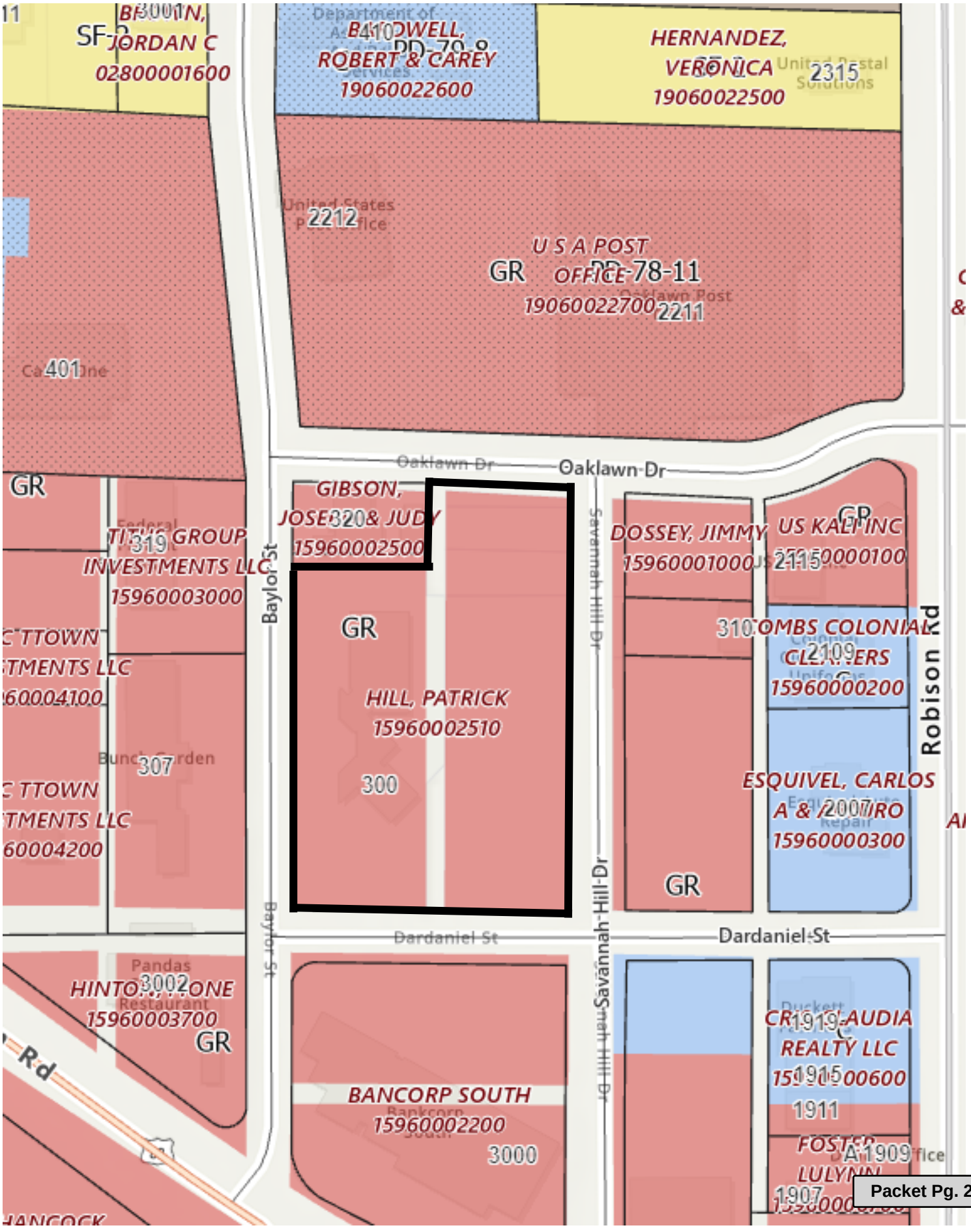
PASSED AND APPROVED in Regular Council Session on this the **10th of June, 2024.**

ATTEST:

_____	_____
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

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

Savannah Hill Drive



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

2024-054 ATTH 01
Z-24-5

Savannah Hill Drive



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

City of Texarkana, Texas

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

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

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

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

Z-24-5

ORDINANCE NO. 2024-054

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

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

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

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

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **General Retail to Commercial**; and

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

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

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

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

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

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

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

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

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:00 p.m.

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

City of Texarkana, Texas

Briefing Sheet

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

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

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

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

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

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

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

Staff recommend approval of this request.

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

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommend approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

May 6, 2024

Attachments

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

Staff Coordination

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

Meeting History

05/13/24	City Council	MOVED FORWARD	Next: 06/10/24

Z-24-6

ORDINANCE NO. 2024-055

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

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

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

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

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **General Retail to Planned Development-Commercial**; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **General Retail to Planned Development-Commercial** is in the best interest of the public health, safety, morals and general welfare of the City.

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

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

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

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

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

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

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

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

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

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

3309 New Boston Road



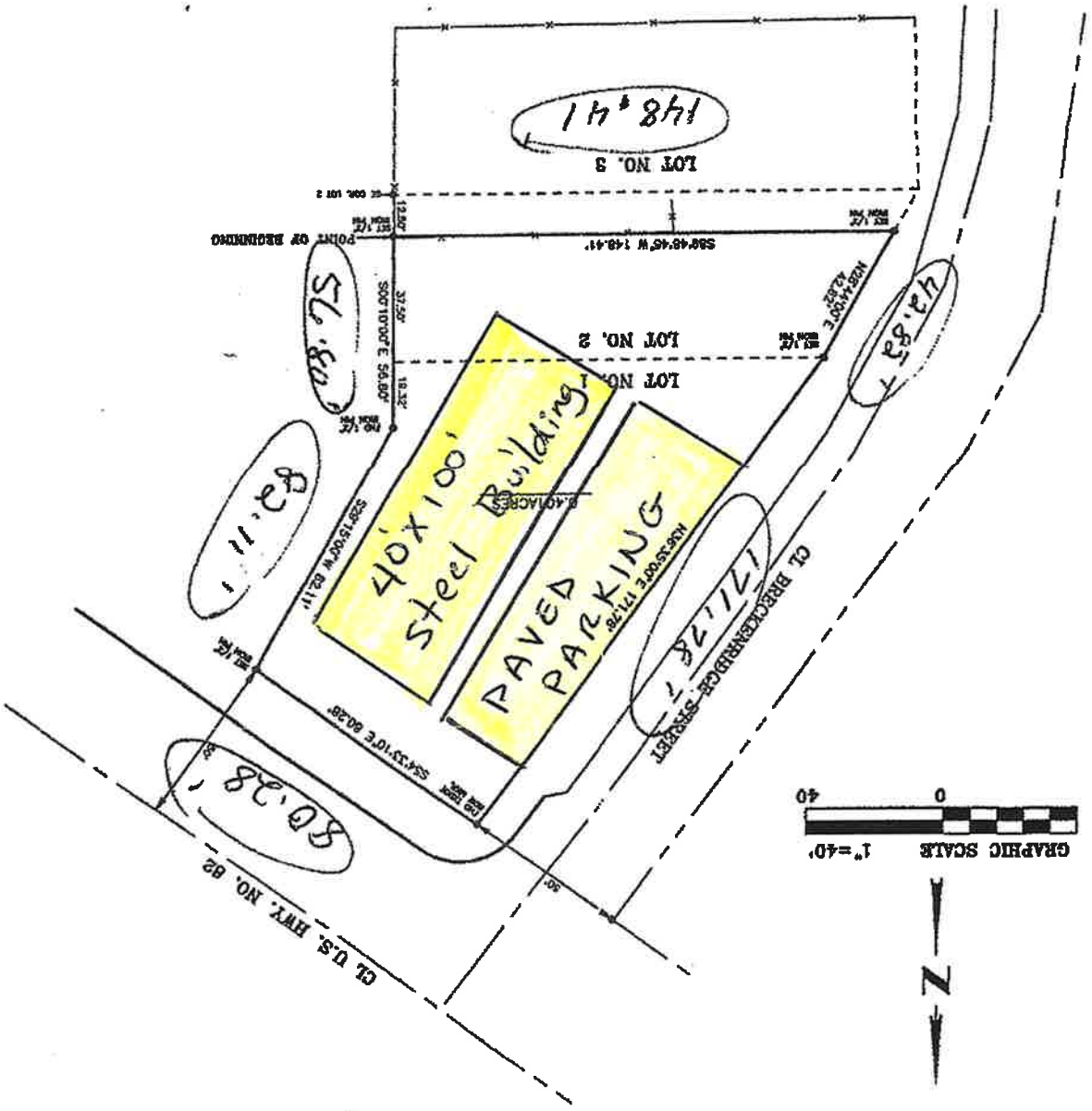
Attachment: 2024-055 ATTH 01 (Maps) (4242 : 2024-055 ORD rezoning from General Retail to Commercial)

2024-055 ATTH 01
Z-24-6

3309 New Boston Road



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



40 x 100'

4000 sf

Building

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

City of Texarkana, Texas

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

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

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

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

Z-24-6

ORDINANCE NO. 2024-055

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

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

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

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

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **General Retail to Planned Development-Commercial**; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **General Retail to Planned Development-Commercial** is in the best interest of the public health, safety, morals and general welfare of the City.

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

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

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

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

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

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

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

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

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:01 p.m.

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

City of Texarkana, Texas

Version:

Briefing Sheet

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

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

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

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

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

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

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

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

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

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

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

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommend approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

May 6, 2024

Attachments

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

Staff Coordination

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

Meeting History

05/13/24	City Council	MOVED FORWARD	Next: 06/10/24

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

ORDINANCE NO. 2024-056 S-788

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

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

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

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

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

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

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

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

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

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

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

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

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

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

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

2024-056 ATTH 01
S-788

3218 Texas Blvd.



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

2024-056 ATTH 01
S-788

3218 Texas Blvd.



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

City of Texarkana, Texas

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

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

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

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

ORDINANCE NO. 2024-056 S-788

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

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

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

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

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

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

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

Attachment: 2024-056 ORD SUP 3218 Texas Bl signed (4243 : 2024-056 ORD granting SUP permanent cosmetics 3218 Texas Blvd.)

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

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

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

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

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

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

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:03p.m.

Attachment: 2024-056 ORD SUP 3218 Texas Bl signed (4243 : 2024-056 ORD granting SUP permanent cosmetics 3218 Texas Blvd.)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 6/7/2024 9:53 AM

Lead Department: Planning and Community Development **Action Officer:** Daphnea Ryan,

Subject: Resolution No. 2024-059 authorizing the City Manager to execute addendums and subordination agreements to four loans with Texarkana Grim Housing Partnes, LP for the Hotel Grim project.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

Resolution 2015-080 – Resolution Authorizing Support for the Hotel Grim Redevelopment
Resolution 2017-024 – Amending the CDBG 2013-2017 Five Year Consolidated Action Plan and the 2016 Annual Action Plan
Resolution 2017-025 – Approving Acceptance of HUD Section 108 Loan Guarantee Assistance
Resolution 2017-068 – Authorizing CM to enter into loan agreements for Hotel Grim Lofts
Resolution 2023-046 – Authorizing use of additional EPA cleanup funds to any person or entity allying with Texarkana Grim Housing Partners, LP for the Hotel Grim project, and authorizing the City Manager to execute any and all loan documents or other documents necessary for the project.

Executive Summary and Background Information:

The project includes restoration and redevelopment of the historic Hotel Grim built in 1925 originally as an eight-story hotel. The building contains 103,200 square feet and when built, was the second tallest structure in Texarkana. The iconic building is strategically located on State Line Avenue on the Texas and Arkansas border. The proposed project will preserve the historic elements of the building while completely updating the property.

The historic hotel is nearing completion with community meeting space and residential apartments on the first level and residential apartment units throughout the remaining floors. The final plans created 93 residential apartments for low to moderate income individuals. Many sources of financing have been used for this project including a HUD 108 Loan, federal and state historic tax credits, an EPA Brownfields assessments, EPA Brownfields cleanup loan, and conventional debt.

Significant cost overruns in both environmental cleanup and redevelopment have made it necessary for the developers to seek additional tax-exempt bonds to continue to qualify as a Low Income Tax Credit project. To qualify, 50% but not more than 55% of construction cost must be paid with tax-exempt bonds. Falling below 50% will result in the loss of tax credits. Due to the cost overruns, the project is currently below 50% of cost being covered by tax-exempt bonds. Texarkana Grim Housing Partners, LP has the opportunity to secure $5,000,000 – $5,500,000 additional tax-exempt bonds through TDHCA to ensure the project

continues to qualify as a Low Income Housing Tax Credit project. This additional funding is contingent upon the City's approval to execute the following documents.

- Addendums to the loan terms as follows:
  - Deferment of principal and interest payments on the $1,429,000 HUD 108 Loan for 15 years when the project sells/refinances. Interest will continue to accrue during those 15 years.
  - Deferment of the principal and interest payments on the $260,000 Affordable Housing Loan for 15 years when the project sells/refinances. Interest will continue to accrue during those 15 years.
  - Deferment of principal payments on the two EPA RLF Cleanup Loans, Loan 1 of $650,000 and Loan 2 of $516,500. Interest only payments will be due and payable yearly on both loans.
  - Language included that will require payments of interest and/or principal to begin if cash flow of the project is greater than 1.15% of debt service.
- Subordination Agreements on the four loans.

Developers project a positive cash flow within 6 years of full lease up.

Potential Options:

- Approve
- Deny

Fiscal Implications:

The fiscal implications will be a delayed repayment of the loans; however, continuously accruing interest during the fifteen (15) years will benefit the City with a higher repayment at the end of the fifteen (15) years.

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

Revolving Loan Fund Committee

Board/Committee Recommendation:

Revolving Loan Fund Committee recommends approval

Advisory Board/Committee Meeting Date and Minutes:

06/03/2024 – Minutes Attached

Attachments

a. 2024-059 Goals & Perspectives (DOCX)
b. 2024-059 ATTH 01 RLF Committee Minutes 06 03 24.doc (003) (PDF)
c. 2024-059 RES Authorizing CM to Enter Into Loan Addndms and Subordination Agrmts with Tex Grim Housing Partners LP (DOCX)
d. 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024(PDF)
e. 2024-059 RES addendum Txr Grim Housing signed(PDF)

City of Texarkana, Texas

Staff Coordination

Planning and Community Development		Vashil Fernandez	Department Head Review Completed	06/06/2024 12:32 PM
City Manager	David Orr	City Manager Review	Completed	06/06/2024 4:34 PM
City Council	Jennifer Evans	Meeting	Completed	06/10/2024 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:		

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

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

Attachment: 2024-059 Goals & Perspectives (4246 : 2024-059 RES Addndms & Subrd Agrmts to Texarkana Grim Housing Partners LP)

City of Texarkana, Texas Revolving Loan Program

RLF Committee Meeting
June 3, 2024, 10:30 a.m.
Zoom Meeting
https://us06web.zoom.us/j/88685433272?pwd=mVH0zNiTdUYHQSVz8qbEcsInXMMn7k.1
Meeting ID: 886 8543 3272
Passcode: 915535

Members Present:
Mike Malone
Dianne Martin
Philip Mobley
Jerry Sparks
Kayla Wood

City Representatives:
Vashil Fernandez
David Orr
Kristen Peeples
Daphnea Ryan
Jo Thomason

Attendees:
Jon Atlas, Cohen Esrey
Jack Brenton, Cohen Esrey
Tarisha Duson, Village Communities of Texarkana
Antonio Williams, Village Communities of Texarkana

The City of Texarkana, Texas Revolving Loan Fund Committee met to discuss four (4) current loans between the City of Texarkana, Texas and Texarkana Grim Housing Partners, LP. Jack Brenton and Jon Atlas of Cohen Esrey outlined the request to defer interest and principal on the HUD 108 Loan and the Housing Loan for fifteen (15) years or until the project sells or refinances; and defer principal on two EPA Brownfields loans for fifteen (15) years or until the project sells or refinances with payment of interest on the two EPA Brownfields loans being made throughout the term of the loan. Mr. Brenton and Mr. Atlas noted the following:

- Interest will accrue on the HUD 108 and Housing Loans during the fifteen-year deferment. If excess cash flow is available at the property, funds will be used to pay down interest on the debt.
- This is an opportunity for Texarkana Grim Housing Partners, LP to obtain an additional $5,000,000 to 5,500,000 in additional tax-exempt bonds that be utilized during construction, and the deferment of the four loans is requested by TDHCA.
    - Although it is technically a request from TDHCA, the deal cannot move forward without the deferments.
- The Grim Lofts project is a tax credit project and requires that at least fifty (50) percent but not more than fifty-five (55) percent of the project hard cost be funded by tax-exempt bonds to qualify as a LIHTC project.

Attachment: 2024-059 ATTH 01 RLF Committee Minutes 06 03 24.doc (003) (4246 : 2024-059 RES Addndms & Subrd Agrmts to Texarkana Grim

- Currently with the cost overruns, the project is below fifty (50) percent funded with bonds. This can result in the loss of tax credit funding.
- This opportunity to obtain additional bonds through TDHCA will place the project between fifty (50) and fifty-five (55) percent bond funded.
- This will prevent the loss of a few million dollars in tax credit funding.

The Committee discussed the need to obtain these additional tax-exempt bonds and the repercussions to the project by losing a percentage of tax-exempt bonds due to not passing the 50% bond test with attendees representing Texarkana Grim Housing Partners, LP including Cohen Esrey and Village Communities of Texarkana, Texas. After full discussion, Jerry Sparks made a motion to approve the subordination of the loans if it is determined to be necessary, defer payment of principal and interest for the $1,429,000.00 HUD 108 Loan and $260,000 Housing Loan for up to fifteen (15) years until the project sells or refinances, with language added that if the project shows a cash flow greater than 1.15 % of debt service, payments of interest and/or principal shall commence; and to defer principal of EPA Brownfields Loan 1 ($650,000) and Loan 2 ($516,500) for up to fifteen (15) years until the project sells or refinances, with interest being paid on EPA Loan 1 and EPA Loan 2 beginning immediately with first interest payment due January 1, 2025 for Loan 2 and October 2025 for Loan 1, with language added that if the project shows a cash flow greater that 1.15% of debt service, principal payments will be made accordingly.

Result: Approved [Unanimous]
Mover: Jerry Sparks
Seconder: Dianne Martin
Ayes: Jerry Sparks, Dianne Martin, Mike Malone, Philip Mobley, Kayla Wood
Absent:

Meeting adjourned at 10:59 a.m.

Attachment: 2024-059 ATTH 01 RLF Committee Minutes 06 03 24.doc (003) (4246 : 2024-059 RES Addndms & Subrd Agrmts to Texarkana Grim

Attachment: 2024-059 RES Authorizing CM to Enter Into Loan Addndms and Subordination Agrmts with Tex Grim Housing Partners LP (4246 :

RESOLUTION NO. 2024-059

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR SUBORDINATION AGREEMENTS TO HUD SECTION 108 LOAN, AFFORDABLE HOUSING LOAN AND TWO EPA RLF LOANS, EXECUTED WITH TEXARKANA GRIM HOUSING PARTNERS, LP, AND ADDENDUMS TO PAYMENT TERMS OF ALL FOUR LOANS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, by Resolution No. 2015-080, the City Council approved and stated its support of the Hotel Grim redevelopment; and

WHEREAS, the City executed four loans with Texarkana Grim Housing Partners, LP for the environmental abatement and redevelopment of the Hotel Grim; and

WHEREAS, Texarkana Grim Housing Partners has the opportunity to secure additional bonds through the Texas Department of Housing and Community Affairs (TDHCA) to ensure continued eligibility as a Low Income Tax-Credit project; and

WHEREAS, City staff and the RLF Loan Committee approved, by unanimous vote, to recommend approval of the four loan addendums and subordination agreements; and

WHEREAS, the City Council intends, by this resolution, to authorize the City Manager to execute any and all documents necessary to amend the loan terms and subordinate the City's lien position on these four loans to comply with the terms requested by Texas Department of Housing and Community Affairs.

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

SECTION 1: The City Council approves the addendum to loan terms for the four loans to Texarkana Grim Housing Partners, LP and approves to subordinate the City's lien position.

SECTION 2: The City Council authorizes the City Manager to execute any and all loan documents or other documents necessary to effectuate the intent of the above with Texarkana Grim Housing Partners, LP, and/or any person or entity allying with Texarkana Grim Housing Partners, LP for the redevelopment of the Hotel Grim.

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

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

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

HOTEL GRIM

MASTER LEASE STRUCTURE

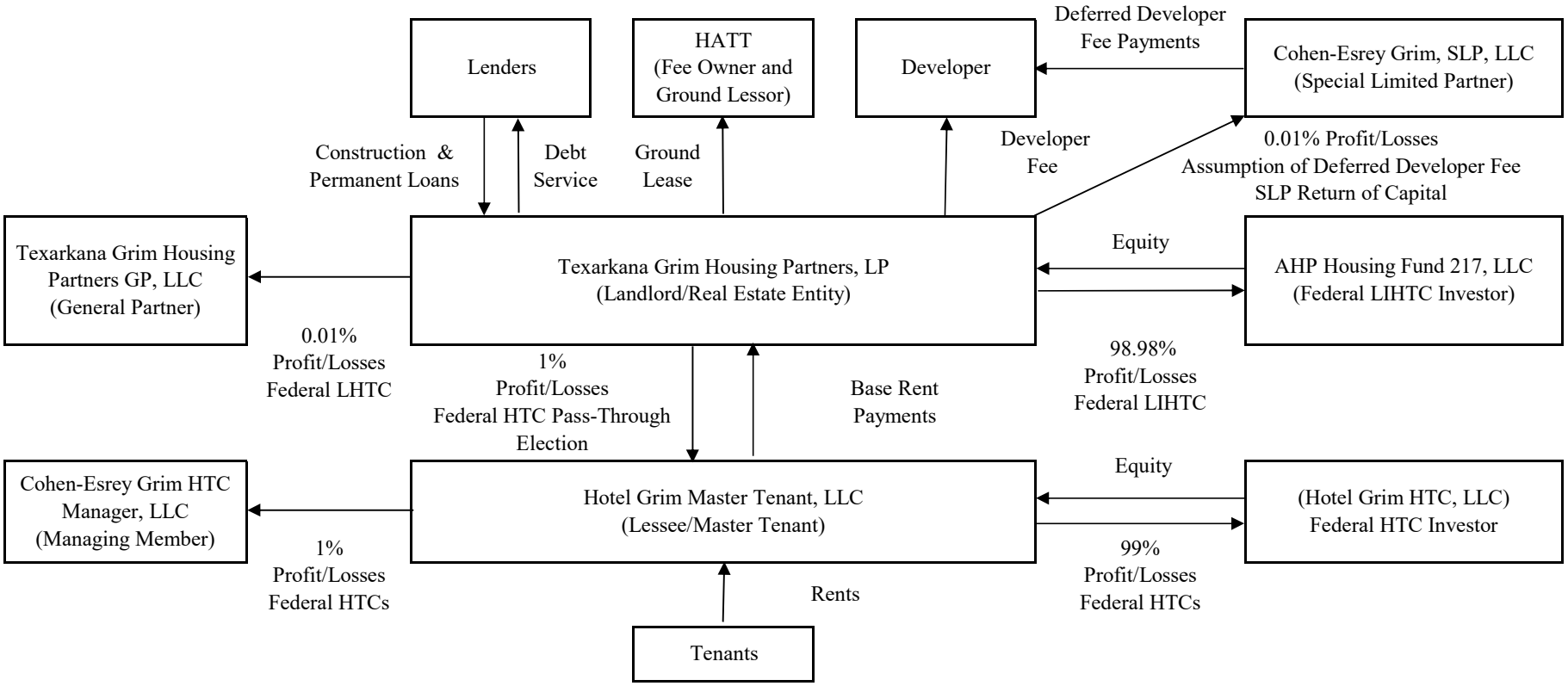
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Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

Structural Diagram for Master Lease



Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

GENERAL INFORMATION

HOTEL GRIM
Location: Texarkana, TX

Number of Buildings	1
Square Footage	
Tax Credit Begins	2023
Tax Rate - Combined	45%
Tax Rate - Sale	45%
Start of Construction	11/2019
Construction Complete	12/2023
Placed in Service	12/2023
Average Depreciation Start	12/2023
Federal HTC Equity per Credit	$0.82
State HTC Proceeds per Credit	$0.925
Federal LIHTC Annual Credit Request	1,913,181
Federal LIHTC Equity per Credit	$0.87
Federal LIHTC Equity per Credit Over Cap	$0.60

DEVELOPMENT COSTS - Landlord Entity

Land	-
Existing Structure	672,500
HC: Construction Contract	23,234,946
HC: Abatement Contract	1,732,255
HC: Historic Remediation Contract	3,448,110
HC: Other Hard Cost (NIC): Labor Standards Officer	298,435
Interest Expense	2,472,657
Citibank: Origination Fee - Construction	205,250
Citibank: NAOR Ext Fee	33,750
Citibank: Legal	160,000
Citibank Fees	104,262
Legal Fees: Tax Credit Syndication / Due Diligence Fee	307,423
Legal Fees: Borrower	500,714
Legal Fees: Investor Counsel	259,000
A&E: Architect - Supervision & Design	265,696
A&E: Engineering and Survey	311,151
Environmental: Phase I Assessment	103,824
Professional Fees: Accounting (Audit and Tax Return)	131,790
Professional Fees: Tax Certification	2,775
Professional Fees: Market Study	16,326
Professional Fees: Title and Recording (including Monthly Titl	216,259
Professional Fees: Perm Loan Fee	20,698
Professional Fees: Historic Consultant	18,196
Financial: TDHCA Interest During Construction	68,010
Financial: Other Lender Financing Fee	245,665
Financial: Other Lender Inspection Fees	16,100
Financial: Other (Financial Modeling)	50,525
Issuer Fee	281,865
Bond & Issuer Counsel Fee	180,167
Other COI Fees	47,500
Trustee Fee	29,500
Trustee Counsel	6,000
Priority Equity Return	11,288
Application Fees	56,540
Insurance	130,835
Marketing/Lease Up Cost	141,242
Lease Up Reserve	108,400
Construction/Lease-Up	95,751
Developer Fee	3,154,559
Interest Reserve	-
Operating Deficit Reserve	311,917
Operating Reserve	72,263
SFG Fees	212,000
Additional cushion on costs	-
Citibank Repayment	-
Distribution to LP	204,406
	39,940,549

DISTRIBUTIONS TO LP

EPA Loan 2	516,500
Distribution Rate	10%
	51,650
PreservingUS SHTC Loan	7,953,338
Previous Amount	(6,425,773)
	1,527,565
Distribution Rate	10%
	152,756
Total Distribution Amount	204,406

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

FINANCING ASSUMPTIONS

Construction Financing (Bonds) - 1st Issue	
Bond Issue	13,500,000
Interest Rate	5.14%
Interest Expense per Month	57,825
Construction Financing (Bonds) - 2nd Issue	
Bond Issue	1,500,000
Interest Rate	5.14%
Interest Expense per Month	-
Construction Financing (Bonds) - 3rd Issue	
Bond Issue	5,300,000
Interest Rate	5.14%
Interest Expense per Month	22,702
CCB Loan	3,500,000
Interest Rate	7.00%
Interest Expense per Month	20,417
TDHCA - 1st Mortgage	4,000,000
Interest Rate	2.00%
Interest Only 2 Years	
Amortization	480
Term	480
Monthly Payment	12,113
Annual Payment	145,356

2nd Mortgage	1,000,000
Interest Rate	5.82%
Amortization	480
Term	480
Monthly Payment	5,377
Annual Payment	64,526
EPA Loan 1	650,000
Interest Rate	2.033%
Amortization in Months	360
Term in Months	360
EPA Loan 2	516,500
Interest Rate	4.930%
Amortization in Months	360
Term in Months	360
City Affordable Housing Fund	260,000
Interest Rate	3.000%
Amortization in Months	360
Term in Months	360

HUD 108 Loan	1,429,000
Interest Rate	2.033%
Amortization in Months	360
Term in Months	360
PreservingUS SHTC Loan	7,953,338
Term in Months	
Interest Rate	0.50%
Master Landlord GP Contribution	4,285,179
Master Tenant MM Contribution	56,399
	4,341,578
Special Limited Partner Capital Contribution	311,917

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

INVESTOR INFORMATION

Partnership Allocations - Landlord Entity

Percentage of Ownership	
Federal LIHTC Investor	98.98%
General Partner/MM	0.01%
Special Limited Partner	0.01%
Master Tenant	1.00%
	100.00%

Cash Flow Distribution:	
Federal LIHTC Investor	98.98%
General Partner/MM	0.01%
Special Limited Partner	0.01%
Master Tenant	1.00%

Income/Loss Allocation:	
Federal LIHTC Investor	98.98%
General Partner/MM	0.01%
Special Limited Partner	0.01%
Master Tenant	1.00%

Sales Proceeds Distribution:	
Federal LIHTC Investor	10.00%
General Partner/MM	0.01%
Special Limited Partner	89.99%

LIHTC Investor Cost

Asset Management Fee	5,000

Partnership Allocations - Master Tenant

Percentage of Ownership	
Federal HTC Investor	99.00%
General Partner/MM	1.00%
	100.00%

Cash Flow Distribution:	
Federal HTC Investor	99.00%
General Partner/MM	1.00%

Income/Loss Allocation:	
Federal HTC Investor	99.00%
General Partner/MM	1.00%

After Flip	
Federal HTC Investor	5.00%
General Partner/MM	95.00%

Sales Proceeds Distribution:	
Federal HTC Investor	5.00%
General Partner/MM	95.00%

HTC Investor Cost

Priority Return	2%
Put	5.0%
Asset Management Fee	5,000

Low-Income Housing Tax Credits

Pay-in %		Federal Acq. Credit	Federal Rehab Credit	Total
Closing	15.00%	33,988	1,716,407	1,750,395
Accelerated Funding	15.00%	29,682	2,215,687	2,245,369
Placed in Service	2.00%	4,633	294,718	299,351
Rental Achievement	63.00%	151,758	9,196,656	9,348,414
8609's	5.00%	11,582	706,498	718,080
	100.00%	231,643	14,129,966	14,361,609
Tax Credits to Investor		266,256	18,670,410	18,936,666
Tax Credits @ $0.87		266,256	10,843,408	11,109,664
Equity per credit		$0.87	0.87	0.87
		231,643	9,433,765	9,665,408
Tax Credits @ $0.60		-	7,827,002	7,827,002
Equity per credit		$0.60	0.60	0.60
		-	4,696,201	4,696,201
Total Tax Credit Equity		231,643	14,129,966	14,361,609

Historic Tax Credits

Pay-in %		Federal Credit Equity	State Credit Equity	Total
Closing	25.00%	1,539,519	-	1,539,519
Cost Cert	55.00%	3,386,941	-	3,386,941
Part 3	19.10%	607,557	7,953,338	8,560,894
Federal Tax Return	0.90%	50,000	-	50,000
	100.00%	5,584,017	7,953,338	13,537,354
Total Credits to Investor		6,809,777	8,598,203	
Equity per credit		0.82	0.93	
Total Tax Credit Equity		5,584,017	7,953,338	

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

RENTAL INCOME AND EXPENSES

Assumptions

Operations Commence	
Year	2024
Month	April
# Months Yr. 1	9
Base Operating Income	
Operating Income 2024	899,976
Operating Income 2025	926,975
Operating Income 2026	954,785
Increase	3%
Vacancy	7%
Base Operating Expenses	
Operating Expense 2024	377,590
Operating Expense 2025	388,768
Operating Expense 2026	400,281
Increase	3%
Management Fee per Unit	**485**
Base Replacement Reserves	**23,250**
Cost per unit	**250**
Increase	**3%**

Low-Income Rental Units

	Number	Rent/ Month	Annual Rent
Studio Apt./Low Home (50%)	2	656	15,744
Studio Apt./High Home (60%)	4	779	37,392
Studio Apt./60%	16	787	151,104
1 Bedroom Unit/Voucher	11	862	113,784
1 Bedroom Unit/Low Home (50%)	4	703	33,744
1 Bedroom Unit/High Home (60%)	9	784	84,672
1 Bedroom Unit/60%	24	843	242,784
2 Bedroom Unit/Voucher	12	1,080	155,520
2 Bedroom Unit/Low Home (50%)	1	843	10,116
2 Bedroom Unit/High Home (60%)	5	982	58,920
2 BR/1 BA Unit/60%	5	1,012	60,720
	93		964,500
Other Income			16,740
			981,240
Utility Allowance - Studio	22	61	(16,104)
Utility Allowance - 1 Bedroom	48	70	(40,320)
Utility Allowance - 2 Bedroom	23	90	(24,840)
	93		(81,264)
Total Annual Revenue			899,976
% Low-Income Units	100%		
Square Footage %	100%		

Operating Expenses - Master Tenant

Advertising - steady state	2,000
Management Fee	45,075
Supportive Services	15,000
Payroll	99,625
Supplies	5,000
Administration	21,950
Accounting / Audit	5,000
Contract Services	25,900
TX Compliance	14,570
Insurance	28,365
Utilities	72,000
Repairs	27,000
Redecorating	6,105
Ground Maintenance	5,000
Real Estate Taxes	-
Asset Management Fee	5,000
Total Operating Expenses	377,590

Operating Expenses - Master Landlord

Ground Lease	1
Replacement Reserve	23,250
Total Operating Expenses	23,251

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HOTEL GRIM

SOURCES AND APPLICATIONS OF FUNDS - Landlord Entity

	Total	QRE's Capitalized	Non-QRE's Capitalized	Land Improvements	FF&E	Funded Expenses	Non-Amortized
Source of Funds							
TDHCA - 1st Mortgage	4,000,000						
2nd Mortgage	1,000,000						
EPA Loan 1	650,000						
EPA Loan 2	516,500						
City Affordable Housing Fund	260,000						
HUD 108 Loan	1,429,000						
Master Tenant Investment	5,451,620						
PreservingUS SHTC Loan	7,953,338						
Federal LIHTC Acq. Equity (4%)	231,643						
Federal LIHTC Rehab Equity (4%)	14,129,966						
Master Landlord GP Contribution	4,285,179						
Special Limited Partner Capital Contribution	33,303						
Owner Advance	-						
TOTAL SOURCES	39,940,549						
Uses of Funds							
Land	-	-	-	-	-	-	-
Existing Structure	672,500	-	672,500	-	-	-	-
HC: Construction Contract	23,234,946	21,146,978	859,370	943,085	285,513	-	-
HC: Abatement Contract	1,732,255	1,732,255	-	-	-	-	-
HC: Historic Remediation Contract	3,448,110	3,448,110	-	-	-	-	-
HC: Other Hard Cost (NIC): Labor Standards Officer	298,435	284,526	-	13,909	-	-	-
Interest Expense	2,472,657	1,979,898	-	-	-	492,760	-
Citibank: Origination Fee - Construction	205,250	205,250	-	-	-	-	-
Citibank: NAOR Ext Fee	33,750	-	-	-	-	33,750	-
Citibank: Legal	160,000	144,335	-	-	-	15,665	-
Citibank Fees	104,262	-	-	-	-	104,262	-
Legal Fees: Tax Credit Syndication / Due Diligence Fee	307,423	-	-	-	-	307,423	-
Legal Fees: Borrower	500,714	250,357	-	-	-	250,357	-
Legal Fees: Investor Counsel	259,000	-	-	-	-	259,000	-
A&E: Architect - Supervision & Design	265,696	265,696	-	-	-	-	-
A&E: Engineering and Survey	311,151	291,436	19,715	-	-	-	-
Environmental: Phase I Assessment	103,824	84,350	19,474	-	-	-	-
Professional Fees: Accounting (Audit and Tax Return)	131,790	130,300	-	-	-	1,490	-
Professional Fees: Tax Certification	2,775	-	-	-	-	2,775	-
Professional Fees: Market Study	16,326	-	-	-	-	16,326	-
Professional Fees: Title and Recording (including Monthly Title)	216,259	216,259	-	-	-	-	-
Professional Fees: Perm Loan Fee	20,698	-	-	-	-	20,698	-
Professional Fees: Historic Consultant	18,196	18,196	-	-	-	-	-
Financial: TDHCA Interest During Construction	68,010	68,010	-	-	-	-	-
Financial: Other Lender Financing Fee	245,665	245,665	-	-	-	-	-
Financial: Other Lender Inspection Fees	16,100	16,100	-	-	-	-	-

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

SOURCES AND APPLICATIONS OF FUNDS - Landlord Entity

	Total	QRE's Capitalized	Non-QRE's Capitalized	Land Improvements	FF&E	Funded Expenses	Non-Amortized
Financial: Other (Financial Modeling)	50,525	-	-	-	-	50,525	-
Issuer Fee	281,865	82,205	-	-	-	199,660	-
Bond & Issuer Counsel Fee	180,167	-	-	-	-	180,167	-
Other COI Fees	47,500	-	-	-	-	47,500	-
Trustee Fee	29,500	-	-	-	-	29,500	-
Trustee Counsel	6,000	-	-	-	-	6,000	-
Priority Equity Return	11,288	-	-	-	-	-	11,288
Application Fees	56,540	-	-	-	-	56,540	-
Insurance	130,835	92,006	38,829	-	-	-	-
Marketing/Lease Up Cost	141,242	-	-	-	-	141,242	-
Lease Up Reserve	108,400	-	-	-	-	-	108,400
Construction/Lease-Up	95,751	-	-	-	-	-	95,751
Developer Fee	3,154,559	3,154,559	-	-	-	-	-
Interest Reserve	-	536,320	-	-	-	(536,320)	-
Operating Deficit Reserve	311,917	-	-	-	-	-	311,917
Operating Reserve	72,263	-	-	-	-	-	72,263
SFG Fees	212,000	-	-	-	-	212,000	-
Additional cushion on costs	-	-	-	-	-	-	-
Citibank Repayment	-	-	-	-	-	-	-
Distribution to LP	204,406	-	-	-	-	-	204,406
TOTAL USES	39,940,549	34,392,811	1,609,888	956,994	285,513	1,891,319	804,025

SOURCES AND APPLICATIONS OF FUNDS - Master Tenant

Source of Funds	
Federal HTC Equity	5,584,017
Refund HTC Equity	-
Master Tenant MM	56,399
TOTAL SOURCES	5,640,415
Uses of Funds	
Investment in Master Landlord	5,451,620
Operating Reserve	188,795
TOTAL USES	5,640,415

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HOTEL GRIM

SUBSTANTIAL REHAB TEST

24 Month Measuring Period	**1/1/21 to 1/1/23**
Acquisition Cost	$ 672,500
Less: Land basis (ground lease)	-
Net value less land	672,500
Costs prior to the measuring period, excluding acquisition	13,637,490
Less: expensed and amortized items	(1,422,551)
Depreciable costs prior to the measuring period	12,214,939
Total adjusted basis of the building	12,887,439
Total qualified rehabilitation expenditures during 24 month period	14,366,837
Qualified rehabilitation expenditures in excess (less) than adjusted basis	$ 1,479,398

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

CALCULATION OF HISTORIC TAX CREDITS

	Total	Adjusted Basis by Credit Type Historical	
		20% Federal Credit	25% State Credit
Land	-	-	-
Existing Structure	672,500	-	-
HC: Construction Contract	23,234,946	21,146,978	21,146,978
HC: Abatement Contract	1,732,255	1,732,255	1,732,255
HC: Historic Remediation Contract	3,448,110	3,448,110	3,448,110
HC: Other Hard Cost (NIC): Labor Standards O	298,435	284,526	284,526
Interest Expense	2,472,657	1,979,898	1,979,898
Citibank: Origination Fee - Construction	205,250	205,250	205,250
Citibank: NAOR Ext Fee	33,750	-	-
Citibank: Legal	160,000	144,335	144,335
Citibank Fees	104,262	-	-
Legal Fees: Tax Credit Syndication / Due Dilige	307,423	-	-
Legal Fees: Borrower	500,714	250,357	250,357
Legal Fees: Investor Counsel	259,000	-	-
A&E: Architect - Supervision & Design	265,696	265,696	265,696
A&E: Engineering and Survey	311,151	291,436	291,436
Environmental: Phase I Assessment	103,824	84,350	84,350
Professional Fees: Accounting (Audit and Tax	131,790	130,300	130,300
Professional Fees: Tax Certification	2,775	-	-
Professional Fees: Market Study	16,326	-	-
Professional Fees: Title and Recording (includi	216,259	216,259	216,259
Professional Fees: Perm Loan Fee	20,698	-	-
Professional Fees: Historic Consultant	18,196	18,196	18,196
Financial: TDHCA Interest During Construction	68,010	68,010	68,010
Financial: Other Lender Financing Fee	245,665	245,665	245,665
Financial: Other Lender Inspection Fees	16,100	16,100	16,100
Financial: Other (Financial Modeling)	50,525	-	-
Issuer Fee	281,865	82,205	82,205
Bond & Issuer Counsel Fee	180,167	-	-
Other COI Fees	47,500	-	-
Trustee Fee	29,500	-	-
Trustee Counsel	6,000	-	-
Priority Equity Return	11,288	-	-
Application Fees	56,540	-	-
Insurance	130,835	92,006	92,006
Marketing/Lease Up Cost	141,242	-	-
Lease Up Reserve	108,400	-	-
Construction/Lease-Up	95,751	-	-
Developer Fee	3,154,559	3,154,559	3,154,559
Interest Reserve	-	536,320	536,320
Operating Deficit Reserve	311,917	-	-
Operating Reserve	72,263	-	-
SFG Fees	212,000	-	-
Additional cushion on costs	-	-	-
Citibank Repayment	-	-	-
Distribution to LP	204,406	-	-
Total	39,940,549	34,392,811	34,392,811
Total Qualified Rehab Expenditures		34,392,811	34,392,811
Multiplied by the Applicable Percentage		20%	25%
Total Amount of Tax Credits		6,878,562	8,598,203
Investor Percentage		99%	100%
Projected Total Tax Credits to Investor		6,809,777	8,598,203
Tax Credit Pricing		0.82	0.93
Projected HTC Proceeds		5,584,017	7,953,338

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

CALCULATION OF LOW-INCOME HOUSING TAX CREDITS

	Total	4% LIHTC Federal Acquisition Credit	4% LIHTC Federal Rehabilitation Credit
Land	-	-	-
Existing Structure	672,500	672,500	-
HC: Construction Contract	23,234,946	-	23,234,946
HC: Abatement Contract	1,732,255	-	1,732,255
HC: Historic Remediation Contract	3,448,110	-	3,448,110
HC: Other Hard Cost (NIC): Labor Standards Officer	298,435	-	298,435
Interest Expense	2,472,657	-	1,979,898
Citibank: Origination Fee - Construction	205,250	-	205,250
Citibank: NAOR Ext Fee	33,750	-	33,750
Citibank: Legal	160,000	-	144,335
Citibank Fees	104,262	-	-
Legal Fees: Tax Credit Syndication / Due Diligence F	307,423	-	-
Legal Fees: Borrower	500,714	-	250,357
Legal Fees: Investor Counsel	259,000	-	-
A&E: Architect - Supervision & Design	265,696	-	265,696
A&E: Engineering and Survey	311,151	-	291,436
Environmental: Phase I Assessment	103,824	-	84,350
Professional Fees: Accounting (Audit and Tax Retur	131,790	-	130,300
Professional Fees: Tax Certification	2,775	-	-
Professional Fees: Market Study	16,326	-	16,326
Professional Fees: Title and Recording (including Mc	216,259	-	216,259
Professional Fees: Perm Loan Fee	20,698	-	-
Professional Fees: Historic Consultant	18,196	-	18,196
Financial: TDHCA Interest During Construction	68,010	-	68,010
Financial: Other Lender Financing Fee	245,665	-	245,665
Financial: Other Lender Inspection Fees	16,100	-	16,100
Financial: Other (Financial Modeling)	50,525	-	50,525
Issuer Fee	281,865	-	82,205
Bond & Issuer Counsel Fee	180,167	-	180,167
Other COI Fees	47,500	-	-
Trustee Fee	29,500	-	29,500
Trustee Counsel	6,000	-	6,000
Priority Equity Return	11,288	-	-
Application Fees	56,540	-	-
Insurance	130,835	-	92,006
Marketing/Lease Up Cost	141,242	-	-
Lease Up Reserve	108,400	-	-
Construction/Lease-Up	95,751	-	-
Developer Fee	3,154,559	-	3,154,559
Interest Reserve	-	-	-
Operating Deficit Reserve	311,917	-	-
Operating Reserve	72,263	-	-
SFG Fees	212,000	-	-
Additional cushion on costs	-	-	-
Citibank Repayment	-	-	-
Distribution to LP	204,406	-	-
Total	39,940,549	672,500	36,274,635
Total Qualified Basis		672,500	36,274,635
Difficult Development Area		100%	130%
Adjusted Qualified Basis		672,500	47,157,026
Multiplied by the Applicable Percentage		40.00%	40.00%
Adjusted Qualified Basis		269,000	18,862,810
% Low-Income Housing		100.00%	100.00%
Total LIHTC Available		269,000	18,862,810
Investor Percentage		98.98%	98.98%
Total Tax Credits to investor		266,256	18,670,410
Tax Credits @ $0.87		266,256	10,843,408
Tax Credit Pricing		0.87	0.87
Equity @ $0.87		**231,643**	**9,433,765**
Tax Credits @ $0.60		-	7,827,002
Tax Credit Pricing		0.60	0.60
Equity @ $0.60		**-**	**4,696,201**
Total LIHTC Equity		**231,643**	**14,129,966**

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

SCHEDULE OF PROJECTED FEDERAL LOW-INCOME HOUSING TAX CREDITS

Year	Adjusted Eligible Basis of Building	Applicable Percentage	Adjusted Qualified Basis	% Low-Income Housing	Total LIHTC Available	Excess Basis	Federal LIHTC Requested	Low-Income Occupancy	Total Federal LIHTC	Allocated to Federal Investor
2023	47,829,526	4.00%	1,913,181	100.00%	1,913,181	-	1,913,181	0%	-	-
2024	47,829,526	4.00%	1,913,181	100.00%	1,913,181	-	1,913,181	53%	1,018,306	1,007,919
2025	47,829,526	4.00%	1,913,181	100.00%	1,913,181	-	1,913,181	100%	1,913,181	1,893,667
2026	47,829,526	4.00%	1,913,181	100.00%	1,913,181	-	1,913,181	100%	1,913,181	1,893,667
2027	47,829,526	4.00%	1,913,181	100.00%	1,913,181	-	1,913,181	100%	1,913,181	1,893,667
2028	47,829,526	4.00%	1,913,181	100.00%	1,913,181	-	1,913,181	100%	1,913,181	1,893,667
2029	47,829,526	4.00%	1,913,181	100.00%	1,913,181	-	1,913,181	100%	1,913,181	1,893,667
2030	47,829,526	4.00%	1,913,181	100.00%	1,913,181	-	1,913,181	100%	1,913,181	1,893,667
2031	47,829,526	4.00%	1,913,181	100.00%	1,913,181	-	1,913,181	100%	1,913,181	1,893,667
2032	47,829,526	4.00%	1,913,181	100.00%	1,913,181	-	1,913,181	100%	1,913,181	1,893,667
2033	47,829,526	4.00%	1,913,181	100.00%	1,913,181	-	1,913,181	100%	1,913,181	1,893,667
2034	47,829,526	4.00%	1,913,181	100.00%	1,913,181	-	1,913,181	100%	894,875	885,747
2035	47,829,526	4.00%	1,913,181	100.00%	1,913,181	-	1,913,181	100%	-	-
									19,131,810	18,936,666

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PROJECTED CONSTRUCTION CASH FLOW - Master Landlord

Description	Total	Draw Schedule	Settlement Statement	Cost Certification	Part III	Rental Achievement	Federal Tax Return	Jan-25	Future Periods	Total
Sources:										
Construction Financing (Bonds) - 1st Issue	13,500,000	13,500,000	-	-	-	-	-	-	-	13,500,000
Construction Financing (Bonds) - 1st Issue Payoff	(13,500,000)	-	-	(1,541,925)	(607,557)	(11,350,518)	-	-	-	(13,500,000)
Construction Financing (Bonds) - 2nd Issue	1,500,000	1,500,000	-	-	-	-	-	-	-	1,500,000
Construction Financing (Bonds) - 2nd Issue Payoff	(1,500,000)	-	-	-	-	(1,500,000)	-	-	-	(1,500,000)
Construction Financing (Bonds) - 3rd Issue	5,300,000	-	-	-	5,300,000	-	-	-	-	5,300,000
Construction Financing (Bonds) - 3rd Issue Payoff	(5,300,000)	-	-	-	-	-	-	(5,300,000)	-	(5,300,000)
TDHCA - 1st Mortgage	4,000,000	3,388,667	-	611,333	-	-	-	-	-	4,000,000
2nd Mortgage	1,000,000	-	-	-	-	1,000,000	-	-	-	1,000,000
EPA Loan 1	650,000	588,553	-	61,447	-	-	-	-	-	650,000
EPA Loan 2	516,500	516,491	-	9	-	-	-	-	-	516,500
City Affordable Housing Fund	260,000	260,000	-	-	-	-	-	-	-	260,000
HUD 108 Loan	1,429,000	1,429,000	-	-	-	-	-	-	-	1,429,000
Master Tenant Investment	5,451,620	886,542	875,767	3,031,755	607,557	-	50,000	-	-	5,451,620
PreservingUS SHTC Loan	7,953,338	-	-	-	-	7,953,338	-	-	-	7,953,338
Federal LIHTC Acq. Equity (4%)	231,643	33,988	-	34,315	-	151,758	11,582	-	-	231,643
Federal LIHTC Rehab Equity (4%)	14,129,966	3,227,175	-	999,637	-	9,196,656	706,498	-	-	14,129,966
Master Landlord GP Contribution	4,285,179	8,792,778	-	(2,664,990)	(1,842,608)	-	-	-	-	4,285,179
Special Limited Partner Capital Contribution	33,303	-	-	-	-	-	-	-	33,303	33,303
Owner Advance	-	-	-	-	-	-	-	-	-	-
Escrow	-	-	-	-	-	(4,690,920)	(768,080)	5,459,000	-	-
Total Sources	39,940,549	34,123,194	875,767	531,580	3,457,392	760,313	-	159,000	33,303	39,940,549
Uses:										
Land	-	-	-	-	-	-	-	-	-	-
Existing Structure	672,500	672,500	-	-	-	-	-	-	-	672,500
HC: Construction Contract	23,234,946	21,730,789	541,799	-	962,358	-	-	-	-	23,234,946
HC: Abatement Contract	1,732,255	1,700,855	-	-	31,400	-	-	-	-	1,732,255
HC: Historic Remediation Contract	3,448,110	3,071,658	-	-	376,452	-	-	-	-	3,448,110
HC: Other Hard Cost (NIC): Labor Standards Officer	298,435	298,435	-	-	-	-	-	-	-	298,435
Interest Expense	2,472,657	2,454,157	-	-	18,500	-	-	-	-	2,472,657
Citibank: Origination Fee - Construction	205,250	205,250	-	-	-	-	-	-	-	205,250
Citibank: NAOR Ext Fee	33,750	33,750	-	-	-	-	-	-	-	33,750
Citibank: Legal	160,000	160,000	-	-	-	-	-	-	-	160,000
Citibank Fees	104,262	104,262	-	-	-	-	-	-	-	104,262
Legal Fees: Tax Credit Syndication / Due Diligence Fee	307,423	12,303	295,120	-	-	-	-	-	-	307,423
Legal Fees: Borrower	500,714	500,714	-	-	-	-	-	-	-	500,714
Legal Fees: Investor Counsel	259,000	259,000	-	-	-	-	-	-	-	259,000
A&E: Architect - Supervision & Design	265,696	265,696	-	-	-	-	-	-	-	265,696
A&E: Engineering and Survey	311,151	311,151	-	-	-	-	-	-	-	311,151
Environmental: Phase I Assessment	103,824	103,824	-	-	-	-	-	-	-	103,824
Professional Fees: Accounting (Audit and Tax Return)	131,790	131,790	-	-	-	-	-	-	-	131,790
Professional Fees: Tax Certification	2,775	2,775	-	-	-	-	-	-	-	2,775
Professional Fees: Market Study	16,326	16,326	-	-	-	-	-	-	-	16,326
Professional Fees: Title and Recording (including Monthly Title)	216,259	177,412	38,847	-	-	-	-	-	-	216,259
Professional Fees: Perm Loan Fee	20,698	20,698	-	-	-	-	-	-	-	20,698
Professional Fees: Historic Consultant	18,196	18,196	-	-	-	-	-	-	-	18,196
Financial: TDHCA Interest During Construction	68,010	68,010	-	-	-	-	-	-	-	68,010
Financial: Other Lender Financing Fee	245,665	245,665	-	-	-	-	-	-	-	245,665
Financial: Other Lender Inspection Fees	16,100	16,100	-	-	-	-	-	-	-	16,100
Financial: Other (Financial Modeling)	50,525	50,525	-	-	-	-	-	-	-	50,525
Issuer Fee	281,865	281,865	-	-	-	-	-	-	-	281,865
Bond & Issuer Counsel Fee	180,167	180,167	-	-	-	-	-	-	-	180,167
Other COI Fees	47,500	47,500	-	-	-	-	-	-	-	47,500
Trustee Fee	29,500	29,500	-	-	-	-	-	-	-	29,500
Trustee Counsel	6,000	6,000	-	-	-	-	-	-	-	6,000
Priority Equity Return	11,288	11,288	-	-	-	-	-	-	-	11,288
Application Fees	56,540	56,540	-	-	-	-	-	-	-	56,540
Insurance	130,835	130,835	-	-	-	-	-	-	-	130,835
Marketing/Lease Up Cost	141,242	141,242	-	-	-	-	-	-	-	141,242
Lease Up Reserve	108,400	108,400	-	-	-	-	-	-	-	108,400
Construction/Lease-Up	95,751	-	-	95,751	-	-	-	-	-	95,751
Developer Fee	3,154,559	498,018	-	-	2,623,238	-	-	-	33,303	3,154,559
Interest Reserve	-	-	-	-	-	-	-	-	-	-
Operating Deficit Reserve	311,917	-	-	311,917	-	-	-	-	-	311,917
Operating Reserve	72,263	-	-	72,263	-	-	-	-	-	72,263
SFG Fees	212,000	-	-	-	53,000	-	-	159,000	-	212,000
Additional cushion on costs	-	-	-	-	-	-	-	-	-	-
Distribution to LP	204,406	-	-	51,650	-	152,756	-	-	-	204,406
	39,940,549	34,123,194	875,767	531,580	4,064,949	152,756	-	159,000	33,303	39,940,549

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Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

PROJECTED CONSTRUCTION CASH FLOW - Master Tenant

Description	Total	Draw Schedule	Settlement Statement	Cost Certification	Part III	Rental Achievement	Federal Tax Return	Jan-25	Future Periods	Total
Sources:										
Federal HTC Equity	5,584,017	-	1,539,519	3,386,941	607,557	-	50,000	-	-	5,584,017
Refund HTC Equity	-	886,542	(663,753)	(222,790)	-	-	-	-	-	-
Master Tenant MM	56,399	-	-	56,399	-	-	-	-	-	56,399
	5,640,415	886,542	875,767	3,220,550	607,557	-	50,000	-	-	5,640,415
Uses:										
Investment in Master Landlord	5,451,620	886,542	875,767	3,031,755	607,557	-	50,000	-	-	5,451,620
Operating Reserve	188,795	-	-	188,795	-	-	-	-	-	188,795
	5,640,415	886,542	875,767	3,220,550	607,557	-	50,000	-	-	5,640,415

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

BOND PAYDOWN SCHEDULE

Description	Previously Issued Bonds	Cost Certification	Part III	Rental Achievement	'Federal Tax Return	Total
Sources:						
Construction Loan (Bonds) 1st Issue	13,500,000	-	-	-	-	13,500,000
Construction Loan (Bonds) 2nd Issue	1,500,000	-	-	-	-	1,500,000
Construction Loan (Bonds) 3rd Issue	-	-	5,300,000	-	-	5,300,000
TDHCA - 1st Mortgage	-	611,333	-	-	-	611,333
2nd Mortgage	-	-	-	1,000,000	-	1,000,000
EPA Loan 1	-	61,447	-	-	-	61,447
EPA Loan 2	-	9	-	-	-	9
Master Tenant Investment	-	3,031,755	607,557	-	50,000	3,689,312
PreservingUS SHTC Loan	-	-	-	7,953,338	-	7,953,338
Federal LIHTC Acq. Equity (4%)	-	34,315	-	151,758	11,582	197,655
Federal LIHTC Rehab Equity (4%)	-	999,637	-	9,196,656	706,498	10,902,791
	15,000,000	4,738,495	5,907,557	18,301,751	768,080	44,715,884
Uses:						
Construction Loan (Bonds) 1st Issue Paydown	-	1,541,925	607,557	11,350,518	-	13,500,000
Construction Loan (Bonds) 2nd Issue Paydown	-	-	-	1,500,000	-	1,500,000
Construction Loan (Bonds) 3rd Issue Paydown	-	-	-	4,690,920	768,080	5,459,000
Master Landlord GP	-	2,664,990	1,842,608	-	-	4,507,598
Development Costs	15,000,000	531,580	4,064,949	152,756	-	19,749,285
	15,000,000	4,738,495	6,515,114	17,694,194	768,080	44,715,884

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HOTEL GRIM

PROJECTED LEASE-UP SCHEDULE

		1/31/2024	2/1/2024	3/1/2024	4/1/2024	5/1/2024	6/1/2024	7/1/2024	8/1/2024	9/1/2024	10/1/2024	11/1/2024	12/1/2024	**Total 2024**
Total Tax Credit Units in Project		93	93	93	93	93	93	93	93	93	93	93	93	
Tax Credit Units Rented during Month		-	-	-	15	15	15	15	15	15	3	-	-	
Cum LI Units		-	-	-	15	30	45	60	75	90	93	93	93	
Percentage LIHTC Leased		**0.00%**	**0.00%**	**0.00%**	**16.13%**	**32.26%**	**48.39%**	**64.52%**	**80.65%**	**96.77%**	**100.00%**	**100.00%**	**100.00%**	**53.23%**
Revenues	Pro-Forma													
Rent Revenue	964,500	-	-	-	12,964	25,927	38,891	51,855	64,819	77,782	80,375	80,375	80,375	**513,363**
Other Income	16,740	-	-	-	225	450	675	900	1,125	1,350	1,395	1,395	1,395	**8,910**
Utility Allowance	(81,264)	-	-	-	(1,092)	(2,185)	(3,277)	(4,369)	(5,461)	(6,554)	(6,772)	(6,772)	(6,772)	**(43,253)**
Vacancy	(62,998)	-	-	-	-	-	-	-	-	-	(5,250)	(5,250)	(5,250)	**(15,750)**
	836,978	-	-	-	12,096	24,193	36,289	48,386	60,482	72,579	69,748	69,748	69,748	463,270
Operating Expenses														
Advertising - steady state	2,000	167	167	167	167	167	167	167	167	167	167	167	167	**2,000**
Management Fee	45,075	-	-	-	3,756	3,756	3,756	3,756	3,756	3,756	3,756	3,756	3,756	**33,806**
Supportive Services	15,000	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	**15,000**
Payroll	99,625	8,302	8,302	8,302	8,302	8,302	8,302	8,302	8,302	8,302	8,302	8,302	8,302	**99,625**
Supplies	5,000	-	-	-	417	417	417	417	417	417	417	417	417	**3,750**
Administration	21,950	1,829	1,829	1,829	1,829	1,829	1,829	1,829	1,829	1,829	1,829	1,829	1,829	**21,950**
Accounting / Audit	5,000	417	417	417	417	417	417	417	417	417	417	417	417	**5,000**
Contract Services	25,900	-	-	-	2,158	2,158	2,158	2,158	2,158	2,158	2,158	2,158	2,158	**19,425**
TX Compliance	14,570	1,214	1,214	1,214	1,214	1,214	1,214	1,214	1,214	1,214	1,214	1,214	1,214	**14,570**
Insurance	28,365	2,364	2,364	2,364	2,364	2,364	2,364	2,364	2,364	2,364	2,364	2,364	2,364	**28,365**
Utilities	72,000	-	-	-	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000	**54,000**
Repairs	27,000	-	-	-	2,250	2,250	2,250	2,250	2,250	2,250	2,250	2,250	2,250	**20,250**
Redecorating	6,105	-	-	-	509	509	509	509	509	509	509	509	509	**4,579**
Ground Maintenance	5,000	417	417	417	417	417	417	417	417	417	417	417	417	**5,000**
Real Estate Taxes	-	-	-	-	-	-	-	-	-	-	-	-	-	**-**
Asset Management Fee	5,000	417	417	417	417	417	417	417	417	417	417	417	417	**5,000**
Base Rents	191,000	15,917	15,917	15,917	15,917	15,917	15,917	15,917	15,917	15,917	15,917	15,917	15,917	**191,000**
Total Operating Expenses	568,590	32,293	32,293	32,293	47,383	47,383	47,383	47,383	47,383	47,383	47,383	47,383	47,383	**523,320**
Net Operating Income	268,388	(32,293)	(32,293)	(32,293)	(35,286)	(23,190)	(11,093)	1,003	13,100	25,196	22,366	22,366	22,366	**(60,050)**

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HOTEL GRIM

PROJECTED OPERATIONS CASH FLOW - Master Tenant

	Lease-Up 2024	Stabilization 2025	2026	2027	2028	2029	2030	2031
Revenues								
Rent Revenue	964,500	993,435	1,023,238	1,053,935	1,085,553	1,118,120	1,151,663	1,186,213
Other Income	16,740	17,242	17,759	18,292	18,841	19,406	19,988	20,588
Utility Allowance	(81,264)	(83,702)	(86,213)	(88,799)	(91,463)	(94,207)	(97,033)	(99,944)
Vacancy	(436,706)	(64,888)	(66,835)	(68,840)	(70,905)	(73,032)	(75,223)	(77,480)
Total Revenue	463,270	862,087	887,950	914,588	942,026	970,287	999,395	1,029,377
Operating Expenses								
Advertising - steady state	2,000	2,060	2,122	2,185	2,251	2,319	2,388	2,460
Management Fee	45,075	46,427	47,820	49,255	50,732	52,254	53,822	55,437
Supportive Services	15,000	15,450	15,914	16,391	16,883	17,389	17,911	18,448
Payroll	99,625	102,614	105,692	108,863	112,129	115,493	118,957	122,526
Supplies	5,000	5,150	5,305	5,464	5,628	5,796	5,970	6,149
Administration	21,950	22,609	23,287	23,985	24,705	25,446	26,209	26,996
Accounting / Audit	5,000	5,150	5,305	5,464	5,628	5,796	5,970	6,149
Contract Services	25,900	26,677	27,477	28,302	29,151	30,025	30,926	31,854
TX Compliance	14,570	15,007	15,457	15,921	16,399	16,891	17,397	17,919
Insurance	28,365	29,216	30,092	30,995	31,925	32,883	33,869	34,885
Utilities	72,000	74,160	76,385	78,676	81,037	83,468	85,972	88,551
Repairs	27,000	27,810	28,644	29,504	30,389	31,300	32,239	33,207
Redecorating	6,105	6,288	6,477	6,671	6,871	7,077	7,290	7,508
Ground Maintenance	5,000	5,150	5,305	5,464	5,628	5,796	5,970	6,149
Real Estate Taxes	-	-	-	-	-	-	-	-
Asset Management Fee	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Base Rents	191,000	235,000	240,875	246,897	253,069	259,396	265,881	272,528
Total Operating Expenses	568,590	623,768	641,156	659,036	677,423	696,330	715,773	735,767
Net Income	(105,320)	238,319	246,794	255,552	264,603	273,956	283,622	293,610
Reserves	161,993	-	-	-	-	-	-	-
Net Cash Flow	56,673	238,319	246,794	255,552	264,603	273,956	283,622	293,610

PROJECTED OPERATIONS CASH FLOW - Landlord Entity

	Stabilization 2024	2025	2026	2027	2028	2029	2030	2031
Base Rents / Net Income	191,000	235,000	240,875	246,897	253,069	259,396	265,881	272,528
Ground Lease	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Replacement Reserves	-	(23,948)	(24,666)	(25,406)	(26,168)	(26,953)	(27,762)	(28,595)
Texas Direct Loan Debt Service	(145,356)	(145,356)	(145,356)	(145,356)	(145,356)	(145,356)	(145,356)	(145,356)
2nd Mortgage Debt Service	(21,509)	(64,526)	(64,526)	(64,526)	(64,526)	(64,526)	(64,526)	(64,526)
Net Cash Flow	24,134	1,169	6,326	11,607	17,018	22,559	28,236	34,050
Debt Coverage Ratio	1.14	1.00	1.03	1.05	1.07	1.10	1.12	1.14

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PROJECTED OPERATIONS CASH FLOW - Master Tenant

	2032	2033	2034	2035	2036	2037	2038	2039	2040
Revenues									
Rent Revenue	1,221,800	1,258,454	1,296,207	1,335,094	1,375,146	1,416,401	1,458,893	1,502,660	1,547,739
Other Income	21,206	21,842	22,497	23,172	23,867	24,583	25,321	26,080	26,863
Utility Allowance	(102,943)	(106,031)	(109,212)	(112,488)	(115,863)	(119,339)	(122,919)	(126,607)	(130,405)
Vacancy	(79,804)	(82,199)	(84,664)	(87,204)	(89,821)	(92,515)	(95,291)	(98,149)	(101,094)
Total Revenue	1,060,258	1,092,066	1,124,828	1,158,573	1,193,330	1,229,130	1,266,004	1,303,984	1,343,103
Operating Expenses									
Advertising - steady state	2,534	2,610	2,688	2,768	2,852	2,937	3,025	3,116	3,209
Management Fee	57,100	58,813	60,577	62,394	64,266	66,194	68,180	70,226	72,332
Supportive Services	19,002	19,572	20,159	20,764	21,386	22,028	22,689	23,370	24,071
Payroll	126,202	129,988	133,888	137,904	142,041	146,303	150,692	155,213	159,869
Supplies	6,334	6,524	6,720	6,921	7,129	7,343	7,563	7,790	8,024
Administration	27,806	28,640	29,499	30,384	31,295	32,234	33,201	34,197	35,223
Accounting / Audit	6,334	6,524	6,720	6,921	7,129	7,343	7,563	7,790	8,024
Contract Services	32,809	33,794	34,807	35,852	36,927	38,035	39,176	40,351	41,562
TX Compliance	18,457	19,011	19,581	20,168	20,773	21,397	22,038	22,700	23,381
Insurance	35,932	37,010	38,120	39,264	40,442	41,655	42,905	44,192	45,517
Utilities	91,207	93,944	96,762	99,665	102,655	105,734	108,906	112,174	115,539
Repairs	34,203	35,229	36,286	37,374	38,496	39,650	40,840	42,065	43,327
Redecorating	7,734	7,966	8,205	8,451	8,704	8,965	9,234	9,511	9,797
Ground Maintenance	6,334	6,524	6,720	6,921	7,129	7,343	7,563	7,790	8,024
Real Estate Taxes	-	-	-	-	-	-	-	-	-
Asset Management Fee	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Base Rents	279,341	286,325	293,483	300,820	308,340	316,049	323,950	332,049	340,350
Total Operating Expenses	756,327	777,470	799,213	821,572	844,565	868,210	892,526	917,532	943,248
Net Income	303,931	314,596	325,615	337,001	348,765	360,920	373,478	386,452	399,856
Reserves	-	-	-	-	-	-	-	-	-
Net Cash Flow	303,931	314,596	325,615	337,001	348,765	360,920	373,478	386,452	399,856

PROJECTED OPERATIONS CASH FLOW - Landlord Entity

	2032	2033	2034	2035	2036	2037	2038	2039	2040
Base Rents / Net Income	279,341	286,325	293,483	300,820	308,340	316,049	323,950	332,049	340,350
Ground Lease	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Replacement Reserves	(29,452)	(30,336)	(31,246)	(32,183)	(33,149)	(34,143)	(35,168)	(36,223)	(37,309)
Texas Direct Loan Debtor Service	(145,356)	(145,356)	(145,356)	(145,356)	(145,356)	(145,356)	(145,356)	(145,356)	(145,356)
2nd Mortgage Debt Service	(64,526)	(64,526)	(64,526)	(64,526)	(64,526)	(64,526)	(64,526)	(64,526)	(64,526)
Net Cash Flow	40,005	46,105	52,353	58,753	65,308	72,022	78,899	85,943	93,157
Debt Coverage Ratio	1.17	1.19	1.22	1.24	1.27	1.30	1.32	1.35	1.38

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PROJECTED OPERATIONS CASH FLOW - Master Tenant

	2041	2042	2043	2044	2045	2046	2047	2048	Total
Revenues									
Rent Revenue	1,594,172	1,641,997	1,691,257	1,741,994	1,794,254	1,848,082	1,903,524	1,960,630	35,164,960
Other Income	27,669	28,499	29,354	30,234	31,141	32,076	33,038	34,029	610,328
Utility Allowance	(134,317)	(138,347)	(142,497)	(146,772)	(151,175)	(155,710)	(160,382)	(165,193)	(2,962,826)
Vacancy	(104,127)	(107,250)	(110,468)	(113,782)	(117,195)	(120,711)	(124,333)	(128,063)	(2,670,580)
Total Revenue	1,383,397	1,424,898	1,467,645	1,511,675	1,557,025	1,603,736	1,651,848	1,701,403	30,141,883
Operating Expenses									
Advertising - steady state	3,306	3,405	3,507	3,612	3,721	3,832	3,947	4,066	72,919
Management Fee	74,502	76,737	79,039	81,411	83,853	86,369	88,960	91,628	1,643,404
Supportive Services	24,793	25,536	26,303	27,092	27,904	28,742	29,604	30,492	546,889
Payroll	164,665	169,605	174,693	179,934	185,332	190,892	196,619	202,517	3,632,254
Supplies	8,264	8,512	8,768	9,031	9,301	9,581	9,868	10,164	182,296
Administration	36,280	37,368	38,489	39,644	40,833	42,058	43,320	44,620	800,281
Accounting / Audit	8,264	8,512	8,768	9,031	9,301	9,581	9,868	10,164	182,296
Contract Services	42,809	44,093	45,416	46,778	48,182	49,627	51,116	52,649	944,295
TX Compliance	24,082	24,804	25,549	26,315	27,104	27,918	28,755	29,618	531,211
Insurance	46,883	48,290	49,738	51,230	52,767	54,350	55,981	57,660	1,034,167
Utilities	119,005	122,575	126,252	130,040	133,941	137,959	142,098	146,361	2,625,067
Repairs	44,627	45,966	47,345	48,765	50,228	51,735	53,287	54,885	984,400
Redecorating	10,091	10,393	10,705	11,026	11,357	11,698	12,049	12,410	222,584
Ground Maintenance	8,264	8,512	8,768	9,031	9,301	9,581	9,868	10,164	182,296
Real Estate Taxes	-	-	-	-	-	-	-	-	-
Asset Management Fee	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	125,000
Base Rents	348,859	357,580	366,520	375,683	385,075	394,702	404,569	414,684	7,793,024
Total Operating Expenses	969,693	996,890	1,024,859	1,053,622	1,083,202	1,113,623	1,144,908	1,177,082	21,502,384
Net Income	413,703	428,009	442,787	458,053	473,823	490,113	506,940	524,321	2,695,279
Reserves	-	-	-	-	-	-	-	-	161,993
Net Cash Flow	413,703	428,009	442,787	458,053	473,823	490,113	506,940	524,321	2,857,272

PROJECTED OPERATIONS CASH FLOW - Landlord Entity

	2041	2042	2043	2044	2045	2046	2047	2048	Total
Base Rents / Net Income	348,859	357,580	366,520	375,683	385,075	394,702	404,569	414,684	2,823,795
Ground Lease	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(11)
Replacement Reserves	(38,429)	(39,582)	(40,769)	(41,992)	(43,252)	(44,549)	(45,886)	(47,262)	(274,531)
Texas Direct Loan Debtor Service	(145,356)	(145,356)	(145,356)	(145,356)	(145,356)	(145,356)	(145,356)	(145,356)	(1,598,919)
2nd Mortgage Debt Service	(64,526)	(64,526)	(64,526)	(64,526)	(64,526)	(64,526)	(64,526)	(64,526)	(666,771)
Net Cash Flow	100,547	108,115	115,867	123,807	131,940	140,269	148,800	157,538	283,562
Debt Coverage Ratio	1.40	1.43	1.46	1.49	1.52	1.55	1.58	1.61	

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Operating Reserve Account Balance - Master Landlord

	Interest Rate		1.00%	
Year	Operating Reserve Balance	Withdrawals	Interest Income	Operating Reserve Balance
2024	384,180	-	3,842	388,021
2025	391,902	-	3,919	395,821
2026	399,779	-	3,998	403,777
2027	407,814	-	4,078	411,893
2028	416,012	-	4,160	420,172
2029	424,373	-	4,244	428,617
2030	432,903	-	4,329	437,232
2031	441,605	-	4,416	446,021
2032	450,481	-	4,505	454,986
2033	459,536	-	4,595	464,131
2034	468,772	-	4,688	473,460
2035	478,195	-	4,782	482,976
2036	487,806	-	4,878	492,684
2037	497,611	-	4,976	502,587
2038	507,613	-	5,076	512,689
2039	517,816	-	5,178	522,994
2040	528,224	-	5,282	533,507
2041	538,842	-	5,388	544,230
2042	549,672	-	5,497	555,169
2043	560,721	-	5,607	566,328
2044	571,991	-	5,720	577,711
2045	583,488	-	5,835	589,323
2046	595,216	-	5,952	601,169
2047	607,180	-	6,072	613,252
2048	619,385	-	6,194	625,578
		-	123,211	

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

Operating Reserve Account Balance - Master Tenant

	Interest Rate		1.00%	
Year	Operating Reserve Balance	Withdrawals	Interest Income	Operating Reserve Balance
2024	188,795	(165,669)	231	23,357
2025	23,357	-	234	23,591
2026	23,591	-	236	23,827
2027	23,827	-	238	24,065
2028	24,065	-	241	24,306
2029	24,306	-	243	24,549
2030	24,549	-	245	24,794
2031	24,794	-	248	25,042
2032	25,042	-	250	25,293
2033	25,293	-	253	25,545
2034	25,545	-	255	25,801
2035	25,801	-	258	26,059
2036	26,059	-	261	26,320
2037	26,320	-	263	26,583
2038	26,583	-	266	26,849
2039	26,849	-	268	27,117
2040	27,117	-	271	27,388
2041	27,388	-	274	27,662
2042	27,662	-	277	27,939
2043	27,939	-	279	28,218
2044	28,218	-	282	28,500
2045	28,500	-	285	28,785
2046	28,785	-	288	29,073
2047	29,073	-	291	29,364
2048	29,364	-	294	29,658
		(165,669)	6,532	

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

Replacement Reserve Account Balance

		Interest Rate	1.00%	
Year	Beginning Replacement Reserve Balance	Replacement Reserve Deposits	Interest Income	Year End Replacement Reserve Balance
2024	-	-	-	-
2025	-	23,948	120	24,067
2026	24,067	24,666	364	49,097
2027	49,097	25,406	618	75,121
2028	75,121	26,168	882	102,171
2029	102,171	26,953	1,156	130,281
2030	130,281	27,762	1,442	159,484
2031	159,484	28,595	1,738	189,817
2032	189,817	29,452	2,045	221,314
2033	221,314	30,336	2,365	254,015
2034	254,015	31,246	2,696	287,958
2035	287,958	32,183	3,040	323,182
2036	323,182	33,149	3,398	359,728
2037	359,728	34,143	3,768	397,639
2038	397,639	35,168	4,152	436,959
2039	436,959	36,223	4,551	477,733
2040	477,733	37,309	4,964	520,006
2041	520,006	38,429	5,392	563,827
2042	563,827	39,582	5,836	609,245
2043	609,245	40,769	6,296	656,310
2044	656,310	41,992	6,773	705,075
2045	705,075	43,252	7,267	755,594
2046	755,594	44,549	7,779	807,922
2047	807,922	45,886	8,309	862,117
2048	862,117	47,262	8,857	918,237
		824,428	93,809	

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

AMORTIZATION - Texas Direct Loan -First Mortgage

Total Loan Amount	4,000,000
Interest Rate	2.00%
Amortization (in years)	40
Start Date	Jan-24

Year	Principal	Interest	Total Payment	Balance
2024	65,959	79,398	145,356	3,934,041
2025	67,290	78,066	145,356	3,866,751
2026	68,648	76,708	145,356	3,798,103
2027	70,034	75,322	145,356	3,728,069
2028	71,447	73,909	145,356	3,656,621
2029	72,890	72,467	145,356	3,583,732
2030	74,361	70,995	145,356	3,509,371
2031	75,862	69,495	145,356	3,433,509
2032	77,393	67,963	145,356	3,356,116
2033	78,955	66,401	145,356	3,277,161
2034	80,549	64,808	145,356	3,196,612
2035	82,175	63,182	145,356	3,114,438
2036	83,833	61,523	145,356	3,030,604
2037	85,525	59,831	145,356	2,945,079
2038	87,252	58,105	145,356	2,857,827
2039	89,013	56,344	145,356	2,768,815
2040	90,809	54,547	145,356	2,678,005
2041	92,642	52,714	145,356	2,585,363
2042	94,512	50,844	145,356	2,490,851
2043	96,420	48,936	145,356	2,394,431
2044	98,366	46,990	145,356	2,296,065
2045	100,352	45,005	145,356	2,195,713
2046	102,377	42,979	145,356	2,093,336
2047	104,444	40,913	145,356	1,988,892
2048	106,552	38,805	145,356	1,882,341
	2,117,659	1,516,248	3,633,908	

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

AMORTIZATION - 2nd Mortgage

Total Loan Amount	1,000,000
Interest Rate	5.82%
Amortization (in years)	40
Start Date	Sep-24

Year	Principal	Interest	Total Payment	Balance
2024	2,124	19,385	21,509	997,876
2025	6,625	57,902	64,526	991,251
2026	7,021	57,506	64,526	984,231
2027	7,440	57,086	64,526	976,790
2028	7,885	56,641	64,526	968,905
2029	8,356	56,170	64,526	960,549
2030	8,856	55,670	64,526	951,692
2031	9,385	55,141	64,526	942,307
2032	9,946	54,580	64,526	932,361
2033	10,541	53,985	64,526	921,820
2034	11,171	53,355	64,526	910,648
2035	11,839	52,687	64,526	898,809
2036	12,547	51,980	64,526	886,263
2037	13,297	51,230	64,526	872,966
2038	14,092	50,435	64,526	858,875
2039	14,934	49,592	64,526	843,941
2040	15,827	48,700	64,526	828,114
2041	16,773	47,754	64,526	811,342
2042	17,775	46,751	64,526	793,566
2043	18,838	45,688	64,526	774,728
2044	19,964	44,562	64,526	754,764
2045	21,157	43,369	64,526	733,607
2046	22,422	42,104	64,526	711,185
2047	23,762	40,764	64,526	687,422
2048	25,183	39,343	64,526	662,240
	337,760	1,232,377	1,570,137	

Footnote - Assumed the loan could be refinanced or extended for the same rate and for the remaining term.

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

AMORTIZATION - EPA Loan 1

EPA Loan	650,000
Interest Rate	2.03%

Year	Debt Service	Interest	Outstanding Debt
2024	-	13,215	663,215
2025	-	13,483	676,698
2026	-	13,757	690,455
2027	-	14,037	704,492
2028	-	14,322	718,814
2029	-	14,613	733,428
2030	-	14,911	748,338
2031	-	15,214	763,552
2032	-	15,523	779,075
2033	-	15,839	794,914
2034	-	16,161	811,074
2035	-	16,489	827,563
2036	-	16,824	844,388
2037	-	17,166	861,554
2038	-	17,515	879,069
2039	-	17,871	896,941
2040	-	18,235	915,176
2041	-	18,606	933,781
2042	-	18,984	952,765
2043	-	19,370	972,135
2044	-	19,763	991,898
2045	-	20,165	1,012,064
2046	-	20,575	1,032,639
2047	-	20,994	1,053,632
2048	-	21,420	1,075,053
	-	425,053	

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

AMORTIZATION - EPA Loan 2

EPA Loan	516,500
Interest Rate	4.93%

Year	Debt Service	Interest	Outstanding Debt
2024	-	25,463	541,963
2025	-	26,719	568,682
2026	-	28,036	596,718
2027	-	29,418	626,136
2028	-	30,869	657,005
2029	-	32,390	689,395
2030	-	33,987	723,383
2031	-	35,663	759,045
2032	-	37,421	796,466
2033	-	39,266	835,732
2034	-	41,202	876,934
2035	-	43,233	920,166
2036	-	45,364	965,531
2037	-	47,601	1,013,131
2038	-	49,947	1,063,079
2039	-	52,410	1,115,488
2040	-	54,994	1,170,482
2041	-	57,705	1,228,187
2042	-	60,550	1,288,736
2043	-	63,535	1,352,271
2044	-	66,667	1,418,938
2045	-	69,954	1,488,892
2046	-	73,402	1,562,294
2047	-	77,021	1,639,315
2048	-	80,818	1,720,133
	-	1,203,633	

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

AMORTIZATION - City Affordable Housing Fund

Total Loan Amount	260,000
Interest Rate	3.00%

Year	Debt Service	Interest	Outstanding Debt
2024	-	1,300	261,300
2025	-	7,839	269,139
2026	-	8,074	277,213
2027	-	8,316	285,530
2028	-	8,566	294,095
2029	-	8,823	302,918
2030	-	9,088	312,006
2031	-	9,360	321,366
2032	-	9,641	331,007
2033	-	9,930	340,937
2034	-	10,228	351,165
2035	-	10,535	361,700
2036	-	10,851	372,551
2037	-	11,177	383,728
2038	-	11,512	395,240
2039	-	11,857	407,097
2040	-	12,213	419,310
2041	-	12,579	431,889
2042	-	12,957	444,846
2043	-	13,345	458,191
2044	-	13,746	471,937
2045	-	14,158	486,095
2046	-	14,583	500,678
2047	-	15,020	515,698
2048	-	15,471	531,169
	-	271,169	

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

AMORTIZATION - HUD 108 Loan

Total Loan Amount	1,429,000
Interest Rate	2.03%
Start Date	11/2019

Year	Debt Service	Interest	Outstanding Debt
2024	-	29,052	1,458,052
2025	-	29,642	1,487,694
2026	-	30,245	1,517,939
2027	-	30,860	1,548,798
2028	-	31,487	1,580,285
2029	-	32,127	1,612,413
2030	-	32,780	1,645,193
2031	-	33,447	1,678,640
2032	-	34,127	1,712,766
2033	-	34,821	1,747,587
2034	-	35,528	1,783,115
2035	-	36,251	1,819,366
2036	-	36,988	1,856,354
2037	-	37,740	1,894,094
2038	-	38,507	1,932,600
2039	-	39,290	1,971,890
2040	-	40,089	2,011,979
2041	-	40,904	2,052,882
2042	-	41,735	2,094,617
2043	-	42,584	2,137,201
2044	-	43,449	2,180,650
2045	-	44,333	2,224,983
2046	-	45,234	2,270,217
2047	-	46,154	2,316,370
2048	-	47,092	2,363,462
	-	934,462	

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

AMORTIZATION - PreservingUS SHTC Loan

Total Loan Amount	7,953,338
Interest Rate	0.50%
Start Date	2/2023

Year	Debt Service	Interest	Outstanding Debt
2024	-	39,767	7,993,104
2025	-	39,966	8,033,070
2026	-	40,165	8,073,235
2027	-	40,366	8,113,601
2028	-	40,568	8,154,169
2029	-	40,771	8,194,940
2030	-	40,975	8,235,915
2031	-	41,180	8,277,094
2032	-	41,385	8,318,480
2033	-	41,592	8,360,072
2034	-	41,800	8,401,873
2035	-	42,009	8,443,882
2036	-	42,219	8,486,101
2037	-	42,431	8,528,532
2038	-	42,643	8,571,175
2039	-	42,856	8,614,030
2040	-	43,070	8,657,101
2041	-	43,286	8,700,386
2042	-	43,502	8,743,888
2043	-	43,719	8,787,607
2044	-	43,938	8,831,546
2045	-	44,158	8,875,703
2046	-	44,379	8,920,082
2047	-	44,600	8,964,682
2048	-	44,823	9,009,506
	-	1,056,168	

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

SCHEDULE OF PROJECT DISTRIBUTIONS - Master Tenant

Year	Total Revenues	Operating Expenses	Base Rents to Real Estate Entity	Operating Reserves	Distributions from Master Landlord	Tax Equivalency Payment to Federal HTC Investor	Priority Return to Federal HTC Investor	Distributable Cash Flow	Distributions	
									Federal HTC Investor	General Partner/MM
2023	-	-	-	3,676	-	(3,676)	-	-	-	-
2024	463,270	(377,590)	(191,000)	161,993	24	(56,697)	-	-	-	-
2025	862,087	(388,768)	(235,000)	-	1	(212,017)	(26,303)	-	-	-
2026	887,950	(400,281)	(240,875)	-	6	(215,844)	(30,956)	-	-	-
2027	914,588	(412,139)	(246,897)	-	12	(219,777)	(35,786)	-	-	-
2028	942,026	(424,353)	(253,069)	-	17	(223,856)	(40,764)	-	-	-
2029	970,287	(436,934)	(259,396)	-	23	(117,323)	(156,656)	-	-	-
2030	999,395	(449,892)	(265,881)	-	28	(117,542)	(166,108)	-	-	-
2031	1,029,377	(463,239)	(272,528)	-	34	(117,768)	(175,876)	-	-	-
2032	1,060,258	(476,986)	(279,341)	-	40	(118,002)	(185,969)	-	-	-
2033	1,092,066	(491,146)	(286,325)	-	46	(118,243)	(196,399)	-	-	-
2034	1,124,828	(505,730)	(293,483)	-	52	(118,493)	(132,777)	74,398	3,720	70,678
2035	1,158,573	(520,752)	(300,820)	-	59	(118,750)	(111,680)	106,629	5,331	101,298
2036	1,193,330	(536,224)	(308,340)	-	65	(119,017)	(111,680)	118,134	5,907	112,227
2037	1,229,130	(552,161)	(316,049)	-	72	(119,292)	(111,680)	130,020	6,501	123,519
2038	1,266,004	(568,576)	(323,950)	-	79	(119,578)	(111,680)	142,298	7,115	135,183
2039	1,303,984	(585,483)	(332,049)	-	86	(119,887)	(111,680)	154,971	7,749	147,222
2040	1,343,103	(602,898)	(340,350)	-	93	(120,190)	(111,680)	168,078	8,404	159,674
2041	1,383,397	(620,835)	(348,859)	-	101	(120,503)	(111,680)	181,620	9,081	172,539
2042	1,424,898	(639,310)	(357,580)	-	108	(120,827)	(111,680)	195,609	9,780	185,829
2043	1,467,645	(658,339)	(366,520)	-	116	(121,161)	(111,680)	210,061	10,503	199,558
2044	1,511,675	(677,939)	(375,683)	-	124	(121,507)	(111,680)	224,990	11,250	213,741
2045	1,557,025	(698,127)	(385,075)	-	132	(121,863)	(111,680)	240,411	12,021	228,390
2046	1,603,736	(718,921)	(394,702)	-	140	(122,232)	(111,680)	256,341	12,817	243,524
2047	1,651,848	(740,339)	(404,569)	-	149	(122,612)	(111,680)	272,796	13,640	259,156
2048	1,701,403	(762,399)	(414,684)	-	158	(123,005)	(111,680)	289,793	14,490	275,303
Totals	30,141,883	(13,709,360)	(7,793,024)	165,669	1,765	(3,329,665)	(2,711,118)	2,766,149	138,307	2,627,842

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

SCHEDULE OF PRIORITY RETURNS - Master Tenant

Year	Contributed Capital	Priority Return Accrued to Federal Investor	Priority Return Paid	Accrued Priority Return to Federal Investor
2023	-	-	-	-
2024	1,539,519	30,790	-	30,790
2025	4,044,498	111,680	(26,303)	116,168
2026	-	111,680	(30,956)	196,892
2027	-	111,680	(35,786)	272,786
2028	-	111,680	(40,764)	343,703
2029	-	111,680	(156,656)	298,727
2030	-	111,680	(166,108)	244,299
2031	-	111,680	(175,876)	180,104
2032	-	111,680	(185,969)	105,815
2033	-	111,680	(196,399)	21,097
2034	-	111,680	(132,777)	-
2035	-	111,680	(111,680)	-
2036	-	111,680	(111,680)	-
2037	-	111,680	(111,680)	-
2038	-	111,680	(111,680)	-
2039	-	111,680	(111,680)	-
2040	-	111,680	(111,680)	-
2041	-	111,680	(111,680)	-
2042	-	111,680	(111,680)	-
2043	-	111,680	(111,680)	-
2044	-	111,680	(111,680)	-
2045	-	111,680	(111,680)	-
2046	-	111,680	(111,680)	-
2047	-	111,680	(111,680)	-
2048	-	111,680	(111,680)	-
Totals	5,584,017	2,711,118	(2,711,118)	

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

SCHEDULE OF PROJECT DISTRIBUTIONS - Landlord Entity

									Distributions			
Year	Base Rents	Ground Lease	Replacement Reserves	1st Mortgage Payments	2nd Mortgage Payments	SLP Return of Capital	Incentive Management Fee	Distributable Cash Flow	Federal LIHTC Investor	General Partner/MM	Special Limited Partner	Master Tenant
2024	191,000	(1)	-	(145,356)	(21,509)	(21,721)	-	2,413	2,388	0	0	24
2025	235,000	(1)	(23,948)	(145,356)	(64,526)	(1,052)	-	117	116	0	0	1
2026	240,875	(1)	(24,666)	(145,356)	(64,526)	(5,693)	-	633	627	0	0	6
2027	246,897	(1)	(25,406)	(145,356)	(64,526)	(4,838)	(5,609)	1,161	1,149	0	0	12
2028	253,069	(1)	(26,168)	(145,356)	(64,526)	-	(15,316)	1,702	1,685	0	0	17
2029	259,396	(1)	(26,953)	(145,356)	(64,526)	-	(20,303)	2,256	2,233	0	0	23
2030	265,881	(1)	(27,762)	(145,356)	(64,526)	-	(25,412)	2,824	2,795	0	0	28
2031	272,528	(1)	(28,595)	(145,356)	(64,526)	-	(30,645)	3,405	3,370	0	0	34
2032	279,341	(1)	(29,452)	(145,356)	(64,526)	-	(36,005)	4,000	3,959	0	0	40
2033	286,325	(1)	(30,336)	(145,356)	(64,526)	-	(41,495)	4,610	4,563	0	0	46
2034	293,483	(1)	(31,246)	(145,356)	(64,526)	-	(47,118)	5,235	5,182	1	1	52
2035	300,820	(1)	(32,183)	(145,356)	(64,526)	-	(52,878)	5,875	5,815	1	1	59
2036	308,340	(1)	(33,149)	(145,356)	(64,526)	-	(58,777)	6,531	6,464	1	1	65
2037	316,049	(1)	(34,143)	(145,356)	(64,526)	-	(64,820)	7,202	7,129	1	1	72
2038	323,950	(1)	(35,168)	(145,356)	(64,526)	-	(71,009)	7,890	7,810	1	1	79
2039	332,049	(1)	(36,223)	(145,356)	(64,526)	-	(77,348)	8,595	8,507	1	1	86
2040	340,350	(1)	(37,309)	(145,356)	(64,526)	-	(83,841)	9,316	9,221	1	1	93
2041	348,859	(1)	(38,429)	(145,356)	(64,526)	-	(90,492)	10,055	9,952	1	1	101
2042	357,580	(1)	(39,582)	(145,356)	(64,526)	-	(97,304)	10,811	10,701	1	1	108
2043	366,520	(1)	(40,769)	(145,356)	(64,526)	-	(104,281)	11,586	11,468	1	1	116
2044	375,683	(1)	(41,992)	(145,356)	(64,526)	-	(111,426)	12,381	12,255	1	1	124
2045	385,075	(1)	(43,252)	(145,356)	(64,526)	-	(118,746)	13,194	13,059	1	1	132
2046	394,702	(1)	(44,549)	(145,356)	(64,526)	-	(126,242)	14,027	13,884	1	1	140
2047	404,569	(1)	(45,886)	(145,356)	(64,526)	-	(133,920)	14,880	14,728	1	1	149
2048	414,684	(1)	(47,262)	(145,356)	(64,526)	-	(141,784)	15,754	15,593	2	2	158
Totals	7,793,024	(25)	(824,428)	(3,633,908)	(1,570,137)	(33,303)	(1,554,771)	176,453	174,653	18	18	1,765

Footnote: SLP Return of Capital payments are limited to 90% of available cash flow.

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

SCHEDULE OF DEPRECIATION EXPENSES - Landlord Entity

Year	Acquisition Basis (30 yr. Property)	Qualified Rehab Expense (30 yr. Property)	Land Improvements Capitalized (15 yr. Property)	FF&E (5 yr. Property)	Total
Total Capital Costs	672,500	34,392,811	956,994	285,513	36,307,818
Reduction	-	-	-	-	-
	672,500	34,392,811	956,994	285,513	36,307,818
Term	30.0	30.0	15.0	5.0	5.0
Depreciation Start	December-23	December-23	December-23	December-23	December-23
2023	1,868	95,536	775,165	239,831	1,112,400
2024	22,417	1,146,427	18,183	18,273	1,205,299
2025	22,417	1,146,427	16,365	10,849	1,196,058
2026	22,417	1,146,427	14,738	6,578	1,190,160
2027	22,417	1,146,427	13,264	6,578	1,188,686
2028	22,417	1,146,427	11,924	3,289	1,184,057
2029	22,417	1,146,427	11,293	-	1,180,136
2030	22,417	1,146,427	11,293	-	1,180,136
2031	22,417	1,146,427	11,312	-	1,180,155
2032	22,417	1,146,427	11,293	-	1,180,136
2033	22,417	1,146,427	11,312	-	1,180,155
2034	22,417	1,146,427	11,293	-	1,180,136
2035	22,417	1,146,427	11,312	-	1,180,155
2036	22,417	1,146,427	11,293	-	1,180,136
2037	22,417	1,146,427	11,312	-	1,180,155
2038	22,417	1,146,427	5,646	-	1,174,490
2039	22,417	1,146,427	-	-	1,168,844
2040	22,417	1,146,427	-	-	1,168,844
2041	22,417	1,146,427	-	-	1,168,844
2042	22,417	1,146,427	-	-	1,168,844
2043	22,417	1,146,427	-	-	1,168,844
2044	22,417	1,146,427	-	-	1,168,844
2045	22,417	1,146,427	-	-	1,168,844
2046	22,417	1,146,427	-	-	1,168,844
2047	22,417	1,146,427	-	-	1,168,844
2048	22,417	1,146,427	-	-	1,168,844
2049	22,417	1,146,427	-	-	1,168,844
2050	22,417	1,146,427	-	-	1,168,844
2051	22,417	1,146,427	-	-	1,168,844
2052	22,417	1,146,427	-	-	1,168,844
2053	20,549	1,050,891	-	-	1,071,440
	672,500	34,392,811	956,994	285,399	36,307,704

Note: The Landlord entity will be electing real property trade or business

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

AMORTIZATION SCHEDULE - Landlord Entity

Year	Loan Costs	Organizational, Marketing & Legal	Start-Up Costs	Interest Expense	Total
Total Capital Costs	20,698	993,247	141,242	492,760	1,647,946
Reduction	-	-	-	-	-
	20,698	993,247	141,242	492,760	1,647,946
Term	40.0	15.0	1.0	1.0	
Amortization Start	Dec-23	Dec-23	Dec-23	Jan-24	
2023	43	5,518	141,242	-	146,803
2024	517	66,216	-	492,760	559,493
2025	517	66,216	-	-	66,734
2026	517	66,216	-	-	66,734
2027	517	66,216	-	-	66,734
2028	517	66,216	-	-	66,734
2029	517	66,216	-	-	66,734
2030	517	66,216	-	-	66,734
2031	517	66,216	-	-	66,734
2032	517	66,216	-	-	66,734
2033	517	66,216	-	-	66,734
2034	517	66,216	-	-	66,734
2035	517	66,216	-	-	66,734
2036	517	66,216	-	-	66,734
2037	517	66,216	-	-	66,734
2038	517	60,698	-	-	61,216
2039	517	-	-	-	517
2040	517	-	-	-	517
2041	517	-	-	-	517
2042	517	-	-	-	517
2043	517	-	-	-	517
2044	517	-	-	-	517
2045	517	-	-	-	517
2046	517	-	-	-	517
2047	517	-	-	-	517
2048	517	-	-	-	517
2049	517	-	-	-	517
2050	517	-	-	-	517
2051	517	-	-	-	517
2052	517	-	-	-	517
2053	517	-	-	-	517
	15,566	993,247	141,242	492,760	1,642,815

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

PROJECTED TAXABLE INCOME (LOSS) - Master Tenant

Year	Net Operating Revenue	Net Operating Expenses	Base Rents	Reserve Interest Income	Profits (Losses) from Master Landlord	Net Tax Income (Loss)	Allocated Income (Loss) to Federal HTC Investor	Allocated Income (Loss) to General Partner/MM
2023	-	-	-	-	(12,592)	(12,592)	(12,466)	(126)
2024	463,270	(377,590)	(191,000)	231	(17,775)	(122,864)	(121,636)	(1,229)
2025	862,087	(388,768)	(235,000)	234	(12,774)	225,779	223,521	2,258
2026	887,950	(400,281)	(240,875)	236	(12,661)	234,368	232,025	2,344
2027	914,588	(412,139)	(246,897)	238	(12,592)	243,198	240,766	2,432
2028	942,026	(424,353)	(253,069)	241	(12,490)	252,353	249,830	2,524
2029	970,287	(436,934)	(259,396)	243	(12,394)	261,805	13,090	248,715
2030	999,395	(449,892)	(265,881)	245	(12,336)	271,531	13,577	257,955
2031	1,029,377	(463,239)	(272,528)	248	(12,277)	281,581	14,079	267,502
2032	1,060,258	(476,986)	(279,341)	250	(12,216)	291,965	14,598	277,367
2033	1,092,066	(491,146)	(286,325)	253	(12,154)	302,694	15,135	287,560
2034	1,124,828	(505,730)	(293,483)	255	(12,091)	313,780	15,689	298,091
2035	1,158,573	(520,752)	(300,820)	258	(12,026)	325,233	16,262	308,971
2036	1,193,330	(536,224)	(308,340)	261	(11,960)	337,066	16,853	320,213
2037	1,229,130	(552,161)	(316,049)	263	(11,893)	349,290	17,465	331,826
2038	1,266,004	(568,576)	(323,950)	266	(11,712)	362,032	18,102	343,930
2039	1,303,984	(585,483)	(332,049)	268	(10,978)	375,742	18,787	356,955
2040	1,343,103	(602,898)	(340,350)	271	(10,906)	389,221	19,461	369,760
2041	1,383,397	(620,835)	(348,859)	274	(10,833)	403,144	20,157	382,987
2042	1,424,898	(639,310)	(357,580)	277	(10,758)	417,527	20,876	396,651
2043	1,467,645	(658,339)	(366,520)	279	(10,681)	432,385	21,619	410,766
2044	1,511,675	(677,939)	(375,683)	282	(10,603)	447,732	22,387	425,345
2045	1,557,025	(698,127)	(385,075)	285	(10,523)	463,585	23,179	440,405
2046	1,603,736	(718,921)	(394,702)	288	(10,442)	479,959	23,998	455,961
2047	1,651,848	(740,339)	(404,569)	291	(10,359)	496,872	24,844	472,028
2048	1,701,403	(762,399)	(414,684)	294	(10,274)	514,340	25,717	488,623
Total	30,141,883	(13,709,360)	(7,793,024)	6,532	(308,302)	8,337,728	1,187,914	7,149,814

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

PROJECTED TAXABLE INCOME (LOSS) - Landlord Entity

Year	Base Rents	Operating Reserve Interest Income	Replacement Reserve Interest Income	Ground Lease	Texas Direct Loan Interest	2nd Mortgage Interest	EPA Loan 1 Interest	EPA Loan 2 Interest	City Affordable Housing Fund Interest	HUD 108 Loan Interest	PreservingUS SHTC Loan Interest	Depreciation Expense	Funded Expenses	Net Tax Income (Loss)	Allocated Income (Loss) to Federal LIHTC Investor	Allocated Income (Loss) to General Partner/MM	Allocated Income (Loss) to Special Limited Partner	Allocated Income (Loss) to Master Tenant
2023	-	-	-	-	-	-	-	-	-	-	-	(1,112,400)	(146,803)	(1,259,203)	(1,246,359)	(126)	(126)	(12,592)
2024	191,000	3,842	-	(1)	(79,398)	(19,385)	(13,215)	(25,463)	(1,300)	(29,052)	(39,767)	(1,205,299)	(559,493)	(1,777,530)	(1,759,400)	(178)	(178)	(17,775)
2025	235,000	3,919	120	(1)	(78,066)	(57,902)	(13,483)	(26,719)	(7,839)	(29,642)	(39,966)	(1,196,058)	(66,734)	(1,277,370)	(1,264,341)	(128)	(128)	(12,774)
2026	240,875	3,998	364	(1)	(76,708)	(57,506)	(13,757)	(28,036)	(8,074)	(30,245)	(40,165)	(1,190,160)	(66,734)	(1,266,149)	(1,253,234)	(127)	(127)	(12,661)
2027	246,897	4,078	618	(1)	(75,322)	(57,086)	(14,037)	(29,418)	(8,316)	(30,860)	(40,366)	(1,188,686)	(66,734)	(1,259,233)	(1,246,389)	(126)	(126)	(12,592)
2028	253,069	4,160	882	(1)	(73,909)	(56,641)	(14,322)	(30,869)	(8,566)	(31,487)	(40,568)	(1,184,057)	(66,734)	(1,249,042)	(1,236,302)	(125)	(125)	(12,490)
2029	259,396	4,244	1,156	(1)	(72,467)	(56,170)	(14,613)	(32,390)	(8,823)	(32,127)	(40,771)	(1,180,136)	(66,734)	(1,239,436)	(1,226,794)	(124)	(124)	(12,394)
2030	265,881	4,329	1,442	(1)	(70,995)	(55,670)	(14,911)	(33,987)	(9,088)	(32,780)	(40,975)	(1,180,136)	(66,734)	(1,233,626)	(1,221,043)	(123)	(123)	(12,336)
2031	272,528	4,416	1,738	(1)	(69,495)	(55,141)	(15,214)	(35,663)	(9,360)	(33,447)	(41,180)	(1,180,155)	(66,734)	(1,227,707)	(1,215,184)	(123)	(123)	(12,277)
2032	279,341	4,505	2,045	(1)	(67,963)	(54,580)	(15,523)	(37,421)	(9,641)	(34,127)	(41,385)	(1,180,136)	(66,734)	(1,221,620)	(1,209,159)	(122)	(122)	(12,216)
2033	286,325	4,595	2,365	(1)	(66,401)	(53,985)	(15,839)	(39,266)	(9,930)	(34,821)	(41,592)	(1,180,155)	(66,734)	(1,215,439)	(1,203,042)	(122)	(122)	(12,154)
2034	293,483	4,688	2,696	(1)	(64,808)	(53,355)	(16,161)	(41,202)	(10,228)	(35,528)	(41,800)	(1,180,136)	(66,734)	(1,209,086)	(1,196,753)	(121)	(121)	(12,091)
2035	300,820	4,782	3,040	(1)	(63,182)	(52,687)	(16,489)	(43,233)	(10,535)	(36,251)	(42,009)	(1,180,155)	(66,734)	(1,202,634)	(1,190,367)	(120)	(120)	(12,026)
2036	308,340	4,878	3,398	(1)	(61,523)	(51,980)	(16,824)	(45,364)	(10,851)	(36,988)	(42,219)	(1,180,136)	(66,734)	(1,196,004)	(1,183,805)	(120)	(120)	(11,960)
2037	316,049	4,976	3,768	(1)	(59,831)	(51,230)	(17,166)	(47,601)	(11,177)	(37,740)	(42,431)	(1,180,155)	(66,734)	(1,189,272)	(1,177,141)	(119)	(119)	(11,893)
2038	323,950	5,076	4,152	(1)	(58,105)	(50,435)	(17,515)	(49,947)	(11,512)	(38,507)	(42,643)	(1,174,490)	(61,216)	(1,171,192)	(1,159,246)	(117)	(117)	(11,712)
2039	332,049	5,178	4,551	(1)	(56,344)	(49,592)	(17,871)	(52,410)	(11,857)	(39,290)	(42,856)	(1,168,844)	(517)	(1,097,804)	(1,086,607)	(110)	(110)	(10,978)
2040	340,350	5,282	4,964	(1)	(54,547)	(48,700)	(18,235)	(54,994)	(12,213)	(40,089)	(43,070)	(1,168,844)	(517)	(1,090,612)	(1,079,488)	(109)	(109)	(10,906)
2041	348,859	5,388	5,392	(1)	(52,714)	(47,754)	(18,606)	(57,705)	(12,579)	(40,904)	(43,286)	(1,168,844)	(517)	(1,083,269)	(1,072,219)	(108)	(108)	(10,833)
2042	357,580	5,497	5,836	(1)	(50,844)	(46,751)	(18,984)	(60,550)	(12,957)	(41,735)	(43,502)	(1,168,844)	(517)	(1,075,771)	(1,064,798)	(108)	(108)	(10,758)
2043	366,520	5,607	6,296	(1)	(48,936)	(45,688)	(19,370)	(63,535)	(13,345)	(42,584)	(43,719)	(1,168,844)	(517)	(1,068,116)	(1,057,222)	(107)	(107)	(10,681)
2044	375,683	5,720	6,773	(1)	(46,990)	(44,562)	(19,763)	(66,667)	(13,746)	(43,449)	(43,938)	(1,168,844)	(517)	(1,060,302)	(1,049,487)	(106)	(106)	(10,603)
2045	385,075	5,835	7,267	(1)	(45,005)	(43,369)	(20,165)	(69,954)	(14,158)	(44,333)	(44,158)	(1,168,844)	(517)	(1,052,326)	(1,041,593)	(105)	(105)	(10,523)
2046	394,702	5,952	7,779	(1)	(42,979)	(42,104)	(20,575)	(73,402)	(14,583)	(45,234)	(44,379)	(1,168,844)	(517)	(1,044,186)	(1,033,535)	(104)	(104)	(10,442)
2047	404,569	6,072	8,309	(1)	(40,913)	(40,764)	(20,994)	(77,021)	(15,020)	(46,154)	(44,600)	(1,168,844)	(517)	(1,035,878)	(1,025,312)	(104)	(104)	(10,359)
2048	414,684	6,194	8,857	(1)	(38,805)	(39,343)	(21,420)	(80,818)	(15,471)	(47,092)	(44,823)	(1,168,844)	(517)	(1,027,400)	(1,016,920)	(103)	(103)	(10,274)
Total	7,793,024	123,211	93,809	(25)	(1,516,248)	(1,232,377)	(425,053)	(1,203,633)	(271,169)	(934,462)	(1,056,168)	(30,560,889)	(1,640,228)	(30,830,208)	(30,515,740)	(3,083)	(3,083)	(308,302)

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

§50(d) INCOME SCHEDULE

Year	Federal Tax Credit	Allocated to Federal Tax Credit Investor	Allocated to Managing Member
Total Capital Costs	6,878,562	6,809,777	68,786
Reduction	-	-	-
	6,878,562	6,809,777	68,786
Term	27.5		
Depreciation Start	December-23		
2023	20,844	20,636	208
2024	250,130	247,628	2,501
2025	250,130	247,628	2,501
2026	250,130	247,628	2,501
2027	250,130	247,628	2,501
2028	250,130	247,628	2,501
2029	250,130	247,628	2,501
2030	250,130	247,628	2,501
2031	250,130	247,628	2,501
2032	250,130	247,628	2,501
2033	250,130	247,628	2,501
2034	250,130	247,628	2,501
2035	250,130	247,628	2,501
2036	250,130	247,628	2,501
2037	250,130	247,628	2,501
2038	250,130	247,628	2,501
2039	250,130	247,628	2,501
2040	250,130	247,628	2,501
2041	250,130	247,628	2,501
2042	250,130	247,628	2,501
2043	250,130	247,628	2,501
2044	250,130	247,628	2,501
2045	250,130	247,628	2,501
2046	250,130	247,628	2,501
2047	250,130	247,628	2,501
2048	250,130	247,628	2,501
2049	250,130	247,628	2,501
2050	250,130	247,628	2,501
2051	104,221	103,178	1,042
	6,878,562	6,809,777	68,786

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

TAX EQUIVALENCY PAYMENT CALCULATION

Year	Net Income (Loss) Allocated to Federal Investor	§50(d) Income Allocated to Federal Investor	Net Income (Loss) Realized by Federal Investor	Tax Equivalency Payment to Federal HTC Investor
2023	(12,466)	20,636	8,170	3,676
2024	(121,636)	247,628	125,993	56,697
2025	223,521	247,628	471,150	212,017
2026	232,025	247,628	479,653	215,844
2027	240,766	247,628	488,394	219,777
2028	249,830	247,628	497,458	223,856
2029	13,090	247,628	260,718	117,323
2030	13,577	247,628	261,205	117,542
2031	14,079	247,628	261,707	117,768
2032	14,598	247,628	262,227	118,002
2033	15,135	247,628	262,763	118,243
2034	15,689	247,628	263,317	118,493
2035	16,262	247,628	263,890	118,750
2036	16,853	247,628	264,482	119,017
2037	17,465	247,628	265,093	119,292
2038	18,102	247,628	265,730	119,578
2039	18,787	247,628	266,415	119,887
2040	19,461	247,628	267,089	120,190
2041	20,157	247,628	267,785	120,503
2042	20,876	247,628	268,505	120,827
2043	21,619	247,628	269,247	121,161
2044	22,387	247,628	270,015	121,507
2045	23,179	247,628	270,807	121,863
2046	23,998	247,628	271,626	122,232
2047	24,844	247,628	272,472	122,612
2048	25,717	247,628	273,345	123,005
Total	1,187,914	6,211,342	7,399,256	3,329,665

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

MINIMUM GAIN ANALYSIS

Year	Texas Direct Loan Principal	2nd Mortgage Principal	EPA Loan 1 Principal	EPA Loan 2 Principal	City Affordable Housing Fund Principal	HUD 108 Loan Principal	PreservingUS SHTC Loan	Total Debt	Building Basis	Minimum Gain
2023	4,000,000	1,000,000	650,000	650,000	-	-	-	2,300,000	35,195,418	-
2024	3,934,041	997,876	663,215	541,963	261,300	1,458,052	7,993,104	11,915,510	33,990,119	-
2025	3,866,751	991,251	676,698	568,682	269,139	1,487,694	8,033,070	12,026,534	32,794,061	-
2026	3,798,103	984,231	690,455	596,718	277,213	1,517,939	8,073,235	12,139,791	31,603,901	-
2027	3,728,069	976,790	704,492	626,136	285,530	1,548,798	8,113,601	12,255,348	30,415,216	-
2028	3,656,621	968,905	718,814	657,005	294,095	1,580,285	8,154,169	12,373,274	29,231,159	-
2029	3,583,732	960,549	733,428	689,395	302,918	1,612,413	8,194,940	12,493,643	28,051,022	-
2030	3,509,371	951,692	748,338	723,383	312,006	1,645,193	8,235,915	12,616,527	26,870,886	-
2031	3,433,509	942,307	763,552	759,045	321,366	1,678,640	8,277,094	12,742,004	25,690,731	-
2032	3,356,116	932,361	779,075	796,466	331,007	1,712,766	8,318,480	12,870,155	24,510,595	-
2033	3,277,161	921,820	794,914	835,732	340,937	1,747,587	8,360,072	13,001,062	23,330,439	-
2034	3,196,612	910,648	811,074	876,934	351,165	1,783,115	8,401,873	13,134,810	22,150,303	-
2035	3,114,438	898,809	827,563	920,166	361,700	1,819,366	8,443,882	13,271,488	20,970,148	-
2036	3,030,604	886,263	844,388	965,531	372,551	1,856,354	8,486,101	13,411,188	19,790,011	-
2037	2,945,079	872,966	861,554	1,013,131	383,728	1,894,094	8,528,532	13,554,005	18,609,856	-
2038	2,857,827	858,875	879,069	1,063,079	395,240	1,932,600	8,571,175	13,700,038	17,435,366	-
2039	2,768,815	843,941	896,941	1,115,488	407,097	1,971,890	8,614,030	13,849,388	16,266,522	-
2040	2,678,005	828,114	915,176	1,170,482	419,310	2,011,979	8,657,101	14,002,161	15,097,679	-
2041	2,585,363	811,342	933,781	1,228,187	431,889	2,052,882	8,700,386	14,158,467	13,928,835	229,632
2042	2,490,851	793,566	952,765	1,288,736	444,846	2,094,617	8,743,888	14,318,419	12,759,991	1,558,428
2043	2,394,431	774,728	972,135	1,352,271	458,191	2,137,201	8,787,607	14,482,134	11,591,148	2,890,986
2044	2,296,065	754,764	991,898	1,418,938	471,937	2,180,650	8,831,546	14,649,733	10,422,304	4,227,429
2045	2,195,713	733,607	1,012,064	1,488,892	486,095	2,224,983	8,875,703	14,821,343	9,253,460	5,567,883
2046	2,093,336	711,185	1,032,639	1,562,294	500,678	2,270,217	8,920,082	14,997,094	8,084,616	6,912,478
2047	1,988,892	687,422	1,053,632	1,639,315	515,698	2,316,370	8,964,682	15,177,121	6,915,773	8,261,348
2048	1,882,341	-	1,075,053	1,720,133	531,169	2,363,462	9,009,506	14,699,323	5,746,929	8,952,394

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

CAPITAL ACCOUNT ANALYSIS - Landlord Entity - Federal LIHTC Investor

Minimum Gain Analysis

Year	Capital Contributions	Taxable Income (Loss)	Cash Distributions	Capital Account Balance	Reallocation of Income (Loss)	Adjusted Capital Account	Member's Share of Nonrecourse Debt	Member's Share of Long Term Assets	Minimum Gain	Adjusted Capital Account
2023	3,261,163	(1,246,359)	-	2,014,804	-	2,014,804	2,276,540	34,836,425	-	2,014,804
2024	11,100,446	(1,759,400)	(206,795)	11,149,056	-	11,149,056	11,793,971	33,643,420	-	11,149,056
2025	-	(1,264,341)	(116)	9,884,599	-	9,884,599	11,903,863	32,459,562	-	9,884,599
2026	-	(1,253,234)	(627)	8,630,738	-	8,630,738	12,015,965	31,281,542	-	8,630,738
2027	-	(1,246,389)	(1,149)	7,383,200	-	7,383,200	12,130,343	30,104,980	-	7,383,200
2028	-	(1,236,302)	(1,685)	6,145,213	-	6,145,213	12,247,067	28,933,001	-	6,145,213
2029	-	(1,226,794)	(2,233)	4,916,186	-	4,916,186	12,366,207	27,764,902	-	4,916,186
2030	-	(1,221,043)	(2,795)	3,692,349	-	3,692,349	12,487,838	26,596,803	-	3,692,349
2031	-	(1,215,184)	(3,370)	2,473,794	-	2,473,794	12,612,036	25,428,685	-	2,473,794
2032	-	(1,209,159)	(3,959)	1,260,676	-	1,260,676	12,738,880	24,260,587	-	1,260,676
2033	-	(1,203,042)	(4,563)	53,071	-	53,071	12,868,451	23,092,469	-	53,071
2034	-	(1,196,753)	(5,182)	(1,148,864)	1,148,864	-	13,000,835	21,924,370	-	-
2035	-	(1,190,367)	(5,815)	(2,345,046)	1,196,182	-	13,136,118	20,756,252	-	-
2036	-	(1,183,805)	(6,464)	(3,535,316)	1,190,270	-	13,274,394	19,588,153	-	-
2037	-	(1,177,141)	(7,129)	(4,719,585)	1,184,269	-	13,415,754	18,420,035	-	-
2038	-	(1,159,246)	(7,810)	(5,886,640)	1,167,055	-	13,560,297	17,257,525	-	-
2039	-	(1,086,607)	(8,507)	(6,981,755)	1,095,114	-	13,708,124	16,100,604	-	-
2040	-	(1,079,488)	(9,221)	(8,070,464)	1,088,709	-	13,859,339	14,943,682	-	-
2041	-	(1,072,219)	(9,952)	(9,152,636)	854,882	(227,290)	14,014,051	13,786,761	227,290	-
2042	-	(1,064,798)	(10,701)	(10,228,134)	-	(1,302,789)	14,172,371	12,629,839	1,542,532	239,743
2043	-	(1,057,222)	(11,468)	(11,296,824)	-	(2,371,478)	14,334,416	11,472,918	2,861,498	490,020
2044	-	(1,049,487)	(12,255)	(12,358,566)	-	(3,433,220)	14,500,306	10,315,996	4,184,310	751,090
2045	-	(1,041,593)	(13,059)	(13,413,218)	-	(4,487,872)	14,670,166	9,159,075	5,511,091	1,023,219
2046	-	(1,033,535)	(13,884)	(14,460,637)	-	(5,535,291)	14,844,124	8,002,153	6,841,970	1,306,679
2047	-	(1,025,312)	(14,728)	(15,500,677)	-	(6,575,331)	15,022,314	6,845,232	8,177,082	1,601,751
2048	-	(1,016,920)	(15,593)	(16,533,191)	-	(7,607,845)	14,549,390	5,688,310	8,861,079	1,253,235
	14,361,609	(30,515,740)	(379,060)							

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

CAPITAL ACCOUNT ANALYSIS - Landlord Entity - Federal LIHTC Investor - Assumes Put Exercised *

Minimum Gain Analysis

Year	Capital Contributions	MT Capital Account	Taxable Income (Loss)	Cash Distributions	Capital Account Balance	Reallocation of Income (Loss)	Adjusted Capital Account	Member's Share of Nonrecourse Debt	Member's Share of Long Term Assets	Minimum Gain	Adjusted Capital Account
2023	3,261,163	-	(1,246,359)	-	2,014,804	-	2,014,804	2,276,540	34,836,425	-	2,014,804
2024	11,100,446	-	(1,759,400)	(206,795)	11,149,056	-	11,149,056	11,793,971	33,643,420	-	11,149,056
2025	-	-	(1,264,341)	(116)	9,884,599	-	9,884,599	11,903,863	32,459,562	-	9,884,599
2026	-	-	(1,253,234)	(627)	8,630,738	-	8,630,738	12,015,965	31,281,542	-	8,630,738
2027	-	-	(1,246,389)	(1,149)	7,383,200	-	7,383,200	12,130,343	30,104,980	-	7,383,200
2028	-	5,277,076	(1,236,302)	(1,685)	11,422,289	-	11,422,289	12,247,067	28,933,001	-	11,422,289
2029	-	-	(1,226,794)	(2,233)	10,193,263	-	10,193,263	12,366,207	27,764,902	-	10,193,263
2030	-	-	(1,221,043)	(2,795)	8,969,425	-	8,969,425	12,487,838	26,596,803	-	8,969,425
2031	-	-	(1,215,184)	(3,370)	7,750,870	-	7,750,870	12,612,036	25,428,685	-	7,750,870
2032	-	-	(1,209,159)	(3,959)	6,537,752	-	6,537,752	12,738,880	24,260,587	-	6,537,752
2033	-	-	(1,203,042)	(4,563)	5,330,147	-	5,330,147	12,868,451	23,092,469	-	5,330,147
2034	-	-	(1,196,753)	(5,182)	4,128,212	-	4,128,212	13,000,835	21,924,370	-	4,128,212
2035	-	-	(1,190,367)	(5,815)	2,932,030	-	2,932,030	13,136,118	20,756,252	-	2,932,030
2036	-	-	(1,183,805)	(6,464)	1,741,761	-	1,741,760	13,274,394	19,588,153	-	1,741,760
2037	-	-	(1,177,141)	(7,129)	557,491	-	557,491	13,415,754	18,420,035	-	557,491
2038	-	-	(1,159,246)	(7,810)	(609,564)	609,564	-	13,560,297	17,257,525	-	-
2039	-	-	(1,086,607)	(8,507)	(1,704,678)	1,095,114	-	13,708,124	16,100,604	-	-
2040	-	-	(1,079,488)	(9,221)	(2,793,387)	1,088,709	-	13,859,339	14,943,682	-	-
2041	-	-	(1,072,219)	(9,952)	(3,875,559)	854,882	(227,290)	14,014,051	13,786,761	227,290	-
2042	-	-	(1,064,798)	(10,701)	(4,951,058)	-	(1,302,789)	14,172,371	12,629,839	1,542,532	239,743
2043	-	-	(1,057,222)	(11,468)	(6,019,748)	-	(2,371,478)	14,334,416	11,472,918	2,861,498	490,020
2044	-	-	(1,049,487)	(12,255)	(7,081,489)	-	(3,433,220)	14,500,306	10,315,996	4,184,310	751,090
2045	-	-	(1,041,593)	(13,059)	(8,136,141)	-	(4,487,872)	14,670,166	9,159,075	5,511,091	1,023,219
2046	-	-	(1,033,535)	(13,884)	(9,183,560)	-	(5,535,291)	14,844,124	8,002,153	6,841,970	1,306,679
2047	-	-	(1,025,312)	(14,728)	(10,223,601)	-	(6,575,331)	15,022,314	6,845,232	8,177,082	1,601,751
2048	-	-	(1,016,920)	(15,593)	(11,256,114)	-	(7,607,845)	14,549,390	5,688,310	8,861,079	1,253,235
	14,361,609	5,277,076	(30,515,740)	(379,060)							

* For presentation purposes only

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

CAPITAL ACCOUNT ANALYSIS -Landlord Entity - General Partner/MM

Year	Capital Contributions	Taxable Income (Loss)	Distribution from Capital Transaction	Cash Distributions	Capital Account Balance	Reallocation of Income (Loss)	Adjusted Capital Account
2023	8,792,778	(126)	-	-	8,792,652	-	8,792,652
2024	(2,664,990)	(178)	-	-	6,127,484	-	6,127,484
2025	-	(128)	-	-	6,127,356	-	6,127,356
2026	-	(127)	-	-	6,127,230	-	6,127,230
2027	-	(126)	-	-	6,127,104	-	6,127,104
2028	-	(125)	-	-	6,126,979	-	6,126,979
2029	-	(124)	-	-	6,126,855	-	6,126,855
2030	-	(123)	-	-	6,126,731	-	6,126,731
2031	-	(123)	-	-	6,126,609	-	6,126,609
2032	-	(122)	-	-	6,126,486	-	6,126,486
2033	-	(122)	-	-	6,126,365	-	6,126,365
2034	-	(121)	-	(1)	6,126,244	(1,148,864)	4,977,380
2035	-	(120)	-	(1)	6,126,123	(1,196,182)	3,781,077
2036	-	(120)	-	(1)	6,126,002	(1,190,270)	2,590,687
2037	-	(119)	-	(1)	6,125,883	(1,184,269)	1,406,298
2038	-	(117)	-	(1)	6,125,765	(1,167,055)	239,125
2039	-	(110)	-	(1)	6,125,654	(1,095,114)	(856,100)
2040	-	(109)	-	(1)	6,125,544	(1,088,709)	(1,944,919)
2041	-	(108)	-	(1)	6,125,435	(854,882)	(2,799,911)
2042	-	(108)	-	(1)	6,125,326	-	(2,800,019)
2043	-	(107)	-	(1)	6,125,218	-	(2,800,127)
2044	-	(106)	-	(1)	6,125,111	-	(2,800,235)
2045	-	(105)	-	(1)	6,125,004	-	(2,800,341)
2046	-	(104)	-	(1)	6,124,899	-	(2,800,447)
2047	-	(104)	-	(1)	6,124,794	-	(2,800,552)
2048	-	(103)	-	(2)	6,124,689	-	(2,800,656)
	6,127,788	(3,083)	-	(15)			

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

CAPITAL ACCOUNT ANALYSIS -Landlord Entity - Special Limited Partner

Year	Assumption of Developer Fee	SLP Return of Capital	Taxable Income (Loss)	Distribution from Capital Transaction	Cash Distributions	Capital Account Balance	Reallocation of Income (Loss)	Adjusted Capital Account
2023	2,656,541	-	(126)	-	-	2,656,415	-	2,656,415
2024	-	(2,644,958)	(178)	-	-	11,279	-	11,279
2025	-	(1,052)	(128)	-	-	10,099	-	10,099
2026	-	(5,693)	(127)	-	-	4,280	-	4,280
2027	-	(4,838)	(126)	-	-	(684)	-	(684)
2028	-	-	(125)	-	-	(809)	-	(809)
2029	-	-	(124)	-	-	(933)	-	(933)
2030	-	-	(123)	-	-	(1,056)	-	(1,056)
2031	-	-	(123)	-	-	(1,179)	-	(1,179)
2032	-	-	(122)	-	-	(1,301)	-	(1,301)
2033	-	-	(122)	-	-	(1,423)	-	(1,423)
2034	-	-	(121)	-	(1)	(1,544)	-	(1,544)
2035	-	-	(120)	-	(1)	(1,665)	-	(1,665)
2036	-	-	(120)	-	(1)	(1,785)	-	(1,785)
2037	-	-	(119)	-	(1)	(1,905)	-	(1,905)
2038	-	-	(117)	-	(1)	(2,023)	-	(2,023)
2039	-	-	(110)	-	(1)	(2,133)	-	(2,133)
2040	-	-	(109)	-	(1)	(2,243)	-	(2,243)
2041	-	-	(108)	-	(1)	(2,353)	-	(2,353)
2042	-	-	(108)	-	(1)	(2,461)	-	(2,461)
2043	-	-	(107)	-	(1)	(2,569)	-	(2,569)
2044	-	-	(106)	-	(1)	(2,677)	-	(2,677)
2045	-	-	(105)	-	(1)	(2,783)	-	(2,783)
2046	-	-	(104)	-	(1)	(2,889)	-	(2,889)
2047	-	-	(104)	-	(1)	(2,994)	-	(2,994)
2048	-	-	(103)	-	(2)	(3,098)	-	(3,098)
	2,656,541	(2,656,541)	(3,083)	-	(15)			

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

CAPITAL ACCOUNT ANALYSIS -Landlord Entity - Master Tenant

Year	Capital Contributions	Taxable Income (Loss)	Cash Distributions	Capital Account Balance	Reallocation of Income (Loss)	Adjusted Capital Account
2023	1,762,309	(12,592)	-	1,749,716	-	1,749,716
2024	3,689,312	(17,775)	(24)	5,421,229	-	5,421,229
2025	-	(12,774)	(1)	5,408,454	-	5,408,454
2026	-	(12,661)	(6)	5,395,786	-	5,395,786
2027	-	(12,592)	(12)	5,383,182	-	5,383,182
2028	-	(12,490)	(17)	5,370,675	-	5,370,675
2029	-	(12,394)	(23)	5,358,258	-	5,358,258
2030	-	(12,336)	(28)	5,345,893	-	5,345,893
2031	-	(12,277)	(34)	5,333,582	-	5,333,582
2032	-	(12,216)	(40)	5,321,326	-	5,321,326
2033	-	(12,154)	(46)	5,309,126	-	5,309,126
2034	-	(12,091)	(52)	5,296,982	-	5,296,982
2035	-	(12,026)	(59)	5,284,897	-	5,284,897
2036	-	(11,960)	(65)	5,272,872	-	5,272,872
2037	-	(11,893)	(72)	5,260,907	-	5,260,907
2038	-	(11,712)	(79)	5,249,116	-	5,249,116
2039	-	(10,978)	(86)	5,238,052	-	5,238,052
2040	-	(10,906)	(93)	5,227,053	-	5,227,053
2041	-	(10,833)	(101)	5,216,120	-	5,216,120
2042	-	(10,758)	(108)	5,205,254	-	5,205,254
2043	-	(10,681)	(116)	5,194,457	-	5,194,457
2044	-	(10,603)	(124)	5,183,730	-	5,183,730
2045	-	(10,523)	(132)	5,173,075	-	5,173,075
2046	-	(10,442)	(140)	5,162,493	-	5,162,493
2047	-	(10,359)	(149)	5,151,985	-	5,151,985
2048	-	(10,274)	(158)	5,141,554	-	5,141,554
	5,451,620	(308,302)	(1,765)			

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

CAPITAL ACCOUNT ANALYSIS - Master Tenant - Federal HTC Investor

Year	Capital Contributions	Taxable Income (Loss)	Cash Distributions	Priority Returns	Tax Equivalency Payments	Capital Account Balance	Reallocation of Income (Loss)	Adjusted Capital Account
2023	1,539,519	(12,466)	-	-	(3,676)	1,523,377	-	1,523,377
2024	4,044,498	(121,636)	-	-	(56,697)	5,389,542	-	5,389,542
2025	-	223,521	-	(26,303)	(212,017)	5,374,743	-	5,374,743
2026	-	232,025	-	(30,956)	(215,844)	5,359,968	-	5,359,968
2027	-	240,766	-	(35,786)	(219,777)	5,345,170	-	5,345,170
2028	-	249,830	-	(40,764)	(223,856)	5,330,380	-	5,330,380
2029	-	13,090	-	(156,656)	(117,323)	5,069,491	-	5,069,491
2030	-	13,577	-	(166,108)	(117,542)	4,799,417	-	4,799,417
2031	-	14,079	-	(175,876)	(117,768)	4,519,852	-	4,519,852
2032	-	14,598	-	(185,969)	(118,002)	4,230,479	-	4,230,479
2033	-	15,135	-	(196,399)	(118,243)	3,930,972	-	3,930,972
2034	-	15,689	(3,720)	(132,777)	(118,493)	3,691,672	-	3,691,672
2035	-	16,262	(5,331)	(111,680)	(118,750)	3,472,171	-	3,472,171
2036	-	16,853	(5,907)	(111,680)	(119,017)	3,252,421	-	3,252,421
2037	-	17,465	(6,501)	(111,680)	(119,292)	3,032,412	-	3,032,412
2038	-	18,102	(7,115)	(111,680)	(119,578)	2,812,140	-	2,812,140
2039	-	18,787	(7,749)	(111,680)	(119,887)	2,591,611	-	2,591,611
2040	-	19,461	(8,404)	(111,680)	(120,190)	2,370,798	-	2,370,798
2041	-	20,157	(9,081)	(111,680)	(120,503)	2,149,690	-	2,149,690
2042	-	20,876	(9,780)	(111,680)	(120,827)	1,928,279	-	1,928,279
2043	-	21,619	(10,503)	(111,680)	(121,161)	1,706,553	-	1,706,553
2044	-	22,387	(11,250)	(111,680)	(121,507)	1,484,503	-	1,484,503
2045	-	23,179	(12,021)	(111,680)	(121,863)	1,262,118	-	1,262,118
2046	-	23,998	(12,817)	(111,680)	(122,232)	1,039,387	-	1,039,387
2047	-	24,844	(13,640)	(111,680)	(122,612)	816,298	-	816,298
2048	-	25,717	(14,490)	(111,680)	(123,005)	592,840	-	592,840
	5,584,017	1,187,914	(138,307)	(2,711,118)	(3,329,665)			

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

CAPITAL ACCOUNT ANALYSIS - Master Tenant - General Partner/MM

Year	Capital Contributions	Taxable Income (Loss)	Cash Distributions	Capital Account Balance	Reallocation of Income (Loss)	Adjusted Capital Account
2023	-	(126)	-	(126)	-	(126)
2024	56,399	(1,229)	-	55,044	-	55,044
2025	-	2,258	-	57,302	-	57,302
2026	-	2,344	-	59,646	-	59,646
2027	-	2,432	-	62,078	-	62,078
2028	-	2,524	-	64,602	-	64,602
2029	-	248,715	-	313,317	-	313,317
2030	-	257,955	-	571,272	-	571,272
2031	-	267,502	-	838,774	-	838,774
2032	-	277,367	-	1,116,141	-	1,116,141
2033	-	287,560	-	1,403,701	-	1,403,701
2034	-	298,091	(70,678)	1,631,113	-	1,631,113
2035	-	308,971	(101,298)	1,838,787	-	1,838,787
2036	-	320,213	(112,227)	2,046,773	-	2,046,773
2037	-	331,826	(123,519)	2,255,080	-	2,255,080
2038	-	343,930	(135,183)	2,463,827	-	2,463,827
2039	-	356,955	(147,222)	2,673,559	-	2,673,559
2040	-	369,760	(159,674)	2,883,645	-	2,883,645
2041	-	382,987	(172,539)	3,094,093	-	3,094,093
2042	-	396,651	(185,829)	3,304,915	-	3,304,915
2043	-	410,766	(199,558)	3,516,123	-	3,516,123
2044	-	425,345	(213,741)	3,727,728	-	3,727,728
2045	-	440,405	(228,390)	3,939,743	-	3,939,743
2046	-	455,961	(243,524)	4,152,180	-	4,152,180
2047	-	472,028	(259,156)	4,365,051	-	4,365,051
2048	-	488,623	(275,303)	4,578,371	-	4,578,371
	56,399	7,149,814	(2,627,842)			

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

AT RISK ANALYSIS - Historic Tax Credit

Qualified Non Recourse Debt as of 12/31/23	
Construction Financing (Bonds) - 1st Issue	13,500,000
TDHCA - 1st Mortgage	3,388,667
2nd Mortgage	-
EPA Loan 1	588,553
EPA Loan 2	516,491
City Affordable Housing Fund	260,000
HUD 108 Loan	1,429,000
PreservingUS SHTC Loan	-
Total Non Recourse Financing Available for Rehab	19,682,712
Total Project Applications	39,940,549
Net Project Applications	39,940,549
Total Qualified Rehab Expenditures	34,392,811
Qualified Basis as % of Net Applications	86.11%
Total Non Recourse Financing Allocated to Eligible Basis	16,948,785
% of Non Recourse Financing to Total Eligible Basis	49.28%
Section 49(a) Limitation	80%
Excess Basis	10,565,464

Qualified Non Recourse Debt as of 12/31/24	
Construction Financing (Bonds) - 1st Issue	-
TDHCA - 1st Mortgage	3,934,041
2nd Mortgage	997,876
EPA Loan 1	663,215
EPA Loan 2	541,963
City Affordable Housing Fund	261,300
HUD 108 Loan	1,458,052
PreservingUS SHTC Loan	7,993,104
Total Non Recourse Financing Available for Rehab	15,849,551
Total Project Applications	39,940,549
Net Project Applications	39,940,549
Total Qualified Rehab Expenditures	34,392,811
Qualified Basis as % of Net Applications	86.11%
Total Non Recourse Financing Allocated to Eligible Basis	13,648,050
% of Non Recourse Financing to Total Eligible Basis	39.68%
Section 49(a) Limitation	80%
Excess Basis	13,866,199

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

BOND TEST

Description	Costs	Amortizable Costs	Depreciable Costs	Other Costs	Eligible Basis	(A) Land & Building Basis	(B) Costs Financed By Tax Exempt Bonds
Land	-	-	-	-	-	-	-
Existing Structure	672,500	-	672,500	-	672,500	672,500	-
HC: Construction Contract	23,234,946	-	23,234,946	-	23,234,946	23,234,946	20,300,000
HC: Abatement Contract	1,732,255	-	1,732,255	-	1,732,255	1,732,255	-
HC: Historic Remediation Contract	3,448,110	-	3,448,110	-	3,448,110	3,448,110	-
HC: Other Hard Cost (NIC): Labor Standards Off	298,435	-	298,435	-	298,435	298,435	-
Interest Expense	2,472,657	492,760	1,979,898	-	1,979,898	1,979,898	-
Citibank: Origination Fee - Construction	205,250	-	205,250	-	205,250	205,250	-
Citibank: NAOR Ext Fee	33,750	33,750	-	-	33,750	33,750	-
Citibank: Legal	160,000	15,665	144,335	-	144,335	144,335	-
Citibank Fees	104,262	104,262	-	-	-	-	-
Legal Fees: Tax Credit Syndication / Due Diligenc	307,423	307,423	-	-	-	-	-
Legal Fees: Borrower	500,714	250,357	250,357	-	250,357	250,357	-
Legal Fees: Investor Counsel	259,000	259,000	-	-	-	-	-
A&E: Architect - Supervision & Design	265,696	-	265,696	-	265,696	265,696	-
A&E: Engineering and Survey	311,151	-	311,151	-	291,436	291,436	-
Environmental: Phase I Assessment	103,824	-	103,824	-	84,350	84,350	-
Professional Fees: Accounting (Audit and Tax Rc	131,790	1,490	130,300	-	130,300	130,300	-
Professional Fees: Tax Certification	2,775	2,775	-	-	-	-	-
Professional Fees: Market Study	16,326	16,326	-	-	16,326	16,326	-
Professional Fees: Title and Recording (including	216,259	-	216,259	-	216,259	216,259	-
Professional Fees: Perm Loan Fee	20,698	20,698	-	-	-	-	-
Professional Fees: Historic Consultant	18,196	-	18,196	-	18,196	18,196	-
Financial: TDHCA Interest During Construction	68,010	-	68,010	-	68,010	68,010	-
Financial: Other Lender Financing Fee	245,665	-	245,665	-	245,665	245,665	-
Financial: Other Lender Inspection Fees	16,100	-	16,100	-	16,100	16,100	-
Financial: Other (Financial Modeling)	50,525	50,525	-	-	50,525	50,525	-
Issuer Fee	281,865	199,660	82,205	-	82,205	82,205	-
Bond & Issuer Counsel Fee	180,167	180,167	-	-	180,167	180,167	-
Other COI Fees	47,500	47,500	-	-	-	-	-
Trustee Fee	29,500	29,500	-	-	29,500	29,500	-
Trustee Counsel	6,000	6,000	-	-	6,000	6,000	-
Priority Equity Return	11,288	-	-	11,288	-	-	-
Application Fees	56,540	56,540	-	-	-	-	-
Insurance	130,835	-	130,835	-	92,006	92,006	-
Marketing/Lease Up Cost	141,242	141,242	-	-	-	-	-
Lease Up Reserve	108,400	-	-	108,400	-	-	-
Construction/Lease-Up	95,751	-	-	95,751	-	-	-
Developer Fee	3,154,559	-	3,154,559	-	3,154,559	3,154,559	-
Interest Reserve	-	(536,320)	536,320	-	-	-	-
Operating Deficit Reserve	311,917	-	-	311,917	-	-	-
Operating Reserve	72,263	-	-	72,263	-	-	-
SFG Fees	212,000	212,000	-	-	-	-	-
Additional cushion on costs	-	-	-	-	-	-	-
Citibank Repayment	-	-	-	-	-	-	-
Distribution to LP	204,406	-	-	204,406	-	-	-
	39,940,549	1,891,319	37,245,206	804,025	36,947,135	36,947,135	20,300,000

50% Test Percentage Calculatic (B) / (A) 54.94%

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

HOTEL GRIM

PUT ANALYSIS

Capital Contribution	5,451,620
Put Price	5.0%
Gross sale proceeds	272,581
Capital Account as of 12/31/2028	5,330,380
Priority Return Payment at Execution of Put	(343,703)
Capital Gain (Loss) on Sale	(4,714,096)
Tax Rate	45%
Exit Tax Savings (Expense)	2,121,343
Unpaid Priority Return Payments	343,703
Put	272,581
Net Benefit on Exit	2,737,627

FMV ANALYSIS *

NPV Priority Return	1,562,757
NPV Distributions	61,328
Fair Market Value	1,624,085
Lesser of 5% capital contribution or FMV	**272,581**

*Discount rate of 6%

Attachment: 2024-059 ATTH 02 Hotel Grim Financial Model 5.16.2024 (4246 : 2024-059 RES Addndms &

RESOLUTION NO. 2024-059

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR SUBORDINATION AGREEMENTS TO HUD SECTION 108 LOAN, AFFORDABLE HOUSING LOAN AND TWO EPA RLF LOANS, EXECUTED WITH TEXARKANA GRIM HOUSING PARTNERS, LP, AND ADDENDUMS TO PAYMENT TERMS OF ALL FOUR LOANS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, by Resolution No. 2015-080, the City Council approved and stated its support of the Hotel Grim redevelopment; and

WHEREAS, the City executed four loans with Texarkana Grim Housing Partners, LP for the environmental abatement and redevelopment of the Hotel Grim; and

WHEREAS, Texarkana Grim Housing Partners has the opportunity to secure additional bonds through the Texas Department of Housing and Community Affairs (TDHCA) to ensure continued eligibility as a Low Income Tax-Credit project; and

WHEREAS, City staff and the RLF Loan Committee approved, by unanimous vote, to recommend approval of the four loan addendums and subordination agreements; and

WHEREAS, the City Council intends, by this resolution, to authorize the City Manager to execute any and all documents necessary to amend the loan terms and subordinate the City's lien position on these four loans to comply with the terms requested by Texas Department of Housing and Community Affairs.

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

SECTION 1: The City Council approves the addendum to loan terms for the four loans to Texarkana Grim Housing Partners, LP and approves to subordinate the City's lien position.

SECTION 2: The City Council authorizes the City Manager to execute any and all loan documents or other documents necessary to effectuate the intent of the above with Texarkana Grim Housing Partners, LP, and/or any person or entity allying with Texarkana Grim Housing Partners, LP for the redevelopment of the Hotel Grim.

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

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

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:04 p.m.

Attachment: 2024-059 RES addendum Txr Grim Housing signed (4246 : 2024-059 RES Addndms & Subrd Agrmts to Texarkana Grim Housing